

**PACKET**

**March 4**

**2019**



LOUISE L. E. MILLER  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
www.wayland.ma.us

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

LEA T. ANDERSON  
MARY M. ANTES  
LOUIS M. JURIST  
CHERRY C. KARLSON  
DOUGLAS A. LEVINE

### **REVISED**

## **BOARD OF SELECTMEN**

**Monday, March 4, 2019**

**7:00 p.m.**

**Wayland Town Building  
Selectmen's Meeting Room  
41 Cochituate Road, Wayland, MA**

### **Proposed Agenda**

**In the event that the Town Building is closed due to inclement weather a notice of the meeting cancellation will be posted to the Town Website by 4:00 p.m. on Monday, March 4, 2019, and the meeting will be held instead on Tuesday, March 5, 2019 at 7:00 p.m.**

*Note: Items may not be discussed in the order listed or at the specific time estimated. Times are approximate. The meeting likely will be broadcast and videotaped for later broadcast by WayCAM.*

- 7:00 pm 1. Call to order by Chair
- Review of agenda for the public
- 7:05 pm 2. Announcements and public comment
- 7:10 pm 3. Swearing in of Firefighters:
- John Bonalewicz – New Firefighter Paramedic
  - Gregory Halfpenny – Promoted to Captain
  - Dean Casali – Promoted to Lieutenant
- 7:20 pm 4. FY 20 Budget Update
- Operating
  - Capital
- 7:25 pm 5. 2019 Annual Town Meeting:
- Discuss all articles and possible vote to insert/support all articles
  - Discuss and vote possible article order
- 8:25 pm 6. Ballot Questions
- Proposition 2 ½ Debt Exclusions – possible vote on ballot questions
  - Marijuana Prohibition – possible vote on ballot question

**BOARD OF SELECTMEN**  
**Monday, March 4, 2019**  
**7:00 p.m.**  
**Selectmen's Meeting Room**  
**41 Cochituate Road, Wayland, MA**

**Proposed Agenda – Page Two**

- 8:35 pm 7. Town Administrator's Report
1. Loker Kitchen
  2. River's Edge Land Disposition Agreement (LDA) amendment
  3. 40 B Safe Harbor Opportunity
- 8:40 pm 8. Minutes: (none)
- 8:45 pm 9. Consent Calendar: Review and vote to approve (see separate sheet)
- 8:50 pm 10. Correspondence Review
- 8:55 pm 11. Selectmen's reports and concerns
- 9:00 pm 12. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any
- 9:05 pm 13. Adjourn





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To: Carol Martin, Chair Finance Committee  
Steve Correia, Vice-chair Finance Committee

From: Louise Miller, Town Administrator  
Lea Anderson, Chair, Board of Selectmen

Date: February 27, 2019

Subj: **Operating Budget Request**

At its meeting on Monday, February 25, 2019, the Board of Selectmen reviewed the attached memorandum on FY2020 Operating and Capital Budgets. We are pleased to update you that after yesterday's West Suburban Health Group meeting, the estimate for savings in the Insurance 32B line of \$170,072 was pinpoint and we can now with confidence acknowledge the net savings of \$182,305 enumerated in the attached memo.

We understand that the Finance Committee at its February 25, 2019 meeting approved the Operating Budget at the reduced number without considering funding some of the following list. This list is the same that was communicated in the memo of Dec. 14, 2018 to the Finance Committee regarding the DRAFT FY20 Operating Budget Recommendation.

From the attached memo:

*The Town Administrator has resubmitted to the Finance Committee the prioritized list of budget requests that were not funded in the voted draft operating budget. As a reminder the list is as follows:*

1. 1 firefighter \$86,247 (\$74,247 salary, \$12,000 benefits)
2. 1 firefighter \$86,247 (\$74,247 salary, \$12,000 benefits)
3. 1 intern – Town Administrator \$6,500
4. .5clerk – Town Clerk \$24,709 (\$18,709 salary, \$6,000 benefits)
5. 1 intern – Town Administrator \$6,500
6. .5 clerk – Town Administrator \$31,000 (\$23,000 salary, \$8,000 benefits)
7. Snow and Ice \$150,000

We respectfully request that the Finance Committee consider funding highlighted items 1, 3, 5, and 6 totaling \$130,247. This will keep the budget within guideline, while addressing much needed positions. Item 6 is administrative help for committees, which you know is a significant need. The Town Administrator is working through job assignments to address the Town Clerk's request (item 4).

We ask that you share this memo with the Finance Committee.

Thank you.



## ARTICLE LIST FOR MONDAY, APRIL 29, 2019 ANNUAL TOWN MEETING

## Grouped by Sponsor

Article	April 2019 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
A	Recognize Citizens and Employees for Particular Service to the Town	Board of Selectmen	Lea Anderson	Dave Watkins		6-0-0
B	Pay Previous Fiscal Year Unpaid Bills	Board of Selectmen	Lea Anderson	George Uveges	4-0-0	6-0-0
C	Current Year Transfers	Board of Selectmen	Lea Anderson	George Uveges		
D	OPEB Funding	Board of Selectmen,	Cherry Karlson	Klaus Shigley		
E	Provide Funds for a Study of the Long-term Viability of the Current Town Building vs. Its Use for Other Purposes	Board of Selectmen	Doug Levine	Dave Watkins		
F	Compensation for Town Clerk	Board of Selectmen	Cherry Karlson	Klaus Shigley	4-0-0	7-0-0
G	Fiscal Year 2020 Revolving Fund Expenditure	Board of Selectmen	Cherry Karlson	George Uveges	4-0-0	6-0-0
H	Choose Town Officers	Board of Selectmen	Cherry Karlson	Dave Watkins		6-0-0
I	Hear Reports	Board of Selectmen	Lea Anderson	Steve Correia	4-0-0	6-0-0
J	Sell or Trade Vehicles and Equipment	Board of Selectmen	Lea Anderson	George Uveges	Pulled	Pulled

## ARTICLE LIST FOR MONDAY, APRIL 29, 2019 ANNUAL TOWN MEETING

Article	April 2019 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
K	Rescind Authorized But Unissued Debt	Board of Selectmen	Cherry Karlson	George Uveges	Pulled	Pulled
L	Personnel Bylaws and Wage & Classification Plan	Board of Selectmen	Lea Anderson	Dave Watkins	Pulled	Pulled
M	Personnel By-laws and Wage Classification Plan	Personnel Board	Lea Anderson	Dave Watkins		
N	Overtime Settlement - Police	Personnel Board	Lea Anderson	Kelly Lappin	Pulled	Pulled
O	Overtime Settlement - Fire	Personnel Board	Lea Anderson	Kelly Lappin	Pulled	Pulled
P	FY 2020 Omnibus Budget	Finance Committee		Carol Martin		
Q	Loker Turf Field Construction	Recreation Commission	Louis Jurist	Jen Gorke		5-0-2

**ARTICLE LIST FOR MONDAY, APRIL 29, 2019 ANNUAL TOWN MEETING**

<b>Article</b>	<b>April 2019 Article Name</b>	<b>Sponsor</b>	<b>Assignee Selectmen</b>	<b>Assignee FinCom</b>	<b>Position Selectmen</b>	<b>Position FinCom</b>
R	High School Athletic Complex Renovation	School Committee	Louis Jurist	Klaus Shigley		7-0-0
S	Revolving Fund for Funding Compliance Measures Under Chapter 194 By Law	Conservation Commission	Mary Antes	Steve Correia		
T	Appropriate Funds for Snake Book Dam Valve Repairs	Conservation Commission	Mary Antes	Steve Correia		
U	Automatic Water Meter Reading	Board of Public Works	Doug Levine	George Uveges		
V	Medical Marijuana Overlay District – Amend Article 26	Planning	Doug Levine	Kelly Lappin		
W	Community Preservation Fund General Budget – Set Asides and Transfers	Community Preservation Committee	Mary Antes	Dave Watkins		6-0-0



## ARTICLE LIST FOR MONDAY, APRIL 29, 2019 ANNUAL TOWN MEETING

Article	April 2019 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
X	CPA Recreation Projects to Include Construction of Board Ramp on Dudley Pond and Outdoor Classroom and Pollinator Garden at Cow Common	Community Preservation Committee	Mary Antes	Steve Correia		6-0-0
Y	CPA Historic Preservation Projects to Restore Fence at First Parish Church, Preserve Arched Window at Cochituate Village Apartments, and Restore Stone's Bridge	Community Preservation Committee	Mary Antes	Kelly Lappin		
Z	CPA Funding for Housing Consultant	Community Preservation Committee	Cherry Karlson	Steve Correia		
AA	CPA Recreation Project to Rehabilitate and Restore Walking Trails and Construct Limited Parking at Loker Conservation and Recreation Area	Community Preservation Committee	Mary Antes	Steve Correia		3-1-2
BB	Partial Funding For Construction of Part 2 of The Wayland High School Master Athletic Plan	Community Preservation Committee	Mary Antes	Klaus Shigley		6-0-0
CC	Wayland Welcomes	Petitioner	Mary Antes	Kelly Lappin		

## ARTICLE LIST FOR MONDAY, APRIL 29, 2019 ANNUAL TOWN MEETING

Article	April 2019 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
DD	Accept Spencer Circle as a Public Way	Petitioner	Doug Levine	Klaus Shigley		
EE	Resolution to Create a Committee to Organize a Wayland Music Festival	Petitioner	Cherry Karlson	Steve Correia		7-0-0
FF	Ban Plastic Straws in Wayland. Straws Remain Available for Those Who Need Them.	Petitioner	Cherry Karlson	Kelly Lappin		
GG	Limit Carrying of Weapons in Town Buildings and to Town Events	Petitioner	Cherry Karlson	Klaus Shigley		
HH	Build a Grass Athletic Field on Loker Recreation and Conservation Area Property	Petitioner	Louis Jurist	Jen Gorke		0-5-2
II						

## DRAFT FOR DISCUSSION MARCH 2019

4-Mar-19

## Proposed ATM 2019 Article Order

\* Asterisk indicates articles proposed for abbreviated presentation procedure; scheduled at 5 minutes each.

#	Letter	Name	Sponsor	Est Time	Length of Mtg			
					Date	Minutes	Hours	End Time
<b>MONDAY 1</b>		<b>7:00PM START</b>						
1	A	Recognize Citizens	BoS	10				
2	B*	Pay Previous Year Bills	BoS	5				
3	C*	Current Year Transfer	BoS	5				
4	D*	OPEB Funding	BoS	5				
5	S	Revolving Fund: Conservation	ConCom	20				
6	G*	FY20 Revolving Fund Limits	BoS	5				
7	P	FY20 Budget	FinCom	120				
8	E	Town Building Study	BoS	25				
9	M*	Personnel Bylaws	PersBd	5				
10	W*	CPA: set asides/transfers	CPC	5				
11	F*	Compensation for Town Clerk	BoS	5	Mon 4/29	210	3.5	10:30pm
<b>TUESDAY 2</b>		<b>7:00PM START</b>						
12	CC	Wayland Welcomes	Petitioner	30				
13	EE	Music Festival	Petitioner	30				
14	U	Water Meters	BoPW	30				
15	R	HS Athletic Complex	SC	45				
16	BB	CPA: HS Complex, part 2	CPC	15				
17	Q	Loker Turf Field	Rec	45				
18	HH	Loker Grass Field	Petitioner	20				
19	AA	CPA: Loker trails, parking	CPC	20	Tues 4/30	235	3.9	10:50pm
<b>WEDNESDAY 3</b>		<b>7:00PM START</b>						
20	X	CPA: boat ramp, outdoor classroom	CPC	15				
21	Y	CPA: historic preservation projects	CPC	15				
22	Z	CPA: housing consultant	CPC	15				
23	DD	Spencer Circle	Petitioner	30				
24	V	Marijuana - Amendment	PlanBd	30				
25	T	Snake Brook Dam	ConCom	20				
26	FF	Ban Plastic Straws	Petitioner	30				
27	GG	Limit Weapons	Petitioner	30				
28	H*	Choose Officers	BoS	5				
29	I*	Hear Reports	BoS	5	Wed 5/1	195	3.3	10:20pm
<b>SUNDAY 4</b>					Sun 5/5	0	0.0	7:00pm
<b>Pulled</b>								
30	J*	Sell/Trade Vehicles	BoS	5				
31	K*	Rescind Debt	BoS	5				
32	L*	Personnel Bylaws	BoS	5				
33	N	Overtime Settlement - Police	BoS	10				
34	O	Overtime Settlement - Fire	BoS	10				



## ARTICLE B: PAY PREVIOUS FISCAL YEAR UNPAID BILLS

*Proposed by: Board of Selectmen*

*Estimated Cost: \$5,481.62*

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 2018 liabilities to be paid using Fiscal 2019 appropriations:

1. Eversource	\$1,774.18	FY2019 School Budget	Utilities
2. Keane Fire and Safety System	\$1,681.44	FY2019 School Budget	Service Fire Extinguishing
3. Buckeye	\$1,466.00	FY2019 School Budget	School Floor Maintenance
4. AFC Urgent Care	\$560.00	FY 2019 Occupational Health	
Total	\$5,481.62		

### **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 will be paid using the current year appropriations.

The Board of Selectmen recommends approval. (4-0-0)

### **ARGUMENTS IN FAVOR:**

This is a standard article that allows the Town to pay bills for the previous fiscal year.

### **ARGUMENTS OPPOSED:**

The Finance Committee is not aware of any.

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

**QUANTUM OF VOTE:** Four-fifths vote – see Massachusetts General Law Chapter 44, Section 64

*For more information about this article, contact Brian Keveny at 508-358-3611 or email [bkeveny@wayland.ma.us](mailto:bkeveny@wayland.ma.us).*

**ARTICLE XX(Article C) : CURRENT YEAR TRANSFERS**

Sponsored by: BOARD OF SELECTMEN

Estimated Cost: \$ 201,600.00

**CURRENT YEAR TRANSFER FY 2019**

<b>PURPOSE:</b>	<b>AMOUNT</b>
1) SNOW AND ICE REMOVAL	\$ 130,000.00
2) DEBT SERVICE	\$ 18,000.00
3) ELECTIONS EXPENSE	\$ 8,600.00
4) MEDICARE TAX	\$ 15,000.00
5) FIRE SALARY	\$ <u>30,000.00</u>
<b>TOTAL</b>	<b>\$ 201,600.00</b>
<b>FUNDING SOURCES:</b>	
1) ENGINEERING SALARY	\$ 55,000.00
2) SCHOOL BUS PARKING	\$ 20,000.00
3) ASSESSORS SALARY	\$ 15,000.00
4) INFORMATION TECHNOLOGY SALARY	\$ 30,000.00
5) BUILDING SALARY	\$ 10,000.00
6) TREASURY EXPENSE	\$ 18,000.00
7) TREASURY EXPENSE	\$ 2,000.00
8) TREASURY SALARY	\$ 6,600.00
9) RETIREMENT BUYBACK	\$ 15,000.00
10) POLICE SALARY	\$ <u>30,000.00</u>
<b>TOTAL</b>	<b>\$ 201,600.00</b>

**FINANCE COMMITTEE COMMENTS:** These requests for current year transfers for the following expenses are as set forth below:

**SNOW AND ICE REMOVAL (\$130,000):** This line item in the annual budget is a place-holder, as the actual cost of snow and ice removal varies from one winter to the next. In Fiscal Year 2019, the Town budgeted \$450,000 for this task. It is now apparent that the cost will be greater than the amount budgeted, and the Department of Public Works is now requesting an additional \$130,000 to cover the anticipated costs for the remainder of the fiscal year. Various surplus General Fund appropriations have expected Fiscal 2019 appropriation turnbacks which can be transferred to the Snow and Ice account.

**DEBT SERVICE (\$18,000):** This request is to transfer funds from the Treasury Expense appropriation to the Debt Service appropriation. At the 2018 Town Meeting surplus bond proceeds were transferred from the Wastewater Plant Project. This town meeting action resulted in a transfer of debt service related

to project Wastewater Fund to the General Fund in the amount of \$18,000. The General Fund Debt Service appropriation as voted did not include this amount. Treasury Expense budget has expected Fiscal 2019 appropriation turnbacks which can be transferred to this appropriation.

**ELECTIONS EXPENSES(\$8,600):** This request is to transfer funds to the Elections Expense budget. The expense line is currently underfunded due to unexpected early voting costs in Fiscal 2019. The Treasury Expense budget has expected Fiscal 2019 appropriation turnbacks which can be transferred to this appropriation.

**MEDICARE TAX: (\$15,000):** This request is to transfer funds to the Medicare Tax appropriation. The appropriation is expected to be underfunded due to unanticipated payments related to collective bargaining agreements and increase payroll expenditures. The Retirement Buyback appropriation has expected Fiscal 2019 appropriation turnbacks which can be transferred to this appropriation.

**FIRE SALARY: (\$30,000):** This request is to transfer funds to the Fire Salary appropriation. The appropriation is expected to be underfunded due to unanticipated payments related to collective bargaining agreements. The Police Salary appropriation has expected Fiscal 2019 appropriation turnbacks which can be transferred to this appropriation

The Board of Selectmen recommends approval. (Vote 0-0-0)

**ARGUMENTS IN FAVOR:**

**ARGUMENTS OPPOSED:**

**RECOMMENDATION:** The Finance Committee recommends approval. (Vote x-y-z)

**QUANTUM OF VOTE:** Majority [Town Counsel to provide citation].

**CONSISTENCY WITH LAW:** It is the opinion of Town Counsel that the foregoing article...

*For more information about this article, contact name/phone number/email. (Generally the lead person representing the sponsor and/or FinCom assignee).*



## ARTICLE D: OPEB FUNDING

*Proposed by: Board of Selectmen*

*Estimated Cost:*

To determine whether the Town will vote to:

a) ~~authorize the transfer of funds from the following enterprise and revolving funds to the General Fund:~~

<del>1) Food Service</del>	<del>_____</del>	<del>\$ 25,000</del>
<del>2) Children's Way</del>	<del>_____</del>	<del>\$ 25,000</del>

*This change is made on advice of counsel and will be discussed/voted by the Board of Selectmen on Monday, March 4.*

a) appropriate an aggregate amount of \$50,220 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	\$ 7,253	
2) BASE	\$ 12,538	
3) Children's Way	\$ 13,922	
4) Full Day Kindergarten	\$ 5,836	
5) Water	\$ 7,753	
6) Transfer Station	\$ 0	
7) Recreation	\$ 1,667	
8) Pegasus	\$ 834	
9) Building Use	\$ 417	
10) Enrichment	\$ 0	; and

b) appropriate \$500,000 to be deposited in the Town's Other Post-Employment Benefits Trust Fund; and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose or otherwise.

**FINANCE COMMITTEE COMMENTS:** Like other towns in Massachusetts, Wayland provides health insurance for benefit eligible retirees. The Town has historically paid the cost of current retiree insurance premiums as part of its operating budget and has also contributed an additional amount to the OPEB Fund for future premium payments. Beginning in FY19, this amount has been appropriated from taxation rather than Free Cash.

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 these Other (than pensions) Post-Employment Benefits (OPEB) plans.

As of the July 1, 2018 measurement date, the Total OPEB Liability ("TOL") for the Fiscal Year ending June 30, 2019, as determined under these accounting standards, was \$44.6 million; and the Net OPEB Liability ("NOL"), which equals the TOL minus plan assets of \$16.7 million, equaled \$27.9 million.

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. Moreover, unlike the Town's pension obligation which is routinely funded in the operating budget, the Town has elected to make the OPEB funding decision via an annual article.

In 2013 the Board of Selectmen created a temporary OPEB Advisory Committee (“OAC”) to examine the OPEB issue and make funding recommendations. The OAC made three fundamental recommendations:

1. Revolving funds should make contributions to the general fund to bring them up to “fair share” parity with the amount taxpayers had already contributed starting in 2008.
2. Revolving funds with employees potentially covered under OPEB should make annual contributions representing their “fair share” of new amounts contributed.
3. Taxpayers should make annual contributions to the OPEB Fund.

The so called “parity” payments under recommendation 1 have been discontinued. Revolving funds can be charged for current year benefits. Therefore, it is allowable to charge the revolving funds under part a) above. However, according to Town Counsel and the Department of Revenue, we cannot assess the OPEB charge retroactively. *[Specific language to be provided by counsel.]* This discrepancy in practice came to light because the Children’s Way revolving fund did not have the liquidity to make the parity payment this year, and the Town researched its options. In doing so, it was discovered that the OPEB parity payment was not allowed.

Amounts listed under a) and b) in the text of the article above are based on recommendations # 2 and #3. The Town has in the past three years voted to fund at a level which if increased by 2.5% annually is projected to fund the OPEB liability by the year 2038, which is 30 years after the inception date of the OPEB Fund. The comparable amount, if similarly calculated this year, would produce a funding level \$845,000. It was judged that this number would be unaffordable for this budget cycle.

Hence, the amount in b) is recommended at \$500,000. The amount for a) is recommended at \$50,220. While the sum of a) and b) are less than the actuarial calculated contribution of \$845,000 for FY20, the \$550,220 represents a sizeable and more sustainable level of funding for the OPEB liability.

The Board of Selectmen recommends..... Vote **xx**  
The School Committee voted **xxxx** to

**ARGUMENTS IN FAVOR:** OPEB liabilities should properly be funded over the service period of the employees earning these benefits because that recognizes the cost as it is earned. Hence, while there is no mandate to fund these obligations, it is prudent financial practice to do so.

Contributions to the OPEB Trust 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.

The recommended source of funding above is based on the methodology previously recommended by the OPEB Advisory Committee and adopted by the Board of Selectmen and approved at previous Town Meetings.

**ARGUMENTS OPPOSED:** The Town has regularly funded an OPEB contribution. This year’s contribution is less than the actuarially suggested level. Some may want to contribute the higher amount now rather than later.

Pension expenses are non-discretionary. Some would argue that funding the OPEB obligation should similarly be non-discretionary. This would argue for funding at the actuarially suggested amount.

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 the annual accrual for active employees. Therefore, some would argue a lower funding level is justified.

**RECOMMENDATIONS:** The Finance Committee recommends . . .

**QUANTUM OF VOTE:**

*For more information about this article, contact Brian Keveny at 508-358-3611 or email [bkeveny@wayland.ma.us](mailto:bkeveny@wayland.ma.us).*

# ARTICLE G: FISCAL YEAR 2020 REVOLVING FUND EXPENDITURE LIMITS

*Proposed by: Board of Selectmen*

*Estimated Cost:*

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 2020, or take any action relative thereto:

- |  |           |
|--|-----------|
| 1. Transfer Station:                             | \$525,000 |
| 2. Council on Aging:                             | \$ 45,000 |
| 3. School Department / Professional Development: | \$ 20,000 |
| 4. School Department / Curriculum:               | \$ 10,000 |
| 5. Recreation:                                   | \$800,000 |
| 6. Recreation Athletic Fields:                   | \$250,000 |
| 7. Conservation Community Gardens:               | \$ 1,500  |

## FINANCE COMMITTEE COMMENTS:

Passage of this article will establish the Fiscal Year 2020 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, Ch. 44, section 53E ½. Adoption of this code requires the Board of Selectmen (BoS) to recommend to Town Meeting annually and for Town Meeting to set the limits of expenditure for each revolving fund. For FY 2020, the BoS recommends the spending caps as follows:

<u>Revolving Fund</u>	<u>Recommended</u>	
	<u>FY20 Spending Cap</u>	<u>FY19 Spending Cap</u>
Transfer Station	\$525,000	\$625,000
Council on Aging	\$ 45,000	\$ 50,000
School Department/Professional Development	\$ 20,000	\$ 50,000
School Department/Curriculum	\$ 10,000	\$ 25,000
Recreation	\$800,000	\$925,000
Recreation/Athletic Fields	\$250,000	\$225,000
Wayland Community Gardens	\$ 1,500	\$ 3,000

Expenditures will be made from the respective authorized revolving funds.

The Board of Selectmen recommends approval (4-0-0)

## ARGUMENTS IN FAVOR:

Establishment of Revolving fund spending caps by Annual Town Meeting under Mass General Laws, Ch. 44, section 53E ½ is required by statute. The Town reviews and sets the spending caps for each Revolving Fund on an annual basis. Establishing the maximum spending cap on each fund allows the Town to account separately for revenues, expenses and fund balances for the fees residents pay for these services.



The revolving funds provide an efficient and effective financial tool for managing these services. The recommended fund limits have been confirmed by the Finance Director.

**ARGUMENTS OPPOSED:**

The Finance Committee is not aware of any.

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

**QUANTUM OF VOTE:** Majority – see Massachusetts General Law Chapter 44, Section 53E ½

*For more information about this article, contact Brian Keveny at 508-358-3611 or email [bkeveny@wayland.ma.us](mailto:bkeveny@wayland.ma.us).*



## ARTICLE H: CHOOSE TOWN OFFICERS

*Proposed by: Board of Selectmen*

*Estimated Cost:*

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 Selectmen
Fence Viewers	The Selectmen
Field Drivers	The Constables
Measurers of Wood and Bark	Paul Doerr Lewis S. Russell, Jr. John R. Sullivan
Surveyors of Lumber	Susan W. Pope Jean B. Pratt Richard Hoyt

**FINANCE COMMITTEE COMMENTS:** This is a standard article that allows the Town to fill various positions. While many of these positions are obsolete in our current society, they are part of the charm and history of New England town meetings. To date, Wayland has continued the tradition of electing these positions at Town Meeting even though the Board of Selectmen (BOS) may appoint some of them. The purpose of the article as written is to decide whom to elect, not the method of appointment.

A brief description of each position and future alternate means of selection follows.

The Allen Fund was established in 1854 through a gift from Miss Debby Allen and Mrs. Nabby (Allen) Draper. The permanent fund was intended for "beneficent objects." As of June 30, 2018, the balance in the Allen Fund was \$7,626. The trustees are responsible for overseeing the fund, and, in November 2017, the trustees suggested the current operation of the fund be discontinued until the trust funds increase to a point where they justify the time and effort necessary to administer them. The trust provides that the trustee shall be selected annually by vote of the annual town meeting; it also provides that in case no board of trustees is selected, the Selectmen shall be the Trustees of the Allen Fund. At a future Town meeting, citizens could vote to amend the trust document to provide that the Commissioners of Trust Funds serve as Trustees of the Allen Fund without annual vote.

Fence Viewers are arbitrators of fence disputes among neighbors and are established under MGL c. 49, §1. The BOS is authorized to appoint two or more fence viewers for one-year terms.

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

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

Surveyors of Lumber, sometimes called a Measurer of Lumber, are responsible for measuring, marking or numbering the contents of any kind of wood or lumber, and M.G.L. c. 96, §7 authorizes that towns may

elect one or more measurers (surveyors) of lumber. A home rule petition is required to make the position appointive by the BOS.

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

The Board of Selectmen voted -y to  this article.

**Comment [DW1]:** Need Vote

**Comment [DW2]:** Need status

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

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

**RECOMMENDATIONS:** The Finance Committee voted to approve. Vote:6-0-0.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 41, Section 1, Chapter 94, Section 296 and Chapter 96, Section 7.

*For more information about this article, contact Louise Miller at 508-358-3620 or email [lmiller@wayland.ma.us](mailto:lmiller@wayland.ma.us).*

CK ✓

**To: The Wayland Board of Selectmen**

**From: Michael B. Patterson, Chairman, Trustees of the Allen Fund** *MBP*

**Subject: Recommended Discontinuance of the Allen Fund.**

**Date: November 28, 2017**

The Allen Fund was established in 1854 through a gift from Miss Debby Allen and her sister Mrs. Naby Allen Draper. The Allen Fund was later combined with the "donation funds" which dated back to 1678. Over the years several additional gifts were contributed to the Fund. Although the Fund was virtually depleted by 1990, it later grew so that it could again provide annual gifts to people in Wayland.

In 1998 I was asked to resurrect the Fund so that it could continue as a charitable organization. I accepted the task because of the fund's long history with the town and for historical reasons I believed it should be continued. The Allen Fund was then re-established and two more trustees appointed. In the ensuing years the Trustees awarded modest gifts to 50 Wayland residents. (Note: The Allen Fund has no connection to the Wayland Community Fund).

During our meeting on November 28<sup>th</sup> the Trustees discussed the future of the Fund. We decided that at this point the size of the trust fund ( \$7,163 at the end of FY 17) is too small to justify the time and effort required to call a meeting of the trustees, post the meeting, determine the recipient or recipients of gifts (usually totaling \$500) and process the paperwork necessary to obtain checks. Consequently, the other Trustees and I recommend that the annual operation of the Allen Fund be discontinued until the trust funds increase to a point where they justify the time and effort necessary to administer them. The Trustees would be disestablished as a town organization and the funds themselves would remain with and be invested by the Wayland Commissioners of Trust Funds.

We would like to point out that as near as he can recollect, Trustee Benjamin Johnson has been with the Allen Fund since the mid-1950's.

The Allen Fund Trustees wish to emphasize that it has been an honor to serve Wayland and we thank you for the opportunity to contribute to our community.

Sincerely,

Michael B. Patterson, Chairman

✓  
Cc: Trustee Lynn Dowd, Trustee Benjamin Johnson, Wayland Town Clerk.

## **ARTICLE I: HEAR REPORTS**

*Proposed by: Board of Selectmen*

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

Board of Assessors  
Community Preservation Committee  
Planning Board

### **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.

The Board of Selectmen recommends approval. (4-0-0)

### **ARGUMENTS IN FAVOR:**

There are several boards and committee that are required to report to Town Meeting on the work they 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 reasons why residents should not approve this article.

**RECOMMENDATIONS:** The Finance Committee recommends approval. (6-0-0)

### **QUANTUM OF VOTE:**

*For more information about this article, contact Louise Miller at 508-358-3620 or email [lmiller@wayland.ma.us](mailto:lmiller@wayland.ma.us).*

## **ARTICLE U: AUTOMATIC WATER METER READING**

*Proposed by: Board of Public Works*

*Estimated Cost: \$1,300,000*

To determine whether the Town will authorize the Board of Public Works (BoPW) to: a) appropriate the sum of \$1,300,000 to purchase and install automatic water meter reading equipment and software to enable more efficient, timely readings and invoicing (as now required by the Massachusetts Department of Environmental Protection [DEP], emergency leak detection alerts, and customer self-monitoring capabilities to support conservation; and b) provide said funds by transfer from the Water Enterprise Fund Retained Earnings.

### **PROPOSER'S COMMENTS:**

Funding for Automatic Meter Reading (AMR) through the Water Enterprise Fund balance has been long planned, and is factored into the long term Water Enterprise Fund financial plan. AMR is integral to the financial plan because it enables the Town to invoice more regularly and predictably, as now required by DEP, and it enables the Town to even out revenue flow throughout the year to better match expenses.

Other benefits of AMR include early leak detection, water conservation, automation, billing accuracy/consistency, long term cost savings, DEP compliance, and homeowner property protection.

The financial plan anticipates that the automated meter reading devices, if approved at Annual Town Meeting, will be installed simultaneously with the previously funded meters saving approximately \$330,000 in installation fees.

**FINANCE COMMITTEE COMMENTS:** Passage of this article would authorize the Board of Public Works (BoPW) to purchase and install advanced water reading infrastructure and technology. The expected useful life of a water meter reading system is 20 years.

Automatic Metering Reading infrastructure (AMR) normally takes automatic water metering readings (typically taken hourly) and transfers them (typically daily) to a controlled secure data storage platform for early leak detection and billing. AMR eliminates the need for a Town employee to physically go to a customer property to read a meter. An AMR "end-point" device is added to the exterior of a home or other building and uses radio communication to transmit encrypted data similar to gas and electric utilities in Wayland. If transmission is unavailable or interrupted, the AMR device can store multiple days' readings and send them later. Digital transmissions are from the exterior of the home, at a low power, typically that of a cell phone text message, lasting fractions of a second.

AMR will promptly identify lost water from leaks, greatly reduce billing errors, help conserve water, and enable more frequent billing as required by our next DEP water withdrawal permit. AMR enables customers to monitor their usage with a cell phone or web application, setting their own thresholds for usage alerts and providing information to better manage household consumption and costs. AMR alerts the Water Division to abnormal usage patterns so it can notify customers of possible leaks. For those who wish to have their meter read manually, there will be an opt-out provision available at a cost of approximately \$20 per manual read. Town hardship allowances will be available.



The current water meter reading system has been in use since 1996. Equipment breakdowns and malfunctions have caused delays in water billing negatively impacting Water Division cash flow in each of the last four years, Billing delays have raised concerns by the Town's auditors and resulted in an administrative burden to issue corrected bills.

The Commonwealth of Massachusetts issued revised Water Conservation Standards in June of 2018, requiring quarterly meter readings and billings, and recommending monthly readings and billings. As current readings and billings are done semi-annually, the new requirement would require a two-fold increase in resources if done quarterly and a six-fold increase if conducted monthly. In addition, the Standards recommend that communities "strongly consider" investing in an Automatic Meter Reading system, which is the aim of this article. The annual operating cost of the AMR system depends on the technology selected but is estimated to be no greater than \$54,000 compared to an estimated operating cost for the current system of \$71,000 (plus one-time cost for software and vehicles of \$85,000) for a quarterly meter reading and billing or \$142,000 (plus one-time costs for software and vehicles of \$120,000) if conducted monthly.

It is anticipated that the more accurate readings by the replacement meters (already funded, but not yet installed), will offset a portion of the expected expense increases in the next few years. The project plan anticipates that the automated meter reading devices will be installed simultaneously with the prior funded meters saving approximately \$330,000 in installation fees.

The Town has previously approved a replacement program for water meters with a budget of \$920,000. The replacement program was slated to begin before the end of 2018. The BoPW is hoping to combine the meter replacement with the installation of the AMR system for cost efficiency and to limit the disruption of the users by requiring only one installation visit.

The Water Enterprise Fund financial plan targets reserves in the range of \$800,000-\$1 million representing 30%-35% of operating expenses less debt service, or 20%-25% of total operating expenses. This reserve is intended to cover both fluctuations in usage/revenue as well as emergency situations.

The Water Enterprise Fund financial model (a copy of which is in the appendix) assumes annual increases in salaries/indirects/OPEB of 3.25%, and in general expenses of 2.5%, as well as planned capital improvements, and a 2.5% average annual increase in revenue.

The Board of Selectmen recommends approval (x,x,x).

#### **ARGUMENTS IN FAVOR:**

- The new water standards that came into effect in June 2018 have a significant impact on the resources required to comply with the new standard. While the AMR project benefit is principally customer service oriented it will allow the BoPW to continue with the current staffing rather than adding personnel to conduct quarterly (or monthly) meter reading and billing and will improve the Department of Public Work's cash flow.
- Passage of this article would allow the BoPW to use existing funds within the Water Enterprise Fund and has no impact on taxation.

- Combining the AMR project with the previously approved water meter replacement project results in a \$330,000 savings in installation cost if done separately.
- Residents and businesses can monitor their usage and costs and adjust consumption as they feel necessary.
- Reading software at the Department of Public Works can trigger alarms and notify staff and users of excessive consumption. This would lead staff and users to take corrective actions to minimize leak costs and damage.
- The expected useful service life of a water meter reading system is 20 years. Updating the water meter reading technology will improve the billing accuracy, improve customer service, minimize time and cost to read and invoice customers, conserve water by rapid notification of abnormal use, and minimize water abatements.

**ARGUMENTS OPPOSED:**

- Funds could be used instead to fund other projects or lower water rates.
- Spending funds on this system could result in higher water rates.
- Some may argue that the project should be funded by debt rather than by using the Water Enterprise Fund.

**RECOMMENDATION:** The Finance Committee recommends approval (x,x,x).

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 44, Section 53F ½, Chapter 40, Section 5 and 44, Section 33B.

*For more information about this article, contact Tom Holder at 508-358-3678 or email [tholder@wayland.ma.us](mailto:tholder@wayland.ma.us).*

**ARTICLE W: COMMUNITY PRESERVATION FUND GENERAL  
BUDGET – SET ASIDES AND TRANSFERS**

*Proposed by: Community Preservation Committee*

*Estimated Cost: \$697,206 = set aside  
\$104,375 = transfer*

To determine:

- whether the Town will vote to set aside from the Community Preservation Fund’s Uncommitted Fund for later spending:
  - \$104,375 for open space, but not including land for recreational use, \$104,375 for historic preservation, and \$104,375 for community housing pursuant to Massachusetts General Laws Chapter 44B, Section 6 for FY 2020;
  - \$10,000 for administrative expenses;
- whether the Town will vote to set aside from the Community Preservation Fund for later spending \$374,081 of which \$200,000 shall come from the Open Space Fund and \$174,081 from the Uncommitted Fund for annual debt service obligations for the purchase of the conservation restriction on Mainstone Farm, as previously approved by Town Meeting; and
- whether the Town will vote to transfer funds in the amount of \$104,375 from the Community Housing Fund of the Community Preservation Fund to the Wayland Municipal Affordable Housing Trust Fund.

**FINANCE COMMITTEE COMMENTS:** Wayland adopted the Community Preservation Act (CPA) in 2001 which established a Community Preservation Committee (CPC) that makes recommendations on how the funds raised via the CPA surcharge shall be spent. The Act requires that the CPC recommend and that Town Meeting vote to set aside 10% of the annual receipts (local funds plus State funds) into Community Housing, Historic Preservation and Open Space.

Part a) of this article is the CPC’s recommendation that fulfills the 10% annual distribution of funds as required by the CPA, makes routine appropriation for CPC administration purposes

Part b) of this article transfers funds allocated and sets aside monies to fund the debt service for the Conservation Restriction on Mainstone Farm.

Part c) of this article transfers funds allocated for Community Housing in a) above to the Wayland Municipal Affordable Housing Trust Fund (WMAHTF) to provide for the creation and preservation of affordable housing in Wayland. Funds to be transferred to the WMAHTF include monies already allocated to the Community Housing Fund through the annual distribution.

The Community Preservation Committee recommends approval. (Vote x-x-x)

The Board of Selectmen .....

**ARGUMENTS IN FAVOR:** This set aside will ensure the Town continues to balance the needs of housing, open space and historic preservation in the spirit of the Community Preservation Act.

Transferring funds to the Housing Trust demonstrates the Town’s commitment to affordable housing and provides greater flexibility for addressing affordable housing issues as the WMAHTF is only required to bring each proposed transaction to Town Meeting when creating more than two units of affordable housing.

Fund transferred pay for the debt service obligations related to the Mainstone Farm Conservation Restriction.

**ARGUMENTS OPPOSED:**

Some may say that the transfer of 10% of the annual receipts (local funds plus State funds) is too much.

**RECOMMENDATIONS:**

The Finance Committee voted to approve. Vote 6-0-0.

**QUANTUM OF VOTE:**

Majority [Town Counsel to provide citation].

*For more information about this article, contact Gretchen Schuler at 508-245-4115*

**DRAFT**  
**ARTICLE Z: CPA FUNDING FOR HOUSING**

*Proposed by: Community Preservation Committee*

*Estimated Cost: \$15,000*

To determine whether the Town will vote to appropriate up to \$15,000 from the Community Preservation Fund's Uncommitted Fund to be expended by the Board of Selectmen or their designee(s) to engage one or more housing consultants to support, coordinate, and advance the Town's affordable housing efforts including but not limited to monitoring for compliance with deed restrictions and other applicable requirements, reporting the findings of such monitoring to the Town Administrator, and working with Town Counsel on resolution of violations; providing public education about accessing, creating, and supporting community housing; assisting Town departments, boards, committees, and the Wayland Municipal Affordable Housing Trust Fund on affordable housing issues; providing expertise for advancing community housing projects such as the River's Edge development, securing funding, and resolving issues with regulatory agencies; producing reports and plans regarding affordable housing in Wayland; and keeping the Town Administrator or her designee(s) apprised of affordable housing activities in or affecting Wayland, but not for membership fees; and, for the purposes of this Article, the term "affordable housing" shall mean income-restricted community housing, consistent with the Community Preservation Act, G.L. c. 44B.

**FINANCE COMMITTEE COMMENTS:** Passage of this article would permit the Town to appropriate up to \$15,000 from the Community Preservation Fund to support the Board of Selectmen and Town Administrator in advancing affordable housing in Wayland and overseeing compliance with affordable housing regulations and restrictions. [Insert info re: BoS responsibility re: affordable housing efforts.]

A 2017 assessment of Town governmental structure revealed a diffuse structure for creating, preserving, regulating, supporting, and planning for affordable housing. The municipal housing expert who conducted that study recommended the use of housing consultant services. Use of a consultant allows the Town to access expertise to help with coordination and execution of the various projects and tasks in a way that does not add staff and the accompanying expenses and allows for access to best practices and shared experiences with other communities. It also assists the Board with its legal role of responsibility for annual certification of compliance for certain affordable units in Town.

In 2018, the Town joined Regional Housing Services Office (RHSO) to engage the services of an Affordable Housing Consultant as a single point of professional accountability and expertise to support affordable housing initiatives of the Housing Partnership and Municipal Affordable Housing Trust and to ensure that the Board of Selectmen makes decision on affordable housing that are fully informed and in compliance with state requirements.

In FY2019, the Town contracted with RHSO for 215 hours of service through a membership fee of \$16,456 funded with CPA funds. The Town was able to apply other grant funds to this membership fee reducing the fee to \$12,726. The balance in the FY2019 CPC grant is \$6,977.

The Board of Selectmen submitted an application to the Community Preservation Committee (CPC) requesting \$20,000 funding for a continuation of the membership in RHSO and for legal fees associated with affordable housing. The article approved and submitted by the CPC is for a lower amount (\$15,000) and specifically excludes membership fees. The FY2020 budget does not include separate funds for RHSO, so the CPC effectively terminates that relationship by excluding membership fees. The article is silent on use of the funds for legal fees related to affordable housing.



The Board of Selectmen through the Town Administrator's office requires the services of a consultant to fulfill its role with affordable housing. The Town Administrator's office would prefer funding to continue the relationship with RHSO. However, the funding is still desired and if the CPC funding remains limited as stated, the Town will begin a search for a new housing consultant. This may result in a lag in services.

The Board of Selectmen recommends .....

**ARGUMENTS IN FAVOR:** Funding of a consultant would come from the Community Preservation Fund (CPF), monies that have already been collected and received by the Town, thus a favorable vote by Town Meeting will not increase the Town's tax rate. There is sufficient money available for this article in the CPF Uncommitted Funds.

Use of a consultant is an efficient use of Town dollars and brings the best service and information for the time and dollars spent. The Town contracts only for those hours it requires and does not incur salary or benefit expenses.

Making progress on our affordable housing goals continues to be a priority for the Town. A consultant can provide coordination for and expertise to the Town Administrator and other Town staff to assist with housing issues raised by members of the public, entities seeking to develop affordable housing units in Wayland, and members of the Wayland Housing Partnership and Wayland Municipal Affordable Housing Trust. A consultant will help to ensure that the existing affordable housing units in Wayland are appropriately occupied, owned, and rented, and will support efforts to reach compliance with G.L. c. 40B in a way that works for the Town.

The many Town groups involved in affordable housing efforts (Housing Authority, Municipal Affordable Housing Trust, Housing Partnership), the overlapping memberships and diffuse authorities make for difficulty in coordinating efforts. A consultant is able to bring attention to each of these groups as well as the Town Administrator's office in a best practice manner.

While the Town Administrator's office would prefer to continue the relationship with RHSO, staff need the support of a housing consultant's expertise and the funds would be used to locate and hire another consultant, if possible.

**ARGUMENTS OPPOSED:** The article as written does not allow the Town to pay a membership fee to continue its relationship with RHSO. The relationship with RHSO has been a productive one and the Town Administrators office would like to continue with that membership.

If affordable housing is a priority, the Town should fund a staff position instead of using a consultant.

The Town Administrator and Board of Selectmen should be able to manage the multiple committees and departments and regulatory filings involved in affordable housing and in the River's Edge project.

**RECOMMENDATION:** The Finance Committee recommends .....

**QUANTUM OF VOTE:**

*For more information about this article, contact Town Administrator Louise Miller at 508-358-3620 or Gretchen Schuler, Chair of Community Preservation Committee at 508-358-7980.*

**ARTICLE BB: PARTIAL FUNDING FOR CONSTRUCTION OF PART 2 OF THE WAYLAND HIGH SCHOOL MASTER ATHLETIC PLAN**

*Proposed by: Community Preservation Committee*

*Estimated Cost: \$500,000*

To determine whether the Town will vote to appropriate a sum of money from the Community Preservation Fund's Uncommitted Fund for Recreational use of:

- a) up to \$500,000 to be expended by the Wayland School Committee as partial funding for the construction of the Wayland High School athletic facilities, including tennis court and softball field swap, and outdoor basketball court renovations and adjacent parking lot renovations.

**PROPOSER'S COMMENTS:**

The Community Preservation Committee affirmed its policy to retain a balance of at least \$500,000 in the Uncommitted Fund. This action capped the CPC's recommended contribution of Community Preservation Funds (CPF) to \$500,000 instead of the \$1.93 million requested by the School Committee.

**FINANCE COMMITTEE COMMENTS:**

The Community Preservation Committee (CPC) is responsible for making recommendations to Town Meeting for spending Community Preservation Act (CPA) funds. CPA funds may be used for most recreation projects, so long as they are drawn from the Uncommitted Fund, i.e., not designated for any of the individual primary purposes of Open Space, Historic Preservation, or Community Housing. By passing this article, the Town will appropriate up to \$500,000 from the Community Preservation Fund (CPF) Uncommitted Fund to partially fund the Wayland High School athletic facilities improvement plan, including: relocating the tennis courts out of the Happy Hollow Wellhead Protection Zone I, rebuilding the tennis courts where the softball field is currently located and building the softball field where the tennis courts are currently located, and renovating the outdoor basketball court and adjacent parking. The athletic facilities improvement plan is a large project to renovate and improve the High School athletic facility. The project design was funded at the November 2017 Special Town Meeting, including an appropriation from the CPF for the design of this part of the overall project. The athletic improvement plan is more fully described in another section of this warrant. It should also be noted that Community Preservation funds cannot be spent for this purpose unless construction of the athletic improvement plan is approved. Approval of this article reduces the cost to fund Part 2 of the High School Athletics Complex Renovation - swap and reconstruct the tennis courts and softball field and renovate the outdoor basketball court and adjacent parking. Based on estimates prepared by the firm of Weston & Sampson, the Town's engineering consultant, the current cost estimate for this part of the plan is \$1.93 million. This estimate has been approved by the Permanent Municipal Building Committee.

The Board of Selectmen recommends . . .

**ARGUMENTS IN FAVOR:**

CPC funds are derived from a 1.5% surcharge on Town Taxes, and they may only be spent on permissible uses as prescribed by the Community Preservation Act. The use of CPC funds for this purpose is

consistent with the CPC's mission to support recreational activities. Funding of these projects will not impact taxes. Use of CPC funds will reduce the amount funded through the Town's General Fund or through borrowing. After the allocation of \$500,000 for this project, the CPC will still have a reserve of at least \$500,000 in their Uncommitted Fund.

**ARGUMENTS OPPOSED:**

There may be other more pressing CPA initiatives not known to the Town that will require further funding.

**RECOMMENDATIONS:** The Finance Committee recommends approval. (6-0-0).

**QUANTUM OF VOTE:**

*For more information about this article, contact Gretchen Schuler at 508-245-4115.*

**ARTICLE EE: RESOLUTION TO CREATE A COMMITTEE TO ORGANIZE A WAYLAND MUSIC FESTIVAL**

*Proposed by: Petitioner*

Whereas Wayland values the arts and music, recognizing that music is a big part of all cultures;  
Whereas we want opportunities that will be fun for all generations, from children to senior citizens;  
Whereas bringing the community together in all roles (participating in organization, performance and audience) will make lasting Wayland memories; and  
Whereas at town meeting we often hear about the things people disagree about and this event would be an opportunity to reflect our shared values.

Therefore, we request the Board of Selectmen create a committee to develop and host a one-time, town-wide, intergenerational music festival in March 2020 that is free of charge. The committee should have a mix of youth and adults who will collaborate to create this celebration.

**PETITIONER’S COMMENTS:** Wayland has always been a town that supports the arts and residents feel music brings enjoyment to many. This article requests that the Board of Selectmen form a committee to explore a music festival in town. This festival would bring Waylanders of all ages together as we express our talents and celebrate diversity.

As an experiment in crowd-sourcing, it will invite all ages to be the organizers, performers and audience. As such this work cannot be done by existing committees and departments, which have predetermined functions and methods.

March is a time when winter drags on, and there are no school or other holidays, so everyone would be ready for a fun activity.

Due to its experimental and intergenerational nature, the tight time frame, and the wish not to overtax the volunteer base, we ask for a one-time, temporary committee. If the Festival is a success, it could be repeated.

**FINANCE COMMITTEE COMMENTS:** This resolution is sponsored by a group of students that belong to a Middle School club studying Town Meeting. It is an exercise in working together to develop an idea that will benefit all residents and bringing it before Town Meeting for approval.

The resolution only asks the Board of Selectmen to appoint a temporary committee to explore the possibility of Wayland holding a Musical Festival in March 2020. It is anticipated that many residents involved with the Arts might volunteer to help brainstorm such an event. The intent is to seek advice and input from other experienced organizations such as the Wayland Cultural Council, Arts Wayland, Recreation Commission, Public Ceremonies Committee and the School Art and Music Departments.

The Board of Selectmen would set the committee charge including the purpose, term of the committee, membership and all deliverables related to holding such an event.

The Board of Selectmen recommends.....

**ARGUMENTS IN FAVOR:** The event will be an expression of Wayland’s spirit, belief in the power of the arts, and a curiosity of open-mindedness about others’ musical tastes and talents. The March Music Festival could be the start of building an ongoing music community.

March is a quiet month and ideal for exploring this type of community event, and the event could have an economic benefit for local businesses.

Passage of this resolution supports Wayland's students in their interest of Town governance.

**ARGUMENTS OPPOSED:** The event could put stress on our town's volunteer base and the committee may still need Town resources.

This event may have a large carbon footprint and add other stresses like extra traffic and need for public safety coverage.

The timeframe might be too short for the committee to be successful.

**RECOMMENDATIONS:** The Finance Committee recommends approval. (7-0-0)

**QUANTUM OF VOTE:**

*For more information about this article, contact lead petitioner Kyra Spooner at [kyra\\_spooner@wayland.k12.ma.us](mailto:kyra_spooner@wayland.k12.ma.us) or Middle School club advisor Kaat Vander Straeten at [kaatyds@gmail.com](mailto:kaatyds@gmail.com).*



## **ARTICLE GG: LIMIT CARRYING OF WEAPONS IN TOWN BUILDINGS AND TO TOWN EVENTS**

*Proposed by: Petitioner*

*Estimated Cost:*

To determine whether the Town will vote to:

Amend §139-8 of Chapter 139 of the code of the Town of Wayland by adding said section

(b) For the purposes of this paragraph, "firearm" shall mean any pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet can be discharged.

No person, not being a law enforcement officer and notwithstanding any license obtained by the person pursuant to Mass. State Law Chapter 140, shall carry on the person a firearm, loaded or unloaded, or other dangerous weapon in any building on town property, or to any town sponsor gathering, including athletic events, on town property without the written authorization of the Board of Selectmen.

**PETITIONER'S COMMENTS:** I have offered detailed information to the finance committee on how my article differs from the current state law, on how this bylaw addition does not add any additional burden to the town, and why I have not included any explicit penalty clause.

The person creating the finance committee write up has chosen to not bring this information to your attention in his write-up. His write-up also contains factual errors.

I am limited to only 150 words in my response, and I can not possibly address these issues in the space I have allocated.

I would ask you to listen to my presentation at town meeting.

You will find this article to be one of the simplest at town meeting.

The article just extends the exact same state mandated protection our school children have for events on school property to those events on town rather than school property.

**FINANCE COMMITTEE COMMENTS:** Petitioners propose adding text to the Town Code, the consequence of which will be to prohibit someone from carrying a firearm into a Town building or on Town property during a Town sponsored event unless s/he has written permission from the Board of Selectmen.

Currently, State Law §269-10 prohibits anyone, other than law enforcement, from carrying a firearm in any building or on the grounds of any elementary or secondary school, college or university without the written authorization of the board or officer in charge.

Current Town Code states:

### §139-8 Explosives and Firearms

No person shall carry uncased or unholstered firearms or discharge explosives or firearms on public property without the prior written permission of the Board of Selectmen or on private property without the prior written permission of its owner. This section shall not apply to the lawful defense of life or property.

The current law allows those that are duly licensed to carry a firearm on Town owned properties, except schools, if the firearm is holstered, in a case or carried concealed on the person.

The proposed amendment would restrict anyone, including licensed gun owners, from carrying any firearms into any Town building or to town sponsored events without written authorization of the Board of Selectmen. Law enforcement officers would be exempt. Petitioners' intent is to make all Town buildings and events "gun free zones".

There are over 600 Wayland citizens who hold a Massachusetts "License to Carry Firearms" (LTC); all of whom have been photographed, fingerprinted, undergone CORI and federal background checks and firearms training, and have been personally interviewed by the Wayland Police Department. It is these licensed gun owners that would be impacted by this proposed amendment.

**ARGUMENTS IN FAVOR:** Petitioners seek to improve safety by prohibiting firearms on Town property and at Town sponsored events.

As noted in the "Arguments Opposed", the text of the article fails to specify how to implement this by law. Petitioners have proposed that the BoS use the same procedure the Superintendent uses to permit people to carry concealed weapons on school property. As to the penalty for non-compliance, Petitioners propose that the Chief of Police can revoke the right to carry.

**ARGUMENTS OPPOSED:** The proposed by-law requires that certain details be determined before this amendment could be implemented effectively. For example, the Board of Selectmen need to define a process for consideration of providing written permission to carry a firearm in Town buildings or at Town events, including the duration of each permission. And, since firearms records may not be disclosed to the public, it is not known if the Board of Selectmen will be required to make decisions in Executive Session.

Petitioners did not raise this issue with the Board of Selectmen or the Chief of Police prior to submitting their article. This would have provided opportunity to refine the language and develop effective language. For example:

- There is no penalty for non-compliance.
- Annually, the ceremonial discharge of weapons at the Memorial Day observances at Town cemeteries would require written permission from the Board of Selectmen as would a military honor guard simply attending a veteran's burial at a town cemetery or participating in a parade.
- The inclusion of the term "dangerous weapon" implies that a person could not carry pepper spray or a similar device on their person while in a town building or Town Sponsored gathering. Individuals who have taken out a protective court order due to fear of personal harm would have to give up their right to self-defense to come to Town Building or attend a town sponsored function.

In order to realistically administer and enforce the proposed restriction there may be significant costs incurred by the Town. Metal detectors, attendants, storage lockers, and signage at town owned buildings, fields, cemeteries, roads, and other town owned locations similar to that found in Court Houses would be necessary for enforcement.

Since it is already illegal to carry firearms without a license, this proposal is effectively targeting only the small group of licensed gun owners who have already been thoroughly vetted via a stringent Massachusetts licensing program. It is unclear why there is a current need to restrict the movement of these duly licensed citizens.

There are some who would argue that this is a solution in search of a problem, and time spent working on these details could be better spent on bigger priorities.

**RECOMMENDATIONS:** The Finance Committee recommends.....

**QUANTUM OF VOTE:** *to be provided by Town Counsel*

*For more information about this article, contact lead petitioner Duane Galbi.*



# Regional Housing Services Office

Serving Acton, Bedford, Burlington, Concord, Lexington, Sudbury, Wayland, and Weston

7.) TA's Report  
3.) Safe Harbor Opportunity

Office Address: 37 Knox Trail, Acton, MA 01720  
Mailing Address: 2352 Main Street, Suite 2, Concord MA 01742

Website: [WWW.RHSOhousing.org](http://WWW.RHSOhousing.org)  
Email: [INFO@RHSOhousing.org](mailto:INFO@RHSOhousing.org)  
Phone: (978) 287-1092

January 24, 2019

To: Beth Doucette, Sarkis Sarkisian  
From: Liz Rust, RHSO  
CC: Liz Valenta, RHSO  
RE: Wayland Safe Harbor opportunity

Beth and Sarkis,

I'm writing to follow up on our discussion about Wayland's opportunity for a one-year (possibly two-year) safe harbor through certifying its Housing Production Plan (HPP) with the permit issuance of the Cascade development.

If a community has a certified compliant HPP, decisions made by the Board to deny a comprehensive permit will be deemed Consistent with Local Needs under the Act by the HAC, and the Board's denial of a comprehensive permit application will be upheld as a matter of law.

Wayland has an approved Housing Production Plan (HPP). DHCD approved the plan on 9/20/2016, and it expires after 5 years (9/19/2021). The regulations regarding the housing production plans, and safe harbor are promulgated in 760 CMR 56, and state that a community will be certified in compliance with an approved HPP if, during a single calendar year, it has increased its number of low- and moderate-income year round housing units by 0.5% for one-year (25 units for Wayland) or 1.0% for two year (50 units for Wayland).

The Comprehensive Permit for the Cascade development was issued and then filed with the Town Clerk on January 15, 2019. The permit provided the approval for 60-units, with conditions. There are (at least) two consideration that may cause the development to be stalled: one- The Board did not approve a waiver of the height requirement which is needed for the plans to be built, and two – there is thought that the abutters may appeal.

However, at this point in time, the 60 units are eligible to be counted on the SHI, though may lapse in the future is the situation changes. These units are eligible as of January 15, 2019, and will lapse on January 15, 2020 if no building permit has been issued.

Units created under a Comprehensive Permit are eligible for the SHI on the date when

- (a) the permit or approval is filed with the municipal clerk, notwithstanding any appeal by a party other than the Board,
- (b) on the date when the last appeal by the Board is fully resolved.

Once the units are eligible for the SHI, certification for the HPP can be requested. Requests for certification must be accompanied by a letter signed by the Chief Executive Officer and contain any required documentation to demonstrate that the required number of housing units has been produced during a calendar year.



**PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF SELECTMEN FROM  
FEBRUARY 23, 2019 THROUGH AND INCLUDING FEBRUARY 28, 2019  
OTHERWISE NOT LISTED AND INCLUDED IN THE CORRESPONDENCE  
PACKET FOR MARCH 4, 2019**

**Items distributed to the Board of Selectmen – February 23, 2019– February 28, 2019**

1. Correspondence from Lea Anderson, Chair, Board of Selectmen, to Selectmen Cherry Karlson, Mary Antes and Doug Levine, dated February 28, 2019, re: Wayland Cultural Council Reception

**Items Distributed for Information and Use by the Board of Selectmen at the Meeting of  
February 25, 2019**

1. Correspondence from L. Miller, Town Administrator, to Board of Selectmen, dated February 22, 2019, re: Wayland Fire Department Fees and Ambulance Billing Rate Proposal
2. Draft of Article F: Compensation for Town Clerk
3. Prohibition of Recreational Marijuana Ballot Question
4. Debt Exclusion Questions Options 1, 2 and 3

**Items included as part of the Agenda Packet for discussion during the March 4, 2019 Board  
of Selectmen Meeting**

1. Correspondence from Louise Miller, Town Administrator and Lea Anderson, Chair, Board of Selectmen, to Carol Martin, Chair, Finance Committee and Steve Correia, Vice Chair, Finance Committee, dated February 27, 2019, re: Operating Budget Request
2. Annual Town Meeting Article Listing
3. Proposed 2019 Annual Town Meeting Article Order
4. Drafts of Annual Town Meeting Articles: Article B: Pay Previous Fiscal Year Unpaid Bills; Article C: Current Year Transfers; Article D: OPEB Funding; Article G: Fiscal Year 2020 Revolving Fund Expenditure Limits; Article H: Choose Town Officers (with Correspondence from Michael Patterson, Chairman, Trustees of the Allen Fund, to Wayland Board of Selectmen; dated November 28, 2017, re: Recommended Discontinuance of the Allen Fund); Article I: Hear Reports; Article U: Automatic Water Meter Reading; Article W: Community Preservation Fund General Budget – Set Asides and Transfers; Article Z: CPA Funding for Housing; Article BB: Partial Funding for Construction of Part 2 of the Wayland High School Master Athletic Plan; Article EE: Resolution to Create a Committee to Organize A Wayland Music Festival; Article GG: Limit Carrying of Weapons in Town Buildings and to Town Events
5. Correspondence from Liz Rust, Regional Housing Services Office, to Beth Doucette, Asst. Town Administrator and Sarkis Sarisian, Town Planner; dated January 24, 2019, re: Wayland Safe Harbor Opportunity



**BOARD OF SELECTMEN**  
**Monday, March 4, 2019**  
**7:00 p.m.**  
**Wayland Town Building**  
**Selectmen's Meeting Room**  
**41 Cochituate Road**  
**Wayland, MA**

**CONSENT CALENDAR**

1. Vote the question of approving and signing the weekly payroll and expense warrants

**BOARD OF SELECTMEN**  
**Monday, March 4, 2019**  
**7:00 p.m.**  
**Wayland Town Building**  
**Selectmen's Meeting Room**  
**41 Cochituate Road, Wayland, MA**

**CORRESPONDENCE**

1. Correspondence from Lea Anderson, Chair, Board of Selectmen, to Rieko Hayashi, Department of Housing and Community Development, dated February 27, 2019, re: Residence at Wayland Town Center, Wayland, MA, 2019 Monitoring Report
2. Correspondence from The School Committee, to the Board of Selectmen, dated February 28, 2019, re: changes to warrant language for OPEB Funding
3. Correspondence from Louise Miller, Town Administrator, to Melanson Heath & Co., P.C. c/o Scott McIntyre, CPA, dated February 28, 2019, re: Town of Wayland, MA Management Letter for the Year Ended June 30, 2018