

Packet

May 15, 2023

7:00pm



MICHAEL F. MCCALL
TOWN MANAGER
TEL. (508) 358-3620
www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

SELECT BOARD

ANNE BRENSLEY
THOMAS J. FAY
ADAM G. GUTBEZAHL
CAROL B. MARTIN
WILLIAM D. WHITNEY

SELECT BOARD

Monday, May 15, 2023

7:00pm

HYBRID

**Wayland Town Building, Council on Aging
41 Cochituate Road, Wayland, MA**

Agenda

Note: Items may not be discussed in the order listed or at the specific time estimated. Times are approximate. All topics may be subject to deliberation and vote

One may watch with the meeting link that can be found at <https://www.wayland.ma.us/public-body-meeting-information-virtual-inperson-and-hybrid>.

Pursuant to Chapter 2 of the Acts of 2023, this meeting will be conducted in person and via remote means, in accordance with applicable law. This meeting may be recorded which will be made available to the public on WayCAM as soon after the meeting as is practicable.

When required by law or allowed by the Chair, persons wishing to provide public comment or otherwise participate in the meeting, may do so by in person attendance, or by accessing the meeting remotely, as noted above. We request public comment be limited to two minutes per person.

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|---------|--|
| 7:00 pm | 1. Call to Order, Review Agenda for Public |
| 7:03 pm | 2. Announcements and Public Comment |
| 7:10 pm | 3. Organization of the Board <ol style="list-style-type: none">Discussion and vote to elect Chair and Vice Chair/ClerkBoard Liaison Roles: review and discuss liaison role and assignments for 2022-2023Assign and vote responsibility for reviewing/tracking regular session minutes and executive session minutesGovernance Guidelines: review and update as needed, vote to reissueMeeting Schedule and Remote Participation during summer months |
| 7:40 pm | 4. Annual Town Meeting: follow up on Town Meeting, review next steps for Articles, discuss time tables: <ol style="list-style-type: none">Review LogisticsAnnual Town Meeting 2024 |
| 8:10 pm | 5. Opioid Settlement involving the Commonwealth of Massachusetts: Presentation and discussion of potential uses of opioid settlement funds; attendance by Youth Services Director, Jason Verhoosky. |

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- 8:25 pm 6. Acceptance and Creation of Gift Fund: by request of the Human Rights, Diversity, Equity and Inclusion Committee (HRDEIC) for the purposes of accepting donations for the Wayland Multicultural Festival on Sunday, May 21st.
- 8:35 pm 7. Discussion and possible vote on whether to endorse, and whether to co-sponsor, a Town-SPIRIT program (Site Problem Identification and Resolution of Issues Together) in collaboration with the Wayland Human Rights, Diversity, Equity and Inclusion Committee (HRDEIC) and the Department of Justice Community Relations Service.
- 8:50 pm 8. Town Manager's Report
a) Update on 40B Status of Mill Creek and Cascade
b) St. Ann's Senior Village status
c) 212 Cochituate Road – Final Report
d) Update on Police Chief position
e) Recap from last Meeting
f) Town Manager's Office Hours – update
- 9:10 pm 9. E-Signatures: Discussion and possible adoption of M.G.L. c.110G, regarding the use of electronic signatures by the Select Board pursuant to Amendment 13-7 to the Massachusetts Deed Indexing Standards 2018, effective April 17, 2020.
- 9:25 pm 10. Minutes:
a) Review and approve the minutes of April 24, May 1, and May 2, 2023.
- 9:30 pm 11. Consent Calendar:
a) Review and approve listed items
b) Discuss, consider, and potentially act on items removed from Consent, if any
- 9:35 pm 12. Review Correspondence
- 9:40 pm 13. Select Board Members' reports and concerns
- 9:50 pm 14. Topics not reasonably anticipated by the Chair 48 hours in advance, if any
- 9:55 pm 15. Adjourn

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CONSENT CALENDAR

1. Vote the question of accepting a grant from the Wayland Cultural Council for the Human Rights, Diversity, Equity and Inclusion Committee (HRDEIC) for the Wayland Multicultural Festival in the amount of \$1,000.
2. Vote the question of approving a sandwich board request by the Wayland Children and Parents Association (WCPA) and Wayland Girl Scouts for advertising the 'Cradles to Crayons Donations and Sorting Event' on May 20th at the Loker Elementary School (47 Loker Street) during the dates of May 16th thru May 20th at Fire Station Two in Cochituate, Town Center (corner of Routes 20 & 27), Old Connecticut Path and Cochituate Road (Five Paths), and Route 20/Old Connecticut Path by Coach Grill.
3. Vote the question of approving Town Manager, Michael McCall, as signatory for the amended contract from Ameresco: Energy Services Agreement - Amendment #2.
4. Vote the question of approving a sandwich board request by the Wayland-Weston Rowing Association for advertising their summer rowing programs during the dates of May 17th through June 7th at Fire Station Two in Cochituate, Town Center (corner of Routes 20 & 27), Old Connecticut Path and Cochituate Road (Five Paths), and Route 20/Old Connecticut Path by Coach Grill.

**Board of Selectmen Liaison Assignments for
June 2022 through Annual Town Meeting 2023**

Tom Fay - term expires 2025

Conservation Commission
Council on Aging
Design Review Advisory Board
Economic Development Committee
Planning Board
Historic District Commission
Historical Commission

Adam Gutbezahl - term expires 2024

Cultural Council
Energy and Climate Committee
Human Rights, Diversity, Equity and Inclusion
Committee Permanent Municipal Building Committee
Public Ceremonies Committee
Youth Advisory Committee
Zoning Board of Appeals

Cherry Karlson - term expires 2023

Audit Committee
Board of Assessors
Housing Authority
Housing Partnership
Municipal Affordable Housing Trust
Personnel Board
Trust Fund Commission
Wastewater Management District Commission

Carol Martin - term expires 2024

Board of Public Works
Community Preservation Committee
School Committee
Senior Property Tax Relief Committee
Surface Water Quality Committee

Dave Watkins - term expires 2023

Board of Health
Board of Library Trustees
Cable Advisory Committee
ELVIS Committee
Finance Committee
Recreation Commission



Town of Wayland Governance Guidelines

1.0 Principles of Organization for Elected Boards and Appointed Bodies

1.1 Annual Organization Meeting

Boards and other appointed public bodies must organize annually after the Annual Town Meeting and no later than July 15th. Public bodies will elect a Chair and any other necessary officers such as a Vice-Chair or Co-Chair, Clerk and Assistant Clerk with attention given to rotating leadership positions. Elected boards must follow statutory requirements for reorganization.

1.2 Assignment

Each public body will be assigned to a department of the Town which will provide a secure location to maintain minutes and records.

1.3 Role of Members

A member of any public body will:

1. Respect the role of the Chair in setting agendas and facilitating meetings.
2. Respect decisions of the public body and recognize that members take action as part of a public body and may not conduct Town business independently of the public body except as authorized by a vote of the public body.
3. Recognize that action at an official legal meeting is binding and that an individual member cannot bind the public body outside of such meeting.
4. Not make statements or promises about how he / she will vote on matters that come before the public body until he / she has had an opportunity to hear the pros and cons of the issue during the body's public meeting.
5. Uphold the intent of Executive Sessions and respect the privileged communication that exists in Executive Session, holding it in confidence.
6. Assume a high level of integrity, striving toward fact - based and objective public statements and deliberations. Make decisions only after all facts on a question have been presented and discussed.
7. Work with Town staff at the direction of the public body only so that Town staff are not subject to conflicting direction from individual public body members.
8. If appointed by a majority of the public body, serve as a liaison to other public bodies.
9. Expect that requests of information from the Town Administrator and other Town staff will be responded to during posted office hours.
10. Treat the public, applicants before the public body, Town employees and other members with respect and courtesy. The members and Chair of a public body should take time to listen to individuals speaking to the body. The Chair should make sure members of the

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public who are present also accord those speaking with respect and an opportunity to be heard uninterrupted.

11. Acknowledge and respond to inquiries as soon as practical. A good estimate is 1-2 business days.

1.4 Role of Chair and Vice Chair

The Chair will set meeting agendas, convene all meetings, and execute documents as authorized by the public body. The Chair will act only under authority provided by a quorum of the public body.

The Chair will serve as the public body's primary contact with the Town Administrator and other Town staff, with the exception of Town staff assigned as a liaison to the public body. All members of the public body may contact the liaison for requests for information on matters within the jurisdiction of the public body

The Chair will act on behalf of the board on routine matters between meetings (such as setting appointments and scheduling). As a general rule, the Chair should solicit the opinions of all members prior to stating his or her personal opinion on any agenda item before the public body.

The Chair will be responsible for ensuring the proper preparation and disposition of all minutes under the Open Meeting Law. The Vice Chair will fulfill the duties of the Chair in his or her absence.

The Chair will respond to inquiries directed to the Board or Public body so as to ensure a timely response and provide a response that is consistent with the public discussion.

1.5 Role of Clerk

Although Town staff may record minutes for some public bodies, the public body is encouraged to elect a Clerk or individual member who takes responsibility for ensuring minutes are recorded, created and submitted for approval and filed along with supporting documents as a permanent record in the office of the assigned Town department. If voted minutes are substantially different from draft minutes, draft minutes must be retained as well. Boards and committees should consult with the Town Administrator if they have questions about minutes.

1.6 Social Media

As recommended by the Massachusetts Attorney General's Office, members of public bodies must be careful not to engage in deliberation with the other members of the public body through social media as it may violate the Open Meeting Law. Members should proceed with caution when communicating via social media platforms. See below the segment from the January 2021 edition of Division of Open Government's Newsletter related to this issue.

<https://us15.campaign-archive.com/?u=cb4a8f8dde889f526f9b8ca4e&id=ff02b05960>

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2.0 Board and Public Bodies Governance Policy

2.1 Authority and Purpose of These Guidelines

The purpose of these Guidelines is to promote among the Town's public bodies decision-making that is open, thoughtful, fact-based, respectful and fair, in compliance with Town bylaws and with all state and federal laws.

Responsibilities under Charge and Local and State Law

Each public body will conduct its business under a Town by-law, state statute or, for appointed public bodies, under a charge adopted by the Board of Selectmen.

2.2 Annual Reports

Under Chapter 53 of the Town Code, all boards, commissions, committees, officers and agents of the Town shall submit a report to the Selectmen, not later than September 30 after the end of each fiscal year for publication each December in the Annual Town Report. The Selectmen shall notify all officers and agents of the Town and the Chairs of all boards, commissions and committees of the final date for submitting such reports for publication. This notice shall be given by letter mailed or emailed in May of each year. If an appointed board, commission or committee of the Town, other than those created under the General Laws of the Commonwealth, does not submit its written report on or before such final date for publication in the Annual Town Report, it shall be dissolved, except in such instances where the creating vote specifically provides that it is to report at longer given intervals, or unless the Town at the next annual Town meeting, by vote naming the board, commission or committee, continues it in existence.

2.3 Rules of Procedure and Voting

Public bodies must establish a quorum before any meeting is called to order, and must maintain a quorum during the meeting. Each public body may establish rules of procedure and voting consistent with local, state and federal law. The rules of procedure should include when public comment may be allowed by the Chair.

2.4 Advisory Committees

The Board of Selectmen may appoint advisory committees for a specific purpose under a temporary charge.

2.5 Training

Public bodies must take any training required by law. The Board of Selectmen may require additional training so members can effectively fulfill their duties. Training may be provided at

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Town Building, over the internet, or may require out of Town travel or require multiple sessions. Whenever training is required by the Town so that a volunteer can serve on a public body, the Town will pay for the costs of tuition and travel. All such costs must be approved in advance by a Department Head before the costs are incurred.

2.6 Changes of Member Status

Members will be sworn in by the Town Clerk or Assistant Town Clerk after appointment or election and submit a letter of resignation to the Office of the Town Clerk when no longer willing or able to serve.

New members of public bodies cannot vote until sworn in by the Town Clerk or Assistant Town Clerk.

If a member wishes to resign before the end of a term he or she must submit to the Office of the Town Clerk a signed letter of resignation. The resignation is effective upon receipt by the Office of the Town Clerk unless a different date is specified. Upon expiration of a term, appointed members will continue to hold office until a successor is appointed. Filling of mid-term vacancies for elected officials will be done according to state law.

2.7 Open Meeting Law

Requirement to comply with the Open Meeting Law: Public bodies must comply with all parts of the Open Meeting Law. Public bodies subject to the Open Meeting Law include any sub-committee of two or more members assigned by a public body to conduct business. Please refer to the MA Attorney General's Open Meeting Law Guide which is available on the Town website and through the Wayland Town Clerk and includes the following information important for members to know:

1. Definition of a public body
2. Definition of a meeting / 5 exceptions to the definition
3. Definition of a meeting quorum
4. Requirements for posting meetings
5. Ten legal purposes for executive sessions
6. Requirements to allow remote participation
7. Required public participation.
8. Required records for open and executive sessions
9. Open Meeting Law complaint process
10. Determinations by the Attorney General that the public body was found in violation of the Open Meeting Law over the past five years.

The Town Administrator is available to provide or obtain assistance on Open Meeting Law questions. You may also contact the Division of Open Government at (617) 963- 2540 or e-mail openmeeting@state.ma.us.

These policies are superseded when in conflict with any federal or state law or Town By-Law. Please contact the Town Administrator whenever there is any uncertainty about appropriate procedure.

Please see the attached Public Bodies' Checklist for requirements for posting meetings.

Please see the attached allowable reasons for conducting an Executive Session. You are encouraged to call the Town Administrator before posting an Executive Session to review the requirements who will refer questions to Town Counsel if required.

2.7.1 Meeting Notices

All public bodies must comply with the Open Meeting Law, including but not limited to filing meeting agendas with the Town Clerk at least 48 hours in advance of the meeting. Saturdays, Sundays and legal holidays are excluded in the calculation of the 48 hours. The agenda may be filed with the Town Clerk in person or e-mailed to the Town Clerk at Townclerk@wayland.ma.us. Agendas must be received by the Town Clerk at least 30 minutes before the end of business in order to be posted the same day. Agendas received after the close of business will not be posted until the next day. Please contact the Town Clerk's office if you have a late filing.

The agenda must include a list of topics that is sufficiently specific to reasonably inform the public of the items to be discussed at the meeting. The agenda must also include any Executive Sessions planned, citing one of the 10 legal purposes for calling an executive session. Depending upon specific circumstances and the legal purpose of the Executive Session, the Executive Session notice must include specificity with regard, for example, the name of a matter of litigation, the name of a collective bargaining unit, or identification of parcels of land. Whenever in doubt, the Chairs of public bodies are encouraged to consult with the Town Administrator, who will refer questions to Town Counsel if necessary, for appropriate language for meeting notices for Executive Sessions.

2.7.2 Revised Agendas

If an agenda item is received by the Chair within 48 hours of a posted meeting, and the agenda item could not be reasonably anticipated by the Chair more than 48 hours before the meeting, the Chair may revise the posted agenda to include the new agenda item. It is preferred that agendas are revised only when the agenda item arises because of an emergency, which is defined as a sudden and generally unexpected occurrence or set of circumstances, demanding immediate action. All other matters should be heard at a later meeting of the public body. If you are filing a revised agenda it must be marked "REVISED" with the date and time of the original agenda noted and any changes or additions should be highlighted. Chairs of public bodies are encouraged to consult with the Town Administrator or the Town Clerk to ensure that revised agendas comply with Open Meeting Law.

2.7.3 Requirement for Meeting Minutes

The Open Meeting Law requires public bodies to create and approve minutes in a timely manner (defined as three meetings or 30 days, whichever is longer). The Public Records Law requires that existing minutes be made available to the public within 10 days upon request,

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whether these minutes have been approved or are in draft form. Materials or other exhibits used by the public body in an open meeting must also be made available to the public within 10 days of request. Minutes of all staffed public bodies will be posted to the website by departmental staff. Minutes of all other public bodies will be emailed to townclerk@wayland.ma.us to be posted on the Town website and kept on file in the Town Clerk's office.

2.7.4 Contents of Minutes

Minutes must include the name of the public body, the date, time, and place of the meeting, the names of members present and absent, the names of staff present, and the substance of all discussion including all subjects acted upon or heard. Minutes must include a full and complete record of all motions proposed for vote and will include the exact vote, the names of the mover and the seconder for each motion, and the names of those voting against each motion. Although a verbatim record of meetings is not required, the Open Meeting Law requires that the minutes include a summary of the discussion of each subject containing enough detail and accuracy that a member of the public who did not attend the meeting could read the minutes and have a clear understanding of what occurred. A list of all documents used by the public body must be included in the minutes.

Please see Public Body Checklist on Minutes for more detailed requirements for meeting minutes.

2.7.5 Draft Minutes

Once created, draft regular meeting minutes are a public record available to the public, even if the minutes have not been presented at a meeting.

2.7.6 Executive Session Minutes

Minutes must be created for all Executive Sessions. Executive Session Minutes must not be released to the public until the reason for calling an Executive Session has ended, after which Executive Session Minutes must be reviewed and voted for approval and release by the public body. The Chair is responsible for regularly reviewing minutes for potential release.

2.7.7 Recording of Meetings

Any member of the public has the right to make an audio or video recording of an open session of a public meeting, but must notify the Chair before recording. The Chair must inform attendees of any such recording at the beginning of the meeting including that the meeting will be broadcast on the Way-Cam government access channel. The Chair may impose reasonable requirements regarding audio or video equipment so recording does not interfere with the meeting.

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2.7.8 Public Participation

Under the Open Meeting Law, the public is permitted to attend open meetings of public bodies. The public is excluded from an executive session that is called for a valid legal purpose cited in the agenda. The amount of time a member of the public will be allowed to speak to a public body will be determined at the discretion of the Chair. While the public is permitted to attend an open meeting, an individual may not address the public body without permission of the Chair. An individual is not permitted to disrupt a meeting of a public body, and at the request of the Chair, all members of the public will be silent. If after clear warning, a person is disruptive, the Chair may order the person to leave the meeting, and if the person does not leave, the Chair may authorize a police officer to remove the person.

2.7.9 Remote Participation at Meetings

The Town of Wayland permits remote participation. Members of Town boards and committees may participate and vote by teleconference, audio-conference or other means that allows all persons present, including the audience and the member participating remotely, to hear the proceedings. Under state regulation, remote participation is allowed if physical attendance by a member of a public body is unreasonably difficult. All votes taken at such meetings where a member participates remotely must be taken by roll call vote and a quorum of members must otherwise be present, not including the remote participant. No remote participant may chair a meeting.

2.7.10 Open Meeting Law Complaint Process

Individuals who allege a violation of the Open Meeting Law must first file a complaint with the public body alleged to have violated the OML within 30 days of the date of the violation or the date the complainant could have reasonably known of the violation. The full complaint process, including the required response of the public body to the complainant within 14 days of receipt of the complaint is included in the Attorney General's Open Meeting Law Guide. Please provide a copy of all Open Meeting Law complaints to the Town Administrator's Office.

Within 14 business days of the date on which the complaint was filed, the public body must review the complaint and send to the Attorney General's Office (AGO) a copy of the complaint along with a description of any action taken to resolve the issue that was raised by the complaint. Within seven business days of the date that the complaint was filed, the public body may request additional information from the person making the complaint if necessary to resolve the complaint. The person making the complaint shall provide the additional information to the public body within 10 business days, and the public body shall have 10 additional business days (total 24 business days from the date complaint was originally filed) to act on the complaint and notify the AGO.

The public body may request additional time to consider taking remedial action and must make that request in writing to the AGO, to the Attention of the Director of the Division of Open

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Government. The AGO may, at its discretion, grant additional time to the public body if it determines there is a showing of good cause to grant the extension.

2.8 Use of E-Mail to Conduct Business

2.8.1 E-Mail and Public Records Law:

E-mail communication created or received by a member of a public body while acting in his or her capacity as a member of the public body, is considered a public record and is subject to a public records request under the Public Records Law even if the e-mail is received by or created on a private computer or sent to only one individual. The Town will assign e-mail addresses to all members of appointed and elected boards and committees which should be used for all town business to avoid violations of the Public Records Law.

2.8.2 E-Mail and Open Meeting Law

Whenever one member of a public body uses email or digital communication broadly defined to include all documentary materials or data created or received, regardless of physical form or characteristics, to discuss the public body's business (except for administrative matters such as scheduling and the transmission of documents) with a quorum of the members, it constitutes "deliberation" and is in direct violation of the Open Meeting Law. E-mail communication between less than a quorum of a public body is also in violation of the Open Meeting Law if the e-mail between less than a quorum of members is later forwarded to or discussed with additional members outside of a public meeting, thus unintentionally creating a quorum.

2.8.3 Board of Selectmen Guideline on E-Mail

To avoid violations of the Open Meeting Law and the Public Records Law, it is recommended that e-mail between members of the Town's public bodies be restricted to only the scheduling of meetings and distribution of agendas, documents and reports. This is not a prohibition against email communication. However, e-mails between members of public bodies should never contain any statement that is an opinion of any member.

2.9 Code of Ethics

All members of public bodies are sworn in by the Town Clerk to uphold all state and local laws applicable to the public body's jurisdiction. Members must comply with the state ethics law (MGL Chapter 268A) regarding the conduct of public officials. Members must complete required ethics training and on-line tests. A member is required under the law to not vote on any matter in which the member or an immediate family member has a financial interest. Members are recommended to recuse themselves if there is an "appearance" of a conflict of interest. Members of public bodies should consult with the Town Administrator if they have any question about conflict of interest. The Town Administrator, who may direct them to Town Counsel or other appropriate State authority,

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2.9.1 Absences

The absence without appropriate explanation of any member of an appointed body from a majority of meetings held over a one year period or from three consecutive meetings may serve to vacate the office. The decision to recommend that the office be vacated will be made by a majority vote of other members of the public body and then transmitted to the Board of Selectmen.

2.9.2 Members are Bound by Applicable Personnel Policies and Law

Members of public bodies, when acting in their official capacity, are subject to any applicable state law and Town policies including those prohibiting sexual harassment, discrimination and workplace violence. Any allegation of misconduct made by the public, Town staff or a fellow member will be reported immediately to the Town Administrator.

2.9.3 Litigation against Town by a Member of an Appointed Public Body

A member of any appointed public body may be temporarily suspended by the Board of Selectmen during a lawsuit filed by the member against the Town in a court of competent jurisdiction in the state of MA.

2.9.4 Removal under this Section

The Board of Selectmen, under such procedures it may adopt, may remove a member from an appointed public body for violations of this section.

2.10 Town Meeting and Public Bodies

Upon a majority vote, public bodies may sponsor and submit to the Board of Selectmen articles for the Board's consideration for inclusion in Annual and Special Town Meeting warrants. Articles submitted by committees that are advisory to the Selectmen shall be submitted and sponsored by the Board of Selectmen.

2.11 Policy on Legal Services

All requests for legal opinions will be made through the Town Administrator under the Board's policy on legal affairs of the Town.

SUPPLEMENTAL DOCUMENTS REFERENCED ABOVE:

- 1) Checklists for Public Bodies
- 2) MGL 30 A, Section 21 (a): 10 Allowable purposes for entering executive session. Other policies relevant to the work of public bodies are posted on the Board of Selectmen's website.

These policies are superseded when in conflict with any federal or state law or Town By-Law. Please contact the Town Administrator whenever there is any uncertainty about appropriate procedure.

Public Body Checklist for Posting a Meeting Notice

Issued by the Attorney General's Division of Open Government – September 25, 2017

Notice Contents

- The notice contains the date, time, and location of the meeting. G.L. c. 30A, § 20(b).
- If the meeting is a joint meeting of several public bodies, the names of all bodies meeting are listed at the top of the notice.
- The notice contains all of the topics that the chair reasonably anticipates will be discussed at the meeting. The topics are sufficiently specific to reasonably advise the public of the issues to be discussed at the meeting, including executive session topics. G.L. c. 30A § 20(b); 940 CMR 29.03(1)(b).
- The notice is printed in a legible, easily understandable format. G.L. c. 30A, § 20(b).
- The date and time that the notice is posted is conspicuously recorded on or with the notice. 940 CMR 29.03(1)(d). If the notice is amended within 48 hours of a meeting, not including Saturdays, Sundays, and legal holidays, then the date and time that the meeting notice is amended must also be conspicuously recorded on or with the notice. 940 CMR 29.03(1)(d).

Notice Publication

- The notice is published at least 48 hours before the meeting, not including Saturdays, Sundays and legal holidays. G.L. c. 30A, § 20(b).
- The notice is posted with the proper authority:
 - Local public bodies – Filed with the municipal clerk, who must post it in a location conspicuously visible to the public at all hours in or on the municipal building where the clerk's office is located, or to the municipal website if adopted by the municipality as the official method of posting notices. G.L. c. 30A, § 20(c); 940 CMR 29.03.
 - State public bodies – Posted to a website, and a copy sent to the Secretary of State's Regulations Division. G.L. c. 30A, §20(c).
 - Regional public bodies – Posted in every municipality within the region, unless the public body has adopted an alternative notice posting method. G.L. c. 30A, § 20(c); 940 CMR 29.03.
 - County public bodies – Filed with the office of the county commissioners and a copy of the notice is publicly posted in a manner conspicuously visible to the public at all hours in such place or places as the county commissioners shall designate for the purpose, unless the county has adopted its website as the official method for posting notices. G.L. c. 30A, § 20(c); 940 CMR 29.03.

Note that this checklist is intended as an educational guide, and does not constitute proof of compliance with the Open Meeting Law. These checklists are updated periodically, so please check that you are using the most current version. For questions, please contact the Attorney General's Division of Open Government at 617-963-2540 or via email at openmeeting@state.ma.us. For more information on the Open Meeting Law, please visit www.mass.gov/ago/openmeeting.

Public Body Checklist for Creating and Approving Meeting Minutes

Issued by the Attorney General's Division of Open Government – September 25, 2017

- Minutes must accurately set forth the date, time, place of the meeting, and a list of the members present or absent. G.L. c. 30A, § 22(a).
- Minutes must include an accurate summary of the discussion of each subject. See G.L. c. 30A, § 22(a). The summary does not need to be a transcript, but should provide enough detail so that a member of the public who did not attend the meeting could read the minutes and understand what occurred and how the public body arrived at its decisions.
- The minutes must include a record of all the decisions made and the actions taken at each meeting, including a record of all votes. G.L. c. 30A, § 22(a).
- The minutes must include a list of all of the documents and other exhibits used by the public body during the meeting. G.L. c. 30A, § 22(a). Documents and exhibits used at the meeting are part of the official record of the session, but do not need to be physically attached to the minutes. See G.L. c. 30A, §§ 22(d), (e).
- If one or more public body members participated remotely in the meeting, the minutes must include the name(s) of the individual(s) participating remotely. 940 CMR 29.10(7)(b).
- If one or more public body members participated remotely in the meeting, the minutes must record all votes as roll call votes. 940 CMR 29.10(7)(c).
- Executive session minutes must record all votes as roll call votes. G.L. c. 30A, § 22(b).
- The minutes must be approved in a timely manner. G.L. c. 30A, § 22(c). A “timely manner” will generally be considered to be within the next **three** public body meetings or within **30 days**, whichever is later, unless the public body can show good cause for further delay. 940 CMR 29.11(2).

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Public Body Checklist for Entering Into Executive Session

Issued by the Attorney General's Division of Open Government – March 12, 2013

- Executive session listed as a topic for discussion on meeting notice, including as much detail about the purpose for the executive session as possible without compromising the purpose for which it is called. See G.L. c. 30A, § 20(b); 940 CMR 29.03(1)(b).
- Public body convened in open session first. G.L. c. 30A, § 21(b)(1).
- Chair publicly announced the purpose for executive session, citing one or more of the 10 purposes found at G.L. c. 30A, § 21(a).
- Chair stated all subjects that may be revealed without compromising the purpose for which the executive session was called. G.L. c. 30A, § 21(b)(3). For example, the Chair identified the party a public body may be negotiating with or the litigation matter the public body will be discussing.
- Chair stated whether the public body will adjourn from the executive session, or will reconvene in open session after the executive session. G.L. c. 30A, § 21(b)(4).
- For Executive Session Purposes 3, 6, and 8:
 - Chair publicly stated the having the discussion in open session would have a detrimental effect on the public body's negotiating position, bargaining position, litigating position, or ability to obtain qualified applicants. G.L. c. 30A, §§ 21(a)(3), (6), (8).
- A majority of members of the body voted by roll-call to enter into executive session. G.L. c. 30A, § 21(b)(2).

Note that this checklist is intended as an educational guide, and does not constitute proof of compliance with the Open Meeting Law. Checklists are updated periodically, so please confirm that you are using the most current version. For questions, please contact the Attorney General's Division of Open Government at 617-963-2540 or via email at openmeeting@state.ma.us. For more information on the Open Meeting Law, please visit www.mass.gov/ago/openmeeting.

MGL 30 A, Section 21 (a)

Section 21. (a) A public body may meet in executive session only for the following purposes:

(1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights:

- i. to be present at such executive session during deliberations which involve that individual;
- ii. to have counsel or a representative of his own choosing present and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session;
- iii. to speak on his own behalf; and
- iv. to cause an independent record to be created of said executive session by audio-recording or transcription, at the individual's expense.

The rights of an individual set forth in this paragraph are in addition to the rights that he may have from any other source, including, but not limited to, rights under any laws or collective bargaining agreements and the exercise or non-exercise of the individual rights under this section shall not be construed as a waiver of any rights of the individual.

2. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;
3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;
4. To discuss the deployment of security personnel or devices, or strategies with respect thereto;
5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints;
6. To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;
7. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements;
8. To consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening;
9. To meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that:
 - (i) any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and
 - (ii) no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session; or
10. to discuss trade secrets or confidential, competitively-sensitive or other proprietary information provided in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to section 1F of chapter 164, in the course of activities conducted as a municipal aggregator under section 134 of said chapter 164 or in the course of activities conducted by a cooperative consisting of governmental entities organized pursuant to section 136 of said chapter 164, when such governmental body, municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy.

TOWN OF WAYLAND

WARRANT



2023 ANNUAL TOWN MEETING

Monday, May 1, 2023

6:45 P.M.

PLEASE NOTE:

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

WAYLAND HIGH SCHOOL FIELD HOUSE

DOORS OPEN AT 4:45pm

ANNUAL TOWN ELECTION

April 25, 2023

Precincts 1 and 4

Town Building Gymnasium

Precincts 2 and 3

Wayland Middle School Gymnasium

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

www.wayland.ma.us

NOTICE

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

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

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

Name: John Bugbee
Title: Assistant Town Manager
Office Address: 41 Cochituate Road, Wayland MA 01778
Phone Number: (508) 358-6821
Fax Number: (508) 358-3627
TDD: 711
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 Town Meeting ADA Compliance Coordinator. Notification prior to Annual Town Meeting would be helpful.

Be Prepared

If you plan on attending Town Meeting, please be aware of the following:

1. Parking at the High School will be limited to the 475 marked parking and 15 marked handicapped spaces. There will be **NO** parking allowed on any roadway or grass within school grounds. There will be people on site to assist residents and to help ensure that we utilize each and every space. Carpooling is strongly encouraged.
2. Once the High School parking lots are full, drivers will be directed to offsite parking at Wayland Middle School and other sites, as needed. Buses will transport residents from satellite parking lots to Town Meeting.
3. The doors will open at 4:45pm on Monday and 4:45pm on Tuesday to allow adequate time to check in and receive an electronic voting handset.
4. For everyone's safety, the maximum capacity of the Field House will be monitored and strictly enforced. Non-voters will be asked to go to the Auditorium to provide space for as many voters in the Field House as allowed. If we reach capacity in the Field House, the Auditorium will be opened for voting residents. Residents who arrive after the Field House is full will be directed to the check-in station outside the Auditorium to receive their handsets. The Auditorium will have full two-way audio and visual communications with the proceedings in the Field House. The Moderator has assigned an Assistant Moderator to manage the process in the Auditorium for the duration of each session.
5. Seating in the Field House will be opened in sections, as needed. Public safety officials will open the rows from the front to the back as each section fills up. Please move in to fill each and every available seat. The bleachers will be available at any time.
6. It is important to note that the handsets issued in the Field House will **ONLY** work in the Field House and the handsets issued in the Auditorium will **ONLY** work in the Auditorium. Your vote matters, so please remain in the proper area.
7. If you arrive after Town Meeting has started, please be respectful and keep the noise from conversation to a minimum. Once you have received your handset, please move in to the arena and find a seat. For everyone's safety, congregating at the entrance and exits will not be allowed.
8. It is very important that you plan to arrive and check in as early as possible. **We recommend that you allow at least 30 minutes to park, be shuttled if needed, and to be checked in and receive your electronic voting remote.** Please note that Town Meeting will not be delayed for residents who arrive late and may be waiting in line when an article important to them comes up for a vote. The welcome teams will do everything reasonably possible to get people in to Town Meeting as swiftly as possible.
9. Fire and Police staff will be on duty each session of Town Meeting. If you have any issues, please seek out one of them for assistance.
10. Questions, concerns, complaints, or requests for information regarding handicap accessibility may be forwarded to Wayland's designated Town Meeting ADA Compliance Coordinator, John Bugbee at (508) 358-6821, fax (508) 358-3627, or jbugbee@wayland.ma.us.

If you have specific questions on the logistics or attendance on May 1, 2 and 3 (if necessary), please email the Fire Chief, Neil McPherson, nmcpherson@wayland.ma.us.

**TOWN OF WAYLAND
2023 ANNUAL TOWN MEETING WARRANT
With Report of the Finance Committee**

TABLE OF CONTENTS

ABOUT TOWN MEETING.....5
HOW TO VOTE ELECTRONICALLY.....6
COMMONWEALTH OF MASSACHUSETTS.....24
ANNUAL TOWN MEETING ARTICLES.....24

Article 1. Recognize Citizens and Employees for Particular Service to the Town 24
*Article 2. Pay Previous Fiscal Years Unpaid Bills..... 25
*Article 3. Current Year Transfers..... 26
*Article 4. OPEB Funding 28
*Article 5. Enterprise Fund Budgets 29
*Article 6. Fiscal Year 2024 Revolving Fund Expenditure Limits..... 31
*Article 7. Update Personnel Bylaws and Wage & Classification Plan and Fund Union Agreements 32
Article 8. Update the Town’s Personnel Handbook, Policies and Procedures and Town Code Chapter 43
Personnel..... 32
*Article 9. Payment of River’s Edge Asbestos Expense..... 36
*Article 10. Surface Water Quality Budget 37
Article 11. Special Education Reserve Fund..... 37
Article 12. MWRA Admission Application – Approval to Proceed..... 39
Article 13. Fiscal Year 2024 Omnibus Budget 42
*Article 14. Capital Stabilization Fund Appropriation 53
*Article 15. CPA - Set Asides and Transfers..... 59
Article 16. CPA - Open Space: Implementing Land Management Plan at Heard Farm 61
Article 17. CPA - Historic Preservation: Conservation of Gravestones in Town Cemeteries 62
Article 18. CPA - Historic Preservation: Library Archival Document Conservation and Digitization 63
Article 19. Reaffirm Remote Participation at Town Meeting 64
Article 20. Revise Town Code on Finance Committee Appointment..... 66
Article 21. Finance Committee Appointing Board 69
Article 22. CPA – Recreation: Rehabilitation and Improvement of Cochituate Ball Field Outdoor Court 72
Article 23. CPA – Recreation: Town Beach Entryway and Perimeter Fencing..... 72
*Article 24. Accept Knollwood Road Easement..... 73
*Article 25. Rescind Unissued Debt 74
*Article 26. Choose Town Officers 75

*Article 27. Hear Reports.....77
 *Article 28. Sell or Trade Vehicles and Equipment.....77

APPENDICIES.....79

APPENDIX A: The Moderator’s Rules and Regulations Governing Wayland’s Town Meetings.....79
 APPENDIX B: List of Town Positions (FTEs) and Wage & Classification Plan88
 APPENDIX C: Article 24 Knollwood Road Easement101
 APPENDIX D: Article 27 Hear Reports.....102

** Asterisk indicates articles proposed for Abbreviated Presentation Procedure*

ABOUT TOWN MEETING

ADJOURNED MEETINGS

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

- May 2 – Tuesday 6:45 p.m.
- May 3 – Wednesday 6:45 p.m.

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

If you have any questions about the Articles, please attend **the Warrant Hearing on Monday, April 24, 2023 at 7:15 P.M.** at the Town Building. You may also call the Town Manager’s office at (508) 358-3622 before Town Meeting

NOTICE REGARDING MOTIONS

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

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

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

TOWN MEETING PROCEDURES

Town Meeting functions best when all voters are familiar with its rules of procedure. A summary of those rules appears in the document, “The Moderator’s Rules and Regulations Governing Wayland’s Town Meetings” prepared by the Moderator and included as part of this warrant booklet. See Appendix A. Copies of the pamphlet, “The Moderator’s Handbook for Wayland Town Meetings,” are available at the Select Board’s Office in the Wayland Town Building, or online at <https://www.wayland.ma.us/town-meeting/pages/annual-town-meeting-2023-1>.

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

**Annual Town Meeting, Wayland High School,
Monday May 1 at 6:45 pm**

During the May 2022 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 2027. 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 while the "voting light" is illuminated. To vote *No*, push your handset's 2 button while the "voting light" is illuminated. If you accidentally push the wrong button, you can change your vote by pushing the correct button while the "voting light" is illuminated. If you don't want to participate in a particular vote, don't push any buttons while the "voting light" is illuminated; 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 while the "voting light" is illuminated. 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. You should check-in at least 5 minutes before a vote to be certain that your handset can be used in that vote. If pushing your handset's 1 button or 2 button during a vote produces a *can't vote yet* message on its display, please alert the Moderator, and then go to the Help Desk, where you'll be provided with a paper ballot to record your vote.

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 or Auditorium – 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 alert the Moderator, and then go to the Help Desk, where you'll be provided 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

REPORT OF THE FINANCE COMMITTEE.

Introduction: The Finance Committee presents its annual report to Town Meeting per Town Code Chapter 19, Section 2: Town Finances. The Code instructs the Finance Committee to prepare and present to Annual Town Meeting (ATM) the Omnibus Budget and 5-year capital plan recommendations. The report also includes general financial information as well as financial concerns, recommendations and outlook as viewed by the Finance Committee.

Overall, Wayland continues to be a financially strong community in the Commonwealth of Massachusetts, with a Aaa bond rating by Moody's Investors Service. This is an indicator of financial stability and allows the Town to borrow for capital projects at more favorable interest rates. The Aaa rating reflects the Town's stable tax base, strong wealth and income levels, a conservative approach to budgeting and expenditure management, progress towards addressing long-term liabilities for pension and other post-employment benefits (OPEB), and a responsible debt position.

While this has been the character of Wayland's financial position for many years, the Town continues to struggle with the cost to maintain high-quality schools, rated among the best in Massachusetts, and quality town services offered to a broad range of residents. Wayland's annual budget continues to grow, particularly in the face of an inflationary environment, as the Town seeks to meet the needs of residents, students and employees.

While Wayland is generally considered to be a higher-income community than most in the Commonwealth, its residents span a broad range of fiscal means. Therefore, one of the goals of the Finance Committee is to balance the desires of residents for various services with their ability to pay for those services, particularly with the vast majority of funds (approximately 85%) coming from property taxes that are paid primarily by single-family residents.

Like most of the surrounding towns, Wayland has a very small commercial tax base (less than 4%), and a very large proportion of open space (approximately 30% of land area); this puts most of the property tax burden on the shoulders of homeowners. Over the next several years, the Town does not currently foresee significant new projects to share in the property tax burden. Finding alternative revenue sources is a challenge Wayland continues to face and one that should be considered in longer-term financial planning.

This report first sets out background information about the Finance Committee and its mission, strategy and budget process; one that changed somewhat this year under the new Select Board/Town Manager Act approved by the Town at the 2021 ATM. Next, the report summarizes the Operating and Capital budget recommendations, including recommendations for funding those budgets. The capital budget includes a discussion of recommended capital spending over the next five years, and a brief discussion of our need to look beyond the typical 5-year plan to include important projects that will impact the Town over the next ten to twenty years, e.g., possible improvements to, or replacement of, an elementary school and water infrastructure. The report concludes with ongoing concerns, recommendations, and financial outlook for FY24 and beyond.

The Finance Committee: The Wayland Finance Committee consists of seven members who are appointed by the Select Board. The three-year terms are staggered, which generally allows for a mix of experienced and new members, providing for a variety of fresh ideas and historical knowledge. Meetings are open to the public and meeting agendas, minutes, policies and public presentations are available on the Finance Committee webpage on the Town website.

Select Board/Town Manager Act: This was a year of change. The special legislative act creating a Select Board/Town Manager form of government (Act) was enacted in March 2022 following approval at 2021 ATM. The Act authorizes the Town Manager to function as chief financial officer (as well as chief administrative and operating officer) of the Town, thereby responsible for the management of all financial, and budgeting operations. The Town Manager initiates, drafts and oversees the preparation of the Town's annual Operating and Capital Budgets for submission to the Finance Committee. Specifically, the Town Manager and Finance Director, in collaboration with the Finance Committee, work to:

- 1) Develop long-term financial strategies addressing operational and capital financial needs of the Town;
- 2) Establish budgetary guidelines to be used in the development of annual budgets;
- 3) Review all operating and capital budgets of all Town departments, including Schools, and make recommendations to the affected boards, commissions and committees about priorities important to budget development; and
- 4) Evaluate actual expenditures and receipts against budgets along with coordinating funding sources.

The Town's Bylaws charge the Finance Committee with the responsibility to bring a budget to Town Meeting. Its stated mission is "to recommend a fiscally responsible Operating budget and Capital spending plan that balances the demand and need for services and infrastructure with the impact on taxpayers across a broad financial spectrum." To fulfill this mission, the Finance Committee outlines a financial strategy and provides factual and relevant information to residents so they can make informed decisions at Town Meeting.

The Finance Committee prepares this formal report on the budget and finances of the Town which is included in the Town Warrant as well as the Town's Annual Report. The Committee also traditionally comments on most, if not all, articles for inclusion in the Warrant: see 'Finance Committee Comments' and the 'Arguments in Favor and Opposed' in each article.

Note Regarding FY23 Budget Adjustments Referenced in this Presentation: In FY23, the Finance Committee recommended that the Utilities/Energy line items be extracted from the Town and Schools budgets and consolidated in the Unclassified budget. It seemed prudent to isolate this line item as the new Sustainability Coordinator (budgeted in FY23) works to manage energy expenditures. Making the change should allow for greater transparency in the Town's progress towards energy efficiency and cost reduction goals. The Town agreed to make the change effective in FY24.

In order to provide for an "apples to apples" comparison, the approved FY23 budgeted amounts for the Town and Schools have been adjusted as noted in the forthcoming tables to reflect the reclassification of \$523,200 and \$1,073,500, respectively, of energy costs to the Unclassified budget.

The FY24 Budget Process: The Finance Committee began its discussion of the budget for FY24 in September 2022. The Acting Town Manager and Finance Director reviewed with the Finance Committee the budget schedule and proposed budget guidelines. The recommended Operating Budget guidelines for all departments called for a level service budget and no more than a 4.5% increase from FY23 to FY24, with explanations of any changes beyond a level service budget. It was also requested that all departments consider areas of operational efficiency and savings as part of their budget requests.

The Acting Town Manager and Finance Committee were cognizant of several issues that were expected to impact the FY24 budget.

- First, a new era of inflation – in goods, services and personnel – has taken hold. This affects the cost of payroll, department spending and capital investment in the current and likely future years;
- Second, contract negotiations with unions representing most Town and Schools employees are currently in progress for contracts effective for FY24-FY26;
- Finally, the Town's levy capacity has been narrowing. Unused levy at the end of FY23 is estimated at approximately \$4.1M, down from about \$8.0M in FY18. Although a budget based on original department submissions would have brought the estimated FY24 unused levy to less than \$1M, the final proposed FY24 budget presented produces unused levy of more than \$3.5M.

The Commonwealth's Proposition 2 ½ requirements, which raise levy limits by 2 ½% of the prior year's limit plus the addition of new tax growth and excluded debt costs, are constricting to towns like Wayland with little new growth, especially in an inflationary environment. Once the levy limit is exceeded, the Town will face overrides; this is likely in the next couple of years.

In December 2022, the draft FY24 operating budgets submitted by Town departments and Schools totaled \$101.8 million, a year-over-year increase of 9.79%, which would have required an estimated 11.5% increase in property taxes. The Acting Town Manager, concerned about the steep hikes, requested that the Superintendent of Schools and certain Town department heads to adjust their budgets in order to reduce the consolidated FY24 Operating Budget. The Schools responded with adjustments that included the elimination of \$458 thousand requested for full day kindergarten and \$140 thousand requested for two proposed new full time equivalents (FTEs) at the Middle School. The Town's adjustments totaled \$245 thousand, with reductions in several budget line items including Snow, Conservation, IT and Parks. Finally, the Finance Director refined the Unclassified expense budget resulting in a \$400 thousand reduction.

In January 2023, the Acting Town Manager's Operating Budget, which totaled \$100.5 million, was presented to the Select Board and Finance Committee. This budget incorporated a \$1.24 million reduction from the originally submitted Town departments and Schools budgets and reflected an 8.45% increase year over year.

The Finance Committee worked with the Finance Director and various boards and committees to gain a better understanding of budget details and increases above the recommended guidelines of no more than a 4.5% year over year increase and the provision of level services.

After refining the budget and recommending reductions, the Finance Committee voted on a final omnibus budget of \$99.7 million. Some of the major adjustments included a \$600 thousand reduction in the Schools budget, unexpected additions of approximately \$523 thousand to the Town budget and a \$494 thousand reduction in healthcare costs in the Unclassified budget.

In arriving at the \$600 thousand reduction in the Schools budget, the Finance Committee identified an estimated \$300-400 thousand related to Special Education (SPED) transportation that was anticipated to be reimbursed with State funding. The Schools felt it was conservative not to assume receipt of any State circuit breaker reimbursement for SPED Transportation. The Finance Committee noted that State reimbursement has been provided consistently for the past few years, ever since the Commonwealth began providing assistance on this line item. In addition, the Finance Committee identified approximately \$200 thousand of costs related to The Children's Way, which is included in the Schools budget in FY24, as not complying with the request for level funding.

Following a series of discussions with members of the School Committee and input from the public, the Finance Committee subsequently recommended that \$150 thousand be deposited into the anticipated SPED

Reserve Fund (Article 11), funded through taxation, as a precaution to help fund potential shortfalls in the FY24 SPED budget.

The changes to the Town budget came later in the budget process as the Town made several agreements including (i) an additional \$165 thousand for the initial year of a three-year bargained market adjustment to American Federation of State, County and Municipal Employees (AFSME) employee salaries;(ii) an additional \$114 thousand for market adjustments to the non-union employee salaries; and (iii) \$247 thousand reflecting the impact of settlement of the Fire Department’s contract through FY23, \$214 thousand of which was transferred from the Reserve for Salary line in the Unclassified budget. (See Article 7.) Finally, the Unclassified budget was reduced by \$494 thousand as estimates for healthcare costs dropped due to a reduction in the number of employees seeking coverage and a reduction from prior expectations in annual insurance premium increases.

In all, the Town realized a benefit of about \$786 thousand resulting from refinements and reductions in expected costs and progress made to reduce expenses in the Operating Budget. (The budget process and changes are noted in Table 1, below.)

Table 1: FY24 Operating Budget Phases

	<u>Original Budget Submission</u>		<u>Town Manager Budget</u>			<u>Proposed Budget**</u>		
	<u>FY-24 Proposed</u>	<u>YoY% Chg. *</u>	<u>FY-24 Proposed</u>	<u>YoY% Chg. *</u>	<u>\$ Change fr Orig. Budget</u>	<u>FY-24 Proposed</u>	<u>YoY% Chg. *</u>	<u>\$ Change fr TM Budget</u>
*Presented on comparable basis								
Town	\$ 21,241,766	2.95%	\$ 20,997,121	1.77%	\$ (244,645)	\$ 21,520,101	4.30%	\$ 522,980
Schools	50,001,484	8.48%	49,403,195	7.19%	\$ (598,289)	48,803,195	5.88%	(600,000)
Unclassified	<u>30,511,323</u>	<u>17.55%</u>	<u>30,111,545</u>	<u>16.01%</u>	<u>\$ (399,778)</u>	<u>29,402,711</u>	<u>13.28%</u>	<u>(708,834)</u>
Total	\$ 101,754,573	9.79%	\$ 100,511,861	8.45%	\$ (1,242,712)	\$ 99,726,007	7.60%	\$ (785,854)

* 'Comparable basis' shows an 'apples to apples' comparison of FY24 relative to FY23 and excludes Utilities from Department lines and includes them in Unclassified in FY23, as is presented in FY24 and as will be presented in future years. Percentage changes are relative to an adjusted FY23 figures.

** Proposed Budget reflects adjustments requested by FinCom and resulting from negotiations and refinements in budget line items.

After making final adjustments and incorporating requests from the public, the Finance Committee voted (6-0-0) to recommend a \$99.7 million budget, an increase of approximately \$7.0 million or 7.60% year over year and an estimated increase in taxation of almost \$4.8 million, or 5.93% year over year. As shown in Table 2, the Total Funding Requirement includes the expenditures under the Operating Budget and other requirements such as cash capital, (OPEB), articles and overlay. To support the \$100.8 million in Total spending, property taxes should increase approximately \$4.8 million to approximately \$85.0 million (see Table 2).

Table 2: Summary Budget Review

	FY 22	FY 23	FY 24	FY 24 vs FY 23	
	<u>Actual</u>	<u>Approved</u>	<u>Proposed</u>	<u>\$ Difference</u>	<u>% Change</u>
(\$ in 000's)					
<u>Uses</u>					
Operating Budget	\$88,722	\$92,679	\$99,726	\$7,047	7.60%
Cash Capital	600	625	-	(625)	-100.00%
OPEB Contribution	-	500	500	-	0.00%
Other(St Assessmt, Overlay, ChSht)	295	364	378	14	3.79%
Articles	<u>126</u>	<u>126</u>	<u>225</u>	<u>99</u>	<u>78.57%</u>
Total Funding Requirement	89,743	94,294	100,829	6,535	6.93%
<u>Sources</u>					
Taxation	77,152	80,212	84,968	4,756	5.93%
State Aid	6,534	7,361	8,550	1,189	16.15%
Local Receipts	5,200	5,300	5,300	-	0.00%
Ambulance Receipts	374	374	409	35	9.35%
Transfers from Other Funds	<u>482</u>	<u>1,047</u>	<u>1,601</u>	<u>555</u>	<u>53.01%</u>
Total Sources of Funds	89,743	94,294	100,829	6,535	6.93%
Estimated Tax Rate	\$18.35	\$16.55	\$17.53	\$0.98	5.93%

FY24 Recommended Operating Budget: Table 3 below presents the proposed Operating Budget for Town, Schools and Unclassified totaling \$99.7 million with Town and School budgets broken out between payroll and spending. From a high level, based on the proposed FY24 budget, Town expenses, comprising 21.6% of the Operating Budget, will increase 4.3% year over year (on an adjusted FY23 basis). The Schools budget, accounting for 48.9% of the Operating Budget, will increase 5.9% (on an adjusted basis) and Unclassified, contributing 29.5% of the budget, is slated to increase 13.3% (on an adjusted basis).

FY24 Budget Allocation

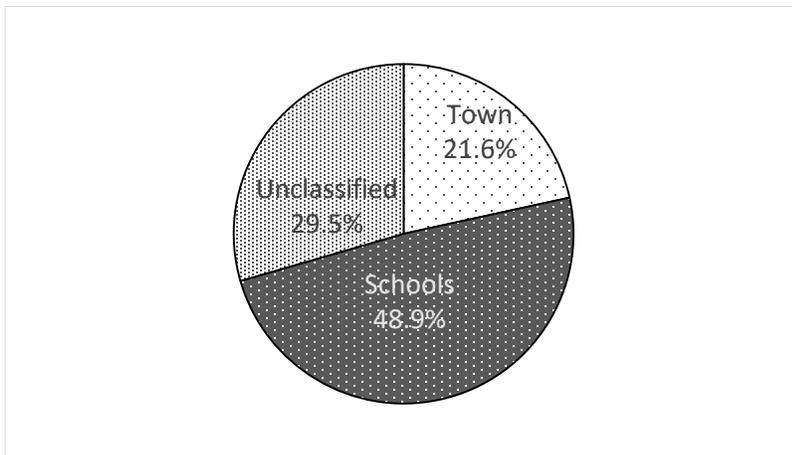


Table 3: FY22-FY24 Expense Summary

	FY 22	FY 23	FY 23	FY 24	FY 24 vs FY 23			
	<u>Actual</u>	<u>Approved</u>	<u>Adjusted*</u>	<u>Proposed</u>	\$	%	\$ on Adj	% on Adj
<u>Town</u>								
Payroll	\$14,203	\$15,425	15,425	\$16,167	\$743	4.81%	\$743	4.81%
Spending	\$4,667	5,730	5,207	\$5,353	-\$377	-6.59%	\$146	2.80%
Total	\$18,870	21,155	20,632	\$21,520	\$365	1.73%	\$888	4.31%
<u>School</u>								
Payroll	\$38,146	39,770	39,770	\$40,700	\$930	2.34%	\$930	2.34%
Spending	\$7,075	7,394	6,321	\$8,103	\$708	9.58%	\$1,782	28.19%
Total	\$45,222	47,165	\$46,091	\$48,803	\$1,638	3.47%	\$2,712	5.88%
<u>Unclassified</u>								
Vocational Education	\$277	214	214	\$86	-\$128	-59.90%	-\$128	-59.90%
Debt Service	\$6,635	6,600	6,600	\$8,351	\$1,752	26.54%	\$1,752	26.54%
Retirement	\$5,378	5,729	5,729	\$5,907	\$178	3.11%	\$178	3.11%
Health Insurance	\$8,582	9,148	9,148	\$9,202	\$54	0.59%	\$54	0.59%
General Insurance	\$923	1,087	1,087	\$1,087	\$0	0.00%	\$0	0.00%
Reserve for Salary Adj.	\$123	214	214	\$1,852	\$1,638	764.00%	\$1,638	764.00%
Stormwater	\$99	200	200	\$125	-\$75	-37.50%	-\$75	-37.50%
Reserve Fund	\$250	250	250	\$250	\$0	0.00%	\$0	0.00%
Other (incl. Energy)	\$914	918	2,515	\$2,542	\$1,624	176.91%	\$27	1.09%
Total	\$23,181	24,359	25,956	\$29,402	\$5,043	20.70%	\$3,446	13.28%
Total	\$87,273	\$92,679	\$92,679	\$99,725	\$7,047	7.60%	\$7,047	7.60%

*FY23 Adjusted excludes Utilities/Energy from the Department lines in Town and Schools and includes them in the Unclassified line in FY23, as is presented in FY24 and as will be presented in future years.

Budget Drivers: As had been anticipated last year, debt service payments due in FY24 significantly increased year over year. Approximately \$21.5 million of new debt was taken on in late 2022 for FY23 capital projects, a number of projects that had been delayed during the COVID years, as well as for two major capital projects approved at the 2022 Annual Town Meeting: the Council on Aging / Community Center (CoACC) and Loker field. The increase in debt service, which is more than \$1.7M, or 26.5%, higher than FY23, alone accounts for 1.89% of the 7.60% year over year increase in the FY24 Operating Budget.

Another significant contributor to budget increases in FY24 was the Schools' Spending line, which increased \$1.8 million, or 28.2%, year over year. The biggest budget driver for the Schools Spending line is SPED expenses, which are projected to increase to \$5.1 million, up \$1.4M or 39.9% year over year. This line-item alone accounts for 1.56% of the 7.60% year over year increase in the FY24 Operating Budget. The Schools had an unusually high number of SPED out of district placements in FY23, which occurred after last year's budget was approved. The FY24 budget is built on the number of students expected to be placed out of district next year, the majority of which are placed at private schools. In addition, out of district tuitions, which are set by the State's Operational Services Division, are increasing by 14% in FY24. SPED transportation costs, which are tied to out of district placements, are also increasing significantly. A small offset is the notable reduction in Vocational Schools expenditures as more students remain in the Wayland School system.

Contract negotiations with most of the Town's and Schools' union employees (for FY24-FY26) were in progress while the budget was being formulated. The Reserve for Salary Adjustments line-item, which reflects a reserve for anticipated COLA for FY24, is another significant driver to the FY24 Operating Budget. The \$1.6 million increase in this reserve alone accounts for about 1.77% of the 7.60% year over year increase in the FY24 Operating Budget. As negotiations are settled, the reserve will be allocated to the Town and Schools budgets. If the allocations occur in FY24, the Town's operating budget would reflect a year over year increase of approximately 6.7% versus the 4.3% currently shown in Table 3, while the Schools

operating budget would reflect a year over year increase of approximately 8.8% versus the 5.9% shown in Table 3. The Unclassified line, in turn, would reflect a year over year increase of 6.14% versus the 13.3% shown in Table 3.

<u>Budget Item</u>	<u>% Chg fr Total Adj FY23 Operating Budget</u>
Debt Service Increase	1.89%
Reserve for Salary Adj.	1.77%
SPED Increase	1.56%
Remainder of FY24 Budget	<u>2.39%</u>
Total FY24/FY23	7.60%

Overall, the largest perennial budget driver continues to be Personnel costs, which include payroll and fringe benefits (health insurance and retirement), which comprise about 74% of the FY24 Operating Budget. Total budgeted payroll expenses including amounts held in reserve, which reflect COLA, market adjustments, steps, lane changes and net new employees, total \$58.7 million, or 59% of the FY24 Operating Budget. Notably, the addition of FTEs is not a significant driver to the FY24 budget. In FY24, the Schools are expected to add a net 2.7 FTEs and the Town is slated to add none, remaining at 189.9 FTEs. (See Table 4, below.)

Table 4: Changes in Schools FTEs

FY23 Total Budgeted Schools FTEs		454.0
<u>Added in FY23</u>		
The Children's Way (TCW) Teachers	3.0	
Reading Specialist	0.7	
Speech Language Pathologist	1.0	
SPED-English Language Teacher	1.0	
Elementary PE Teacher	0.1	
TCW Teaching Assistants	<u>-4.3</u>	
Adds/Actual FY23	1.5	455.5
<u>Added in FY24</u>		
Elementary PE Teacher	0.1	
Reading Teacher (CHS)	0.2	
SPED Team Leader	0.1	
Science Teacher	0.2	
Social Studies Teacher	0.2	
World Language Teacher	<u>0.4</u>	
FY24 Total Budgeted Schools FTEs	1.2	456.7

The FY24 Operating Budget by function is presented in Table 5. The 6.7% year over year increase in the Public Safety line is driven by the Fire Department settlement, which added approximately 3.3% to the year over year growth rate.

Table 5: Expense Budget Summary by Function

<u>Category</u>	<u>FY-22</u>	<u>FY-23</u>	<u>FY-23 Adj *</u>	<u>FY-24</u>	<u>% Change</u>	<u>% Change on Adjusted</u>
General Government	\$5,159,589	\$5,470,265	\$4,947,065	\$5,078,302	-7.17%	2.65%
Public Safety	7,073,434	7,453,057	7,453,057	7,954,462	6.73%	6.73%
Land Planning and Use	767,550	859,824	859,824	875,257	1.79%	1.79%
Schools	45,223,290	47,164,771	46,091,271	48,803,195	3.47%	5.88%
Regional Vocational Schools	368,500	214,000	214,000	85,810	-59.90%	-59.90%
Public Works	3,199,218	3,481,607	3,481,607	3,595,789	3.28%	3.28%
Snow Removal	500,000	500,000	500,000	525,000	5.00%	5.00%
Human Services	3,121,883	3,390,136	3,390,136	3,491,291	2.98%	2.98%
Unclassified	23,308,175	24,144,953	25,741,653	29,316,901	21.42%	13.89%
	\$88,721,639	\$92,678,613	\$92,678,613	\$99,726,007	7.60%	7.60%

*FY23 Adjusted excludes Utilities/Energy from the Department lines noted (Gen'l Gov't and Schools) and includes them in the Unclassified line in FY23, as is presented in FY24 and as will be presented in future years. The '% Change on Adjusted' column shows the year over year change from the adjusted FY23 basis.

Real Estate Tax Levy and Tax Rate: During budget discussions, the Finance Committee expressed concern with the increase in the Operating Budget and the consequent increase in the tax burden to be borne by residents. The Committee continues to target budgets with year over year increases that are in the range of 3.5%-4.0%. In FY24, the Operating Budget reflects a larger-than-targeted increase of 7.60%. Excluding the expected increase in debt service and the unexpected increase in SPED costs, the FY24 Operating Budget will increase 4.16% year over year. The average increase in the Operating Budget over the past five years, excluding FY24, is 3.75%.

To reduce the impact of the 7.6% year over year budget increase on taxpayers, the Acting Town Manager and Finance Committee considered two funding changes, both of which the Finance Committee recommends. First, that road reconstruction be funded from free cash (vs. taxation) in FY24; this will transition to Debt funding thereafter. Next, that \$450 thousand from the Town’s Receipts Reserved for Sale of Real Estate Fund, approximately one quarter of the fund, be used to reduce FY24 debt service related to the recent CoACC borrowing. As a result, the amount required to be raised through taxation would be reduced by that same amount. A portion of the resulting reduction in taxation (\$150 thousand), however, is slated to be used to fund the proposed Special Education Reserve Fund (Article 11).

Significantly, prior to finalizing the Operating Budget, the State proposed higher than anticipated State aid, up 16.2% from FY23, which reduced the amount needed to be raised by taxation by approximately \$1.2 million.

After all the changes, the FY24 tax levy is expected to increase by 5.93% year over year. The FY24 tax rate (based on an assumed 1% increase in full assessed valuation) is projected at \$17.53, a year over year increase of \$0.98 or 5.93% (see Table 7).

Table 6: Changes in Tax vs. Budget

Fiscal Year	Operating Budget-Chg	Tax Levy Change
2019	3.64%	5.99%
2020	3.45%	2.92%
2021	4.23%	4.40%
2022	2.99%	3.99%
2023	4.46%	3.97%
2024	7.60%	5.93%

Table 7: Real Estate Tax Levy & Tax Rate Forecast

		FY-20 <u>Actual</u>	FY-21 <u>Actual</u>	FY-22 <u>Actual</u>	FY-23 <u>Actual</u>	FY-24 <u>Estimated</u>
<u>Tax Levy</u>						
Actual Tax Levy	A	\$70,949,997	\$74,069,812	\$77,151,222	\$80,213,213	\$84,967,984
\$ Increase Y to Y		\$2,013,900	\$3,119,815	\$3,081,410	\$3,061,991	\$4,754,771
% Increase Y to Y		2.92%	4.40%	4.16%	3.97%	5.93%
<u>Full Valuation</u>						
Per Tax Recap	B	\$3,994,932,300	\$3,999,449,900	\$4,204,426,300	\$4,246,470,563	\$4,288,935,269
\$ Increase Y to Y		\$223,811,000	\$4,517,600	\$204,976,400	\$4,817,610,400	\$42,464,706
% Increase Y to Y		5.93%	0.11%	1.00%	1.00%	1.00%
<u>Tax Rate- (A / B = C)</u>						
Tax Rate (Mils)	C	\$17.76	\$18.52	\$18.35	\$16.55	\$17.53
\$ Increase (Decrease) Y to Y		(\$0.52)	\$0.76	(\$0.17)	(\$1.80)	\$0.98
% Increase Y to Y		-2.84%	4.28%	-0.92%	-9.83%	5.93%
<u>Residential Real Property Tax Bill</u>						
Average Assessment - rounded		\$800	\$800	\$838	\$958	\$958
Average Property Tax Bill		\$14,213	\$14,818	\$15,386	\$15,950	\$16,896
\$ Increase Y to Y		\$495	\$604	\$568	\$564	\$946
% Increase Y to Y		3.61%	4.26%	3.83%	3.67%	5.93%

Long-term Expense Pressures: In addition to wage, salary and benefits cost pressures, which are annual budget drivers, the Finance Committee notes that the budgets for FY25 and beyond will reflect the following budget challenges:

- Increasing operating costs, especially in an inflationary environment
- Approaching Proposition 2 ½ levy limits
- Increasing cost to maintain the Town’s and School’s infrastructure
- Increasing debt service and cost of debt related to new capital projects
- Maintaining an unrestricted Fund Balance to maintain Moody’s Aaa bond rating
- Capital cost to maintain and improve Wayland’s water system
- Rising costs and capital needs associated with operating a Transfer Station

FY24 Capital Budget: In developing a capital budget recommendation, the Finance Committee begins with a review of prior year capital appropriations that have not been completed. As noted in Table 8, as of January 2023, \$34.8 million of Town, Schools and Water capital projects have been approved in prior years but have not been completed. The preponderance of the value of these, 78%, is derived from projects approved in the last three fiscal years (FY21, FY22 and FY23), including the CoACC and Loker Field, added

at the 2022 ATM. This compares with \$20.4 million of uncompleted projects that was reported as of February 2022 and \$19.3 million in January 2021. Notably, a backlog of projects built up during the pandemic years due to a general pause in work, then supply chain challenges throughout 2021 and 2022 and finally a shortage of personnel resources. Project management positions have been added in FY23 to help complete projects more expeditiously.

Considering the significant backlog of capital projects, the FY24 capital budget reflects the rescheduling of approximately half of the projects that had been part of the FY24 capital plan last year to subsequent years. This action should allow the Town to focus in FY24 on priority projects and to make progress on completing the build-up of projects that occurred over the pandemic years. This action should also help smooth debt service costs.

Table 8: Capital Projects Approved and Not Completed

	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>FY22</u>	<u>FY23</u>	<u>Total</u>
Conservation	\$15,870	\$0	\$19,000	\$0	\$6,255	\$0	\$0	\$0	\$0	\$41,125
DPW	0	0	3,924	20,933	299,585	324,512	1,121,794	106,241	1,254,165	3,131,153
Facilities	0	0	0	1,464,792	2,047,738	0	0	872,100	13,732,541	18,117,171
Admin	0	51,373	0	0	305,590	0	52,365	0	237,822	647,150
Fire	0	0	0	0	0	0	190,582	380,027	133,549	704,157
Police	0	0	0	0	0	0	0	9,148	5,150	14,298
IT	0	0	0	0	52,837	92	170,591	910,252	705,000	1,838,771
Recreation	0	0	0	0	0	0	0	0	2,872,307	2,872,307
Total Town:	\$15,870	\$51,373	\$22,924	\$1,485,725	\$2,712,004	\$324,604	\$1,535,331	\$2,277,768	\$18,940,534	\$27,366,133
Schools:	0	358	43,189	59,933	38,193	411,388	999,969	437,572	867,633	2,858,235
Total Town and Schools:	\$15,870	\$51,731	\$66,113	\$1,545,659	\$2,750,197	\$735,992	\$2,535,300	\$2,715,339	\$19,808,167	\$30,224,368
Water:	0	0	325,184	28,718	585,063	1,450,482	1,756	1,040,661	1,185,160	4,617,025
Total Projects:	\$15,870	\$51,731	\$391,297	\$1,574,377	\$3,335,260	\$2,186,475	\$2,537,056	\$3,756,000	\$20,993,327	\$34,841,393

Capital Close Outs: Closed out funds are returned to the General Fund and/or deemed as surplus bonds that can be used to fund future projects or the Capital Stabilization fund. The Finance Committee has recommended developing a procedure to ensure timely turn-backs of remaining funds from completed capital projects. Almost \$1.4 million of capital closeouts were identified in FY23 and are being used to fund projects in the FY24 Capital budget (see Tables 9 and 10).

Table 9: Capital Closeouts**BY SURPLUS BOND PROCEEDS**

SURPLUS BOND PREMIUM	\$28,041
FY 13 BUILDING REPAIRS	647
STATION 2 REPAIR ATM 2014	1,679
FY 16 STATION 2 SEPTIC AND PAVING	250
FY 17 OLD DPW DEMO	0
PARKLAND / CHARLES ATM 2014	42,272
FY 18 CULVERT REPAIR	7,603
FY 21 POTTER / STONEBRIDGE BDG	450,000
FY 21 OLD SUDBURY BRIDGE	8,810
MIDDLE SCHOOL AIR COND ATM 2014	4,508
FY 16 HAPPY HOLLOW ART / CAFÉ ROOM	95
FY 19 TOWN BUILDING HVAC	175,000
FY 18 TRANSER ST ROAD	38,300
FY 20 REEVES HILL TANK	329,772
TOTAL	\$1,086,977

BY TAX / FREE CASH / WATER CAPITAL

FY 19 CONSERVATION TRACTOR	\$2,001
FY 21 MOTOR VEHICLES	2,081
FY 18 DPW DUMP TRUCK H-4	171
FY 23 Leaf Vac. Trailer	70,000
FY 20 STONEBRIDGE ROAD DESIGN	53,366
FY 20 BACKHOE P 55	4,139
FY 21 DPW EQUIPMENT P-59	216
FY 21 COVID 19 VENTILATION	2,028
FY 17 SEWER BETTERMENT LIBRARY	3,708
FY 21 HIGH SCHOOL VOICE SYSTEM	23
FY 22 HAPPY HOLLOW CHAIR LIFT	3,471
FY 22 LOKER EGRESS DOORS	40,000
FY 23 HARVESTER	40,900
FY 18 PILOT STUDY	80,000
TOTAL	\$302,104

GRAND TOTAL **\$1,389,082**

For FY24, the Finance Committee recommends a \$5.46 million capital budget that supports 26 projects, the bulk of which focus on the maintenance of assets and safety improvements. Table 9 presents a recap of the FY24 capital budget and associated funding sources. Each capital improvement project was evaluated to ascertain if both financial resources and staff availability will allow the project to be completed in a timely manner.

Table 10: Capital Budget – Fiscal Year 2024

Department	
DPW	\$ 1,147,500
Police	112,500
Fire	288,000
Information Technology	105,000
Recreation	300,000
Facilities	390,000
School	688,600
Water Enterprise Fund	2,424,772
Total	\$ 5,456,372

Funding Source	
Borrowing	\$ 0
Cash Capital	0
Free Cash	1,764,291
Ambulance Fund	288,000
Water Certified Retained Earnings	139,000
Water Revenue Borrowing	1,876,000
Surplus Bond Proceeds	1,086,977
Surplus Capital Closeouts	302,104
Total	\$ 5,456,372

Summary of 5 Year Capital Improvement Plan (CIP): The Finance Committee is also charged with reviewing and presenting to Annual Town Meeting a five-year Capital Improvement Plan, which includes the construction and reconstruction of capital assets (such as municipal buildings, water infrastructure, recreational facilities, roads and transfer station) and acquisition of land, equipment and vehicles and other personal property. A summary of Capital Projects listed by Department and by Project Type for the next five years, FY24 - FY28, is shown in Table 11 below.

Detailed departmental project requests for FY24 can be found on the Finance Committee website. A detailed review of funding sources for the proposed 5-year capital plan is shown in Table 12.

Resource Based Plan: The Finance Committee continues to endorse the implementation of a Resource Based Capital Plan that was introduced in its 2019 report to Annual Town Meeting. In October, the Acting Town Manager and Finance Director updated a draft 5-year Resource Based Capital Plan to the Finance Committee. A Resource Based Capital Plan evaluates every capital improvement project in terms of funds and manpower available to begin the project within the fiscal year of appropriation. Under this plan, construction and renovation projects follow a study, design, build, operate and maintain schedule. The annual capital spending guideline by funding source is as follows:

Cash Capital	\$600-800 thousand
Free Cash	\$1.5-\$2.0 million
Levy Borrowing	\$3.0-\$5.0 million
Ambulance Receipts	\$200 thousand
CPA	\$0-500 thousand
Other	\$0 - \$200 thousand
Water Enterprise Funds	\$0 -300 thousand

The FY22 budget marked the first year a complete 5-year capital plan was presented to the Finance Committee for its review. The Finance Committee continues to discuss means to develop a list of potentially large capital projects that are on the 10-15-year horizon to better prioritize near and longer-term needs. For example, the Schools have included in their capital planning a feasibility study for a new or renovated elementary school that might be developed or renovated in the next five to ten years. Some have suggested that a Capital Planning Committee be created to review and assess all Town assets and future needs and schedule projects over the next decade and beyond. The Finance Committee supports such a long-term, strategic approach.

The current five-year capital plan includes \$37.3 million of projects for Town and Schools and an additional \$11.5 million of projects for the water enterprise fund over the next five years as noted in Table 11. This compares to requests from departments of \$48.9 million for Town and Schools and \$29.2 million for Water, Wastewater and Transfer Station enterprise funds. Looking ahead, the Water enterprise fund will face significant capital expenditures as the Town decides how to manage per- and polyfluoroalkyl substances (PFAS) and other water regulations and recommendations such as potentially connecting to the Massachusetts Water Resource Authority (MWRA) (see Article 12). It should be noted that funds for the construction of a permanent MWRA connection or other infrastructure investment are not currently included in the five-year capital plan.

Any five-year plan needs to be flexible, and the Town may choose not to do all these projects or in the time forecasted. However, it is important to understand the nature and size of potential capital projects and the impact these projects may have on the Town’s tax burden and Moody’s bond rating. Of note, the rating agency looks favorably on the use of exempt debt for large capital projects as this reflects voter support and allows more flexibility in budget-planning with regard to Proposition 2 ½ constraints.

Table 11: FY 24-FY28 Capital Summary by Department and Category

Department	2024	2025	2026	2027	2028	Total
Conservation	\$ 30,000	\$ -	\$ -	\$ -	\$ -	30,000
DPW	1,147,500	1,763,125	1,389,369	4,211,250	2,298,787	10,810,031
Facilities	390,000	3,275,000	1,170,000	850,000	3,075,000	8,760,000
Fire	288,000	227,000	980,000	605,000	205,000	2,305,000
Information Technology	105,000	120,000	400,000	160,000	280,000	1,065,000
Joint Communications Center	-	400,000	-	-	-	400,000
Police	112,500	70,000	130,000	80,000	-	392,500
Recreation	650,000	2,030,000	530,000	400,000	-	3,610,000
School	688,600	2,203,300	1,790,900	2,463,392	2,792,671	9,938,863
Water Fund	2,424,772	4,830,000	850,000	1,880,000	1,500,000	11,484,772
Total	\$ 5,836,372	\$ 14,918,425	\$ 7,240,269	\$ 10,649,642	\$ 10,151,458	\$ 48,796,166

Project Category	2024	2025	2026	2027	2028	Total
Building Repair	\$ 678,600	\$ 6,673,300	\$ 2,845,900	\$ 1,938,000	\$ 5,521,671	17,657,471
Equipment	915,500	1,927,000	1,310,000	3,830,000	1,010,000	8,992,500
Infrastructure	2,732,272	2,958,125	1,579,369	3,332,642	3,273,787	13,876,195
Land Improvement	900,000	2,030,000	530,000	844,000	346,000	4,650,000
New Construction	-	1,000,000	-	-	-	1,000,000
Vehicles	180,000	330,000	975,000	705,000	-	2,190,000
Other	430,000	-	-	-	-	430,000
Total	\$ 5,836,372	\$ 14,918,425	\$ 7,240,269	\$ 10,649,642	\$ 10,151,458	\$ 48,796,166

The funding sources for all capital projects in the 5-year plan including potential articles and community preservation projects are summarized in Table 12. The Finance Committee notes that funding sources are generally within the recommended guidelines established to ensure stable financial conditions for the Town. Listed below are some of the largest capital projects on the horizon that we anticipate may require articles and/or excluded debt should they proceed and be approved by voters.

FY2025	Recreation	Middle School Back Fields - Construction	\$ 2,000,000
FY2025	School	Elementary Feasibility Study - MSBA Project	1,000,000
FY2025	Water Enterprise Fund	Second Water Tank & Water Main Construction	3,500,000
FY2027	DPW	High School Wastewater Plant Equipment	2,500,000
FY2028	School	WMS HVAC Replacement	2,000,000

Potential projects not yet included in the plan due to lack of clear strategy or because they are further out on the horizon include:

- MWRA Connection and/or Water Infrastructure Investment
- New or Rehabilitation of one or more (Elementary) Schools
- New Library

Table 12: 5-Year Capital Plan by Funding Source

Considered Funding Source	Fiscal Year					Total
	2024	2025	2026	2027	2028	
Borrowing (B)	\$ -	\$ 4,691,425	\$ 3,805,269	\$ 4,088,142	\$ 5,165,458	\$ 17,750,294
Exempt Borrowing (EB)	-	-	-	2,500,000	2,000,000	4,500,000
Free Cash (FC)	1,764,291	2,140,000	1,925,000	1,676,500	1,281,000	8,786,791
Surplus Capital (SC)	1,389,081	-	-	-	-	1,389,081
Ambulance Fund (AMB)	288,000	227,000	130,000	105,000	205,000	955,000
Water Enterprise Fund Revenue (WR)	139,000	-	-	-	-	139,000
Water Enterprise Fund Borrowing (WB)	1,876,000	4,830,000	850,000	1,880,000	1,500,000	10,936,000
Total Omnibus Budget	\$ 5,456,372	\$ 11,888,425	\$ 6,710,269	\$ 10,249,642	\$ 10,151,458	\$ 44,456,166
Article - Borrowing (ARTB)	\$ -	\$ 1,000,000	\$ -	\$ -	\$ -	\$ 1,000,000
Article - Excluded Borrowing (ARTEB)	-	2,000,000	-	-	-	2,000,000
Article - Community Preservation Act (CPA)	380,000	30,000	530,000	400,000	-	1,340,000
Total Articles	\$ 380,000	\$ 3,030,000	\$ 530,000	\$ 400,000	\$ -	\$ 4,340,000
Grand Total	\$ 5,836,372	\$ 14,918,425	\$ 7,240,269	\$ 10,649,642	\$ 10,151,458	\$ 48,796,166
Total General Fund Borrowing	\$ -	\$ 7,691,425	\$ 3,805,269	\$ 6,588,142	\$ 7,165,458	\$ 25,250,294

Debt Metrics: To help maintain the Town's current Moody's Aaa bond rating, the Finance Committee aims for debt service and total outstanding debt to be below benchmark levels. In particular:

1. Debt service as a percentage of general fund expenditures should generally be less than 10%.
2. Total outstanding debt (all instruments that have a direct recourse to the General Fund) should generally be less than 100% of annual general fund revenue.

The Town may decide to exceed either benchmark but should understand the potential financial impact of exceeding them. For example, a downgrade in the Moody's rating would result in relatively higher debt service costs for new borrowings. The higher the debt service in each year, the higher the tax levy required to fund that debt service. For the next five years, Wayland is projected to be within targeted debt and debt service guidelines (see Table 13).

Table 13: Future Debt Service of Proposed Borrowings

	Estimated Debt Service for the Fiscal Year Ending June 30,					
	2023	2024	2025	2026	2027	2028
Projected Total Debt paid from Tax (not including Water Fund Debt)	\$ 6,471,129	\$ 8,351,117	\$ 7,599,222	\$ 8,323,415	\$ 8,243,958	\$ 8,470,648
\$ chg year to year	(163,414)	1,879,988	(751,895)	724,193	(79,457)	226,690
% chg year to year	-2.5%	29.1%	-9.0%	9.5%	-1.0%	2.7%
Projected Operating Budget	92,679,000	99,726,007	103,216,417	106,828,992	110,568,007	114,437,887
% of Projected Operating Budget	7.0%	8.4%	7.4%	7.8%	7.5%	7.4%
Less than 10%?	Yes	Yes	Yes	Yes	Yes	Yes

	Estimated Outstanding Debt as of Fiscal Year Ending June 30,					
	2023	2024	2025	2026	2027	2028
Projected Total Debt paid from Tax (not including Water Fund Debt)	\$ 62,798,688	\$ 57,334,150	\$ 59,617,025	\$ 57,568,284	\$ 58,208,986	\$ 59,301,037
\$ chg year to year	(4,684,249)	(5,464,538)	2,282,875	(2,048,741)	640,702	1,092,051
% chg year to year	-6.9%	-8.7%	4.0%	-3.4%	1.1%	1.9%
Projected General Fund Revenue	92,679,000	99,726,007	103,216,417	106,828,992	110,568,007	114,437,887
% of Projected General Fund Revenue	67.8%	57.5%	57.8%	53.9%	52.6%	51.8%
Less than 100%?	Yes	Yes	Yes	Yes	Yes	Yes

The Town’s bond rating was reaffirmed at Aaa with a stable outlook in October 2022. Moody’s, however, continues to highlight that Wayland maintains ‘below average’ Reserve Fund levels expected for the highest (Aaa) rating category. The Finance Committee continues to recommend that Town management implement a mechanism to ensure a minimum 20% Reserve Fund balance is maintained. As noted below, the Capital Stabilization Fund is considered part of the total Reserve Fund balance.

Capital Stabilization: In the 2020 ATM Warrant, the Finance Committee recommended that the Select Board (SB) create a Capital Stabilization Fund (CSF) to support the Town’s Capital Improvement Plan (CIP). Unibank, the Town’s Financial Advisor at the time, affirmed the idea. The Fund was established with a favorable vote at the 2021 Annual Town Meeting.

The CSF is a tool to help level the tax impact of fluctuating capital expenses to improve and maintain the Town’s capital assets. Town Meeting can vote to use the CSF to help fund the cost of new equipment, building repairs and maintenance and capital improvements to Town land and buildings and can also vote to use the CSF to pay debt service of approved capital projects. At 2022 ATM, the Town voted to fund the CSF with up to \$1.0 million. The SB has submitted an article (Article 14) in this year’s Warrant to fund a contribution of \$500 thousand to the CSF. Both the CSF and Free Cash are among the components of the total Reserve Fund balance that Moody’s reviews in its assessment of the Town’s financial position.

Outlook: Looking forward to years FY25 and beyond, the Finance Committee wishes to note:

Expense Trend/Levy Capacity: Operating expense trends have been moving higher in recent years. The FY23 Operating Budget increased 4.5% year over year and the level of spending is budgeted to increase approximately 7.6% in FY24. This is notably larger than the targeted 3.5-4.0% annual increase and the FY24 requested guideline of no more than 4.5%. Over the next couple of years, Operating Budget growth must be disciplined to manage the erosion in unused levy. Once unused levy is depleted and levy limits are breached, overrides for budget approval become necessary and typically complicate the budget process.

In addition to controlling spending and personnel increases, the Finance Committee recommends that potential efficiencies be reviewed within the Town and School operations to identify and realize any potential savings. Duplicate operations across departments should be consolidated. Personnel and hiring practices should also be reviewed recognizing the challenge of attracting and retaining skilled employees while managing increases in employment costs.

The Finance Committee also notes the recent trend of longer timelines to complete capital projects in an inflationary environment. The Town will need to continually strive to strategically plan and closely manage capital projects and costs.

Debt Service: The Town continues to benefit from having borrowed funds in recent years at historically low rates. Interest rates have risen significantly over the past year and higher rates may persist for some time. The Town faces increased capital demands for maintaining its aging infrastructure (e.g., water infrastructure, roads, bridges, and equipment) and Town and School buildings. Longer-term, a new or renovated elementary school is being considered and is another potential, yet significant, capital expenditure on the horizon. Most of these projects would be funded by debt, requiring a significant increase in debt service for an extended period of time. Thus, there has been a focus to hold off on major projects until the current outstanding debt is reduced. There were no capital projects requiring debt exclusion this year. Longer-term, large capital projects should be planned strategically to consider debt burden and project management resources.

Recommendations: In order to manage budgets in the coming years, the Finance Committee makes the following recommendations:

- Create long-term strategic capital plan - water infrastructure/MWRA, buildings, other infrastructure
- Review Town operations and processes for efficiencies (ad hoc committee/working group)
- Evaluate hiring practices and succession plans to mitigate financial implications
- Consider inter-municipal cooperatives with other towns - utilities/other purchases
- Ensure most efficient investment of Town assets, including debt proceeds (cash)
- Continue to expand revenue sources – assess economic development opportunities
- Closely manage capital projects
- Institute 5-year pro forma budgeting
- Consider Medicare buy-in for retirees
- Formulate strategic long-term plan for OPEB spending
- Study transfer station viability
- Consider real estate and gift funds to offset debt or debt service for large capital projects

Summary: In summary, to maintain services and strong financial health, the Town needs to:

- Manage Omnibus Budget decisions strategically
- Maintain Moody’s Aaa bond rating
- Prioritize and schedule capital expenditures recognizing the impact on the taxpayer
- Manage staffing increases and personnel-related benefits
- Seek opportunities for raising revenue other than taxation
- Establish a mechanism to maintain adequate Fund Balances
- Search for opportunities where functions can be consolidated to be more efficient

Finally, the Finance Committee wants to acknowledge and thank Town and School department heads and staff as well as the various committees for their time and support during the FY24 budget preparation. We also thank residents for their insightful input to prepare the Town's budget.

Respectfully submitted,

WAYLAND FINANCE COMMITTEE

Pamela Roman (Co-Chair)	Steve Correia (Co-Chair)	Kelly Lappin (Vice-Chair)
Jonathan Barnett	Michael Hoyle	Brian O’Herlihy

COMMONWEALTH OF MASSACHUSETTS

To the Residents of Wayland:

Middlesex, ss.

Town of Wayland

***** WARRANT *****

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

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

TUESDAY, APRIL 25, 2023, BETWEEN 7:00 A.M. and 8:00 P.M.

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

Two members for Select Board (formerly Board of Selectmen); two members for School Committee, two members for Board of Assessors; two members for Trustees of the Public Library; two members for Board of Health; one member for Planning Board; one associate member for Planning Board (for one year to fill a vacancy on a 5 year term); one member for Board of Public Works; one member for the Board of Public Works (for two years to fill a vacancy on a 3 year term) one member for Recreation Commissioner; one member for Commissioner of Trust Funds; and, one member for Housing Authority.

MONDAY, MAY 1, 2023 AT 6:45 P.M.

To act on the following Articles:

ANNUAL TOWN MEETING ARTICLES

Article 1. Recognize Citizens and Employees for Particular Service to the Town

Proposed by: Select Board

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

1. To recognize citizens who have served in a volunteer capacity on elected and/or appointed boards, committees, and commissions for a minimum of 25 years (service need not be consecutive);
2. To recognize employees who have retired since the previous Annual Town Meeting or intend to retire prior to June 30, 2023, with a minimum of 20 years of service;
3. To request Town Meeting observe a moment of silence in memory of elected or appointed volunteers, employees with at least 10 years of service, or an employee while in service to the Town without regard to tenure who shall have passed away since the adjournment of the 2022 Annual Town Meeting.

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

The following town and school employees have retired since the 2022 Annual Town Meeting or will retire before June 30, 2023 and have or will have served the Town for over 20 years:

Charles Akins	Police Sergeant	39 years
John Barry	DPW	34 years
Jamie Berger	Police Detective Sergeant	25 years
Marie Dorr	School Food Service Manager	29 years
Stephen Farina	School Psychologist	22 years
Kathleen Hodge	School Dept - Account Coordinator	30 years
William Kane	DPW	22 years
Celeste Larson	Teacher	24 years
Marie Pesaturo	Teacher	26 years
Linda Stockwood	Teacher	30 years
Mark Wilkins	Police Officer	34 years

The following elected or appointed volunteers or employees with 10 years of service have passed away since the 2022 Annual Town Meeting:

Cecil Wareham	June 25, 2021	Fire Department
John McDonald, Jr.	May 21, 2022	DPW – Water
Michael O’Connor	August 17, 2022	Teacher
Mary Kathleen Murray	December 22, 2022	Public Safety Dispatcher
David Nelson	December 31, 2022	Cable Committee
Dorothy Wedlock	January 16, 2023	Building and School Departments
Evelyn M. Ekmejian	January 23, 2023	Council on Aging Committee
Barbara Manley	January 24, 2023	Wayland High School Librarian

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

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

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

QUANTUM OF VOTE: Majority.

For more information about this article, contact Town Manager Michael McCall at mmccall@wayland.ma.us.

Article 2. Pay Previous Fiscal Years Unpaid Bills

Proposed by: Select Board

Estimated Cost: \$10,128.64

To determine whether the Town will vote to:

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

Fiscal Year 2022 liabilities to be paid using Fiscal Year 2023 appropriations:

Aramark	\$	98.24	FY23 School Budget
Aramark	\$	119.15	FY23 School Budget
BP Trucking	\$	402.69	FY23 School Budget
Teachers Discovery	\$	862.50	FY23 School Budget
Teachers Discovery	\$	787.03	FY23 School Budget
Multi-Heath Systems Inc.	\$	311.99	FY23 School Budget
Shred It	\$	756.90	FY23 School Budget
Gatehouse Media	\$	1,275.71	FY23 Town Manager Expense Budget
Gaylord Archival	\$	950.97	FY23 Town Manager Expense Budget

Fiscal Year 2021 liabilities to be paid using Fiscal Year 2023 appropriations:

KP Law	\$	4,563.46	FY23 Town Manager Expense Budget
Total		\$	10,128.64

FINANCE COMMITTEE COMMENTS: Occasionally, bills are not paid at the end of a fiscal year for a number of reasons, including late submission. The unpaid bills from previous years are summarized in this article and paid using the current year appropriations.

There is no additional cost to residents.

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

ARGUMENTS IN FAVOR: This is a standard article that allows the Town to pay bills for previous fiscal years.

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

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

QUANTUM OF VOTE: 4/5 vote – see Massachusetts General Laws Chapter 44, Section 64

For more information about this article, contact Finance Director Brian Keveny at bkeveny@wayland.ma.us.

Article 3. Current Year Transfers

Proposed by: Select Board

Estimated Value: \$82,000

To determine whether the Town will vote to transfer from the FY2023 Unclassified Health/Life Insurance account the sum of \$82,000 to supplement the operation and expenses of the Town Departments listed below for the current fiscal year.

CURRENT YEAR TRANSFERS FY2023

PURPOSE:		AMOUNT
1) Treasury Expense	\$	25,000
2) Treasury Personnel Services	\$	35,000
3) Finance Personnel Services	\$	22,000
Total	\$	82,000

FUNDING SOURCES:

1) Unclassified: Health/Life Insurance	\$	25,000
2) Unclassified: Health/Life Insurance	\$	35,000
3) Unclassified: Health/Life Insurance	\$	22,000
Total	\$	82,000

FINANCE COMMITTEE COMMENTS: This article authorizes the expenditure of funds for the current fiscal year, which were not foreseen in the current budget. This is not a request for new or additional funds but rather a transfer of funds between accounts. These requests for transfers are explained below. The Town budget is voted on a line item basis, and transfers require a vote of Town Meeting even if there are available funds in other departmental line items. None of these requested transfers result in additional taxes because the expenses are supported by the FY2023 budget. In each case there are funds in the funding sources line item accounts to cover the requested transfers.

These requests for current year transfers for the following expenses are as set forth below:

Treasury Expenses \$25,000: This request is to transfer funds from the Unclassified: Health/Life Insurance line item appropriation to the Treasury Expense line item appropriation. This transfer is necessary to fund an outside audit firm used to reconcile cash in FY2022.

Treasury Personnel Services \$35,000: This request is to transfer funds from the Unclassified: Health/Life Insurance line item appropriation to the Treasury Personnel Service line item appropriation. This transfer is necessary to fund part time temporary staff in the Treasurer’s office because of staff vacancy.

Finance Department \$22,000: This request is to transfer funds from the Unclassified: Health/Life Insurance line item appropriation to the Finance Department Personnel Services line item appropriation. This transfer provides necessary funds for additional compensation for the Finance Director because of increased responsibilities approved by the Acting Town Manager and Select Board for FY2023 which was not included in the FY2023 Personnel Services line budget.

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

ARGUMENTS IN FAVOR: Some requests are the result of information that was not available when forecasting the FY2023 budget, and each represents an obligation of the Town.

These transfer requests are all being funded within the FY2023 prior appropriations, so there is no additional FY2023 tax impact from passage of this article.

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

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

QUANTUM OF VOTE: Majority.

For more information about this article, contact Finance Director Brian Keveny at bkeveny@wayland.ma.us.

Article 4. OPEB Funding

Proposed by: Select Board

Estimated Cost: \$532,349

To determine whether the Town will vote to:

a) appropriate an aggregate amount of \$32,349 to be deposited in the Town’s Other Post-Employment Benefits Trust Fund which amount shall be provided by transferring the following sums of money from the enterprise and revolving funds:

- 1) Food Service \$ 6,138
 - 2) BASE \$ 5,529
 - 3) Children’s Way \$ 10,547
 - 4) Water \$ 7,663
 - 5) Wastewater \$ 824
 - 6) Recreation \$ 1,648
- ; and

b) appropriate \$500,000 to be deposited in the Town’s Other Post-Employment Benefits Trust Fund; and that said appropriation be provided by taxation.

FINANCE COMMITTEE COMMENTS: This article funds the Other Post-Employment Benefits (OPEB) contribution from two sources: a) enterprise and revolving funds and b) taxation.

Like other towns in Massachusetts, Wayland provides health insurance for benefit eligible retirees. The Government Accounting Standards Board (GASB) requires the Town to perform periodic actuarial valuations, based on prescribed accounting standards that measure the obligations accruing under its OPEB plans. While GASB requires that this liability be included on the balance sheet, GASB does not require funding this liability. The funding decision is up to the Town.

The Town pays the cost of current retiree insurance premiums as they are incurred as part of its operating budget. The Town historically contributed an additional amount to the OPEB Fund for future premium payments from available funding sources, including taxation and Free Cash. The amount contributed to the OPEB Fund as described in b) above was appropriated entirely from taxation since FY19 with the exception of FY22 when revenue pressures as a result of COVID-19 warranted the use of Free Cash for the contribution. The Town returned to the use of taxation, rather than Free Cash, as the funding source for this contribution in FY23 and anticipates remaining capable of doing so in future years.

Total OPEB Liability (“TOL”) is reported on a fiscal year basis. As of June 30, 2022, the TOL, as determined under GASB was \$64,738,003. Plan assets were \$24,315,033. The Net OPEB Liability, which equals the TOL less assets, was \$40,422,970. A useful metric for gauging funding progress is the ratio of assets to total liabilities, or the funded ratio, which is 37.6% as of June 30, 2022, as compared to 42.2% as of June 30, 2021. The funded status deteriorated in FY22 due to primarily to an actual plan asset return of -3.8% and a decrease in the plan’s discount rate and expected net investment return assumption from 6.75% to 6.41% which increased the TOL. Despite the deterioration, Wayland continues to be a leader among municipalities in addressing this long-term liability, which has been viewed favorably by Moody’s in assessing the Town’s credit.

The Town requested that its actuary, Odyssey Advisors (“Odyssey”), update the Town’s actuarial liability funding tables as of June 30, 2022 to determine the year full funding would be achieved with a level annual funding contribution of \$550,000 based on current actuarial assumptions. Odyssey determined full funding would be achieved in 2047 if all assumptions are realized. Actual results will vary due to differences between plan experience and assumptions.

Key assumptions include, without limitation, a 6.41% discount rate and expected net investment return, and an approximately 4.5% medical cost trend decreasing to an ultimate trend rate of 3.6% in 2061. A 0.25% increase in the discount rate assumption would decrease the TOL by approximately 5% while a corresponding decrease in the discount rate would increase the TOL by approximately 5%. A 0.25% increase in the medical cost trend assumption would increase the TOL by approximately 6% while a corresponding decrease in the medical cost trend assumption would decrease the TOL by approximately 6%.

The amount in b) is recommended at \$500,000 and this same amount is planned as a sustainable annual contribution to fund the OPEB liability as part of the Town's long-term financial planning. The methodology for calculating the amounts in part a) totaling \$32,349 is a per FTE expense at the same rate as in part b) in order to represent the fair share of the total amount to be paid from the enterprise and revolving funds.

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

ARGUMENTS IN FAVOR: OPEB liabilities are accrued over the service period of the employees earning these benefits because that recognizes the cost as it is earned. While there is no mandate to fund these obligations, proponents may argue it is prudent financial practice to fund towards benefits as they are earned rather than leave the obligation for future generations to pay.

Moody's has listed the Town's aggressive funding of OPEB liability as one of the Town's credit strengths and noted that, at the Town's current rate, the liability could be fully funded well ahead of most local governments.

Contributions to the OPEB Trust Fund represent the funding set aside to pay the contractually obligated future OPEB benefits. All contributions to the fund will accumulate at tax free rates and will result in lowering future operating expenses for the payment of OPEB benefits.

ARGUMENTS OPPOSED: Opponents may argue that our annual funding contributions should be larger because OPEB liabilities represent the projected value of benefit commitments made in the past, which should have been fully funded as earned. Since they were not fully funded as earned, we should fund a larger amount to close the gap faster.

There is no legal mandate to fund these liabilities, and this generation of taxpayers is being asked to bear a cost for current retirees as well as contribute towards the annual accrual for active employees. Therefore, opponents may argue a lower funding level is justified.

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

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

For more information about this article, contact Finance Director Brian Keveny at bkeveny@wayland.ma.us.

Article 5. Enterprise Fund Budgets

Proposed by: Select Board

Estimated Cost: \$6,105,250

To determine whether the Town will vote to raise, appropriate, transfer from available funds or borrow a sum of money in the aggregate amount of \$6,105,250 for the operation and expenses of the Water Enterprise Fund, the Wastewater Enterprise Fund and Transfer Station Enterprise Fund as set forth in the Finance Committee's Budget for Fiscal Year 2024, including capital expenses for equipment, improvements or other purposes, which sum shall be expended only for the purposes shown under the respective boards, committees and offices of the Town, with such appropriation being raised in the respective departmental receipts and the sum of \$75,000 to be raised by taxation as follows:

1) Water Revenue	\$ 4,700,812
2) Wastewater Revenue	\$ 722,739
3) Wastewater Certified Retained Earnings	\$ 182,923
4) Transfer Station Revenue	\$ 423,776
5) General Fund Subsidy	\$ 75,000

FINANCE COMMITTEE COMMENTS: Passage of this article funds the Town’s three Enterprise Funds: Water Enterprise Fund (Water EF), Wastewater Enterprise Fund (Wastewater EF), and Transfer Station Enterprise Fund (Transfer Station EF) for Fiscal Year 2024 (FY 2024).

The FY 2024 proposed budgets for each enterprise fund are as follows:

<u>TOWN ENTERPRISE FUNDS (EF)</u>	ACTUAL FY 2021	ACTUAL FY 2022	APPROVED FY 2023	PROPOSED FY 2024
TOTAL WATER EF	\$ 3,772,969	\$ 3,663,397	\$ 4,184,227	\$ 4,700,812
TOTAL WASTEWATER EF	\$ 687,981	\$ 617,271	\$ 923,640	\$ 905,662
TOTAL TRANSFER STATION EF	\$ 361,074	\$ 350,070	\$ 503,942	\$ 498,776

Water: The proposed FY 2024 budget is \$516,585, or 12.35%, greater than the approved Fiscal Year 2023 (FY 2023) budget. Increases in debt service (\$233,495) and purchase of services (\$130,000) account for 70.36% of the year-over-year (YOY) total increase. The increase in debt service is attributable to a November 2022 bond financing, the proceeds of which are intended to cover the cost of the River Road water main project (\$1,040,000) and PFAS remediation costs (\$870,412) approved at the 2022 and 2021 Annual Town Meetings, respectively. The increase in purchase of services is attributable to PFAS remediation costs, e.g., equipment rental and related services, which were under budgeted in FY 2023 in anticipation of possible grant funding. Increases in Town allocated overhead (\$51,323), utilities (\$45,500), salaries (\$34,267), and supplies (\$22,000) account for the remaining 29.64% YOY increase.

Wastewater: The proposed FY 2024 budget is \$17,978, or -1.95%, lower than the approved FY 2023 budget. Although the YOY change is small, there were two budget line items that reflect significant variances. Purchase of services reflects a \$110,900 YOY decrease attributable to a reduction in contract services associated with the FY 2023 installation of new membranes at the plant (-\$130,000) offset by increases to existing service and consulting agreements. Supplies reflect a \$62,945 YOY increase, which represents one-third of the total cost for various small capital items anticipated to be needed in the next few years (\$75,000) offset by reductions in other expense line items. It should be noted that \$182,923 of retained earnings will be used to pay for the small capital items noted above and a portion of the budgeted debt service for FY 2024.

Transfer Station: The proposed FY 2024 budget is \$5,166, or -1.03%, lower than the approved FY 2023 budget. Of note, the FY 2024 budget continues to rely upon a \$75,000 Town subsidy to cover an anticipated operating shortfall.

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

ARGUMENTS IN FAVOR: The Town’s Enterprise Fund budgets set forth in this article reflect the cost of providing Town services in an efficient manner in order to maintain delivery of current levels of service to residents.

ARGUMENTS OPPOSED: The level of services provided by the Town should be reduced to lower costs to residents and the Town’s subsidy to the Transfer Station should be eliminated.

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

QUANTUM OF VOTE: Majority - See Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 53F ½.

For more information about this article, contact Finance Director Brian Keveny at bkeveny@wayland.ma.us.

Article 6. Fiscal Year 2024 Revolving Fund Expenditure Limits

Proposed by: Select Board

To determine if the Town will vote to set the following enumerated dollar figures as the total amount to be expended from the respective authorized revolving funds for Fiscal Year 2024, or take any action relative thereto:

1. Council on Aging:	\$	34,000
2. School Department / Professional Development:	\$	3,000
3. School Department / Curriculum:	\$	0
4. Recreation:	\$	972,000
5. Recreation Athletic Fields:	\$	400,000
6. Conservation Community Gardens:	\$	3,000

FINANCE COMMITTEE COMMENTS: Passage of this article will establish the Fiscal Year 2024 spending caps for the Town’s revolving funds. The 2017 Annual Town Meeting adopted Town Code Chapter 19, Section 10 establishing revolving funds under Mass General Laws, Chp. 44, section 53E ½. Adoption of this code requires the Select Board to recommend to Town Meeting annually and for Town Meeting to set the limits of expenditure for each revolving fund. For FY 2024, the Select Board recommends the following spending caps:

<u>Revolving Fund</u>	<u>Recommended FY24 Spending Cap</u>
1. Council on Aging	\$ 34,000
2. School Department/Professional Development	\$ 3,000
3. School Department/Curriculum	\$ 0
4. Recreation	\$ 972,000
5. Recreation/Athletic Fields	\$ 400,000
6. Conservation Community Gardens	\$ 3,000

Council on Aging: The spending cap remains unchanged at \$34,000 from FY 2023. Budgeted expenses for FY 2024 include but are not limited to payments for instructors for fitness classes, transportation expenses for groceries and basic need trips, as well as supplies and miscellaneous expenses.

School Department / Professional Development: The spending cap is being decreased by \$1,000, from \$4,000 in FY 2023 to \$3,000 in FY 2024. This fund allows for the School Department to collect registration fees from individuals outside of the district who attend district developmental programming, and then use those fees to offset the costs of the associated programming. Budgeted expenses for FY 2024 include but are not limited to payments for the cost of a professional development presenters and associated miscellaneous expenses.

School Department/Curriculum: The School Department does not anticipate any revenues or expenses for this fund.

Recreation: The spending cap is being increased by \$72,000 from \$900,000 in FY 2023 to \$972,000 for FY 2024. Rate increases as well as continued participation in programs are expected to result in higher revenues. Revenues originate from fees for summer camps, pre-K and adult programming, town beach passes and concession sales as well as other miscellaneous programming. Budgeted expenses for FY 2024 include but are not limited to salaries for one full time FTE, as well as the approximately 100 seasonal staff including lifeguards, CPR training, pre-K programming, ski programs, adult programming, summer camps, supplies and maintenance at town beach, and other miscellaneous expenses.

Recreation Athletic Fields: The spending cap remains unchanged from FY 2023 at \$400,000. Revenue is derived from users paying for the rental of athletic fields by the hour, or by the season. Budgeted expenses for FY 2024 include but are not limited to the maintenance of turf fields, water, and electrical expenses.

Conservation Community Gardens: The spending cap remains unchanged from FY 2023 at \$3,000. Revenue is derived from fees for garden plots. Budgeted expenses for FY 2024 include but are not limited to rental of a dumpster, water, compost and native plantings as well as other miscellaneous expenses.

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

ARGUMENTS IN FAVOR: Revolving fund expenditure limits were adjusted to better reflect the needed business limits of each fund based on changing demand limits.

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

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

QUANTUM OF VOTE: Majority. See Massachusetts General Laws Chapter 44, Section 53E ½.

For more information about this article, contact Town Manager Michael McCall, at Mmccall@wayland.ma.us

Article 7. Update Personnel Bylaws and Wage & Classification Plan and Fund Union Agreements

Proposed by: Select Board

Estimated Value: \$563,962

To determine whether the Town will vote to

- a) amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan (Appendix B) previously adopted by the Town to amend recreational and seasonal positions and adjust selected positions affected by the Massachusetts minimum wage;
- b) amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan (Appendix B) previously adopted by the Town to amend the non-union positions;
- c) transfer from FY2023 budgeted Unclassified: Reserve for Salary Settlement account \$214,355 and from budgeted Debt and Interest account \$349,607 for the purpose of funding the collective bargaining agreement reached between the Town of Wayland and the Fire Union and to authorize the Town Accountant to allocate said amounts to be distributed to and among the department personnel and line items affected thereby in such amounts as are proper and required.

FINANCE COMMITTEE COMMENTS: This article requests Town Meeting's approval of various changes to the Wage & Classification Plan (see Appendix B) and authorization to transfer funds to cover the cost of the recently settled Fire Union contract.

Wage & Classification Plan

Non-Union Positions: As noted in Appendix B, adjustments have been made to reflect the addition/deletion of various positions; certain positions have been reclassified; wage scales for certain recreational seasonal positions and various other positions impacted by the Massachusetts minimum wage increase have been adjusted; and a market adjustment of 3.3% has been reflected for all non-union positions shown in the N Schedule.

- Minimum wage adjustments are reflected in departmental budgets for FY2024. Recreational seasonal positions will be funded from the Recreation revolving fund and do not have a tax impact as they are paid from fees.
- Hiring over the past nine months has been challenging given post-COVID labor market conditions and the established limits noted in the N Schedule wage scales. In order to be competitive, the Town Manager has sought Personnel Board approval to reclassify numerous positions during this period.
- A 3.3% wage scale adjustment is being proposed for all non-union positions shown in the N Schedule in order to provide for reasonable wage growth given current economic conditions. The proposed percentage increase was derived from the market adjustment recently agreed to with one of the Town's unions (see below) and supported by anecdotal market information. It should be noted that a formal compensation study has not been done for non-union positions since 1997. The financial impact of approving the proposed 3.3% market adjustment reflected in the N Schedule is approximately \$113,500. This amount has been reflected in the FY2024 operating budget.
- A cost-of-living increase (COLA) has not been reflected in the non-union wage scales as such adjustments typically follow the settlement of one or more of the Town's union contracts. As of the time the Warrant went to print, none of the union contracts have been settled for the period beginning July 1, 2023. Funds have been included in the FY2024 operating budget - Unclassified: Reserve for Salary Settlement account to cover the potential retroactive payment of a COLA to non-union (and union) positions for FY2024.

Union Positions: The wage scale tables and position classifications for union positions are included *for informational purposes only*. All union contracts (Town and School) are subject to collective bargaining for the period beginning July 1, 2023. Unions that have begun negotiations as of March 7, 2023 are reflected in Appendix B.

Other negotiations completed during the current fiscal year include the following:

- AFSCME: In February 2023, the Town and AFSCME (American Federation of State County and Municipal Employees) agreed to a 10% market adjustment (based on a 75% percentile target of comparable wages) for all AFSCME positions based on the results of a May 2022 compensation study, which was completed based on a prior agreement between the Town and the union. The parties agreed to spread this percentage increase over three years as follows: FY2024 – 3.3%; FY2025 – 3.3%; and FY2026 – 3.4%. The financial impact of the initial 3.3% market adjustment, or approximately \$165,650, has been reflected in the FY2024 operating budget.

This market adjustment is in addition to any other COLA adjustment that might be payable to these union positions once current contract negotiations have been completed.

- Fire Union: The Town and the Wayland Firefighters Local 1978 recently entered into a Memorandum of Understanding (MOU) setting forth the agreed upon terms of a contract. The actual contract will be documented in the next few months. Included in the agreed upon terms is the payment of a COLA equivalent to that provided to all other unions for the same time period. The

Fire Union's wage scale table shown in Appendix B has been updated, as of July 1, 2022, to reflect the impact of these agreed upon COLA adjustments.

Fund Fire Union Agreement – Transfer Request: In order to pay the agreed upon COLA and certain other amounts set forth in the MOU between the Town and the Fire Union, Town Meeting is being asked to authorize the transfer of \$563,962 from (i) Unclassified: Reserve for Salary Settlement account (\$214,355) and (ii) Debt and Interest account (\$349,607), both of which have available balances based on the previously approved FY2023 operating budget.

The total amount required to satisfy the Town's payment obligation exceeds the reserve established in the FY2023 operating budget. Accordingly, another source of funding was needed. As noted in the Finance Committee's Annual Report contained in the 2022 ATM warrant, the Debt and Interest account was level funded at approximately \$6.6 million, while actual debt and interest for FY2023 was expected to be approximately \$6.05 million, or a difference of approximately \$550,000. A portion of this funding is being used to cover the balance of the payments owed to the Fire union members.

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

The Personnel Board recommends approval. Vote: 4-0-1

ARGUMENTS IN FAVOR: The Wage and Classification Plan allows for periodic wage increases for non-union employees and provides for reasonable wage growth over time depending on economic conditions.

Compensation adjustments to keep Wayland abreast of market wages is critical to attract and retain staff in all departments.

Recreational seasonal wage adjustments will keep Wayland competitive in this market. The adjustments are also consistent with the Recreation Department's efforts to certify their summer programs with the State.

Passage of this Article will continue to keep the Town in compliance with Massachusetts minimum wage requirements.

ARGUMENTS OPPOSED: Market salary adjustments for non-union positions should be based on an independent compensation study and not tied to the results of studies performed for union positions or anecdotal evidence.

Opponents might say that salary growth should be lower based on the perceived need to better manage the budget and that wages should not be adjusted.

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

QUANTUM OF VOTE: Majority. See M.G.L. Chapter 41, Section 108A.

CONSISTENCY WITH LAW: The proposed amendment is not repugnant to federal law.

For more information about this article, contact Town Manager Michael McCall at mmccall@wayland.ma.us.

Article 8. Update the Town's Personnel Handbook, Policies and Procedures and Town Code Chapter 43 Personnel

Proposed by: Select Board

Estimated Cost: \$30,000

To determine if the Town will vote to appropriate \$30,000 from General Fund: Unreserved Fund Balance to hire a consultant to work under the direction of the Town Manager, in consultation with the Personnel Board and Select Board, for the purposes of:

- 1) reviewing and recommending revisions to the Town Code Chapter 43 Personnel to be consistent with Chapter 33 of the Acts of 2022; and
- 2) updating the Town's Employee Handbook and Personnel Policies and Procedures.

FINANCE COMMITTEE COMMENTS: Passage of this article will authorize hiring a consultant to update the Town Code, Chapter 43 Personnel and the Employee Handbook, policies and procedures. Following the March 2022 enactment of the Town's Special Act establishing a Select Board/Town Manager form of government (SB/TM Act), the Select Board has worked to ensure a smooth transition for Town staff and volunteer boards and committees.

Under the SB/TM Act, the responsibility for and authority over human resource and personnel matters is intended to rest directly with the Town Manager. A review and revision of the current Personnel bylaw is needed to better define the Personnel Board's role in Town government under the SB/TM Act. At the same time, the review might also assess whether there are other changes that might streamline the overall handling of personnel matters. Any proposed changes to the Town Code will need to be approved at a future Town Meeting.

Historically, the responsibility for reviewing and updating personnel policies and procedures and the Town's employee handbook has been within the purview of the Personnel Board and the Town's human resource staff. Although individual policies have been updated on an ongoing basis, the last significant updates were in 2016-2017 and prior to that in 2005. The Town's Employee Handbook has not been updated since 2008.

The Select Board and the Town Manager have determined, in consultation with the Personnel Board, which in addition to a review of the Personnel bylaw, there also is a need to review and update various personnel policies and procedures and the Town's employee handbook.

Over the years, the Town has benefited from the expertise of the Personnel Board's volunteer members, many of whom have been, and currently are, labor attorneys and human resource professionals, to do much of this work. However, to expedite this review and updating, the Select Board is seeking an appropriation of \$30,000 to hire an outside consultant to work with the Town Manager, Human Resources Manager, and the Personnel Board in completing this task. The detailed scope of work has not yet been developed and may require prioritization.

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

The Personnel Board recommends approval. Vote: 4-0-0

ARGUMENTS IN FAVOR: In order to ensure the successful implementation of the Select Board/Town Manager form of government and to provide clarity with conflicts that exist between the SB/TM Act and the Personnel bylaw, an outside consultant will be hired to perform this review.

Periodic updates to personnel policies and procedures and the employee handbook are important for many reasons, e.g., capturing changes to Town operations, including its support of diversity, equity and inclusion; updates for language, legal and technological changes; ensuring that all employees understand the policies;

and capturing anything else that might be missing or outdated. Given that updates to a number of the Town's policies and procedures and the employee handbook were last made many years ago, it is time for an update.

ARGUMENTS OPPOSED: Given the Personnel Board members' expertise, the Town should continue to utilize the Board rather than outsource this work, particularly given the significant proposed increase in the Town's operating budget for next year.

The appropriation requested under this article is limited and, therefore, there is a risk that generic, off the shelf documents will be recommended by the consultants rather than a tailored set of documents reflecting the needs of the Town.

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

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

For more information about this article, contact Town Manager Michael McCall at mmccall@wayland.ma.us.

Article 9. Payment of River's Edge Asbestos Expense

Proposed by: Select Board

Estimated Cost: \$524,742

To determine if the Town will appropriate \$524,742 from the Receipts Reserved for Sale of Real Estate account to pay for the expense associated with the removal and related costs of removal of asbestos containing material and associated soil on town-owned land at 484-490 Boston Post Road.

FINANCE COMMITTEE COMMENTS: Passage of this article will pay the expenses for the preconstruction asbestos remediation at the property formerly known as the River's Edge site. During the developer's due diligence work, an amount of asbestos containing materials above the reportable release quantity was discovered at the River's Edge project location. Removal was a MassDEP regulatory mandated expense that was the responsibility of the Town.

At Special Town Meeting in November 2018, residents appropriated up to \$790,530 for the removal and related costs of removal of asbestos containing materials at 484-490 Boston Post Road. Ultimately, the funds for the remediation were borrowed. With the approval of this article, a portion of the proceeds from the sale of the land to the developer will be used to pay off the expense to complete the remediation.

The Town received proceeds from the sale of land and the development of the rental units now known as Alta Oxbow. The funds are held in an account labeled Receipts Reserved for Sale of Real Estate and may only be used as voted by Town Meeting on real estate related projects.

In a related matter, Article 25 rescinds the authorized but unborrowed debt of \$265,530 remaining from this project. There is no financial cost to that action.

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

ARGUMENTS IN FAVOR: Payment of the expense fulfills the Town's financial responsibility for the asbestos remediation at the site. Payment is accomplished without additional tax burden on residents.

Given discovery of the asbestos was the result of preparing the site for sale, ultimately paying for the remediation from the proceeds of the property sale enhances transparency into the net benefit of the property sale.

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

RECOMMENDATION: The Finance Committee recommends approval. Vote: 4-0-1

QUANTUM OF VOTE: Majority. See Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 63.

For more information about this article, contact Finance Director Brian Keveny at bkeveny@wayland.ma.us.

Article 10. Surface Water Quality Budget

Proposed by: Select Board

Estimated Cost: \$25,000

To determine whether the Town will vote to appropriate \$25,000, or any other sum, for the expenses of the Surface Water Quality Committee to be spent under the direction of the Select Board.

FINANCE COMMITTEE COMMENTS: Passage of this article will fund the work of the Surface Water Quality Committee (SWQC) which is cyclical in nature as water treatment requirements and related costs can vary widely from year to year. From a budget perspective this timing and financial variability does not fit well with the Town's fiscal year ending on June 30. For instance, some years the SWQC needs to treat for milfoil which results in higher expenses and crosses the fiscal year end for the treatment timetable.

Funding through an article allows unspent funds to be carried over year to year vs. an annual budget allocation that is set prior to the scope of work and estimated costs being identified. The FY24 budget request of \$25,000, reduced from \$51,000 in the prior budget, reflects the purchase of a harvester and that the cost of weed pulling previously performed by an outside vendor has been transferred to the Department of Public Works.

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

ARGUMENTS IN FAVOR: Appropriating funds through an article rather than the budget will allow funds to be carried over the June 30 year end, and improve the budgeting and cash flow.

This allocation is not included in the FY24 budget. Without this article, there will be no funds to perform this work.

ARGUMENTS OPPOSED: These expenditures are no different than any other budget items that do not carry over to the next year and should be part of the omnibus budget.

Funding through an article versus the budget reduces transparency.

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

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

For more information about this article, contact Town Manager Michael McCall at mmccall@wayland.ma.us.

Article 11. Special Education Reserve Fund

Proposed by: School Committee

Estimated Cost: \$150,000

To see if the Town will vote to:

- a) Establish a fund under the provisions of M.G.L. c. 40 section 13E to be known as the Special Education Reserve Fund, the purpose of which is to allow the Schools, from time to time, to reserve funds that can be used in future years to pay, without further appropriation, for unanticipated or unbudgeted costs of special education, out of district tuition, transportation and recovery high school tuition.

- b) Determine whether the Town will vote to appropriate the sum of \$150,000 to said fund to be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: Passage of this article will establish and fund a Special Education Reserve Fund to support the Town's special education costs. The Fund will be a tool to help level the tax impact of fluctuating expenses to fund legally mandated special education services. It will be used to help fund unanticipated or unbudgeted costs of special education, out of district tuition, transportation costs, and recovery high school tuition.

The special education costs to the Town can vary significantly from year to year as families move to Wayland and students enter the district who require special education services. Special education services for students who qualify are mandated by the Commonwealth. The town incurred special education costs of \$3,368,460 in FY 2022; budgeted \$3,618, 949 in FY 2023 and is currently budgeting expenses of \$5,361,887 in FY 2024. The Town is facing an increased cost in Special Education services of 48% in FY 2024 because of significant increases in out of district placements and the state's Operational Services increase of 14% in FY 2024 for approved private Special Education programs (i.e., private out of district placements). Establishment of a Special Education Reserve Fund will help offset costs in years that see significant Special Education cost increases. In years in which the Special Education costs are lower than budgeted, funds may be contributed to the Reserve Fund.

The initial funding for the Special Education Reserve Fund will be \$150,000 from taxation. Ongoing funding of the Special Education Reserve Fund can vary from year to year and can include appropriation, transfer from the School Operating Budget, and transfer from other Town accounts, among others. Once the fund is established, the School Committee may include a separate line item in its annual budget request to appropriate monies into the reserve fund. The balance in the reserve fund cannot exceed two percent of the annual net school spending of the school district which would currently be a balance of \$1,046,309 (Source: FY2022 End of Year Report).

Funds can only be expended or transferred out from the reserve fund after a majority vote of the School Committee and a majority vote of the Select Board, which is identified with M.G.L. c. 40 sec 13E. The School Department will first use any operating budget funds identified as special education expenses and circuit breaker funds before the reserve funds are accessed.

The Treasurer shall be the custodian of the fund and will invest these funds as allowable by state statute. Any interest earned on the assets of the fund shall be added to and become part of the Special Education Reserve Fund. Monies accumulated in a reserve fund carry over from one fiscal year to another.

The School Committee recommends approval. Vote: 4-0-0

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

ARGUMENTS IN FAVOR: Special Education services are mandated by the Commonwealth of Massachusetts. The number of students eligible for services and the type of services that students are eligible for vary from year to year, thus making it difficult for the schools to properly budget the correct amount. A reserve fund will allow better budgeting in the school's operating budget and improve transparency.

A reserve fund will allow the school's operating budget to not fluctuate as much as it does now and will be less volatile as it relates to special education budgeting and expenses.

ARGUMENTS OPPOSED: The creation of another fund adds to the workload and tracking for the town staff.

Funds in the Special Education Reserve Fund would be restricted to only special education services, out of district tuition, transportation costs and recovery high school tuition.

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

QUANTUM OF VOTE: Majority.

For more information about this article, contact School Department Business Manager Tom Lafleur at Thomas_lafleur@waylandps.org

Article 12. MWRA Admission Application – Approval to Proceed

Proposed by: Board of Public Works, Select Board

To determine whether the Town will authorize the Board of Public Works and the Select Board to take any action necessary to pursue admission, as a new community, to the Massachusetts Water Resources Authority water system which would facilitate a permanent connection to this system as a water source for Wayland.

FINANCE COMMITTEE COMMENTS: Passage of this article is required for applying to the Massachusetts Water Resources Authority (MWRA) water district and for obtaining an allocation of water that can be drawn from its system. Passage will authorize the Board of Public Works (BoPW) and the Select Board to take the necessary steps for the Town to secure a permanent connection to the MWRA system.

Briefly summarized, the initial step is to obtain Town Meeting approval to proceed, i.e., passage of this article; followed at future Town Meetings by funding and completion of the engineering and design; and finally funding and construction of the permanent MRWA connection.

The Town is considering joining the MWRA system for numerous reasons, including:

- Federal and state regulatory requirements for drinking water have become increasingly stringent, making those requirements more difficult and costly to meet. For example, in November 2020, the Commonwealth of Massachusetts lowered the acceptable levels of per- and polyfluoroalkyl substances (PFAS) compounds in the drinking water supplies. In March 2021, PFAS levels in the Town's water supply exceeded those limits causing concern and a significant expense to construct and operate a temporary filtration system to bring the drinking water into compliance;
- The U.S. Environmental Protection Agency (EPA) has released draft updated drinking water regulations. It is likely that the upcoming, as well as future, regulations on PFAS, or any other chemicals, will require more purity and more sophisticated treatment. These considerations may increase the risk of supply interruptions and may require additional Town operating and capital funding for our existing well system. The permanent MWRA connection is intended to provide the Town with viable water supply options if capital upgrades to our existing wells prove to be prohibitively expensive; and
- The Town's water system lacks sufficient equipment and supply redundancies to ensure water deliveries during peak demand periods. The capacity of the proposed permanent MWRA connection will address these deficiencies.

The following is a more detailed discussion of the steps required to secure a permanent MWRA connection:

- *Approval to Proceed:* The BoPW realizes that a permanent connection to the MWRA system is a major alteration to our water supply system and that it represents a legacy decision that will affect the Town's water supply for many decades going forward. Recognizing the importance and long-term impact, the BoPW has spent the past 20 months working with Kleinfelder, a leading engineering and design company specializing in municipal water systems (<https://www.kleinfelder.com>). They have reviewed the Town's water supply, equipment, costs and other options to ensure an adequate water supply. Over the course of numerous discussions, twenty-six proposed solutions were evaluated for

capital cost, operating costs and system reliability. These proposed solutions included the option of maintaining complete reliance on our own in-town wells.

The study concluded with Kleinfelder and the BoPW recommending what they jointly considered to be, the most cost-effective solution, i.e., a Hybrid Supply alternative to be achieved by joining the MWRA system and bringing their water to Wayland via the Hultman right-of-way, while continuing to maintain our existing well systems to the greatest extent possible. They also jointly believe the recommended Hybrid Supply will give the Town the most flexibility to meet its water supply needs long into the future. Kleinfelder's April 2022 report and related presentations are available online at <https://www.wayland.ma.us/board-public-works>.

The MWRA requires this Town Meeting's passage of the "Approval to Proceed" as a demonstration of the Town's willingness to evaluate the next steps of the admission process described below. There is no cost incurred with passing this "Approval to Proceed" article.

- ***Engineering and Design:*** Once "Approval to Proceed" is secured by passage of this article, the next step is the work to engineer and design the permanent MWRA connection and to secure the requisite regulatory approvals. This step requires funding of \$2 million. To cover the \$2 million cost, the Select Board has allocated \$1 million from the American Rescue Plan Act (ARPA) funds received by the Town. The \$1 million balance, which will be funded with debt supported by Water Revenue, is included in the FY24 Capital Budget to be considered under Article 13 of this warrant.

The BoPW expects the engineering and design phase to be 18 to 24 months. It will finish with a complete scope and cost for construction along with permits to proceed.

- ***Fund and Construct the Permanent MWRA Connection:*** Once engineering and design is complete and the regulatory permits are secured, the BoPW has indicated its intent to request construction funding at a future Town Meeting. Based on the initial studies, the projected capital required for construction is estimated to be in the range of \$20 to \$25 million. However, no capital for system construction is being requested at this Town Meeting. Funding for the cost of system construction will follow the Town's capital approval and procurement processes. That funding will be requested at the FY26 or FY27 Annual Town Meeting after the system engineering and design is completed and the construction cost is determined.

Once construction funding is approved at a future Town Meeting, the BoPW expects that 24 to 30 months will be required for construction of the permanent connection – a total of five years from this Town Meeting for the system to be operational.

It should be noted that the construction capital costs noted above will not be included in the Town's five-year capital plan until the MWRA Admission Application is approved. At that time, a variety of funding options for construction will be evaluated, e.g., government grants, interest free MWRA loan, debt supported by water revenue funds and, if needed, funds provided by the Town.

The Board of Public Works recommends approval. Vote: 5-0-0

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

ARGUMENTS IN FAVOR: The regulatory requirements for treating water are likely to become more stringent, making it very difficult and expensive for small towns. On the other hand, MWRA water currently meets the foreseen requirements and the large MWRA system provides economies of scale and expertise in handling these matters.

To facilitate Wayland's connection to the MWRA system, the MWRA Board has agreed, for a limited time, to waive the normal \$7 million entry fee. MWRA capacity is also limited and subject to first-come, first-served applications from other Massachusetts communities. To preserve our place in line and to take

advantage of the \$7 million fee waiver, the Town must approve this article so that the BoPW and Select Board can begin the MWRA admission process in FY 2024.

The MWRA has offered the Town the use of the Hultman aqueduct right-of-way. This is preliminary info and should not be considered final. This right-of-way is the most direct route to bring MWRA water to Wayland. Its utilization will minimize the amount of road disruption required and it will substantially reduce the overall cost of otherwise taking a longer route. It is not clear if this offer will be available in the future should the Town choose not to proceed at this time.

While the overall cost of joining the MWRA system is substantial, the cost of maintaining the operation of our existing wells is also substantial. These relative costs were factored into the Kleinfelder evaluations and their recommendation for a permanent MWRA connection.

The Town currently is finding it difficult to attract and retain certified water system operators putting the Town at risk of not meeting critical staffing needs. A permanent MWRA connection will ease the reliance on Town staff or outsourced professionals.

The Town currently draws water from a series of local wells and treats the water in several facilities before it is distributed into the Town's public water system. During high demand periods, the wells typically run 24/7 to ensure the Town's water demand is met. Issues with any of the wells or treatment facilities could put the Town at risk of not having sufficient water to meet the demand. Access to MWRA water will provide sufficient supply to mitigate these potential risks.

The Town currently is at risk of not being able to meet peak demand for water. A failure of a well, water filtration or treatment system could have a significant detrimental impact on the Town's ability to meet water demand, particularly after the \$1.4 million temporary, emergency MWRA connection, now under construction, is no longer usable. A permanent connection to the MWRA system would provide Wayland with an additional and reliable long-term source of water that is expected to meet the current and future federal and state standards.

ARGUMENTS OPPOSED: The estimated total cost of securing a permanent MWRA connection is substantial. Putting this initiative on hold now provides the Town with more time to seek another professional opinion or peer review, assess the likelihood of future regulatory changes, find additional qualified employees to run the Town's systems, and evaluate its options for paying for the proposed costs. There is no assurance that grants, an MWRA interest free loan or sufficient debt supported by water revenue funds will be available for this project. If not, the Town will have to borrow funds to cover any shortfall and taxes likely will go up to pay for the increased borrowing.

The Town's water supply will be at risk for issues arising within the MWRA system, which would be outside of the Town's control.

Debt supported by water revenue funds likely will be needed to fund this project. In order to fund the repayment of such debt, water rates likely will have to be increased.

The cost of buying MWRA water is currently higher than the cost of Wayland-produced water. Should this remain the case in the future, residents likely will see increases in their water bills.

Connecting to the MWRA water system may result in road construction disturbance over a two-year period. Blending of the two different disinfection methods used by the MWRA and the Town could result in taste and odor issues.

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

QUANTUM OF VOTE: Majority.

For more information about this article, contact DPW Director Tom Holder at tholder@wayland.ma.us.

Article 13. Fiscal Year 2024 Omnibus Budget

Proposed by: Town Clerk

Estimated Cost: \$99,726,007

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

MOTIONS UNDER ARTICLE 13:

1) “That each and every numbered item set forth in the Finance Committee’s Budget for Fiscal Year 2024 be voted, granted and appropriated as an expenditure for several purposes and uses set forth in said budget establishing a total budget of \$ 99,726,007 which sum shall be expended only for the purposes shown under the respective boards, committees and offices of the Town; and, of the total sum so appropriated \$97,715,128 shall be raised by taxation, \$409,400 shall be provided by transfer from Ambulance receipts, \$1,601,479 shall be transfer from other funds.

2) “That each and every numbered item set forth in the Finance Committee’s capital budget of Fiscal Year 2024 listed on pages 52-58 in the total amount of \$5,456,372 be appropriated for equipment and vehicles acquisitions and projected for the listed departments, each of which shall be an appropriation, and of the total sum so appropriated, the Treasurer, with the approval of the Select Board, is authorized to borrow \$1,876,000 pursuant to the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8, \$1,389,081 to be raised from Surplus Capital Funds, \$1,764,291 shall be provided by transfer from Unreserved Fund Balance, \$288,000 shall be provided from Ambulance Receipts, \$139,000 shall be raised by Water Enterprise Fund Certified Retained Earnings

FINANCE COMMITTEE COMMENTS: Passage of this article will approve the Town’s Fiscal Year 2024 omnibus budget. The Finance Committee refers the residents to the Report of the Finance Committee at the beginning of the Warrant, which provides detail of the proposed operating budget and capital budget and 5-year capital plan.

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

ARGUMENTS OPPOSED: Some residents believe that the growth in Town spending and the resulting tax increase are unsustainable. Some residents have communicated that they feel the level of services should be reduced. Other residents believe that insufficient funds have been budgeted to perform all desired services.

RECOMMENDATION: The Finance Committee recommends approval. Operating Budget Vote: 6-0-0 and Capital Budget Vote: 4-1-1

QUANTUM OF VOTE: Majority to transfer funds under Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B, and a 2/3 vote is required to borrow per Massachusetts General Laws Chapter 44, Section 2.

For more information about this article, contact Finance Director Brian Keveny at bkeveny@wayland.ma.us.

	<u>FISCAL YEAR 2024 BUDGET</u>	ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2021	FY 2022	FY 2023	FY 2024
	SELECT BOARD				
	PURCHASE OF SERVICES	\$54,169	\$36,096	\$52,000	\$52,000
	SUPPLIES	\$1,150		\$2,000	\$2,000
1	TOTAL EXPENSES	\$55,319	\$36,096	\$54,000	\$54,000
	TOTAL SELECTMEN	\$55,319	\$36,096	\$54,000	\$54,000
	TOWN OFFICE				
2	PERSONNEL SERVICES	\$672,012	\$708,169	\$712,500	\$697,302
	PURCHASE OF SERVICES	\$236,404	\$185,228	\$203,039	\$203,039
	SUPPLIES	\$59,754	\$51,944	\$66,168	\$66,168
3	TOTAL EXPENSES	\$296,158	\$237,172	\$269,207	\$269,207
	TOTAL TOWN OFFICE	\$968,170	\$945,341	\$981,707	\$966,509
	PERSONNEL BOARD				
4	PERSONNEL SERVICES	\$8,000	\$0	\$17,500	\$17,500
				\$0	
	PURCHASE OF SERVICES	\$16,865	\$17,472	\$26,000	\$21,000
5	TOTAL EXPENSES	\$16,865	\$17,472	\$26,000	\$21,000
	TOTAL PERSONNEL BOARD	\$24,865	\$17,472	\$43,500	\$38,500
	FINANCE				
6	PERSONNEL SERVICES	\$280,005	\$318,186	\$325,036	\$365,007
	PURCHASE OF SERVICES	\$46,055	\$63,505	\$65,865	\$65,864
	SUPPLIES	\$0		\$500	\$500
7	TOTAL EXPENSES	\$46,055	\$63,505	\$66,365	\$66,364
	TOTAL FINANCE	\$326,060	\$381,691	\$391,401	\$431,371

	FISCAL YEAR 2024 BUDGET	ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2021	FY 2022	FY 2022	FY 2023
	ASSESSOR				
8	PERSONNEL SERVICES	\$148,673	\$202,878	\$246,745	\$259,837
	PURCHASE OF SERVICES	\$43,788	\$34,065	\$59,201	\$59,201
	SUPPLIES	\$899	\$0	\$2,500	\$2,500
9	TOTAL EXPENSES	\$44,686	\$34,065	\$61,701	\$61,701
	TOTAL ASSESSOR	\$193,359	\$236,943	\$308,446	\$321,538
	TREASURER				
10	PERSONNEL SERVICES	\$165,385	\$223,317	\$209,139	\$233,738
	PURCHASE OF SERVICES	\$65,641	\$125,226	\$63,050	\$66,650
	SUPPLIES	\$24,513	\$24,444	\$25,000	\$25,000
11	TOTAL EXPENSES	\$90,154	\$149,670	\$88,050	\$91,650
	TOTAL TREASURER	\$255,539	\$372,987	\$297,189	\$325,388
	TOWN COUNSEL				
	PURCHASE OF SERVICES	\$306,706	\$213,221	\$244,000	\$244,000
	SUPPLIES	\$0	\$0	\$0	\$0
12	TOTAL EXPENSES	\$306,706	\$213,221	\$244,000	\$244,000
	TOTAL TOWN COUNSEL	\$306,706	\$213,221	\$244,000	\$244,000
	INFORMATION TECHNOLOGY				
13	PERSONNEL SERVICES	\$334,595	\$389,697	\$367,762	\$395,081
	PURCHASE OF SERVICES	\$81,187	\$147,509	\$174,000	\$174,000
	SUPPLIES	\$318,926	\$458,309	\$550,350	\$550,350
14	TOTAL EXPENSES	\$400,113	\$605,818	\$724,350	\$724,350
	TOTAL INFORMATION TECHNOLOGY	\$734,708	\$995,515	\$1,092,112	\$1,119,431

	FISCAL YEAR 2024 BUDGET	ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2021	FY 2022	FY 2023	FY 2024
	TOWN CLERK				
15	PERSONNEL SERVICES	\$140,466	\$139,396	\$186,619	\$222,483
	PURCHASE OF SERVICES	\$72,536	\$42,384	\$79,100	\$54,981
	SUPPLIES	\$2,340	\$1,428	\$1,304	\$1,304
16	TOTAL EXPENSES	\$74,876	\$43,812	\$80,404	\$56,285
	TOTAL TOWN CLERK	\$215,342	\$183,208	\$267,023	\$278,768
	CONSERVATION				
17	PERSONNEL SERVICES	\$209,925	\$207,282	\$254,139	\$252,375
	PURCHASE OF SERVICES	\$19,991	\$48,569	\$43,650	\$39,050
	SUPPLIES	\$8,826	\$6,433	\$17,550	\$17,550
18	TOTAL EXPENSES	\$28,816	\$55,002	\$61,200	\$56,600
	TOTAL CONSERVATION	\$238,741	\$262,284	\$315,339	\$308,975
	PLANNING				
19	PERSONNEL SERVICES	\$102,034	\$90,852	\$103,559	\$106,781
	PURCHASE OF SERVICES	\$1,881	\$2,082	\$7,100	\$6,300
	SUPPLIES	\$225	\$0	\$200	\$200
20	TOTAL EXPENSES	\$2,106	\$2,082	\$7,300	\$6,500
	TOTAL PLANNING	\$104,140	\$92,934	\$110,859	\$113,281
	FACILITIES				
21	PERSONNEL SERVICES	\$447,156	\$531,362	\$642,889	\$653,363
	PURCHASE OF SERVICES	\$525,158	\$501,587	\$301,713	\$301,713
	UTILITIES	\$433,748	\$530,359	\$719,710	\$217,146
	SUPPLIES	\$72,306	\$76,533	\$122,800	\$122,800
22	TOTAL EXPENSES	\$1,031,212	\$1,108,479	\$1,144,223	\$641,659
	TOTAL FACILITIES	\$1,478,368	\$1,639,841	\$1,787,112	\$1,295,022

	FISCAL YEAR 2024 BUDGET	ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2021	FY 2022	FY 2023	FY 2024
	MISC COMMITTEES <i>Historic Commission, Historic District Commission, Public Ceremonies Committee</i>				
23	PURCHASE OF SERVICES	\$2,254	\$3,539	\$3,775	\$3,775
	TOTAL EXPENSES	\$2,254	\$3,539	\$3,775	\$3,775
	TOTAL MISC COMMITTEES	\$2,254	\$3,539	\$3,775	\$3,775
	POLICE				
24	PERSONNEL SERVICES	\$2,652,047	\$2,865,450	\$3,008,304	\$3,083,765
	PURCHASE OF SERVICES	\$96,126	\$116,065	\$123,480	\$178,480
25	SUPPLIES	\$224,852	\$221,634	\$284,725	\$284,725
	TOTAL EXPENSES	\$320,978	\$337,699	\$408,205	\$463,205
	TOTAL POLICE	\$2,973,026	\$3,203,149	\$3,416,509	\$3,546,970
	JOINT COMMUNICATIONS				
26	PERSONNEL SERVICES	\$553,848	\$636,636	\$651,772	\$682,045
	PURCHASE OF SERVICES	\$9,627	\$7,789	\$8,000	\$9,500
	UTILITIES	\$16,726	\$12,383	\$16,000	\$16,000
27	SUPPLIES	\$9,704	\$12,306	\$14,000	\$14,000
	TOTAL EXPENSES	\$36,057	\$32,478	\$38,000	\$39,500
	TOTAL JOINT COMMUNICATIONS	\$589,905	\$669,114	\$689,772	\$721,545

	FISCAL YEAR 2024 BUDGET	ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2021	FY 2022	FY 2023	FY 2024
	FIRE & ALS				
28	PERSONNEL SERVICES	\$2,706,634	\$2,813,267	\$3,044,937	\$3,371,858
	PURCHASE OF SERVICES	\$70,445	\$68,001	\$72,600	\$84,850
	SUPPLIES	\$204,209	\$208,957	\$229,239	\$229,239
29	TOTAL EXPENSES	\$274,655	\$276,958	\$301,839	\$314,089
	TOTAL FIRE	\$2,981,289	\$3,090,225	\$3,346,776	\$3,685,947
	BUILDING & ZONING				
30	PERSONNEL SERVICES	\$361,577	\$366,402	\$415,576	\$434,951
	PURCHASE OF SERVICES	\$12,290	\$18,266	\$16,550	\$16,550
	SUPPLIES	\$819	\$5,596	\$1,500	\$1,500
31	TOTAL EXPENSES	\$13,109	\$23,862	\$18,050	\$18,050
	TOTAL BUILDING & ZONING	\$374,685	\$390,264	\$433,626	\$453,001
	SCHOOLS				
32	TOTAL SCHOOLS	\$43,453,057	\$45,222,274	\$47,164,771	\$48,803,195
	REGIONAL VOCATIONAL SCHOOLS				
33	TOTAL REGIONAL VOC SCHOOLS	\$360,163	\$227,357	\$214,000	\$85,810
	DPW				
	PERSONNEL SERVICES	\$2,025,771	\$1,987,101	\$2,321,337	\$2,387,039
	DPW ENGINEERING				
34	PERSONNEL SERVICES	\$293,013	\$254,196	\$329,807	\$330,539
	PURCHASE SERVICES	\$13,552	\$12,145	\$25,500	\$11,580
	SUPPLIES	\$8,829	\$7,233	\$15,420	\$15,420

	FISCAL YEAR 2024 BUDGET	ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2021	FY 2022	FY 2023	FY 2024
35	TOTAL EXPENSES	\$22,381	\$19,378	\$40,920	\$27,000
	TOTAL ENGINEERING	\$315,394	\$273,574	\$370,727	\$357,539
	HIGHWAY				
36	PERSONNEL SERVICES	\$1,001,688	\$994,855	\$1,133,034	\$1,157,445
	FISCAL YEAR 2024 BUDGET	ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2021	FY 2022	FY 2023	FY 2024
	PURCHASE SERVICES	\$412,609	\$387,511	\$469,000	\$494,000
	SUPPLIES	\$114,945	\$126,910	\$167,500	\$167,500
37	TOTAL EXPENSES	\$527,554	\$514,421	\$636,500	\$661,500
	TOTAL HIGHWAY	\$1,529,243	\$1,509,276	\$1,769,534	\$1,818,945
	PARK AND CEMETERY				
38	PERSONNEL SERVICES	\$731,069	\$738,050	\$858,496	\$899,055
	PURCHASE SERVICES	\$186,073	\$221,076	\$246,000	\$283,400
	SUPPLIES	\$102,139	\$124,554	\$171,850	\$171,850
39	TOTAL EXPENSES	\$288,211	\$345,630	\$417,850	\$455,250
	TOTAL PARK AND CEMETERY	\$1,019,281	\$1,083,680	\$1,276,346	\$1,354,305
	LANDFILL				
40	PURCHASE SERVICES	\$44,115	\$46,543	\$65,000	\$65,000
	TOTAL DPW	\$2,908,032	\$2,913,073	\$3,481,607	\$3,595,789
	SNOW AND ICE				
41	PERSONNEL SERVICES	\$149,832	\$126,751	\$175,000	\$175,000
	PURCHASE OF SERVICES	\$117,593	\$105,063	\$100,000	\$125,000
	SUPPLIES	\$232,093	\$240,199	\$225,000	\$225,000
42	TOTAL EXPENSES	\$349,686	\$345,262	\$325,000	\$350,000
	TOTAL SNOW	\$499,518	\$472,013	\$500,000	\$525,000

	FISCAL YEAR 2024 BUDGET	ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2021	FY 2022	FY 2023	FY 2024
	BOARD OF HEALTH				
43	PERSONNEL SERVICES	\$787,952	\$923,136	\$997,878	\$1,072,320
	PURCHASE OF SERVICES	\$134,474	\$130,161	\$163,854	\$156,059
	SUPPLIES	\$9,429	\$13,313	\$16,700	\$16,700
44	TOTAL EXPENSES	\$143,903	\$143,474	\$180,554	\$172,759
	FISCAL YEAR 2024 BUDGET	ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2021	FY 2022	FY 2023	FY 2024
	TOTAL BOARD OF HEALTH	\$931,855	\$1,066,610	\$1,178,432	\$1,245,079
	VETERANS SERVICES				
	PURCHASE OF SERVICES	\$32,888	\$28,956	\$46,000	\$46,000
	SUPPLIES	\$1,276	\$0	\$4,000	\$4,000
45	TOTAL EXPENSES	\$34,164	\$28,956	\$50,000	\$50,000
	TOTAL VETERANS SERVICES	\$34,164	\$28,956	\$50,000	\$50,000
	COUNCIL ON AGING				
46	PERSONNEL SERVICES	\$251,114	\$246,264	\$271,993	\$307,106
	PURCHASE OF SERVICES	\$6,995	\$33,690	\$25,850	\$27,000
	SUPPLIES	\$3,259	\$8,981	\$16,300	\$16,300
47	TOTAL EXPENSES	\$10,255	\$42,671	\$42,150	\$43,300
	TOTAL COUNCIL ON AGING	\$261,368	\$288,935	\$314,143	\$350,406
	YOUTH SERVICES				
48	PERSONNEL SERVICES	\$235,948	\$321,130	\$303,489	\$310,263
	PURCHASE OF SERVICES	\$270	\$496	\$4,901	\$4,900
	SUPPLIES	\$0	\$0	\$1,650	\$1,650
49	TOTAL EXPENSES	\$270	\$496	\$6,551	\$6,550
	TOTAL YOUTH SERVICES	\$236,218	\$321,626	\$310,040	\$316,813

	FISCAL YEAR 2024 BUDGET	ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2021	FY 2022	FY 2023	FY 2024
	LIBRARY				
50	PERSONNEL SERVICES	\$845,658	\$904,368	\$974,114	\$934,919
	PURCHASE OF SERVICES	\$47,914	\$49,669	\$49,437	\$49,437
	SUPPLIES	\$238,306	\$236,799	\$234,792	\$252,083
51	TOTAL EXPENSES	\$286,220	\$286,468	\$284,229	\$301,520
	TOTAL LIBRARY	\$1,131,878	\$1,190,836	\$1,258,343	\$1,236,439
	FISCAL YEAR 2024 BUDGET	ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2021	FY 2022	FY 2023	FY 2024
	RECREATION				
52	PERSONNEL SERVICES	\$171,102	\$200,837	\$194,498	\$204,646
	PURCHASE OF SERVICES	\$69,412	\$82,701	\$84,680	\$87,908
	SUPPLIES	\$99	\$0	\$0	\$0
53	TOTAL EXPENSES	\$69,511	\$82,701	\$84,680	\$87,908
	TOTAL RECREATION	\$240,613	\$283,538	\$279,178	\$292,554
	DEBT AND INTEREST				
54	TOTAL DEBT AND INTEREST	\$6,883,151	\$6,634,542	\$6,599,543	\$8,351,117
	RETIREMENT				
	PURCHASE OF SERVICES	\$5,182,237	\$5,378,336	\$5,728,625	\$5,907,067
55	TOTAL RETIREMENT	\$5,182,237	\$5,378,336	\$5,728,625	\$5,907,067
	TOWN ENERGY				
	PURCHASE OF SERVICES	\$0	\$0	\$0	\$523,200
56	TOTAL TOWN ENERGY	\$0	\$0	\$0	\$523,200
	SCHOOL ENERGY				
	PURCHASE OF SERVICES	\$0	\$0	\$0	\$1,073,500
57	TOTAL SCHOOL ENERGY	\$0	\$0	\$0	\$1,073,500

	FISCAL YEAR 2024 BUDGET	ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2021	FY 2022	FY 2023	FY 2024
	UNCLASSIFIED				
	HEALTH & LIFE INSURANCE				
	Employee Health Insurance (426)	\$6,168,198	\$6,218,198	\$6,716,925	\$6,790,756
	Retiree Health Insurance (456)	\$1,815,981	\$1,850,981	\$1,946,700	\$2,009,160
	Health Insurance Incentive Waiver (53)	\$264,205	\$308,894	\$249,200	\$267,300
	Employee & Retiree Life Insurance (603)	\$30,396	\$30,396	\$31,200	\$31,200
	Other Expenses	\$166,536	\$166,536	\$203,800	\$103,800
58	TOTAL HEALTH/LIFE INSURANCE	\$8,445,316	\$8,575,005	\$9,147,825	\$9,202,216
	OTHER INSURANCE				
59	PROPERTY, CASUALTY & LIABILITY INSURANCE	\$742,095	\$923,140	\$1,086,605	\$1,086,605
60	MEDICARE TAX - 1.45%	\$761,302	\$818,285	\$805,000	\$833,175
61	UNEMPLOYMENT COMPENSATION	\$15,566	\$76,460	\$50,000	\$50,000
62	POLICE/FIRE DISABILITY	\$1,158	\$0	\$15,000	\$15,000
63	OCCUPATIONAL HEALTH	\$8,180	\$370	\$8,000	\$8,000
	TOTAL OTHER INSURANCE	\$1,528,301	\$1,818,255	\$1,964,605	\$1,992,780
64	SICK LEAVE BUYBACK RESERVE FOR SALARY	\$44,681	\$18,903	\$40,000	\$40,000
65	SETTLEMENT	\$0	\$0	\$214,355	\$1,852,021
66	RESERVE FUND BUDGET	\$0	\$0	\$250,000	\$250,000
67	STORMWATER	\$136,291	\$99,383	\$200,000	\$125,000
68	WATER CHARGES	\$50,000	\$0	\$0	\$0
	TOTAL UNCLASSIFIED	\$10,204,589	\$10,511,546	\$11,816,785	\$13,462,017
	TOTAL GENERAL FUND BUDGET	\$84,099,318	\$87,273,466	\$92,678,613	\$99,726,007

Proposed Capital Budget - Fiscal 2023			
DPW			
1	Bucket truck	FC	\$ 180,000
2	H2 - utility truck	FC	130,000
3	Town wide road reconstruction	FC	598,118
		SC	89,382
4	Route 20 South Landfill cap restoration site work	SC	150,000
Facilities			
5	Vehicles - motor pool	FC	50,000
6	Public Safety Building HVAC equipment replacement	SC	175,000
7	Public Safety Building parking and drive maintenance	SC	100,000
8	Public Safety Building exterior rehabilitation	SC	65,000
Fire			
9	Personal protective equipment - turn out gear	AMB	169,000
10	Thermal imaging cameras	AMB	69,000
11	Forestry pump replacement	AMB	50,000
Information Technology			
12	Firewall replacement	FC	105,000
Police			
13	School traffic safety improvements	FC	50,000
14	Officer taser systems	FC	5,396
		SC	57,104
Recreation			
15	Town Beach fence	SC	300,000
Schools			
16	Elementary math curriculum materials and equipment	FC	400,000
17	Food service equipment	FC	100,000
18	DW fire alarm control panel/smoke detection	FC	145,777
		SC	42,823
Water Enterprise Fund			
19	Water main - design	SC	80,000
20	Water booster station upgrade	SC	329,772
		WB	230,000
21	MWRA - design	WB	1,016,000
22	Second water tank - design	WB	250,000
23	Well rehabilitation	WB	250,000
24	Vehicle W-3	WB	130,000
25	Lead service line replacement	WR	139,000
TOTAL BUDGET			\$ 5,456,372
SUMMARY OF FUNDING SOURCES			
FREE CASH (unspent funds from prior years)		FC	\$ 1,764,291
SURPLUS CAPITAL (unspent funds from completed capital projects)		SC	1,389,081
AMBULANCE FUND (ambulance fees)		AMB	288,000
WATER ENTERPRISE FUND REVENUE (water fees)		WR	139,000
WATER ENTERPRISE FUND BORROWING (water fees)		WB	1,876,000
TOTAL FUNDING SOURCES			\$ 5,456,372

1. Budget: DPW - \$180,000	
Title: Bucket truck	Project Advocate(s): DPW Director
Description & Justification: This request is to replace a 2005 Ford F550 Bucket Truck Apparatus with a like piece of equipment. The current unit is regularly in need of repair and has been out of service 10 times in the last 3 years. Being a safety-sensitive apparatus, it is imperative that the bucket equipment operate without flaw and that it meet current safety and technology standards.	
Relationship to General Plan: Vehicle replacement	
History: Planned	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

2. Budget: DPW - \$130,000	
Title: H2 utility truck	Project Advocate(s): DPW Director
Description & Justification: Replace the current 2012 Ford F350 with a like piece of equipment. This vehicle has been in the fleet for 10 years and now needs frequent maintenance. Several expensive repairs are needed to keep the current vehicle in service.	
Relationship to General Plan: Vehicle replacement	
History: Planned	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

3. Budget: DPW - \$687,500	
Title: Town wide road reconstruction	Project Advocate(s): DPW Director
Description & Justification: Funding to continue road improvement projects on the Town's 96 miles of roadway. At present construction rates, resurfacing costs approximately \$250,000 per mile. This funding will be combined with State Chapter 90 funding for FY24 road rehabilitation that is expected to include Bogren, Castle Gate, Forest Hill, Jeffrey, King, Lodge, Mitchell, Sedgemoadow, Sherman's Bridge, and Waybridge. This is an annual program that ensures the Town's roads and municipal ways remain in safe and usable condition. Schedule is based on required water main projects, drainage issues, and pavement conditions. This level of funding represents a 15-17 year resurfacing schedule.	
Relationship to General Plan: Infrastructure maintenance	
History: Planned and ongoing	
Source of Funds: Free Cash \$598,118 + Surplus Capital \$89,382	In the 5 Year Capital Plan?: Yes

4. Budget: DPW - \$150,000	
Title: Route 20 South Landfill cap restoration site work	Project Advocate(s): DPW Director
Description & Justification: Site work associated with reconditioning the cap and the further repurposing of the old landfill parcels to include removing disallowed trees and grinding tree stumps as mandated by MassDEP.	
Relationship to General Plan: Infrastructure design	
History: Planned	
Source of Funds: Surplus Capital	In the 5 Year Capital Plan?: Yes

5. Budget: Facilities Department - \$50,000	
Title: Vehicles - motor pool	Project Advocate(s): Public Buildings Director
Description & Justification: New Vehicle to replace 15 year-old Explorer. Current gasoline vehicle is beyond economical repair and will be replaced with a hybrid vehicle.	
Relationship to General Plan: Vehicle replacement	
History: Planned	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

6. Budget: Facilities Department - \$175,000	
Title: Public Safety Building HVAC equipment replacement	Project Advocate(s): Public Buildings Director
Description & Justification: Replace two roof top HVAC units (RTUs). Both units are operating on only one of two compressors and repairs costs have been escalating. Unit compressors are beyond economical repairs and should be replaced with electric heat pumps in keeping with the Town's Climate resolution.	
Relationship to General Plan: Building and grounds maintenance	
History: Planned to upgrade entire system in FY2026. These RTUs require replacement before then.	
Source of Funds: Surplus Capital	In the 5 Year Capital Plan?: Yes

7. Budget: Facilities Department - \$100,000	
Title: Public Safety Building parking and drive maintenance	Project Advocate(s): Public Buildings Director
Description & Justification: Repair cracks, resurface paved parking and driveways.	
Relationship to General Plan: Building and grounds maintenance	
History: Planned	
Source of Funds: Surplus Capital	In the 5 Year Capital Plan?: Yes

8. Budget: Facilities Department - \$65,000	
Title: Public Safety Building exterior rehabilitation	Project Advocate(s): Public Buildings Director
Description & Justification: Paint, caulk, seal or replace exterior surfaces of Public Safety Building as needed to maintain building envelope integrity.	
Relationship to General Plan: Building and grounds maintenance	
History: Four-year planned project with an expected total cost of \$500,000, of which \$135,000 was appropriated in FY2023, \$65,000 is requested here for FY2024, and \$150,000 is planned to be requested in each FY2026 and FY2027.	
Source of Funds: Surplus Capital	In the 5 Year Capital Plan?: Yes

9. Budget: Fire Department - \$169,000	
Title: Personal protective equipment - turn out gear	Project Advocate(s): Fire Chief
Description & Justification: Replace outdated personal protective equipment (firefighter turnout gear). Gear includes turnout pants and coat, boots, helmet, gloves and hood.	
Relationship to General Plan: Safety equipment replacement	
History: Planned	
Source of Funds: Ambulance Fund	In the 5 Year Capital Plan?: Yes

10. Budget: Fire Department - \$69,000	
Title: Thermal imaging cameras	Project Advocate(s): Fire Chief
Description & Justification: Replace outdated thermal imagers and related equipment.	
Relationship to General Plan: Safety equipment replacement	
History: Planned	
Source of Funds: Ambulance Fund	In the 5 Year Capital Plan?: Yes

11. Budget: Fire Department - \$50,000	
Title: Forestry pump replacement	Project Advocate(s): Fire Chief
Description & Justification: Replace outdated forestry pump/ATV that is used for wildland fires and access to remote properties (bike trails, golf courses, town forest, etc.).	
Relationship to General Plan: Safety equipment replacement	
History: Planned	
Source of Funds: Ambulance Fund	In the 5 Year Capital Plan?: Yes

12. Budget: Information Technology Department - \$105,000	
Title: Firewall replacement	Project Advocate(s): IT Director
Description & Justification: Replace Town/School Dept Network Firewalls. Current systems going End of Life and increased school department traffic is overloading current systems resulting in performance issues.	
Relationship to General Plan: Security equipment replacement	
History: Planned	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

13. Budget: Police Department - \$50,000	
Title: School traffic safety improvements	Project Advocate(s): Police Chief
Description & Justification: Replace aged electronic equipment to include crosswalk signals, speed radar boards in school zones. The replacement of crosswalk and radar signals at Middle School, crosswalk and radar signals at Loker and Route 30, installation of signals on School Street to the entrance to the middle school. Replacement of all signals at Happy Hollow School. Current systems are in excess of 10 to 20 years old and it has not been cost effective to continue to maintain outdated technology.	
Relationship to General Plan: Safety equipment replacement	
History: Two-year planned project with an expected total cost of \$100,000, of which \$50,000 was appropriated in FY2023 and the remaining \$50,000 was planned for FY2024	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

14. Budget: Police Department - \$62,500	
Title: Officer taser systems	Project Advocate(s): Police Chief
Description & Justification: Replace current outdated tasers.	
Relationship to General Plan: Safety equipment replacement	
History: Previously planned for FY2025	
Source of Funds: Surplus Capital \$57,104 + Free Cash \$5,396	In the 5 Year Capital Plan?: Yes

15. Budget: Recreation Department - \$300,000	
Title: Town Beach playground	Project Advocate(s): Recreation Director
Description & Justification: The Town Beach Playground is next on the priority list for repair / renovation. Upgrades are required to make equipment and surfaces accessible to children with a range of abilities and to be compliant with Americans with Disabilities Act (ADA) requirements.	
Relationship to General Plan: Building and grounds maintenance	
History: Planned	
Source of Funds: Surplus Capital	In the 5 Year Capital Plan?: Yes

16. Budget: School Department - \$400,000	
Title: Elementary-math curriculum materials and equipment	Project Advocate(s): School Committee
Description & Justification: Replacement curriculum for Mathematics at the Elementary level. Includes textbooks, access to online learning systems, and a minimum of five years of updates.	
Relationship to General Plan: Curriculum replacement	
History: New request responsive to the needs of the district	
Source of Funds: Surplus Capital	In the 5 Year Capital Plan?: No

17. Budget: School Department - \$100,000	
Title: Food Service Equipment	Project Advocate(s): School Committee, Public Buildings Director
Description & Justification: This request is part of a multi-year request to upgrade 20 + year old kitchen equipment having exceeded their useful life in the Happy Hollow and Claypit Hill elementary schools by replacing the walk in refrigerator and freezer units including design, construction and installation costs.	
Relationship to General Plan: Improvement in Town assets	
History: Multi-year project with a total expected cost of \$305,900, of which \$205,900 was appropriated in prior years. This remaining \$100,000 installment was moved from FY2025 to FY2024 in the Capital plan in order to bid multiple units at the same time for potential savings	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

18. Budget: School Department - \$188,600	
Title: DW fire alarm control panel/smoke detection	Project Advocate(s): School Committee, Public Buildings Director
Description: The Capital Conditions Needs Assessment conducted in 2018 identified that the fire alarm control panels and smoke detection systems at WHS Field House, WMS, CH and LO will require replacement as they have reached their useful life. In addition, the systems at HH will be in need of replacement due to end of useful life. Additionally, the Wayland Fire Department has strongly recommended that the systems be replaced. The updated alarm systems will be addressable systems that will identify individual detectors in lieu of the current systems that only identify a large section of the building.	
Justification: Replacement is required to meet standards of safety.	
Relationship to General Plan: Improvement in Town assets and safety	
History: Multi-year project with a total expected cost of \$376,000, of which \$187,400 was appropriated in prior years and the remaining \$188,600 was planned for FY2024	
Source of Funds: \$145,777 Free Cash + \$42,823 Surplus Capital	In the 5 Year Capital Plan?: Yes

19. Budget: Department of Public Works, Water - \$80,000	
Title: Water main - design	Project Advocate(s): DPW Director
Description & Justification: This project is for design work associated with our water main replacement program. This project is requested in accordance with the replacement of pipes known to be in poor condition. A capital request for associated construction costs is planned for FY2025 after the design is complete.	
Relationship to General Plan: Infrastructure maintenance	
History: Planned and ongoing	
Source of Funds: Surplus Capital	In the 5 Year Capital Plan?: Yes

20. Budget: Department of Public Works, Water - \$559,772	
Title: Water booster station upgrade	Project Advocate(s): DPW Director
Description & Justification: This project is for the replacement of existing water booster station. This request is to supplement the amount appropriated in a prior fiscal year. The prior design is not sufficient to meet true needs. The current booster station that services approximately 147 homes, is beyond its designed useful life. A replacement is necessary to continue to properly service those residential connections.	
Relationship to General Plan: Infrastructure maintenance	
History: The prior design and associated amount requested in a prior fiscal year is not sufficient to meet true needs. Remaining appropriation of \$329,772 will partially fund the full cost to complete the project as reflected in this item.	
Source of Funds: Water Enterprise Fund Revenue \$230,000 + Surplus Capital \$329,772	In the 5 Year Capital Plan?: No

21. Budget: Department of Public Works, Water - \$1,016,000	
Title: MWRA - design	Project Advocate(s): DPW Director
Description & Justification: This request is for partial funding towards the design of a permanent water supply connection with the Massachusetts Water Resources Authority (MWRA). This project is for Long-Term potable water and fire protection supply. Construction funding is planned to be requested separately after the design is complete.	
Relationship to General Plan: Infrastructure design	
History: Previously planned to be split between FY2024 and FY2025. This appropriation will be combined with \$1,000,000 of ARPA funds towards a total expected design cost of \$2,016,000.	
Source of Funds: Water Enterprise Fund Borrowing	In the 5 Year Capital Plan?: Yes

22. Budget: Department of Public Works, Water - \$250,000	
Title: Second water tank - design	Project Advocate(s): DPW Director
Description: This project involves the design of a 2nd water tank with construction funding planned to be requested separately in FY2025 after the design is complete. A second water tank was demolished a number of years ago. It is known that to provide reliable water and fire protection at a required pressure, a second tank is necessary.	
Relationship to General Plan: Infrastructure design	
History: Planned	
Source of Funds: Water Enterprise Fund Borrowing	In the 5 Year Capital Plan?: Yes

23. Budget: Department of Public Works, Water - \$250,000	
Title: Well rehabilitation	Project Advocate(s): DPW Director
Description & Justification: Each of the four water supply wellfields need to have wellhead screens cleaned. Periodic cleaning of wellhead screens needs to occur for water production to meet demand.	
Relationship to General Plan: Infrastructure maintenance	
History: New request	
Source of Funds: Water Enterprise Fund Borrowing	In the 5 Year Capital Plan?: No

24. Budget: Department of Public Works, Water - \$130,000	
Title: Vehicle W-3	Project Advocate(s): DPW Director
Description & Justification: Replace the current 2012 Ford F350 with a like piece of equipment. This vehicle experiences frequent break-downs and is anticipated to need expensive repairs to keep it operable. It has been out of service 16 times in the last 3 years with significant repair costs. The anticipated repairs are priced at \$21,800.	
Relationship to General Plan: Vehicle replacement	
History: Previously planned for FY2027	
Source of Funds: Water Enterprise Fund Borrowing	In the 5 Year Capital Plan?: Yes

25. Budget: Department of Public Works, Water - \$139,000	
Title: Lead service line replacement	Project Advocate(s): DPW Director
Description & Justification: This is a MassDEP mandated effort to inventory and remove lead service lines in the interest of Public Health and compliance with MassDEP mandate/regulations. The cost is ultimately expected to be reimbursed through a MassDEP SRF Forgiveness Loan/Grant.	
Relationship to General Plan: Infrastructure maintenance	
History: New request	
Source of Funds: Water Enterprise Fund Revenue	In the 5 Year Capital Plan?: No

Article 14. Capital Stabilization Fund Appropriation

Proposed by: Select Board

Estimated Cost: \$500,000

To determine if the Town will vote to appropriate the sum of \$500,000 from General Fund: Unreserved Fund Balance to the capital stabilization fund.

FINANCE COMMITTEE COMMENTS: Passage of this article will contribute \$500,000 from Free Cash to the Capital Stabilization Fund (CSF) to support future expenses related to the Town’s Capital Improvement Plan (CIP). This fund-to-fund transfer does not require an increase in taxation.

At 2021 Annual Town Meeting, attendees approved the establishment and initial funding of a CSF. In 2022, the Select Board approved a policy for the CSF which outlines the purpose and parameters for operation of the fund.

The purpose of the CSF is to promote sound financial planning practices by allowing the Town, from time to time, by appropriation, to support the CIP by reserving funds to pay for costs or debt service related to the engineering and design, renovation, reconstruction or construction of Town facilities. The objectives of the fund are to provide a source of funds to keep projects previously approved by Town Meeting moving forward, level the impact of capital expenditures on taxation, and create a funding source for the Town share of matching grants.

Funds may be transferred into the CSF by a simple majority vote of Town Meeting from any general fund source, including taxation, free cash, or residual funds at the completion of previously approved capital projects ("capital close outs").

All known capital closeouts and approximately \$1,794,291 in Free Cash have been used to support the proposed FY2024 capital budget. Therefore, the total use of Free Cash to support the FY2024 budget would be \$2,294,291 if both this article and the budget article are passed.

The Treasurer is the custodian of the CSF invests the fund as allowable by state statute. Any interest earned on the assets of the CSF shall be added to it. Monies accumulated in the CSF carry over from one fiscal year to another.

Appropriations from the CSF to support capital expenditures require a two-thirds majority vote of Town Meeting. The policy established that appropriations from the CSF, in priority order, are restricted to: 1) additional funding to support the Town’s Capital Investment Plan for projects previously approved at Town Meeting; 2) unanticipated capital projects resulting from a catastrophic or emergency event if the financial burden of the event is in excess of an amount which the Finance Committee Reserve Fund can cover; 3) the Town share of matching grants; 4) support of critical capital expenses if revenue, from whatever source, including free cash, is less than forecasted in the Five-Year Capital Investment Plan; and 5) providing for General Fund “pay-as-you-go” capital appropriations.

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

ARGUMENTS IN FAVOR: CSF assets are still considered part of the Town’s total reserve fund balance evaluated by rating agencies such as Moody’s in their determination of the Town’s bond rating.

Funding the CSF provides a capital funding source that improves the Town’s ability to smooth out the year-to-year impact on taxation from capital spending.

Borrowing charges residents tomorrow for today’s projects. The CSF provides a mechanism to proactively plan and save specifically for the Town’s future anticipated capital needs.

CSF assets require a two-thirds majority vote of Town Meeting to be spent which ensures a higher level of resident support to spend than the simple majority required to spend funds from Free Cash.

The assets of CSF can be invested and earn income while the Free Cash balance cannot.

ARGUMENTS OPPOSED: Funds in a CSF are restricted in that they can only be spent to directly fund capital projects or to fund related debt service payments.

The Town needs to establish a consistent, measurable way of funding the capital stabilization fund.

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

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

For more information about this article, contact Finance Director Brian Keveny at bkeveny@wayland.ma.us

Article 15. Community Preservation Act - Set Asides and Transfers

Proposed by: Community Preservation Committee

Estimated Cost: \$831,694

To determine:

- a) Whether the Town, pursuant to Massachusetts General Laws Chapter 44B, Section 6, will vote to set aside from the Community Preservation Fund’s (CPF) Uncommitted Fund for later spending not

- more than \$144,821 for open space, but not including land for recreational use, not more than \$144,821 for historic preservation, not more than \$144,821 for community housing, and \$25,000 for administrative expenses; and
- b) Whether the Town will vote to set aside \$372,231 from the CPF Uncommitted Fund for later spending for annual debt service obligations relating to the purchase of the conservation restriction on Mainstone Farm, as previously approved by Town Meeting; and
 - c) Whether the Town will vote to transfer funds in the amount of not more than \$144,820 from the Community Housing Fund of the CPF to the Wayland Municipal Affordable Housing Trust Fund.

FINANCE COMMITTEE COMMENTS: This article accomplishes three annual tasks for managing the Town's Community Preservation Fund (CPF):

- a) annual distribution of funds to Community Housing, Historic Preservation, and Open Space — the three purposes as required by the Community Preservation Act (CPA) — and to the fund for administrative expenses incurred by the Community Preservation Committee;
- b) reservation of the monies required to fund the debt service on the Conservation Restriction on Mainstone Farm; and
- c) the transfer of funds allocated for Community Housing in the Community Housing Fund to the Wayland Municipal Affordable Housing Trust Fund (WMAHTF) that was authorized by the 2014 Annual Town Meeting to provide for the creation and preservation of affordable housing in Wayland.

The CPF is the Town's primary vehicle for financing purchases of open space, undertaking projects for historic preservation, and creating and preserving community housing that is affordable for low- and moderate-income individuals and families. CPF monies can also be used for many types of recreation projects as well as costs of administrative expenses and consultant fees associated with appraisals, surveys, studies, plans, and similar activities within the scope of the CPA's purposes. The CPF is funded through the local surcharge on real estate, contributions from the State Trust Fund, and interest earned on these amounts. The following explanations correspond with the lettered paragraphs above.

- a) Within the Wayland CPF, there are four separate pools of money. Three funds hold money designated exclusively for open space, historic preservation, and community housing. Each of these three funds receives at least 10% of the annual contributions. Annual contributions come in the form of a 1.5% local real estate tax surcharge and from the State Trust Fund yield. The remainder of annual contributions (not more than 70%) is assigned to the Uncommitted Fund, which retains the balance of funds not specifically designated. The monies in the individual purpose funds can only be used for those specific purposes, while the monies in the Uncommitted Fund may be used for any of the three purposes, plus certain recreation projects, administrative expenses (such as appraisals, studies, and fees incurred for projects). The first part of this article accomplishes the annual allocation to the three individual purpose funds and a set aside for administrative expenditures.
- b) The 2016 Annual Town Meeting voted to purchase a Conservation Restriction protecting Mainstone Farm land from development and preserving it as open space in perpetuity. To accomplish that purchase, the Town incurred debt that is paid exclusively by the Community Preservation Fund. This allocation services that debt.
- c) The WMAHTF was created to address the shortage of affordable housing in Wayland. Funds to be transferred to the WMAHTF are those already allocated to the Community Housing Fund through the annual distribution cited in paragraph a). These funds maintain the same use restrictions as if they continued to be held in the CPF.

The Community Preservation Committee recommends approval: Vote 8-0-0

The Select Board recommends approval: Vote 5-0-0

ARGUMENTS IN FAVOR:

The set asides are required by the Community Preservation Act and ensure the Town continues to balance the needs of housing, open space, and historic preservation consistent with the CPA.

Transferring funds to the WMAHTF enables the Town to make progress on affordable housing issues and pursue opportunities for affordable housing with greater flexibility than if tied to the Annual Town Meeting schedule.

Funds set aside from the uncommitted fund are used to pay the debt service obligations related to the Mainstone Farm Conservation Restriction approved at Town Meeting in 2016.

ARGUMENTS OPPOSED:

Some may oppose the transfer from the Community Housing Fund of the CPF to the Wayland Municipal Affordable Housing Trust Fund, however, this would be inconsistent with the Town's adoption of the Trust.

Some may also oppose the amount being allocated for administrative expenses; however, this would affect the CPC's ability to procure requisite appraisals, studies, and similar work.

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

QUANTUM OF VOTE: Majority – see M.G.L. Chapter 44B, Section 6.

For more information about this article, contact Community Preservation Chair Susan Weinstein at sweinstein@wayland.ma.us.

Article 16. Community Preservation Act - Open Space: Implementing Land Management Plan at Heard Farm

Proposed by: Community Preservation Committee

Estimated Cost: \$7,500

To determine whether the Town will vote to appropriate a sum not to exceed \$7,500 from the Community Preservation Fund Open Space Fund, to be expended by the Conservation Commission to implement open space preservation measures pursuant to the Land Management Plan for creation of wildlife habitat at the Heard Farm Conservation Area.

FINANCE COMMITTEE COMMENTS: Passage of this article will fund a 3,500 square foot wildlife habitat at the Heard Farm Conservation Area ("Heard Farm"). Using a strategy that has been implemented successfully at another open space parcel, the Conservation Commission proposes to amend the soil and spread seed mix to create a wildflower habitat that will support native pollinators and provide native grass cover to support grassland birds and other species. Invasive species from a hedge row have already been cleared.

This project follows recommendations of the 2020 Heard Farm Conservation Area Land Management Plan prepared by Massachusetts Audubon Society. This plan emphasized the critical need to maintain wildlife habitat by eradication of invasive plant species, selective cutting of saplings and shrubs, and planting a diverse mix of flowering plants to provide a sequence of blooms to support wildlife from early spring to late fall. The funding will support archaeological oversight if needed.

This project is eligible for funding from the Community Preservation Fund (CPF) Open Space Fund, which can be used for acquisition, creation, and preservation of open space, including grasslands, fields, forest land,

land for wildlife or nature preserve, and more. This project will be funded by revenues already collected and held in the CFP Open Space Fund. If the final cost of the project is less than the requested amount, the balance remaining will be released back to the CPF Open Space Fund for future projects.

The Community Preservation Committee recommends approval. Vote: 6-1-1
The Select Board recommends approval. Vote: 5-0-0

ARGUMENTS IN FAVOR: Creating new wildflower habitat will benefit the wildlife at the Heard Farm Conservation Area. This project implements recommendations from the Heard Farm Conservation Area Land Management Plan.

ARGUMENTS OPPOSED: The project does not fully implement the Heard Farm Conservation Area Land Management Plan. Some may argue the money could be used for future open space projects or for other conservation properties.

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

QUANTUM OF VOTE: Majority. See M.G.L. Chapter 44B, Section 5.

For more information about this article, contact Community Preservation Committee Chair Susan Weinstein at sweinstein@wayland.ma.us.

Article 17. Community Preservation Act - Historic Preservation: Conservation of Gravestones in Town Cemeteries

Proposed by: Community Preservation Committee

Estimated Cost: \$260,000

To determine whether the Town will vote to appropriate a sum not greater than \$260,000 from the Community Preservation Fund Historic Preservation Fund for conservation and restoration of designated gravestones in the North, South, and Lakeview Cemeteries, to be expended by the Wayland Historical Commission.

FINANCE COMMITTEE COMMENTS: This article provides funding to restore and conserve gravestones in sections of North Cemetery, South Cemetery, and Lakeview Cemetery. Dating back to 1643, 1835, and 1871, respectively, Wayland's historic cemeteries do more than document names and dates. They are sacred spaces, places of public art, genealogical resources, and archives written in stone. It is the duty of subsequent generations to honor and maintain their predecessors' burial grounds. North Cemetery, the town's oldest and most historic burial ground, requires ongoing attention due to the age of its oldest markers. A cemetery of its vintage requires attention at least every five years and preservation work was last undertaken in 2017. South Cemetery received a small amount of preservation work in 2017 and requires more comprehensive attention. Lakeview Cemetery has never received preservation work.

Through CPC funding, the Wayland Historical Commission obtained a conditions assessment and recommendations for treatment of 1,468 gravestones needing conservation intervention in portions of these three cemeteries as follows:

Priority Level	Number of Gravestones	Comments
I	123	Requiring urgent attention because they are: i) a threat to the public, ii) threatened with further deterioration that will significantly escalate treatment costs, and/or iii) are laying on the ground.
II	273	Gravestones that should be treated within one year.
III	654	Gravestones that require work that can be delayed without suffering significant damage.
General Cleaning	418	To be completed in accordance with the standards for historical grave markers set by the U.S. Department of the Interior.

This project is eligible for funding from the CPF Historic Preservation Fund, which can be used for acquisition, preservation, rehabilitation, and restoration of historic resources. This project will be funded by revenues already collected. If the final cost of the project is less than the requested amount, the balance remaining will be released back to the CPF Historic Preservation Fund for future projects.

The Community Preservation Committee recommends approval. Vote: 8-0-0
The Select Board recommends approval. Vote: 5-0-0

ARGUMENTS IN FAVOR: The Wayland Historical Commission, charged with protecting Wayland’s historic artifacts, including gravestones in the Town’s cemeteries, has prioritized this project, and has already completed a thorough assessment of the gravestones to be preserved.

ARGUMENTS OPPOSED: Some may argue these funds could be used for future projects.

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

QUANTUM OF VOTE: Majority – see G.L. Chapter 44B, Section 5.

For more information about this article, contact Community Preservation Committee Chair Susan Weinstein at sweinstein@wayland.ma.us.

Article 18. Community Preservation Act - Historic Preservation: Library Archival Document Conservation and Digitization

Proposed by: Community Preservation Committee

Estimate Cost: \$41,550

To determine whether the Town will vote to appropriate from the Community Preservation Fund Historic Preservation Fund the following sums of money to be expended by the Wayland Free Public Library Trustees:

- a) not more than \$35,000 to digitize and make accessible the town’s newspapers from 1935 to the present; and.
- b) not more than \$6,550 to conserve and digitize the First Record Book of the Wayland Library from 1850.

FINANCE COMMITTEE COMMENTS: This article proposes funding two projects to be undertaken by the Wayland Free Public Library (“Library”): digitization of the Wayland Chronicle and Wayland Town Crier newspapers, and conservation and digitization of the Wayland Library First Record Book. This project advances the Library’s Archival Document Conservation project to make Wayland’s history broadly available.

The library possesses 133 reels of microfilm containing images of the town's newspapers from 1935 to May 2022, when the Town Crier ceased publication. Digitization will make this rich resource vastly more accessible to assist students, researchers, genealogists, history buffs, and those with an interest in our town's history.

The library also holds the "First Record Book begun in 1850 by Henry Wight, the first librarian," a unique artifact that provides historical insight into library regulations, titles of books in the collection, and fines paid by patrons in the library's earliest years. The First Record Book will be conserved using best practices and will be digitized to make the content broadly available.

This project is eligible for funding from the Community Preservation Fund (CPF) Historic Preservation Fund, which can be used for acquisition, preservation, rehabilitation, and restoration of historic resources. This project will be funded by revenues already collected. If the final cost of the project is less than the requested amount, the balance remaining will be released back to the CPF Historic Preservation Fund for future projects.

The Community Preservation Committee recommends approval. Vote: 8-0-0.
The Select Board recommends approval. Vote: 5-0-0.

ARGUMENTS IN FAVOR: The newspapers and First Record book are valuable historic resources, deserving of preservation.

This project continues the Library's efforts to conserve archival documents and artifacts.

ARGUMENTS OPPOSED: The money could potentially be used for future projects.

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

QUANTUM OF VOTE: Majority – see G.L. Chapter 44B, Section 5.

For more information about this article, contact Community Preservation Committee Chair Susan Weinstein at sweinstein@wayland.ma.us.

Article 19. Reaffirm Remote Participation at Town Meeting

Proposed by: Select Board

To see if the Town will vote to re- authorize of the Select Board to petition the General Court for an act of special legislation entitled "Remote Participation in Town Meeting," the full text of which is printed below, or take any other action relative thereto.

An Act authorizing remote participation at town meetings in the town of Wayland.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding chapter 39 of the General Laws, or any general or special law or charter provision to the contrary, the town of Wayland may hold annual and special town meetings with voters located in a common, physical location, fully remote or partially remote, to be known as a hybrid town meeting.

SECTION 2. Any town meeting held remotely or in hybrid form in accordance with this act shall be recorded and the recording shall be made available for public viewing on the town's website for no fewer

than 30 days following the conclusion of the meeting. The recording shall also be a permanent record of the town, subject to disclosure upon request.

SECTION 3. All actions taken at a remote or hybrid town meeting held in accordance with this act shall be ratified, validated and confirmed to the same extent as if the town meeting had been conducted entirely in person.

SECTION 4. This act shall take effect upon its passage.

FINANCE COMMITTEE COMMENTS: In May 2021, by a vote of 195 to 50, Town Meeting approved a motion made under Article 16, *Remote Participation at Town Meeting*, authorizing the then named Board of Selectmen to file with the General Court a petition for a special act entitled “An act authorizing remote participation in Annual Town Meeting for registered voters in the Town of Wayland” (2021 ATM Article 16).

In June 2022, following input from Town Counsel and pursuant to the authority granted by Town Meeting to the Select Board, the Town petitioned the Massachusetts General Court under the Home Rule Act for special legislation entitled “An Act authorizing remote participation at town meetings in the Town of Wayland.” The special legislation (HR 4985) made it through a number of steps in the legislative process, but was not able to make it to a vote in the House and Senate prior to the end of the legislative session.

The 2021 ATM Article 16, can be reviewed at the Town’s Library or online at <https://www.wayland.ma.us/town-meeting/pages/town-meeting-warrants>.

In early January 2023, the Select Board consulted with the Town’s State Representatives on whether or not to refile the same bill or to simplify it and file as a new bill. After weighing the pros and cons of both approaches, the Select Board voted to authorize the filing of a new bill. The bill, which was filed on January 18, 2023, was simplified by deleting two sections deemed unnecessary at this time.

In order to minimize the time needed for legislative review, one of the Town’s State Representatives recommended seeking Town Meeting’s reaffirmation of the Select Board’s authority to file the new bill.

At least one other community, the Town of Lexington, is seeking its own special legislation and a state senator has filed legislation that appears to be seeking remote participation at both representative and open town meetings throughout the Commonwealth, subject to certain specific rules to ensure the integrity and accessibility of the process.

Other than the potential for additional legal fees, there are no other known financial costs of continuing to pursue the Town’s special legislation.

Should such legislation be enacted, there will be funds required to acquire, license and/or lease remote participation technology and additional costs were such technology actually used at Town Meeting. It is unclear, at this time, how much funding will be required, but any requested appropriations will need to be approved at a future Town Meeting.

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

ARGUMENTS IN FAVOR: Approval of this request will further evidence the Town’s support for special legislation that permits remote participation and voting for Town Meeting which is presently not allowed for open town meeting.

Many members of the community would like the ability to attend Town Meeting remotely due to health issues, childcare needs, and other personal reasons that prohibit attending in person thereby limiting their participation in our town’s government.

Providing access for individuals to listen, view and vote would strengthen participation in Town Meeting and provide a broader range of opinions and views on matters that effect the members of the community.

Not leveraging all available technologies at this time could actually limit the Town's ability to reduce future costs. For example, using remote technology at Town Meeting, in lieu of the electronic hand-held devices, might actually save money.

ARGUMENTS OPPOSED: The Town should wait and see if the pending Senate legislation, proposing remote participation at town meetings throughout the Commonwealth, is enacted before spending more time on the Town's special legislation.

The future cost of pursuing this initiative is unknown at this time. Based on the Town's experience with electronic voting at Town Meeting, these costs could be substantial. Putting this initiative on hold now reduces the likelihood that it will be adopted in the next few years which are expected to be fiscally challenging for the Town.

Remote participation could take away from the community gathering aspect of Town Meeting. Not all security aspects have been assessed.

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

QUANTUM OF VOTE: Majority. Section 8 of the Home Rule Amendment to the Constitution.

For more information about this article, contact Town Manager Michael McCall at mmccall@wayland.ma.us.

Article 20. Revise Town Code on Finance Committee Appointment

Proposed by: Select Board

To determine whether the Town will vote to amend its General Bylaws, Section 19-1 of the Town Code by deleting text that is ~~struck through~~ and inserting text that is underlined to read as follows:

There shall be a committee called the "Finance Committee" ~~appointed by the Select Board as hereinafter provided. Such committee~~ which shall consist of seven registered voters who shall serve without pay and none of whom during his or her service on such Committee shall hold elective or appointive Town office having to do with the appropriation or expenditure of Town money. Members shall serve terms of three years, such that the terms of two or three members shall expire each year. Members shall be appointed by an appointing committee, called the "Finance Appointing Committee," consisting of the Moderator, the Chair of the Select Board, and the Chair of the Finance Committee. Should the Chair of the Finance Committee seek reappointment, then the Chair of the Finance Committee must recuse him or herself from deliberation of said reappointment, and the Vice Chair shall take the position of the Chair for deliberation of said reappointment. Whenever a vacancy occurs in the membership of the Finance Committee, such vacancy shall be filled by the Finance Appointing Committee for the balance of the unexpired term. Appointment to fill unexpired terms shall be made by the Select Board as vacancies occur.

FINANCE COMMITTEE COMMENTS: This Article would modify the appointment process for the Wayland Finance Committee. Currently, the Select Board appoints individuals to the Finance Committee. Under this article, members of the Finance Committee would be appointed by a committee consisting of the Moderator, the Chairperson of the Select Board, and the Chairperson of the Finance Committee.

Town Meeting voted during the 2022 Annual Town Meeting ("ATM") to refer Article 20, "Appointment of Finance Committee," to the Select Board for further study by the Select Board with a written report to Town Meeting by the 2023 ATM. To accomplish this task, the Select Board, on August 8, 2022, created a subcommittee to study the various appointment methods used for finance committees throughout the Commonwealth. This sub-committee held four meetings throughout the fall. Over the course of these meetings, the sub-committee spoke with former and current Town Moderators about their respective communities' appointment process and their opinions about alternative methods.

The work of the subcommittee resulted in a comprehensive report and was presented to the Select Board for review, and the Select Board submitted it to this year's 2023 ATM (Appendix D). The Select Board discussed the report, and submitted this article to Town Meeting on a Town Moderator appointment mechanism. This Article is the culmination of the sub-committee's work and the Select Board's recommendation. A copy of the Select Board's report to Town Meeting is available as Appendix D and via the following link: https://www.wayland.ma.us/sites/g/files/vyhlf9231/f/uploads/fcasg_report_01.09.23.pdf .

Pursuant to the Finance Committee Handbook, the general role of the Finance Committee is representing the Town Meeting between sessions. The Finance Committee is also responsible for reviewing the town budget on behalf of the Legislative Branch once created by the executive branch, the Town Manager. Pursuant to Section 6(a) of the recently enacted Select Board/Town Manager Act, the Town Manager now serves as the Town's Chief Financial Officer. Since the Select Board and Town Manager make up the Executive Branch it was appropriate to evolve the appointment process for the Finance Committee to ensure that proper checks and balances are in place.

In the vast majority of other towns in Massachusetts, the Finance Committee is appointed by the Moderator, who takes on that role as an official of the Town Meeting. At least three communities have both the Town Moderator and Select Board appoint a set number of Finance Committee members. A number of communities use a separate board or committee to appoint members, and these boards/committee typically include the Town Moderator, a member of the Select Board and a third individual often from the municipalities' Finance Committee. A handful of communities both elect and appoint members to the Finance Committee. All of Wayland's peer towns, used for comparison by the Finance Committee, have the Finance Committee appointed by the Moderator or a hybrid group.

The sub-committee's report presented its survey results and highlighted the most significant moderator interviews that best highlighted the pros and cons of each of the various appointing processes. All these options were debated by the Select Board and after hearing various public comments the Select Board voted the proposed by-law amendment.

A previous objection that there was no input from those who knew the inner workings and workload of the Finance Committee is addressed by having the Chairperson of the Finance Committee as a part of the Appointing Authority. This is an important revision from past years. It has been suggested that only former Finance Committee members be on the Appointing Committee instead of the current chairperson. Former members, however, might not be fully up to speed on the current responsibilities and duties of the Finance Committee, including the changes to the Committee's work in light of the Select Board/Town Manager Act. It is also difficult recruiting volunteers in general for all committees and boards in town so thus any delay in making appointments to this committee could impact how the Finance Committee meets its responsibilities and timelines.

The appointment by the Select Board is the rule in only a relatively few towns, many of which are much smaller than Wayland. The present appointment process was addressed in the 2018 Collins Report (see note). The report was relied on by the then-Selectmen to support the implementation of the recently enacted Select Board/Town Manager Act. That report looked at Wayland's blurred lines of budgetary authority and specifically suggested that the then-Selectmen "contemplate changing the appointment process for the Finance Committee to the Moderator alone or a hybrid group."

Note: The Edward J. Collins, Jr. Center for Public Management is dedicated to improving efficiency, effectiveness, governance, and accountability at all levels of government, with a particular focus on state and local government. It was established by state legislature of the Commonwealth of Massachusetts in July 2008. It is affiliated with the University of Massachusetts – Boston (web site: www.umb.edu/cpm)

The Select Board recommends approval. Vote: 4-1-0

ARGUMENTS IN FAVOR: As the Collins Center advises, Town Meeting is intended to serve as an independent check on the budgeting and spending of the executive branch. Adoption of this article will fulfill the direction set out in the Collins Report and bring Wayland in line with most other towns in the state.

Appointment of the Finance Committee by an appointing board will achieve the desired independence of the Finance Committee.

Giving the Moderator an important role in appointing the Finance Committee aligns Wayland with the majority of the 263 towns in Massachusetts with Open Town Meeting.

The Moderator, Chairperson of the Select Board, and Chairperson of the Finance Committee acting together, will have the necessary expertise to make appointments that satisfy the goals of creating a knowledgeable Finance Committee.

Proponents would argue that changes to the Finance Committee section of the Town Code is best presented by town officials that work with the Finance Committee and not the Town Moderator.

This Article comes in response to a specific vote by ATM for the Select Board to research the topic of appointing the Town Moderator, and the appointment mechanism in this Article stems from comprehensive work requested by ATM.

ARGUMENTS OPPOSED: Proponents argue that the Appointing Committee should not include any current servicing members of the committee such as the Chair or Vice Chairperson of the Finance Committee.

The Moderator is an individual who is engaged in the Town's business at Town Meeting and is otherwise not engaged in the day-to-day business of the Town; therefore, one might argue that such an individual is not qualified to have a significant role in appointing one of the Town's operating committees. The Moderator rarely attends Finance Committee meetings and rarely interacts with the Finance Committee, so how would that person understand the types of people to select on such a committee.

Proponents would argue that the Finance Committee in Wayland already acts as an independent committee and this can be seen in budget discussions that take place every fiscal year. The argument of independence made by the proponents could be used to argue that the Select Board should not be responsible for selecting any of our many boards and committees.

It has been suggested that the School Committee should also have a role on the Appointing Board since they have the largest portion of the budget.

Many people would argue that just because other towns have their own procedures in making appointments that meet their needs it might not always fit to what works best for our town. They observe that the current system of making appointments works so why change to a questionable one.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 3-2-1

QUANTUM OF VOTE: Majority.

For more information about this article, contact Town Manager Michael McCall at mmccall@wayland.ma.us.

Article 21. Finance Committee Appointing Board

Proposed by: Town Moderator

To determine whether the Town will vote to amend Town Code § 19-1 of its General Bylaws, by inserting underlined text and deleting text that is ~~struckthrough~~ as follows:

§ 19.1 Finance Committee; Finance Committee Appointing Board.

There shall be a committee called the “Finance Committee” appointed by the ~~Board of Selectmen~~ Finance Committee Appointing Board as hereinafter provided. Such ~~Finance~~ Finance Committee shall consist of seven Town registered voters who shall serve without pay and none of whom during his or her service on such Finance Committee shall hold elective or appointive Town office having to do with the appropriation or expenditure of Town money. Finance Committee ~~M~~members shall serve terms of three years, such that the terms of two or three members shall expire each year. Appointment to fill unexpired terms shall be made by the ~~Board of Selectmen~~ Finance Committee Appointing Board as vacancies occur.

The Finance Committee Appointing Board shall consist of the Moderator, the Chair of the Select Board, and a former member of the Finance Committee chosen by the Moderator to serve a term, determined by the Moderator, not to exceed three years. Said former member of the Finance Committee shall not contemporaneously serve on the Select Board or Finance Committee.

Any incumbent member of the Finance Committee serving at the time of approval of this amended bylaw by Town Meeting shall continue to hold said office and to perform the duties thereof until the expiration of the term for which said individual was appointed or until said individual otherwise vacates such office.

PROPOSERS’ COMMENTS: This article and a similar one submitted by the Select Board call for a three-person panel to appoint members of the Finance Committee. The significant difference between the articles is who is the third person on that panel in addition to the Moderator and Chair of the Select Board. This article proposes a former member of the Finance Committee, rather than the sitting Chair. A former member understands the process and work of the committee while at the same time provides perspective and objective detachment that the sitting Chair does not have. In addition, the sitting Chair will always have an inherent conflict when he/she is dealing with an incumbent seeking reappointment. Furthermore, the sitting chair will have a natural bias towards applicants who concur with his/her point of view. None of these concerns are present when the third member is a former member of the Finance Committee.

FINANCE COMMITTEE COMMENTS: Appointment of the Wayland Finance Committee would be taken out of the hands of the Select Board and given to an Appointing Board. That Appointing Board would consist of the Moderator, the Chair of the Select Board and a third member chosen by the Moderator from among former members of the Finance Committee.

This change, consideration of which was recommended in the 2018 Collins Report “Financial Management Structure Review,” will bring the town more in line with the separation of powers between the Executive Branch (Selectmen, Finance Committee, other boards and paid administrators) and the Legislative Branch (the Town Meeting). This separation will in addition provide checks and balances in the town’s financial affairs. Under the Select Board/Town Manager Act, the town’s financial administration becomes more clearly positioned in the office of the Town Manager. The Select Board would then be in a position to appoint not only the Manager, part of the Executive Branch, who will prepare the budget, but also the Finance Committee, which reviews that budget on behalf of the Legislative Branch. The Act modernized and strengthened the Executive Branch.

Pursuant to the Finance Committee Handbook, the general role of the Finance Committee is representing the Town Meeting between sessions. In the vast majority of other towns in Massachusetts the Finance Committee is appointed by the Moderator, who takes on that role as an official of the Town Meeting. All peer towns used for comparison by the Finance Committee have the Finance Committee appointed by the Moderator or a hybrid group. Research by the Mass. Moderators Association demonstrates that the Finance Committee is appointed either by the Moderator alone or by a hybrid group as proposed here, in towns throughout the state. Appointment by the Selectmen is the rule in only a relatively few towns, many of which are much smaller than Wayland.

This discrepancy in appointment procedure was highlighted by the 2018 Collins Report, the report relied on by the Selectmen to support the implementation of a town manager. That report looked at Wayland's blurred lines of budgetary authority and specifically suggested that the Selectmen "contemplate changing the appointment process for the Finance Committee to the Moderator alone or a hybrid group." This article follows that suggestion.

As Wayland evolves from a town where the administrator had an unclear association with finances and the budget process, to a Town Manager who is the chief financial officer, it is appropriate to also evolve the appointment process for the Finance Committee to ensure that proper checks and balances are in place.

A form of this article was proposed at ATM 2021 by petitioners and did not pass. Last year, at ATM 2022 after defeat of a proposed amendment, a motion was passed to defer consideration to the Select Board. The supporters of this article participated in the discussions of the Select Board's subcommittee. This revised article came out of those discussions as well as discussions with other citizens.

The Select Board has also submitted its own article to this year's Town Meeting addressing the issues and suggestions of the subcommittee it appointed. See Article 20: Revise Town Code on Finance Committee Appointment.

A previous objection that there was no input from those who know the inner workings and workload of the Finance Committee is addressed by having a former member of the Finance Committee as a part of the Appointing Authority. This is an important revision from past years.

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The Select Board recommends against approval. Vote: 2-3-0

ARGUMENTS IN FAVOR: As the Collins Center advises, Town Meeting is intended to serve as an independent check on the budgeting and spending of the executive branch (e.g., Board of Selectmen). Adoption of this article will fulfill the direction set out in the Collins Report and bring Wayland in line with most other towns in the state.

Appointment of a former member of the Finance Committee provides perspective and objective detachment that a currently serving member or Chairperson might not have.

Some argue that should a current member be on the appointing committee, as is presented in Article 20 in this Warrant, they might have a bias towards applicants who concur with their points of view.

Appointment of the Finance Committee by an Appointing Board will achieve the desired independence of the Finance Committee.

Some argue that this change may well improve decision-making at Town Meeting by aiding its comprehension of articles and reducing debate time.

Giving the Moderator an important role in appointing the Finance Committee aligns Wayland with the majority of the 263 towns in Massachusetts with Open Town Meeting.

The Moderator, Chair of the Select Board, and a former Finance Committee Member acting together, will have the necessary expertise to make appointments that satisfy the goals of creating a knowledgeable Finance Committee.

ARGUMENTS OPPOSED: The Town Code for the Finance Committee has been revised and presented by the Select Board in Article 20 for this Town Meeting to review and vote. Some would argue that changes to the Finance Committee section of the Town Code is best presented by town officials that work with the Finance Committee and not the Town Moderator.

Opponents believe that the Town Moderator should not appoint two members of the Appointing Committee

The Moderator is an individual who is engaged in the Town's business at Town Meeting and is otherwise not engaged in the day-to-day business of the Town; therefore, one might argue that such an individual is not qualified to have a significant role in appointing one of the Town's operating committees. The Moderator rarely attends Finance Committee meetings and rarely interacts with the Finance Committee, so how would that person understand the types of people to select on such a committee.

There is an argument that volunteers are hard to find and trying to recruit former Finance Committee members that are up to speed on the current policies and procedures of the Finance Committee and on the Town's current issues could be difficult.

It is argued that a sitting Chairperson being on the Appointing Committee could have bias. Anyone on the committee could have bias.

Some would argue that the Finance Committee in Wayland already acts as an independent committee and this can be seen in budget discussions that take place every fiscal year. The argument of independence made by the proponents could be used to argue that the Select Board should not be responsible for selecting any of our many boards and committees.

It has been suggested that the School Committee should also have a role on the Appointing Board since they have the largest portion of the budget.

Many would argue that just because other towns have their own procedures in making appointments that meet their needs it might not always fit works best for our town. Opponents observe that the current system of making appointments works so why change to an alternate one.

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

QUANTUM OF VOTE: Majority – see G.L. Chapter 41, Section 21.

CONSISTENCY WITH LAW: This proposed bylaw amendment is not repugnant to Massachusetts or federal law.

For more information about this article, contact Town Moderator Dennis Berry at dberry@wayland.ma.us.

Article 22. Community Preservation Act – Recreation: Rehabilitation and Improvement of Cochituate Ball Field Outdoor Court

Proposed by: Community Preservation Committee

Estimated Cost: \$150,000

To determine whether the Town will vote to appropriate a sum not greater than \$150,000 from the Community Preservation Fund Uncommitted Fund, to be expended by the Town Manager for rehabilitation of and improvements to the outdoor court at the Cochituate Ball Field.

FINANCE COMMITTEE COMMENTS: The Recreation Department has identified a growing demand for facilities for court-based sports. Passage of this article will fund the rehabilitation of the outdoor playing court and associated sports structures such as boards for street and ice hockey at the Cochituate Ball Field on Bradford Street near Main Street. The current court has a deteriorated, faded, and cracked surface and is in poor condition. Resurfacing, additional striping, and improvements will make the court usable for a variety of active recreational sports including basketball, pickleball, futsal, street hockey, and potentially ice skating and ice hockey. Because of the court's proximity to the ball field, it is subject to frequent use. Restoring the court's integrity and striping it for multiple sports ensures that it will better support the Town's recreation needs.

This project is eligible for funding from the Community Preservation Fund (CPF) Uncommitted Fund, which can be used for passive and active outdoor recreation projects, including non-commercial youth and adult sports. This project will be funded by revenues already collected and held in the CPF Uncommitted Fund. If the final cost of the project is less than the requested amount, the balance remaining will be released back to the CPF Uncommitted Fund for future projects.

The Community Preservation Committee recommends approval. Vote: 8-0-0.

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

ARGUMENTS IN FAVOR: The Cochituate Ball Field Outdoor Court, like other Wayland recreational facilities, is well used and is in need of rehabilitation.

In addition to restoring the court's integrity, improvements including new structures and striping will allow for a variety of sports.

ARGUMENTS OPPOSED: The money could potentially be used for future projects.

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

QUANTUM OF VOTE: Majority. See M.G.L. Chapter 44B, Section 6.

For more information about this article, contact Community Preservation Committee Chair, Susan Weinstein at sweinstein@wayland.ma.us

Article 23. Community Preservation Act – Recreation: Town Beach Entryway and Perimeter Fencing

Proposed by: Community Preservation Committee

Estimated Cost: \$147,500

To determine whether the Town will vote to appropriate a sum not greater than \$147,500 from the Community Preservation Fund (CPF) Uncommitted Fund, to be expended by the Town Manager for rehabilitation of and improvements to the entryway and perimeter fencing at the Wayland Town Beach.

FINANCE COMMITTEE COMMENTS: Passage of this article will make the Town Beach entryway and perimeter fence more functional, formalize boundaries, and aesthetically improve the area. The project

includes installation of new fencing with a gate for emergency and maintenance vehicle entrance, rehabilitation of fencing in other areas, installation of a new boat gate and pedestrian gate, and installation of a new ticket booth at the beach entrance.

The Town Beach is one of Wayland's most valued and aesthetically pleasing recreation areas. It provides opportunities for people of all ages to engage in outdoor activities in the water on Lake Cochituate and on land. However, the current Town Beach entryway is unsightly and unwelcoming, and the fencing is in need of rehabilitation as it is not an effective barrier to unauthorized entry.

Rehabilitation of fencing at recreational sites is an allowed use of Community Preservation Act (CPA) Uncommitted Fund which can be used for passive and active outdoor recreation projects. The Town also plans to rehabilitate the Town Beach playground but intends to use non-CPA capital funds for that project. The Town Beach projects are among the Recreation Department's top priorities.

This project will be funded by revenues already collected and held in the CPF Uncommitted Fund. If the final cost of the project is less than the requested amount, the balance remaining will be released back to the CPF Uncommitted Fund for future projects.

The Community Preservation Committee recommends approval. Vote: 6-0-0

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

ARGUMENTS IN FAVOR: The Town Beach is a jewel of our recreational facilities, well used by townspeople of all ages.

The entryway and perimeter fencing are in need of rehabilitation and improvement.

ARGUMENTS OPPOSED: The Town's lease with the Massachusetts Department of Conservation and Recreation for access to the waterfront expires in 2024. Although the lease has been renewed without incident in the past, there is a chance that the lease will not be renewed.

The money could potentially be used for future projects.

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

QUANTUM OF VOTE: Majority.

For more information about this article, contact Susan Weinstein, Chair, Community Preservation Committee at sweinstein@wayland.ma.us

Article 24. Accept Knollwood Road Easement

Proposed by: Select Board

To determine whether the Town will vote to accept an access easement at 51 Knollwood Lane, running between Knollwood Lane to the terminus of Lake Shore Drive, shown as "20.0' New Location of 20' Access Easement" on a plan entitled "Plan Showing Easement Relocation 51 Knollwood Lane Wayland, MA," dated April 29, 2022, prepared by D. O'Brien Land Surveying, a copy of which is on file in the office of the Town Clerk, and to relinquish all right, title and interest on the same property shown as "Previous Location of 20' Access Easement" on said plan, on such terms and conditions as the Select Board deems to be in the best interests of the Town, and to authorize the Select Board to take any and all related actions necessary or appropriate to accomplish the purposes of this Article and/or otherwise act thereon.

FINANCE COMMITTEE COMMENTS: In 1965, the Town was granted a 20.0' easement across a lot, now known as 51 Knollwood Lane (the Property), in connection with the approval of a two-lot subdivision

plan. The existing easement grants the Town the right to install water mains and related infrastructure in the easement area and the right for fire apparatus to pass over the lot in the approximate location of the existing easement which runs between Knollwood Lane and Lake Shore Drive.

Following their acquisition of the Property in late 2021, the current owners pursued the necessary permits and approvals for a proposed addition. As designed, the proposed addition encroached upon the Town’s easement by approximately seven feet. Between May and August 2022, the owners sought relief from the Planning and Select Boards in the form of a relocation of the existing easement - see Appendix C.

Since the Planning Board did not have the authority to alter the location of the existing easement, the owners were advised that they needed to seek the approval of Town Meeting. Rather than incur the cost of a special town meeting in the fall of 2022, the Select Board agreed to enter into a license agreement that permitted the owners and their contractor to begin work on the addition, albeit at their own risk should Town Meeting fail to approve the transaction described in this article. The addition has since been completed.

Neither the DPW Director nor the Fire Chief has an issue with the proposed relocation of the easement and there is no Town water main or related infrastructure located within the existing easement.

The only known cost of approving this article is Town Counsel’s fee for reviewing the legal easement document prior to recording.

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

ARGUMENTS IN FAVOR: Since the Town will continue to have an access easement, the Town should accommodate the owners’ request.

Not approving this request could result in a significant financial hardship for the owners.

ARGUMENTS OPPOSED: The Town should not incur legal fees to benefit a single property owner.

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

QUANTUM OF VOTE: Majority – see M.G.L. Chapter 40, Section 3 and Chapter 40, Section 14.

For more information about this article, contact Town Manager Michael McCall at mmccall@wayland.ma.us.

Article 25. Rescind Unissued Debt

Proposed by: Select Board

To determine if the town will vote to rescind previously authorized but unissued debt for various projects listed below, approved at the corresponding Town Meetings, totaling \$3,708,302, that are deemed no longer necessary because the projects funded by the borrowings have been completed:

<u>Project</u>	<u>Amount Authorized</u>	<u>Town Meeting Vote</u>
Loker School Doors & Tile	\$ 460,772	April 2016 Town Meeting, Article 8
DPW Small Truck	\$ 30,000	April 2016 Town Meeting, Article 8
Middle School Network Wiring	\$ 152,000	April 2018 Town Meeting, Article 9
Rivers Edge Asbestos Removal	\$ 265,530	November 2018 Special Town Meeting, Article 5
Loker Elementary School Roof Replacement	\$ 1,300,000	September 2020 Town Meeting, Article 19

Launcher Way Land Acquisition \$ 1,500,000 May 2022 Town Meeting, Article 22
(Community Housing)

FINANCE COMMITTEE COMMENTS: Passage of this article will rescind borrowing authorization that is no longer necessary because the relevant projects have either been completed, are no longer being considered, or have been inactive for a long time. Rescission will increase the Town’s borrowing capacity by \$3,708,302. Passage of the article does not prevent the Town from funding a similar capital item in the future. Following is a listing and status of the authorized but unissued debt being considered for rescission:

<u>Project</u>	<u>Status</u>	<u>Original Authorization</u>	<u>Unissued Debt to Rescind</u>
Loker School Doors and Tile	Completed	\$ 1,900,000	\$ 460,772
DPW Small Truck	Completed	\$ 220,000	\$ 30,000
Middle School Network Wiring	Completed	\$ 386,000	\$ 152,000
River’s Edge Asbestos Removal	Completed	\$ 790,530	\$ 265,530
Loker Elementary School Roof Replacement	Completed	\$ 4,300,000	\$ 1,300,000
Launcher Way Land Acquisition (Community Housing)	Pending	\$ 4,000,000	\$ 1,500,000
	Total	\$ 11,596,530	\$ 3,708,302

Launcher Way Land: This is a partial release of funds authorized to be borrowed. The Town did not win the bid to acquire this land. However, the Town was the second-place bidder at \$2,300,000. If the successful bidder winner does not close on the land, the Natick Soldier Systems Center (NSSC) may choose to award the land to the Town as the second-place bidder. This article recommends rescinding \$1,500,000 of the \$4,000,000 authorization. If these remaining funds are not needed, they will be rescinded at a future town meeting.

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

ARGUMENTS IN FAVOR: The Town’s ability to borrow for these items will be rescinded since it is no longer necessary to borrow these funds. Approval of this article will increase the Town’s borrowing capacity and is good municipal financial management.

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

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

QUANTUM OF VOTE: Majority.

For more information about this article, contact Finance Director Brian Keveny at bkeveny@wayland.ma.us.

Article 26. Choose Town Officers

Proposed by: Select Board

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

- | | |
|----------------------------|------------------|
| Trustees of the Allen Fund | The Select Board |
| Fence Viewers | The Select Board |
| Field Drivers | The Constables |
| Measurers of Wood and Bark | Paul Doerr |
| | Gary Slep |
| | John R. Sullivan |

Surveyors of Lumber

Judy Currier
Susan W. Pope

FINANCE COMMITTEE COMMENTS: This is a standard article that allows the Town to fill various positions. While many of these positions are obsolete in our current society, they are part of the charm and history of New England town meetings. To date, Wayland has continued the tradition of electing these positions at Town Meeting even though the Select Board may appoint some of them. The purpose of the article as written is to decide whom to elect; not the method of appointment. A brief description of each position and future alternate means of selection follows.

The Allen Fund was established in 1854 through a gift from Miss Debby Allen and Mrs. Nabby (Allen) Draper. The permanent fund was intended for “beneficent objects.” Although the Allen Fund was virtually depleted by 1990, it has recently grown so that it can now provide annual gifts. As of December 2022, the balance in the Allen Fund was \$ 9,230. The trustees are responsible for overseeing the fund. The trust provides that the trustee shall be selected annually by vote of the annual town meeting; it also provides that in case no board of trustees is selected, the Select Board shall be the Trustees of the Allen Fund. At a future Town meeting, citizens could vote to amend the trust document to provide that the Commissioners of Trust Funds serve as Trustees of the Allen Fund without annual vote.

Fence Viewers are arbitrators of fence disputes among neighbors and are established under M.G.L. c. 49, §1. The Select Board is authorized to appoint two or more Fence Viewers for one-year terms. The Select Board were called upon to act as Fence Viewers in 2022.

Field Drivers collect loose sheep, goats or other beasts and under M.G.L. c. 49, §22, the Select Board is authorized to appoint one or more field drivers for the Town.

Measurers of Wood and Bark are responsible for inspection, survey, measurement and sale of wood, coal and bark for fuel. They are appointed according to M.G.L. c. 94, §296, which provides for town meeting election of one or more measurers of wood and bark for one-year terms. A future town meeting could delegate the appointment power to the Select Board, thereby eliminating the need for this article thereafter.

Surveyors of Lumber, sometimes called a Measurer of Lumber, are responsible for measuring, marking or numbering the contents of any kind of wood or lumber, and M.G.L. c. 96, §7 authorizes that towns may elect one or more measurers (surveyors) of lumber. A home rule petition is required to make the position appointive by the Select Board.

If Town Meeting declines to elect the Fence Viewers, Field Drivers and Measurers of Wood and Bark, the Select Board would make the appointment at the next regular meeting. However, a home rule petition is required to make the position of Surveyors of Lumber appointive by the Select Board, and given the obsolete nature of the position, it may be easier not to fill it if that is the desire of Town Meeting.

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

ARGUMENTS IN FAVOR: Choosing town officers allows the Town to conduct its normal business.

ARGUMENTS OPPOSED: Opponents may argue that this article is outdated and takes too much time to decide at Town Meeting. They may suggest that the authority to appoint be deferred to the Select Board where allowed. (Note: deferral is not within the scope of the article this year.)

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

QUANTUM OF VOTE: Majority.

For more information about this article, contact Town Manager Michael McCall at mmccall@wayland.ma.us.

Article 27. Hear Reports

Proposed by: Select Board

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

Board of Assessors (Appendix D)
Community Preservation Committee (Appendix D)
Select Board (Appendix D) (link:
https://www.wayland.ma.us/sites/g/files/vyhlf9231/f/uploads/fcasg_report_01.09.23.pdf)

FINANCE COMMITTEE COMMENTS: This is a standard article that allows reports commissioned by the Town or required by State law to be heard. Under Town Code Chapter 53, Section 3, whenever a report required by law is submitted to Town Meeting, it shall be included in the minutes of said meeting set forth in the Annual Town Report. This article provides a means of including such reports in the minutes of Town Meeting. Reports can be found online on the Town of Wayland’s website www.wayland.ma.us

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

ARGUMENTS IN FAVOR: There are several boards and committees required to report to Town Meeting on the work completed over the past year. It is important to keep the Town informed as to their progress.

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

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

QUANTUM OF VOTE: Majority.

For more information about this article, contact Town Manager Michael McCall at mmccall@wayland.ma.us.

Article 28. Sell or Trade Vehicles and Equipment

Proposed by: Select Board

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

<u>Department</u>	<u>Vehicle/Equipment</u>	<u>Year</u>
DPW	F550 Bucket truck	2005
DPW	F350 Utility Body Truck	2012
DPW	Ford Explorer Sport Trac	2008
Police	Ford Explorer	2019
Police	Ford Explorer	2018
Police	Chevrolet Tahoe	2020

FINANCE COMMITTEE COMMENTS: This is a standard article allowing the Town to sell or trade-in used vehicles, equipment or other personal property in compliance with the Town Code and Massachusetts General Laws.

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

ARGUMENTS IN FAVOR: The selling of used property contributes to the Town's General Fund.

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

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

QUANTUM OF VOTE: Majority. See Town Code Section 62-3.

For more information about this article, contact Town Manager Michael McCall at mmccall@wayland.ma.us.

APPENDICIES

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 Annual Town Meeting and Special Town Meeting if called, was compiled by the Select Board 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 Manager, Assistant Town Manager, Town Counsel, 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. See paragraph IV.B.3 below.
- 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.
- 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. All parents bringing children shall be responsible to see that all children maintain social distancing and other health related requirements of the meeting.

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 announcement or 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 the Annual Town Meeting commencing on May 1, 2023 to order at 6:45 p.m., or other time or date as determined by the Select Board or the Moderator acting under Mass. General

Laws C. 39 Section 10A, or as soon thereafter as the Town Clerk has determined that a quorum of one hundred (100) registered voters has been checked into the meeting.

2. The Moderator will announce the number of each article about to be considered and invite a motion thereunder; the Moderator may omit the reading of the articles, unless a MAJORITY of the meeting shall vote otherwise. The Moderator may in the alternative allow or invite the moving party to read the motion under the article.

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 meeting or in front of their section if more than one set of microphones are installed, 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.b, 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;
 - d) a motion to adjourn; and
 - e) a motion to limit or extend the time of debate (see IV C 8 below).
 - 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 while maintaining social distancing, 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 factual questions, but they do not have the right to vote or enter debate 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
 - c. “May I ask through you (then state the question which you want a board, official, or previous speaker to answer);
 - d. “I rise to a point of order”;
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 the session at which that article is called and complete the same within seven (7) minutes, or less, and yield the floor. A light, if available 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. The aforesaid seven-minute limit does not apply to the principal motions under the omnibus budget article.
 - b. Any person wishing to offer a presentation in opposition to the main motion under an article must so notify the Moderator prior to the session at which that article is 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 if available 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 two (2) minutes, or less, unless extended by leave of the Moderator and yield the floor. The same one (1) minute warning light if available will be turned on when you have used up the first minute.
 - 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 revert to 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 the Moderator's 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 the substantive differences in wording between the article and the motion; otherwise the Moderator will permit no debate or action upon your motion. If your main motion is visually available to a reasonable extent throughout the hall, you may dispense with the description of substantive differences, unless directed to do so by the Moderator.
 - 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 such that in the view of the Moderator, the assembly may be confused, you must first print and distribute a copy thereof to those attending the session of town meeting at which said motion is presented.
 - c. A motion or an amendment of a motion that exceeds ten (10) words in length may be presented to the assembly only after it has been offered in writing to and accepted by the Moderator. The aforesaid requirement does not apply to main motions which are addressed by the immediately preceding subsection.
 - 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 such that in the view of the Moderator the meeting would be confused.
 - 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. Subject to the limitations set forth above, 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.
 - e. You may ask the Meeting to take no action under an article by moving "that the article be passed over." Such a motion may be deemed a substitute for the main motion, is debatable, may not be amended, requires a MAJORITY vote and serves to dispose of the article under consideration.

8. Unless extended or limited as hereinafter allowed, upon the expiration of forty five (45) minutes after the main motion under any article shall have been seconded, or put before the meeting by the Moderator, unless extended by leave of the Moderator, the Moderator will terminate debate thereon, unless the Town Meeting shall have either voted by majority vote to extend, or by 2/3 vote to limit, 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 total time. The aforesaid time 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 may, but need not, defer the termination of debate for a reasonable time to permit both sides of the issue to be heard. If a motion to terminate debate carries by a TWO-THIRDS vote, the Moderator will put the previous motion under consideration to a vote without further debate; but if said motion does not carry by a TWO-THIRDS vote, the Moderator will permit debate to continue.
10. If an article of the Warrant has been acted upon and disposed of, a motion to reconsider the article may be made at any time if the Moderator determines that the person offering the motion discloses significant new information to the Town Meeting concerning said article, which existed but had not been disclosed or made available to the Meeting when the motion under that article was debated, and the Moderator thereupon explains why such information satisfies the foregoing criteria; provided however, the debate and action on said motion shall be deferred until all other articles have been disposed of. In any event, a two-thirds vote shall be required for approval of a motion to return to an article.
11. Consent calendar: In order to accommodate the rapid disposition of articles for this meeting it may be moved by any person who has been recognized by the Moderator that the assembly act on two or more articles in one vote. Under this procedure:
 - a. Unless the offered articles are in order in the warrant the proponent must receive consent of the meeting by 2/3 vote to take such articles out of order, as referenced in under Section I of these Rules.
 - b. The proponent will identify by number, or by number and title, each article to be considered for action by consent.
 - c. Such action by consent is limited to adopting, rejecting, or passing over the indicated articles. Any adoption shall be in the unamended language of the Articles as printed in the Warrant.
 - d. The Moderator may for clarity of the meeting subsequently read the number or number and title of each article to be considered for action by consent. The Moderator is under no obligation to so read the articles referenced in the proponent's motion.
 - e. Any three persons may remove an article from the list of those to be considered for action by consent, by use of a clearly audible vocal request to HOLD the article when read by the proponent or the Moderator. Articles so removed will be considered in their normal order as shown in the Warrant.

D. The Vote

- E. 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, or other time as indicated by the Moderator 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 or other writing instrument 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, or does not wish to, use the electronic handset offered by the Checkers, he or she will be 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, 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 announce the vote on the motion before the meeting.
 - b. Each person receiving a handset must retain and use only that handset until turned in at the Help Desk, given to a Teller or turned in at the end of the session. No person may lend or give that handset to another person, nor may any person vote with a handset originally given to another.

Voters with handsets may retain them if they wish to leave the room for any reason, but they must hand their handset to an exit attendant if they plan to leave the building.
 2. In the event that electronic voting is for any reason not to be employed, the Moderator will first ask all those in favor to say, “Aye”. He will then invite those opposed to say, “No”. If the Moderator is in doubt as to whether the motion has carried, he or she may call for another voice vote; or may ask those in favor to stand, before he asks those opposed to stand. Sometimes, the Moderator will reverse this procedure before announcing 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, the Moderator 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”), and the vote is not to be taken by electronic means, 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.”

F. 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) to adjourn at another 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 Stadium 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 Select Board, 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,
March 3, 2023

**MODERATOR'S SUPPLEMENTAL RULES
FOR TOWN MEETING SLIDES
(v 1.3)**

Three types of slides are acceptable for visual display when speaking before Town Meeting:

1. Motion slides
2. Amendment slides
3. Illustrative slides

A Motion slide is displayed when presenting a Main Motion, and can be displayed when presenting an Amendment to a Main Motion. A Motion slide

- shall be presented in the “standard motion format”
- shall be limited to one page unless approved by the Moderator
- shall include the Article number, Warrant page #, Quantum of Vote, Article Title, Proposer, and Estimated Cost in the Header
- shall present the Header text in 20 point Arial font
- shall present the full text of the Motion in 18 point Arial font
- shall not include images
- is requested for both Board-sponsored and Petitioner-sponsored articles
- shall be submitted in Word Document format to the Select Board's Office

At the Moderator's discretion, an Amendment slide may be created during Town Meeting by Town Meeting personnel digitally photographing a sheet of paper bearing an Amendment in legible handwriting, or in text printed in 18 point font. The text of an Amendment can optionally be submitted in Word Document format to the Select Board's Office 3 full business days prior to the first session of Town Meeting for review and approval by the Moderator.

One or more Illustrative slides accompanying an Article, Main Motion or Amendment may be displayed during a speaker's presentation. An Illustrative slide shall

- contain pictures, charts, maps, or diagrams that enable voters to better understand a Motion or Amendment
- not restate the language contained in the Motion or found in the text of the Article
- employ text only for the purpose of labelling graphical elements
- be submitted in JPG or PowerPoint format

All Motion and Illustrative slides

- shall be submitted to the Select Board's office no later than 3 full business days prior to the first session of Town Meeting
- will be reviewed by the Moderator for relevance, value, and compliance with the above requirements; submitters will be notified of approval or rejection
- shall be removed from the screen when the speaker concludes their presentation

During the meeting, the audiovisual system operator will display approved slides at the speaker's direction. Under no circumstances will the use of slides or any other audio/visual device extend the speaker's time.

APPENDIX B: List of Town Positions (FTEs) and Wage & Classification Plan

	ACTUAL		ACTUAL		ACTUAL		PROPOSED	
	FTEs	FY 21	FTEs	FY 22	FTEs	FY 23	FTEs	FY 24
LAND USE								
<u>Building & Zoning</u>								
Building Commissioner	1.00		1.00		1.00		1.00	
Local Building Inspector	1.00		1.00		1.00		1.00	
Gas & Plumbing Inspector	0.52		0.52		0.52		0.52	
Wiring Inspector	0.51		0.51		0.51		0.51	
Land Use Coordinator					1.00		1.00	
Department Assistant	2.00		2.00		1.00		1.00	
Department Total		5.03		5.03		5.03		5.03
<u>Conservation</u>								
Conservation Administrator	1.00		1.00		1.00		1.00	
Land Manager	1.00		1.00		1.00		1.00	
Department Assistant	1.00		1.00		1.00		1.00	
Department Total		3.00		3.00		3.00		3.00
<u>Planning</u>								
Planning Director	1.00		1.00		1.00		1.00	
Department Assistant	0.00		0.00		0.00		0.00	
Department Total		1.00		1.00		1.00		1.00
FINANCE								
<u>Assessing Office</u>								
Assessing Director	1.00		1.00		1.00		1.00	
Assistant Assessor	1.00		1.00		1.00		1.00	
Administrative Assessor	1.00		1.00		1.00		1.00	
Department Assistant	0.50		0.50		0.50		0.50	
Department Total		3.50		3.50		3.50		3.50
<u>Finance Office</u>								
Finance Director	1.00		1.00		1.00		1.00	
Accountant	1.00		1.00		1.00		1.00	
Finance Assistant	1.80		1.80		1.80		1.80	
Department Total		3.80		3.80		3.80		3.80
<u>Treasurer/Collector</u>								

Treasurer/Collector	1.00	1.00	1.00	1.00
Asst. Treasurer/Collector	0.69	1.00	1.00	1.00
Department Assistant	1.54	1.23	1.23	1.23
Department Total	3.23	3.23	3.23	3.23
ADMINISTRATION				
<u>Council on Aging</u>				
COA Director	1.00	1.00	1.00	1.00
Outreach Coordinator	0.83	0.83	0.83	0.83
Project Coordinator	0.86	0.86	0.86	0.86
Department Assistant	1.00	1.00	1.00	1.00
Comm. Coord.& Community Rel	0.40	0.40	0.40	0.40
	4.09	4.09	4.09	4.09
<u>Information Technology</u>				
IT Director	1.00	1.00	1.00	1.00
IT Manager	0.00	0.00	0.00	0.00
Business Systems Analyst	1.00	1.00	1.00	1.00
Senior Systems Administrator	1.00	1.00	1.00	1.00
Desktop Support Analyst	1.00	1.00	1.00	1.00
Network Manager	1.00	1.00	1.00	1.00
Zoom Meeting Coordinator			0.60	0.60
	5.00	5.00	5.60	5.60
<u>Public Buildings</u>				
Public Buildings Director	1.00	1.00	1.00	1.00
Project Manager	1.00	1.00	1.50	1.50
Facilities Business Manager	1.00	1.00	1.00	1.00
Sustainability Manager	0.00	0.00	1.00	1.00
Police Custodian	0.54	0.54	0.54	0.54
Town Building Custodians	2.00	2.00	2.00	2.00
Library Custodian	1.00	1.00	1.00	1.00
Department Total	6.54	6.54	8.04	8.04
<u>Public Health</u>				
Public Health Director	1.00	1.00	1.00	1.00
Sanitarian/Health Agent	1.00	1.00	1.00	1.00
Public Health Nurse	1.00	1.00	1.00	1.00

Community Health Nurse	6.00	6.00	6.50	6.50
School Nurse				
Leader/Community Health Nurse			1.00	1.00
Department Assistant	1.00	1.00	1.00	1.00
Sr Clerk	0.43	0.43	0.43	0.43
Department Total	10.43	10.43	11.93	11.93
<u>Recreation</u>				
Recreation Director	1.00	1.00	1.00	1.00
Asst. Recreation Director	1.00	1.00	1.00	1.00
Recreation Program Adm	0.00	0.00	0.00	0.00
Recreation Program Coor	1.00	1.00	1.00	1.00
Recreation Assistant	0.54	0.54	0.54	0.54
Recreation Program Asst				
Department Total	3.54	3.54	3.54	3.54
<u>Select Board's Office</u>				
Town Manager	1.00	1.00	1.00	1.00
Asst Town Mgr/HR Director	0.00	0.00	0.00	0.00
Asst Town Mgr/Procurement	1.00	1.00	1.00	1.00
Financial Administrator	0.00	0.00	0.00	0.00
Management Analyst	1.00	1.00	1.00	1.70
HR Manager	1.00	1.00	1.00	1.00
Exec Asst to TM	1.00	1.00	1.00	1.00
Benefits Manager	0.00	1.00	1.00	1.00
HR Asst	0.00	0.00	0.00	0.00
Department Assistant	0.70	0.70	0.70	0.00
Department Total	5.70	6.70	6.70	6.70
<u>Town Clerk</u>				
Town Clerk	1.00	1.00	1.00	1.00
Asst Town Clerk	1.00	1.00	1.00	1.00
Department Assistant	0.00	0.00	0.50	0.50
Department Total	2.00	2.00	2.50	2.50
<u>Youth & Family Services</u>				
Y & F Services Director	1.00	1.00	1.00	1.00
Assistant Youth Director	1.00	1.00	1.00	1.00

	Substance Abuse Professional	0.60	0.60	0.00	0.00
	Clinician	0.60	1.00	1.00	1.00
	Outreach Coordinator	0.49	0.49	0.49	0.49
	Administrative Assistant	0.17	0.17	0.17	0.17
	Department Total	3.86	4.26	3.66	3.66
DPW					
	<u>Administration</u>				
	DPW Director	1.00	1.00	1.00	1.00
	BPW Business Manager	1.00	1.00	1.00	1.00
	Administrative Coordinator	0.00	0.00	0.00	0.00
	Department Assistant	2.34	2.34	2.34	2.34
	<u>Engineering Services</u>				
	Town Engineer	1.00	1.00	1.00	1.00
	Surveyor	1.00	1.00	1.00	1.00
	Project Manager	0.00	0.00	0.33	0.33
	GIS Analyst	1.00	1.00	1.00	1.00
	<u>Highway/Parks/Transfer Station</u>				
	Highway/Parks/TS Superintendent	1.00	1.00	1.00	1.00
	Senior Foreman	1.00	1.00	1.00	1.00
	Transfer Station Operations Supervisor	1.00	1.00	1.00	1.00
	Working Foreman	3.00	3.00	3.00	3.00
	HEO	4.48	4.48	4.48	4.48
	MEO	5.00	5.00	5.00	5.00
	Sr Grounds Worker	2.00	2.00	2.00	2.00
	Grounds Worker	1.00	1.00	2.00	2.00
	Maintenance Worker	5.00	5.00	5.00	5.00
	<u>Mechanics</u>				
	Lead Mechanic	1.00	1.00	1.00	1.00
	Maintenance Mech/Welder	1.00	1.00	1.00	1.00
	Mechanic/Welder	1.00	1.00	1.60	1.60
	<u>Water</u>				
	Water Superintendent	1.00	1.00	1.00	1.00
	WTP Manager	0.00	0.00	0.00	0.00
	WT & C Manager	1.00	1.00	1.00	1.00
	Water Foreman	1.00	1.00	1.00	1.00

Water Worker 3	1.00	1.00	1.00	1.00
Water Worker 2	3.00	3.00	3.00	3.00
Water Worker 1	1.00	1.00	1.00	1.00
Department Total	41.82	41.82	43.75	43.75

WASTEWATER

Account Specialist	0.54	0.54	0.70	0.70
WW Operations Manager	1.00	1.00	1.00	1.00
	1.54	1.54	1.70	1.70

LIBRARY

Library Director	1.00	1.00	1.00	1.00
Assistant Library Director	1.00	1.00	1.00	1.00
Head of Circulation	1.00	1.00	1.00	1.00
Bibliographic Serv Librarian	1.00	1.00	0.00	0.00
Children's Librarian	1.00	1.00	1.00	1.00
Assistant Children's Librarian	1.00	1.00	1.00	1.00
Reference Librarian	0.77	0.77	2.49	2.49
Comp Spec/Ref Librarian	0.71	0.71	0.00	0.00
Library Assistant	1.60	1.60	1.60	1.60
Library Associate	1.00	1.00	1.00	1.00
Library Administrative Asst	1.00	1.00	1.00	1.00
Part-Time Weekend	2.60	2.60	2.60	2.60
Department Total	13.69	13.69	13.69	13.69

PUBLIC SAFETY

<u>Fire</u>				
Fire Chief	1.00	1.00	1.00	1.00
Asst. Fire Chief	1.00	1.00	1.00	1.00
Deputy Chief	0.00	0.00	0.00	0.00
Captain	3.00	4.00	4.00	4.00
Lieutenant	4.00	4.00	4.00	4.00
Inspector/Paramedic	1.00	1.00	1.00	1.00
Electrician/Paramedic	1.00	0.00	0.00	0.00
Mechanic/EMT	1.00	0.00	0.00	0.00
Firefighter/EMT	6.00	4.00	4.00	4.00
Firefighter/Paramedic	11.00	15.00	15.00	15.00

Paramedic - Per Diem	0.00	0.00	0.00	0.00
Secretary	0.54	0.54	0.54	0.54
Department Total	29.54	30.54	30.54	30.54
<u>Police</u>				
Police Chief	1.00	1.00	1.00	1.00
Police Lieutenant	1.00	1.00	1.00	1.00
Administrative Sgt	1.00	1.00	1.00	1.00
Detective Sgt	1.00	1.00	1.00	1.00
Investigator	2.00	2.00	2.00	2.00
Sgt	4.00	4.00	4.00	4.00
Community Services Officer	1.00	1.00	1.00	1.00
Youth Officer	1.00	1.00	1.00	1.00
Patrolman	12.00	12.00	12.00	12.00
Administrative Asst	1.00	1.00	1.00	1.00
Traffic Supervisors	1.59	1.59	1.59	1.59
Department Total	26.59	26.59	26.59	26.59
<u>JCC</u>				
JCC Dispatcher	7.00	7.00	7.00	7.00
JCC Dispatch Coor	1.00	1.00	1.00	1.00
	8.00	8.00	8.00	8.00
TOTAL TOWN FTEs	181.89	184.29	189.89	189.89
SCHOOLS				
Total School FTEs	460.84	449.96	455.50	456.70
	460.84	449.96	455.50	456.70
TOTAL TOWN AND School FTEs	642.73	634.25	645.39	646.59

WPS FTE's	FY20 ACTUAL FTEs	FY21 ACTUAL FTEs	FY22 ACTUAL FTEs	FY23 ACTUAL FTEs	FY24 PROPOSED FTEs
Administration/Supervision	21.3	23	24.3	25.3	25.3
Licensed Staff - Teachers, Special Educators, Student Support	260.55	279.8	280.18	288.98	290.18
Clerical	22.53	22.2	22.19	22.19	22.19
Human Resources & Accounting	4	5	5	4	4
Assistants & Techs	95.72	107.9	95.29	91.99	91.99
Custodians	23.56	23	23	23	23
TOTAL	427.66	460.8	449.96	455.46	456.66

NON-UNION WAGE SCALE, N SCHEDULE

Effective: July 1, 2023

3.3% market adjustment increase

Grade	1	2	3	4	5
N-1	43,440	44,745	46,086	47,470	48,891
N-2	47,270	48,687	50,148	51,653	53,204
N-3	47,743	49,174	50,651	52,169	53,737
N-4	51,953	53,511	55,116	56,767	58,471
N-5	57,042	58,754	60,516	62,330	64,203
N-6	62,633	64,512	66,444	68,439	70,491
N-7	68,772	70,834	72,957	75,147	77,402
N-8	75,509	77,775	80,106	82,512	84,984
N-9	88,195	90,482	92,848	95,463	98,328
N-10	91,037	93,765	96,580	99,477	103,065
N-11	99,956	102,956	106,045	109,226	112,499
N-12	104,853	107,999	111,275	114,581	118,013
N-13	109,750	113,040	116,435	119,929	123,528
N-14	120,508	124,124	127,847	131,683	135,632
N-15*					

Grade	6	7	8	9	10
N-1	50,359	51,873	53,426	55,027	56,680
N-2	54,799	56,442	58,135	59,881	61,677
N-3	55,350	57,010	58,715	60,479	62,292
N-4	60,226	61,465	63,894	65,809	67,784
N-5	66,129	67,751	70,155	72,258	74,427
N-6	71,874	74,787	77,032	79,340	81,721
N-7	79,723	82,115	84,578	87,117	89,729
N-8	87,537	90,161	92,867	95,651	98,525
N-9	101,279	104,314	107,445	110,633	113,905
N-10	105,018	108,702	112,850	114,804	118,779
N-11	115,876	119,352	122,935	126,621	130,422
N-12	121,554	125,201	129,718	132,823	137,013
N-13	127,234	131,049	136,498	139,028	143,603
N-14	139,701	143,891	147,585	152,656	157,238
N-15					Contract

N-1	Secretary, Fire -- PT	N-5	Exec Asst. to Town Manager	N-9	Town Engineer
N-1	Asst. Rec Program Coord. -- PT	N-6	Management Analyst	N-10	Library Director
N-2	Sr. Clerk, Health -- PT	N-7	Facilities Business Manager	N-10	Town Clerk
N-2	Administrative Asst. Y/S -- PT	N-7	Desktop Support Analyst	N-11	Public Buildings Director
N-3	IT Technician	N-8	Benefits Manager	N-12	Assessing Director
N-3	Conservation Land Mgr. -- PT	N-8	Human Resources Manager	N-12	Assistant Town Manager/Procurement
N-3	Human Resources Assistant	N-8	Network Administrator	N-13	DPW Director
N-3	Outreach Coordinator - PT	N-8	Recreation Director	N-13	Finance Director/Town Accountant
N-3	Project Coordinator - PT	N-8	IT Business Analyst	N-13	Fire Chief
N-3	Recreation Program Asst. -- PT	N-9	Assistant Fire Chief	N-13	Information Technology Director
N-4	WWMDC Account Specialist - PT	N-9	IT Senior Systems Administrator	N-14	Police Chief
N-4	Administrative Asst. -- Police	N-9	Police Lieutenant	N-15	Town Manager-per contract

GROUP: NON-UNION - PUBLIC SAFETY

Effective: July 1, 2023

	Annually	Per Day	Hourly
Traffic Supervisors	9,264	-	--
Traffic Supervisor Substitute	--	53.13	--
Special Police Matrons	--	-	23.60
Call Firefighters	--	-	23.60
Call Firefighter Coordinator	--	-	25.17
Paramedic	--	-	24.49
Police Custodian (PT)	--	-	18.83
Police Intern	--	-	15.30 Minimum

GROUP: NON-UNION - ON-CALL DISPATCHERS

Effective: July 1, 2023

	Year 1	Year 2	Year 3	Year 4
On-call Dispatcher	22.28	23.32	24.32	25.33

GROUP: NON-UNION - HOURLY LIBRARY CLERKS

Effective: July 1, 2023

Step	1	2	3	4	5	6
	17.85	18.69	19.41	20.55	22.15	23.30

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

Effective: July 1, 2023

Step	1	2	3	4	5
	28.76	29.67	30.68	31.70	33.76

GROUP: NON-UNION - LIBRARY PAGES

Effective: July 1, 2023 (Gray shading indicates Minimum Wage Adjustment.)

Minimum Wage Adjustments – Effective Jan 1, 2023 \$15.00/hr.

Year 1	Year 2
15.00	15.75

GROUP: NON-UNION –HOURLY HEALTH WORKERS

Effective: July 1, 2023 (Gray shading indicates Minimum Wage Adjustment.)

Minimum Wage Adjustments – Effective Jan 1, 2023 \$15.00/hr.

Health Assistant	15.00
Substitute Health Clerk	17.80

GROUP: NON-UNION SEASONAL – MISCELLANEOUS

Effective: May 1, 2023.

Seasonal Laborer	17.00
Landfill Clerk	17.00

GROUP: NON-UNION – SEASONAL – RECREATION AND SUMMER CAMPS

Effective: Jan 1, 2023

Minimum Wage Adjustments made - Effective Jan 1, 2023 \$15.00/hr.

Gray shading indicates changes.

Grade	R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8	R-9	R-10
Hourly Rate	15.00	16.25	16.50	17.00	18.00	20.00	25.00	27.00	36.00	42.00
R-1	Counselor		R-3	Recreation Admin.		R-6	Asst. Director			
R-1	Gate Guard		R-3	Park Ranger		R-6	Health Care Supervisor			
R-1	Swim Instructor		R-3	Intern		R-7	Program Director			
R-1	Snack Bar Staff		R-4	Lifeguard		R-8	Beach Director			
R-1	Sport Coach		R-4	Specialist I		R-8	Ski Director			
R-1	Facility Monitor		R-4	Sailing Instructor II		R-9	Camp Nurse			
R-2	Senior Counselor		R-4	Water Safety Instructor (WSI)		R-9	Lifeguard Instructor			
R-2	Snack Bar Manager		R-5	Head Lifeguard		R-10	Special Instructor			
R-2	Boating Instructor I		R-5	Specialist II		R-10	Certified Referee			

***Additional \$1.00 per hour for each season of Recreation service in the same position, with no break in years of service, and upon satisfactory performance evaluation. Maximum +\$3. At the Recreation Director’s discretion, a candidate may receive the years of service credit based upon prior related experience and/or certifications**

GROUP: AFSCME

**Effective: July 1, 2023
Retention Step**

3.3% market adjustment increase

STEP	1	2	3	4	5	6	7	8	15	20
G-1	47,857	49,451	51,108	52,809	54,567	56,385	58,262	60,202	61,707	63,251
G-2	49,702	51,342	53,052	54,803	56,610	58,479	60,409	62,402	63,962	65,561
G-3	54,854	56,648	58,500	60,412	62,387	64,426	66,532	68,708	70,425	72,186
G-4	59,225	61,161	63,161	65,226	67,358	69,559	71,834	74,182	76,036	77,937
G-5	63,938	66,028	68,189	70,420	72,723	75,102	77,560	80,097	82,099	84,151
G-6	69,009	71,271	73,607	76,022	78,513	81,087	83,746	86,492	88,654	90,870
G-7	75,424	77,894	80,446	83,081	85,802	88,613	91,515	94,512	96,875	99,297
G-7A	78,452	81,036	83,704	86,460	89,307	92,247	95,284	98,421	100,882	103,404
G-7B	78,794	81,376	84,042	86,795	89,639	92,576	95,609	98,742	101,210	103,741
G-8	82,162	84,858	87,642	90,517	93,487	96,553	99,721	102,992	105,567	108,207
G-8A	85,871	88,686	91,593	94,596	97,697	100,900	104,208	107,624	110,315	113,072
G-9	89,539	92,474	95,505	98,635	101,867	105,206	108,654	112,215	115,020	117,895
G-10	97,238	100,425	103,716	107,115	110,625	114,251	117,995	121,862	124,909	128,032
G-15	58,724	60,986	63,334	65,774	68,307	70,938	73,670	76,508	78,420	80,381

G-1	Department Assistant	G-2	Dept Assistant Public Health	G-2	Assistant Treasurer/Collector
G-2	Finance Assistant Payroll	G-2	DPW Administrative Coordinator	G-2	Finance Assistant Accounting
G-3	JCC Dispatcher	G-3	Administrative Assessor	G-4	Conservation Land Mgr
G-4	JCC Dispatcher Coordinator	G-4	Assistant Town Clerk	G-4	Recreation Program Coordinator
G-5	Assistant Assessor	G-5	Clinician Y&S Services	G-6	Accountant
G-6	Local Building Inspector	G-6	Assistant Recreation Director	G-6	Sanitarian/Health Agent
G-6	DPW Business Manager	G-6	Land Use Coordinator	G-6	School Nurse Leader/CHN
G-7	Project Manager	G-7	Town Surveyor	G-7	Assistant Youth Dir/Clin Supervisor
G-7	GIS Analyst	G-7A	Public Health Nurse	G7B	Waste Water Treat/Comp Manager
G-7B	Water Treat/Comp Manager	G-7B	COA Director	G-8	Town Planner
G-8	Youth and Family Svcs Director	G-8	Conservation Administrator	G-8	IT Business System Analyst
G-9	Building Commissioner	G-9	Heath Director	G-9	DPW Hwy/Park/TS Superintendent
G-9	Treasurer/Collector	G-9	Assessing Director	G-9	DPW Water Superintendent
G-15	Community Health Nurse				

GROUP: LIBRARY

Effective: July 1, 2022 (Contract Negotiations in Progress)

Step	1	2	3	4	5	6	7	8	9	10
L-1	43,184	44,464	45,824	47,163	48,600	50,074	51,549	53,102	54,713	56,324
L-2	46,639	48,036	49,492	50,986	52,462	54,053	55,703	57,372	59,080	60,846
L-3	50,365	51,880	53,432	55,043	56,712	58,401	60,148	61,952	63,816	65,737
L-4	54,403	56,032	57,682	59,449	61,215	63,078	64,941	66,901	68,901	70,977
L-5	58,750	60,517	62,340	64,204	66,125	68,105	70,162	72,259	74,413	76,664
L-6	63,428	65,349	67,310	69,367	71,424	73,578	75,752	78,042	80,371	82,778
L-7	68,532	70,570	72,705	74,859	77,130	79,440	81,827	84,272	86,795	89,396
LC	41,379	42,932	44,427	46,057	47,745	49,977				

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

GROUP: TEAMSTERS - DPW

Effective: July 1, 2022 (Contract Negotiations in Progress)

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	15 Years	25 Years
D1	--	--	--	--	--	--	--
D2	20.91	22.06	23.19	24.31	25.43	25.94	26.20
D3	21.55	22.71	23.90	25.07	26.25	26.77	27.04
D4	22.50	23.73	24.97	26.20	27.44	27.98	28.27
D5	23.01	24.31	25.61	26.92	28.23	28.79	29.09
D6	24.58	25.94	27.31	28.68	30.05	30.65	30.96
D7	26.14	27.56	29.00	30.43	31.88	32.51	32.83
D8	26.60	28.05	29.53	31.01	32.47	33.12	33.46
D9	27.09	28.57	30.04	31.69	33.03	33.69	34.03
D10	28.17	29.70	32.31	33.85	34.33	35.01	35.36
D11	29.22	30.82	32.42	34.02	35.63	36.35	36.71
D12	31.69	33.42	35.13	36.86	38.63	39.69	39.80
D13	32.43	34.21	35.99	37.77	40.60	40.62	40.74

- D-2 Maintenance Worker
- D-3 Grounds Worker 1
- D-4 Grounds Worker 2
- D-4 Medium Equipment Operator
- D-4 Grounds Worker 2
- D-5 Heavy Equipment Operator
- D-5 Sr. Grounds Worker
- D-6 Heavy Equip Op Transfer Station
- D-7 Mechanic/Welder
- D-7 Mechanic/Welder Transfer Station
- D-7 DPW Working Foreman
- D-8 Mainten Mech/Welder/Water Worker 1
- D-9 Lead Mech/Welder/Sr. Foreman
- D-10 Water Worker 2
- D-11 Operations Supervisor Transfer
- D-12 Water Worker 3
- D-13 Water Working Foreman

GROUP: FIRE

Effective: July 1, 2022 (Contract Negotiations in Progress)

		Step 1	Step 2	Step 3	Step 4	15 Years	25 Years
Deputy	F-6E				94,968	97,817	100,752
Captain	F-5E	80,043	82,496	85,149	87,797	90,431	93,144
Lieutenant	F-4E	73,433	75,684	78,119	80,693	83,114	85,608
FF/Elec/Mech/Insp	F-3E	69,752	71,818	74,366	76,814	79,118	81,492
Firefighter/EMT	F-1E	63,529	65,578	67,703	69,898	71,995	74,155

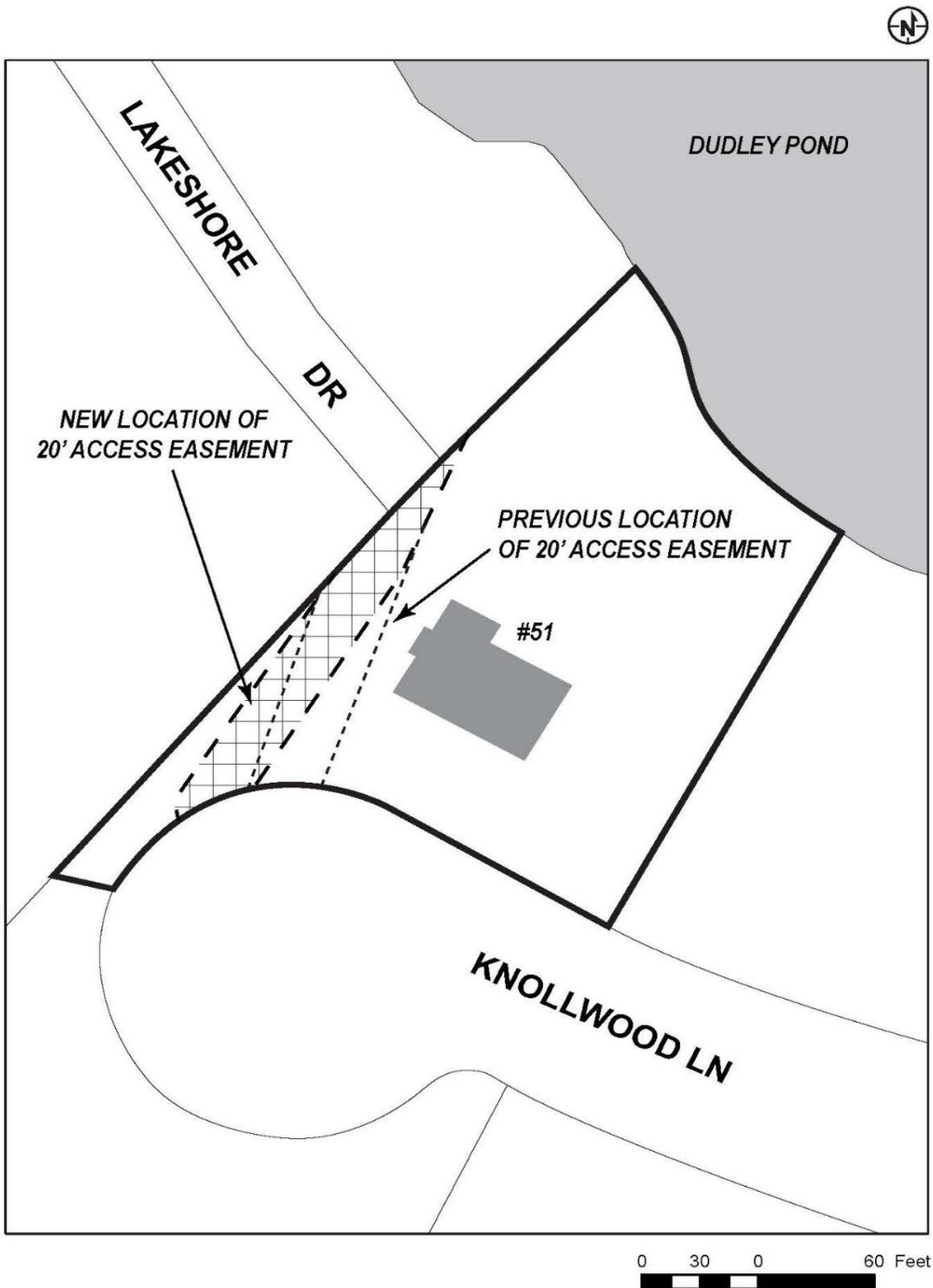
GROUP: POLICE

Effective: July 1, 2022 (Contract Negotiations in Progress)

Title	Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 15	Step 25
Patrolman	P-1	49,138	61,723	64,811	68,050	71,453	73,768	75,981	78,261
Sergeant	P-2	76,607	80,438	84,459	89,983	--	--	92,682	95,463

Title	Grade	Step 1	Step 15	Step 25
Detective	D-1	80,181	82,586	85,064
Detective Sergeant	D-2	97,787	100,720	103,742

APPENDIX C: Article 24 Knollwood Road Easement



*a more detailed version of this plan can be viewed at <https://www.wayland.ma.us/town-meeting/pages/annual-town-meeting-2023-1>

APPENDIX D: Article 27 Hear Reports

Board of Assessors Report

After serving many terms, Molly Upton decided not to take out nomination papers. The Board would like to thank Molly for her years of insight, hard work and dedication. At the Annual Town Election held May 10, 2022, Steven Klitgord was elected to serve one three-year term; the Board welcomed Steven. The Board reorganized with Zachariah Ventress to remain as Chair, Philip Parks to be Vice Chair, and Sharon Burke to be Secretary.

The Board of Assessors is responsible for administering Massachusetts property tax laws fairly and equitably and for producing accurate and fair assessments for all taxable real property.

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

A. Annual Report

(1.) Calendar year 2020 sales were used in the determination of the FY2022 assessed values.

These values were posted to the Assessors' web page and provided at Annual Town Meeting.

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

FISCAL YEAR	# RECD (a)	# GRANTED (b)	AVG ABMT (c)
2017	25	16	\$2,313.48
Supplemental	0	0	\$0.00
2018	22	9	\$2,157.99
Supplemental	0	0	\$0.00
2019*	42	18	\$1,325.71
Supplemental	0	0	\$0.00
2020	21	14	\$2,757.49
Supplemental	0	0	\$0.00
2021	31	23	\$4,086.87
Supplemental	0	0	\$0.00
2022	36	3	\$1,291.23
Supplemental	1	1	\$2,603.87

* DOR Division of Local Services certification year (FY2019); Next certification year is FY2024.

(2. d) Appellate Tax Board (ATB) filings for the last six years:

Fiscal Year	ATB Filings
2017	6

Fiscal Year	ATB Filings
2020	2

2018	5	2021	1
2019	6	2022	7

(2. e) Assessed value changes granted by the ATB:

FISCAL YEAR	NO.	STREET	CHANGE IN ASSESSMENT	FISCAL YEAR	NO.	STREET	CHANGE IN ASSESSMENT
2017	42	SHAW DR	\$158,200.00	2020	N/A		
2018	N/A			2021	N/A		
	42	SHAW DR	\$23,300.00				
2019	240	W PLAIN ST	\$20,200.00	2022	N/A		
	61	WALTHAM RD	\$27,700.00				

(3). Inspections conducted during Fiscal Year 2022

Total Property Visits: 387*

Sales:

Interior & Exterior	2
Exterior Only	7
Info at Door	0
Interior Only	0
In Office Review	0
Drive By	0
Refused	0
TOTAL	9

Building Permits:

Interior & Exterior	69
Exterior only	148
Info at Door	0
Interior Only	0
In Office Review	0
Drive By	3
Refused	5
TOTAL	226

Quality Control:

Interior & Exterior	1
Exterior only	1
Info at Door	0
Interior Only	0
In Office Review	0
Drive By	0
Refused	0
TOTAL	2

Cyclical:

Interior & Exterior	48
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Abatement:

Interior & Exterior	18
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Informal Hearings:

Interior & Exterior	0
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Exterior Only	74	Exterior Only	1	Exterior Only	0
Info at Door	0	Info at Door	0	Info at Door	0
Interior Only	0	Interior Only	0	Interior Only	0
In Office Review	0	In Office Review	0	In Office Review	0
Drive By	0	Drive By	0	Drive By	0
Refused	0	Refused	0	Refused	0
TOTAL	122	TOTAL	19	TOTAL	0

Field Review:

TOTAL 9

*** Please note that some data verification visits addressed more than one requirement in a single visit, such as a property requiring an abatement visit may also have needed a sale visit; one visit would have met both obligations. Due to COVID, most requests for interior inspections were denied, therefore, emails (with pictures) were accepted as part of the verification process. The Assessor’s Office employed two full-time people (under staffed by 1). The Office contracted a part-time clerical aide and part-time data collector.**

Respectfully submitted,

- Zachariah Ventress, Chair
- Philip Parks, Vice Chair
- Sharon Burke, Secretary
- Massimo Taurisano, Member
- Steven Klitgord, Member

APPENDIX D: Article 27 Hear Reports

CPC Report for 2023 Annual Town Meeting

REPORT OF THE COMMUNITY PRESERVATION COMMITTEE – 2023 ATM

Wayland adopted the Community Preservation Act (CPA) in 2001. The Community Preservation Committee (CPC) is charged with evaluating potential community preservation projects and, if appropriate, submitting project recommendation articles at Town Meeting. The CPA requires that the projects focus on open space, historic preservation, and community housing. Funds can also be used for certain recreational purposes.

CPA Revenue – Since the adoption of the CPA in 2001 through January 2023, Wayland has received \$14,781,313 from the residential property tax surcharge, \$6,437,165 in State Community Preservation Trust Fund distributions, and \$821,727 in interest, totaling \$22,040,205. The funds collected are known as the Community Preservation Fund (CPF), held and administered by the Town’s Treasurer and Finance Director.

COMMUNITY PRESERVATION FUND – AVAILABLE FUNDING BEFORE AND AFTER 2023 ATM – END FY’23

CPA FUNDS BALANCES & ALLOCATIONS	HISTORIC	COMMUNITY HOUSING	OPEN SPACE	ADMIN	UNCOMMITTED FUND
AS of 1/31/23	\$ 290,854	\$820	\$ 4,325	\$31,373	\$ 1,530,089
FY’23 <u>Estimated Revenue</u>					+ \$1,447,171
<u>Estimated Set Asides 2023</u>	+\$144,717 (10%)	+\$144,717 (10%)	+\$144,717 (10%)	+\$25,000	-\$436,151 (3 x 10% ^s) -\$372,231 (Mainstone Debt Service) -\$25,000 (Admin Fund)
Transfer to WMAHTF		-\$144,716			
Library Digitization, Conservation	-\$41,550				
Cemetery Preservation	-\$260,000				
Cochituate Outdoor Court					-\$150,000
Town Beach Entry					-\$147,500
Heard Farm Habitat			-\$7,500		
TOTALS <u>Expected</u> 6/30/23	\$134,021	\$821	\$141,542	\$56,373	\$1,846,378

* By end of FY’23 (June 30, 2023), funds amounting to about \$1,447,171 will be deposited into the Uncommitted Fund collected from the local surcharge and the State Trust Fund. (Much has already been deposited as of January 2023). Also, more interest will have accrued. The full 10% distributions for FY’23 will have been subtracted from the Uncommitted Balance and deposited into each account by the set-aside article at ATM (\$144,171 represents 10% of *estimated* FY’23 CPF receipts: *estimated*_ Local Surcharge (\$1,060,000) + State Trust Fund (\$387,171). Thus, the

Uncommitted Balance on July 1, 2023 should be about \$1,846,378 (before interest) if all projects are funded as proposed.

(Local Surcharge estimate: \$1,064,060 in gross Surcharge less \$3,021.52 in exemptions and abatements to date plus impact of 6 remaining Property Tax abatement cases.)

A list of all CPA funded projects is on the Town's CPC webpage:

<https://www.wayland.ma.us/community-preservation-committee>

APPENDIX D: Article 27 Hear Reports

Article 20 – Select Board report concerning the appointment process for the Wayland Finance Committee:

REPORT OF THE WAYLAND SELECT BOARD TO TOWN MEETING

To: Town Meeting
From: Select Board
Date: March 6, 2023

Town Meeting Members:

Town Meeting voted during the 2022 Annual Town Meeting (“ATM”) to refer Article 20, “Appointment of Finance Committee,” to the Select Board for further study by the Select Board with a written report to Town Meeting by the 2023 ATM. Pursuant to that vote, please accept this report from the Select Board concerning the appointment process for the Wayland Finance Committee. This report provides relevant background information concerning the appointment of Wayland Finance Committee members and the formation of the Finance Committee Appointment Study Group Sub-Committee (the “Sub-Committee”). This report also offers an overview of the various appointment mechanisms utilized in the Commonwealth of Massachusetts and more specific information the Sub-Committee obtained from the Town Moderators of Bedford, Brookline, Ipswich, Marblehead, and Wenham.

I. BACKGROUND

A. The Current Wayland Finance Committee Appointment Process

The Wayland Finance Committee is presently a seven-person committee with members serving staggered three-year terms. The Select Board currently serves the appointing authority to appoint individuals to the Wayland Finance Committee, including reappointment of persons wishing to serve another term and the filling of any vacancy that may occur. Section 19-1 of the Town Code provides the basis for this appointment process:

There shall be a committee called the “Finance Committee” appointed by the Select Board as hereinafter provided. Such committee shall consist of seven registered voters who shall serve without pay and none of whom during this or her service on such Committee shall hold elective or appointive Town office having to do with the appropriation or expenditure of Town money. Members shall serve terms of three years, such that the terms of two or three members shall expire each year. Appointment to fill unexpired terms shall be made by the Select Board as vacancies occur.

The Sub-Committee could not discern the origin of this appointment process. According to Wayland Town Moderator Dennis Berry, the language contained in Section 19-1 was originally adopted in 1935. *See E-mail from Dennis Berry to Thomas Fay, et al.*, Nov. 14, 2022, Exhibit A.¹ According to resident George Harris, the words “Finance Committee” first appeared in the Wayland Official Reports in 1884, and appointment of members to the Finance Committee by the Select Board began in 1910. *See E-mail from George Harris to Select Board Members*, Jan. 9, 2023, Exhibit B.²

¹ This document may be accessed online and found on page 35 of the document available via the following link: https://www.wayland.ma.us/sites/g/files/vyhlf9231/f/agendas/20230117_packet.pdf.

² This document may be accessed online and found on pages 37 and 38 of the document available via the following link: https://www.wayland.ma.us/sites/g/files/vyhlf9231/f/agendas/20230117_packet.pdf.

The Select Board³ previously retained the Edward J. Collins, Jr. Center for Public Management at the University of Massachusetts (hereinafter the “Collins Center”) to conduct a review of Wayland’s financial management structure and processes. In February 2018, the Collins Center published a report titled “Financial Management Structure Review: Town of Wayland, Massachusetts” (hereinafter the “Collins Center Report”).⁴ The Collins Center noted that “Wayland is in a minority of towns where the Finance Committee is solely appointed by the Board of Selectmen,” and that this appointment structure results in “a bit of blurring in the branches of government in Wayland’s current budget process.” Collins Center Report, at 24. The Collins Center stated that a plurality of towns in Massachusetts “have the Finance Committee appointed by the Moderator,” and that a “small number” of towns “also have elected finance committees or hybrid committees with different members elected or appointed by different appointing authorities.” Id. The Collins Center stated further that “the Finance Committee is often viewed as being a legislative check on the executive branch.” Id. Within the “Findings and Recommendations” section of the Collins Center Report, the Collins Center recommended Wayland “[c]ontemplate whether the appointing authority of the Finance Committee should remain solely the Board of Selectmen, or whether it should be moved or made into a hybrid appointing authority.” Id. at 8.

B. Recent Proposals to Modify the Appointment Process

A petitioners’ article was included in the 2021 ATM Warrant proposing to modify the appointment process for the Wayland Finance Committee. Article 23, titled “Appointment of Finance Committee,”⁵ sought to amend Town Code § 19-1 to change the appointment authority from the Select Board to a new “Finance Committee Appointing Board” or “FCAB.” The FCAB would consist of two members: (1) the Town Moderator and the Chair of the Select Board. Article 23 ultimately failed to obtain the necessary majority vote after 229 Town Meeting members voted in its favor but 255 voted in opposition.⁶

The following year, Town Moderator Dennis Berry proposed an article that was included in the 2022 ATM Warrant. Article 20, titled “Appointment of Finance Committee,”⁷ once again sought to amend Town Code § 19-1 to change the appointment authority from the Select Board to a newly formed FCAB; however, Article 20 contained two differences from Article 23 at the 2021 ATM. First, Article 20 stated the Chair of the Select Board would “serve in a personal capacity.” Second, Article 20 stated that the amendment to § 19-1 would not take effect until after “the next election of a Moderator.” During deliberation of Article 20, a motion was made, pursuant to Section IV(C)(7)(b) of the Moderator’s Rules and Regulations Governing Wayland’s Town Meetings, to refer the article to the Select Board for a further study by the Select Board with a written report to Town Meeting by ATM 2023. The motion passed with 144 Town Meeting members voting in favor and 100 members voting in opposition.⁸

C. Establishment & Work of the Sub-Committee

On August 8, 2022, the Select Board voted to establish the Sub-Committee and appoint Tom Fay and Adam Gutbezahl to serve on the Sub-Committee. The Select Board approved the following charge for the Sub-Committee:

³ In 2018, the Select Board was referred to as the Board of Selectmen; however, this name formally changed upon enactment of Chapter 33 of the Acts of 2022, “An act creating Select Board-Town Manager form of government in the Town of Wayland” on or about March 16, 2022. For the sake of consistency, this report uses the term “Select Board,” which is the current name of the Board.

⁴ This report may be accessed online via <https://www.mass.gov/doc/wayland-financial-management-structure/download>.

⁵ Article 23 of the 2021 ATM Warrant may be found on page 81 of the Warrant, which may be accessed online via https://www.wayland.ma.us/sites/g/files/vyhlif9231/f/pages/atm_warrant_2021_final_for_web.pdf.

⁶ Discussion of Article 23 at the 2021 ATM may be found on pages 20 through 22 of the Town of Wayland Minutes for 2021 ATM, which may be accessed online via <https://ecode360.com/WA1635/document/648328590.pdf>.

⁷ Article 20 of the 2022 ATM Warrant may be found on page 75 of the Warrant, which may be accessed online via https://www.wayland.ma.us/sites/g/files/vyhlif9231/f/uploads/2022_annual_town_meeting_warrant_with_cover.pdf.

⁸ Discussion of Article 20 at the 2022 ATM may be found on pages 34 through 37 of the Town of Wayland Minutes for 2022 ATM, which may be accessed online via <https://ecode360.com/WA1635/document/696132035.pdf>.

The purpose of the Finance Committee Appointment Study Group Sub-Committee (the “Sub-Committee”) is to advise the Wayland Select Board with a recommendation for the process of appointing members of the Finance Committee.

Article 20 at the 2022 Annual Town Meeting, “Appointment of Finance Committee,” proposed a modification to the current process for appointing members to the Finance Committee. Pursuant to Section IV(C)(7)(b) of the Moderator’s Rules and Regulations Governing Wayland’s Town Meetings, Article 20 was referred to the Select Board for further study with a written report to Town Meeting by Annual Town Meeting 2023.

The Sub-Committee will report to the Select Board in order to inform the Select Board’s process of preparing and submitting a report for the 2023 Annual Town Meeting Warrant. The Sub-Committee’s report is due to the Select Board by January 31, 2023. The term end date for members of the Sub-Committee is March 1, 2023, unless extended by a Select Board.

The Sub-Committee held four meetings on September 6, September 28, October 26, and November 15, 2022. Over the course of three of these meetings, the Sub-Committee spoke with five former and current Town Moderators about their respective communities’ appointment processes and their opinions about alternative appointment methods. During the meeting held on October 26, 2022, the Sub-Committee also hosted a spirited discussion between two long-time Wayland residents – George Harris and Bill Steinberg – concerning past and future proposals to modify Wayland’s appointment mechanism.

This report serves as an overview of the work conducted by the Sub-Committee. In the opinion of the Sub-Committee, it was not appropriate for it to provide the Select Board with a recommendation as to whether the current appointment process should be modified and, if so, in what manner it should change. Rather, the Sub-Committee wishes to provide the Select Board with an objective analysis of the information it obtained in order to allow the Select Board (not the Sub-Committee) to make the ultimate decision as to whether it wishes to report any recommendation to the 2023 Annual Town Meeting to amend Section 19-1 of the Town Code. The Sub-Committee hopes the following information will assist the Select Board in that forthcoming discussion and decision.

II. FINANCE COMMITTEE APPOINTMENT MECHANISMS

A. Overview of Various Appointment Mechanisms

Wayland Town Moderator Dennis Berry provided the Sub-Committee with the results of a survey conducted by the Massachusetts Moderators Association concerning the structure and appointment mechanisms for Finance Committees throughout the Commonwealth. The relevant portion of these survey results are available via **Exhibit C**.⁹ The survey listed information for 307 (or 87.5%) of the 351 municipalities in Massachusetts. Of these 307 municipalities, the survey provided information for a total of 149 towns and cities (or 42.5% of all municipalities in Massachusetts).

The survey results demonstrated varying selection processes are used throughout the Commonwealth; however, the majority of municipalities (87 in total) appoint the Finance Committee members by and through their Town Moderator. Seventeen communities, including Wayland, appoint members to their Finance Committee through the Select Board. At least three communities have both the Town Moderator and Select Board appoint a set number of Finance Committee members.¹⁰ A number of communities use a separate board of committee to appoint Finance Committee members, and

⁹ This document may be accessed online and found on pages 42 through 45 of the document available via the following link: https://www.wayland.ma.us/sites/g/files/vyhlf9231/f/agendas/20230117_packet.pdf.

¹⁰ For example, in Lynnfield, the Moderator appoints six members and the Select Board appoints five members. As another example, in Manchester-by-the-Sea, the Moderator appoints three members and the Select Board appoints four members.

these boards/committees typically include the Town Moderator, a member of the Select Board, and a third individual (often from the municipalities’ Finance Committee). A handful of communities both elect and appoint members to the Finance Committee.

Wayland Town Moderator Dennis Berry also provided the Sub-Committee with information concerning the appointment process used by the Town of Rutland – a municipality for whom information was not supplied in the survey. In Rutland, the Moderator appoints members to the Finance Committee; however, these appointments are subject to ratification by the Select Board. See E-mail from Dennis Berry to Thomas Fay, et al., Nov. 20, 2022, Exhibit D.¹¹

The Sub-Committee notes that, to its knowledge, no municipality in the Commonwealth of Massachusetts utilizes the appointment mechanism proposed at the 2021 and 2022 ATM (i.e., a two-member committee consisting of the Moderator and Chair of the Select Board). The following tables provide an overview of the various appointment structures identified in the survey results:

Open Town Meeting Selection Processes

Appointed or Elected	Appointing Authority	Total Municipalities
Appointed	Moderator	73
	Select Board	17
	Moderator, Select Board Chair, and Finance Committee Chair	9
	Set number by Moderator and set number by Select Board	3
	Set number each by Moderator, Select Board, and Finance Committee	2
	Moderator, Select Board Member, and Finance Committee Member	2
	Moderator, Select Board Chair, and Past Finance Committee Chair	1
	Moderator, Finance Committee Chair, and Finance Director	1
	Moderator, Select Board Chair, and Town Clerk	1
	Select Board, School Department, and Assessors	1
	Moderator, Select Board Chair, and Trust Fund Commission Chair	1
Appointed / Elected	One-third appointed by Moderator, one-third appointed by Select Board, and one-third elected	2
	Four members appointed by Moderator and three members elected	1
	Moderator appoints Nominating Committee and members then elected	1
Elected	N/A	17

Representative Town Meeting Selection Processes

Appointed	Appointing Authority	Total
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¹¹ This document may be accessed online and found on page 40 of the document available via the following link: https://www.wayland.ma.us/sites/g/files/vyhlf9231/f/agendas/20230117_packet.pdf.

or Elected		Municipalities
Appointed	Moderator	15
Appointed / Elected	Nine members appointed by Moderator and eight members elected	1
Elected	N/A	2

B. Town Moderators' Perspectives on Appointment Mechanisms

In order to obtain more specific information about these various appointment mechanisms, the Sub-Committee spoke with five current and former Moderators. Each Moderator with whom the Sub-Committee communicated came from municipalities using different appointment procedures. These different methods included: (1) appointment solely by the Moderator (i.e., Brookline); (2) appointment solely by the Select Board (i.e., Marblehead); (3) appointment by a committee consisting of the Moderator, Select Board Chair, and Finance Committee Chair (i.e., Bedford and Wenham); and (4) trifurcated selection with appointment of some members by the Moderator and some members by the Select Board, as well as election of other members (i.e., Ipswich). The following provides an overview of the information obtained from the Sub-Committee through these discussions.

1. Bedford (i.e., Appointing Committee)

On November 15, 2022, the Sub-Committee met with Mark Siegenthaler, the Town Moderator for the Town of Bedford. Mr. Siegenthaler was elected as Interim Town Moderator in the Fall of 2021 and was elected as Moderator in March 2022. The Moderator in Bedford serves a three-year term. Prior to serving as Moderator, Mr. Siegenthaler served on the Planning Board for eight years and as a member of the Board of Selectmen for 21 years. Mr. Siegenthaler has lived in Bedford for 40 years and does not recall Bedford having a contested election for Moderator while living there. Mr. Siegenthaler stated Bedford has a population of about 14,000, has an Open Town Meeting form a government, and that its Finance Committee has nine members.

Bedford appoints members to its Finance Committee through the Finance Committee Appointing Authority (the "FCAA"). The Chair of the Board of Selectmen, the Chair of the Finance Committee, and the Moderator all serve on the FCAA.¹² The FCAA requires a unanimous vote in order for a person to be appointed to the Finance Committee. Mr. Siegenthaler stated this was a "unique structure," and stated further, "I'm not sure I would recommend it." Mr. Siegenthaler told the Sub-Committee about the FCAA's experience in the Summer of 2022 and the attempt to fill two vacancies on the Bedford Finance Committee. The FCAA interviewed six or seven applicants; however, the FCAA failed to successfully appoint anyone for a significant period of time because the FCAA could not unanimously agree on any of the applicants. Mr. Siegenthaler also noted that the Chair of the Finance Committee serves in that position until he or she is replaced. According to Mr. Siegenthaler, this poses a potential issue because the Chair of the Finance Committee, as a member of the FCAA, ultimately participates in the decision as to whether or not he or she should be replaced.

Mr. Siegenthaler told the Sub-Committee that Bedford, as a community, has not considered a change to the appointment procedure. According to Mr. Siegenthaler, residents in Bedford do not seem to be concerned with the present structure. He believed, however, that there would be pushback to the suggestion that the Moderator become the only person to appoint individuals to the Finance Committee. He thought that the only change the FCAA may consider would be changing the quantum of vote to a majority vote (instead of unanimous) to appoint a person to the Finance Committee.

Mr. Siegenthaler believed that having the Chair of the Finance Committee on the appointing authority "does allow someone to ask questions about a person's experience and their interest in light of how the Finance Committee operates and what the current Chair thinks is a value additive." The oddity with the FCAA, however, is that the Chair simultaneously serves on the FCAA and potentially requests that same board to reappoint him or her to another term. Mr. Siegenthaler

¹² According to Mr. Siegenthaler, Bedford's Charter and Bylaws prohibit an Interim Moderator from participating in the FCAA appointment process.

suggested some mechanism be implemented to prevent this potential conflict. Mr. Siegenthaler also noted that an argument could be made that the School Committee should participate in the appointment process in some way, and that perhaps this could be accomplished by having the Chair of the School Committee consult the Finance Committee as part of the appointment process.

2. Brookline (i.e., Appointed Solely by Moderator)

On September 28, 2022, the Sub-Committee met with Sandy Gadsby, the former Town Moderator for Brookline. Mr. Gadsby served as Brookline's Moderator for 27 years until he decided not to run for reelection in 2021. Mr. Gadsby won the seat in a contested election when he initially ran for Moderator and then went unopposed for the remainder of his tenure. Mr. Gadsby also served as a member of Brookline's Finance Committee for 12 years. The Brookline Finance Committee consists of a minimum of 20 and a maximum of 30 members. Brookline has a population of more than 50,000 and utilizes a Representative Town Meeting form of government.

The Moderator appoints members to the Brookline Finance Committee. Mr. Gadsby stated that the "tradition" in Brookline is to appoint new members to a one-year term and to reappoint members to either two- or three-year terms. The duration of the reappointment is done for the purpose of ensuring that one-third of committee members have their terms expire at the same time so that the composition of the committee serves staggered terms.

Since the appointment by just one person meant the selection process was not subject to the Open Meeting Law, the Sub-Committee asked Mr. Gadsby how Brookline handled concerns about transparency. Mr. Gadsby stated, "I thought it was my providence and if they didn't like it they could change the appointment process." Mr. Gadsby stated further that he came into increasing criticism to disclose his selection criteria and answer to Town Meeting members about the appointment process. In response, Mr. Gadsby created an advisory committee to assist in the process; however, this "sort of prompted my saying goodbye to" serving as Moderator. Mr. Gadsby told the Sub-Committee that there have been movements in Brookline to change the composition of the Finance Committee, but never the appointment method.

The Sub-Committee asked Mr. Gadsby for his opinion on a potential two-person appointing authority comprised of the Moderator and the Chair of the Select Board. Mr. Gadsby said he would oppose any involvement by the Select Board in the appointment process and could only endorse a process through which the Moderator has sole appointment authority. Mr. Gadsby stated that the Finance Committee's principal role is to advise Town Meeting. In Mr. Gadsby's opinion, Select Board participation in the appointment process was anathema and contrary to proper divisions of government. Mr. Gadsby said further that he thought it was "a terrible idea" to have Town Meeting elect members to the Finance Committee.

3. Ipswich (i.e., Appointed and Elected)

On September 28, 2022, the Sub-Committee met with Thomas Murphy, the Town Moderator for Ipswich. The Ipswich Finance Committee consists of nine members. Ipswich has approximately 15,000 residents and 11,000 registered voters. Ipswich utilizes an Open Town Meeting form of government.

Historically, the Moderator appointed members to the Ipswich Finance Committee; however, Ipswich revised its Charter in the 1960s to establish its current appointment procedure. Presently, three members of the Finance Committee are appointed by the Moderator, three members are appointed by the Select Board, and three members are elected at ATM. The seats are staggered so that each appointing authority appoints or elects one person each year. Mr. Murphy stated that the first article of every ATM Warrant is to elect a person to the Finance Committee. Mr. Murphy said there was previously a Citizen's Petition to change this appointment process to having all nine members appointed by ATM. A motion ultimately was made to study the issue; however, the result was for Ipswich to take no action on the petition.

Mr. Murphy stated that he "always been troubled" by this appointment structure and that, in his opinion, the Finance Committee becomes a "self-appointing body" because the same people consistently end up being reappointed. Mr. Murphy opined that he believes the best appointment process is having the Moderator appoint all nine members. When asked to address the concerns raised about a lack of transparency with this method, Mr. Murphy stated, "I think that transparency

these days is way overrated,” and that if ATM does not like who he appoints to the Finance Committee, then ATM can elect another person as Moderator. Mr. Murphy analogized having the Select Board appointing individuals to the Finance Committee to “having the fox guard the chicken coop.”

4. Marblehead (i.e., Appointed Solely by Select Board)

On October 26, 2022, the Sub-Committee met with Jack Attridge, the Town Moderator for the Town of Marblehead. Mr. Attridge was elected as Moderator in 2022 and was previously appointed to several municipal organizations. Mr. Attridge stated he has regularly attended Town Meeting in Marblehead for 40 years. Mr. Attridge stated that in his 40 years participating in municipal government, there were just two moderators serving Marblehead before he was elected, and he recalled two contested elections for the position during that time. The Marblehead Finance Committee has nine members, with members serving staggered three-year terms. Mr. Attridge stated that Marblehead has about 25,000 residents and 16,729 registered voters. Marblehead as an Open Town Meeting form of government.

The Marblehead Select Board appoints people to the Finance Committee on an annual basis as terms end. Mr. Attridge stated there have not been discussions in Marblehead about changing this process. He noted, however, that he was “very intrigued” with pursuing changes to the appointment methods. Mr. Attridge said he liked the idea of having the appointment authority being taken away from just one board in the executive branch (i.e., the Select Board). Mr. Attridge believed that a committee consisting of three members would be the best way to appoint individuals to the Finance Committee; however, he was not sure who those three individuals should be.

5. Wenham (i.e., Appointing Committee)

On October 26, 2022, the Sub-Committee met with Roger Smerage, the Town Moderator for the Town of Wenham. Mr. Smerage was elected as Moderator in 2021. Mr. Smerage also served on a committee studying the potential expansion of the Wenham Select Board from three to five members. Mr. Smerage stated he was aware of just one contested election for Moderator, which occurred to replace the outgoing Moderator who served for almost 40 years. The Wenham Finance Committee is a five-member committee. Members serve three-year terms, and a two-term limit is imposed for members. Mr. Smerage stated that Wenham has a population of a little over 5,000 with approximately 3,000 registered voters. Wenham has an Open Town Meeting form of government.

Wenham appoints members to its finance committee through the Finance Committee Appointing Committee (“the FCAC”). The Chair of the Select Board, the Chair of the Finance Committee, and the Moderator all serve on the FCAC. A simple majority vote is needed for an individual to be appointed to the Finance Committee. Mr. Smerage stated the FCAC has engaged in robust discussion and debate about potential candidates. Mr. Smerage characterized the FCAC as “a very good process.” He described it as “deliberative” and “collegial,” and that this framework invites discussion and debate between the branches of government.

Mr. Smerage stated there have not been discussions in Wenham about changing the appointment method. Mr. Smerage noted that, historically, the Moderator possessed sole authority to appoint people to Finance Committees and acknowledged that the vast majority of communities in Massachusetts maintain that model. Mr. Smerage stated that he sees issues with having the Select Board solely responsible for appointment to the Finance Committee because the role of the Finance Committee is to advise the legislature (i.e., Town Meeting).

The Sub-Committee asked Mr. Smerage for his thoughts about a potential two-person appointing authority comprised of the Moderator and the Chair of the Select Board. Mr. Smerage opined that this proposal was “a recipe for disaster” and was “just inviting deadlock.” Mr. Smerage believed having a three-person appointing committee is appropriate, and that the Chair of the Finance Committee is the logical choice for the third seat.

Report available online at:

https://www.wayland.ma.us/sites/g/files/vyhlf9231/f/uploads/fcasg_report_01.09.23.pdf



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

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before April 17, 2023.

Given under our hands and seals this 10th day of April, 2023.

Cherry C. Karlson, Chair
David V. Watkins, Vice Chair
Thomas J. Fay
Adam Garrett Gutbezahl
Carol B. Martin
Select Board of the Town of Wayland

Pamela Roman, Co- Chair
Steve Correia, Co-Chair
Kelly Lappin, Vice Chair
Jonathan Barnett
Michael Hoyle
Brian O’Herlihy
Finance Committee of the Town of Wayland

NOTES



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www.wayland.ma.us

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Opioid Settlement Funds

A prevention, harm reduction and support approach for Wayland

Who We Are

Opioid Settlement Funds Working Group

- Michael McCall | Town Manager
- Ed Burman | Acting Police Chief
- Neil McPherson | Fire Chief & Emergency Management Director
- Julia Junghanns | Director of Public Health
- Michele Schuckel | Public Health Nurse
- Jason Verhoosky | Director of Youth & Family Services

What we know so far

Wayland Settlement

- Wayland is projected to receive a total of **\$451,505** between **2022-2038**
 - To date we have received:
 - **\$15,683.20** on **11/03/22**
 - **\$62,786.81** on **11/04/22**
 - **\$16,482.28** on **01/19/23**
 - Total to date: **\$94,952.29**
 - We are slated to receive between **\$20-30,000** per year between now and 2038. These funds may come in lump sums and/or annually.
 - [Link to AG's information on Opioid Settlement Funds: https://www.mass.gov/service-details/learn-about-the-ag-s-statewide-opioid-settlements-with-opioid-industry-defendants](https://www.mass.gov/service-details/learn-about-the-ag-s-statewide-opioid-settlements-with-opioid-industry-defendants)

What are the funds specified for

Areas of Impact

- **Prevention and Community Education**
- **Harm Reduction/Stigma Reduction**
- **Direct Support of Active Users and Their Families**
- **Intervention**
- **Wrap Around Services**
- **Physical Supplies**

Prevention

Youth & Community Approach

- **Youth and School Based Approach**
 - While Wayland has a strong dedication to substance use prevention education, we always have room to improve. We currently address this topic through our dedicated classroom health and wellness programs in grades 6-12.
 - In addition to school based education, WaylandCares addresses substance use prevention and education on a community and regional level. These efforts are conducted through community education events, direct messaging campaigns and educational material distribution.

Prevention

Youth & Community Approach

- **Youth and School Based Approach**

- One goal is to expand the range of services and education to the primary grades and begin our community wellness education with age appropriate curriculum within our elementary schools. Through our data collection with the MetroWest Adolescent Health Survey, we see that students are being exposed to and begin experimenting with various substances at earlier ages. Providing an educational foundation to our younger students is positive primary prevention and reinforces healthy decision making later in life.
- **Budget Proposal:** This position is currently being funded at as a .4 position through grant funds received through the Wayland Education Fund. Moving forward, it would be possible to allocate a **\$5,000** annually from the opioid settlement funds to expand the position to a .5 staff position.
- Public Health Assisting with Identifying and Purchasing a Curriculum

Prevention

Community Education

- **Lived Experience & Community Education**
 - One of the requirements of this funding is to seek community input as well as lived experience of active users and those in recovery. To this point, we hope to bring in speakers to share their story, recovery tactics and offer education and resources to both our youth, as well as the community at large. Currently we are looking to book Chris Herren (former NBA player in active recovery), Dr. Ruth A. Potee (Brain Science and Pathways to Addiction), Learn to Cope (Addiction Services and Speakers), as well as additional community resources.
 - **Budget Proposal: \$8,000** for speakers/community education in year one. An additional **\$4,000** per year for subsequent years.

Harm Reduction

Meeting People Where They Are At & Work To Not Leave Them There

- **Narcan/Naloxone**

- Expand training opportunities and ready access to Narcan/Naloxone
 - First Responders, Town Staff, School Staff, Community
 - Narcan is currently available free of charge through the MA Clearing House with a Community Physicians approval/prescription.
 - Fentanyl Test Strips
 - **Budget Proposal: \$3,500** in year one for NaloxBox procurement and installation. Due to Naloxone being available free through the Mass Clearing House, there is no further budget requirement.

Direct Support and Intervention

Meeting People Where They Are At & Work To Not Leave Them There

- **Recovery Coaching Services**

- Individual Services for those seeking recovery and/or after detox post overdose.
- Clinical and medical support services
- Local and Regional Approach
- **Budget Request:** Awaiting the proposed regional/state funding plan for available services.

Direct Support and Intervention

Meeting People Where They Are At & Work To Not Leave Them There

- **Community Outreach Services Through Policing**

- Many communities are utilizing the services of a social worker within their police department. This allows our police department to respond to many calls regarding mental health, substance use, domestic disputes and other issues with the tools and resources needed to provide assistance and support our community members in times of crisis.

Direct Support and Intervention

Meeting People Where They Are At & Work To Not Leave Them There

- **Community Outreach Services Through Policing**
 - Many communities are utilizing the services of a social worker and/or a community engagement specialist within their police department. This allows our police department to respond to many calls regarding mental health, substance use, domestic disputes and other issues with the tools and resources needed to provide assistance and support our community members in times of crisis.
- **Budget Proposal:**
 - **\$63,700** for Full Time (based on \$35/hr. The position would be partial hours and extended on-call services)
 - **\$38,220** for 21/hr Per Week

Regional Support

Working Together to Support Our Communities

- **Substance Use knows no borders**
 - Many individuals and family members seek services outside of the community that they reside. By taking a regional approach, we are able to offer additional resources and pool our capacity to help those in need.
 - Inventory of regional support groups for those actively using, in recovery and family members impacted by addiction.
 - Community Drop In Centers (Harm Reduction, Access to Support Services, Health Care, Etc.)
 - **Budget Proposal: \$1,000** per year for web hosting and management of online resources to create a directory of services and meeting calendar.

Regional Support

Working Together to Support Our Communities

- Substance Use knows no borders
 - Sober Housing Opportunities
 - Transportation
 - Access to Treatment

Overall Budget Proposal

Working Together to Support Our Communities

- Social Worker/Police Community Outreach Coordinator
 - **\$63,700** Annually for 3 years: **\$191,100**; or **\$38,220** Annually for 21hr/wk for 3 years: **\$114,660**
 - Elementary Wellness Staff Support: **\$5000** Annually
 - Community Education/Speakers: **\$8000** year 1, **\$4,000** in subsequent years
 - Naloxone Supplies: **\$3500** year 1
 - Web Hosting for Online Resources: **\$1000** per year
 - Total **3 Year Budget** Proposal with full-time social worker: **\$230,600** with full-time social worker.
 - Total **3 Year Budget** Proposal with part-time social worker: **\$154,160** with part-time social worker.

Overall Budget Proposal

Working Together to Support Our Communities

- **Year One Appropriation Ask:**
 - **\$81,200** with full-time social worker
 - Year one remaining balance: **\$13,752.29**
 - **\$55,720** with 21hr/wk social worker
 - Year one remaining balance: **\$39,232.29**

Overall Budget Proposal

Working Together to Support Our Communities

- **Three Year Budget Request and Balance:**
 - **\$230,600** with full-time social worker
 - Total Remaining Balance: **\$220,905**
 - **\$154,160** with 21hr/wk social worker
 - Total Remaining balance: **\$297,345**

Questions



To: Wayland Select Board
From: The Human Rights, Diversity, Equity and Inclusion Committee (HRDEIC)
Re: Creation of an HRDEI Gift Fund
Date: May 15, 2023

Statement of Purpose: The Human Rights Diversity Equity and Inclusion Committee was established in the Spring of 2021 by the Select Board. Some of the work this Committee is charged with includes to “promote an understanding of the diverse cultures within the Town and surrounding areas... through education, organization of community events, conferences, public speaking programs, educational panels, celebrations and other community actions;”. Many aspects of this work require a funding source and the Town has not allocated funds to the HRDEIC. During the first two years, members of the HRDEIC have worked diligently to identify and secure possible grants. The HRDEIC has been awarded three grants to help support this piece of our charge. Grants by definition are narrowly construed and monies expended must meet very specific guidelines. The Committee has also worked with community members and recognizes that both private individuals as well as businesses would like to contribute to further the mission of our work in creating a more inclusive community.

Therefore, the HRDEIC requests that the Select Board create an HRDEIC Gift Fund under MGL Chapter 44, Section 53A which would support the charge of the HRDEIC.

In the event that the HRDEIC no longer needs the donations in the future, this account will be closed by vote of the Select Board. Any funds remaining will be given to Wayland METCO, a program that is aligned with the work of the HRDEIC’s mission to “promot[e] an understanding of diverse cultures within the Town and surrounding areas.”

Procedure: Donations are made to a designated “HRDEIC Gift Fund” established through the Treasurer through the online bill payment portal or by check. Monies may be expended first by vote of the HRDEIC, followed by approval of the Select Board. The HRDEIC will identify an acting treasurer who will be charged with maintaining paper records of gifts and expenses to support the MUNIS financial transactions.

Financial donations are tax deductible to the extent allowed by law. Donors are encouraged to discuss deductions with their individual tax advisor. The HRDEIC will be responsible for sending thank you /acknowledgement letters to the donors.

Reporting: A summary report will be provided annually to the Select Board, showing donations and expenses.

Power-Spirlet, Kelsi

From: Blumenfeld, Karen
Sent: Monday, May 8, 2023 12:14 PM
To: Power-Spirlet, Kelsi
Cc: McCall, Michael; Costello, Christopher
Subject: Fwd: HRDEIC gift fund
Attachments: HRDEIC Donations - May 2023.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

Kelsi,

Below is information from Janot about the HRDEIC gift fund. I'm still working to track down language requesting that the SB establish a gift fund for the HRDEIC. I will send this language to you as soon as I get it.

Please let me know if you have any questions!

Karen

Begin forwarded message:

From: janot mendler de suarez [REDACTED]
Subject: Fwd: Donations for HREDIC
Date: May 8, 2023 at 11:58:26 AM EDT
To: "Blumenfeld, Karen" <kblumenfeld@wayland.ma.us>

[NOTICE: This message originated outside of the **Town of Wayland Email System** -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Dear Karen,

Attached please find Kelsi's accounting as of Friday for Multicultural Festival donations received to date. Please request that the Selectboard accept these donations on behalf of the HRDEIC. Perhaps you could inform them that I am taking responsibility for managing festival accounting, including tracking grant, cash and in-kind donations, as well as expenses.

It might be helpful to briefly summarize our approach to the accounting process .

All donations received by the Town for the festival are being held pending the establishment of the HRDEIC account. 2 additional accounts should have been set up on acceptance by the Selectboard of the WCC and MCC grants.

As expenses are incurred, we will be submitting requests to the Selectboard to approve payment by the Town (including reimbursements) out of the respective HRDEIC accounts.

Best, Janot

May 10, 2023

Dear Wayland Select Board,

We respectfully request 15-20 minutes on the Select Board's agenda so that the Human Rights, Diversity, Equity and Inclusion Committee (HRDEIC) may ask for your blessing to bring a community healing program to the Town of Wayland. We believe this program is timely and important in the wake of recent ruptures in the community related to investigations of the Superintendent and the former police chief.

For the Select Board's approval and, ideally, co-sponsorship, we would like to present a program offered by the Department of Justice (DOJ) Community Relations Service (CRS). The program is called a *Town-SPIRIT program (Site Problem Identification and Resolution of Issues Together)*. We propose to offer the program in the Fall of 2023, so planning would need to begin soon.

The Town-SPIRIT program is a way to engage the community in an inclusive, intentional and constructive dialogue facilitated around three basic questions: What is the town doing well? What could the town be doing better? And, how can the community support and collaborate with Town officials to implement solutions that, if implemented, would have the most impact on improving life within the town? Through the SPIRIT process, all groups of people and neighborhoods are equally heard, and their ideas are equally considered.

A SPIRIT process is a full-day, in-person program. It brings together town employees, committees and boards, and community members to engage in a structured process to identify issues, engage in dialogue, and co-create proposed solutions that can be implemented together. The result of the day-long program is a report outlining the process and results of the day and the beginning of an implementation plan. During the day-long meeting, the CRS would ask for volunteers to commit to being part of a *SPIRIT Council*. The SPIRIT Council would be responsible for moving the implementation plan forward over the following 12-18 months in collaboration with the Select Board, Town Manager and Assistant Town Manager. Attached you will find two documents explaining how the program works.

Frequently Asked Questions

1. Is there a limit to the number of participants?

No. The only limitations are occupancy of the selected venue in Wayland and the need to have two volunteer facilitators for each break-out group of approximately 12 participants.

2. Is there a cost?

The Town-SPIRIT program is a free service of the Department of Justice Community Relations Service. The CRS estimates that the Town might incur costs of about \$100 for coffee and water and up to about \$500 if food is purchased, e.g., donuts, pizza or boxed lunches.

3. Who will do all the program planning?

DOJ's Community Relations Service will assist in planning; train local facilitators; provide a written report outlining the process and issues raised; and assist the SPIRIT Council in beginning its work. In addition, the HRDEIC will work closely with the Town Manager and Assistant Town Manager to support the planning process.

4. Who will serve on the SPIRIT Council?

The SPIRIT Council will consist of at least two volunteers from each identified stakeholder group, as determined by the local SPIRIT planning committee.

5. Has the SPIRIT program been carried out in other communities?

Yes. The Town-SPIRIT process has successfully supported other municipal efforts, including community audits/assessments, strategic planning, human rights committees/commissions, and more. Hundreds of towns and cities nationwide have successfully engaged in the SPIRIT process.

6. Will the SPIRIT process duplicate or conflict with the upcoming town equity assessment?

No. The SPIRIT program will complement the town equity assessment. The HRDEIC will work closely with the Town Manager and Assistant Town Manager to ensure these efforts are highly coordinated. As John Bugbee has noted in previous correspondence, "the equity assessment will look at ways the Town as an organization can be more equitable while the Community Relations Service SPIRIT program is meant to address actual tension and conflict." He noted, "The more community members we can connect with, the more impactful [these efforts] will be."

7. Will CRS maintain Wayland's confidentiality?

Yes. The CRS maintains strict confidentiality for all communities and organizations with which it conducts SPIRIT programs.

Sincerely,

Yamini Ranjan

Chair, Wayland Human Rights, Diversity, Equity and Inclusion Committee

U.S. Department of Justice Community Relations Service Begins at 11:00 am



Working Together to Serve
Diverse Communities

A Virtual Resource Fair



TO JOIN BY TELEPHONE:

Phone: (510) 210-8882 | Access Code: 199 456 2878



U.S. Department of Justice – Community Relations Service
Information about the Community Relations Service

The Community Relations Service (CRS), a component of the Department of Justice (DOJ), serves as “America’s Peacemaker” for communities in conflict by mediating disputes and enhancing community capacity to independently prevent and resolve future conflicts.

Presenter:

Synthia Taylor

Regional Director of the CRS Southwest and Southeast Regional Offices





America's Peacemaker
conciliate | mediate | facilitate | educate



What is

CRS COMMUNITY
RELATIONS
SERVICE ?

Created under **Title X of
Civil Rights Act of 1964**

CRS, a U.S. Department of Justice
agency, is the Federal government's

“peacemaker”

for community conflicts and
tensions arising from differences
of race, color and national
origin.

*Photo: President Lyndon Baines Johnson signs the Civil
Rights Act of 1964, surrounded by civil rights and
congressional leaders. Taken from the 2015 Annual Report.*





What is **CRS** COMMUNITY RELATIONS SERVICE ?

Services expanded under the Hate Crimes Prevention Act of 2009, CRS acts to prevent and respond to violent hate crimes:

- Gender
- Gender Identity
- Sexual Orientation
- Religion
- Disability
- Race
- Color
- National Origin

CRS Services



CRS Services



Facilitation

Convening parties in dialogue to identify issues and solutions



Training

Knowledge or skills-based programs



Who We Work With



CRS Service Areas



Administration of Justice

- Police-community relations
- Controversial incidents
- Alleged bias or hate incidents/crimes



Education

- Intergroup tensions in schools
- Alleged bias or hate incidents/crimes in schools
- Alleged bullying



General Community Relations

- Demographic shifts
- Language-based conflicts
- Public demonstrations or controversial events
- Alleged bias or hate incidents/crimes

CRS Programs

Administration of Justice

- ▶ Engaging and Building Relationships with Transgender Communities
- ▶ Strengthening Police and Community Partnerships (SPCP)
- ▶ Engaging and Building Partnerships with Muslim Americans
- ▶ Engaging and Building Partnerships with Sikh Americans
- ▶ Customized Information and Education Sessions



Education

- ▶ School-Student Problem Identification and Resolution of Issues Together (School-SPIRIT)
- ▶ Campus-Site Problem Identification and Resolution of Issues Together (Campus-SPIRIT)
- ▶ Customized Information and Education Sessions



General Community Relations

- ▶ City-Site Problem Identification and Resolution of Issues Together (City-SPIRIT)
- ▶ Protecting Places of Worship
- ▶ Dialogue on Race
- ▶ Bias Incidents and Hate Crimes Forums
- ▶ Contingency Planning: Reducing Risk During Public Events
- ▶ Event Marshals: Supporting Public Safety During Events
- ▶ Customized Information and Education Sessions



83

Case Study

Law Enforcement Community – Trayvon Martin Case in Sanford, FL

- CRS was the catalyst to create “Sanford Pastors Connecting,” during the 2013 trial of George Zimmerman



Additional Case Studies

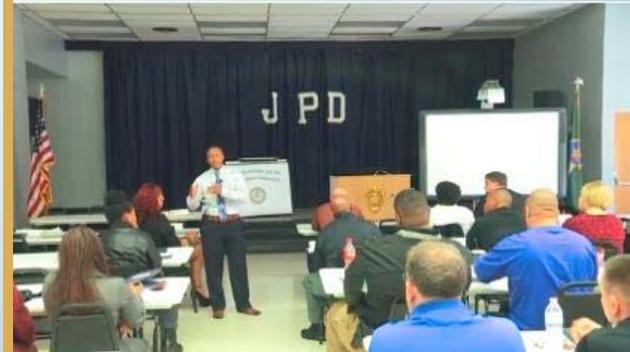


School Community – SPIRIT Program in Duluth, MN

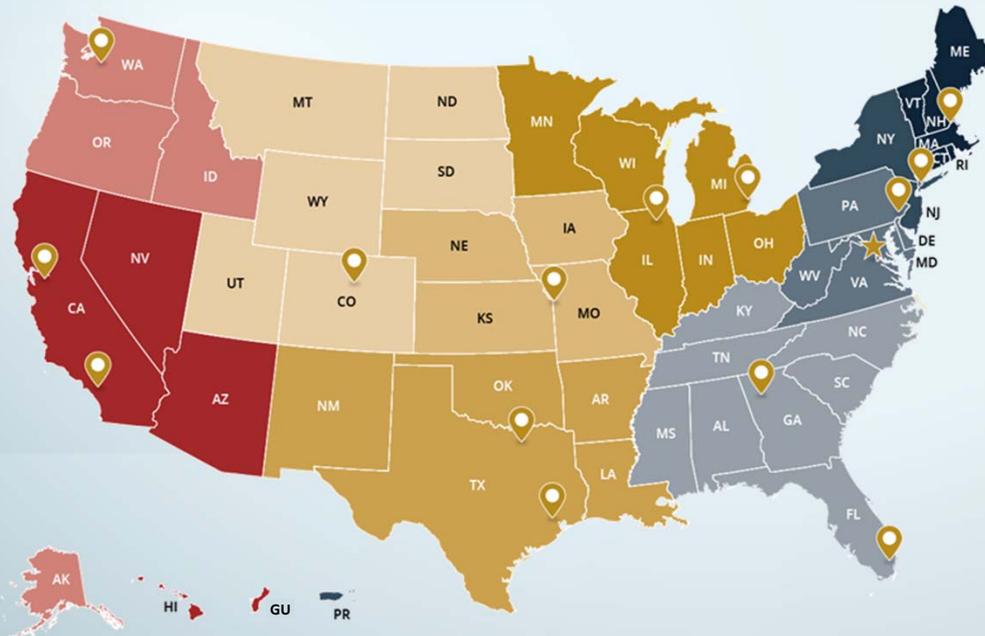
- A group of students at Denfeld High School circulated a picture on Snapchat of a black student with a noose around his neck captioned, “Gotta hang ‘em all,” sparking significant community tension
- CRS conducted a Student Problem Identification and Resolution of Issues Together (SPIRIT) program for the student body to work through the issue as an ongoing effort

Transgender Community – Law Enforcement Training in Jackson, MS

- CRS worked with the Jackson Police Department and members of the Transgender community to deliver cultural competency training
- CRS presented the training in an effort to increase understanding, improve relations for all involved, and decrease the instances of violence



CRS Regional and Field Office Locations



legend

- New England Regional Office (ME, VT, NH, MA, CT, RI)
- Northeastern Regional Office (NY, NJ, VI, PR)
- Mid-Atlantic Regional Office (DC, DE, MD, PA, VA, WV)
- Southeastern Regional Office (AL, FL, GA, KY, MS, NC, SC, TN)
- Midwestern Regional Office (IL, IN, MI, MN, OH, WI)
- Central Regional Office (IA, KS, MO, NE)
- Southwestern Regional Office (AR, LA, NM, OK, TX)
- Rocky Mountain Regional Office (CO, MT, ND, SD, UT, WY)
- Northwestern Regional Office (AK, ID, OR, WA)
- Western Regional Office (AZ, CA, GU, HI, NV)
- Regional Office Locations

Regional and Field Offices Contacts (1 of 2)

New England Regional Office (Region I)
(ME, VT, NH, MA, CT, RI)

Northeastern Regional Office (Region II)
(NY, NJ, VI, PR)

Mid-Atlantic Regional Office (Region III)
(DC, DE, MD, PA, VA, WV)

Southeastern Regional Office (Region IV)
(AL, FL, GA, KY, MS, NC, SC, TN)

Southeastern Field Office

Midwestern Regional Office (Region V)
(IL, IN, MI, MN, OH, WI)

Midwestern Field Office

Regional and Field Offices Contacts (2 of 2)

Southwestern Regional Office (Region VI)
(AR, LA, NM, OK, TX)

Southwestern Field Office

Central Regional Office (Region VII)
(IA, KS, MO, NE)

Rocky Mountain Regional Office (Region VIII)
(CO, MT, ND, SD, UT, WY)

Western Regional Office (Region IX)
(AZ, CA, GU, HI, NV)

Western Field Office

Northwestern Regional Office (Region X)
(AK, ID, OR, WA)

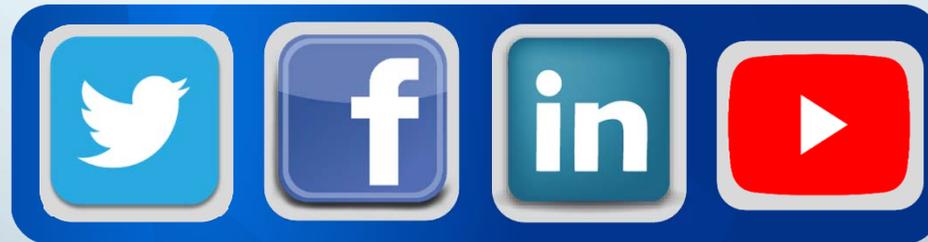
Connect With Us

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214 655-8189

www.justice.gov/crs

Please visit our social media sites:



Case Highlight: Southeastern Region

CRS works with educational institutions experiencing racial conflict and tensions by facilitating Know Your Rights forums and Student Problem Identification & Resolution of Issues Together (School-SPIRIT) programs.

Supporting the school district in Terry, MS following perceived racial discrimination at a school

- CRS's services were requested by the Hinds County School District after a student-planned Black History Month celebration was cancelled and racial tension ensued
- CRS facilitated an educational forum for two student assemblies, allowing students to voice concerns, and school leaders to confirm belief in diversity and support for the students' right to free expression

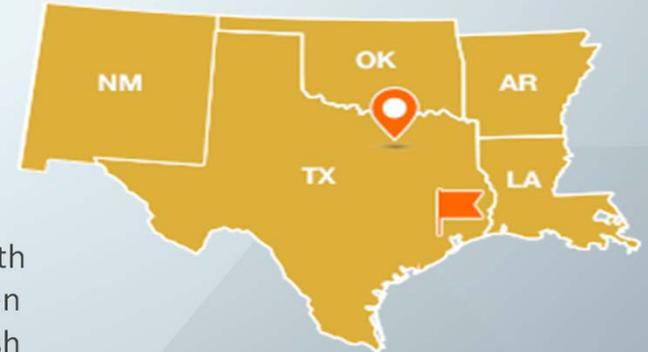


Case Highlight: Southwestern Region

In the aftermath of violence, CRS works with law enforcement, city officials, clergy, and community members to facilitate open dialogues and encourage parties to find sustainable solutions to productive relationships moving forward.

Convening parties in Baton Rouge, LA to find sustainable solutions to racial tension

- Police and community relations are strained following violence in the community
- CRS facilitated dialogue among the police chief, his command staff, and the local U.S. Attorney; it resulted in the “Prayer Patrol:” a partnership between law enforcement and faith leaders to develop healthy and sustainable relationships between law enforcement and young men, ages 17 to 33, within the parish



Case Highlight: Central Region

CRS supports communities experiencing heightened fear following hate crimes through its various programs and services: Protecting Places of Worship, and Hate Crimes forums, trainings, dialogues, and consultations to educate, develop relationships, and improve communications and information sharing.

Building relationships, and developing capacity in Kansas City, MO to address safety concerns

- Following a hate crime, CRS facilitated dialogues, coordinated active shooter training, and facilitated a Protecting Places of Worship forum, and Engaging and Building Partnerships with Muslim and Sikh Americans programs
- CRS's services helped the community build relationships, connect with government resources, improve information sharing, and develop greater capacity to address safety concerns



Case Highlight: Rocky Mountain Region

CRS supports communities, tribal communities, and educational institutions facing increased tensions following hate crimes or bias incidents based on national origin. CRS convenes parties and facilitates dialogue, and provides resources to build trust, increase communication, and diffuse tension.

Facilitating dialogue and providing resources in Sheridan, WY to address increasing tensions

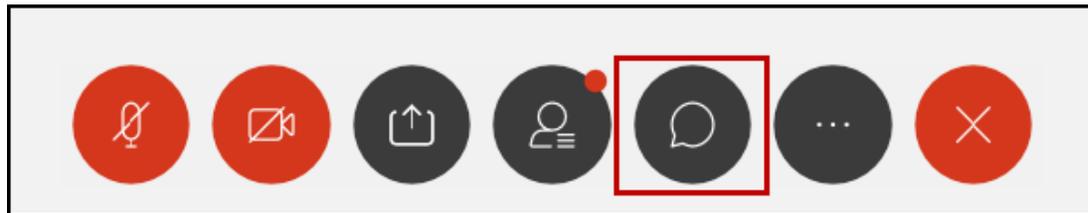
- Community tensions increased after three incidents against Native American female college students were not investigated by campus law enforcement
- CRS facilitated dialogue between parties, worked with tribal leadership to make trauma counseling services available, convened a parental briefing, and provided hate crimes resources to guide future responses by campus law enforcement



Questions?

Send your question by **Chat**:

- Open the **Chat** panel



- In the **Send To** or **To** drop-down list, select the recipient of your question
- Type your message in the **Chat** text box, then press **Enter** on your keyboard.



U.S. Department of Justice Community Relations Service

Empowering Local Communities

To Collaboratively Identify & Address Conflicts

The United States Department of Justice Community Relations Service (CRS) helps local communities address conflicts through its City Site Problem Identification and Resolution of Issues Together (City-SPIRIT) program. The program helps communities address tension and conflict related to issues of race, color, national origin, gender, gender identity, sexual orientation, religion, or disability.

City-SPIRIT is a full-day (or two half-day) program that brings together leaders from local government, law enforcement, faith communities, civil rights groups, community-based organizations, youth groups, and others to identify and address critical issues impacting communities. The program is facilitated by CRS and local volunteers and helps communities develop and implement concrete solutions to address local problems.

Why should cities and communities consider City-SPIRIT? ▼

Increases understanding and communication between leaders to resolve conflicts in their community

Provides the opportunity to include voices of key community stakeholders

Supports other community engagement and collaborative problem-solving efforts

Facilitates mutual agreement among the parties to draft and implement a solution-oriented action plan

Programs & Services ▼



1. Issue Identification. Participants work in small groups to identify issues impacting their community, including what works well and what should be changed.

2. Issue Prioritization. Of the issues identified in the small groups, participants prioritize those concerns that are most important to address in their community.

3. Solutions Development. Participants develop solutions to the prioritized issues identified. They discuss the possible impact and consequences of each potential solution.

4. SPIRIT Council. The SPIRIT Council, a standing group of community leaders selected to implement the solutions, is created during the City-SPIRIT program.

5. SPIRIT Report and Convening. CRS consolidates the feedback and information collected during the program to generate a report. CRS then convenes the SPIRIT Council to review the report and develop and implement concrete action steps to address the issues contributing to the conflicts discussed during the program.

About CRS ▼

Established by Title X of the Civil Rights Act of 1964 and expanded by the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009, CRS serves as “America’s Peacemaker” for communities facing tension or conflict based on differences of race, color, national origin, gender, gender identity, sexual orientation, religion, and disability. CRS services aim to enhance the ability of local communities to independently and collaboratively prevent and resolve future conflicts through the use of problem solving, increased knowledge, and improved communication.

CRS Services and Programs ▼

CRS provides an array of programs to communities experiencing tension, as a tool for cultivating understanding, improving collaboration, and preventing future disagreements. CRS staff are professional mediators, facilitators, trainers, and consultants experienced in bringing community members together to help enhance their ability to resolve existing conflict and prevent future conflicts.

Where We Work ▼

CRS Headquarters 📍
Washington, DC

CRS Regional Offices 📍

New England
Boston, MA

Northeast
New York, NY

Mid-Atlantic
Philadelphia, PA

Southeast
Atlanta, GA

Midwest
Chicago, IL

Southwest
Dallas, TX

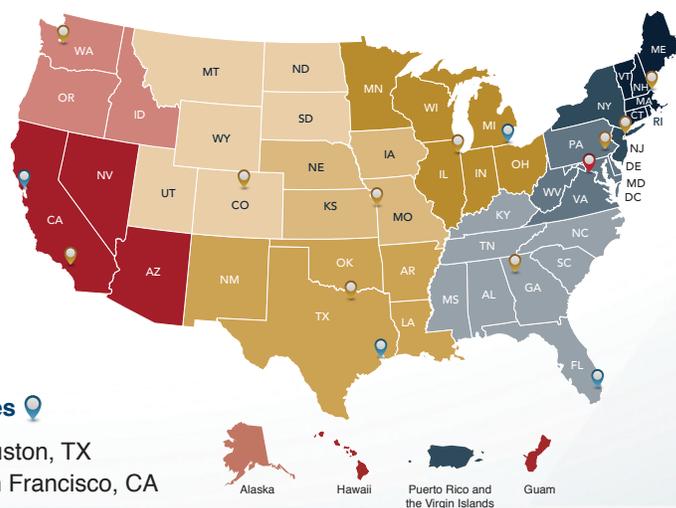
Central
Kansas City, MO

Rocky Mountain
Denver, CO

Western
Los Angeles, CA

Northwest
Seattle, WA

CRS Field Offices 📍
Miami, FL Houston, TX
Detroit, MI San Francisco, CA



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 [facebook.com/DOJCRS/](https://www.facebook.com/DOJCRS/)

 [@DOJ_CRIS](https://twitter.com/DOJ_CRIS)

 askcrs@usdoj.gov

 202.305.2935

For more information on this program or other CRS services, please contact your local CRS office:

<https://www.justice.gov/crs/about-crs/regional-and-field-offices>



CITY

SPIRIT

City-Site Problem Identification and Resolution of Issues Together





What is

CRS COMMUNITY
RELATIONS
SERVICE ?

Created under **Title X of
Civil Rights Act of 1964**

CRS, a U.S. Department of Justice
agency, is the Federal government's

“peacemaker”

for community conflicts and
tensions arising from differences
of race, color and national origin.



Photo: President Lyndon Baines Johnson signs the Civil Rights Act of 1964, surrounded by civil rights and congressional leaders. Taken from the 2015 Annual Report.



What is **CRS** COMMUNITY RELATIONS SERVICE ?

Services expanded under the Hate Crimes Prevention Act of 2009, CRS acts to prevent and respond to violent hate crimes:

- Gender
- Gender Identity
- Sexual Orientation
- Religion
- Disability
- Race
- Color
- National Origin

CRS Services



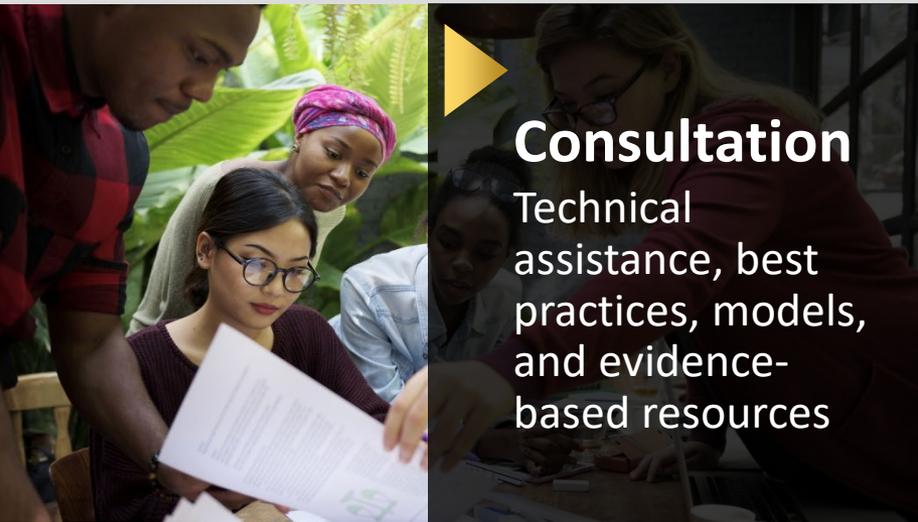
Facilitation

Convening parties in dialogue to identify issues and solutions



Mediation

Structured process to reach agreement



Consultation

Technical assistance, best practices, models, and evidence-based resources



Training

Knowledge or skills-based programs

Reasons to Host a City-SPIRIT Program

Improve



Communication

Problem Solving

Trust

Relationships

Collaborate



Issues Identification

Solutions Development

Plan of Action

SPIRIT Council

Prevent and Respond



Bias Incidents

Hate Crimes

Community Tensions

Critical Incidents

City-SPIRIT Program Goals



Convene community and government leaders in dialogue to identify issues impacting their community and to develop solutions to address those issues



Improve communication and collaboration between government and community leaders



Create a council of community leaders to work with government officials to implement solutions together

Diverse Community Leaders



City-SPIRIT Program

Program Facilitation:



SPIRIT Planning Group
meets



City-SPIRIT
Program delivered



Issues identified
Solutions developed



SPIRIT Council
formed

Following Program Facilitation:



SPIRIT Council
convenes

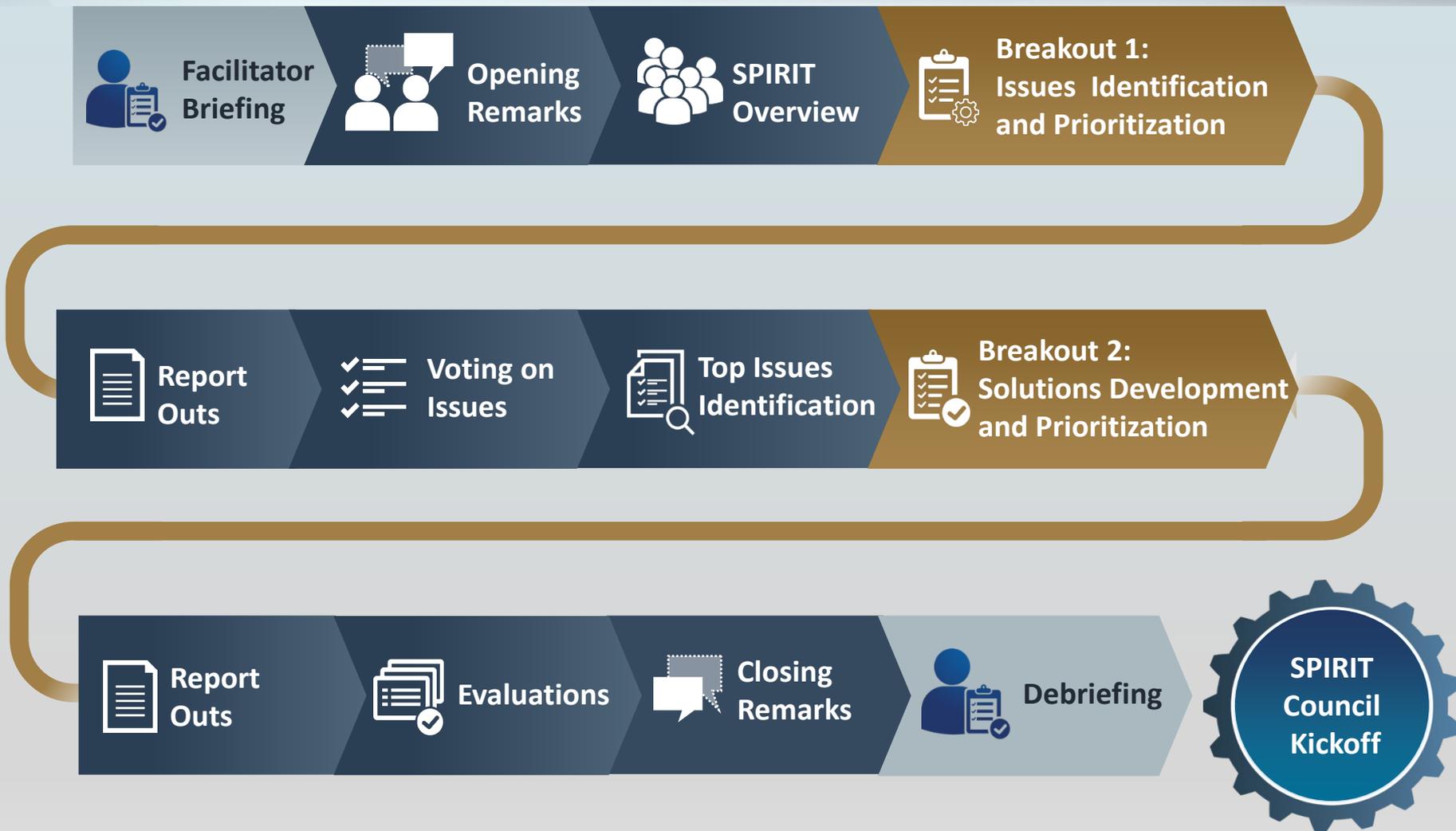


Strategic
action plan



Solutions
implemented

School-SPIRIT Program

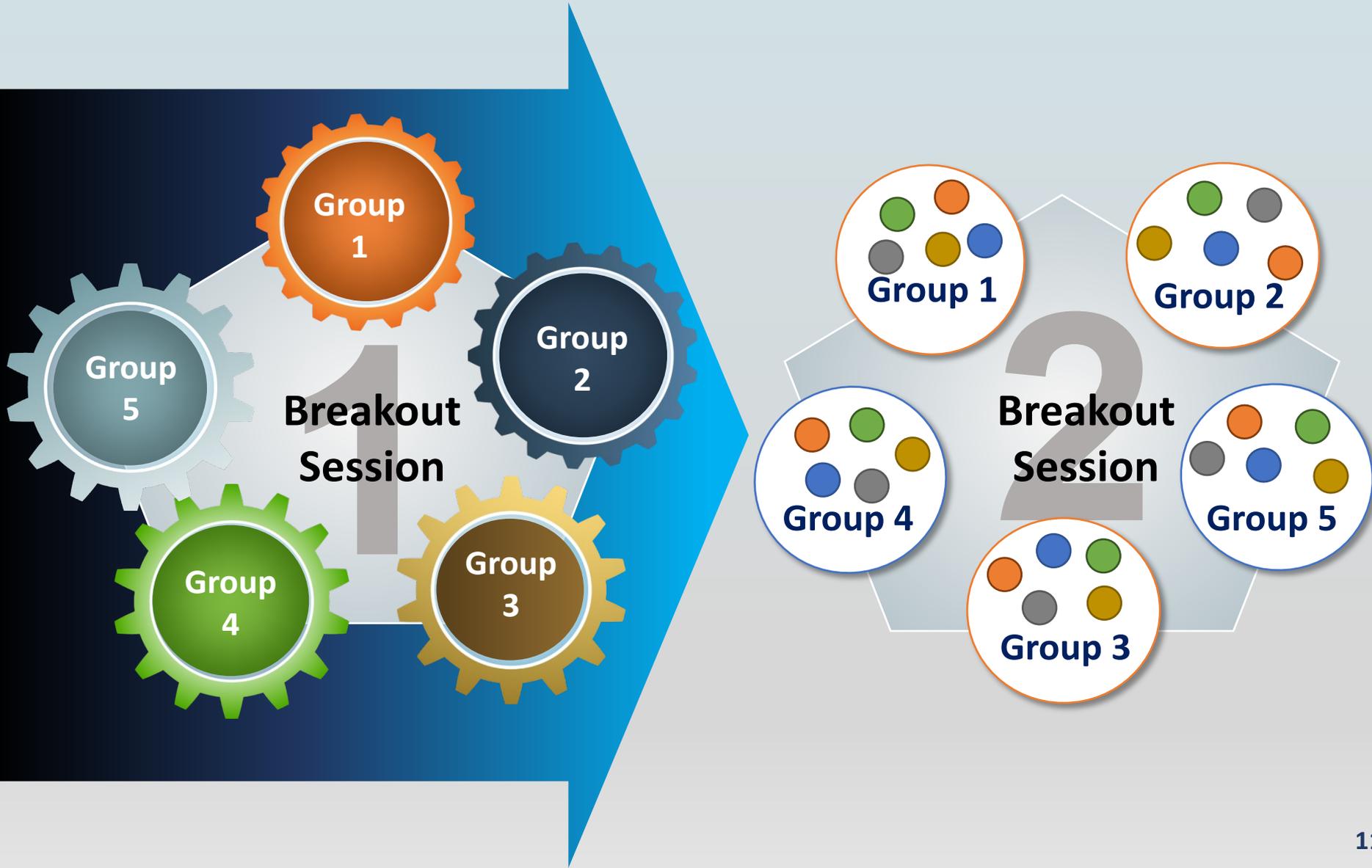


CRS/Facilitators Small group breakout sessions Large group

Issues Identification



Solutions Development



City-SPIRIT Report



Documents the SPIRIT Program, its purpose, and its process



Serves as a “road map” for the SPIRIT Council and government officials



Presents all the issues identified including the prioritized issues



Presents all the solutions developed including the prioritized solutions



Identifies the SPIRIT Council members

City-SPIRIT Council



Made up of two representatives from each like group



Meets on a regular basis



Acts as an “advisor” to government officials for community relations issues



Creates action plans for solutions created during the SPIRIT Program



Works with government officials to implement action plans



Increases communication and collaboration among leaders



Reports progress to the broader community



Proactively identifies and works with government officials to address community conflicts and tensions

Sample Agenda: 1-Day Program

Minutes	Sample Time	Presenter(s)	Agenda
30 minutes	7:30 am – 8:00am	Conciliation Specialist	Small Group Facilitator Briefing
15 minutes	8:00 am – 8:15am	Community Leaders	Welcome and Overview
30 minutes	8:15 am – 8:45am	Conciliation Specialist	SPIRIT Overview
@60 minutes	8:45 am – 10:00am	Small Group Facilitators	Small Group Breakout Session #1 Issues Identification and Prioritization
45 minutes	10:00 am – 10:45am	Conciliation Specialist	Large Group Session Report-Out #1
15 minutes	10:45 am – 11:00am	Conciliation Specialist	Voting and Prioritization (Dot Voting)
45 minutes	11:00 am – 11:45am	Lunch	Participants
45 minutes	11:00 am – 11:45am	Conciliation Specialist Small Group Facilitators	Large Group Issues Prioritization
@90 minutes	11:45 am – 1:15pm	Small Group Facilitators	Small Group Breakout Session #2 Solutions Development and Prioritization
45 minutes	1:15 pm – 2:00pm	Conciliation Specialist	Large Group Session Report-Out #2 Solutions Prioritization
10 minutes	2:00 pm – 2:10pm	Conciliation Specialist	Program Evaluation
15 minutes	2:10 pm – 2:25pm	Community Leaders	Closing Remarks by Community Leaders Announcement of SPIRIT Council
30 minutes	2:25pm – 3:05pm	SPIRIT Council Members	Introductory Meeting
30 minutes	2:25 pm–3:05pm	Conciliation Specialist	Debriefing: Community Leaders, Conciliation Specialist, Small Group Facilitators Small Group Facilitators Evaluation

Sample Agenda: Two Half-Day Program

Day One: City-SPIRIT Agenda

Minutes	Time	Presenter(s)	Agenda
30 minutes	8:00–8:30	Conciliation Specialist	Briefing of Small Group Facilitators
15 minutes	8:30–8:45	Community Leaders	Participants Convene Welcome
30 minutes	8:45–9:15	Conciliation Specialist	SPIRIT Overview
At least 60 minutes	9:15–10:15	Small Group Facilitators	Small-Group Breakout Session #1 Issues Identification and Prioritization
45 minutes	10:15–11:00	Conciliation Specialist	Large Group Session Report-Out #1
15 minutes	11:00–11:15	Conciliation Specialist	Voting and Prioritization (Dot Voting) Close Day One
30 minutes	11:15–11:45	Conciliation Specialist	Debriefing: •Community Leaders •Conciliation Specialist •Small Group Facilitators

Day Two: City-SPIRIT Agenda

Minutes	Time	Presenter(s)	Agenda
30 minutes	8:00–8:30	Conciliation Specialist	Briefing with Small Group Facilitators
15 minutes	8:30–8:45	Community Leaders	Participants Convene Welcome
15 minutes	8:45–9:00	Conciliation Specialist	SPIRIT Overview
At least 90 minutes	9:00–10:30	Small Group Facilitators	Small-Group Breakout Session #2 Solutions Development and Prioritization
45 minutes	10:30–11:15	Conciliation Specialist	Large-Group Session Report-Out #2 Solutions Prioritization
15 minutes	11:15–11:30	Conciliation Specialist	Evaluation
15 minutes	11:30–11:45	Community Leaders	Closing Remarks by Community Leaders Announcement of SPIRIT Council
30 minutes	11:45–12:15	SPIRIT Council	Introductory meeting
30 minutes	11:45–12:30	Conciliation Specialist	Debriefing: •Community Leaders •Conciliation Specialist •Small Group Facilitators

City-SPIRIT Program Commitments



City-SPIRIT

Make the time to
plan and conduct
the SPIRIT
Program

Convene
a SPIRIT Planning
Group

Identify
a large group of
diverse community
leaders

Make opening
and closing remarks
during the SPIRIT
program

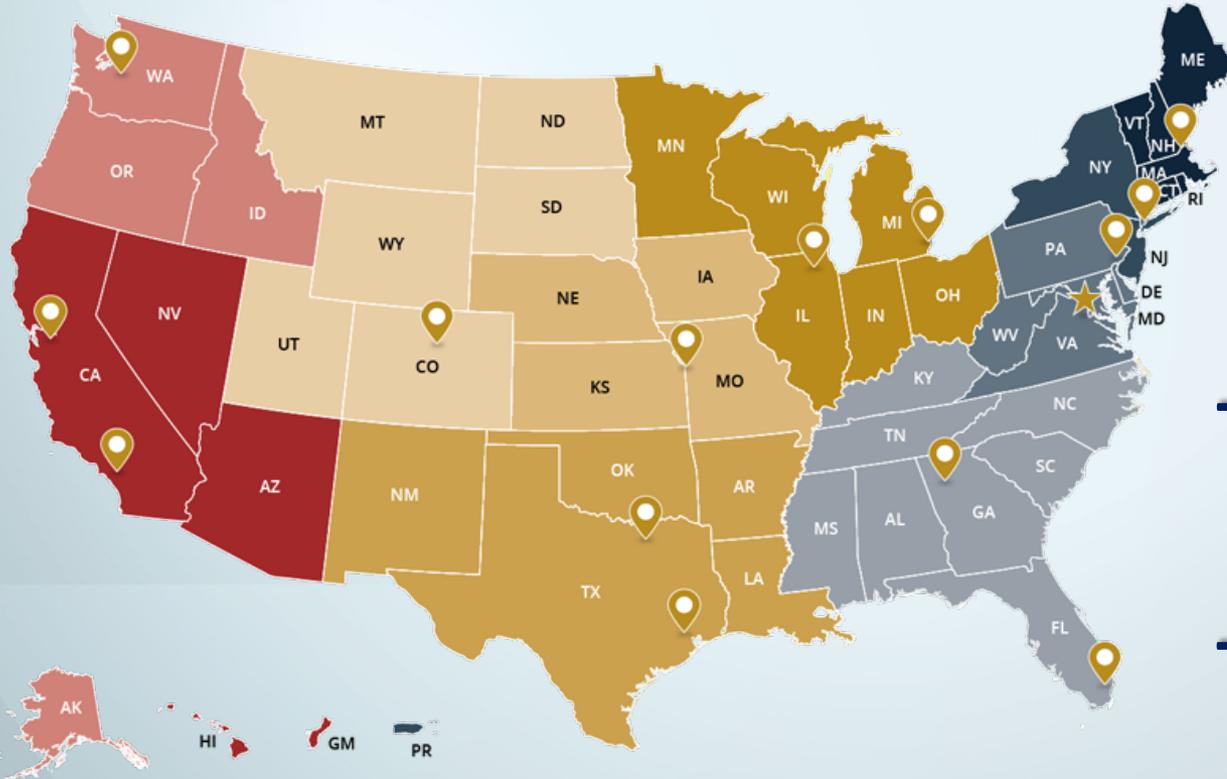
Implement solutions
developed by
community leaders

Complete
the necessary
processes to ensure
participation

Convene
and support the
SPIRIT Council

Participate
in a follow-up
evaluation

CRS Regional and Field Office Locations



legend

- New England Regional Office (ME, VT, NH, MA, CT, RI)
- Northeastern Regional Office (NY, NJ, VI, PR)
- Mid-Atlantic Regional Office (DC, DE, MD, PA, VA, WV)
- Southeastern Regional Office (AL, FL, GA, KY, MS, NC, SC, TN)
- Midwestern Regional Office (IL, IN, MI, MN, OH, WI)
- Central Regional Office (IA, KS, MO, NE)
- Southwestern Regional Office (AR, LA, NM, OK, TX)
- Rocky Mountain Regional Office (CO, MT, ND, SD, UT, WY)
- Northwestern Regional Office (AK, ID, OR, WA)
- Western Regional Office (AZ, CA, GM, HI, NV)
- Regional and Field Office Locations

Regional and Field Offices Contacts (1 of 2)

Office	Address	Telephone and Fax Number
New England Regional Office (Region I) (ME, VT, NH, MA, CT, RI)	408 Atlantic Avenue, Suite 222 Boston, MA 02110	T: 617.424.5715 F: 617.424.5727
Northeastern Regional Office (Region II) (NY, NJ, VI, PR)	26 Federal Plaza, Suite 36-118 New York, NY 10278	T: 212.264.0700 F: 212.264.2143
Mid-Atlantic Regional Office (Region III) (DC, DE, MD, PA, VA, WV)	200 2nd & Chestnut Street, Suite 208 Philadelphia, PA 19106	T: 215.597.2344 F: 215.597.9148
Southeastern Regional Office (Region IV) (AL, FL, GA, KY, MS, NC, SC, TN)	61 Forsyth Street, SW, Suite 7B65 Atlanta, GA 30303	T: 404.331.6883 F: 404.331.4471
Southeastern Field Office	51 SW First Avenue, Suite. 624 Miami, FL 33130	T: 305.536.5206 F: 305.536.6778
Midwestern Regional Office (Region V) (IL, IN, MI, MN, OH, WI)	230 South Dearborn Street, Room 2130 Chicago, IL 60604	T: 312.353.4391 F: 312.353.4390
Midwestern Field Office	211 West Fort Street, Suite 1404 Detroit, MI 48226	T: 313.226.4010 F: 313.226.2568

Regional and Field Offices Contacts (2 of 2)

Office	Address	Telephone and Fax Number
Southwestern Regional Office (Region VI) (AR, LA, NM, OK, TX)	Harwood Center Building 1999 Bryan Street, Suite 2050 Dallas, TX 75201	T: 214.655.8175 F: 214.655.8184
Southwestern Field Office	515 Rusk Avenue, Suite 12605 Houston, TX 77002	T: 713.718.4861 F: 713.718.4862
Central Regional Office (Region VII) (IA, KS, MO, NE)	601 E. 12th Street, Suite 0802 Kansas City, MO 64106	T: 816.426.7434 F: 816.426.7441
Rocky Mountain Regional Office (Region VIII) (CO, MT, ND, SD, UT, WY)	1244 Speer Boulevard, Suite 650 Denver, CO 80204-3584	T: 303.844.2973 F: 303.844.2907
Western Regional Office (Region IX) (AZ, CA, GU, HI, NV)	888 South Figueroa Street, Suite 2010 Los Angeles, CA 90017	T: 213.894.2941 F: 213.894.2880
Western Field Office	90 Seventh Street, Suite 3-300 San Francisco, CA 94103	T: 415.744.6565 F: 415.744.6590
Northwestern Regional Office (Region X) (AK, ID, OR, WA)	915 Second Avenue, Suite 1808 Seattle, WA 98174	T: 206.220.6700 F: 206.220.6706

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U.S. Department of Justice
Community Relations Service

TOWN MANAGER'S OFFICE REPORT

OPTIONS FOR 212 COCHITUATE ROAD

Purpose:

To review, discuss, and present options for the use of property at 212 Cochituate Road acquired through foreclosure for non-payment of taxes.

Background:

The Parcel

As provided in Chapter 60 MGL, the Land Court issued a judgement in February 2020 in the tax title case transferring the land and home at 212 Cochituate Road to the Town of Wayland for non-payment of taxes. The statute further provides that that former owner has one year to pay the taxes, fees, and other expense to restore ownership. That grace period has now passed.

The home has been unoccupied for years, is cluttered, damp and moldy inside, is an attractive teen gathering place, and is partially damaged by fire. It has been reported that the home is unsalvageable in its current condition and should be demolished.

This is a 174,127 SF (4 acre) parcel in the R60 zone (minimum lot size is 65,340 SF (1.5 acres). Given requirements for a paper road, two by-right single-family homes lots (see attach sketch) two by-right single building lots could be created. An abutter has been approached and indicated a willingness to consider donating an acre of adjacent land, which should sufficient land are for an additional as of right parcels.

What to do with Proceeds Beyond what Due the Town?

It is said that the legislature is currently considering a bill that would require that this process be followed as part of the foreclosure process. The Town made an unsuccessful effort to locate the owner (who is believed to be deceased) and her relatives. The taxes and interest, legal fees, and filing costs total less than \$100,000, which is less than the estimated subdivided value of \$1M (\$1.5+M if three parcels can be created). The town assessment of the parcel and home is \$663,500.

Having dealt with over a half a dozen similar acquisitions through foreclosure, subsequent efforts to locate relatives almost always uncover something dysfunctional in the family. In each instance in my experience an opportunity was found to work with the family to return the property to some private taxable use (in two instances developed as affordable units).

TOWN MANAGER'S OFFICE REPORT

Development of the Property

Given the limited availability of buildable lots and the town's desire to encourage the development of affordable housing, the parcel is seen as a rare opportunity for development for that purpose. There are several approaches that the town might consider.

1. *Develop and Permit an Affordable Development for Conveyance*

The Town could hire an architect to design an affordable housing development and seek a comprehensive permit. Once the permit is granted the town could sell the property to a builder for its construction and the sale or rental of the units.

This approach could result in twelve or more affordable units, especially if an acre is added to the property. Although this process might result in a higher price for the property, it could place town officials in a difficult position with abutters while permitting the development.

2. *Issue a Request for Proposals (RFP)*

The town could issue an RFP specifying general objectives that the town would like to accomplish in the conveyance of the property and let developers from the could prioritize design and/or the number of affordable units over the sale price.

This approach takes advantage of the expertise of private developers who in the end would be the financial beneficiaries of the completed development. It also could generate a variety of approaches for the town to consider and transfer the responsibility for working things out with abutters to the developers.

3. *Group Home for Challenged Adults*

As presented in the attached report from the Director of the Wayland Housing Authority, there are several families in the community who have children unable to live on their own without assistance. If you speak with the parents of these children, you will invariably hear that their biggest concern is what will happen to the child's care when they are no longer able or have passed.

There are several not-for-profit groups that rely on state and federal subsidies and donations to provide group homes for the care for these adults. These not-for-profits will invariably say that one of their biggest challenges they face is finding land or existing homes that they can acquire to meet the housing needs of the community. Dedicating one or two of the by-right-lots for donation or sale for this purpose would be in keeping with Wayland's Housing Production Plan and fulfill a real and growing need in Wayland.

TOWN MANAGER'S OFFICE REPORT



An example of a newly constructed one story group home.

In most instances group homes are five bedrooms (each count as an affordable unit for listing on the SHI) on one floor, which in this instance would be a size conforming with the character neighborhood. The properties are very well maintained and usually generate less traffic than anticipated.

4. *Habitat for Humanity Home*

One or both of the other lots could be donated or sold to Habitat for Humanity for the construction of a modest home for a qualified family. Wayland is familiar with this process, as it has done this in the past.



An example of a recently constructed Habitat for Humanity Home.

Of all the options, this option would generate the least number of units for inclusion on the SHI.

TOWN MANAGER'S OFFICE REPORT

5. *Reserve Cash from Sale to Advance Affordable Housing*

The town could sell the land as is or subdivided with the existing home removed and use the cash to advance some aspect of the provision of affordable housing. Some, but certainly not all, of the uses of the cash are:

- Purchase, upgrade, and transfer a multi-family unit to the Housing Authority.
- Transfer the funds to the Housing Trust to be used to support an affordable housing initiative.
- Work with a bank to establish an affordable mortgage program for financially qualified families buying their first home.
- Establish a property tax assistance program to assist elderly residents with their annual property tax bills.

Proposed Action:

The above options were not intended to be exhaustive, only sufficient to inform the Board and others thinking of what might be included in the list for consideration.

When presented last there seemed to be support to accept a donation of adjacent land so three as of right parcels might be created, one of which could be sold or donated to a group home provider and two of which could raise over a million dollars in support of some other affordable housing endeavor listed above.

Once a list is complete, a list of criteria should be developed to compare the cost and benefits of each option, so the preferred option can be selected. Some of the criteria might be:

- The number of units created for listing on the SHI
- The amount of cash generated by the sale of the property
- Impact on or likely acceptability of immediate abutters
- Complexity of the approach
- Likelihood of success
- Consistency with the Housing Production Plan

From: THOMAS MC ENANEY TMcEnaney@k-plaw.com
Subject: RE: Town of Wayland - 212 Cochituate Rd - Alice Longley
Date: Apr 15, 2021 at 11:55:52 AM
To: 'O'Connor, Maura' moconnor@wayland.ma.us
Cc: THOMAS MC ENANEY TMcEnaney@k-plaw.com, Elyse K. Hannigan
EHannigan@k-plaw.com, Katharine L. Klein KKlein@k-plaw.com

Maura:

I hope that all is well. As you may recall, the Land Court entered judgment in the tax title foreclosure case, which we recorded on February 10, 2020. A copy of the judgment is attached hereto. Since the judgment was entered and recorded, the Town is the owner of the property. Accordingly, in my opinion, the Town can now auction the property pursuant to G.L.c.60. There is no need to attempt to locate Ms. Longley or seek to have a receiver appointed as she no longer has an ownership interest.

If the Town intends to conduct an auction, we would be happy to assist. I have copied my colleague, Katie Klein, on this email as she has considerable expertise in this area.

If you have any questions, please do not hesitate to contact me.

Thanks.

Tom

Thomas W. McEnaney, Esq.

KP | LAW

101 Arch Street, 12th Floor

Boston, MA 02110

O: (617) 556 0007 **dial 9999 if prompted for a 4-digit code

F: (617) 654 1735

C: (781) 771 0506

tmcenaney@k-plaw.com

www.k-plaw.com

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From: O'Connor, Maura

Sent: Thursday, April 15, 2021 9:00 AM

To: THOMAS MC ENANEY

Subject: Town of Wayland - 212 Cochituate Rd - Alice Longley

Good morning Tom,

I am back from being out for about a month and need to discuss 212 Cochituate Rd with you when you have some time? We have a very interested Buyer for the property but as you are well aware he was unable to locate Alice Longley. The interested party for this parcel has suggested that we hire a Receiver and Louise and I wanted to get your thoughts on this process. I have no experience with this although it was briefly discussed in the Town I worked for before about exploring this option.

We have another meeting set up for next Wednesday so anytime prior to that would love to discuss when you can?

February 18, 2020

Thomas W. McEnaney

tmcenaney@k-plaw.com

□

Ms. Maura O'Connor
Treasurer/Collector
Wayland Town Hall
41 Cochituate Road
Wayland, MA 01778

Re: Town of Wayland v. Alice H. Longley – 17 TL 001991

Dear Ms. O'Connor:

Enclosed for your records please find a copy of the recorded Judgment in Tax Lien Case in the above-referenced matter, which was filed with the Southern Middlesex Registry of Deeds at Book 74108, Page 528.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Thomas W. McEnaney

TWM/jmp
Enc.

cc: Board of Selectmen (w/o enc.)

711470/WAYX/0113

□

Hon. Cherry C. Karlson and
Members of the Board of Selectmen
Wayland Town Hall
41 Cochituate Road
Wayland, MA 01778

[SEAL]

JUDGMENT IN TAX LIEN CASE

DOCKET NUMBER
17 TL 001991

Commonwealth of Massachusetts
Land Court
Department of the Trial Court



CASE NAME

Town of Wayland

v.

Alice H. Longley



2020 00019840

Bk: 74108 Pg: 528 Doc: JUD

Page: 1 of 1 02/10/2020 11:27 AM

Plaintiff(s)

Defendant(s)

Upon consideration by the Court of the following deed(s), it is ADJUDGED

Land Type	Instrument or Tax Taking Date	Book Number	Page Number	Document Number	Certificate of Title Number
Recorded	01/20/2016	66934	346		

that the rights of redemption held by the following Defendants are forever foreclosed and barred:

Alice H. Longley

This Judgment must be recorded and/or registered by the Plaintiff in the appropriate Registry of Deeds pursuant to G. L. c. 60, § 75.

By the Court: Deborah J. Patterson

Attest:

A TRUE COPY
ATTEST:

Deborah J. Patterson
RECORDER

DATE ENTERED:

09/27/2019

RECORDER: Deborah J. Patterson

Deborah J. Patterson

*AKP Law
101 Arch St
Boston, MA
02110*

DATE ENTERED: 09/27/2019

RECORDER: Deborah J. Patterson

From: Jaillet, Michael mjaillet@wayland.ma.us
Subject: Fwd: 212 Cochituate Riad
Date: Mar 2, 2023 at 4:32:59 PM
To: mjaillet@govhrusa.com

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From: Mike Staiti <mikestaiti@keystonedev.net>
Sent: Wednesday, February 15, 2023 11:08 AM
To: Jaillet, Michael <mjaillet@wayland.ma.us>
Cc: Mike Staiti <mikestaiti@keystonedev.net>; Staiti, Michael <mstaiti@wayland.ma.us>
Subject: RE: 212 Cochituate Riad

Hi Mike,

I've looked at this site with both my hats on, developer and Trust chair. Based on my very preliminary analysis, here's what I think is feasible:

Trust hat:

Friendly 40b that could yield 12+/- units(see attached sketch '12-15 unit Affordable Design'). Attached units like the Nike site development would be most appropriate given the neighborhood and the sloping site. I imagine a simple common drive (bubble cul-de-sac) with units on either side of the drive. Grade needs to be looked at but should be doable. Neighbors are going to object, and they could drag this out a long time. Screening and low-profile design to the units will be important.

I see this being developed like the Nike site where the town/Trust hires consultants for the design and permitting phase and then 'sells' the project to an affordable housing developer.

More units could be built assuming soils are good, and the town went with a single building design like what is being proposed next to St. Anne's. I **personally** don't think this type of density and design is appropriate for this site and the neighborhood will most likely put-up material opposition. Having said that 20+ flat style units is achievable under this design concept if the soils are good.

Developer hat:

Zoning is R60 and the site is 174,127 SF. Given requirements for a paper road, I'm confident you could get two, by-right single-family homes lots(see attach sketch '2 lot by-right'). I would estimate that the town could sell the parcel as is in the \$1.0+/- million range to a developer willing to take it through a permitting process for two lots. I'm assuming the town would approve a common driveway, rather than a full road specification, and the end

units would sell in the \$2.0 million range.

I hope this helps. I'm happy to sit down with you or the BOS to discuss this site further.

Best,
Mike

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pdf

DOC021523.pdf

134 KB

12-15 Affordable Units



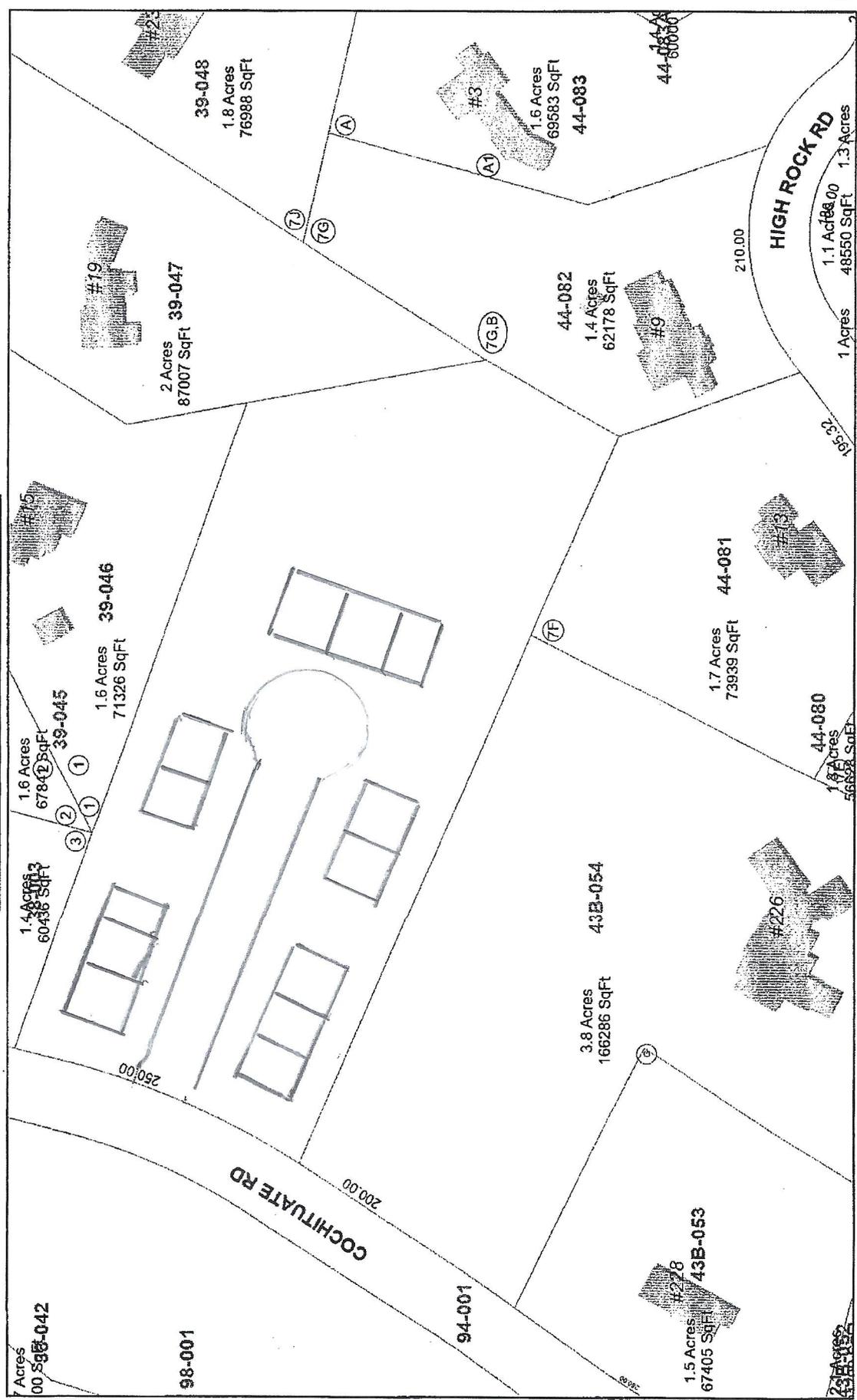
February 15, 2023

Wayland, MA

1 inch = 116 Feet



www.cai-tech.com



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2 By Right Lots



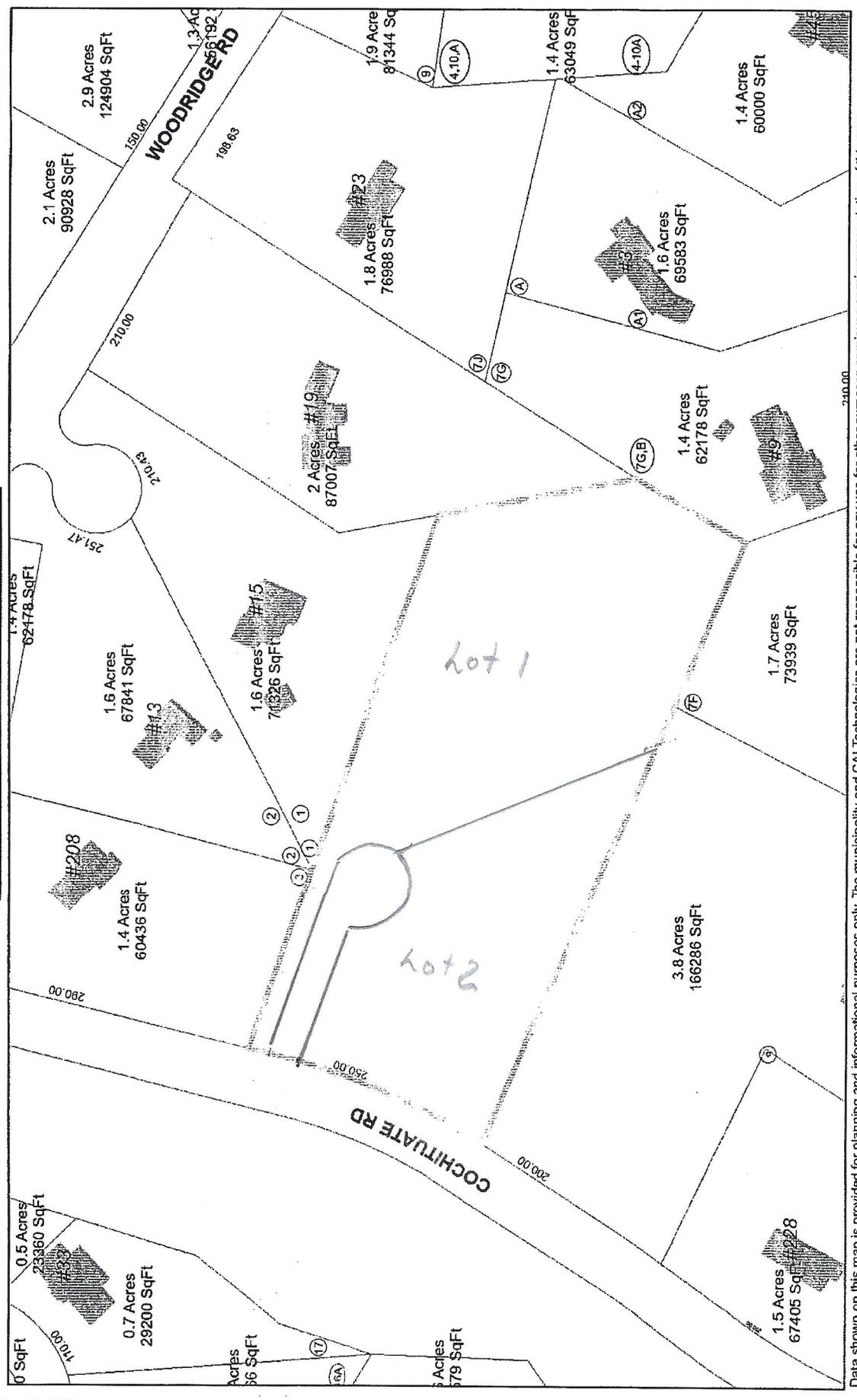
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Wayland, MA

1 inch = 139 Feet



February 15, 2023



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From: Jaillet, Michael mjaillet@wayland.ma.us
Subject: Fwd: 212 memo
Date: Mar 2, 2023 at 2:06:22 PM
To: mjaillet@govhrusa.com

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From: Stanizzi, Rebecca <rstanizzi@wayland.ma.us>
Sent: Wednesday, February 22, 2023 7:43:28 AM
To: Jaillet, Michael <mjaillet@wayland.ma.us>
Subject: 212 memo

Hi Mike,

Been meaning to send but was too old of a sent email to be on my phone... here's the 212 memo.

Hope you had a good vacation! Can you chase down Tetrattech (ugh can't believe it's not signed yet) – thanks!! Also find out if POUA has heard from DHCD about site walk? Should be scheduled. Have we (Town) even gotten our letter from DHCD regarding our comment period??

Might be worth reaching out to abutters with the powerpoint link to see if they concurred with the “quiet” facades ideas and the evergreen buffer infill locations. POUA might be done reaching out to them, but you could use the occasion to check in since you missed the public forum meeting. Worth reaching out to them consistently to get their input, and if they concur with what was in powerpoint, to include in ZBA package. They feel like things are happening without them, so they more they're pinged, the better (unless they go nuclear)

I'm enjoying the sun down here, happy to avoid the ice storm 😊

Rebecca (Mattson) Stanizzi
Chair, Wayland Economic Development Committee
[617.922.3409](tel:617.922.3409)



WAYLAND ECONOMIC DEVELOPMENT COMMITTEE

To: Wayland Board of Selectmen, Wayland Municipal Affordable Housing Trust Fund Board,
Wayland Housing Authority, Wayland Housing Partnership, Planning Board

From: Wayland Economic Development Committee (EDC)

Date: March 24, 2022

Re: **212 Cochituate Road Potential Use**

212 Cochituate Road was discussed at the 1/10/22 Board of Selectmen meeting with Susan Weinstein of the Housing Trust. Discussion included whether to potentially utilize 212 Cochituate for affordable housing. Either the site itself could be used for affordable housing, or the site could be sold and the proceeds utilized in support of affordable housing, perhaps at upcoming Launcher Way.

Since the town doesn't have unlimited funds to build affordable housing, and building projects at both Launcher Way/Oxbow and 212 Cochituate would likely be prohibitively expensive, EDC would recommend that 212 Cochituate be sold, in one of two ways. Either way, we recommend it be sold as permitted land.

Given the lessons learned at River's Edge, permitted land is worth more than unpermitted land. With this approach, we as the town can determine desired density vs. value; any increased permitted value accrues to the Town instead of a developer; and when affordable units are built by private parties instead of by the Town, it minimizes the Town's cost, construction risk and long-term property management burden for these new affordable housing units -- all while adding value to our tax base.

Two recommended ways to permit and convey:

- Generate the highest proceeds. Permit the site for highest market (i.e. non-affordable) value, either subdivision or cluster, in design approved by town (PB/DRB/ZBA – TBD), coordinating with abutters. The land can then be put to bid by RFP to private builders and significant resulting market sale proceeds could then be directed for use at Launcher Way, or other affordable projects, e.g., or for other town initiatives at the direction of the Board of Selectmen, TBD.
- Create affordable housing on site at little or no cost to the town. Permit the site to include on-site affordables in a design/density to be approved by the town (PB/DRB/ZBA – TBD), coordinating with abutters. Then the site could be put out to bid, with the winning "bid" as the highest number of affordable units, or the lowest level of affordability, provided – perhaps 30-40% affordable units, or a deeper level of affordability – such that the land price is \$0. This maximizes the affordable housing benefit to the Town at the site at little or no cost to the Town – and places all on-site units, whether affordable or market rate, on our tax rolls.

Either path maximizes value to the Town in terms of affordable housing created, either off-site (via cash to support other projects) or on site (affordable units at little or no cost to the Town), and in tax revenues.

By using what we have learned at River's Edge -- working with townspeople to figure out what makes sense for density versus value, and then selling permitted land -- we work together to create value for the Town's benefit, while shaping a development that fits with the character of our community. It takes the unknown off the table for abutters, neighbors and the community for what a developer may or may not propose on the site in the future. All while generating meaningful value for the Town in the short and the long term.

If you have any questions or need any assistance on this recommendation, please let us know, EDC is happy to help.

From Brian Boggia

Hi Mike,

Thanks for including us. We are interested in exploring the possibility of a shared living facility for folks with intellectual and developmental disabilities (see attached white paper). We have been talking to parents and service agencies. The need and interest are definitely there. I envision an affordable housing development that includes a mix of shared housing for IDD individuals with services attached. Please keep this on your priority list of options. Available to meet at your convenience.

Thanks

Brian

Supportive Living in Wayland

Background

There is a growing need in Wayland and surrounding communities to serve residents with intellectual and developmental disabilities in a local setting. There are currently few options for residents and their families who are seeking long-term housing with supportive services. Many parents and families find themselves in a crisis situation as they search for a permanent home where their son or daughter will be able to live independently with the support they need to be successful.

One of my biggest memories is of parents coming to me saying they had raised their children to adulthood, without the state having to pay, and now they need to know how to plan for their child's care when they are no longer living or no longer able to care for them. It is a huge problem. Their son's sister is already aware that she will have to take over for her mother at some point. – Name Withheld

Today, when a young adult with a disability graduates from Wayland High school, they often continue to live with their parents. Education entitlements (M.G.L.c. 766) end when the son or daughter turns 22 years of age. After turning 22, there are no entitlements and no guarantees. Some eligible individuals may receive residential funding from the Department of Developmental Services, likely as part of a vendor contract for services in another community, frequently at a significant distance from Wayland (currently, there is only 1 vendor-operated group residence in Wayland). This separation adds a burden to both the young adult, who is unfamiliar with new surroundings, and to the parent(s) who spend an inordinate amount of travel time meeting their adult child's needs.

Some individuals may continue living at home with their parents and receive limited funding to pay for a day program and transportation. Parents must be tireless advocates and managers, keeping track of all paperwork, supervising staff, organizing schedules, maintaining a budget, and coordinating all medical appointments. In the back of their mind is always the worry about what will happen when they become older and can no longer provide support for their adult child in their home.

Data: Demand > Resources

In 2020 there were 468 students in the Wayland school system with Individualized Education Plans. Of the 468, 17% (78 students) have higher needs, leading to partial inclusion in the classroom, "substantial" separation from the classroom, or enrollment in separate schools, residential facilities, or staying home.

Wayland School System

For FFY2020, the new state target for % of Students with IEPs served in Full Inclusion is 65.49%, the target for % of Students with IEPs served in Substantially Separate placements is 13.32%, and the target for % of Students with IEPs served in Separate Schools, Residential Facilities, or Homebound/Hospital placements is 6.44%.

	Enrollment	District Rate	State Rate	State Target
Enrolled students with IEPs	468	--	--	NA
Full Inclusion (inside the general education classroom 80% or more of the day)	390	83.3%	66.2%	65.5%
Partial Inclusion (inside the general education classroom 40%-79% of the day)	46	9.8%	13.7%	NA
Substantially Separate (inside the general education classroom less than 40% of the day)	12	2.6%	13.5%	13.3%
Separate Schools, Residential Facilities, or Homebound/Hospital placements (does not include parentally-placed private school students with disabilities)	20	4.3%	6.5%	6.4%

Special Education data are suppressed for enrollment counts fewer than 6.

Housing for adults with developmental disabilities is scarce, yet the need grows greater every day. It makes so much sense, when possible, to make housing available in the communities in which our children were raised. Wayland could be a community that offers that opportunity for its residents with special needs.

Some individuals with disabilities who do not qualify for, or do not receive, residential funding from the state, opt for Wayland Housing Authority's (WHA) elderly/disabled public housing, which serves non-elderly disabled residents under 80% Area Median Income and targets residents under 30% Area Median Income. However, there are no direct services available at the WHA and often these folks fall through the cracks socially and emotionally.

We were fortunate to be living in Wayland when, more than 30 years ago, our first child was born with Down syndrome. Fortunate because Wayland schools and community programs received him with open arms. However, more recently, when we began looking for housing that would provide him with an appropriate level of much needed independence we had to look outside the community that had served us so well for so long. We finally found a placement...nearly an hour away in a town that may one day become his "community" but for now is full of strangers. – Name Withheld

Currently WHA has 24 non-elderly disabled residents living in public housing. Increasingly, the newly leased residents with disabilities are in their early twenties.

Status	Total Members	%
Non-Elderly / Disabled	24	11.48%

Public Housing = Inadequate Solution

Given the lack of supportive services, public housing is generally not a long-term solution for individuals with disabilities as their parents age. [Note: The Section 8 program, which the WHA also operates, and which generates a portable voucher, is a good option for families since a voucher may be used for a supported living arrangement with a non-disabled roommate, although again – there are very few options close to Wayland. In addition, the wait-time for a Section 8 voucher is approximately 7 years *with a Wayland preference*.]

Many parents approach public housing out of desperation. Although the WHA can adequately meet shelter needs, many residents with a disability have found that living in a public housing apartment can be very isolating, leading some adult residents to struggle with a lack of purpose, and/or lack of community.

Appeal

Affordable housing advocates, housing authority staff, and community members interested in the well-being of *all* residents feel it is important for people to have choices about their living situation. Many adults want to live independently, but they need critical supportive services to achieve that goal, such as meal planning, transportation, community engagement, and other supportive services. They also want to live in an inclusive community setting with common space for group activities.

Solution: Supported Living in Wayland

Supported living is an investment in our youth and families and would enable families to have more choices for their adult children with disabilities.

The developer would obtain permission from the town to construct the property using a friendly Chapter 40B Comprehensive Permit or Planning Overlay District, build the property and hire property management to deal with all management aspects of the property including leasing, maintenance, repairs, tenant issues, and more. The Department of Developmental Services would then contract with an area vendor agency to provide supportive services and case management for individuals as per the contract.

Over time, fewer segregated residential facilities have given way to increased supported living communities, as individuals and families advocate for more individualized and integrated living opportunities.

Advocates want to work with the Town of Wayland to identify a low- and moderate-income supported living community, whether through stand-alone new construction, or through the Chapter 40B Comprehensive Permit process, which could provide supported living units within a larger development.

To make the proposal financially feasible for residents, the units should be tiered between 30%-80% Area Median Income. Residents could therefore use their SSI and/or Section 8 Housing Voucher to pay rent and utilities. All other services would be provided using funds from residents' Medicaid budgets through the area service agency.

Next steps:

1. Establish sub-committee consisting of individuals from Town staff, affordable housing committee(s), school committee, Metrowest Center for Independent Living, [others?] to further assess need and propose viable solution.
2. Identify a developer and service agency.
3. Host public forum – review Housing Production Plan goal, and proposed solution.
4. Committee works with developer and agency on financing, including possibility of project-based Section 8.

For more information on supported living in Wayland, contact Brian Boggia, Wayland Housing Authority 508-655-3610 x11 or bboggia@waylandhousing.com

Further Reading

40 Cutting Edge Rental Apartments including 10 Apartments for People with Intellectual and Developmental Disabilities <https://reganddevelopment.com/current-developments/bear-woods-apartments-canton-ct-40-cutting-edge-rental-apartments-including-10-apartments-for-people-with-intellectual-and-developmental-disabilities/>

Lavender Field Apartments <https://reganddevelopment.com/current-developments/lavender-field-apartments-bloomfield-ct-integrated-affordable-housing-with-supported-apartments-for-people-with-intellectual-and-developmental-disabilities/>

Definitions

Below is information provided by Deb Johnson, the DDS Area Office Director, pulled from the DDS RFR for 3 different types of residential services the Department funds. In-Home Supports (sometimes called individual supports) would be the model that would be for folks living in their own apartment (as in the St. Ann's development). I'm including other models in case there is interest in doing a different type of model down the road.

1. In-Home Supports consists of services and supports for a variety of activities that may be provided regularly, but less than 24 hours per day, that enable the individual to live independently and in the least restrictive setting in the community. Participants receive support and supervision in establishing, living in, and maintaining, on an on-going basis, a household of their choosing that meets their habilitative needs. Services may include:

- Teaching and fostering the acquisition, retention, or improvement of skills related to personal finance, health, shopping, use of community resources, community safety, and other social and adaptive skills which enable the participant to live in the community
- Training and education in self-determination and self-advocacy, which prepare participants to exercise control and responsibility over services and supports they receive as they become more independent, integrated, and productive in their communities.
- Room, board, and the cost of facility upkeep and maintenance are excluded.

2. Adult Long Term Residential services (also known as GROUP HOMES)

- The Department of Developmental Services (DDS), Massachusetts Rehabilitation Commission (MRC) and Massachusetts Commission for the Blind (MCB) purchase housing with 24-hour support for individuals with intellectual disabilities, individuals with acquired brain injury, individuals with a wide range of disabling conditions (e.g. cerebral palsy, spinal cord injuries), individuals who have sustained a traumatic brain injury and individuals who are blind, deaf/blind, individuals with autism, or multi-disabled individuals. The Department of Developmental Services (DDS) will serve as lead Agency for this procurement. Services RFR allow individuals with a wide range of medical, behavioral, or physical challenges to enjoy all the benefits of community living.

- These activities comprise programs that provide individuals with 24-hour seven day a week supports to assist them with the necessary daily living, physical, social, clinical and/or medical support.

3. Shared Living (placement services)

- The Department of Developmental services (DDS), Massachusetts Rehabilitation Commission (MRC), and the Massachusetts Commission for the Blind (MCB) intend to purchase placement supports for individuals with intellectual disabilities, individuals with a wide range of disabling conditions (e.g. cerebral palsy, spinal cord injuries), individuals who have sustained an acquired or traumatic brain injury as well as individuals who are blind, deaf/blind, individuals with autism, or multi-disabled individuals. This service is also identified by the term "Shared Living" services.

- This service enables individuals with a wide range of medical, behavioral or physical challenges to enjoy the benefits of community living. This Service Class comprises programs that provide recruitment, placement, training and oversight of caregivers and living situations for individuals who either live in the home of a designated care provider who is a single person or member of a family unit or live in their own homes with a designated care provider.

- Designated care providers are responsible to provide supervision and ongoing support in areas of daily living, maintaining optimal health care, creating and enhancing relationships with chosen family member and friends and other areas of assistance specified in individuals' ISP's.

Department of Developmental Services (DDS) Middlesex West 2020

The DDS Middlesex West Area office serves 2,130 Individuals from fourteen towns, Framingham, Northborough, Westborough, Hudson, Marlborough, Southborough, Sudbury, Wayland, Natick, Dover, Sherborn, Ashland, Holliston, Shrewsbury, and Hopkinton. The Area office is located in Framingham in an EOHHS center that also houses DTA and DCF.

Services

88 group residences

- 29 in Framingham
- 7 in Holliston
- 8 in Natick
- 1 in Wayland
- 1 in Sudbury
- 5 in Hudson
- 12 in Marlboro
- 1 in Southboro
- 5 in Northboro
- 12 in Westboro
- 7 in Hopkinton

10 Day programs

- 1 Hopkinton
- 1 Westboro
- 3 Ashland
- 3 Natick
- 2 Northboro

2 Family Support Centers

- 1 Natick
- 1 Marlboro

1 Autism Center - Framingham

Count of Active/Eligible

- Number served – 1,498
- Number served under 22 – 509
- Number served 22 + - 989
- Number served with Autism only – 85
- Number served with Intellectual disability – 1,408
- Number served T22 Class of FY19 – 56
- Number served T22 Class of FY20 - 46
- Number served that Live at Home – 630
- Number served in 24/7 homes– 406
- Number served in shared living – 41
- Number served in Community based day supports -298
- Number served in employment – 157
- Number served in Individual Supports – 98
- Number self-directing services - 16

Area Office

- 13 Adult Service Coordinators, average caseload – 67
- 1 Transition Coordinator caseload - 86
- P/T Children's Coordinator caseload - 395
- 2 Autism Service Coordinator, caseload - 43

Use of Electronic Signatures and “Virtual” Notarization

April 28, 2020

One of the challenges inherent in maintaining governmental operations during the current State of Emergency is the difficulty in conducting transactions that require so-called “wet” ink signatures. The ability to use or accept “e-signatures” can vary, depending upon the document at issue. To compensate for the practical obstacles posed by the current partial or total closures of government offices and the conduct of governmental business via remote means, various administrative and legislative measures have been adopted that permit the use of electronic signatures, at least temporarily, and in certain circumstances. This eUpdate summarizes circumstances where electronic signatures can be used in connection with common government activities.

The information contained herein is current as of the date of issuance. Where the state and federal governments are regularly enacting new or updated laws, regulations, and guidances in response to the COVID-19 crisis, we recommend that you consult with counsel regularly to ensure that you have the most up-to-date information.

A. General Use of Electronic Signatures:

As a starting point, under the Uniform Electronic Transaction Act, G.L. c.110G, an electronic signature is legally binding to the same extent as a handwritten signature. See G.L. c.110G, §7. An electronic signature is defined as an “electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.” G.L. c.110G, §2.

While G.L. c.110G provides some authority for acceptance of electronic signatures, there are exceptions applicable to certain municipal transactions. Indeed, there are a number of state statutes that would not otherwise permit the use of electronic signatures. During the declared State of Emergency, however, the following legislative and administrative actions permit the use of electronic signatures in many (but not all) instances:

- The permit deadline extension provisions of Chapter 53 of the Acts of 2020 allow municipalities to accept “permit” applications electronically, subject to certain requirements (as explained in our eUpdates entitled “[Municipal Relief Legislation Passed by State Legislature](#) “ and “[Land Use Permitting Deadline Extensions](#)”). This legislative authorization for the submission of permit applications electronically, coupled with G.L. c.110G with respect to electronic signatures, provide the mechanism to address those situations where a state statute does not otherwise allow for electronic filing of permit applications, and allowing for acceptance of same with an electronic signature, at least temporarily.
- The Massachusetts Supreme Judicial Court (SJC) has generally authorized the use of electronic signatures on various court filings, including affidavits.
- The Massachusetts Registers and Assistant Registers of Deeds Association has adopted an Amendment to the [Massachusetts Deed Indexing Standards 2018](#) (Amendment), effective April 17, 2020, that allows municipal boards to utilize electronic signatures on documents that are filed with Registries of Deeds, provided that the municipal board has followed a specific procedure. As of this date, all Registries of Deeds have accepted this Amendment. Note, though, that the Land Court has **not** yet authorized the use of electronic signatures for registered land unless a statute, rule, order or court guidance authorizes electronic signatures for specific types of documents. Absent such statute, rule, order or court guidance, electronic signatures are permitted for documents pertaining to recorded land only. A copy of the Amendment is attached, and the process for implementing this Amendment is discussed in Section B, below.
- The Legislature recently passed “An Act Relative to Remote Notarization During COVID-19 State of Emergency”, which allows attorneys and attorney-supervised paralegals who are certified notary publics in the Commonwealth to notarize documents using electronic real-time video conferencing, subject to certain requirements. This new law is discussed in Section E, below.

The use of electronic signatures by municipal boards in particular situations is discussed in more detail, below. Should you have questions about the use of electronic signatures in circumstances not covered in this eUpdate, please contact your primary, land use, or other counsel at KP | Law for further guidance.

B. Electronic Signatures by Municipal Boards on Recordable Documents (other than Plans):

In an attempt to relieve municipal boards from signing documents in-person, an Amendment to the Massachusetts Deed Indexing Standards of 2018 was adopted to allow electronic signatures on recordable documents (though not for documents pertaining to registered land). That Amendment, dated April 17, 2020, and titled *No. 13-7. “Electronic Signatures by Municipal Boards” (Amendment)*, requires that prior to any municipal board executing documents by electronic signature in accordance with G.L. c.110G, a vote must be made at a properly called meeting, stating that the board recognizes and accepts the provisions of G.L. c.110G, and that executed documents by members with electronic signatures or with wet ink signatures will carry the same legal weight and effect.

1. The Council/Board/Commission votes to authorize electronic signatures and a Certificate of Vote is prepared, memorializing the vote.

The first step in this process is that the Council/Board/Commission votes to recognize and accept the provisions of G.L.c.110G, and authorize electronic signatures. The matter should be placed on an agenda for a duly noticed meeting in compliance with the Open Meeting Law.

- The **agenda item** can take the following form:

“Discussion and possible adoption of M.G.L. c.110G, regarding the use of electronic signatures by Council/Board/Commission members pursuant to Amendment 13-7 to the Massachusetts Deed Indexing Standards 2018, effective April 17, 2020.”

- The **motion** at the meeting can take the following form:

“Moved that the _____ City Council/Board of Selectmen/Select Board/Planning Board/Zoning Board of Appeals/Conservation Commission hereby recognizes and accepts the provisions of M.G.L. c.110G regarding electronic signatures and that its members will henceforth execute documents either with electronic signatures or with wet ink signatures and that both will carry the same legal weight and effect.”

Assuming that this matter considered at a “virtual” meeting of the council, board, or commission, the vote must be by roll call, and recorded in the meeting minutes as a roll call vote. If adopted, a Certificate of this Vote is then prepared.

2. The Certificate of Vote is signed, notarized and certified by the City/Town Clerk.

This Certificate of Vote, containing the language of the motion and attesting the vote, is signed and then certified by the City or Town Clerk prior to being recorded at the applicable Registry of Deeds. We have attached a sample Certificate of Vote for your use. Once the Certificate of Vote is recorded, electronic signatures may be affixed to permitting or compliance documents such as decisions and/or Orders of Conditions that have been approved by a council, board or commission vote.

3. The Certificate of Vote is recorded at the Registry of Deeds.
4. For each Decision/Approval/Order of Conditions issued, we recommend adding a specific statement regarding the Council/Board/Commission vote to authorize electronic signatures, on the signature page of the Decision/Approval/Order.

For instance, the following language can be used:

Pursuant to the vote taken by [specify name of council, board or commission] on _____, 2020, the following signatures are made in accordance with M.G.L. c.110G and pursuant to said Council’s/Board’s/Commission’s electronic signature authorization vote recorded on [DATE] with the _____ Registry of Deeds.

C. Use of Electronic Signatures by Conservation Commissions:

The Wetlands Protection Act requires that Orders of Conditions (OOC) be signed by a majority of Commission members. G.L. c.131, §40.¹ Previously, some Registries had rejected OOCs containing electronic signatures; however, we anticipate that with the adoption by all Registries of the Amendment discussed above, that electronic signatures will no longer be an issue (except for registered land documents, which still require a “wet” ink signature). Thus, Conservation Commissions may wish to consider following the process identified above should they want to execute documents electronically. Note that because state law requires that Orders of Conditions contain the signatures of a majority of Conservation Commission members, in our opinion the Commission could *not* vote to delegate signatory authority for OOCs issued pursuant to the Wetland Protection Act to a single Commission member or a Conservation Agent or Administrator.

D. Use of Electronic Signatures on Plans Endorsed or Approved by Planning Boards:

Most land use boards, *aside from Planning Boards*, do not have a legal requirement that they endorse actual plans of land. Planning Boards, however, may be required to endorse “Approval Not Required” (ANR) or subdivision plans prepared by an applicant’s engineer or land surveyor. Generally, Registries of Deeds require actual mylar plans for recording, and while the process described in Section B, above, could be used to permit the use of electronic signatures on ANR or subdivision plans, there can be a reluctance to provide Planning Board members’ electronic signatures to a third party to actually affix the members’ electronic signatures to the mylar plans prior to recording. Also, plans for registered land may not be signed electronically.

As an alternative to using Planning Board members’ electronic signatures on such plans, the provisions of G.L. c.41, §§81P (ANR plans) & 81X (subdivision plans) allow a Planning Board to vote to authorize a single individual to endorse plans on behalf of the Board for recording in the Registry of Deeds. During the current COVID-19 emergency, while the Board is meeting remotely, it may wish to use this mechanism to simplify the logistics of signing plans. While not modifying the Board’s substantive review of the plans, the mechanism will allow the Board to carry out its statutory duties and enable plans to be filed without undue complication.

The Board can accomplish this by vote at a properly noticed meeting, followed by letter of notice to the Registry. The procedure here is similar to the process described in Section B, above, and the Board must vote to take action *under both statutes*. The vote will then designate a single signatory to sign plans on behalf of the Board. The signatory does not need to be a member of the Board; however, since the statute specifies, “name of the person so authorized,” the vote should designate a named individual than that individual’s title (e.g., “Bob Smith”, not “Chairman”). This means, however, that when the person so authorized is no longer employed by the City or Town or a member of the Board, a new designation must be voted and notice of same provided to the Registry.

Both G.L. c.41, §§81P & 81X require the signatures of a majority of the Board on the notice sent to the Registry. In ordinary times, this would be accomplished at an in-person meeting, or by having members come

¹ “Such order or notification shall be signed by the mayor or a majority of the conservation commission or board of selectmen, as the case may be, and a copy thereof shall be sent forthwith to the applicant and to the department.”

to Town Hall independently to sign the notice. Current circumstances may warrant a different approach. Instead, each member (of a majority of the Board) could print out and sign a signature page, and send it to the Planning Department or staff to be assembled with the notice and sent to the Registry.

When the current State of Emergency terminates, if the Board seeks to revert to the prior practice of in-person plan endorsement, the Board should vote to withdraw its authorization for the individual to endorse plans on behalf of the Board. A second letter should be prepared and submitted to the Registry reflecting this vote and as notification of a reversion to the prior endorsement authorization.

E. “Virtual” Notarization:

Some municipal real estate transactions, contracts, and affidavits are required to be notarized. Typically, this requires in-person attendance of both the notary and the person(s) whose signature(s) are to be notarized. Under “An Act Relative to Remote Notarization During COVID-19 State of Emergency”, attorneys and attorney-supervised paralegals who are certified notary publics in the Commonwealth are allowed to notarize documents using electronic real-time video so long as specific requirements are met. Those requirements are attached. This temporary authorization of “virtual” notarization automatically expires three days after the Governor rescinds the current State of Emergency. The automatic repeal of the Act, however, will not invalidate any documents executed in accordance with the Act.

We will continue to keep you updated on additional developments in the face of this rapidly evolving pandemic. A reminder that we have established a **Coronavirus “hotline”**, at coronavirusinfo@k-plaw.com. A dedicated team of our attorneys is available through this “hotline” e-mail address to answer the most frequently asked legal questions arising from COVID-19. One of these designated attorneys will respond promptly to your inquiries. In some instances, you may be referred to your primary, land use or real estate contact, and you should of course feel free to contact these attorney(s) directly with COVID-19 related questions.

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Massachusetts Deed Indexing Standards 2018
April 2020 Amendment

The Massachusetts Registers and Assistant Registers of Deeds Association has adopted the following Amendment to the Massachusetts Deed Indexing Standards 2018. This amendment is effective April 17, 2020 and, as of the date of this eUpdate, applies to recorded land only.

13-7. Electronic Signatures by Municipal Boards – The following procedure is recommended for municipal councils, boards and commissions that wish to execute and record with the Registry of Deeds documents in accordance with Massachusetts General Laws Chapter 110G (Uniform Electronic Transaction Act).

1. At a properly called meeting, the municipal council, board or commission (hereinafter “board”) should formally vote that the board recognizes and accepts the provisions of M.G.L. c.110G regarding electronic signatures and that its members will henceforth execute documents either with electronic signatures or with wet ink signatures and that both will carry the same legal weight and effect.
2. The board then records at the Registry of Deeds a Certificate of Vote that provides the language of the motion that was made regarding electronic signatures and attests to the vote taken, and obtains the City/Town Clerk’s certification.
3. Board members may thereafter cause their electronic signature to be affixed to permitting or compliance documents that have been approved by a board vote. Such electronically signed documents should also include a statement that the signatures are made in accordance with M.G.L. c.110G and pursuant to the board’s electronic signature authorization vote recorded on [DATE] in [BOOK and PAGE NUMBERS] at the [NAME OF REGISTRY] Registry of Deeds.
4. Any document so executed shall be accepted for recording at the Registry of Deeds electronically or as a paper print of the electronically-executed document.

CERTIFICATE OF VOTE AUTHORIZING SIGNATURES PURSUANT TO M.G.L. c.110G

On _____, 2020, the _____ City Council/Board of Selectmen/Select Board/Planning Board/Zoning Board of Appeals/Conservation Commission met in open session through publicly accessible video-conference software, pursuant to the "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20," issued by Governor Charles D. Baker on March 12, 2020. At this duly held meeting, the following action was taken:

Motion: _____ City Council/Board of Selectmen/Select Board/Planning Board/Zoning Board of Appeals/Conservation Commission hereby recognizes and accepts the provisions of M.G.L. c.110G regarding electronic signatures and that its members will henceforth execute documents either with electronic signatures or with wet ink signatures and that both will carry the same legal weight and effect. Motion was seconded.

Roll Call vote:

Member Name — Aye; Member Name — Aye; Member Name — Aye; Member Name — Aye;
Member Name — Aye; Member Name — Aye; Member Name — Aye

Vote was Unanimous

The above is a true and accurate account of the proceedings of the _____ City Council/Board of Selectmen/Select Board/Planning Board/Zoning Board of Appeals/Conservation Commission.

Name/Title: _____ Date: _____, 2020

Commonwealth of Massachusetts

County of _____, ss.

On this ___ of _____, 2020, before me, personally appeared _____, [Chair/Vice-Chair/Member] of said City Council/Board of Selectmen/Select Board/Planning Board/Zoning Board of Appeals/Conservation Commission, as aforesaid, and proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the _____ [city/town] of _____.

Notary Public

My Commission Expires:

Certified by Town/City Clerk:

[name]

Date: _____, 2020

OUTLINE OF PROCESS FOR “VIRTUAL” NOTARIZATION

The Massachusetts Legislature has enacted temporary legislation to allow certified notary publics in the Commonwealth to notarize documents using electronic real-time video conferencing. The following steps are required for “virtual” notarization, which occurs via video conference. Any document executed in accordance with this process will be valid for filing or recording with any state, local, or federal agency, court, department, or office. The signature of all witnesses who participate in the required video conference(s) will be valid as if executed in person.

- 1) **Video Conference(s)**: the notary must observe the principal (the witness) execute the document in an initial video conference.

If and only if the document is executed in the course of closing a transaction such as a mortgage or other conveyance of title to real estate, a second video conference is required. In the second video conference, each witness must verify to the notary public that the document subsequently delivered to the notary public (detailed below) is the same document which was executed during the initial video conference.

- 2) **Oath**: the notary and the witness both swear under the penalties of perjury that they are physically present in Massachusetts during the video conference(s). Each witness must identify and disclose any other person present in the room and make that person viewable to the notary public.
- 3) **Satisfactory Proof of Identification**: each witness must provide the notary with satisfactory evidence of identity by displaying it during the video calls and by submitting a copy of the front and back of the identification (with the electronic document or separately) by e-mail. The Notary must retain the copy of the individual’s identification for a period of ten (10) years.

"Satisfactory evidence of identity" includes: 1) a current document issued by a federal or state government agency bearing the photographic image of the individual's face and signature; 2) the oath or affirmation of a credible witness unaffected by the document or transaction who is personally known to the notary public and who personally knows the individual; or 3) identification of an individual based on the notary public's personal knowledge of the identity of the principal. A person who is not a U.S. citizen must, however, produce a valid passport or other government-issued document with photograph and signature. G.L. c.222, §1.

For documents executed in the course of a closing of a transaction involving a mortgage or other conveyance of title to real estate where the witness is not personally known to the notary public, the witness must display a second form of identification containing the witness’: 1) name; and 2) photograph or signature, or otherwise be issued by a government entity, during the initial video conference. This second identification may be: a utility bill or municipal tax bill dated within sixty (60) days of the video conference, a credit or debit card, or social security card.

- 4) **Affirmation**: each witness must make an acknowledgment or affirmation to the notary public, as appropriate.

- 5) **Delivery of Documents**: a witness must promptly deliver the executed document to the notary by delivery service, courier, “or other means,” in accordance with the notary’s instruction. The Legislation does not specify whether the document may be transmitted electronically.

- 6) **Stamp and Seal**: after the above process has been completed, the notary public may stamp and sign the executed document, completing the notarial act. With respect to any will, guardianship nomination, health care proxy, power of attorney, trust, caregiver authorization, or authorization under the Health Insurance Portability and Accountability Act (HIPAA), the document is completed when the original counterparts and the notary public’s affidavit (detailed below) are compiled. Such acts may only be performed by an attorney or an attorney-supervised paralegal. Electronic signatures are not permitted for notary public acknowledgements.

- 7) **Affidavit**: the notary public must attach a certificate to the executed document, which will include an affidavit and recital indicating that the document was notarized remotely in accordance with this Act, provided, however, that a failure to include any of the required recitals will not affect the validity or recordability of the document. The affidavit must be retained by the notary public for a period of ten (10) years.

The affidavit must confirm under the pains and penalties of perjury that:

- Identification was received and visually inspected during the initial video conference;
- The notary public obtained verbal assent to record the video conference(s);
- The witness(es) attested to being physically present in the Commonwealth;
- Note anyone who was in the room with the witness(es) and his/her/their relationship to the witness(es);
- The affidavit does not have to be recorded with the executed document, but must be retained by the notary for 10 years. The signature of the witness(es) who participates in said video conference will be valid as if executed in person.

This affidavit does not need to be filed with any document recorded in a Registry of deeds or filed with the land court. Additionally, with respect to Land Court and Registry recordings, a witness’s failure to disclose physical presence in the Commonwealth or the identity of others in the room shall not constitute grounds to set aside title to real property acquired by a third-party mortgagee or purchaser for value.



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TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

SELECT BOARD
THOMAS J. FAY
ADAM G. GUTBEZAHL
CHERRY C. KARLSON
CAROL B. MARTIN
DAVID V. WATKINS

DRAFT Meeting Minutes
Select Board
Monday, April 24, 2023
7:00 p.m.
HYBRID

Wayland Town Building, Council on Aging Room
41 Cochituate Road, Wayland, Massachusetts

Present: Thomas J. Fay, Adam G. Gutbezahl, Cherry C. Karlson, Carol B. Martin, David V. Watkins.

Also Present: Town Manager, Michael McCall; Assistant Town Manager, John Bugbee.

A1. Call to Order, Review the Agenda for Public: At 7:03 p.m., C. Karlson called the meeting of the Select Board to order when a quorum was present and announced each Board member by full name. She announced that the meeting would be conducted in a hybrid-format (both via teleconference and in-person attendance). C. Karlson announced that the meeting would be live-broadcast, recorded for re-broadcast and reviewed the agenda

A2. Announcements and Public Comment: C. Karlson and C. Martin announced that the Annual Town Election would be held on Tuesday, April 25, 2023, and Annual Town Meeting on Monday, May 1 and Tuesday, May 2 at the Wayland High School Field House. The Board members thanked C. Karlson for her service to the Town, as she was not seeking re-election.

Mary Ellen Castagno, Dean Road, joined the meeting in person and presented a *Disclosure By Non-Elected Municipal Employee of Financial Interest and Determination By Appointing Authority M.G.L. c. 268A, § 19* form, previously approved by the Board on February 6, 2023 and called for the Chair sign the document. C. Karlson noted that the Board had authorized the Chair to sign the document and to include the Board's comments, which had not yet been completed. M. Castagno returned the form to the Town Clerk's Office.

Hope Podell, Jennison Road, joined via teleconference to thank C. Karlson for her service to the Town.

A3. Annual Town Meeting (ATM) 2023: Warrant Hearing: At 7:15 p.m. C. Karlson opened the 2023 Annual Town Meeting (ATM) Warrant Hearing. C. Karlson noted that the hearing would include a review of the 2023 ATM Warrant to allow participants to ask questions or offer errata. C. Karlson added that the motions for each article were included in the packet online. The Board reviewed the warrant page by page from front cover to back cover and offered errata. The Board reviewed errata which had already been identified and listed the articles that would be presented under the Abbreviated Presentation Procedure.

Deborah Cohen, Personnel Board, joined via teleconference, and suggested a revision to Article 8. Update the Town's Personnel Handbook, Policies and Procedures and Town Code Chapter 43 Personnel where the phrase "to be consistent" be replaced with the phrase "that are consistent" which she felt more broadly aligned with the intent of the article. The Board discussed the warrant article.

Clifford Lewis, Claypit Hill Road, joined via teleconference and asked if there was a schematic drawing to support Article 23. Community Preservation Act – Recreation: Town Beach Entryway and Perimeter Fencing and asked if access to the Town Beach would be restricted.

Susan Weinstein, Concord Road, Chair of the Community Preservation Committee joined via teleconference and noted that the project would replace existing fencing and not restrict access to the Town Beach any more than the existing fencing. S. Weinstein would provide a diagram to C. Lewis.

At 7:51 p.m., Janot Mendler de Suarez joined the meeting via teleconference and offered the Board an update on the Human Rights, Diversity, Equity and Inclusion Committee's multi-cultural event. C. Karlson responded that the Board could not accept the update outside of the public comment period.

At 7:51 p.m., C. Karlson closed the 2023 Annual Town Meeting Warrant Hearing.

A4. Annual Town Meeting (ATM) 2023: discussion of ATM topics, including but not limited to:

logistics, motions and articles: The Board discussed the warrant and the motions. C. Martin offered clarification to some comments that were made at a recent Board of Public Works forum on April 11 related to Article 12. MWRA Admission Application – Approval to Proceed. The warrant article, if approved would authorize a connection to the Massachusetts Water Resource Authority (MWRA) water supply, C. Martin noted that the Board of Public Works recommended a hybrid supply, which meant both MWRA water and the local Town water supply would be blended.

A5. Town Manager Report: a) 212 Cochituate Road - Nuisance Property: At 7:59 p.m., A. Gutbezahel recused himself and left the room. M. McCall provided the Board with some of the options related to a nuisance property at 212 Cochituate Road. M. McCall noted that it had been estimated to cost over \$70,000 to demolish the building on the property. M. McCall suggested the Town establish a demolition fund for similar situations. M. McCall reported that in the short-term the Building Commissioner planned to secure the property and noted that Public Safety would patrol the area.

A6. Acceptance of Gift: Eliza Norton Foundation gift of dugouts for Cochituate Ball Field, discussion and decision: At 8:04 p.m., A. Gutbezahel rejoined the meeting. C. Karlson referred the Board to the materials in the packet on page 45 for the discussion of acceptance of a \$175,000 gift from the Eliza Norton Foundation. M. McCall thanked Mark Norton, who was present in the room. The Board expressed its gratitude, condolences for Eliza and support for the project. T. Fay asked if a project foreman would be hired and D. Watkins asked if there was a contingency budget. J. Bugbee opined that Town staff could manage the project and the budget was sufficient. D. Watkins asked if the neighborhood would be notified. The Board noted that no formal notification was required. The Board acknowledged that Recreation and DPW supported the project and that recurring operating expenses would be minimal.

A. Gutbezahel moved, seconded by C. Martin, that the Board accept the gift from the Eliza Norton Foundation for up to \$175,000 for the construction of four covered dugouts and any remaining funds be returned to the Eliza Norton Foundation. A. Gutbezahel accepted T. Fay's amendment to include four covered dugouts with on-deck batting area, inclusive of required fencing for safety. C. Karlson expressed caution with making a motion with limiting specificity. A. Gutbezahel amended the main motion, and moved, seconded by C. Martin, to accept the gift for the purposes of constructing improvements to Cochituate Ball Park including without limitation the improvements set forth in the materials in the packet. C. Martin offered an amendment to the main motion to also include that any remaining funds be returned to the Eliza Norton Foundation, A. Gutbezahel accepted the amendment. In discussion, M. McCall noted that M.G.L Chapter 44 Section 53A grants the Board the authority to accept the gift. Vote: YEA: T. Fay, A. Gutbezahel, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0-0.

A7. Town Center Gift Funds: Discussion and approval of using funds for BETA Route 20 project

invoices and potential to establish a trust for cultural events: The Board reviewed the Town Center gift fund budget tables in the packet which included outstanding invoices due to BETA that required action at a future meeting. T. Fay explained that the invoices were related to the Route 20 development and there was a need for the Board to discuss the matter further. T. Fay suggested that the matter be added to the May 1, 2023 agenda. A. Gutbezahel and C. Martin agreed to draft a proposed motion for the next meeting that would keep a broad scope. The Board discussed the matter and agreed that it needed more information.

A. Gutbezahel moved, seconded by C. Martin, to authorize the use of Town Center Gift Funds for the net amount of BETA invoice number #21, dated 03/14/2023, where the net amount is the amount remaining after the revolving fund is expended. Vote: YEA: T. Fay, A. Gutbezahel, C. Karlson, C. Martin, D. Watkins. NAY: None.

ABSENT: None. ABSTAIN: None. Adopted 5-0-0. C. Martin asked which revolving fund was. C. Karlson referred to page 75 in the packet. The Board agreed to discuss the matter at the next meeting.

A8. Minutes: a) Review and approve the minutes of April 3 and April 10, 2023:

A. Gutbezahl moved, seconded by C. Martin, to approve the minutes of April 3, 2023 and April 10, 2023, as amended. C. Martin made revisions. Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0-0.

b) Approve the release with redactions of the executive minutes related to the purchase, exchange, lease or value of real estate with respect to the Town's agreement with Twenty Wayland, LLC., relative to property and development located off 400-440 Boston Post Road: January 4, January 11, 2010; June 13, 2013; July 14, 2014; March 16, April 7, September 21, October 5, November 2, 2015; April 19, May 23, July 13, September 26, and December 5, 2016.

A. Gutbezahl moved, seconded by D. Watkins, to release the executive session minutes with respect to the Town's agreement with Twenty Wayland, LLC., as set forth in in section A8.b the agenda. Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0-0.

A9. Consent: a) Review and approve listed items b) Discuss, consider, and potentially act on items removed from Consent, if any:

1. Vote to disband the Cable Advisory Committee with thanks.
2. Vote the question of accepting the 2023 HUD Capital Fund Program Grant for the Wayland Housing Authority for capital improvements at the Housing Authority in the amount of \$333,162.
3. Vote the question of accepting a Festival Grant from the MA Cultural Council for the Human Rights, Diversity, Equity and Inclusion Committee (HRDEIC) in the amount of \$2,500.
4. Vote the question of approving a One-day Beer and Wine Liquor License to Edward Herbert for an event (Father Misgivings) at St. Ann's Church Hall, 134 Cochituate Road, Wayland, MA 01778 on May 19, 2023 from 6:00 p.m. to 10:00 p.m.
5. Vote the question of approving a sandwich board request by the Human Rights, Diversity, Equity and Inclusion Committee (HRDEIC) for advertising the first 'Community Multicultural Festival' on May 21st at the Wayland High School Field House during the dates of May 7 to May 21 at Fire Station Two in Cochituate, Town Center (corner of Routes 20 & 27), Old Connecticut Path and Cochituate Road (Five Paths), and Route 20/Old Connecticut Path by Coach Grill.

A. Gutbezahl, seconded by C. Martin, to approve the Consent Calendar. Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0-0.

A10. Review Correspondence: The Board reviewed the correspondence in the packet.

A11. Select Board Member's Reports and Concerns: C. Martin provided an additional summary of the recent Board of Public Works forum on April 11 related to the connection to the MWRA water supply and emphasized issues with the data presented on the Town website. M. McCall reported that the tables on the PFAS webpage were in reverse chronological order, but in general the Town website presents information with the most recent posts first. C. Martin requested that the final versions of letters authorized by the Board be provided to the Board through correspondence. D. Watkins thanked C. Karlson for her service on the Board. D. Watkins suggested the Board revisit how emails are presented on the website. A. Gutbezahl announced that the Wayland Music Festival would be held on May 20, 2023 at the Town Green at Town Center. A. Gutbezahl announced that the Human Right, Diversity, Equity and Inclusion (HRDEI) Committee would hold its first annual Multi-Cultural Festival at the WHS Field House on May 21, 2023. C. Karlson reported that there were some outstanding items related to the HRDEI Committee that the Board needed discuss at a future meeting.

A12. Topics Not Reasonably Anticipated by the Chair 48 Hours In Advance, If Any: There were none.

A13. Executive Session:

- a) Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7) to review and approve the executive session minutes of April 10, 2023 with the intent to hold said minutes.
- b) Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7) to review and consider for potential release the following executive session minutes related to the purchase, exchange, lease or value of real estate with respect to the Town's agreement with Twenty Wayland, LLC., relative to property and development located off 400-440 Boston Post Road: January 9, January 23, February 6, March 6, March 13, March 27, April 24, May 1, May 15, June 5, July 24, August 7, August 21, September 18, October 2, October 10, November 6, November 20, 2017; January 8, January 16, January 22, May 23, June 11, June 25, July 16, July 23, August 6, September 5, October 1, 2018:

At 9:07 p.m., C. Karlson moved, seconded by D. Watkins, that the Select Board enter into Executive Session Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7) to review and approve the executive session minutes of April 10, 2023 with the intent to hold said minutes; pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7) to review and consider for potential release the following executive session minutes related to the purchase, exchange, lease or value of real estate with respect to the Town's agreement with Twenty Wayland, LLC., relative to property and development located off 400-440 Boston Post Road: January 9, January 23, February 6, March 6, March 13, March 27, April 24, May 1, May 15, June 5, July 24, August 7, August 21, September 18, October 2, October 10, November 6, November 20, 2017; January 8, January 16, January 22, May 23, June 11, June 25, July 16, July 23, August 6, September 5, October 1, 2018.

Chair C. Karlson declared that a public discussion of the matters may have detrimental effect on the litigating, negotiating or bargaining position of the Town. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0-0.

Chair C. Karlson invited attendance by Town Manager, M. McCall and Assistant Town Manager, J. Bugbee and announced that the Board would not reconvene in open session.

A14. Adjourn: At 9:08 p.m., the Board entered into Executive Session.

Items included in the packet and updated during the Select Board Meeting of April 24, 2023

1. Revised Agenda, which revised the agenda posted 04/20/23 at 3:13 p.m.
2. Link: Motions for 2023 Annual Town Meeting:
https://www.wayland.ma.us/sites/g/files/vyhlf9231/f/uploads/atm_warrant_final_2023v2.pdf
3. Town of Wayland Annual Town Meeting Errata Sheet
4. 2023 Annual Town Meeting Motions – Draft, dated 04/21/2023
5. Email: From: Mark Norton Date: Thursday, April 20, 2023 at 12:12 p.m., To: Steve Schamberg Cc: Karlson, C., McCall, M., Brenna, K., Bugbee, J., Norton, J. Re: EJN Foundation Improvements to Cochituate Park.
6. Email: From: S. Schamberg Date: Friday, April 14, 2023 at 4:57 p.m., To: McCall, M., Karlson, C., Brenna, K., Bugbee, J. Cc: Norton, J., Norton, M. Subject: EJN Foundation Improvements to Cochituate Park.
7. Memorandum: Re: EJN Foundation Cochituate Park Overview To: Select Board From: Mark Norton, EJN Foundation, dated April 13, 2023.
8. Slide Deck: Cochituate Field Improvement Project for Wayland Recreation Department and Commission, by EJN Foundation, dated December 6, 2022, revised.
9. Plan Set: Conceptual Design: Little League Field Dugouts 40 West Plain Road, Wayland MA by Cube 3 Studio LLC and H+O Structural Engineering. 8 sheets.
10. Memorandum: To: Select Board Cc: Town Manager's Office, M. McCall and J. Bugbee T. Holder, Director of Public Works, B. Keefe, Public Buildings Director, Recreation Commission, EJN Memorial Foundation From: K. Brenna, Recreation Director Re: Improvements to existing dugouts at Cochituate Ball Park, dated Friday, April 14, 2023
11. Memorandum: To: Select Board Cc: M. McCall, J. Bugbee, T. Holder, K. Brenna, From: J. Doucette Re: Cochituate Field Dugout Improvements, dated April 18, 2023
12. Tables: Town Center/ 20 Wayland Gift Funds, as of 04/24/2023 and BETA Outstanding Invoices FY23
13. Draft: Select Board Meeting Minutes of April 3, 2023

14. Draft: Select Board Meeting Minutes of April 10, 2023

Items Distributed For Information and Use By the Board during the Meeting of April 24, 2023 Otherwise Not Included In The Packet (Handouts):

1. Form: *Disclosure By Non-Elected Municipal Employee of Financial Interest and Determination by Appointing Authority as required by M.G.L. c 268A, §19*: presented by Mary Ellen Castagno.

Correspondence to the Select Board from:

1. Gary Slep, dated April 9, 2023 re: Mill Creek LIP with Flip
2. Rebecca Stanizzi, dated April 10, 2023 re: EDC feedback to BETA/Route 20 Master Planning efforts
3. Cliff Lewis, dated April 10, 2023 re: Route 20 South Landfill
4. Frances Pollitt, dated April 10, 2023 re: Superintendent Easy and School Board
5. Agostino Lombardi, dated April 12, 2023 re: My issue with the Water Department in Wayland
6. George Harris, dated April 18, 2023 re: Open Meeting Law Complaint



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TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

SELECT BOARD
THOMAS J. FAY
ADAM G. GUTBEZAHL
CHERRY C. KARLSON
CAROL B. MARTIN
DAVID V. WATKINS

DRAFT Meeting Minutes **Select Board**

Monday, May 1, 2023

6:00 p.m.

Wayland High School, Field House
264 Old Connecticut Path, Wayland, Massachusetts

Present: Thomas J. Fay, Cherry C. Karlson, David V. Watkins, Carol B. Martin

Absent: Adam G. Gutbezahl

Also Present: Town Manager, Michael McCall; Assistant Town Manager, John Bugbee.

A1. Call to Order, Review the Agenda for Public: At 6:01 p.m., C. Karlson called the meeting of the Select Board to order when a quorum was present and announced that the meeting would be conducted in an in-person format. C. Karlson reviewed the agenda.

A2. Public Comment: There was no public comment.

A4. Town Center Gift Funds: a) Re-approve \$16,000 for the FY22 and FY23 Music Festival Expenses without fiscal year designation: C. Karlson explained that the Board's prior action limited the FY22 expenses to \$3,800 and expenses totaled closer to \$4,200 for FY22. The same allocation of \$16,000 without a fiscal year designation would allow all bills to be paid. In discussion, C. Martin noted that expenses should not exceed \$16,000. She asked for clarification on the Town Center Gift Fund tables in the packet. C. Karlson explained that the additional BETA expenses should be placed on the May 15 agenda for discussion.

T. Fay moved, seconded by D. Watkins, to reapprove \$16,000 from Town Center Gift Funds for the FY22 and FY23 Music Festival expenses. Vote: YEA: T. Fay, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: A. Gutbezahl. ABSTAIN: None. Adopted 4-0.

A5. Minutes: a) Review, approve and release the executive session minutes of April 24, 2023: C. Martin moved, seconded by D. Watkins, to approve and release the executive session minutes of April 24, 2023. Vote: YEA: T. Fay, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: A. Gutbezahl. ABSTAIN: None. Adopted 4-0.

b). Approve the release with redactions of the executive minutes related to the purchase, exchange, lease or value of real estate with respect to the Town's agreement with Twenty Wayland, LLC., relative to property and development located off 400-440 Boston Post Road: January 9, January 23, February 6, March 6, March 13, March 27, April 24, May 1, May 15, June 5, July 24, August 7, August 21, September 18, October 2, October 10, November 6, November 20, 2017; January 8, January 16, January 22, May 23, June 11, June 25, July 16, July 23, August 6, September 5, October 1, 2018.

C. Martin moved, seconded by D. Watkins, to release with redactions the executive session minutes related to the purchase, exchange, lease or value of real estate with respect to Twenty Wayland, LLC. for the dates listed on the agenda in section A5.b. Vote: YEA: T. Fay, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: A. Gutbezahl. ABSTAIN: None. Adopted 4-0.

A6. Consent: a) Review and approve listed items b) Discuss, consider, and potentially act on items removed from Consent, if any:

1. Vote the question of naming Town Manager Michael McCall to represent the Select Board Chair to vote as a member of the school committee in collective bargaining, pursuant to M.G.L Chapter 150E, Section 1.

C. Martin asked that the item be removed from Consent and discussed under A11.b as she had a question. The Board reviewed the materials in the Consent packet showing state law and the Division of Local Services advisory.

C. Martin moved, seconded by T. Fay, to approve the Consent Calendar for May 1, 2023. Vote: YEA: T. Fay, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: A. Gutbezahl. ABSTAIN: None. Adopted 4-0.

A7. Review Correspondence: The Board reviewed the correspondence in the packet without comment.

A8. Topics Not Reasonably Anticipated by the Chair 48 Hours In Advance, If Any: C. Karlson noted the gift to the Town from K-P Law, P.C. of a book 'Massachusetts: A Pictorial Celebration of its 351 City and Town Halls'. C. Karlson informed the Board that a press release was issued that day acknowledging the recent generous gift from the Eliza J. Norton Foundation. C. Martin reminded the Board that she and A. Gutbezahl had prepared language to establish a gift fund. C. Karlson suggested it be placed on the May 15 agenda to compliment the discussion of the HRDEI request for a gift fund.

A3. Annual Town Meeting 2023 (ATM): Discussion of ATM topics, including but not limited to: possible vote on any Town Meeting articles or motions; address any items related to ATM; review handouts. D. Watkins addressed the legislative follow-up questions related to his testimony in support of the remote participation bill. He stated that the Moderator replied in writing. C. Karlson requested a copy of that communication for the Board's information.

C. Karlson mentioned that the Board had not yet taken a position on the FY24 budget and that D. Watkins would report on legislative feedback on the remote participation bill. The Board discussed whether to take a position on the budget. C. Martin noted her discomfort with funding sources particularly using one-time monies toward the operating budget. She reminded the Board that the Finance Committee asked to use the funds and the Board recommended using one-time monies for one-time expenses. D. Watkins moved to recommend approval of the FY24 omnibus budget as proposed in the 2023 Warrant. There was no second. C. Karlson stated the Board could conference during the meeting if it wanted to vote the budget article.

C. Martin informed the Board that she would be speaking to Article 11. Massachusetts Water Resources Authority (MWRA) Admission Application – Approval to Proceed as part of the main motion and would also speak in favor of the article, the latter being as an individual member of Town Meeting.

A9. Adjourn: At 6:19 p.m., the Board recessed until the start of 2023 Annual Town Meeting.

Items included in the packet and updated during the Select Board Meeting of May 1, 2023:

1. Agenda for the Select Board meeting of May 1, 2023
2. Chart of Town Center/20W Gift Funds, MUNIS Balance as of 04/27/23
3. Chart of Town Center/20W Gift Funds, Expenses and Allocations

Items Distributed For Information and Use By the Board during the Meeting of May 1, 2023 Otherwise Not Included In The Packet (Handouts):

1. 'Massachusetts: a pictorial celebration of its 351 city and town halls' provided by KPLaw

Correspondence to the Select Board from:

1. Greg Franks, Comcast, dated April 14, 2023, re Changes to Xfinity TV Services
2. Massachusetts Department of Environmental Protection (MassDEP), dated April 20, 2023, re Notice of Simplified License Application
3. Greg Franks, Comcast, dated April 21, 2023, re Changes to Xfinity TV Services
4. Thomas Turner, dated April 23, 2023, re the passing of former Wayland Fire Chief Ronald E. Profit
5. David Shamoian, dated April 24, 2023, re St. Ann's Senior Village Development
6. Brian O'Herlihy, dated April 26, 2023, re 212 Cochituate Road
7. Christine McKenna Lok, dated April 27, 2023, re Tax Foreclosures – recommended practices
8. Yamini Ranjan, dated April 27, 2023, re Invitation to join the first Multicultural Festival Wayland