

**TOWN OF WAYLAND**

**WARRANT**



**2010 ANNUAL TOWN MEETING**

**Thursday, May 13, 2010 7:30 P.M.**  
**Wayland High School Field House**



**ANNUAL TOWN ELECTION**

**Tuesday, May 11, 2010**

<b>Precincts 1 and 4</b>	<b>Town Building Gymnasium</b>
<b>Precincts 2 and 3</b>	<b>Wayland Middle School Gymnasium</b>

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

**[www.wayland.ma.us](http://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 auxiliary aids for effective communication in programs and services of Wayland are invited to make their needs and preferences known to the ADA Compliance Coordinator. A minimum of fourteen days' notice is required.

**Note: A limited number of assistive listening devices are available for Town residents with hearing impairment. Please present your ID to the Assistant Town Clerk at the check-in table to obtain a device.**

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



# TOWN OF WAYLAND

## 2010 ANNUAL TOWN MEETING WARRANT

WITH REPORT OF THE FINANCE COMMITTEE

### TABLE OF CONTENTS

About Town Meeting .....	1
Report of the Finance Committee (Including Tables and Five-Year Capital Plan) .....	3
Notice: Election and Annual Town Meeting .....	17
List of Town Board Vacancies .....	Inside Back Cover

### ANNUAL TOWN MEETING ARTICLES

1. Recognize Citizens and Employees for Particular Service to the Town .....	18
2. Hear Reports .....	19
3. Choose Town Officers .....	20
4. Current Year Transfers .....	20
5. FY 2011 Omnibus Budget .....	21
6. Resolution Seeking Independent Review of Town and School Budget Process.....	30
7. Pay Previous Fiscal Year Unpaid Bills .....	32
8. Sell or Trade Vehicles and Equipment .....	32
9. Accept Gifts of Land .....	33
10. Accept Law Increasing Real Estate Tax Exemption Amounts .....	33
11. Set Aside Community Preservation Funds for Later Spending .....	34
12. Appropriate CPA Funds for Design Services for Rail-to-Trail .....	35
13. Personnel Bylaws and Wage and Classification Plan .....	37
14. Compensation for Town Clerk .....	38
15. Transfer and Restrict Use of Certain Town-Owned Land for Septic Purposes and Conservation Purposes .....	38
16. Lease DPW Land for Construction of a Community Pool .....	41
17. Acquire Town of Sudbury's Interest in Septage Facility .....	42
18. Amend Town Code re: Department of Public Works .....	44
19. Amend and Expand Refuse Disposal District .....	47
20. Amend Chapter 6 of Town Code re: Posting of Board Policies .....	49
21. Change the Format of Town Meeting .....	51

<b>TABLE OF CONTENTS</b>	<b>PAGE TWO</b>
--------------------------	-----------------

22. Electronic Voting at Town Meeting .....	55
23. Create Town Meeting Debate Website .....	57
24. Transfer of Parcel on Stonebridge Road for Affordable Housing .....	60
25. Transfer and Lease the Recreation Portion of the Loker Conservation and Recreation Area.....	61
26. Acceptance and Acquisition of Alice Drive and Hidden Springs Lane as Town Ways .....	64
27. Land Acquisition for Routes 30 and 27 Intersection Improvements .....	65
28. Amend Zoning Bylaw – Aquifer Protection District .....	67
29. Amendment of Zoning Bylaw Section 198-1102.1.4.1.4 re: Auto Service Stations ....	69

### APPENDICES

Appendix A. The Moderator’s Rules and Regulations Governing Wayland’s Town Meetings .....	70
Appendix B. Hear Reports .....	78
Appendix C. Town Meeting Approved Appropriations from the Community Preservation Fund .....	86
Appendix D. Personnel By-Laws and Wage and Classification Plan .....	87
Appendix E. Location Map and Property Description – Dudley Woods Neighborhood (Article 15) .....	92
Appendix F. Location Map - DPW Land for Pool (Article 16) .....	95
Appendix G. Location Map - Expand Refuse Disposal District (Article 19) .....	96
Appendix H. Location and Site Map - Stonebridge Road Affordable Housing Parcel (Article 24) .....	97
Appendix I. Location and Site Map - Loker Recreation Area (Article 25) .....	98
Appendix J. Location and Site Map - Alice Drive and Hidden Springs Lane (Article 26) .....	99
Appendix K. Location and Site Map – Land for Intersection Improvement at Routes 30 and 27 (Article 27) .....	100
Appendix L. Location Map - Aquifer Protection District (Article 28) .....	101

## ADJOURNED MEETINGS

It is anticipated that if adjourned meetings are necessary to complete action on these Warrant articles, the meetings will be held on the following dates at 7:30 p.m., subject to Town Meeting approval:

May 17	- Monday
May 19	- Wednesday
May 20	- Thursday

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 Monday, May 3, 2010, 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 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 - i.e., 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 deal. 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 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 (Appendix A) at page 70. 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 by calling (508) 358-3621.

**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.

**RULES OF CONDUCT FOR POLLING PLACES**

The Moderator has determined that the Field House at Wayland High School and all other venues that may be used to conduct Wayland's town meetings are polling places within the meaning of Massachusetts General Laws Chapter 54, Section 65, because, among other things, the voters in town meeting assembled elect a number of town officers there each year.

Accordingly, no person shall be allowed to collect signatures upon petitions, referendum petitions or nomination papers nor may any person post, exhibit, circulate or distribute any poster, card, placard, handbill, broadside, picture, graphic, circular or other document intended to inform and/or influence the action of any voter within one hundred fifty feet (150') of any such polling place, including the interior of such polling place.

For further information, please see the "The Moderator's Rules and Regulations Governing Wayland's Town Meetings" included as Appendix A on page 70 of this Warrant.

**NO SMOKING NOTICE**

Voters are reminded that there is no smoking permitted in school buildings or on school grounds.

## 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 FY2011 operating and capital budget recommendations.

Wayland, like most other communities in Massachusetts, continues to feel the impact of the continued economic recession while confronting financial challenges caused primarily by decreasing aid from the State, lower growth in the local tax base, and continually escalating employee related costs. To address these challenges, the Finance Committee presented an updated long-range plan in December, 2009. This new plan includes a financial framework with the following major objectives in order to continue to present fiscally responsible budgets through 2015;

- Increase Real Estate Revenues
- Control Growth of Employee Costs
- Change How We Do Business
  - Regionalization/Collaboration
  - Reorganization
- Manage Capital Spending
- Impact Changes at State Level
- Maintain Overall Financial Health

The Finance Committee is committed to achieving these objectives, and we encourage boards, committees, departments and residents to also support our long range plan.

Again this year, the Finance Committee is able to submit a balanced FY2011 operating budget because of continued fiscal restraint and the use of \$250,000 of free cash. The FY2011 operating budget includes the general fund as well as the water and enterprise funds. In addition, we have reduced annual operating expenses in the general fund by \$1.4 million through cost saving measures such as;

- working with our employees to implement competitive employee benefit programs,
- maintaining an appropriate school budget due to declining enrollment,
- exploring synergies among town and school business functions, and
- continuing to institute sustainable expense reductions, as appropriate.

To finance the capital portion of the budget, we are requesting a Proposition 2 ½ debt exclusion vote for \$2.0 million in town and school projects. The debt exclusion is tax neutral because the amount of expiring debt exceeds the FY2011 debt exclusion request. This report will highlight the operating and capital budgets and further detail the challenges of balancing the operating budget under the demanding general economic conditions and other budget constraints.

This report will also describe the Finance Committee's role as defined in the Code of the Town of Wayland as well as our mission statement and financial strategy. Additionally, it details the budget process, reviews revenues and expenses for the upcoming fiscal year (FY2011) and presents a 5-year capital plan. FY2011 non-operating budget expenses, capital requests and changes to free cash reserves are also depicted. The report concludes with a discussion of future budgetary concerns.

**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 has allowed for a mix of new and more experienced members. Meetings are normally convened on Monday evenings with prior notice posted on the Town Building bulletin board and web site. Our meetings are open to the public and include a public comment period; residents wishing to offer public comment or to observe are welcome. Meeting minutes and other working documents and public presentations are available at the Finance Committee webpage on the town website.

**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.

**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.

**FINANCIAL STRATEGY**

The Finance Committee's strategy is to recommend the following: 1) maintenance of quality Town services supplied by an efficient workforce, 2) continued infrastructure investment via a capital spending plan, and 3) preservation of Free Cash.

**BUDGET PROCESS**

Work on the proposed budget for FY2011 began in the summer of 2009. After reviewing various budget scenarios based on probable revenue and expense changes and the economic challenges facing the town in the upcoming fiscal year, the Finance Committee issued FY2011 Budget Guidelines on October 14, 2009. Departments and boards were instructed to compile a budget that assumed:

- Contractual increases were to be budgeted based upon the contracts in force,
- All non salary accounts remain the same as FY2010 except for utility accounts which were increased by approximately 6% for FY2011,
- Provide a list of town and school spending cuts totaling \$1.7million.

As the Warrant goes to print some collective bargaining agreements which expire on June 30, 2010 have not yet been settled. Steps and lanes for those contracts are being budgeted at levels designated in the prior contracts for budget purposes only.

A budget guideline forum was held October 14, 2009. At this forum, the Finance Committee reviewed town finances and answered questions. Municipal and School budgets were due December 1, 2009.



In January, the committee met with boards, departments, and commissions to discuss specific budget requests. All participants were reminded that the capital budget was limited and that capital items may need to be included in a debt exclusion request. The budget guideline was amended by \$300,000, to \$1.4 million in expense reductions. This change was a result of updated FY2011 revenue projections due to passage of the local option meals tax at November Special Town Meeting and improved estimated new tax growth.

In early February, the Finance Committee deliberated and voted a draft budget. This draft budget was presented at a public forum on February 22, 2010.

Subsequently, the Finance Committee unanimously (6-0) approved the recommended operating budget that appears in this warrant. The recommended capital budget was also approved unanimously (6-0) with the understanding that a debt exclusion would be required. The Finance Committee reviewed the debt exclusion request with the Board of Selectmen on February 22, 2010. The Finance Committee and the Selectmen held a public debt exclusion forum on March 31, 2010, and the Board of Selectmen voted unanimously to put the debt exclusion question on the ballot for the May 11, 2010 town election.

### **SUMMARY OF THE FY2011 OPERATING BUDGET**

Total revenue in FY2011 is estimated to be \$67.15 million. Expenses total \$67.75 million. The result is a budget deficit of about \$600,000. This small operating deficit is being funded by \$250,000 from free cash reserves and approximately \$360,000 in ambulance receipts.

To understand the deficit, it is important to analyze the changes in revenues and expenses between FY2010 and FY2011:

**Table 1: Revenue Changes**

<u>Description</u>	<u>Projected FY2010</u>	<u>Projected FY2011</u>	<u>Difference</u>	<u>% change</u>
Real Estate Taxes:				
Tax Levy	49,727,932	51,475,841	1,747,909	3.51%
Allowance for 2.5%	1,243,648	1,287,774	44,126	3.55%
Debt Exclusion	2,215,391	2,933,339	717,948	32.41%
New Tax Levy Growth	521,401	200,000	-321,401	-61.64%
Total Real Estate Taxes	53,708,372	55,896,954	2,188,582	4.07%
State Revenues	\$4,666,700	\$4,291,700	-\$375,000	-8.04%
Local Receipts	3,505,000	3,320,558	-184,442	-5.26%
Water Receipts	3,202,671	3,337,197	134,526	4.20%
Enterprise Receipts	1,033,753	331,330	-702,423	-67.95%
Free Cash	1,100,000	250,000	-850,000	-77.27%
<b>Total revenues</b>	<b>\$ 67,216,496</b>	<b>\$ 67,427,739</b>	<b>\$ 211,243</b>	<b>0.31%</b>

1. Revenue between FY2010 and FY2011 as shown in Table 1 is increasing by \$211,243.

Sources of revenue and changes from FY2010 are as follows:

- Under Proposition 2½, the tax increase is limited to 2½% of the overall tax levy. For FY2011, this represents approximately \$1.3 million.
- State aid revenue is estimated to decrease by \$375,000 or about 8% from FY2010 levels. Next fiscal year, state aid will comprise about 6% of our total revenue. Since only a small percentage of Wayland's budget is funded by state aid, the recent proposed cuts included in the preliminary state budget have had less impact here than in many communities. The actual state aid amounts for FY2011 will not be known until the final state aid allocations are made in July.
- Local receipts, primarily excise taxes and fees charged for use of certain town services, are expected to decline by \$184,000.
- New growth, the tax on new and upgraded properties, is estimated to generate \$200,000 of new revenue, down from over \$500,000 in FY2010. This lower revenue number anticipates a reduction in new home construction and renovation activity related to the economic downturn.
- The new local option meals tax, which was approved in November, 2009 is expected to generate about \$150,000 in additional revenue in FY2011.
- Additional taxes approved in support of previously approved debt exclusions will increase by \$700,000 in FY2011.
- Enterprise receipts are declining by approximately \$700,000 due to the closure of the Septage facility.
- Free cash of \$250,000 is being used to balance the budget. See Table 3 for more detail on free cash usage.

**Table 2: Total Changes in Expenses:**

	<b>BUDGET FY2010</b>	<b>BUDGET FY2011</b>	<b>INC / (DEC)</b>	<b>%</b>
General Fund Budget	\$ 58,817,166	\$ 59,220,606	\$ 403,440	0.7%
Water Fund Budget	3,202,671	3,337,197	\$ 134,526	4.2%
Septage Fund Budget	766,308	52,990	\$ (713,318)	-93.1%
Wastewater Mgmt District Budget	267,445	278,340	\$ 10,895	4.1%
Total	\$ 63,053,590	\$ 62,889,133	\$ (164,457)	-0.3%

1. Operating expenses (as shown in Table 2) and non-operating expenses between FY2010 and FY2011 are increasing by \$400,000, net of \$1.4 million of expense reductions. Significant items include:

- Step and Lane salary increases net of reductions of \$675,000. As noted above most labor contracts are still under negotiation for FY2011.
- School expenditures decreased by \$515,000 primarily due to declining student enrollment and certain reductions in office support.
- Health care costs are expected to increase by \$350,000. This increase is required to fund higher insurance costs (for 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 about \$1.6 million.

- Pension costs are increasing by \$150,000. Pension expense represents the cost to provide pensions to Town employees; it does not include teachers whose pension is covered by the state. The assessment for FY2011 was set before the lower market conditions of 2008 and 2009, and we expect a larger increase for FY2012.
- Debt service is increasing by \$675,000, primarily as a result of the issuance of the first tranche (\$10 million) of debt for the high school renovation/expansion. The debt service in FY2011 for the high school project is \$ 741,000. Other town and school debt service, net of the high school debt, decreased by \$66,000.
- Utility costs are estimated to increase by \$60,000 required for escalating gasoline, diesel, heat, and electric rates.
- State/county charges and abatements are expected to increase by \$200,000.

### **FY2011 OMNIBUS BUDGET**

The Omnibus Budget lists various Town operating expenses, unclassified expenditures such as employee health insurance, and debt and interest. The budget also includes requests for capital expenditures.

### **OPERATING EXPENSES**

The FY2011 Omnibus Budget article General Fund portion proposes operating expenses of \$59,220,606. This represents an increase of \$403,440 or 0.7 % from FY2010.

### **NON-OPERATING BUDGET EXPENSES**

The Town is responsible for funding State and County assessments (\$270,000), real estate abatements (\$1,225,000) and Town employee retirement pensions (\$3,150,000). Miscellaneous non-operating budget charges are expected to equal \$250,000. The Finance Committee estimates that these non-operating budget expenses will total \$4,900,000. Water and Enterprise fund expenses total \$3,668,527.

The Omnibus Budget expenses, General Fund, plus the non-operating budget expenses total \$67,788,351.

### **CAPITAL REQUESTS**

Capital requests for FY2011 total \$4,515,000. If approved at Town Meeting, we will need to borrow to fund these purchases. Borrowing monies is prudent because it spreads the cost of buying the asset (debt service) over its useful life. The Finance Committee's 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 Finance Committee's webpage in the Capital Improvement Plan "CIP" folder.

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 have no impact on the tax rate and 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 result in no change in the tax rate and 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.

The Finance Committee's recommendation for FY2011 capital items (itemized numbers relate to the listing of expenditure requests in the budget on page 29) is:

Cash capital items (\$225,000): #2) \$30,000 for computer equipment for the Surveyor office, #5) \$30,000 for communication equipment for the police and fire departments; #6) \$45,000 for the Jaws of Life equipment for the fire department; # 7 & #8) equipment \$55,000 and vehicle \$40,000 for the DPW; #16) \$25,000 for computer equipment for the Library.

Non-exempt capital items (\$2,290,000): #1) \$185,000 for town computer hardware equipment; #7 \$60,000 for new dump truck with plow for DPW; #9) \$850,000 capping of the Landfill; #12,13,14) \$1,195,000 for water related projects, comprising \$510,000 clean and line Stonebridge Road, \$625,000 for new network meter reading system, and \$60,000 for new water department vehicle.

Exempt capital items (\$2,000,000): #3) \$440,000 in town wide building repairs including, town building repairs to HVAC and exterior of \$210,000, renovation of the stage in the town building gym of \$80,000, new phone system at the town building of \$60,000, \$25,000 for floor repairs at the public safety building, \$35,000 for an HVAC upgrade at Station #2, and \$30,000 for facility repairs at the library; #4) \$570,000 additional funds to build a new beach house at the town beach; #7) \$125,000 new street sweeper for the DPW; #10) \$75,000 paving of north cemetery roads; #11) \$125,000 for playing field renovations; #12) \$30,000 for a feasibility study of the Greenways area; #15) \$35,000 for feasibility study for new COA facility; #17) \$600,000 for school technology equipment.

The detailed CIP forms for each capital request are posted on the town website on the Finance Committee page.

The Finance Committee has requested the \$2,000,000 exempt capital items be voted at the ballot as a debt exclusion. The Finance Committee unanimously (6-0) recommends approval of the FY2011 capital budget.

Normally, a debt exclusion increases the amount of property tax revenue a community may raise for a limited period of time in order to fund these specific projects. However, in FY2011, the debt exclusion will be "tax-neutral," meaning that the approved increase in borrowing to fund the exempt capital items listed above is equal to or less than the debt exclusion borrowings that are maturing. For the average house, approximately \$147 in taxes will be maturing from prior debt exclusions, and the proposed FY2011 debt exclusion will create \$147 in new taxes. Borrowings for the remaining capital requests will be funded through the normal operating budget.

## **FREE CASH**

Table 3 depicts free cash allocated to close prior year budget deficits. For FY2011, the operating budget will be balanced using \$250,000 of free cash.

**Table 3: Free Cash Allocated To Annual Revenue**

<b>Fiscal Year</b>	<b>Free Cash Appropriated</b>
FY2004	\$2,400,000
FY2005	\$1,869,000
FY2006	\$ 300,000
FY2007	\$ 0
FY2008	\$ 0
FY2009	\$ 0
FY2010	\$1,100,000
FY2011	\$ 250,000

The town's free cash balance was certified at \$6.15 million at the start of FY2010. This gives us a reserve equaling approximately 9.7% of our operating expenses. The Finance Committee is committed to maintaining the Town's Free Cash Reserves at recommended levels over the next few years. Moody's Investor Services latest review (January 2010) reaffirmed our credit rating of Aaa and continues to recommend reserves of 5-10% or greater.

Given conservative budgeting of anticipated revenues, some unanticipated unexpended appropriations, and contributions to free cash, Wayland's free cash balance has grown over the last four years. The Finance Committee anticipated using cash to balance the FY2011 budget to minimize the tax increase for residents. After using the \$250,000 of free cash, our balance will still be within the upper range recommended by the bond rating agencies.

The Finance Committee's long-range plan anticipates the judicious use of free cash reserves through FY2015 to offset the impact of expense reductions and mitigate property tax increases to residents.

### **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 as specified by the Code of the Town of Wayland. 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 CIP establishes new policies and procedures for capital planning and debt management and focuses attention on community objectives and fiscal capacity, coordinates both the capital and the operating budgets, facilitates communication and planning between departments and boards to reduce duplication and keeps the public informed about future capital needs. Some refinements will be made as we continue to improve this program.

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 FY2012 through FY2015 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.

**LONG RANGE PLANNING**

Wayland, like other towns across the Commonwealth, has grappled with state aid reductions, healthcare and pension expense increases and steadily rising heat, transportation and other utility 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:

- Implementing changes in health care programs for current employees and retirees,
- Establishing a combined DPW department,
- Instituting administrative efficiencies, including consolidating support functions across municipal and school departments, and
- Reconfiguring elementary and middle school structures relative to declining enrollment.

We have also been focused on planning for major long-term facility projects by closely monitoring current capital budget requests, adhering to our debt management policy and ensuring that we maintain our Aaa credit rating.

**FINANCIAL TRENDS**

As we have reported during the budget planning process, Town finances are sound, but we are challenged by general economic conditions causing reductions in state funding, declining new tax growth and continuing escalations in employee benefit and utility costs. The free cash reserves that have been built up during the past four years put us in a strong reserve position; using \$250,000 in cash to balance the FY2011 is a planned financial decision.

For FY2011, on average, property taxes will increase approximately \$409, or 3.7% per household based upon an average house value of \$617,000. A strong school system, semi-rural character, willingness to support overrides, and the proximity of access to Boston are all given as factors that make Wayland highly desirable community, despite a slowing real estate market.

The general downward economic trend is expected to persist for the near term; this will likely require additional sustainable expense cuts and the use of reserves to avoid regular operational overrides. Our earliest projections show that the FY2012 budget will also be difficult to balance with many variables (reduced state aid, new collective bargaining contracts, planned workflow consolidations; savings from initiatives already implemented) impacting both revenues and expenses. We will continue to explore a number of measures to present a balanced budget in FY 2012 including more expense cuts, additional sources of revenue and potentially the use of free cash reserves.

Once again in 2010, Wayland is one of a small number of towns in the Commonwealth of Massachusetts that earned an Aaa bond rating in 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.

**CONCLUSIONS**

The Finance Committee voted 6-0 to recommend both the FY2011 operating and capital budgets. In general, Wayland's revenues, expenses and real estate tax burden compare favorably to peer towns, and this is an area that the Finance Committee continues to monitor on a regular basis. The Finance Committee believes it is in the best interest of the citizens to support the FY2011 budget and the debt exclusion 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 FY2012 and in future years with the constraints within our budget. 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 financial situations to afford these services.

Respectfully submitted,

Sam H. Peper, Chair

Richard M. Stack, Vice Chair

John Bladon

Paul Grasso

David J. Gutschenritter

Cherry C. Karlson

Bob Lentz

<b>TOWN OF WAYLAND FIVE YEAR CAPITAL PLAN</b>
---

	2011	2012	2013	2014	2015	Year 1 - 5 Total
<b>ASSESSOR</b>						
Equipment						0
Vehicle						0
Land/Improvements						0
Subtotal	0	0	0	0	0	0
<b>INFORMATION TECHNOLOGY</b>						
Equipment	185,000	100,000	70,000	70,000	50,000	475,000
Vehicle						0
Land/Improvements						0
Subtotal	185,000	100,000	70,000	70,000	50,000	475,000
<b>CONSERVATION</b>						
Equipment		40,000				40,000
Vehicle				35,000		35,000
Land/Improvements						0
Subtotal	0	40,000	0	35,000	0	75,000
<b>TOWN SURVEYOR</b>						
Equipment	30,000					30,000
Vehicle						0
Land/Improvements						0
Subtotal	30,000	0	0	0	0	30,000
<b>FACILITIES</b>						
Building Repairs	440,000	670,000	420,000	1,555,000	2,375,000	5,460,000
Equipment						0
Vehicle						0
Land/Improvements						0
Subtotal	440,000	670,000	420,000	1,555,000	2,375,000	5,460,000
<b>POLICE</b>						
Equipment		40,000	30,000			70,000
Vehicle						0
Land/Improvements						0
Subtotal	0	40,000	30,000	0	0	70,000
<b>JCC</b>						
Equipment	30,000		35,000	75,000	80,000	220,000
Vehicle						0
Land/Improvements						0
Subtotal	30,000	0	35,000	75,000	80,000	220,000
<b>FIRE</b>						
Equipment	45,000			30,000	265,000	340,000
Vehicle		35,000	40,000			75,000
Land/Improvements						0
Subtotal	45,000	35,000	40,000	30,000	265,000	415,000
<b>BUILDING &amp; ZONING</b>						
Equipment						0
Vehicle					35,000	35,000
Land/Improvements						0
Subtotal	0	0	0	0	35,000	35,000
<b>DPW</b>						
New Building/Major Renovations			1,875,000	16,635,000		18,510,000



	2011	2012	2013	2014	2015	Year 1 - 5 Total
Equipment	180,000	210,000	160,000	180,000	40,000	770,000
Vehicle	100,000		205,000	155,000		460,000
Land/Improvements	1,080,000	645,000	200,000	150,000		2,075,000
Infrastructure						0
Subtotal	1,360,000	855,000	2,440,000	17,120,000	40,000	21,815,000
<b>BOH</b>						
Equipment						0
Vehicle						0
Land/Improvements						0
Subtotal	0	0	0	0	0	0
<b>COA</b>						
New Building/Major Renovations	35,000					35,000
Equipment						0
Vehicle						0
Land/Improvements						0
Subtotal	35,000	0	0	0	0	35,000
<b>LIBRARY</b>						
New Building/Major Renovations		1,800,000	16,200,000			18,000,000
Equipment	25,000					25,000
Vehicle						0
Land/Improvements						0
Subtotal	25,000	1,800,000	16,200,000	0	0	18,025,000
<b>RECREATION</b>						
New Building/Major Renovations	570,000					
Equipment		75,000	60,000	75,000	50,000	260,000
Vehicle						0
Land/Improvements						0
Subtotal	570,000	75,000	60,000	75,000	50,000	260,000
<b>SCHOOL</b>						
New Building/Major Renovations						0
Building Repairs	0	1,840,000	3,295,000	5,965,000	3,125,000	14,225,000
Equipment	600,000	700,000	750,000	700,000	750,000	3,500,000
Vehicle		50,000	50,000		50,000	150,000
Land/Improvements						0
Subtotal	600,000	2,590,000	4,095,000	6,665,000	3,925,000	17,875,000
<b>WATER</b>						
New Building/Major Renovations						0
Building Repairs						0
Equipment	625,000	150,000	150,000			925,000
Vehicle	60,000	60,000	60,000	60,000	60,000	300,000
Land/Improvements						0
Infrastructure	510,000	970,000	630,000	1,190,000	1,140,000	4,440,000
Subtotal	1,195,000	1,180,000	840,000	1,250,000	1,200,000	5,665,000
<b>WASTEWATER</b>						
New Building/Major Renovations						0
Building Repairs						0
Equipment						0
Vehicle						0
Land/Improvements						0
Infrastructure						0
Subtotal	0	0	0	0	0	0

	2011	2012	2013	2014	2015	Year 1 - 5 Total
<b>SUMMARY BY DEPARTMENT</b>						
ASSESSOR	0	0	0	0	0	0
INFORMATION TECHNOLOGY	185,000	100,000	70,000	70,000	50,000	475,000
CONSERVATION	0	40,000	0	35,000	0	75,000
TOWN SURVEYOR	30,000	0	0	0	0	30,000
FACILITIES	440,000	670,000	420,000	1,555,000	2,375,000	5,460,000
POLICE	0	40,000	30,000	0	0	70,000
JCC	30,000	0	35,000	75,000	80,000	220,000
FIRE	45,000	35,000	40,000	30,000	265,000	415,000
BUILDING & ZONING	0	0	0	0	35,000	35,000
DPW	1,360,000	855,000	2,440,000	17,120,000	40,000	21,815,000
BOH	0	0	0	0	0	0
COA	35,000	0	0	0	0	35,000
LIBRARY	25,000	1,800,000	16,200,000	0	0	18,025,000
RECREATION	570,000	75,000	60,000	75,000	50,000	260,000
sub-total	2,720,000	3,615,000	19,295,000	18,960,000	2,895,000	46,915,000
SCHOOL	600,000	2,590,000	4,095,000	6,665,000	3,925,000	17,875,000
TOTAL G/F DEPARTMENTS	3,320,000	6,205,000	23,390,000	25,625,000	6,820,000	64,790,000
NON-DEPARTMENTAL						
WATER	1,195,000	1,180,000	840,000	1,250,000	1,200,000	5,665,000
WASTEWATER	0	0	0	0	0	0
TOTAL NON-G/F DEPARTMENTS	1,195,000	1,180,000	840,000	1,250,000	1,200,000	5,665,000
GRAND TOTAL	4,515,000	7,385,000	24,230,000	26,875,000	8,020,000	70,455,000
<b>SUMMARY BY TYPE</b>						
NEW BUILDING/MAJOR RENOVATIONS	605,000	1,800,000	18,075,000	16,635,000	0	36,545,000
BUILDING REPAIRS	440,000	2,510,000	3,715,000	7,520,000	5,500,000	19,685,000
EQUIPMENT	1,720,000	1,315,000	1,255,000	1,130,000	1,235,000	6,655,000
VEHICLE	160,000	145,000	355,000	250,000	145,000	1,055,000
LAND/IMPROVEMENTS	1,080,000	645,000	200,000	150,000	0	2,075,000
INFRASTRUCTURE	510,000	970,000	630,000	1,190,000	1,140,000	4,440,000
SUB-TOTAL ALL DEPTS BY TYPE	3,910,000	5,585,000	6,155,000	10,240,000	8,020,000	33,910,000
TOTAL ALL DEPTS BY TYPE	4,515,000	7,385,000	24,230,000	26,875,000	8,020,000	70,455,000
<b>SUMMARY BY TYPE- EXCLUDES WATER/WASTEWATER</b>						
NEW BUILDING/MAJOR RENOVATIONS	605,000	1,800,000	18,075,000	16,635,000	0	36,545,000
BUILDING REPAIRS	440,000	2,510,000	3,715,000	7,520,000	5,500,000	19,685,000
EQUIPMENT	1,095,000	1,165,000	1,105,000	1,130,000	1,235,000	5,730,000
VEHICLE	100,000	85,000	295,000	190,000	85,000	755,000
LAND/IMPROVEMENTS	1,080,000	645,000	200,000	150,000	0	2,075,000
INFRASTRUCTURE	0	0	0	0	0	0
SUB-TOTAL ALL DEPTS BY TYPE	2,715,000	4,405,000	5,315,000	8,990,000	6,820,000	28,245,000
TOTAL ALL DEPTS BY TYPE	3,320,000	6,205,000	23,390,000	25,625,000	6,820,000	64,790,000
WATER/WASTEWATER	1,195,000	1,180,000	840,000	1,250,000	1,200,000	5,665,000

<b>TABLE NO. 1 - WAYLAND INCOME AND EXPENSE STATEMENT</b>					
	<b>FISCAL 2007</b>	<b>FISCAL 2008</b>	<b>FISCAL 2009</b>	<b>FISCAL 2010</b>	<b>FISCAL 2011</b>
BUDGET	50,749,477	53,144,960	56,117,307	62,019,837	59,220,606
ARTICLES	13,663,559	8,802,239	15,121,939	5,150,316	8,363,527
TOTAL TOWN EXPENSE	64,413,036	61,947,199	71,239,246	67,170,153	67,584,133
OVERLAY	493,014	623,553	1,039,311	1,106,754	1,175,000
NET REC FROM STATE	(1,712,692)	(2,052,157)	(2,044,382)	(1,419,895)	(792,482)
LOCAL RECEIPTS	(2,814,000)	(3,640,001)	(3,435,001)	(3,505,000)	(3,320,558)
OTHER SOURCES:FREE CASH, BORROWINGS, ETC.	(14,298,299)	(9,097,947)	(15,047,633)	(9,643,640)	(8,749,139)
TO BE RAISED BY TAXATION	46,081,059	47,780,647	51,751,541	53,708,371	55,896,954

**AVERAGE TAX BILL WILL INCREASE BY APPROXIMATELY 3.7% IN FY 2011**

<b>TABLE NO. 2 - HISTORICAL BUDGET SUMMARY</b>					
<b>FISCAL YR</b>	<b>SCHOOL</b>	<b>TOWN</b>	<b>TOTAL</b>	<b>INCREASE</b>	<b>%</b>
<b>FY 2011</b>	\$30,596,713	\$28,623,893	\$59,220,606	403,440	0.7%
<b>FY 2010</b>	\$31,111,713	\$27,705,453	\$58,817,166	2,699,858	4.8%
<b>FY 2009</b>	30,091,713	26,025,595	56,117,308	2,972,347	5.6%
<b>FY 2008</b>	28,722,212	24,422,749	53,144,961	2,395,484	4.7%
<b>FY 2007</b>	28,407,893	22,341,584	50,749,477	1,813,024	3.7%
<b>FY 2006</b>	27,379,743	21,556,710	48,936,453	2,420,683	5.2%
<b>FY 2005</b>	26,067,251	20,448,519	46,515,770	1,337,108	3.0%
<b>FY 2004</b>	25,650,251	19,528,411	45,178,662	2,058,038	4.8%
<b>FY 2003</b>	24,599,201	18,521,423	43,120,624	2,739,700	6.8%
<b>FY 2002</b>	22,937,619	17,443,305	40,380,924	2,791,636	7.4%

<b>TABLE NO. 3</b>					
<b>TOWN REVENUES</b>	<b>FY 07</b>	<b>FY 08</b>	<b>FY 09</b>	<b>FY 10</b>	<b>FY 11</b>
<b>TAX LEVY</b>	46,081,059	47,780,649	51,751,543	53,708,371	55,896,954
<b>STATE AID</b>	4,480,843	4,822,824	5,129,702	4,666,700	4,291,700
<b>LOCAL RECEIPTS</b>	2,814,000	3,640,000	3,435,000	3,505,000	3,320,558
<b>AVAILABLE FUNDS</b>	1,312,176	510,736	250,694	1,440,653	610,612
<b>TOTAL</b>	54,688,078	56,754,209	60,566,939	63,320,724	64,119,824

TABLE NO. 4 (General Fund Only)					
% OF BUDGET BY DEPARTMENT	FY 07	FY 08	FY 09	FY 10	FY 11
GENERAL GOVERNMENT	5.5%	5.8%	5.8%	4.9%	4.8%
PUBLIC SAFETY	10.0%	9.6%	9.3%	9.5%	9.3%
SCHOOLS	55.9%	54.1%	53.6%	52.8%	51.7%
REG VOC SCHOOL	0.4%	0.7%	0.8%	0.7%	0.7%
DPW	3.4%	3.6%	3.6%	4.7%	4.6%
HEALTH	1.2%	1.2%	1.1%	1.1%	1.1%
LIBRARY	1.9%	1.8%	1.7%	1.6%	1.6%
RECREATION	1.5%	1.4%	1.4%	0.1%	0.0%
DEBT & INTEREST	7.2%	7.2%	7.3%	7.3%	8.4%
UNCLASSIFIED	12.8%	14.5%	15.4%	15.3%	15.8%
FACILITIES				2.0%	2.1%

TABLE NO. 5 (General Fund Only) DEPARTMENTAL INCREASES				
	BUDGET FY 10	BUDGET FY 11	INCREASE	% INCREASE
GENERAL GOVERNMENT	2,865,074	2,871,272	6,198	0.2%
PUBLIC SAFETY	5,558,819	5,486,240	(72,579)	-1.3%
SCHOOLS	31,111,713	30,596,713	(515,000)	-1.7%
REGIONAL VOC SCH	421,426	390,000	(31,426)	-7.5%
DPW	2,742,248	2,701,091	(41,157)	-1.5%
HEALTH	651,598	662,251	10,653	1.6%
LIBRARY	944,306	927,430	(16,876)	-1.8%
RECREATION	55,900	0	(55,900)	-100.0%
DEBT & INTEREST	4,306,298	4,985,645	679,347	15.8%
UNCLASSIFIED	9,011,000	9,377,000	366,000	4.1%
FACILITIES	1,148,784	1,222,964	74,180	6.5%
TOTAL	58,817,166	59,220,606	403,440	0.7%

<b>COMMONWEALTH OF MASSACHUSETTS</b>
--------------------------------------

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, MAY 11, 2010, 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

One Town Clerk, one member of the Board of Assessors, one member of the Board of Selectmen, one member of the School Committee, one member 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 Commissioner of Trust Funds and two members of the Board of Public Works for two years; and

One member of the Board of Public Works for one year;

As well as such other Town Officers as may be necessary and to vote "Yes" or "No" upon the following question:

"Shall the Town of Wayland be allowed to exempt from the provision of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to (i) purchase school technology equipment, (ii) repair and improve municipal buildings and facilities, (iii) fund feasibility studies for athletic fields and senior services space needs, and (iv) purchase a street sweeper?"

You are also required to notify all such residents of Wayland to meet in the High School Field House on

**THURSDAY, MAY 13, 2010, 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:

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

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

Paul Gardescu	Historic District Commission	1969-1996
	Historical Commission	1987- Present
John R. Sullivan	Conservation Commission	1983 – Present
	Community Preservation Committee	2006-Present
Mary Antes	Fair Housing Committee	1985-1997
	Capital Planning Committee	1983-1986
	Charter Commission	1989
	Housing Partnership	1988-1991
	Board of Selectman	1992-2004
	Housing Authority	1984-1990
	Housing Authority	2004-Present
	River Stewardship Council (Alt)	1999-2004
	MAPC	2002-2010
	Housing Partnership	2004-2008
	MetroWest Growth Management	2004-2010
	Council on Aging	2007-Present
	Town Administrator Search	2005

The following employees retired this year or are planning to retire before the next Annual Town Meeting:

Thomas Vinciulla	36 years	Master Mechanic – Highway Department
Kenneth Hart	38 years	Deputy Fire Chief

The following citizens served the Town and have passed away since the last Annual Town Meeting:

Marcia Crowley	April 2, 2010	
	MBTA Advisory Board	1978-1990, 1999-2010
	Board of Selectmen	1975-1999
	Finance Committee	1972-1975
	Regional Transportation	1996-2010
	Transportation Study Committee	1974-1975

	Loker School Reuse Committee	1980-1981
	Surveyor of Lumber	1995-2010
	Community Advisory Council	1973-1975
	Kindergarten Study Committee	1970-1971
Herbert Odell	October 19, 2009	
	Data Processing Committee	1976-1988
	Traffic Light Committee	1984-1987
	Orchard Lane Advisory Committee	1984-1985
	Board of Selectmen	1971-1981
Charles Owen Jr.	September 16, 2009	
	Road Commissioner	1965-1969
Martha Bustin	May 27, 2009	
	Council on Aging	1988-2009
	Council-Personnel Committee	2001-2007
	Growth Policy - liaison	1997-2000

The following town employees served the Town and have passed away since the last Annual Town Meeting:

Schuyler M. "Ted" Meyer	November 25, 2009	Police Officer and Youth Officer
John "Jack" Balben	October 16, 2009	Town employee

**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: 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](mailto:fturkington@wayland.ma.us).*

---

## ARTICLE 2: HEAR REPORTS

*Proposed by: Board of Selectmen*

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

**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.

*See Reports at Appendix B. For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email [fturkington@wayland.ma.us](mailto:fturkington@wayland.ma.us).*

---

**ARTICLE 3: CHOOSE TOWN OFFICERS***Proposed by: Board of Selectmen*

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

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.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 41, Section 1.

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

**ARTICLE 4: CURRENT YEAR TRANSFERS***Proposed by: Finance Committee**Estimated Cost: \$165,000*

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

CURRENT YEAR TRANSFERS FY 2010
--------------------------------

	PURPOSE	AMOUNT
1	SNOW REMOVAL	\$50,000
2	ELECTIONS	\$20,000
3	TOWN COUNSEL	\$95,000



TOTAL CURRENT YEAR TRANSFERS	\$165,000
------------------------------	-----------

FUNDING SOURCES:

UNRESERVED FUND BALANCE

\$165,000

**FINANCE COMMITTEE COMMENTS:** This article authorizes the expenditure of funds for the current fiscal year, which were not foreseen in the current budget. These transfers are required for the following reasons:

Snow Removal (\$50,000): This request covers snow removal overages for the fiscal year.

Elections (\$20,000): This request covers the special elections for State and U.S. Senate offices.

Town Counsel (\$95,000): This amount is needed primarily to cover litigation related to the public safety building, cable franchise license negotiations and labor contract negotiations.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**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](mailto:mdipietro@wayland.ma.us).*

---

## ARTICLE 5: FY 2011 OMNIBUS BUDGET

*Proposed by: Finance Committee*

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

### FINANCE COMMITTEE COMMENTS:

**ARGUMENTS IN FAVOR:** This budget reflects the cost of operating the Town in an efficient manner in order to deliver services to the residents of Wayland.

**ARGUMENTS OPPOSED:** Some residents might consider the budget excessive, while other residents might believe that insufficient funds have been budgeted to perform all desired services.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0 for the operating budget; 6-0 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 5:**

- 1) "That the report of the Finance Committee respecting the Fiscal Year 2011 Budget be accepted; and that each and every numbered item set forth in the Finance Committee's Budget for Fiscal Year 2011 be voted, granted and appropriated as an expenditure for the several purposes and uses set forth in said budget establishing a total budget of \$62,889,133 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, \$61,447,191 shall be raised by taxation, \$360,000 shall be provided by transfer from Ambulance receipts, \$612 shall be provided by transfer from Premium on Bonds Account, \$250,000 shall be provided by transfer from unreserved fund balance, \$500,000 from Water surplus, \$52,990 from Septage Retained Earnings, \$278,340 from Wastewater revenues.

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

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

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

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

"That the Town continue for Fiscal Year 2011 the revolving fund established by vote of the 2006 Annual Town Meeting pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws by the Recreation Commission for recreation programs and activities, to be funded by user fees collected; and that the amount to be expended not to exceed the sum of \$825,000;" and

"That the Town continue for Fiscal Year 2011 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](mailto:mdipietro@wayland.ma.us), or Sam Peper, Chair, Finance Committee, at email [shpeper@gmail.com](mailto:shpeper@gmail.com).*

FISCAL YEAR 2011 BUDGET		EXPENDED FY 2009	APPROPRIATED FY 2010	REQUESTED FY 2011
<b>SELECTMEN</b>				
	PURCHASE OF SERVICES	\$19,861	\$24,500	\$20,400
	SUPPLIES	\$10,256	\$12,800	\$7,800
1	TOTAL EXPENSES	\$30,117	\$37,300	\$28,200
	TOTAL SELECTMEN	\$30,117	\$37,300	\$28,200
<b>TOWN OFFICE</b>				
	SALARIES	\$343,358	\$356,500	\$358,700
2	TOTAL PERSONNEL SERVICES	\$343,358	\$356,500	\$358,700
	PURCHASE OF SERVICES	\$17,897	\$17,000	\$17,000
	SUPPLIES	\$53,606	\$58,800	\$51,800
3	TOTAL EXPENSES	\$71,503	\$75,800	\$68,800
	TOTAL TOWN OFFICE	\$414,861	\$432,300	\$427,500
<b>PERSONNEL BOARD</b>				
	SALARIES	\$0	\$6,750	\$6,750
4	TOTAL PERSONNEL SERVICES	\$0	\$6,750	\$6,750
	PURCHASE OF SERVICES	\$5,328	\$10,000	\$10,000
5	TOTAL EXPENSES	\$5,328	\$10,000	\$10,000
	TOTAL PERSONNEL BOARD	\$5,328	\$16,750	\$16,750
<b>FINANCE</b>				
	SALARIES	\$273,881	\$297,222	\$274,315
6	TOTAL PERSONNEL SERVICES	\$273,881	\$297,222	\$274,315
	PURCHASE OF SERVICES	\$28,845	\$31,400	\$72,400
	SUPPLIES	\$3,691	\$5,000	\$5,000
7	TOTAL EXPENSES	\$32,537	\$36,400	\$77,400
	TOTAL FINANCE	\$306,417	\$333,622	\$351,715
<b>ASSESSOR</b>				
	SALARIES	\$164,673	\$203,904	\$210,000
8	TOTAL PERSONNEL SERVICES	\$164,673	\$203,904	\$210,000
	PURCHASE OF SERVICES	\$143,316	\$125,020	\$110,020
	SUPPLIES	\$1,588	\$1,500	\$1,500
9	TOTAL EXPENSES	\$144,904	\$126,520	\$111,520
	TOTAL ASSESSOR	\$309,578	\$330,424	\$321,520
<b>TREASURER</b>				
	SALARIES	\$194,137	\$202,300	\$181,869
10	TOTAL PERSONNEL SERVICES	\$194,137	\$202,300	\$181,869
	PURCHASE OF SERVICES	\$24,422	\$37,230	\$37,250
	SUPPLIES	\$594	\$1,700	\$1,700
11	TOTAL EXPENSES	\$25,016	\$38,930	\$38,950
	TOTAL TREASURER	\$219,153	\$241,230	\$220,819
<b>TOWN COUNSEL</b>				
	PURCHASE OF SERVICES	\$313,666	\$225,000	\$225,000
	SUPPLIES	\$1,947	\$3,000	\$3,000
12	TOTAL EXPENSES	\$315,612	\$228,000	\$228,000
	TOTAL TOWN COUNSEL	\$315,612	\$228,000	\$228,000
<b>INFORMATION TECHNOLOGY</b>				
	SALARIES	\$76,902	\$80,746	\$80,746
13	TOTAL PERSONNEL SERVICES	\$76,902	\$80,746	\$80,746

FISCAL YEAR 2011 BUDGET		EXPENDED FY 2009	APPROPRIATED FY 2010	REQUESTED FY 2011
	PURCHASE OF SERVICES	\$96,450	\$110,500	\$157,500
	SUPPLIES	\$36,873	\$32,500	\$20,500
14	TOTAL EXPENSES	\$133,323	\$143,000	\$178,000
	TOTAL INFORMATION TECHNOLOGY	\$210,225	\$223,746	\$258,746
	<b>TOWN CLERK</b>			
	SALARIES	\$111,185	\$114,744	\$114,752
15	TOTAL PERSONNEL SERVICES	\$111,185	\$114,744	\$114,752
	PURCHASE OF SERVICES	\$10,817	\$11,755	\$11,800
	SUPPLIES	\$959	\$1,600	\$1,600
16	TOTAL EXPENSES	\$11,776	\$13,355	\$13,400
	TOTAL TOWN CLERK	\$122,961	\$128,099	\$128,152
	<b>ELECTIONS</b>			
	SALARIES	\$24,796	\$11,700	\$22,700
	TOTAL PERSONNEL SERVICES	\$24,796	\$11,700	\$22,700
	PURCHASE OF SERVICES	\$74	\$1,000	\$1,000
	SUPPLIES	\$7,837	\$12,500	\$17,500
	TOTAL EXPENSES	\$7,911	\$13,500	\$18,500
17	TOTAL ELECTIONS	\$32,708	\$25,200	\$41,200
	<b>REGISTRAR</b>			
	SALARIES	\$275	\$275	\$275
18	TOTAL PERSONNEL SERVICES	\$275	\$275	\$275
	PURCHASE OF SERVICES	\$3,900	\$4,500	\$4,625
19	TOTAL EXPENSES	\$3,900	\$4,500	\$4,625
	TOTAL REGISTRAR	\$4,175	\$4,775	\$4,900
	<b>CONSERVATION</b>			
	SALARIES	\$110,047	\$121,608	\$123,608
20	TOTAL PERSONNEL SERVICES	\$110,047	\$121,608	\$123,608
	PURCHASE OF SERVICES	\$5,441	\$12,500	\$12,500
	SUPPLIES	\$6,782	\$9,600	\$8,600
21	TOTAL EXPENSES	\$12,223	\$22,100	\$21,100
	TOTAL CONSERVATION	\$122,271	\$143,708	\$144,708
	<b>PLANNING</b>			
	SALARIES	\$92,682	\$113,534	\$109,586
22	TOTAL PERSONNEL SERVICES	\$92,682	\$113,534	\$109,586
	PURCHASE OF SERVICES	\$1,578	\$4,000	\$3,000
	SUPPLIES	\$294	\$2,000	\$2,000
23	TOTAL EXPENSES	\$1,873	\$6,000	\$5,000
	TOTAL PLANNING	\$94,555	\$119,534	\$114,586
	<b>SURVEYOR</b>			
	SALARIES	\$140,024	\$145,806	\$147,844
24	TOTAL PERSONNEL SERVICES	\$140,024	\$145,806	\$147,844
	PURCHASE OF SERVICES	\$25,023	\$11,800	\$11,800
	SUPPLIES	\$2,208	\$5,150	\$4,150
25	TOTAL EXPENSES	\$27,231	\$16,950	\$15,950
	TOTAL SURVEYOR	\$167,256	\$162,756	\$163,794

FISCAL YEAR 2011 BUDGET		EXPENDED FY 2009	APPROPRIATED FY 2010	REQUESTED FY 2011
<b>FACILITIES</b>				
	SALARIES	\$181,380	\$270,504	\$273,504
26	TOTAL PERSONNEL SERVICES	\$181,380	\$270,504	\$273,504
	PURCHASE OF SERVICES	\$33,956	\$135,100	\$156,260
	UTILITIES	\$225,232	\$718,980	\$772,000
	SUPPLIES	\$12,049	\$24,200	\$21,200
27	TOTAL EXPENSES	\$271,237	\$878,280	\$949,460
	TOTAL FACILITIES	\$452,617	\$1,148,784	\$1,222,964
<b>HISTORICAL COMMISSION</b>				
	PURCHASE OF SERVICES	\$90	\$200	\$200
28	TOTAL EXPENSES	\$90	\$200	\$200
	TOTAL HISTORICAL COMMISSION	\$90	\$200	\$200
<b>SURFACE WATER QUALITY COMMISSION</b>				
	PURCHASE OF SERVICES	\$35,353	\$40,000	\$43,500
29	TOTAL EXPENSES	\$35,353	\$40,000	\$43,500
	TOTAL SURFACE WATER QUALITY COMM	\$35,353	\$40,000	\$43,500
<b>HISTORIC DISTRICT COMMISSION</b>				
	PURCHASE OF SERVICES	\$0	\$275	\$275
30	TOTAL EXPENSES	\$0	\$275	\$275
	TOTAL HISTORIC DISTRICT COMMISSION	\$0	\$275	\$275
<b>PUBLIC CEREMONIES</b>				
	PURCHASE OF SERVICES	\$1,433	\$2,500	\$2,500
31	TOTAL EXPENSES	\$1,433	\$2,500	\$2,500
	TOTAL PUBLIC CEREMONIES	\$1,433	\$2,500	\$2,500
<b>POLICE</b>				
	SALARIES	\$1,948,197	\$2,123,500	\$2,087,989
32	TOTAL PERSONNEL SERVICES	\$1,948,197	\$2,123,500	\$2,087,989
	PURCHASE OF SERVICES	\$133,459	\$116,300	\$125,550
	SUPPLIES	\$139,898	\$184,200	\$173,800
33	TOTAL EXPENSES	\$273,357	\$300,500	\$299,350
	TOTAL POLICE	\$2,221,554	\$2,424,000	\$2,387,339
<b>JOINT COMMUNICATIONS</b>				
	SALARIES	\$432,439	\$476,100	\$478,000
34	TOTAL PERSONNEL SERVICES	\$432,439	\$476,100	\$478,000
	PURCHASE OF SERVICES	\$48,406	\$15,100	\$15,100
	UTILITIES	\$134,662	\$12,500	\$12,500
	SUPPLIES	\$7,169	\$8,300	\$6,300
35	TOTAL EXPENSES	\$190,237	\$35,900	\$33,900
	TOTAL JOINT COMMUNICATIONS	\$622,676	\$512,000	\$511,900
<b>EMERGENCY MANAGEMENT</b>				
	PURCHASE OF SERVICES	\$12,709	\$14,800	\$14,800
	SUPPLIES	\$29,475	\$10,000	\$7,000
36	TOTAL EXPENSES	\$42,184	\$24,800	\$21,800
	TOTAL EMERGENCY MANAGEMENT	\$42,184	\$24,800	\$21,800

FISCAL YEAR 2011 BUDGET		EXPENDED FY 2009	APPROPRIATED FY 2010	REQUESTED FY 2011
<b>DOG OFFICER</b>				
	PURCHASE OF SERVICES	\$19,696	\$21,000	\$21,000
	SUPPLIES	\$2,851	\$3,000	\$3,000
37	TOTAL EXPENSES	\$22,546	\$24,000	\$24,000
	TOTAL DOG OFFICER	\$22,546	\$24,000	\$24,000
<b>FIRE</b>				
	SALARIES	\$1,881,382	\$2,084,913	\$2,090,092
38	TOTAL PERSONNEL SERVICES	\$1,881,382	\$2,084,913	\$2,090,092
	PURCHASE OF SERVICES	\$26,095	\$65,700	\$55,700
	SUPPLIES	\$93,722	\$104,000	\$105,000
39	TOTAL EXPENSES	\$119,817	\$169,700	\$160,700
	TOTAL FIRE	\$2,001,199	\$2,254,613	\$2,250,792
<b>COCHITUATE BLDG-STATION 2</b>				
	PURCHASE OF SERVICES	\$5,180	\$0	\$0
	UTILITIES	\$16,637	\$0	\$0
	SUPPLIES	\$1,536	\$0	\$0
40	TOTAL EXPENSES	\$23,353	\$0	\$0
	TOTAL COCHITUATE BLDG-STATION 2	\$23,353	\$0	\$0
<b>BUILDING &amp; ZONING</b>				
	SALARIES	\$266,745	\$297,246	\$269,609
41	TOTAL PERSONNEL SERVICES	\$266,745	\$297,246	\$269,609
	PURCHASE OF SERVICES	\$13,010	\$15,160	\$13,800
	SUPPLIES	\$7,883	\$7,000	\$7,000
42	TOTAL EXPENSES	\$20,892	\$22,160	\$20,800
	TOTAL BUILDING & ZONING	\$287,637	\$319,406	\$290,409
	<b>TOTAL PUBLIC SAFETY</b>	\$5,221,149	\$5,558,819	\$5,486,240
43	<b>SCHOOLS</b>	\$30,249,268	\$31,111,713	\$30,596,713
44	<b>REGIONAL VOCATIONAL SCHOOLS</b>	\$428,770	\$421,426	\$390,000
<b>DPW</b>				
	SALARIES	\$1,596,300	\$1,530,148	\$1,546,891
	TOTAL PERSONNEL SERVICES	\$1,596,300	\$1,530,148	\$1,546,891
	PURCHASE OF SERVICES	\$875,413	\$847,400	\$773,400
	UTILITIES	\$74,323	\$0	\$0
	SUPPLIES	\$510,165	\$364,700	\$380,800
	TOTAL EXPENSES	\$1,459,901	\$1,212,100	\$1,154,200
45	TOTAL DPW	\$3,056,201	\$2,742,248	\$2,701,091
<b>BOARD OF HEALTH</b>				
	SALARIES	\$501,558	\$523,368	\$536,021
46	TOTAL PERSONNEL SERVICES	\$501,558	\$523,368	\$536,021
	PURCHASE OF SERVICES	\$115,814	\$113,480	\$112,480
	SUPPLIES	\$12,235	\$14,750	\$13,750
47	TOTAL EXPENSES	\$128,049	\$128,230	\$126,230
	TOTAL BOARD OF HEALTH	\$629,608	\$651,598	\$662,251

FISCAL YEAR 2011 BUDGET		EXPENDED FY 2009	APPROPRIATED FY 2010	REQUESTED FY 2011
<b>VETERANS SERVICES</b>				
	SALARIES	\$3,663	\$3,850	\$3,850
48	TOTAL PERSONNEL SERVICES	\$3,663	\$3,850	\$3,850
	PURCHASE OF SERVICES	\$6,487	\$7,500	\$7,500
	SUPPLIES	\$3,519	\$6,000	\$6,000
49	TOTAL EXPENSES	\$10,006	\$13,500	\$13,500
	TOTAL VETERANS SERVICES	\$13,669	\$17,350	\$17,350
<b>COUNCIL ON AGING</b>				
	SALARIES	\$149,985	\$158,738	\$158,782
50	TOTAL PERSONNEL SERVICES	\$149,985	\$158,738	\$158,782
	PURCHASE OF SERVICES	\$55,712	\$65,900	\$45,200
	SUPPLIES	\$7,298	\$7,300	\$7,300
51	TOTAL EXPENSES	\$63,010	\$73,200	\$52,500
	TOTAL COUNCIL ON AGING	\$212,995	\$231,938	\$211,282
<b>YOUTH SERVICES</b>				
	SALARIES	\$126,251	\$140,542	\$140,750
52	TOTAL PERSONNEL SERVICES	\$126,251	\$140,542	\$140,750
	PURCHASE OF SERVICES	\$3,318	\$3,850	\$3,850
	SUPPLIES	\$495	\$975	\$975
53	TOTAL EXPENSES	\$3,813	\$4,825	\$4,825
	TOTAL YOUTH SERVICES	\$130,065	\$145,367	\$145,575
<b>LIBRARY</b>				
	SALARIES	\$715,109	\$718,376	\$719,470
54	TOTAL PERSONNEL SERVICES	\$715,109	\$718,376	\$719,470
	PURCHASE OF SERVICES	\$52,444	\$44,430	\$44,300
	UTILITIES	\$38,834	\$0	\$0
	SUPPLIES	\$175,912	\$181,500	\$163,660
55	TOTAL EXPENSES	\$267,190	\$225,930	\$207,960
	TOTAL LIBRARY	\$982,299	\$944,306	\$927,430
<b>POOL</b>				
	SALARIES	\$21,603	\$36,900	\$0
	TOTAL PERSONNEL SERVICES	\$21,603	\$36,900	\$0
	PURCHASE OF SERVICES	\$2,085	\$0	\$0
	UTILITIES	\$64,385	\$0	\$0
	SUPPLIES	\$11,772	\$19,000	\$0
56	TOTAL EXPENSES	\$78,242	\$19,000	\$0
	TOTAL POOL	\$99,845	\$55,900	\$0
<b>DEBT AND INTEREST</b>				
	DEBT SERVICE	\$3,945,432	\$4,306,298	\$4,985,645
57	TOTAL EXPENSES	\$3,945,432	\$4,306,298	\$4,985,645
	TOTAL DEBT AND INTEREST	\$3,945,432	\$4,306,298	\$4,985,645

FISCAL YEAR 2011 BUDGET		EXPENDED FY 2009	APPROPRIATED FY 2010	REQUESTED FY 2011
<b>UNCLASSIFIED</b>				
	INSURANCE GENERAL	\$607,051	\$670,000	\$670,000
	INSURANCE 32B	\$6,106,341	\$7,145,000	\$7,466,000
	MEDICARE	\$469,740	\$580,000	\$590,000
	UNEMPLOYMENT	\$39,968	\$80,000	\$130,000
	NON CONTRIBUTORY RETIREMENT	\$16,731	\$18,000	\$18,000
	POLICE/FIRE DISABILITY	\$1,910	\$15,000	\$15,000
	RESERVE FOR SAL ADJ	\$0	\$75,000	\$75,000
	OCCUPATIONAL HEALTH	\$1,067	\$8,000	\$8,000
	EMPLOYEE ASSISTANCE PROGRAM	\$0	\$5,000	\$0
	TOWN MEETING	\$18,109	\$40,000	\$40,000
	STREET LIGHTING	\$108,624	\$160,000	\$140,000
	RESERVE FUND	\$0	\$215,000	\$225,000
58	TOTAL UNCLASSIFIED	\$7,369,542	\$9,011,000	\$9,377,000
<b>TOTAL GENERAL FUND BUDGET</b>		<b>\$55,183,551</b>	<b>\$58,817,166</b>	<b>\$59,220,606</b>
<b>WATER FUND</b>				
	SALARIES	\$652,144	\$921,667	\$974,604
	TOTAL PERSONNEL SERVICES	\$652,144	\$921,667	\$974,604
	PURCHASE OF SERVICES	\$393,834	\$450,000	\$462,000
	UTILITIES	\$231,439	\$335,000	\$375,000
	SUPPLIES	\$408,551	\$352,000	\$353,250
	DEBT SERVICE	\$1,037,028	\$1,144,004	\$1,172,343
	TOTAL EXPENSES	\$2,070,851	\$2,281,004	\$2,362,593
59	TOTAL WATER DEPARTMENT	\$2,722,995	\$3,202,671	\$3,337,197
<b>SEPTAGE FUND</b>				
	SALARIES	\$49,691	\$50,704	\$52,990
	TOTAL PERSONNEL SERVICES	\$49,691	\$50,704	\$52,990
	PURCHASE OF SERVICES	\$530,935	\$507,266	\$0
	UTILITIES	\$73,485	\$84,605	\$0
	SUPPLIES	\$30,810	\$123,733	\$0
	DEBT SERVICE	\$0	\$0	\$0
	TOTAL EXPENSES	\$635,230	\$715,604	\$0
60	TOTAL SEPTAGE DEPARTMENT	\$684,921	\$766,308	\$52,990
<b>WASTEWATER MGMT DISTRICT COMM</b>				
	PURCHASE OF SERVICES	\$187,195	\$188,115	\$148,000
	CAPITAL	\$10,425	\$0	\$0
	DEBT SERVICE	\$29,858	\$79,330	\$130,340
	TOTAL EXPENSES	\$227,478	\$267,445	\$278,340
61	TOTAL WASTEWATER MGMT COMM	\$227,478	\$267,445	\$278,340
<b>GRAND TOTAL OMNIBUS BUDGET</b>		<b>\$58,818,945</b>	<b>\$63,053,590</b>	<b>\$62,889,133</b>



CAPITAL BUDGET			RECOMMENDED	
<hr/>				
INFORMATION TECHNOLOGY				
1	COMPUTER EQUIPMENT	B	185,000	
<hr/>				
TOWN SURVEYOR				
2	ROBOTIC TOTAL STATION EQUIPMENT	C	30,000	
<hr/>				
FACILITIES				
3	BUILDING REPAIRS	E	440,000	
4	NEW BATH HOUSE - RECREATION	E	570,000	
<hr/>				
JCC				
5	REPEATER EQUIPMENT	C	30,000	
<hr/>				
FIRE DEPARTMENT				
6	JAWS OF LIFE EQUIPMENT	C	45,000	
<hr/>				
DPW				
	STREET SWEEPER	E	125,000	
	AGRIMENTEL LEAF BLOWER/MOVER	C	30,000	
	PAINT MACHINE/BUNKER RAKE	C	25,000	
7	TOTAL EQUIPMENT			180,000
	UTILITY VEHICLE	C	40,000	
	1 TON DUMP WITH PLOW	B	60,000	
8	TOTAL VEHICLES			100,000
9	CAPPING LANDFILL	B	850,000	
10	PAVING NORTH CEMETARY RDS	E	75,000	
11	FIELD RENOVATIONS	E	125,000	
12	GREENWAYS FEASABLITY STUDY	E	30,000	
<hr/>				
DPW-WATER				
12	C & L STONEBRIDGE RD	WB	510,000	
13	NETWORK METERS READING SYSTEM	WB	625,000	
14	VEHICLE	WB	60,000	
<hr/>				
COA				
15	SENIOR CENTER FEASIBILTY STUDY	E	35,000	
<hr/>				
LIBRARY				
16	COMPUTER EQUIPMENT	C	25,000	
<hr/>				
SCHOOL DEPARTMENT				
17	TECHNOLOGY	E	600,000	
GRAND TOTAL			4,515,000	

SUMMARY				
B =	BORROW	1,095,000		
E =	DEBT EXEMPT ITEMS - BORROW	2,000,000		
C =	CASH CAPITAL	225,000		
WB=	WATER BORROWING	1,195,000	G/F	3,320,000
WC=	WATER CASH CAPITAL		WATER	1,195,000
		4,515,000		4,515,000

**ARTICLE 6: RESOLUTION SEEKING INDEPENDENT REVIEW OF TOWN AND SCHOOL BUDGET PROCESS**

*Proposed by: Petitioners*

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

WHEREAS Wayland's residents are committed to maintaining a financially secure Town with strong municipal and school services; and,  
WHEREAS Wayland's budget continues to face challenges from the economy, reductions in state aid and growing healthcare and pension costs; and,  
WHEREAS the Finance Committee has requested workflow efficiencies as part of its Long Range Plan; and,  
WHEREAS the Finance Committee and School Committee have a comparison of expenses and practices with peer communities and districts; and,  
WHEREAS residents of the Town desire an independent review of the School budget process and improved financial reporting as outlined in the Request for Proposals, Professional Services Contract, Operational Review of School Budget Process and Non-Educational Operational and Administrative Functions (dated March 18, 2010)  
WHEREAS the Finance Committee has included funds in the FY11 operating budget for such purposes.

Now, therefore, be it resolved that Town Meeting supports an independent review that will include:

1. a comparison of current budgeting and expenditure reporting formats used by the Wayland Public Schools with formats used by peer towns with recommendations for improvements in Wayland's budgeting and expenditure reporting formats, including level of account detail, consistent with best management practices;
2. a restatement of FY2011 budget at a detailed and subsidiary account level in the recommended best management practice format with testing to validate budget classifications subsequent to modification of budget format;
3. a specific recommendation on expenditure reporting that captures variances in actual expenditures from budget at a detailed and subsidiary account level to improve decision-making and to provide better accountability to citizens; and
4. a review of non-educational operational and administrative functions identifying efficiencies within the School department and like areas within Town operations, to include recommendations for areas for potential alternative service delivery methods and cost-savings strategies such as consolidation with Town departments, collaboration with other school districts, or outsourcing.

The independent review shall be performed by an independent consultant and conducted under the direction of an Operational Review Committee established by the Board of Selectmen and comprised of one member from each of the Finance Committee, Board of Selectmen and School Committee and two members appointed by the Finance Committee. The Operational Review Committee will report to the 2011 Annual Town Meeting with findings and recommendations, said committee to be dissolved with the adjournment sine die of the 2011 Annual Town Meeting.

**PETITIONERS' COMMENTS:** Every year costs continue to rise in the school budget. We have little control over contractual obligations and health care costs for example, so we have historically considered one of two choices when faced with cost increases:

1. Raise revenue to offset the costs so we are able to preserve the quality of education... the override choice  
*or*

2. Make reductions to personnel, such as the elimination of seven teachers for FY'11, adversely affecting the quality of education for our children.

This resolution provides us with a third choice: to become more efficient with our current tax revenue. An independent municipal consulting firm will provide a fresh set of eyes to our books to identify potential areas for reduction in spending including potential consolidation of redundant services with the town, preserving the level of excellence in education at no additional cost to taxpayers.

**FINANCE COMMITTEE COMMENTS:** This resolution expresses the petitioners' desire for a more transparent School Committee budget reporting and formulation process geared towards best municipal practices. It also seeks to find efficiencies in non-classroom activities with the goal of finding expense reduction opportunities in those and related Town areas.

A resolution is non-binding but expresses the intent of Town Meeting on the topic.

If the resolution passes, it shows the Town Meeting intent to proceed with an independent review of the four items detailed above: review budgeting and reporting formats with recommendations for improvement, a restatement of the FY2011 budget in the proposed format, improved variance reporting of expenditures and a review of non-educational operational and administrative areas to identify efficiencies.

The resolution also creates an Operational Review Committee to oversee the management and financial reporting review process; the Committee disbands with the adjournment of the 2011 ATM.

**ARGUMENTS IN FAVOR:** This resolution is the result of a constructive effort undertaken amongst representatives of the petitioners and the Finance Committee. It has defined the scope and intent to focus on two primary factors: improved reporting and potential cost savings.

Improved reporting would come from a budget and actual expense reporting format that will complement the current MUNIS financial reporting system and allow for more consistent analysis of cost drivers both for the current year and as a basis for budgeting the next. Potential cost savings could be achieved based on streamlining redundant non-educational activities and expenses.

The purposes of this resolution appear to be in parallel with the Finance Committee's Long Range Plan in seeking workflow efficiencies.

**ARGUMENTS OPPOSED:** Given the obvious budget pressures the School Committee faces on an ongoing basis and the resulting renewed focus on efficiencies and cost-savings efforts that the School Committee has incorporated, this Resolution is unnecessary, however well-intentioned it may be. School budget detail has improved over past years due to the implementation of the MUNIS financial reporting system, which is reflected on the Massachusetts Department of Elementary and Secondary Education (DESE) website.

Further, the Wayland School Committee has begun the process of understanding administrative resource levels and expenses (Central Office- and building-related) as compared with its peer districts.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**QUANTUM OF VOTE:** Majority.

*For more information about this article, contact Shawn Kinney at [shawn@hyaluron.com](mailto:shawn@hyaluron.com).*

---

**ARTICLE 7: PAY PREVIOUS FISCAL YEAR UNPAID BILLS***Proposed by: Board of Selectmen**Estimated Cost: Unknown*

To determine whether the Town will vote to:

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

**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.

**ARGUMENTS IN FAVOR:** This is a bill for services that the Town has received, and it should be paid.

**ARGUMENTS OPPOSED:** The Finance Committee is not aware of any.

**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](mailto:mdipietro@wayland.ma.us).*

---

**ARTICLE 8: SELL OR TRADE VEHICLES AND EQUIPMENT***Proposed by: Board of Selectmen*

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

<u>Department</u>	<u>Vehicle/Equipment</u>	<u>Year</u>
Department of Public Works	Ford Explorer	2000
Department of Public Works	Elgin Street Sweeper	2004

**FINANCE COMMITTEE COMMENTS:** This standard article allows the Town to sell used vehicles or other personal property.

**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](mailto:fturkington@wayland.ma.us).*

---

**ARTICLE 9: ACCEPT GIFTS OF LAND**

*Proposed by: Board of Selectmen*

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

**FINANCE COMMITTEE COMMENTS:** This standard article allows the Town to accept gifts of land. At the time of printing of the Warrant, there were no known gifts of land.

**ARGUMENTS IN FAVOR:** Acquisition of land by the Town gives the Town more control over the use of such land.

**ARGUMENTS OPPOSED:** Land given to the Town may result in a slight loss of taxable real estate.

**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](mailto:fturkington@wayland.ma.us).*

---

**ARTICLE 10: ACCEPT LAW INCREASING REAL ESTATE TAX EXEMPTION AMOUNTS**

*Proposed by: Board of Selectmen and Board of Assessors*

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

**FINANCE COMMITTEE COMMENTS:** This is an annual article that provides for tax exemptions to assist the elderly, disabled veterans, and other fixed-income residents. With passage of this article at each Annual Town Meeting, certain residents may avail themselves of exemptions in the following amounts: \$350 for widow/widower; \$875 for the blind; \$1,000 for the elderly; and \$800 for disabled veterans. The title of the Article refers to "Increasing Real Estate Tax Exemption Amounts" because the exemptions listed above are double the amounts in the state statute. In FY2009, 102 taxpayers were granted exemptions for a total of \$145,375.54. This amount represents the statutory exemptions granted and does not include the Circuit Breaker Match and CPA exemption.

**ARGUMENTS IN FAVOR:** This article adds minimal tax burden to each taxpayer and provides needed support to the elderly and certain residents coping with the increasing burden of paying property taxes on fixed incomes.

**ARGUMENTS OPPOSED:** To allow the exemptions to eligible residents, the remaining taxpayers must pay more tax.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 4-0.

**QUANTUM OF VOTE:** Majority – see Section 4 of Chapter 73 of the Acts of 1986.

*For more information about this article, contact Ellen Brideau, Director of Assessing, at (508) 358-3659 or [ebrideau@wayland.ma.us](mailto:ebrideau@wayland.ma.us).*

---

**ARTICLE 11: SET ASIDE COMMUNITY PRESERVATION FUNDS FOR LATER SPENDING**

*Proposed by: Community Preservation Committee*

*Estimated Cost: \$180,000*

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

**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 eligible purposes including recreational usage within the statutory definition of open space. Recreational purposes include land for active or passive recreational uses 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, 2009, the Wayland CPA fund had a total balance of \$5,674,852 with \$1,895,548 reserved for open space, \$599,076 reserved for historic resources and \$105,000 reserved for community housing. Previously committed expenses, but not yet paid, totaled \$189,410 leaving a remaining unreserved and undesignated balance of \$2,885,818. An article for "Preservation of Town of Wayland's Historic Documents" was approved at the 2009 Fall Special Town Meeting for \$10,000. This reduced the amount set-aside but not committed for historic resources to \$589,076.

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.

The Community Preservation Committee voted 5-0 in favor of this warrant article.

**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 of what the Community Preservation Act was enacted for. Total CPC funds reserved for open space will total \$1,955,548; funds reserved for historic resources will total \$649,076 and funds reserved for community housing will total \$165,000 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: 5-0.

**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.*

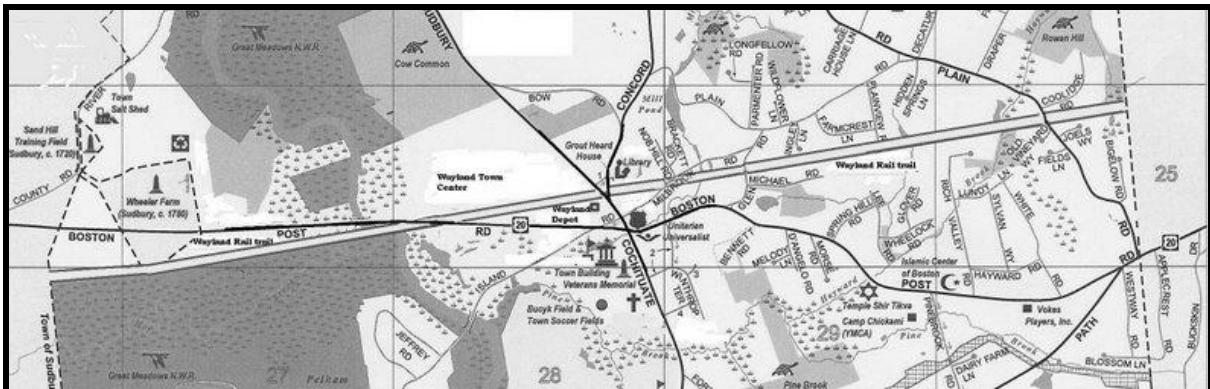
## **ARTICLE 12: APPROPRIATE CPA FUNDS FOR DESIGN SERVICES FOR RAIL-TO-TRAIL**

*Proposed by: Community Preservation Committee and Planning Board*

*Estimated Cost: \$25,000*

To determine whether the Town will vote to appropriate and transfer an amount up to \$25,000 from the open space account of the Community Preservation Fund for the purpose of engaging a professional engineering firm to provide a feasibility study to evaluate, among other things, environmental and engineering relating to a proposed Wayland Rail Trail extending for approximately three miles from the Weston town line to the Sudbury town line, provided that the Town receives confirmation of a lease of the MBTA railroad line to the Massachusetts Division of Conservation and Recreation (DCR) and written confirmation that DCR concurs with the planned use of the DCR leased land for said proposed rail trail; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or federal government, by borrowing, or otherwise.

**FINANCE COMMITTEE COMMENTS:** The Wayland rail trail will be a park and bike path accessible to all members of the public for recreation and commuting. The proposed 3-mile trail starts at the edge of the Weston Woods at the Rowan Hills Conservation Area, crosses Plain Road, passes by Mill Pond and the Wayland Library, goes behind the businesses on Route 20 to the proposed Town Center development, crosses Route 20 at Russell's Garden Center, and goes over the Sudbury River into the Great Meadows National Wildlife Refuge.



In addition to being part of the Massachusetts Central Rail Trail (MCRT), the Wayland rail trail would also intersect with the proposed Bruce Freeman Rail Trail, which is expected to run for 25 miles from Framingham to Lowell, passing through Sudbury. A 6.8-mile portion of the Bruce Freeman trail was recently completed through Lowell, Chelmsford and Westford.

When finally completed, the entire MCRT corridor will be over 100 miles long through 24 communities, making it the longest single rail trail in New England. The corridor has about 25+ miles that are currently open. There are another 60+ miles that are in various categories of protected status (*owned by various state agencies, or municipalities, land trusts or conservation commission*). About 10+ miles are owned by private entities such as railroads or utilities.

One of the main hurdles for completion of the Wayland Rail Trail is the transfer of ownership of the land from the MBTA to the state Department of Conservation and Recreation (DCR). The Department of Conservation and Recreation (DCR) announced in 2009 that they would like to lease the 26 miles of the proposed MCRT from the MBTA from Waltham (thru Wayland) to Berlin. In August 2009, legislation was passed which would limit the MBTA's liability on rail trails. An agreement is expected by spring of 2010.

While the DCR intends to build a rail trail, the DCR does not yet have funding. It is anticipated that a combination of private funds, CPA funds, grants and town funds may be necessary to complete the project

#### **Proposed Feasibility Study**

The environmental and engineering assessment feasibility study is the next step forward to converting the Mass Central Rail line to a rail trail. The study will cover:

- Preliminary design options for the three miles in Wayland
- Impact to the environment and abutting properties
- Recommendations for road crossings
- Trail access and parking
- Construction and maintenance cost estimates
- Potential funding sources
- Public opportunity for input
- Integration with the proposed rail road interpretive site

This article requests appropriation of \$25,000 from the Wayland CPA fund and as previously set aside and allocated for open space, for the purpose of engaging a professional engineering firm to provide a feasibility study for a Wayland Rail Trail extending for approximately three miles from the Weston line to the Sudbury line. It should be noted that the DCR must sign a lease with the MBTA before any CPA dollars will be spent on a Wayland rail trail feasibility study.

The Planning Board, at its meeting on January 5, 2010, voted unanimously 4-0, and the Wayland Community Preservation Committee, at its meeting on January 13, 2010, voted 5-0 to support the proposed Wayland rail trail feasibility study.

**ARGUMENTS IN FAVOR:** Wayland cannot move forward on the rail trail without this type of study. Without a feasibility study, costs and funding sources cannot be ascertained.

There are also two conditions that must be met prior to release of funds for this study. The DCR must complete a lease with the MBTA and the DCR supports the scope of the study.

**ARGUMENTS OPPOSED:** Some abutters may be opposed to the building of a rail trail in Wayland due to privacy concerns and expected construction costs. Total costs to construct the Wayland rail trail may run \$2-3M.



**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**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 Jerome Heller, Chairman of the Community Preservation Committee, at heller.j@comcast.net, or contact Sarkis Sarkisian, Town Planner, at ssarkisian@wayland.ma.us, telephone (508) 358-3778. See Town Approved Appropriations from the Community Preservation Fund at Appendix C.*

---

### **ARTICLE 13: 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 D) previously adopted by the Town.

**FINANCE COMMITTEE COMMENTS:** This Article is requesting 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 Town By-laws 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 0% increase for all non-union employees as of July 1, 2010.

For informational purposes only, those union employees in bargaining units with negotiated labor contracts have their wages listed as well. Wages in settled contracts for FY 2011 are being held constant with the prior year and reflect a 0% increase for July 1, 2010. The balance of union employee contracts for FY 2011 are still being negotiated and are so indicated.

The Personnel Board voted 5-0 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.

**ARGUMENTS OPPOSED:** Some would say that salaries should be decreased based on current economic conditions.

**RECOMMENDATION:** The Finance Committee recommends approval Vote: 6-0

**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 by-law amendment is consistent with federal and Massachusetts law.

*See Personnel Wage and Salary Classification Plan at Appendix D. For more information about this article, contact John Senchyshyn, Human Resources Director/Assistant Town Administrator, at (508) 358-3623, or email jsenchyshyn@wayland.ma.us.*

---

## **ARTICLE 14: 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, to be effective July 1, 2010, which salary and compensation is printed below.

### **SALARY SCHEDULE – TOWN CLERK**

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

**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 which may enjoy benefits not available to elected officials, such as automatic step increases, merit increases that recognize performance, and cost of living adjustments.

**ARGUMENTS IN FAVOR:** The salary proposed reflects a fair compensation for work performed considering all relevant factors.

**ARGUMENTS OPPOSED:** Some would say that given current economic conditions, town employees should have their wages modestly reduced.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

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

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

---

## **ARTICLE 15: TRANSFER AND RESTRICT USE OF CERTAIN TOWN-OWNED LAND FOR SEPTIC PURPOSES AND CONSERVATION PURPOSES**

*Proposed by: Petitioners*

To determine whether the Town will vote to:

- a.) Authorize the Board of Selectmen and the Board of Public Works, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of the parcels 47A-035, 47A-037, 47A-037A, 47A-037B, 47A-037C, 47A-037D, 47B-055H, 47B-055G, 47B-055F, 47B-055E, 47B-055D, 47B-055C, 47B-055B, 47B-055A, 47B-055, 47A-027A, 47A-027, 47A-026, 47B-056G, 47B-056A, 47A-027E, 47B-057A, 47C-002, 47C-001, 47D-027 of land on Doran Road, Curtis Road, Pond Drive and Cross Street located in Wayland, Massachusetts, known as Dudley Woods, and shown on the plan entitled “Plan of Land in

Wayland, Massachusetts Prepared for the Wayland Board of Selectman, Doran Road - Town Parcels” dated August 14, 2006, prepared by the Town of Wayland, Town Surveyors Office which property is more fully described in Appendix E, to the Conservation Commission.

- b.) Authorize the Board of Selectmen and the Board of Public Works, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of parcels 47B-056F, 47B-056E, 47B-056D, 47B-056C, 47B-056B, 47B-057E, 47B-057D, and 47B-057C of land on Doran Road, Curtis Road, Pond Drive and Cross Street located in Wayland, Massachusetts, known as Dudley Woods, and shown on the plan entitled “Plan of Land in Wayland, Massachusetts Prepared for the Wayland Board of Selectman, Doran Road - Town Parcels” dated August 14, 2006, prepared by the Town of Wayland, Town Surveyors Office which property is more fully described in Appendix E, to the Wastewater Management District Commission.
- c.) Rescind the votes of the 1975 Annual Town Meeting under Article 27 and the vote of the January 19, 1977 Special Town Meeting under Article 2 authorizing the Board of Selectmen to convey said land to the Wayland Housing Authority to construct elderly congregate housing.

**PETITIONERS COMMENTS:** Passing Article 23 will preserve the Town-owned 7.3 acres known as Dudley Woods and protect the integrity of Dudley Pond.

Dudley Woods has a wealth of wildlife habitats. It is important to conserve these ecosystems. The southern quarter of Wayland holds 24% of the total land in Wayland but 54% of the Town’s housing units -- an extremely densely populated community with little open space. Currently the southern quarter of Wayland holds 1/5 the amount of conservation land/open space per person then the rest of Wayland.

Designating Dudley Woods for preservation gives Wayland passive recreation space and advances the goal in the Town’s Master Plan for open space.

Protecting Dudley Woods helps ensure the long-term health of Dudley Pond by maintaining the surface water quality, by filtering potential run-off.

This article supports the Town’s Master Plan for wastewater management by enabling septic system easements for existing, small lots near Dudley Pond.

**FINANCE COMMITTEE COMMENTS:** The purpose of this article is to restrict the future use of the specified land to two purposes; provide land for septic systems for those properties who now or in the future can’t maintain a functioning septic system and for conservation purposes. (See Appendix E)

The petitioners would like to restrict the future usage of the land to preserve Dudley Woods (the parcels referenced in paragraph (a) would be designated as conservation land) and protect Dudley Pond (the parcels referenced in paragraph (b) would be designated for future septic system use). Restricting future develop of this property will preserve open space in Wayland and not put additional environmental burdens on Dudley Pond or local ecosystems. Studies have been undertaken to assess the overall health of the Pond and associated risks to the Pond, but no specific studies related to the development of the specific lots identified in the article.

In 1975 and 1977, the Town voted to convey this land to the Wayland Housing Authority to construct elderly congregate housing. While no action has been taken to act on those votes, the Housing

Authority is still interested in pursuing the construction of some form of housing for Wayland if the land can support it. The Housing Authority would like to conduct a feasibility study of the land to determine if the land can support some form of housing. To date, no study has been done.

The various parcels of land are all owned by the Town, but fall under the jurisdiction of various town boards.

To designate land for conservation, only the Town needs to approve such designation. To remove the conservation designation, both the Town and the State legislature have to approve the action, each by a 2/3rds vote.

**ARGUMENTS IN FAVOR:** There are two primary arguments in favor of this article. The first is to provide sufficient land to support the septic needs of the neighborhood. Many of the lots in the neighborhood are small and have septic systems in them that may not be up to code. Preserving this land for future septic use for those lots that will not be able to support their own needs in the future is critical to protecting the environmental health of the Pond and the neighborhood.

Preserving open space in Wayland is the second argument in favor of this article. Wayland would like to preserve and expand open space within the Town where appropriate. This article does that.

**ARGUMENTS OPPOSED:** The argument against this article is that it is premature to take such a significant step without a better understanding of the housing needs of the Town and impact on Dudley Pond of any housing or other development in the specified area. As written, the article significantly reduces the town's flexibility to optimize the use of the land for both the residents surrounding Dudley Pond as well as the broader community. A better approach would be to commit to not take any action of any kind until sufficient research is done to understand the best use of the land in question. The arguments in favor of the article are valid arguments and are not being dismissed or questioned, but it is unclear if all of the land in question is needed to satisfy the concerns raised. Further research to quantify the impact of various uses would allow the town to make a more informed decision.

**RECOMMENDATION:** The Finance Committee voted 6-0 to defer its recommendation to the Annual Town Meeting. The Finance Committee believes that not all the appropriate Boards are aware or have been consulted about the use of this property. The Finance Committee encourages the petitioners to solicit the input of all interested parties and that there be a proper vetting of all the relevant issues before any land is designated conservation and restricted for future use.

**QUANTUM OF VOTE:** a.) and b.) Two-thirds – see Massachusetts General Laws Chapter 40, Section 15A. c.) Majority.

*For more information about this article, contact Stan Ducharme at [ducharme1946@yahoo.com](mailto:ducharme1946@yahoo.com) or telephone (508) 655-3653. See map at Appendix E.*

---

**ARTICLE 16: LEASE DPW LAND FOR CONSTRUCTION OF A COMMUNITY POOL***Proposed by: Petitioners**Estimated Cost: Nominal*

To determine whether the Town will vote to:

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

**PETITIONERS COMMENTS:** This article addresses a petitioner oversight from the 2008 ATM when only two of the three pool land parcels were transferred; this article allows for the transfer and lease of the abutting third parcel.

Leasing this land allows Wayland Community Pool (WCP) to construct deck space more conducive to supporting programming and in line with the Town's request under the project bid; it will not change the plans for the pool or office/locker room structures.

Plans are well under way for a new community pool for Wayland. WCP is committed to keeping swimming in Wayland; the existing pool closed in March 2010. We are currently going through permitting for a new pool to open later this calendar year. Once again, Wayland residents will have access to recreational aquatic programming (lap swim, lessons, pool passes) and will also gain an open-air summer pool.

For more information, please see our website: <http://www.waylandcommunitypool.org/>.

**FINANCE COMMITTEE COMMENTS:** At Annual Town Meeting in April 2008, article #19 was approved allowing the transfer and lease of land known as the "pool" land for purposes of building a new community pool with private funds. Plans are well under way for building this new pool: the Town issued and awarded a bid to construct a pool and, the not-for-profit, Wayland Community Pool (WCP), which won the bid, has developed designs and is permitting the new pool.

The existing pool sits on three parcels of land. The 2008 article allowed for only two of the three parcels to be approved for transfer and lease. The remaining third parcel, owned by the Town of Wayland, DPW, is the subject of this article and is shown in the map in Appendix F on page 95.

There are two components to this article: the first is that the Board of Public Works transfers the control of the third parcel of land to the Board of Selectmen and, second, the Board of Selectmen leases this parcel for the purposes of a community pool.

On February 8, 2010, the Board of Public Works took two actions: They voted 4-0 to support this article, and also declared this parcel surplus by a vote of 4-0.

**ARGUMENTS IN FAVOR:** The petitioners' intent of the April 2008 ATM article was to transfer all the pool land for the effort to construct a community pool for Wayland. This parcel was not mentioned in the 2008 article, and this article seeks to include it to keep the present "pool parcel" whole.

A better community facility will result from including this parcel with the other land previously approved for transfer. Leasing this land to WCP will allow the deck space around the pool to meet the guidelines requested by the Town. While this land is not required for the pool project to continue, with this parcel and the additional building square footage it allows, WCP can construct additional deck space for better programming for the Town and meet the zoning requirements related to lot coverage with the existing pool plans.

WCP is working closely with the High School Building Committee (HSBC) to coordinate work on both projects. The HSBC does not require this parcel for their building project.

No buildings or structures are anticipated on this parcel. However, it may be improved with landscaping.

The parcel will continue to be owned by the town.

**ARGUMENTS OPPOSED:** There are some who would say the Board of Public Works should retain this parcel for potential future use.

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

**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 Ben T. Downs at bentdowns@comcast.net. See map at Appendix F.*

---

## **ARTICLE 17: ACQUIRE TOWN OF SUDBURY'S INTEREST IN SEPTAGE FACILITY**

*Proposed by: Board of Selectmen*

*Estimated Cost: \$80,000*

To determine whether the Town will vote to:

- a.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase or otherwise, all of the Town of Sudbury's right, title and interest in and to the Septage Treatment Facility and the parcel of land upon which it is situated known and numbered 490 Boston Post Road, Wayland, Massachusetts, containing 7.63 acres, more or less, as described in an order of taking dated January 11, 1971 and recorded with the Middlesex South Registry of Deeds in Book 11943, Page 420;
- b.) appropriate a sum of money to be expended by the Board of Selectmen for the acquisition of the Town of Sudbury's right, title and interest in said facility and parcel of land;
- c.) determine whether said appropriation shall be provided by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise; and
- d.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to enter into and execute all necessary and appropriate instruments and agreements, including, without limitation, intermunicipal agreements, in connection with said acquisition.

**FINANCE COMMITTEE COMMENTS:** This article seeks to authorize the Board of Selectmen (BoS) to acquire the Town of Sudbury's rights, title and interest in and to the Septage Treatment Facility. Briefly, the four steps to the article are to:

- a.) Authorize the BoS to acquire Sudbury's interest;
- b.) Appropriate a sum of money to be expended by the BoS to do so;
- c.) Determine the method of appropriation; and
- d.) Authorize the BoS to execute all necessary documents in connection with said acquisition.

At this time, the two Towns are working to determine the fair market price of the facility.

Background: The Wayland Sudbury Septage Facility was fully decommissioned on October 22, 2009 and permanently closed on December 1, 2009. The closing followed a lengthy process in which the Boards of Selectmen of Wayland and Sudbury, based on a 4-2 recommendation of the Septage Committee, determined that even with significant expenditures for capital improvements to meet the permitting requirements of the Department of Environmental Protection (DEP), the aging facility had little chance of remaining economically viable over the long term.

The Towns achieved all the requirements of the final DEP Administrative Consent Order ahead of the December 1, 2009 deadline to decommission the plant. All steps were followed in closing, and all regulatory requirements have been completed. Now, the two Towns need to conclude the existing intermunicipal agreement governing the operation of the facility including disposition of the facility itself. The intermunicipal agreement gives Sudbury an interest in the facility and proceeds from its use; this interest can either remain through the life of the agreement (2017) or be extinguished through the sale of Sudbury's interest to Wayland.

The parcel of land on which the treatment facility is located remains in the ownership of the Town of Wayland, and any future use of the land will be determined by the Town.

An appraisal is pending. The cost of the buy-out consists of the net of Sudbury's share of 50% of the assets (value of the building, any resale/scrap value of equipment and pending receivables from septage haulers) less their share of 50% of the liabilities (legacy costs of the former and retired employees and any residual funds not needed for future health/retirement costs). The legacy costs are estimated at \$330,000 for pension and health insurance. The Septage enterprise fund has approximately \$295,000 remaining of which \$50,000 is being used in this Town meeting to fund FY2011 benefits costs. Pending receivables are minimal.

A similar article was before Sudbury at their Annual Town Meeting in April 2010, and they approved selling their interest to Wayland.

**ARGUMENTS IN FAVOR:** Purchasing Sudbury's share gives Wayland control of the building and land now. Wayland will have the independence and flexibility to decide how to use the facility; options include leasing the building for use as a septage transfer point/holding facility, a potential site for a DPW garage or to sell the land if rezoned for commercial purposes.

The appropriation covers the net of 50% of the assets and 50% of the liabilities. The reasonableness of the anticipated legacy costs have been reviewed by Wayland's Finance Director.

There is no indication of any hazardous material on the site, and all stored chemicals have been disposed. All regulatory requirements with regard to past DEP Administrative Consent Orders have been completed.

DEP would have some regulatory/permitting role if the building is used as a holding/transfer facility for septage. However, Wayland's Board of Health would be the primary permitting authority. The plant as currently configured is not reusable as a treatment facility.

**ARGUMENTS OPPOSED:** Passage of this article extinguishes Sudbury's interest in the facility both their interest in potential future revenue from leasing the building, but also the cost of demolition or renovation. Wayland alone would carry the ultimate disposition of the building and land.

Some would argue that we should delay this article until an appraised value has been determined and deemed acceptable, potential future uses studied and an actuarial study completed of the legacy costs.

**RECOMMENDATION:** The Finance Committee voted 6-0 to defer its recommendation to the Annual Town Meeting.

**QUANTUM OF VOTE:** a.) Two-thirds – see Massachusetts General Laws Chapter 40, Section 14. b.) and c.) 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. d.) Majority – see Massachusetts General Laws Chapter 40, Sections 4 and 4A.

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

---

## **ARTICLE 18: AMEND TOWN CODE RE: DEPARTMENT OF PUBLIC WORKS**

*Proposed by: Board of Selectmen*

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

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

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

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

##### (1) Penalty:

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

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

### 2.) Chapter 75 - Community Preservation Committee

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

There is hereby established a Community Preservation Committee, consisting of nine members,



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

...

#### §75-3. Committee to undertake study.

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

...

### 3. ) Chapter 158 – Streets and Sidewalks

#### §158-2. Liability of vehicle owner.

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

...

#### §158-15. Penalties for violations.

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

### 4.) Chapter 190 – Water

#### §190-9. Violations and penalties.

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

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

...

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

#### 5.) Chapter 191 – Lawn Irrigation Systems

##### §191-7. System requirements.

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

...

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

##### §191-8. Approval process.

...

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

##### §191-10. Violations and penalties.

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

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

...

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

**FINANCE COMMITTEE COMMENTS:** The 2008 Annual Town Meeting approved the creation of a Department of Public Works (DPW) effective July 1, 2009. It effectively combined the operations of Highway, Water, Landfill and the Park operations of the Park and Recreation. The Park and Recreation Commission was re-chartered as a Recreation Commission with responsibility for

recreation. This article is essentially a housekeeping article to clean up various Town Code provisions which still reference the old Commission or Board and replacing it with DPW.

One change in this article that is more than housekeeping relates to the Community Preservation Committee (CPC). The Town bylaw which established the CPC originally consisted of a 7 member board, including one member designated by the Conservation Commission, one member designated by the Planning Board, one member designated by the Historical Commission, one member designated by the Housing Authority, one member designated by the Park and Recreation Commission, and two designated by the Selectmen. With the creation of the DPW the member appointed by the Park and Recreation must be appointed by the DPW. Under State laws, the Commission / Board responsible for Park operations must be one of the appointees of the CPC. To accommodate the Recreation Commission's continued participation in the CPC, the CPC membership will be increased by two members for a total committee of 9. One of the new members will be appointed by the Recreation Commission and the other new member will be appointed by the Selectmen (increasing the Selectmen's appointment to 3).

**ARGUMENT IN FAVOR:** This is essentially a housekeeping article to modify the Town Bylaws to recognize the creation of the DPW versus the board / commission it replaced.

The modification of the CPC increasing the membership to 9 allows for the participation and representation of both park operations through the DPW and recreation activities through an appointment of a member by the Recreation Commission.

The CPC has agreed to the change to increase the number of members to 9.

**ARGUMENTS OPPOSED:** Increasing the CPC to 9 members from 7 may be viewed as too large and unwieldy for decision making. Also, by adding another appointee by the Selectmen might be viewed as giving too much representation to the Selectmen.

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

**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 by-law amendments are consistent with federal and Massachusetts law.

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

---

## **ARTICLE 19: AMEND AND EXPAND REFUSE DISPOSAL DISTRICT**

*Proposed by: Board of Public Works and Planning Board*

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

- a.) revising the Town of Wayland Zoning Map referenced in § 198-301.2 thereof by adding to and including in the Refuse Disposal District shown on said map and referenced in § 198-301.1.8 the parcels of land shown as 22-5, 22-6, and 22-7 on Town of Wayland Atlas Map 22; and
- b.) adding to Article 12 (Refuse Disposal District), § 198-1201 (Permitted Uses) thereof the following new subsections:

“1201.1.5. A Town-owned or managed public works facility established for the Town.

1201.1.6 The parking and storage of buses, automobiles, and comfort trailers used for transportation purposes by the Wayland Public Schools.”

**PLANNING BOARD REPORT:** The Planning Board recommends favorable action by a vote of 3 to 0.

The purpose of this article is to amend and expand the refuse disposal district to allow a Public Works Facility to be permitted within the district and to allow the parking of buses used for transportation by the Wayland Public Schools. Expanding the Refuse Disposal District will remove a split zone and avoid a number of administrative problems in the future as follows:

- The current access road to the site travels through residentially zoned parcels.
- Many of our regulations in the Town of Wayland reference lots and lot lines.
- Accessory structures and uses could become a problem when for instance they are allowed on the same lot, but are located in different zoning district.

The zoning amendment will also provide a more environmentally friendly site for the Wayland School Buses to park while the High School is under construction. The new location will remove the buses from an aquifer protection district. The specific location for the buses on site has not yet been determined.

**FINANCE COMMITTEE COMMENTS:** The intent of this article is to simplify the Refuse District Zone through the addition of the adjoining parcels, and to alleviate a situation that will arise upon the initiation of the construction of the new High School – namely, the need for property on which to park the School buses and other related vehicles.

A reference map of the land parcels pertaining to this article can be found in Appendix G at page 96.

**ARGUMENTS IN FAVOR:** Expanding the Refuse Disposal District will remove a split zone and avoid a number of administrative problems in the future as follows:

- The current access road to the site travels through residentially zoned parcels.
- Many of our regulations in the Town of Wayland reference lots and lot lines.
- Accessory structures and uses could become a problem when for instance they are allowed on the same lot, but are located in different zoning districts.

The zoning amendment will also provide a more environmentally friendly site for the Wayland School Buses to park while the High School is under construction. The new location will remove the buses from an Aquifer protection district. The specific location for the buses on site has not yet been determined.

The FinCom is aware of the issues related to using the parcels of the Refuse District bordered by River Road as the area where the School transportation vehicles could be parked. The issues are significant and should preclude this area from bus and other School vehicle parking. In addition, Parcel 22-003, which is now in the Refuse District and borders parcel 22-006, houses the current septage facility building and parking area and could 1) accommodate the School vehicle parking at no additional site preparation cost to the Town; 2) is more conveniently located on Route 20; and 3) School bus parking near Route 20 would be less intrusive to all abutters.

**ARGUMENTS OPPOSED:** The Town may consider creating a different district to allow more intense commercial or other municipal uses. The Town may also consider allowing green energy development in the future. Given the uncertain future about such future potential opportunities, the Planning Board should investigate a temporary permit to allow for the School buses and other vehicles to be parked on Refuse District parcels rather than rezone them now and potentially have to rezone again should another need for the property arise.

Further, the fact that neither the Article nor the comments of the Planning Board define the parcel on which the vehicles will be parked is concerning. If they are parked closer to the River Road boundary of the Refuse District it will have an adverse effect on the abutter of the Refuse District property and would make it extremely inconvenient – and in flood conditions, nearly impossible – to access and move these vehicles.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**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 by-law amendments are consistent with federal and Massachusetts law.

*For more information about this article, contact Don Ouellette, DPW Director, at [douellette@wayland.ma.us](mailto:douellette@wayland.ma.us), telephone (3508) 358-3672, or Sarkis Sarkisian, Town Planner, at [ssarkisian@wayland.ma.us](mailto:ssarkisian@wayland.ma.us), telephone (508) 358-3778. See map at Appendix G.*

---

## **ARTICLE 20: AMEND CHAPTER 6 OF TOWN CODE RE: POSTING OF BOARD POLICIES**

*Proposed by: Petitioners*

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

### **§ 6-4. Publication of policies**

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

**PETITIONERS COMMENTS:** The Merriam-Webster Dictionary definitions of policy include “prudence or wisdom in the management of affairs” and “a high-level overall plan embracing the general goals and acceptable procedures especially of a governmental body.” Given the calls heard for a more efficient, effective, transparent and user-friendly town government, petitioners believe it is in the public interest for boards with policies to publish them on the town website. This article does not require boards without policies to create them but may inspire them to do so. Depending on the nature of a particular board’s function, policies can and do vary considerably. Publishing them can help promote awareness of and compliance with applicable laws. Especially with boards having high public visibility or interaction, it is important for residents to have easy access to accurate information about how our government functions. That clarity and understanding enable greater public participation, positive communication, open deliberations and consensus-building.

**FINANCE COMMITTEE COMMENTS:** This article seeks to amend Town Bylaw by requiring each board, commission and committee (boards) to post its current policies on the Town website. Petitioners have requested the change because they find some boards have not posted their policies.

Policies are available to the public in paper copy; this article seeks to have them available online. This article does not seek to have boards create policies.

Now, there are 32 appointed boards and 8 elected boards in Wayland. Not all of the boards have policies and of those that do, not all are posted online.

**ARGUMENTS IN FAVOR:** Petitioners believe it is important for those boards that have policies to post them, so the public understands how they operate. They believe this article will inspire boards to create and post policies and further inspire good government and push toward better communication. No enforcement is intended.

Petitioners have previously asked for policies to be posted without result. They desire those boards with a high level of public interaction to post their policies online and to also include other information that will facilitate those interactions.

People will be able to access policies online, and petitioners hope that boards' expectations and requirements will be clear which will increase efficiency through easier access.

**ARGUMENTS OPPOSED:** This suggestion can be implemented without changing the Town Code. Also, there is a cost to updating the Town Code. While the cost from this particular change may be minimal, the Town incurs expenses as it creates more changes to the Code.

The Finance Committee is not supportive of changing the Bylaw for administrative reasons. Amending the Bylaw will not, in and of itself, accomplish the petitioners' goals. The Finance Committee is supportive of policies being posted online, but feels this can be accomplished without a Bylaw.

The Town will implement a new website this calendar year. With the new site, it will require less staff time and technical expertise to post information than with the existing one and eliminate one barrier to posting policies.

There are some boards which are created for specific purposes and defined lengths of time, and they appropriately do not have policies as they operate under a specific directive or mission statement. There are also boards which do not have a webpage on the Town site on which to post policies.

Requiring each board to post policies does not resolve a confusing situation where a resident may not know whether a particular board lacks policies or simply has not posted them.

While petitioners' have defined the word policy in their statement above, it is often the rules and regulations or procedures which are most useful to the end user. This amendment does not address those components.

If a board does not post their existing policies online, they are subject to financial fines under §2-1 General Penalty of the Town Code which states in part: "Whoever shall breach or violate any provision of these bylaws,... shall be punished by a fine of not exceeding \$300 for each offense or for each day of a continued offense, in the absence of an express provision of another penalty." While it

may be unlikely for a resident to take action under this Bylaw, it is possible; it is also likely that the court would allow the offending party a chance to comply before hearing a case. No fine could be imposed if a board does not have policies.

**RECOMMENDATION:** The Finance Committee recommends against approval. Vote: 2-4-1.

**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 by-law amendment is consistent with federal and Massachusetts law.

*For more information about this article, contact Linda Segal, lead petitioner, at (508) 655-0724, or [lmlsegal@comcast.net](mailto:lmlsegal@comcast.net).*

---

## **ARTICLE 21: CHANGE THE FORMAT OF TOWN MEETING**

*Proposed by: Petitioners*

*No Cost Estimate Provided by Petitioners*

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

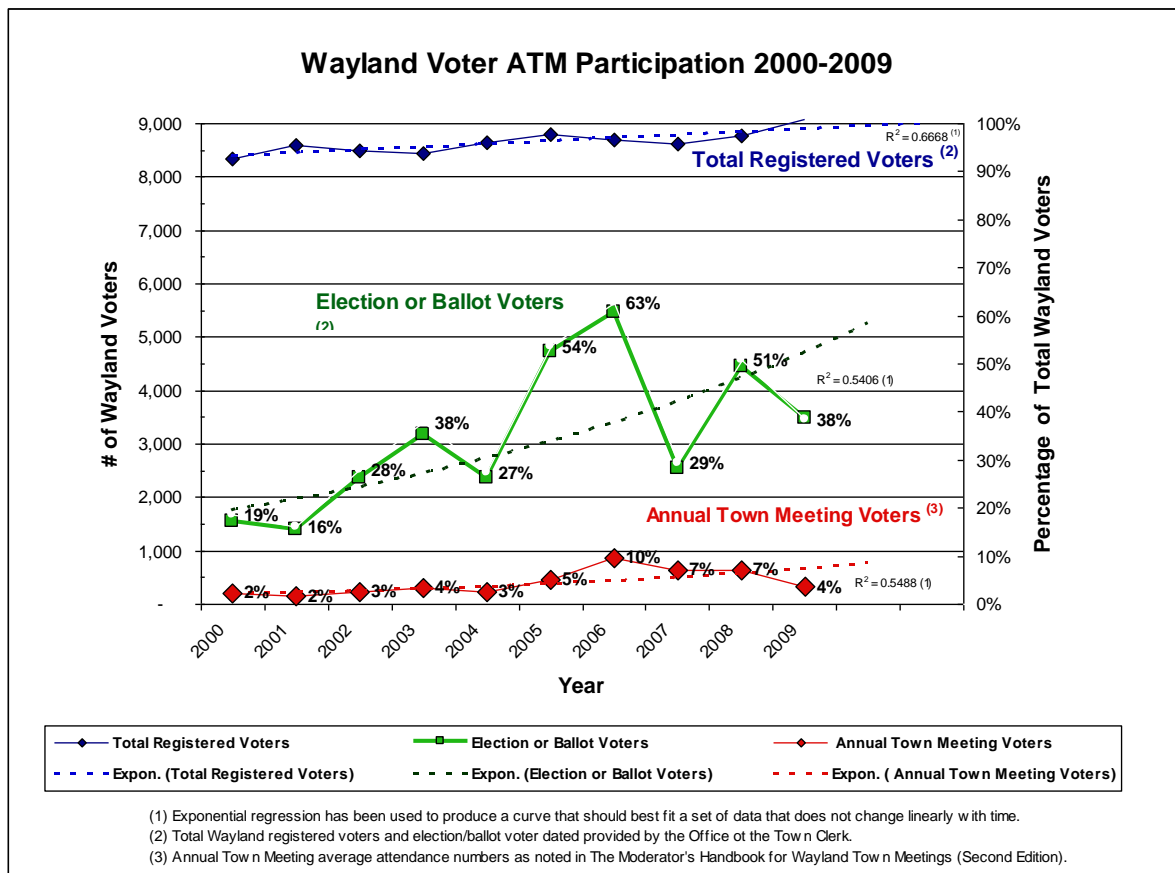
- i) Annual and Special Town Meetings will allow for certain articles, to be identified in advance of Town Meeting, to be voted on by Official Ballot in order to increase voter participation for the most important articles affecting town residents.
- ii) The specific criteria for which articles will go to Official Ballot shall be determined by the Selectmen when drafting the petition to the legislature, but at a minimum should include:
  - A provision that allows registered voters to petition for an article to go to Official Ballot.
  - A provision that allows the Selectmen to choose articles to go to Official Ballot.
  - A set of general guidelines on the types of articles that may or may not go to Official Ballot.
- iii) Town Meeting will continue to be conducted in a manner similar to the current Town Meeting format, with the exception that final votes will not be taken on any articles identified as Official Ballot articles. Amendments will be allowed to any article to be voted on by Official Ballot, so long as they are germane, as determined by the Moderator.
- iv) The Official Ballot vote will be scheduled to occur on a date chosen by the Selectmen in accordance with state election laws. The ballot will contain the amended versions of the articles and will be conducted from 7:00 a.m. to 8:00 p.m. following the same balloting guidelines used for general town elections.
- v) On the 5<sup>th</sup> anniversary of the first town meeting operated under the provision of this act, the Board of Selectmen will place an article in the Warrant calling to affirm, modify or rescind the special act.

**FINANCE COMMITTEE COMMENTS:** This article would allow certain warrant articles to be debated and amended at Town Meeting with voting on the article(s) taking place at the precinct polls using an Official Ballot (*instead of on the Town Meeting floor*). An article that could be voted on by Official Ballot might include those that affect the town's finances, zoning laws, and land use. Some have labeled this proposal an "Australian Ballot", since an Official Ballot issued in privacy was originally started in Australia in the 1850's, and was soon after adopted in the United States first in Lexington, MA.

The proponents of this article claim that home-bound voters and those unable to come to the High School Field House will be able to cast their votes in privacy either at the polls and or through a mail-in Absentee ballot. Opponents of this article claim that this article will destroy Wayland's legislative process and many residents will no longer go to Town Meeting.

The petitioner's who have submitted this article are asking the selectman to petition the Massachusetts State Legislature to allow Wayland to modify its Town Meeting format so that certain warrant articles can be voted by election ballot at the precinct polls instead of by floor vote at Town Meeting.

While this practice is not common in Massachusetts, the Finance Committee is aware of two towns in the state of Massachusetts who vote ballot questions at the polls: Manchester-by-the-Sea<sup>1</sup> and Hamilton. The Official or Australian ballot process is also part of the Town Meeting format in the states of Vermont, New Hampshire and Maine.



*A Town Meeting Review Committee was formed at the suggestion of and with the concurrence of the Town Moderator to review, evaluate and recommend changes to the Town Meeting process to improve the efficiency and effectiveness of voter discussion, collaboration and decision-making, ensure the accuracy of voting counts, minimize voting times, increase voter participation and facilitate a voting process that is inclusive of all registered Wayland voters. This committee has not yet reviewed, evaluated or voted on this article in advance of the printing of this Warrant.*

<sup>1</sup> Manchester-by-the Sea was granted permission to vote ballot articles at the polls under Massachusetts Acts of 1991, Chapter 270.



**ARGUMENTS IN FAVOR:**

1. Allows for full voter participation: The right to vote is fundamental in a democratic society. Allowing people to vote at the polls will increase voter turnout and remove obstacles for those who cannot attend for whatever reason.

The requirement that the voter be present in order to vote “disenfranchises” many people. Many groups, such as Town Meeting workers, public safety and shift workers, healthcare providers (doctors, nurses), at-home caretakers of small children and seniors, students who are away at college, or residents who must travel for a living are unable to spend one or more evenings at Town Meeting.

An Official (Australian) Ballot process would allow all Wayland residents the ability to vote on important Town Meeting articles. For Official (Australian) Ballot articles, polls would be open for 13 hours to allow the maximum number of voters to vote at a convenient time. Residents unable to visit the polling place could file an Absentee Ballot.

In 2008, Australian Ballot towns in Vermont achieved a 61% voter turn-out (*including absentee ballots*) as compared to 21% in towns that held only a traditional Town Meeting. Wayland could expect to see a similar turn-out if an Official (Australian) Ballot process is allowed for warrant article voting. For example, Wayland had a 51% turn-out for the April 2008 town election and an 89% turn-out for the November 2008 national election. Over the last 5 years, Wayland has had only a 7% voter turnout for Annual Town Meeting(s), but a 47% turnout for elections<sup>2</sup>. Wayland is clearly a town that exercises its right to vote.

2. Preserves all legislative aspects of Town Meeting: All Articles would continue to be debated and amended as they are today at Town Meeting. Voting would continue to take place at the open Town Meeting for all Articles other than Official Ballot articles. Residents will continue to be encouraged to attend Town Meeting to participate in debate and to defend the Articles they support. Residents who cannot attend Town Meeting would still be able to watch debate and deliberation on WayCAM.
3. Allows more time at Town Meeting to propose, debate, and amend articles: Less time will be spent counting votes at Town Meeting, allowing more time for debate and deliberation.
4. Ensures voting accuracy: A traditional paper ballot provides the most proven, reliable and accurate method of voting on the most important articles affecting town residents.
5. Secret Ballot: Many responsible and thoughtful people are very uncomfortable about voting in public at Town Meeting. Secret ballots at Town Meeting are time-consuming and cumbersome. The Official or Australian Ballot would avoid this constraint; people would vote at the precinct polls.
6. Adds Minimal incremental operating costs: It costs about \$21,000 to run two Town Meetings in the current format. If we added two Official Ballot votes, this could increase to \$35,000 a year.
7. Town Meeting format – There are a number of informed Wayland residents who do not attend Town Meeting because of the format or the environment, but would vote at the precinct polls.

---

<sup>2</sup> Refer to 2000-2009 Wayland Annual Town Meeting (ATM) attendance trend chart for ATM comparisons to voter registrations and election ballot participation.

8. The Official (Australian) Ballot process could be rescinded at a later time - If Wayland introduces an Official or Australian ballot and later finds it does not meet the stated goals of improving voter involvement and Town Meeting efficiency, it could be rescinded after 5 years by a majority vote following a similar process as used for its original adoption.
9. The Official (Australian) Ballot is not a new voting process - Wayland moved to an Australian ballot in the 1800's for electing officials. Other New England states and two towns in Massachusetts have made provision for use of ballot (warrant article) voting at precinct polls.

In Vermont, most towns use a combination of Australian ballot voting and a floor meeting. In 2008, 15 Vermont towns conducted all of their town business using Australian ballot voting only, 61 decided all of their business by floor vote, and 170 towns used a combination of both.

There is no reason for the Town of Wayland not to follow suit.

**ARGUMENTS OPPOSED:** It has been the consistent practice at Massachusetts town meetings for several hundred years that citizens attend pursuant to a Warrant issued by the Selectmen, debate the issues, and then vote on them after discussion has ended. This is both the charm and the mystique of the traditional New England open Town Meeting.

While attendance at Annual Town Meeting has generally been 10-15% of ballot elections over the last ten years, the high turnouts at municipal elections do not support the argument that use of the Australian ballot Town Meeting would make town government more democratic.

In September 1997, the Massachusetts Moderators Association went on record as opposing legislation to provide for the Australian ballot at the precinct polls, by which some or all of the votes on warrant articles presented and debated during Town Meeting would be taken outside of the formal meeting.

1. There is no evidence that Town Meeting decisions would be improved by the Australian ballot town meeting. Most people believe that Town Meeting decisions made in the customary way are on the whole, in the best interest of the town.
2. When dates for the annual Town Meeting are set by the town's bylaws or announced several months in advance, people can usually adjust their schedules to attend if they really wish to.
3. Devices such as pre-scheduling high interest warrant articles make it easier for people to attend Town Meeting for the issues they are concerned about.
4. It is not necessary to let long-winded speakers drive people from Town Meeting; a town bylaw, or a firm Moderator with the backing of the community, can establish and enforce reasonable rules for the length of debate.
5. Procedures for taking and counting a secret ballot in Town Meeting can be made more efficient and less time-consuming. If the meeting decides that it wishes to vote by secret ballot, the Moderator should have made advance provision for a speedy and efficient process.
6. Use of parliamentary devices like a Consent Calendar can be used to speed things up. On a Consent Calendar, motions on standard/routine articles are done at once without debate. By using a Consent Calendar, a town can dispose of ten or a dozen articles with a single vote.
7. Most Town Meeting decisions will not be improved by a vote at the precinct polls. Town and school budgets are a good example. If one is dissatisfied with municipal expenditures, the

remedy is at the voting booth in electing people to the Board of Selectmen and the School Committee.

8. People go to Town Meeting precisely because they can participate in shaping the Town's legislative decisions and then implement them with a vote. An Australian ballot would hurt, not help, attendance at the Town Meetings.
9. The addition of an Australian or Official ballot to Wayland's Town Meeting process will create extra costs and may require additional resources to administer polling.

**RECOMMENDATION:** As a result of a tie vote (3-3, with 1 absent) on a motion to support this article, the Finance Committee takes no position on this article.

**QUANTUM OF VOTE:** Majority – see Massachusetts Constitution Amendment Article 2, Section 8(1).

*For more information about this article, see [www.waylandvotes.info](http://www.waylandvotes.info) or contact Mark Greenlaw at [mark.s.greenlaw@gmail.com](mailto:mark.s.greenlaw@gmail.com).*

---

## **ARTICLE 22: ELECTRONIC VOTING AT TOWN MEETING**

*Proposed by: Petitioners*

*Estimated Cost: \$150,000*

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

**PETITIONER'S COMMENTS:** Electronic keypad voting offers Wayland's form of government numerous benefits. The elimination of lengthy standing counted votes or vote shouting out, both of which are prone to inaccuracy and meeting discord. This method of voting preserves the basic traditions of town meeting such as debate and self-representation on town meeting floor. All articles can be covered with efficiency and accuracy while the passing over of articles for the sake of expediency will be eliminated. Electronic keypad voting offers privacy, which is the hallmark of democracy. The elimination of intimidation caused by peer pressure encourages more people to attend town meeting more often. The initial costs will be offset over time by savings due to the elimination of town meeting nights and by the reduction of personal child-care savings. Peer town sharing or renting can further reduce our costs. Wayland can lead the way. For more information visit [www.ElectronicVoting.info](http://www.ElectronicVoting.info).

**FINANCE COMMITTEE COMMENTS:** This article requests capital funding of \$150,000 for approximately 2,000 key pad transmitters, hardware and software for electronic voting at Town Meeting.

Approval of this capital request would also bind the town for additional operating/maintenance expenses estimated to be \$11,600, or 8% of the initial purchase price based upon a vendor quote of \$145,000 obtained by the lead petitioner. Maintenance expenses will start in year three of ownership after the two year warranty expires.

The Finance Committee estimates that the Total Costs to purchase electronic voting software and hardware will actually be \$178,900 over a 5 year amortization period, not the \$150,000 as requested under this article. If this article is approved, voters will need to either increase the Town's operating budget by \$11,600, or cut budget dollars from another Town operation in order to pay for ongoing electronic voting maintenance/warranty expenses.

There could also be additional soft costs borne by Wayland administrative departments such as the Office of the Town Clerk, Information Technology, the Police Department and WayCAM who must administer and maintain the proposed system. The lead petitioner estimates that these Town resources may be needed for electronic voting at Town Meeting:

- The Police Department would be responsible to store and transport the hardware as they do now with the polling machines.
- The Office of the Town Clerk would oversee the voting results as they do now.
- The Town IT department would be responsible for all computer and software related issues.
- The individuals who setup Town Meeting in the High School Field House would setup the IT and audio visual connections as they do now; a high school designee or a WayCAM volunteer (as two examples) might be responsible for running the computer voting system.
- The Town Meeting designees who currently validate voters against the voter registration list would also handle the barcode scanning and distribution of keypads.
- At the end of Town Meeting, these same designees would again bar code scan each keypad and then check out each voter.

*A Town Meeting Review Committee was formed at the suggestion of and with the concurrence of the Town Moderator to review, evaluate and recommend changes to the Town Meeting process to improve the efficiency and effectiveness of voter discussion, collaboration and decision-making, ensure the accuracy of voting counts, minimize voting times, increase voter participation and facilitate a voting process that is inclusive of all registered Wayland voters. This committee has not yet reviewed, evaluated or voted on this article in advance of the printing of this Warrant.*

**ARGUMENTS IN FAVOR:** Times have changed since 1835 when East Sudbury became Wayland. Today Wayland's population is just over 13,000 residents and even though that number has remained about the same since the 1950's, Wayland's societal needs have evolved. Family obligations, communications, technology, information, and public involvement have created different demands and expectations for Town Meeting.

The method of counting votes by standing and roaming tellers is time consuming and error prone. These methods lead to re-votes and re-considerations. Wayland is sacrificing the important aspects of Town Meeting like respectful debate. What fills that void are parliamentary procedures like early debate termination and motions to pass over articles, all to get to a vote and to go home.

At times, Wayland has frustrating Town Meetings consisting of very time consuming vote counting. Preserving our one-vote, one-person Town Meeting tradition means that we must reduce the amount of time counting votes and make the vote counting process more accurate.

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:** While the petitioners who are supporting this article claim that electronic voting will improve voter accuracy, there is no assurance that a voter or voters will not check into Town Meeting, give their keypad to another resident who will vote on their behalf, and then leave. The possibility of voter fraud is not assured if this article is passed.

The petitioners also suggest that each voter should not leave Town Meeting until his/her keypad has been properly scanned out by a Town Meeting employee prior to leaving the building. This requirement could frustrate Town Meeting attendees who may already be frustrated with the format, environment or length of Town Meeting. Any time saved from manual vote counting may be offset by the increased time required for residents to check out of the building.

This article also requests the Town to spend an estimated \$178,900 to eliminate manual teller counting of votes at Town Meeting. According to the Town Moderator, there have been only 23 standing counts with tellers over the last 5 years. If history is a predictor of future standing counts, this article would cost the Town almost \$7,800 per standing count. Given Wayland's other budget priorities, electronic voting is too expensive for the Town at this time.

**RECOMMENDATION:** The Finance Committee recommends against approval. Vote: 0-6.

While the Finance Committee sees some potential value in an electronic voting process at Town Meeting, petitioners should engage supplier(s) to possibly provide hardware, software and resources for a pilot program for a future Wayland Town Meeting, or possibly explore private funding or a lower cost option.

**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, go to [www.ElectronicVoting.info](http://www.ElectronicVoting.info), or contact Alan J. Reiss at [alanjreiss@verizon.net](mailto:alanjreiss@verizon.net).*

---

## **ARTICLE 23: CREATE TOWN MEETING DEBATE WEBSITE**

*Proposed by: Petitioners*

*No Cost Estimate Provided by Petitioners*

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

**PETITIONERS COMMENTS:** This technology is for the purpose of improving the dissemination of information and quality of debate regarding Warrant Articles at Town Meeting. There are many Articles at Town Meeting and the meeting is long -- consequently moves to cut off debate typically come prematurely. As not all pro/con arguments are equally salient, it is likely that many of the best arguments are routinely never heard. This proposal would allow each registered voter to submit a video, audio or text file of their pro/con Warrant Article argument to a website which will be provided to the town. Registered voters visiting the website would be able browse beforehand and indicate just

one argument that they feel is most important. The count of votes received for each argument would be used to order presentation on the website.

**FINANCE COMMITTEE COMMENTS:** This article requests that the Town host and manage an internet based Town Meeting Warrant article debate website. Residents would post and rank their PRO & CON arguments in text, audio or video formats. This website would also include an electronic version of the Warrant.

The software needed to run this new website will be gifted to the Town by a Wayland resident. Additional external hosting fees and updates from the Office of the Town Clerk would be required to update the debate website with voter registration data. Software licensing issues and the cost of code maintenance, interfaces and hosting have not been evaluated by Wayland's IT department.

*A Town Meeting Review Committee was formed at the suggestion of and with the concurrence of the Town Moderator to review, evaluate and recommend changes to the Town Meeting process to improve the efficiency and effectiveness of voter discussion, collaboration and decision-making, ensure the accuracy of voting counts, minimize voting times, increase voter participation and facilitate a voting process that is inclusive of all registered Wayland voters. This committee has not yet reviewed, evaluated or voted on this article in advance of the printing of this Warrant.*

**ARGUMENTS IN FAVOR:** Open debate is the core ingredient of a successful democratic process. In the current Town Meeting format, for each warrant article, citizens queue up to offer PRO & CON arguments. However, because Town Meeting is so long debate is often cut off early by a motion to vote on the article. Consequently, the quality of debate is at best, random and at worst, subject to manipulation.

This article proposes that the Town of Wayland use common internet technology to achieve a community-wide debate of each article prior to Town Meeting. The website (software) is being gifted to the town by concerned citizens and only minor costs are required to incorporate this on an ongoing basis.

- The website has separate pages for each Warrant Article for the upcoming town meeting.
- The website allows a comprehensive warrant article debate to occur on the web; there are PRO and CON sections for each article, mirroring the actual Town Meeting
- The proposed website allows citizens to post their debate arguments in text, audio or video formats; the community votes to rate how salient the arguments are, causing the best to appear at the top of the lists.
- Warrant article arguments would now be available before hand; voters can come to Town Meeting better informed, knowing that they heard all of the arguments even if debate gets cut-off prematurely.
- Residents who can't make it to Town Meeting can still participate in the debate by posting to the site and indicating that they don't intend to speak at Town Meeting.

The technology used by the proposed debate website is common and is similar to that used by residents on a daily basis for such sites as Facebook and YouTube. Citizens can simply submit arguments as text or media via their home web browsers. For public access, webcams could be installed at the Library and Town Building to enable citizens to record their arguments if the Town so desires.

Posting to the website will require a login and password which will only be distributed to registered voters. Each posting will automatically be identified with the voter's name and address. It has been shown that flaming and poor behavior is limited when web participants are identified.

Each voter will have the ability to rate a limited number of arguments for each town meeting article. This limit is intended to prevent citizens from manipulating the salience ratings. It is expected that the web environment and the privacy afforded in the rating process will allow each voter to do the right thing as they rate the arguments.

**ARGUMENTS OPPOSED:** Approval of this article will require the Town to host and manage a second Town website for the posting of the Warrant information. The Town of Wayland has already outsourced the hosting, administration and management of the Town's website to a 3<sup>rd</sup> party software-as-a-service (Saas) provider who has expertise in managing municipal websites. Integration of content, resident logons and passwords between two Town website applications may not be possible without much software customization and expense. As the Town seeks to consolidate or eliminate duplication of resources and expenses, approval of this article will actually increase costs due to redundant web hosting & service costs, multiple login and passwords for residents and duplication of content.

While a Wayland resident has offered to gift the software to the Town, the Wayland IT department has not yet evaluated this software for any license, code or copyright issues. If the Town implements this software, there are no resources currently identified by the Town to maintain the software or the required hosted application.

Some opponents believe that Government should be "content neutral." Other opponents of this article have asked why Town Meeting needs another forum for debate. Residents already have multiple outlets for debate including WayCAM (public access cable television), Wayland eNews, the *Wayland Town Crier*, Wicked Local Wayland and Town Meeting itself.

There is also a possibility that the Town, or those committees or residents who would manage the content on this debate website will exert undue influence with regard to approval of posted content. Collaboration, discussion and debate should function without government sponsorship or interference. A health democracy includes freedom of speech, but freedom of speech must be truly free of government's tentacles.

The Finance Committee has some discomfort with the idea of distinguishing between opinions and facts expressed by residents, and/or the posting of inaccurate information that cannot be corrected or edited. If the Town serves as the "host" of this Town Meeting website, any incorrect data may imply accuracy, or perceived sponsorship or endorsement by the Finance Committee and/or the Town. The proponents of this article have not defined a governance process or policy that would cover content and posting.

The Finance Committee also believes that the proposed Town Meeting debate website will duplicate posting of budget and warrant article content across multiple websites. Finance Committee management of two Wayland Town Meeting websites could create an administrative and cost burden to the Town.

**RECOMMENDATION:** The Finance Committee recommends against approval. Vote: 0-6.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B.

*For more information about this article, contact Ira G. Sager at [isager@alumni.upenn.edu](mailto:isager@alumni.upenn.edu).*

---

**ARTICLE 24:       TRANSFER OF PARCEL ON STONEBRIDGE ROAD FOR AFFORDABLE HOUSING***Proposed by: Board of Public Works and Planning Board**Estimated Cost: Nominal*

To determine whether the Town will vote to:

- 1.) authorize the Department of Public Works, with the approval of Town Counsel as to form, to transfer the care, custody, management, and control of the parcel of land on Stonebridge Road, 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 Town of Wayland Town Surveyor's Office, a copy of which plan is on file in the Office of the Town Clerk, to the Board of Selectmen for the purposes set forth in Paragraph 2 below; and
- 2.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to convey, sell, or otherwise dispose of said land to Habitat for Humanity – MetroWest/Greater Worcester (HFH – MW/GW) for consideration of \$1.00, for the purpose of building affordable housing on said land, provided that, prior to disposing of said land, the Planning Board shall be given the opportunity to review the plans for the development of said parcel of land for affordable housing.

**PLANNING BOARD REPORT:** Wayland affordable housing advocates have been very active in exploring all options for creating affordable housing. As part of their examination the Wayland Housing Partnership considered whether there was "open" town land suitable for development for affordable housing. The Partnership identified the Stonebridge Road site as a location for Affordable Housing.

The Planning Board understands that developing affordable housing is a challenge under the best circumstances. As stated in the Town of Wayland's Housing plan it is even more challenging when land sells as much as \$450,000 per acre. In addition, the Board of Selectmen have also made it a goal to produce (0.50% or 24 ) units in a calendar year, of its housing stock as affordable housing in order to discourage the submittal of an ugly 40B proposal that would not be in the best interest of the Town. This article would assist the Town of Wayland in meeting the criteria as stated in the Planned Production Goals of the Town's 2005 Housing Plan.

The proposal is to construct four, 3 bedroom dwelling units as shown on the plan. The Project will be constructed under the Local Initiative Program (LIP) and it will be necessary for the Board of Selectmen to endorse the application. The remaining 19 acres of land would conform to zoning and would remain with the Town of Wayland for a future Water Treatment Plant or other Municipal Use.

The Planning Board recommends that before said land is conveyed that the Plans be submitted to the Planning Board for its review to guide the planning, design and construction of the development.

**FINANCE COMMITTEE COMMENTS:** The parcel in question has been revised to include 3.03 acres on which four 3-bedroom units would be constructed, with 23' of frontage (the Town would require and work to obtain an easement to ensure proper driveway and sight access to Stonebridge Road). The remaining 19.24 acres – with 180' of frontage – would be retained by the Town of Wayland for future use, potentially as the site of a water treatment plant. Habitat for Humanity is very interested in constructing these housing units.

A reference map of the land parcels pertaining to this article can be found in Appendix H on page 97.



**ARGUMENTS IN FAVOR:** The transfer of this parcel of land satisfies many interests which are often in competition, but in this case are complementary. Construction of these units will increase the Town's stock of affordable housing units while adding 3+ acres currently designated as Town-owned land on to the tax roll. The assessed value of this land will be modest given the threshold of Habitat for Humanity income requirements, but the town will gain revenue at no cost. It still provides for almost 20 remaining acres as open space and flexibility for future uses.

There are several boards and commissions in favor of this article, namely the Housing Partnership, Housing Authority, and Wayland Clergy Association. Further, it has the support of the Board of Selectmen and the Planning Board.

It is also important to note the interest, experience, and credibility of Habitat for Humanity as the partner in this transaction. This chapter has a track record of similar successful housing projects in this area and has a high demand of ready applicants for this housing. Further, these 12 units are a significant addition to new affordable housing stock in the Town and can help alleviate the pressure to be obligated to accept larger-scale 40B projects in the future.

**ARGUMENTS OPPOSED:** Despite the affordable housing addition, the fact would remain that the Town would be losing over 3 acres of open space land. The 23' frontage currently designated could create a potentially hazardous entrance onto Stonebridge Road and could force the town to expend incremental costs to modify this issue.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**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 Don Ouellette, DPW Director, at [douellette@wayland.ma.us](mailto:douellette@wayland.ma.us), telephone (3508) 358-3672, or Sarkis Sarkisian, Town Planner, at [ssarkisian@wayland.ma.us](mailto:ssarkisian@wayland.ma.us), telephone (508) 358-3778. See map at Appendix H.*

---

## **ARTICLE 25: TRANSFER AND LEASE THE RECREATION PORTION OF THE LOKER CONSERVATION AND RECREATION AREA**

*Proposed by: Petitioners*

To determine whether the Town will vote to:

- a). authorize the Recreation Commission, with the approval of Town Counsel as to form to transfer the care, custody, management and control of the area of land located on Commonwealth Road (Route 30) and Rice Road in Wayland, Massachusetts, shown as "Recreation Area" on the plan entitled "Plan of Land in Wayland, Massachusetts Loker Conservation and Recreation Area" dated April 1, 2004, prepared by the Town of Wayland Town Surveyor's Office which property is described in a deed dated May 2, 2000 and recorded with the Middlesex South Registry of Deeds in Book 31387 Page 169 and in Certificate of Title No. 218188 registered in Land Registration Office at said Registry of Deeds in Registration Book 1221 Page 38 to the Board of Selectman for the purposes set forth in Paragraph b.) below;
- b). authorize the Board of Selectmen together with the approval of the Recreation Commission, and the approval of Town Counsel as to form, to lease as lessor, all or any portion of said area

of land, subject to a restriction that a recreational facility shall be constructed on said land and that the town may lease back all or portions of said facility and land for recreational purposes, and that if construction of said recreational facility has not commenced by April 30, 2015, the actions under this article shall not be taken, and

- c). authorize the Board of Selectmen together with the approval of the Recreation Commission, and the approval of Town Counsel as to form, to lease, as lessee, all or portions of said land and facility with said new improvements thereon, for recreational purposes, upon such terms and conditions as the Selectman deem appropriate and Recreation Commission approves.

**PETITIONERS' COMMENTS:** Wayland lacks sufficient indoor and outdoor recreation facilities to meet the current and growing needs of its recreation and sports programs. This article would transfer control from the Recreation Commission and provide authority to the Board of Selectmen which can execute leases on the town's behalf to create additional recreation facilities on town land. Passage would signal to elected officials that Wayland citizens want to start a regular, town led public process across all boards involved in new projects to develop a recreation facility solution on this site. The petitioners believe that a facility at this location can serve multiple sports and all age groups, provide the town a significant on-going revenue stream, and be accomplished without use of tax money, added town expense or financial liability.

**FINANCE COMMITTEE COMMENTS:** At the 2000 Annual Town Meeting, the Town voted to acquire the land at 412 Commonwealth Road (Route 30) and Rice Road for \$1.7 million and in the 2004 Town Meeting voted to designate part of the land as a recreational area and the remaining part for conservational uses. Please see the map in Appendix I on page 98. Currently no facilities have been developed and the land is used for passive recreation; i.e., without any facilities.

The petitioners are asking the Town to do three things:

- a). authorize the Recreation Commission (Rec) to transfer its control of the land set aside for recreational purposes to the Board of Selectman (BoS)
- b). authorize the BoS to lease the all or some of the property to an entity to build a recreation facility as negotiated by the BoS and approved by Rec and
- c). when the facility is completed, allow the BoS to lease back all or a portion of it to the Town for uses determined by the Rec.

The article authorizes the Town to enter into an agreement; it does not require it to do so. According to Town Counsel, any lease agreement that the Town may enter into with a developer will address the standard clauses to protect the Town's interests (e.g. legal, regulatory, financial).

If this article passes at Town Meeting, the BoS and Rec can then create and issue a request for proposal (RFP) using input provided by interested parties outlining specific design and use guidelines. They would then review proposals and select an entity that would present to the appropriate Town permitting boards architectural and engineering plans, traffic studies and needed remediation solutions, plans for septic and water, etc before formally beginning construction of a recreation facility. No Town funding is anticipated.

Originally, Dow Chemical operated a research facility on this site from 1962 to 1989. The site was cleaned up by Dow under the supervision of the Massachusetts Department of Environmental Protection (MA DEP) and in close collaboration with NED/Dow Neighbors, a Wayland neighborhood group. As part of the clean up 13,019 tons, or over 500 trucks full of soil were removed from the site

and the ponds were dredged. Numerous tests over multiple phases were conducted by experts hired by Dow, the neighborhood group and the Town of Wayland to assess the current and future risks to the remediated site relative to its reuse for various purposes.

Upon completion of the site work, the MA DEP rated the site as posing “no significant risk to human health, public safety, welfare or the environment” and that there were “no activity or use limitations” on the site. Prior to acquiring the site and as part of its due diligence, the Town commissioned an analysis of all prior work and studies. The analysis concluded that the site had been “adequately characterized and remediated under the Massachusetts contingency plan process” and that it was “not aware of any significant impediments or environmental encumbrances on the property.” The tests detailed in this report showed that measures of health risks were well within acceptable DEP protocol levels for residential, school and playground uses and that there was no adverse impact to the surrounding environment including flora and fauna.

The Route 30 Recreation Center Foundation, a group seeking approval as a 501(c)(3) or “non-profit”, is the lead petitioner and is working to enable the area to be developed for multi-sport recreation facilities and enhanced conservation areas. Any development would be done over time and through the Town’s multi-step permitting process; this will include significant input from town departments, residents, groups of users, supporters and operators.

There are five major steps in this process:

1. **Article** – Passing an article at Town Meeting that legally enables the town to lease the land for development for recreation purposes and authorizes the Board of Selectmen to issue an RFP on behalf of the Town for creation of such a development.
2. **RFP** – Establishing and advertising for requests for proposal from interested builders, reviewing their designs, bids, financial viability and determining appropriateness of plans, and selecting one to move forward in the process.
3. **Permitting** – Requesting and gaining specific permits and approvals to construct a proposed recreational facility from the appropriate Town boards.
4. **Lease** – Working with the selected developer to create and sign a lease governing the use of the land and facility.
5. **Construction** – Building the facilities and readying them for use.

As a result of a tie vote (2-2, with 1 absent) on a motion to support this article, the Recreation Commission takes no position on this article.

**ARGUMENTS IN FAVOR:** As described above, the area would be developed for recreational purposes which is consistent with the Town’s reasons for purchasing the area.

Wayland does not have enough recreational fields and facilities to meet the current and growing needs of youth , adult and senior citizen sports programs. There is also no facility in Wayland for skating or indoor field based sports. The Recreation Department has had to impose a field use policy to explain which recreation requests from Wayland recreation organizations get priority and why many cannot be met at all. This article would help enable solutions for these needs.

The facility has the potential to yield rent and tax revenues depending on the use and type of facility developed. It is anticipated that the facility will be privately funded and operated requiring no taxpayer dollars to build or run.

Any new recreational development could be a potential draw for new residents.

The restrictions in the article are specific in nature and would limit the developer from creating facilities counter to the will and intentions of the Town. The RFP and the lease can give the Town right of first refusal for the hours and programming the Recreation Commission and staff desires for our residents.

Officers of the Wayland Boosters, Wayland Baseball and Softball Association, Wayland Youth Lacrosse, Wayland Weston Pop Warner Football, Wayland Hockey Association, and Wayland Youth Basketball Association are petitioners of this article, and the boards of many of these organizations as well as the Wayland Youth Soccer Board have endorsed passage of the article.

**ARGUMENTS OPPOSED:** Objections have been raised by some living in the area that traffic on surrounding and nearby roads could become much worse as a result of any development.

There is also concern on the part of some citizens that the site may still contain hazardous waste which would not be discovered until construction begins.

Some have argued that the plan presented by the petitioners does not provide enough specificity yet to adequately address design and use questions being asked now.

There is also concern that, if this article passes, the general public would not have another say on final decisions as to uses of the facility.

Lastly, some prefer that the area remain undeveloped for the foreseeable future and thus continue to be used only for passive recreation. They believe that other sites in Wayland are a better choice than the Loker Recreation Area for locating such a recreational facility.

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

**QUANTUM OF VOTE:** a.) Two-thirds – see Massachusetts General Laws Chapter 40, Section 15A. b.) and c.) Majority – see Massachusetts General Laws Chapter 40, Section 3.

*For more information about this article, go to [www.30rec.org](http://www.30rec.org) or contact the petitioners at [info@30rec.org](mailto:info@30rec.org). See map at Appendix I.*

---

## **ARTICLE 26: ACCEPTANCE AND ACQUISITION OF ALICE DRIVE AND HIDDEN SPRINGS LANE AS TOWN WAYS**

*Proposed by: Planning Board*

*Estimated Cost: \$10.00*

To determine whether the Town will vote to:

- a). accept as a Town ways Alice Drive and Hidden Springs Lane as laid out by the Board of Public Works;
- b). authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain or otherwise, the fee or any lesser interest in the land in Wayland, Massachusetts, comprising the ways known as (i) Alice Drive as shown on the plan entitled “Definitive Plan Alice Drive Subdivision, Wayland, MA 01778,” dated April, 2003, prepared by H<sub>2</sub>O Engineering Consulting Associates, Inc., and recorded with the Middlesex South Registry of Deeds as Plan No. 203 (3 of 6) of 2004; and (ii.) Hidden Springs Lane as shown on the plan entitled “Plan of Land of Hidden Springs Farm in Wayland,

Massachusetts,” dated July 16, 2004, revised through December 15, 2004, prepared by Sullivan, Connors and Associates and recorded with said Registry of Deeds as Plan No. 1038 (Sheet 2 of 6) of 2006, for roadway purposes;

- c). appropriate \$10.00 to be expended by the Board of Selectmen for the acquisition of said land; and
- d). determine whether said appropriation shall be provided by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise.

**PLANNING BOARD REPORT:** The Planning Board recommends that the Town accept Alice Drive and Hidden Springs Lane as Town ways.

**FINANCE COMMITTEE COMMENTS:** The Planning Board recommends that the Town accept Alice Drive and Hidden Springs Lane as Town ways (see location maps at Appendix J). The roads were built to the proper specifications required by the Town to be Town ways and were accepted by the Planning Board by votes of 5-0 and 5-0. As of the date of the printing of the Warrant Article, the Board of Public Works had not taken a position on the acceptance of these roads pending a public hearing. The Board of Public Works recommendation will be available at Annual Town Meeting.

**ARGUMENTS IN FAVOR:** The roads have been built to Town specifications and are following the appropriate process for acceptance. Acceptance of these roads as Town ways supports the growth of the tax base and associated revenues.

**ARGUMENTS OPPOSED:** The Town cannot afford to maintain these roads.

**RECOMMENDATION:** The Finance Committee voted 5-0 to defer its recommendation until the Annual Town Meeting. The reason for the deferral was that the Board of Public Works had not considered the article by the time of the printing of the Warrant Article.

**QUANTUM OF VOTE:** a.) Majority – see Massachusetts General Laws Chapter 82, Section 23. b.), c.) and d.) Two-thirds – see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Section 7.

*For more information about this article, contact Sarkis Sarkisian, Town Planner, at ssarkisian@wayland.ma.us, telephone (508) 358-3778. See map at Appendix J.*

---

## **ARTICLE 27: LAND ACQUISITION FOR ROUTES 30 AND 27 INTERSECTION IMPROVEMENTS**

*Proposed by: Board of Public Works and Planning Board*

*Estimated Cost: \$4.00*

To determine whether the Town will vote to:

- a.) authorize the Board of Selectmen, with approval of Town Counsel as to form, acquire, for roadway purposes, by purchase, gift, eminent domain or otherwise, the fee or any lesser interest in the parcels of land located at the northeast, northwest, southeast and southwest corners of the Route 30-27 Intersection containing 2,638 square feet (northwest corner), 557 square feet (northeast corner), 1,642 square feet (southeast corner) and 672 square feet (southwest corner) and shown at “proposed takings” on the plan entitled “Route 27 & 30 Intersection Improvement Project, Proposed Takings 2010 Annual Town Meeting” dated March 31, 2010, prepared by Camp, Dresser & McKee, a copy of which plan is on file in the office of the Town Clerk;

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

**FINANCE COMMITTEE COMMENTS:** The Route 30 (Commonwealth Road)-27 (Main Street) intersection has long been identified for improvement, and this article accomplishes four easements or purchases to allow redesign of the intersection. The Department of Public Works (DPW) is working with the owners to complete the easements. Please refer to the map in Appendix K on page 100.

The intersection is not currently on the state list for approved projects, and it is likely to be a few years before it is returned to that status. In the meantime, the DPW's goal is to complete both the land purchase/easements at the four intersections and the design elements so that when future state or federal monies become available, the Town is ready to act.

The redesign of the intersection will include widening the area with turning lanes, reconstruction of the sidewalks, changing pedestrian walk signals and adding new bike lanes. The intersection has been identified as a hazardous intersection and the design will address noted safety issues. The design of the intersection will be discussed in public meetings of the Board of Public Works and follow standard town approval processes.

The multiple sections of the article a-c (above) are to handle the various legal and procedural steps in the process of transferring land:

- a.) Allows the Board of Selectmen to acquire the four new sites as defined
- b.) Gives permission to appropriate \$4.00 to be expended by the Board of Selectmen for the acquisition
- c.) Determines the source of funding, and
- d.) Authorizes the Board of Selectmen to enter into and execute all necessary documents in connection with this acquisition.

This article pertains to the land on the corners of the intersection of Routes 30 and 27. The map identifies the four parcels:

1. The northeast corner contains approximately 560± square feet. The land is currently owned by CMI Opportunities.
2. The southeast corner contains approximately 1642± square feet and is currently owned by Main Street Property Inc.
3. The southwest corner (Starbucks) contains approximately 672± square feet and is currently owned by Cochituate Commons LLC; and
4. The northwest corner contains approximately 2638± square feet and is currently owned by Middlesex Savings Bank.

The Board of Public Works voted 3 to 0 to support this article at their April 12, 2010 meeting. The Planning Board voted 5-0 to support this article.

**ARGUMENTS IN FAVOR:** Passage of this article allows the Town to take a real interest in the four parcels of land needed to implement improvements to the Routes 30 and 27 intersection.

The State and Town agree that the intersection needs to be improved to eliminate identified safety issues. This article is the first step in that process. This signalized intersection was among 15 intersections in the Boston Metropolitan Planning Organization region that required Safety and Operational Improvements and has been recognized as a dangerous intersection. All four traffic approaches operate at Level of Service F during the both the morning and afternoon peak hours.

**ARGUMENTS OPPOSED:** No one offered opposition to this article at the Finance Committee ATM article hearing, and the boards involved are not aware of any arguments opposed.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**QUANTUM OF VOTE:** Two-thirds – see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Section 7.

*For more information about this article, contact Don Ouellette, DPW Director, at [douellette@wayland.ma.us](mailto:douellette@wayland.ma.us), telephone (3508) 358-3672, or Sarkis Sarkisian, Town Planner, at [ssarkisian@wayland.ma.us](mailto:ssarkisian@wayland.ma.us), telephone (508) 358-3778. See map at Appendix K.*

---

## **ARTICLE 28: AMEND ZONING BYLAW – AQUIFER PROTECTION DISTRICT**

*Proposed by: Planning Board and Wellhead Protection Committee*

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

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

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

1601.3. Scope of Authority

The Aquifer Protection District is an overlay district superimposed on the zoning districts. As described in §198 302.1.4, the Aquifer Protection District is shown on a map on file with the Town Clerk entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, MA 01778, dated December 5, 2003. This overlay district shall apply to all new construction, reconstruction, or expansion of existing buildings and new or expanded uses. Applicable activities or uses in a portion of one of the underlying zoning districts which fall within the Aquifer Protection District must additionally comply with the requirements of this district. Uses that are prohibited in the underlying zoning districts shall not be permitted in the Aquifer Protection District.;

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

1603.2.11.

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

- a) Normal household use, outdoor maintenance, and heating of a structure;
- b) Waste oil retention facilities required by statute, rule, or regulation;
- c) Emergency generators required by statute, rule, or regulation; and
- d) Treatment works approved under 314 CMR 5.00 for treatment of ground and surface waters; provided that such storage, listed in items a) through d) above, meets the requirements of § 198-1603.3.10.

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

1603.2.14.

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

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

**PLANNING BOARD REPORT:** The Planning Board recommends favorable action by a vote of 3 to 0.

The purpose of this article is to amend the Aquifer Protection Bylaw. The Wellhead Protection Committee (WPC) was recently advised by the DEP Division of Water Supply that Wayland's Aquifer Protection District bylaw (Chapter 198, Article 16) does not comply with MA DEP Wellhead Protection Regulations 310 CMR 22.21(2). The proposed amendments would allow the Town of Wayland to be added to the State's list of towns that comply with the Department of Environmental Protection regulations. This article is being co-sponsored by the Wellhead Protection Committee appointed by the Board of Public Works.

**FINANCE COMMITTEE COMMENTS:** This article proposes to amend the Bylaw to bring the above-referenced sections into compliance with MA Department of Environmental Protection (DEP) Wellhead Protection Regulations 310 CMR 22.21(2). Recently, the Wellhead Protection Committee was advised by the DEP Division of Water Supply that our Aquifer Protection District Bylaw does not comply with the State regulations.

The Planning Board supported this article with a vote of 3-0 on March 2, 2010; their report appears elsewhere in this Warrant. The Wellhead Protection Committee voted 5-0 to support this article.

**ARGUMENTS IN FAVOR:** The proposed language changes bring the above-referenced sections of the Town's Bylaw into compliance with DEP's regulations. This can be a factor in eligibility for state grants. Also, if the Town's Bylaw is not in compliance, DEP may not renew water withdrawal permits.

**ARGUMENTS OPPOSED:** The Finance Committee is not aware of any.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**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 by-law amendments are consistent with federal and Massachusetts law.

*For more information about this article, contact Sarkis Sarkisian, Town Planner, at [ssarkisian@wayland.ma.us](mailto:ssarkisian@wayland.ma.us), or call (508) 358-3778. See map at Appendix L.*

---



**ARTICLE 29: AMENDMENT OF ZONING BYLAW SECTION 198-1102.1.4.1.4 RE: AUTO SERVICE STATIONS**

*Proposed by: Petitioners*

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

**Delete existing Section 198-1102.1.4.1.4 governing Auto service stations:**

No services or merchandise other than accessory, portable automotive merchandise may b(g):- displayed or sold on the premises. Insert one of two alternative versions of a new Section 198-1102.1.4.1.4:

**First Option**

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

**Second Option**

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

**Petitioners advised the Finance Committee that this article would be withdrawn. At the time of publication of the Warrant, a properly signed petition withdrawing the article had not been filed. It is expected that Town Meeting will pass over this article.**

**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 by-law amendments are consistent with federal and Massachusetts law.

---

**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 on the Town's signboards, at the Town Building, the Library at Wayland Center, the Cochituate Fire Station or the Cochituate Post Office and the Happy Hollow School. 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 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.

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 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 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 minutes, or less, and yield the floor. A light will warn you to conclude your remarks and yield the floor during the following 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 minutes, whichever is longer, and yield the floor. The same one 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 minutes, or less, and yield the floor. The same one minute warning light will be turned on when you have used up the first two 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. 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.

4. 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 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 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.

5. 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.

6. 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.

7. Upon the expiration of sixty 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 minutes. The aforesaid sixty minute limit does not apply to debate under the omnibus budget article.

8. 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.

9. 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. 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.

2. If the Moderator is still in doubt, 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.

3. In the event that the law requires a vote of TWO-THIRDS or more to carry a motion, 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.

4. 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."

5. In the event that there is a large number of voters in the hall *and the Town Clerk shall have provided ballots and ballot counting machines (ballot machines) for the occasion*, the Moderator may designate one or more such machines to receive "yes" votes and a number of machines to receive "no" votes and arrange to have them placed near the "pro" and "con" microphones respectively. The Moderator will then announce the color of the ballot that will be cast upon the main motion and direct the attention of the voters to the location of the pro and con machines. The voters will then rise and proceed row-by-row to the machine of their choice. A Teller will stamp the back of each voter's hand upon arrival at the ballot machine and hand him or her a ballot, which the voter will then deposit in the ballot machine. In order to assure the security of all ballots:

- a. No one will be allowed to vote without a ballot, which bears the color announced by the Moderator.
- b. No one will be permitted to cast a ballot if his or her hand does not bear the stamp of a Teller.

During the course of the aforesaid proceedings, the Moderator may ask for the consent of the meeting (a two-thirds [2/3] vote is required) to proceed to consideration of another Article. When he is ready to declare the vote, the Moderator will ask for the consent of the meeting to return to the

Article (a 2/3 vote is required) under which the ballot shall have been taken.

When all of the ballots shall have been cast, the Tellers will extract from each ballot machine the tape that shows the number of votes cast in favor and the number of votes cast in opposition to the motion and hand the same to the Moderator. The Moderator will declare the vote upon disposition of the Article then under debate. The declaration of the Moderator is final.”

6. 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 announce the color of the ballot that will be cast upon the main motion and 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 which bears the color announced by the Moderator.
- 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 [2/3] 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 2/3 vote is required) under which the secret ballot has been taken.

7. In the event that a majority shall have voted that the vote on a particular motion shall be by secret ballot *and the Town Clerk shall have provided ballots and ballot counting machines (ballot machines) for the occasion*, the Moderator may, in the alternative, ask the Tellers to come forward and take their places at the ballot counting machines (ballot machines), which shall have been placed in voting booths by the Town Clerk at the front of the hall behind the Moderator. The Moderator will then announce the color of the ballot that will be cast upon the main motion and direct the attention of each section of voters to their respective ballot machine. The voters will then rise and proceed row-by-row to their respective machine. A Teller will stamp the back of each voter’s hand upon arrival at the ballot machine and hand him or her a ballot, which the voter will then mark in the privacy of the voting booth and deposit in the ballot machine. In order to assure the security of all secret ballots:

- a. No one will be allowed to vote without a ballot, which bears the color announced by the Moderator.
- b. No one will be permitted to cast a ballot if his or her hand does not bear the stamp of a Teller.

During the course of the aforesaid proceedings, the Moderator may ask for the consent of the meeting (a two-thirds [2/3] vote is required) to proceed to consideration of another Article. When he is ready to declare the vote, the Moderator will ask for the consent of the meeting to return to the Article (a 2/3 vote is required) under which the ballot shall have been taken.



When all of the ballots shall have been cast, the Tellers will extract from each ballot machine the tape that shows the number of votes cast in favor and the number of votes cast in opposition to the motion and hand the same to the Moderator. The Moderator will declare the vote upon disposition of the Article then under debate. The declaration of the Moderator is final.”

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 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

The Moderator has determined that the Field House at Wayland High School and all other venues that may be used to conduct Wayland’s town meetings are polling places within the meaning of G.L. c. 54, sec. 65 because, among other things, the voters in town meeting assembled elect a number of town officers there each year.

Accordingly, no person shall be allowed to collect signatures upon petitions, referendum petitions or nomination papers nor may any person post, exhibit, circulate or distribute any poster, card, placard, handbill, broadside, picture, graphic, circular or other document intended to inform and/or influence the action of any voter within one hundred fifty feet of the Field House including the interior thereof.

Residents of the Town of Wayland may, nevertheless, 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 tonight to do the Town’s business.

C. Peter R. Gossels, Moderator  
January 5, 2010

## APPENDIX B: HEAR REPORTS

### REPORT OF THE BOARD OF ASSESSORS

In accordance with section 19-7 of the Code of the Town of Wayland, a report for the Board of Assessors covering the last twelve months (preceding March 1, 2010) is hereby submitted.

The Board submits the following:

1. Annual Report of calendar year 2009 property transfers.

134 Single Family parcels  
27 Condo parcels  
4 Multi Family parcels  
1 Land parcel

148 Family Title Transfers and Non Valid sales

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:

- a. The Board of Assessors logged in 104 real estate and 3 personal property applications, by the February 1, 2010, abatement deadline for FY'10 plus 1 late filing.
- b. As of March 1, 2010 - 11 abatements had been granted for FY'10.
- c. The average value of abatements granted in FY'09 was \$1218.57.
- d. There were 52 filings with the Appellate Tax Board (ATB) in FY'09; 6 were for DOR valued telecommunication accounts, 13 were settled by the assessors before going to the ATB; 4 were denied by the ATB; 5 were decided in favor of the property owner, 1 was dismissed by the ATB, 23 are waiting for hearing dates to be assigned by the ATB.
- e. The following is a listing of FY'09 cases and the decisions issued by the ATB:

#	STREET	ORIGINAL ASSESSED VALUE	ATB DECISION / VALUE	#	STREET	ORIGINAL ASSESSED VALUE	ATB DECISION / VALUE
23B	BAYFIELD LN	\$1,119,300 (FY'08)*	DENIED	3	GLEN RD	\$504,100	SETTLED
23B	BAYFIELD LN	\$931,100	DENIED	14	MEADOW VIEW RD	\$604,000	SETTLED
12	ELLIE LN	\$2,248,400 (FY'08)*	DENIED	59	MOORE RD	\$572,900	DENIED
12	ELLIE LN	\$2,345,800	GRANTED / \$2,150,000	476	OLD CONN PATH	\$493,900	SETTLED
88	DUDLEY RD	\$259,600	DISMISSED	87	WOODRIDGE RD	\$616,600	DENIED
24	MAGUIRE RD	\$712,400	SETTLED	21	TRAINING FIELD RD	\$367,500	SETTLED
94	WOODRIDGE RD	\$783,900	DENIED	17	TRAINING FIELD RD	\$364,500	SETTLED
221	BOSTON POST RD	\$802,800	SETTLED	26	PEQUOT RD	\$543,300	SETTLED
14	CREST RD	\$529,200	GRANTED / \$400,000	70	BOSTON POST RD	\$873,400	SETTLED
16	CREST RD	\$440,900	GRANTED / \$315,000	40	JEFFREY RD	\$592,900	SETTLED
55	HILLSDIE DR	\$684,700	GRANTED / \$635,000	12	JEFFREY RD	\$545,900	GRANTED / \$530,000
116	LINCOLN RD	\$498,700	SETTLED	205	RICE RD	\$3,952,000	SETTLED
20	RED BARN RD	\$476,500	DENIED	36	SCHOOL ST	\$383,900	SETTLED

2. The following data verification visits were extracted from the computer assisted mass appraisal database:

**Total Property Visits: 836**

<b>Abatements</b>		<b>Building Permits</b>	
Interior and Exterior	281	Interior and Exterior	101
		Exterior	232
<b>Total</b>	<b>281</b>	<b>Total</b>	<b>333</b>
<b>Sales Visits</b>		<b>Quality Control</b>	
Interior and Exterior	93	Interior and Exterior	9
Exterior	113	Exterior	5
Refusal	1		
<b>Total</b>	<b>207</b>	<b>Total</b>	<b>14</b>

Please note that 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 Susan Rufo, Chair; Jayson Brodie, Vice Chair; Bruce Cummings; Molly Upton; and Zachariah Ventress.

**2009 Arms Length Sales Report \***

SALE DATE	MAP/LOT	#	STREET	LUC	SALE PRICE	SALE DATE	MAP/LOT	#	STREET	LUC	SALE PRICE
1/2/2009	48__076__	20	AQUEDUCT RD	101	\$445,000	7/1/2009	46D__112__	10	EDGEWOOD RD	101	\$420,000
1/5/2009	04__095__	295	CONCORD RD	101	\$625,000	7/2/2009	52__181__	11	POLLOCK RD	101	\$316,500
1/6/2009	47B__043__	17	LAKEVIEW RD	101	\$235,000	7/7/2009	43D__003__	51	HIGH ROCK RD	101	\$865,000
1/8/2009	50__043__	1	LAKE RD TER	101	\$475,000	7/7/2009	46D__112__	10	EDGEWOOD RD	101	\$420,000
1/14/2009	44__095__	84	WOODRIDGE RD	101	\$575,000	7/7/2009	48__173__	80	SCHOOL ST	101	\$454,000
1/20/2009	24__150B__	10	PLAINVIEW RD	101	\$925,000	7/7/2009	45__037__	9	LAKESPUR	102	\$440,000
1/30/2009	16__030__	105	DRAPER RD	101	\$725,000	7/8/2009	18__024A__	12	ROSE HILL LN	101	\$1,953,410
1/30/2009	51D__034__	86	MAIN ST	101	\$390,000	7/10/2009	46D__086__	160	WEST PLAIN ST	101	\$561,000
2/5/2009	38__176__	222	OLD CONN PATH	101	\$610,000	7/10/2009	40__025A__	11	BRANDYWYNE	102	\$338,450
2/12/2009	05__010__	6	APPLETREE LN	101	\$780,000	7/14/2009	51D__040__	111	MAIN ST	111	\$525,000
2/20/2009	42D__003__	361	OLD CONN PATH	101	\$250,000	7/16/2009	07__029__	9	SHERMAN BRIDGE	101	\$325,000
2/23/2009	11__082__	13	LINCOLN RD	101	\$995,000	7/16/2009	44__128__	6	COUNTRY CORNERS	101	\$879,000
2/25/2009	47B__068__	3	WAYBRIDGE LN	101	\$838,750	7/17/2009	30__028__	17	WESTWAY RD	101	\$585,000
2/27/2009	43D__001__	33	HIGH ROCK RD	101	\$1,050,000	7/18/2009	37__018__	36	OAK HILL RD	101	\$600,000
2/27/2009	44__128__	6	COUNTRY CORNERS	101	\$370,000	7/20/2009	45__089D__	28	HILLSIDE DR	102	\$482,500
2/27/2009	45__045C__	7	INDIAN DAWN	102	\$437,500	7/20/2009	45__090D__	38	HILLSIDE DR	102	\$370,000
3/5/2009	04__032__	32	RED BARN RD	101	\$321,000	7/22/2009	34__009__	112	OLD CONN PATH	101	\$579,000
3/6/2009	11__077__	25	HAZELBROOK LN	101	\$656,000	7/23/2009	11__074__	170	GLEZEN LN	101	\$911,765
3/27/2009	39__031__	32	SHAW DR	101	\$843,000	7/23/2009	51A__040__	90	WEST PLAIN ST	101	\$492,000
4/2/2009	40__020C__	205	HAYFIELD LN	102	\$1,150,000	7/24/2009	45__051B__	14	STEEPLETREE	102	\$386,000
4/17/2009	14__070__	102	GLEZEN LN	101	\$716,100	7/30/2009	19__063__	11	ADAMS LN	101	\$910,000
4/17/2009	46D__101__	13	RIDGEFIELD RD	101	\$412,500	7/31/2009	44__102__	11	BLACK OAK RD	101	\$815,000
4/17/2009	01__055__	408	TROUT BROOK	102	\$216,759	7/31/2009	46B__014__	169	LAKESHORE DR	101	\$590,000

\* The sales reported above are in the process of being validated and may be modified.

SALE DATE	MAP/LOT	#	STREET	LUC	SALE PRICE	SALE DATE	MAP/LOT	#	STREET	LUC	SALE PRICE
4/21/2009	29_017_	45	FORTY ACRES DR	101	\$493,350	7/31/2009	51A_009_	8	PARKLAND DR	101	\$315,000
4/21/2009	40_030C_	9	FOX HOLLOW	102	\$493,350	7/31/2009	40_059D_	504	DAHLIA DR	102	\$740,000
4/23/2009	42D_002_	357	OLD CONN PATH	101	\$250,000	8/4/2009	51C_002_	26	DAMON ST	101	\$450,000
4/23/2009	47B_078_	27	PECK AVE	101	\$476,000	8/4/2009	51C_016_	9	HARRISON ST	104	\$430,000
4/23/2009	50_057_	11	LAKE RD	101	\$379,000	8/7/2009	49_022_	21	WAYLAND HILLS RD	101	\$615,800
4/24/2009	11_088_	179	CONCORD RD	101	\$1,099,550	8/8/2009	04_052_	14	OXBOW RD	101	\$514,000
4/29/2009	46D_137_	216	WEST PLAIN ST	101	\$450,000	8/8/2009	10_030_	59	SEDGEMEADOW RD	101	\$625,000
4/30/2009	24_001_	17	WINTHROP RD	101	\$690,500	8/11/2009	52_124_	6	DEAN RD	101	\$700,000
4/30/2009	47B_043_	17	LAKEVIEW RD	101	\$385,900	8/12/2009	07_036_	7	RED BARN RD	101	\$440,000
4/30/2009	45_045A_	9	INDIAN DAWN	102	\$312,500	8/13/2009	04_058_	49	CAMPBELL RD	101	\$700,000
5/1/2009	46D_035_	17	ADELAIDE AVE	101	\$456,900	8/14/2009	51C_086_	6	GAGE RD	101	\$361,000
5/7/2009	33_023F_	6	GREEN WAY	102	\$279,000	8/17/2009	16_046_	36	HIGHLAND CIR	101	\$1,027,500
5/11/2009	23_092_	15	CONCORD RD	101	\$505,000	8/19/2009	16_075_	11	OLD WESTON RD	101	\$995,000
5/22/2009	04_059_	6	YORK RD	101	\$420,000	8/19/2009	44_037_	36	BARNEY HILL RD	101	\$400,000
5/22/2009	42B_075_	5	INDIAN RD	101	\$325,000	8/19/2009	51D_006_	211	COMMONWEALTH R	101	\$328,000
5/28/2009	24_025_	9	D'ANGELO RD	101	\$426,000	8/20/2009	01_041_	36	HAMPSHIRE RD	101	\$648,000
6/1/2009	15_067_	94	SEARS RD	101	\$660,000	8/24/2009	41_003_	234	STONEBRIDGE RD	101	\$250,000
6/1/2009	38_049_	15	DAVELIN RD	101	\$445,000	8/24/2009	40_068B_	1402	WISTERIA WAY	102	\$708,000
6/1/2009	47C_044B_	11	GENNARO CIR	101	\$860,000	8/24/2009	33_023V_	6	GREEN WAY	102	\$306,000
6/1/2009	40_061A_	701	WISTERIA WAY	102	\$750,000	8/27/2009	25_059_	11	WHITE RD	101	\$650,000
6/5/2009	45_077B_	47	HILLSIDE DR	102	\$490,000	8/27/2009	45_092D_	14	PICKWICK WAY	102	\$521,000
6/9/2009	04_023_	12	RED BARN RD	101	\$552,000	8/28/2009	30_066_	99	BOSTON POST RD	101	\$680,000
6/17/2009	43C_022_	2	PRISCILLA PATH	101	\$290,000	8/31/2009	51D_009_	18	FRENCH AVE	101	\$499,000
6/19/2009	25_085_	173	PLAIN RD	109	\$944,000	8/31/2009	45_111A_	14	CUTTING CROSS WAY	102	\$650,000
6/25/2009	38_099_	3	ROLLING LN	101	\$552,900	9/1/2009	19_068_	70	CLAYPIT HILL RD	101	\$867,000
6/25/2009	47D_057_	14	KEITH RD	101	\$535,000	9/1/2009	45_009_	70	RICE RD	101	\$390,000
6/26/2009	33_012_	13	GREEN WAY	102	\$700,000	9/1/2009	47B_081_	39	PECK AVE	101	\$762,500
6/30/2009	20_005_	28	SEARS RD	101	\$850,000	9/3/2009	47A_081_	97	DUDLEY RD	101	\$382,450
6/30/2009	49_037_	33	WAYLAND HILLS	101	\$560,000	9/4/2009	29_017_	45	FORTY ACRES DR	101	\$566,550
6/30/2009	51D_091_	242	COMMONWLTH	101	\$310,000	9/4/2009	30_087_	92	BOSTON POST RD	101	\$285,000
6/30/2009	40_037C_	1	ESSEX	102	\$435,500	9/9/2009	15_044_	35	THREE PONDS RD	101	\$735,000
SALE DATE	MAP/LOT	#	STREET	LUC	SALE PRICE	SALE DATE	MAP/LOT	#	STREET	LUC	SALE PRICE
9/11/2009	34_035_	8	POETS PATH	101	\$910,000	11/2/2009	17_014_	32	RIVER RD	101	\$532,500
9/11/2009	42B_066_	5	STONEBRIDGE	101	\$500,000	11/3/2009	35_001C_	17	ASTRA	102	\$450,000
9/11/2009	52_072_	30	SNAKE BROOK	101	\$517,000	11/8/2009	06_017_	50	SHERMAN BRIDGE	101	\$315,000
9/11/2009	52_072_	30	SNAKE BROOK	101	\$517,000	11/8/2009	42D_110_	65	SYCAMORE RD	101	\$345,000
9/14/2009	24_140_	42	PLAIN RD	101	\$542,500	11/10/2009	44_070_	44	HIGH ROCK RD	101	\$510,000
9/16/2009	48_037_	95	LOKER ST	101	\$846,000	11/13/2009	40_033A_	3	FOX HOLLOW	102	\$375,000
9/17/2009	29_029A_	4	CART PATH	101	\$1,100,000	11/13/2009	40_071A_	1701	BAYBERRY LN	102	\$892,300
9/18/2009	40_061D_	704	WISTERIA WAY	102	\$750,000	11/17/2009	51B_060_	62	EAST PLAIN ST	101	\$394,000
9/23/2009	48_160_	1	GREGORY LN	101	\$515,000	11/20/2009	39_005_	34	WOODRIDGE RD	101	\$700,000
9/24/2009	30_048_	68	OLD CONN PATH	101	\$650,000	11/20/2009	43A_049_	1	JUNIPER LN	101	\$470,000
9/24/2009	43B_037_	13	HAPPY HOLLOW	101	\$550,000	11/20/2009	51C_025_	21	SHAWMUT AVE	101	\$405,000
9/30/2009	52_209F_	348	COMMONWEALTH	101	\$555,000	11/23/2009	47D_042_	17	JOYCE RD	101	\$455,000
10/1/2009	52_048_	66	DEAN RD	101	\$272,500	11/23/2009	51D_047_	16	WILLARD ST	102	\$305,000
10/1/2009	40_057F_	306	DAHLIA DR	102	\$820,000	11/25/2009	47B_050_	6	LAKEVIEW RD	101	\$238,500
10/8/2009	40_045B_	9	CHRISTINA	102	\$415,000	12/1/2009	51B_006_	4	LAWRENCE RD	101	\$305,000
10/13/2009	38_155_	19	CHARENA RD	101	\$698,750	12/2/2009	47A_058_	76	DUDLEY RD	101	\$350,000
10/14/2009	51C_055A_	14	QUINCY RD	101	\$325,000	12/7/2009	04_040_	54	RED BARN RD	101	\$532,000
10/15/2009	51A_093_	57	WEST PLAIN ST	101	\$389,000	12/7/2009	35_025_	146	BUCKSKIN DR	101	\$810,000

\* The sales reported above are in the process of being validated and may be modified.

SALE DATE	MAP/LOT	#	STREET	LUC	SALE PRICE	SALE DATE	MAP/LOT	#	STREET	LUC	SALE PRICE
10/16/2009	44__047__	5	BARNEY HILL RD	101	\$472,500	12/9/2009	30__061__	26	OLD CONN PATH	101	\$380,000
10/16/2009	48__040__	71	LOKER ST	101	\$910,000	12/10/2009	25__083__	189	PLAIN RD	101	\$370,000
10/19/2009	47B__085__	40	PECK AVE	101	\$378,000	12/10/2009	46D__013__	189	WEST PLAIN ST	101	\$370,000
10/21/2009	52__190__	30	SCHOOL ST	101	\$300,000	12/11/2009	46D__076__	8	BOGREN LN	101	\$705,000
10/22/2009	24__017__	15	BENNETT RD	101	\$774,400	12/14/2009	07__032__	1	SHERMAN BRIDGE	101	\$346,500
10/22/2009	24__016__	15	BENNETT RD	106	\$352,400	12/15/2009	36C__061A__	32	OVERLOOK RD	101	\$890,000
10/23/2009	51D__001__	235	COMMONWEALTH	101	\$270,000	12/18/2009	06__007__	23	HEREFORD RD	101	\$530,000
10/26/2009	42D__039__	26	PINERIDGE RD	101	\$288,000	12/23/2009	51A__003__	66	WEST PLAIN ST	104	\$390,000
10/28/2009	05__029__	131	LINCOLN RD	101	\$510,000	12/29/2009	03__045__	9	CAMPBELL RD	101	\$580,000
10/30/2009	20__063__	56	DRAPER RD	101	\$850,000	12/30/2009	48__163__	53	SCHOOL ST	101	\$410,000
10/30/2009	47A__069__	129	DUDLEY RD	101	\$258,000	12/31/2009	44__014__	3	CABOT RD	101	\$715,000

\* The sales reported above are in the process of being validated and may be modified.

LUC = Land Use Code (101-Single Family, 102-Residential Condominium, 104-Two Family, 106-Vacant Lot with an outbuilding, 109-Two Dwellings on 1 Lot, and 111-Apartment building)

## 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 seven members, one from the Planning Board, Historical Commission, Recreation Commission, Conservation Commission, Housing Commission, and two appointments by the Board of Selectmen. It is expected that following the Annual Town Meeting, the Board will be increased to nine members due to the inclusion of a representative of the Department of Public Works with one additional appointee by the Selectmen.

**CPA Revenue** – Since the adoption of the CPA in 2001 through fiscal 2007, Wayland has received \$4,498,536 from the residential property tax surcharge, including interest, and \$3,190,105 in matching State Trust Fund distributions, for a total revenue of \$7,688,640. The funds collected are known as the Community Preservation Fund and are held and administered by the Town's Treasurer. The list of expenditures follows as Appendix C.

## 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 on April 13, 2009. This work is documented in the 2009 Feasibility Study (Supplement to 2004 Preliminary Design Report) and the Visioning and Educational Specifications Report. The work of the HSBC in prior years is summarized in the Report of the HSBC published in the January 2005 Special Town Meeting Warrant and the more extensive 2004 Preliminary Design Report. All reports are available on the HSBC web site ([www.waylandschoolcommittee.org/whs/hsbc/Web\\_Pages/Index.html](http://www.waylandschoolcommittee.org/whs/hsbc/Web_Pages/Index.html)) and at the Wayland Public Library.

Over the past year, the HSBC met 32 times for a total of 100 meetings since January 2004. These most recent meetings focused on working with the Massachusetts School Building Authority (MSBA) on project scope and budget, securing funding approval from the town, procuring a Construction Manager, working with state and

town regulatory agencies and departments on permitting the project, designing schematics, and completing detailed design development. Specifically, the HSBC:

- Executed a Feasibility Study Agreement with MSBA in April, 2009
- Developed educational specifications and resolved space differences with MSBA
- Developed alternative design approaches including renovation, new construction and a combination of new construction/renovation
- Selected a preferred option of new construction of two buildings on the existing parking lots and renovation of the existing field house
- Received approval from the MSBA Board of Directors in July 2009 to proceed to Schematic Design of the preferred option
- Developed two independent detailed cost estimates of the preferred option
- Reconciled the cost estimates and presented them to MSBA
- Completed the Feasibility Study/Schematic Design
- Negotiated a Project Scope and Budget Agreement with MSBA
- Received approval from MSBA Board of Directors in September 2009 for a total budget of \$70.8 million and state reimbursement of up to \$25 million (total new cost to the Town of \$45.1 million)
- Received approval at the Town Election (70% in favor) and Special Town Meeting (94% in favor) in November 2009 for a \$70.8 million project including two new buildings and a renovated field house
- Executed a Project Funding Agreement with MSBA in January 2010 assuring 40% reimbursement up to \$25 million
- Conducted a Construction Manager at Risk procurement process and selected Shawmut Design and Construction Co. in February 2010
- Executed contract amendments with KV Associates (Owner's Project Manager) and HFMH Architects (Project Designer) for the remainder of the project
- Filed permit applications with the DEP, Conservation Commission, Planning Board, and Board of Health in February 2010
- Received approval of waiver requests for the WWTP (waste water treatment plant) from the Board of Health in April 2010
- Continued to work on Notice of Intent with the Conservation Commission and their peer reviewer and Site Plan with the Planning Board and their peer reviewer
- Executed a contract with Shawmut Construction Co. (Construction Manager) in April 2010

#### **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. Wayland is now in the implementation phase. Wayland began receiving reimbursement payments from MSBA in October 2009.

#### **Feasibility Study/Schematic Design**

The Feasibility Study was completed in late June 2009 and approved by the MSBA Board of Directors on July 29, 2009. The Wayland School Committee engaged educational facilities planner, Dr. Frank Locker, to work with approximately 60 Wayland citizens of various ages, and teachers, administrators, and staff to plan for the future of Wayland High School. This three-month-long effort resulted in an updated educational specification as required by the MSBA. The revised educational specification, enrollment design number (900 students), MSBA regulations, and updated cost estimates were all considered in analyzing options for modernizing Wayland High School. The HSBC and MSBA looked at a variety of renovation and new construction options and came to agreement on a preferred option: a single phase project of new construction of two buildings on the existing parking lots with a renovated field house.

The Schematic Design of the preferred option was completed in September 2009 and approved by the MSBA Board of Directors on September 30, 2009. It comprises a 100,000 square foot Classroom Building with library/media center and a 54,000 square foot Commons Building with dining, administration and guidance,

music and art classrooms, fitness room, and auditorium. The existing field house renovation will include new roof, locker rooms, elevator, and upgrades for plumbing, electrical, heating, ventilation, and seismic systems.

#### **Project Scope and Budget Agreement**

The MSBA approved the budget of \$70.8 million and committed up to \$25 million or 40% of reimbursable expenses for the Wayland High School Project. The Wayland School Committee submitted a warrant article authorizing the expenditure of these funds as required by MSBA within 120 days of Board approval.

#### **Project Funding Agreement**

Following the successful vote at the Town Election on November 17, 2009 and Special Town Meeting on November 19, 2009, the MSBA and the Wayland School Committee executed a Project Funding Agreement in January 2010.

#### **Design Development**

Over the last six months, HMFH Architects met with staff, HSBC, and community members to refine the design of the space. Working groups focused on general classrooms, science labs, student learning centers, teacher workrooms, auditorium, music and art rooms, dining commons, library, guidance, administration, special education, METCO, athletic space, custodial space, energy efficient design, technology, storage space, and landscape. Design Development was completed in April 2010.

The HSBC is working through the permitting process with state and town regulatory agencies and departments. The Board of Health has approved three variances for the WWTP. Site Plan approval by the Planning Board is anticipated by the end of April. Conservation Commission approval of the Notice of Intent is anticipated in early May.

#### **Next Steps**

The HSBC and project team are working on an accelerated schedule and anticipate preparing the site as soon as school is over this June. The site utilization plan is being developed and will be communicated to the school community and neighbors regarding traffic flow and parking on the site during construction. Trade contractor procurement is to begin shortly and be completed by June. Developing construction documents, bidding the project, awarding contracts, and breaking ground is planned for Fall of 2010 with planned completion by late Summer of 2012.

It has been the intention of the HSBC to generate a plan for Wayland High School that is widely supported by the taxpayers of Wayland. We are very grateful for the support of the community for the Wayland High School project in November and over these many years.

Respectfully submitted,

Lea T. Anderson, HSBC Chairman

High School Building Committee Members

<b>NAME</b>	<b>TELEPHONE</b>	<b>E-MAIL ADDRESS</b>
Lea Anderson	508-358-2667	lea@anderson.name
Josh Bekenstein	508-358-5651	jbekenstein@baincapital.com
Dianne Bladon	508-358-0068	dehbladon@aol.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	joelewin@comcast.net
Cindy Lombardo	508-358-5958	cindy.lombardo@comcast.net
Eric Sheffels	508-358-5461	eric.sheffels@lmp.com
Jennifer Steel	508-652-1952	jsteel@FraminghamMA.gov

## REPORT OF THE VETERANS MEMORIAL COMMITTEE

The Veterans Memorial Committee, appointed as a temporary voluntary committee by the Selectmen in February 2001, has now completed its three missions: (1) the Veterans Memorial in front of the Town Building, (2) the Book of Remembrance, and (3) the establishment of an annual Wayland High School Freedom Prize essay competition. Funding for these projects has been accomplished through generous citizen donations with no tax money required. There have been four Wayland High School winners of the Freedom Prize essays and a fifth will be named at the Wayland Memorial Day Ceremony at the Lakeview Cemetery, May 2010.



Gathering at the Memorial,  
Veterans Day, November 11, 2009

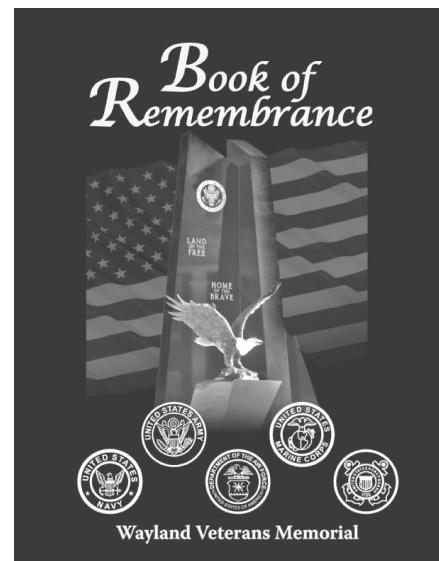
*Photo by Bear Cieri*

The Veterans Committee's participated in the May 2009 Memorial Day Parade and presented the Freedom Prize to the Wayland High School winner, David Ryan, at Lakeview cemetery. In addition, on November 11, 2009, an annual Veterans Memorial ceremony was held in cooperation with the Public Ceremonies Committee. This ceremony was preceded by a joint Veterans ceremony with the Trinitarian Congregational Church Youth Brigade, and included military members of the Army Natick Systems Soldier Lab. (Natick Labs). Highlights of this ceremony were two interviews with veterans Douglas Bernard, who was one of the first US Army infantrymen to cross into Germany during WW II, and Richard Turner, Purple Heart winner, who was wounded on a mission as the Coxswain of a River Assault boat in Vietnam.

Two new additions to the Veterans Memorial garden were completed last year. First, led by Eagle Scout Matt Kaye, the Boy Scouts planted junipers and vinca on both sides of the railings on the sidewalk leading to the Memorial. Second, thanks to a donation of plants by Lynch Nursery of Wayland, and a joint effort by the DPW and the Beautification Committee, the Veterans Committee completed the garden surrounding the green bench next to the tree line.

Another project by the Veterans Committee created ten large panels of photographs and text honoring our servicemen and women for display on the Wayland Cultural Council bulletin boards in the front part of the town building. This exhibition, on display from mid-May until the end of June, 2010 included two panels titled **Art in War** by George Dergalis (Vietnam), and Edward Brodney (WWII South Pacific)

All of Wayland's veterans invite the public to visit the Veterans Memorial, and please bring your out-of-town visitors as well. For those who have been thinking about acquiring the **Book of Remembrance**, we hope you will do so before they are all gone, and that you will continue your support for the annual Wayland High School Freedom Prize essay contest. The students look at the essay contest as an important part of their studies of the Bill of Rights and the United States Constitution. These intellectual efforts by the students will make them stronger citizens and future defenders of our country's freedom.



*The Book of Remembrance is available as a tax deductible donation that supports the annual Wayland High School Freedom Prize essay award. Copies can be obtained from the Town Clerk's Office, just 65 copies remain.*



## **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 maintained an on-site presence at the high school to increase access for students and faculty.

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.

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 and workshops each year. In FY10, Rob Evans, Ed.D., of Humans Relations Service, gave a talk to elementary parents on "Holding On, Letting Go: Social Development in the Elementary Years." Mark Kline, Psy.D., also of Human Relations Service, spoke to middle school parents on "Living and Communicating with Middle Schoolers." In addition, the staff participated on panels in book group discussions of *The Price of Privilege* and *From Binge to Blackout*. This year we offered classes in stress management techniques through the Freshman Seminars at the High School. We also co-led discussion groups for parents of freshmen, and provided "Parent Coffees," which are substance abuse prevention programs for small groups of interested parents.

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

This year we provided a fieldwork placement for Julia Surow, a graduate student in counseling psychology at Boston College, who assisted us in providing counseling and prevention services.

---

<p align="center"><b>APPENDIX C: TOWN MEETING APPROVED APPROPRIATIONS FROM THE COMMUNITY PRESERVATION FUND</b></p>
--

Project	Amount	Year Approved
Repair of Town's historic gravestones	\$65,000	2003
Study to create railroad interpretive site	\$15,000	2003
Environmental testing at former Nike site	\$35,000	2003
Repair/Restore historic markers	\$5,000	2004
Acquire 2.75 acres at Nike site for affordable housing and to provide funds for demolition and site preparation	\$500,000	2004
Site preparation and demolition on remaining 11 acres of open space at Nike site	\$100,000	2004
Administrative costs of CPC – expended \$3800 for appraisal of Moon property on Reservoir Road	\$10,000	2004
Set aside funds for acquiring open space in the future	\$600,000	2004
Acquire Gilbert land on Brackett Rd for conservation purposes	\$100,000	2005
Architectural, engineering and site planning at Nike site	\$40,000	2006
Community gardens at landfill and the intersection of Rte 30 and Plain Road	\$8,750	2006
Artificial turf at the high school athletic field	\$300,000	2006
Weed management techniques, aerial scanning and nutrient analysis at great ponds	\$75,000	2006
Acquisition of seven acres of land on Reservoir Road subject to a perpetual conservation restriction to be held by Sudbury Valley Trustees, Inc.	\$211,000	2007
Set aside funds for acquiring open space in the future	\$900,000	2008
Fund an additional portion of costs related to construction of community housing units on the Nike site	\$560,000	2008
Provide funds for the remaining work necessary to make the passive and active recreation land at former Nike site available for public use	\$250,000	2008
The rehabilitation and preservation of the Town-owned former railroad freight house located at 1 Concord Road next to the Town Library	\$50,000	2008
Administrative costs of the CPC to be expended for appraisals, association dues, and similar expenditures	\$25,000	2009
Provide funds for an assessment of the preservation and conservation needs of the Town's historical collections	\$10,000	2009
<b>TOTAL</b>	<b>\$3,834,750</b>	

## APPENDIX D

### PERSONNEL BY-LAWS AND WAGE AND CLASSIFICATION PLAN

#### NON-UNION WAGE SCALE, N SCHEDULE

Effective 7/1/10 (0% Adjustment)

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

Grade	6	7	8	9	10
N-1	38,823	39,989	41,188	42,423	43,697
N-2	42,245	43,512	44,818	46,163	47,548
N-3	42,669	43,949	45,267	46,625	48,024
N-4	46,430	47,386	49,257	50,734	52,257
N-5	50,979	52,231	54,084	55,706	57,378
N-6	55,411	57,655	59,385	61,166	63,001
N-7	61,461	63,305	65,203	67,161	69,174
N-8	67,485	69,508	71,595	73,741	75,954
N-9	71,875	74,030	76,251	78,515	80,837
N-10	80,962	83,801	86,998	88,506	91,570
N-11	89,332	92,012	94,774	97,615	100,546
N-12	93,710	96,521	100,003	102,398	105,628
N-13	98,088	101,030	105,232	107,181	110,709
N-14	107,701	110,931	113,779	117,686	121,219
N-15					140,000

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

**GROUP: NON-UNION – BUILDING INSPECTORS**

Effective: July 1, 2010 (0% Adjustment)

STEP	1	2	3	4	5
	21.07	22.13	23.23	24.39	25.63

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

**GROUP: NON-UNION SUBSTITUTE NURSES**

Effective: July 1, 2010 (0% Adjustment)

Hourly
26.53

**GROUP: NON UNION - PUBLIC SAFETY**

Effective: July 1, 2010 (0% Adjustment)

	Annually	Per Day	Hourly
Traffic Supervisors	7378		
Traffic Supervisor Substitute	--	42.28	
Special Police Matrons	--		18.80
Call Firefighters	--		18.80
Call Firefighter Coordinator	--		20.05
Paramedic	--		19.50
Police Custodian (PT)	--		15.00
Police Intern	--		9.73

**GROUP: NON-UNION - ON-CALL DISPATCHERS**

Effective: July 1, 2010 (0% Adjustment)

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

**NON-UNION - TOWN POOL**Effective: July 1, 2010  
(0% Adjustment)

	Hourly
Pool Lifeguard	10.00

**GROUP: NON-UNION - HOURLY LIBRARY CLERKS**

Effective: July 1, 2010 (0% Adjustment)

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

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

Effective: July 1, 2010 (0% Adjustment)

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

**GROUP: NON-UNION - LIBRARY PAGES**

Effective: July 1, 2010 (0% Adjustment)

Step	Year 1	Year 2	Year 3
	8.43	8.95	9.44

**GROUP: NON-UNION - VETERANS' AGENT**

Effective: July 1, 2010 (0% Adjustment)

	Annual
Veterans' Agent	3,755

**GROUP: NON-UNION SEASONAL – MISCELLANEOUS****Effective: July 1, 2010 (0% adjustment)**

	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>
Seasonal Laborer	12.01	12.61	13.21	--
Landfill Clerk	12.14			

**GROUP: NON-UNION – SEASONAL – MISCELLANEOUS****Effective: July 1, 2010 (0% adjustment)**

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

**GROUP: NON-UNION – SEASONAL – SUMMER DAY PROGRAMS****Effective: July 1, 2010 (0% adjustment)**

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

**GROUP: LIBRARY****Effective: July 1, 2009 (Contract Negotiations in Progress)**

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

L-1 - Library Assistant - Circulation

L-1 - Library Assistant – Children's

L-2 - Library Associate - Periodicals

L-3 - Assistant Children's Librarian

L-4 - Bibliographic Services Librarian

L-4 - Library Administrative Assistant

L-4 - Computer Specialist/Ref Librarian

L-4 - Head of Circulation

L-4 - Reference Librarian

L-5 - Children's Librarian

L-7 - Assistant Director

LC - Custodian

**GROUP: AFSCME****Effective: July 1, 2009 (Contract Negotiations in Progress)**

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

G-3 – Administrative Assessor

G-6 – Recreation Program Adm

G-8 – Conservation Administrator

G-8 – Youth &amp; Family Serv Dir

G-5 – Assistant Assessor

G-6 – Solid Waste Facility Supt

G-8 – DPW Hwy/TS Supt

G-9 – Assessing Director

G-5 – Assistant Youth Director

G-7 – Council on Aging Director

G-8 – DPW Water Supt

G-9 – Building Commissioner

G-5 – Sanitarian/Health Agent

G-7 – GIS Analyst

G-8 – IT Manager

G-9 – Health Director

G-5 – Water Treat Plant Mgr

G-7A – DPW Parks Supt

G-8 – Town Planner

G-9 – Treasurer/Collector

G-6 – Accountant

G-7A – Public Health Nurse

G-8 – Town Surveyor

G-15 – Community Health Nurse

G-6 – Local Building Inspector

**GROUP: SEIU****Effective: July 1, 2009 (Contract Negotiations in Progress)**

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

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: TEAMSTERS - DPW****Effective: July 1, 2010 (0% Adjustment)**

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
D1	--	--	--	--	--	--
D2	16.65	17.25	17.87	18.51	19.17	20.26
D3	17.16	17.78	18.42	19.08	19.76	20.92
D4	17.92	18.56	19.23	19.92	20.64	21.85
D5	18.34	19.00	19.68	20.39	21.12	22.48
D6	--	--	--	--	--	--
D7	20.81	21.56	22.33	23.13	23.96	25.38
D8	21.18	21.94	22.73	23.55	24.39	25.86
D9	21.56	22.33	23.13	23.96	24.82	26.31
D10	--	--	--	--	--	--
D11	23.27	24.10	24.96	25.85	26.79	28.38

D-2 Maintenance Worker

D-3 Grounds Worker

D-4 Medium Equipment Operator

D-5 Heavy Equipment Operator

D-5 Sr Grounds Worker

D-5 Water Worker 1

D-7 Highway Working Foreman

D-7 Mechanic/Welder

D-7 Parks Working Foreman

D-7 Water Worker 2

D-8 Maintenance Mech/Welder

D-9 Lead Mechanic/Welder

D-9 Sr Foreman

D-9 Water Worker 3

D-11 Water Working Foreman

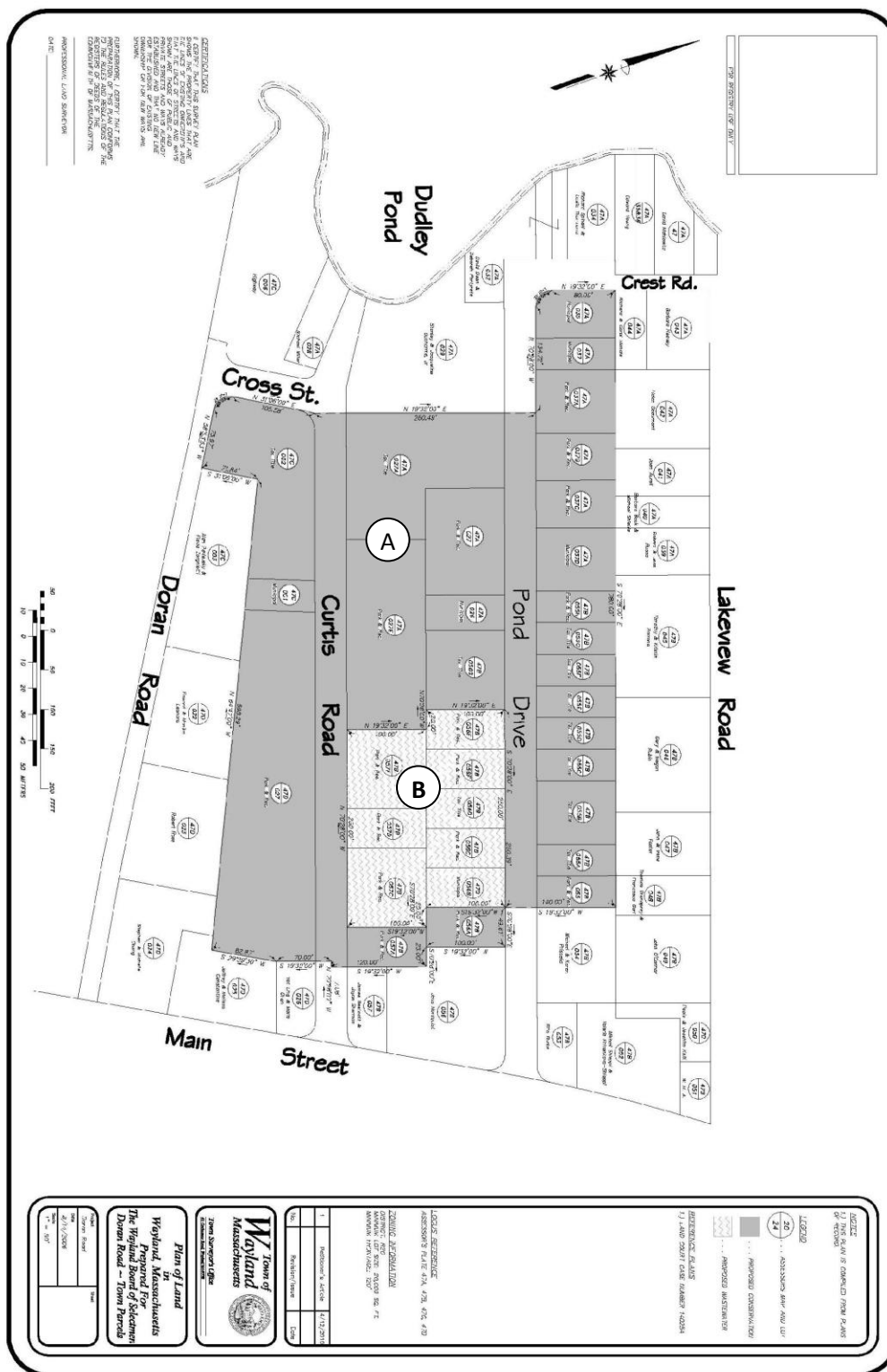
**GROUP: FIRE****Effective July 1, 2009 (Contract Negotiations in Progress)**

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

**GROUP: POLICE****Effective: July 1, 2010 (0% Adjustment)**

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

## APPENDIX E: LOCATION MAP AND PROPERTY DESCRIPTION DUDLEY WOODS NEIGHBORHOOD (ARTICLE 15)





Property Description of Larger Shaded Area (A) on Dudley Woods Neighborhood Map

A certain parcel of land in Wayland shown on a plan entitled "Plan of Land in Wayland, Massachusetts., Prepared For The Wayland Board of Selectmen, Doran Road ~ Town Parcels"; Dated: August 14, 2006 and revised on April 12, 2010; Scale: 1" = 50'; Prepared by: Town Surveyor's Office; bounded and described as follows:

Beginning at a point on the southerly side of Pond Drive at the northerly corner of a parcel owned by Jens Nordquist, thence;

S 19° 32' 00" W	one hundred and zero hundredths feet (100.00') to a point, thence;
S 70° 28' 00" E	twenty five and zero hundredths feet (25.00') to a point, thence;
S 19° 32' 00" W	one hundred twenty and zero hundredths feet (120.00') to a point in the center of a private way known as Curtiss Road, thence;
N 70° 28' 00" W	seven and eight hundredths feet (7.08') along the center of said road to a point, thence;
S 19° 32' 00" W	seventy and zero hundredths feet (70.00') to a point, thence;
S 29° 29' 30" W	eighty two and eighty seven hundredths feet (82.87') to a point, thence;
N 64° 47' 00" W	five hundred ninety eight and twenty nine hundredths feet (598.29') to a point, thence;
S 31° 06' 00" W	seventy one and eighty four hundredths feet (71.84') to a point on the northerly side of Doran Road, thence;
N 58° 53' 53" W	seventy five and ninety seven hundredths feet (75.97') along said road to a point on the easterly side of Cross Street, thence;
Northwesterly	along a curve to the right, having a radius of twenty and zero hundredths feet (20.00'), a distance of thirty one and forty two hundredths feet (31.42') along said road to a point, thence;
N 31° 06' 00" E	one hundred five and fifty eight hundredths feet (105.58') along said road to a point, thence;
N 19° 32' 00" E	two hundred eighty and forty nine hundredths feet (280.49') to a point on the northerly side of Pond Drive, thence;
N 70° 28' 00" W	one hundred thirty four and seventy two hundredths feet (134.72') along said road to a point, thence;
Northwesterly	along a curve to the right, having a radius of twenty and zero hundredths feet (20.00'), a distance of thirty one and forty two hundredths feet (31.42') along said road to a point on the easterly side of Crest Road, thence;
N 19° 32' 00" E	eighty and zero hundredths feet (80.00') along said road to a point, thence;
S 70° 28' 00" E	seven hundred eighty and zero hundredths feet (780.00') to a point, thence;

S 19° 32' 00" W                    one hundred forty and zero hundredths feet (140.00') to a point on the southerly side of Pond Drive, thence;

S 70° 28' 00" E                    forty nine and sixty one hundredths feet (49.61') along said road to the point of beginning.

Excluding parcels 47B-056F, 47B-056E, 47B-056D, 47B-056C, 47B-056B, 47B-057E, 47B-057D, and 47B-057C as shown on said plan.

said parcel contains 6.78 acres more or less.

Property Description of Smaller Shaded Area (B) on Dudley Woods Neighborhood Map

A certain parcel of land in Wayland shown as parcels 47B-056F, 47B-056E, 47B-056D, 47B-056C, 47B-056B, 47B-057E, 47B-057D, and 47B-057C on a plan entitled "Plan of Land in Wayland, Massachusetts., Prepared For The Wayland Board of Selectmen, Doran Road ~ Town Parcels"; Dated: August 14, 2006 and revised on April 12, 2010; Scale: 1" = 50'; Prepared by: Town Surveyor's Office; bounded and described as follows:

Beginning at a point on the southerly side of Pond Drive at the northeasterly corner of parcel 47B-056B, thence;

S 19° 32' 00" W                    one hundred and zero hundredths feet (100.00') to a point, thence;

S 70° 28' 00" E                    twenty five and zero hundredths feet (25.00') to a point, thence;

S 19° 32' 00" W                    one hundred and zero hundredths feet (100.00') to a point on the northerly side of a private way known as Curtiss Road, thence;

N 70° 28' 00" W                    two hundred fifty and zero hundredths feet (250.00') along said road to a point, thence;

N 19° 32' 00" E                    one hundred and zero hundredths feet (100.00') to a point, thence;

N 70° 28' 00" W                    twenty five and zero hundredths feet (25.00') to a point, thence;

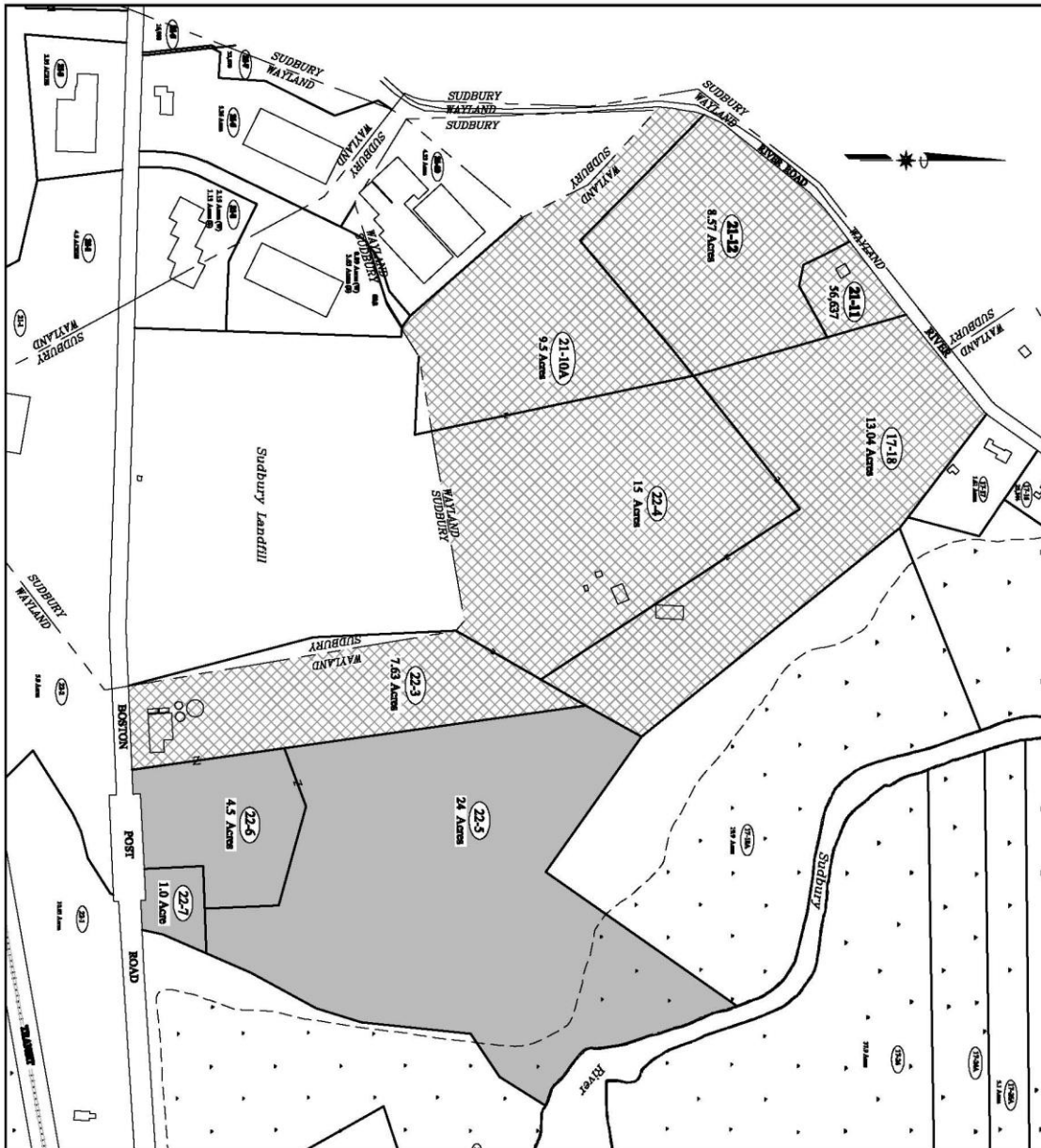
N 19° 32' 00" E                    one hundred and zero hundredths feet (100.00') to a point on the southerly side of Pond Drive, thence;

S 70° 28' 00" E                    two hundred fifty and zero hundredths feet (250.00') along said road to the point of beginning.

said parcel contains 1.15 acres more or less.



**APPENDIX G: LOCATION MAP  
EXPAND REFUSE DISPOSAL DISTRICT (ARTICLE 19)**



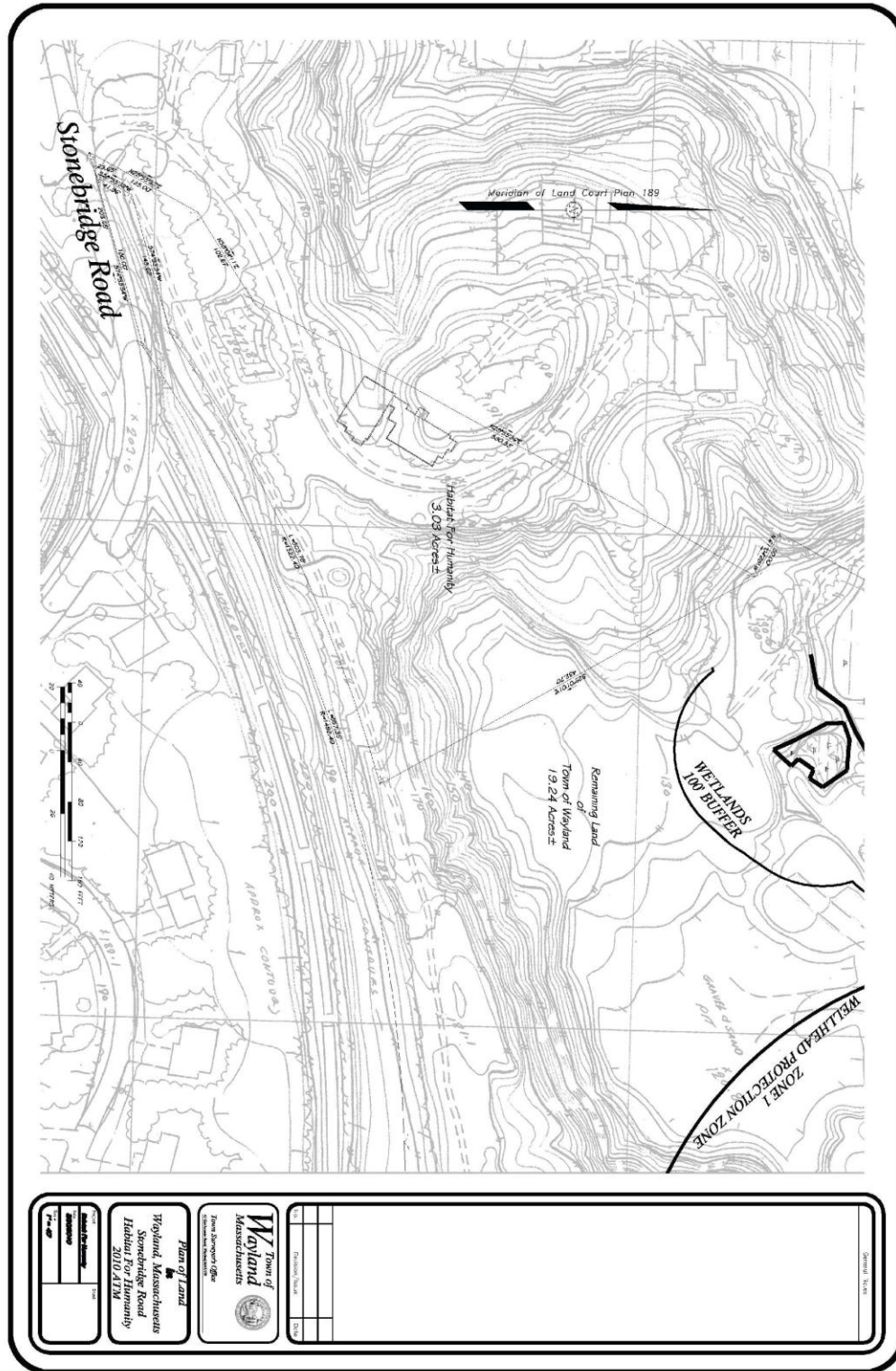
Town of Wayland  
2010 Annual Town Meeting  
Addition to Refuse Disposal  
Zoning District.

Existing District  
Proposed Addition to District

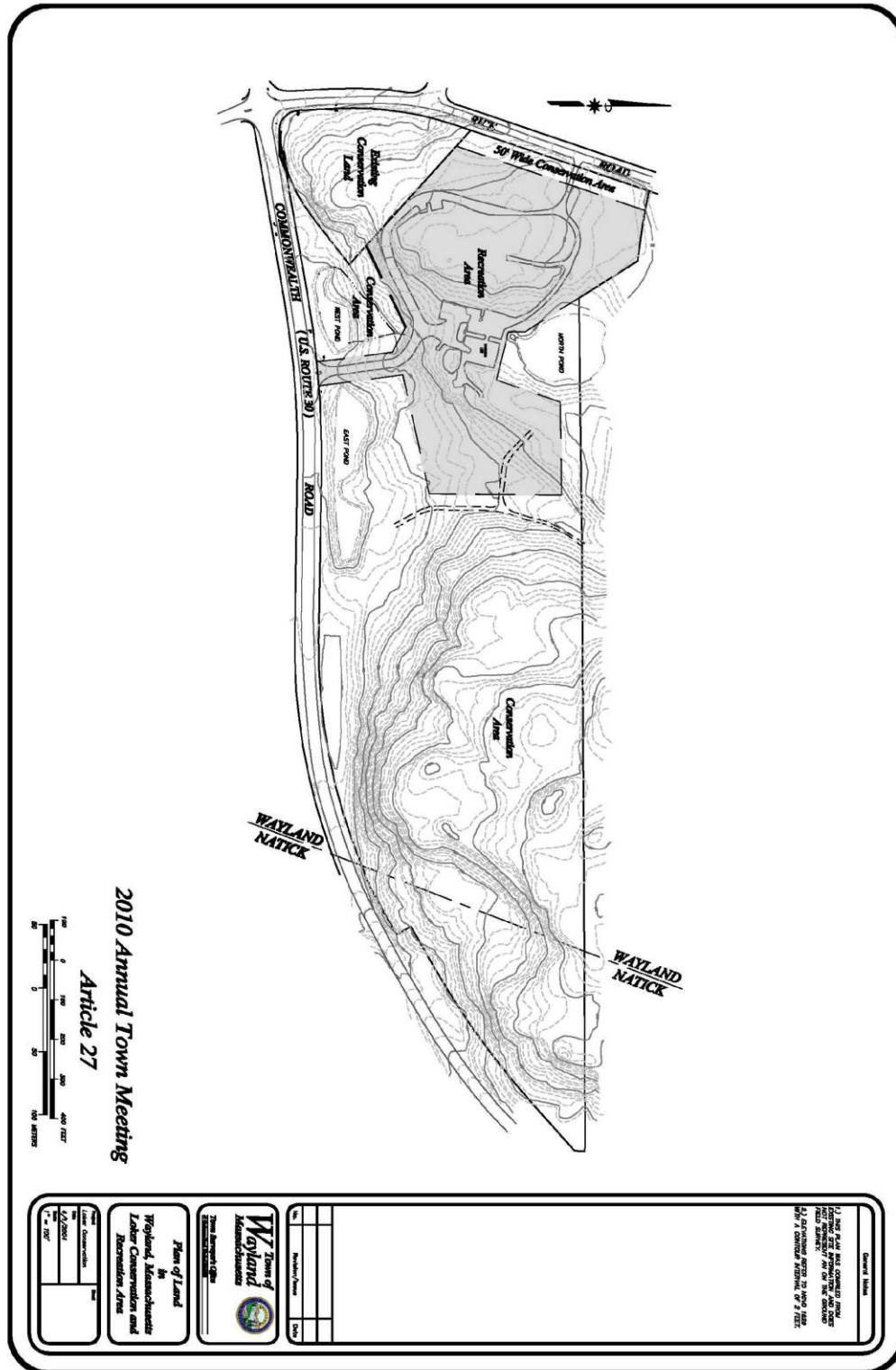


Town Surveyor's Office  
April 14, 2010

**APPENDIX H: LOCATION AND SITE MAP  
STONEBRIDGE ROAD AFFORDABLE HOUSING PARCEL (ARTICLE 24)**

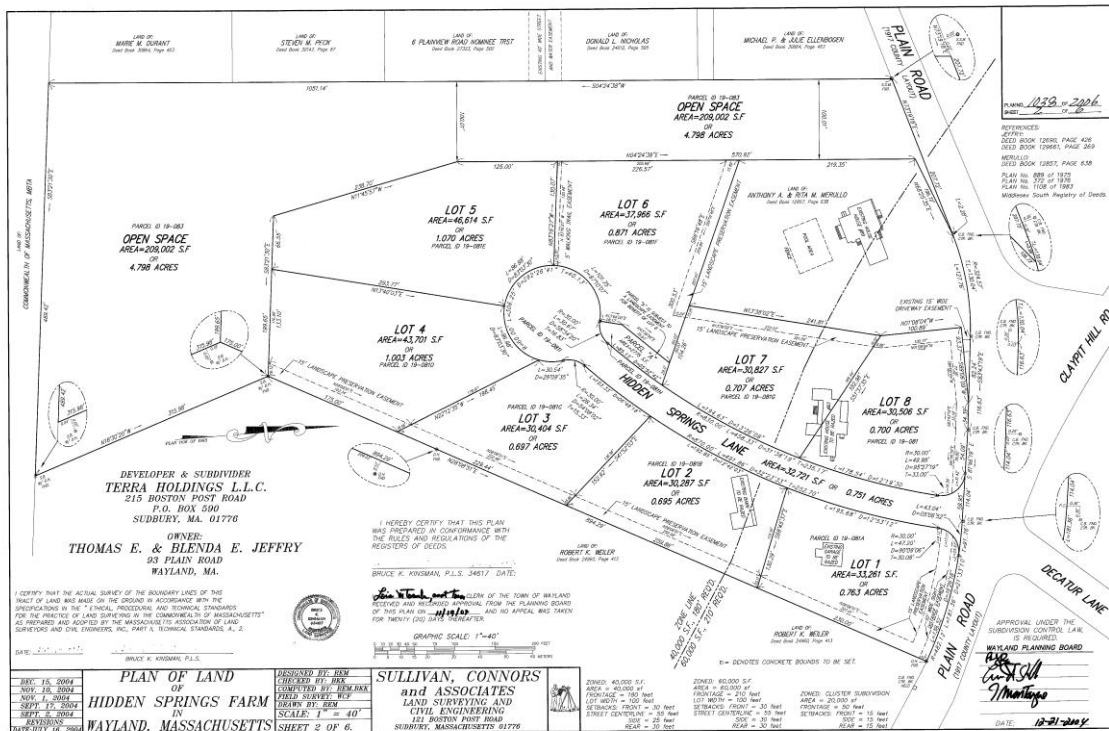
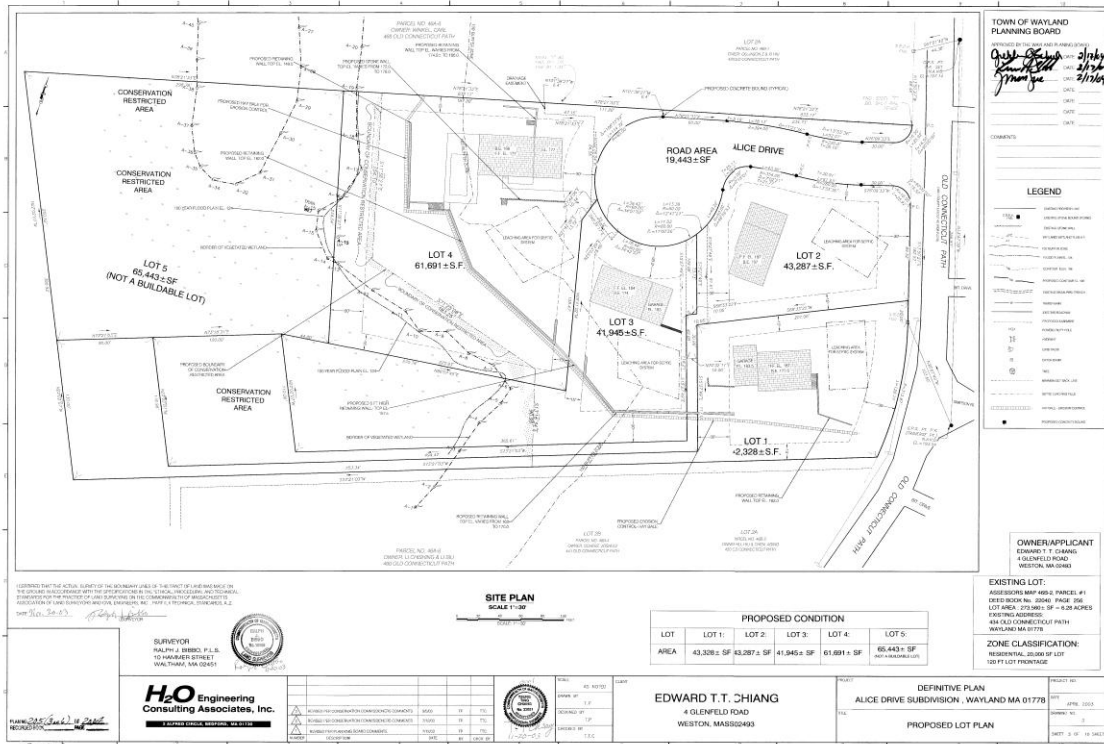


**APPENDIX I: LOCATION AND SITE MAP  
LOKER RECREATION AREA (ARTICLE 25)**

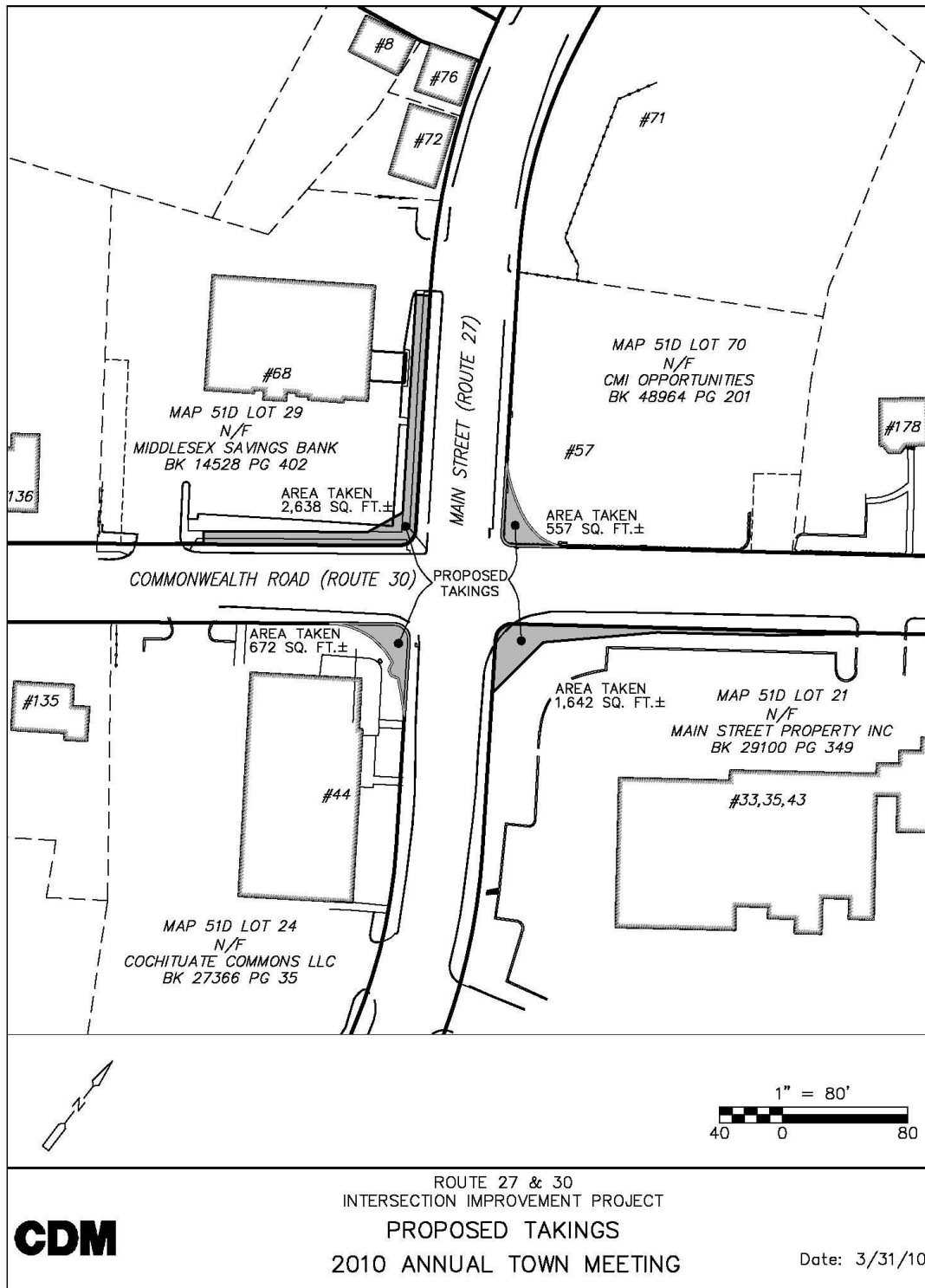




## APPENDIX J: LOCATION AND SITE MAP ALICE DRIVE AND HIDDEN SPRINGS LANE (ARTICLE 26)

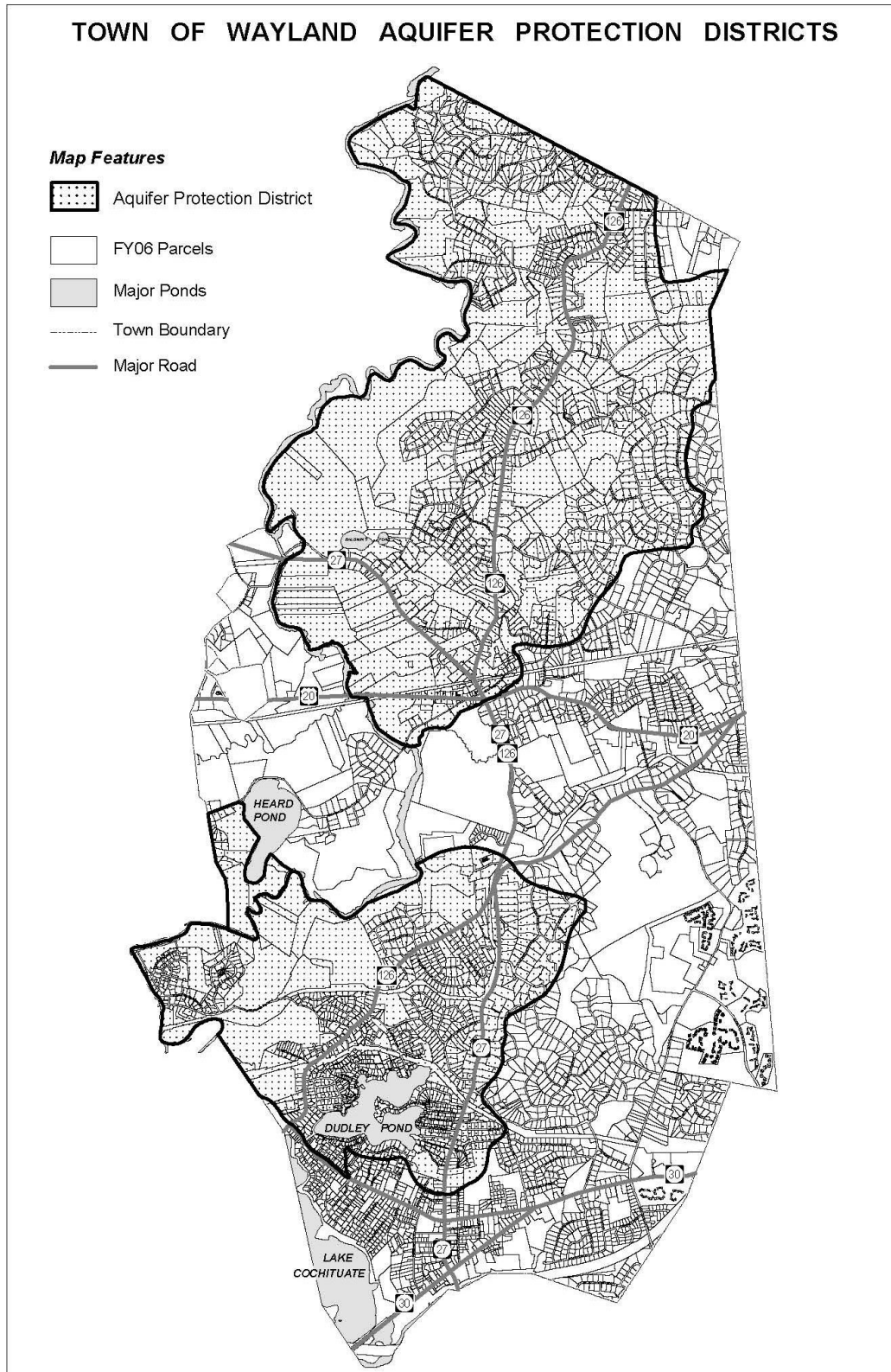


**APPENDIX K: LOCATION AND SITE MAP  
LAND FOR INTERSECTION IMPROVEMENT AT ROUTES 30 & 27 (ARTICLE 27)**





**APPENDIX L: LOCATION MAP  
AQUIFER PROTECTION DISTRICT (ARTICLE 28)**





You are required to serve this Warrant by posting copies thereof, attested by you, at the Town Building, 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 Town Meeting.

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before April 27, 2010.

Given under our hands and seals this 26<sup>th</sup> day of April, 2010.

Steven J. Correia, Vice Chair

Thomas J. Fay

Joseph F. Nolan, Chair

Susan W. Pope

Michael L. Tichnor

**Selectmen of the Town of Wayland**

John Bladon

Pau Grasso

David J. Gutschenritter

Cherry C. Karlson

Robert L. Lentz

Sam H. Peper, Chair

Richard M. Stack