

2012

ANNUAL TOWN ELECTION/ANNUAL TOWN MEETING SCHEDULE

2011

September 26	Finance Committee and Board of Assessors review overlay reserve
October 3	Finance Committee votes budget guidelines
October 6	FY2013 budget guidelines issued to departments, boards and committees
October 28	Capital project requests due
November 22	Deadline for submission of all budgets to Finance Committee and Board of Selectmen (per Town Code Sec. 36-3)
December 5	Presentation of FY2011 audit report and management letter by town auditor (joint meeting of Finance Committee and Board of Selectmen)
December 12	Board of Assessors to present recommendation on tax classification; Joint session of Board of Selectmen, Board of Assessors and Finance Committee to review tax recapitulation sheet
December 19	Selectmen vote to open warrant for Annual Town Meeting (per Town Code Sec. 36-1, the Annual Town Meeting shall commence on a day between April 1 and May 15 ordered by the Selectmen (also MGL c. 39, s. 9 requires annual town meeting to be held in February, March, April or May); notice sent to newspaper; posted on town website, Town Building, Wayland Public Library, Happy Hollow School and the Cochituate Post Office
December 21	Reminder notice sent to all Town boards and departments of Tuesday, January 17 at 4:30 p.m. article submission deadline

2012

January 3	Nomination papers available from Town Clerk for Town Election
January 3, 9, 17, 23, 30	Finance Committee budget presentations with departments, committees, and petitioners (3 rd and 9 th – capital budget; 17 th – town department budgets; 23 rd – school budget; 30 th - deliberations)
January 9	Petitioners' Workshop with Selectmen
January 16	Martin Luther King, Jr. Day

January 17	Deadline for submission of warrant articles at 4:30 p.m. (per Town Code Sec. 36-3)
January 17	Board of Selectmen budget presentations to Finance Committee
January 17	Selectmen letter articles
January 18	Articles distributed to Moderator, Finance Committee, Selectmen, Town Counsel and Town Clerk; conveyance of submitted zoning by-law articles to the Planning Board, Town Clerk per MGL c. 40A s.5
January 19	Town Counsel, Town Planner, Building Commissioner, Town Clerk and Town Administrator meet to review zoning articles
January 23	Finance Committee ATM article hearing
January 30	Selectmen meeting with Planning Board on Town Meeting articles (if necessary)
February 6	Finance Committee presents draft and votes FY2013 budget (tentative date pending number of articles); approve letter to BOS requesting debt exclusion ballot question (if any)
February 9	Articles put in final form by Town Counsel
February 13	Finance Committee presents draft and votes FY2013 budget
February 13	Selectmen determine order of ATM warrant articles
February 13	Finance Committee presents debt exclusion recommendation (if any proposed)
<i>February 13</i>	<i>Selectmen vote to set date of Special Town Meeting and open warrant from February 14-22, 2012 (if necessary)</i>
February 14	Last day for submission of nomination papers to Town Clerk for Town Election (49 days)
February 15	Deadline for submission of sponsor's report and petitioners' comments for ATM articles
February 16	Planning Board zoning article hearing
February 20 - 24	President's Day (February 20) and school winter recess
<i>February 22</i>	<i>Last day to submit articles for Special Town Meeting at 4:30 p.m. (if necessary)</i>
<i>February 27</i>	<i>Selectmen review and order Special Town Meeting articles for insertion in the Warrant</i>

February 27	Planning Board discuss, vote reports on zoning articles
February 27	Selectmen accept public comment; discuss wording and vote on ballot questions (if any)
February 27	Last day for Selectmen to submit ballot question (if any) to Town Clerk
February 28	Last day to withdraw nomination papers for Town Election (35 days)
February 28	Town Clerk sends ballot to printer
<i>February 29</i>	<i>Deadline for submission of sponsor's reports and petitioner's comments on STM articles</i>
March 1	Deadline for submission of Finance Committee comments on ATM articles (except budget articles)
March 6	Deadline for submission of budget article with Finance Committee comments
<i>March 7</i>	<i>Deadline for Special Town Meeting article comments from Finance Committee and Planning Board</i>
March 8	Compilation of warrant completed and all changes made
March 9	Warrant to printer
March 9	Final Warrant copied and delivered to Selectmen, Moderator, Finance Committee, Town Clerk, Town Counsel and Finance Director
March 14	Last day to register to vote for Town Election/Town Meeting (20 days prior to election)
March 16	Motions for articles submitted by Town Counsel and provided to Moderator and Town Clerk
March 16	Vehicle description to be filed with Town Clerk (vehicles valued at \$10,000 or more) per Town Code Sec. 19-7
March 19	Selectmen sign warrants for posting
March 20	Town Clerk post warrants (Town Building, Library, Happy Hollow School, Cochrutuate Post Office) per Town Code Sec. 36-2A (at least 7 days prior to Annual Town Election)
March 20	Postal delivery of warrants (Town Code 36-2A, MGL c. 39, s10)

March 28	Selectmen conduct ATM Warrant Hearing at 7:30 p.m.; Finance Committee make presentation on debt exclusion ballot question (if any)
March 28	Selectmen review proposed motions and vote positions on Annual Town Meeting Warrant articles
<i>March 28</i>	<i>Selectmen review proposed motions and vote positions on Special Town Meeting Warrant articles</i>
APRIL 3	ANNUAL TOWN ELECTION
April 5	Prepare and print final errata sheets, Moderator's instructions to tellers, and Planning Board reports (if necessary) for distribution at Town Meeting
April 5	Warrants and lists delivered to Town Meeting site. List of non-resident employees provided to Moderator and Town Clerk
APRIL 9	ANNUAL TOWN MEETING
April 10, 11, 12	Adjourned sessions of annual town meeting (as necessary)
April 16 - 20	Patriot's Day (April 16) and school spring recess
April 26	Annual Town Meeting follow-up with Town Counsel, Town Clerk, Town Administrator

2011/2012 FINCOM MEETING SCHEDULE

Proposed meeting dates and topics for FY12

Monday, August 22	Finalize liaisons Plan budget process
Monday Sept 12	Initial Budget Projections including reports on revenue detail, FY11 Broad discussion of guidelines Review outstanding projects: CIP, ORC reporting, etc. Distribute budget meeting schedule
Monday Sept 19	Discuss budget projections/guidelines Determine operating/capital budget submission requirements
Monday, Sept 26	Meet with BoA for overlay review Ideas for State of the Town Vote new CIP form, submissions Discuss/finalize budget projections/guidelines
Monday, October 3	Discuss/vote Budget Guidelines; presentation Prepare for State of the Town mtg Discuss content of Dec presentation
<i>October</i>	<i>Liaison meetings</i>
Wednesday, October 19	State of the Town
<i>October 28</i>	<i>Capital budgets due to Finance</i>
Monday, Nov 14	Capital requests distributed Review Draft Tax Recap calculation Prepare for Dec presentation Report on liaison meetings
Monday, Nov 21 or 28	Initial review of capital submissions Prepare for Dec presentation
<i>November 23</i>	<i>Operating budgets due</i>
Monday, December 5	Presentation on (topic to be determined)
Monday Dec 12	Operating Budgets Distributed Joint meeting w/BOS - Audit review (tentative)
Monday, January 3	Budget: capital

Budget deliberations - operating and capital

Monday, January 9

Budget: capital
Budget deliberations - operating and capital

Tuesday, January 17

Budget: town dept operating budgets
Budget deliberations - operating and capital
Assign ATM articles (if available)

Monday, January 23

Budget: school dept operating budget
Budget deliberations - operating and capital
ATM Warrant article hearing

Monday, January 30

Budget deliberations - operating and capital
Develop presentation of draft budget

Monday, February 6

Presentation of draft budget
Final session of budget deliberations - operating and capital
Vote FY13 budget
Vote DE request letter (if necessary)

Monday, February 13

Present DE request to BoS (if necessary)

Wednesday, February 15

Deadline for submission of sponsor's report/petitioners' comments on ATM articles

Thursday, March 1

Deadline for ATM comments

Friday, March 9

Warrant to printer

March 26 or 28

Presentation on DE ballot question (if necessary)
ATM Warrant Article Hearing

April 5, 9, 10, 11, 12

ATM tentative dates

WARRANT ARTICLE PROCESS: Guide for Petitioners

Citizens have the right to submit articles for consideration by the Town meeting. Such articles must be in writing and signed by ten or more registered voters for Annual Town Meeting (ATM) or 100 or more registered voters for Special Town Meeting (STM), using the attached form. All petitioners' articles must be submitted in accordance with the law on or before January 15 or such earlier time as may be fixed by the Board of Selectmen, and all such articles for Special Town Meeting must be so presented on or before the date fixed by the Selectmen for closing of the warrant for such meeting. All petitioners' articles having the required number of qualified signatures must be included in the Town Meeting Warrant by state statute.

The Board of Selectmen and the Finance Committee encourage citizens to work with appropriate Town boards to achieve their goals whenever possible before submitting petitioners' articles.

ATM Time Line and Process

Date	Action	Responsibility
December	<i>Hold a workshop for citizens interested in submitting petition for Annual Town Meeting.</i> Potential articles and the submission process may be discussed with the Selectmen and experienced volunteers.	Board of Selectmen
On or before January 15 or such earlier time as may be fixed by the Board of Selectmen	<i>Submit petitioners' articles for Annual Town Meeting both on paper with signatures and by email in Microsoft Word.</i> Articles are collected and numbered, and copies are given to the Board of Selectmen, Finance Committee, Moderator, and Town Counsel. Petitioners are encouraged to provide comments, arguments in favor, and arguments against their articles at the time of submission.	Town Administrator
January - March	<i>Review articles, determine their order, vote positions on most articles; may meet with petitioners</i> The Board may discuss substantive articles with petitioners or attend the Finance Committee's meeting with petitioners.	Board of Selectmen
January - March	<i>Study each petitioner's article and prepare a report for the Warrant</i> The Committee meets with petitioners to discuss their article. They may explore alternative means for accomplishing the article's objective. A member of the Committee is assigned to the article to prepare a report for the Warrant, including pro and con arguments and the Committee's recommendation.	Finance Committee
January - March	<i>Meet with Finance Committee and/or Board of Selectmen to discuss article; write report of no more than 150 words to be printed in the warrant if desired and if the Finance Committee prepares a report.</i> Such discussions help to identify issues that require further work on the part of the petitioner as well as to identify arguments for and against passage.	Petitioners
February	<i>Review articles for form and legal correctness, add required legal citation(s), indicating the quantum of vote required for Passage</i>	Town Counsel
Approximately 7 days prior to ATM	<i>Attend a warrant article hearing.</i> Petitioners should attend this hearing to review their warrant articles.	Selectmen with Moderator and Finance Committee
ATM	<i>Move the article and make a brief presentation on the merits of the article</i> Movers of articles have a limited amount of time to explain and present arguments in favor of passage of the article (currently 10 minutes). This presentation is made at the procedural (center) microphone. Petitioners may prepare handouts and slides. If the motion differs substantially from the article printed in the warrant, printed copies should be prepared for the moderator and made available for people attending Town Meeting.	Lead Petitioner or Sponsoring Board or Committee
ATM	<i>Consider each article at Annual Town Meeting</i> Citizens are encouraged to debate the merits of articles, ask questions, and make amendments when appropriate. Amendments should be legibly written for submission to the moderator and made available to people attending Town Meeting.	Town Meeting attendees

INSTRUCTIONS FOR COMPLETING PETITIONERS ARTICLE FORM

Lead Petitioner: The lead petitioner will serve as spokesperson for the article and will be the contact for the Finance Committee and the Board of Selectmen, and by the Planning Board if the petition is a zoning issue.

Date Received: The date received will be stamped on the petition when it is received by the Town Administrator and forwarded to the Town Clerk for certification.

PETITIONERS ARTICLE FOR WAYLAND TOWN MEETING

LEAD PETITIONER_____ DATE RECEIVED_____

DAY PHONE_____ EVENING PHONE_____

TITLE_____

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE_____

ESTIMATED COST_____

ARTICLE: To determine whether the Town will vote to

Add comments and pro and con arguments on the next page. Thank you.

#	Print Name Legibly	Signature	Print Street Address
1			
2			
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14			

PETITIONERS ARTICLE FOR WAYLAND TOWN MEETING

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COMMENTS

PRO ARGUMENTS

CON ARGUMENTS

THE MODERATOR'S RULES AND REGULATIONS GOVERNING WAYLAND'S TOWN MEETINGS

The following information may help you to participate fully in Wayland's town meetings, which have been held each year since 1639:

I. THE WARRANT

This booklet, which includes the Warrant for Wayland's Town Meeting, was compiled by the Selectmen and served upon all residents by mail and by posting in accordance with applicable provisions of the Code of the Town of Wayland. It contains the agenda of the subjects to be acted upon (articles), including the omnibus budget proposed (if this is an annual meeting), the report and recommendations of the Finance Committee, and additional information concerning the finances and administration of the Town to help us formulate our votes.

No action of this Town Meeting will be valid unless it shall have been taken under an article set forth in the Warrant.

Each article will be considered in the order in which it appears on the Warrant, unless the meeting shall have voted to do otherwise by a TWO-THIRDS vote.

II. THE VOTERS

A. All residents of Wayland, who have been duly registered as voters, are urged to attend, participate, debate and vote at all annual and special town meetings subject to laws of the Commonwealth of Massachusetts, the Bylaws of the Town and these rules and regulations.

B. The Town Administrator, Assistant Town Administrator, Police Chief, Fire Chief, Finance Director, Director of Public Works, and Superintendent of Schools, shall have the right to attend and sit on the floor of town meetings, but they shall not be considered in determining the presence of a quorum unless they are registered voters of the Town.

C. All other persons, including members of the press, may attend and observe Wayland's town meetings so long as they remain seated in the special section reserved for non-residents, unless the Moderator shall have authorized them to sit among the registered voters. And see paragraph IV.B.3 below.

D. A registered voter may bring his or her child(ren) to sit among the voters so long as the child(ren) sit(s) quietly beside his or her parent at all times.

III. THE MODERATOR

The Moderator is elected by ballot for a three year term at the annual election of town officers to preside at all Town meetings during his or her term of office and is authorized by state law to regulate the proceedings, decide all questions of order and make public declaration of all votes, subject to the Bylaws that Wayland has enacted to regulate the proceedings of town meetings. All rulings of the Moderator are final.

IV. THE MEETING

A. The Call to Order

1. The Moderator will call each session of town meeting to order at 7:30 p.m., or as soon thereafter as the Town Clerk has determined that a quorum of one hundred (100) registered voters has been checked into the hall.

2. The Moderator will announce the number of each article about to be considered and invite a motion thereunder; the Moderator will omit the reading of the articles, unless a MAJORITY of the meeting shall vote otherwise.

B. To Address the Town Meeting

1. No person may address a town meeting until and unless he or she shall have been recognized by the Moderator. All persons shall, at the request of the Moderator, be silent.

2. All persons, who wish to be recognized, shall approach one of the three microphones placed at the front of the room, which most closely reflects the purpose for which they seek recognition:

- a. The Procedural Microphone (in the middle) will be available to those who have been recognized by the Moderator and wish to offer:
 - 1) The main motion under the article being considered and a presentation in support thereof;
 - 2) The principal presentation in opposition to the main motion. See paragraph IV.C.2.a, below;
 - 3) An amendment to a main motion;
 - 4) A question seeking information concerning the motion or other matter then under discussion, or guidance from the Moderator as to procedure, including a point of order;
 - 5) An answer to a question seeking information; and
 - 6) A point of order or procedural motion, such as:
 - a) a motion to terminate debate;
 - b) a motion challenging the Moderator's declaration of a vote;
 - c) a motion questioning the presence of a quorum; and
 - d) a motion to adjourn.
- b. The "Pro" Microphone will be available to those persons recognized by the Moderator who wish to speak in support of a motion on the floor.
- c. The "Con" Microphone will be available to those persons recognized by the Moderator who wish to speak in opposition to a motion on the floor.

The Moderator will normally recognize those persons, who are standing behind or seated near each microphone in a single file, in the order of their entry into that file, alternating between the Pro and the Con mikes; but reserves the right to recognize any person at any time, including a person who has not approached a mike, a person who is handicapped or a person who has risen to a point of order. Any person whose remarks are not consistent with the purpose of the microphone that he has been permitted to use, shall yield the floor upon request of the Moderator.

3. The Town Administrator, Assistant Town Administrator, Police Chief, Fire Chief, Finance Director, Director of Public Works and Superintendent of Schools have the right to answer questions, but they do not have the right to vote unless they are registered voters of the Town.

4. If a person, who has not registered to vote, seeks permission to address the meeting, the Moderator will ask whether there are any objections. If there are any, he will immediately call for a vote. If the majority shall vote to hear the non-resident, the Moderator will give him/her the floor.

C. The Debate

1. When you have been recognized by the Moderator, address the Chair as follows:
“Mr. Moderator, I am (Name) of (Street Address).” Then proceed as follows:
 - a. “I move that . . .”;
 - b. “May I ask you . . .”; or
“May I ask through you (then state the question which you want a board, official, or previous speaker to answer);
 - c. “I rise to a point of order”; or
2. Once you have been recognized, you may offer any motion, amendment, argument, comment, suggestion or question relevant to the article then under consideration, unless the Moderator shall have authorized debate or invited comments upon subjects not listed in the Warrant; but
 - a. Any person who wishes to offer the principal presentation in support of the main motion under an article, must so notify the Moderator prior to that article being called and complete the same within ten (10) minutes, or less, and yield the floor. A light will warn you to conclude your remarks and yield the floor during the final minute.
 - b. Any person wishing to offer a presentation in opposition to the main motion under an article must so notify the Moderator prior to that article being called and complete the same within the time used by the proponent, or within three (3) minutes, whichever is longer, and yield the floor. The same one (1) minute warning light will warn you to conclude your remarks. The Moderator may divide the time if more than one person indicates a desire to make a presentation in opposition.
 - c. All other persons who wish to address the Town Meeting shall, when recognized, complete their remarks in three (3) minutes, or less, and yield the floor. The same one (1) minute warning light will be turned on when you have used up the first two (2) minutes.
 - d. You may be interrupted only by a question of privilege, a point of order, a request that you speak more distinctly or by the Moderator.
 - e. When you have completed your motion, question, or remarks, you relinquish your claim to the floor; and you must yield the floor upon request of the Moderator.
3. Abbreviated Presentation Procedure. With notice to and leave of the Moderator any person making a main motion under an article may present that motion under the Abbreviated Presentation Procedure. Under this procedure:
 - a. The motion must be presented in or be substantially consistent with the words of the Article as printed in the Warrant, and without making further presentation in support of that article. The Moderator may allow minor or editorial variation from the words of the Article as printed in the Warrant.
 - b. The Moderator will ask if anyone wishes to speak in opposition to the motion or if anyone has a question regarding the motion.

- c. Should there be a question, the questioner will be permitted to state his or her question and the presenter of the motion will be permitted to answer that question.
- d. Should any individual state that he or she is opposed to the motion, or if the Moderator determines that the questions are of significant depth or importance, the presentation and debate will continue in the normal course as set forth in these Rules.

4. If you have a question concerning the legality or propriety of the proceedings, you may approach the Procedural Microphone and address the Moderator without waiting to be recognized, saying: "Mr. Moderator, I rise to a point of order." When you have been recognized, you must state the reason for your point, which may include that a motion is beyond the scope of the article under consideration, that the person who has the floor is not addressing the merits of the motion or that a quorum is not present. The Moderator will then rule on the point and his ruling is final.

5. If you wish to offer a motion within the scope of the article under consideration, follow the procedure outlined under paragraph IV. B. and C., above.

- a. If your motion is the main motion, you must then declare that it is identical word-for-word with the substantive portion of the article printed in the warrant which is then under consideration, or describe all of the substantive differences in wording between the article and the motion; otherwise the Moderator will permit no debate or action upon your motion.
- b. If you plan to offer a main motion that contains more than twenty-five (25) words and differs significantly from the article printed in the Warrant, you must first print and distribute a copy thereof to those attending the session of town meeting at which said motion is presented.
- c. No motion or amendment of a motion that exceeds ten (10) words in length will be accepted, unless it shall have been offered to the Moderator in writing.
- d. A motion that is not identical word-for-word with the substantive portion of the article printed in the warrant then under consideration will not be accepted, unless the Moderator shall determine that said motion is within the scope of the article; i.e., that it does not change the substantial character of the proposal described in that article or would not further restrict, if passed, the liberties of the residents of Wayland than the proposal set forth in the article.
- e. The Moderator will accept no motion proposing a layout, taking, purchase, sale, lease or rezoning of land, unless the article under which the motion is offered contains a running description of the land in question, a description by metes and bounds or a reference to a plan suitable for recording that is available for public inspection at the office of the Town Clerk, the Town Surveyor, the Planning Board or another place to which the public has access during normal business hours.
- f. The Moderator will accept no motion to appropriate and/or expend a sum of money, which exceeds the estimated cost set forth in the article then under consideration by fifteen (15%) percent, except for motions under the omnibus budget article and motions under a supplementary budget article that contemplates the appropriation of additional money for the current fiscal year to augment moneys previously appropriated and proposes to fund such appropriations by transfer from unappropriated funds, funds appropriated for another purpose or from funds received by the Town as grants or gifts.
- g. The Moderator may rule on your motion, even if no one has risen to challenge that motion by way of a point of order.

6. You will not be recognized to speak on the merits of a motion if you have already spoken three times on its merits, but you may be recognized to answer a question put by another or to raise a procedural issue with respect to that motion.

7. Wayland's practice with respect to some common subsidiary motions is generally as follows:

- a. You may amend a motion by moving to add and/or delete words to and/or from the main motion or by substituting a new motion therefor; but the Moderator permits no more than two amendments to a main motion *at a time*. A motion to amend is debatable and requires only a MAJORITY vote, even though the main motion may require a TWO-THIRDS vote.
- b. You may move to refer a matter for further study, if your motion identifies the official or committee who shall conduct such study, how it shall report, when and to whom. In the event that you wish to establish a new committee for this purpose, the motion must specify the number of members who shall serve and who shall appoint them. A motion to refer is debatable and may be amended and requires a MAJORITY vote.
- c. You may move to advance or postpone consideration of an article listed in the Warrant. Such a motion is debatable, may be amended and requires a TWO-THIRDS vote.
- d. You may move to lay an article on the table ("table"). Such a motion is NOT debatable or amendable and requires a TWO-THIRDS vote. A motion to remove such article from the table is also NOT debatable or amendable and requires a TWO-THIRDS vote.
- e. You may ask the Meeting to take no action under an article by moving "that the article be passed over." Such a motion may be deemed a substitute for the main motion, is debatable, may not be amended, requires a MAJORITY vote and serves to dispose of the article under consideration.

8. Upon the expiration of sixty (60) minutes after the main motion under any article shall have been seconded, the Moderator will terminate debate thereon, unless the Town Meeting shall have voted to extend the time available for further debate. The time needed to count the vote(s) upon the motion(s) under the article will not be included in the sixty (60) minutes. The aforesaid sixty (60) minute limit does not apply to debate under the omnibus budget article.

9. Although the Moderator has absolute authority to regulate the proceedings at town meetings, debate under a motion can be terminated by a TWO-THIRDS vote of the Town Meeting. Therefore, if you believe that debate under a motion has gone on long enough, approach the Procedural Microphone, and, when you have been recognized, make a motion to terminate debate (move the previous question). If your motion receives a second, the Moderator will ask if anyone, who has not spoken to the motion under consideration, wishes to be recognized. If no one expresses such a wish by raising his or her hand, the Moderator will immediately terminate debate and take a vote upon your motion without permitting any amendment or debate; but if one or more persons, who have not spoken to said motion, raise their hand, the Moderator may, but need not, defer the termination of debate for a reasonable time to permit both sides of the issue to be heard. If a motion to terminate debate carries by a TWO-THIRDS vote, the Moderator will put the previous motion under consideration to a vote without further debate; but if said motion does not carry by a TWO-THIRDS vote, the Moderator will permit debate to continue.

10. If an article of the Warrant has been acted upon and disposed of, a motion to reconsider the article may be made at any time by citing significant new information concerning said article that had not been disclosed or made available to the Meeting when the motion under that article was debated. If the Moderator determines that the information cited is both significant and previously undisclosed to the Meeting, debate and action on said motion to reconsider shall occur after all other articles have been disposed of. In the event

that more than one article has been moved for reconsideration, then each article will be dealt with in the order in which it appeared in the Warrant. A motion for reconsideration may not be amended, can be debated, and requires a TWO-THIRDS vote to carry. If a motion for reconsideration carries, then the Moderator will ask for a new motion under the article that is being reconsidered.

D. The Vote

Before calling for a vote, the Moderator will usually repeat the motion under consideration (as the same may have been amended), unless it is substantially identical to the article:

1. In the event that electronic handset voting equipment shall have been made available for use by voters at any Annual or Special Town Meeting, all votes shall be taken by secret ballot using such equipment, unless the Moderator shall decide otherwise for reasons he/she shall state publicly. When calling for an electronic vote, the Moderator will ask voters to press the number “1” if they wish to register an “aye” or the number “2” if they wish to vote “no”. In the event that a voter wishes to abstain, he or she may (but need not) press “3”. Voters may change their mind as many times as they wish, but the last vote recorded upon the expiration of thirty seconds will count. Any voter who believes that his or her keypad is not functioning properly or is failing to record his or her vote accurately should proceed to the designated help desk. If a vote is in progress, the voter should raise his or her hand; if seen by the Moderator, the Moderator will dispatch help desk staff to examine the handset for any defect. If it is determined by help desk staff that the handset is defective, the voter will be offered a paper ballot and pen to record his or her vote on that question and will be provided with another handset for the next vote. Such paper vote shall be promptly relayed by help desk staff to the Moderator.

- a. If a voter cannot use the electronic handset offered by the Checkers, he or she will be provided with a colored piece of paper or cardboard and directed to sit in a special section reserved for those who will not be using an electronic handset to vote. Whenever the Moderator shall call for a vote, tellers will provide a ballot to each voter in the special section(s), who has such a colored paper or cardboard, collect those ballots within thirty seconds and deliver them to the Moderator, who will add the total of the ballots to the vote received electronically and declare the vote on the motion before the meeting.
- b. Each person receiving a handset must retain and use only that handset until turned in at the Help Desk, given to a Teller or turned in at the end of the session. No person may lend or give that handset to another person, nor may any person vote with a handset originally given to another.

Voters with handsets may retain them if they wish to leave the room for any reason, but they must hand their handset to an exit attendant if they plan to leave the building.

2. In the event that electronic voting is for any reason not to be employed, the Moderator will first ask all those in favor to say, “Aye”. He will then invite those opposed to say, “No”. If the Moderator is in doubt as to whether the motion has carried, he or she may call for another voice vote; or may ask those in favor to stand, before he asks those opposed to stand. Sometimes, the Moderator will reverse this procedure before declaring the vote.

3. If the Moderator is still in doubt, or if seven (7) or more voters shall immediately question a voice or an uncounted vote taken by non-electronic means, he will call for the tellers to help him take a standing counted vote – two tellers for each section of the hall so that they may check each other’s results. The Moderator will then repeat the motion and say, “All those in favor will rise and remain standing until counted.” When the count has been completed, the Moderator will ask those who are opposed to stand and be counted. As soon as each team of tellers has agreed upon the count in their section, they will be asked to report the number of voters they have counted from the Procedural Microphone. When all of the tellers have reported, the Moderator will declare the vote and his declaration of the vote is final, unless clear and convincing evidence shall have been submitted to the Moderator that fraud, errors by of one or more tellers or some other irregularity has

infected the accuracy of the vote count just completed; in which event the Moderator will repeat the standing counted vote procedure outlined above.

4. If a vote taken by electronic means is questioned by seven (7) or more voters, the Moderator will audit the vote by choosing a set of voters to come forward and present their handsets in turn to the Town Clerk, who will compare the vote shown on each handset with the vote received by the Electronic Voting System for that handset. If the correlation is less than fully accurate, the Moderator shall discard the electronic vote and call for a standing counted non-electronic vote under the previously set out procedures.”

5. In the event that the law requires a vote of TWO-THIRDS or more to carry a motion acted on by non-electronic means the Moderator will normally ask whether there is unanimous support for the motion; but if there is not such support, he will take a standing counted vote. If the Moderator shall have perceived that more than TWO-THIRDS of the voters voted in the affirmative the Moderator may by hand vote determine that the TWO-THIRDS majority was met.

6. If a TWO-THIRDS vote is required to carry a subsidiary or procedural motion, such as a motion to terminate debate (“move the previous question”), the Moderator need not take a count, even though the voice vote upon such motion was not unanimous, if the Moderator shall have perceived that more than TWO-THIRDS of the voters voted in the affirmative. The Moderator shall then declare that such motion has carried and the Clerk shall record such declaration together with a note that there was “a scattering of nos.”

7. In the event that a majority shall have voted that the vote on a particular motion shall be by secret ballot, the Moderator will ask the Tellers to come forward and take their places at the ballot boxes that will be placed at the front of the Hall by the Town Clerk. The Moderator will then direct the attention of each section of voters to their respective ballot box. The voters will then rise and proceed row-by-row to their box, tear their ballots into two parts, deposit one half in the box, the other half in the discard box and return to their seat. In order to assure the security of all secret ballots:

- a. No one will be allowed to vote without a ballot.
- b. No one will be permitted to cast a ballot until he or she shall have discarded the other half of the ballot into the discard box in the custody of the Teller.
- c. No one will be permitted to leave the hall until after the meeting has adjourned, unless he or she shall have turned all of the ballots that have not actually been used during a vote to the Checkers at the door.

When all of the ballots shall have been cast, the Tellers will open the ballot boxes and count the ballots at the tables situated at the front of the Hall in front of the podium.

The Moderator will then ask for the consent of the meeting (a TWO-THIRDS vote is required) to proceed to consideration of another Article. When the Tellers have completed their count, they shall report their count to the Moderator, the Moderator will declare the vote upon disposition of the Article then under debate. The declaration of the Moderator is final.

The Moderator will then ask for the consent of the meeting to return to the Article (a TWO-THIRDS vote is required) under which the secret ballot has been taken and if there is no other business under that article, will declare that article disposed of.

E. Adjournment

1. If you wish to adjourn a session of the Town Meeting before all of the articles have been disposed of, you must specify the date and time when the Meeting shall resume. Such motion may be made at any time, is debatable, may be amended and requires a MAJORITY vote, provided, however, that the Moderator will permit no such motion if it shall be offered after debate shall have been terminated upon a pending motion until the final declaration of the vote taken upon the motion then under consideration.

2. Each session of a Town Meeting shall be adjourned by the Moderator (a) at 10:30 p.m., or as soon thereafter as the Meeting has disposed of the article then under consideration or postponed action thereunder, or (b) voted to adjourn at a different time.

3. No motion to dissolve the Town Meeting (to adjourn *sine die*) is in order until every article shall have been duly considered, acted upon and declared as disposed of.

V. QUESTIONS

In the event that you have a question concerning the conduct of the meeting, you need further information to cast your vote, or the status of any motion being considered, you are invited to approach the Procedural Microphone and to address your question to the Moderator as soon as you have been recognized.

VI. MISCELLANEOUS RULES

Residents of the Town of Wayland may, with the prior permission of the Moderator, place and/or post documents intended and designed to inform and influence the action of voters at town meetings on the tables and wooden walls located behind and on either side of the tables occupied by the checkers at the entrance of the Field House and each other venue where town meetings are conducted, so long as said documents are germane to any of the articles set forth in the warrant.

The Selectmen, the Chief of Police and the Chief of the Fire Department and other town officers and employees may also be permitted by the Moderator to post and place documents pertaining to the safety of the public in the aforesaid locations.

Thank you for joining us to do the Town's business.

Dennis J. Berry, Moderator
March 4, 2013

How to Vote Electronically

Town Meeting, Wayland High School, Thursday April 4th at 7:30 pm

During the April 2012 Annual Town Meeting, Wayland's citizens approved a resolution endorsing the use of wireless electronic voting for all sessions of all town meetings through fiscal year 2015. Instead of shouting out *Aye* or *No*, raising our hands, or standing to be counted, we'll use electronic handsets to register our votes quickly, accurately, and privately during the upcoming Special Town Meeting.

The handsets look a bit like a TV remote control, but instead of pushing buttons to change channels, we push buttons to vote: the 1 button for *Yes*, or the 2 button for *No*. Your vote is displayed on your handset's screen and wirelessly transmitted to a computer that counts votes and displays results for the Moderator to announce. Nothing but these totals is permanently recorded, so your vote will remain private.

This year's Annual Town Meeting will be held in the High School Field House. As in past Town Meetings, check-in will be organized alphabetically by last name. As you're checking in, you'll be issued a handset for your use during that session. If your phone, tablet, or laptop supports Wi-Fi, please disable this feature, as doing so will enhance performance of the electronic voting system.

Before each vote, the Moderator will summarize the motion or amendment being decided. He'll then announce the beginning of a 30 second interval during which you can convey your vote, and a "voting light" near the Moderator will be illuminated. To vote *Yes*, push your handset's 1 button. To vote *No*, push your handset's 2 button. If you accidentally push the wrong button, you can change your vote by pushing the correct button. If you don't want to participate in a particular vote, don't push any buttons during the 30 second voting interval; if you don't want to participate but accidentally push the 1 button or the 2 button, you can clear your unintentional vote by pushing the 3 button. When the 30 second interval is over, the "voting light" will be extinguished, and the Moderator will announce that the vote is complete; shortly thereafter, the Moderator will announce the results.

If you inadvertently turn your handset off by pushing the power button in its lower-right corner, its display will be blank; push the power button briefly to turn your handset back on. Pushing any of your handset's other buttons during the voting interval will not change your vote, but for peace of mind, your handset will encourage you to *Re-Vote*; push the 1 button for *Yes* or the 2 button for *No*.



If you temporarily leave your seat during the meeting, please keep your handset with you. When you leave the Field House – either during a session or at the close of a session – please place your handset in one of the boxes at each of the Field House exits. If you forget to turn in your handset, we'll give you a call the next day and ask you to return it.

Every handset will be tested before each session of Town Meeting, so the probability of a handset failing is very low. That said, if pushing your handset's 1 button or 2 button during a vote does not produce an Yes or No on its display, please raise your hand; the Moderator will direct personnel from the Help Desk to provide you with a paper ballot to record your vote, and you'll be issued a new handset. We don't expect this to happen, but like the Boy Scouts, we'll be prepared.

If you're physically unable to use a handset to vote, inform the person who checks you in, and you'll be seated in an area where your votes will be manually counted by Help Desk personnel. If you're wondering how much radio energy is used by a handset to convey your vote wirelessly, it's less than 1% that of a typical cell phone and only for brief instants, employing the same frequencies used for Wi-Fi wireless internet access.



ELVIS: Wayland's Electronic Voting Implementation Subcommittee

Article 18: Amend Section 19-8 of the Town Code

Existing Section	Current Wording	Proposed Section	Proposed Wording	Justification for update	Impact if not approved
A-1	Make an annual report of sales of properties sold in Wayland available to the public by submitting it to the local newspapers, having it posted on the Town's Internet Web site and providing copies at the Town Library etc...	A-1	Make an annual report of sales of properties sold in Wayland available to the public by having it posted on the Town's Internet Web site and providing copies at the Town Library etc...	The normal distribution process is to make information available via the web and town library. The sales information would be difficult to put in the paper and cost \$2,200+.	Increased cost of \$2,200+ to Town
A-3	Prepare, as part of the report to be heard under the annual Town meeting "Hear Reports" article and the Annual Town Report, a report for the previous calendar year that states the number of residential prosperities that were due for inspection, the number of properties actually inspected....etc...	A-3	Prepare, as part of the report to be heard under the annual Town meeting "Hear Reports" article and the Annual Town Report, a report for the previous calendar year that states the number of residential properties that were inspected by the Assessor or their designees for any purpose. This report shall contain a breakdown of the inspection by visit type.	Inspections under the Full Measure and List are not currently required to be included. By adding the wording "all properties for any reasons", additional information will be provided to town residents.	Increased inspection information on Full Measure and List won't be included in Hear Report
B	Quarterly reports. The Board of Assessor shall prepare and provide to the Board of Selectmen quarterly reports detailing the progress in implementing the Recommendation of the Assessment and Valuation Study Committee contained in Article 27 of the Warrant for the 1999 Annual Town Meeting...etc...	Removed	Remove this outdated section.	Valuation Study Committee established in 1990s is no longer in existent and report had not been completed in 5 plus years	None. Report was replaced by RRG Assessment Study which was completed in 2009.
C	The Board of Assessor shall hold a public hearing annually etc...	B	..to further transparency, the Board of Assessor shall hold a public hearing annually prior to finalizing the assessment date for submission the Department of Revenue etc...	Town residents requested that hearing be earlier and more inclusive. Specific request for the overlay to be covered.	None. Additional overlay information and earlier meeting time confirm to existing by-law.
D	Increased valuation information. After each revaluation, the BoA shall send within 30 days of the actual tax bill, a separate, reasonably detailed written explanation of the actual basis for the increased valuation for each residential property for which the new valuation percentage increase is eight percentage points or more etc...	C	Revaluation notices. The BoA shall send an impact notice to all property owners annually detailing the preliminary assessment of their real estate. etc...	The BoA and town residents have asked for more notifications detailing changes to their assessments. The BoA has been sending notices to properties whose increase is less than 8%.	Taxpayers whose property does not increase by 8% or more will no longer be sent a revaluation notice.
E2	...If the BoA deems appropriate a change the property record card's market data, either as a result of a visit to a property in Wayland that takes place once every decade to be sure that information on the property record card is accurate.	D2	...If the BoA deems appropriate a change the property record card's physical attributes data, either as a result of a visit to a property, or a review of the property from any public source, the BoA will send two copies of the updated property record card to the property owner..etc.	The BoA believes that residents will be notified "anytime" there are changes to their property record card. Currently only property visits require this notice sent to taxpayers.	BoA will keep current process and not send additional notices to taxpayers.

Article 18: Amend Section 19-8 of the Town Code

Existing Section	Current Wording	Proposed Section	Proposed Wording	Justification for update	Impact if not approved
E-2 & E-3	When the assessed valuation of a property change as occurs at an annual, biannual, or triannual town wide revaluation, the town shall make the following information available at the Addressor's desk and on the Town website in table form: all the influence factors that the BoA uses to value real property in Wayland etc...	D3	Annually, the BoA will make available at the Assessor's office and on the Town website all the influence factors for valuing Real Estate both land and building, such as but not limited to, land site indexes with land curve table, style of house, depreciation, grade, building cost tables by square foot along with size curve table, outbuilding value tables, and adjustment coefficient for dwelling attributes (i.e. heating, flooring, exterior siding, bathroom count, etc.). This report shall contain a general description of the valuation algorithm, definition of special terms, and a detailed description of the specific implementation.	CDU and assessment neighborhoods are terms that are no longer used. New wording is a framework that provides all detail including valuation algorithm.	None. Only information that is available can be provided to residents.
E4	...the town shall make the following information available at the Assessor's desk and on the Town website; a table displaying the prior and new land valuation factors by assessment neighborhoods with map identifying and displaying all assessment neighborhoods.	D4	...the town shall make the following information available at the Assessor's desk and on the Town website; a table displaying the prior and new land valuation factors by site index with map identifying and displaying all site indexes.	Assessment neighborhoods are no longer used.	None. Only information that is available can be provide to residents.



TOWN OF WAYLAND ANNUAL TOWN MEETING

April 9, 2012

Responses to Questions Posed by Citizens at the March 28, 2012 Annual Town Meeting Warrant Hearing and Supplemental Information Related to the Articles

The following information is provided to citizens in responding to questions posed by citizens at the 2012 Annual Town Meeting Warrant Hearing.

Report of the Finance Committee

On page 20, a citizen asked what the project identified as "Transfer Station capital projected completed" listed under "additions to free cash by June 30" heading. The funds reflect savings in the estimated cost for capping the former landfill on Boston Post Road closed in 2010.

Article 6

At the top of page 41 in the petitioner's comments, lead petitioner wished to explain that the estimated 10 year savings varies based on the assessed value of a residential property. A chart prepared by the petitioner showing estimated tax savings for homes assessed between \$300,000 and \$1,200,000 is posted on the Town website and available here at http://www.wayland.ma.us/Pages/WaylandMA_Selectmen/CutCPA.pdf

Article 7

On page 43, a citizen questioned whether the proposed FY2013 enterprise fund budget for water must be approved as part of this article rather than with other enterprise fund budgets that are part of the Omnibus FY2013 Operating Budget to be adopted under Article 8; whether the budget on page 53 was sufficiently detailed to meet the requirements of the state Department of Revenue (DOR), and whether the motion under Article 7 should include a provision formally dissolving the special revenue fund for water that would be replaced by the enterprise fund proposed under Article 7.

It is the opinion of Town Counsel that the state Department of Revenue document provided by the citizen is a guideline. There is no legal requirement to adopt the enterprise fund budget under Article 7, nor will a separate article be required in future years once the enterprise fund is established. The budget detail on page 53 conforms with the level of detail being voted for all town departments and funds and meets the legal requirements for an enterprise fund. Additional detail suggested by DOR is line-item detail typically reported in expenditure reports but not printed in the Warrant for enterprise funds or any town department. While not required and assumed in enacting the enterprise funds, the sponsoring board will nevertheless revise the motion using the underlined text below under Article 7:

"MOVED: that the Town accept the provisions of Massachusetts General Laws Chapter 44, Section 53 F ½ to establish an enterprise fund for the Town's water service effective

July 1, 2012, and close and transfer all existing water accounts and balances, including without limitation, existing special revenue water funds, to this enterprise fund.

Article 8

A citizen asked for a breakdown of the components of the DPW budget.

The breakdown of the components of the DPW budget are as follows:

Breakdown of DPW Budget

Highway	\$ 1,263,251
Parks	\$ 590,288
Transfer Station	\$ 80,000
TOTAL	<hr/> \$ 1,933,539 <hr/>

This ties to the total DPW budget request on page 51 of the Warrant.

Cemeteries has always been funded within Park. The Transfer Station item above is for the leachate expense residual to the landfill; the other Transfer Station expenses are covered within the revolving account which is continued by the language on page 47 of the Warrant. The Water budget is shown on page 53, line 60.

Article 10

On page 73, a citizen questioned the accuracy of the statement made in the Arguments Opposed, top paragraph. The Warrant says:

Access into this site is by way of a road that has been subject to flooding in the past, which could require intermittent periods of increased access to and from the site from River Road, potentially impacting neighbors, as stated above.

The citizen, a long-time resident of River Road, stated that a more accurate description of the potential for flooding is as follows: "The access road at the Boston Post Road (Route 20) entrance to the transfer station and former landfill does not flood while other nearby roads have experienced flooding in the following order: River Road (roughly every 2 years); Water Row (about every 3 or 4 years); Old Sudbury Road/Route 27 (occasionally where the road intersects with the Sudbury River); and Boston Post Road/Route 20 (twice in the past 27 years)."

Articles 10, 24 and 25

On pages 70-71, 198-99 and 102 of the Warrant (Articles 10, 24 and 25, respectively), the Planning Board reports are provided. Since the 2009 Annual and Special Town Meeting, the Planning Board has prepared its report in sufficient time so it is included in the Warrant with the article text and the Finance Committee comments. Previously, the Planning Board report was distributed at Town Meeting or appeared as an appendix in the back of the Warrant. At the Warrant Hearing, a citizen questioned the format of the

report, the lack of reference within the report to a required public hearing, and generally whether the reports conformed to statutory requirements. In accordance with the provisions with MGL Ch. 40A, §5, the Planning Board conducted a public hearing on February 16, 2012, that continued to February 28, 2012, to review the articles as presented in the 2012 Annual Town Meeting Warrant. The Planning Board voted to recommend approval of three zoning bylaw amendments.

Article 27

On pages 105-106, citizens questioned several issues:

- Are the lots buildable (either separate or combined)? The lots do not independently support any structure or use under the zoning bylaw. For example, a storage shed or garage can't be built unless it meets the requirement of an accessory use to a contiguous parcel.
- Do the lots have value for passive recreational use? The lots have a considerable downward grade to Dudley Pond and are not suitable for a boat launch or similar recreational function. There are other town-owned parcels in the immediate area that provide public access to the pond.
- Has an appraisal been performed? Not for these particular lots unless the Board of Selectmen decides to acquire an appraisal. However, in 2006, an appraisal was conducted on more than a dozen similar sized lots that are unbuildable and of use only to abutters for lot coverage, septic reserve or personal enjoyment. These properties were valued at \$3.50 per sq. ft. in 2006 dollars. There is no evidence that proximity to Dudley Pond indicates a significantly higher value than the similarly situated parcels reviewed in 2006.
- Who is eligible to purchase the property? Given the limited use of the property to a party who is not an abutter, and in light of the request from the abutter at 30 Lakeshore Drive, it is the intent of the article to negotiate an equitable sale with the abutting property owner who requested the sale. The parcels are valued at less than \$25,000, so no competitive bid sale is required or contemplated.
- Will the transaction cost taxpayers any funds? No. The practice of the Selectmen has been to require the purchaser to pay the Town's closing costs related to the sale.

Sides, photographs, maps and other material which the Moderator has approved for display during the discussion of particular articles

- Article 8 – capital item 13 (wireless water meter reading system)
- Articles 10, 11, 12 – information related to proposed DPW facility on River Road
- Article 25 – information related to zoning amendment governing service stations
- Article 27 – Sale of 24 and 26 Lakeshore Drive

Additional Information

Article 10 – At a meeting held on March 12, 2012, the Board of Public Works voted 5-0 to support this article.

Articles 10, 11 and 12 – At a meeting held on April 4, 2012, the Permanent Municipal Building Committee voted 5-0 to support these articles.

Article 28 – The lead petitioner states the estimated cost of this article is \$15,000 to \$30,000 based on the letter from the state auditor that appears as Appendix I at pp. 137-138 of the Warrant. He intends to move an appropriation of \$30,000 to fund the audit requested by this article.

Links are provided below to documents that have been posted to the website in response to public records requests and citizen suggestions:

- [Proposed motions for articles sponsored by town boards and committees, and for petitioner's article if provided in response to a request \(subject to change until presented on the floor of Annual Town Meeting\)](#)
- [Petitioner's chart depicting projected 10 year tax savings for homes assessed between \\$300,000 and \\$1,200,000 \(supplements Article 6\)](#)
- [Chart prepared by Board of Assessors summarizing text changes to assessing and reporting \(supplements Article 18\)](#)

Errata Submitted by Finance Committee, Article 4, page 32, top of page:

Based on information provided by the Finance Committee, the Finance Committee comment and graph at the top of page 32 are revised to read as follows:

"In the State of Massachusetts there are an estimated 281 town finance committees^[1] of which 232 (83%) are appointed, 43 (15%) are elected and 6 (2%) are both appointed & elected."

¹ Data includes Massachusetts Municipal Association - Association of Town Finance Committees 2007 Survey Data

Appendix B – Massachusetts Finance Committee by Town (pp. 121-124)

Note the following changes:

Towns with elected finance committees not previously identified: Hancock, Hubbardston, Leverett, Middlefield, Monroe, New Braintree, Russell and Windsor.

Towns with appointed finance committees previously identified as appointed or other method: Edgartown, Freetown, Goshen, Holliston and Tisbury.

Errata Submitted by Petitioners, Article 4, page 32, top of page:

Delete: 31 are elected

Replace: 42 are elected

Article 4, page 32, graph

Delete Graph

Replace: Corrected graph

Appendix B – Massachusetts Finance Committee by Town (pp. 121-124)

Note the following changes

Delete the following 13 Massachusetts towns or cities having a Council-Manager or Mayor form of government

Amesbury
Attleboro
Barnstable
Beverly
Bridgewater
Gloucester
Lawrence
Leominster
Newburyport
Newton
North Adams
Weymouth
Winthrop

Delete “appointed” and replace with “elected” for the following towns:

Edgartown
Freetown
Goshen
Holliston
Hubbardston
Leverett
Middlefield
New Braintree
Tisbury

Add the following towns and designate that they have elected Finance Committees:

Hancock
Russell
Windsor
Monroe

**Town of Wayland
New Public Works Facility
Frequently Asked Questions**

1. Why does the DPW need a new facility?

It has been documented for several years that the Town is in need of a new facility in for the DPW to operate. The current facility, on Rte 27, adjacent to the Middle School, was built in the 1930's and has significant physical problems, including structural issues, ventilation issues, and a myriad of required repairs.

In addition, the current facilities are undersized and inefficient which impacts the level of service the DPW is able to provide to the community. The DPW responsibilities have increased significantly over the years along with the number of vehicles and pieces of equipment, but the facilities have not kept pace. The vehicle and equipment types and sizes have also changed significantly since the facility was constructed, making the current support spaces too small to efficiently and safely meet the needs of the DPW and the Town.

2. Can the existing facility be reused or updated to suit your needs?

As mentioned above the existing facility, which is approximately 13,000 SF and was constructed in the 1930's, is undersized and has numerous deficiencies that need to be addressed. The current facility has only one-third of the required vehicle storage space required to protect vehicles during the winter. In addition, undersized storage bays result in inefficient storage of equipment and unsafe working conditions, and there is insufficient space between parked vehicles for safe egress from the garage area. The stacked vehicle parking configuration that is needed due to space limitations impacts response times due to the need to move multiple vehicles to access a single vehicle located in the back. Tight storage conditions also contribute to unnecessary damage to vehicles.

It was also determined that the existing site itself is not large enough to allow efficient operations of the new DPW facility. In addition, the site is located within a drinking water protection area, and it is good management practice to keep DPWs outside of drinking water resource areas when possible.

The Town's Facilities Director has determined that the building has exceeded its useful life and has estimated that it will cost in excess of \$2 million in repairs and structural upgrades to allow the building to continue to be used beyond the next few years.

3. What does the current facility lack?

- The building has exceeded its useful life
- The building is undersized and cannot support the operations of the recently formed DPW
- The employee support spaces (locker/shower/toilet facilities, muster area, and training facilities) are undersized and inefficient to meet the basic needs of the DPW staff
- The air quality in the building is an issue for employees where there is inadequate separation of occupied spaces from equipment storage areas
- The current facility does not meet the operational needs of the DPW, given its size and configuration and the limitations it places on various operational requirements of the DPW
- The office space does not meet the departmental needs
- The undersized muster room is the only place available for staff to meet, receive their daily work assignments, and conduct state mandated training. In addition, this space also serves as the command center for the DPW staff during emergency events such as snow storms, ice storms, and hurricanes, and there is not enough space to properly support this function.
- The vehicle wash area is located within the open garage area resulting in wash water permeating throughout the facility and contributing to an increased rate of deterioration of structural columns. Furthermore, the recycling system is undersized to handle the wash needs of the DPW.
- The facility is not equipped with proper vehicle lifts, and the maintenance bay areas do not have enough vertical clearance to support a vehicle lift.
- As mentioned above there are significant physical problems with the facility including structural issues.
- There is insufficient vehicle storage space.

4. What does the DPW do for the Community?

The DPW touches the lives of the residents every day by maintaining some of the Town's most vital infrastructure including roadways, water systems, stormwater systems, traffic signs, and much more. The Public Works profession has also been identified as a key first responder. The DPW is on call 24 hours a day to handle unexpected problems and emergencies including:

- Snow & ice storms
- Windstorm cleanup
- Removal of road hazards
- Cleanup after automotive accidents
- Flooding
- Pothole repair
- Street sign repair / replacement
- The support of other emergency departments

5. What functions are proposed for the new facility and how many square feet?

Administration Area –	2,749 SF
Office/File Storage Space	
Conference Room	
Vestibule/Reception	
Employee Facilities –	3,513 SF
Male/Female Locker Rooms	
Training/Multipurpose Room	
Storm Event Room	
Workshops and Material Storage	3,388 SF
Highway Workshop	
Shared General Workshop	
Vehicle Maintenance	9,705 SF
5 Vehicle Maintenance Bays	
Welding Bay	
Fluid Storage Room	
Maintenance/Tire Workshops	
Parts Storage Room	
Vehicle Wash	1,680 SF
Vehicle and Equipment Storage	24,838 SF
Total	45,873 SF

6. How big is the current facility?

Approximately 13,000 SF

7. Why do you need more space than you currently have?

We currently lack space in the most critical of services we provide to the Town. Fleet maintenance bays are cramped and narrow, and do not have enough overhead clearance, and more bays are needed. Inventory that can be kept on hand at the facility is limited and effects the completion time on critical repairs. There is not enough room to store the Town's multi-million dollar fleet inside. There is not a separate code compliant area to wash vehicles. The undersized muster room is the only place available for staff to meet, receive their daily work assignments, and conduct state mandated training, and there is not enough workshop space to efficiently conduct operations.

8. How many employees will work out of the new facility?

Highway Workforce	13
Highway Administration	1
Landfill Workforce	1
Parks Workforce	8
Parks Administration	1
Water Workforce	8*
32 Employees Total	

*Water employees will store their work truck at the new DPW and will operate out of the water treatment plant.

9. How many vehicles do you maintain?

The DPW maintains approximately 116 vehicles and large pieces of equipment, such as large lawn mowers and construction equipment. This number does not include small equipment such as chain saws, snow blowers, small lawn mowers, and other similar items, that are also maintained by the DPW.

10. What is the basis for the cost of the Facility?

There are many factors which affect the costs of a DPW facility. Many of these cost drivers are the result of building code and/or public procurement regulations which we are required to meet when designing these types of facilities, which are not required for private sector construction. Provided below is a breakdown of the project costs:

Building Construction:	\$7,316,980
Industrial Equipment:	\$517,535
Vehicle Fueling System:	\$410,000
Site Development/Utilities:	\$2,510,875
Design Contingency:	\$215,108
Soft Costs:	\$1,151,862
Construction Contingency:	\$877,640

Total Project Cost: \$13,000,000

Notes: 1. Soft Costs Include:

- Architect and Engineering fees
- Geotechnical, permitting, and environmental testing
- Furnishings
- Communication/low voltage Systems
- Printing/advertisement fees
- Testing during construction

2. The building cost equates to approximately \$159/SF.

11. Can the facility be smaller or less expensive?

The facility size could be reduced to help lower the price. However, this may impact the efficient operations of the facility. During the design stage, areas for potential savings including space and construction materials will be further assessed to help reduce costs.

12. Are there any functions that you can do without?

The functions that have been identified in the program are recommended to efficiently meet the current/future needs of the DPW, and are consistent with industry standards and what other communities are doing. However, during the design phase, the program will be reviewed in detail, and reductions will be made wherever possible to help minimize cost.

13. Have you looked at purchasing or leasing an existing vacant building?

Yes, this was looked into and the Town determined that there was not a viable existing building that could be used in this capacity.

14. What will be the impact to my taxes?

There will be no impact to taxes for the design phase of this project, as the work will be funded using free cash. The impact of the overall project will be determined once the design is completed and final bids have been received.

15. How long will this facility last?

50 years or more.

16. Will the facility include any “green” sustainable systems?

Sustainable design elements which contribute to a reduction in the overall building operating cost will be considered including, but not limited to, building envelope superinsulation, heat recovery units, alternative fuels, rainwater harvesting and reuse, natural lighting, low impact site development components, and destratification devices. Each of these items will be reviewed during design to identify the anticipated payback period so that the Town can incorporate the most cost effective sustainable design elements.

17. Why do the vehicles need to be stored inside?

- It is the industry standard for DPW's to park vehicles indoors from an efficiency and safety point of view. DPW directors from across the north east were polled and the overwhelming response was that the vehicles and equipment should be stored indoors from a safety and efficiency point of view.
- The 2006 American Public Works Association North American Snow and Ice Conference, recommended that as part of a community's snow and ice program, "winter maintenance equipment, as well as attachments, should be stored inside. This will aid in a quicker response."
- Weston & Sampson has been involved in more than 70 DPW projects over the last 12 years, and each one of these had a primary goal of storing their equipment inside, to protect the equipment and improve response times.
- Provided below are example activities which take place within Vehicle Operations Garage:
 - Vehicle and equipment storage
 - Material storage (cold patch, stone, barrels, barricades, etc.)
 - Emergency vehicle and equipment repairs
 - Repair and replacement of plow blades
 - Minor vehicle maintenance (e.g. headlights, tail lights, mirrors, hydraulic hoses)
 - Material loading and unloading operations
 - Staging area for vehicle and equipment accessories (plows, towed trailers, towed compressors, etc.)
 - Overflow workshop area during down time periods
- Example impacts associated with an unheated space are provided below:
 - Cold storage results in the fuel becoming more viscous. This contributes to no-start conditions as well as generates an excessive amount of exhaust due to incomplete combustion of the fuel source.
 - Vehicle warm-up times will be increased dramatically resulting in an increase in non-productive labor. It is estimated that the warm-up time will be increased by 15 to 20 minutes per vehicle each day based on actual field tests.
 - Any vehicle with a water source will need to be drained and filled each day resulting in an increase in non-productive labor.
 - Condensate in the air tanks for the vehicle compressed air braking systems can potentially freeze requiring the tanks to be defrosted prior to operating.
 - Specialty equipment requiring heated storage will not function properly.
 - Excess wash water on the vehicle after it is washed will freeze which can potentially damage vehicle parts such as salt/sand conveyor belts.
 - Cold storage results in the hydraulic oil becoming more viscous. This overstresses hydraulic pumps which in turn damages or reduces the life expectancy of the pumps.
 - Cold storage reduces the flexibility of the hydraulic hoses. Rigid hoses coupled with viscous hydraulic oil increases the potential for damaged or broken hydraulic hoses.

- Increase in response times due to no start conditions and increased warm-up periods.
 - Snow pack on vehicles will not melt. This requires vehicles to be “defrosted” before vehicles are placed back into service or before maintenance activities can be performed.
 - Salt/Sand product in spreader bodies will freeze which can damage the spreader system. This will require all salt/sand product to be loaded or unloaded each day.
 - Increase in operational costs.
- Another common question is: “The commercial trucking industry and Ryder do not store their vehicles indoors. They just plug in their vehicles. Why can’t the DPW just plug in the vehicles?”

Response: One item to consider is that Ryder charges their patrons a fee to rent the vehicles which includes costs to replace the vehicles. The Town does not have the luxury of charging fees to replace these vehicles so communities are trying to protect the vehicles to the maximum extent possible to reduce capital costs for vehicle replacement.

18. How does the Wayland DPW compare to other DPWs?

Town	Size (sq.ft.)	Vehicle “Storage”	Total Project Cost*	\$/sq.ft.	Miles of Road
Bedford (2002)	41,400	50%	\$15.2M	\$367	80
Belmont (feasibility)	79,283	57%	\$23.2M	\$293	86
Norwood (feasibility)	58,000	57%	\$13.6M	\$234	110
Sudbury (2003)	28,000	71%	\$11.5M	\$411	133
Weston	41,846	42%	\$14.4M	\$344	107
Wayland	45,873	54%	\$13M	\$283	95

***NOTE: Total Project Cost Includes the Following:**

Building Construction
Industrial Equipment
Vehicle Fueling System
Site Development/Utilities
Design Contingency
Construction Contingency

Soft Costs:
Architect and Engineering fees
Geotechnical, permitting, and environmental testing
Testing during construction
Furnishings/communication/low voltage Systems
Printing/advertisement fees



TOWN OF WAYLAND
ANNUAL TOWN MEETING
April 9, 2012
REVISED FINANCE COMMITTEE REPORT

To the Residents of Wayland:

Since the Warrant went to print, the Finance Committee has received new information twice and as a result has revised the FY2013 recommended budget.

On March 28, 2012, the Finance Committee voted to reconsider the operating budget in light of new information. After considering the new information, the Finance Committee voted to reduce the FY2013 Operating Budget request by \$2,335,571 by adjusting the pension (Retirement) and OPEB (Unclassified: Insurance 32B) budget requests to the actuarially suggested amounts. The net effect is to reduce the Retirement contribution by \$1,450,571 and the OPEB contribution by \$885,000. The two changes are shown on the next page in the same format as the operating budget in Article 8, page 53 and are supplemental to the information provided in the Warrant.

On April 5, 2012, the Finance Committee voted to reconsider both the operating and capital budgets based on new information. First, we reconsidered the funding source for the Middle School roof capital request. We learned that there was borrowing capacity within the tax levy, so this borrowing could be accomplished without a debt exclusion vote. The Finance Committee voted 3-2 to fund the Middle School roof with borrowing rather than free cash. Additionally, on Monday, April 2, the Board of Assessors voted to release \$1,348,000 to the Overlay Surplus account. With this new information, the Finance Committee reconsidered the source of funding for the FY2013 operating budget. By a vote of 4-0-1, the Committee decided to apply an additional \$1,500,000 free cash and \$1,300,000 overlay surplus to the FY2013 operating budget. The Finance Committee recommends the revised FY2013 operating budget with a vote of 4-0-1.

In total, for a FY2013 operating budget of \$66,949,951, the Finance Committee recommends appropriating \$4,800,000 in free cash and \$1,720,000 from the overlay reserve account for a total of \$6.52 million or approximately 10%. All of these changes will result in a tax decrease of approximately 4.55% or about \$510 less per average house valued at \$600,000. The resulting tax rate is estimated at \$18.15.

In implementing these changes, the Finance Committee focused on two of eight strategy points as reported in the Warrant on page 5:

- Continue to address the long-term liabilities of pension and other post-employment benefits (OPEB) and to continue to control healthcare costs
- Maintain free cash at a target of 7.5% of the operating budget for future flexibility

Looking forward to FY2014, the Finance Committee estimates a tax increase of about 10% to maintain a level budget (not level services), with no COLA increases for staff. The percentage increase is so relatively high because we will not have another \$6.5 million of cash to apply to the operating budget next year. However, no Proposition 2 ½ override will be required. Further, this percentage increase does not take into account any tax increase due to a debt exclusion for a new DPW building or other capital items.

The tables and information on the following pages update the information in your Warrant. Page references to the original information are provided for cross-referencing.

Respectfully submitted,

Cherry Karlson, Chair

Paul Grasso
Tom Greenaway
David J. Gutschenritter

Sam H. Peper
Richard M. Stack
Bill Steinberg, Vice Chair

Revised Operating Budget

Originally shown in the Warrant on page 53.

FISCAL YEAR 2013 BUDGET		EXPENDED FY 2011	APPROPRIATED FY 2012	ORIGINALLY REQUESTED FY 2013	ADJUSTED REQUEST FY 2013
RETIREMENT					
	PURCHASE OF SERVICES	\$3,140,204	\$3,420,633	\$4,621,627	\$3,171,056
58	TOTAL EXPENSES	\$3,140,204	\$3,420,633	\$4,621,627	\$3,171,056
	TOTAL RETIREMENT	\$3,140,204	\$3,420,633	\$4,621,627	\$3,171,056
UNCLASSIFIED					
	INSURANCE 32B	\$7,348,140	\$7,640,000	\$8,050,000	\$7,165,000
59	TOTAL UNCLASSIFIED	\$8,870,505	\$10,657,000	\$9,972,000	\$9,087,000
	TOTAL GENERAL FUND BUDGET	\$61,757,995	\$67,257,456	\$69,285,522	\$66,949,951
	GRAND TOTAL OMNIBUS BUDGET	\$65,306,722	\$71,261,997	\$73,453,823	\$71,118,252

Use of Free Cash

By state law, a Town can only appropriate free cash in the amount of its last certification. The following chart has been updated (all changes are footnoted) and reformatted to reflect the most recent information available to the Finance Committee as of April 5, 2012. The original chart appears in the Warrant on page 20:

Finance Committee Estimation of Free Cash Balances a/o 6-30-12

		Revised Budget	
A	Certified Balance a/o June 30, 2011	\$10,304,704	
B	Additional Free Cash Used in FY2012	\$4,000,000	
C	Starting Balance for FY2013 Activity	\$6,304,704	Maximum amount that can be applied to FY13 budget

Uses of Free Cash for FY2013 Budget

Articles:

D	Current Year Transfers	\$29,585
E	DPW design	\$725,000
F	Pre-permitting Septage site	\$360,000
G	Labor contract review	\$16,000
H	Audit of SC Revolving Accounts	\$30,000
I	Audit Committee	\$40,000
J	Budget (capital): DPW - Archeological review of North Cemetery	\$20,000
K	Budget (capital): DPW Roads - capital improvement	\$200,000
L	Budget (operating): Used to balance the operating budget (1)	\$4,800,000
M	Total Projected Cash Use at ATM	\$6,220,585
N	Remaining Free Cash after ATM	\$84,119

		Maximum	Minimum
	Additions to Free Cash by June 30		
O	FEMA reimbursement	\$750,000	\$750,000
P	Overlay released by Assessors (2)	\$1,500	\$1,500
Q	Overlay released by Assessors 4-2-12 (3)	\$48,000	\$48,000
R	Transfer Station capital project completed	\$350,000	\$350,000
S	HS Repair funds capital project completed	\$218,174	\$218,174
T	Various capital projects completed - municipal	\$100,000	\$100,000
U	Various capital projects completed - school (4)	\$210,000	\$210,000
	Additions to Free Cash (likely or unknown timing)		
V	Additional local receipts - underestimated by 10% (planned)	\$350,000	\$ -
W	School expense turnbacks based on 2Q reporting (5)	\$945,946	\$545,946
X	Municipal expense turnbacks based on 2Q reporting	\$1,600,000	\$ -
Y	Chp 90 Reimbursement	\$300,000	\$ -
Z	Projected Free Cash Range a/o 6-30-12	\$4,957,739	\$2,307,739
AA	Percent of FY2013 operating budget	7.21%	3.36%

NOTES

(1) FinCom voted on 3-28-12 to increase by \$100,000.

(2) FinCom voted 3-28-12 to appropriate \$420,000.

(3) Assessors voted to release an additional \$1,348,000 on 4-2-12; \$1.3 million appropriated.

(4) New information from the SC meeting on 3-26-12.

(5) Includes \$545,946 of SC revolving funds turnback; new info 3-26-12.

The Finance Committee's goal is to have free cash certified at approximately 7.5% of operating budget. Estimating balances of cash is not an exact science. Based on our best information and assuming all the Town meeting articles are approved, the Finance Committee projects free cash to be at \$4.9 million or 7.2% of budget as of June 30, 2012. Depending upon a number of factors, it is possible that the cash balance could be as low as \$2.3 million or 3.4% of budget.

Tax Impact

For FY2013, on average, property taxes will decrease by approximately 4.55%, or \$510 per household based upon an average house value of \$600,000.

Financial Charts

As a result of making these operating budget and funding source changes, the charts in the Warrant required updating and are shown below.

Table 1 originally appears in the Warrant on pages 7 and 8; changes are shown in **bold**.

Table 1: Total Revenue Changes				
Description	Budget FY2012	Budget FY2013	Difference	%Change
Real Estate Taxes				
Tax Levy	\$47,909,450	\$45,810,337	-\$2,099,113	
Allowance for 2.5%	\$1,330,386	\$1,381,457	\$51,071	
Debt Exclusion	\$5,561,917	\$5,798,792	\$236,875	
New Tax Levy Growth	\$712,447	\$550,000	-\$162,447	
Total Real Estate Taxes	\$55,514,200	\$53,540,586	-\$1,973,614	-3.6%
State Revenues	\$4,394,008	\$4,067,106	-\$326,902	-7.4%
Local Receipts	\$4,150,000	\$4,175,000	\$25,000	0.6%
Water Receipts	\$3,403,133	\$3,500,334	\$97,201	2.9%
Enterprise Receipts	\$601,408	\$667,967	\$66,559	11.1%
Free Cash	\$4,500,000	\$4,800,000	\$300,000	6.7%
Other Available Funds	\$485,182	\$2,199,384	\$1,714,202	353.3%
Total Revenue	\$73,047,931	\$72,950,377	-\$97,554	-0.1%

Table 2 originally appears in the Warrant on page 8; changes are shown in **bold**.

Table 2: Total Operating Expense Changes				
Description	Budget FY2012	Budget FY2013	Difference	% Change
General Fund Budget	\$67,257,456	\$66,949,951	-\$307,505	-0.5%
Water Fund Budget	\$3,403,133	\$3,500,334	\$97,201	2.9%
Septage Fund Budget	\$40,233	\$32,807	(\$7,426)	-18.5%
Wastewater Mgmt District Budget	\$561,175	\$635,160	\$73,985	13.2%
Total Expenses	\$71,261,997	\$71,228,252	-\$143,745	-0.2%

As part of our budget process, the Finance Committee reviewed FY2011 actuals, FY2012 approved budget and the new FY2013 budget request. The chart below compares the FY2011 actuals to the updated FY2013 budget request, considers the average annual percentage increase and provides an explanation of the variances.

This chart originally appeared in the Warrant on page 10; changes are shown in bold.

Comparison: FY2011 actuals to FY2013 budget request

General Fund	FY11 Actual	FY13 Budget	FY11 actual - FY13 budget Average Annual Percentage Change	Explanation of Changes Over Two Years
Town Expenditures	\$ 14,308,536	\$ 14,499,227	0.7%	Explained within Finance Committee Report.
School Expenditures	\$ 30,427,419	\$ 32,526,704	3.4%	Explained within School budget documents.
<i>Debt</i>	\$ 5,011,331	\$ 7,665,964	23.7%	\$2.8 million additional debt service due to High School financing
<i>Retirement Assessment</i>	\$ 3,140,204	\$ 3,171,056	0.5%	Required payment amount.
<i>Unclassified</i>	\$ 8,870,505	\$ 9,087,000	1.2%	Incremental increases in health expense, medicare, town meeting, salary reserve.
Shared Expenses	\$ 17,022,040	\$ 19,924,020	8.5%	
Total General Fund	\$ 61,757,995	\$ 66,949,951	4.1%	

The Omnibus Budget expenses, General Fund, plus the non-operating budget expenses total \$72,950,377.

Table 4 originally appears in the Warrant on page 11; changes are shown in **bold**.

Table 4: Total Town Expenses for FY2013

Expense	Amount
General Fund Budget	\$ 66,949,951
Water	\$ 3,500,334
Septage	\$ 32,807
Wastewater	\$ 635,160
Non-appropriated expenses	\$ 1,832,125
Total	\$ 72,950,377

Table 5 depicts free cash allocated to close prior year operating budget deficits. For FY2013, we propose to balance the operating budget with \$4,800,000 of free cash. The Table originally appears in the Warrant on pages 14 and 15; changes are shown in **bold**.

Table 5: Free Cash Allocated To Annual Revenue

Fiscal Year	Free Cash Appropriated
FY2004	\$ 2,400,000
FY2005	\$ 1,869,000
FY2006	\$ 300,000
FY2007	\$ 0
FY2008	\$ 0
FY2009	\$ 0
FY2010	\$ 1,100,000
FY2011	\$ 250,000
FY2012	\$ 4,500,000
FY2013	\$ 4,800,000

The following tables originally appear in the Warrant on pages 24 to 26; changes are shown in **bold**.

TABLE NO. 1 - WAYLAND INCOME AND EXPENSE STATEMENT (ESTIMATED)					
	FISCAL 2009	FISCAL 2010	FISCAL 2011	FISCAL 2012	FISCAL 2013
BUDGET	56,117,307	62,019,837	66,029,337	71,261,997	71,118,252
ARTICLES	15,121,939	5,150,316	3,475,000	4,175,000	5,116,000
TOTAL TOWN EXPENSE	71,239,246	67,170,153	69,504,337	75,436,997	76,234,252
OVERLAY	1,039,311	1,106,754	1,676,989	1,206,448	1,000,000
NET REC FROM STATE	(2,044,382)	(1,419,895)	(4,199,174)	(4,139,522)	(3,774,447)
LOCAL RECEIPTS	(3,435,001)	(3,505,000)	(3,325,000)	(4,150,000)	(4,175,000)
OTHER SOURCES: FREE CASH, BORROWINGS, ETC.	(15,047,633)	(9,643,640)	(7,529,139)	(12,839,723)	(15,744,219)
TO BE RAISED BY TAXATION	51,751,541	53,708,371	56,128,013	55,514,200	53,540,586

AVERAGE TAX BILL WILL **DECREASE** BY APPROXIMATELY 4.55% IN FY 13

TABLE NO. 2 - HISTORICAL BUDGET SUMMARY (General Fund Only)					
FISCAL YEAR	SCHOOL	TOWN	TOTAL	INCREASE	%
FY 2013	32,526,704	34,423,247	66,949,951	-307,505	-0.5%
FY 2012	31,096,713	36,160,743	67,257,456	4,896,649	7.9%
FY 2011	30,596,713	28,623,893	59,220,606	403,440	0.7%
FY 2010	31,111,713	27,705,453	58,817,166	2,699,858	4.8%
FY 2009	30,091,713	26,025,595	56,117,308	2,972,347	5.6%
FY 2008	28,722,212	24,422,749	53,144,961	2,395,484	4.7%
FY 2007	28,407,893	22,341,584	50,749,477	1,813,024	3.7%
FY 2006	27,379,743	21,556,710	48,936,453	2,420,683	5.2%
FY 2005	26,067,251	20,448,519	46,515,770	1,337,108	3.0%
FY 2004	25,650,251	19,528,411	45,178,662	2,058,038	4.8%

TABLE NO. 3 - TOWN REVENUES (GF)	FY 09	FY 10	FY 11	FY 12	FY13
TAX LEVY	51,751,543	53,708,371	56,128,013	55,514,200	53,540,586
STATE AID	5,129,702	4,666,700	4,486,387	4,394,008	4,067,106
LOCAL RECEIPTS					
MOTOR VEHICLE EXCISE	1,700,000	1,600,000	1,670,000	1,975,000	2,010,000
OTHER TAXES		80,000	100,000	150,000	150,000
PENALTIES & INTEREST	100,000	200,000	180,000	140,000	150,000
PAYMENT IN LIEU OF TAXES	40,000	35,000	30,000	30,000	30,000
DEPT FEES	650,000	850,000	700,000	800,000	775,000
SCHOOL SYSTEM FEES	50,000	50,000	50,000	50,000	50,000
LICENSE & PERMITS	450,000	400,000	400,000	725,000	725,000
SPECIAL ASSESSMENTS	10,000	10,000	5,000	5,000	5,000
FINES & FORFEITURES	50,000	40,000	40,000	50,000	55,000
INTEREST	185,000	90,000	150,000	225,000	225,000
LOCAL RECEIPTS SUB-TOTAL	3,235,000	3,355,000	3,325,000	4,150,000	4,175,000
AVAILABLE FUNDS	250,694	1,440,653	610,612	4,985,182	6,999,384
TOTAL	60,366,939	63,170,724	64,550,012	69,043,390	68,782,076

TABLE NO. 4 (General Fund Only)					
% OF BUDGET BY DEPARTMENT	FY 09	FY 10	FY 11	FY 12	FY13
GENERAL GOVERNMENT	5.8%	4.9%	4.6%	4.4%	4.6%
PUBLIC SAFETY	9.3%	9.5%	8.8%	8.2%	8.4%
SCHOOLS	53.6%	52.8%	49.1%	46.2%	48.6%
REG VOC SCHOOL	0.8%	0.7%	0.6%	0.4%	0.4%
DPW	3.6%	4.7%	4.3%	3.5%	3.6%
HEALTH	1.1%	1.1%	1.1%	1.0%	1.1%
LIBRARY	1.7%	1.6%	1.5%	1.4%	1.5%
RECREATION	1.4%	0.1%	0.0%	0.5%	0.5%
DEBT & INTEREST	7.3%	7.3%	8.0%	11.6%	11.5%
RETIREMENT			5.0%	5.1%	4.7%
UNCLASSIFIED	15.4%	15.3%	15.0%	15.8%	13.6%
FACILITIES		2.0%	2.0%	1.8%	1.6%

TABLE NO. 5 (General Fund Only) DEPARTMENTAL INCREASES				
	BUDGET FY 12	BUDGET FY 13	INCREASE	% INCREASE
GENERAL GOVERNMENT	2,978,539	3,059,906	81,367	2.7%
PUBLIC SAFETY	5,501,159	5,631,022	129,863	2.4%
SCHOOLS	31,096,713	32,526,704	1,429,991	4.6%
REGIONAL VOC SCH	280,000	260,000	(20,000)	-7.1%
DPW	2,328,588	2,383,539	54,951	2.4%
HEALTH	695,440	741,810	46,370	6.7%
LIBRARY	952,550	974,750	22,200	2.3%
RECREATION	355,000	347,000	(8,000)	-2.3%
DEBT & INTEREST	7,776,459	7,665,964	(110,495)	-1.4%
RETIREMENT	3,420,633	3,171,056	(249,577)	-7.3%
UNCLASSIFIED	10,657,000	9,087,000	(1,570,000)	-14.7%
FACILITIES	1,215,375	1,101,200	(114,175)	-9.4%
TOTAL	67,257,456	66,949,951	(307,505)	-0.5%

TOWN OF WAYLAND

WARRANT



2012 ANNUAL TOWN MEETING

Monday, April 9, 2012 7:30 P.M.

PLEASE NOTE:

**The location of the Annual Town Meeting
will be the**

WAYLAND MIDDLE SCHOOL GYMNASIUM

DOORS OPEN AT 6:00 P.M.

Use Side Entrance Door by Gymnasium

ANNUAL TOWN ELECTION

Tuesday, April 3, 2012

**Precincts 1 and 4
Precincts 2 and 3**

**Town Building Gymnasium
Wayland Middle School Gymnasium**

VOTING HOURS: 7:00 A.M. to 8:00 P.M.

www.wayland.ma.us

NOTICE

The Town of Wayland does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Wayland does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 (ADA).

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to Wayland's designated ADA Compliance Coordinator.

Name:	John Senchyshyn
Title:	Assistant Town Administrator/HR Director
Office Address:	41 Cochituate Road, Wayland MA 01778
Phone Number:	(508) 358-3623
Fax Number:	(508) 358-3627
TDD:	(508) 358-0194 or 911
Days/Hours Available:	Monday, 8:30 a.m. to 7:00 p.m. Tuesday to Thursday, 8:30 a.m. to 4:00 p.m. Friday, 8:30 a.m. to 12:30 p.m.

Individuals who need assistance in seating for more effective communication are invited to make their needs and preferences known to the ADA Compliance Coordinator. Notification prior to Special Town Meeting would be helpful.

Please note that the Assistive Listening Devices are not available for meetings held in the Middle School.

**This notice is available in large print and on audio tape
from the ADA Compliance Coordinator.**



TOWN OF WAYLAND

2012 ANNUAL TOWN MEETING WARRANT

WITH REPORT OF THE FINANCE COMMITTEE

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ADJOURNED MEETINGS

It is anticipated that if adjourned meetings are necessary to complete action on this warrant, they will be held on the following dates and times, subject to Town Meeting approval:

April 10 - Tuesday	7:30 p.m.
April 11 - Wednesday	7:30 p.m.
April 12 - Thursday	7:30 p.m.

and thereafter, as may be necessary, on dates as Town Meeting directs.

If you have any questions about the Articles, please attend **the Warrant Hearing on Wednesday, March 28, 2012, at 7:30 P.M.** at the Town Building. You may also call the Town Administrator's office at (508) 358-3621 before Town Meeting.

NOTICE REGARDING MOTIONS

This warrant for Wayland Town Meeting is issued by the Board of Selectmen and is served upon all residents by mail to each household and by posting at the Town Building, the Wayland Public Library, the Cochituate Fire Station or the Cochituate Post Office, and at Happy Hollow School. It contains the agenda of subjects to be acted upon - the articles.

By state law, no action at the Town Meeting is valid unless the subject matter is contained in the warrant. This requirement means only that the subjects to be acted upon must be sufficiently stated in the warrant to apprise voters of the nature of the matters with which the meeting is authorized to consider. It does not require that the warrant contain an accurate forecast of the precise action that the meeting will take upon those subjects. A valid motion at Town Meeting may differ from the underlying article, but it must be within the scope of that article.

If you are in doubt about the action Town Meeting might take under an article, you should plan to attend the Town Meeting.

TOWN MEETING PROCEDURES

Town Meeting functions best when all voters are familiar with its rules of procedure. A summary of those rules appears in the document, "The Moderator's Rules and Regulations Governing Wayland's Town Meetings" prepared by the Moderator and included as part of this warrant booklet. See rules at Appendix A at page 113, and supplemental rules at Appendix L at page 149. Copies of the pamphlet, "The Moderator's Handbook for Wayland Town Meetings," are available at the Selectmen's Office in the Wayland Town Building, or online at http://www.wayland.ma.us/Pages/WaylandMA_BComm/Moderator/Handbook2010.pdf.

NO SMOKING NOTICE

Voters are reminded that no smoking is permitted on school grounds.

QUANTUM OF VOTE

The quantum of vote is specified in the warrant for each article.

For those articles involving appropriations which are anticipated to be provided by taxation or from available funds or transferred funds previously appropriated for another purpose, a majority quantum of vote is indicated. For articles which are anticipated to be funded by borrowing, a two-thirds quantum of vote is indicated.

Certain articles request the action of Town Meeting under its general legislative powers (i.e., to hear and accept reports, to appoint a committee, to adopt a resolution or "sense of the meeting" vote, etc.), and in such cases no particular statute is referenced. Town Counsel has advised that, as a matter of common law precedent in Massachusetts, such matters are decided by a majority vote.

HOW TO VOTE ELECTRONICALLY

At last year's Annual Town Meeting, Wayland's citizens pioneered the use of wireless electronic voting. Instead of shouting out *Aye* or *No*, raising our hands, or standing to be counted, we used electronic handsets to register our votes quickly, accurately, and privately.

Over the course of two sessions, we voted 37 times; 10 of those votes were so close that without electronic voting, we'd likely have spent hours in standing counts. Instead, we averaged slightly more than one minute per vote. Citizens supported the combination of speed, accuracy, and privacy that electronic voting provided, so once again we will be voting electronically at our spring Town Meeting.

The handsets look a bit like a TV remote control, but instead of pushing buttons to change channels, we push buttons to vote: the 1 button for *Aye*, or the 2 button for *No*. Your vote is displayed on your handset's screen and wirelessly transmitted to a computer that counts votes and displays results for the Moderator to announce. Nothing but these totals is permanently recorded, so your vote will remain private.

Because the new High School's parking capacity is still limited, this year's Annual Town Meeting will be held in the Middle School's Gymnasium and Auditorium. We will be using the north end of the Gym as a check-in area; as in past Town Meetings, check-in will be organized alphabetically by last name. As you are checking in, you'll be issued a handset for your use during that session.

Before each vote, the Moderator will summarize the motion or amendment being decided. He will then announce the beginning of a 30 second interval during which you can convey your vote, and a "voting light" near the Moderator will be illuminated. To vote *Aye*, push your handset's 1 button. To vote *No*, push your handset's 2 button. If you accidentally push the wrong button, you can change your vote by pushing the correct button. If you don't want to participate in a particular vote, don't push any buttons during the 30 second voting interval; if you accidentally push the 1 button or the 2 button, you can change your vote to *Abstain* by pushing the 3 button. When the 30 second interval is over, the "voting lamp" will

be extinguished, and the Moderator will announce that the vote is complete; shortly thereafter, the Moderator will announce the results.

If you inadvertently turn your handset off by pushing the power button in its lower-right corner; push this button again to turn your handset back on. Pushing any of your handset's other buttons during the voting interval will not change your vote, but for peace of mind, your handset will encourage you to *Re-Vote*; push the 1 button for *Aye* or the 2 button for *No*.

If you leave your seat during the meeting, please keep your handset with you. When you leave the Middle School - either during a session or at the close of a session - please place your handset in one of the boxes at each building exit. If you forget to turn in your handset, we'll give you a call the next day and ask you to return it.

Every handset will be tested before each session of Town Meeting, so the probability of a handset failing is very low. That said, if pushing your handset's 1 button or 2 button during a vote does not produce an *Aye* or *No* on its display, please raise your hand; a Teller will quickly provide you with a paper ballot to record your vote, and you'll be issued a new handset. We don't expect this to happen, but like the Boy Scouts, we'll be prepared.

If we have a good turnout, then arriving voters will be seated in the Auditorium after the Gym is full. The colored dot on the front of your handset will indicate the room in which you're seated: a red dot for the Gym and a green dot for the Auditorium. You'll only be able to vote if you are seated in the correct room. To be sure you can sit together with family or friends, plan to check-in around the same time.

If you are physically unable to use a handset to vote, inform the person who checks you in, and you'll be seated in an area where your votes will be manually counted by Tellers. If you're wondering how much radio energy is used by a handset to convey your vote wirelessly, it's less than 1 % that of a typical cell phone and only for brief instants, employing the same frequencies used for Wi-Fi wireless internet access.



ELVIS: Wayland's Electronic Voting Implementation Subcommittee

REPORT OF THE FINANCE COMMITTEE

To the Residents of Wayland:

The Finance Committee is pleased to present the Report of the Finance Committee and the FY2013 operating and capital budget recommendations.

Wayland continues to maintain its solid financial status. In January 2012, Moody's reaffirmed our Aaa bond rating with comments highlighting consistent financial performance, structurally balanced operations over the last six years, stable tax base and manageable debt position.

Wayland continues to feel the impact of the weak economy and the Finance Committee again recommends flat budgeting for non-salary controllable expenses. As a result, the Finance Committee presents a FY2013 budget that does not require an operational override for the fourth year in a row. This year we increased revenue projections and tightened expense budgets to reach a sustainable goal of structurally balancing the budget, despite the continuing financial challenges caused primarily by level aid from the State, slower growth in the local tax base, and meeting the costs of unfunded liabilities.

The Finance Committee is able to submit a balanced FY2013 operating budget because of our continued fiscal restraint and the use of \$3.2 million of free cash. The FY2013 capital budget is funded with borrowing and with free cash. In fact, our debt service obligations will decrease next year. Further, no debt exclusion vote is required this year.

In this report, we describe our work and our strategy. We briefly describe our budget process. We then summarize the proposed operating budget, its drivers and changes from last year. We discuss unfunded liabilities including our pension obligations. Next we discuss our capital plan and capital budget. Finally, we review free cash, our long-range planning and broader financial trends.

I. THE COMMITTEE

The Wayland Finance Committee is comprised of seven residents who are appointed by the Board of Selectmen. The members' three year terms are staggered which allows for a mix of new and more experienced members. Our meetings are open to the public and include a public comment period. Meeting minutes and other working documents and public presentations are available on the Finance Committee webpage on the Town website.

A. ROLE

The Code of the Town of Wayland charges the Finance Committee with two primary responsibilities. The Committee is required to prepare and present the Omnibus Budget (the Town's operating and capital budget), which appears as an article in the Annual Town Meeting Warrant. The Committee is also responsible for review and comment on articles submitted for inclusion in the Warrant.

B. MISSION STATEMENT

The mission of the Wayland Finance Committee is to define a financial strategy for the Town and to use this strategy as the basis for recommending to the Town a fiscally responsible operating and capital-spending plan. The Finance Committee seeks to balance the demand for services against the ability of residents with a broad range of financial situations to afford these services.

II. FINANCIAL STRATEGY AND GOALS

The Finance Committee's strategy has three main elements:

- Maintain quality Town services supplied by an efficient workforce,
- Continue infrastructure investment through our capital spending plan, and
- Preserve appropriate levels of Free Cash and other reserve funds.

In implementing that strategy, this year the Finance Committee focused on eight points when developing the FY2013 budget:

- Maintain service levels
- Keep the operating budget increase within the constraints of Proposition 2 ½ by using free cash to balance the operating budget (this is not a sustainable strategy)
- Continue to address the long-term liabilities of pension and other post-employment benefits (OPEB) and to continue to control healthcare costs
- Target year-end departmental givebacks at no greater than 2% of the budget
- Estimate local receipt revenues within 10% of actuals
- Develop a capital budget to address infrastructure needs and planning without adding new debt service
- Maintain free cash at a target of 7.5% of the operating budget for future flexibility
- Use cash judiciously to mitigate tax impact

In addition to the strategy points outlined above, we set these additional goals for ourselves early last fall

- Improve transparency throughout the budget process by providing enhanced financial reporting
- Implement interim and budget preparation financial reporting
- Revise CIP form for improved understanding of capital requests and expenses
- Support the recommendations of the Operational Review Committee (unanimously supported reviews of budget and improved financial reporting)
- Contract with new audit firm for improved financial review and reach goal of a Comprehensive Annual Financial Report (CAFR) standard, and
- Demonstrate financial excellence through maintaining Moody's Aaa bond rating.

Overall, the challenge is to balance a long-term financial plan with short-term political desire to cut expenses and reduce taxes. To do so without impacting services is not possible in a single year's budget cycle. The Finance Committee has been consistent in our goals and has made strides on reducing expenses on complex items (combining like services, controlling the rate of growth of employee and retiree healthcare expenses, producing flat operating budgets for over 7 years, pension control). No one budget can make every resident happy – each may have a special service or program that s/he looks to have included. Our role is to look to the bigger picture and identify a long-term course of action that enables the Town to provide essential services, maintain financial stability and finance the Town in a fiscally responsible manner. We aim for excellence, not mediocrity.

III. SPECIAL TOWN MEETING, NOVEMBER 2011

Petitioners called for a Special Town Meeting (STM) to be held in November 2011 for the purpose of reducing the tax rate through the application of \$4 million of free cash to the previously approved budget (FY2012). The Finance Committee and the Board of Selectmen proposed using a smaller amount of free cash for this purpose for FY2012, with the additional use of free cash in FYs 2013 and 2014 in order to achieve a similar impact as the petitioner's proposal, but over a period of

approximately 18 months. Despite our recommendation to use less free cash, petitioners' motion passed overwhelmingly. We draw the following conclusions from that vote:

- We cannot allow large free cash balances to grow and persist
- Residents expressed concern with conservative budgeting and forecasting practices and demanded that balances be driven down rapidly
- To accomplish that, we need to increase our focus on revenue estimates, in order to minimize revenue variances, and on departmental operating expenses, to minimize expense turnbacks; the combination of which should minimize oscillations in free cash balances
- Voters demand and expect both improved and additional information from their Town government.

Financially, we are exactly where we thought we would be following STM's use of \$4 million in free cash towards the operating budget. The FY2013 budget process aims to be responsive to voters while maintaining excellence in our financial status. The Finance Committee balances short-term actions with a longer-term focus.

IV. BUDGET PROCESS

In September 2011, the Finance Committee reviewed various FY2013 budget scenarios based on probable revenue and expense estimates, expense growth as compared to FY2011 actuals and FY2012 year to date, changes to the free cash position and the economic challenges facing the town in the upcoming fiscal year. Following these discussions, the Finance Committee issued FY2013 Budget Guidelines on September 26, 2011. As part of the guidelines, the Finance Committee committed to balance the FY2013 budget without a tax increase. We planned to use free cash to do so. The Special Town Meeting in November 2011 accelerated that process.

We instructed departments and boards to prepare operating budgets showing no growth in operational budgets with two exceptions:

- Contractual increases based upon negotiated contracts in force, and
- Utility budgets adjusted as needed.

Departments with operating budgets over \$500,000 were requested to supply additional reporting. As suggested by the Operational Review Committee, the Finance Committee requested an operating budget summary covering:

- Highlights of budget changes
- Key issues facing your department
- Appropriateness of and projected staffing levels by FTE, including unfilled positions
- Performance indicators, and
- Discussion of FY11 budget turnbacks.

These summary reports are available online with the FY2013 budget documents.

For this upcoming fiscal year, all collective bargaining agreements are settled and contractual salary adjustments are shown at the departmental level. In last year's budget, salary increases were held in Unclassified – Reserve for Salary Settlement since not all contracts had been settled before the Warrant went to print. For the FY2013 budget, the salary line items reflect the increase from FY2012 and FY2013. Contracts are available on the Town's website

(Municipal: http://www.wayland.ma.us/Pages/WaylandMA_HR/cbas; School: http://www.wayland.k12.ma.us/administration/human_resources/collective_bargaining_contracts/).

The budget guidelines are available on the Finance Committee's website. Municipal and School operating budgets were due November 22, 2011 and capital budgets were due October 27, 2011.

Concurrent with this guideline setting process, at the Finance Committee's September 19th meeting, residents requested a Special Town Meeting (STM) to use free cash to reduce FY2012 taxes. A more detailed discussion of the outcome of the 2011 STM is included above in this report.

The Finance Committee held 11 budget meetings in December, January, and February. In January 2012, the Committee met with boards, departments, and commissions to discuss specific budget requests and to review those requests against FY2011 actuals and FY2012 budget. All participants were reminded that the capital budget was limited.

On January 30, 2012, the Finance Committee deliberated and voted a draft budget. This draft budget was presented at a public forum on February 13, 2012. The presentation is available on the Finance Committee's website.

Subsequently, at the February 27, 2012 meeting, the Finance Committee unanimously (7-0) approved the recommended operating budget that appears in this warrant. The recommended capital budget was also approved unanimously (7-0).

A. SUMMARY OF THE FY2013 OPERATING BUDGET

There are multiple components to the operating budget. The one with which residents are most familiar is the General Fund Operating Budget which funds most municipal and all school operations. Three other municipal operating budgets (Water, Wastewater and Septage) are added to reach the total Omnibus Budget for the Town of Wayland. These three budgets are reported as separate line items to meet State requirements for reporting on enterprise (Wastewater, Septage) and like (Water) funds.

We estimate total revenue in FY2013 will be \$71.6 million excluding the \$3.2 million use of free cash shown in Table 1. Expenses total \$75.3 million. The result is a budget deficit of about \$3,680,000. We propose to close this operating deficit with \$3,200,000 from free cash reserves, approximately \$360,000 in ambulance receipts and \$120,000 in bond premiums from a recent bond issuance (January 2011).

To understand the deficit, it is important to analyze the changes in revenues and expenses between FY2012 and FY2013:

Table 1: Total Revenue Changes				
Description	Budget FY2012	Budget FY2013	Difference	%Change
Real Estate Taxes				
Tax Levy	\$47,909,450	\$51,465,908	\$3,556,458	
Allowance for 2.5%	\$1,330,386	\$1,381,457	\$51,071	
Debt Exclusion	\$5,561,917	\$5,798,792	\$236,875	
New Tax Levy Growth	\$712,447	\$550,000	-\$162,447	
Total Real Estate Taxes	\$55,514,200	\$59,196,157	\$3,681,957	6.6%
State Revenues	\$4,394,008	\$4,067,106	-\$326,902	-7.4%
Local Receipts	\$4,150,000	\$4,175,000	\$25,000	0.6%

Water Receipts	\$3,403,133	\$3,500,334	\$97,201	2.9%
Enterprise Receipts	\$601,408	\$667,967	\$66,559	11.1%
Free Cash	\$4,500,000	\$3,200,000	-\$1,300,000	-28.9%
Other Available Funds	\$485,182	\$479,384	-\$5,798	-1.2%
Total Revenue	\$73,047,931	\$75,285,948	\$2,238,017	3.1%

Revenue between FY2012 and FY2013 as shown in Table 1 is increasing by \$2,238,017.

Sources of revenue and changes from FY2012 are as follows:

- Under Proposition 2½, the tax increase is limited to 2½% of the overall tax levy. For FY2013, this represents approximately \$1.4 million.
- Tax revenue will increase by approximately \$1,700,000 in FY2013 relative to November's STM and using less free cash this fiscal year.
- New growth, the tax on new and upgraded properties, is estimated to generate \$550,000 of new revenue, down from over \$700,000 projected for FY2012. This lower revenue number anticipates a reduction in new home construction and renovation activity related to the economic downturn. The volume of building permits is starting to increase; however, there is a lag before that activity is shown in new tax growth. Increased revenue from town center construction is not anticipated until FY2014 or FY2015 due to the lag time in recognizing new growth.
- State aid revenue is estimated to be flat for FY2013. The decrease by \$326,902 from FY2012 levels is due to completion of MSBA payments for prior year projects (Middle School). The actual state aid amounts for FY2013 will not be known until the final state aid allocations are made in July.
- Local receipts are estimated to increase by \$25,000 over FY2012. This reflects the \$1 million adjustment made on the FY2012 Tax Recapitulation sheet following the November STM and some small growth. The target is to estimate local receipts within 10% of actuals recognizing that this is difficult in a volatile economy.
- Enterprise receipts are increasing by approximately \$67,000, primarily related to new user fees to support the debt service on the new Wastewater treatment plant.
- Free cash of \$3,200,000 is being appropriated to balance the budget. This is down from the \$4.5 million used in FY2012. See Table 3 for more detail on free cash usage.

Table 2: Total Operating Expense Changes

Description	Budget FY2012	Budget FY2013	Difference	% Change
General Fund Budget	\$67,257,456	\$69,285,522	\$2,028,066	3.0%
Water Fund Budget	\$3,403,133	\$3,500,334	\$97,201	2.9%
Septage Fund Budget	\$40,233	\$32,807	(\$7,426)	-18.5%
Wastewater Mgmt District Budget	\$561,175	\$635,160	\$73,985	13.2%
Total Expenses	\$71,261,997	\$73,453,823	\$2,191,826	3.1%

Operating expenses (as shown in Table 2) and non-operating expenses between FY2012 and FY2013 are increasing by approximately \$2.19 million. Significant items include:

- Step and Lane salary increases are applied at the departmental level. FY2012 increases which were carried in Unclassified – Reserve for Salary Settlement have been distributed across departmental budgets and then increased by 2.5% for negotiated amounts for FY2013. This is the back loaded final year in a three-year contract. Note that for the three-year contract, the total COLA was 3.5%, not considering the one-time stipend funded by cash and/or federal stimulus funds.
- Unclassified expenses show an overall reduction of \$685,000 from the net reduction in Reserve for Salary Settlement explained above and assume a slight increase in Town Meeting and Healthcare expenses. The Reserve for Salary Settlement carries \$65,000 for a proposed position for a policy/budget analyst to assist both the Town and School operations/financial staffs. This is proposed to be a non-union position, and it reflects the resources necessary to meet the
 - desire by residents for more and better financial information and
 - increasing number and complexity of public record requests for information and documentation by many residents.
- Debt and Interest expenses are estimated to decrease by \$110,000 due to expiring debt on prior debt exclusion borrowings. All proposed borrowings for this year's capital plan are within the Prop 2 ½ levy (non-exempt borrowings).
- Wayland's required pension contribution (expense) is increasing by approximately \$200,000 year over year. We are adding an additional \$1 million contribution (expense) to lower future pension contributions relative to what they would otherwise be; this shows in the Retirement line item of the budget in Article 8. Pension expense represents the cost to provide pensions to Town employees; it does not include teachers whose pensions are covered by the State. The January 2010 assessment for FY13 payment reflects the market conditions of 2008/2009.
- Utility costs (carried in the Facilities budget) are estimated to decrease \$169,000 due to recently negotiated contracts.
- State/county charges and abatements are expected to decrease by \$35,000.
- Estimated Overlay expenses are reduced by \$230,000 to \$1 million and have been confirmed by the Board of Assessors.
- Other areas with incremental increases include
 - Elections: \$11,250 due to holding a Presidential election in November 2012.
 - Miscellaneous Committees: \$30,000 seed funding for 375th Celebration. Reimbursement is anticipated.
 - DPW/Snow: \$50,000 to bring account into line with annualized maintenance levels, noting that the amount budgeted is less than the Town's average annual snowplowing expense.
 - Veterans' Services: \$11,650 associated with moving to a regional model, a savings compared to hiring a full-time, benefits eligible employee to meet state mandates.
 - Board of Health: \$35,000 for additional mosquito control, increase in HRS contract and new initiative for health "nuisances"
- Health insurance costs are expected to increase by no more than 5% for all plans. Insurance costs cover active and retired employees. In the past several years, Wayland has implemented health care initiatives that are beginning to realize annual savings in employee and retiree health care costs. To date these initiatives have saved Wayland taxpayers over \$1.6 million and brought the rate of growth from about 14% to less than 5%. New initiatives are being applied in FY2013 and expense savings will be tracked.
- The School budget meets guideline and through one-time and ongoing savings includes

approximately \$400,000 in new initiatives. Extensive information on the School budget request can be found at:

<http://wayland.sharpschool.net/cms/One.aspx?portalId=1036435&pageId=1666963>

- The Water budget shows an estimated increase in supplies of \$75,000 due to additional chemical expenses. Water expenses are paid through user fees rather than real estate taxes.
- The Septage budget has positive changes to benefits (pension) resulting in savings of about \$7,400. Through this budget, the Town funds the unfunded pension obligations of retired Septage employees.
- Wastewater increases in purchase of services and contingency, while the new plant opens and runs parallel with the existing plant, resulting in about \$35,000 of additional costs and additional debt service totaling about \$39,000; impact of both will be covered through user fees rather than taxes. Additionally, an allocation of Town staff's time is included in this budget.

As part of our budget process, the Finance Committee reviewed FY2011 actuals, FY2012 approved budget and the new FY2013 budget request. The chart below compares the FY2011 actuals to the FY2013 budget request, considers the average annual percentage increase and provides an explanation of the variances.

Comparison: FY2011 actuals to FY2013 budget request

General Fund	FY11 actual - FY13 budget Average Annual Percentage Change			Explanation of Changes Over Two Years
	FY11 Actual	FY13 Budget		
Town Expenditures	\$ 14,308,536	\$ 14,499,227	0.7%	Explained within Finance Committee Report.
School Expenditures	\$ 30,427,419	\$ 32,526,704	3.4%	Explained within School budget documents.
<i>Debt</i>	\$ 5,011,331	\$ 7,665,964	23.7%	\$2.8 million additional debt service due to High School financing
<i>Retirement Assessment</i>	\$ 3,140,204	\$ 4,621,627	21.3%	\$1 million pension prepayment (one time); approx. \$200,000 growth in payment each year.
<i>Unclassified</i>	\$ 8,870,505	\$ 9,972,000	6.0%	Incremental increases in health expense, medicare, town meeting, salary reserve.
Shared Expenses	\$ 17,022,040	\$ 22,259,591	14.4%	
Total General Fund	\$ 61,757,995	\$ 69,285,522	5.9%	

B. FY2013 OMNIBUS BUDGET

The Omnibus Budget lists various Town operating expenses, unclassified expenditures such as employee health insurance, and debt and interest.

C. OPERATING EXPENSES

The FY2013 Omnibus Budget article General Fund portion proposes operating expenses of \$69,285,522. This represents an increase of \$2.03 million or about 3.0 % over FY2012.

D. NON-APPROPRIATED EXPENSES

The Town is also responsible for funding non-operating budget expenses that are not appropriated in the budget. The Town funds State and County assessments (\$292,659) and real estate abatements (\$1,000,000). Additional miscellaneous non-operating budget charges are expected to be \$539,466 (primarily cash capital items). The Finance Committee estimates that these non-operating budget expenses will total \$1,832,125. Water and Enterprise Funds expenses total \$4,168,301. See Tables 3 and 4 below.

Table 3: Non-appropriated or non-operating budget expenses FY2013

Description	Amount
Real Estate Abatements	\$ 1,000,000
State and County Assessments	\$ 292,659
Miscellaneous	\$ 539,466
Total	\$ 1,832,125

The Omnibus Budget expenses, General Fund, plus the non-operating budget expenses total \$75,285,948.

Table 4: Total Town Expenses for FY2013

Expense	Amount
General Fund Budget	\$ 69,285,522
Water	\$ 3,500,334
Septage	\$ 32,807
Wastewater	\$ 635,160
Non-appropriated expenses	\$ 1,832,125
Total	\$ 75,285,948

V. UNFUNDED LIABILITIES

The Town carries two accounting entries to track unfunded liabilities -- one for unfunded pension obligations and one for unfunded other post-employment benefits (OPEB), primarily healthcare. Annual payments are being made toward each of these and regular revaluations are conducted.

Massachusetts Department of Revenue (DOR) defines the *unfunded pension liability*:

Unfunded pension liability is the difference between the value assigned to the retirement benefits already earned by a municipality's employees and the assets the local retirement system will have on hand to meet these obligations. The dollar value of the unfunded pension liability is redetermined every three years and is driven by assumptions about interest rates at which a retirement system's assets will grow and the rate of future costs of living increases to pensioners.

Wayland is mandated by the State to fund the pensions of all employees except teachers, who are covered by the State pension system. Starting in 1988, the State has required towns to pay toward their unfunded pension obligations and to complete payment by 2028; this deadline has since been extended to 2040. Wayland has been paying its obligation since 1988, and a reassessment of the accounting liability is completed every two years. The most recent valuation of the Town's unfunded pension liability is \$36,282,083 as of January 1, 2010. An assessment will be completed as of January 1, 2012, and the Town will receive the results later this calendar year. Wayland pays approximately \$3.1 million per year towards this balance to fully fund by 2040, and for FY2013, the Finance Committee proposes a prepayment of approximately \$1,000,000 to reduce the future impact to operating expenses.

Generally, the Finance Committee has not chosen to make additional pension payments because the trade-off is that the funding would need to come from either Proposition 2 ½ overrides or increased borrowings. However, recognizing that one-time receipts have supplemented the Town's free cash, the Finance Committee recommended last year and again this year recommends a cash prepayment. In FY2012, the Town authorized a prepayment of approximately \$300,000. This year, the budget proposes that \$1 million of free cash be put towards reducing this long-term liability.

The analysis behind the recommendation to include an additional \$1 million payment towards Wayland's unfunded pension liability is straight forward. The Middlesex County Retirement System's ("Middlesex") assumed rate of return on pension assets is 8.125%, compared to less than 1% that the Town currently earns on deposits and 1.37% which was the composite borrowing cost for the January 2012's debt offering. To clarify:

- Middlesex's assumed return is simply that, an assumption/projection; actual returns will vary.
- The 1.37% percent composite borrowing rate is for debt maturities that are shorter term than would be appropriate to consider in an analysis of issuing debt to fund the pension and OPEB liability.
- Longer maturity debt, in the 20 to 30 year range would be more appropriate to consider for an analysis of this type, and those rates are in the 4% to 4.5% range.

Given the current low levels of interest rates, the possibility of issuing long term debt and using the proceeds to reduce the long term liabilities associated with the pension and OPEB plans is intriguing. However, when considered in the context of the recent increase in outstanding debt from the high school project and the possibility of financing a new DPW building (if approved by the Town) the resulting debt burden on the Town may become an issue with residents given the associated higher taxes to cover the debt service.

Massachusetts DOR defines **OPEB**:

Post-employment benefits other than pensions generally take the form of health insurance and dental, vision, prescription, or other healthcare benefits provided to eligible retirees, including in some cases their beneficiaries. They may also include some type of life insurance. As a group, these are referred to as OPEB.

The State has not mandated that communities begin payments toward OPEB; however, as part of our financial management plan, the Town has been making payments annually since FY2008. As of December 31, 2010, the Town's unfunded OPEB obligation totaled \$45,713,563. No date has yet been set by the State for funding completion.

VI. FIVE-YEAR CAPITAL PLAN

Capital planning is part of the overall financial plan for the Town of Wayland that the Finance Committee prepares each year. Capital needs fall into four categories: equipment, buildings, land and roads. During 2008, the Town formalized the capital planning process by implementing a new Capital Improvement Program or "CIP". The form was revised for this budget cycle.

The accompanying five-year capital plan in this warrant is the starting point for capital expenditures to be considered in future years. Capital requests are summarized by department, board or commission. Capital items beyond next fiscal year for FY2014 through FY2017 have not been formally presented by departments or approved by the Finance Committee and are presented for planning purposes only. Significant facility projects listed on the five-year plan include potentially funding a new DPW Garage and Library/Senior Center.

VII. CAPITAL REQUESTS

Initially, Town boards and departments presented \$20,895,000 in capital requests including full funding for a new DPW building. The Finance Committee recommends that Town Meeting fund only \$4,920,000, or 24% of the initially requested amount. If approved at Town Meeting, the Town will need to borrow to fund some of these investments. Borrowing monies is prudent because it spreads the cost of buying the asset (debt service) over its useful life and interest rates are at record lows. The Finance Committee also recommends using free cash to fund \$1.72 million of capital requests.

Our capital recommendations were based on properly maintaining the current infrastructure and replacing vehicles and equipment that have outlived their useful lives. Capital expenditure requests are listed on the final page of the Omnibus Budget under the title "Capital Budget". Additional information supporting each capital expenditure requested is available on the pages following the request (beginning on page 55) and on the Finance Committee's webpage in the Capital Improvement Plan "CIP" folder (http://www.wayland.ma.us/Pages/WaylandMA_Finance/FY12%20CIP%20Capital%20Appropriation%20Requests.pdf).

Capital expenditures are generally funded in three manners:

- Cash capital items: regularly occurring, replaceable equipment and vehicles with a life span of less than 5 years, funded with cash within the operating budget or from cash reserves. Cash capital items do not impact the tax rate directly as they are funded within the Proposition 2 ½ levy.
- Non-exempt capital items: regularly occurring, replaceable equipment and vehicles with an

individual unit cost of less than \$100,000, funded by borrowing and limited to the capacity within the existing debt service. Therefore, non-exempt capital items also do not directly impact the tax rate as they are funded within the Proposition 2 ½ levy.

- Exempt capital items: includes all building repairs as well as equipment and vehicles with an individual unit cost greater than \$100,000. These items are typically funded with a debt exclusion and normally result in a temporary increase in the tax rate.

This year, the Finance Committee again decided to deviate from the above policy to take advantage of more borrowing capacity within the non-exempt borrowing budget. As shown in the expanded capital commentary, items are being funded within the non-exempt capital budget or with cash that would normally be subject to a debt exclusion vote.

In this FY2013 budget, the Finance Committee continues to fund new and replacement computers through the operating budget rather than the capital budget. This practice is more in keeping with the expense and lifespan of the equipment.

The Finance Committee's recommendation and expanded commentary for FY2013 capital items are found in Article 8 - FY2013 Omnibus Budget following the capital budget request (itemized numbers relate to the listing of expenditure requests in the budget on page 54). The items include maintenance and investment in buildings and infrastructure, vehicle purchases, compliance projects, and technology improvements.

The detailed final CIP forms for each capital request were posted on the town website on the Finance Committee page in February 2012 and are available for review in the CIP folder (preliminary requests were posted in December 2011). Individual requestors are responsible for the content, and questions about any particular project or item should be directed to the requesting authority.

For FY2013, the Finance Committee did not recommend funding through a debt exclusion and, therefore, approximately \$110,000 in expiring debt service on prior debt exclusion votes is maturing. We anticipate a similar amount to mature next year. As part of our long-term financial planning, the Finance Committee is earmarking those savings to fund a future DPW building request. Based on preliminary cost estimates, this means we may be able to fund a DPW garage within the same level of tax impact as FY2012. Typically, a debt exclusion increases the amount of property tax revenue a community may raise for a limited period of time in order to fund a specific project.

VIII. FREE CASH

Table 5 depicts free cash allocated to close prior year operating budget deficits. For FY2013, we propose to balance the operating budget with \$3,200,000 of free cash.

Table 5: Free Cash Allocated To Annual Revenue

Fiscal Year	Free Cash Appropriated
FY2004	\$ 2,400,000
FY2005	\$ 1,869,000
FY2006	\$ 300,000

Fiscal Year	Free Cash Appropriated
FY2007	\$ 0
FY2008	\$ 0
FY2009	\$ 0
FY2010	\$ 1,100,000
FY2011	\$ 250,000
FY2012	\$ 4,500,000
FY2013	\$3,200,000

The town's free cash balance was certified at \$10.3 million or 14.9% of operating expenses at the start of FY2012. After November STM when an additional \$4 million of free cash was applied to the FY2012 operating budget, free cash balances were \$6.3 million or about 9.1%. The chart on page 19 shows the fluctuations in free cash balances over the years.

The Finance Committee's goal is to have free cash at approximately 7.5% of operating budget. Estimating balances of cash is not an exact science. Based on our best information at the time the Warrant went to print and assuming all the Town meeting articles are approved, the Finance Committee projects free cash to be at \$5.2 million or 7.54% of budget. Depending upon a number of factors, it is possible that the cash balance could be as low as \$1.9 million or 3.6% of budget. The charts on pages 19-20 show our assumptions and estimate of free cash balances in June 2012 both in numerical and visual graphs.

In FYs 2012 and 2013, the budget includes using large amounts of free cash to balance the operating budget. Residents should understand that any cash used to balance the operating budget does not have a revenue stream to replace it the following budget year. This results in maintaining a level of services that cannot be supported through normal revenue sources. As a result, the Finance Committee is recommending judicious use of free cash in the upcoming years. Generally, cash should be used for one-time expenses, not for supporting the operating budget.

As a Town, we have voted to use large amounts of free cash to balance the operating budget before. As Table 5 shows, large amounts of free cash were used to balance the operating budget in FY2004 and FY2005 (and earlier). This resulted in driving our free cash levels down to 2.2% and was one element in Moody's decision at that time to put Wayland on a negative outlook. This was followed by three years where the Town voted to raise taxes to replenish free cash to levels more in line with prudent fiscal management (FYs 2007, 2008 and 2009). Moody's then removed the negative outlook. The Finance Committee reports in those years state that we offset declining state aid with the use of free cash and then needed to build reserves again to reach a financially healthy level.

The Finance Committee continues to support using judicious amounts of free cash to balance the operating budget with the understanding that as we tighten revenue and expense estimates, additions to free cash will decrease leaving future budgets without the same source of free cash.

IX. LONG RANGE PLANNING

Wayland, like other towns across the State, has grappled with state aid reductions, healthcare and pension expense budget challenges, meeting the financial obligations of unfunded liabilities and steadily rising energy and transportation costs. While Wayland has fared better than other towns, these economic issues continue to challenge our financial situation. The Finance Committee has continued to spend considerable time and effort researching and supporting implementation of actions needed to help balance the budget. Those actions include:

- Negotiating and implementing changes in health care programs for current employees and retirees,
- Supporting opportunities for more shared services where appropriate, and
- Instituting administrative efficiencies, including consolidating support functions across municipal and school departments.

The Finance Committee has also focused on planning for major long-term facility projects by closely monitoring current capital budget requests, managing within our debt management policy and ensuring that the Town maintains its Aaa credit rating.

X. FINANCIAL TRENDS

As the Finance Committee reported during the budget planning process, Town finances are sound, but we are challenged by general economic conditions causing flat state funding, stable to slightly lower new tax growth and continuing measured growth in employee benefit costs, particularly unfunded liabilities. The free cash reserves that have been built up during the past four years put us in a strong reserve position; using \$3,200,000 in cash to balance the FY2013 budget is a planned financial decision but not one that can be repeated next year.

The November STM reduced the FY2012 real estate tax levy below that of FY2011 and as a consequence gave the Town the ability to raise taxes more than 2 ½% without requiring a Proposition 2 ½ override vote. For FY2012, the Town was under the levy by approximately \$5.3 million. For FY2013, we propose being under by about \$3.7 million.

As explained in the November 2011 STM supplemental mailing, the projected tax increase for FY2013 can occur without an override vote because of how the levy limit and the tax levy are defined. The levy limit is the total amount of tax that a community *can* assess. The levy limit increases from year to year by the automatic 2.5% increase plus new growth. This new number becomes the basis for the next year's levy limit calculation. The tax levy is the revenue a community can raise through taxes. According to the DOR, once a community establishes its levy limit for the year, it can then decide what the levy (or amount actually assessed through tax) will be. Nothing voted at November STM affects the levy limit. Further, as stated in the DOR's publication "Levy Limits: A Primer on Proposition 2 ½"

It is important to note that as long as a community levies no more than its levy limit, there is no restriction on the dollar increase or percentage increase in its levy from year to year. Proposition 2 ½ restricts increases in the levy limit, not the levy. A community is permitted to tax up to its levy limit, even if it must raise its levy by a large percentage over the previous year's levy.

Using free cash to reduce the FY2012 tax rate frees up room in the levy limit – or creates unused levy capacity.

For FY2013, on average, property taxes will increase by approximately \$630, or 5.6% per household based upon an average house value of \$600,000. A strong school system, semi-rural character, and a sizeable, affluent tax base in close proximity to Boston are all given as factors that make a Wayland highly desirable community, despite a slow real estate market. The increase of 5.6% is within the Proposition 2 ½ levy because of the actions of last November's STM.

To help put this into perspective, the Finance Committee reviews the average single-family tax bill of its peer towns. Some residents continue to focus on the tax rate as the single measurement of the Town's financial performance. While being sensitive to the actual rate, the Finance Committee also reviews Wayland's average tax bill and its relative position amongst our peers. If we want to have services, including schools, similar to other Metrowest communities, we need to anticipate that our average tax bill will be similar – which it is. Wayland's average tax bill ranks 8th in the State behind Weston, Sherborn, Lincoln, Dover, Carlisle, Wellesley and Concord.

When the Warrant went to print, twenty-nine (29) communities did not have tax information on the DOR website. The average house value, tax rate and average single family tax bill for the Finance Committee's peer towns are shown below (all data from the DOR online) in Table 6:

Table 6: Peer Community Data for FY2012

Town	Avg House Value	Tax Rate	Avg Tax Bill	Hi-Lo Rank	% Commercial
Weston	\$1,374,332	\$12.11	\$16,643	1	4%
Lincoln	\$964,655	\$13.81	\$13,322	3	2%
Carlisle	\$694,276	\$17.14	\$11,900	5	1%
Concord	\$851,550	\$13.58	\$11,564	7	9%
Wayland	\$593,050	\$19.01	\$11,274	8	4%
Sudbury	\$621,410	\$17.60	\$10,937	9	6%
Cohasset	\$851,358	\$11.98	\$10,199	11	7%
Medfield	\$560,115	\$15.73	\$8,811	22	5%
Sharon	\$413,251	\$20.11	\$8,310	25	6%
Lynnfield	\$517,539	\$14.26	\$7,380	38	8%
Marshfield	\$380,939	\$11.76	\$4,480	128	6%

Wayland's FY2012 tax rate of \$19.01 FY2011 is the 11th highest in Massachusetts behind Sharon, Heath, Springfield, Bolton, Amherst, Longmeadow, Pelham, Shutesbury, Westborough and Amesbury. Greenfield has the same rate as Wayland.

The general weak economic trend is expected to persist for the near term; this will likely require additional flat budgeting and the use of reserves to avoid reductions in services or regular operational overrides. Our earliest projections show that the FY2014 budget will also be difficult to balance with many variables (level state aid, new collective bargaining contracts, planned workflow consolidations; savings from initiatives already implemented) impacting both revenues and expenses. The Finance Committee will continue to explore a number of measures to present a balanced budget in FY 2014

including combined services, additional sources of revenue and, likely, the use of a small amount of free cash reserves.

Once again in 2012, Wayland is one of a small number of towns in the Commonwealth of Massachusetts that earned a Aaa bond rating from Moody's Investors Service. This rating, Moody's highest, reflects the Town's conservative budgeting and strong financial operating results, management, policies and underlying demographic and economic factors and allows the Town to borrow at the lowest municipal rates available.

XI. CONCLUSIONS

The Finance Committee voted 7-0 to recommend both the FY2013 operating and capital budgets. The Finance Committee believes it is in the best interest of the citizens to support the FY2013 budget to maintain core services and infrastructure.

The Finance Committee extends thanks and appreciation to the Town's employees, municipal and school department heads, and the various committees for their support during this year's budget preparation.

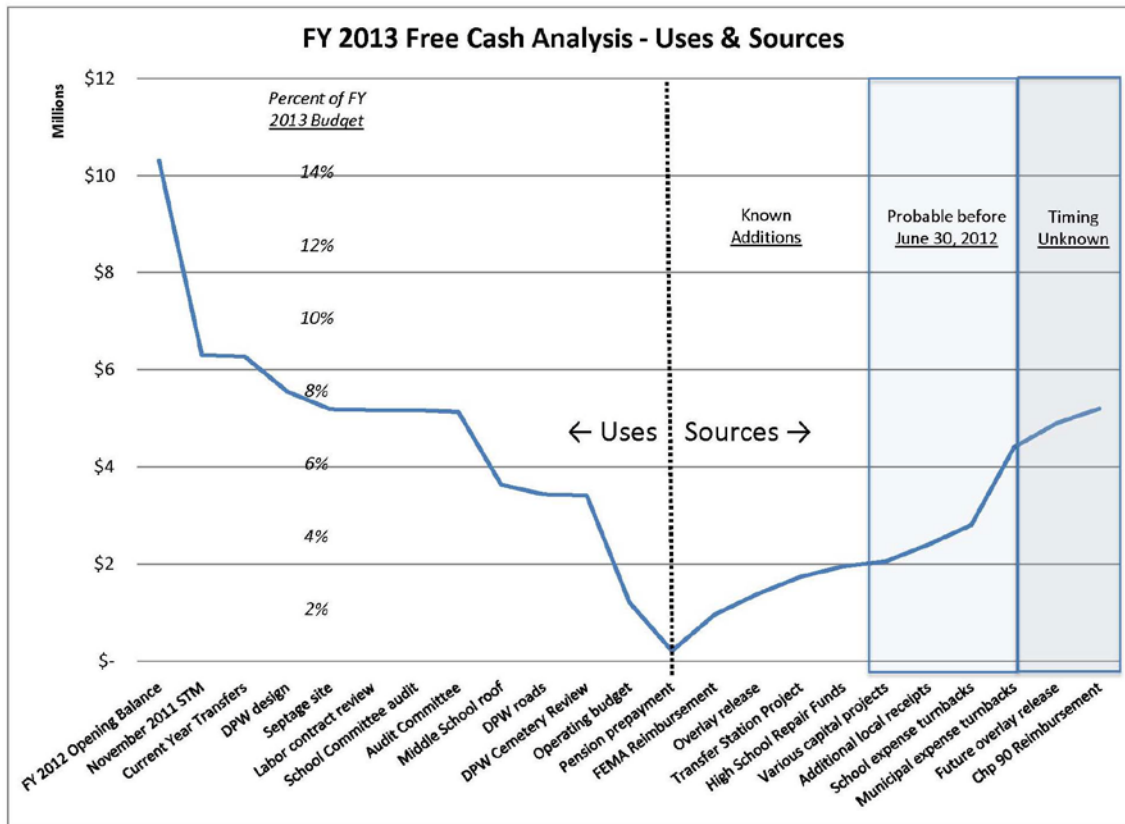
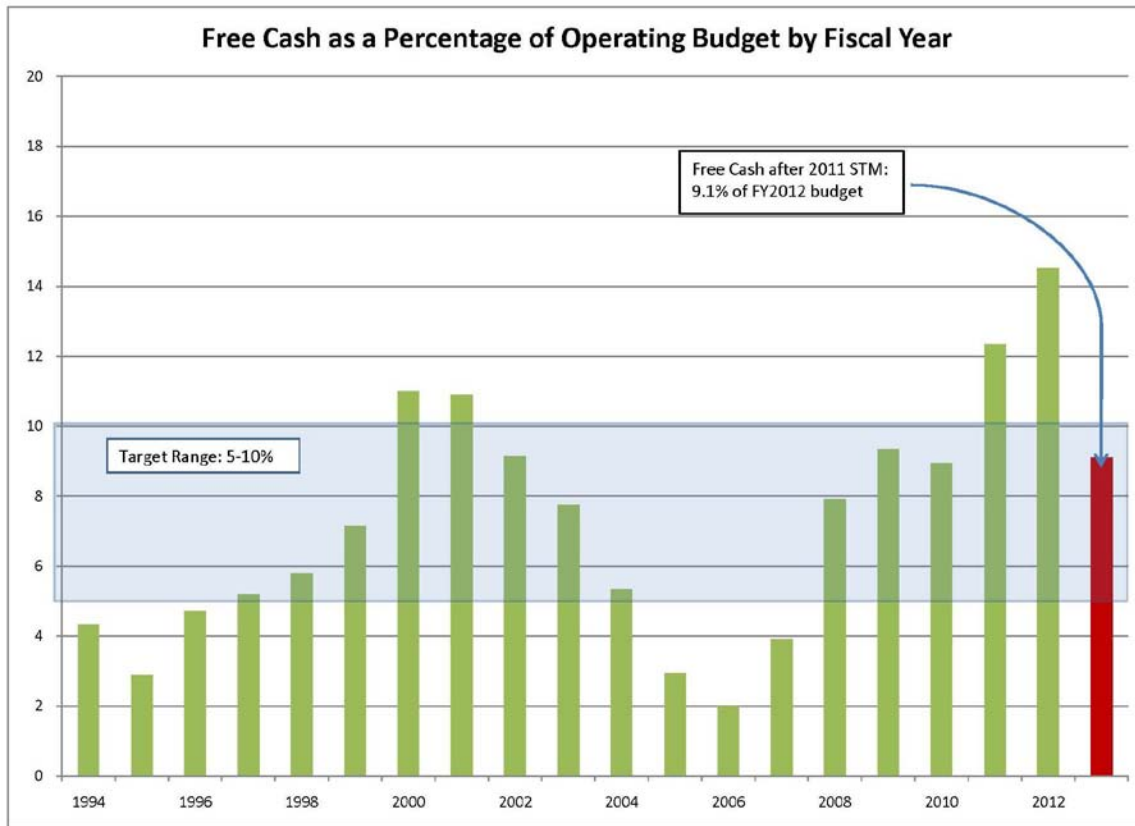
Once again, Wayland faces a challenging financial year in FY2013 and in future years with the constraints within our budget, changes in methodology of forecasting revenues and budgeting expenses and the goal of maintaining services. The Finance Committee will continue to use all diligence in preparing future budgets that will balance the demand for services against the ability of residents with a broad range of interests and financial situations to afford these services.

Respectfully submitted,

Cherry Karlson, Chair

Paul Grasso
Tom Greenaway
David J. Gutschenritter

Sam H. Peper
Richard M. Stack
Bill Steinberg, Vice Chair



Finance Committee Estimation of Free Cash Balances a/o 6-30-12

	Maximum	Minimum
Certified Balance a/o June 30, 2011	\$10,304,704	\$10,304,704
Additional Free Cash Used in FY2012	<u>\$4,000,000</u>	<u>\$4,000,000</u>
Starting Balance for FY2013 Activity	\$6,304,704	\$6,304,704
Additions to Free Cash by June 30		
FEMA reimbursement	\$750,000	\$750,000
Overlay released by Assessors	\$421,500	\$421,500
Transfer Station capital project completed	\$350,000	\$350,000
HS Repair funds capital project completed	\$218,174	\$218,174
Various capital projects completed - municipal and school	\$100,000	\$100,000
Additions to Free Cash (likely or unknown timing)		
Additional local receipts - underestimated by 10% (planned)	\$350,000	\$-
School expense turnbacks based on 2Q reporting	\$400,000	\$-
Municipal expense turnbacks based on 2Q reporting	\$1,600,000	\$-
Overlay - not yet released by Assessors	\$500,000	\$-
School revolving funds	\$-	\$-
Chp 90 Reimbursement -	<u>\$300,000</u>	<u>\$-</u>
Estimated Free Cash Range Before FY2013 Usage	\$11,294,378	\$8,144,378
Uses of Free Cash for FY2013 Budget		
Current Year Transfers	\$29,585	\$29,585
DPW design	\$725,000	\$725,000
Pre-permitting Septage site	\$360,000	\$360,000
Labor contract review	\$16,000	\$16,000
Audit of SC Revolving Accounts - no expense estimate	\$-	\$-
Audit Committee - article	\$40,000	\$40,000
MS roof	\$1,500,000	\$1,500,000
DPW - Archeological review of North Cemetery	\$20,000	\$20,000
DPW Roads - capital improvement	\$200,000	\$200,000
Used to balance the operating budget	\$2,200,000	\$2,200,000
Pension prepayment	<u>\$1,000,000</u>	<u>\$1,000,000</u>
Projected Free Cash Range a/o 6-30-12	<u>\$5,103,793</u>	<u>\$1,953,793</u>
Percent of FY2013 operating budget	7.54%	3.0%

TOWN OF WAYLAND FIVE YEAR CAPITAL PLAN

	2013	2014	2015	2016	2017	Year 1 - 5 Total
ASSESSOR						
Equipment						0
Vehicle						0
Land/Improvements						0
Subtotal	0	0	0	0	0	0
INFORMATION TECHNOLOGY						
Equipment	185,000	100,000	225,000	50,000	50,000	610,000
Vehicle						0
Land/Improvements						0
Subtotal	185,000	100,000	225,000	50,000	50,000	610,000
CONSERVATION						
Equipment			45,000			45,000
Vehicle						0
Land/Improvements	0	320,000	330,000	375,000	155,000	1,180,000
Subtotal	0	320,000	375,000	375,000	155,000	1,225,000
TOWN SURVEYOR						
Equipment						0
Vehicle						0
Land/Improvements						0
Subtotal	0	0	0	0	0	0
FACILITIES						
New Building/Major Repairs						0
Building Repairs	180,000	1,200,000	750,000	490,000	50,000	2,670,000
Equipment						0
Vehicle						0
Land/Improvements						0
Subtotal	180,000	1,200,000	750,000	490,000	50,000	2,670,000
POLICE						
Equipment			30,000			30,000
Vehicle						0
Land/Improvements						0
Subtotal	0	0	30,000	0	0	30,000
JCC						
New Building/Major Renovations						0
Equipment	35,000		80,000	75,000		190,000
Vehicle						0
Land/Improvements						0
Subtotal	35,000	0	80,000	75,000	0	190,000
FIRE						
Equipment				60,000		60,000
Vehicle		275,000	265,000		985,000	1,525,000
Land/Improvements						0
Subtotal	0	275,000	265,000	60,000	985,000	1,585,000
BUILDING & ZONING						
Equipment						0
Vehicle			35,000			35,000
Land/Improvements						0
Subtotal	0	0	35,000	0	0	35,000

	2013	2014	2015	2016	2017	Year 1 - 5 Total
DPW						
New Building/Major Renovations		12,750,000				12,750,000
Equipment	295,000	190,000	150,000	125,000	50,000	810,000
Vehicle	270,000	400,000	200,000			870,000
Land/Improvements	95,000	2,950,000	2,085,000	725,000	125,000	5,980,000
Infrastructure	200,000	200,000	225,000	285,000	250,000	1,160,000
Subtotal	860,000	16,490,000	2,660,000	1,135,000	425,000	21,570,000
BOARD OF HEALTH						
Equipment						0
Vehicle						0
Land/Improvements						0
Subtotal	0	0	0	0	0	0
COUNCIL ON AGING						
New Building/Major Renovations						0
Equipment						0
Vehicle						0
Land/Improvements						0
Subtotal	0	0	0	0	0	0
LIBRARY						
New Building/Major Renovations		1,400,000	13,000,000			14,400,000
Equipment						0
Vehicle						0
Land/Improvements						0
Subtotal	0	1,400,000	13,000,000	0	0	14,400,000
RECREATION						
New Building/Major Renovations						0
Equipment	130,000	25,000	50,000	50,000		255,000
Vehicle						0
Land/Improvements						0
Subtotal	130,000	25,000	50,000	50,000	0	255,000
SCHOOL						
New Building/Major Renovations						0
Building Repairs	1,690,000	1,210,000	1,095,000	470,000	1,510,000	5,975,000
Equipment	160,000	110,000	120,000	120,000	100,000	610,000
Vehicle	70,000					70,000
Land/Improvements						0
Subtotal	1,920,000	1,320,000	1,215,000	590,000	1,610,000	6,655,000
WATER						
New Building/Major Renovations						0
Building Repairs						0
Equipment	990,000	100,000	100,000			1,190,000
Vehicle	120,000	35,000	35,000	60,000	60,000	310,000
Land/Improvements						0
Infrastructure	500,000	750,000	750,000	500,000	500,000	3,000,000
Subtotal	1,610,000	885,000	885,000	560,000	560,000	4,500,000

	2013	2014	2015	2016	2017	Year 1 - 5 Total
WASTEWATER						
New Building/Major Renovations						0
Building Repairs						0
Equipment						0
Vehicle						0
Land/Improvements						0
Infrastructure						0
Subtotal	0	0	0	0	0	0
SUMMARY BY DEPARTMENT						
ASSESSOR	0	0	0	0	0	0
INFORMATION TECHNOLOGY	185,000	100,000	225,000	50,000	50,000	610,000
CONSERVATION	0	320,000	375,000	375,000	155,000	1,225,000
TOWN SURVEYOR	0	0	0	0	0	0
FACILITIES	180,000	1,200,000	750,000	490,000	50,000	2,670,000
POLICE	0	0	30,000	0	0	30,000
JCC	35,000	0	80,000	75,000	0	190,000
FIRE	0	275,000	265,000	60,000	985,000	1,585,000
BUILDING & ZONING	0	0	35,000	0	0	35,000
DPW	860,000	16,490,000	2,660,000	1,135,000	425,000	21,570,000
BOARD OF HEALTH	0	0	0	0	0	0
COUNCIL ON AGING	0	0	0	0	0	0
LIBRARY	0	1,400,000	13,000,000	0	0	14,400,000
RECREATION	130,000	25,000	50,000	50,000	0	255,000
sub-total	1,390,000	19,810,000	17,470,000	2,235,000	1,665,000	42,570,000
SCHOOL	1,920,000	1,320,000	1,215,000	590,000	1,610,000	6,655,000
TOTAL G/F DEPARTMENTS	3,310,000	21,130,000	18,685,000	2,825,000	3,275,000	49,225,000
NON-DEPARTMENTAL						
WATER	1,610,000	885,000	885,000	560,000	560,000	4,500,000
WASTEWATER	0	0	0	0	0	0
TOTAL NON-G/F DEPARTMENTS	1,610,000	885,000	885,000	560,000	560,000	4,500,000
GRAND TOTAL	4,920,000	22,015,000	19,570,000	3,385,000	3,835,000	53,725,000
SUMMARY BY TYPE						
NEW BUILDING/MAJOR RENOVATIONS	0	14,150,000	13,000,000	0	0	27,150,000
BUILDING REPAIRS	1,870,000	2,410,000	1,845,000	960,000	1,560,000	8,645,000
EQUIPMENT	1,795,000	525,000	800,000	480,000	200,000	3,800,000
VEHICLE	460,000	710,000	535,000	60,000	1,045,000	2,810,000
LAND/IMPROVEMENTS	95,000	3,270,000	2,415,000	1,100,000	280,000	7,160,000
INFRASTRUCTURE	700,000	950,000	975,000	785,000	750,000	4,160,000
SUB-TOTAL ALL DEPTS BY TYPE	4,920,000	7,865,000	6,570,000	3,385,000	3,835,000	26,575,000
TOTAL ALL DEPTS BY TYPE	4,920,000	22,015,000	19,570,000	3,385,000	3,835,000	53,725,000

	2013	2014	2015	2016	2017	Year 1 - 5 Total
SUMMARY BY TYPE- EXCLUDES WATER/WASTEWATER						
NEW BUILDING/MAJOR						
RENOVATIONS	0	14,150,000	13,000,000	0	0	27,150,000
BUILDING REPAIRS	1,870,000	2,410,000	1,845,000	960,000	1,560,000	8,645,000
EQUIPMENT	805,000	425,000	700,000	480,000	200,000	2,610,000
VEHICLE	340,000	675,000	500,000	0	985,000	2,500,000
LAND/IMPROVEMENTS	95,000	3,270,000	2,415,000	1,100,000	280,000	7,160,000
INFRASTRUCTURE	200,000	200,000	225,000	285,000	250,000	1,160,000
SUB-TOTAL ALL DEPTS BY TYPE	3,310,000	6,980,000	5,685,000	2,825,000	3,275,000	22,075,000
TOTAL ALL DEPTS BY TYPE	3,310,000	21,130,000	18,685,000	2,825,000	3,275,000	49,225,000
WATER/WASTEWATER	1,610,000	885,000	885,000	560,000	560,000	4,500,000

TABLE NO. 1 - WAYLAND INCOME AND EXPENSE STATEMENT (ESTIMATED)					
	FISCAL 2009	FISCAL 2010	FISCAL 2011	FISCAL 2012	FISCAL 2013
BUDGET	56,117,307	62,019,837	66,029,337	71,261,997	73,453,823
ARTICLES	15,121,939	5,150,316	3,475,000	4,175,000	5,116,000
TOTAL TOWN EXPENSE	71,239,246	67,170,153	69,504,337	75,436,997	78,569,823
OVERLAY	1,039,311	1,106,754	1,676,989	1,206,448	1,000,000
NET REC FROM STATE	(2,044,382)	(1,419,895)	(4,199,174)	(4,139,522)	(3,774,447)
LOCAL RECEIPTS	(3,435,001)	(3,505,000)	(3,325,000)	(4,150,000)	(4,175,000)
OTHER SOURCES: FREE CASH, BORROWINGS, ETC.	(15,047,633)	(9,643,640)	(7,529,139)	(12,839,723)	(12,424,219)
TO BE RAISED BY TAXATION	51,751,541	53,708,371	56,128,013	55,514,200	59,196,157

AVERAGE TAX BILL WILL INCREASE BY APPROXIMATELY 5.6% IN FY 13

TABLE NO. 2 - HISTORICAL BUDGET SUMMARY (General Fund Only)					
FISCAL YEAR	SCHOOL	TOWN	TOTAL	INCREASE	%
FY 2013	32,526,704	36,758,818	69,285,522	2,028,066	3.0%
FY 2012	31,096,713	36,160,743	67,257,456	4,896,649	7.9%
FY 2011	30,596,713	28,623,893	59,220,606	403,440	0.7%
FY 2010	31,111,713	27,705,453	58,817,166	2,699,858	4.8%
FY 2009	30,091,713	26,025,595	56,117,308	2,972,347	5.6%
FY 2008	28,722,212	24,422,749	53,144,961	2,395,484	4.7%
FY 2007	28,407,893	22,341,584	50,749,477	1,813,024	3.7%
FY 2006	27,379,743	21,556,710	48,936,453	2,420,683	5.2%
FY 2005	26,067,251	20,448,519	46,515,770	1,337,108	3.0%
FY 2004	25,650,251	19,528,411	45,178,662	2,058,038	4.8%

TABLE NO. 3 - TOWN REVENUES (GF)	FY 09	FY 10	FY 11	FY 12	FY13
TAX LEVY	51,751,543	53,708,371	56,128,013	55,514,200	59,196,157
STATE AID	5,129,702	4,666,700	4,486,387	4,394,008	4,067,106
LOCAL RECEIPTS					
MOTOR VEHICLE EXCISE	1,700,000	1,600,000	1,670,000	1,975,000	2,010,000
OTHER TAXES		80,000	100,000	150,000	150,000
PENALTIES & INTEREST	100,000	200,000	180,000	140,000	150,000
PAYMENT IN LIEU OF TAXES	40,000	35,000	30,000	30,000	30,000
DEPT FEES	650,000	850,000	700,000	800,000	775,000
SCHOOL SYSTEM FEES	50,000	50,000	50,000	50,000	50,000
LICENSE & PERMITS	450,000	400,000	400,000	725,000	725,000
SPECIAL ASSESSMENTS	10,000	10,000	5,000	5,000	5,000
FINES & FORFEITURES	50,000	40,000	40,000	50,000	55,000
INTEREST	185,000	90,000	150,000	225,000	225,000
LOCAL RECEIPTS SUB-TOTAL	3,235,000	3,355,000	3,325,000	4,150,000	4,175,000
AVAILABLE FUNDS	250,694	1,440,653	610,612	4,985,182	3,679,384
TOTAL	60,366,939	63,170,724	64,550,012	69,043,390	71,117,647

TABLE NO. 4 (General Fund Only)					
% OF BUDGET BY DEPARTMENT	FY 09	FY 10	FY 11	FY 12	FY13
GENERAL GOVERNMENT	5.8%	4.9%	4.6%	4.4%	4.4%
PUBLIC SAFETY	9.3%	9.5%	8.8%	8.2%	8.1%
SCHOOLS	53.6%	52.8%	49.1%	46.2%	46.9%
REG VOC SCHOOL	0.8%	0.7%	0.6%	0.4%	0.4%
DPW	3.6%	4.7%	4.3%	3.5%	3.4%
HEALTH	1.1%	1.1%	1.1%	1.0%	1.1%
LIBRARY	1.7%	1.6%	1.5%	1.4%	1.4%
RECREATION	1.4%	0.1%	0.0%	0.5%	0.5%
DEBT & INTEREST	7.3%	7.3%	8.0%	11.6%	11.1%
RETIREMENT			5.0%	5.1%	6.7%
UNCLASSIFIED	15.4%	15.3%	15.0%	15.8%	14.4%
FACILITIES		2.0%	2.0%	1.8%	1.6%

TABLE NO. 5 (General Fund Only) DEPARTMENTAL INCREASES

	BUDGET FY 12	BUDGET FY 13	INCREASE	% INCREASE
GENERAL GOVERNMENT	2,978,539	3,059,906	81,367	2.7%
PUBLIC SAFETY	5,501,159	5,631,022	129,863	2.4%
SCHOOLS	31,096,713	32,526,704	1,429,991	4.6%
REGIONAL VOC SCH	280,000	260,000	(20,000)	-7.1%
DPW	2,328,588	2,383,539	54,951	2.4%
HEALTH	695,440	741,810	46,370	6.7%
LIBRARY	952,550	974,750	22,200	2.3%
RECREATION	355,000	347,000	(8,000)	-2.3%
DEBT & INTEREST	7,776,459	7,665,964	(110,495)	-1.4%
RETIREMENT	3,420,633	4,621,627	1,200,994	35.1%
UNCLASSIFIED	10,657,000	9,972,000	(685,000)	-6.4%
FACILITIES	1,215,375	1,101,200	(114,175)	-9.4%
TOTAL	67,257,456	69,285,522	2,028,066	3.0%

COMMONWEALTH OF MASSACHUSETTS

To the Residents of Wayland:

Middlesex, ss.

Town of Wayland

*** * * WARRANT * * ***

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

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Wayland who shall be qualified to vote in accordance with the provisions of Massachusetts General Laws, Chapter 51, Section 1, to come to their respective polling places (Precincts 1 and 4 in the Gymnasium of the Town Building and Precincts 2 and 3 in the Gymnasium of the Middle School) on:

TUESDAY, APRIL 3, 2012, BETWEEN 7:00 A.M. and 8:00 P.M.

to vote for the following Town officers by ballot for the following terms of office:

One member of the Planning Board and one member of the Housing Authority for five years; and

Two members of the Board of Assessors, two members of the Board of Selectmen, two members of the School Committee, two members of the Board of Health, one Commissioner of Trust Funds, two Library Trustees, two members of the Board of Public Works, and two Recreation Commissioners for three years; and

One member of the Housing Authority for two years; and

One member of the Housing Authority and one member of the Board of Public Works for one year,

You are also required to notify all such residents of Wayland to meet in the Middle School Gymnasium on

MONDAY, APRIL 9, 2012, AT 7:30 P.M.

to act on the following Articles:

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

Proposed by: Board of Selectmen

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

1. Recognizing citizens who have served in a volunteer capacity on elected and/or appointed boards, committees, and commissions for a minimum of 25 years (service need not be consecutive);
2. Recognizing employees who have retired since the previous Annual Town Meeting or intend to retire prior to June 30, 2012, subject to a minimum of 20 years of service; and
3. Requesting Town Meeting to observe a moment of silence in memory of elected or appointed volunteers, employees with at least 10 years of service, or an employee while in service to the Town without regard to tenure who shall have passed away since the adjournment of the 2011 Annual Town Meeting.

The following citizens are recognized for their extensive service to the Town:

Howell, Barbara	Conservation Commission	1989-2012
	Nike Site Advisory Committee	2003-2004
	Earth Day Celebration Committee	1990

The following town and school employees have retired since the 2011 Annual Town Meeting and have served the Town for over 20 years:

Richard Manley	32 Years	Police Sergeant
Thomas Turner	37 Years	Dispatcher

The following volunteers have passed away since the 2011 Annual Town Meeting:

Lewis, George K.	May 14, 2011	Board of Selectmen (1961-1967) Records Management Committee (1993-1997) Historic District Commission (1965-1993) Historic District Study Committee (1988-1989) Exec Secretary Search Committee (1988-1989) Historical Commission (1974-1983) Growth Policy Committee (1976-1978) Bicentennial Commission (1975-1976) Building Needs Study Committee (1971-1972) Town Government Committee (1970) Honor Roll Committee (1966-1967) Code Enforcement Committee (1967-1980) Condemnation Committee (1961) Conservation Committee (1962) Water Commissioner (1956-1961) Trustee of the Allen Fund (1989-1997)
Reed, Mary C.	September 19, 2011	Historical Commission (1993-2010)
Strong, Jonathan	June 11, 2011	McManus Planning Committee (1985-1986) Paine Steering Committee (1994) Paine Estate Committee (1995-2000)

		Finance Committee (1969-1981) Code Enforcement Committee (1971-1978)
Wilson, John B.	June 16, 2011	Board of Selectmen (1969-1978) Library Trustee (1985-2006) Charter Commission (1989) Minuteman Tech (1978-1984) Executive Search Committee (1995) Road Commissioner (1994-2001) Growth Policy Committee (1995-1997) School Committee (1960-1968) Commissioner of Trust Funds (2002-2011) Library Feasibility Study Committee (2003-2005) Board of Assessor (2004-2009)
Dergalis, George	February 8, 2012	Veterans Memorial Committee (2000-2008) Designer of the Veterans Memorial that was dedicated July 3, 2005

The following town and school employees and retirees served the Town and have passed away since the 2011 Annual Town Meeting:

James Griffin	January 15, 2012	Guidance Counselor
Francis McCue	January 14, 2012	Custodian
Sheila DiSalvo	December 18, 2011	Teacher
John Ahern	October 21, 2011	Firefighter
Irma Rosenfield	September 1, 2011	Speech-Language Pathologist

FINANCE COMMITTEE COMMENTS: This is a standard article that allows recognition and commendation of certain citizens and employees.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7-0.

QUANTUM OF VOTE: Majority.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 2: 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.

FINANCE COMMITTEE COMMENTS: Occasionally, bills are not paid at the end of a fiscal year for a number of reasons, including late submission. At the printing of the warrant, there were no known unpaid bills.

RECOMMENDATION: The Finance Committee defers recommendation until Annual Town Meeting.

QUANTUM OF VOTE: Four-fifths – see Massachusetts General Laws Chapter 44, Section 64.

For more information about this article, contact Michael DiPietro, Finance Director, at (508) 358-3611, or email mdipietro@wayland.ma.us.

ARTICLE 3: CURRENT YEAR TRANSFERS

Proposed by: Finance Committee

Estimated Cost: \$29,585

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 2012	
PURPOSE	AMOUNT
1 MINUTEMAN REGIONAL-SUPPLEMENT	\$15,674
2 MINUTEMAN REGIONAL-CAPITAL ASSESSMENT	\$13,911
TOTAL CURRENT YEAR TRANSFERS	\$29,585
FUNDING SOURCES:	
UNRESERVED FUND BALANCE	\$29,585
TOTAL	\$29,585

FINANCE COMMITTEE COMMENTS: This article authorizes the expenditure of funds for the current fiscal year, which were not foreseen in the current budget. The funding source for both will be the Unreserved Fund Balance (free cash). These transfers are required for the following reasons:

Minuteman Regional \$15,674: This supplemental request covers the increase for FY2012 due to the revised annual assessment for Minuteman Regional High School. The assessment was received after the close of Annual Town Meeting in April 2011. The budgeted amount for FY2012 was \$280,000, and the final assessment was for \$295,674. The Town is obligated to pay this annual assessment.

Minuteman Regional \$13,911: This assessment covers Wayland's portion of the special assessment for the capital project of the Trades Hall Remediation Project. If unpaid, this amount will become part of our assessment in FY2013. The Town is obligated to pay this amount. Minuteman received a legal opinion stating that these funds needed to be approved by Town Meeting vote rather than through a reserve fund transfer.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7-0.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

For more information about this article, contact Michael DiPietro, Finance Director, at (508) 358-3611, or email mdipietro@wayland.ma.us.

ARTICLE 4: AMEND TOWN CODE SECTION 19: ELECT FINANCE COMMITTEE

Proposed by: Petitioners

To determine whether the Town will vote to amend Section 19-1 of the Town Code by replacing it with the following:

“§ 19-1. Finance Committee.

There shall be a committee of seven members called the ‘ Finance Committee’ as herein provided. All members shall be registered voters of the town, who shall serve without pay, and none of whom shall hold other elective or appointive town office or be a paid employee of the town.

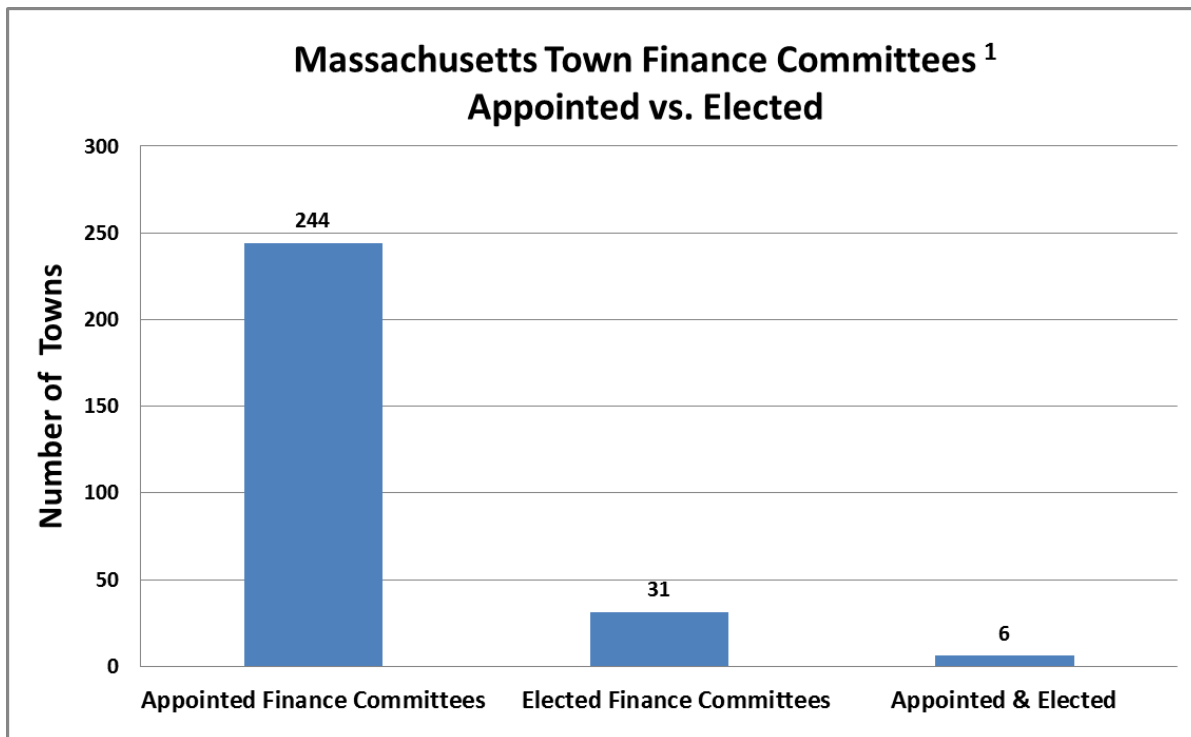
Two members shall be elected for a term of three years at the next annual town election, replacing the two appointed members whose terms expire in 2013. Three members shall be elected for a term of three years at the 2014 annual town election, replacing the three appointed members whose terms expire in 2014. Two members shall be elected for a term of three years at the 2015 annual town election, replacing the two appointed members whose terms expire in 2015. Thereafter, when the term of any member expires, such member’s successor shall be elected for a term of three years at the annual town election. Vacancies shall be filled in accordance with Section 11 of Chapter 41 of the General Laws.

This bylaw shall take effect one hundred twenty days after final adjournment of the town meeting at which it was adopted.”

PETITIONERS’ COMMENTS: The Finance Committee’s primary responsibilities include (1) preparing the town’s budget article, (2) recommending that budget to town meeting, and (3) advising town meeting on all other warrant articles, financial or not. To better serve Wayland, FinCom members should be elected, rather than appointed by the Board of Selectmen. The Massachusetts Department of Revenue advises communities that policy makers should be elected rather than appointed. The need for last fall’s petitioned Special Town Meeting to address the excessive accumulation of free cash illustrates what can happen when Wayland’s financial policy makers are not directly accountable to its citizens. Wayland is fortunate to have qualified individuals willing to serve if elected. This bylaw change does not preclude any present FinCom member from running for election. Approving this article will improve the quality of Wayland’s financial planning and execution by increasing the diversity of policy makers.

FINANCE COMMITTEE COMMENTS: This article specifically recommends the election of finance committee members and does not consider or recommend other means of selection.

In the State of Massachusetts there are an estimated 281 town finance committees¹ of which 244 (87%) are appointed, 31 (11%) are elected and 6 (2%) are both appointed & elected. See Appendix B for the complete listing.



History of the Wayland Finance Committee

The origins of the Wayland Finance Committee date to 1879, when Town Meeting assembled on March 3, 1879 and “voted to establish a committee of seven be chosen to consider the estimates reported by the Selectmen and Auditor and report at the April Town Meeting.”

In March 1920, the General Bylaws of the Town were adopted extinguishing all that preceded. Later in that same town meeting, an article re-establishing a Finance Committee appointed by the Board of Selectmen consisting of 5 members was adopted.

In 1953, the bylaw was amended to increase the number from five to seven members, with five original members serving three-year terms and the two new members serving two-year terms.

The 1973 amendment referenced in the Town Code is merely the adoption of a recodification of the Town Bylaws. No changes were made to the composition, duties or appointment of the Finance Committee at that time.

In 1992, the current three-year, staggered terms for all seven members, with no more than two or three members expiring in any one year was adopted.

To this day, the Town of Wayland continues to have a seven member Finance Committee appointed by the Board of Selectman whose authorities are covered under MGL Chapter 39, Section 16 and

¹ Excluding Massachusetts towns or cities having a Council-Manager or Mayor form of government.

Sections 19-1 through 19-4 of the Town Code.

[MGL Chapter 39, Section 16] Appropriation, advisory or finance committees; appointment; tenure; powers and duties

Every town whose valuation for the purpose of apportioning the state tax exceeds one million dollars shall, and any other town may, by bylaw provide for the election or the appointment and duties of appropriation, advisory or finance committees, who shall consider any or all municipal questions for the purpose of making reports or recommendations to the town; and such bylaws may provide that committees so appointed or elected may continue in office for terms not exceeding three years from the date of appointment or election.

In every town having a committee appointed under authority of this section, such committee, or the selectmen if authorized by a bylaw of the town, and, in any town not having such a committee, the selectmen, shall submit a budget at the annual town meeting.

19-1 Finance Committee [Amended 5-6-1992 ATM by Art. 19; 5-10-1999 ATM by Art. 25] There shall be a committee called the "Finance Committee" appointed by the Board of Selectmen as hereinafter provided. Such committee shall consist of seven registered voters who shall serve without pay and none of whom during his or her service on such Committee shall hold elective or appointive Town office having to do with the appropriation or expenditure of Town money. Members shall serve terms of three years, such that the terms of two or three members shall expire each year. Appointment to fill unexpired terms shall be made by the Board of Selectmen as vacancies occur.

19-2 Budget; capital improvement program [Amended 5-6-1992 ATM by Art. 20]

The Finance Committee shall prepare the omnibus operating budget of the Town and submit it at the annual Town meeting. It shall also prepare and present to the annual Town meeting a five-year capital improvement program for the Town, which shall include the construction and reconstruction of capital assets (such as municipal buildings, recreational facilities, roads and landfills) and acquisition of land, equipment and vehicles and other personal property, and shall make recommendations to the appropriate authorities proposing such improvements.

19-3 Finance Committee reports [Amended 5-5-1983 ATM by Art. 21; 5-1-2000 ATM by Art. 17]

The Board of Selectmen, after drawing a warrant for a Town meeting, shall immediately forward a copy thereof to each member of said Finance Committee, which shall consider all articles in the warrant and make such report, in print or otherwise, to the Town meeting as it deems for the best of the Town. In gathering information to prepare its report, if any, relative to an article, the Finance Committee shall meet with the party or parties that proposed the article and concurrently with others who want to comment thereon, and shall publicly post notice thereof on the Town's principal official bulletin board at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to such meeting. However, if the Finance Committee's report on any article exceeds 30 words in length, excepting an article which requests approval of the Town's itemized, omnibus operating budget for the ensuing fiscal year, then that report on said article shall conclude with a summary of reasons favoring the article that were considered by the Finance Committee in its deliberations and a separate summary of reasons disfavoring the article that were considered by the Finance Committee in its deliberations. The Committee shall also make an annual report which shall be published as part of the Annual Town Report and which shall include recommendations for appropriations for the ensuing year, a budget and such further recommendations regarding the finances of the Town and action in regard thereto as seems to such Committee to be necessary and appropriate.

19-4 Estimates of income and expenses [Amended 4-3-2003 ATM by Art. 37; 5-3-2004 ATM by Art. 11]

The various Town boards, officers and committees charged with the expenditure of Town money shall, not later than the 15th of December in each year, file with the Clerk of the Finance Committee detailed estimates of the amounts deemed necessary for the administration of their respective board, office or committee for the ensuing fiscal year, with explanatory statements of the reasons for any changes from the amounts appropriated for the same purpose in the preceding year. They shall also file estimates of all

probable items of income which may be received by them during the ensuing year in connection with the administration of their board, office or committee. One month prior to the 15th of December in each year, for all Town boards, officers and committees under the jurisdiction of the Board of Selectmen, the Town Administrator shall submit to the Board of Selectmen detailed estimates of the amounts deemed necessary for the administration of all such boards, offices, or departments for the ensuing fiscal year, including both capital and expense items. The Town boards, officers and committees under the Board of Selectmen's jurisdiction shall be defined as those boards, officers and committees appointed by the Board of Selectmen in accordance with the Town's bylaws and/or state law. The budget submission should include explanatory statements of the reasons for any changes from the amounts appropriated for the same purpose in the preceding fiscal year. For each such Town board, officer, committee and department under the Board of Selectmen's jurisdiction, the Town Administrator shall also, as part of the submission, file estimates of all probable items of income which may be received by them during the ensuing year in connection with the administration of each such board, office, committee or department. For the Town boards, officers, committees and departments under the Board of Selectmen's jurisdiction, the Town Administrator shall submit preliminary budgets to the Finance Committee by December 15th of each year. Prior to January 15 of each year, unless another date is agreed to, the Town Administrator shall review and make recommendations to the Board of Selectmen with respect to the budget requests, including both capital and expense items, and income estimates of all other Town boards, committees, offices and departments except for the School Committee. In addition, the Board of Selectmen shall, no later than the 15th of January in each year, unless another date is agreed to, make both a capital and expense budget recommendation to the Finance Committee for the ensuing fiscal year for each Town board, officer and committee under its jurisdiction.

If this article passes, the Town Clerk will have 30 days to submit the article to the Attorney General, and the Attorney General will have 90 days to review and approve it.

Two members of the current Finance Committee have terms that will expire on June 30, 2012. Based upon the 120 day effective date, the Board of Selectman will fill the vacancies that occur on June 30, 2012 by appointment. Vacancies between the 120 day effective date and the April 2013 election will be filled based on MGL Ch. 41, Sec. 11, which provides for the Board of Selectman and the remaining members of the board to meet together to vote to fill vacancies to the next annual town election.

ARGUMENTS IN FAVOR: A Finance Committee that is appointed by the Board of Selectman is under the influence and direction of the Board of Selectman and does not represent the will of Wayland residents and Town Meeting. An elected committee would have more diversity of opinion and would be accountable to constituents and not to their appointing board, the Board of Selectmen.

ARGUMENTS OPPOSED: The Finance Committee is accountable to Town Meeting and not to the Board of Selectman. Town bylaws charge the Finance Committee with responsibility to Town Meeting for making budget reports and recommendations on all warrant articles, not just financial articles.

An elected Finance Committee would be more likely to make decisions based upon short-term thinking and favor the interests of those who support their campaigns, rather than the good of the Town as a whole over time.

In 1990, the Town elected an 11-member Commission to study the merits of a Charter and a possible new government structure. The Commission consulted with endless constituents and painstakingly researched government structures in other towns; hearings and debates ensued. The new charter lost by a decisive 1,643-1,099 vote at a 1991 ballot. This article proposes to upset the century old government tradition of an appointed Finance Committee, and does so without any public review,

without the benefit of a study commission, and without any review of what is done in other Massachusetts communities.

Throughout Massachusetts, the vast majority of communities fill town finance committee positions by appointment, not election. Wayland should continue to fill the Finance Committee by appointment, as does almost every other Massachusetts community.

Current members have backgrounds in law, corporate financial management, banking, treasury, budgeting, procurement, tax and accounting. The appointment process assures that consideration is given to specific experience and expertise in various aspects of financial management among all members. Wayland has a history of unopposed elections for many town positions. Changing the mode of selection could limit the pool of qualified people in Wayland who would be willing to serve because some citizens will be reluctant to run for election to the Finance Committee. Financial personnel in town government, whether paid or unpaid, must have the necessary education, training and management skills to prepare the budget, write the warrant and oversee short and long term financial planning.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: 0-7

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section, 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

For more information about this article, contact petitioner Donna Bouchard at donnafromwa@cs.com or petitioner Andrea Wagner at awagner0210@gmail.com. See Appendix B at page 121 for a list of Massachusetts Finance Committees by town.

ARTICLE 5: ESTABLISH AND FUND AN AUDIT AND REVIEW COMMITTEE

Proposed by: Petitioners

Estimated Cost: \$40,000

To determine whether the Town will vote to:

- A. Amend Chapter 19 of the Town Code by adding the following new section thereto or in the alternative, and only if necessary to effectuate the will of town meeting, to authorize and direct the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act providing for the establishment of an Audit and Review Committee as set forth below.

There is hereby established in the town of Wayland an Audit and Review Committee of five members, herein called the Committee, which shall commence its duties following a special election to be called by the Board of Selectmen after the dissolution of the 2012 Annual Town Meeting but before August 1, 2012, or as soon thereafter as feasible.

The members of the Committee shall be selected as follows: (i) one member shall be appointed by the Board of Selectmen, (ii) one member shall be appointed by the School Committee, and (iii) three members shall be elected at the annual town election, except that initially three members shall be elected at the special town election described above. The initial term of all members shall end at the dissolution of the 2013 Annual Town Meeting. Thereafter, the terms of all members shall be three years, such that the term of one or two members shall expire each year and the terms

of the three elected members shall expire in different years. All members of the Committee shall be registered voters of the town and no member shall serve more than six consecutive years, excluding the initial short term following the special election. No member shall hold elective or appointive town office nor shall any member be a paid employee of the Town.

A vacancy in an appointed position shall be filled by the public body or entity that appointed that position. A vacancy in an elected position shall be filled in accordance with Section 11 of Chapter 41 of the General Laws. In addition, one member of the Finance Committee and one member of the Board of Selectman shall serve as ex officio members of the Committee for terms of one year, as appointed by their respective boards. The ex-officio members shall not be counted towards a quorum nor shall they vote at meetings.

The Committee shall be responsible for overseeing all auditor assignments, and shall appoint and define the scope of services of, an independent Auditor who will perform an annual audit of the Town's financial statements and operations. Each year the Committee shall prepare and submit an annual budget to the Finance Committee in accordance with §19-4 of the Town Code for approval to be expended under the committee's direction to carry out the audit function. The Committee shall provide advice and counsel to the Board of Selectmen, School Committee, Town Administrator, Finance Director, Finance Committee, Treasurer, and such other boards and departments as appropriate.

Additionally, the Committee shall concern itself with evaluating the efficiency and effectiveness of town and municipal operations. The Committee shall select areas for review and engage independent professionals to perform agreed upon procedures as necessary to perform financial analysis and test the systems of internal controls and advise on statutory reporting matters. It shall work with appropriate resources to collect and analyze data and report to the annual town meeting with recommendations, including possible policy changes based on its review and analysis and possible recommendations to include the implementation of systems for internal controls and improvements to statutory reporting. It shall make recommendations for areas of improvement in operations and financial reporting where expanded scope audits or reviews of the internal controls may be appropriate and make recommendations with respect to the town's financial management practices and controls.

- B. And to determine whether the Town will vote to appropriate a sum of money to be expended by the Audit and Review Committee in Fiscal Year 2013 and whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer from funds already appropriated for another purpose, or otherwise.

PETITIONERS COMMENTS: The implementation of an Audit Committee enhances financial transparency and improves controls to assure the government serve as good stewards of the assets entrusted to them. AICPA best practices indicate that Audit Committee's for government entities should be sufficient to improve financial reporting, adherence with GASB, influence appropriate actions against fraud, enhance internal controls and improve external audit functions.

Through the work of the Wayland's temporary Operational Review Committee and independent private citizens, Wayland has seen examples of financial irregularities, failure to meet regulatory reporting obligations and lack of transparency in financial reporting.

The proposed audit committee is necessary to bring systemic improvements in our town government that will lead to permanent improvements in financial reporting and internal controls. Our current

structure lacks sufficient independent controls and segregation of duties to ensure appropriate objectivity. Continue upon the success of the ORC and align those efforts with our independent financial reporting.

FINANCE COMMITTEE COMMENTS: This petitioner's article proposes to form a unique and permanent audit and operational review type committee that will continuously review and provide oversight and guidance on the town's financial matters. The principle functions of this five-person, partially elected² and partially appointed committee will be:

- Overseeing all auditor assignments and appointing and defining the scope of services of an independent auditor who will perform an annual audit of the Town's financial statements. The committee shall define the scope of the Auditor's assignments and review the Auditor's findings and management recommendations with the appropriate boards and departments.
- Reviewing annual financial statements of the Town's financial offices and departments, and provide advice and counsel to the Board of Selectman, School Committee, Town Administrator, Finance Director, and Treasurer and report the results of its work to the Town Meeting annually.
- Concerning itself with evaluating the efficiency and effectiveness of municipal (meant to include both town and school) operations.

The purview of this committee is proposed to be sufficient to not only ensure the proper reporting of its Annual Independent Audit of Financial Statements, but also ensure proper controls and procedures to meet all statutory reporting and compliance as well as assessment of the internal financial controls.

In drafting our article comments, the Finance Committee asked the petitioners a number of questions about the role and responsibilities of this proposed committee. Below are the key questions along with the petitioner's responses in italics.

1. In your proposed process for designation of members there is no stated professional experience or expertise in order to be a member. Please explain how this will make for an effective working committee?

"The makeup of the committee provides for the proper balance between appointed officials and elected officials, this will enable the appointment of certain qualified individuals while also ensure a representation of the cross-section of residents in Town. Further, the makeup provides for the necessary independence and objectivity that is essential to the effectiveness of the committee. In closing, the Town currently has many elected boards, (including BOS) that do not require pre-qualifications of technical expertise. These boards all work effectively and the public is more than qualified to choose proper representatives through the election process."
2. How often do you think that this Committee will meet (weekly, monthly) and what are the deliverables to the taxpayers? Best practices would recommend that an audit committee meet at least quarterly and maybe as often as monthly.

"We consider this more of an Operating Review Committee than a plain audit committee. Hence it would meet as often as necessary to meet its obligations. However, if we find that

² Due to the state's Attorney General by-law approval process and the logistics of calling a special election, the earliest possible election date is likely to be in September, 2012. The cost of holding a special election is about \$8,000.

over time the operations of the schools and town were deemed to be accountable, efficient and transparent, we might only have to meet occasionally to assure the citizens of just that point. Standard monthly meetings will be recommended, but more frequent meetings may be needed during critical fiscal time periods, (annual audit, town meeting, etc.)”

3. What official capacity does the Committee have or is it just an advisory role? If just advisory then to which Boards and Committees?

“To provide sufficient independence and objectivity the committee must report to Town Meeting. The Committee must have sufficient authority to engage professionals necessary to perform audit procedures, review of internal policies and controls and recommendations for improvements and policies necessary to effect changes and improvements in our financial controls. These recommended changes would be coordinated with appropriated boards and committees and approved at Town Meeting as necessary.”

4. In addition to selecting the independent auditor what is the primary charter and role of this Committee and how will it serve the best interests of the taxpayers of Wayland?

“We, and the citizens who have joined us in wanting more accountability, have observed that there is really no functioning internal audit or review body in town government. This has emerged from the implementation of the Maximus study and report in 2002. That report suggested the consolidation of the Finance functions of the town would generate more oversight and accountability (pages 60, 61 and 62) which was a goal of the change to the Town Administrator model.”

5. You state that “the Committee shall concern itself with evaluating the “efficiency and effectiveness of town and municipal operations”. Can you please explain specifically how the Committee would approach this and what will the cost/benefit to the taxpayers be? How does this compare to the work performed/supervised by the ORC³? The scope of this proposed audit committee would provide permanent structural changes to ensure the work of the ORC continues.

“That work has to continue to afford the citizenry with confidence that those problems have been fixed and that no other problems of accountability and transparency will at least easily happen again. This committee would perform that service. AICPA best practices indicate that Audit Committee’s for government entities should be sufficient to improve financial reporting, adherence with GASB, influence appropriate actions against fraud, enhance internal controls and improve external audit functions. Through the work of the Wayland’s temporary Operational Review Committee and independent private citizens, Wayland has seen examples of financial irregularities, failure to meet regulatory, reporting obligations and lack of transparency in financial reporting. The proposed audit committee is necessary to bring systemic improvements in our town government that will lead to permanent improvements in financial reporting and internal controls. Our current structure lacks sufficient independent controls and segregation of duties to ensure sufficient objectivity.”

6. Part B of your article asks the Town to appropriate a sum of money to be expended by the Audit Committee in FY2013. Can you please estimate how much money this will be annually and what are the detailed proposed uses for those funds?

³ The Operational Review Committee’s charter and work has been extended through March, 2012.

“We believe that the current operating budget provides for sufficient spending with the appropriation of the annual audit and costs spent by the ORC for their studies, (we have not seen these amounts removed from the budget). We believe this amount will be sufficient to fund the work of the Audit Committee but the authority to select appropriate vendors and control the spending should transfer to the Audit Committee. Further analysis will be done to evaluate any further spending requirements and appropriate cost/benefit analysis will be provided to justify any further spending. We expect the committee to have control of the budget for the annual external audit with initial funding of approximately two times that amount for the first fiscal year. This budget will be discussed with the related Boards before the warrant is printed to get agreement on the amount.”

ARGUMENTS IN FAVOR: This committee would provide more oversight and assurance on the Town’s financial operations and will provide guidance on steps to improve reporting and transparency. The adopted recommendations resulting from the work of the temporary Operational Review Committee provided the Town of Wayland with an opportunity to improve specific financial controls, budgeting and reporting procedures.

There will be more resources and efforts dedicated to ensuring that Wayland is using financial best practices and that taxpayer’s dollars are being spent wisely.

Many town boards, such as the Board of Public Works have expressed concerns about the need for better financial analysis, policy review, rate setting and recommendations for improvements in financial reporting and controls. This committee would work with these board members to evaluate the scope of work, engage professionals and consult with the boards on recommended action and report findings to Town Meeting as appropriate.

ARGUMENTS OPPOSED: While the concepts of transparency, efficiency and accountability are supported, this article represents a major change to Town governance and requires further vetting to answer the many questions and to fully answer the questions above. More public input should be sought before making such a major change to the Town’s bylaws.

This committee would be chartered to report to Town Meeting, however to be effective in implementing changes in financial practices this group would have to work with the town’s governing boards and committees. The bylaw as drafted is unclear as to how any recommendations or improvements would be implemented, since the policy changes are not subject to Town Meeting action.

This article does not address the fact that the Town already has an Audit Committee. In January 2012, the Board of Selectmen established an audit committee with duties recommended by both the state Department of Revenue Division of Local Services and the Government Finance Officers Association (GFOA) as best management practices to provide much needed independent review and oversight of financial reporting processes and internal controls. How would these two committees with overlapping authority for oversight of the work of the independent accountants engaged for the purpose of preparing and issuing an independent audit report co-exist if this article is approved?

The proposed committee would have a broad operational review scope that is yet undefined, so the focus of this committee is unclear. We are not aware of any other towns in Massachusetts that vest broad investigatory powers described in the fifth paragraph of this proposed bylaw in an audit committee or in a separate committee reporting to Town Meeting. This article proposes powers not

recommended by the Governmental Accounting Standards Board (GASB) or the GFOA for inclusion in the work of an audit committee.

The language as proposed gives the committee both discretion and broad based authority to review any and all Town and school operations, despite representations that it is limited to internal financial controls. Petitioners have specifically compared the new audit and review committee to the ORC, which had a scope of work beyond internal financial controls. There are questions about how the authority vested in this committee could effectively implement fiscal policy changes. Some residents may have concerns about the resulting inevitable conflicts with policy-making boards and professional staff because of the approach using a legislative investigative committee.

Petitioners incorrectly assume that the funding expended by the ORC remains in the operating budget. These were two, distinct appropriations approved by Town Meetings in 2010 and 2011, therefore this request is for new funding in FY2013. In addition, while there is an assumption of a continuing need for funding to engage consultants to assist in financial reviews, there is no estimate of the on-going future funds contemplated for the committee.

RECOMMENDATION: The Finance Committee recommends against approval. Vote 0-7.

QUANTUM OF VOTE: (a) Majority - see Massachusetts General Laws Chapter 40, Section 21.
(b) Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

For more information about this article, contact petitioner Kent George at KentGSr@aol.com or petitioner Tony Boschetto at tonyandkathyb@verizon.net.

ARTICLE 6: REDUCE RATE OF COMMUNITY PRESERVATION ACT PROPERTY TAX SURCHARGE

Proposed by: Petitioners

To determine whether the Town will vote to amend the rate of the property tax surcharge previously established by the Town under the provision of Massachusetts General Laws Chapter 44B, the Community Preservation Act, by reducing said surcharge from 1.5% to 0.1% effective July 1, 2013.

PETITIONERS COMMENTS: After 11 years with our Community Preservation Fund, it's time to take stock of the Fund's finances and make some adjustments. We are seriously off-track:

- \$9.5 million has gone into the Fund,
- But only \$2.1 million has actually been spent,
- Leaving a **surplus of \$7.4 million,**
- **Nearly \$1900 for the typical Wayland homeowner.**

Our Preservation Committee has done great work on many preservation projects and we want them to continue. Because this surplus is so large, their work is unaffected.

Reducing the CPA tax will provide tax relief for years or decades to come, over \$1300 for the typical homeowner over ten years. We can always decide at a future town meeting to raise new CPA taxes to fund large preservation projects if we need more money. But let's be smart, reduce our CPA taxes for now, and use up the \$7.4 million we already have.

FINANCE COMMITTEE COMMENTS: The Community Preservation Act (CPA) is a Massachusetts state law (M.G.L. Chapter 44B) passed in 2000. It enables adopting communities to raise funds to create a local dedicated fund for open space preservation, preservation of historic resources, development of affordable housing, and the acquisition and development of outdoor recreational facilities.

Funds are raised locally for these purposes through a voter-authorized surcharge on local property tax bills of up to 3%. Voters can also authorize several exemptions to the CPA surcharge at the time of adoption. Local adoption of CPA by a community triggers annual distributions from the state's Community Preservation Trust Fund. Deed recording fees charged by the state's Registries of Deeds are the funding source for the statewide Community Preservation Trust Fund (CPTF).

Wayland's current CPA surcharge rate is 1.5% of real property taxes and was adopted by the Town on April 24, 2001 by a majority vote. The first \$100,000 of residential property value is exempt from this surcharge and there is also a HUD qualified low-income exemption for certain residents so that low income qualifying residents are unaffected by the surcharge.

Through FY 2011, Wayland has accumulated the following amounts from the CPA surcharge, matching state CPTF funds and interest earned.

Fiscal Years	Amount Raised by CPA Surcharge	State (CPTF) Matching Funds	Interest Earned on Fund Balance	Total CPA Revenue
2002-2011	\$5,252,950	\$3,593,584	\$665,609	\$9,512,143

Source: Town of Wayland Finance Department

Total expenditures for these ten fiscal years were \$2,091,651, leaving a CPA Fund balance on June 30, 2011 of \$7,420,492. A complete accounting of the use of CPA funds including set-asides, appropriations and actual expenditures by project is included in Appendix J of this Warrant on page 143.

The members of Wayland's Community Preservation Committee are "stewards" of the town's CPA fund. The CPC believes it has been a conservative, yet wise custodian of the citizens' money and its expenditures have been consistent with its mission.

The Town has approved 21 projects since the CPA surcharge was adopted. A number of significant projects have been funded to date including (see table in Appendix J at page 143 for complete list):

- Affordable housing and park land project at the former Nike site.
- Artificial turf at the high school athletic field.
- Weed management on the great ponds.
- Acquire 7 acres of land on Reservoir Road.
- The rehabilitation and preservation of the former railroad freight house.

In addition to the above project expenditures the rationale for a large fund reserve is to be prepared to have at least a portion of the funds necessary for a large qualified project. An example is Mainstone

Farm where the CPC is currently negotiating with the owner for a conservation restriction on over 200 acres of land to prevent development of up to 148 single family houses on the property. Although still in the preliminary stages, an independent appraiser has estimated the value of such a conservation restriction would be not less than \$10 million and would deplete the reserve for open space and the uncommitted reserve.

Other projects currently under consideration by the CPC include:

- Habitat for Humanity housing (*under consideration at this Town Meeting, ~\$365,000*)
- Route 20 rental housing with an affordable component (*under consideration at this Town Meeting, ~\$70,000*)
- Wayland Rail Trail
- Lee Farm property for a community farm
- Former Dow property for recreational use (*was discussed during FY13 budget cycle, ~\$975,000*)
- Wayland Community Boating at the new town center

The intent of this Article is to provide tax relief as quickly as possible. Two votes are required: this Article must pass by a majority vote at Town Meeting and must also be accepted by a majority of voters at the next state or town election (timing to be determined). A request for a clarifying legal opinion on the two-step process and potential effective date has been made to the Massachusetts Department of Revenue.

According to <http://www.communitypreservation.org>, the Massachusetts Community Preservation website, three communities since 2011 have considered whether to vote to decrease their CPA surcharge with two communities choosing to do so. Two other towns will vote on a proposed decrease in CPA by May 2012.

ARGUMENTS IN FAVOR: Taxpayers will benefit from the financial relief provided by reducing Wayland's CPA surcharge. Town wide, Wayland residents will save at least \$640,000 each year based on what was paid in FY2011. These savings will grow as our property values grow. For the typical Wayland homeowner whose home is assessed at \$600,000, the CPA tax drops from about \$140 per year to less than \$10 per year at the 2012 property tax rate.

Wayland has spent a total of \$2.1 million in Community Preservation Fund projects in the ten years since we accepted the CPA, less than 22% of the Fund's revenue. In this challenging economic environment, the town should no longer add \$685,000 of new surcharges to the Fund each year given its large balance of \$7.4 million and this relatively low spending rate. Unused CPA taxes going into the Fund can never be used for anything but designated CPA purposes, so they should not be continued.

Given the \$7.4 million balance and average annual spending of \$210,000, the Community Preservation Committee has ample funding to continue its work, drawing down the fund over time.

Wayland's Community Preservation Fund balance was \$7.4M on June 30, 2011. This is nearly \$550 per capita set aside for the CPA purposes of open space, historic preservation and low income housing. The reduced CPA tax rate will force this balance to be used up.

The Town is free to restore the CPA surcharge rate at any time in the future when we have a need for more money and when we know what matching funds we will receive.

ARGUMENTS OPPOSED: The reduction of the surcharge will defeat the principal objective of Wayland's CPA when it was adopted, namely to preserve open space and prevent development.

The Town's Master Plan states the acquisition of open space is a priority and CPA reserves are critical to future open space acquisition planning. The CPA is a valuable tool in Wayland for preservation of the Town's character, community resources, and quality of life. CPA funds are the only tool the Town has to acquire open space, preserve historic properties, and support affordable housing. It is unlikely that a funding shortfall will be made up with private donations.

This amended surcharge rate will dramatically reduce the future contributions from the Commonwealth of Massachusetts which partially matches the town's CPA surcharge. In FY2011, this amounted to approximately \$180,000 or about 25% of the amount raised by the town. The town will forego most of these state matching monies by reducing the surcharge rate to 0.1%.

The Town has the ability to use the amounts raised by the CPA surcharge to support future bond debt issuance for the purchase of large qualified projects. Reducing the surcharge rate will likely hamper the town's ability to use this debt financing approach in the future.

The proposed 0.1% surcharge is far less than any of the 148 towns that have adopted the CPA. This will reflect poorly on the Town's image and could harm our real estate values.

RECOMMENDATION: The Finance Committee recommends against approval. Vote 0-7.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 44B, Sections 3 and 16(a).

For more information about this article, contact petitioner John Sherry at sherry.jay@gmail.com or (508) 308-3422. See Appendix J at page 142 and Appendix K at page 148.

ARTICLE 7: ESTABLISH WATER ENTERPRISE FUND – ACCEPT MASSACHUSETTS GENERAL LAWS CHAPTER 44 SECTION 53 F ½ FOR FY 2013

Sponsored by: Board of Selectmen, Board of Public Works, Finance Committee

To determine whether the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 53 F ½ to establish an enterprise fund for the Town's Water service effective July 1, 2012, and transfer all existing water accounts and balances to this enterprise fund.

FINANCE COMMITTEE COMMENTS: This article, if adopted, would create an enterprise fund for water services within the Department of Public Works (DPW). The Water Department has operated as a separately accounted and reported fund within the Town's budget, although never formally voted as an enterprise fund. At its heart, establishing an enterprise fund is an accounting and financial decision. It does not directly impact the delivery of water or service of the water system nor grant additional powers to the entity providing the service.

Background: Wayland's water department was established by state vote and ratified by Town Meeting vote in April 1878. This allowed the Town to supply water and to fix and collect rents for the use of said water. As early as 1946, a consultant's report stated, "rates...should be adequate to finance additions to the system required by normal growth and by replacement of obsolete components." It was not anticipated that water rates would be set to subsidize other town operations. An enterprise

fund does not itself include responsibility for setting water rates. Rate setting is still done by the governing board (Board of Public Works), and, as now, rates should support water service and projects.

MGL 44, section 53F ½ was enacted in 1986 allowing towns to create enterprise funds. Wayland already has two such funds: one for Wastewater operations, one for Septage operations. The purpose of the statute was to give towns the flexibility to account separately for all financial activities associated with a service. By definition, an enterprise fund establishes a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for those services.

There are three generally recognized reasons to establish an enterprise fund: to demonstrate the total cost of service, to provide useful management information, and to retain investment income and surplus. Unlike other town services, any water surplus would remain in the enterprise fund and not be returned to the reserve balances for general fund use (free cash). Today, water reserves of approximately \$3,429,424 are counted toward the town's available cash balance for calculating our bond rating. Investment income on those funds also falls to the Town's general fund.

Water revenues and expenses are accounted for separately even though the operations have been combined with like functions within the DPW since July 1, 2009.

By state law, an enterprise fund does not need to be self-supporting. It may be subsidized by funds from the general fund (tax levy, free cash) if expenses exceed revenues; however, the enterprise fund does not contribute to the Town's general fund. Indirect costs may be identified and allocated to the enterprise fund.

Since the enterprise fund is an accounting/budgeting method, it does not grant additional powers to the department (DPW) providing the service. The enterprise fund is still a municipal department that is subject to standard municipal finance procedure. The accounting will be managed with the Finance Department, and the operations and rate setting will be managed within the DPW and the Board of Public Works (BoPW), respectively. Town Meeting will approve the Water enterprise budget and all appropriations each year, and any accumulated water surpluses will stay with the enterprise fund.

The idea of an enterprise fund was brought before town meeting by petitioners in April 2005, November 2007 and April 2009 failing to pass each time. At the November 2007 Special Town Meeting, attendants approved a resolution stating "that it is the desire and intent of the Town that all Water Department revenues shall be henceforth used for water purposes only." The Finance Committee supported the resolution and spoke for it at Town Meeting. The resolution provided a compromise – it provided the protection sought by the then Water Commissioners and maintained the financial flexibility important to the Finance Committee while other cash reserves could recover to healthy levels.

If Town Meeting votes to establish an enterprise fund, it must remain in place for at least three years before being reconsidered or terminated by another Town Meeting vote. Additionally, while an enterprise fund only requires a single bottom line budget vote, it is the Finance Committee's intention to continue to present and offer for vote a more detailed water budget as shown in Article 8 on page 53.

Background on Water Reserve levels: In preparing for the town meeting article in April 2005, a representative of the Massachusetts Department of Environmental Protection stated that the

“Department of Environmental Protection encourages all municipal water departments to establish a dedicated enterprise fund and replacement account for the accrual, management and disbursement of water user fees and charges exclusively for the purposes relating to the operation, maintenance and replacement of the Water System. As to maintain positive cash flow and adequate capital to replace equipment, an emergency cash reserve should be held sufficient to replace the most expensive piece of equipment in the system and be able to support the system for one (1) year’s operation and maintenance cost.” By this calculation, water reserves should total approximately \$5.4 million.

At its most recent water rate-setting hearing in March 2011, the BoPW decided to base reserves on a recommendation from The Abrahams Group which is slightly less conservative (lower) than the DEP recommendation. The BoPW is managing water reserves to include:

- The cost of the single most expensive capital item: the water tank on top of Reeves Hill valued at \$2 million
- 25% of the annual operating budget of \$3.4 million: valued at \$850,000
- The cost of annual capital projects: \$500,000 updating/replacing water lines

This is a goal of approximately \$3.35 million in reserves. The BoPW is managing the water service to meet this requirement and has capital requests in the FY2013 budget that are proposed to be paid from this reserve.

The Finance Committee had opposed proposals to move to an enterprise fund in 2005, 2007 and 2009 to move to an enterprise fund in order to maintain financial flexibility. Based on concerted efforts since 2006 to control the rate of budget growth and rebuild other reserves to sufficient levels consistent with the Town’s objectives, the Finance Committee is prepared to move to an enterprise fund at this Town Meeting.

At their meeting on February 6, 2012, the BoPW voted 5-0 to support this article.

ARGUMENTS IN FAVOR: Moody’s Investors Service prefers the use of an enterprise fund for fee based municipal services (in this case, water) to provide transparency of accounting and to ensure that the Town’s general fund is not being used to subsidize the revenues from water rates. Also, if the revenues generate surplus income they can be used toward capital projects to support the water operations.

If the Town wants to create an enterprise fund, this may be the time to proceed as the Town’s free cash levels are higher than a few years ago, and we do not have the same reliance on the water reserve balances to support our bond rating.

It is thought that keeping water revenues separate in an enterprise fund will eliminate any potential for the Board of Public Works to raise water rates to fund other DPW activities. Any increased revenues from higher water rates would be held in the enterprise fund and legally could not be used to fund other DPW operations.

Surplus water revenues could not be used to fund Town operating budget deficits or to reduce Proposition 2 ½ override amounts, thus protecting water revenues for use on only water related activities.

ARGUMENTS OPPOSED: There is less budget transparency in voting an enterprise fund. The Town Meeting votes one bottom line number and has no line item budget control.

Even with an enterprise fund, capital borrowings are done under the Town's name and the Town remains legally responsible for all debt payments.

Interest income on Water reserves and capital funds of approximately \$30,000 this year is counted in the Town's FY12 revenue estimates. Creating an enterprise fund eliminates this revenue source.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 5-0-1.

QUANTUM OF VOTE: Majority – Massachusetts General Laws Chapter 44, Section 53F1/2.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us. See Appendix C at page 125 for the Massachusetts General Laws reference.

ARTICLE 8: FY 2013 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.

FINANCE COMMITTEE COMMENTS: Please see the Finance Committee Report on page 4 of this Warrant.

ARGUMENTS IN FAVOR: This budget reflects the cost of operating the Town in an efficient manner in order to maintain delivery of current levels of service to the residents of Wayland.

ARGUMENTS OPPOSED: Some residents believe that this growth in Town spending and the resulting tax increases are unsustainable, and that there are numerous opportunities to trim the FY13 budget without reducing essential services. Other residents might believe that insufficient funds have been budgeted to perform all desired services.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7-0 for the operating budget; 7-0 for the capital budget.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7 and 8.

MOTION UNDER ARTICLE 8:

- 1) "That the report of the Finance Committee respecting the Fiscal Year 2013 Budget be accepted; and that each and every numbered item set forth in the Finance Committee's Budget for Fiscal Year 2013 be voted, granted and appropriated as an expenditure for the several purposes and uses set forth in said budget establishing a total budget of \$73,453,823, 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, \$65,606,138 shall be raised by taxation, \$360,000 shall be provided by transfer from Ambulance receipts, \$119,384 shall be provided by transfer from Premium on Bonds Account, \$3,200,000 shall be provided by transfer from unreserved fund

balance, \$3,500,334 from Water revenue, \$32,807 from Septage Retained Earnings, \$431,252 from Wastewater revenues, \$203,908 from Wastewater Retained Earnings.

- 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, the DPW Garage, the Baldwin Pond Water Treatment Plant, 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 Family 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 Family Services and Staff at the Annual Town Meeting;”

“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 2013 the Transfer Station revolving fund by vote of the 2011 Annual Town Meeting pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws by the Board of Public Works for transfer station programs and activities, to be funded by user fees and recycling receipts collected; and that the amount to be expended not to exceed the sum of \$500,000;” and

“That the Town continue for Fiscal Year 2013 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 \$450,000;” and

“That the Town continue for Fiscal Year 2013 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.”

For more information about this article, contact Michael DiPietro, Finance Director, at (508) 358-3611, email mdipietro@wayland.ma.us, or Cherry Karlson, Chair, Finance Committee, at email cckarlson@comcast.net.

FISCAL YEAR 2013 BUDGET		EXPENDED FY 2011	APPROPRIATED FY 2012	REQUESTED FY 2013
SELECTMEN				
	PURCHASE OF SERVICES	\$24,943	\$27,000	\$27,000
	SUPPLIES	\$8,192	\$8,800	\$6,000
1	TOTAL EXPENSES	\$33,135	\$35,800	\$33,000
	TOTAL SELECTMEN	\$33,135	\$35,800	\$33,000
TOWN OFFICE				
	SALARIES	\$372,553	\$358,700	\$377,600
2	TOTAL PERSONNEL SERVICES	\$372,553	\$358,700	\$377,600
	PURCHASE OF SERVICES	\$8,652	\$17,500	\$13,000
	SUPPLIES	\$61,258	\$54,800	\$60,000
3	TOTAL EXPENSES	\$69,910	\$72,300	\$73,000
	TOTAL TOWN OFFICE	\$442,463	\$431,000	\$450,600
PERSONNEL BOARD				
	SALARIES	\$0	\$6,750	\$6,750
4	TOTAL PERSONNEL SERVICES	\$0	\$6,750	\$6,750
	PURCHASE OF SERVICES	\$9,990	\$10,000	\$10,000
5	TOTAL EXPENSES	\$9,990	\$10,000	\$10,000
	TOTAL PERSONNEL BOARD	\$9,990	\$16,750	\$16,750
FINANCE				
	SALARIES	\$281,287	\$285,958	\$300,091
6	TOTAL PERSONNEL SERVICES	\$281,287	\$285,958	\$300,091
	PURCHASE OF SERVICES	\$70,854	\$73,200	\$50,700
	SUPPLIES	\$1,655	\$5,000	\$5,000
7	TOTAL EXPENSES	\$72,509	\$78,200	\$55,700
	TOTAL FINANCE	\$353,796	\$364,158	\$355,791
ASSESSOR				
	SALARIES	\$218,816	\$222,300	\$236,106
8	TOTAL PERSONNEL SERVICES	\$218,816	\$222,300	\$236,106
	PURCHASE OF SERVICES	\$53,130	\$111,800	\$77,500
	SUPPLIES	\$1,508	\$2,000	\$3,000
9	TOTAL EXPENSES	\$54,638	\$113,800	\$80,500
	TOTAL ASSESSOR	\$273,453	\$336,100	\$316,606
TREASURER				
	SALARIES	\$190,933	\$183,600	\$194,015
10	TOTAL PERSONNEL SERVICES	\$190,933	\$183,600	\$194,015
	PURCHASE OF SERVICES	\$25,637	\$37,250	\$30,250
	SUPPLIES	\$622	\$1,700	\$1,700
11	TOTAL EXPENSES	\$26,259	\$38,950	\$31,950
	TOTAL TREASURER	\$217,192	\$222,550	\$225,965

FISCAL YEAR 2013 BUDGET		EXPENDED FY 2011	APPROPRIATED FY 2012	REQUESTED FY 2013
TOWN COUNSEL				
	PURCHASE OF SERVICES	\$410,418	\$235,000	\$245,000
	SUPPLIES	\$5,329	\$4,000	\$5,000
12	TOTAL EXPENSES	\$415,747	\$239,000	\$250,000
	TOTAL TOWN COUNSEL	\$415,747	\$239,000	\$250,000
INFORMATION TECHNOLOGY				
	SALARIES	\$82,443	\$80,746	\$83,572
13	TOTAL PERSONNEL SERVICES	\$82,443	\$80,746	\$83,572
	PURCHASE OF SERVICES	\$109,312	\$159,000	\$155,000
	SUPPLIES	\$18,126	\$73,000	\$73,000
14	TOTAL EXPENSES	\$127,438	\$232,000	\$228,000
	TOTAL INFORMATION TECHNOLOGY	\$209,881	\$312,746	\$311,572
TOWN CLERK				
	SALARIES	\$119,360	\$116,074	\$119,030
15	TOTAL PERSONNEL SERVICES	\$119,360	\$116,074	\$119,030
	PURCHASE OF SERVICES	\$5,170	\$11,800	\$11,400
	SUPPLIES	\$1,046	\$1,600	\$1,400
16	TOTAL EXPENSES	\$6,215	\$13,400	\$12,800
	TOTAL TOWN CLERK	\$125,575	\$129,474	\$131,830
ELECTIONS				
	SALARIES	\$18,840	\$18,000	\$26,500
17	TOTAL PERSONNEL SERVICES	\$18,840	\$18,000	\$26,500
	PURCHASE OF SERVICES	\$800	\$1,200	\$1,000
	SUPPLIES	\$13,120	\$12,000	\$14,950
18	TOTAL EXPENSES	\$13,920	\$13,200	\$15,950
	TOTAL ELECTIONS	\$32,761	\$31,200	\$42,450
REGISTRAR				
	SALARIES	\$275	\$275	\$275
19	TOTAL PERSONNEL SERVICES	\$275	\$275	\$275
	PURCHASE OF SERVICES	\$3,612	\$4,625	\$4,500
20	TOTAL EXPENSES	\$3,612	\$4,625	\$4,500
	TOTAL REGISTRAR	\$3,887	\$4,900	\$4,775
CONSERVATION				
	SALARIES	\$114,470	\$126,659	\$134,402
21	TOTAL PERSONNEL SERVICES	\$114,470	\$126,659	\$134,402
	PURCHASE OF SERVICES	\$12,148	\$12,500	\$12,500
	SUPPLIES	\$6,320	\$8,600	\$8,600
22	TOTAL EXPENSES	\$18,468	\$21,100	\$21,100
	TOTAL CONSERVATION	\$132,938	\$147,759	\$155,502

FISCAL YEAR 2013 BUDGET		EXPENDED FY 2011	APPROPRIATED FY 2012	REQUESTED FY 2013
PLANNING				
	SALARIES	\$114,901	\$110,700	\$103,910
23	TOTAL PERSONNEL SERVICES	\$114,901	\$110,700	\$103,910
	PURCHASE OF SERVICES	\$4,112	\$3,000	\$3,000
	SUPPLIES	\$1,568	\$2,000	\$2,000
24	TOTAL EXPENSES	\$5,680	\$5,000	\$5,000
	TOTAL PLANNING	\$120,582	\$115,700	\$108,910
SURVEYOR				
	SALARIES	\$153,954	\$151,520	\$157,625
25	TOTAL PERSONNEL SERVICES	\$153,954	\$151,520	\$157,625
	PURCHASE OF SERVICES	\$8,961	\$12,800	\$12,800
	SUPPLIES	\$5,828	\$4,150	\$4,150
26	TOTAL EXPENSES	\$14,789	\$16,950	\$16,950
	TOTAL SURVEYOR	\$168,743	\$168,470	\$174,575
FACILITIES				
	SALARIES	\$274,124	\$277,225	\$276,400
27	TOTAL PERSONNEL SERVICES	\$274,124	\$277,225	\$276,400
	PURCHASE OF SERVICES	\$205,486	\$167,150	\$207,800
	UTILITIES	\$496,381	\$746,000	\$577,000
	SUPPLIES	\$25,424	\$25,000	\$40,000
28	TOTAL EXPENSES	\$727,290	\$938,150	\$824,800
	TOTAL FACILITIES	\$1,001,414	\$1,215,375	\$1,101,200
MISC COMMITTEES				
	PURCHASE OF SERVICES	\$10,084	\$46,475	\$76,575
29	TOTAL EXPENSES	\$10,084	\$46,475	\$76,575
	TOTAL MISC COMMITTEES	\$10,084	\$46,475	\$76,575
POLICE				
	SALARIES	\$2,048,508	\$2,052,500	\$2,124,500
30	TOTAL PERSONNEL SERVICES	\$2,048,508	\$2,052,500	\$2,124,500
	PURCHASE OF SERVICES	\$130,016	\$131,550	\$131,550
	SUPPLIES	\$167,183	\$173,200	\$189,000
31	TOTAL EXPENSES	\$297,199	\$304,750	\$320,550
	TOTAL POLICE	\$2,345,707	\$2,357,250	\$2,445,050
JOINT COMMUNICATIONS				
	SALARIES	\$432,939	\$479,100	\$481,200
32	TOTAL PERSONNEL SERVICES	\$432,939	\$479,100	\$481,200
	PURCHASE OF SERVICES	\$12,469	\$15,100	\$15,100
	UTILITIES	\$16,088	\$13,500	\$17,000
	SUPPLIES	\$5,313	\$8,300	\$8,300
33	TOTAL EXPENSES	\$33,871	\$36,900	\$40,400
	TOTAL JOINT COMMUNICATIONS	\$466,809	\$516,000	\$521,600

FISCAL YEAR 2013 BUDGET		EXPENDED FY 2011	APPROPRIATED FY 2012	REQUESTED FY 2013
EMERGENCY MANAGEMENT				
	PURCHASE OF SERVICES	\$7,880	\$16,000	\$16,000
	SUPPLIES	\$36,078	\$7,000	\$7,000
34	TOTAL EXPENSES	\$43,958	\$23,000	\$23,000
	TOTAL EMERGENCY MANAGEMENT	\$43,958	\$23,000	\$23,000
DOG OFFICER				
	PURCHASE OF SERVICES	\$21,778	\$21,000	\$21,500
	SUPPLIES	\$0	\$3,000	\$2,000
35	TOTAL EXPENSES	\$21,778	\$24,000	\$23,500
	TOTAL DOG OFFICER	\$21,778	\$24,000	\$23,500
FIRE				
	SALARIES	\$2,131,549	\$2,125,700	\$2,104,100
36	TOTAL PERSONNEL SERVICES	\$2,131,549	\$2,125,700	\$2,104,100
	PURCHASE OF SERVICES	\$62,524	\$55,700	\$91,700
	SUPPLIES	\$100,440	\$109,000	\$112,000
37	TOTAL EXPENSES	\$162,964	\$164,700	\$203,700
	TOTAL FIRE	\$2,294,513	\$2,290,400	\$2,307,800
BUILDING & ZONING				
	SALARIES	\$265,408	\$269,609	\$288,772
38	TOTAL PERSONNEL SERVICES	\$265,408	\$269,609	\$288,772
	PURCHASE OF SERVICES	\$12,521	\$13,800	\$14,000
	SUPPLIES	\$8,181	\$7,100	\$7,300
39	TOTAL EXPENSES	\$20,703	\$20,900	\$21,300
	TOTAL BUILDING & ZONING	\$286,111	\$290,509	\$310,072
40	SCHOOLS	\$30,427,419	\$31,096,713	\$32,526,704
41	REGIONAL VOCATIONAL SCHOOLS	\$382,801	\$280,000	\$260,000
DPW				
	SALARIES	\$1,421,065	\$1,294,088	\$1,334,039
42	TOTAL PERSONNEL SERVICES	\$1,421,065	\$1,294,088	\$1,334,039
	PURCHASE OF SERVICES	\$798,921	\$472,200	\$437,200
	SUPPLIES	\$199,926	\$162,300	\$162,300
43	TOTAL EXPENSES	\$998,848	\$634,500	\$599,500
	TOTAL DPW	\$2,419,912	\$1,928,588	\$1,933,539
SNOW				
	SALARIES	\$139,250	\$125,000	\$125,000
	TOTAL PERSONNEL SERVICES	\$139,250	\$125,000	\$125,000
	PURCHASE OF SERVICES	\$137,380	\$85,000	\$110,000
	SUPPLIES	\$261,714	\$190,000	\$215,000
	TOTAL EXPENSES	\$399,093	\$275,000	\$325,000
44	TOTAL SNOW	\$538,343	\$400,000	\$450,000

FISCAL YEAR 2013 BUDGET		EXPENDED FY 2011	APPROPRIATED FY 2012	REQUESTED FY 2013
BOARD OF HEALTH				
	SALARIES	\$513,825	\$561,200	\$570,360
45	TOTAL PERSONNEL SERVICES	\$513,825	\$561,200	\$570,360
	PURCHASE OF SERVICES	\$116,732	\$120,250	\$157,910
	SUPPLIES	\$11,003	\$13,990	\$13,540
46	TOTAL EXPENSES	\$127,735	\$134,240	\$171,450
	TOTAL BOARD OF HEALTH	\$641,560	\$695,440	\$741,810
VETERANS SERVICES				
	SALARIES	\$3,899	\$3,850	\$4,000
47	TOTAL PERSONNEL SERVICES	\$3,899	\$3,850	\$4,000
	PURCHASE OF SERVICES	\$7,226	\$8,500	\$20,000
	SUPPLIES	\$3,337	\$6,000	\$6,000
48	TOTAL EXPENSES	\$10,563	\$14,500	\$26,000
	TOTAL VETERANS SERVICES	\$14,463	\$18,350	\$30,000
COUNCIL ON AGING				
	SALARIES	\$163,517	\$160,032	\$162,330
49	TOTAL PERSONNEL SERVICES	\$163,517	\$160,032	\$162,330
	PURCHASE OF SERVICES	\$38,012	\$45,200	\$45,700
	SUPPLIES	\$6,428	\$7,300	\$9,800
50	TOTAL EXPENSES	\$44,440	\$52,500	\$55,500
	TOTAL COUNCIL ON AGING	\$207,957	\$212,532	\$217,830
YOUTH SERVICES				
	SALARIES	\$143,837	\$140,750	\$153,350
51	TOTAL PERSONNEL SERVICES	\$143,837	\$140,750	\$153,350
	PURCHASE OF SERVICES	\$2,181	\$3,850	\$2,850
	SUPPLIES	\$883	\$975	\$975
52	TOTAL EXPENSES	\$3,064	\$4,825	\$3,825
	TOTAL YOUTH SERVICES	\$146,901	\$145,575	\$157,175
LIBRARY				
	SALARIES	\$738,153	\$739,750	\$748,950
53	TOTAL PERSONNEL SERVICES	\$738,153	\$739,750	\$748,950
	PURCHASE OF SERVICES	\$40,420	\$44,300	\$47,300
	SUPPLIES	\$167,509	\$168,500	\$178,500
54	TOTAL EXPENSES	\$207,929	\$212,800	\$225,800
	TOTAL LIBRARY	\$946,082	\$952,550	\$974,750
RECREATION				
	SALARIES	\$0	\$330,000	\$322,000
55	TOTAL PERSONNEL SERVICES	\$0	\$330,000	\$322,000
	SUPPLIES	\$0	\$25,000	\$25,000
56	TOTAL EXPENSES	\$0	\$25,000	\$25,000
	TOTAL RECREATION	\$0	\$355,000	\$347,000

FISCAL YEAR 2013 BUDGET		EXPENDED FY 2011	APPROPRIATED FY 2012	REQUESTED FY 2013
DEBT AND INTEREST				
	DEBT SERVICE	\$5,011,331	\$7,776,459	\$7,665,964
57	TOTAL EXPENSES	\$5,011,331	\$7,776,459	\$7,665,964
	TOTAL DEBT AND INTEREST	\$5,011,331	\$7,776,459	\$7,665,964
RETIREMENT				
	PURCHASE OF SERVICES	\$3,140,204	\$3,420,633	\$4,621,627
58	TOTAL EXPENSES	\$3,140,204	\$3,420,633	\$4,621,627
	TOTAL RETIREMENT	\$3,140,204	\$3,420,633	\$4,621,627
UNCLASSIFIED				
	INSURANCE GENERAL	\$670,299	\$680,000	\$600,000
	INSURANCE 32B	\$7,348,140	\$7,640,000	\$8,050,000
	MEDICARE	\$488,739	\$590,000	\$560,000
	UNEMPLOYMENT	\$159,239	\$175,000	\$125,000
	NON CONTRIBUTORY RETIREMENT	\$17,091	\$19,000	\$19,000
	POLICE/FIRE DISABILITY	\$9,119	\$15,000	\$15,000
	RESERVE FOR SAL ADJ	\$0	\$1,100,000	\$115,000
	OCCUPATIONAL HEALTH	\$2,953	\$8,000	\$8,000
	TOWN MEETING	\$46,959	\$40,000	\$90,000
	STREET LIGHTING	\$127,968	\$140,000	\$140,000
	RESERVE FUND	\$0	\$250,000	\$250,000
59	TOTAL UNCLASSIFIED	\$8,870,505	\$10,657,000	\$9,972,000
	TOTAL GENERAL FUND BUDGET	\$61,757,995	\$67,257,456	\$69,285,522
WATER FUND				
	SALARIES	\$916,255	\$981,621	\$1,025,675
	TOTAL PERSONNEL SERVICES	\$916,255	\$981,621	\$1,025,675
	PURCHASE OF SERVICES	\$449,571	\$452,000	\$445,000
	UTILITIES	\$268,052	\$350,000	\$335,000
	SUPPLIES	\$470,817	\$395,000	\$470,000
	DEBT SERVICE	\$1,162,343	\$1,224,512	\$1,224,659
	TOTAL EXPENSES	\$2,350,782	\$2,421,512	\$2,474,659
60	TOTAL WATER DEPARTMENT	\$3,267,036	\$3,403,133	\$3,500,334
SEPTAGE FUND				
	SALARIES	\$30,233	\$30,233	\$32,807
	TOTAL PERSONNEL SERVICES	\$30,233	\$30,233	\$32,807
	PURCHASE OF SERVICES	\$26,805	\$10,000	\$0
	TOTAL EXPENSES	\$26,805	\$10,000	\$0
61	TOTAL SEPTAGE DEPARTMENT	\$57,038	\$40,233	\$32,807
WASTEWATER MGMT DISTRICT COMM				
	PURCHASE OF SERVICES	\$127,798	\$148,000	\$168,000
	SUPPLIES	\$0	\$0	\$15,000
	DEBT SERVICE	\$96,855	\$413,175	\$452,160
	TOTAL EXPENSES	\$224,652	\$561,175	\$635,160
62	TOTAL WASTEWATER MGMT COMM	\$224,652	\$561,175	\$635,160
	GRAND TOTAL OMNIBUS BUDGET	\$65,306,722	\$71,261,997	\$73,453,823

CAPITAL BUDGET - FY2013			RECOMMENDED	
INFORMATION TECHNOLOGY				
1	EQUIPMENT/NETWORK FACILITIES	B		185,000
	TOWN WIDE FACILITIES STUDY		65,000	
	WIRELESS MASTER BOXES		55,000	
	STATION 2 SEPTIC		60,000	
2	TOTAL BUILDING REPAIRS	B		180,000
	JCC			
3	VIDEO SECURITY EQUIPMENT	C		35,000
	DPW			
	FRONT END LOADER		145,000	
	TRACKLESS SIDEWALK PLOW		150,000	
4	TOTAL EQUIPMENT	B		295,000
	TRUCK-STANDARD W/SNOW PACKAGE		60,000	
	TRUCK-RACK BODY W/SNOW PACKAGE		70,000	
	TRUCK-UTILITY BODY W/SNOW PACKAGE		70,000	
	VEHICLE REFURB-CONVERT TO SWAP LOADER		70,000	
5	TOTAL VEHICLES	C		270,000
6	CEMETERY IMP/ARCHEOLOGICAL TESTING	FC		20,000
7	FIELD RENOVATIONS	B		75,000
8	ROAD CONSTRUCTION	FC		200,000
	DPW-WATER			
	TRUCK-UTILITY BODY W/SNOW PACKAGE		60,000	
	TRUCK-STANDARD W/SNOW PACKAGE		60,000	
9	TOTAL VEHICLES	WC		120,000
10	PUMP STATION UPGRADES	WC		100,000
11	SYSTEM UPGRADES-PEMBERTON ROAD	WR		500,000
12	BACKHOE	WC		140,000
13	NETWORK METER READING SYSTEM	WC		700,000
14	ZONE 2 WELL TESTING	WC		50,000
	RECREATION			
15	BEACH IMPROVEMENTS	B		130,000
	SCHOOL DEPARTMENT			
16	TECHNOLOGY	C		50,000
17	SCHOOL BUS	C		70,000
18	EQUIPMENT	C		110,000
19	MIDDLE SCHOOL ROOF REPAIRS	FC		1,500,000
	CLAYPIT HILL FLOOR TILES		90,000	
	CLAYPIT HILL PAVING		100,000	
20	TOTAL BUILDING REPAIRS	B		190,000
GRAND TOTAL				4,920,000
SUMMARY				
	BORROW	B	1,055,000	
	CASH CAPITAL	C	535,000	
	FREE CASH	FC	1,720,000	
	WATER CASH CAPITAL	WC	1,110,000	G/F 3,310,000
	WATER REVENUE	WR	500,000	WATER 1,610,000
			4,920,000	4,920,000

1. Budget: Information Technology - \$185,000**Title:** Equipment/Network Enhancement**Project Advocate(s):** IT Department,
Public Buildings Director, Facilities
Department, Chair, Board of Selectmen

Description: Continued implementation of the recommendations of the Berry, Dunn, McNeil & Parker report with a focus on increased levels of collaboration between Town and School departments. The primary focus will be the virtualization of servers, updating network infrastructure (completion of the MAN project) and implementing a joint school/town back-up and disaster recovery initiative.

Justification: These projects were identified in the BDMP report of 2010 for implementation of the Information Technology Strategic Plan. Plan can be viewed at:
http://www.wayland.ma.us/Pages/WaylandMA_IT/it.pdf

Relationship to General Plan: Next step in multi-year implementation of the IT Strategic Plan.

History: The Town has been relatively under-spending on IT compared to other communities. This project plan allows the Town to increase focus to provide for reliable and effective technology tools and to leverage technology to improve Town and School technology operations.

Schedule: FY2013**In the 5 Year Capital Plan?** Yes**Source of Funds:** Non-exempt borrowing**Request:** \$185,000

2a. Budget: Facilities Department - \$65,000**Title:** Town-Wide Facilities Study**Project Advocate(s):**
Public Buildings Director, Facilities Dept.,
Chair, Board of Selectmen

Description: Town-wide evaluation of all buildings and their systems to determine the highest and best long-term use. Based on that outcome, to determine the extent of future capital investments to maintain these facilities.

Justification: The Town building inventory is comprised of buildings built between 1930 and 2011. The purpose is to determine the optimal current and future uses of the buildings and determine and prioritize future infrastructure investments.

Relationship to General Plan: Consistent with good planning to understand the long-term use of assets before undertaking major repairs and renovations.

History: Given the variety of building uses that the Town needs and the current inventory and ages of these buildings, a full study by a third-party professional is warranted before large capital investments are recommended in future budgets. A request was made for repairs to the Town Building in FY 2012 and was being made for FY 2013. FinCom requested that before spending such funds, an audit should be done to determine how to best utilize all of the Town's current facilities and whether they will provide good long-term solutions to the Town's needs.

Schedule: FY 2013**In the 5 Year Capital Plan?** No**Source of Funds:** Non-exempt borrowing**Request:** \$65,000

2b. Budget: Facilities - \$55,000**Title: Wireless Fire Master Alarm Boxes****Project Advocate(s): Board of Selectmen,
Public Buildings Director, Facilities Dept.,
Fire Department**

Description: Install wireless fire alarm boxes on all Town and School buildings. Specifically, replace antiquated telegraph type (hard wired) fire alarm boxes with modern wireless boxes.

Justification: New construction in Town (e.g. High School, CVS, TD Bank) is required to install wireless fire alarm boxes. Conversion of existing Town-owned facilities to wireless will demonstrate the Town's commitment to this technology and will remove over 50 year-old equipment. The system being replaced is original and uses out dated technology.

Relationship to General Plan: Investment supplements gift funds from Town Center.

History: As part of the Town Center Development Agreement, \$50,000 was gifted for installation of the receivers for wireless fire alarm boxes. This work has been completed and the receivers are in place.

Schedule: FY2013**In the 5 Year Capital Plan?** Yes**Source of Funds:** Non-exempt Borrowing**Request:** \$55,000

2c. Budget: Facilities - \$60,000**Title: Replace Station # 2 Septic And Repave
Parking Lot****Project Advocate(s): Board of Selectmen,
Public Buildings Director, Facilities Dept.**

Description: Replace septic system at Station # 2 which is the original system and needs replacement. Following the septic replacement, the parking lot and concrete aprons will be replaced.

Justification: This is the original septic system and needs replacement.

Relationship to General Plan: Investment in Town infrastructure and facilities.

History: This is a project that has been on the long-term CIP for a number of years and has become a priority due to the aging septic system. It makes sense to repave the parking lot after the septic replacement is completed. The building is staffed 24/7, handles the larger volume of EMS calls and also hosts Recreation programs.

Schedule: FY2013**In the 5 Year Capital Plan?** Yes**Source of Funds:** Non-exempt Borrowing**Request:** \$60,000

3. Budget: JCC - \$35,000**Title: Video Security Equipment****Project Advocate(s):
Chair, Board of Selectmen,
Police Chief,
Wayland Joint Communications**

Description: Upgrade video security inside the Public Safety Building and in all marked police cruisers. Cameras will be upgraded to include fully digital medium and additional spaces inside and outside the Public Safety Building will be covered. Cameras will be added to marked police cruisers to document activities of officers during the course of their official duties.

Justification: It is imperative that a police department be able to video document activities in the holding area, cellblock, lobby and parking areas of the building. For the first time the ability to videotape will be expanded to include marked police vehicles. These cameras help avoid costly lawsuits and can be used to protect officers from unsubstantiated claims of police misconduct. They can also provide useful crime scene information and are a tool for field training new officers.

Relationship to General Plan: This is the regular replacement of equipment with improved security benefits.

History: This is a planned replacement. The camera system at the Public Safety Building has been in place for 10 years. It has been unreliable and difficult to access certain images.

Schedule: FY 2013

In the 5 Year Capital Plan? Yes

Source of Funds: Cash Capital

Request: \$35,000

4a. **Budget: Department of Public Works - \$145,000**

Title: Purchase Three Yard Loader Truck

Project Advocate(s):

Chair, Board of Public Works,

Director, Department of Public Works

Description: Purchase new three-yard loader truck and replace similar older vehicle for use by the highway department.

Justification: The existing loader is a 1993 loader and this is a scheduled replacement. The loaders are the workhorse vehicles for moving materials to and from work sites. They are key vehicles in our snow removal effort. Their power and maneuverability make them our best plow vehicles. They also load our sanders with sand and salt. They are critical to our road reconstruction program and to the transfer station.

Relationship to General Plan: This is the regular replacement of older vehicles by the Town of Wayland and has been anticipated per the capital improvement plan's projection of capital needs of the Town.

History: This is a 19-year old vehicle that has been scheduled for replacement.

Schedule: FY2013

In the 5 Year Capital Plan? Yes

Source of Funds: Non-exempt borrowing

Request: \$145,000

4b. **Budget: Department of Public Works - \$150,000**

Title: Replacement Of Trackless Side Walk Plow

Project Advocate(s):

Chair, Board of Public Works,

Director, Department of Public Works

Description: Replacement of a Trackless Sidewalk Plow with a new vehicle that can be used throughout the year.

Justification: This sidewalk plow is a 1999 trackless vehicle that is scheduled for replacement. The current vehicle is 12 years old and is near the end of its useful life. It will become a maintenance problem in the near future. The trackless sidewalk plow is used for brush cutting, sidewalk plowing, pavement grinding, and as a sidewalk sweeper. This is a key piece of equipment and is used year round.

Relationship to General Plan: Scheduled replacement of an older piece of equipment that is valuable to the operations of the DPW.

History: This is a planned replacement.

Schedule: FY 2013

In the 5 Year Capital Plan? Yes

Source of Funds: Non-exempt borrowing

Request: \$150,000

5a. Budget: Department of Public Works - \$60,000

Title: Purchase Ford F 350 Standard Body
With Snow Package (H-2)

Project Advocate(s):
Chair, Board of Public Works,
Director, Department of Public Works

Description: A 4-wheel pick-up truck with no dumping capability.

Justification: The vehicle it is replacing has 85,000 miles on it, is 10-years old and has multiple safety and mechanical issues.

Relationship to General Plan: This is the regular replacement of a vehicle, per the capital improvement plan.

History: This is a 10-year old vehicle that has been scheduled for replacement.

Schedule: FY 2013

In the 5 Year Capital Plan? Yes

Source of Funds: Cash Capital

Request: \$60,000

5b. Budget: Department of Public Works - \$70,000

Title: Purchase Ford F 350 Rack Body With
Snow Package (H-6)

Project Advocate(s):
Chair, Board of Public Works
Director, Department of Public Works

Description: A 6-wheel vehicle that has the ability to dump.

Justification: This vehicle is replacing a 1999 Ford F 350 truck with a rack body. The current vehicle has 60,000 miles, is 12-years old, and has multiple safety and mechanical issues. It cannot pass inspection and is currently dead lined.

Relationship to General Plan: This plan has been scheduled for replacement in the capital improvement plan.

History: A 12-year old vehicle that has been scheduled for replacement.

Schedule: FY 2013

In the 5 Year Capital Plan? Yes

Source of Funds: Cash Capital

Request: \$70,000

5c. Budget: Department of Public Works - \$70,000

Title: Purchase Ford F 350 Vehicle With
A Utility Body And With Snow Package
(P-61)

Project Advocate(s):
Chair, Board of Public Works
Director, Department of Public Works

Description: Purchase of a pick-up truck with a utility body. Replacing a 12-year old vehicle.

Justification: The current vehicle has multiple safety and mechanical issues and is scheduled for

replacement.

Relationship to General Plan: Included in the Capital Improvement Plan.

History: This is the scheduled replacement of a Town owned vehicle.

Schedule: FY 2013

In the 5 Year Capital Plan? Yes

Source of Funds: Cash Capital

Request: \$70,000

5d. Budget: Department of Public Works - \$70,000

Title: Refurbish Truck (F-13)

Project Advocate(s):

Chair, Board of Public Works

Director, Department of Public Works

Description: Replacement of this truck's body and chassis. The DPW intends to convert this vehicle to a swap loader. The body and chassis are completely rusted out but the motor and drive train are in excellent shape. The salt from last year significantly degraded this vehicle. It is unsafe to drive this winter.

Justification: This conversion should allow this truck to serve the town for 8 years. By spending \$70,000 to retrofit this truck to a swap loader the Town is getting a vehicle that would cost \$240,000 if purchased as a new vehicle and extending the life of the vehicle by 8 years.

Relationship to General Plan: While this was not included in the CIP, due to the rapid deterioration of the vehicle over the past 12 – 24 months, this is an opportunity to add value to a vehicle.

History: Rapid deterioration of the condition of this vehicle.

Schedule: FY 2013

In the 5 Year Capital Plan? No

Source of Funds: Cash Capital

Request: \$70,000

6. Budget: Department of Public Works – \$20,000

Title: Cemetery Upgrades – North Cemetery

Project Advocate(s):

Chair, Board of Public Works

Director, Department of Public Works

Description: Provide funding for an archaeological level one survey of this historically significant area

Justification: The portion of Wayland where the North Cemetery is situated was at one time at or near the center of Town and may have historically significant artifacts buried there.

Relationship to General Plan: Added this year

History: Plans to upgrade the North Cemetery have been in place for several years now. This is a new step added this year to gain additional information before proceeding with plans for expansion.

Schedule: FY2013

In the 5 Year Capital Plan? No

Source of Funds: Free Cash

Request: \$20,000

7. Budget: Department of Public Works - \$75,000**Title:** Field Renovations**Project Advocate(s):****Chair, Board of Public Works****Director, Department of Public Works**

Description: This will be the third year of this program to devote annual funds to improve fields and other recreation areas in Town. The funding for this year will help in the irrigation system for the middle school fields and other projects identified and prioritized with the Recreation Commission.

Justification: These projects improve the safety and the functionality of the Town of Wayland's parks and fields. The DPW is making an effort to install well water irrigation systems at the athletic fields to reduce the demand on the Town's water system. By adding recycling containers and water bubblers, the DPW hope to reduce the volume going to the transfer station. The Finance Committee reduced this request from \$125,000 to \$75,000 as presented here and as appropriated in FYs 2011 and 2012.

Relationship to General Plan: Part of an ongoing regular annual maintenance and renovation for park, athletic and recreation fields.

History: The DPW utilized the monies from the last two years to install a well and irrigation system at Riverview ball fields, fund drainage improvements for the Town Beach, funding for some of the work at Hannah Williams park (removing pressure-treated lumber, new fencing), purchase and installation of bleachers, water bubblers and soccer goals at various fields.

Schedule: FY2013**In the 5 Year Capital Plan?** Yes**Source of Funds:** Non-exempt borrowing**Request:** \$75,000

8. Budget: Department of Public Works - \$200,000**Title:** Road Construction**Project Advocate(s):****Chair, Board of Public Works****Director, Department of Public Works**

Description: This item is new to the capital budget and is being placed as a capital item at the request of the Finance Committee to mirror the water department annual system upgrade. The section of road being considered for renovation is the portion of Route 30 from the intersection of Routes 27 and 30 to the Weston Town Line. The work to be done is on this section of roadway is a mill and overlay. The estimated cost is approximately \$300,000 with the balance will be paid using Chapter 90 funds.

Justification: The DPW believes the Town needs to be more aggressive with our road maintenance. The current funding of \$160,000 has not been increased in over 13 years. Due to inflation driven increase in materials costs, the amount of work that has been done has steadily declined to about half of what was done 13 years ago. This work is being scheduled to coincide with the water main replacement program and several pavement management initiatives.

Relationship to General Plan: While this is new to this year's capital plan, the money had previously been budgeted in the operating budget. Funds remain in the operating budget for road repair (distinct from reconstruction).

History: Part on the ongoing repair and maintenance of Town roadways.

Schedule: FY2013**In the 5 Year Capital Plan?** No**Source of Funds:** Free Cash**Request:** \$200,000

9a. Budget: Department of Public Works, Water - \$60,000**Title: Ford F-350, Utility Body With Snow Package (W-6)****Project Advocate(s):****Director, Department of Public Works****Chair, Board of Public Works****Description:** Replace a 1999 F-350 pick up truck with a utility body and a snow package. This is a 4-wheel vehicle and it cannot dump.**Justification:** Current vehicle is 13 years old. This vehicle has significant rust and mechanical issues. 13 years of service for a vehicle of this type is very good.**Relationship to General Plan:** Consistent with the policy of replacing older vehicles on a regular basis.**History:** This is an older vehicle that is at the end of its useful life.**Schedule:** FY2013**In the 5 Year Capital Plan?** No, oversight in previous year**Source of Funds:** Water Cash**Request:** \$60,000

9b. Budget: Department of Public Works, Water - \$60,000**Title: Truck Standard Body With Snow Package (W-3)****Project Advocate(s):****Chair, Board of Public Works****Director, Department of Public Works****Description:** Replace a 2001 F-350 pick-up truck with a standard body truck with snow package.**Justification:** Current vehicle is 11 years old; front differential, transfer case wiring harness and oil pan need to be replaced. 11 years of service for a vehicle of this type is very good.**Relationship to General Plan:** Consistent with the policy of replacing older vehicles on a regular basis.**History:** This is an older vehicle that is at the end of its useful life.**Schedule:** FY2013**In the 5 Year Capital Plan?** No, oversight in previous year**Source of Funds:** Water Cash**Request:** \$60,000

10. Budget: Department of Public Works, Water - \$100,000**Title: Pump Station Upgrades****Project Advocate(s):****Director, Department of Public Works,****Chair, Board of Public Works****Description:** This project is an upgrade to the Chamberlain water pumping station. This pumping station does not comply with the new chemical feed regulations. This building does not comply with the current building and electrical codes.**Justification:** Massachusetts DEP mandates this upgrade. The new equipment is being installed to help eliminate the possibility of contaminating the water system. The building does not meet current building or electrical codes or OSHA regulations.**Relationship to General Plan:** This work is consistent with the need to maintain these facilities.**History:** This is the continuation of a 4-year program at the various pumping stations in Wayland. This

will be the third pumping station in Wayland to be upgraded to meet the DEP mandates. In 2011, the Town allocated \$100,000 for similar improvements to the Happy Hollow pumping station, and improvements to the Campbell and Meadowview pumping stations are planned for similar upgrades in 2014 and 2015. Commencement of the work at the Happy Hollow pumping station is awaiting completion of moving the wells in order to locate them outside of the flood plain.

Schedule: FY 2013

In the 5 Year Capital Plan? Yes

Source of Funds: Water Cash

Request: \$100,000

11. **Budget: Department of Public Works, Water - \$500,000**

Title: The Pemberton Road Project

Project Advocate(s):

**Director, Department of Public Works,
Chair, Board of Public Works**

Description: This project is designed to replace the water main on Pemberton Rd., Bradford Street Shawmut Ave. Harrison St., Pleasant Street, Damon St., Stanton Avenue.

Justification: This area in Town has had poor water flow and water pressure for many years. The water main in this location is some of the original water main put into the Town and is 100 to 130 years old and is undersized for today's water uses. This will most likely become a two-year project. The early estimate on this work is \$750,000 with the initial request this year and completion in the following fiscal year. All of the roads will have, at a minimum, a new tie-in to Pemberton Road with an 8-inch stub and new water gate. The DPW will delay work on recently paved areas. When complete, this area will have better flow and pressure for all required fire flows.

Relationship to General Plan: Maintenance and improvement of water service.

History: This is a continuation of an annual program that the DPW has undertaken over the past three years to upgrade and maintain the Town's water mains, and it is the intent of the DPW to continue this program on an annual basis.

Schedule: FY 2013

In the 5 Year Capital Plan? Yes

Source of Funds: Water Revenues

Request: \$500,000

12. **Budget: Department of Public Works, Water - \$140,000**

Title: Backhoe

Project Advocate(s):

**Director, Department of Public Works,
Chair, Board of Public Works**

Description: Scheduled replacement of existing backhoe

Justification: This is the DPW's most utilized piece of heavy equipment. The highway department will use the old backhoe and the current highway department backhoe will be used at the landfill, thereby providing this type of equipment for each of these requirements.

Relationship to General Plan: This will provide a valuable piece of equipment to the three areas within the DPW jurisdiction that use this equipment on a regular basis.

History: This is the replacement of an older piece of equipment; however it also provides good reuse for other Town needs.

Schedule: FY 2013

In the 5 Year Capital Plan? Yes

Source of Funds: Water Cash

Request: \$140,000

13. Budget: Department of Public Works, Water - \$700,000**Title: Radio Read Water Meter System****Project Advocate(s):****Director, Department of Public Works,****Chair, Board of Public Works**

Description: This project will replace the touch pad meter reading system at all Town properties with a new radio read system.

Justification: This system will read the current water meters four times a day versus twice a year. It will eliminate the need for a meter reader plus overtime to read the meters. A financial analysis of the cost savings indicates that the system should pay for itself in less than 10 years and that it provides a positive return to the Town over the useful life of the system. It will improve customer service in multiple ways. We expect this system to save the Town and the residents significant money. The system should enhance water conservation. With this system we should be able to notify the residents that a leak has occurred on their property. We could also easily bill on a quarterly or monthly basis if this is desired in the future, which would enhance the financial benefit to the Town.

Relationship to General Plan: This project is consistent with the DPW plan to increase efficiencies and to decrease costs. It is also consistent with the Town's designation as a "Green Community".

History: This is the third time that this project has been requested at Town Meeting. Concerns of Town Meeting in the past were primarily that the financial benefits were not clear and some residents were concerned about potential radiation emissions from the radio meters. The DPW has provided information for this Town Meeting that may overcome these objections by residents.

Schedule: FY 2013**In the 5 Year Capital Plan?** Yes**Source of Funds:** Water Cash**Request:** \$700,000

14. Budget: Department of Public Works, Water - \$50,000**Title: Cemetery Upgrades – North Cemetery****Project Advocate(s):****Chair, Board of Public Works****Director, Department of Public Works**

Description: Provide funding for a Capture Zone analysis to test for water quality in the area of the proposed North Cemetery expansion.

Justification: A capture zone analysis will provide information to determine if the expansion of the North Cemetery will affect the water quality in that area.

Relationship to General Plan: Added this year

History: Plans to upgrade the North Cemetery have been in place for several years now. This is a new step added this year.

Schedule: FY2013**In the 5 Year Capital Plan?** No**Source of Funds:** Water Cash**Request:** \$50,000

15. Budget: Recreation - \$130,000**Title:** Wayland Town Beach Improvement**Project Advocate(s):****Chair, Recreation Commission****Director, Recreation**

Description: Replacement of existing dock system at the Town Beach with an ADA accessible dock. Replacement of worn picnic tables and grills and trimming of the trees in the picnic grove.

Justification: Existing dock has outlived its useful life and is falling apart. New dock will be ADA accessible, which will increase usage at the facility. Picnic tables and grills need periodic replacement. Tree trimming has not been done in a very long time and presents a safety issue, which should be addressed.

Relationship to General Plan: One year expenditure to upgrade the accessibility, usefulness and safety of the Town Beach

History: This is another component of periodic efforts to maintain and enhance the Town Beach.

Schedule: FY2013**In the 5 Year Capital Plan?** Yes**Source of Funds:** Non-exempt borrowing**Request:** \$130,000

16. Budget: School Department - \$50,000**Title:** Network Upgrades**Project Advocate(s):****Chair, School Committee**

Description: Network wiring upgrades in the Middle and Elementary schools to move from Cat 5e to Cat 6, including extending the UAC to the Middle School, rewiring Claypit Hill and Happy Hollow main offices, and rewiring the Claypit Hill wireless lab, if necessary. Also includes networking upgrades to expand wireless in the High School facility.

Justification: Consistent funding will bring the District into closer alignment with the MA Dept of Elementary and Secondary Education and National Standards as outlined by the International Society for Technology in Education's benchmarks for improved teaching and learning. Specifically, moving to Cat 6 at the Middle and Elementary schools will provide improved bandwidth performance to the desktop computers and will support growth of hand held devices. May also include expansion of wireless in the new High School facility to support the 1:1 Computer Learning Initiative, if needed, along with the growth of staff and student mobile devices. For more information, go to http://www.wayland.k12.ma.us/administration/technology_department/

Relationship to General Plan: Maintenance and enhancement of technology services and infrastructure.

History: Continuation of a multi-year plan to maintain and enhance technology in the Schools. For more information, please see the Technology plan at http://www.wayland.k12.ma.us/administration/technology_department/

Schedule: FY2013**In the 5 Year Capital Plan?** Yes**Source of Funds:** Cash Capital**Request:** \$50,000

17. Budget: School Department - \$70,000**Title:** School Bus**Project Advocate(s):****Chair, School Committee****Description:** Purchase of one full size, 77 or 71 passenger, school bus to replace three old buses (1999, 2001 and 2002).**Justification:** Bus service, except for one bus, is provided through a contract with First Student. The three existing buses owned by Wayland have mileage over 73,000 and have required significant repairs. The Abrahams Group reviewed the possibility of Wayland undertaking its own bus operation. The one driver and one bus handle a regular route and do many field trips at a cost less than the contractor. Based on estimated yearly lease costs, this purchase would save ~\$23K in net annual operating expenses and would pay for itself within ~3 years.**Relationship to General Plan:** Efficient way to provide bus service and flexibility.**History:** Wayland has maintained one driver (with other district responsibilities) and bus to provide continued flexibility with scheduling.**Schedule:** FY2013**In the 5 Year Capital Plan?** No, but two buses were unfunded in the FY2009 plan**Source of Funds:** Cash Capital**Request:** \$70,000

18a. Budget: School Department/Facilities Department - \$50,000**Title:** Wacker With Snow Blower And Sidewalk Sweeper**Project Advocate(s):****Chair, School Committee,****Public Buildings Director, Facilities Dept.****Description:** Wacker with snowblower and sidewalk sweeper**Justification:** Vehicle to be used on the Wayland High School campus to plow the sidewalk and do cleanup plowing on the school grounds in winter. It will also be used to sweep walkways of sand and debris as well as grass clippings after DPW/Parks mows grounds and fields.**Relationship to General Plan:** Replacing an aging piece of equipment with a wacker that provides more functionality than the equipment it is replacing.**History:** This is an additional piece of equipment that will primarily take care of year-round needs at the new high school.**Schedule:** FY 2013**In the 5 Year Capital Plan?** Yes**Source of Funds:** Cash Capital**Request:** \$50,000

18b. Budget: School Department - \$30,000**Title:** Claypit Hill Classroom Furniture**Project Advocate(s):****Chair, School Committee,****Public Buildings Director, Facilities Dept.****Description:** This is the first year request of a 5-year plan to replace classroom furniture throughout the school. This request would replace the furniture in 6 classrooms with new student and teacher desks and

chairs, bookcases and files. The furniture would be similar to existing furniture but would be ergonomically correct and appropriate for current use.

Justification: Furniture has a useful life of 15-20 years. The current furniture is 20-25 years and is beginning to breakdown.

Relationship to General Plan: Regular replacement of equipment.

History:

Schedule: FY2013

In the 5 Year Capital Plan? No

Source of Funds: Cash Capital

Request: \$30,000

18c. Budget: School Department - \$30,000

Title: Happy Hollow Classroom Furniture

Project Advocate(s):

Chair, School Committee,

Public Buildings Director, Facilities Dept.

Description: This is the first year request of a 5-year plan to replace classroom furniture throughout the school. This request would replace the furniture in 6 classrooms with new student and teacher desks and chairs, bookcases and files. The furniture would be similar to existing furniture but would be ergonomically correct and appropriate for current use.

Justification: Furniture has a useful life of 15-20 years. The current furniture is 20-25 years and is beginning to breakdown.

Relationship to General Plan: Regular replacement of equipment.

History:

Schedule: FY2013

In the 5 Year Capital Plan? No

Source of Funds: Cash Capital

Request: \$30,000

19. Budget: School Department - \$1,500,000

Title: Middle School Roof Repairs

Project Advocate(s):

Chair, School Committee,

Public Buildings Director, Facilities Dept.

Description: Remove and replace approximately 124,000 sqft of existing EPDM roofing system with new roofing system. Roof will be taken off and completely replaced.

Justification: Current roof was installed in 1991; sixth grade wing was installed in 2000. EPDM roofing has an expected life of approximately 15-20 years. Project will stop water infiltration and decrease maintenance and energy costs.

Relationship to General Plan: Ongoing maintenance and investment in facilities.

History: Working with MSBA on project for potential reimbursement; final statement of intent was filed in January 2012 and decision is pending. Work is needed regardless of MSBA reimbursement decision. Payment to be made from free cash and will be offset with any reimbursement received.

Schedule: FY2013

In the 5 Year Capital Plan? Yes

Source of Funds: Free Cash

Request: \$1,500,000

20a. Budget: School Department - \$90,000**Title:** Claypit Hill Floor Tiles**Project Advocate(s):****Chair, School Committee,****Public Buildings Director, Facilities Dept.**

Description: Remove approximately 11,200 sqft of ACM floor tile and replace with vinyl-containing floor tile.

Justification: Continuation of a multi-year project to remove potential exposure to failing asbestos floor tiles, which will improve the health and safety of students and staff. The tile is original to the construction date of the building. The project will replace a combination of classroom and corridor tile. Summer student programs will be at Happy Hollow school this year allowing work to be done at Claypit Hill. FY2014 project costs for Claypit Hill were brought forward to FY2013 to take advantage of this scheduling with the expectation that the replacement will take place at Happy Hollow next summer when student programming moves to Claypit Hill.

Relationship to General Plan: Continued maintenance of school facilities and scheduling for efficiency and to accommodate student programs. Attention to health and safety of student and staff.

History: Continuation of multi-year program to replace floor tiles. This is not an immediate health or safety risk.

Schedule: FY2013**In the 5 Year Capital Plan?** Yes**Source of Funds:** Non-exempt borrowing**Request:** \$90,000

20b. Budget: School Department - \$100,000**Title:** Claypit Hill Paving**Project Advocate(s):****Chair, School Committee,****Public Buildings Director, Facilities Dept.**

Description: Repave existing parking lot to the left/rear of the building (teachers' lot), the paved apron around the building, the paved circle in front of the building and the paved entrance connecting Adams Lane to the school property totaling approximately 9000 sq ft.

Justification: Improves safety and surface condition. Most of the paving is original to the building with a small piece (1000 sqft) having been replaced around 1986 when the oil tank was removed. Summer student programs will be held at Happy Hollow allowing work to be done at Claypit Hill. FY2014 project costs were advanced to FY2013 to take advantage of this scheduling.

Relationship to General Plan: Continued maintenance of school facilities and scheduling for efficiency and to accommodate student programs.

History:**Schedule:** FY2013**In the 5 Year Capital Plan?** Yes**Source of Funds:** Non-exempt borrowing**Request:** \$100,000

ARTICLE 9: APROPRIATE FUNDS TO STUDY TEACHER COMPENSATION

Proposed by: Petitioners

To determine whether the Town will vote to authorize \$16,000 for an analysis of the Wayland Public School's labor contracts and compensation policies and for assistance in the next round of contract negotiations, and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by grants received from the Commonwealth of Massachusetts or Federal Government, by borrowing, or otherwise.

The report will compare the Wayland Public School district's employee contracts and compensation with those in the following districts: Belmont, Harvard, Lexington, Sharon, Weston and Dover-Sherborn. The report shall recommend steps that will align the Wayland Public Schools with the compensation plans of other high-performing school districts and quantify the costs or savings if such steps are implemented. The assistance in negotiations will improve Wayland's competitive standing in educational compensation. The report should be completed prior to September 30th, 2012. The contract(s) shall be awarded by the Wayland School Committee.

PETITIONERS COMMENTS: The objective of this article is to enable the school system to maximize bang for the buck. Specifically, an experienced compensation specialist in the education arena should be able to provide suggestions that would enable the school committee and administration to understand what steps might yield worthwhile results. These savings could fund/improve key initiatives, whether that is smaller elementary classrooms, Chinese at a young age, more Advanced Placement courses open to more students, etc. etc.

The comparative analysis of Wayland's compensation system might reveal that Wayland pays significantly more for certain levels of qualification and experience. The study might discover that other systems cap the salaries of certain positions. The consultant could suggest steps to make Wayland's compensation competitive with certain districts, and the consultant should further be engaged in negotiations to help implement changes to the compensation schedule.

A smart compensation plan is key to a superior educational program.

FINANCE COMMITTEE COMMENTS: Part of the prompting for this article was an analysis of the Dover-Sherborn school district costs relative to its peers. That study was privately funded and attempted to provide analysis and opinion relative to 'value' (mainly quantified through AP participation rates and SAT scores) obtained based on district funding per pupil, excluding Special Education costs. The opinion reached by the D-S analysis (specifically to that district but also more generally) is that high spending per student is not necessarily the best indicator of student performance and value when analyzing the investment in school spending.

As Wayland and other towns wrestle with how to allocate limited revenues over competing operating budget demands, the Schools -- with the highest expenditure level -- get the highest scrutiny regarding its expense drivers. However, given that the "product" is the education of students, metrics by which to assess productivity, accurate optimization of resources and values are difficult to quantify. Two metrics that have been used to compare districts -- both through the Massachusetts Department of Elementary and Secondary Education (MA DESE) and within districts -- are spending per student and average salary per teacher. Given that the majority of Wayland's school spending is compensation-based, it is not surprising that teachers' salaries are a source of manageable focus rather than simply an uncontrollable "fixed" cost.

Recent history from the Massachusetts Department of Elementary and Secondary Education Website show that from FY 2006 through FY 2010 (most recent data available), while Wayland's teacher FTEs have declined from 225 to 196, total salary spending has increased from \$14.8M to \$16.4M (2.56% Compound Annual Growth Rate), while the average salary has increased from \$65,817 to \$83,872 (6.25% CAGR). The stratification of this data is nuanced, but it can be inferred that the mix of higher-seniority and thus more highly paid teachers has increased in the time period, offsetting the decreased number of FTEs.

When assessing how the average teacher salary has evolved, it should be noted that the successive contracts that have been (and will be) negotiated with the teachers are not unrelated to each other. The salary schedules that have been developed are the result of at least 20 years of contract negotiations, and the system of "steps and lanes" -- which incentivize teachers to both stay within the district and to pursue post-graduate degrees -- is central to the compensation structure in place. Cost of living adjustments ("COLA") are more prone to current economic conditions and directly comparable to other district contracts. It is important to note that when the compensation structure of the contract is assessed, the contract as a whole is evaluated. In addition to COLA and steps and lanes, health care benefits, and other items such as personal days, leave, and evaluation metrics are all variables to be measured relative to each other and impact the compensation terms. The components of the contract structure are regularly compared and contrasted with other peer districts by the School Committee and its Legal Counsel.

The School Committee has not yet reviewed this article nor discussed it with the petitioner.

ARGUMENTS IN FAVOR: The steady climb of the average Wayland teacher's salary has exceeded those of its peer districts without sufficient explanation. What this article would do is to provide an objective, third party analysis into how the salary structure for the contract for Wayland teachers is constructed, how it compares to other towns' contracts, and how Wayland could potentially reduce its incentives and salary structure to match those of other towns.

In an environment where Wayland's tax rate is among the highest in the state, this would be an effective investment in analyzing and optimizing one of the Town's largest expense drivers.

ARGUMENTS OPPOSED: The components of the contract structure are regularly compared and contrasted with other peer districts by the School Committee and its Legal Counsel. Although the basis for this compensation and contractual review is understandable, the means to achieve it per this article are both vague ("an analysis of the Wayland Public School's labor contracts and compensation policies and for assistance in the next round of contract negotiations"), specific in terms of comparable districts, and, at \$16,000, most likely underfunded (the figure was included without bid solicitation and is the Petitioner's estimate).

There are subsequent questions about who would oversee this review, determine scope of work, deliverables, and the like, and also questions about the article's legal ramifications. Further, it is not clear what the rationale is for the six districts by which Wayland's compensation contract is to be compared. There is also the significant concern that the outcome of this *should not be a public document*, otherwise it could greatly harm the Town's negotiating strategy. This would seem to be at odds with the article's intent to influence future negotiations in order to find cost savings.

Finally, there is no recognition in the article language that, even if it opted to do so, the SC cannot unilaterally implement any recommended contractual changes without first bargaining those changes.

The expected savings flowing from the study proposed by this article are probably much higher than could reasonably be accomplished through the bargaining process.

Specific objections noted, though, it is clear that the aims of the article to optimize compensation such that the investment in school spending is optimized to maximize value are well intentioned. However, simply “aligning” Wayland’s compensation policy/strategy with the other districts noted is impractical. In terms of future salary structure and incentives, much of the work described in the article – excluding the specific districts noted – is already underway at the Town and State levels. For the State, there was an Educator Evaluation System designed and described in a webinar offered in January of 2012 by the DESE (Department of Elementary and Secondary Education) and which will be implemented to comply with a new regulation regarding educator evaluation ratings. The details and overview can be found in this website: <http://www.doe.mass.edu/edeval/model/>. It is evident that the evaluation criteria defined by the State will play a large part in upcoming contract negotiations.

Given the specific issues noted with the article language and definition – scope, undetermined cost, legality, and confidentiality – and the broader issues of appropriate comparability metrics, ongoing Town analysis of upcoming contracts, the fact that much of this peer-comparative data has already been compiled, and most significantly, the evaluation requirements now being implemented by the DESE, this article, though well-intentioned, would not achieve its aim.

RECOMMENDATION: The Finance Committee recommends against approval. Vote 0-5-2.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7.

For more information about this article, contact Molly Upton at mollyupton@yahoo.com or (508) 651-7610.

ARTICLE 10: AMEND ZONING BYLAW: DEFINITION OF REFUSE DISPOSAL 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 Bylaw of the Town, by making the following amendments:

By adding the following language under Article 12 Refuse Disposal District:

Public works facility including office and associated structures owned or operated by the Town of Wayland and used primarily for maintenance and repair of vehicles owned or leased by the Town of Wayland and for parking and storage of vehicles used primarily for public works uses.

By amending the Table of Dimensional Requirements Refuse Disposal District by increasing the minimum side yard setback from 15’ to 75’ and to insert a building height restriction of 35’ where none exists.

PLANNING BOARD REPORT: This article seeks to add, in the Refuse Disposal District, the additional use of a Public Works facility that could include an office and associated structures used primarily for the parking, storage, maintenance and repair of vehicles owned or leased by the Town of Wayland. The article does not approve or directly allow this facility to be built but rather enables the district to be used for this purpose if the Town of Wayland, in the future, votes for its construction.

Given the already existing salt shed on the site and limited available town owned land for such a facility, the Planning Board has determined this is an appropriate use of the property.

The Planning Board recommends approval. Vote: 5-0.

FINANCE COMMITTEE COMMENTS: This article is one of a series of articles presented at this Annual Town Meeting that relates to the proposal to select the River Road site as the location for a new maintenance and repair facility for the Department of Public Works ("DPW"). It has been documented for several years that the Town is in need of a new facility in which the DPW operates. The current facility, on Rte 27, adjacent to the Middle School, was built in the 1930's and has significant physical problems, including structural issues, ventilation issues, and a myriad of required repairs (see Article 12 for a more detailed description). In addition, the current facility does not meet the operational needs of the DPW, given its size and configuration and the limitations it places on various operational requirements of the DPW.

This Article is one of two presented at this Annual Town Meeting that provides for land along River Road, and adjacent to the Town's Transfer Station, to be approved as the location for a new DPW facility (the other article proposes a change to the zoning at this proposed location). If the Town elects to develop a new DPW facility, the Town must decide whether to do so at its current location or at another Town-owned site. Through various studies that have been undertaken since as far back as 2004 and a study authorized by Town Meeting in 2005, three potential locations have been identified as possible sites for this facility: a) the current location along Rte 27 (195 Main Street); b) the current site of the closed Septage Facility and adjacent land situated along Rte 20, just to the southwest of the current Transfer Station and along the border with the Town of Sudbury (484 Boston Post Road); and c) the site along River Road. Both the Route 20 and River Road sites are the subject of various articles at this Town Meeting.

In 2005, Annual Town Meeting voted to appropriate \$35,000 for preliminary design of a new DPW facility. The engineering firm Weston & Sampson provided the Town with preliminary plans and programming for a new building at that time; however, the Town did not choose to proceed with a new DPW facility at that time. At the 2011 Annual Town Meeting, \$175,000 was appropriated for the Town's design and engineering firm at the site, Weston & Sampson, to provide updated preliminary programming and design. As of the date of the publication of this Warrant, the Town has expended approximately \$157,000 of such funds for the studies provided by Weston & Sampson and subsequently presented at a series of public meetings held by the DPW and the Permanent Municipal Building Committee for the Town of Wayland on October 5, 2011, January 18, 2012 and January 23, 2012. They provided a presentation of the various sites considered for the location of a new DPW facility and provided the programming for and a series of schematic designs for a new facility.

The current site at 195 Main Street was analyzed and it was determined that the building required by the DPW will not fit on that site (the current building contains approximately 13,000 square feet of space, compared to the requirement of approximately 40,000 square feet of space). The site is within an aquifer district, which provides environmental concerns for this site. Finally, there has been concern that the current facility is not located in a neighborhood where that use is compatible with the surrounding single-family homes and the Wayland Middle School.

The site along Rte 20 (484 Boston Post Road) will accommodate the building required by the DPW; it is owned by the Town (subject to easements held by the Town of Sudbury on a portion of the site, that will be extinguished no later than in 2017, unless the two towns do so prior to that time). The primary reason that this is not the preferred site for the DPW garage is that the Town's Economic Development

Committee has developed a plan such that this site could provide Wayland with significant revenue from the sale of the land to a third party and to ongoing revenue from annual real estate taxes (this is discussed in Article 21 contained in this Warrant for consideration by the residents of the Town).

This article resolves that the proposed site at 66 River Road will accommodate the future building. It is adjacent to the former landfill and current Transfer Station. The sand and salt storage facility is currently located on the site. The most significant negative argument against this site has been that a residential neighbor is situated adjacent to the site. There has been significant discussion and planning to mitigate any negative impacts realized by that neighbor; however, it is difficult to determine if all such impacts can be mitigated. The setback requirements, which are incorporated into this Article, have been included in order to codify some of the protection that shall be provided to the adjacent resident. From an economic development perspective, situating the DPW garage at this location would leave Wayland with two parcels of land that could be used to generate revenues (i.e. multi-family and/or single family housing, warehouse/flex building development, and other potential uses), or one or both could be used for other Town uses, such as recreational fields or commuter parking.

ARGUMENTS IN FAVOR: The zoning change proposed herein will allow the Town of Wayland, if it so chooses, to develop a garage and maintenance facility for use by the Department of Public Works, and other Town related uses (i.e. maintenance of other Town-owned vehicles) within the Refuse Disposal District.

The ability to locate a new facility for the DPW at this location will allow the Town of Wayland to redevelop the current DPW garage on Route 27 (adjacent to the Middle School) for uses that are more consistent with other uses in that neighborhood.

Locating a new DPW facility at this site allows for the potential redevelopment of 484 Boston Post Road, where a proposed multi-family project could be developed to provide new revenue to the Town of Wayland, or other redevelopment of that site could provide new revenue to the Town.

The Town of Wayland has limited land parcels available for the development of this facility and given that this site is adjacent to the former landfill and current transfer station, this location offers the Town a parcel of land that is consistent with the use that would occupy the site if the garage were developed thereon.

Given that the River Road site already contains the sand and salt facility, there is the potential for greater efficiency for public works operations.

This article is the first step in the process of building a new DPW facility.

Some citizens will be reluctant to invest the funds requested for construction documents for the DPW facility unless zoning regulations permit the project by right through the passage of this article.

ARGUMENTS OPPOSED: There is a residence adjacent to this land parcel, and there could be a negative impact upon that neighbor if a garage and maintenance facility is developed on this site.

There will be some ongoing access to the site from River Road, which could negatively impact residential neighbors, especially to the extent that some of that traffic will include trucks and other heavy equipment.

Access into this site is by way of a road that has been subject to flooding in the past, which could require intermittent periods of increased access to and from the site from River Road, potentially impacting neighbors, as stated above.

Some have argued that River Road is a scenic street in Wayland and that situating a DPW facility at this location will detrimentally impact it.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7-0.

QUANTUM OF VOTE: Majority – See Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

For more information about this article, contact Sarkis Sarkisian, Town Planner, at (508) 358-3778, or email ssarkisian@wayland.ma.us. See map at Appendix D on page 126.

ARTICLE 11: RESOLUTION DESIGNATING RIVER ROAD PARCEL FOR FUTURE DPW FACILITY

Proposed by: Board of Selectmen, Board of Public Works

WHEREAS, the 2011 Annual Town Meeting appropriated \$175,000 to perform site evaluation and schematic design services for a new Department of Public Works facility; and,

WHEREAS, the current Highway and Parks Garage is in dire need of extensive renovations and repairs in order to provide safe working conditions for personnel, repairs costs would exceed the value of the building, and that the present location is inadequate to meet the space needs and operational requirements of the DPW; and,

WHEREAS, the Board of Selectmen established a Permanent Municipal Building Committee to oversee town facility projects and assigned responsibility for the DPW project to the committee; and,

WHEREAS, Weston & Sampson, the firm retained by the town to perform the site evaluation and schematic design services, has recommended the town-owned parcel on River Road currently housing the sand and salt dome for a future DPW facility.

NOW, THEREFORE, BE IT RESOLVED that this Town Meeting designates the River Road parcel as the future site for a new DPW facility to be constructed at such time that this or a future town meeting appropriates funds for the project.

FINANCE COMMITTEE COMMENTS: The Finance Committee comments, and the arguments in favor of and opposed to this Article, are the same as those set forth in Article 10, Amend Zoning Bylaw: Definition of Refuse Disposal District. The Planning Board was not required to hold a public hearing on this article, but did do so on Article 10, as that is a zoning article. At a meeting on February 6, 2012, the Board of Public Works voted 5-0 to support this resolution.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7 to 0.

QUANTUM OF VOTE: Majority.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, email fturkington@wayland.ma.us, or Don Ouellette, Director of Public Works, at (508) 358-3672, douellette@wayland.ma.us. See map at Appendix D on page 126.

ARTICLE 12: APPROPRIATE FUNDS FOR CONSTRUCTION DOCUMENTS AND BIDDING OF NEW DPW MAINTENANCE AND STORAGE FACILITY

Proposed by: Board of Selectmen, Board of Public Works

Estimated Cost: \$725,000.

To determine whether the Town will vote to appropriate a sum of money to be expended under the direction of the Permanent Municipal Building Committee and Board of Selectmen for the purpose of preparing design, engineering and related construction documents and bid evaluation and other related expenses for a facility for the maintenance, repair, storage and administrative functions of the Department of Public Works; 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 under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise, provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitation on taxes imposed by Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 and ½, so called).

FINANCE COMMITTEE COMMENTS: This article is one of a series of Articles presented at this Annual Town Meeting that relates to the proposal to select the site at 66 River Road, adjacent to the Transfer Station and also to the salt shed, as the location for a new maintenance and repair facility for the Department of Public Works ("DPW"). It has been documented for several years that the Town is in need of a new facility in which the DPW operates. The current facility, on Rte 27, adjacent to the Middle School, was built in the 1930's and has significant physical problems, including structural issues, ventilation issues, and a myriad of required repairs.

In addition, the current facility does not meet the operational needs of the DPW, given its size and configuration and the limitations it places on various operational requirements of the DPW. Among the functional problems with the current facility are the following: i) there is no lift capability for maintenance of vehicles; ii) there is not an adequate vehicle wash facility, which is especially important for removing salt in winter months in order to preserve the useful lives of the vehicles; iii) the current facility has only one-third of the required vehicle storage space required to protect vehicles from winter conditions; iv) expansion of the septic system is not feasible; v) the office space does not meet the departmental needs; vi) the air quality in the building is an issue for employees; and vii) the lack of a lift for vehicle repair and other amenities creates unsafe working conditions for employees.

In 2005, Annual Town Meeting voted to appropriate \$35,000 for preliminary design of a new DPW facility. The engineering firm Weston & Sampson provided the Town with preliminary plans and programming for a new building at that time; however the Town did not elect to proceed with a new DPW facility at that time due to its general financial situation and due to ongoing discussions of combining operations from multiple departments into a DPW. At the 2011 Annual Town Meeting, \$175,000 was appropriated for Weston & Sampson to provide updated preliminary programming and design services reflective of the new organization and location. As of the date of the publication of this Article, the Town has expended approximately \$157,000 of such funds for the studies provided by Weston & Sampson and presented at a series of public meetings held on October 5, 2011, January 18,

2012 and January 23, 2012. They provided a presentation of the various sites considered for the location of a new DPW facility and provided the programming for such a facility and a series of schematic designs for a new facility.

The next step in moving forward with such a facility is to prepare working drawings that will allow for bidding the cost of construction before residents are asked to approve funding for construction of the project.

The estimated cost of the design and bidding process for this facility is as follows:

Design Development:	\$220,000
Construction Documents:	\$440,000
Bidding:	\$ 55,000
Printing & Advertising:	<u>\$ 10,000</u>
TOTAL	\$725,000

The following is a general description of the services associated with each task:

Design Development - utilize the approved schematic design plans to prepare design development documents consisting of drawings (floor plans, roof plans, building and wall sections, building elevations, and associated system drawings), outline specifications, opinion of costs and other documents to fix and describe the size and character of the project as to civil/site, architectural, structural, industrial equipment, mechanical systems, electrical systems, materials, and such other elements as may be appropriate to enable the Town to understand the progress and development of the Project.

Construction Documents - utilize the approved Design Development documents to complete working plans and specifications in sufficient detail to permit firm bids in open competition for construction of the project, and a detailed opinion of construction costs. Drawings and specifications will be provided for the following disciplines; Civil/Site, Structural, Landscape Architecture, Architecture, Industrial Equipment, Fire Protection, Plumbing, HVAC, and Electrical. Work will also include the preparation of front-end procurement documents in accordance with local requirements and Massachusetts General Laws, Chapter 149 including filed sub-bids for the trades listed in Section 44F.

Bidding (includes printing & advertising) –assist the Town with advertising the project, distributing the documents to potential bidders, pre-qualify bidders (as required), receiving the bids, tabulating the bids, reviewing the bidders' qualifications, and awarding the project. Assist with the pre-bid meeting, responding to bidder questions, and preparing addenda.

The total estimated cost of the project, including design and bidding fees set forth herein, schematic design fees (already done) and construction costs to completion of the project is approximately \$13,000,000.

At a meeting held on February 6, 2012, the Board of Public Works voted 5-0 to support this article.

The Board of Public Works will hold a Public Hearing/Open House for the proposed Department of Public Works Garage Facility on Saturday, March 24, 2012, between the hours of 9:00 a.m. and 11:00 a.m. at the DPW Garage at 195 Main Street (adjacent to the driveway entrance to the Middle School).

Please check the Wayland DPW website for more information.
www.wayland.ma.us/Pages/WaylandMA_DPW/index

ARGUMENTS IN FAVOR: The allocation of funds for the preparation of construction drawings will allow for ongoing public input into the design and development process and will allow the development process to continue.

The need for a new DPW facility is evident based upon an investigation of the physical condition of the current facility, as described in the Finance Committee Comments above. Maintaining the current facility would require significant repairs and structural upgrades, estimated by the Town's Public Buildings Director to be in excess of \$2 million, in order to allow for its continued use beyond the next few years.

The needs of the DPW are no longer met by the size and functionality of the current facility. Making the repairs that would be required to continue utilizing the current facility would not resolve the issues of functionality.

The preparation of plans and obtaining bids for construction will allow the process to move forward such that a new DPW facility can be constructed in a timely manner, and that significant upgrades to the current facility will not be required. Minor repairs will be required over the next two to three years, estimated by the Town's Facilities Department to be less than \$100,000.

This Article will allow the Town to request funding for the construction of a new DPW facility at the 2013 Annual Town Meeting with a full set of construction drawings and construction bids, so that residents will know what the cost of the facility will be before they are asked to approve funding for the project.

The \$725,000 cost can be funded with free cash, thereby avoiding any tax impact in this fiscal year and allowing for the project to continue forward. Delaying borrowing for construction of the building for another year will allow more exempt debt to mature and allow the majority of the DPW building debt to fit within Fiscal Year 2011 debt levels.

ARGUMENTS OPPOSED: The septage plant parcel along Rte 20 should be considered, and the Town should wait until the Economic Development Committee ("EDC") has completed its study of the Rte 20 site to determine whether that site is feasible for an alternative use with an economic benefit for the Town.

While this article proposes to use free cash, it is anticipated that the construction of the building in 2014 or 2015 would be financed by tax-exempt borrowing. Given that the Town recently incurred significant debt from the new high school, some citizens may feel this is not the right time for the Town to incur the debt from another significant project until more of the high school debt has been repaid.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7-0.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, email fturkington@wayland.ma.us, or Don Ouellette, Director of Public Works, at (508) 358-3672, douellette@wayland.ma.us.

ARTICLE 13: COMPENSATION FOR TOWN CLERK*Proposed by: Board of Selectmen*

To determine whether the Town will vote to fix the salary and compensation of the elected Town Clerk, pursuant to Massachusetts General Laws Chapter 41, Section 108, to be effective July 1, 2012, which salary and compensation is printed below.

SALARY SCHEDULE – TOWN CLERK

	<u>FY 2012</u>	<u>FY 2013</u>
Town Clerk	\$ 66,773.00	\$ 68,442.00

FINANCE COMMITTEE COMMENTS: This is a standard article that permits the Town to set the salary of the Town Clerk. Because the Town Clerk is an elected position, the salary of the Town Clerk does not fall within the Personnel Wage and Salary Classification Plan and Town Meeting must approve the salary of this position (the article sets the salary, the budget appropriates the monies). This process treats the Town Clerk in a manner comparable to other appointed Department Heads who may enjoy benefits not available to elected officials, such as automatic step increases, merit increases that recognize performance, and cost of living adjustments.

The proposed increase for FY2013 is 2.5%. This increase is consistent with the COLA amount being proposed for non-union personnel. Wages in union contracts were settled for a 2.5% increase effective July 1, 2012.

ARGUMENTS IN FAVOR: The proposed salary reflects a fair compensation for work performed considering all relevant factors and is consistent with increases being given to other comparable positions within the town.

ARGUMENTS OPPOSED: Some would say that given current economic conditions, Town employees should have their wages held flat or reduced.

RECOMMENDATION: The Finance Committee recommends approval Vote: 7-0

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 41, Section 108.

For more information about this article, contact John Senchyshyn, Assistant Town Administrator/Human Resources Director, at (508) 358-3623, or email jsenchyshyn@wayland.ma.us.

ARTICLE 14: PERSONNEL BYLAWS AND WAGE AND CLASSIFICATION PLAN*Proposed by: Personnel Board*

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

FINANCE COMMITTEE COMMENTS: This Article requests Town Meeting to approve changes to the Wage and Classification Plan as presented. This article only impacts non-union employees of the Town. There are no amendments to the language of the Town Bylaws or changes to associated benefits related to Personnel this year

The Wage and Classification Plan allows for periodic wage increases for non-union employees based on employee longevity and provides for reasonable wage growth over time. The Wage Classification Tables, as included in this warrant, reflect a 2.5% increase for all non-union employees as of July 1, 2012.

For informational purposes only, those union employees in bargaining units with negotiated labor contracts have their wages tables listed as well. Wages in union contracts were settled at a 2.5% increase effective July 1, 2012.

The Personnel Board voted 3-0 in favor of this article.

ARGUMENTS IN FAVOR: The Wage and Classification Plan allows for periodic wage increases for non-union employees based on employee longevity and provide for reasonable wage growth over time depending on economic conditions. Changes to the union schedules are required to reflect new salary levels that result from executed union contracts and are provided for informational purposes only.

ARGUMENTS OPPOSED: Some would say that salary growth should be more muted based on current economic conditions.

RECOMMENDATION: The Finance Committee recommends approval Vote: 7-0

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 41, Section 108A.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

See Personnel Wage and Salary Classification Plan at Appendix E at page 127. For more information about this article, contact John Senchyshyn, Assistant Town Administrator/Human Resources Director, at (508) 358-3623, or email jsenchyshyn@wayland.ma.us.

ARTICLE 15: 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.

Department	Vehicle/Equipment	Year
Public Works	Trackless M/T with attachments	1999
Public Works	John Deere 624G	1993
Public Works	John Deere 410D	1995
Public Works	Volvo 10 wheel dump truck with plow	1989
Public Works	Caterpillar 963 track loader	2000
School	Bus	1999
School	Bus	2001

FINANCE COMMITTEE COMMENTS: This standard article allows the Town to sell used vehicles or other personal property. Each is being sold due to mileage and/or condition and a replacement vehicle is part of the FY2013 capital budget approved in Article 8.

ARGUMENTS IN FAVOR: The selling of used property contributes to the Town's general fund.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 6-0.

QUANTUM OF VOTE: Majority.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 16: ACCEPT GIFTS OF LAND

Proposed by: Board of Selectmen

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

FINANCE COMMITTEE COMMENTS: This article allows the Town to accept gifts of land. At the time of printing of the Warrant, there are no known gifts of land.

ARGUMENTS IN FAVOR: Acquisition of land by the Town gives the Town more control over the use of such gifted land.

ARGUMENTS OPPOSED: Land gifted to the Town may result in a slight reduction in the property tax base.

RECOMMENDATION: The Finance Committee recommends approval. Vote 7-0.

QUANTUM OF VOTE: Majority.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 17: ACCEPT LAW ALLOWING INCREASED REAL ESTATE TAX EXEMPTION AMOUNTS

Proposed by: Board of Selectmen

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 2013.

FINANCE COMMITTEE COMMENTS: With the passage of this article at each Annual Town Meeting, certain residents may avail themselves of exemptions in the following amounts, \$350 for widows or widowers, \$875 for the blind, \$1,000 for the elderly, and \$800 for disabled veterans. The title of this Article refers to "Increased Real Estate Tax Exemptions Amounts" because the exemptions

listed above are double the amounts in the state statute. In FY2011, 76 taxpayers were granted exemptions for a total amount of \$79,318.73. This amount represents double the statutory exemptions granted and does not include the Circuit Breaker Match and CPA exemptions.

The FY2011 total exemption amount of \$79,318.73 excludes the senior tax deferrals that were included in the total exemption amount in the last year's article. For comparative purposes the total exemption amounts both including and excluding the senior tax deferrals are below.

Fiscal Year	Total Exemption Amount INCLUDING Senior Tax Deferrals	Total Exemption Amount EXCLUDING Senior Tax Deferrals
2011	\$136,060.94	\$79,318.73
2010	\$129,551.33	\$74,861.17

Since the Board of Assessors administers the Town's tax policy, the board will no longer be a co-sponsor of this Article as it should not be seen as endorsing any specific tax policies related to its administrative duties.

ARGUMENTS IN FAVOR: The article adds minimal tax burden to each taxpayer and provides needed support to the elderly and certain other residents coping with the increasing burden of paying property taxes on fixed income.

ARGUMENTS OPPOSED: To allow the exemptions to eligible residents, the remaining taxpayers must pay slightly more in property taxes.

RECOMMENDATION: The Finance Committee recommends approval. Vote 7-0.

QUANTUM OF VOTE: Majority

For more information about this article, contact Ellen Brideau, Director of Assessing, at (508) 358-3659, or email ebrideau@wayland.ma.us.

ARTICLE 18: AMEND SECTION 19-8 OF THE TOWN CODE

Proposed by: Board of Assessors

To determine whether the Town will vote to amend Section 19-8 of the Town Code as follows:

Section 19-8. Board of Assessors. [Added 5-8-2000 ATM by Art. 28]

A. Annual Report. The Board of Assessors shall:

- (1) Make an annual report of sales of properties sold in Wayland available to the public by ~~submitting it to the local newspapers,~~ having it posted on the Town's Internet Web site and providing copies at the Town Library. ~~The~~ This report will outline the calendar year sales utilized to arrive at the Fiscal Years updated values and shall describe the semi-annual increase or decrease in the average sale price of residential properties in Wayland.
- (2) Prepare, as part of the reports to be heard under the annual Town meeting "Hear Reports" article and the Annual Town Report a report for the previous six calendar years that provides:
 - (a) The number of annual abatement requests filed with the Board of Assessors;
 - (b) The annual number of abatements granted by the Board of Assessors;

- (c) The annual average value of the abatements granted by the Board of Assessors;
 - (d) The number of annual abatement requests filed by Wayland property owners at the Appellate Tax Board with respect to Wayland properties;
 - (e) A list by property of the dollar changes in each assessment granted as a result of Appellate Tax Board decisions; and
- (3) Prepare, as part of the report to be heard under the annual Town meeting "Hear Reports" article and the Annual Town Report, a report for the previous calendar year that states the number of residential properties that were inspected by the Assessors or their designees for any purpose. ~~due for inspection, the number of properties actually inspected, the number of properties for which an internal inspection of the dwelling was conducted, the number of residential properties sold, the number of sold properties for which an internal inspection was conducted, the number of properties inspected in response to a grant of a building permit, and any other criteria requested by the Board of Selectmen or its designee that will provide guidance to the Town as to the effectiveness of the assessment process.~~ This report shall contain a breakdown of inspections by visit type.
- ~~B.~~ Quarterly reports. The Board of Assessors shall prepare and provide to the Board of Selectmen quarterly reports detailing the progress in implementing the Recommendations of the Assessment and Valuation Study Committee contained in Article 27 of the Warrant for the 1999 Annual Town Meeting and shall submit these reports to the Board of Selectmen or its designee for posting on the Town's Internet Web site.
- ~~C.~~ B. Public hearing, to further transparency, the ~~The~~ Board of Assessors shall hold a public hearing annually prior to finalizing the assessment date for submission to the Department of Revenue. The purpose of the meeting will be to listen to taxpayer concerns and answer any questions regarding the assessment process and the services provided by the Assessors' Office. Topics to be addressed at this public hearing shall include a review of Wayland's valuation process, a review of the overlay balances and discussion of the overlay forecast as well as any other timely topics requested by the public and outlined by the Board of Assessors. The Board of Assessors shall set aside ample time for an open and informative dialog between citizens and the Board of Assessors. ensure that adequate time is provided for the hearing and that the agenda is set so that a hearing occurs where citizens are given a reasonable amount of time to voice their concerns.
- ~~D; C.~~ Increased valuation information. After each revaluation, the Board of Assessors shall send, within 30 days of the actual tax bill, a separate, reasonably detailed written explanation of the actual basis for the increased valuation for each residential property for which the new valuation percentage increase is eight percentage points or more above the Town wide average residential increase in percentage points. Town wide average residential increase shall be based on a data set that includes all those revalued residential properties for which no building permit has been issued between the current revaluation and the prior valuation. Revaluation notices. The Board of Assessors shall send an impact notice to all property owners annually detailing the preliminary assessment of their real estate. Given the sensitive nature of an impact notice, in a Revaluation Year impact notices will be mailed to property owners after the Board of Assessors' has received preliminary certification from the Department of Revenue. In a non-revaluation year impact notices will be mailed to property owners prior to the Board of Assessors' final submission of data to the Department of Revenue for valuation approval.

E. D. Change of assessed valuations and property record card data. [Added 5-12-2004 ATM by Art. 40]

(1) After the Board of Assessors has made a decision concerning a taxpayer's abatement request of change of real property assessment, included with the decision, on the form provided by the state that is sent to the taxpayer, will be notice of any change in the data on that property record card and the dollar effect in assessment for each change in the section that states "reason for abatement."

(2) If the Board of Assessors deems appropriate a change in the property record card's ~~market~~ physical attributes data, either as a result of a visit to a property or a review of the property from any public source, the Board of Assessors will send two (2) copies of the updated property record card to the property owner. One updated property record card is required to be signed by the property owner after checking its accuracy and returned to the Board of Assessors, the second copy is for the property owner's records. ~~in Wayland that takes place once every decade to be sure that information on the property record card is accurate, or the visit is the result of a sale of, or a renovation to a property, or as a result of sales since the last town wide revaluation (such as, but not limited to a change in assessment neighborhood) that data change shall be reported to the real property owner at the time that the new data will cause a change in the assessed value of said property.~~

~~When the assessed valuation of a property changes, as occurs at an annual, biannual, or triannual town wide revaluation, the town shall make the following information available at the Assessor's desk and on the Town website in table form: all of the influence factors that the Board of Assessors uses to value real property in Wayland such as, but not limited to: style of house, age, grade, value per square foot, CDU (condition/desirability/utility rating), heating type, fuel, heating system, finished basement living area, porches, open porches, wood decks, story height, swimming pool, barn, tennis court, traffic influence. All pertinent constants and coefficients shall be stated.~~

(3) ~~Additionally,~~ Annually, the Board of Assessors will make available at the ~~desk~~ Assessors' office and on the Town website ~~shall be:~~ all the influence factors for valuing Real Estate both land and building, such as but not limited to, land site indexes with land curve table, style of house, depreciation, grade, building costs tables by square foot along with size curve table, outbuilding value tables, and adjustment coefficients for dwelling attributes (i.e., heating, flooring, exterior siding, bathroom count, etc.). This report shall contain a general description of the valuation algorithm, definition of special terms, and a detailed description of the specific implementation.

(4) When the assessed valuation of a property changes as occurs at an annual, biannual, or triannual town-wide revaluation, the town shall make the following information available at the Assessor's desk and on the Town website: a table displaying the prior and new land valuation factors by ~~assessment neighborhoods~~ site index with a map identifying and displaying all ~~assessment neighborhoods~~ site indexes.

E. E. Community Preservation Act surcharge exemptions. Applications for exemptions from the Community Preservation Act surcharge pursuant to Massachusetts General Laws Chapter 44B, Section 3(e)(1), must be filed with the Office of the Board of Assessors no later than three months after the issuances of the actual real estate tax bill. [Added 4-10-2008 ATM by Art. 24]

G. ~~F.~~ 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. [Added 4-13-2009 ATM by Art. 13]

FINANCE COMMITTEE COMMENTS:

Background: The Assessors are the government officials responsible for establishing the value of property for tax purposes. The Board of Assessors (BoA) have an obligation under Massachusetts General Law to plan and carry out the reassessment program necessary to achieve full and fair cash value assessments in accordance with the requirements of Massachusetts General Laws.

This article proposes several amendments to Section 19-8 of the Town Code that, in the opinion of the BoA, would better align the office with current operational norms, improve the Assessors' effectiveness, and provide increased transparency regarding all aspects of Wayland's assessing process.

Better alignment: Part A sections #1 and #3, Part B are identified with changes to move them in alignment with current operational norms. In particular, the Assessors propose to report the number of residential properties that were inspected by the Assessors for any purpose, rather than breaking down their annual inspection and sales report by category. Furthermore, the BoA does not prepare the quarterly reports called for in Article 27 of the 1999 Annual Town Meeting. This provision is proposed to be deleted as obsolete.

Increase effectiveness: Part D and E sec. #2 and #4 are edited so they provide more effective benefits to Town residents with more advanced notice and the reporting of the actual data needed to determine assessment values. Rather than sending a notice just to owners whose revaluation is more than eight percent above the norm, the BoA proposes to send an impact notice to all property owners each year. The Department of Revenue requires that public notice be completed only in a revaluation year (every 3rd year). The BOA is proposing this occur on an annual basis to all property owners. With respect to valuation changes attributable to changes in the physical attributes of a property, the Assessors propose to send two copies of the revised property card to the property owner for their review and endorsement

Added transparency: Currently, the BoA holds a yearly public hearing in November to review the town's assessment process. The BoA proposes moving the date of the annual public hearing to a date prior to assessment data being finalized and data being submitted to the Department of Revenue. In addition, BoA proposes to addition new topics that can be addressed at this public hearing. These include a review of Wayland's valuation process, a review of the overlay balances and discussion of the overlay forecast as well as any other timely topics requested by the public.

Another article in this warrant (Article 19) also proposes to amend Section 19-8 of the Bylaws. Petitioners and the BoA have discussed whether the two articles can be reconciled. As of the time the Warrant went to print, petitioners and the Assessors were not able to reach agreement on the matter, although they continue to work together.

The BoA voted in favor of this article on March 5, 2012. Vote 4-0.

ARGUMENTS IN FAVOR: Section 19-8 of the Town Code needs updating. Twelve years have passed since the inception of the original bylaw, which is now outdated and includes items

inconsistent with current valuation system. Modifications to Section 19-8 are intended to simplify descriptions and correct terminology, not reduce the obligations of the BoA to residents of Wayland.

For example, the current bylaw does not require the BoA to report on all of the various types of property inspections. In 2009, the residents of Wayland appropriated funds to implement a full list and measure of all improved real estate, by rewording the bylaw to state “all” inspection types it is the BoA’s intent to provide residents with a visit report that demonstrates the success of this project. It is only with the complete picture that one would be able to determine the overall productivity and effectiveness of the department.

The proposed modifications seek to better inform residents by providing relevant information in a timely manner. The ultimate goal is to improve public confidence and reduce the need for abatement applications by addressing concerns earlier in the process.

ARGUMENTS OPPOSED: This article would make significant and substantive changes to Town Code, deleting most of the changes made by Articles 28 and 40 of 2000 and 2004 Annual Town Meetings, which were both approved by the Attorney General.

The proposed changes have not been carefully considered, vetted, or understood by residents.

The article proposes to do away with the current distinction between internal inspections and “drive-bys” in the Assessors’ annual report.

The proposed changes will not allow property owners to understand how the Assessors weigh the various valuation factors since the article proposes to delete the obligation of the Assessors to provide constants, coefficients, the valuation algorithm, and a detailed description of the specialized implementation, among other things.

Town Meeting should not amend the bylaws to conform to the Assessors’ current practice. The Assessors should conform their practice to the bylaws.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: 0-7.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

For more information about this article, contact Ellen Brideau, Director of Assessing, at (508) 358-3659, or email ebrideau@wayland.ma.us.

ARTICLE 19: AMEND TOWN CODE SECTION 19: REQUIRE TAX RATE HEARING

Proposed by: Petitioners

To determine whether the Town will vote to amend Section 19-8 of the Town Code by adding the following thereto: “Before the Town submits its proposed tax rate(s) for any fiscal year to the Commissioner of Revenue for approval pursuant to General Laws chapter 59, section 23, the

Board of Assessors, together with all other boards and officials whose names appear on the Tax Rate Recapitulation document as approving or certifying the information contained therein, shall conduct a public hearing to give interested citizens an opportunity to be heard and to ask questions concerning the proposed tax rate(s). Forty-eight hours at least before the hearing, the proposed Tax Rate Recapitulation, together with the date, time, and place of the hearing, shall be posted on the Town's website and in a conspicuous place in the Wayland Town Building."

PETITIONERS' COMMENTS: This article would require that before the Town formally submits its proposed tax rates(s) for the next fiscal year to the Commissioner of Revenue for approval, the Board of Assessors, together with other pertinent boards and officials, conduct a public hearing to give interested citizens an opportunity to be heard and to ask questions about the proposed rate(s). Property taxes are a very significant concern of most residents and businesses. Our local democracy functions best when its citizens are aware of critical decisions that will affect their well being.

FINANCE COMMITTEE COMMENTS: The property tax rate in Wayland is a function of many different variables. The most important variables are: (1) Town Meeting's appropriations for the fiscal year, (2) estimated receipts other than property taxes, and (3) total assessed value of property in the town. Here is the formula used to calculate the property tax rate each year:

$$\frac{(\text{Amount to be Raised} - \text{Estimated Receipts from Other Sources})}{\text{Total Assessed Value of Property Subject to Tax}} = \text{Property Tax Rate}$$

The Board of Assessors is responsible for setting the assessed value of property subject to tax. The Board of Assessors works on this question throughout the year, in coordination with the Massachusetts Department of Revenue (DOR). The Board of Assessors is also responsible for assessing an additional amount to be raised called the "overlay" to account for pending abatement and exemption requests, if warranted. The overlay accounts for the possibility that at least some pending abatement or exemption requests will be granted in the future. The overlay must be reasonable, and it is subject to the approval of the DOR. Following the 2011 Operational Review Committee's recent recommendation and as stated in DOR guidance, the Assessors have pledged to take a formal vote on the overlay amount each year.

The Board of Assessors is not responsible for the other variables that go into calculating the property tax rate.

- As noted above, all appropriations are made by Town Meeting as certified by the Town Clerk, not the Board of Assessors.
- Local receipts like motor vehicle excise tax and permit fees are estimated by the Finance Department and recommended by the Finance Committee in the Annual Town Meeting warrant.
- DOR estimates some other receipts, like state highway funding. The Board of Selectmen decides whether the Town should have single or multiple tax rates at the classification hearing, which is typically held in November or December.

These are just four examples.

All the different variables and estimates that go into the process are gathered by several different departments and boards and incorporated in a package called the Tax Rate Recapitulation Sheet, which is prepared in November by the Board of Assessors—in collaboration with the Finance Director and the Town Clerk—and submitted to the DOR for certification before the end of the calendar year.

Petitioners consulted with members of the Board of Assessors in drafting this article in an attempt to incorporate it into Article 18 that seeks to make broader changes to Section 19-8. As of the time the Warrant went to print, petitioners and the Assessors were not able to reach agreement on the matter, although they continue to work together.

The purpose of the article is to require a public hearing on the proposed Tax Rate Recapitulation package. The public hearing would give citizens an opportunity to review, question, and express their views to Town officials on the proposed submission before it is filed with the DOR in November or December of each year. Town bylaws already require the Board of Assessors to hold one public hearing a year in addition to their regular open meetings. Last year, the Board of Selectmen and the Board of Assessors held a meeting on the Tax Rate Recapitulation, including releasing a draft Tax Rate Recapitulation package to the public before the meeting.

ARGUMENTS IN FAVOR: Taxpayers are concerned with the nonpublic decisions that affect and determine the tax rate. Some residents believe the current process for setting the tax rate in Wayland lacks transparency and must be open to more public scrutiny. Petitioners believe the proposed hearing is intended to accomplish this important goal in a straightforward manner.

None of the Assessors' current meetings deal directly and specifically with the setting of the tax rate through the Tax Rate Recapitulation filing and all supporting schedules that support this document.

ARGUMENTS OPPOSED: Town Meeting should not pass a bylaw that forces the Board of Assessors to hold a public hearing on matters outside its jurisdiction. Many different town departments, officials, boards and committees contribute to the Tax Rate Recapitulation process. It is not a good idea to ask the Board of Assessors to field questions and concerns on matters beyond the scope of its authority and expertise.

Furthermore, the proper operation of the Assessors' operations, which are governed by state statute, cannot depend on whether other town employees and officials (that is, the Finance Director and the Town Clerk) volunteer to attend the proposed public hearing. The article would be improved if representatives of the relevant Boards, Departments, and officials would be able to attend the hearing.

The timing of the delivery of the Tax Rate Recapitulation Sheet to the Department of Revenue is already tight.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 4-1-2.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

For more information about this article, contact petitioner George Harris at ghharris@comcast.net.

ARTICLE 20: SET ASIDE COMMUNITY PRESERVATION FUNDS FOR LATER SPENDING

Proposed by: Community Preservation Committee

Estimated Cost: \$180,000

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

FINANCE COMMITTEE COMMENTS: The Community Preservation Act (CPA) was signed into law by the State of Massachusetts on September 14, 2000 and became effective 90 days later on December 13, 2000. The Town of Wayland approved adoption of the CPA and a CPA surcharge in the amount of 1.5% of annual tax payments during the April 2001 Annual Town Meeting.

The CPA enables communities to levy a property tax surcharge on real property for the purpose of creating a community preservation fund and qualifying for state matching funds. This property tax surcharge is calculated and based upon a homeowner's tax payments and not upon assessed valuation. The CPA also establishes a Community Preservation Committee (CPC) that makes recommendations on how the money shall be spent. Town Meeting may appropriate amounts in the Community Preservation Fund for purposes and amounts not greater than amounts recommended by the CPC.

Each fiscal year, upon recommendation of the CPC, Wayland must set aside for future spending, the following share of annual Community Preservation Fund revenues:

- 1) 10% for open space
- 2) 10% for historic resources
- 3) 10% for community housing

Once these allocations are met, the CPC recommends how the remaining 70 percent of annual CPA revenues are to be divided among the three purposes including recreational usage within the statutory definition of open space. Recreational purposes may include land for active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field.

As of June 30, 2011, the Wayland CPA fund had a total balance of \$7,420,492 with \$1,960,548 reserved for open space, \$526,176 reserved for historic resources and \$235,000 reserved for community housing. Previously committed expenses, but not yet paid, totaled \$404,447 leaving a remaining unreserved balance of \$4,294,321.

This article would approve the specific set aside of \$180,000 of the unreserved portion of Wayland CPA funds for housing, open space and historic preservation.

ARGUMENTS IN FAVOR: This \$180,000 set aside will ensure that the Town continues to balance the needs of housing, open space and historic preservation in the spirit for which the Community Preservation Act was enacted. Total CPC funds reserved for open space will total \$2,020,548; funds reserved for historic resources will total \$586,176 and funds reserved for community housing will total \$295,000 with approval of this article.

ARGUMENTS OPPOSED: None. This set-aside amount is required under Massachusetts General Laws Chapter 44B, Section 6.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7-0.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 44B, Section 6.

For more information about this article, contact Jerome Heller, Chairman of the Community Preservation Committee, at heller.j@comcast.net.

ARTICLE 21: APPROPRIATE CPA AND OTHER FUNDS FOR DUE DILIGENCE EFFORTS FOR THE PRE-PERMITTING AND POTENTIAL SALE OF TOWN-OWNED LAND ON BOSTON POST ROAD

Proposed by: Economic Development Committee, Community Preservation Committee, Board of Selectmen

Estimated Cost: \$360,000

To determine whether the Town will vote to appropriate a sum of money to be expended under the direction of the Economic Development Committee and the Board of the Selectmen for studies, planning and analyses relative to a determination of site suitability, planning, and pre-permitting for the potential sale of Town-owned land on Boston Post Road in Wayland, Massachusetts, shown on Assessor's Map 22 as Lots 3, 6 and 7, for development of affordable and market-rate rental housing units primarily for senior independent living; 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 under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise.

FINANCE COMMITTEE COMMENTS: Wayland Economic Development Committee ("EDC")¹ was asked by the Board of Selectmen to review the potential uses for Town-owned land along Route 20 between the Wayland transfer station access road, up to and including the land under the decommissioned Septage Facility. Today, the site consists of dirt piles, chain-link fences, empty brick bunker-type buildings and interim school bus parking.

After study, EDC has recommended that the highest and best use for the property and the Town is to convert the site to rental housing, with a primary focus of senior independent living housing, and with 25% of the units designated as affordable, so that all of the new units will count toward Wayland's 10% affordability requirement.

EDC proposes pre-planning and pre-permitting the site – which would reduce the uncertainty for the Town and for a developer – and then selling the land via competitive Request for Proposal ("RFP"). Pre-planning of the site is a process of performing various investigative studies (due diligence) to determine whether and how the site can be developed for the intended use. Pre-permitting the site includes drafting the proposed change in zoning, creating design guidelines and deed restrictions as necessary to define the desired development for the site, and securing permits and approvals as may be possible to allow for the proposed development (up to but not including final site plan approval); EDC will work with the requisite State and Town boards and committees through this process. Collectively this pre-planning and pre-permitting of the site shall be called "Due Diligence Efforts."

¹ Wayland Economic Development Committee (EDC) was established by the Board of Selectmen in 2010 to support, promote, encourage and advocate for the Town's commercial tax base, to strengthen the local economy and diversify and expand the tax base in a manner consistent with the character of our community.

The sale of the property would provide immediate revenues to the Town, when sold, and the development would provide the Town with property tax revenues in perpetuity from the value of the improved property. Design guidelines and deed restrictions to be determined by the Town of Wayland prior to selling the property would govern the project after its conveyance to a third party, through to completion and beyond.

This article is to approve expending funds to complete the Due Diligence Efforts necessary to plan and pre-permit this site for housing, as discussed above. A future Town Meeting vote would be required to approve the actual change in zoning and to authorize the potential sale of the property, based on these investigations.

For additional information about this article, see EDC's October 2011 column in the Wayland Town Crier posted on the Wayland town website: Go to the Economic Development Committee page, and click on Additional Link, "Wayland Diamond in the Rough." You may also email questions or comments anytime to EDC at waylandedc@comcast.net.

Proposed Due Diligence Efforts

Due Diligence Efforts to investigate, plan and pre-permit the site include the following tasks:

• Market Study and Town Financial Impact Study		
Market Study	\$10,000	*
Town Tax/Financial Impact Study	\$ 5,000	
Land Sale Data Analysis	\$ 5,000	\$20,000
• Environmental Studies		
Phase I Environmental	\$ 5,000	*
Additional Environmental Tests	\$ 6,000	
Perk Tests	\$10,000	*
Soils Testing	\$17,000	
Wetlands Delineation	\$12,000	\$50,000
• Site Planning		
Civil, Site Layout	\$40,000	
Septic Preliminary Design	\$20,000	
Site Planning and Design Requirements	\$35,000	\$95,000
• Permitting Efforts	\$20,000	
Traffic Study and Review Permitting (state, local)	\$65,000	\$85,000
• Legal Drafting and Review		
Review all permitting documents		
Draft Purchase & Sale, Development Agreement,		
Deed Restriction and other documentation as required		
for Request for Proposals and conveyance	\$75,000	
Contingency (10%)	\$35,000	\$35,000
TOTAL DUE DILIGENCE EFFORTS NOT-TO-EXCEED BUDGET		<u>\$360,000</u>

* *First phase studies*

Due Diligence Efforts will be conducted in two phases. The first phase includes elemental feasibility items such as a market study, environmental review and septic perk tests to ensure the viability of the project. If the first phase studies, which total approximately \$25,000, do not support the development, efforts will end at that juncture and no further funds will be expended. If the results are positive, as anticipated, the second phase of due diligence will be completed. The second phase will be full efforts to plan, pre-permit and document the proposed redevelopment of the site for use in a) securing future Town Meeting approval for the rezoning and the sale of the site and b) offering the property for sale via a Request for Proposals (RFP) process.

Due Diligence Efforts will be conducted by third-party professionals as managed by EDC. Funds will be recommended for payment by EDC, with actual payment of funds to be administered by the Board of Selectmen. The projected costs of such studies, as set forth herein, are based upon bids for the first phase studies, and good faith estimates and working budgets based on market research for subsequent tasks. EDC will secure multiple bids from third-party contractors for each Due Diligence Efforts task.

Due Diligence Efforts will be funded 25% by the Community Preservation Fund and 75% by the Town, where the 25% is equal to the percentage of the project that is planned to be affordable housing. EDC will submit a written report after the first phase is completed to the Board of Selectmen and the Community Preservation Committee. In addition, EDC will provide status updates on the project at its regular monthly meetings, and as they visit other Town boards, committees and interested parties.

Land Jurisdiction

The property subject to the due diligence in this proposal consists of two parcels, one of which is controlled by the Board of Public Works and the other which is controlled by the Town of Wayland (Board of Selectmen). On November 21, 2011, the Board of Public Works voted in favor (4-0-1), subject to satisfactory completion of the due diligence efforts, in support of EDC utilizing the Board of Public Works land for this potential use. On January 17, 2012, the Board of Selectmen voted in support, subject to due diligence efforts, of reuse of the Town of Wayland land for the proposed use by a vote of 5 – 0.

The Town of Wayland owns the land under the decommissioned Wayland/Sudbury Septage Facility; only the improvements (the Septage Facility buildings and structures) are jointly owned by Sudbury and Wayland. The agreement between Sudbury and Wayland expires in 2017. Efforts will be made to accelerate the termination of this agreement to the mutual benefit of both towns by having the future developer accept the site as-is and therefore assume the demolition obligation from both towns. If efforts to accelerate the agreement are not successful, the planned phasing of the development program will accommodate the 2017 demolition timeline for that portion of the site.

Community Outreach

Representatives of EDC have reviewed the project with the Housing Authority, the Housing Partnership, the Council on Aging, the Planning Board, the Historical Commission, the Community Preservation Committee (who approved at its December 7, 2011 meeting to fund 25% of this article's costs as 25% of the project will be designated as affordable housing), the Conservation Commission, the Finance Committee, and several other local community groups, boards and committees. EDC will continue to coordinate with these groups and other interested parties in planning for this site on an on-going basis, to ensure that concerns are addressed and mitigated, and that community feedback is integrated into the development guidelines.

ARGUMENTS IN FAVOR: A currently vacant, non-revenue generating site can be turned into a financial engine for the Town of Wayland. EDC estimates that financial benefits to the Town include

potential sale proceeds from the land of up to \$5 to \$6 million and a potential increase in real estate tax revenues of up to \$750,000 per year upon full build-out. These estimates will be tested and confirmed via the Due Diligence Efforts process -- including a financial impacts study to analyze the true net impacts to the Town of Wayland based on the scope of the proposed project - prior to any vote by the Town to allow the sale of the parcels.

The Town has a need for senior rental housing. The project would provide both affordable and market rate rental housing for Wayland seniors, providing long-time Wayland residents with new housing alternatives to stay in Wayland if they choose to downsize in later years.

The goal of the planned scope of development (currently projected at 216 units) is to help the Town fulfill its requirement for 10% affordable housing, thereby potentially releasing Wayland from the consequences of current 40B projects.

The project will allow the Town to control the scope and use of the land to ensure a project that is consistent with character of our community.

The project would enhance the western entrance to Wayland along Route 20.

Independent senior housing at this location provides Wayland's residents with a new living community with on-site services and programming, as well as proximity to the Sudbury River, Town Center and future Wayland Bike Path (which could be used as a walking path and for access to the Town Center) for an attractive community setting.

There are no privately owned residential or commercial abutters to the planned development.

The market for multi-family rental housing is currently very strong and the Due Diligence Efforts are designed to complete the process in a timely manner to take advantage of the current market conditions.

Senior housing is the desired use, and the market study will help determine the depth of this market in the overall planning for the site. At its core, senior housing as compared to non-age restricted housing creates less traffic, offers less uncertainty for schools and Town services, has lower parking requirements, smaller unit sizes (which allows the density required to satisfy the 10% affordability threshold), and brings Wayland seniors close to the amenity of Town Center -- all while meeting a critical housing need.

If the market study reveals that less than the total number of units should be allocated to senior housing, then there is the opportunity for a limited number of non-age restricted rental units, which are also in short supply in Wayland.

The results of the Due Diligence Efforts will allow voters to make a fully informed decision on changing the zoning and authorizing the potential sale of the property at a subsequent Town meeting.

At two previous Wayland Town Meetings, residents have requested a plan for this land before entering into an agreement for the early termination of Sudbury's interests in the property, and one of the intents of this study is to provide such a plan.

ARGUMENTS OPPOSED: The Town will be expending up to \$360,000 without a firm offer on the property or a Town vote to change the zoning and sell the land.

As part of the Due Diligence efforts, the goal is for the Town to secure permits and approvals, where feasible, for the proposed development in order to enhance the value of the site for the Town upon the issuance of an RFP. Although the sales price is expected to reflect the value of the completed permitting, some might argue that the permitting cost is typically incurred by a private developer and not typically assumed by a Town and/or a basic land seller.

With a future vote to sell the land, the Town would lose the ability to use the site for (non-revenue generating) community-based uses such as playing fields, DPW facility, etc.

The Route 20 Septage site might be considered by some to be a better location for a new DPW facility than the proposed alternatives. Locating the DPW facility here is worth foregoing the financial benefits and tax revenues to the Town from private redevelopment.

This site is currently the location where busses used by the Wayland school system are parked. Upon development of this site, the busses would need to be either relocated to an alternative site in Wayland, or when the bus contract expires in 2014, the vendor would be required to park the busses outside of the Town.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7-0.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7.

For more information about this article, contact Rebecca Stanizzi, Chair, Economic Development Committee, at rstanizzi@comcast.net.

ARTICLE 22: APPROPRIATE CPA FUNDS FOR AFFORDABLE HOUSING PROJECT ON STONEBRIDGE ROAD

Proposed by: Community Preservation Committee

Estimated Cost: \$356,000

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of the Selectmen for site development costs, including but not limited to an access way, relative to the construction of affordable housing on the Town-owned land on Stonebridge Road in Wayland, Massachusetts containing 3 acres, more or less, and shown as “Habitat for Humanity 3.03 Acres \pm ” on a plan entitled “Plan of Land in Wayland, Massachusetts Stonebridge Road Habitat for Humanity,” dated March 20, 2010, prepared by the Wayland Town Surveyor’s Office, a copy of which plan is on file in the Office of the Town Clerk, 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 under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise.

FINANCE COMMITTEE COMMENTS: At the 2010 Annual Town Meeting, Wayland approved setting aside town-owned land on Stonebridge Road for affordable housing. The town released a request for proposals to develop the land. Habitat for Humanity – MetroWest/Greater Worcester was the only applicant and was awarded the project. The Board of Selectmen and Habitat for Humanity-MetroWest/Greater Worcester signed a development agreement in September 2011.

Habitat for Humanity

Habitat for Humanity-MetroWest/Greater Worcester (HFH-MWGW) is an independent affiliate of Habitat for Humanity International, an ecumenical faith based organization headquartered in Atlanta, Georgia. HFH-MWGW is dedicated to building simple low-cost homes by forming partnerships with low-income families in need of decent and affordable housing. Habitat for Humanity believes homeownership is a vital step to help families break the cycle of poverty.

HFH-MWGW has successfully made an impact by completing 30 homes in Worcester and MetroWest communities for 43 adults and 74 children. Over the last 26 years, Habitat for Humanity-MetroWest/Greater Worcester has leveraged over \$3.75 Million in construction resources and 11,000 hours of volunteer service.

HFH-MWGW was designated by Wayland to build four affordable homes on donated land at Stonebridge Road as a friendly Chapter 40B project. HFH-MWGW most recently completed a duplex in Sudbury through the Chapter 40B process and is in the process of completing the construction of an affordable housing project in Boylston through the Chapter 40B process as well.

The Wayland Project at Stonebridge Road

A cluster of 4 units in two structures will be built on a 3.03 acre parcel off Stonebridge Road. There will be one 2-bedroom unit (915 Sq.Ft.), two 3-bedroom units (1,100 Sq.Ft. each) and one 4-bedroom unit (1,244 Sq.Ft.) (Also see map at Appendix F on page 134). Following Department of Housing and Community Development (DHCD) requirements, preference will be given to two Wayland families who may want to purchase a unit. *Two unit sales to Wayland buyers or 70% of the units sold rounded down, is the maximum permitted by DHCD.*

The homes are planned over a two-year period depending on fundraising. Ground breaking is expected in fall of 2012 for the first building and final occupancy of the second building planned for 2014.

- Location and Site Information: The property consists of an unimproved parcel of land located off Stonebridge Road (See Appendix F). The area of the property is 3.03 acres. It has 23 feet of frontage on Stonebridge Road. Zoning in this area is A- Residential.
- Water: Town water is available on Stonebridge Road.
- Town Right of Way: A shared roadway, including a fire hydrant and fire truck turn-around, will be used for the development of the site. An easement will be granted to the Town for access to the balance of the parcel including Town-owned wells (+22 acres).

The project will be managed by a Local Project Committee (LPC) reporting to Habitat for Humanity. The LPC is a committee comprised of the chairs of four subcommittees supporting this project including the Outreach Committee, the Fundraising Committee, the Family Selection Committee and the Construction Committee. All LPC members are Wayland residents. The LPC will collect donations with all checks to be made out to Habitat for Humanity. A Wayland resident is on both the LPC and the Habitat for Humanity-MetroWest/Greater Worcester Board of Directors.

The home(s) will be built as a Local Action Unit (LAU) under the Department of Housing and Community Development (DHCD) Local Initiative Program (LIP). Under this program, a permanent deed restriction will be placed upon the property maintaining its affordability in perpetuity. Habitat

will retain the right of first refusal when units are re-sold, followed by the Town. Habitat will be responsible for resales. The deed restriction and the provisions therein are perpetual.

The project has a Family Selection Committee that will manage buyer selection. The units will be offered via a lottery as with all affordable new construction. The selection process and eligibility requirements will blend both State DHCD requirements and Habitat requirements.

The units will be held in a condominium. As with all condominiums, the condo owner is responsible for ensuring that the monthly fees are paid. Habitat will assist the owners in setting up accounts and will require that annual statements from the condo association be sent to them for the first few years.

The project will attain an Energy Star Home Energy Rating System (HERS) rating below 60. For every point above or below 100, a home is that many percentage points, more or less efficient than the same home built to code. For example, a home with a HERS Index of 60 is 40% more efficient than its Wayland code-built counterpart. In other words, lower numbers are better.

Local leadership, a combination of public and private resources and hands-on participation by MetroWest volunteers will ensure the success of this grass-roots effort to raise awareness and funds for this affordable housing project.

Habitat for Humanity Families

Homes will be sold to pre-qualified homeowners who demonstrate a need for housing, ability to partner with Habitat and ability to pay a mortgage. Families earn 25-60% of the area median income, attend homeownership and budgeting classes and contribute 400-500 hours of sweat equity. Habitat provides a 0% interest mortgage. To insure homeowner success prospective homeowners must attend training and work with a Habitat Family Partner who serves as a mentor.

Habitat for Humanity prefers to have a family selected for the home prior to the groundbreaking. Habitat families are selected via a lottery system, although homes are not given away through Habitat. The family who will live in the home must also invest sweat equity in the home to get it built. After that, they will make mortgage payments to Habitat that are relative to the family's total income. A Family Selection Committee will begin the process of seeking and interviewing potential homebuyers for the four units.

Project Financing

The total cost of the project is about \$650,000 with each unit costing roughly \$162,500 to construct. Ideally, before Habitat begins building a project, 30 percent of the project's costs will already have been raised.

On December 7, 2011, the Community Preservation Committee (CPC) voted unanimously (7-0) to recommend the transfer of \$150,000 from the Community Preservation Account, paid pursuant to invoice receipts from Habitat, and that an additional \$206,000 be released to Habitat on a dollar-for-dollar basis in concert with actual donations raised by Habitat. The remaining construction funds must be raised through fundraising by the LPC. Because there is only \$235,000 currently "set aside" for housing, the remainder of these funds will be appropriated from the unallocated Community Preservation Account balance.

The goal is to break ground on the structures in the second quarter of 2012, though obtaining various permits and approvals, as well as making significant progress in fundraising need to occur before that happens. The cost of the project is generally in materials and permits as the labor is voluntary. A typical breakdown in funds is 20-30% from in-kind contributions, meaning lumber, paint and other donated materials; 20-25% from foundations; another roughly 25% from individual gifts; and the remaining 25% is from corporate builds, through which office teams or churches bring their materials and donate their time during a corporate build day.

Wayland Stonebridge Project Pro Forma

	<u>Total Costs</u>	<u>Per Unit</u>	<u>Per Sq. Ft.</u>	<u>% of Total</u>
Site Acquisition	\$ 2,000	\$ 500	\$ 0.46	0.3%
<u>Hard Costs</u>				
Earth Work	\$ 70,000	\$ 17,500	\$ 16.06	10.8%
Site Utilities	\$ 42,000	\$ 10,500	\$ 9.63	6.5%
Roads & Walks	\$ 60,000	\$ 15,000	\$ 13.76	9.2%
<u>Site Improvement</u>	<u>\$ 18,000</u>	<u>\$ 4,500</u>	<u>\$ 4.13</u>	<u>2.8%</u>
Total Site Work	\$ 190,000	\$ 47,500	\$ 43.58	29.2%
Concrete	\$ 20,000	\$ 5,000	\$ 4.59	3.1%
Carpentry	\$ 65,000	\$ 16,250	\$ 14.91	10.0%
Roofing & Installation	\$ 25,000	\$ 6,250	\$ 5.73	3.8%
Doors & Windows	\$ 10,000	\$ 2,500	\$ 2.29	1.5%
Interior Finishes	\$ 44,000	\$ 11,000	\$ 10.09	6.8%
Cabinets & Appliances	\$ 6,000	\$ 1,500	\$ 1.38	0.9%
Plumbing & HVAC	\$ 70,000	\$ 17,500	\$ 16.06	10.8%
<u>Electrical</u>	<u>\$ 30,000</u>	<u>\$ 7,500</u>	<u>\$ 6.88</u>	<u>4.6%</u>
Total Construction	\$ 270,000	\$ 67,500	\$ 61.93	41.5%
Subtotal Hard Costs	\$ 462,000	\$ 115,500	\$ 105.96	71.1%
Engineering	\$ 20,000	\$ 5,000	\$ 4.59	3.1%
Legal	\$ 10,000	\$ 2,500	\$ 2.29	1.5%
General Contractors Overhead	\$ 60,000	\$ 15,000	\$ 13.76	9.2%
Construction Manager	\$ 88,000	\$ 22,000	\$ 20.18	13.5%
<u>Utilities</u>	<u>\$ 10,000</u>	<u>\$ 2,500</u>	<u>\$ 2.29</u>	<u>1.5%</u>
Subtotal Soft Costs	\$ 188,000	\$ 47,000	\$ 43.12	28.9%
<u>Total Development Costs</u>	<u>\$ 650,000</u>	<u>\$ 162,500</u>	<u>\$ 149.08</u>	100.0%
Proposed CPC Grant	\$ 150,000			
<u>Proposed CPC Matching</u>	<u>\$ 206,000</u>			
TOTAL CPC Grant	\$ 356,000			
Amount to be raised by Habitat for Humanity	\$ 294,000			

Memo: Total Building Square Footage **4,360**

ARGUMENTS IN FAVOR: This project with Habitat for Humanity supports Wayland's commitment to affordable housing. Under Massachusetts General Laws (M.G.L.) Chapter 40B, Sections 20 through 23, at least 10% of Wayland's housing must qualify as affordable under the law.

Each of these four units will qualify as affordable. Approval of this article will comply with M.G.L. Chapter 40B.

Habitat for Humanity homes typically have lower instances of foreclosure than national averages because of Habitat's strict pre-qualification process, and because prospective homeowners must attend training and work with a Habitat Family Partner who serves as a mentor. Because much of the labor will be donated through the Habitat for Humanity program, these units can be constructed at a much lower cost per square foot than market.

Approval of the project will also allow the Town to share infrastructure costs for road access to Town wells. Current access to Town wells is made from the High School athletic fields.

Because this project will be funded through Wayland's Community Preservation Account, there will be no tax impact to residents if this article passes.

ARGUMENTS OPPOSED: Wayland has already donated land to Habitat for Humanity so any additional funding for this project is un-warranted. Funding to be appropriated from the Community Preservation Account should be set-aside for another affordable housing project.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7-0.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7.

For more information about this article, contact Housing Authority members Susan Weinstein at sweinstein@alum.wellesley.edu, or Mary Antes at mantes2@verizon.net. See map at Appendix F at page 134.

ARTICLE 23: CREATE STABILIZATION FUND FOR MINUTEMAN REGIONAL VOCATIONAL-TECHNICAL HIGH SCHOOL

Proposed by: Minuteman Regional High School Committee

To determine whether the Town will approve the establishment of a Stabilization Fund by the Minuteman Regional Vocational School District to pay costs of capital repairs, renovations, and improvements to the regional district school and its associated facilities in accordance with the provision of Chapter 71 Section 16G ½ of the General Laws, or take any other action relative thereto.

FINANCE COMMITTEE COMMENTS: The state requires all towns to provide vocational training to its students. Since Wayland High School does not offer this kind of training, it instead sends students to Minuteman along with those of fifteen other Massachusetts towns. Minuteman sets its own annual operating budget. Each of the sixteen member towns is assessed a portion of Minuteman's budgetary costs based on a regional agreement and the number of students attending.

The Minuteman facility in Lexington is old and in need of repairs, especially to its roof. Accordingly, Minuteman's School Committee voted on January 6, 2009 to request the establishment of a Stabilization Fund for repairs or other emergencies. No funds are being requested at this time. Through the passage of their respective warrant articles, a majority of member towns need to approve this measure. If approved, the Minuteman School Committee will determine when and how much funding is needed during its budgeting process and charge each town its appropriate portion based upon the formula below.

Since 2009, the Minuteman School Committee has been engaged in planning a comprehensive building renovation project with the Massachusetts School Building Authority (MSBA). Those planning activities continue, but the school is in need of certain major repairs, such as a roof, so a capital Stabilization Fund is needed until the complete renovation project is finalized and approved for state reimbursement by the MSBA.

This same article was previously before the Town of Wayland at the 2009 April Special Town Meeting, Article 1, but did not carry. To date, seven (7) of the sixteen member towns have voted for approval of the establishment of the Stabilization Fund. If two more member towns vote to approve the fund, then it will be established.

On November 15, 2011, the Minuteman School Committee voted in favor of establishing the Stabilization Fund and to send the warrant article form and motion language to the member towns for inclusion in their annual town meeting warrants.

The proposed fund structure is outlined below:

- Establishment of the Stabilization Fund requires a majority vote of both the sixteen (16) Minuteman School Committee members and the sixteen member town meetings.
- In order to fund the Stabilization Fund, the Minuteman annual operating budget must include a line item transfer for funding. This amount may not exceed 5% of the aggregate amount apportioned to all the member towns in the preceding year and is assessed to each member town based upon their enrollment at Minuteman on October 1st of the previous year. For example, if the Stabilization Fund were already established Wayland's FY13 annual contribution to the Stabilization Fund could not exceed ~\$11,000.
- In order to appropriate funds for capital expenditure from Stabilization Fund a two-thirds vote (11 yes votes) of the Minuteman School Committee is required.
- A complete annual accounting report of the Stabilization Fund must be provided to each member town. The report must include additions, expenditures and any other changes in fund balance.

ARGUMENTS IN FAVOR: Wayland has sent students to Minuteman for a number of years and should bear its fair share of needed repairs to the facility under the regional agreement. The Minuteman administration and School Committee are engaged in a long term building plan with the MSBA, but the Stabilization Fund will provide an interim funding mechanism until a complete building plan is approved.

ARGUMENTS OPPOSED: The article lacks specifics as to timing and amount of capital requests. It would place an unknown additional future financial burden on the Town. Some would argue that funding for major improvements to building and facilities is better done through a long term bond issue. With only a single vote, each member town will have no control over the annual funding of the stabilization fund.

RECOMMENDATION: The Finance Committee recommends against approval. Vote 0-7.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 71, Section 16G½ .

For more information about this article, contact MaryEllen Castagno, Wayland Representative to the Minuteman Regional Vocational School, at SCWayland@minuteman.org. See Massachusetts General Law

reference regarding the establishment of stabilization funds by regional school districts at Appendix G on page 135.

ARTICLE 24: AMEND ZONING BYLAW: ESTABLISH DESIGN REVIEW ADVISORY BOARD AND DESIGNATE USES SUBJECT TO REVIEW

Proposed by: Planning Board

To determine whether the Town will vote to amend Chapter 19B of the Code of the Town of Wayland, the Zoning Bylaw of the Town, by making and inserting the following amendments:

DESIGN REVIEW BOARD § 198-508

50B.1. Design Review Board establishment and membership- A Design Review Board is hereby established. Said Design Review Board shall consist of five (5) members who shall be appointed by the Planning Board based on the criteria contained herein. Members of the Design Review Board shall include, where possible and in order of preference, an architect; a landscape architect; a member of the Planning Board or designee; a resident who is an owner of a business in Wayland; and a graphic designer. Members shall serve for three (3) years or until their successors are appointed.

50B.2 Purpose- The purpose of the Design Review Board is to issue an advisory opinion to the Building Commissioner, Special Permit Granting Authority, Board of Appeals and/or the Planning Board based on design guidelines that enhance, protect and promote development consistent with Wayland's Master Plan. Decisions of the Design Review Board shall be by a simple majority and no final action shall be taken without the concurrence of at least three (3) members.

50B.3. Organization - The Design Review Board shall elect from among its members a Chairman, Vice-Chairman and a Clerk. Each officer shall serve for a term of one (1) year. The Design Review Board shall adopt rules and design guidelines as are necessary for the conduct of its responsibilities and shall publish and make available to the public design guidelines, advisory opinions rendered, and records of proceedings showing the vote on each opinion.

50B.4. Authority and specific powers - All applications for building permits, site plan approval, special permits or variances for all non-residential uses involving new construction and all commercial signs shall be submitted to the Design Review Board concurrently, or earlier, with the submission to the decision making authority via the inclusion of one (1) additional set of all usual submittals required for such proposal. The Design Review Board review shall preferably be done in consultation with the applicant and their designer. A written advisory opinion must be made within (30) days after filing a complete application or such further time as the applicant may in writing allow to the administering Board (i.e. Board of Appeals, Planning Board). Lack of a report from the Design Review Board shall not be a sufficient reason to delay action on a submitted proposal.

All decisions, comments and reports of the Design Review Board shall be advisory only.

PLANNING BOARD REPORT: This article seeks to establish a Design Review Board with an advisory ruling capacity and the following specific responsibilities within commercial areas:

- Provide design direction to applicants, designers and decision makers.

- Foster attractive and functional design solutions that directly address life, work and recreation needs and growth.
- Preserve and enhance the character and quality of Wayland by particularly maintaining the integrity of areas that have special character and or significance.
- Establish and solidify a character as it relates to building design and amenities that will echo through the community as a Wayland stature.
- Provide a forum for the exchange of design ideas and approaches so that a flexible application of design guidelines and standards may be permitted as a refinement of established standards.

The Design Review Board is also intended to facilitate an expeditious project review process for applicants, helping them to anticipate major design issues and proposing design solutions at the earliest possible stage in a project's development. The Design Review Board will realize efficiencies by reviewing and evaluating proposals in parallel with the Planning Board's review process and will ultimately streamline the existing process by assuming some of the Planning Board's previous design deliberations.

The Planning Board recommends approval. Vote: 5-0.

FINANCE COMMITTEE COMMENTS: This article seeks to establish a Design Review Board for the purpose of improving the quality of life and the economic vitality for the Town of Wayland by setting guidelines that are intended to guide the design of new and renovated commercial projects. This Board would not have any impact upon residential uses.

In 2011, the Wayland Planning Board created a Design Working Group (DWG) to assist the Planning Board and Zoning Board by producing design review guidelines to promote the overall attractiveness of Wayland's commercial districts. The DWG was charged with creating and implementing Design Guidelines that will offer detailed guidance to developers and land owners as to the types of design, materials and general aesthetics that will enhance the value of the land, building and the Town's overall character.

The general purposes of Design Review Board are the following:

- Foster attractive and functional design solutions in the community as a place to live, work and recreate;
- Preserve and enhance the character and quality of Wayland by maintaining the integrity of those areas that have special character and or significance;
- Provide design direction to applicants, designers and decision makers;
- Provide a forum for the exchange of design ideas and approaches so that a flexible application of design guidelines and standards may be permitted as a refinement of established standards.
- Facilitate an expeditious project review process for applicants, helping them to anticipate major design issues and to propose design solutions at the earliest possible stage in a project's development.

More than forty communities in Massachusetts have already adopted design guidelines, including most of Wayland's neighboring towns. Providing defined Design Guidelines facilitates clear communication between the Planning Board and those who wish to develop commercial properties.

The Guidelines are intended to supplement the regulation of use, location, massing, signage, landscaping and lighting already in the Wayland Zoning By-Laws. Use of the Guidelines will preserve

and enhance the existing quality and scale of the various Incentive Design Overlay Districts (IDOD) while facilitating appropriate new development and alteration. The guidelines are intended to provide positive direction while allowing design freedom within general parameters to ensure that all structures contribute positively to the character of the town. Evaluation of any proposed project will be based on both the quality of the proposed design and materials and the relationship of the project to its surroundings.

The Planning Board voted 5-0 in favor of this article at a public hearing held on February 16, 2012.

ARGUMENTS IN FAVOR: The Design Review Board will provide applicants with guidance that should assist them in their application process.

The process that the Planning Board and the Zoning Board of Appeals hears may be more efficient, as applicants will have been through a preliminary design review before meeting with those boards.

There is an opportunity to bring better design to new and renovated projects, thereby enhancing the quality of Wayland's environment.

ARGUMENTS OPPOSED: Some applicants might argue that Wayland already has a well-defined process for projects brought before the Planning Board and the Zoning Board of Appeals and that this Design Review Board will bring another layer of expense and time to all projects in Wayland.

RECOMMENDATION: The Finance Committee recommends approval. Vote 7-0.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

For more information about this article, contact Sarkis Sarkisian, Town Planner, at (508) 358-3778, or email sarkisian@wayland.ma.us.

ARTICLE 25: AMEND ZONING BYLAW SECTION 198-1102.1.2.1.4: DEFINITION OF SERVICE STATIONS

Proposed by: Petitioners

First Part:

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

Delete existing Section 198-1102.1.4.1.4 governing Auto service stations:

No services or merchandise other than accessory, portable automotive merchandise may be displayed or sold on the premises.

Insert a new Section 198-1102.1.4.1.4:

No services or merchandise other than accessory, portable automotive merchandise may be displayed or sold on the premises by right provided, however, that tobacco products, beverages, coffee, snacks, confectioneries, health and beauty aids, lottery, ATM, prepackaged foods, prepackaged sandwiches,

prepackaged pastries, novelty items, seasonal merchandise, and grocery items limited to milk, bread, canned coffee, sugar, cereal, canned goods, condiments, and bagged ice, may be displayed or sold on the premises by Special Permit from the Zoning Board of Appeals in accordance with § 198-203.1 or, where applicable, by Special Permit granted by the Site Plan Approval Granting Authority as determined in accordance with § 198-603 regardless of whether the automobile service station or automobile service garage exists or was commenced by right, permit, special permit or variance, with or without site plan approval. Notwithstanding the foregoing, no food or other items requiring on-site preparation, except for coffee prepared by customers, may be displayed or sold on the premises. The area for the display or sale of the items allowed by right or Special Permit shall be no greater than 65 percent of the gross floor area but in no event greater than 1,250 square feet.

Second Part:

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

Delete existing Section 198-1102.1.4.1.7 governing Auto service stations:

Driveways shall be paved and join the street and cross sidewalks at right angles; shall not be more than 24 feet nor less than 10 feet wide at any point; shall be at least 10 feet from any lot line and 20 feet from the intersection of street lot lines; and shall be at least 20 feet apart. No more than two driveways may be permitted for each 100 feet of street frontage. Where approval by the Mass DOT is required in connection with driveway openings onto state highways, the prior provisions of this § 198-1102.1.4.1.7 shall be waived, and the regulations of MassDOT shall be applicable.

Insert a new Section 198-1102.1.4.1.7:

Driveways shall be paved and join the street and cross sidewalks at right angles; shall not be more than 24 feet nor less than 10 feet wide at any point; shall be at least 10 feet from any lot line and 20 feet from the intersection of street lot lines; and shall be at least 20 feet apart. No more than two driveways shall be permitted for each 100 feet of street frontage. Notwithstanding the foregoing, the widths, setbacks and distances in this provision may be increased or reduced by Special Permit from the Zoning Board of Appeals in accordance with § 198-203.1 or, where applicable, by Special Permit by the Site Plan Approval Granting Authority as determined in accordance with § 198-603. Where approval by the Massachusetts Department of Transportation (MassDOT) is required in connection with driveway openings onto state highways, the prior provisions of this § 198-1102.1.4.1.7 shall be waived, and the regulations of MassDOT shall be applicable.

PETITIONERS COMMENTS: This zoning amendment allows service stations to apply for special permits to display and sell certain snacks, beverages and goods and alter certain driveway dimensions. The amendment makes possible substantial capital investments resulting in safer and more attractive service stations. It updates a 41 year old gas station provision to reflect current practice as over 80 percent of stations nationwide sell food and drink. Gas stations previously met with mixed results when seeking variances from the current bylaw. Allowing all gas stations the same chance to obtain a special permit promotes fairness. The amendment blocks creation of additional convenience stores through a limited list of saleable items and a cap on the sales and display area size (1250 SF) which is well below standard convenience store size (3000-3500 SF). Finally, capital investments in gas stations will result in increased tax revenue from the Town's commercial tax base.

PLANNING BOARD REPORT: This article fundamentally seeks to amend the current zoning bylaw to change an auto service stations need to seek a variance to be able to sell specified non-automotive products and replace it with a special permit requirement to sell the proposed merchandise list. The article also seeks to grant the applicant special permit flexibility relating to driveway widths, setbacks and distances. Based on a consensus of the need to equalize the ability of modern service stations across town to sell what has become commonplace in service stations across the country, the Planning Board has determined this to be a reasonable amendment.

The Planning Board recommends approval. Vote: 4-1.

FINANCE COMMITTEE COMMENTS: Currently, the zoning code does not allow service stations located in business districts to sell anything other than accessory, portable automotive merchandise (like oil and windshield washer fluid). Furthermore, the code prescribes precise limits on gas station driveway dimensions and setbacks. The zoning code does not allow gas stations in residential districts.

The article would allow applicants to seek permission by special permit to sell specific food, drinks, and other merchandise as well as to alter the width, setbacks, and dimensions of their driveways.

The proposed changes would affect seven of the eight gas stations in town. (The Sunoco on Boston Post Road is located partially in a residential zone and would not be affected by this change to the business district zoning rules.) Three of the seven gas stations located in business districts already obtained variances from the Zoning Board of Appeals allowing them to sell a limited amount of snacks, drinks, and other merchandise, as shown in the table below.

Gas Stations Located in Business Districts

<i>Brand</i>	<i>Location</i>	<i>Limited Sale of Drinks and Snacks</i>	<i>Authority for Variance, History</i>
Gulf	28 Boston Post Road	Yes	ZBA granted Special Permit/Variance No. 95-18.
Shepard's	268 Boston Post Road	No	None.
Cooks Automotive	338 Boston Post Road	No	None.
Mobil	315 Commonwealth Road	Yes	ZBA granted Site Plan Approval No. 86-56
Wayland Automotive	322 Commonwealth Road	No	None.
Sunoco	19 Main Street	Yes	ZBA granted Site Plan Approval Nos. 87-16, 88-5, 88-48, 89-16.
Gulf	130 Main Street	No	None. ZBA denied request for convenience store in 1989.

Under current law, gas stations must apply to the Zoning Board of Appeals or the Site Plan Approval Granting Authority (the Planning Board, in this context) for a variance from the existing code requirements. Variances are difficult to obtain. Moreover, courts almost always defer to local zoning boards and planning boards that deny variance requests.

The article would eliminate the need for gas stations to obtain variances to sell drinks and snacks or change their driveway dimensions. Instead, gas station owners could seek a special permit from the ZBA or the Planning Board, depending on the circumstances. To obtain a special permit, the applicant must demonstrate to the satisfaction of a supermajority of the ZBA or the Planning Board that the proposed use is not against the public interest, in line with the character of the neighborhood, and not otherwise injurious or dangerous to public health and safety.

Unlike a variance, the special permit process allows the ZBA or Planning Board to exercise its discretion. All else being equal, it should be easier to obtain a special permit than a variance. In other words, if this article passes gas station owners would have a better opportunity to sell the types of drinks and snacks listed in the article and change their driveway dimensions and setbacks.

Many of those who have spoken both in favor and against the article (other than the members of the Planning Board) have vested commercial interests in the outcome of the article. The precise restrictions in the article came as a result of negotiations with the Planning Board. On February 28, 2012, the Planning Board voted 4-1 in favor of the article.

ARGUMENTS IN FAVOR: First, the amendment provides the owners of gas stations with a realistic opportunity to upgrade their facilities. The current bylaw discourages investment. The proposed changes would give Wayland gas stations a chance to upgrade from the traditional service bay business model to a more modern, convenience-store based model.

Second, the amendment updates a 41-year-old provision of the zoning code to reflect current practice. Over 80 percent of gas stations nationwide sell at least some food and drink.

Third, three out of the eight gas stations in town already are allowed to sell food, drinks, and other merchandise. It is only fair to allow the other gas stations in town the same opportunity.

Fourth, the proposal is carefully designed to prevent overpopulating Wayland with convenience stores. At the suggestion of the Planning Board, merchandise is restricted and there is a strict cap on the size of the sales and display area. Moreover, the Town will still maintain control of development through the use of a special permit process.

Fifth, capital investments in gas stations not only would improve the appearance of the Town, but they would also generate an indirect benefit to the Town through the commercial tax base.

ARGUMENTS OPPOSED: Over the years, Wayland residents have been very restrictive about controlling automotive uses even on business-zoned land. In contrast, food stores have always been allowed as of right in business districts. The proposed changes weaken the distinction between gas stations and food stores in our zoning code. There is no clearly established need to allow for food or general merchandise sales at gas stations. It is not in our interest to encourage local gas stations to change their business models to eliminate mechanics. If one gas station obtains a special permit, then all the gas stations in town will have a better argument that they should be entitled to a special permit too. The article seeks to remove the existing driveway widths, setbacks, and distances in the bylaw without substituting any town wide standards or consistent guidelines in their place. This article would transfer the power to allow the requested changes from a supermajority of Town Meeting (required for all zoning changes) to a supermajority of the ZBA or the Planning Board. Gas stations should continue to be tightly controlled for reasons of pollution control, safety, zoning fairness, and consistency.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 6-1.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

For more information about this article, contact petitioner Steven T. Greene at (617)880-3520.

ARTICLE 26: AMEND TOWN CODE 68-1: TRAFFIC CALMING

Proposed by: Board of Selectmen, Board of Public Works

[Underlining denotes additional text]

There shall be a Traffic Commission consisting of the Selectmen, duly elected and serving as such, which shall have all the duties and responsibilities conferred upon Traffic Commissions by the General Laws, and especially including the authority conferred upon such Commissions by MGL c. 90, §§ 18 and 18A, and upon towns by MGL c. 40, § 22, as such provisions may be from time to time amended, except for jurisdiction over traffic calming measures involving the placement and replacement of speed bumps, speed humps, speed tables and speed cushions within town ways, which measures may be implemented by the Board of Public Works without the issuance of an order or the adoption of a rule or regulation by the Selectmen.

BOARD OF PUBLIC WORKS COMMENTS: The Board of Public Works supports this Article as it clarifies the respective powers and jurisdiction of the Board of Selectmen and the Board of Public Works in responding to residents' requests for traffic calming measures. This Article, if approved, will enable the Board of Public Works to institute traffic calming measures following a comprehensive traffic study to obtain vehicle volumes and speeds in a particular area, pursuant to its Traffic Calming Policy. The BoPW's Traffic Calming Policy provides a clear, easy-to-understand process to bring such concerns before the Board of Public Works which works with the Wayland Police Department and other town boards to implement traffic calming measures (speed bumps, traffic islands, etc.) where warranted.

FINANCE COMMITTEE COMMENTS: As traffic volume, flow, and in many cases, speed, have increased within Wayland's roads over the past several years, residents and Town officials have discussed ways to mitigate this in order to "calm" traffic and thus increase safety for pedestrians, bicyclists, and drivers alike. In some cases, stop signs or traffic lights could be required. These issues have 'safety' effects and as such, are referred to the Police Department and Board of Selectmen for resolution. In other cases, residents or the Board of Public Works may request more minor adjustments to the roads, such as temporary speed bumps, curb cuts, trees, street lights, islands, bike lanes, etc., in order to mitigate and calm traffic flow.

In March of 2011, the Board of Public Works instituted a "Traffic Calming Policy" for the Town of Wayland, which sets forth measures by which traffic calming could be achieved as well as the process for residents to request such measures. In addressing current and future requests by residents or Board members, the question pertinent to this article is: which Board – Selectmen or Public Works -- would have jurisdiction to recommend speed bumps or a road alteration if the traffic study warranted such measures? The process as defined in the Traffic Calming Policy assumes the BoPW, but Town Code 68-1 may indicate that the Board of Selectmen has such jurisdiction.

ARGUMENTS IN FAVOR: Town Counsel has opined that, as the Town's "Traffic Commissioners," the Board of Selectmen maintain jurisdiction over the adoption of regulations and

orders relative to the regulation of traffic on Town ways, except where the law authorizes the Massachusetts Department of Transportation to do so. While there may be disagreement with that opinion, there is unanimous agreement between the Board of Selectmen and Board of Public Works that the latter should indeed have jurisdiction of road alterations specific to traffic calming measures. In fact, the BoPW has acted under the “premise” that it indeed has jurisdiction of traffic-calming related matters, though potentially in conflict with the Town Code.

This article to amend Town Code Section 68-1 would simply and specifically allow that, in cases of road alterations required for traffic calming measures as identified in the Board of Public Works’ Traffic Calming Policy, the permitting jurisdiction would be with the BoPW. All other road authority – including safety measures such as signage and lights -- would remain with the Board of Selectmen in their role as Traffic Commissioners. In short, this article would clarify the specific authority and jurisdiction for road and traffic-related matters between the two Boards. And again, there is consensus among the Boards and Town Counsel that this article would achieve that aim.

ARGUMENTS OPPOSED: It is not clear that this amendment to the bylaws is necessary, since the jurisdiction of the BoPW to recommend and implement measures to affect traffic calming has never been challenged. If the bylaws (Code of the Town of Wayland Section 68-1) prescribe the jurisdiction of each department – in this case it does not indicate that the Board of Selectmen have jurisdiction over physical changes to the roadways– changing Town Code Section 68-1 does not need to occur.

RECOMMENDATION: The Finance Committee recommends approval. Vote 6-0.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, email fturkington@wayland.ma.us, or Don Ouellette, Director of Public Works, at (508) 358-3672, douellette@wayland.ma.us.

ARTICLE 27: AUTHORIZE THE SALE OF TOWN-OWNED LAND AT 24 AND 26 LAKESHORE DRIVE

Proposed by: Board of Selectmen

To determine whether the Town will vote to:

- (a) authorize the Recreation Commission and the Board of Selectmen, as the case may be, 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 Lakeshore Drive in Wayland, Massachusetts, known and numbered as 24 Lakeshore Drive, Wayland Massachusetts, and 26 Lakeshore Drive, Wayland, Massachusetts, 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 said parcels of land, subject to such conditions, restrictions and limitations as the Selectmen deem appropriate.

FINANCE COMMITTEE COMMENTS: The owner of 30 Lakeshore Drive has approached the Town expressing interest in purchasing 24 and 26 Lakeshore Drive (approximately 1800 and 1860

square feet in size, respectively) as these two parcels of land are situated next to 30 Lakeshore Drive. A map of the area can be found in Appendix H on page 136 of this warrant. The representative has stated that his use of the land once acquired will be to enhance the existing septic system for 30 Lakeshore Drive. This enhancement will provide further protection of the Dudley Pond watershed.

The Town of Wayland currently owns the two parcels and is not collecting any real estate or other tax revenue from these parcels. Given the size of the lots, the Building Commissioner has determined that as separate, distinct parcels, they are not buildable lots. The lots are in a residential zone and any future development would have to comply with all applicable zoning requirements at the time of the development. While the lots are waterfront lots, they have poor and undesirable shoreline access to Dudley Pond. An existing public right of way is within 75 feet of these lots.

The Board of Selectmen (BOS) held a hearing on March 7, 2011 and after receiving comment, voted 5-0 to declare 24 and 26 Lakeshore Drive surplus. Town Counsel opined that the Recreation Commission has custody of 26 Lakeshore Drive. The Recreation Commission met on March 21, 2011 and voted 4-1 to declare 26 Lakeshore Drive surplus.

Disposing of Town owned land in Wayland is a two-step process. The Board that has control over the land must first meet and discuss the matter and then vote to declare the land surplus. After the land is declared surplus, the control of the land has to be transferred to the BOS for disposition. This article authorizes both the transfer of control of the land to the BOS and the disposition of the land.

The estimated value of the lots individually is below \$25,000; therefore the BOS may negotiate directly with interested purchasers. If the lots individually had an estimated value in excess of \$25,000, then the BOS would have to use a competitive, sealed bid process to sell the land.

ARGUMENTS IN FAVOR: The Town is currently collecting no tax revenue on these parcels of land and foresees no realistic use of the land by the Town given their size and location. Disposing of the property will increase the Town's tax revenues by making the property subject to real estate taxes.

Improved septic for the existing house on 30 Lakeshore Drive provides further protection for the Dudley Pond watershed.

Any future changes to the existing house are subject to all Town zoning requirements.

ARGUMENTS OPPOSED: The Town should retain ownership of the land to maintain what little open space is left in the Town. The incremental tax revenue is not material to the Town's finances.

Some residents fear the parcels will be combined and a larger house could be constructed on the site.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7-0.

QUANTUM OF VOTE: (a) Two-thirds – see Massachusetts General Laws Chapter 40, Section 15A.
(b) Majority – see Massachusetts General Laws Chapter 40, Section 3.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us. See property location map at Appendix H on page 136.

ARTICLE 28: REQUEST AUDIT OF SCHOOL FEE-BASED PROGRAMS SINCE FY2007*Proposed by: Petitioners**Estimated Cost: Not Provided by Petitioners*

To determine whether the Town will vote to:

- (a) authorize and direct the Board of Selectmen, on behalf of town meeting, to make a formal written request of the Department of the State Auditor to conduct an audit of all fee-based accounts and programs, including all associated checking accounts, of the Wayland School District for fiscal years 2007 through 2012, inclusive, and earlier to the extent determined necessary by the State Auditor, and to authorize the Wayland School District to bear the cost of such audit should the state auditor charge therefor; and
- (b) appropriate a sum of money to be expended by the Wayland School Committee, which appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer from funds already appropriated for another purpose, or otherwise, This audit will help to ensure the timely and appropriate return of all monies owed to taxpayers and participants of fee-based programs from the Wayland Public Schools during said years and review all journal entries, carry-forward memos, encumbrances and bank accounts in connection with the Wayland School District during fiscal years 2007 through 2012, inclusive, to verify that there has been no misappropriation of taxpayer or fee-payer funds.

PETITIONERS' COMMENTS: Numerous revolving accounts exist within the control of the schools. Review by the Abraham's group identified that significant balances have accumulated in recent years. Accounts should have near zero balance at the end of each year. Large balances means that fee payers (parents) and/or taxpayers were overcharged. The Abraham's group found inappropriate charges to some accounts, including a \$20K "donation" to Metco from funds collected from Full Day Kindergarten and BASE. Illegal checking accounts have existed off ledger without appropriate control and without required annual audits. Hundreds of thousands of dollars were handled in the checking accounts in the past few years. An audit will determine whether all charges to revolving accounts were appropriate and that all charges were properly made. Checking accounts will be audited to verify that no funds were misappropriated. Audit is necessary to determine what funds need to be returned and to whom, fee payer/tax payer.

FINANCE COMMITTEE COMMENTS:

Background: The 2010 Annual Town Meeting resolved to support the creation of an Operational Review Committee (ORC), made up of a member of the Finance Committee, a member of the School Committee, and three members appointed by the Finance Committee. Among other things, the ORC was created to undertake an independent review of the School budget process and consider improved financial reporting. By the terms of the resolution, Town Meeting understood that the ORC would dissolve after reporting back to the 2011 Annual Town Meeting with its findings. The Finance Committee unanimously supported the resolution and appropriated \$54,000 from its reserve fund for ORC consulting contracts in FY2011.

The ORC reported back to the 2011 Annual Town Meeting that its work was not yet finished. A petitioner requested \$30,000 in additional funding for FY2012 to hire a consultant to conduct a restatement of the FY2011 school budget, which the Finance Committee unanimously recommended and Town Meeting approved. Last year, the ORC commissioned a restatement of the Wayland Public

Schools FY2011 General Fund Expenditures and Revolving Fund Activity. The Abrahams Group prepared the restatement, which is available at:

http://www.wayland.ma.us/Pages/WaylandMA_BComm/Finance/RestatementReport.pdf

Revolving Funds, also called special revenue funds, are separate segregated funds created for a special purpose. There are two different kinds of revolving funds:

- *Fee-based revolving funds* are designed to either fully support or defray the cost of running a particular program or activity. For instance, The Children's Way and BASE are operated as free-standing revolving funds: fees are designed to recover the full cost of the programs.
- *Fee-supported revolving funds*, like transportation and athletics, are designed to defray, but not fully cover, the cost of the service provided by the school district.

Over time, the twelve school revolving funds have built up favorable cash balances in varying amounts, totaling about \$2.1 million. The Abrahams Group recommended making several adjusting entries to the revolving funds balances in FY2011, which would restate the fund balances to account for indirect costs and services not previously charged to the revolving funds. The recommended restatements would merely reclassify some of all of the current balances from one fund to another.

While there is general agreement among the ORC, the School Committee, and the Finance Committee that the revolving fund balances are too high, there is not yet a consensus on how the balances should be reduced. The School Committee has not acted on the recommendation of the Abrahams Group to restate the fund balances.

In early 2012, the School Committee obtained an opinion from independent outside municipal law counsel regarding the School Committee's authority to transfer or restate the fund balances of the revolving funds. The opinion of outside counsel was that the fund balances had to be applied to the purposes and activity for which they were raised, and that prior year balances could not be restated, rebated, or refunded. Town Counsel concurs with the opinions of independent outside counsel. Outside counsel continues to consult with the Department of Revenue for additional guidance at the time the Warrant went to print.

In January 2012, the lead petitioner for this article contacted the Office of the State Auditor seeking assistance. In February, the Office of the State Auditor responded in a letter, attached as Appendix I to this warrant. In its response: "Initiating additional audit work at a cost of \$15,000 - \$30,000 would appear to be unnecessary and duplicative of the professional work of the Abrahams Group." The letter explained that the discretionary authority of the Office of the State Auditor is used sparingly and almost always when significant allegations of wrongdoing and criminal activity have been raised. After conferring with the Department of Revenue, Bureau of Accounts, and after reviewing the Abrahams Group report, the Office of the State Auditor concluded that the "improper, inefficient, and inappropriate practices in the financial activities of the Wayland School Department" did not involve significant allegations of wrongdoing or criminal activity.

To be clear, despite the use of the words "misappropriated" and "illegal" in the text of the article and petitioners' comments printed above, petitioners have not alleged that the fund balances are anything other than what the Town, its auditor, and the Abrahams Group have all consistently reported. The Abrahams Group tested nearly 80 percent of the activity in the revolving funds. Neither the Town's

auditor nor the Abrahams Group reported any evidence whatsoever of misappropriation of revolving fund revenues.

ARGUMENTS IN FAVOR: We need to settle once and for all what to do with the unspent balances in the School revolving funds. An independent opinion from the Office of the State Auditor should settle this contentious issue.

ARGUMENTS OPPOSED: What Petitioners want is more consulting advice, not an audit. The Town already got consulting advice on this subject from the Abrahams Group, and now outside counsel has advised that the Abrahams Group's restatement recommendations are inconsistent with municipal law. The Town does not need to pay another consultant to weigh in with yet another opinion.

An audit that spanned FY2007 through FY2012 would inevitably conflict with the Abrahams Group FY2011 restatement recommendations. Asking the Office of the State Auditor to tell Wayland how to reduce its revolving fund balances is a waste of time and money, and the Office of the State Auditor has already signaled in writing that it would decline the invitation in any event.

The School Committee should decide what to do with the revolving fund balances, in collaboration with the Finance Committee and the ORC.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: 0-7.

QUANTUM OF VOTE: (a) Majority.

(b) Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B.

For more information about this article, contact petitioner Shawn Kinney at (508)358-5407, or email shawndkinney@gmail.com. See letter from the State Auditor at Appendix I at page 137.

ARTICLE 29: 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.

FINANCE COMMITTEE COMMENTS: This is a standard article that allows reports commissioned by the Town to be heard.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 6-0.

QUANTUM OF VOTE: Majority.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us. See Reports at Appendix J beginning on page 139.

ARTICLE 30: 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.

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:	Susan W. Pope Jean B. Pratt Harry F. Sweitzer

FINANCE COMMITTEE COMMENTS: This is a standard article that allows the Town to fill various positions. While many of these positions are obsolete in our current society, they are part of the charm and history of New England town meetings. To date, Wayland has continued the tradition of electing these positions at Town Meeting even though the Board of Selectmen (BOS) may appoint some of them. The purpose of the article as written is to decide whom to elect, not the method of appointment.

A brief description of each position and future alternate means of selection follows.

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.” Although the Allen Fund was virtually depleted by 1990 it has recently grown so that it can now provide annual gifts. (Information taken from Town Report.) As of June 30, 2011 the balance in the Allen Fund was \$6,129 with \$400 having been disbursed during the last fiscal year. The trustees are responsible for overseeing the fund. The trust provides that the trustee shall be selected annually by vote of the annual town meeting; it also provides that in case no board of trustees is selected, the Selectmen shall be the Trustees of the Allen Fund. At a future Town meeting, citizens could vote to amend the trust document to provide that the Commissioners of Trust Funds serve as Trustees of the Allen Fund without annual vote.

Fence Viewers are arbitrators of fence disputes among neighbors and are established under MGL c. 49, §1. The BOS is authorized to appoint two or more fence viewers for one-year terms.

Field Drivers collect loose sheep, goats or other beasts and under M.G.L. c. 49, §22, the BOS is authorized to appoint one or more field drivers for the Town.

Measurers of Wood and Bark are responsible for inspection, survey, measurement and sale of wood, coal and bark for fuel. They are appointed according to M.G.L. c. 94, §296, which provides for town meeting election of one or more measurers of wood and bark for one-year terms. A future town meeting could delegate the appointment power to the Board of Selectmen, thereby eliminating the need for this article thereafter.

Surveyors of Lumber, sometimes called a Measurer of Lumber, are responsible for measuring, marking or numbering the contents of any kind of wood or lumber, and M.G.L. c. 96, §7 authorizes that towns may elect one or more measurers (surveyors) of lumber. A home rule petition is required to make the position appointive by the BOS.

If town meeting declines to elect the Fence Viewers, Field Drivers and Measurers of Wood and Bark, the Selectmen would make the appointment at the next regular meeting. The Selectmen would serve as the Trustees of the Allen Fund until the 2013 Annual Town Meeting. However, a home rule petition is required to make the position of Surveyors of Lumber appointive by the BOS and given the obsolete nature of the position it may be easier not to fill it if that is the desire of town meeting.

ARGUMENTS IN FAVOR: Choosing town officers allows the Town to conduct its normal business.

ARGUMENTS OPPOSED: Some feel that this article is outdated and also takes too much time to decide at Town Meeting. They suggest that the authority to appoint be deferred to the Board of Selectmen where allowed. (Note: deferral is not within the scope of the article this year.)

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7-0.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 41, Section 1, Chapter 94, Section 296 and Chapter 96, Section 7.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 31: RESOLUTION IN SUPPORT OF FUNDING ELECTRONIC VOTING THROUGH JUNE 30, 2015

Proposed by: Petitioners

To determine whether the Town will vote to adopt the following resolution:

LET IT BE RESOLVED, that Town Meeting endorses the use of an electronic voting service for all sessions of all town meetings through fiscal year 2015, subject to the Moderator's rules, and requests the Board of Selectmen and Finance Committee to include sufficient funding in the FY2013, FY2014, and FY2015 Omnibus Budget articles presented at the 2012, 2013, and 2014 Annual Town Meetings.

PETITIONERS COMMENTS: Wireless electronic voting at Town Meeting ensures that wherever you sit, your vote will count - unlike voice votes, where the weakening of sound with distance diminishes your vote. Electronic voting means that your vote will be private, freeing you to make your best judgment without consequences from friends or neighbors. Electronic voting is fast, accurate, and efficient; the 37 electronic votes taken during last April's Annual Town Meeting took an average of 63seconds to complete. Ten of those votes were so close that without electronic voting, standing counts could have extended the sessions by hours. Last April's meeting also demonstrated that voting handsets could be issued and collected without congestion during entry or exit. We therefore propose the competitive acquisition of a turnkey electronic voting service that would cover all sessions of all Town Meetings through FY2015; Wayland will bear no responsibility for installation, maintenance, or storage.

FINANCE COMMITTEE COMMENTS: The Finance Committee supported the funding of electronic voting and approved an appropriation of \$30,000 from its reserve fund for use at the 2012 Annual Town Meeting. The Finance Committee has included \$40,000 in funding for electronic voting in the FY2013 operating budget Unclassified – Town Meeting line item request.

Background: Wayland voters approved a Town Meeting article proposing a pilot test and demonstrated use of electronic voting at the May 2010 Annual Town Meeting. As follow-up, the Electronic Voting Implementation Subcommittee was established with the objective of piloting electronic voting at the 2011 Annual Town Meeting. This article, submitted by members of the Electronic Voting Implementation Subcommittee is a resolution to ratify continuing financial support for electronic voting through fiscal year 2015.

ARGUMENTS IN FAVOR: Approval of this article will confirm Town Meeting’s support for funding electronic voting through FY2015. Approval of this article will make Town Meeting more efficient, preserve Town Meeting as Wayland’s legislative body, eliminate lengthy standing votes, reduce time spent at Town Meeting, increase voter accuracy, eliminate re-votes and ensure voter privacy.

ARGUMENTS OPPOSED: None. Approval of this article is non-binding. Town Meeting cannot vote to approve a specific operating expense beyond one fiscal year.

RECOMMENDATION: The Finance Committee voted to recommend approval with the understanding that appropriations for FY2014 and FY2015 are subject to the annual budget process. Vote: 7-0.

QUANTUM OF VOTE: Majority.

For more information about this article, contact petitioner Alan Reiss at alanjreiss@verizon.net or (508) 254-2094, or petitioner David Bernstein at dave.bernstein@comcast.net or (508) 358-8022.

APPENDIX A

THE MODERATOR'S RULES AND REGULATIONS GOVERNING WAYLAND'S TOWN MEETINGS

The following information may help you to participate fully in Wayland's town meetings, which have been held each year since 1639:

I. THE WARRANT

This booklet, which includes the Warrant for Wayland's Town Meeting, was compiled by the Selectmen and served upon all residents by mail and by posting in accordance with applicable provisions of the Code of the Town of Wayland. It contains the agenda of the subjects to be acted upon (articles), including the omnibus budget proposed (if this is an annual meeting), the report and recommendations of the Finance Committee upon each article, and additional information concerning the finances and administration of the Town to help us formulate our votes.

No action of this Town Meeting will be valid unless it shall have been taken under an article set forth in the Warrant.

Each article will be considered in the order in which it appears on the Warrant, unless the meeting shall have voted to do otherwise by a TWO-THIRDS vote.

II. THE VOTERS

A. All residents of Wayland, who have been duly registered as voters, are urged to attend, participate, debate and vote at all annual and special town meetings subject to laws of the Commonwealth of Massachusetts, the Bylaws of the Town and these rules and regulations.

B. The Town Administrator, Assistant Town Administrator, Police Chief, Fire Chief, Finance Director, Director of Public Works, and Superintendent of Schools, shall have the right to attend and sit on the floor of town meetings, but they shall not be considered in determining the presence of a quorum unless they are registered voters of the Town.

C. All other persons, including members of the press, may attend and observe Wayland's town meetings so long as they remain seated in the special section reserved for non-residents, unless the Moderator shall have authorized them to sit among the registered voters. And see paragraph IV.B.3 below.

D. A registered voter may bring his or her child(ren) to sit among the voters so long as the child(ren) sit(s) quietly beside his or her parent at all times.

III. THE MODERATOR

The Moderator is elected by ballot for a three year term at the annual election of town officers to preside at all Town meetings during his or her term of office and is authorized by state law to regulate the proceedings, decide all questions of order and make public declaration of all votes, subject to the Bylaws that Wayland has enacted to regulate the proceedings of town meetings. All rulings of the Moderator are final.

IV. THE MEETING

A. The Call to Order

1. The Moderator will call each session of town meeting to order at 7:30 p.m., or as soon thereafter as the Town Clerk has determined that a quorum of one hundred (100) registered voters has been checked into the hall.

2. The Moderator will announce the number of each article about to be considered and invite a motion thereunder; the Moderator will omit the reading of the articles, unless a MAJORITY of the meeting shall vote otherwise.

B. To Address the Town Meeting

1. No person may address a town meeting until and unless he or she shall have been recognized by the Moderator. All persons shall, at the request of the Moderator, be silent.

2. All persons, who wish to be recognized, shall approach one of the three microphones placed at the front of the room, which most closely reflects the purpose for which they seek recognition:

- a. The Procedural Microphone (in the middle) will be available to those who have been recognized by the Moderator and wish to offer:
 - 1) The main motion under the article being considered and a presentation in support thereof;
 - 2) The principal presentation in opposition to the main motion. See paragraph IV.C.2.a, below;
 - 3) An amendment to a main motion;
 - 4) A question seeking information concerning the motion or other matter then under discussion, or guidance from the Moderator as to procedure, including a point of order;
 - 5) An answer to a question seeking information; and
 - 6) A point of order or procedural motion, such as:
 - a) a motion to terminate debate;
 - b) a motion challenging the Moderator's declaration of a vote;
 - c) a motion questioning the presence of a quorum; and
 - d) a motion to adjourn.
- b. The "Pro" Microphone will be available to those persons recognized by the Moderator who wish to speak in support of a motion on the floor.
- c. The "Con" Microphone will be available to those persons recognized by the Moderator who wish to speak in opposition to a motion on the floor.

The Moderator will normally recognize those persons, who are standing behind or seated near each microphone in a single file, in the order of their entry into that file, alternating between the Pro and the Con mikes; but reserves the right to recognize any person at any time, including a person who has not approached a mike, a person who is handicapped or a person who has risen to a point of order. Any person whose remarks are not consistent with the purpose of the microphone that he has been permitted to use, shall yield the floor upon request of the Moderator.

3. The Town Administrator, Assistant Town Administrator, Police Chief, Fire Chief, Finance Director, Director of Public Works and Superintendent of Schools have the right to answer questions, but they do not have the right to vote unless they are registered voters of the Town.

4. If a person, who has not registered to vote, seeks permission to address the meeting, the Moderator will ask whether there are any objections. If there are any, he will immediately call for a voice vote. If the majority shall vote to hear the non-resident, the Moderator will give him/her the floor.

C. The Debate

1. When you have been recognized by the Moderator, address the Chair as follows: "Mr. Moderator, I am (Name) of (Street Address)." Then proceed as follows:

- a. "I move that . . .";
- b. "May I ask you . . ."; or
"May I ask through you (then state the question which you want a board, official, or previous speaker to answer);
- c. "I rise to a point of order"; or

2. Once you have been recognized, you may offer any motion, amendment, argument, comment, suggestion or question relevant to the article then under consideration, unless the Moderator shall have authorized debate or invited comments upon subjects not listed in the Warrant; but

- a. Any person who wishes to offer the principal presentation in support of the main motion under an article, must so notify the Moderator and complete the same within ten (10) minutes, or less, and yield the floor. A light will warn you to conclude your remarks and yield the floor during the final minute.
- b. Any person wishing to offer a presentation in opposition to the main motion under an article must so notify the Moderator and complete the same within the time used by the proponent, or within three (3) minutes, whichever is longer, and yield the floor. The same one (1) minute warning light will warn you to conclude your remarks.
- c. All other persons who wish to address the Town Meeting shall, when recognized, complete their remarks in three (3) minutes, or less, and yield the floor. The same one (1) minute warning light will be turned on when you have used up the first two (2) minutes.
- d. You may be interrupted only by a question of privilege, a point of order, a request that you speak more distinctly or by the Moderator.
- e. When you have completed your motion, question, or remarks, you relinquish your claim to the floor; and you must yield the floor upon request of the Moderator.

3. Abbreviated Presentation Procedure. With notice to and leave of the Moderator any person making a main motion under an article may present that motion under the Abbreviated Presentation Procedure. Under this procedure:

- a. The motion must be presented in or be substantially consistent with the words of the Article as printed in the Warrant, and without making further presentation in support of that article. The Moderator may allow

minor or editorial variation from the words of the Article as printed in the Warrant.

- b. The Moderator will ask if anyone wishes to speak in opposition to the motion or if anyone has a question regarding the motion.
- c. Should there be a question, the questioner will be permitted to state his or her question and the presenter of the motion will be permitted to answer that question.
- d. Should any individual state that he or she is opposed to the motion, the presentation and debate will continue in the normal course as set forth in these Rules.

4. If you have a question concerning the legality or propriety of the proceedings, you may approach the Procedural Microphone and address the Moderator without waiting to be recognized, saying: "Mr. Moderator, I rise to a point of order." When you have been recognized, you must state the reason for your point, which may include that a motion is beyond the scope of the article under consideration, that the person who has the floor is not addressing the merits of the motion or that a quorum is not present. The Moderator will then rule on the point and his ruling is final.

5. If you wish to offer a motion within the scope of the article under consideration, follow the procedure outlined under paragraph IV. B. and C., above.

- a. If your motion is the main motion, you must then declare that it is identical word-for-word with the substantive portion of the article printed in the warrant which is then under consideration, or describe all of the substantive differences in wording between the article and the motion; otherwise the Moderator will permit no debate or action upon your motion.
- b. If you plan to offer a main motion that contains more than twenty-five (25) words and differs significantly from the article printed in the Warrant, you must first print and distribute a copy thereof to those attending the session of town meeting at which said motion is presented.
- c. No motion or amendment of a motion that exceeds ten (10) words in length will be accepted, unless it shall have been offered to the Moderator in writing.
- d. A motion that is not identical word-for-word with the substantive portion of the article printed in the warrant then under consideration will not be accepted, unless the Moderator shall determine that said motion is within the scope of the article; i.e., that it does not change the substantial character of the proposal described in that article or would not further restrict, if passed, the liberties of the residents of Wayland than the proposal set forth in the article.
- e. The Moderator will accept no motion proposing a layout, taking, purchase, sale, lease or rezoning of land, unless the article under which the motion is offered contains a running description of the land in question, a description by metes and bounds or a reference to a plan suitable for recording that is available for public inspection at the office of the Town Clerk, the Town Surveyor, the Planning Board or another place to which the public has access during normal business hours.

- f. The Moderator will accept no motion to appropriate and/or expend a sum of money, which exceeds the estimated cost set forth in the article then under consideration by fifteen (15%) percent, except for motions under the omnibus budget article and motions under a supplementary budget article that contemplates the appropriation of additional money for the current fiscal year to augment moneys previously appropriated and proposes to fund such appropriations by transfer from unappropriated funds, funds appropriated for another purpose or from funds received by the Town as grants or gifts.
 - g. The Moderator may rule on your motion, even if no one has risen to challenge that motion by way of a point of order.
- 6. You will not be recognized to speak on the merits of a motion if you have already spoken three times on its merits, but you may be recognized to answer a question put by another or to raise a procedural issue with respect to that motion.
- 7. Wayland's practice with respect to some common subsidiary motions is generally as follows:
 - a. You may amend a motion by moving to add and/or delete words to and/or from the main motion or by substituting a new motion therefor; but the Moderator permits no more than two amendments to a main motion *at a time*. A motion to amend is debatable and requires only a MAJORITY vote, even though the main motion may require a TWO-THIRDS vote.
 - b. You may move to refer a matter for further study, if your motion identifies the official or committee who shall conduct such study, how it shall report, when and to whom. In the event that you wish to establish a new committee for this purpose, the motion must specify the number of members who shall serve and who shall appoint them. A motion to refer is debatable and may be amended and requires a MAJORITY vote.
 - c. You may move to advance or postpone consideration of an article listed in the Warrant. Such a motion is debatable, may be amended and requires a TWO-THIRDS vote.
 - d. You may move to lay an article on the table ("table"). Such a motion is NOT debatable or amendable and requires a TWO-THIRDS vote. A motion to remove such article from the table is also NOT debatable or amendable and requires a TWO-THIRDS vote.
 - e. You may ask the Meeting to take no action under an article by moving "that the article be passed over." Such a motion may be deemed a substitute for the main motion, is debatable, may not be amended, requires a MAJORITY vote and serves to dispose of the article under consideration.
- 8. Upon the expiration of sixty (60) minutes after the main motion under any article shall have been seconded, the Moderator will terminate debate thereon, unless the Town Meeting shall have voted to extend the time available for further debate. The time needed to count the vote(s) upon the motion(s) under the article will not be included in the sixty (60) minutes. The aforesaid sixty (60) minute limit does not apply to debate under the omnibus budget article.

9. Although the Moderator has absolute authority to regulate the proceedings at town meetings, debate under a motion can be terminated by a TWO-THIRDS vote of the Town Meeting. Therefore, if you believe that debate under a motion has gone on long enough, approach the Procedural Microphone, and, when you have been recognized, "move the previous question". If your motion receives a second, the Moderator will ask if anyone, who has not spoken to the motion under consideration, wishes to be recognized. If no one expresses such a wish by raising his or her hand, the Moderator will immediately terminate debate and take a vote upon your motion without permitting any amendment or debate; but if one or more persons, who have not spoken to said motion, raise their hand, the Moderator may, but need not, defer the termination of debate for a reasonable time to permit both sides of the issue to be heard. If a motion to terminate debate carries by a TWO-THIRDS vote, the Moderator will put the previous motion under consideration to a vote without further debate; but if said motion does not carry by a TWO-THIRDS vote, the Moderator will permit debate to continue.

10. If an article of the Warrant has once been acted upon and disposed of, a motion to return to the article may be made at any time if the person offering the motion discloses significant new information to the Meeting concerning said article, which had not been disclosed or made available to the Meeting when the motion under that article was debated; provided, however, that debate and action on said motion shall be deferred until all other articles shall have been disposed of and shall occur in the numerical order of each such article. In any event, a motion to reconsider is debatable, may not be amended and requires a TWO-THIRDS vote, unless it shall have been made before the article has been disposed of; in which event it requires a vote equal to the quantum of the vote that was required to pass the motion under the article to be reconsidered. If such motion carries, the Moderator will ask whether there is a new motion under the article to be reconsidered.

D. The Vote

Before calling for a vote, the Moderator will usually repeat the motion under consideration (as the same may have been amended), unless it is substantially identical to the article:

1. In the event that electronic handset voting equipment shall have been made available for use by voters at any Annual or Special Town Meeting, all votes shall be taken by secret ballot using such equipment, unless the Moderator shall decide otherwise for reasons he/she shall state publicly. When calling for an electronic vote, the Moderator will ask voters to press the number "1" if they wish to register an "aye" or the number "2" if they wish to vote "no". In the event that a voter wishes to abstain, he or she may (but need not) press "3". Voters may change their mind as many times as they wish, but the last vote recorded upon the expiration of thirty seconds will count. Any voter who believes that his or her key pad is not functioning properly or failing to record his or her vote accurately, should raise his or her hand, or proceed to the designated help desk. If a hand is raised and seen by the Moderator, the Moderator will dispatch two tellers to examine the handset for any defect. If it is determined, either by the dispatched Tellers or at the Help Desk, that the handset is defective, they will offer the voter a paper ballot and pen to record his or her vote and provide the voter with another handset for the next vote. Such paper vote shall be promptly relayed to the Moderator.

- a. If a voter cannot use the electronic handset offered by the Checkers, he or she will be provided with a colored piece of paper or cardboard and directed to sit in a special section reserved for those who will not be using an electronic handset to vote. Whenever the Moderator shall call for a vote, tellers will provide a ballot to each voter in the special section(s), who has such a colored paper or cardboard, collect those ballots within thirty seconds and deliver them to the Moderator, who will add the total of the ballots to the vote received electronically and declare the vote on the motion before the meeting.
- b. Each person receiving a handset must retain and use only that handset until turned in at the Help Desk, given to a Teller or turned in at the end of the session. No person may lend or give that handset to another person, nor may any person vote with a handset originally given to another.

Voters with handsets may retain them if they wish to leave the room for any reason, but they must hand their handset to an exit attendant if they plan to leave the building.

2. In the event that electronic voting is for any reason not to be employed, the Moderator will first ask all those in favor to say, "Aye". He will then invite those opposed to say, "No". If the Moderator is in doubt as to whether the motion has carried, he or she may call for another voice vote; or may ask those in favor to stand, before he asks those opposed to stand. Sometimes, the Moderator will reverse this procedure before declaring the vote.

3. If the Moderator is still in doubt, or if seven (7) or more voters shall immediately question a voice or an uncounted vote taken by non-electronic means, he will call for the tellers to help him take a standing counted vote – two tellers for each section of the hall so that they may check each other's results. The Moderator will then repeat the motion and say, "All those in favor will rise and remain standing until counted." When the count has been completed, the Moderator will ask those who are opposed to stand and be counted. As soon as each team of tellers has agreed upon the count in their section, they will be asked to report the number of voters they have counted from the Procedural Microphone. When all of the tellers have reported, the Moderator will declare the vote and his declaration of the vote is final, unless clear and convincing evidence shall have been submitted to the Moderator that fraud, errors by of one or more tellers or some other irregularity has infected the accuracy of the vote count just completed; in which event the Moderator will repeat the standing counted vote procedure outlined above.

4. If a vote taken by electronic means is questioned by seven (7) or more voters, the Moderator will call for a Teller's Audit. All Tellers having previously identified electronic voting handsets will come forward and compare their vote to a print out showing the identification number of their electric voting handset and the vote recorded for that handset. If the correlation is less than fully accurate, the moderator shall discard the electronic vote and call for a standing counted non-electronic vote under the previously set out procedures.

5. In the event that the law requires a vote of TWO-THIRDS or more to carry a motion acted on by non-electronic means the Moderator will normally ask whether there is unanimous support for the motion; but if there is not such support, he will take a standing counted vote. If the Moderator shall have perceived that more than TWO-THIRDS of the voters voted in the affirmative the Moderator may by hand vote determine that the TWO-THIRDS majority was met.

6. If a TWO-THIRDS vote is required to carry a subsidiary or procedural motion, such as a motion to terminate debate ("move the previous question"), the Moderator need not take a count, even though the voice vote upon such motion was not unanimous, if the Moderator shall have perceived that more than TWO-THIRDS of the voters voted in the affirmative. The Moderator shall then declare that such motion has carried and the Clerk shall record such declaration together with a note that there was "a scattering of nos."

7. In the event that a majority shall have voted that the vote on a particular motion shall be by secret ballot, the Moderator will ask the Tellers to come forward and take their places at the ballot boxes that will be placed at the front of the Hall by the Town Clerk. The Moderator will then direct the attention of each section of voters to their respective ballot box. The voters will then rise and proceed row-by-row to their box, tear their ballots into two parts, deposit one half in the box, the other half in the discard box and return to their seat. In order to assure the security of all secret ballots:

- a. No one will be allowed to vote without a ballot.
- b. No one will be permitted to cast a ballot until he or she shall have discarded the other half of the ballot into the discard box in the custody of the Teller.
- c. No one will be permitted to leave the hall until after the meeting has

adjourned, unless he or she shall have turned all of the ballots that have not actually been used during a vote to the Checkers at the door.

When all of the ballots shall have been cast, the Tellers will open the ballot boxes and count the ballots at the tables situated at the front of the Hall in front of the podium.

The Moderator will then ask for the consent of the meeting (a TWO-THIRDS vote is required) to proceed to consideration of another Article. When the Tellers have completed their count, they shall report their count to the Moderator, the Moderator will declare the vote upon disposition of the Article then under debate. The declaration of the Moderator is final.

The Moderator will then ask for the consent of the meeting to return to the Article (a TWO-THIRDS vote is required) under which the secret ballot has been taken and if there is no other business under that article, will declare that article disposed of.

E. Adjournment

1. If you wish to adjourn a session of the Town Meeting before all of the articles have been disposed of, you must specify the date and time when the Meeting shall resume. Such motion may be made at any time, is debatable, may be amended and requires a MAJORITY vote, provided, however, that the Moderator will permit no such motion if it shall be offered after debate shall have been terminated upon a pending motion until the final declaration of the vote taken upon the motion then under consideration.

2. Each session of a Town Meeting shall be adjourned by the Moderator (a) at 10:30 p.m., or as soon thereafter as the Meeting has disposed of the article then under consideration or postponed action thereunder, or (b) voted to adjourn at a different time.

3. No motion to dissolve the Town Meeting (to adjourn *sine die*) is in order until every article shall have been duly considered, acted upon and declared as disposed of.

V. QUESTIONS

In the event that you have a question concerning the conduct of the meeting, you need further information to cast your vote, or the status of any motion being considered, you are invited to approach the Procedural Microphone and to address your question to the Moderator as soon as you have been recognized.

VI. MISCELLANEOUS RULES

Residents of the Town of Wayland may, with the prior permission of the Moderator, place and/or post documents intended and designed to inform and influence the action of voters at town meetings on the tables and wooden walls located behind and on either side of the tables occupied by the checkers at the entrance of the Field House and each other venue where town meetings are conducted, so long as said documents are germane to any of the articles set forth in the warrant.

The Selectmen, the Chief of Police and the Chief of the Fire Department and other town officers and employees may also be permitted by the Moderator to post and place documents pertaining to the safety of the public in the aforesaid locations.

Thank you for joining us to do the Town's business.

Dennis J. Berry, Moderator
March 1, 2012

APPENDIX B: MASSACHUSETTS FINANCE COMMITTEES BY TOWN

TOWN	FINANCE COMMITTEE
ABINGTON	APPOINTED
ACTON	APPOINTED
ACUSHNET	APPOINTED
ADAMS	APPOINTED
AMESBURY	ELECTED
AMHERST	APPOINTED
ANDOVER	APPOINTED
AQUINNAH	APPOINTED
ARLINGTON	APPOINTED
ASHBURNHAM	APPOINTED
ASHBY	APPOINTED
ASHFIELD	ELECTED
ASHLAND	APPOINTED
ATHOL	APPOINTED
ATTLEBORO	APPOINTED
AUBURN	APPOINTED
AVON	APPOINTED
AYER	APPOINTED
BARNSTABLE	APPOINTED
BARRE	APPOINTED
BECKET	ELECTED
BEDFORD	APPOINTED
BELCHERTOWN	APPOINTED
BELLINGHAM	APPOINTED
BERKLEY	APPOINTED
BEVERLY	APPOINTED
BILLERICA	APPOINTED
BLACKSTONE	APPOINTED
BLANDFORD	APPOINTED
BOLTON	APPOINTED
BOURNE	APPOINTED
BOXBOROUGH	APPOINTED
BOXFORD	APPOINTED
BOYLSTON	APPOINTED
BRAINTREE	APPOINTED
BREWSTER	APPOINTED
BRIDGEWATER	APPOINTED

TOWN	FINANCE COMMITTEE
BRIMFIELD	APPOINTED
BROOKLINE	APPOINTED
BUCKLAND	ELECTED
BURLINGTON	APPOINTED
CANTON	APPOINTED
CARLISLE	APPOINTED
CARVER	APPOINTED
CHARLEMONT	APPOINTED
CHARLTON	APPOINTED
CHATHAM	APPOINTED
CHELMSFORD	APPOINTED
CHESHIRE	APPOINTED
CHESTER	APPOINTED
CHESTERFIELD	APPOINTED
CHILMARK	APPOINTED
CLINTON	APPOINTED
COHASSET	APPOINTED
COLRAIN	APPOINTED
CONCORD	APPOINTED
CONWAY	APPOINTED
CUMMINGTON	ELECTED
DALTON	ELECTED
DANVERS	APPOINTED
DARTMOUTH	APPOINTED
DEDHAM	APPOINTED
DEERFIELD	APPOINTED
DENNIS	APPOINTED
DIGHTON	APPOINTED
DOUGLAS	APPOINTED
DOVER	APPOINTED
DRACUT	APPOINTED
DUDLEY	APPOINTED
DUNSTABLE	APPOINTED
DUXBURY	APPOINTED
EAST BRIDGEWATER	APPOINTED
EAST BROOKFIELD	APPOINTED
EAST LONGMEADOW	APPOINTED

TOWN	FINANCE COMMITTEE
EASTHAM	APPOINTED
EASTON	ELECTED
EDGARTOWN	APPOINTED
EGREMONT	APPOINTED
ERVING	APPOINTED
ESSEX	APPOINTED
FAIRHAVEN	APPOINTED
FALMOUTH	APPOINTED/ELECTED
FOXBOROUGH	APPOINTED
FRAMINGHAM	APPOINTED
FRANKLIN	APPOINTED
FREETOWN	APPOINTED
GEORGETOWN	APPOINTED
GILL	APPOINTED
GLOUCESTER	APPOINTED
GOSHEN	APPOINTED
GOSNOLD	APPOINTED
GRAFTON	APPOINTED
GRANBY	APPOINTED
GRANVILLE	APPOINTED
GREAT BARRINGTON	ELECTED
GROTON	APPOINTED
GROVELAND	APPOINTED
HADLEY	APPOINTED
HALIFAX	APPOINTED
HAMILTON	APPOINTED
HAMPDEN	APPOINTED
HANOVER	APPOINTED
HANSON	APPOINTED
HARDWICK	APPOINTED
HARVARD	APPOINTED
HARWICH	APPOINTED
HATFIELD	APPOINTED
HEATH	ELECTED
HINGHAM	APPOINTED
HINSDALE	ELECTED
HOLBROOK	APPOINTED
HOLDEN	APPOINTED
HOLLAND	APPOINTED
HOLLISTON	APPOINTED
HOPEDALE	APPOINTED

TOWN	FINANCE COMMITTEE
HOPKINTON	APPOINTED
HUBBARDSTON	APPOINTED
HUDSON	APPOINTED
HULL	APPOINTED
HUNTINGTON	APPOINTED
IPSWICH	APPOINTED
KINGSTON	APPOINTED
LAKEVILLE	ELECTED
LANCASTER	ELECTED
LANESBOROUGH	ELECTED
LAWRENCE	APPOINTED
LEE	APPOINTED
LEICESTER	APPOINTED
LENOX	APPOINTED
LEOMINSTER	ELECTED
LEVERETT	APPOINTED
LEXINGTON	APPOINTED
LEYDEN	APPOINTED
LINCOLN	APPOINTED
LITTLETON	APPOINTED
LONGMEADOW	APPOINTED
LUDLOW	APPOINTED
LUNENBURG	APPOINTED
LYNNFIELD	APPOINTED
MANCHESTER	APPOINTED
MANSFIELD	APPOINTED
MARBLEHEAD	APPOINTED
MARSHFIELD	APPOINTED
MASHPEE	APPOINTED
MATTAPOISETT	APPOINTED
MAYNARD	APPOINTED
MENDON	APPOINTED
MERRIMAC	APPOINTED
MIDDLEBOROUGH	ELECTED
MIDDLEFIELD	APPOINTED
MIDDLETON	APPOINTED
MILFORD	APPOINTED
MILLBURY	APPOINTED
MILLIS	APPOINTED
MILLVILLE	APPOINTED
MONSON	APPOINTED

TOWN	FINANCE COMMITTEE
MONTAGUE	APPOINTED
MONTEREY	ELECTED
MONTGOMERY	APPOINTED
NAHANT	APPOINTED
NANTUCKET	APPOINTED
NATICK	APPOINTED
NEEDHAM	APPOINTED
NEW BRAINTREE	APPOINTED
NEW MARLBOROUGH	ELECTED
NEWBURY	APPOINTED
NEWBURYPORT	APPOINTED
NEWTON	APPOINTED
NORFOLK	APPOINTED
NORTH ADAMS	APPOINTED
NORTH ANDOVER	APPOINTED
NO ATTLEBOROUGH	APPOINTED
NORTH BROOKFIELD	APPOINTED
NORTH READING	APPOINTED
NORTHBOROUGH	APPOINTED
NORTHBRIDGE	APPOINTED
NORTHFIELD	APPOINTED
NORTON	APPOINTED
NORWELL	APPOINTED
NORWOOD	ELECTED
OAK BLUFFS	ELECTED
OAKHAM	APPOINTED
ORANGE	APPOINTED
ORLEANS	APPOINTED
OTIS	ELECTED
OXFORD	APPOINTED
PAXTON	APPOINTED
PELHAM	APPOINTED
PEMBROKE	APPOINTED
PEPPERELL	APPOINTED
PETERSHAM	APPOINTED
PHILLIPSTON	APPOINTED
PLAINVILLE	APPOINTED
PLYMOUTH	APPOINTED
PLYMPTON	ELECTED
PROVINCETOWN	APPOINTED
RAYNHAM	APPOINTED

TOWN	FINANCE COMMITTEE
READING	APPOINTED
REHOBOTH	APPOINTED
RICHMOND	ELECTED
ROCHESTER	APPOINTED
ROCKLAND	APPOINTED
ROCKPORT	APPOINTED
ROWE	ELECTED
ROWLEY	APPOINTED
ROYALSTON	APPOINTED/ELECTED
RUTLAND	APPOINTED
SANDISFIELD	APPOINTED
SANDWICH	APPOINTED
SAUGUS	APPOINTED
SCITUATE	APPOINTED
SEEKONK	APPOINTED/ELECTED
SHARON	ELECTED
SHEFFIELD	APPOINTED
SHELBURNE	APPOINTED
SHERBORN	APPOINTED
SHIRLEY	APPOINTED
SHREWSBURY	APPOINTED
SHUTESBURY	APPOINTED
SOMERSET	APPOINTED
SOUTHAMPTON	ELECTED
SOUTHBOROUGH	APPOINTED
SOUTHWICK	APPOINTED
SPENCER	APPOINTED
STERLING	APPOINTED
STOCKBRIDGE	APPOINTED
STONEHAM	APPOINTED
STOUGHTON	APPOINTED/ELECTED
STOW	APPOINTED
STURBRIDGE	APPOINTED
SUDBURY	APPOINTED
SUNDERLAND	APPOINTED
SUTTON	APPOINTED
SWAMPSCOTT	APPOINTED
SWANSEA	APPOINTED
TEWKSBURY	APPOINTED
TISBURY	APPOINTED
TOLLAND	APPOINTED

TOWN	FINANCE COMMITTEE
TOPSFIELD	APPOINTED
TOWNSEND	APPOINTED
TRURO	APPOINTED
TYNGSBOROUGH	ELECTED
UPTON	APPOINTED/ELECTED
UXBRIDGE	APPOINTED/ELECTED
WAKEFIELD	APPOINTED
WALES	APPOINTED
WALPOLE	APPOINTED
WARE	APPOINTED
WAREHAM	APPOINTED
WARREN	APPOINTED
WASHINGTON	ELECTED
WAYLAND	APPOINTED
WELLESLEY	APPOINTED
WELLFLEET	APPOINTED
WENDELL	APPOINTED
WENHAM	APPOINTED
WEST BOYLSTON	APPOINTED
WEST BRIDGEWATER	APPOINTED
WEST BROOKFIELD	APPOINTED
WEST NEWBURY	APPOINTED
WEST STOCKBRIDGE	ELECTED
WEST TISBURY	APPOINTED
WESTBOROUGH	APPOINTED
WESTFORD	APPOINTED
WESTHAMPTON	ELECTED
WESTON	APPOINTED
WESTPORT	APPOINTED
WESTWOOD	APPOINTED
WEYMOUTH	APPOINTED
WHATELY	APPOINTED
WHITMAN	APPOINTED
WILBRAHAM	APPOINTED
WILLIAMSBURG	ELECTED
WILLIAMSTOWN	APPOINTED
WILMINGTON	APPOINTED
WINCHENDON	APPOINTED
WINCHESTER	APPOINTED
WINTHROP	APPOINTED
WORTHINGTON	ELECTED

TOWN	FINANCE COMMITTEE
WRENTHAM	APPOINTED
YARMOUTH	APPOINTED

APPENDIX C
Massachusetts General Laws Chapter 44, Section 53F1/2

PART I. ADMINISTRATION OF THE GOVERNMENT
TITLE VII. CITIES, TOWNS AND DISTRICTS

CHAPTER 44. MUNICIPAL FINANCE

Section 53F1/2. Notwithstanding the provisions of section fifty-three or any other provision of law to the contrary, a city or town which accepts the provisions of this section may establish a separate account classified as an "Enterprise Fund", for a utility, health care, recreational or transportation facility, and its operation, as the city or town may designate, hereinafter referred to as the enterprise. Such account shall be maintained by the treasurer, and all receipts, revenues and funds from any source derived from all activities of the enterprise shall be deposited in such separate account. The treasurer may invest the funds in such separate account in the manner authorized by sections fifty-five and fifty-five A of chapter forty-four. Any interest earned thereon shall be credited to and become part of such separate account. The books and records of the enterprise shall be maintained in accordance with generally accepted accounting principles and in accordance with the requirements of section thirty-eight.

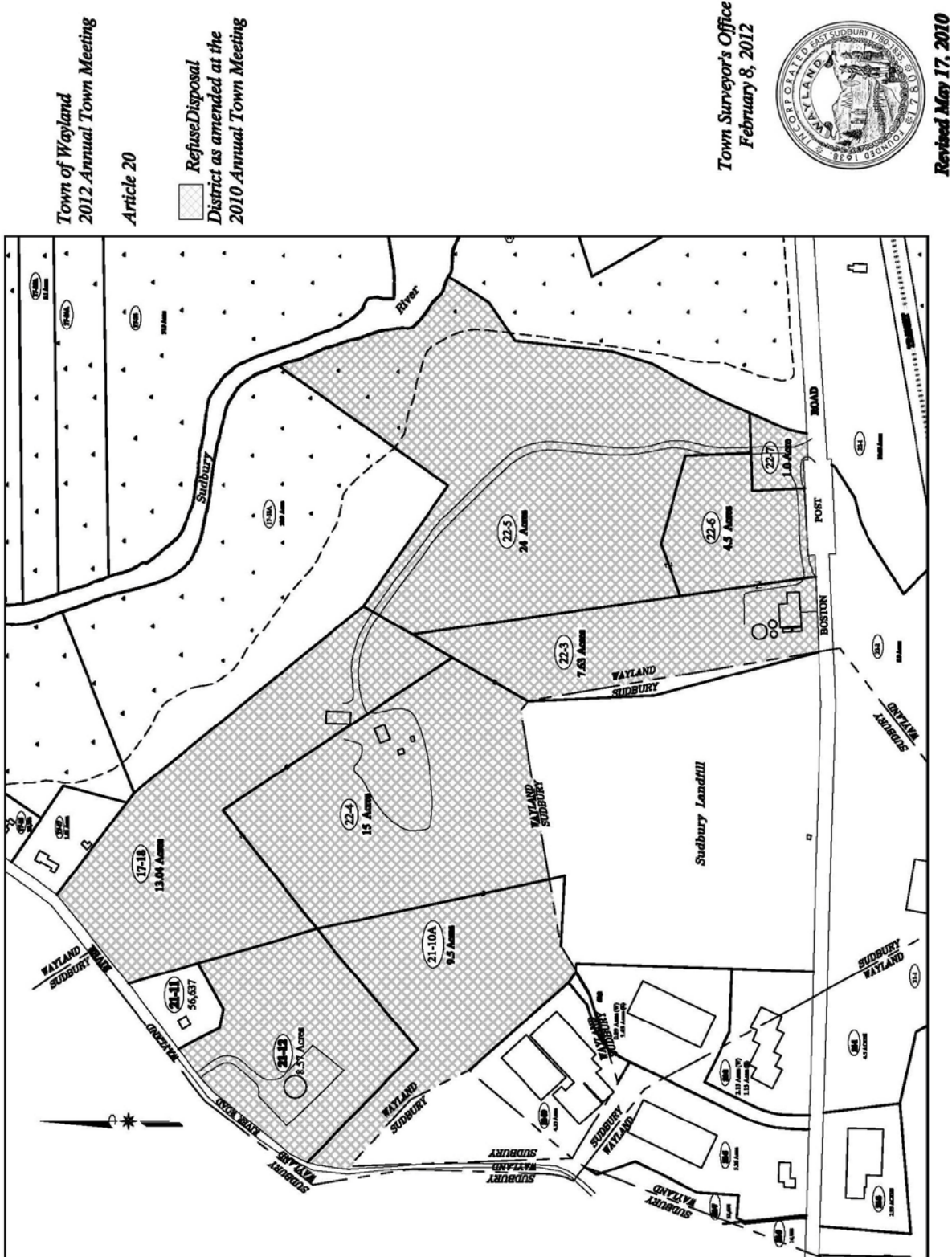
No later than one hundred and twenty days prior to the beginning of each fiscal year, an estimate of the income for the ensuing fiscal year and a proposed line item budget of the enterprise shall be submitted to the mayor, board of selectmen or other executive authority of the city or town by the appropriate local entity responsible for operations of the enterprise. Said board, mayor or other executive authority shall submit its recommendation to the town meeting, town council or city council, as the case may be, which shall act upon the budget in the same manner as all other budgets. The city or town shall include in its tax levy for the fiscal year the amount appropriated for the total expenses of the enterprise and an estimate of the income to be derived by the operations of the enterprise. If the estimated income is less than the total appropriation, the difference shall be added to the tax levy and raised by taxation. If the estimated income is more than the total appropriation, the excess shall be appropriated to a separate reserve fund and used for capital expenditures of the enterprise, subject to appropriation, or to reduce user charges if authorized by the appropriate entity responsible for operations of the enterprise. If during a fiscal year the enterprise incurs a loss, such loss shall be included in the succeeding fiscal year's budget.

If during a fiscal year the enterprise produces a surplus, such surplus shall be kept in such separate reserve fund and used for the purposes provided therefor in this section.

For the purposes of this section, acceptance in a city shall be by vote of the city council and approval of the mayor, in a town, by vote of a special or annual town meeting and in any other municipality by vote of the legislative body.

A city or town which has accepted the provisions of this section with respect to a designated enterprise may, in like manner, revoke its acceptance

APPENDIX D: Map of River Road Parcel for DPW Facility



APPENDIX E

PERSONNEL BYLAWS AND WAGE AND CLASSIFICATION PLAN

NON-UNION WAGE SCALE, N SCHEDULE

Effective July 1, 2012 (2.5% Adjustment)

Grade	1	2	3	4	5
N-1	34,670	35,711	36,782	37,887	39,021
N-2	37,727	38,857	40,024	41,224	42,462
N-3	38,104	39,246	40,424	41,638	42,888
N-4	41,464	42,707	43,988	45,306	46,667
N-5	45,525	46,892	48,298	49,746	51,240
N-6	49,987	51,487	53,031	54,622	56,260
N-7	54,886	56,533	58,227	59,975	61,775
N-8	60,265	62,073	63,934	65,853	67,827
N-9	64,796	66,475	68,216	70,136	72,242
N-10	72,657	74,836	77,081	79,393	82,257
N-11	79,776	82,169	84,635	87,173	89,787
N-12	83,684	86,195	88,809	91,448	94,188
N-13	87,593	90,219	92,928	95,716	98,588
N-14	96,178	99,063	102,036	105,096	108,249
N-15*					

Grade	6	7	8	9	10
N-1	40,191	41,399	42,640	43,918	45,237
N-2	43,735	45,046	46,398	47,791	49,225
N-3	44,175	45,500	46,861	48,268	49,716
N-4	48,066	49,056	50,994	52,522	54,099
N-5	52,776	54,072	55,991	57,670	59,401
N-6	57,364	59,688	61,478	63,322	65,222
N-7	63,628	65,536	67,501	69,529	71,613
N-8	69,864	71,958	74,119	76,340	78,632
N-9	74,409	76,639	78,939	81,282	83,686
N-10	83,816	86,755	90,065	91,626	94,798
N-11	92,481	95,255	98,115	101,056	104,090
N-12	97,013	99,923	103,528	106,008	109,351
N-13	101,546	104,591	108,941	110,959	114,611
N-14	111,497	114,841	117,790	121,835	125,492
N-15					151,294 *

N-1 Secretary, Fire – PT
 N-1 Sr Clerk, Health – PT
 N-1 Asst Rec Program Coor – PT
 N-2 Administrative Asst Y/S – PT
 N-3 Outreach Coordinator
 N-3 Administrative Asst – Police
 N-3 Computer Technician
 N-3 Human Resources Assistant
 N-3 Recreation Program Asst – PT
 N-5 Exec Asst to Town Administrator

N-8 Recreation Director
 N-9 Police Lieutenant
 N-10 Library Director
 N-12 Public Buildings Director
 N-12 DPW Director
 N-13 Asst Town Administrator/Human Resources Director
 N-13 Finance Director/Town Accountant
 N-13 Fire Chief
 N-13 Police Chief
 N-15 * Town Administrator - Contract anniversary date is in September, amount reflects total wages to be paid during fiscal year.

GROUP: NON-UNION – BUILDING INSPECTORS
Effective: July 1, 2012 (2.5% Adjustment)

STEP	1	2	3	4	5	Hourly
	21.81	22.91	24.05	25.25	26.54	27.47
Gas & Plumbing Inspector (PT)		Wiring Inspector (PT)				

GROUP: NON-UNION SUBSTITUTE NURSES
Effective: July 1, 2012 (2.5% Adjustment)

GROUP: NON UNION - PUBLIC SAFETY
Effective: July 1, 2012 (2.5% Adjustment)

	Annually	Per Day	Hourly
Traffic Supervisors	7,638	--	--
Traffic Supervisor Substitute	--	43.77	--
Special Police Matrons	--	--	19.46
Call Firefighters	--	--	19.46
Call Firefighter Coordinator	--	--	20.76
Paramedic	--	--	20.19
Police Custodian (PT)	--	--	15.53
Police Intern	--	--	10.08

GROUP: NON-UNION - ON-CALL DISPATCHERS
Effective: July 1, 2012 (2.5% Adjustment)

	Year 1	Year 2	Year 3	Year 4
On-call Dispatcher	18.37	19.22	20.06	20.91

GROUP: NON-UNION - HOURLY LIBRARY CLERKS
Effective: July 1, 2012 (2.5% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	14.72	15.06	15.40	15.71	16.01	16.35	16.66	16.95	17.29	17.62	17.91	18.25	18.58	18.89	19.21

GROUP: NON-UNION - HOURLY LIBRARY PART-TIME WEEKEND PROFESSIONALS
Effective: July 1, 2012 (2.5% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10	11	12
	23.19	23.72	24.04	24.46	24.88	25.29	25.74	26.14	26.59	26.99	27.41	27.83

GROUP: NON-UNION - LIBRARY PAGES
Effective: July 1, 2012 (2.5% Adjustment)

Step	Year 1	Year 2	Year 3
	8.72	9.27	9.77

GROUP: NON-UNION - VETERANS' AGENT
Effective: July 1, 2012 (2.5% Adjustment)

	Annual
Veterans' Agent	3,888

GROUP: NON-UNION SEASONAL – MISCELLANEOUS
Effective: July 1, 2012 (2.5% Adjustment)

	Year 1	Year 2	Year 3
Seasonal Laborer	12.31	12.93	13.54
Landfill Clerk	12.44		

GROUP: LIBRARY

Effective: July 1, 2011 (1.0% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10
L-1	34,733	35,775	36,850	37,955	39,093	40,266	41,473	42,718	43,999	45,320
L-2	37,510	38,637	39,795	40,990	42,218	43,484	44,790	46,133	47,518	48,943
L-3	40,513	41,729	42,981	44,271	45,598	46,967	48,375	49,827	51,322	52,861
L-4	43,754	45,066	46,418	47,811	49,246	50,722	52,244	53,812	55,427	57,089
L-5	47,254	48,671	50,131	51,635	53,185	54,780	56,424	58,115	59,860	61,655
L-6	51,033	52,566	54,142	55,766	57,439	59,163	60,936	62,766	64,648	66,587
L-7	55,118	56,771	58,475	60,230	62,035	63,897	65,814	67,787	69,820	71,915
LC	33,277	34,515	35,747	37,054	38,417	40,202				

GROUP: LIBRARY

Effective: July 1, 2012 (2.5% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10
L-1	35,601	36,670	37,771	38,904	40,070	41,272	42,509	43,786	45,099	46,453
L-2	38,448	39,602	40,790	42,014	43,273	44,572	45,910	47,286	48,705	50,166
L-3	41,526	42,772	44,055	45,378	46,737	48,141	49,584	51,073	52,605	54,183
L-4	44,848	46,193	47,579	49,007	50,477	51,990	53,550	55,157	56,812	58,516
L-5	48,435	49,888	51,385	52,926	54,514	56,150	57,834	59,568	61,356	63,196
L-6	52,309	53,880	55,496	57,160	58,875	60,642	62,460	64,335	66,264	68,252
L-7	56,496	58,190	59,937	61,735	63,586	65,494	67,459	69,482	71,566	73,713
LC	34,109	35,378	36,641	37,980	39,378	41,207				

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: NON-UNION – SEASONAL – MISCELLANEOUS

Effective: July 1, 2012 (2.5% Adjustment)

	Year 1	Year 2	Year 3	Year 4
Beach Director	18.45	19.00	19.58	20.16
Beach Supervisor	13.07	13.46	13.87	14.28
Beach Head Lifeguard/ Water Safety Instructor	11.79	12.15	12.51	12.88
Senior Lifeguard	10.76	11.09	11.42	11.76
Substitute Lifeguard	10.25	--	--	--
Jr Lifeguard/Swim Aide/Gateguard	9.23	9.50	9.79	10.08
Snack Bar Supervisor	10.76	11.09	11.42	11.76
Snack Bar I	9.74	10.03	10.33	10.64
Snack Bar II	8.71	8.98	9.25	9.52

GROUP: NON-UNION – SEASONAL – SUMMER DAY PROGRAMS

Effective: July 1, 2012 (2.5% Adjustment)

	Year 1	Year 2	Year 3	Year 4
Program Coordinator	18.45	19.00	19.58	20.16
Program Director	15.38	15.84	16.31	16.80
Assistant Director/Lead Teacher	13.33	13.72	14.13	14.57
Assistant Teacher	12.30	12.67	13.05	13.44
Sr Counselor	11.28	11.61	11.96	12.32
Counselor	9.74	10.03	10.33	10.64
Substitute Counselor	9.23	--	--	--
Junior Counselor	8.20	8.45	8.70	8.96

GROUP: SEIU

Effective: July 1, 2011 (1.0% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10
C-10	30,053	30,955	31,885	32,840	34,077	35,092	36,137	37,214	38,323	40,056
C-12	32,458	33,433	34,434	35,468	36,784	37,879	39,008	40,172	41,369	43,241
C-13	33,766	34,779	35,824	36,897	38,258	39,398	40,571	41,782	43,028	44,973
C-14	35,126	36,181	37,266	38,384	39,787	40,973	42,196	43,454	44,750	46,774
C-15	36,482	37,576	38,704	39,866	41,313	42,545	43,815	45,122	46,467	48,571
CD	33,923	37,844	39,514	41,184	42,856	44,527	46,892			

GROUP: SEIU

Effective: July 1, 2012 (2.5% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10
C-10	30,805	31,728	32,682	33,661	34,929	35,970	37,040	38,144	39,281	41,057
C-12	33,270	34,269	35,295	36,355	37,704	38,826	39,983	41,176	42,403	44,322
C-13	34,610	35,649	36,719	37,820	39,214	40,383	41,585	42,826	44,104	46,098
C-14	36,004	37,086	38,198	39,344	40,782	41,997	43,251	44,541	45,869	47,943
C-15	37,394	38,516	39,672	40,862	42,346	43,609	44,910	46,250	47,629	49,785
CD	34,771	38,790	40,502	42,213	43,928	45,640	48,065			

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

GROUP: AFSCME**Effective: July 1, 2011 (1.0% Adjustment)**

Step	1	2	3	4	5	6	7	8	9	10
G-1	34,563	35,593	36,654	37,746	38,870	40,029	41,222	42,451	43,717	45,912
G-2	37,306	38,417	39,564	40,742	41,958	43,209	44,497	45,825	47,192	49,562
G-3	40,275	41,473	42,709	43,984	45,297	46,647	48,038	49,472	50,951	53,509
G-4	43,473	44,771	46,106	47,482	48,899	50,359	51,860	53,411	55,005	57,769
G-5	46,930	48,331	49,773	51,259	52,789	54,364	55,988	57,665	59,383	62,367
G-6	50,667	52,180	53,736	55,341	56,995	58,697	60,449	62,254	64,116	67,340
G-7	55,363	57,015	58,719	60,474	62,280	64,141	66,058	68,032	70,065	73,587
G-7A	57,591	59,319	61,099	62,932	64,820	66,765	68,768	70,830	72,955	76,637
G-7B	57,844	59,572	61,351	63,185	65,072	67,018	69,020	71,083	73,208	76,889
G-8	60,326	62,127	63,983	65,895	67,865	69,894	71,983	74,135	76,351	80,193
G-9	65,731	67,698	69,718	71,804	74,807	76,160	78,439	80,784	83,199	87,386
G-10	71,374	73,514	75,720	77,990	80,330	82,740	85,223	87,780	90,413	94,976
G-15	42,066	44,507	45,732	47,146	48,525	51,124	52,588	54,094	55,647	59,572

GROUP: AFSCME**Effective: July 1, 2012 (2.5% Adjustment)**

Step	1	2	3	4	5	6	7	8	9	10
G-1	35,427	36,483	37,570	38,689	39,842	41,030	42,253	43,513	44,810	47,059
G-2	38,239	39,378	40,553	41,761	43,007	44,289	45,610	46,970	48,372	50,801
G-3	41,282	42,509	43,777	45,083	46,429	47,813	49,239	50,709	52,224	54,847
G-4	44,560	45,891	47,258	48,669	50,122	51,618	53,157	54,746	56,380	59,213
G-5	48,103	49,540	51,017	52,541	54,108	55,723	57,388	59,107	60,868	63,926
G-6	51,933	53,484	55,079	56,724	58,420	60,165	61,960	63,811	65,719	69,023
G-7	56,747	58,441	60,187	61,986	63,837	65,745	67,709	69,733	71,816	75,427
G-7A	59,031	60,802	62,626	64,505	66,440	68,434	70,487	72,601	74,779	78,553
G-7B	59,290	61,061	62,885	64,764	66,699	68,693	70,746	72,860	75,038	78,812
G-8	61,835	63,680	65,583	67,543	69,561	71,641	73,783	75,988	78,260	82,198
G-9	67,374	69,390	71,462	73,599	76,677	78,064	80,400	82,804	85,278	89,571
G-10	73,158	75,352	77,613	79,940	82,339	84,809	87,353	89,975	92,674	97,351
G-15	43,118	45,619	46,875	48,325	49,378	52,402	53,903	55,446	57,038	61,061

G-3 – Admin Assessor

G-6 – Rec Program Adm

G-8 – Conservation Adm

G-9 – Assessing Dir

G-5 – Assistant Assessor

G-6 – Water Treat Plant Mgr

G-8 – DPW Hwy/TS Supt

G-9 – Building Comm

G-5 – Assistant Youth Dir

G-7 – COA Director

G-8 – IT Manager

G-9 – DPW Water Supt

G-5 – Sanitarian/Health Ag

G-7 – GIS Analyst

G-8 – Town Planner

G-9 – Health Director

G-6 – Accountant

G-7A – Public Health Nurse

G-8 – Town Surveyor

G-9 – Treasurer/Coll

G-6 – Local Building Insp

G-7B – DPW Parks Supt

G-8 – Y&F Services Dir

G-15 – Comm Health Nurse

GROUP: TEAMSTERS - DPW

Effective: July 1, 2011 (1.0% Adjustment)

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
D1	--	--	--	--	--	--
D2	16.82	17.42	18.05	18.70	19.36	20.46
D3	17.33	17.96	18.60	19.27	19.96	21.13
D4	18.10	18.75	19.42	20.12	20.85	22.07
D5	18.52	19.19	19.88	20.59	21.33	22.70
D6	--	--	--	--	--	--
D7	21.02	21.78	22.55	23.36	24.20	25.63
D8	21.39	22.16	22.96	23.79	24.63	26.12
D9	21.78	22.55	23.36	24.20	25.07	26.57
D10	--	--	--	--	--	--
D11	23.50	24.34	25.21	26.11	27.06	28.66

GROUP: TEAMSTERS - DPW

Effective: July 1, 2012 (2.5% Adjustment)

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
D1	--	--	--	--	--	--
D2	17.24	17.86	18.50	19.16	19.85	20.97
D3	17.76	18.41	19.07	19.75	20.46	21.66
D4	18.55	19.22	19.91	20.62	21.37	22.62
D5	18.98	19.67	20.38	21.10	21.86	23.27
D6	--	--	--	--	--	--
D7	21.55	22.32	23.11	23.94	24.81	26.27
D8	21.92	22.71	23.53	24.38	25.25	26.77
D9	22.32	23.11	23.94	24.81	25.70	27.23
D10	--	--	--	--	--	--
D11	24.09	24.95	25.84	26.76	27.73	29.38

D-2	Maintenance Worker	D-5	Water Worker 1	D-8	Maintenance Mech/Welder
D-3	Grounds Worker	D-7	Highway Working Foreman	D-9	Lead Mechanic/Welder
D-4	Medium Equipment Operator	D-7	Mechanic/Welder	D-9	Sr Foreman
D-5	Heavy Equipment Operator	D-7	Parks Working Foreman	D-9	Water Worker 3
D-5	Sr Grounds Worker	D-7	Water Worker 2	D-11	Water Working Foreman

GROUP: FIRE

Effective: July 1, 2011 (1.0% Adjustment)

Title		Step 1	Step 2	Step 3	Step 4
Deputy	F-6E				76,757
Captain	F-5E	64,694	66,676	68,820	70,961
Lieutenant	F-4E	59,352	61,171	63,138	65,220
FF/Elec/Mech/Insp	F-3E	56,376	58,046	60,105	62,084
Firefighter/EMT	F-1E	51,346	53,003	54,720	56,494

GROUP: FIRE

Effective: July 1, 2012 (2.5% Adjustment)

Title		Step 1	Step 2	Step 3	Step 4
Deputy	F-6E				78,676
Captain	F-5E	66,311	68,343	70,541	72,735
Lieutenant	F-4E	60,835	62,700	64,717	66,850
FF/Elec/Mech/Insp	F-3E	7,786	59,497	61,608	63,636
Firefighter/EMT	F-1E	52,630	54,328	56,088	57,907

GROUP: POLICE

Effective: July 1, 2011 (1.0% Adjustment)

Title	Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Patrolman	P-1	35,462	47,283	49,648	52,129	54,736	55,716
Sergeant	P-2	58,684	61,618	64,699	67,984	N/A	N/A

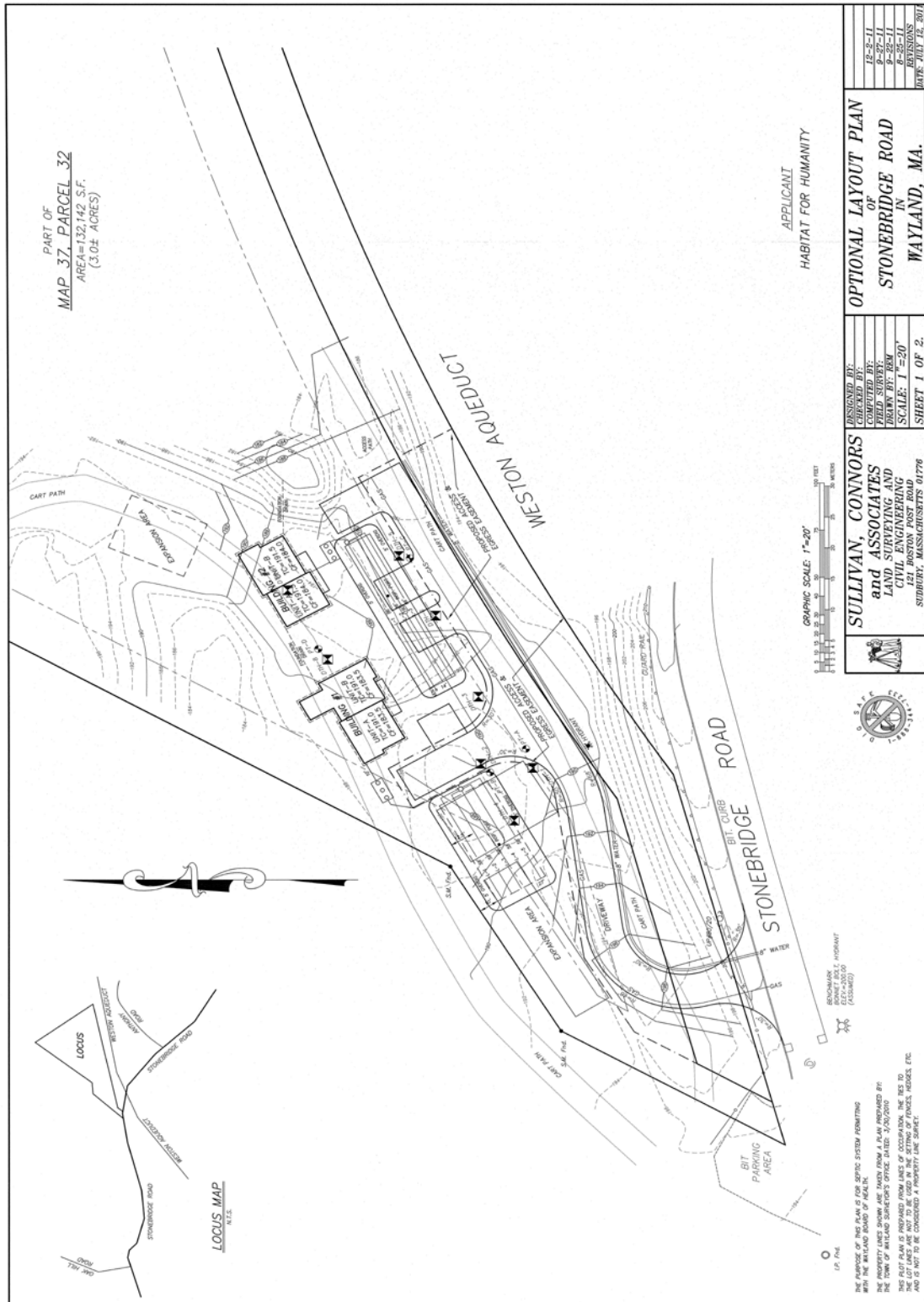
GROUP: POLICE

Effective: July 1, 2012 (2.5% Adjustment)

Title	Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Patrolman	P-1	36,349	48,465	50,889	53,432	56,104	57,109
Sergeant	P-2	60,151	63,158	66,316	69,684	N/A	N/A

APPENDIX F

Map of Stonebridge Road Parcel



APPENDIX G
Massachusetts General Laws Chapter 71, Section 16G1/2

PART I. ADMINISTRATION OF THE GOVERNMENT
TITLE XII. EDUCATION

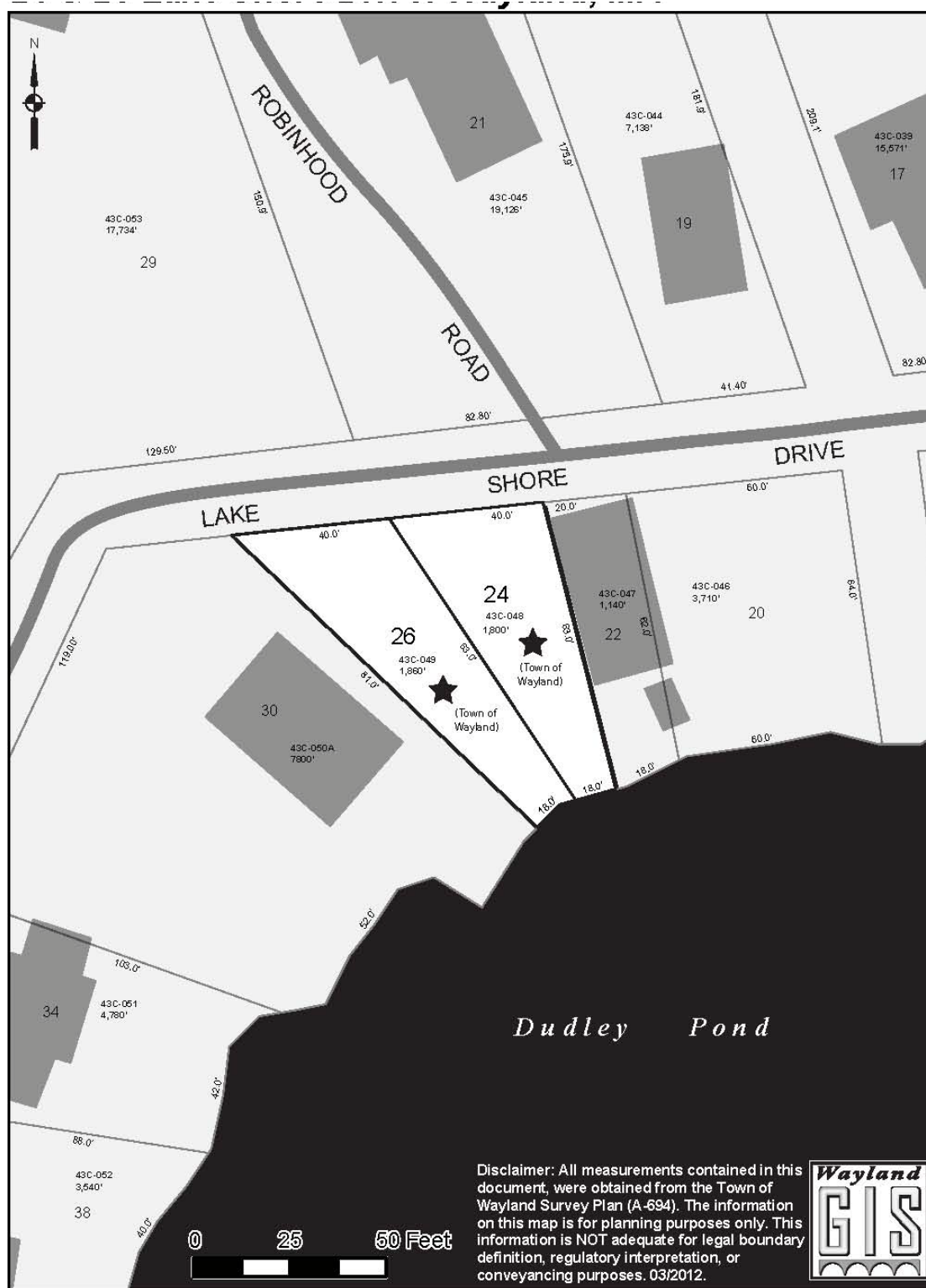
CHAPTER 71. PUBLIC SCHOOLS

Section 16G1/2. A regional school district may, upon a majority vote of all the members of the regional district school committee and, with the approval of a majority of the local appropriating authorities of the member municipalities, establish a stabilization fund and may, in any year, include in its annual budget for deposit in the stabilization fund an amount not exceeding five per cent of the aggregate amount apportioned to the member municipalities for the preceding fiscal year or such larger amount as may be approved by the director of accounts. The aggregate amount in the fund at any time shall not exceed five per cent of the combined equalized valuations of the member municipalities. Any interest shall be added to and become a part of the fund. The annual report submitted to the member municipalities pursuant to clause (k) of section sixteen shall include a statement of the balance in the stabilization fund and all additions to and withdrawals from the fund during the period covered by such report.

The treasurer of the regional school district shall be the custodian of such fund and may deposit or invest the fund in such deposits or investments as are legal for the deposit or investment of revenue funds of the district or in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth.

The stabilization fund may be appropriated by vote of two-thirds of all of the members of the regional district school committee for any purpose for which regional school districts may borrow money or for such other district purpose as the director of accounts may approve.

This section shall also apply to any regional school district established under the provisions of a special law.

APPENDIX H: MAP OF 24 AND 26 LAKESHORE DRIVE

APPENDIX I
Letter of February 21, 2012 from Auditor of the Commonwealth



SUZANNE M. BUMP, ESQ.
AUDITOR

The Commonwealth of Massachusetts

AUDITOR OF THE COMMONWEALTH

ONE ASHBURTON PLACE, ROOM 1819
BOSTON, MASSACHUSETTS 02108

RECEIVED

FEB 23 2012

Board of Selectmen
Town of Wayland
TEL: 617-727-6200
FAX: 617-727-5891

February 21, 2012

Dr. Shawn Kinney
Wayland School Committee
6 Dairy Farm Lane
Wayland, MA 01778

Dear Mr. Kinney:

This letter is in response to your written inquiry of January 25th, 2012 to the Office of the State Auditor (OSA) seeking assistance relative to a potential audit to be performed by this office pursuant to M.G.L. Chapter 11, section 12.

In order to understand the current circumstances, we have reviewed the detailed report prepared by the Abrahams Group and spoken at length with Mr. Gerard Perry of the Department of Revenue, Bureau of Accounts.

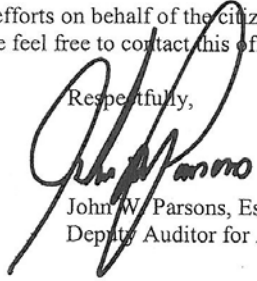
As a general matter, the issues raised in your correspondence and addressed in detail in the Abrahams Group report are municipal issues that clearly fall within the province of the Bureau of Accounts. As stated in our enabling statute at Ch.11, s.12, lines 35-36, "this section shall not apply to those accounts which the director of accounts of the department of revenue is required by law to examine". While subsequent language authorizes a community to petition this office to conduct an audit, you should be advised that this discretionary authority bestowed on the OSA has been used sparingly and almost always when significant allegations of wrongdoing and criminal activity have been raised.

In communications with Mr. Perry, he has stated that his office has carefully monitored the Wayland matter and does not believe that the practices revealed in the Abrahams report are of this nature. Furthermore, our review of the Abrahams report confirms the conclusions of Mr. Perry's office.

The Abrahams Group report reveals a significant number of improper, inefficient and inappropriate practices in the financial activities of the Wayland School Department. This comprehensive, well-written report provides the Town and the School Committee with a thorough blueprint for improving the financial processes and practices of the school department. It is the recommendation of this office that the community work with the Abrahams Group and the Bureau of Accounts to implement the clear recommendations of the report. Initiating additional audit work at a cost of \$15,000 - \$30,000 would appear to be unnecessary and duplicative of the professional work of the Abrahams Group.

This office commends you for your diligent efforts on behalf of the citizens of Wayland. If you would like to discuss this matter further, please feel free to contact this office.

Respectfully,

A handwritten signature in black ink, appearing to read "John W. Parsons". The signature is stylized with a large, looping initial "J" and "P".

John W. Parsons, Esq.
Deputy Auditor for Audit Operations

cc: Gerry Perry, Bureau of Accounts
Mark D. Abrahams, Abrahams Group
Frederic Turkington, Wayland Town Administrator

APPENDIX J: HEAR REPORTS

REPORT OF THE BOARD OF ASSESSORS

In accordance with section 19-8 of the Code of the Town of Wayland, a report for the Board of Assessors covering the last twelve months (proceeding March 1, 2012) is hereby submitted.

The Board submits the following:

1. Annual Report of calendar year 2011 property transfers:

117 Single Family parcels
 36 Condo parcels
 2 Multi Family parcels
 3 Land parcels
1 Commercial parcel

158 Family Title Transfers and Non-valid transfers

The data reported above is in the process of being validated and may be modified.

2. The following numbers have been reported related to abatement applications and Appellate Tax Board cases since the 2011 Annual Town Report:
 - a. The Board of Assessors logged in 71 real estate and 3 personal property applications, by the February 1, 2012, filing deadline.
 - b. As of March 1, 2012, 24 abatements had been granted for FY'12.
 - c. The average value of abatements granted in FY'11 was \$1,089.27.
 - d. There were 12 filings with the Appellate Tax Board (ATB) in FY'11; 1 for a telecommunication account; 1 was decided in favor of the property owner, 3 were dismissed by the ATB, 1 was withdrawn by the appellee and 7 are waiting for hearing dates to be assigned by the ATB.
 - e. The following is a listing of cases and the decisions issued by the ATB since the last report of March 1, 2011:

Fiscal Year	STREET	ORIGINAL ASSESSED VALUE	ATB DECISION/VALUE	Fiscal Year	STREET	ORIGINAL ASSESSED VALUE	ATB DECISION/VALUE
2009	9 Wheelock Rd	\$350,300	Denied	2009	48 Concord Rd	\$390,100	Denied
2010	9 Wheelock Rd	\$336,300	Denied	2009	8 Forty Acres Dr	\$1,103,700	Denied
2009	6 Highfields Rd	\$1,298,900	Denied	2009	58 Woodridge Rd	\$637,300	Granted / \$578,700
2010	6 Highfields Rd	\$1,209,000	Denied	2010	58 Woodridge Rd	\$598,700	Denied
2009	23 Alpine Rd	\$363,200	Denied	2010	12 Ellie Lane	\$2,073,200	Granted / \$1,850,000

3. The following data verification visits were extracted from the computer assisted mass appraisal database:

Total Property Visits: 3090

Building Permits:

Interior and Exterior	74
Exterior Only	173
Interior Only	59
Refusals	9
Total	315

Cyclical:

Interior and Exterior	327
Exterior Only	1621
Interior Only	379
Callbacks	75
Refusals	67
Total	2469

Abatements:

Interior and Exterior	25
Interior Only	5
Total	30

Quality Control:

Interior and Exterior	10
Exterior Only	8
Interior Only	4
Refusal	1
Total	23

Sales:

Interior and Exterior	153
Exterior Only	25
Interior Only	16
Refusals	2
Total	196

Informal Hearings:

Interior and Exterior	42
Interior	15
Total	57

Please note that data listed above was extracted from the mass appraisal data base and some of the data verification visits addressed several requirements in one visit, such as a property requiring a building permit visit may also have required a sales visit. One visit would have met both obligations of data verification. An exterior data verification visit represents a visit to the property by a representative of the Assessing Department. The representative measures and verifies the exterior components of the property and leaves a door hanger requesting that the property owner contact the office to schedule an appointment for an interior data verification visit.

The Board members are Jayson Brodie, Chair; Susan Rufo, Vice Chair; Bruce Cummings; Molly Upton; and Zachariah Ventress.

2011 Arms Length Sales Report*

Sale Date	Map	Lot	No.	Address	LUC	Sale Price	Sale Date	Map	Lot	No.	Address	LUC	Sale Price
1/3/2011	51D	1	235	COMMONWEALTH RD	101	\$ 725,000	3/11/2011	53	029C	202	WILLOWBROOK DR	102	\$ 549,900
1/13/2011	25	93	7	OLD VINEYARD WAY	101	\$ 1,135,000	3/14/2011	44	046A	9	BARNEY HILL RD	130	\$ 300,000
2/1/2011	50	55	21	LAKE RD	101	\$ 544,900	3/14/2011	44	46	9	BARNEY HILL RD	101	\$ 300,000
2/4/2011	46D	68	171	WEST PLAIN ST	101	\$ 244,000	3/18/2011	40	070B	1602	WISTERIA WAY	102	\$ 841,500
2/4/2011	45	096A	42	PICKWICK WAY	102	\$ 475,000	3/22/2011	50	81	67	EDGEWOOD RD	130	\$ 400,000
2/14/2011	36C	39	81	RIVER VIEW CIR	101	\$ 439,000	3/22/2011	23	103A	10	BRACKETT RD	101	\$ 739,000
2/16/2011	45	085E	107	HILLSIDE DR	102	\$ 475,000	3/23/2011	23	077A	25	BOW RD	101	\$ 525,000
2/16/2011	50	23	11	AMEY RD	101	\$ 443,800	3/23/2011	16	36	85	HIGHLAND CIR	101	\$ 822,500
2/18/2011	23	146	38	HASTINGS WAY	102	\$ 539,000	3/28/2011	49	7	16	WAYLAND HILLS RD	101	\$ 745,000
2/18/2011	52	70	26	SNAKE BROOK RD	101	\$ 480,000	3/31/2011	11	62	153	GLEZEN LN	101	\$ 870,000
2/23/2011	23	129	27	HASTINGS WAY	102	\$ 790,056	3/31/2011	33	023A	6	GREEN WAY	102	\$ 280,000
2/25/2011	53	1	18	OAK ST	101	\$ 434,500	3/31/2011	23	53	39	OLD SUDBURY RD	101	\$ 309,000
2/25/2011	53	034B	303	WILLOWBROOK DR	102	\$ 551,000	4/1/2011	16	62	20	OLD WESTON RD	101	\$ 835,000
2/28/2011	52	18	3	HAVEN LN	101	\$ 466,000	4/15/2011	16	25	100	DRAPER RD	101	\$ 721,000
2/28/2011	23	128	25	HASTINGS WAY	102	\$ 539,900	4/15/2011	39	2	20	BLACK OAK RD	101	\$ 700,000
3/2/2011	23	13	311	BOSTON POST RD	340	\$ 340,000	4/19/2011	36C	64	7	RIVER VIEW CIR	101	\$ 323,000
3/3/2011	1	54	307	TROUT BROOK RD	102	\$ 166,822	4/21/2011	11	59	163	GLEZEN LN	101	\$ 424,500
3/11/2011	45	051A	15	STEEPLETREE	102	\$ 470,000	4/21/2011	38	71	20	OLD FARM RD	101	\$ 375,000

*2011 Arms Length Sales are in process of being validated and may be modified

2011 Arms Length Sales Report* continued

Sale Date	Map	Lot	No.	Address	LUC	Sale Price	Sale Date	Map	Lot	No.	Address	LUC	Sale Price
4/29/2011	38	16	215	OLD CONNPAT	101	\$ 521,000	7/1/2011	38	99	3	ROLLING LN	101	\$ 586,000
4/29/2011	43D	2	35	HIGH ROCK RD	101	\$ 712,500	7/1/2011	23	131	31	HASTINGS WAY	102	\$ 580,785
4/29/2011	38	93	17	ROLLING LN	101	\$ 481,000	7/8/2011	11	79	17	HAZELBROOK LN	101	\$ 850,000
5/2/2011	46D	110	206	WEST PLAIN ST	101	\$ 328,000	7/11/2011	48	100E	11	LOKER ST	101	\$ 615,000
5/2/2011	44	69	38	HIGH ROCK RD	101	\$ 1,248,000	7/11/2011	20	2	35	SEARS RD	101	\$ 990,000
5/2/2011	7	25	17	SHERMAN BRIDGE	101	\$ 430,000	7/15/2011	51A	94	53	WEST PLAIN ST	104	\$ 544,000
5/9/2011	42B	57	26	HIGHGATE RD	101	\$ 485,000	7/18/2011	48	103	47	AQUEDUCT RD	101	\$ 492,000
5/13/2011	47C	17	43	BENT AVE	101	\$ 509,000	7/20/2011	45	094E	34	PICKWICK WAY	102	\$ 584,900
5/13/2011	51B	77	8	KING ST	101	\$ 350,000	7/20/2011	12	8	61	HIGHLAND CIR	101	\$ 829,500
5/13/2011	53	037B	315	WILLOWBROOK DR	102	\$ 649,900	7/21/2011	29	16	49	FORTY ACRES DR	101	\$ 790,000
5/14/2011	52	187	102	EAST PLAIN ST	101	\$ 290,000	7/27/2011	40	027D	5	BRANDYWYNE	102	\$ 450,000
5/16/2011	44	88	52	WOODRIDGE RD	101	\$ 1,295,000	7/28/2011	52	145	7	OAK ST	101	\$ 388,000
5/16/2011	27	8	29	JEFFREY RD	101	\$ 465,000	7/29/2011	37	24	37	OAK HILL RD	101	\$ 534,000
5/17/2011	48	013A	12	WAYBRIDGE LN	101	\$ 910,000	7/29/2011	49	26	18	CLUBHOUSE LN	101	\$ 822,000
5/18/2011	15	29	14	MELLEN LN	101	\$ 830,000	8/1/2011	4	118	14	CATHERINE'S FARM	101	\$1,150,000
5/20/2011	23	126	21	HASTINGS WAY	102	\$ 589,900	8/1/2011	44	29	22	COUNTRY CORNERS	101	\$ 481,500
5/24/2011	44	116A	136	WOODRIDGE RD	101	\$ 889,000	8/1/2011	30	6	13	WHISPERING LN	101	\$1,100,000
5/25/2011	52	83	10	BALD ROCK RD	101	\$ 615,000	8/5/2011	52	69	22	SNAKE BROOK RD	101	\$ 487,000
5/25/2011	47C	34	14	PINE NEEDLE RD	101	\$ 562,000	8/5/2011	19	26	75	CLAYPIT HILL RD	101	\$1,050,000
5/27/2011	53	026B	104	WILLOWBROOK DR	102	\$ 559,000	8/10/2011	11	22	18	HICKORY HILL RD	101	\$ 590,000
5/27/2011	47A	39	30	LAKEVIEW RD	101	\$ 270,000	8/11/2011	28	11	34	JEFFREY RD	101	\$ 465,500
5/27/2011	34	33	22	SHAW DR	101	\$ 712,500	8/11/2011	23	148	34	HASTINGS WAY	102	\$ 589,900
6/1/2011	23	83	9	BOW RD	101	\$ 515,400	8/12/2011	38	19	12	DAVELIN RD	101	\$ 631,740
6/10/2011	48	123	6	BROOKS RD	101	\$ 429,000	8/12/2011	30	10	26	WHISPERING LN	101	\$1,009,000
6/10/2011	11	62	153	GLEZEN LN	101	\$ 765,000	8/15/2011	44	65	12	HIGH ROCK RD	101	\$ 900,000
6/12/2011	52	208E	8	DECOLORES DR	102	\$ 425,000	8/18/2011	38	67	9	OLD FARM CIR	101	\$ 445,000
6/13/2011	24	35	10	MORSE RD	101	\$ 320,000	8/19/2011	40	023A	512	HAYFIELD LN	102	\$ 985,000
6/15/2011	24	138	9	PARMENTER RD	101	\$ 724,000	8/19/2011	7	40	4	GRAYBIRCH LN	101	\$ 745,000
6/15/2011	10	44	10	SEDGEMEADOW RD	101	\$ 634,000	8/22/2011	11	5	158	CONCORD RD	101	\$ 350,000
6/15/2011	24	159	51	PLAIN RD	101	\$ 1,335,000	8/26/2011	46B	6	459	OLD CONNPAT	101	\$ 386,500
6/15/2011	44	27	14	COUNTRY CORNRS	101	\$ 865,000	8/26/2011	44	107	10	BLACK OAK RD	101	\$ 650,000
6/15/2011	46D	87	164	WEST PLAIN ST	101	\$ 311,000	8/31/2011	42B	28	63	STONEBRIDGE RD	101	\$ 360,000
6/16/2011	40	044A	2	CHRISTINA	102	\$ 445,000	9/1/2011	18	91	37	CONCORD RD	101	\$ 690,000
6/17/2011	33	20	18	GREEN WAY	102	\$ 760,000	9/8/2011	45	077B	47	HILLSIDE DR	102	\$ 449,800
6/24/2011	52	9	8	TIMBER LN	101	\$ 564,000	9/9/2011	7	54	281	CONCORD RD	101	\$ 504,000
6/24/2011	52	208B	5	DECOLORES DR	102	\$ 475,000	9/9/2011	38	150	7	CAMERON RD	101	\$ 730,000
6/24/2011	38	95	11	ROLLING LN	101	\$ 490,000	9/12/2011	48	39	81	LOKER ST	101	\$ 500,000
6/27/2011	51A	79	24	MITCHELL ST	104	\$ 374,900	9/13/2011	33	023U	6	GREEN WAY	102	\$ 292,000
6/28/2011	50	024A	9	AMEY RD	101	\$ 620,000	9/18/2011	44	87	46	WOODRIDGE RD	101	\$ 699,000
6/28/2011	23	130	29	HASTINGS WAY	102	\$ 589,900	9/22/2011	51A	15	5	PLEASANT ST	101	\$ 265,000
6/29/2011	3	49	140	OXBOW RD	101	\$ 550,000	9/22/2011	52	208B	5	DECOLORES DR	102	\$ 415,000
6/29/2011	30	061A	30	OLD CONNPAT	130	\$ 408,000	9/23/2011	45	097E	56	PICKWICK WAY	102	\$ 595,000
6/30/2011	51C	71	19	PARKLAND DR	101	\$ 395,000	9/23/2011	40	067E	1305	MAGNOLIA DR	102	\$ 820,000
6/30/2011	1	19	47	GROVE ST	101	\$ 800,000	9/27/2011	39	34	33	SHAW DR	101	\$ 700,000
6/30/2011	52	28	7	EDEN RD	101	\$ 478,000	9/28/2011	43A	21	291	OLD CONNPAT	101	\$ 555,000
6/30/2011	52	199	9	CAULFIELD RD	101	\$ 791,300	9/28/2011	47B	73	154	SCHOOL ST	101	\$1,010,000
6/30/2011	24	158C	10	LINGLEY LN	101	\$ 1,250,000	9/29/2011	15	8	143	GLEZEN LN	101	\$ 880,000

*2011 Arms Length Sales are in process of being validated and may be modified

2011 Arms Length Sales Report* continued

Sale Date	Map	Lot	No.	Address	LUC	Sale Price	Sale Date	Map	Lot	No.	Address	LUC	Sale Price
9/30/2011	1	002D	10	PESCE DR	101	\$ 918,000	11/18/2011	27	7	25	JEFFREY RD	101	\$ 485,000
9/30/2011	4	82	319	CONCORD RD	101	\$ 437,500	11/28/2011	52	45	60	DEAN RD	101	\$ 315,000
10/3/2011	23	133	35	HASTINGS WAY	102	\$ 659,900	12/1/2011	38	138	14	CLARENCE RD	101	\$ 553,500
10/7/2011	17	1	92	OLD SUDBURY RD	101	\$ 387,000	12/1/2011	14	029G	6	PHEASANT RUN	101	\$1,330,000
10/7/2011	3	48	136	OXBOW RD	101	\$ 330,000	12/2/2011	46D	53	25	CASTLE GATE RD	101	\$ 300,000
10/11/2011	38	45	27	DAVELIN RD	101	\$ 558,000	12/2/2011	52	211A	5	LOKER ST	101	\$ 720,000
10/11/2011	3	010A	189	OXBOW RD	101	\$ 618,000	12/5/2011	45	095B	38	PICKWICK WAY	102	\$ 442,000
10/13/2011	24	22	6	D'ANGELO RD	101	\$ 302,000	12/15/2011	42B	30	49	STONEBRIDGE RD	101	\$ 435,000
10/14/2011	40	058B	402	DAHLIA DR	102	\$ 730,000	12/16/2011	4	89	11	WALTHAM RD	101	\$ 467,500
10/19/2011	52	139	19	OAK ST	101	\$ 374,000	12/18/2011	40	023C	514	HAYFIELD LN	102	\$ 985,000
10/21/2011	45	075C	31	HILLSIDE DR	102	\$ 473,500	12/21/2011	48	099A	6	THOMPSON ST	101	\$ 829,000
11/15/2011	45	106B	23	GLEN OAK DR	102	\$ 1,047,500	12/28/2011	32	7	8	ERWIN RD	101	\$ 850,000
11/17/2011	34	6	140	OLD CONNPAT	101	\$ 1,050,000	12/29/2011	46D	33	219	LAKESHORE DR	101	\$ 265,000
11/17/2011	36C	7	12	MEADOW VIEW RD	101	\$ 556,000	12/30/2011	35	009A	2	ASTRA	102	\$ 429,000
11/17/2011	25	18	50	RICH VALLEY RD	101	\$ 565,000							

*2011 Arms Length Sales are in process of being validated and may be modified

LUC = Land Use Code (101-Single Family, 102-Residential Condominium, 104-Two Family, 109-Two Dwellings on 1 lot, 130-Vacant Land, and 322,334,340-Commercial Use)

REPORT OF THE 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. The Committee currently consists of nine members, one each from the Planning Board, Historical Commission, Recreation Commission, Conservation Commission, Housing Commission, Department of Public Works, and three members appointed by the Board of Selectmen.

CPA Revenue – Since the adoption of the CPA in 2001 through fiscal 2011, Wayland has received \$5,918,559 from the residential property tax surcharge, including interest, and \$3,593,584 in matching State Trust Fund distributions, for a total revenue of \$9,512,143. The funds collected are known as the Community Preservation Fund and are held and administered by the Town's Treasurer.

1. Fund Revenues & Expenditures by Year, Total Fund Balance by Year

	FY02 - FY06	FY07	FY08	FY09	FY10	FY11	TOTAL
REVENUES							
CPA Taxes:	\$2,108,365	\$573,729	\$590,941	\$639,877	\$655,272	\$684,768	\$5,252,950
State Match:	\$1,684,614	\$526,703	\$577,711	\$401,077	\$224,375	\$179,104	\$3,593,584
Interest:	<u>\$196,048</u>	<u>\$203,420</u>	<u>\$154,768</u>	<u>\$31,389</u>	<u>\$47,873</u>	<u>\$32,111</u>	<u>\$665,609</u>
Subtotal:	\$3,989,027	\$1,303,852	\$1,323,420	\$1,072,343	\$927,519	\$895,983	\$9,512,143
EXPENDITURES	<u>(\$599,755)</u>	<u>(\$121,992)</u>	<u>(\$536,049)</u>	<u>(\$755,994)</u>	<u>(\$8,014)</u>	<u>(\$69,848)</u>	<u>(\$2,091,651)</u>
FUND BALANCE	\$3,389,272	\$4,571,132	\$5,358,503	\$5,674,852	\$6,594,357	\$7,420,492	\$7,420,492

2. Fund Appropriations and Expenditures by CPA Project Initiative through FY11

No.	Acquisition or Preservation Initiative	Year	Appropriated	Complete/ Remaining *
1	Repair of Historic gravestones	2003	\$65,000	Y
2	Study creation of railroad interpretive site	2003	\$15,000	Y
3	Environmental testing at former Nike site	2003	\$35,000	Y
4	Repair & restore historic markers	2004	\$5,000	\$5,000
5	Acquire 2.75 acres at Nike site for housing	2004	\$500,000	Y
6	Site prep & demolition on 11 acres at Nike	2004	\$100,000	Y
7	Admin cost for appraisal of Moon property	2004	\$10,000	Y
8	Acquire Gilbert land on Brackett Rd	2005	\$100,000	Y
9	Architectural and site planning at Nike	2006	\$40,000	Y
10	Community gardens at landfill & Plain Rd	2006	\$8,750	Y
11	Artificial turf field at Wayland High School	2006	\$300,000	Y
12	Weed management etc at great ponds	2006	\$75,000	Y
13	Acquire 7 acres on Reservoir Road land	2007	\$211,000	Y
14	Fund portion of construction at Nike	2008	\$560,000	\$54,892
15	Passive & active recreation land at Nike	2008	\$250,000	\$56,686
16	Rehab & preserve railroad freight house	2008	\$50,000	\$27,816
17	Admin costs of CPC for appraisals, dues etc	2009	\$25,000	\$18,353
18	Assess preservation of historical collections	2009	\$10,000	Y
19	Evaluation of proposed Rail Trail	2010	\$25,000	\$25,000
20	Renovations to Vokes Theater	2010	\$6,000	\$3,300
21	Appraisal of Mainstone Farm	2010	\$40,000	\$18,400
22	Study use of Dudley area parcels	2010	\$35,000	\$35,000
23	Digitize Town's historic documents	2011	<u>\$160,000</u>	<u>\$160,000</u>
		Total:	\$2,625,750	\$404,447

* A total of \$129,652 remains unexpended for the completed projects and is available for appropriation.

3. Fund Set Asides and Balances as of June 30, 2011

In addition to the above CPA project initiatives approved at Town Meetings, in 2004 and 2008 the town also approved set asides of \$600,000 and \$900,000 respectively for acquiring open space in the future. As a result of these and other mandatory annual set asides required by the Community Preservation Act, the Fund balances were as follows:

Category	Balance
Remainder of CPC administrative appropriations	\$18,353
Remainder of committed project appropriations	\$386,094
Reserved for Open Space	\$1,960,548
Reserved for Historic Preservation	\$526,176
Reserved for Community Housing	\$235,000
Unallocated Balance	<u>\$4,294,321</u>
Total:	\$7,420,492

REPORT OF THE HIGH SCHOOL BUILDING COMMITTEE

This update describes the work of the High School Building Committee (HSBC) during the past year since the Annual Town Meeting of April 2011. The progress of the Wayland High School building project is documented in the detailed Monthly Status Report available on the HSBC website at www.waylandhsbc.org. The work of the HSBC in prior years is summarized in the 2009 Feasibility Study (Supplement to 2004 Preliminary Design Report), the Visioning and Educational Specifications Report, and the Report of the HSBC published in the January 2005 Special Town Meeting Warrant. All reports are available on the HSBC web site and at the Wayland Public Library.

The HSBC is pleased to report that the project is on schedule and under budget. The HSBC set a very aggressive schedule in order to minimize costs and disruption. The project team met its goals and opened the renovated Field House in time for the start of school in September 2011 and opened the new buildings on January 3, 2012. The project is scheduled to be completed by mid-August 2012, with a ribbon cutting ceremony planned for August 30, 2012.

Construction on an occupied site is challenging, but Wayland High School (WHS) students, parents, teachers, and staff adjusted to the inconveniences. Moving mid-year into the new facility required a focused effort led by the WHS administration, teachers, staff, students, and Town and project team members.



Wayland High School site aerial photo taken on November 26, 2011. Shows the new buildings and renovated Field House with the original buildings still standing.

Over the past year, the HSBC met 12 times for a total of 130 regular meetings since January 2004. The most recent meetings focused on working with the project professionals from HMFH Architects, KV Associates (Owner's Project Manager), and Shawmut Design and Construction Company (Construction Manager) in a variety of areas. Specifically, the HSBC and project team:

- Reviewed/approved invoices and change orders
- Met on site with the Massachusetts School Building Authority for bi-monthly reviews

- Executed a Project Funding Agreement Amendment with the MSBA
- Opened the renovated Field House in September 2011
- Planned community events with Celebrate Wayland to introduce WHS to the Town
- Ordered FF&E (furniture, fixtures, & equipment) and Technology
- Planned and executed the December move-in to the new buildings
- Opened the new WHS on January 3, 2012
- Began demolition of the old WHS in January, 2012
- Conducted neighborhood meetings

Massachusetts School Building Authority (MSBA)

MSBA regulations define a five-phase process, with guidelines that clearly define the school's components, sizes, and characteristics for which the state will provide reimbursement. The state and local community work together at every step of the new process. The five phases are: identify the problem, validate the problem, evaluate potential solutions, confirm a solution, and implement the agreed upon solution. In 2009 the MSBA approved Wayland's project scope and a budget of \$70.8 million and committed up to \$25 million or 40% of eligible reimbursable expenses for the Wayland High School Project. In July 2011, Wayland and the MSBA executed the PFA (Project Funding Agreement) Amendment, which adjusted the maximum possible grant to \$24.6 million. Wayland is now in the implementation phase and is receiving reimbursement payments from the MSBA.

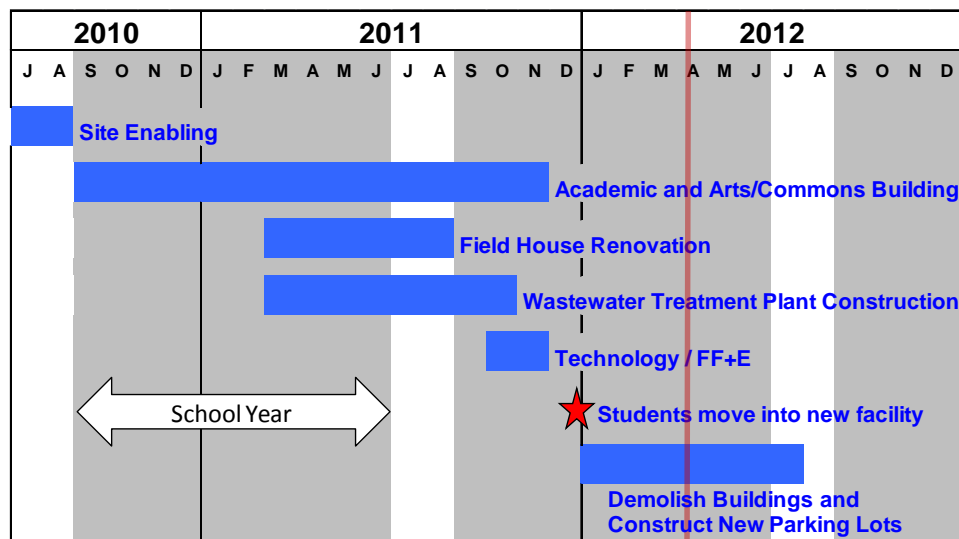
Project Description

The project, designed for 900 students, is composed of the South Building, a new 103,000-squarefoot building with classrooms, science labs, library/media center, and lecture hall and the North Building, a new 53,000-squarefoot building with dining commons, administration, guidance, music and art classrooms, fitness room, and auditorium. The existing Field House (40,000 square feet) renovation included new roof, locker rooms, elevator, and upgrades for plumbing, electrical, heating, ventilation, and seismic systems. The new buildings were constructed on the old parking lots. Now that students and staff have moved into the new buildings and demolition of the old buildings is complete, work on the new parking lots is underway. There is also a new wastewater treatment plant (WWTP) on the north side of the campus.

Construction Update

The project is tracking on schedule. Demolition of the old buildings was completed in early March. Work began on underground utilities, drainage, and parking lots in March. The western-most parking lot near the Field House will be turned into a meadow in April and May. During the summer the North Building entrance, paving, and final landscaping will be completed. The project is scheduled for completion by mid-August.

Project Schedule



Conclusion

The High School Building Committee is committed to managing a high quality project that is on schedule and within budget. Work on this project has been and continues to be a team effort that includes Town Boards and Departments, the Wayland School Committee, School administration, faculty, staff, students and their families, neighbors, the Massachusetts School Building Authority, and our design, project management, and construction professionals.

We are very grateful for the support of the community for the Wayland High School project over these many years.

Respectfully submitted,

Lea T. Anderson, HSBC Chairman

High School Building Committee Members

NAME	TELEPHONE	E-MAIL ADDRESS
Lea Anderson	508-358-2667	lea@anderson.name
Josh Bekenstein	508-358-5651	jbekenstein@baincapital.com
Dianne Bladon	508-358-0068	dehbladon@gmail.com
Brian Chase	508-788-1081	abchase@comcast.net
Jim Howard	508-358-2619	howard.james123@gmail.com
Fred Knight	508-358-0834	fred@knightway.org
David Lash	508-358-5294	dclash3@verizon.net
Mary Lentz	508-655-9862	mlentz@mccallalmy.com
Joe Lewin	508-653-9952	joelewin6@gmail.com
Cindy Lombardo	508-358-5958	cindy.lombardo@comcast.net
Eric Sheffels	508-358-5461	eric.sheffels@lmp.com
Jennifer Steel	508-652-1952	jennifermsteel@gmail.com

REPORT OF THE 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. We have maintained an on-site presence at the high school to increase access for students and faculty. This year we provided several support groups to High School students.

Our staff is 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. This year we provided increased amounts of community consultation and support activities in response to several community crises.

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 Friends of WYFS, WaylandCares (formerly known as Wayland Substance Abuse Prevention Coalition), Parent/Teacher Organizations, and other Town departments, we provide lectures, workshops, and other events each year. We also co-lead discussion groups for parents of freshmen and parents of seniors, and provide “Parent Coffees,” which are substance abuse prevention programs for small groups of interested parents. Each year we provide a “Depression Awareness” event at the High School, in concert with National Depression Screening Day, which is intended to familiarize students with this highly treatable illness and effective interventions.

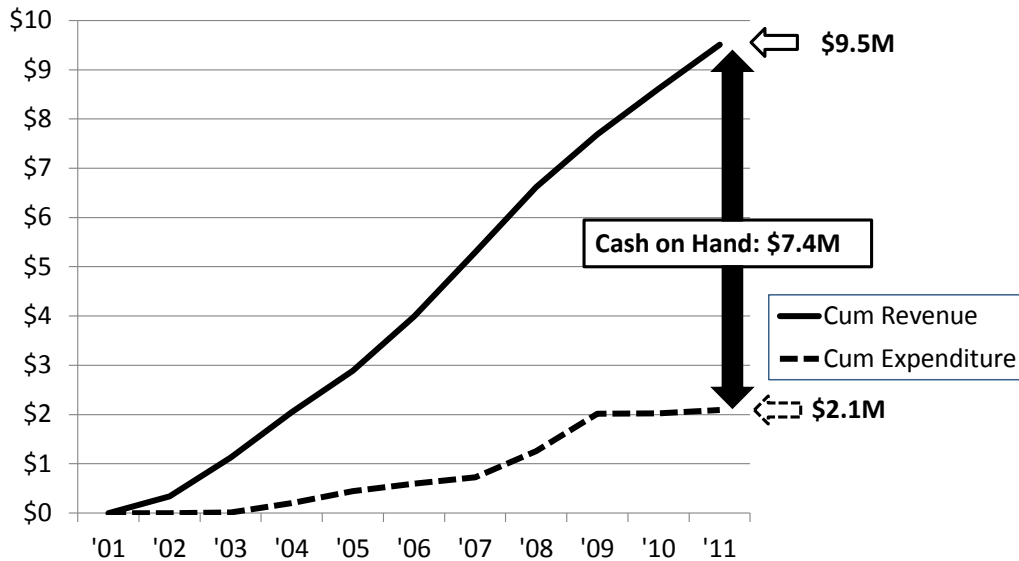
Friends of WYFS is a group of interested parents who work to bring parenting resources and education to the community. Last spring the Friends brought the documentary *Race to Nowhere* back to Wayland for additional showings, providing our community with another chance to consider how to balance academic pressure with support for mental health in developing children and adolescents. This year the Friends have been collaborating in the planning and execution of the community’s first Wellness Summit, which will bring the expertise of a number of health and wellness professionals to adults and middle school and high school students for an afternoon of workshops and demonstrations.

In recent years, providing opportunities for community service has become an important part of our mission to support healthy development in Wayland youth. Each spring, we work with the High School to put on the annual Community Service Awards Ceremony, which last year recognized 26 high school students for significant service over the past year. Also honored was Antonia Hieronymus, whose very successful and community-wide “Spare Change” initiative raised funds to provide a school and supplies to a remote Andean community. As in past years, we offered an 8 week Summer Community Service Program in which 24 high school students volunteered, sometimes several times per week, at their choice of 10 sites and activities. Amy Schoeff, RN coordinated and further developed the program this year.

Last year we provided a fieldwork placement for Ryan Our, a graduate student in counseling psychology at Assumption College, who assisted us in providing counseling and prevention services.

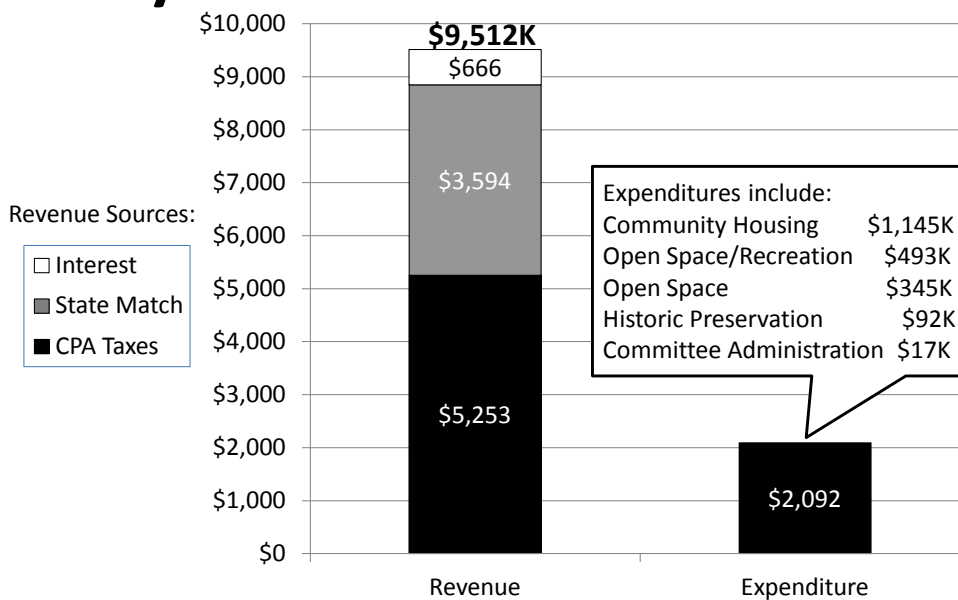
APPENDIX K: GRAPHS DEPICTING CPA FUND, 2002 TO THE PRESENT

Cumulative CPA Fund Revenue & Expenditure



Source: Data from annual Town Reports & Wayland's Director of Finance.
Dollars in millions, for Fiscal Years ending June 30.

Wayland CPA Fund 2002 – 2011



Source: Data from Wayland's Director of Finance. Fiscal years ending June 30.
Dollars in thousands.

**APPENDIX L: SUPPLEMENTAL RULES OF PROCEDURE FOR THE
2012 ANNUAL TOWN MEETING**

The Town has agreed to provide equipment that will allow for the display of pictures, maps, photographs, videos and similar material that will support the discussion of motions on the floor. In order to provide structure to the use of equipment, the Town Moderator is promulgating the following rules:

1. Audio/visual presentation is only for pictures, graphs or similar material that will provide a view not easily seen in material that otherwise is available in the Warrant or readily distributed at the meeting.
2. All presentations must be of a size and nature reasonably viewable by all attendees. PowerPoint programs that are essentially wording are not appropriate.
3. All audio/visual presentations must be approved by and are under the ultimate control of the Moderator. The Moderator should receive the content of any such presentation not later than March 30, 2012. Please submit the material to the Selectmen's Office or by email to selectmen@wayland.ma.us so the Moderator can review each submission. The Moderator's decision on content is final and binding.
4. All submissions are considered public documents and will be published on the Town's website prior to the 2012 Annual Town Meeting.
5. All presentations must be loaded onto a common computer by "thumb drive" or direct electronic input prior to the start of the meeting. Rehearsal of the presentation in the meeting room will be available only if time allows at the discretion of the Moderator.
6. The computer through which all presentations will be made will be managed by one person designated by the Moderator.
7. All existing time limits for debate will prevail and will be enforced by the Moderator.



You are required to serve this Warrant by posting copies thereof, attested by you, at the Town Building, at the Public Library in Wayland Center, at the Cochituate Fire Station or the Cochituate Post Office, and at the Happy Hollow School, and by mailing or delivering a copy thereof addressed to each residence in the Town fourteen (14) days, at least, before the time appointed for the Annual and Special Town Meeting.

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before March 20, 2012.

Given under our hands and seals this 19th day of March, 2012.

Thomas J. Fay, Chair

Susan W. Pope, Vice Chair

John Bladon

Steven J. Correia

Joseph F. Nolan

Selectmen of the Town of Wayland

Cherry C. Karlson, Chair

William Steinberg, Vice Chair

Paul Grasso

Thomas Greenaway

David J. Gutschenritter

Sam H. Peper

Richard M. Stack

Finance Committee of the Town of Wayland

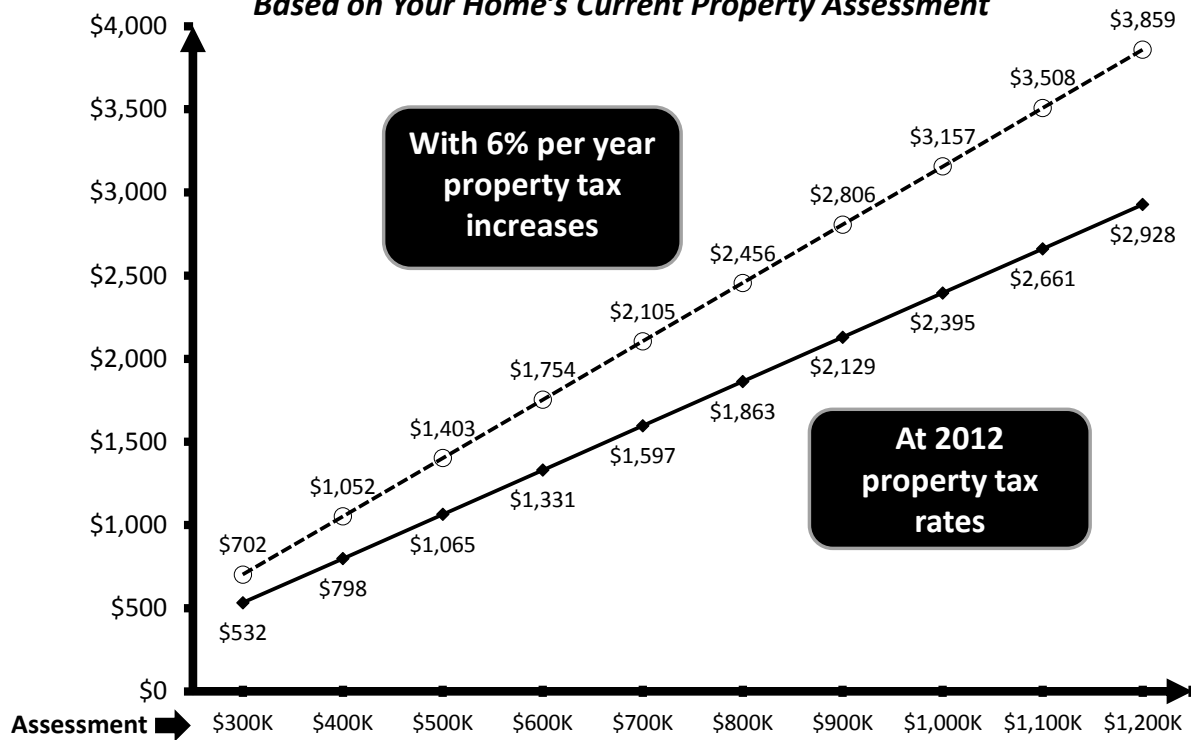
Supplemental Rules of Procedure for the 2012 Annual Town Meeting

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10 Year Tax Savings by Cutting CPA Tax

Based on Your Home's Current Property Assessment



Source: Jay Sherry, sherry.jay@gmail.com, 508-308-3422

Background on CPA Tax Revenue and Potential Tax Savings

The CPA surcharge rate has been fixed at 1.5% for 11 years, from FY2002 through FY2012. But the amount of revenue it raises has increased significantly during this period. The CPA tax is a surcharge, or a tax on a tax. So as Wayland's real estate property taxes go up, so does the CPA tax, either because assessments go up or the rate per thousand goes up. Data from Michael DiPietro, Wayland's Director of Finance, of the revenue raised from Wayland taxpayers:

Revenue raised from Wayland's CPA Taxes in FY02:	\$337,404
Revenue raised from CPA Taxes in FY06:	\$512,031
Revenue raised from CPA Taxes in FY11:	\$684,768
Compound annual growth FY02 - FY11:	8.2%
Compound annual growth FY06 - FY11:	6.0%

Wayland's Finance Committee analyzed the impact of Warrant Article #6 in detail. Its analysis of tax savings used the value of a single home assessed at the Wayland average of \$600,000 and at the 2012 real estate property tax rate of \$19.01 per thousand. Here's what the tax savings arithmetic looks like in moving the CPA rate from 1.5% down to .1%:

Assessed Value of Property:	\$600,000	
Subtract the CPA exemption amount:	<u>-\$100,000</u>	
	\$500,000	
Multiply by 2012 property tax rate of:	\$19.01	per thousand
then Multiply by CPA surcharge rate of:	<u>1.5%</u>	
CPA tax per year at 1.5%:	\$142.58	
CPA tax per year at proposed 0.1%:	\$9.51	
Savings in the first year from the lower CPA:	\$133.07	
10 year Savings at current property tax rate*:	\$1,331	
Savings over 10 years with 6% per year property tax increase:	\$1,754	
* Assumes no change in assessed value or property tax rate per thousand		

All this corresponds to the data shown in the Warrant, except that the Warrant didn't address the 6% per year increase over time.

Data from Ellen Brideau, Wayland's Director of Assessing reveals that 90% of Wayland's single family homes have 2012 assessments between \$300,000 and \$1.2 million. Re-running the same numbers as above for homes in this range reveals the picture on page 1.

The solid line on page 1 represents the ten year tax savings over this range of home values, assuming no change in the 2012 real estate property tax rate of \$19.01 or of the 2012 property assessment of a particular home. This is the minimum savings over the ten years. The dotted line represents the more realistic tax savings that can be expected, based on the 6% growth we've experienced in the CPA in the last five years.



TOWN OF WAYLAND
ANNUAL TOWN MEETING
April 9, 2012
ERRATA SHEET

Article 8, page 47, top of page:

Delete:

- 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:

Replace:

- 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 8 at the Annual Town Meeting, as follows:

Article 8, page 54, Capital Budget – FY2013

Delete: 14 ZONE 2 WELL TESTING WC 50,000

Replace: 14 CAPTURE ZONE ANALYSIS WC 50,000

Article 11, bottom of page 73, make the following correction:

Delete: **QUANTUM OF VOTE:** Majority.

Replace: **QUANTUM OF VOTE:** Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

Article 24, page 98, make the following correction:

Referenced section numbers should read 508.1, 508.2 and 508.3 (not 50B.1, 50B.2 and 50B.3)

Article 24, page 100, make the following correction:

Delete: **QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40A, Section 5.

Replace: **QUANTUM OF VOTE:** Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

**Article 25, page 100, make the following correction to the title of the article
(and also in Table of Contents, Article 25):**

Delete: **AMEND ZONING BYLAW SECTION 198-1102.1.2.1.4: DEFINITION
OF SERVICE STATIONS**

Replace: **AMEND ZONING BYLAW SEC. 198-1102.1.4.1.4 AND 198-1102.1.4.1.7
GOVERNING SERVICE STATIONS**



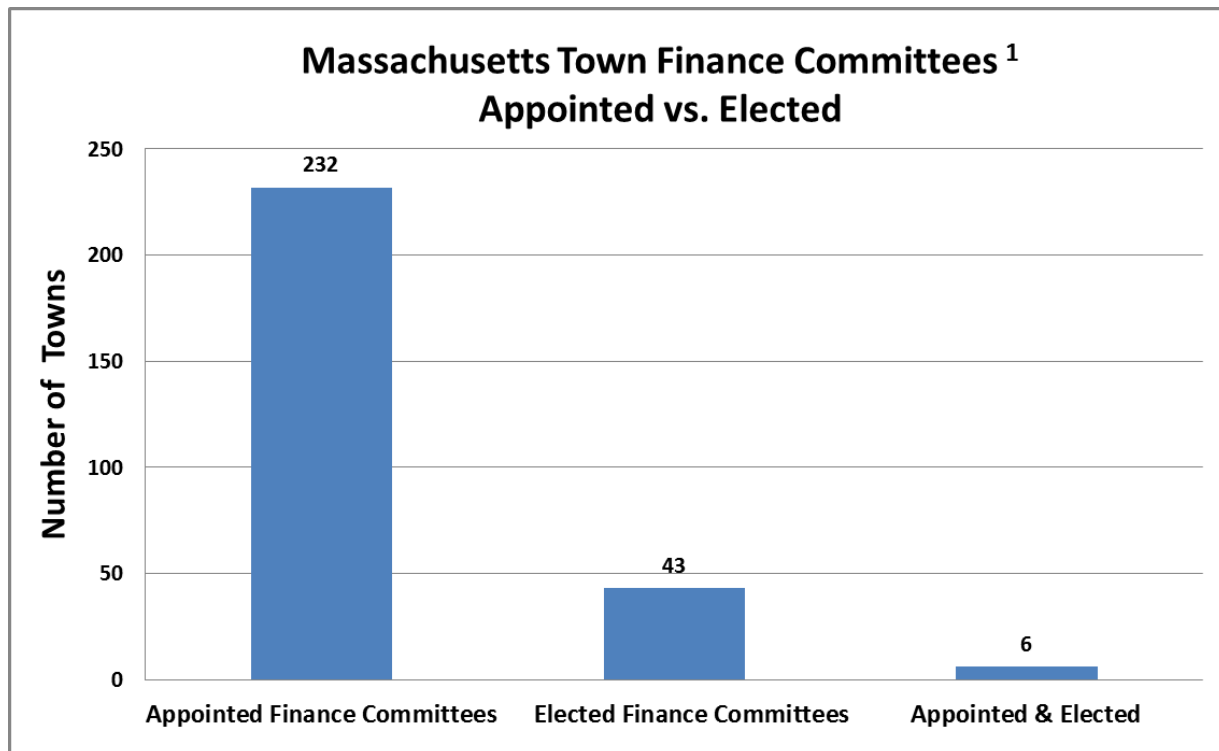
TOWN OF WAYLAND
ANNUAL TOWN MEETING
April 9, 2012
ERRATA SHEET FOR ARTICLE 4

Errata Submitted by Finance Committee, Article 4, page 32, top of page:

Based on information provided by the Finance Committee, the Finance Committee comment and graph at the top of page 32 are revised to read as follows:

In the State of Massachusetts there are an estimated 281 town finance committees^[1] of which 232 (83%) are appointed, 43 (15%) are elected and 6 (2%) are both appointed & elected.

¹ Data includes Massachusetts Municipal Association - Association of Town Finance Committees 2007 Survey Data



APPENDIX B, pages 121-124, MASSACHUSETTS FINANCE COMMITTEES BY TOWN

Note the following changes:

Towns with elected finance committees not previously identified: Hancock, Hubbardston, Leverett, Middlefield, Monroe, New Braintree, Russell and Windsor.

Towns with appointed finance committees previously identified as appointed or other method: Edgartown, Freetown, Goshen, Holliston and Tisbury.

Errata Submitted by Petitioners, Article 4, page 32, top of page:

Delete: 31 are elected
Replace: 42 are elected

Article 4, page 32, graph

Delete Graph
Replace: Corrected graph

APPENDIX B, pages 121-124, MASSACHUSETTS FINANCE COMMITTEES BY TOWN

Delete the following 13 Massachusetts towns or cities having a Council-Manager or Mayor form of government

Amesbury	Leominster
Attleboro	Newburyport
Barnstable	Newton
Beverly	North Adams
Bridgewater	Weymouth
Gloucester	Winthrop
Lawrence	

Delete “appointed” and replace with “elected” for the following towns:

Edgartown	Leverett
Freetown	Middlefield
Goshen	New Braintree
Holliston	Tisbury
Hubbardston	

Add the following towns and designate that they have elected Finance Committees:

Hancock
Russell
Windsor
Monroe

MOVER:

MOTION – 2010 ATM – APRIL 9, 2012

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

I move you, sir:

MOVED: that the Town recognize citizens who have served in a volunteer capacity on elected and/or appointed boards, committees, and commissions for a minimum of 25 years (service need not be consecutive):

Howell, Barbara	Conservation Commission	1989-2012
	Nike Site Advisory Committee	2003-2004
	Earth Day Celebration Committee	1990

MOVER:

MOTION – 2010 ATM – APRIL 9, 2012

**ARTICLE 1: RECOGNIZE CITIZENS AND EMPLOYEES FOR
PARTICULAR SERVICE TO THE TOWN
MOTION #2**

I move you, sir:

MOVED: that the Town recognize the following town and school employees
have retired since the 2011 Annual Town Meeting and have served
the Town for over 20 years (service need not be consecutive):

Richard Manley	32 Years	Police Sergeant
Thomas Turner	37 Years	Dispatcher

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

**ARTICLE 1: RECOGNIZE CITIZENS AND EMPLOYEES FOR
PARTICULAR SERVICE TO THE TOWN
MOTION #3**

I move you, sir:

MOVED: that the Town recognize and observe a moment of silence in remembrance of the following elected or appointed volunteers or, employees with at least 10 years of service, or an employee while in service to the Town without regard to tenure who have passed away since the adjournment of the 2011 Annual Town Meeting:

Elected or Appointed Volunteers

Lewis, George K.	May 14, 2011	Board of Selectmen (1961-1967) Records Management Committee (1993-1997) Historic District Commission (1965-1993) Historic District Study Committee (1988-1989) Exec Secretary Search Committee (1988-1989) Historical Commission (1974-1983) Growth Policy Committee (1976-1978) Bicentennial Commission (1975-1976) Building Needs Study Committee (1971-1972) Town Government Committee (1970) Honor Roll Committee (1966-1967) Code Enforcement Committee (1967-1980) Condemnation Committee (1961) Conservation Committee (1962) Water Commissioner (1956-1961) Trustee of the Allen Fund (1989-1997)
Reed, Mary C.	September 19, 2011	Historical Commission (1993-2010)
Strong, Jonathan	June 11, 2011	McManus Planning Committee (1985-1986) Paine Steering Committee (1994)

Paine Estate Committee (1995-2000)
Finance Committee (1969-1981)
Code Enforcement Committee (1971-1978)

Wilson, John B. June 16, 2011 Board of Selectmen (1969-1978)
Library Trustee (1985-2006)
Charter Commission (1989)
Minuteman Tech (1978-1984)
Executive Search Committee (1995)
Road Commissioner (1994-2001)
Growth Policy Committee (1995-1997)
School Committee (1960-1968)
Commissioner of Trust Funds (2002-2011)
Library Feasibility Study Committee (2003-2005)
Board of Assessors (2004-2009)

Dergalis, George February 8, 2012 Veterans Memorial Committee (2000-2008)
Designer of the Veterans Memorial that was
dedicated July 3, 2005

Town and School Employees and Retirees

James Griffin	January 15, 2012	Guidance Counselor
Francis McCue	January 14, 2012	Custodian
Sheila DiSalvo	December 18, 2011	Teacher
John Ahern	October 21, 2011	Firefighter
Irma Rosenfield	September 1, 2011	Speech-Language Pathologist
Ward Keller	April 2, 2012	Wiring Inspector

MOTION – 2012 ATM – APRIL 9, 2012

ARTICLE 2: PAY PREVIOUS FISCAL YEAR UNPAID BILLS

I move you, sir:

MOVED: that this article be passed over.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

ARTICLE 3: CURRENT YEAR TRANSFERS

I move you, sir:

MOVED: that the following sums be appropriated to be expended by the following boards and committees in Fiscal Year 2012 for the following purposes:

<u>Purpose</u>	<u>Amount</u>	<u>Board or Committee</u>
MINUTEMAN REGIONAL - SUPPLEMENT	\$15,674	Minuteman Regional High School Committee
MINUTEMAN REGIONAL- CAPITAL ASSESSMENT	\$13,911	Minuteman Regional High School Committee;

and that said appropriations be provided by transferring \$29,585. from the General Fund – Unreserved Fund Balance.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

**ARTICLE 7: ESTABLISH WATER ENTERPRISE FUND – ACCEPT
MASSACHUSETTS GENERAL LAWS CHAPTER 44,
SECTION 53 F ½ FOR FY 2013**

I move you, sir:

MOVED: that the Town accept the provisions of Massachusetts General Laws Chapter 44, Section 53 F ½ to establish an enterprise fund for the Town's water service effective July 1, 2012, and close and transfer all existing water accounts and balances, including without limitation, existing special revenue water funds, to this enterprise fund.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

ARTICLE 8: FY 2013 OMNIBUS BUDGET (MOTION # 1)

I move you, sir:

MOVED: That the report of the Finance Committee respecting the Fiscal Year 2013 Budget be accepted; and that each and every numbered item set forth in the Finance Committee's Budget for Fiscal Year 2013 be voted, granted and appropriated as an expenditure for the several purposes and uses set forth in said budget establishing a total budget of \$71,118,252, 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, \$59,950,567 shall be raised by taxation, \$360,000 shall be provided by transfer from Ambulance receipts, \$119,384 shall be provided by transfer from Premium on Bonds Account, \$4,800,000 shall be provided by transfer from unreserved fund balance, \$1,720,000 shall be provided by transfer from overlay surplus, \$3,500,334 from Water revenue, \$32,807 from Septage Retained Earnings, \$431,252 from Wastewater revenues, \$203,908 from Wastewater Retained Earnings; and 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 this motion as printed on Page 47 of the Warrant for the 2012 Annual Town Meeting.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

ARTICLE 8: FY 2013 OMNIBUS BUDGET (MOTION # 2)

I move you, sir:

MOVED: 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:

	Equipment/Vehicle/Project		Department	Amount
1	Computer Equipment	B	Information Tech	\$185,000.00
2	Building Repairs	B	Facilities	\$180,000.00
3	Video Security Equipment	C	Jt. Communications	\$35,000.00
4	Equipment	B	Public Works	\$295,000.00
5	Motor Vehicles	C	Public Works	\$270,000.00
6	Cemetery Imp/Archeological Testing	FC	Public Works	\$20,000.00
7	Field Renovations	B	Public Works	\$75,000.00
8	Road Construction	FC	Public Works	\$200,000.00
9	Motor Vehicles - Water	WC	Public Works	\$120,000.00
10	Pump Station Upgrades – Water	WC	Public Works	\$100,000.00
11	Water System Upgrades – Pemberton Rd.	WR	Public Works	\$500,000.00
12	Backhoe - Water	WC	Public Works	\$140,000.00
13	Network Meter Reading System – Water	WC	Public Works	\$700,000.00
14	<u>Capture Zone Analysis – Water</u>	WC	Public Works	\$ 50,000.00
15	Beach Improvements	B	Recreation	\$130,000.00
16	Technology	C	School	\$ 50,000.00
17	School Bus	C	School	\$ 70,000.00
18	Equipment	C	School	\$110,000.00
19	Middle School Roof Repairs	B	School	\$1,500,000.00
20	Total Building Repairs	B	School	\$ 190,000.00
	GRAND TOTAL			\$4,920,000.00;

and, to provide for these appropriations, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$2,555,000. pursuant to the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8, \$535,000 from taxation, \$220,000 from general fund unreserved fund balance, \$1,110,000 from water surplus, and \$ 500,000 from water revenues.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

ARTICLE 10: AMEND ZONING BYLAW: DEFINITION OF REFUSE DISPOSAL DISTRICT

I move you, sir:

MOVED: that the Town amend Chapter 198 of the Code of the Town of Wayland, the Zoning Bylaw of the Town, by making the following amendments:

1.) By adding the following new subsection to Article 12 Refuse Disposal District, Section 198-1201 Permitted Uses:

“1201.1.5. Public works facility including office and associated structures owned or operated by the Town of Wayland and used primarily for maintenance and repair of vehicles owned or leased by the Town of Wayland and for parking and storage of vehicles used primarily for public works uses.”; and

2.) By amending the Table of Dimensional Requirements relative to the Refuse Disposal District by a.) increasing the minimum side yard setback from 15 feet to 75 feet and; b.) inserting a maximum building height of 35 feet where none currently exists.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

**ARTICLE 11: RESOLUTION DESIGNATING RIVER ROAD PARCEL
FOR FUTURE DPW FACILITY**

I move you, sir:

MOVED: that the Town adopt the resolution as set forth on Page 73 of the Warrant for the 2012 Annual Town Meeting.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

**ARTICLE 12: APPROPRIATE FUNDS FOR CONSTRUCTION
DOCUMENTS AND BIDDING OF NEW DPW
MAINTENANCE AND STORAGE FACILITY**

I move you, sir:

MOVED: that the Town appropriate \$725,000. to be expended under the direction of the Permanent Municipal Building Committee and Board of Selectmen for the purpose of preparing design, engineering and related construction documents and bid evaluation and other related expenses for a facility for the maintenance, repair, storage and administrative functions of the Department of Public Works; and that said appropriation be provided by transferring \$725,000. from the General Fund – Unreserved Fund Balance.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

ARTICLE 13: COMPENSATION FOR TOWN CLERK

I move you, sir:

MOVED: that the Town fix the salary and compensation of the
 elected Town Clerk at \$68,442.00 effective July 1, 2012.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

**ARTICLE 14: PERSONNEL BY-LAWS AND WAGE AND
CLASSIFICATION PLAN**

I move you, sir:

MOVED: that that the Town 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 127 through 133 of the Warrant for the 2012 Annual Town Meeting.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

ARTICLE 15: SELL OR TRADE VEHICLES AND EQUIPMENT

I move you, sir:

MOVED: that the Town authorize the Board of Selectmen to sell or otherwise dispose of the following surplus equipment in connection with the purchase of new vehicles and/or equipment:

Department	Vehicle/Equipment	Year
Public Works	Trackless M/T with attachments	1999
Public Works	John Deere 624G	1993
Public Works	John Deere 410D	1995
Public Works	Volvo 10 wheel dump truck with plow	1989
Public Works	Caterpillar 963 track loader	2000
School	Bus	1999
School	Bus	2001

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

ARTICLE 16: ACCEPT GIFTS OF LAND

I move you, sir:

MOVED: that the Town encourage residents to consider a tax-deductible donation of land to the Town for conservation purposes and thank those who have made such donations.

MOVER:

MOTION – 2012 ATM – APRIL 7, 2012

**ARTICLE 17: ACCEPT LAW INCREASING REAL ESTATE TAX
EXEMPTION AMOUNTS**

I move you, sir:

MOVED: that the Town 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 2013.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

ARTICLE 18: AMEND SECTION 19-8 OF THE TOWN CODE

I move you, sir:

MOVED: that the Town amend Section 19-8 of the Town Code relative to the Board of Assessors by making the revisions thereto set forth in Pages 80 through 83 of the Warrant for the 2012 Annual Town Meeting.

MOTION – 2012 ATM – APRIL 9, 2012

**ARTICLE 20: SET ASIDE COMMUNITY PRESERVATION FUNDS
FOR LATER SPENDING**

I move you, sir:

MOVED: that the Town set aside for later spending annual revenues in the Community Preservation Fund in the amounts of \$60,000. for open space, but not including land for recreational use, \$60,000. for historic resources, and \$60,000. for community housing pursuant to Massachusetts General Laws Chapter 44B, Section 6.

MOTION – 2012 ATM – APRIL 9, 2012

ARTICLE 21: APPROPRIATE CPA AND OTHER FUNDS FOR DUE DILIGENCE EFFORTS FOR THE PRE-PERMITTING AND POTENTIAL SALE OF TOWN-OWNED LAND ON BOSTON POST ROAD

I move you, sir:

MOVED: that the Town appropriate \$360,000. to be expended under the direction of the Economic Development Committee and the Board of the Selectmen for studies, planning and analyses relative to a determination of site suitability, planning, and pre-permitting for the potential sale of Town-owned land on Boston Post Road in Wayland, Massachusetts, shown on Assessor's Map 22 as Lots 3, 6 and 7, for development of affordable and market-rate rental housing units primarily for senior independent living; and that said appropriation be provided by transferring \$270,000. from the General Fund – Unreserved Fund Balance and \$90,000. from the Community Preservation Fund, provided that if said funds transferred from the Community Preservation Fund are not used for the creation of affordable housing on said land they shall be refunded to the Community Preservation Fund from the General Fund – Unreserved Fund Balance without further action by town meeting.

MOTION – 2012 ATM – APRIL 9, 2012

**ARTICLE 22: APPROPRIATE CPA FUNDS FOR SITE DEVELOPMENT
FOR AFFORDABLE HOUSING PROJECT ON
STONEBRIDGE ROAD**

I move you, sir:

MOVED: that the Town appropriate \$356,000 to be expended by the Board of the Selectmen for site development costs, including but not limited to an access way, relative to the construction of affordable housing on the Town-owned land on Stonebridge Road in Wayland, Massachusetts containing 3 acres, more or less, and shown as “Habitat for Humanity 3.03 Acres \pm “ on a plan entitled “Plan of Land in Wayland, Massachusetts Stonebridge Road Habitat for Humanity,” dated March 20, 2010, prepared by the Wayland Town Surveyor’s Office, a copy of which plan is on file in the Office of the Town Clerk, and that said appropriation be provided by transferring \$356,000. from the Community Preservation Fund, provided that (1) \$150,000 of said funds so transferred shall be paid pursuant to invoice receipts from Habitat for Humanity -MetroWest/Greater Worcester; and (2) the remaining \$206,000. so tranferred shall be paid to Habitat for Humanity -MetroWest/Greater Worcester on a dollar-for-dollar basis in concert with actual donations raised by Habitat for Humanity -MetroWest/Greater Worcester.

MOTION – 2012 ATM – APRIL 9, 2012

**ARTICLE 23: CREATE STABILIZATION FUND FOR MINUTEMAN
REGIONAL VOCATIONAL-TECHNICAL HIGH SCHOOL**

I move you, sir:

MOVED: that the Town approve the establishment of a Stabilization Fund by the Minuteman Regional Vocational School District to pay costs of capital repairs, renovations, and improvements to the regional district school and its associated facilities in accordance with the provisions of Massachusetts General Laws Chapter 71, Section 16G ½.

MOTION – 2012 ATM – APRIL 9, 2012

**ARTICLE 24: AMEND ZONING BYLAW: ESTABLISH DESIGN REVIEW
ADVISORY BOARD AND DESIGNATE USES SUBJECT
TO REVIEW**

I move you, sir:

MOVED: amend Chapter 198 of the Code of the Town of Wayland, the Zoning Bylaw of the Town, by adding thereto a new section 198-508 relative to a Design Review Board as set forth in Page 98 of the Warrant for the 2012 Annual Town Meeting, except that “50B” shall be replaced with “508” wherever “50B” so appears.

MOTION – 2012 ATM – APRIL 9, 2012

ARTICLE 26: AMEND TOWN CODE 68-1: TRAFFIC CALMING

I move you, sir:

MOVED: amend Chapter 68-1 of the Code of the Town of Wayland by making the revision thereto as set forth in Page 104 of the Warrant for the 2012 Annual Town Meeting.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

**ARTICLE 27: AUTHORIZE THE SALE OF TOWN-OWNED LAND AT
24 AND 26 LAKESHORE DRIVE**

I move you, sir:

MOVED: that the Town:

- (a) authorize the Recreation Commission and the Board of Selectmen, as the case may be, 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 Lakeshore Drive in Wayland, Massachusetts, known and numbered as 24 Lakeshore Drive, Wayland Massachusetts, and 26 Lakeshore Drive, Wayland, Massachusetts, and described in the deeds recorded with the Middlesex South Registry of Deeds, respectively, in Book 9138, Page 468 and Book 12786, Page 38, 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 said parcels of land, subject to such conditions, restrictions and limitations as the Selectmen deem appropriate.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

ARTICLE 29: HEAR REPORTS

I move you, sir:

MOVED: that the Town accept the 2011 Wayland Annual Report,
and those reports included in Appendix J of the 2012 Annual
Town Meeting Warrant.

MOVER:

MOTION – 2012 ATM – APRIL 9, 2012

ARTICLE 30: CHOOSE TOWN OFFICERS

I move you, sir:

MOVED: that the following persons be nominated for the following offices in accordance with Article 30 of the 2012 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:

Susan W. Pope
Jean B. Pratt
Harry F. Sweitzer

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

PETITIONER'S ARTICLES (to the extent provided)

ARTICLE 4: AMEND SECTION 19 OF THE TOWN CODE: ELECT FINANCE COMMITTEE

MOVED: that the Town amend Section 19-1 of the Town Code relative to the mode of selection of the Finance Committee by making the revisions thereto set forth on Page 31 of the Warrant for the 2012 Annual Town Meeting.

ARTICLE 5: AUDIT AND REVIEW COMMITTEE

none provided by lead petitioners

ARTICLE 6: REDUCE CPA TAX RATE

MOVED: that the Town amend the rate of the property tax surcharge previously established by the Town under the provisions of Massachusetts General Laws Chapter 44B, the Community Preservation Act, by reducing said surcharge from 1.5% to .1% effective July 1, 2012, or as soon as legally possible thereafter.

ARTICLE 9: TEACHER COMPENSATION STUDY

MOVED: That, for collective bargaining strategy purposes for the next round of Wayland Public School District labor contract negotiations, the Town vote to authorize \$16,000 to be expended by the School Committee, to engage a specialist to analyze the Wayland Public School District's labor contracts and compensation policies. The specialist shall prepare a report recommending steps that will align Wayland Public Schools' compensation plans with those of the following high-performing school districts -- Acton-Boxborough, Belmont, Harvard, Lexington, and Sharon -- and shall quantify the savings or costs if such steps were to be implemented. Said appropriation shall be provided by transferring \$16,000 from the General Fund - Unreserved Fund Balance

ARTICLE 19: REQUIRE TAX RATE HEARING

none provided by lead petitioner pending further discussion with FinComm rep and Board of Assessors

ARTICLE 25: AMEND ZONING BYLAW – AUTOMOBILE SERVICE STATIONS

MOVED: that the Town amend Chapter 198 of the Code of the Town of Wayland, the Town's Zoning Bylaw, by making the revisions to § 198-1102.1.4.1.4 and § 198-1102.1.4.1.7 thereof as set forth on Pages 100 through 101 of the Warrant for the 2012 Annual Town Meeting.

ARTICLE 28: SCHOOL AUDIT

none provided by lead petitioner

However, the lead petitioner states the estimated cost of this article is \$15,000 to \$30,000 based on the letter from the state auditor that appears as Appendix I at pp. 137-138 of the Warrant. The lead petitioner has advised that he intends to move an appropriation of \$30,000 to fund the audit requested by this article.

ARTICLE 31: RESOLUTION IN SUPPORT OF ELECTRONIC VOTING

MOVED: that the Town adopt the resolution as set forth on Page 111 of the Warrant for the 2012 Annual Town Meeting.

TOWN OF WAYLAND – TOWN CLERK’S OFFICE
ARTICLE STATUS - ANNUAL TOWN MEETING APRIL 9, 10, 11, 12, 23, 2012

Article	2012 Article Name	Status
1	Recognize Citizens and Employees for Particular Service to the Town	PASSED
2	Pay Previous Fiscal Year Unpaid Bills	PASSED OVER
3	Current Year Transfers	PASSED
4	Amend Town Code Section 19: Elect Finance Committee	NOT PASSED
5	Establish and Fund an Audit and Review Committee	NOT PASSED
6	Reduce Rate of Community Preservation Act Property Tax Surcharge	NOT PASSED
7	Establish Water Enterprise Fund – Accept Massachusetts General Laws Chapter 44 Section 53 F ½ for FY 2013	PASSED
8	FY 2013 Omnibus Budget	PASSED
9	Appropriate Funds to Study Teacher Compensation	NOT PASSED
10	Amend Zoning Bylaw: Definition of Refuse Disposal District	PASSED
11	Resolution Designating River Road Parcel for Future DPW Facility	PASSED
12	Appropriate Funds for Construction Documents and Bidding of New DPW Maintenance and Storage Facility	PASSED
13	Compensation for Town Clerk	PASSED
14	Personnel Bylaws and Wage and Classification Plan	PASSED
15	Sell or Trade Vehicles and Equipment	PASSED
16	Accept Gifts of Land	PASSED
17	Accept Law allowing increased Real Estate Tax Exemption Amounts	PASSED
18	Amend Section 19-8 of the Town Code	PASSED OVER
19	Amend Town Code Section 19: Require Tax Rate Hearing	PASSED
20	Set Aside Community Preservation Funds for Later Spending	PASSED
21	Appropriate CPA and Other Funds for Due Diligence Efforts for the Pre-Permitting and Potential Sale of Town-Owned Land on Boston Post Road	PASSED
22	Appropriate CPA Funds for Affordable Housing Project on Stonebridge Road	PASSED
23	Create Stabilization Fund for Minuteman Regional Vocational-Technical High School	NOT PASSED
24	Amend Zoning Bylaw: Establish Design Review Advisory Board and Designate Uses Subject to Review	PASSED
25	Amend Zoning Bylaw Section 198-1102.1.2.1.4: Definition of Service Stations	NOT PASSED
26	Amend Town Code 68-1: Traffic Calming	PASSED
27	Authorize the Sale of Town-Owned Land at 24 and 26 Lakeshore Drive	PASSED
28	Request Audit of School Fee-Based Programs Since FY2007	PASSED
29	Hear Reports	PASSED
30	Choose Town Officers	PASSED
31	Resolution in Support of Funding Electronic Voting Through June 30, 2015	PASSED