

TOWN OF WAYLAND

**WARRANT for
SPECIAL
TOWN MEETING**



PLEASE NOTE:

**The location of the Special Town Meeting will be the
WAYLAND MIDDLE SCHOOL AUDITORIUM
DOORS OPEN AT 6:00 P.M.**

**Thursday, February 11, 2016
7:30 P.M.**

***In case of inclement weather, the Special
Town Meeting will be held on Tuesday,
February 23, 2016 at 7:30 P.M.***

www.wayland.ma.us

NOTICE

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

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

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

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

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

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



TOWN OF WAYLAND

2016 SPECIAL TOWN MEETING WARRANT

Special Town Meeting
will start at 7:30 p.m.

In the WAYLAND MIDDLE SCHOOL AUDITORIUM
on Thursday, February 11, 2016

Doors will open at 6:00 p.m.

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will be held on Tuesday, February 23, 2016 at 7:30 P.M.*

ADJOURNED MEETINGS

It is anticipated that if an adjourned meeting is necessary to complete action on this warrant, it will be held on Tuesday, February 23, 2016, subject to Special Town Meeting approval. In case of inclement weather, the Special Town Meeting will begin on Tuesday, February 23, 2016 at 7:30 P.M.

If you have any questions about the Articles, please attend the **Warrant Hearing on Monday, February 1, 2016, at 7:00 P.M.** at the Town Building. You may also call the Town Administrator's office at (508) 358-7755 before Special Town Meeting.

NOTICE REGARDING MOTIONS

This Warrant for Wayland Special 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 special 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 may differ from the underlying article, but it must be within the scope of that article.

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

TOWN MEETING PROCEDURES

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

NO SMOKING NOTICE

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

QUANTUM OF VOTE

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

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

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

HOW TO VOTE ELECTRONICALLY

During the April 2015 Annual Town Meeting, Wayland’s citizens approved a resolution endorsing the use of wireless electronic voting for all sessions of all town meetings through fiscal year 2019. Instead of shouting out Aye or No, raising our hands, or standing to be counted, we’ll use electronic handsets to register our votes quickly, accurately, and privately during the upcoming Annual Town Meeting.

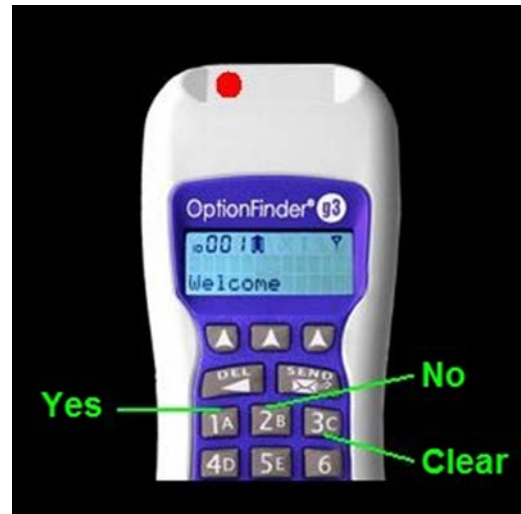
The handsets look a bit like a TV remote control, but instead of pushing buttons to change channels, we push buttons to vote: the 1 button for Yes, or the 2 button for No. Your vote is displayed on your handset’s screen and wirelessly transmitted to a computer that counts votes and displays results for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

Town Meeting will be held in the High School Field House. You can use any check-in station; waiting in one line based on the first letter of your last name is no longer required. As you’re checking in, you’ll be issued a handset for your **exclusive** use during that session. Voting with a handset issued to anyone else is **strictly forbidden**.

If your phone, tablet, or laptop supports Wi-Fi, please disable this feature, as doing so will enhance performance of the electronic voting system.



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



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

If you temporarily leave your seat during the meeting, please keep your handset with you. If you're visiting the restroom, you can leave your handset with the Exit Desk staff. When you leave the Field House – either during a session or at the close of a session – please place your handset in one of the bins at the Exit Desks. If you forget to turn in your handset, we'll give you a call the next day and ask you to return it.

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

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

ELVIS: Wayland's Electronic Voting Implementation Subcommittee

COMMONWEALTH OF MASSACHUSETTS

*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 such residents of Wayland to meet in the Auditorium of the Wayland Middle School on

THURSDAY, FEBRUARY 11, 2016, AT 7:30 P.M.

to act on the following Articles:

ARTICLE 1: WITHDRAWAL OF THE TOWN OF WAYLAND FROM THE MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT

Sponsored by: Board of Selectmen

To determine whether the Town will vote to confirm its commitment to withdraw from the Minuteman Regional Vocational School District, and to withdraw from such District, effective July 1, 2017, such vote to also constitute the Town's notice of intent to withdraw, all pursuant to Sec. IX(E) of the Amended Regional Agreement dated December 21, 2015, such withdrawal to be contingent upon the acceptance, on or before March 1, 2016, by all of the current members of the Minuteman District, and the approval, on or before December 31, 2016, by the Commissioner of Education, of the Amended Regional Agreement dated December 21, 2015, which has been submitted to the member towns by the Minuteman Regional School Committee.

FINANCE COMMITTEE COMMENTS: This article asks Town Meeting to confirm again Wayland's vote to withdraw from the Minuteman Regional Vocational School District (MMRVSD). If Article 2 passes, Wayland has identified its intention to withdraw under an amended agreement. If Article 2 does not pass, this vote sends a message to the Minuteman District of Wayland's continued desire to withdraw. Wayland voted to withdraw three times (2014 ATM, 2015 ATM, Nov. 2015 STM) under the existing agreement, which requires all 16 towns to approve withdrawal and would have required any withdrawing town to pay the capital costs of a new school. Wayland's effort to withdraw has failed up to this point.

The revised agreement being considered by all 16 towns in the Minuteman Regional School District offers a one-time option of withdrawal without responsibility for capital costs of the new high school. Seven towns (Boxborough, Carlisle, Dover, Lincoln, Sudbury, Wayland, and Weston) will consider withdrawal by March 1st at their STMs under this option.

Wayland was a founding member of the Minuteman district and supports providing a vocational technical education for our students. The decision to pursue withdrawal is driven by financial reasons, not dissatisfaction with the Minuteman educational program in any way. We are pleased that any of our students currently enrolled at Minuteman will be able to complete their education there regardless of the path forward.

Wayland's participation (enrollment) has diminished dramatically over the past several years from 8.5 in 2012 to 7.5 in 2013 to 3 in 2014 to 2 in 2015. Of the 673 students currently enrolled at Minuteman, only 2 are from Wayland. Wayland's four-year rolling average of enrolled students is 5.3, less than 1% of Wayland's High School student body and less than 1% of Minuteman's. Our current year budgeted assessment is approximately \$110,000.

Arlington, Lancaster, and Lexington have the largest in-district enrollments and account for nearly 55% of the total. The current enrollment from member communities is 396 students. Non-member enrollment is 277. Non-member tuition is \$17,556.

Minuteman received approval from the Massachusetts School Building Authority to move to the next phase of design on a \$144.9 million new school. The Minuteman Regional School Committee will vote on bonding the project right after the STMs being held in February when it is known which towns will remain members of the district.

If Wayland votes to remain in the district, capital costs will rise under the new agreement from \$46,500 to an estimated \$77,500 per year (or \$1.4 million to \$2.3 million over a 30 year bonding period) and the operating assessment will rise from \$110,045 to \$149,497 (estimate), based on the current 4-year rolling average enrollment. Currently we are obligated to pay \$6,500 per year through FY23 in capital costs to MMRVSD.

Wayland's representation under the revised agreement will change from 1/16th or 6.25% to 3.81% due to proportional voting.

Please refer to Appendix C for an estimated cost comparison of student participation. A brief description follows:

Under the proposed new agreement, if Wayland withdraws from Minuteman, Wayland can continue to provide a vocational education option to its students as required by paying out-of-district tuition at Minuteman or at another school. Options include paying \$43,677 for one student to attend Minuteman on an out-of-district basis (as a non-member) including transportation, versus \$35,420 to attend Assabet Valley or \$33,341 to attend Nashoba Valley with transportation, all three of which are considered favorable programs by the Wayland School Committee. Transportation efficiencies would reduce the cost per pupil for all three options for multiple students. If you include the cost of the Capital Assessment of \$77,472 which would be incurred if Wayland were to remain in the Minuteman Regional School District, plus the per student operating assessment of approximately \$28,207 then the cost to participate as a member of Minuteman would increase to \$105,679 and the cost savings for tuition and transportation when compared to the other three options mentioned above would be \$62,002, \$70,259 and \$72,339 per student respectively. Tuition only numbers for these options are:

- Minuteman (as a non-member) at \$17,556 tuition plus a capital fee of approximately \$8,100 plus transportation
- Assabet Valley (Marlborough) at \$16,420 tuition plus transportation
- Nashoba Valley (Westford) at \$14,341 tuition plus transportation

Consistent with ATM and STM votes in the past, the BOS recommended voting in favor of this article in a 3-0 vote on January 11, 2016. The School Committee voted 4-0 to support this article at its meeting on January 11, 2016. Wayland's representative to the Minuteman Regional School Committee also recommends that Wayland vote in favor of withdrawal.

ARGUMENTS IN FAVOR

- The amended agreement offers Wayland a one-time opportunity to withdraw without responsibility for the potential building project debt.
- Wayland's Minuteman enrollment has declined steadily over the years to only 2 students and it now makes more sense to participate as a non-member community at one of the excellent regional vocational technical schools in the area, including Minuteman.
- Voters in Wayland have already voted three times to withdraw.
- Capital costs are based on a new formula that takes into consideration a 4-year rolling average enrollment, a 1% additional fee, and Chapter 70 "combined effort" factors related to wealth. If Wayland were to remain in the district, the 2017 capital assessment is projected to increase from \$46,500 to \$77,472 based on a 4-year rolling average enrollment, representing a 66% increase. The new capital fee calculation is punitive for communities such as Wayland with smaller enrollments.
- There is much uncertainty about out-of-district students paying for capital costs. In the event that over 250 out-of-district students do not enroll in the future, then in-district member towns will be responsible for paying the debt for a school designed for 628 students.
- Weighted voting is proposed on budgets and amendments governing Minuteman. Wayland's vote would be diminished from 6.25% to 3.81%, which is less favorable to this town.
- The commitment of being a member community is no longer worth the effort with such a small participation rate.
- Current Wayland students will be permitted to finish out their high school years at Minuteman if we vote to withdraw as a member.

ARGUMENTS OPPOSED

- The decision to withdraw is a financial decision, not a decision based on the quality of the education.
- Wayland would lose its seat on the School Committee to direct Minuteman school policy.
- If Wayland withdraws, there may be more decisions for interested students to attend a vocational school because of the additional tasks required in researching an appropriate option.

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

QUANTUM OF VOTE: Majority.

For more information about this article, contact Lea Anderson at landerson@wayland.ma.us, member of the Board of Selectmen

**ARTICLE 2: AMENDMENTS TO THE REGIONAL SCHOOL DISTRICT AGREEMENT
OF THE MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT***Sponsored by: Board of Selectmen**Estimated Cost:*

To determine whether the Town will vote, consistent with Section VII of the existing “Agreement with Respect to the Establishment of a Technical and Vocational Regional School District” for the Minuteman Regional Vocational School District, to accept the amendments to said Agreement which have been initiated and approved by a vote of the Regional School Committee on December 21, 2015, and which have been submitted as a restated “Regional Agreement” bearing the date of December 21, 2015 to the Board of Selectmen of each member town.

FINANCE COMMITTEE COMMENTS: Passage of this article will amend the existing Minuteman Regional Vocational School District governing agreement and allow Wayland to withdraw from the district without incurring capital costs of a potential new school building. The proposed amended agreement is shown in Appendix B. Article 1 is the actual vote to withdraw from the district and will be addressed separately.

Massachusetts state law mandates that each school district provide a vocational education option for its secondary school students under Massachusetts General Law, Part 1, Title XII, Chapter 69, where it repeatedly refers to the requirement for “public elementary, secondary, and vocational-technical education in the Commonwealth.” In 1971, Wayland helped establish the Minuteman Regional Vocational School in accordance with Chapter 71, Section 14(B) of the General Laws of Massachusetts. Today Wayland is one of 16 Minuteman member school districts, together with Acton, Arlington, Belmont, Bolton, Boxborough, Carlisle, Concord, Dover, Lancaster, Lexington, Lincoln, Needham, Stow, Sudbury, and Weston. The current regional agreement provides one vote on the Minuteman Regional School Committee per member town. Our representative is appointed by the Moderator. The Wayland School Committee does not participate in governance of the Minuteman Regional School District.

At ATM in April 2014 Wayland residents voted in favor of beginning the process to withdraw from Minuteman Regional Vocational School District. At ATM in April 2015 Wayland residents voted again to pursue withdrawal. At the November 2015 STM, Wayland residents voted in favor of an amendment allowing Wayland to withdraw from the Minuteman District. Under the current Regional Agreement, approval for our withdrawal was required by all sixteen member districts in order for our withdrawal to occur. Unfortunately, several districts were not in favor of our withdrawal.

This time all 16-member towns are holding special town meetings in January/February 2016 to vote on an amendment created with the input of all 16-member towns, the Minuteman School Committee and Administration, and the Department of Elementary and Secondary Education (DESE).

There has been significant effort over the past several months from all member towns to find consensus on a revised regional agreement in anticipation of Minuteman proposing a \$144.9 million building project to be partially funded by the Massachusetts School Building Authority (MSBA). Much work has occurred with the Regional School Committee since we last discussed Minuteman at November 2015 STM. They asked the selectmen in all 16-member communities (including Wayland) to find common ground on new revisions to the agreement in time to meet the MSBA deadline of June 30, 2016 for bonding approval on the new building. This Regional Agreement is the culmination of that effort and will be considered and voted on before any bonding question is put before voters of member districts in the future. It is expected that all member towns will recommend support of this

agreement to their voters at their respective town meetings, (however actual voting results cannot be known since many town meetings are expected to occur throughout the months of January and February 2016).

The existing Regional Agreement requires all 16 towns to approve the building of a new school and would have required any withdrawing town (such as Wayland) to pay the capital costs related to building the new school. It also requires all member towns to approve any one town's request to withdraw. Because of a previous lack of unanimous support from member towns, Wayland's request to withdraw has failed up to this point.

The proposed revised agreement under this article, offers a number of changes including a one-time option of withdrawing from the Minuteman District without responsibility for capital costs of the new high school. Seven towns (Boxborough, Carlisle, Dover, Lincoln, Sudbury, Wayland, and Weston) will consider withdrawal at their STMs under this option. Wayland will address withdrawal in Article 1.

The following are the substantial proposed changes to the current Regional Agreement. The full original agreement can be found on the town website here: http://www.wayland.ma.us/Pages/WaylandMA_Selectmen/MMAAgreementCurrent.pdf. A list of Frequently Asked Questions (FAQs) can be found in Appendix D.

- Initial Procedure for Withdrawal is a one-time option that allows towns to vote by simple majority to withdraw and forego responsibility for District debt incurred after December 10, 2015. Wayland has selected this option.
- Annual operating assessment is based on a 4-year rolling average, not the most recent year's enrollment.
- Capital costs are based on a new formula that takes into consideration a 4-year rolling average enrollment, a 1% additional contribution, and Chapter 70 "combined effort" factors related to wealth. (If Wayland were to remain in the district, the capital cost is projected to increase from \$46,500 to \$77,500 per year based on the current 4-year rolling average enrollment, representing a 66% increase.)
- Out of district students will be assessed a capital fee (estimated to be about \$8,100 per student).
- Weighted voting is proposed on budgets and amendments governing Minuteman. Wayland's vote would be diminished from 6.25% to 3.81%.
- A member town will pay the capital costs for at least one student, even if no student from that town attends Minuteman.

Wayland's enrollment at Minuteman has declined over the past several years and is currently two students. Our current year budgeted assessment is \$110,045. Arlington, Lancaster, and Lexington have the largest in-district enrollments and account for nearly 55% of the total. The current enrollment from member communities is 396 students. Non-member enrollment is 277. Appendix C contains an estimated cost comparison of expenses under various attendance scenarios.

The cost of educating a student at Minuteman continues to increase, now costing the Town about \$28,000 per student per year. Any capital costs incurred by building a new school will be in addition to the \$28,000 per student costs. Under the existing agreement, if Wayland is a member of the district when the building costs are incurred and leaves the district later, the Town would still be obligated to continue paying its share of those capital costs until the debt is retired. Under the new agreement, a member town will pay capital costs for at least one student. Other vocational schools in the area have

desirable programs, which Wayland students can attend at lower cost (See chart in Appendix C). Under the new weighted voting, Wayland's vote would be about 3.81% of the total (compared with 6.25% today) —significantly less than towns like Arlington, Lexington, and Belmont, which send many more students.

Therefore, consistent with ATM and STM votes in the past, the BOS recommended voting in favor of this article in a 3-0 vote on January 11, 2016. The School Committee voted 4-0 to support this article at its meeting on January 11, 2016. Wayland's representative to the Minuteman Regional School Committee also recommends that Wayland vote in favor of the revised Regional Agreement.

ARGUMENTS IN FAVOR

- The revised regional agreement will provide us with the option to do what we have voted to do by significant margins at three annual and special town meetings since April 2014 – withdraw from the Minute Man School district with a one-time ability to forego having to pay for a costly capital project.
- The revised agreement is the product of an enormous amount of work, tough negotiations, and necessary compromise. Wayland voting against the revised agreement would be a huge surprise, and leave us stuck in a situation that we will continue to be unhappy with, with no clear path forward.

ARGUMENTS OPPOSED

- If we do not vote to withdraw (Article 1), the revised agreement has a number of provisions that are unfavorable to us relative to the current agreement, including eliminating our ability to “block” major initiatives that require a unanimous vote under the current agreement.
- There is a theoretical possibility that we could vote in favor of the revised agreement, vote to withdraw, but have our right to withdraw blocked or challenged (e.g., by the DESE), and end up remaining a member within the Minuteman district under the revised agreement against our town's vote. All parties that we are aware of who have studied this possibility believe it is so remote as to not warrant any consideration.

RECOMMENDATION: Finance Committee recommends approval of this article. Vote: 6-0.

QUANTUM OF VOTE: Majority.

For more information about this article, contact Lea Anderson at landerson@wayland.ma.us, member of the Board of Selectmen

ARTICLE 3: FACILITATE IMPROVING SAFETY OF TOWN ROADS*Sponsored by: Petitioners**Estimated Cost: \$15,000*

To determine whether the town will vote to:

- 1.) Amend chapter 19, Finances, of the Town Code by adding thereto the following new section:

19-10.Expenditures on Speed Limit Signs

Funds for erection or replacement of speed limit signs on town ways, which result in an increase in the enforceable speed limit along the way or a portion of the way to which sign relates, shall be appropriated through a separate article which includes only this item.

If a petition, with at least 25 registered Wayland voters, is received by the town administrator stating that the signers believe a certain way meets this requirement, 19 10 (this section) is assumed to apply to the way or portion of the way to which the petition relates.

- 2.) Replace chapter 36 3B of the town code with the following:

Town Counsel shall be available for consultation or research at the request of the lead petitioner for an article. There will be no charge for the initial 20 minutes. If the time spent exceeds 20 minutes, the Board of Selectmen may require the lead petitioner to reimburse the Town for Town Counsel's time at his or her standard hourly rate.

- 3.) Authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act to reduce the maximum speed limit on Stonebridge Rd from 35 MPH to 30 MPH, and to reduce the speed limit from 30 MPH to 25 MPH from Anthony Rd until the second telephone pole downhill past the driveway cut of the newly built habitat for humanity homes. The speed limit on Stonebridge Rd was posted at no greater than 30 MPH for at least the last 15 years until it was raised to 35 MPH about 2 years ago. The habitat for humanity homes are just downhill from a blind curve which will make it very difficult to pull out from their driveway with the current speed limit in place.
- 4.) Appropriate a sum of money, not to exceed \$15000, to be expended under the direction of the Board of Public works to implement improvements which allow school buses to safely turn up Oak Hill Rd. The said funds will be appropriated by taxation, transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, or otherwise.
- 5.) Request that the Board of Selectmen work with the Town of Framingham to prohibit night time truck traffic on Stonebridge Rd

PETITIONERS' COMMENTS: The petitioners disagree with the Finance Committee comments, and feel parts of the comments misrepresent both the legality and the intent of the article. The neighborhoods affected by this article ask for the support of the town voters to improve their neighborhoods and hence to improve the town as a whole.

Unlike the Finance Committee comments, petitioners' comments are limited to 150 words, so the petitioners cannot address specific issues in this document. For more information (background material, historical timeline, maps, answers to specific question, legal feedback the petitioners have

received from Town Counsel, etc.) and to see the latest copy of the article, visit: www.safe-road.net

FINANCE COMMITTEE COMMENTS: Petitioners represent a group of residents that are concerned about excessive speed on town roads – particularly on Stonebridge Road. Determining the posted speed limit on town roads is jointly owned by the town and the state, with the ultimate authority resting with the state. Typically towns make requests to establish speed zones or reduce the posted speed limit; the state DOT follows a standard approach, based primarily on analyzing traffic study results, to determine if such requests are granted or denied.

The speed for the portion of Stonebridge Road that is currently posted at 35 miles (from the bridge to the intersection with Oak Hill Road) was first set by the state in 1974. In July 2013, the lead petitioner complained to Police Chief Irving about excessive speeds on Stonebridge Road. In investigating those concerns, town officials discovered that some signs were missing and some were in incorrect locations. New speed limit signs were added to show the correct markings (as required by state law). This led to a section of the road of about 0.4 miles in length starting at the bridge being marked to the correct speed of 35 mph, which was contrary to petitioner's desire to reduce posted speeds, but in line with the town's legal requirements. Town officials are not aware of any cases in the past, or remotely likely to occur in the future, where the town would request that the state allow us to increase a speed limit on any section of any of our roads.

Responding to residents' concerns, in April 2014 the Board of Selectmen approved an application to the state DOT to reduce the speed limit on that section of Stonebridge Road to 30 mph. In July we were informed by the state that our request was denied. Town officials believe it is unlikely the state would reach a different decision if we were to conduct a new traffic study and submit a new request. The section of road that petitioners are asking be reduced from 30 mph to 25 is roughly 0.3 miles in length (extending from the intersection with Anthony Road to a particular telephone pole). Town officials believe that an application to the state to reduce the speed on that section, as would be required by the article, is also likely to be denied.

According to police department records, in the past 3 years there have been 6 reported accidents on Stonebridge Road. Two were at the intersection of Stonebridge Road and Old Connecticut Path. Three involved cars running off the road due to winter conditions. One involved a collision with a deer.

Numerous parties have been involved in considering whether there should be a school bus stop in the Oak Hill development, including the police department, the DPW, and our bus company. According to the School Business Administrator, there are two primary reasons not to have a bus stop in the Oak Hill neighborhood. In no particular order, the first is the relatively steep downward hill (less than 0.1 miles in length) coming down Oak Hill Road into the intersection with Stonebridge Road. The concern is that in winter conditions a school bus may end up sliding onto Stonebridge Road. The second is that regardless of road conditions and even with changes that have been made to the intersection, a right-hand turn by a school bus off Oak Hill Road onto Stonebridge Road would require using two lanes. Some changes have been made to address some of residents' concerns, including moving the bus stop on Stonebridge, posting additional signs, and changes to the intersection. Schools' understanding is that most residents in the Oak Hill development have understood and accepted this outcome. The farthest house in the development off Oak Hill Road to the intersection with Stonebridge Road is about 0.4 miles.

The police department is aware of only 1 complaint in the past 3 years about night time truck traffic on

Stonebridge Road. That complaint was made by the lead petitioner in December 2015. The DPW Director believes that Stonebridge Road is capable of handling the amount of truck traffic it currently bears.

Finance Committee is under the understanding that petitioner will not move the section of the article related to access to Town Counsel so this report does not address that section.

ARGUMENTS IN FAVOR:

- Town officials agree with petitioners that it would be better to have the section of Stonebridge Road that is currently marked at 35 mph be reduced to 30 mph instead.

ARGUMENTS OPPOSED:

- Petitioners' article has a considerable amount of confusing language that would be difficult to execute if approved. Arguments in favor of the motion are intertwined with the motion itself. Language that we should "enact a special act to reduce the maximum speed limit" does not follow the standard procedure that the state requires for handling a common and routine matter.
- The town must post our speed limits according to what is allowed by the state for each section of road. If we discover that a section of road is mismarked, or not posted, it must be corrected as soon as possible and cannot wait for a separate article at the next town meeting to appropriate funds to do so as petitioners' article would require.
- In 2014 the town requested that we be allowed to reduce the posted speed limit on the section of Stonebridge Road that is currently marked at 35 mph to 30 mph. Our request was denied.
- Town officials believe that not having a school bus stop in the Oak Hill development is appropriate given safety concerns.
- Town officials believe that attempting to limit night time truck traffic on Stonebridge Road would require financial and administrative resources (e.g., traffic study, required interaction with Framingham) and has little chance of being approved by the state.

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

QUANTUM OF VOTE: Majority. As to 1.) and 2.), see Massachusetts General Laws Chapter 40, Section 21. As to 3.), see Clause (1) of Section 8 of Article 2 of the Amendments to the Constitution of the Commonwealth of Massachusetts. As to 4.), see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B.

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

*For more information, visit the Petitioners' website at: www.safe-road.net
See Map at Appendix E.*

APPENDIX A

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

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

I. THE WARRANT

This booklet, which includes the Warrant for Wayland's Town Meeting, was compiled by the Selectmen and served upon all residents by mail and by posting in accordance with applicable provisions of the Code of the Town of Wayland. It contains the agenda of the subjects to be acted upon (articles), including the omnibus budget proposed (if this is an annual meeting), the report and recommendations of the Finance Committee, 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, Public Buildings Director and Superintendent of Schools, shall have the right to attend and sit on the floor of town meetings, but they shall not be considered in determining the presence of a quorum unless they are registered voters of the Town.

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

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

III. THE MODERATOR

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

IV. THE MEETING

A. The Call to Order

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

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

B. To Address the Town Meeting

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

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

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

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

3. Those individuals granted the right to sit on the floor under Section II B above, if non-residents, shall have the right to answer questions, but they do not have the right to vote unless they are registered voters of the Town.

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

C. The Debate

1. When you have been recognized by the Moderator, address the Chair as follows: "Mr. Moderator, I am (Name) of (Street Address)." Then proceed as follows:
 - a. "I move that . . .";
 - b. "May I ask you . . ."; or
"May I ask through you (then state the question which you want a board, official, or previous speaker to answer);
 - c. "I rise to a point of order"; or
2. Once you have been recognized, you may offer any motion, amendment, argument, comment, suggestion or question relevant to the article then under consideration, unless the Moderator shall have authorized debate or invited comments upon subjects not listed in the Warrant; but
 - a. Any person who wishes to offer the principal presentation in support of the main motion under an article, must so notify the Moderator prior to that article being called and complete the same within ten (10) minutes, or less, and yield the floor. A light will warn you to conclude your remarks and yield the floor during the final minute. The Moderator may divide the time if more than one person indicates a desire to make a presentation in support.
 - b. Any person wishing to offer a presentation in opposition to the main motion under an article must so notify the Moderator prior to that article being called and complete the same within the time used by the proponent, or within three (3) minutes, whichever is longer, and yield the floor. The same one (1) minute warning light will warn you to conclude your remarks. The Moderator may divide the time if more than one person indicates a desire to make a presentation in opposition.
 - c. All other persons who wish to address the Town Meeting shall, when recognized, complete their remarks in three (3) minutes, or less, and yield the floor. The same one (1) minute warning light will be turned on when you have used up the first two (2) minutes.
 - d. You may be interrupted only by a question of privilege, a point of order, a request that you speak more distinctly or by the Moderator.
 - e. When you have completed your motion, question, or remarks, you relinquish your claim to the floor; and you must yield the floor upon request of the Moderator.
 - f. The Moderator will rule, or take other appropriate action on any generally recognized incidental, subsidiary or privileged motion.
3. Abbreviated Presentation Procedure. With notice to and leave of the Moderator any person making a main motion under an article may present that motion under the Abbreviated Presentation Procedure. Under this procedure:

- a. The motion must be presented in or be substantially consistent with the words of the Article as printed in the Warrant, and without making further presentation in support of that article. The Moderator may allow minor or editorial variation from the words of the Article as printed in the Warrant.
- b. The Moderator will ask if anyone wishes to speak in opposition to the motion or if anyone has a question regarding the motion.
- c. Should there be a question, the questioner will be permitted to state his or her question and the presenter of the motion will be permitted to answer that question.
- d. Should any individual state that he or she is opposed to the motion, or if the Moderator determines that the questions are of significant depth or importance, the presentation and debate will continue in the normal course as set forth in these Rules.

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

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

- a. If your motion is the main motion, you must then declare that it is identical word-for-word with the substantive portion of the article printed in the warrant which is then under consideration, or describe all of the substantive differences in wording between the article and the motion; otherwise the Moderator will permit no debate or action upon your motion.
- b. If you plan to offer a main motion that contains more than twenty-five (25) words and differs significantly from the article printed in the Warrant, you must first print and distribute a copy thereof to those attending the session of town meeting at which said motion is presented.
- c. No motion or amendment of a motion that exceeds ten (10) words in length will be accepted, unless it shall have been offered to the Moderator in writing.
- d. A motion that is not identical word-for-word with the substantive portion of the article printed in the warrant then under consideration will not be accepted, unless the Moderator shall determine that said motion is within the scope of the article; i.e., that it does not change the substantial character of the proposal described in that article or would not further restrict, if passed, the liberties of the residents of Wayland than the proposal set forth in the article.
- e. The Moderator will accept no motion proposing a layout, taking, acceptance of gift, 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 will accept no motion that in the Moderator's view would eviscerate or be completely opposite of the motion under the Article under consideration.
- h. The Moderator may rule on your motion, even if no one has risen to challenge that motion by way of a point of order.

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

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

- a. You may amend a motion by moving to add and/or delete words to and/or from the main motion or by substituting a new motion therefor; but the Moderator permits no more than two amendments to a main motion *at a time*. A motion to amend is debatable and requires only a MAJORITY vote, even though the main motion may require a TWO-THIRDS vote.
- b. You may move to refer a matter for further study, if your motion identifies the official or committee who shall conduct such study, how it shall report, when and to whom. In the event that you wish to establish a new committee for this purpose, the motion must specify the number of members who shall serve and who shall appoint them. A motion to refer is debatable and may be amended and requires a MAJORITY vote.
- c. You may move to advance or postpone to a time certain within the then current session of the meeting 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.

You may ask the Meeting to take no action under an article by moving "that the article be passed over." Such a motion may be deemed a substitute for the main motion, is debatable, may not be amended, requires a MAJORITY vote and serves to dispose of the article under consideration.

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

9. Although the Moderator has absolute authority to regulate the proceedings at town meetings, debate under a motion can be terminated by a TWO-THIRDS vote of the Town Meeting. Therefore, if you believe that debate under a motion has gone on long enough, approach the Procedural Microphone, and, when you have been recognized, make a motion to terminate debate (move the previous question). If your motion receives a second, the Moderator 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.

D. The Vote

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

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

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

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

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

3. If the Moderator is still in doubt, or if seven (7) or more voters shall immediately question a voice or an uncounted vote taken by non-electronic means, he will call for the tellers to help him take a standing counted vote – two tellers for each section of the hall so that they may check each

other's results. The Moderator will then repeat the motion and say, "All those in favor will rise and remain standing until counted." When the count has been completed, the Moderator will ask those who are opposed to stand and be counted. As soon as each team of tellers has agreed upon the count in their section, they will be asked to report the number of voters they have counted from the Procedural Microphone. When all of the tellers have reported, the Moderator will declare the vote and his declaration of the vote is final, unless clear and convincing evidence shall have been submitted to the Moderator that fraud, errors by of one or more tellers or some other irregularity has infected the accuracy of the vote count just completed; in which event the Moderator will repeat the standing counted vote procedure outlined above.

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

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

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

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

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

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

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

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

business under that article, will declare that article disposed of.

E. Adjournment

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

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

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

V. QUESTIONS

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

VI. MISCELLANEOUS RULES

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

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

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

Dennis J. Berry, Moderator
January 21, 2016

**APPENDIX B: DRAFT OF AMENDED REGIONAL AGREEMENT
MINUTEMAN REGIONAL VOCATIONAL HIGH SCHOOL**

Amended: 1973, 1979, 1980, 2013

DRAFT 12/21/15

REGIONAL AGREEMENT

This Agreement is entered into pursuant to Chapter 71 of the General Laws of Massachusetts, as amended, among the towns of Acton, Arlington, Belmont, Boxborough, Carlisle, Concord, Lexington, Lincoln, Stow, Sudbury, Wayland, Weston, Bolton, Dover, Lancaster, and Needham, hereinafter sometimes referred to as member towns. In consideration of the mutual promises herein contained, it is hereby agreed as follows:

SECTION I: THE REGIONAL DISTRICT SCHOOL COMMITTEE**(A) Composition**

The Regional School Committee, hereinafter sometimes referred to as "the Committee," shall consist of one member from each member city or town (the term "city" and the term "town" will hereinafter be referred to jointly as "community"). The members of the Committee shall be appointed as hereinafter provided. All members will serve until their respective successors are appointed and qualified.

(B) Staggering of Terms

The terms of office shall begin on July 1 and shall be for three years. In order to have approximately one third of the terms of office expire at the end of each year, the initial term of office of a Committee member representing a newly admitted community may be for shorter than three years, said determination to be made by vote of the Committee (or by lot, if there is more than one community being newly admitted at the same time).

(C) Appointing Authority

Members who have been appointed to the School Committee by their respective Town Moderators prior to the July 1 date on which this amended language becomes effective shall serve out the remaining one, two or three years of their term. Beginning on the July 1 when this amended language becomes effective, each member shall thereafter be appointed by vote of the Board of Selectmen of that town (or by the Mayor in the case of a city), except that in the case of a town, the town may by bylaw or charter provide for appointment of that community's member by the Moderator. The language of the preceding sentence will also apply to any community newly admitted to the District whose membership in the District commences on or after the July 1 effective date of this amended language.

(D) Subsequent Terms of Office

Just prior to the conclusion of the initial terms spoken of in the subsection (B) above, the Appointing Authority of the member community will appoint a member of the Regional School Committee to serve a three year term beginning on July 1.

(E) Vacancies

Should a vacancy occur on the Regional School Committee for any reason, the unexpired term will be filled within sixty (60) days by the Appointing Authority of the community having the vacancy.

(F) Organization

At the first meeting of the Regional School Committee held after July 1, the Committee shall organize and choose a Chairman and a Vice-Chairman from among its membership and will choose a Secretary, who may or may not be from among its membership.

(G) Power and Duties

The Committee shall have all the powers and duties conferred and imposed upon school committees by law and conferred and imposed upon it by this Agreement, and such other additional powers and duties as are specified in Section 16 to 16I, inclusive, of Chapter 71 of the General Laws and any amendments or additions thereto now or hereafter enacted, or as may be specified in any other applicable general or special law.

(H) Weighted Voting

Each member of the Regional School Committee will exercise a weighted vote, rounded to the nearest hundredth of a percent, which will be calculated and established as of July 1 of each year as follows. The first half of the weighted vote for all of the member communities will be the same. (For example, if hypothetically there were 16 member communities, then the first half of each member's weighted vote will be 1/16 of 50%, which would be 3.125%). The second half of each member community's weighted vote will be computed as follows. Based on the official October 1 student enrollment figures as determined by the Department of Elementary and Secondary Education ("OESE"), or its successor agency, a four year "rolling average" of the school's enrollment from member communities, using the most recent year's October 1 enrollment figures and those from the three preceding years, will be established. Using the same methodology, each member community's average percentage of student enrollment from all of the member communities for that period, rounded to the nearest hundredth of a percent, will be established and will be used as the second half of that member community's weighted vote to become effective on the following July 1. (For example, if over the four year period a member community supplied an average of 8.67% of the school's enrollment from all of the member communities, then, beginning on the following July 1 and extending for the next year, the second half of that member community's weighted vote would be 8.67% of 50%, which would be 4.335%). The two halves will then be added together, and rounded to the nearest hundredth of a percent, to establish that community's total weighted vote. (For example, using the hypotheticals expressed above in this paragraph, the hypothetical community's total weighted vote as of the July 1 in question would be 3.125% plus 4.335%, which would add to 7.46%). Assuming that a quorum as defined in subsection (I) below is present, and except for a vote to approve the annual budget, to incur debt, or to approve an amendment to this Agreement, a combined total of weighted votes amounting to over 50% of the weighted votes present shall constitute majority approval.

In order to approve the District's annual budget, a combined total of weighted votes

equal to or exceeding 66.67% of the weighted vote of the entire Committee (i.e., not merely two thirds of the weighted vote of those present) shall be required.

In order to incur debt, a two-thirds (2/3) vote of all of the members of the Regional School Committee, without regard for the weight of the vote, shall be required. In order to approve an amendment to this Agreement, a three-fourths (3/4) vote of all of the members of the Regional School Committee, without regard for the weight of the votes, shall be required.

(I) Quorum

A majority of the total number of members of the Regional School Committee (regardless of the weighted votes) shall constitute a quorum. A quorum is necessary for the transaction of business, but an assemblage less than a quorum may adjourn a meeting.

SECTION II TYPE OF REGIONAL SCHOOL DISTRICT

The regional district school shall be a technical and vocational high school consisting of grades nine through twelve, inclusive. The Committee is also hereby authorized to establish and maintain such kinds of education, acting as trustees therefore, as may be provided by communities under the provisions of Chapter 74 of the General Laws and acts amendatory thereof, in addition thereto or dependent thereon, including courses beyond the secondary school level in accordance with the provisions of Section 37A of said Chapter 74.

SECTION III LOCATION OF THE REGIONAL DISTRICT SCHOOL

The regional district school shall be located within the geographical limits of the District, or within a radius of 5 miles from the Intersection of Route 2 and Bedford Road, which intersection is in the town of Lincoln, provided that if a community where the school is located ceases to be a district member, the school may continue to be located in that community.

SECTION IV APPORTIONMENT AND PAYMENT OF COSTS

(A) Classification of Costs

For the purpose of apportioning assessments levied by the District against the member communities, costs shall be divided into two categories: capital costs and operating costs.

(B) Capital Costs

Capital costs shall include all expenses in the nature of capital outlay such as the cost of acquiring land, the cost of constructing, reconstructing, or adding to a school building or buildings, the cost of remodeling or making extraordinary repairs to a school building or buildings, the cost of constructing sewerage systems and sewerage treatment and disposal facilities or the cost of the purchase or use of such systems with a municipality, and any other item of capital outlay for which a regional school district may be authorized to borrow, or which could be categorized as a capital expense in conformance with applicable law and regulation, including without limitation the cost of original

equipment and furnishings for such school buildings or additions, plans, architects' and consultants' fees, grading and other costs incidental to placing school buildings and additions, sewerage systems and sewerage treatment and disposal facilities, and any premises related to the foregoing in operating condition. Capital costs shall also include payment of principal of and interest on bonds, notes and other obligations issued by the District to finance capital costs.

(C) Operating Costs

Operating costs shall include all costs not included in capital costs as defined in subsection IV (B), but including interest on temporary notes issued by the District in anticipation of revenue.

(D) Apportionment of Capital Costs

1. The following method will be used for apportioning capital costs incurred prior to July 1, 2016:

After first deducting any other sources of revenue that are appropriately applied against capital costs, capital costs shall be annually apportioned to the towns which were members of the District as of June 30, 2016 for the ensuing fiscal year in the following manner. Each member town's share of capital costs for each fiscal year shall be determined by computing the ratio which the town's pupil enrollment in the regional district school on October 1 of the fiscal year next preceding the fiscal year for which the apportionment is determined bears to the total pupil enrollment from all the member towns on the said date, except that if there is an enrollment of fewer than five pupils from any member town in the regional district school on said date, such member town shall be deemed to have an enrollment of five pupils in the regional district school. For the purpose of this subsection, in computing this apportionment the persons enrolled in courses or programs referred to in subsection IV (F) shall not be included.

2. The following method will be used for apportioning capital costs Incurred on or after July 1, 2016:

After first deducting any other sources of revenue that are appropriately applied against capital costs, capital costs which are incurred on or after July 1, 2016 shall be apportioned to the member communities annually for the ensuing fiscal year in the following manner (for illustration purposes only, examples of these calculations appear in Appendix A.)

a. Fifty percent (50%) of the capital costs will be apportioned to each of the member communities by computing the ratio which that community's pupil enrollment in the regional district school, using a rolling average based on the four (4) most recent annual October 1 enrollment figures, bears to total pupil enrollment in the regional district school from member communities, using a rolling average based on the four (4) most recent annual October 1 enrollment figures, except that if there were an enrollment of fewer than one (1) pupil from any member community in the regional district school on any of the four (4) most recent October 1 dates, such member community will be deemed to have had an enrollment of one (1) pupil in the regional district school on said date.

b. An additional one percent (1%) of these costs will be apportioned to each of the member communities regardless of student enrollment.

c. The balance of these costs will be apportioned by applying DESE's combined effort yield (a measure of a community's ability to pay for education using property values and household incomes) to the percentage of each community's students (as defined by foundation enrollment) that are enrolled at Minuteman. The specific calculation is as follows:

- Each member community's pupil enrollment in the regional district school, using a rolling average based on the four (4) most recent annual October 1 enrollment figures, including the one (1) pupil minimum spoken of in 2,a above, will be identified.
- This average regional enrollment figure for each member community will be compared to that community's most recent October 1 "foundation enrollment" figure (determined by DESE), and the percentage of that community's most recent foundation enrollment figure which is comprised of that town's average regional enrollment figure will be computed.
- This percentage amount will be multiplied by the lesser of the "combined effort yield" or 100% of the "foundation budget" (using the most recent "final" numbers determined by DESE) for that community, resulting in a number to be called "combined effort yield at Minuteman".
- The numbers representing each community's "combined effort yield at Minuteman" will be totaled, and each community's percentage of that total (this percentage to be called "combined effort capital assessment share) will be computed.
- Each community's "combined effort capital assessment share" will be used to calculate the apportionment of the capital costs under this paragraph. (An example of the calculations described in this paragraph is found in the chart headed "Calculation Factor - Ch. 70 Combined Effort Capital Allocation" appearing on page 2 of Appendix A.)

In the event that changes occur at the state level in either the terminology or the calculation formulas that lie behind the terms used in this paragraph, the Committee will use a calculation approach which replicates the apportionment outcomes that would result from this paragraph if the terms of this paragraph were applied as of the effective date of this Regional Agreement.

(E) Apportionment of Operating Costs

The District will utilize the statutory method in the apportionment of operating costs. Pursuant to this method, the District will deduct from operating costs the total of any revenue from Chapter 70 state aid, Chapter 71 Regional Transportation Reimbursement, and any other revenue as determined by the Regional School Committee. The balance of all operating costs, except those described in subsection IV,F below, shall be apportioned to each member community as follows. Each member community's share of operating costs will be the sum of the following: (a) the member's required local contribution to the District as determined by the Commissioner of Elementary and Secondary Education

(hereinafter "the Commissioner"), (b) the member's share of that portion of the District's net school spending, as defined by G.L. chapter 70, section 2, that exceeds the total of the required local contributions for all of the members; and (c) the member's share of costs for transportation and all other expenditures (exclusive of capital costs as defined in subsection IV, (B) above) that are not included in the District's net school spending. A member's share of (b) and (c) above will be calculated by computing the ratio which that member's pupil enrollment in the regional district school, using a rolling average based on the four (4) most recent annual October 1 enrollment figures, bears to the total pupil enrollment in the regional district school from member communities, using a rolling average based on the four (4) most recent annual October 1 enrollment figures.

(F) Special Operating Costs

The Committee shall determine the operating costs for each fiscal year for any courses or programs which are offered by the District to persons other than secondary students attending the regular day regional vocational school. Each member community's share of such special operating costs shall be apportioned by identifying each member community's enrollment and/or participation rate in said courses or programs as compared to the overall enrollment and/or participation rate in said courses or programs. Normally said share shall be paid by the members as a special assessment in the fiscal year following the year of the course or program offering, although exceptions may be made whereby the payment will be made during the fiscal year of the course or program offering.

(G) Times of payment of Apportioned Costs

Each member shall pay to the District in each fiscal year its proportionate share, certified as provided in subsection V(B), of the capital and operating costs. The annual share of each member community shall be paid in such amounts and at such times that at least the following percentages of such annual share shall be paid on or before the dates indicated, respectively:

| | |
|-------------|------|
| September 1 | 25% |
| December 1 | 60% |
| March 1 | 75% |
| May 1 | 100% |

(H) Apportionment of Costs to New Members

1. The share of operating costs which will be paid by a new member community will be determined consistent with subsection IV(E) except that, for purposes of calculating that community's four (4) year rolling average of pupil enrollment, the number of "out of district" students from that community which were enrolled in the regional district school during each of the applicable four (4) years will be regarded as that community's "pupil enrollment" during those years for purposes of this calculation.

2. The Regional School Committee, prior to the admittance of a new member community, will have the option of negotiating a phase in of the amount of capital costs which will be assessed to that new member community during the first three years of

membership in the District. Beginning no later than the fourth year of membership and thereafter, however, the new member community will be assessed the full capital cost apportionment that will result from an application of subsection IV(D).

(I) Incurring of Debt

Other than short-term borrowing for cash-flow purposes, the incurring of debt for purposes expressed in G.L. Chapter 71, section 16(d), will require at least a two-thirds (2/3) vote of all of the members of the Regional School Committee, without regard for the weight of the votes. If such a margin exists, the Committee must seek authorization for incurring debt by following the approach set out in G.L. Chapter 71, section 16, subsection (d). If one or more member communities vote disapproval of the debt, the Committee, by a majority of the weighted vote, may then seek authorization for the debt via Chapter 71, section 16, subsection (n). If and when subsection (n) is utilized, and if the incurring of debt is approved via subsection (n), the following option will be open to a member community if a majority of the registered voters voting on the question from that community voted to disapprove the incurring of debt in the subsection (n) election. Said community may seek to withdraw from the District consistent with the procedure in Section IX, and, if the notice of withdrawal is sent consistent with Section IX within sixty (60) days of the subsection (n) election, that community will not be responsible for a share of the debt service attributable to this new debt even if that community's withdrawal from the District is not approved by a majority of the member communities as required by Section IX, or even if the withdrawal of said community is disapproved by the Commissioner. Communities whose resident voters disapprove the incurring of the debt in the subsection (n) election but which do not give a notice of withdrawal consistent with Section IX will remain members of the District and will share in the debt service for the new debt consistent with the apportionment process in this Section IV.

SECTION V BUDGET

(A) Tentative Operating and Maintenance Budget

The Committee shall annually prepare a tentative operating and maintenance budget for the ensuing fiscal year, attaching thereto provision for any installment of principal or interest to become due in such fiscal year on any bonds or other evidence of indebtedness of the District and any other capital costs to be apportioned to the member communities. The said Committee shall mail a copy to the chairman of the Board of Selectmen and the Finance or Advisory Committee, if any, of each member town at least fifteen days prior to the date on which the final operating and maintenance budget is adopted by the Committee, said copy to be itemized in a fashion consistent with DESE's chart of accounts.

(B) Final Operating and Maintenance Budget

After conducting a public hearing consistent with G.L. Chapter 71, section 38M, the Committee shall adopt an annual operating and maintenance budget for the ensuing fiscal year not later than forty-five days prior to the earliest date on which the business session of the annual town meeting of any member town is to be held, but in no event later than March 31, provided that said budget need not be adopted earlier than February 1. Said adoption of the budget will require a combined total of weighted votes equal to or exceeding 66.7% of the weighted vote of the entire Regional School Committee (i.e.,

not merely two-thirds of the weighted vote of those present at the meeting). Said annual operating and maintenance budget shall include debt and interest charges and any other current capital costs as separate items, and the said Committee shall apportion the amounts necessary to be raised in order to meet the said budget in accordance with the provisions of Section IV. The amounts so apportioned to each member community shall be certified by the district treasurer to the treasurer of such member community within thirty days from the dates on which the annual operating and maintenance budget is adopted by the Committee, and each such community shall, at the next annual town meeting or meeting of the city council, appropriate the amounts so certified. The annual Regional School District budget shall require approval by the local appropriating authorities of at least two-thirds (2/3) of the member communities consistent with G.L. Chapter 71, section 16B.

SECTION VI TRANSPORTATION

School transportation shall be provided by the regional school district and the cost thereof shall be apportioned to the member communities as an operating cost.

SECTION VII AMENDMENTS

(A) Limitation

This Agreement may be amended from time to time in the manner hereinafter provided, but no such amendment shall be made which shall substantially impair the rights of the holders of any bonds or notes or other evidences of indebtedness of the District then outstanding, or the right of the District to procure the means for payment thereof, provided that nothing in the section shall prevent the admission of new communities to the District and the reapportionment accordingly of capital costs of the District represented by bonds or notes of the District then outstanding and of Interest thereon.

(B) Procedure

Any proposal for amendment, except a proposal for amendment providing for the withdrawal of a member community (which shall be acted upon as provided In Section IX), may be initiated by a vote of at least three-fourths (3/4) of all of the members of the Regional School Committee, without regard for the weight of the votes, so long as the proposed amendment was discussed as an agenda item at no less than one prior Committee meeting. Alternatively, a proposal for amendment may be initiated by a petition signed by at least 10 per cent of the registered voters of any one of the member communities. In the latter case, said petition shall contain at the end thereof a certification by the Municipal Clerk of such member community as to the number of registered voters in said community according to the most recent voting list and the number of signatures on the petition which appear to be the names of registered voters of said community and said petition shall be presented to the secretary of the Committee. In either case, the Secretary of the Committee shall mail or deliver a notice in writing to the Board of Selectmen, or City Council, of each of the member communities that a proposal to amend this Agreement has been made and shall enclose a copy of such proposal (without the signatures In the case of a proposal by petition). The Selectmen of each member town shall include in the warrant for the next annual or a special town meeting called for the purpose an article stating the proposal or the substance thereof, and the City Council in each member city shall vote on said proposed

amendment within two months of its submittal by the Committee. Such amendment shall take effect upon its acceptance by all of the member communities, acceptance by each community to be by a majority vote at a town meeting in the case of a town, or by majority vote of the City Council in the case of a city, and after approval by the Commissioner.

(C) Approval by Commissioner

All amendments to this Agreement are subject to the approval of the Commissioner.

SECTION VIII ADMISSION OF NEW COMMUNITIES

By an amendment of this Agreement adopted under and in accordance with Section VII above, any other community or communities may be admitted to the regional school district. The effective date for the admission of each such new member shall be the July 1 following the adoption by the District of such an amendment, the acceptance by all of the existing members, and the approval by the Commissioner. All of the above approvals must be completed by December 31 for the new member to be admitted on the following July 1. Such admission also shall be subject to compliance with such provisions of law as may be applicable and such terms as may be set forth in such amendment.

SECTION IX WITHDRAWAL

(A) Procedure

Consistent with 603 CMR 41.03(2) the withdrawal of a member community can occur only as of July 1 of a given fiscal year. A notice of desire to withdraw must be initiated by a two-thirds (2/3) vote of the legislative body of the member community, which must occur no less than three (3) years prior to the desired July 1 withdrawal date. The Municipal Clerk of the community seeking to withdraw must notify the Regional School Committee in writing within seven (7) days of the vote of the legislative body that the two-thirds (2/3) vote has occurred, and the receipt of the notice of withdrawal will be acknowledged in the minutes at a Regional School Committee meeting. Within seven (7) days of its receipt, the District's Clerk will notify in writing the Municipal Clerks of all of the member communities that a notice of withdrawal has been received. Once this notice of withdrawal is given, it may not be rescinded without the unanimous consent of the members of the Regional School Committee. The withdrawal of a community will be allowed only if it is approved by a majority of the other member communities. A failure of the legislative body of a member community to vote disapproval of a requested withdrawal within sixty (60) days of the notice of withdrawal being submitted to the Regional School Committee will constitute approval. During this three (3) year notice period, the departing member will continue to be responsible for the following:

1. Payment of its share of operating costs apportioned by way of subsection IV(E).
2. Payment of its share of capital costs apportioned by way of subsection IV(D), except that no apportionment for a withdrawing member will be made for a share of debt that was disapproved by the voters of said withdrawing member in a G.L. Chapter 71, subsection 16(n) election and after said disapproval a notice of withdrawal was sent by said member consistent with the terms of subsection IV(I). Similarly, no apportionment for a withdrawing member will be made for a share of any debt incurred after the

member has given a notice of withdrawal.

3. The withdrawing community shall continue to have a right to appoint and be represented by its member on the School Committee with full voting authority until the date of final withdrawal, on which date the withdrawing community member's term shall end.

(B) Continuing Obligations After Withdrawal

A departing member shall have no right or claim to the assets of the District, and a departing member shall continue to be responsible, after withdrawal, for the following:

1. Payment of its share of capital costs incurred prior to withdrawal apportioned by way of subsection IV(D), provided that for purposes of this apportionment the withdrawn community's enrollment shall be deemed to be its enrollment determined pursuant to subsection IV(D) immediately prior to the date of its notice of intent to withdraw, except that:

a. no apportionment for a withdrawing member will be made for a share of debt that was disapproved by the voters of said withdrawing member in a G.L. Chapter 71, subsection 16(n) election and after which disapproval a notice of withdrawal was sent by said member consistent with the terms of subsection IV(I); and,

b. no apportionment for a withdrawing member will be made for a share of debt that was incurred by the District following receipt of the withdrawing member's notice of intent to withdraw, such notice having not been rescinded.

(C) Commissioner's Approval

Consistent with 603 CMR 41.03(2) the withdrawal of any member requires the approval of the Commissioner of Education, and all requisite approvals must be obtained no later than the December 31 preceding the July 1 effective date of withdrawal.

(D) Amendment to Agreement

The withdrawal of a member which occurs consistent with this Section will, upon its completion, constitute an amendment to the Regional Agreement, regardless of the fact that said amendment was not processed via the procedure contained in Article VII.

(E) Initial Procedure for Withdrawal

Consistent with 603 CMR 41.03(2), the communities of Boxborough, Carlisle, Dover, Lincoln, Sudbury, Wayland, and Weston may withdraw from the District effective on the first July 1 after the first December 1 following the Commissioner of Education's approval of the 2016 Amended Regional Agreement, all of the following requirements having been met by each departing member:

(a) On or before March 1, 2016, voted by simple majority of its legislative body to confirm its commitment to withdraw from the District;

(b) On or before March 1, 2016, voted to approve the 2016 Amended Regional

Agreement;

- (c) Approval of the 2016 Amended Regional Agreement by the Commissioner of Education.

A vote by any member to adopt the 2016 Amended Regional Agreement shall also constitute approval of the withdrawal of any or all of the communities of Boxborough, Carlisle, Dover, Lincoln, Sudbury, Wayland, and Weston from the District pursuant to the Initial Procedure for Withdrawal.

The terms of School Committee members representing communities which withdraw under this Initial Procedure for Withdrawal shall end on the withdrawal date of the community which the member represents. No such community shall have any right or claim onto the assets of the District. Such communities shall continue to be responsible for their respective shares of the District's indebtedness as of the withdrawal date, except that no community withdrawing under this Initial Procedure for Withdrawal shall be responsible for District debt incurred after December 10, 2015.

SECTION X TUITION STUDENTS

(A)

The Committee may accept for enrollment in the regional district school pupils from communities other than member communities on a tuition basis. Income received by the District from tuition pupils and not previously deducted from operating costs shall be deducted from the total operating costs in the next annual budget to be prepared after the receipt thereof, prior to apportionment under Section IV to the member communities, provided that income identified as a contribution to capital costs shall be applied to the capital budget.

(B)

Subject to state law, and applicable regulations, effective June 30, 2018, it shall be the policy of the District to admit out-of-district students only based on tuitions and charges equal or greater than the District's similarly-calculated average per pupil cost for in-district communities as determined by the Committee. Exceptions to this policy may only be made by two-thirds weighted vote of the Committee. The provisions of this paragraph (B) shall not apply to incoming school choice students under M.G.L. c. 76, § 12B.

SECTION XI FISCAL YEAR

The fiscal year for the district shall run from July 1 to June 30.

SECTION XII SUBMISSION FOR APPROVAL

This Agreement shall be submitted for approval pursuant to the applicable provisions of Chapter 71 of the General Laws.

APPENDIX C: DRAFT NEW AGREEMENT COST COMPARISON MINUTEMAN REGIONAL VOCATIONAL HIGH SCHOOL

Minuteman New Agreement Estimated Cost Comparison DRAFT - 1/8/2016

| | Minuteman Assessment | Minuteman Non-Member Tuition Student | Assabet Valley (Marlborough) | Nashoba Valley (Westford) |
|---|-------------------------|--|---------------------------------|------------------------------|
| | | | DESE Tuition Rates (FY16) | |
| OPERATING: | | | | |
| Tuition/ Per Pupil Fee | \$ 28,207 | \$ 17,556 | \$ 16,420 | \$ 14,341 |
| Transportation* | (Included) | \$ 18,000 | \$ 19,000 | \$ 19,000 |
| Capital Assessment Fee (Negotiable) | (see below) | \$ 8,121 | \$ - | \$ - |
| Special Ed** | (Included) | ** | \$ - | \$ - |
| Sub-Total | \$ 28,207 | \$ 43,677 | \$ 35,420 | \$ 33,341 |
| Assumed No. of Students | 0-1 | 1 | 1 | 1 |
| CAPITAL: | | | | |
| <i>New Building Project Debt Assessment to Wayland***</i> | \$ 77,472 | \$ - | \$ - | \$ - |
| Total Cost | \$ 105,679 | \$ 43,677 | \$ 35,420 | \$ 33,341 |
| Cost Savings of Withdrawal | \$ - | \$ 62,002 | \$ 70,259 | \$ 72,338 |

| | |
|---|--------------|
| Wayland's 2017 Capital Assessmt (revised agreement) | \$ 77,472 |
| Wayland's Total Obligation of New Debt (assumes current capital assessment for 30 years) | \$ 2,324,160 |
| Per student capital assessment | \$ 14,617 |

| | |
|--|------------|
| Wayland's 2017 Projected Operating Assessment No. of Students in Assessment (4 yr rolling ave.) | \$ 149,497 |
| Per Student Assessment | 5.3 |
| | \$ 28,207 |

Total Cost with 1, 5 and 10 students

1 student (2017) (assumes 4-yr ave. of 5.3 students)

1 student (2020) (assumes 4-yr ave. of 1 student)

5 students (2020) (assumes 4-yr ave. of 5 students)

10 students (2020) (assumes 4-yr ave. of 10 students)

| | | | |
|------------|-----------|-----------|-----------|
| \$ 105,679 | \$ 43,677 | \$ 35,420 | \$ 33,341 |
| \$ 42,824 | \$ 43,677 | \$ 35,420 | \$ 33,341 |

| | | | |
|------------|------------|------------|-----------|
| \$ 214,122 | \$ 146,385 | \$ 101,100 | \$ 90,705 |
|------------|------------|------------|-----------|

| | | | |
|------------|------------|------------|------------|
| \$ 428,244 | \$ 292,770 | \$ 202,200 | \$ 181,410 |
|------------|------------|------------|------------|

| | |
|--|------------|
| FY16 Budget Under Current Agreement | |
| Wayland's 2016 Operating Assessment | \$ 110,045 |
| Actual Number of Students (2014) | 3 |
| Per Student Assessment | \$ 36,682 |

NOTES:

* = Assumes use of a 6 passenger van. Transportation expenses are partially reimbursable. Our experience is that the reimbursement is not predictable or definite. Joint transportation with neighboring towns will be explored.

** = Possible additional cost of \$5000 per student depending on individual students. Appx. 45% of the MM total population receive SPED services.

*** = Assumes that non-member town students will continue attending Minuteman.

**APPENDIX D: FAQ (Frequently Asked Questions),
MINUTEMAN REGIONAL VOCATIONAL HIGH SCHOOL**

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Frequently Asked Questions about Wayland's relationship with Minuteman Regional Vocational High School (Minuteman):

Why are we having a Special Town Meeting on February 11?

All sixteen towns in the Minuteman Regional School District must hold a Special Town Meeting prior to March 1 to approve a new version of the Minuteman Regional Agreement. Those towns, including Wayland, which have indicated they might withdraw also need to obtain Town Meeting's approval to withdraw from the district under the new agreement.

Why can't this wait until our Annual Town Meeting in April?

At our annual Town Meeting, Minuteman will present a request for capital funding for a new school building construction project to all towns in the Minuteman District. In order to present an accurate estimate of the costs of this project for each of the member communities, the composition of the district—who's in and who's out—must be known beforehand. Before May, Minuteman needs to know what we decide at our February 11 Special Town Meeting.

Why doesn't Minuteman wait and request capital funding next year in 2017?

The Massachusetts School Building Authority (MSBA) has set a deadline of June 30, 2016, for approval of funding to construct a new Minuteman School Building by the member towns in the Minuteman School District. If the deadline is met, the MSBA will pay for a significant fraction, variously described as \$45 million to \$58 million or 40% of the total eligible project costs, of the \$144.9 million building. If the deadline is not met, the MSBA will withdraw funding for the project. Minuteman wants to meet the June 30, 2016, deadline to obtain the funds from MSBA to construct the new school building.

What's the urgency on the new school?

The Minuteman School Building is, by all accounts, in need of major updating and refurbishing. Minuteman is in danger of de-accreditation because of the poor condition of the building, which hasn't had any significant improvements since it was originally built in the 1970s. Tackling the maintenance needs, including maintenance deferred in anticipation of a new building, needs to happen soon. Spending the amount of money to address the building's problems will trigger the requirement that the facility be brought up to current code; up till now, many non-compliance issues have been grandfathered. Repairs and upgrades will run in the tens of millions of dollars, and MSBA is not expected to reimburse. Rather than spend money on the existing school, Minuteman would like to build the new school with current facilities and up to current code. If the building project is approved in 2016, the anticipated opening date on the new building is 2020.

So Minuteman needs approval from district member towns for capital funding for a new building by June 30, 2016. Why are they just now proposing this amended regional agreement for our approval?

The existing Minuteman Regional Agreement was adopted in 1970, and last amended in

1980. Amending the Minuteman Regional Agreement requires that each of the sixteen member towns approve the proposed amendment at its Town Meeting. Wayland was one of six member towns not to adopt the most recent proposed set of changes in 2014 and again in 2015. Following this defeat, Minuteman declined any further attempt to modify the Regional Agreement and focused on getting approval for the building project under the current agreement. For various reasons it appears that funding for the new building project would not be successful. In November and December of 2015 selectmen from district towns negotiated the amended regional agreement containing a provision allowing withdrawal for some towns, which is now under consideration.

What are the provisions of the new agreement?

Check it out on the Town's website at: http://www.wayland.ma.us/Pages/WaylandMA_Selectmen/MMAgreementCurrent.pdf. It's the Proposed Amended Minuteman Regional District Agreement. It can also be found at Appendix B of this Warrant.

Could you just summarize the changes from the existing agreement?

- Enrollment will be determined using a four-year rolling average of enrollment, rather than the previous year's enrollment, to calculate operating and capital budget assessments.
- School Committee votes including that approving the operating budget are weighted based upon enrollment from the member town. Capital projects require approval by a unanimous vote of the School Committee members present. In either case, 75% of the School Committee members must be present at the meeting for a binding vote to occur.
- A member community is permitted to withdraw if approved by a majority of representatives on the School Committee.
- Responsibility for the capital budget is determined as follows: 50% will be based on the four-year rolling average enrollment, 1% will be paid by each member town, and the remainder will be covered by the member towns based upon factors outlined by the state.
- Any income identified as a contribution to capital costs will be applied to the capital budget to reduce member town obligations.
- A member town will pay the capital costs for at least one student, even if no student from that town attends Minuteman.
- Each of the member towns will have to approve any borrowing by the District at Town Meeting.
- The School Committee is empowered to negotiate terms for capital assessments with any community wanting to join the District.
- The regional school must be located in a member town, or within five miles of the intersection of Route 2 and Bedford Road in Lincoln. If a community in which the school is located leaves the district, the school may continue to be located in that community.
- Towns sending out-of-district students must pay their share of both operating and capital costs. This restriction may be waived only by a weighted two-thirds vote of the school committee.
- Any town seeking to withdraw and announcing this intention by a vote of its Board of Selectmen will be named explicitly in the proposed regional agreement and must vote at Town Meeting to withdraw during the same town meeting at which voters approve the new regional agreement. This constitutes a one-time guarantee that, if the Department of Elementary and Secondary Education (DESE) approves the proposed agreement, Wayland would be allowed to withdraw from the Minuteman District.

What do these changes mean for Wayland?

Let's start with withdrawal. Wayland has voted three times (2014 ATM, 2015 ATM, and Nov. 2015 STM) on a path to withdrawal under the current agreement. This approach has failed because it requires all 16-member communities to approve our withdrawal and some voted against it. The Wayland Board of Selectmen has voted to request that Wayland withdraw from the Minuteman District under the amended agreement. Town Meeting will decide whether to withdraw or not at the February 11 Special Town Meeting.

Why should Wayland withdraw from the Minuteman District?

Wayland's enrollment at Minuteman has declined over the past few years to only 2 students attending today. The cost of educating a student at Minuteman continues to increase, now costing us about \$28,000 per student per year. By comparison, Wayland costs about \$17,000 per student per year. Any capital costs incurred by building a new school will be in addition to the \$28,000 per student costs. If Wayland is a member of the district when the building costs are incurred and leaves the district later, we are still obliged to continue paying our share of those capital costs until the debt is retired. Other vocational schools in the area have desirable programs, which our students can attend at lower cost. Under the new weighted voting, our vote would be about 3.81% of the total (compared with 6.25% today) — significantly less than towns like Arlington, Lexington, and Belmont that send many more students.

Are any other towns asking to withdraw from Minuteman, as Wayland is?

Yes, 7 of the 16 towns in the Minuteman District will be voting on whether or not to withdraw from Minuteman. The other towns are Boxborough, Carlisle, Dover, Lincoln, Sudbury, and Weston.

Why is the cost of sending a student to Minuteman so high?

Vocational education is generally more expensive than academic education, since it requires more specialized equipment and instructional space. However, the per-pupil cost of educating a student at Minuteman is the highest of all the state vocational schools. In addition, Minuteman admits about 45% of its students from out-of-district. These students currently pay no capital costs, and their tuition is capped by the state at about \$17,000 per year. Minuteman member towns must make up any operating shortfalls for educating these students as part of their annual assessments from Minuteman. In effect, member towns are subsidizing out-of-district students in addition to paying for our own students.

Why should Wayland NOT withdraw from the Minuteman District?

In-district students have the first choice of their preferred programs; out-of-district students are permitted to enroll in whatever programs remain available after in-district students are enrolled. As a district member, Wayland would have a seat on the School Committee to direct Minuteman school policy.

What are the options available to Wayland's vocational students if we choose to withdraw from the Minuteman District?

Wayland's students can attend approved Chapter 74 (vocational education) programs as out-of-district students. These programs are available at Assabet Valley Regional Vocational in Marlborough, Nashoba Valley Regional Vocational in Westford, and South Middlesex Regional Vocational (Keefe Tech) in Framingham. Wayland students could also attend Minuteman as out-of-district students. Wayland's Superintendent of Public Schools and members of a task force have visited each of these schools, and believe they all offer an

excellent vocational education for their students.

If Wayland withdraws from the Minuteman District, what happens to our students who are currently attending Minuteman?

They will be allowed to complete their program at Minuteman.

I've heard that new regulations allow Minuteman to charge a capital fee for out-of-district students. Won't that require students from non-member towns to cover their costs?

Under the new regulations, Minuteman may charge a capital fee now estimated to be \$8,100 per student for out-of-district students attending Minuteman, in addition to their tuition. This is a significant incentive for non-member towns that currently send large numbers of students to Minuteman not to send students to Minuteman but, rather, to accommodate these students at in-district vocational programs or to send them to other less-expensive schools.

Won't the new school be filled with in-district students?

Minuteman member towns currently send 396 in-district students to Minuteman. MSBA projected in 2012 that by 2020 the Minuteman district will send 435 students to Minuteman. However, MSBA also approved a plan for the new school with a capacity of 628 students, stating that they would not support any design for a school of less than 600 students. Filling this school will require continued significant out-of-district enrollment at Minuteman. Minuteman expresses optimism that with an attractive new facility the school will fill from within the district. The concern is that the MSBA projections are correct, and Minuteman's overstated. In that case the school committee may offer discounted rates to out-of-district students to attract sufficient numbers to fill the school, requiring the district towns to cover the shortfalls between the amounts charged and the cost of educating the students.

If we vote on February 11 both to approve the new regional agreement and to withdraw from Minuteman, does that mean we've withdrawn?

The Department of Elementary and Secondary Education (DESE) must also approve the new regional agreement for it to become effective. DESE will not approve it until all the towns currently in the district have adopted it; however, the Department has reviewed the new agreement and given preliminary approval. The earliest possible date for Wayland's withdrawal is July 2017.

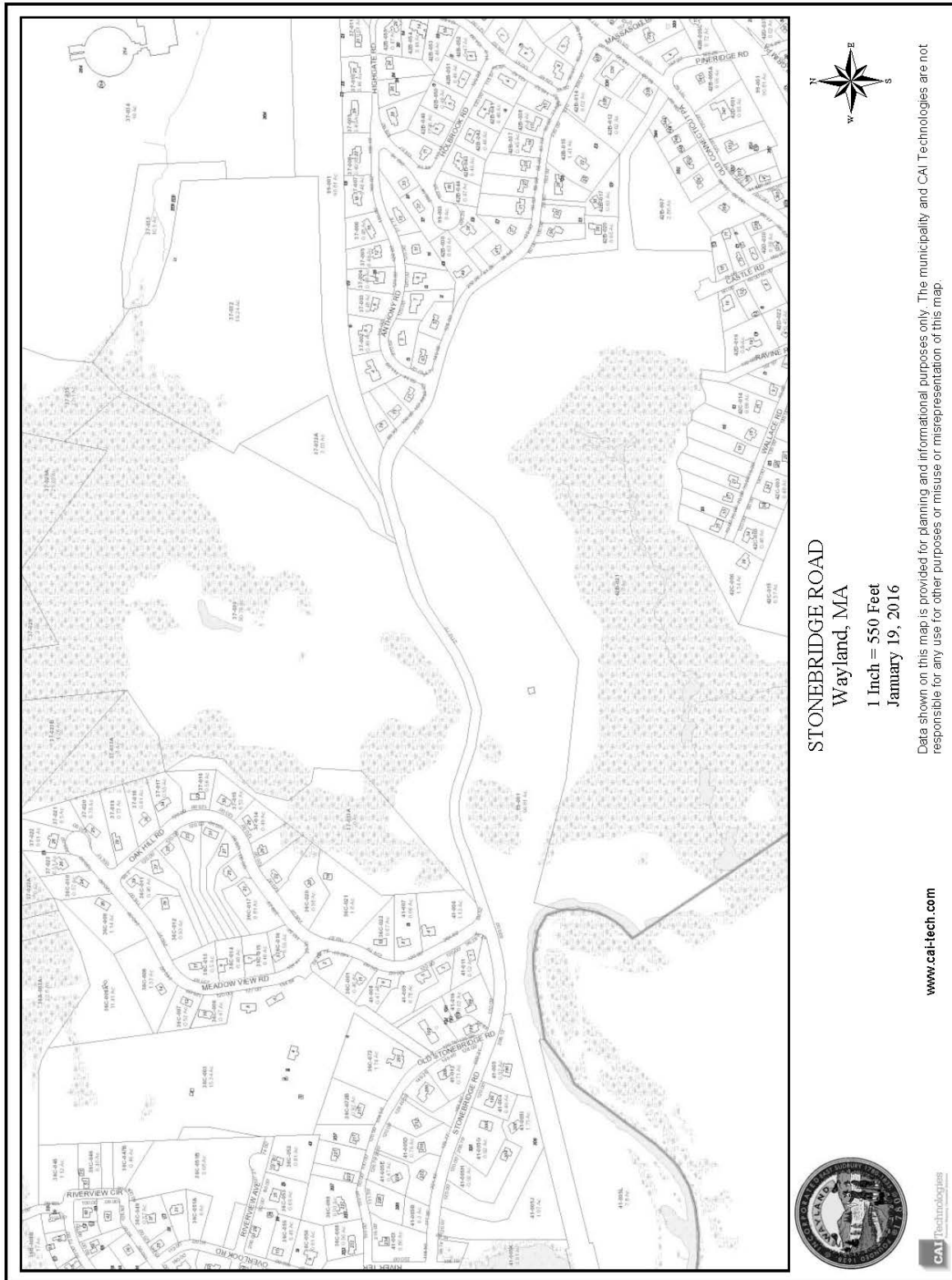
If we vote on February 11 to approve the new regional agreement but do NOT vote to withdraw from Minuteman, what happens?

Assuming that all sixteen towns adopt the new regional agreement, Wayland continues as a member of the Minuteman District under the new regional agreement and votes upon the proposed capital article for the new Minuteman school building at the Annual Town Meeting in April. We will, at that time, know the number and composition of the Minuteman District and be able to calculate our precise capital costs for the building project.

What if not all the towns in the Minuteman District approve the new regional agreement?

If all 16 towns do not approve the new regional agreement, then Minuteman would continue to operate under the existing agreement. To raise funds for the new school Minuteman would attempt to get approval for the building project under the existing (1970) agreement, probably by holding a district-wide election prior to June 30, 2016. Let's hope it doesn't come to that.

APPENDIX E: MAP OF STONEBRIDGE ROAD



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You are required to serve this Warrant by posting copies thereof, attested by you, at the Town Building, at the Public Library in Wayland Center, at the Cochituate Fire Station or the Cochituate Post Office, and at the Happy Hollow School, and by mailing or delivering a copy thereof addressed to each residence in the Town fourteen (14) days, at least, before the time appointed for the Special Town Meeting.

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before January 28, 2016.

Given under our hands and seals this 27th day of January, 2016.

Cherry C. Karlson, Chair
Mary M. Antes, Vice Chair
Lea T. Anderson
Joseph F. Nolan

Selectmen of the Town of Wayland

Nancy Funkhouser, Chair
David V. Watkins, Vice Chair
Thomas J. Abdella
D. Gordon Cliff
Carol B. Martin
William Steinberg
Gil Wolin

Finance Committee