

**PACKET**

**Nov 30**

**2020**



LOUISE L. E. MILLER  
TOWN ADMINISTRATOR  
TEL. (508) 358-3620  
www.wayland.ma.us

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

LEA T. ANDERSON  
MARY M. ANTES  
THOMAS J. FAY  
CHERRY C. KARLSON  
DAVID V. WATKINS

**BOARD OF SELECTMEN**  
**Monday, November 30, 2020**  
**6:30 p.m.**  
**Wayland Town Building**  
**Council on Aging Room**  
**41 Cochituate Road, Wayland, MA**  
**Proposed Agenda**

*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.*

\*In compliance with the revised Open Meeting Law requirements, we will live stream the meeting via Zoom as well as WayCAM. The Zoom meeting can be entered using the following link:  
<https://zoom.us/j/95721725414?pwd=RVVkcG9qMXRVcXNlc1pMWVRXY1JLQT09>  
Password: 346818

The meeting may be viewed live on the WayCam Government Channel (Comcast 9, Verizon 38). Public Comment will be received either through Zoom\*\* or by phone at 508-358-6812 for this meeting. The phone number will be active during the public comment portion of the meeting. Thank you in advance for your patience; we intend to address all calls that come in during the Public Comment period.

In addition to being live streamed, WayCam will record the meeting and this recording will be made available to the public as soon after the meeting as is practicable. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings.

\*\*To make a public comment via Zoom, perform a virtual "hand raise". The meeting moderator will contact you via a chat message to acknowledge your request and will inform the chair of your request to comment. Instructions for performing a virtual "hand raise" can be found at <https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-In-a-webinar>

- 6:30 pm 1. Call to Order, Review Agenda for Public
- 6:33 pm 2. Announcements and Public Comment
- 6:45 pm 3. Swearing in of Interim Police Chief Sean Gibbons
- 7:00 pm 4. Public Hearing on Tax Rate & Tax Classification
  - a. Meet with the board of Assessors, Finance Director, Treasurer and Town Clerk to Review the Tax Recapitulation Sheet for FY2021
  - b. Vote to adopt FY2021 tax rate policy

**BOARD OF SELECTMEN**  
**Monday, November 30, 2020**  
**6:30 p.m.**  
**Wayland Town Building**  
**41 Cochrane Road, Wayland, MA**

- 8:00 pm 5. Town Administrator Review:
  - a. Receive Town Administrator's self-assessment
  - b. Distribute review form to Board
  
- 8:10 pm 6. Town Administrator update:
  - a. COVID-19 Update
  
- 8:20 pm 7. Minutes –November 16, 2020 and November 23, 2020; review and vote to approve
  
- 8:25 pm 8. Consent: review and vote to approve
  
- 8:30 pm 9. Correspondence
  
- 8:35 pm 10. Selectmen's Reports and Concerns
  
- 8:40 pm 11. Topics not Reasonably Anticipated 48 hours in advance, if any
  
- 8:45 pm 12. Adjourn



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

TOWN BUILDING  
41 COCHITUATE ROAD  
TEL. (508) 358-7701  
[www.wayland.ma.us](http://www.wayland.ma.us)

## **Legal Notice TAX RATE/CLASSIFICATION HEARING TOWN OF WAYLAND, MA**

The Board of Selectmen will hold a Public Hearing on Monday, November 30, 2020 at 7:00 pm. The Board of Assessors will present data relative to the setting of the tax rate, including the fiscal effect on taxpayers for the different classification of properties in Wayland. In addition, town officials responsible for preparing the tax recapitulation sheet for submission to the State Department of Revenue will review said sheet and answer questions from the public concerning the proposed tax rate. Public comment will follow.

\*Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A, §18 public hearing in the Town of Wayland will be conducted via remote participation. Interested parties may view the Hearing either directly through an online teleconference via Zoom or by watching the hearing live streamed on WayCam. Members of the public may participate by calling a designated phone number if they wish to make a comment during the proceedings. All persons who wish to make a comment will be provided an opportunity to be heard. The connection information for Zoom as well as the public comment phone number will be listed on the hearing agenda which will be posted on the Town website and available in the Town Building lobby at least 48 hours in advance of the hearing. In addition to being live streamed, Waycam will record the hearing and this recording will be made available to the public as soon after the meeting as is practicable. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings.

Written opinions may be sent to the Board of Selectmen, 41 Cochituate Road, Wayland, MA, 01778, or by email to [ckarlson@wayland.ma.us](mailto:ckarlson@wayland.ma.us), prior to November 30, 2020.

Cherry Karlson  
Chair, Board of Selectmen



# Town of Wayland Fiscal 2021 Tax Classification Hearing

Presented by the Board of Assessors

Zachariah Ventress, Chair

John Todd, Vice Chair

Molly Upton, Secretary

Massimo Taurisano, Member

Philip Parks, Member

November 30, 2020

# Purpose of the Hearing

To adopt the Town's Tax Policy by allocating or classifying the tax levy among the property types

# Action Required by the Board of Selectmen

1. Vote to maintain a single tax rate or shift a portion of the tax levy from the Residential class to the Commercial/Industrial and Personal Property classes.
2. Vote to whether adopt a residential exemption.
3. Vote to whether adopt a small commercial exemption.

# Property Assessment Review

- Fiscal Year 2021 was an Interim Valuation Year for the Assessing Department with the Department of Revenue certifying assessed values on November 16, 2020.
- The average residential single-family assessment decreased from \$800,314 to \$800,115, a decrease of 0.02% from the Fiscal Year 2020 assessments.
- This change was based on sale prices for properties selling in 2019.



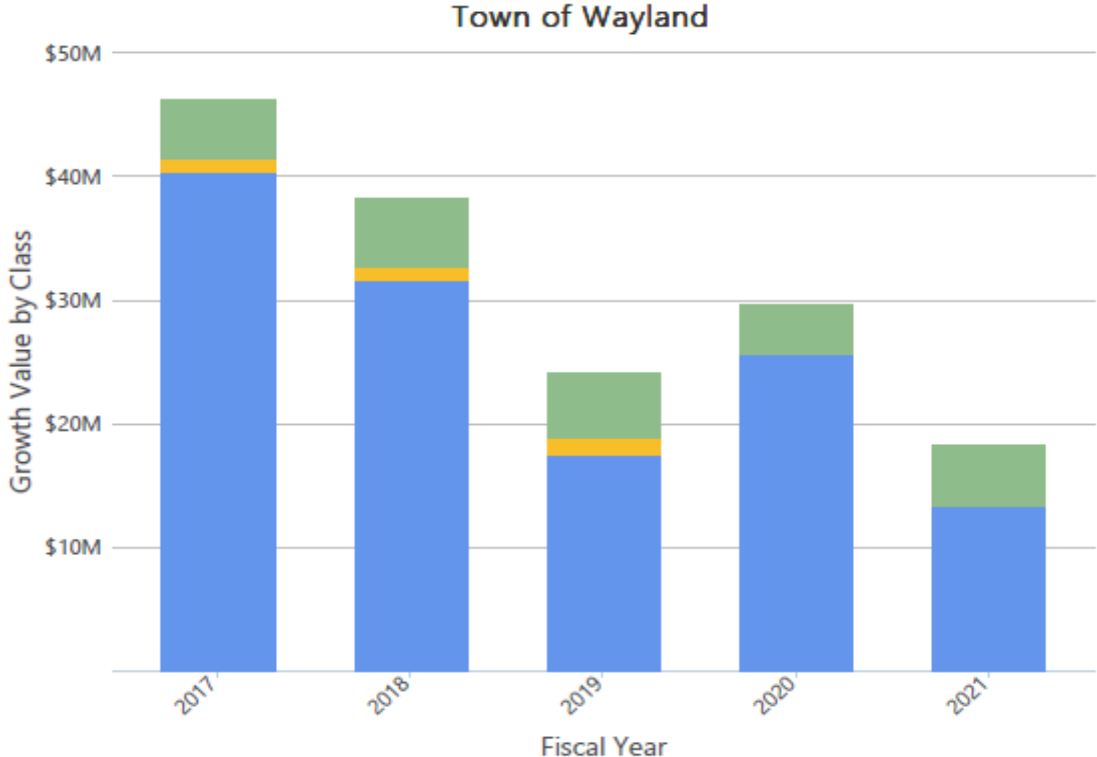
# Property Assessment Review (continued)

Assessment Date:	1-Jan-20	1-Jan-19						
Property Class	FY21 Valuation	FY 20 Valuation	\$ Change FY20 to FY21	% Change FY20 to FY21	FY21 % Share	FY20 % Share	FY 11 % Share	
Class 1 - Residential	3,816,051,966	3,811,844,266	4,207,700	0.1104	95.4144%	95.4170%	94.8796%	
Class 2 - Open Space	0	0			0.0000%	0.0000%	0.0000%	
R/O Subtotal	3,816,051,966	3,811,844,266	4,207,700	0.1104	95.4144%	95.4170%	94.8796%	
Class 3 - Commercial	131,565,734	132,854,334	-1,288,600	-0.9699	3.2896%	3.3256%	2.9928%	
Class 4 - Industrial	4,452,500	4,452,500	0	0.0000	0.1114%	0.1113%	0.9596%	
Class 5 - Personal Property	47,379,700	45,781,200	1,598,500	3.4916	1.1847%	1.1460%	1.1707%	
C/I/P Subtotal	183,397,934	183,088,034	309,900	0.1693	4.5857%	4.5829%	5.1231%	
Total Taxable Assessed Value	3,999,449,900	3,994,932,300	4,517,600	0.1131				
Class 9 - Exempt	315,418,600	313,597,400	1,821,200	0.5807				

# New Growth

- New Growth is defined by the DOR as a dollar increase in the annual levy limit that reflects additions to the community's tax base since the last fiscal year.
- New Growth was certified on November 13, 2020 a \$18,431,430 in Assessed Value, or \$327,342 in Tax Levy Growth (based on the FY20 tax rate of \$17.76).
- New Growth in FY20 was \$29,705,790 , resulting in a decrease of 37.9% in Fiscal Year 2021. The decrease is a result of minimal building activity in the Spring of 2020.

# New Growth Value



■ Residential 
 ■ Open Space 
 ■ Commercial 
 ■ Industrial 
 ■ Personal Property

CLASS	2017	2018	2019	2020	2021
Residential	40,291,300	31,625,907	17,339,000	25,529,200	13,303,900
Open Space	0	0	0	0	0
Commercial	1,196,800	986,100	1,418,300	0	0
Industrial	0	0	0	0	0
Personal Property	4,779,780	5,659,430	5,427,970	4,176,590	5,127,530
<b>Total</b>	<b>46,267,880</b>	<b>38,271,437</b>	<b>24,185,270</b>	<b>29,705,790</b>	<b>18,431,430</b>

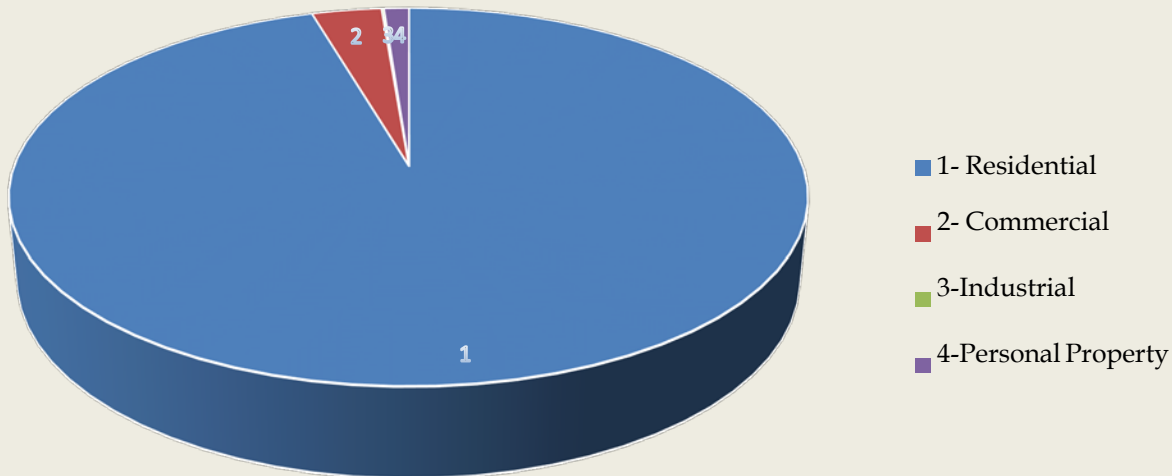
# Fiscal 2021 Value by Class

Fiscal 2020		
	Value	% of Levy
Residential	\$ 3,811,844,266	95.4170%
Commercial	\$ 132,854,334	3.3256%
Industrial	\$ 4,452,500	0.1114%
Personal Property	\$ 45,781,200	1.1460%
Total Value	\$ 3,994,932,300	100.00%

Fiscal 2021		
	Value	% of Levy
Residential	\$ 3,816,051,966	95.4144%
Commercial	\$ 131,565,734	3.2896%
Industrial	\$ 4,452,500	0.1113%
Personal Property	\$ 47,379,700	1.1847%
Total Value	\$ 3,999,449,900	100.00%

0.11% increase in total value

## Percent of Levy



# How the Tax Rate is Calculated

<b>FY 2021 Property Tax Levy</b>	<b>\$74,069,812</b>	
<hr/>	<hr/>	<b>= 0.01852</b>
<b>FY 2021 Town Taxable Valuation</b>	<b>\$3,999,449,900</b>	

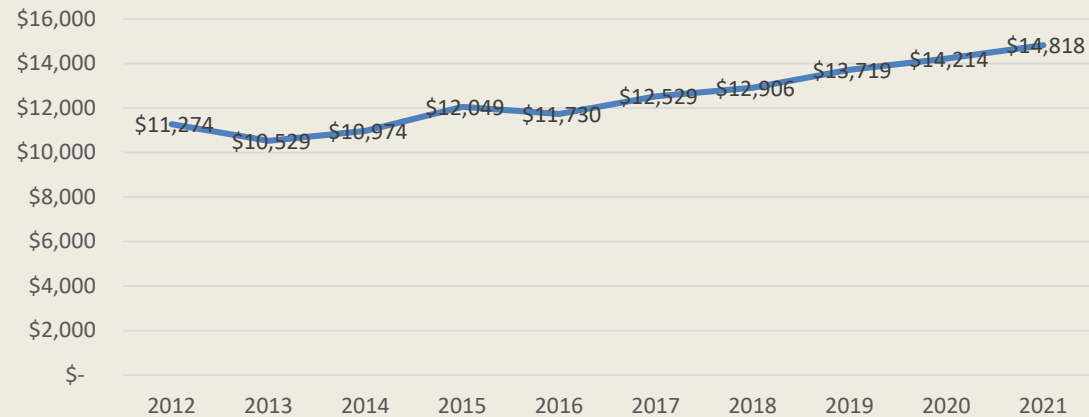
or

**\$18.52 per thousand dollars of assessed value  
if a uniform rate is selected tonight**

# Historical Recap of Average Single Family Tax Bill

Year	Average Single Family Value	% Value Change	Single Family Tax Bill*	Single Family Tax Bill as % of Value*	\$ Change YOY	% Change YOY
2012	\$ 593,050		\$11,274	1.90		
2013	\$ 588,530	-0.762%	\$10,529	1.79	\$(745)	-6.61%
2014	\$ 598,679	1.724%	\$10,974	1.83	\$445	4.23%
2015	\$ 655,211	9.443%	\$12,049	1.84	\$1,075	9.80%
2016	\$ 676,477	3.246%	\$11,730	1.73	\$(319)	-2.65%
2017	\$ 690,698	2.102%	\$12,529	1.81	\$799	6.81%
2018	\$ 715,824	3.638%	\$12,906	1.80	\$377	3.01%
2019	\$ 750,469	4.840%	\$13,719	1.83	\$813	6.30%
2020	\$ 800,314	6.642%	\$14,214	1.78	\$495	3.61%
2021	\$ 800,115	-0.025%	\$14,818	1.85	\$604	4.25%

Average Single Family Tax Bill



# Historical Percent of Levy by Class

FY	Residential % of Levy	CIP % of Levy
2011	94.88	5.12
2012	94.85	5.15
2013	94.75	5.25
2014	94.48	5.52
2015	94.90	5.10
2016	94.91	5.09
2017	94.96	5.04
2018	95.08	4.92
2019	95.16	4.84
2020	95.42	4.58
2021	95.41	4.59

Wayland's percentage of Commercial, Industrial and Personal Property Values has historically been at 5% or less of the total valuation of the Community.

Wayland remains a residential community.

# Selection of Minimum Residential Factor

- A residential factor of 1 will result in the taxation of all property at the same rate (single tax rate).
- A residential factor of less than 1 increases the share of the levy raised by Commercial, Industrial and Personal Property (CIP) owners and reduces the share paid by residential property owners (split tax rate).
- Since 95.4144% of Wayland tax revenue comes from Residential, a slight reduction for the residential properties would put a large increase on CIP properties.
- The minimum residential factor for the Town of Wayland for Fiscal Year 2021 is 97.5970, as determined by the MA Department of Revenue.



# Residential Factor / Split Rate

- MGL Ch. 40 § 56 allows a shift of up to 150% of the tax burden between the classes of property.
- Adoption of a Residential Factor(RF) of 1.0 results in a single tax rate.
- The Town of Wayland has always taxed property equitably with a single rate.
- The impact on the Property Class rate is as follows:

Res. Factor	Residential	CIP	Residential	Comm/Indust(CIP)
1.00	\$18.52	\$18.52	\$70,673,267	\$3,396,546
1.05	\$18.48	\$19.45	\$70,503,440	\$3,566,373
1.10	\$18.43	\$20.37	\$70,333,614	\$3,736,201
1.15	\$18.39	\$21.30	\$70,163,787	\$3,906,028
1.25	\$18.30	\$23.15	\$69,824,134	\$4,245,682
1.50	\$18.07	\$27.78	\$68,975,002	\$5,094,819

# Average Property Examples

## Single Tax Rate:

Avg. Single Family House Value =	$\$800,115 \times \$18.52 / 1000 =$	\$14,818.13
Avg. Commercial Value =	$\$1,124,263 \times \$18.52 / 1000 =$	\$20,821.35

## 2 Rates With CIP Increase of 105%:

Avg. Single Family House Value =	$\$800,115 \times \$18.48 / 1000 =$	\$14,786.13
Avg. Commercial Value =	$\$1,124,263 \times \$19.45 / 1000 =$	\$21,866.92
Avg. Residential Savings =		\$32.00
Avg. Commercial Increase =		\$1,045.56

## 2 Rates With CIP Increase of 110%:

Avg. Single Family House Value =	$\$800,115 \times \$18.43 / 1000 =$	\$14,746.12
Avg. Commercial Value =	$\$1,124,263 \times \$20.37 / 1000 =$	\$22,901.24
Avg. Residential Savings =		\$72.01
Avg. Commercial Increase =		\$2,079.89

## 2 Rates With CIP Increase of 115%:

Avg. Single Family House Value =	$\$800,115 \times \$18.39 / 1000 =$	\$14,714.11
Avg. Commercial Value =	$\$1,124,263 \times \$21.30 / 1000 =$	\$23,946.80
Avg. Residential Savings =		\$104.01
Avg. Commercial Increase =		\$3,125.45

## 2 Rates With CIP Increase of 150%:

Avg. Single Family House Value =	$\$800,115 \times \$18.07 / 1000 =$	\$14,458.08
Avg. Commercial Value =	$\$1,124,263 \times \$27.78 / 1000 =$	\$31,232.03
Avg. Residential Savings =		\$360.05
Avg. Commercial Increase =		\$10,410.68

\*Average values are rounded

# Selection of Open Space Discount

- There are no parcels in Wayland currently classified as open space
- Open Space is defined in Massachusetts General Law as:  
MGL Chapter 59 Sec 2A(b) “Class two, open-space”, Land which is not otherwise classified and which is not taxable under the provisions of chapters sixty-one, sixty-one A or sixty-one B, or taxable under a permanent conservation restriction, and land not held for the production of income but is maintained in an open or natural condition, which contributes significantly to the benefit and enjoyment of the public”.
- In Wayland, forty-three (43) parcels participate in the Chapter Land Program under MGL Chapters 61A and 61B, which results in more savings than if they were designated as Open Space.
- Under the Chapter Land program the discount ranges from 75% to 98%.
- The open space discount has a maximum discount of 25%.

# Residential Exemption

- Must be owner-occupied, primary residence to qualify.
- Must apply annually.
- The reduced value remains within the residential levy percent resulting in a higher residential rate.
- All residential properties above a “break-point” value would see an increase in taxes.
- Only 16 of 351 communities adopt a residential exemption:
  - Barnstable, Boston, Brookline, Cambridge, Chelsea, Everett, Malden, Nantucket, Provincetown, Somerset, Somerville, Tisbury, Truro, Waltham, Watertown, Wellfleet

# Granting a Small Commercial Exemption

- The Board of Selectmen may adopt a small commercial exemption.
- This exemption is for commercial parcels (property class three) occupied by businesses with an average annual employment of not more than ten people during the previous calendar year and with assessed values of less than one million dollars.
- The intent of the exemption is to give a tax reduction to small commercial property owners at the expense of the larger commercial and industrial parcels.
- Selectmen can choose an exemption that reduces the taxable valuation of each eligible parcel by a percentage of up to 10%.

# Classification Vote Summary

1. Selection of a Minimum Residential Factor
  - A Factor of 1 yields a single rate.
  - A single rate for FY21 would result in an estimated \$18.52 rate.
2. Vote on whether to adopt a Residential Exemption
  - With a low number of non-owner occupied properties, this shifts a portion of the residential levy from lower-valued residential properties to higher valued properties.
  - Only 16 communities in the Commonwealth have a Residential Exemption.
3. Vote on whether to adopt a Small Commercial Exemption
  - This exemption is for commercial properties valued under \$1 million and occupied by business(s) with less than ten employees.
  - This exemption benefits property owners, typically not small business tenants.
  - This shifts up to 10% of the value of those properties to other commercial and industrial properties.

**TAX RATE RECAPITULATION**

**Fiscal Year 2021**

**I. TAX RATE SUMMARY**

la. Total amount to be raised (from page 2, IIe)	\$ 94,774,097.14
lb. Total estimated receipts and other revenue sources (from page 2, IIIe)	20,704,285.00
lc. Tax Levy (Ia minus Ib)	\$ 74,069,812.14
ld. Distribution of Tax Rates and levies	

CLASS	(b) Levy percentage (from LA5)	(c) lc above times each percent in col (b)	(d) Valuation by class (from LA-5)	(e) Tax Rates (c) / (d) x 1000	(f) Levy by class (d) x (e) / 1000
Residential	95.4144	70,673,266.83	3,816,051,966.00	18.52	70,673,282.41
Net of Exempt					
Open Space	0.0000	0.00	0.00	0.00	0.00
Commercial	3.2896	2,436,600.54	131,565,734.00	18.52	2,436,597.39
Net of Exempt					
Industrial	0.1113	82,439.70	4,452,500.00	18.52	82,460.30
<b>SUBTOTAL</b>	<b>98.8153</b>		<b>3,952,070,200.00</b>		<b>73,192,340.10</b>
Personal	1.1847	877,505.06	47,379,700.00	18.52	877,472.04
<b>TOTAL</b>	<b>100.0000</b>		<b>3,999,449,900.00</b>		<b>74,069,812.14</b>

MUST EQUAL 1C

Assessors

John A. Todd, Board of Assessors , Wayland , jtodd@wayland.ma.us 508-358-3788 | 11/23/2020 5:50 PM

Comment:

Do Not Write Below This Line --- For Department of Revenue Use Only

Reviewed By: Amy Handfield

Date:

Approved:

Director of Accounts:

NOTE : The information is preliminary and is subject to change.

**TAX RATE RECAPITULATION**  
**Fiscal Year 2021**

**II. Amounts to be raised**

Ila. Appropriations (col.(b) through col.(g) from page 4)	<u>94,495,745.00</u>
Ilb. Other amounts to be raised	
1. Amounts certified for tax title purposes	<u>0.00</u>
2. Debt and interest charges not included on page 4	0.00
3. Final Awards	0.00
4. Total overlay deficit	0.00
5. Total cherry sheet offsets (see cherry sheet 1-ER)	19,547.00
6. Revenue deficits	0.00
7. Offset receipts deficits Ch. 44, Sec. 53E	0.00
8. CPA other unappropriated/unreserved	<u>0.00</u>
9. Snow and ice deficit Ch. 44, Sec. 31D	0.00
10. Other :	0.00
TOTAL Ilb (Total lines 1 through 10)	<u>19,547.00</u>
Ilc. State and county cherry sheet charges (C.S. 1-EC)	117,517.00
Ild. Allowance for abatements and exemptions (overlay)	141,288.14
Ile. Total amount to be raised (Total Ila through Ild)	<u>94,774,097.14</u>

**III. Estimated receipts and other revenue sources**

IIIa. Estimated receipts - State	
1. Cherry sheet estimated receipts (C.S. 1-ER Total)	6,409,125.00
2. Massachusetts school building authority payments	0.00
TOTAL IIIa	<u>6,409,125.00</u>
IIIb. Estimated receipts - Local	
1. Local receipts not allocated (page 3, col (b) Line 24)	<u>5,100,000.00</u>
2. Offset Receipts (Schedule A-1)	<u>0.00</u>
3. Enterprise Funds (Schedule A-2)	<u>4,856,211.00</u>
4. Community Preservation Funds (See Schedule A-4)	<u>1,403,099.00</u>
TOTAL IIIb	<u>11,359,310.00</u>
IIIc. Revenue sources appropriated for particular purposes	
1. Free cash (page 4, col (c))	<u>1,931,000.00</u>
2. Other available funds (page 4, col (d))	<u>1,004,850.00</u>
TOTAL IIIc	<u>2,935,850.00</u>
IIId. Other revenue sources appropriated specifically to reduce the tax rate	
1a. Free cash..appropriated on or before June 30, 2020	0.00
1b. Free cash..appropriated on or after July 1, 2020	0.00
2. Municipal light surplus	0.00
3. Other source :	0.00
TOTAL IIId	<u>0.00</u>
IIIe. Total estimated receipts and other revenue sources (Total IIIa through IIId)	<u>20,704,285.00</u>

**IV. Summary of total amount to be raised and total receipts from all sources**

a. Total amount to be raised (from Ile)	<u>94,774,097.14</u>
b. Total estimated receipts and other revenue sources (from IIIe)	<u>20,704,285.00</u>
c. Total real and personal property tax levy (from Ic)	<u>74,069,812.14</u>
d. Total receipts from all sources (total IVb plus IVc)	<u>94,774,097.14</u>

NOTE : The information is preliminary and is subject to change.



**TAX RATE RECAPITULATION**

**Fiscal Year 2021**

LOCAL RECEIPTS NOT ALLOCATED \*

	Receipt Type Description	(a) Actual Receipts Fiscal 2020	(b) Estimated Receipts Fiscal 2021
==>	1. MOTOR VEHICLE EXCISE	2,337,123.00	2,672,596.00
	2. OTHER EXCISE		
==>	a.Meals	201,117.00	220,000.00
==>	b.Room	0.00	0.00
==>	c.Other	0.00	0.00
==>	d.Cannabis	0.00	0.00
==>	3. PENALTIES AND INTEREST ON TAXES AND EXCISES	168,327.00	170,000.00
==>	4. PAYMENTS IN LIEU OF TAXES	83,643.00	83,000.00
	5. CHARGES FOR SERVICES - WATER	0.00	0.00
	6. CHARGES FOR SERVICES - SEWER	0.00	0.00
	7. CHARGES FOR SERVICES - HOSPITAL	0.00	0.00
	8. CHARGES FOR SERVICES - SOLID WASTE FEES	0.00	0.00
	9. OTHER CHARGES FOR SERVICES	0.00	0.00
	10. FEES	803,901.00	800,000.00
	a.Cannabis Impact Fee	0.00	0.00
	b.Community Impact Fee Short Term Rentals	0.00	0.00
	11. RENTALS	0.00	0.00
	12. DEPARTMENTAL REVENUE - SCHOOLS	0.00	0.00
	13. DEPARTMENTAL REVENUE - LIBRARIES	0.00	0.00
	14. DEPARTMENTAL REVENUE - CEMETERIES	0.00	0.00
	15. DEPARTMENTAL REVENUE - RECREATION	0.00	0.00
	16. OTHER DEPARTMENTAL REVENUE	0.00	0.00
	17. LICENSES AND PERMITS	380,022.00	700,000.00
	18. SPECIAL ASSESSMENTS	3,877.00	4,000.00
==>	19. FINES AND FORFEITS	23,302.00	20,000.00
==>	20. INVESTMENT INCOME	426,023.00	425,000.00
==>	21. MEDICAID REIMBURSEMENT	0.00	0.00
==>	22. MISCELLANEOUS RECURRING (UPLOAD REQUIRED)	0.00	0.00
	23. MISCELLANEOUS NON-RECURRING (UPLOAD REQUIRED)	5,401.00	5,404.00
	<b>24. Totals</b>	<b>4,432,736.00</b>	<b>5,100,000.00</b>

Signatures

No signatures to display.

\* Do not include receipts in columns (a) or (b) that were voted by the City / Town / District Council or Town Meeting as offset receipts on Schedule A-1, enterprise funds on Schedule A-2, or departmental revolving funds per Chapter 44, Section 53E 1/2. Written documentation should be submitted to support increases / decreases of estimated receipts to actual receipts.

==> Written documentation should be submitted to support increases/ decreases of FY 2021 estimated receipts to FY 2020 estimated receipts to be used in calculating the Municipal Revenue Growth Factor (MRGF).

**NOTE : The information is preliminary and is subject to change.**

**TAX RATE RECAPITULATION**  
**Fiscal Year 2021**

APPROPRIATIONS									AUTHORIZATIONS	
									MEMO ONLY	
City/Town Council or Town Meeting Dates	FY*	(a) Total Appropriations Of Each Meeting	(b) ** From Raise and Appropriate	(c) From Free Cash (See B-1)	(d) From Other Available Funds (See B-2)	(e) From Offset Receipts (See A-1)	(f) From Enterprise Funds (See A-2)	(g) From Community Preservation Funds (See A-4)	(h) *** Departmental Revolving Funds	(i) Borrowing Authorization (Other)
09/12/2020	2021	258,404.00	250,000.00	0.00	4,254.00	0.00	4,150.00	0.00	0.00	0.00
09/12/2020	2021	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,958,000.00	0.00
09/12/2020	2021	51,000.00	51,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
09/12/2020	2021	90,527,242.00	85,148,529.00	0.00	1,000,596.00	0.00	4,378,117.00	0.00	0.00	0.00
09/12/2020	2021	2,256,000.00	250,000.00	1,931,000.00	0.00	0.00	75,000.00	0.00	0.00	1,865,000.00
09/12/2020	2021	332,214.00	0.00	0.00	0.00	0.00	0.00	332,214.00	0.00	0.00
09/12/2020	2021	10,000.00	0.00	0.00	0.00	0.00	0.00	10,000.00	0.00	0.00
09/12/2020	2021	417,416.00	0.00	0.00	0.00	0.00	0.00	417,416.00	0.00	0.00
09/12/2020	2021	372,731.00	0.00	0.00	0.00	0.00	0.00	372,731.00	0.00	0.00
09/12/2020	2021	110,738.00	0.00	0.00	0.00	0.00	0.00	110,738.00	0.00	0.00
09/12/2020	2021	50,000.00	0.00	0.00	0.00	0.00	0.00	50,000.00	0.00	0.00
09/12/2020	2021	110,000.00	0.00	0.00	0.00	0.00	0.00	110,000.00	0.00	0.00
09/12/2020	2021	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,300,000.00
<b>Total</b>		<b>94,495,745.00</b>	<b>85,699,529.00</b>	<b>1,931,000.00</b>	<b>1,004,850.00</b>	<b>0.00</b>	<b>4,457,267.00</b>	<b>1,403,099.00</b>		

\* Enter the fiscal year to which the appropriation relates.

\*\* Appropriations included in column (b) must not be reduced by local receipts or any other funding source.

Appropriations must be entered gross to avoid a duplication in the use of estimated or other sources of receipts.

\*\*\* Include only revolving funds pursuant to Chapter 44, Section 53 E 1/2.

**Clerk**

I hereby certify that the appropriations correctly reflect the votes taken by City / Town / District Council.

**Anna M Ludwig, Town Clerk, Wayland, aludwig@wayland.ma.us 508-358-3631 | 11/12/2020 12:44 PM**

**Comment:**

**NOTE : The information is preliminary and is subject to change.**

**Schedule A-1**  
**Offset Receipts Ch. 44 S.53E - Fiscal Year 2021**

	Description	(a) Actual Revenues Fiscal 2020	(b) Estimated Receipts Fiscal 2021 *	Support Required
1	Water	0.00	0.00	
2	Sewer	0.00	0.00	
3	Hospital	0.00	0.00	
4	Nursing home	0.00	0.00	
5	Recreation department	0.00	0.00	
6	Airport	0.00	0.00	
7		0.00	0.00	
8		0.00	0.00	
9		0.00	0.00	
10		0.00	0.00	
11		0.00	0.00	
12	<b>Total</b>	<b>0.00</b>	<b>0.00</b>	

\*If Column(b) exceeds Column(a) for any item, written permission by the Director of Accounts is Required prior to appropriation

**Signatures**

No signatures to display.

**Documents**

No documents have been uploaded.

**NOTE : The information is preliminary and is subject to change.**

**SCHEDULE A-2**  
**ENTERPRISE FUNDS CH. 44 S.53 F1/2 et al - Fiscal Year 2021**

**Enterprise fund number:** A-2(1ST)  
**Type of enterprise fund:** Water & Sewer  
**Name of enterprise fund/statutory reference:** Wastewater

	(a) FY 2020 Actual Revenues	(b) FY 2021 Estimated Revenues
1. Enterprise revenues and available funds		
a. User charges	506,847.00	500,185.00
Other departmental revenue	104,261.00	105,000.00 *
Investment income	38,829.00	38,000.00
Total revenues	<b>649,937.00</b>	<b>643,185.00</b>
Retained earnings appropriated from July 1, 2019 Certification	0.00	151,272.00 **
Retained earnings appropriated from July 1, 2020 Certification		0.00 **
Other enterprise available funds		0.00
Total revenues and available funds	<b>649,937.00</b>	<b>794,457.00</b> (To Recap Pg 2, Part III B, line 3)
* Written documentation should be uploaded to support increases of estimated vs actual revenues		
** Retained earnings must be certified by the Director of Accounts prior to appropriation		
2. Total costs appropriated		
a. Costs appropriated in the enterprise fund		
Salaries, wages and expenses	757,985.00	
Capital Outlay	0.00	
Other	0.00	
Total costs appropriated in the enterprise fund		<b>757,985.00</b> 2a
b. Indirect costs appropriated in the general fund		
Health Insurance	36,472.00	
Pension	0.00	
Debt	0.00	
Other	0.00	
Total costs appropriated in the general fund		<b>36,472.00</b> 2b
Total costs		<b>794,457.00</b> 2a + 2b
3. Calculation of subsidy (see instructions)		
Revenue and available funds	<b>794,457.00</b> (part 1 col b)	
Less: Total costs	<b>794,457.00</b> (part 2 total costs)	
Less: Prior year deficit	0.00 (To Recap Pg 2 Part II B)	
(Negative represents subsidy)	<b>0.00</b>	
4. Sources of funding for costs appropriated in the enterprise fund		
a. Revenue and available funds	757,985.00	
b. Taxation	0.00	
c. Free Cash	0.00	
d. Non-Enterprise Available Funds	0.00	
Total sources of funding for costs appropriated in the enterprise fund	<b>757,985.00</b> (Must equal total part 2a)	

Signatures	
<b>Accounting Officer</b>	
I hereby certify that the actual revenues - Part 1 column (a) and the amounts appropriated - part 2 (a & b) are to the best of my knowledge correct and	

**NOTE : The information is preliminary and is subject to change.**

**SCHEDULE A-2**  
**ENTERPRISE FUNDS CH. 44 S.53 F1/2 et al - Fiscal Year 2021**

**Signatures**

complete.

**Brian Keveny, Finance Director , Wayland , [bkeveny@wayland.ma.us](mailto:bkeveny@wayland.ma.us) 508-358-3611 | 11/24/2020 1:32 PM**

**Documents**

No documents have been uploaded.

**NOTE : The information is preliminary and is subject to change.**

**Schedule A-4**  
**Community Preservation Fund CH. 44B - Fiscal Year 2021**

	(A) FY 2020 Actual Revenues	(B) FY 2021 Estimated Revenues
<b>1. Annual Revenues and other available Funds</b>		
<b>Surcharge</b>	913,548.00	602,700.00
<b>State trust fund distribution</b>	210,983.00	210,983.00
<b>Other (i.e. Interest, OFS appropriated to the fund-CH44B 3-b1/2)</b>	10,593.00	12,000.00
<b>1A. Total Annual Revenues</b>	<b>1,135,124.00</b>	<b>825,683.00</b>
<b>Fund reserves and or balances voted at City/Town meeting(s)</b>		577,416.00
<b>Other</b>		0.00
<b>Total Revenues and Available Funds</b>	<i>(To Recap page 2, Part IIIB, Line 4)</i>	<b>1,403,099.00</b>
<b>2. Appropriations and Reservations</b>		
<b>Projects, Acquisitions, Debt service and Other</b>		1,060,885.00
<b>Administrative Expenses (5% or less of 1A - Total annual revenues)</b>		10,000.00
<b>Reservations (10% min of 1A - for each Reserve, if not voted within Appropriations)</b>		332,214.00
<b>Budgeted reserve to be appropriated</b>		0.00
<b>Prior Year Deficits</b>		0.00
<b>Total Appropriations and Reservations</b>	<i>(To Recap page 4, Col g)</i>	<b>1,403,099.00</b>
<b>3. Other (unappropriated, unreserved)</b>	<i>(To Recap page 2, Part IIB, Line 8)</i>	0.00
<b>TOTAL Appropriations and Reservations and Other</b>		<b>1,403,099.00</b>

Signatures
<p><b>Accounting Officer</b></p> <p>I hereby certify that the actual revenues as shown in Part 1 column (a) are to the best of my knowledge correct and complete.</p> <p><b>Brian Keveny, Finance Director , Wayland , bkeveny@wayland.ma.us 508-358-3611   11/24/2020 1:32 PM</b></p>

Documents
No documents have been uploaded.

NOTE : The information is preliminary and is subject to change.

**Schedule B-1**  
**Free Cash Certification and Appropriation - Fiscal Year 2021**

**Part I**

		Date Certified
1. 7/1/2019 Free Cash Certification	7,690,322.00	1/31/2020
ADD:		
2. Free Cash Update Part I	0.00	
<b>TOTAL</b>	<b>7,690,322.00</b>	
Subtract Free Cash Appropriated From This Certification		
3. FY 2020 Recap	0.00	
4. FY 2021 Recap (check to Recap page 4, column c)	0.00	
5. FY 2021 Recap appropriated on or before June 30th to reduce the tax rate	0.00	<i>To Recap pg 2 Part III d 1a</i>
<b>Balance of Unappropriated Free Cash Part I:</b>	<b>7,690,322.00</b>	

**Part II**

		Date Certified
1. 7/1/2020 Free Cash Certification	0.00	
ADD:		
2. Free Cash Update Part II	0.00	
<b>TOTAL:</b>	<b>0.00</b>	
Subtract Free Cash Appropriated From This Certification		
3. FY 2021 Recap (check to Recap page 4, column c)	1,931,000.00	
4. FY 2021 Recap appropriated on or after July 1st to reduce the tax rate	0.00	<i>To Recap pg 2 Part III d 1b</i>
<b>Balance of Unappropriated Free Cash Part II:</b>	<b>-1,931,000.00</b>	

**Signatures**

**Accounting Officer**

**Brian Keveny, Finance Director , Wayland , [bkeveny@wayland.ma.us](mailto:bkeveny@wayland.ma.us) 508-358-3611 | 11/24/2020 1:34 PM**

**Documents**

No documents have been uploaded.

NOTE : The information is preliminary and is subject to change.

**Schedule DE-1  
 Debt Exclusion - Fiscal Year 2021**

(A) Ballot Vote Date	(B) Purpose(s) of Exclusion Vote	(C) Date of original issuance note/bond per purpose(s)	(D) Temp or Perm (T/P)	(E) FY 2020 Net Excluded Debt Service	(F) FY 2020 Gross Debt Service Expended	(G) FY 2021 Gross Debt Service Excludable	(H) Reimbursement adjustments (Whole numbers only)	(I) FY 2021 Net Excluded Debt Service
04/25/2000	CONSERVATION	02/01/2001	P	76,500	76,500	0	0	0
04/25/2006	MULTI PURPOSE TOWN	01/15/2007	P	56,175	56,175	53,925	0	53,925
04/14/2008	MULTI PURPOSE TOWN	02/01/2009	P	24,350	24,350	23,350	0	23,350
11/17/2009	HIGH SCHOOL	02/01/2010	P	635,500	635,500	543,575	0	543,575
04/07/2009	MULTI PURPOSE TOWN	02/01/2010	P	77,250	77,250	0	0	0
11/17/2009	HIGH SCHOOL	02/01/2011	P	2,261,071	2,336,400	2,270,400	70,437	2,199,963
04/28/1998	SCH REMODELING	09/15/2005	P	203,575	203,575	195,325	0	195,325
02/01/2010	HIGH SCHOOL RENOVATION	02/01/2010	P	156,000	156,000	151,000	0	151,000
02/13/2019	FIRE STATION #2 RENOVATION	02/13/2020	P	0	0	152,775	0	152,775
02/13/2019	TOWN BUILDING HVAC	02/13/2020	P	0	0	135,287	0	135,287
02/13/2019	HIGH SCHOOL FIELD 1 (IE)	02/13/2020	P	0	0	576,568	0	576,568
02/13/2019	HIGH SCHOOL FIELD 2 (IE)	02/13/2020	P	0	0	47,850	0	47,850
			Total:	3,490,421	3,565,750	4,150,055	70,437	4,079,618

REIMBURSEMENTS: School Building Assistance, Library Construction Grants etc.

ADJUSTMENTS: Prior year interest not included, rate or term different than estimate

**Signatures**

**Financial Officer**

**Brian Keveny, Finance Director , Wayland , [bkeveny@wayland.ma.us](mailto:bkeveny@wayland.ma.us) 508-358-3611 | 11/24/2020 1:33 PM**

**Documents**

No documents have been uploaded.

**NOTE : The information is preliminary and is subject to change.**



**Schedule B-2**

**SOURCES AND USES OF OTHER AVAILABLE FUNDS - Fiscal Year 2021**

Date of Appropriation	Source of Fund	Use of Fund	Col. A Amount in Fund When Approp. was Made	Col. B. Amount of Appropriation
09/12/2020	Recreation Revolving	FY 21 Budget	374,520.00	44,987.00
09/12/2020	Ambulance Fund	FY 21 Budget	607,785.00	575,000.00
09/12/2020	Council on Aging	FY 21 Budget	69,553.00	2,116.00
09/12/2020	Food Service	OPEB	286,198.00	3,459.00
09/12/2020	Recreation Revolving	OPEB	375,315.00	795.00
09/12/2020	Food Service	FY 21 Budget	282,739.00	76,477.00
09/12/2020	BASE	FY 21 Budget	222,419.00	221,000.00
09/12/2020	Recreation Fields	FY 21 Budget	343,211.00	10,579.00
09/12/2020	Bond Premium	FY 21 Budget	619,993.00	70,437.00
			<b>Total</b>	<b>1,004,850.00</b>

*(Must equal Recap page 4 column d)*

Column (A) must be greater than or equal to the amount of the appropriation in Column (B) at the time of the appropriation unless otherwise specified by general or special law.

<b>Signatures</b>
<p><b>Accounting Officer</b></p> <p><b>Brian Keveny, Finance Director , Wayland , <a href="mailto:bkeveny@wayland.ma.us">bkeveny@wayland.ma.us</a> 508-358-3611   11/24/2020 1:33 PM</b></p>

<b>Documents</b>
No documents have been uploaded.

**NOTE : The information is preliminary and is subject to change.**

**Levy Limit  
 Fiscal Year 2021**

FOR BUDGET PLANNING PURPOSES

**I. TO CALCULATE THE FY 2020 LEVY LIMIT**

A. FY 2019 Levy Limit	71,052,943	
A1. Amended FY 2019 Growth	13,973	
B. ADD (IA + IA1)*2.5%	1,776,673	
C. ADD FY 2020 New Growth	543,022	
C1. ADD FY 2020 New Growth Adjustment	0	
D. ADD FY 2020 Override	0	
E. FY 2020 Subtotal	<b>73,386,611</b>	
F. FY 2020 Levy Ceiling	99,873,308	I. <b>73,386,611</b>
		<b>FY 2020 Levy Limit</b>

**II. TO CALCULATE THE FY 2021 LEVY LIMIT**

A. FY 2020 Levy Limit from I	73,386,611	
A1. Amended FY 2020 Growth	0	
B. ADD (IIA + IIA1)*2.5%	1,834,665	
C. ADD FY 2021 New Growth	327,342	
C1. ADD FY 2021 New Growth Adjustment	0	
D. ADD FY 2021 Override	0	
E. ADD FY 2021 Subtotal	<b>75,548,618</b>	
F. FY 2021 Levy Ceiling	99,986,248	II. <b>75,548,618</b>
		<b>FY 2021 Levy Limit</b>

**III. TO CALCULATE THE FY 2021 MAXIMUM ALLOWABLE LEVY**

A. FY 2021 Levy Limit from II.	75,548,618
B. FY 2021 Debt Exclusion(s)	4,079,618
C. FY 2021 Capital Expenditure Exclusion(s)	0
D. FY 2021 Stabilization Fund Override	0
E. FY 2021 Other Adjustment :	0
F. FY 2021 Water/Sewer	0
G. FY 2021 Maximum Allowable Levy	<b>79,628,236</b>

**Signatures**

No signatures to display.

**Documents**

No documents have been uploaded.

**NOTE : The information is preliminary and is subject to change.**

**SCHEDULE OL-1  
 OVERLAY WORKSHEET - Fiscal Year 2021**

Overlay Available						
1.	Overlay Balance as of 6/30/2020	830,066.90				
2.	Overlay from FY 2021 (Tax Rate Recap Page 2 Ild)	141,288.14				
3.	Overlay Balance Available (Add lines 1 and 2)	<b>971,355.04</b>				
Overlay Use						
4.	Overlay Transferred to Overlay Surplus after 7/1/2020	0.00				
5.	Other Overlay Charges after 7/1/2020	0.00				
6.	5 year Average Abatements And Exemptions Granted thru 6/30/2020	190,810.80	<b>FY 2020</b>	<b>FY 2019</b>	<b>FY 2018</b>	<b>FY 2017</b>
7.	Overlay Balance Needed (Add lines 4 thru 6)	<b>190,810.80</b>	163,186.00	171,458.00	197,392.00	185,083.00
						<b>5-year average FY 2016 to FY 2020</b>
						<b>190,810.80</b>
8.	Overlay Balance Available in excess of Overlay Balance Needed (negative indicates a Shortfall) (subtract line 7 from line 3)	<b>780,544.24</b>				
Potential Future Liabilities						
9.	Real Estate Tax Receivables as of 6/30/2020	478,338.90				
10.	Personal Property Tax Receivables as of 6/30/2020	38,977.96				
11.	Pending ATB or Court decision(s)	75,000.00				
12.	Total Potential Future Liabilities	<b>592,316.86</b>				

**Signatures**

**Accounting Officer**

**Brian Keveny, Finance Director , Wayland , bkeveny@wayland.ma.us 508-358-3611 | 11/24/2020 2:19 PM**

**Assessor**

**John A. Todd, Board of Assessors , Wayland , jtodd@wayland.ma.us 508-358-3788 | 11/23/2020 5:47 PM**

**Documents**

No documents have been uploaded.

**NOTE : The information is preliminary and is subject to change.**

## **2020 Town Administrator Evaluation**

### **POLICY AND PURPOSE**

The purpose of this evaluation instrument is to formally appraise the Town Administrator's performance on an annual basis or as required by contract. The document allows the Board of Selectmen to assess the Town Administrator's performance in management practices, in job requirements as stated in the contract and/or job description, and in the accomplishment of goals. Through the evaluation procedure, Board members will recognize strengths, offer positive feedback, and suggest any areas that require corrective action.

The final overview document showing compiled scores and comments summarized by the Chair or his or her designee will be discussed and released in open session.

### **PROCEDURE**

1. The period of evaluation is September 1, 2019 through August 30, 2020.
2. The Town Administrator will submit a narrative self-evaluation including a report on goal achievement. A copy of the report and a blank evaluation form will be distributed to each Board member. *Estimated Date: November 30.*
3. The Town Administrator makes the decision whether to waive the right to privacy as to his/her written performance evaluation of the past year. If he/she chooses to waive this right, it should be stated for the record at a Board meeting and also specifically noted in the minutes. *Estimated Date: November 30*
4. Board members will complete their evaluations forms and give them to the Chairman in a regular meeting by a date set by the Chairman. *Estimated Date: December 14*
5. The Chairman or his or her designee will compile scores from individual evaluation forms and develop a consensus overview document. *Estimated Date: December 2020*
6. The Chairman will give the individually completed performance evaluation forms to the Human Resources Manager who will place them in the Town Administrator's personnel file. *Estimated Date: December 14*
7. Board members may meet individually with the Town Administrator to discuss aspects of the performance review document. *Estimated Date: December 2020*
8. The Chairman will provide the other Board members and the Town Administrator with the consensus evaluation overview document at least one week prior to the date at which the document will be publicly released. *Estimated Date: January 4, 2021*
9. The overview document will be released by the Chair at a public meeting of the Board of Selectmen *Estimated Date: January 11, 2021*

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Selectman:

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**Town of Wayland  
Town Administrator Performance Evaluation  
Form**

**Instructions**

A space has been provided for each statement within the performance areas. Check the number which most accurately reflects the level of performance for each factor. If you did not have an opportunity to observe or make a determination on a particular factor, please indicate so by marking N/A in the Rank space.

**Rating Scale (1-5)**

- Unsatisfactory (1)                      The Administrator's work performance is inadequate and inferior to the standards of performance required for the position.
- Improvement Needed (2)                The Administrator's work performance does not consistently meet the standards of the position.
- Meets Expectations (3)                 The Administrator's work performance consistently meets the standards of the position.
- Exceeds Expectations (4)                The Administrator's work performance is frequently or consistently above the level of a satisfactory employee.
- Excellent/Highly Commendable (5)    The Administrator's work performance is consistently excellent when compared to the standards of the job.

<p><b>1. Personal Characteristics:</b> Exhibits honest and ethical behavior; acts in a fair and equitable manner; effectively deals with unforeseen issue and problems; shows resilience by maintaining energy and motivation despite constant demands. Responds well to stressful situations. Displays creativity, innovation, flexibility and appropriate risk taking.</p>	<p><b>Board Member Suggestions &amp; Comments</b></p>	<p><b>Rank</b></p>
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<p><b>2. Professionalism:</b> Is fully knowledgeable and committed to the field of local government management; seeks to enhance skills and abilities through educational opportunities; actively participates in professional municipal management organizations; encourages staff training and development.</p>	<p><b>Board Member Suggestions &amp; Comments</b></p>	<p><b>Rating</b></p>
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<p><b>3. Public Relations/Communications:</b> Projects a positive image in the community; is reasonably open and available to the public and responsive to citizen complaints or requests; communicates effectively to the media; keeps the citizenry informed of current issues in Town government. Maintains good communications with the business community. Supports and recognizes the efforts of volunteer citizens and groups. Maintains effective communications with state and federal elected representatives, other communities, state agencies, and municipal organizations.</p>	<p><b>Board Member Suggestions &amp; Comments</b></p>	<p><b>Rating</b></p>
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<p><b>4. Board Support/ Relations</b> Offers professional advice to the Board, including appropriate alternatives and recommendations, based upon thorough study and analysis; implements policy matters and other directives adopted by the Board of Selectmen; keeps Board members informed of issues and activities in Town government and in the community; listens and understands Selectmen's concerns; maintains a professional working relationship with the Board, promoting a climate of mutual respect and trust.</p>	<p><b>Board Member Suggestions &amp; Comments</b></p>	<p><b>Rating</b></p>
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<p><b>5. Organizational Leadership/Personnel Management:</b> Provides leadership, motivation and support within the organization; effectively delegates tasks and assignments; builds and motivates a team, providing direction and monitoring/adjusting performance as required. Assures selection for employment of the best-qualified personnel; assures systematic performance evaluation of staff in the organization; establishes high standard of performance for all Department Heads; recognizes, develops, and utilizes their leadership abilities; effectively leads collective bargaining efforts with unions, keeping the Board informed on progress; strives to maintain good staff morale and maintains open, honest and professional relationships with staff.</p>	<p><b>Board Member Suggestions &amp; Comments</b></p>	<p><b>Rating</b></p>
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<p><b>6. Financial Management</b> Prepares a timely and realistic annual budget proposal in a manner that promotes full understanding of issues and needs; employs sound fiscal management practices for the development of the operating and capital budget recommendations; effectively monitors and controls budget expenditures; provides complete and accurate financial information to facilitate budget deliberations; creatively manages available resources to increase productivity and efficiency; develops and maintains a long-term financial plan for the Town;</p>	<p><b>Board Member Suggestions &amp; Comments</b></p>	<p><b>Rating</b></p>
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<p><b>7. Planning and Organization</b> Creates and facilitates an environment for long-range and strategic planning; identifies opportunities to improve productivity, innovation,</p>	<p><b>Board Member Suggestions &amp; Comments</b></p>	<p><b>Rating</b></p>
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<p>staff development and cost efficiencies; develops proposals for cost effective reorganization of Town operations; establishes appropriate goals and objectives for performance.</p>		
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<p><b>8. Achievement of Goals</b> Shows appropriate progress to the year's goals as indicated on the attached self-evaluation.</p>	<p><b>Board Member Suggestions &amp; Comments</b></p>	<p><b>Rating</b></p>
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<p><b>OVERALL RATING</b></p>	<p><b>Board Member Suggestions &amp; Comments</b></p>	<p><b>Rating</b></p>
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**Town Administrator Performance Evaluation Form  
Acknowledgement of Receipt**

This is to acknowledge the fact that the performance review was conducted by the Board of Selectmen in accordance with the procedures and that the Town Administrator has received the overview document with the compilation of scores.

BOARD OF SELECTMEN

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Date: \_\_ \_ - - - - -

TOWN ADMINISTRATOR

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Date: \_\_ \_ - - - - -

AUG 20 2018

TOWN OF WAYLAND  
WAYLAND, MASSACHUSETTS

Board of Selectmen  
Town of Wayland

TOWN ADMINISTRATOR EMPLOYMENT CONTRACT

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AGREEMENT made this 6th day of August, 2018, by and between the Town of Wayland ("the Town"), a Massachusetts municipal corporation, acting through its Board of Selectmen ("the Board") and Louise L. E. Miller ("Miller").

WHEREAS, the Board had voted to appoint Miller as the Town Administrator (TA) of the Town pursuant to the provisions of Massachusetts General Laws ("M.G.L.") Chapter 41, Section 23A, Chapter 320 of the Acts of 2004 and Chapter 60 of the Code of the Town;

WHEREAS, Miller had agreed to accept the appointment and to take the oath of office as Town Administrator of the Town; and

WHEREAS, the Board and Miller desire to enter into an employment contract pursuant to the provisions of M.G.L. Chapter 41, Section 108N.

NOW, THEREFORE, in consideration of the foregoing, and the mutual promises, terms, conditions and agreements as set forth herein, the parties agree as follows:

I. Appointment.

The Town, acting through the Board, acknowledges the appointment of Miller as TA of Wayland. By executing this agreement, Miller acknowledges her appointment as TA.

II. Term.

- A. The Town will employ Miller as its TA for a term of three (3) years beginning on September 10, 2018 and expiring on September 9, 2021, unless extended, renewed, or earlier terminated under the provisions of the Agreement.
- B. In the event of the death of Miller while the Agreement is in effect, the Agreement shall terminate effective on the date of death.
- C. In the event that Miller is unable to perform the essential functions of the TA position, with or without reasonable accommodation, for a period of six (6) months or more, the Town shall provide written notice to Miller that this Agreement shall immediately terminate. In the event of a dispute concerning Miller's ability to perform the essential functions of the position, the Board and Miller shall mutually agree on a medical expert to perform an examination and evaluation. Any expense for such examination and evaluation that is not covered by Miller's group health insurance shall be paid by the Town.

III. Compensation.

Miller shall be paid an annual base salary, prorated for any portion of a year worked, effective September 10, 2018. The annual base salary shall be one hundred seventy-five thousand dollars (\$175,000). The Board may increase the annual base salary, effective September 10, 2019, and September 10, 2020, provided that Miller has received satisfactory performance evaluations from the Board, as set forth in Section XI below.

IV. Terms and Conditions.

With the exception of compensation as set forth in Section III above, all other provisions of Chapter 43 – Personnel of the Code of the Town shall apply to Miller in the same manner and to the same extent as all other non-union Town employees, except as specifically provided in this Agreement.

V. Benefits.

Miller shall enjoy the same benefits that are available to other non-union Department Heads. Non-union benefits may change in the Town's discretion from time-to-time as amended under the By-laws or Personnel Policies. Benefits shall include, but not be limited to:

- A. Health Insurance - Miller shall be eligible for any of the health insurance benefits available to other non-union Town Department Heads. She shall also be subject to the rules and obligations of whatever health insurance plan she chooses in the same manner as other non-union Town Department Heads. The Town may modify Miller's health insurance contribution rate in the same manner that other non-union Town Department Heads' rates are modified. The cost of dental coverage offered by the Town shall be paid by Miller, consistent with all other non-union Department Heads.
- B. Paid-Time-Off - Miller shall receive the same Paid-Time-Off package (vacation, sick leave, paid holidays, bereavement leave, etc.) as other non-union Department Heads as set forth in the Town's By-Laws and Personnel Policies. In addition to the personal days received by every non-union Department Head, Miller may take two additional personal days before January 1, 2020 in compensation for two days working with the outgoing TA prior to Miller's start date, September 10, 2018.
- C. Retirement - Miller shall become a member of the Middlesex County Retirement System, or a successor system, in accordance with M.G.L. c. 32 and shall be subject to all the benefits, rights and obligations associated therewith.
- D. Sick Leave - Upon retirement, provided that Miller meets the criteria for retirement from the Middlesex County Retirement System, or a successor system, Miller shall be entitled to compensation for her unused sick leave

in accordance with the prevailing Town practice and policy then in effect for non-union Town Department Heads.

- E. Life Insurance - Miller shall be entitled to the same life insurance benefits as other non-union Town Department Heads.
- F. Deferred Compensation - Miller may participate in any Town-approved deferred compensation programs for which payroll deductions are authorized.
- G. Transportation Stipend - Miller's duties as TA require that she shall have access to the use of an automobile at all times during her employment with the Town. Miller agrees that she shall provide her own transportation. The Town agrees that it shall pay Miller a transportation stipend at the rate of of \$192.31 per pay period. (NOTE:  $\$192.31 \times 26 = \$5,000.06$ ). Miller agrees to maintain automobile insurance, as required by law, during the course of her employment with the Town.
- H. Other - The Town shall provide Miller with a laptop and/or tablet computer, applicable software, and a cellular/mobile communication device required for Miller to perform the job. Miller shall return the equipment in good condition upon separation from employment.

VI. Professional Development.

- A. The Town recognizes that Miller should acquire knowledge of the latest developments in the field of municipal management and that she should seek to advance the interests of the Town by her enrollment in related courses, seminars and programs, by her membership in professional organizations, and by her attendance at meetings and conferences convened for municipal professionals and executives, provided that such participation does not unreasonably interfere with the performance of her duties as TA, is approved in advance by the Board, whose approval will not be unreasonably denied, and is within the approved budget for such expenditures. The Town shall, with the approval of the Board, pay the reasonable costs of expenses related to Miller's attendance at conferences, meetings, seminars and programs which are related to her employment as TA provided that Miller has obtained prior approval of the Board, whose approval will not be unreasonably denied, and that the expenses in question are within the approved budget. Reimbursement by the Town for such expenses shall only be made upon presentation of receipts for reasonable and necessary expenses.
- B. The Town shall pay reasonable costs of Miller's annual membership dues in such professional organizations as approved by the Board, whose approval and payment for said costs will not be unreasonably delayed.

VII. Termination for Just Cause and Termination Without Cause and Severance Pay.

A. For Just Cause

1. The Board may terminate the Agreement and remove Miller from office, for just cause, and in accordance with the provisions of the Agreement, specifically, but not limited to, criminal acts and/or acts of misfeasance, malfeasance, nonfeasance, gross misconduct, criminal conviction under state or federal law, acts of dishonesty, gross dereliction of duty, violation of the state's ethics or conflict of interest laws, and/or repeated inefficiency or incompetency in the performance of her duties as TA, provided that the Board has given written notice to the TA of such inefficiency or incompetency.
2. If termination is contemplated, Miller shall receive written notice from the Board stating the reason(s) for her contemplated removal from office at least ten (10) calendar days prior to a hearing on the merits of the charges that could substantiate a termination. Said reason(s) shall be presented with sufficient specificity so that Miller may understand and prepare her response, if any, to such notice.
3. No later than twenty-one (21) days following the receipt of the written notice with the reason(s) for the contemplated termination, unless otherwise agreed by Miller and the Board, the Board shall conduct a hearing, in accordance with M.G.L. Chapter 30A, §21. At the hearing, Miller shall be given the opportunity to respond to the reason(s) for the proposed termination. During the hearing, Miller shall have the right to be represented by counsel, to introduce evidence, to call, question, confront and cross-examine witnesses and to present oral arguments. Evidence may be admitted and given probative effect if it is the kind of evidence upon which reasonable people are accustomed to rely in the conduct of serious affairs. The Board may hear and consider such evidence as is offered by the parties which it deems to be relevant, reliable and probative to the charges for the proposed termination.
4. If the decision of the Board is to terminate Miller, the reason(s) for the termination shall be stated in such decision so that Miller is reasonably informed of the basis for the termination. All pay, compensation, expenses and benefits shall be terminated immediately. The subsection shall not interfere with any rights or obligations that Miller may have under state or federal law with respect to retirement benefits and/or the continuation of group health insurance benefits at Miller's expense.

B. Without Cause

1. During the term of this Agreement, the Board may terminate Miller at any time without cause only after giving Miller written notice of such termination thirty (30) days in advance. In the first year of employment, Miller shall receive a severance of three (3) months' base salary, except in the event that she is given notice of termination within the first six (6) months of employment, in which case she shall receive no severance. After the first year

of employment, Miller shall receive a severance of six (6) months' base salary. Severance is contingent upon the satisfactory release of any and all claims against the Town to the extent permitted by law. Following the effective date and receipt of said release of claims, severance shall be paid bi-weekly under the normal payroll cycle until the full severance is paid. All other benefits shall cease on the effective day of the termination. This subsection shall not interfere with any rights or obligations that Miller may have under state or federal law with respect to retirement benefits and/or the continuation of group health insurance benefits at Miller's expense.

2. Severance will not be paid in the case of non-reappointment under Section IX of the contract. In the case of non-reappointment, Miller will be eligible for only the remaining amount of compensation corresponding to the remaining term of the contract, subject to Section IX below. All other benefits shall cease on the effective day of the termination. This subsection shall not interfere with any rights or obligations that Miller may have under state or federal law with respect to retirement benefits and/or the continuation of group health insurance benefits at Miller's expense.

#### VIII. Resignation

- A. Miller may voluntarily terminate the contract and resign from the position of Town Administrator before the expiration date of the Agreement at any time. Miller agrees to give the Board ninety (90) days' written notice prior to the effective date of her resignation, unless otherwise agreed by the parties in writing.
- B. Except in the event that Miller elects to resign in accordance with the provisions of Subsection IX(C), Miller's pay, compensation, benefits and expenses shall cease on the effective date of her resignation, unless sooner terminated under the provisions of the Agreement, subject to any rights and obligations under state and federal law with respect to retirement benefits and the continuation of group health insurance benefits at Miller's expense.

#### IX. Reappointment/Contract Renewal

- A. The Board shall notify Miller in writing of the decision to reappoint or not to reappoint her as TA, and Miller shall notify the Board in writing of her decision to seek or not to seek reappointment, no later than March 8, 2021. If both the decision by the Board is to reappoint Miller, and the decision by Miller is to seek reappointment, the appointment shall be made at that time. In the event that the Board decides not to reappoint Miller, there is no obligation on the Board's part to specify or indicate in any way the basis for the decision not to reappoint.
- B. If the Board's decision is to reappoint Miller, and Miller's decision is to seek reappointment, the parties will commence negotiations for a successor employment Agreement and will endeavor to reach agreement on a successor Agreement on or before August 31, 2021.

C. If the Board notifies Miller that the Agreement will not be renewed, or if Miller notifies the Board that she will not seek reappointment, or if either party fails to meet the notification deadline provided for in Section IX, paragraph A, Miller shall be entitled to her then current pay and benefits for the balance of the term of this contract, provided that Miller performs the duties and responsibilities that shall be designated by the Board, including requests for transition assistance for the balance of the term of this Agreement. All other benefits shall cease on the effective day of the termination. This subsection shall not interfere with any rights or obligations that Miller may have under state or federal law with respect to retirement benefits and/or the continuation of group health insurance benefits at Miller's expense.

X. Duties.

Miller shall faithfully and to the best of her abilities discharge and perform the duties and responsibilities of TA as set forth in the Chapter 320 of the Acts of 2004, Chapter 60 of the Code of the Town of Wayland, and as delegated to her by the Board of Selectman. She shall fulfill all obligations under the Agreement. She shall serve and perform such duties and responsibilities at such times and places and in such manner as the Board may from time to time direct.

XI. Performance Evaluation.

- A. Miller's performance shall be evaluated by the Board of Selectman as referenced in Section III, at least once in each contract year in accordance with the prevailing Town policy and practice for evaluations of non-union Department Heads on or about her anniversary date. Said review and evaluation shall be in accordance with specific criteria developed jointly by the Board and the TA and the goals and objectives identified in accordance with Paragraph B of this Section. Said criteria, goals and objectives may be added to or deleted from as the Board may from time-to-time determine, in consultation with the TA. The process at a minimum shall include the opportunity for both parties to: (1) prepare a written evaluation, (2) meet and discuss the evaluation, and (3) present a written summary of the evaluation results.
- B. At the start of the contract year, the Board and Miller shall define such goals and objectives which they determine necessary for the proper operation of the Town and the attainment of the Board's policy objectives and shall further establish a relative priority among those various goals and objectives, said goals and objectives to be reduced to writing. They shall generally be attainable within the time limitations as specified and the annual operating and capital budgets and the appropriations provided.

XII. Outside Activities.

Miller may accept speaking, writing, lecturing, teaching or other paid engagements of a professional nature, provided they do not interfere with the performance and discharge of her duties and responsibilities as TA. Any such engagements, activities, or work must be approved in advance by the Board, and shall not be in violation of the Massachusetts Conflict of Interest Law, M.G.L. c. 268A.

XIII. Indemnification.

Miller shall be indemnified by the Town, pursuant to and as limited by M.G.L. Chapter 258 and other relevant provisions of law and the By-Laws of the Town, for claims made against her arising out of the performance of her duties and responsibilities as TA. The Town shall indemnify Miller to the fullest extent allowable by law in accordance with the provisions of M.G.L. Chapter 258.

XIV. Entire Agreement.

This contract constitutes the entire Agreement of the parties hereto and may not be altered, amended, or modified except by an agreement in writing, signed by all parties and specifically referring to the contract.

XV. Notices.

Any notice required or permitted to be given under the Agreement to either party shall be in writing and shall be sent by certified mail, postage prepaid, or delivery by hand to:

A. The Board :                      Board of Selectmen  
   Town Building  
   41 Cochituate Road  
   Wayland, Massachusetts 01778;

B. Miller:                              Louise L. E. Miller  
   5 North Hill Avenue  
   Needham, MA 02492

or, in the event of her death, to her estate at her legal residence as listed in the records of the Town.

XVI. Governing Law.

The Agreement shall be governed by and interpreted and construed in accordance with the laws of the Commonwealth of Massachusetts.



XVII. Binding Effect.

The contract shall be binding on the Town and Miller.

XVIII. Severability.

If any provision, or any portion thereof, contained in the Agreement is determined by a court of competent jurisdiction to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected thereby, and shall remain in full force and effect. In the event of a conflict between the Agreement and the Town's By-Laws, the provisions of the Town's By-Laws shall control.

Town of Wayland

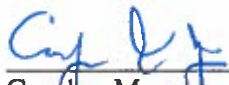
  
Louise L. E. Miller  
Wayland Town Administrator

By:   
Lea T. Anderson  
Chair, Board of Selectmen


Date: August 6, 2018

  
Cherry C. Karlson  
Vice Chair, Board of Selectmen

Approved as to form:

  
Carolyn Murray  
Town Counsel

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Louis M. Jurist,  
Member, Board of Selectmen

  
Mary M. Aftes  
Member, Board of Selectmen

  
Douglas A. Levine  
Member, Board of Selectmen

**MEMORANDUM OF AGREEMENT  
BETWEEN  
THE TOWN OF WAYLAND  
AND  
TOWN ADMINISTRATOR**

**May 2020**

**THIS AGREEMENT**, made and entered into this 8<sup>th</sup> day of May 2020, by and between the Town of Wayland, ("the Town"), a Commonwealth of Massachusetts municipal corporation, acting by and through its Select Board, ("Board"), and Louise L.E. Miller, ("Miller").

**WHEREAS**, the Board had voted to appoint Miller as the Town Administrator (TA) effective September 10, 2018, under Chapter 41, Section 23A, Chapter 320 of the Acts of 2004 and Chapter 60 of the Code of the Town; and,

**WHEREAS**, the Board, under Chapter 41, Section 108N of the Massachusetts General Laws, may contract with the Town Administrator regarding salary, benefits and severance pay; and,

**WHEREAS**, it is the desire of the Board to have a written contract which will establish the benefits, terms, conditions, and obligations of employment for the Town Administrator; and,

**WHEREAS**, it is the desire of the Board to retain the services of the Town Administrator and to provide inducement for her to remain in such Office;

**NOW THEREFORE**, in consideration of the mutual covenants contained herein, the parties agree that the following changes will be incorporated into the Town Administrator Contract:

**1. Article II - Term (p. 1)**

Amend Section A by replacing the language with the following:

"The Town will add a one year extension to the TA contract beginning on September 10, 2021, and expiring on September 9, 2022, unless extended, renewed, or earlier terminated under the provisions of the agreement."

**2. Article III - Compensation (p. 2)**

Amend by assigning a section "A" to the paragraph and inserting new dates to increase the contract by one (1) year as follows:

"The Board may increase the annual base salary, effective September 10, 2020 and September 10, 2021, provided that Miller has received satisfactory performance evaluations from the Board, as set forth in Section XI below."

Amend by inserting a new subsection "B" with the following language:

"The Town will increase the Town Administrator's annual base salary by \$20,000 effective retroactively to September 10, 2019. The Town will provide the TA the ability to contribute to the 401A deferred compensation plan offered by the Town, at the discretion of the Town Administrator."

**3. Article IX - Reappointment/Contract Renewal (p. 5)**

Amend by inserting new dates to increase the contract by one (1) year as follows:


A. "The Board shall notify Miller in writing of the decision to reappoint or not to reappoint her as TA, and Miller shall notify the Board in writing of her decision to seek or not to seek reappointment, no later than March 8, 2022."

B. If the Board's decision is to reappoint Miller, and Miller's decision is to seek reappointment, the parties will commence negotiations for a successor employment Agreement and will endeavor to reach agreement on a successor Agreement on or before August 31, 2022.


  
Louise L.E. Miller  
Wayland Town Administrator

Date: May 8, 2020


Approved as to form:


  
Carolyn Murray,  
Town Counsel  
Date: May 14, 2020

By: Town of Wayland

  
Cherry C. Karlson  
Chair, Board of Selectmen

  
Douglas A. Levine  
Vice Chair, Board of Selectmen

  
Lea T. Anderson  
Member, Board of Selectmen

  
Mary M. April  
Member, Board of Selectmen

  
Thomas J. Fay  
Member, Board of Selectmen

**TOWN OF WAYLAND  
POSITION DESCRIPTION**

**Title:** Town Administrator  
**Department:** Selectmen’s Office  
**Appointing Authority:** Board of Selectmen  
**Affiliation:** Non-Union  
**Personnel Board Approved:** 11/15/04  
**Revised:** 08/06/14

**Summary of Duties:**

The Town Administrator is the Chief Operating and Administrative Officer of the Town and shall act as the agent of the Board of Selectmen.

The Town Administrator is responsible for providing leadership in the development, implementation and administration of all programs and policies established and approved by the Board in accordance with all applicable by-laws and regulations.

The Town Administrator is responsible for overseeing the quality of services delivered by the Town and its departments. The Town Administrator adheres to the standards established by the Board of Selectmen and Town Meeting. The Town Administrator works with the Board of Selectmen in developing those standards and developing procedures to measure and track performance against those standards. The Town of Wayland has a complex organizational structure. There are authorities, responsibilities and duties that are under the jurisdiction of a variety of elected and appointed town officials and committees and those departments and their authorities, responsibilities and duties so remain. It is incumbent upon the Town Administrator to understand and have a working knowledge of this structure and be able to perform his/her responsibilities within the existing organizational structure so that s/he can effectively support these officers in the execution of their duties.

The Town Administrator is responsible for seeing that services are delivered in a cost effective manner in accordance with the budget and continuing to look for opportunities to provide services in a cost effective manner.

**Supervision Received:**

Reports to and is evaluated annually by the Board of Selectmen.

**Supervision Exercised:**

The Town Administrator:

1. Appoints, evaluates, disciplines and removes without ratification by the Board of Selectmen the following:

Building Commissioner  
Town Treasurer/Collector  
Town Surveyor or Town Engineer  
Manager of Information Technology  
Public Buildings Director  
All other administrative and clerical employees in the Office of the Board of Selectmen and Town Administrator and  
Such other town employees as authorized by order of the Board of Selectmen, by-law or state law

2. Appoints subject to the ratification of a majority vote of the Board of Selectmen then serving and evaluates, disciplines and terminates without ratification of the Selectmen the following:

Human Resources Director  
Police Chief  
Fire Chief  
Finance Director (Town Accountant)

3. Appoints with consultation with the respective Board/Committee/Council and evaluates, disciplines and terminates with consultation with the respective Board/Committee/Council the following:

Conservation Administrator  
Council on Aging Director  
Department of Public Works Director (per Chapter 347 of the Acts of 2008, (section 5)

4. Appoints, fixes tenure, compensation and fringe benefits of and may enter into an employment agreement with a Recreation Director in consultation with the Recreation Commission subject to appropriation, town's bylaws and personnel by-laws and wage and salary classification plans. (Chapter 347, of the Acts of 2008, section 8, paragraph d.). The Town Administrator provides administrative direction to the Recreation Director”.

The Town Administrator consults with relevant primary boards and committees working with the department heads in the preceding sections prior to implementing personnel related actions. Personnel actions are taken in compliance with the Town of Wayland Personnel Policies and Procedures and in consultation with the Human Resources Director and the Personnel Board.

**Job Environment:**

Work is generally performed in typical office conditions, with frequent interruptions and requests for information; frequent early morning and evening meetings are required.

Uses standard office equipment and computer.

Makes regular contact with Town Boards and committees, department heads, employees, state and federal agencies, union officials, consultants and the general public. Contacts involve a wide variety of issues pertaining to Town business; interaction requires considerable judgment, persuasion, strategy, patience, courtesy, discretion and the ability to handle confidential information.

Has access to a wide range of confidential information.

Errors in judgment and administration of duties could severely affect the Town's ability to deliver services, could result in substantial monetary and/or legal repercussions, could expose the Town to legal liabilities and could affect public confidence. As such, the Town Administrator shall work closely with the Board of Selectmen, the appropriate Town Boards and Committees, residents through Town Meeting and outside professionals to seek advice and counsel on critical matters as deemed necessary.

**Essential Functions:**

*The essential functions or duties listed below are illustrative of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.*

**Essential Functions under the Board of Selectmen:**

Act as the day-to-day administrator of all activities under the jurisdiction of the Board of Selectmen.

Participate in the development and oversee implementation of the Board of Selectmen's long-term initiatives.

Implement the goals and policies of the Board of Selectmen.

Make strategic recommendations to the Board of Selectmen regarding priority initiatives, particularly related to finance, personnel, customer service to residents and legal matters.

Act as a liaison with, and represent, the Board of Selectmen before state, federal and regional authorities.

Represent the Board of Selectmen at meetings.

Supervise, direct and be responsible for the efficient administration of all departments and employees within the jurisdiction of or appointed by the Board of Selectmen.

Establish and maintain appropriate administrative procedures for the conduct of all affairs under the jurisdiction of the Board of Selectmen.

Champion the development of quality standards and procedures to measure and track performance against those standards.

Exercise general supervision over the personnel, organization, systems and practices of the Board of Selectmen's office.

Identify and screen applicants for appointment to Town boards, committees and commissions as necessary and as requested by the Board of Selectmen.

Oversee the administration of annual and special Town Meeting warrants.

Work with the relevant department heads to ensure proper maintenance, upkeep and repair of Town buildings and structures under the jurisdiction of the Selectmen.

Collaborate with the Personnel Board to manage the activities of the Human Resource department.

Through the Human Resource Director and the Personnel Board, oversee the administration and implementation of the Town-wide personnel systems including the enforcement of personnel policies and procedures, rules and regulations, the maintenance of personnel records and the management of personnel costs to ensure maximum efficiency and fairness across Town departments.

Evaluate annually the job performance of all Town officers and department heads under the jurisdiction of the Board of Selectmen after seeking input and recommendations from any appointed committees served by such officers and department heads.

Collaborate with Finance Committee to manage the activities of the Finance department.

Work with the Finance Committee and Finance Director to:

- Develop long-term financial strategies for the town.
- Establish budgetary guidelines for the annual budget.
- In coordination with Town board, committees and commissions that oversee departments, review budgets and make recommendations to the Finance Committee regarding priorities.
- Review expenditures and receivables against budgets; coordinate plans with department heads, boards and committees to manage the budget.

- When necessary, seek Finance Committee approval for reserve fund transfers in advance of spending, when possible.
- Seek opportunities for cost savings and efficiencies.
- Monitors capital projects for timely completion within budget.
- Ensure that the Town's accounting system continues to meet the needs of the Town and includes adequate financial controls.

To the extent delegated by the Board of Selectmen, oversee the legal issues for all Town boards, departments, committees and commissions in collaboration with Town Counsel, including procurement, contracts, litigation and employment matters.

To the extent delegated by the Board of Selectmen, provide access to legal counsel; coordinate legal issues; obtain legal opinions and administer the legal budget.

Monitor and ensure compliance with federal, state and town laws and established Town policies and procedures to minimize the Town's exposure to liability and risk.

Serve as the Town's chief procurement officer under the provisions of Massachusetts General Laws 30B.

**Essential Functions of Town-wide Administrative Oversight:**

Act as principal contact coordinating communication about critical issues impacting the Town; ensure that the Board of Selectmen, other boards, commissions, committees, department heads, residents and external constituencies are informed.

Serve as the Town's chief spokesperson and principal contact.

Provides guidance so that all Town boards, commissions, committees and employees comply with the Town's financial, personnel and legal policies and procedures.

Ensure compliance with the votes of Town Meeting and with Town by-laws, federal and state laws.

Ensure that the Town's IT systems continue to meet the needs of the Town.

Coordinate activities involving the development, implementation and execution of Town-wide policies, procedures and programs.

Coordinate the setting of Town priorities with Town boards, commissions, committees and employees.

Communicate activities, projects, plans and studies; invite input from appropriate areas of Town government.

Coordinate efforts to ensure that cross-departmental services to residents and others are effectively and consistently delivered.



Evaluate problems affecting the Town as they arise, ensuring timely attention to priority items.

Work across Town departments, boards, commissions and committees to ensure that concerns raised to the Town Administrator by residents and others are addressed.

Maintain open communications to residents and facilitate communication of resident feedback to appropriate channels.

Oversee the preparation, filing and maintenance of reports and records on behalf of the Town.

Oversee the maintenance of inventory of all Town-owned real estate and personal property.

Oversee intervention in critical situations.

Work with key Town department heads to address systemic problems; be accountable to see that priority items are attended to; and bring concerns about problem resolution to the attention of appropriate boards, commissions, committees and the Board of Selectmen for assistance in resolution, if necessary.

Provide input to the office of Town Clerk regarding his/her performance.

Provide input annually to each elected board, commission or committee regarding the job performance of department heads reporting to such boards, commissions and committees. Input relates to the Town Administrator's interactions with the Department Head regarding cross-departmental activities. Final authority over hiring, evaluating, disciplining and firing remain with the elected board except for the Board of Public Works per Chapter 347 of the Acts of legislature in 2008. The Town Administrator, in consultation with the Board of Public Works, may appoint a Director of Public Works for a term of one to three years. The Town Administrator may terminate the employment of any Director of Public Works.

### **Recommended Minimum Qualifications:**

#### **Education:**

Bachelor's degree in a relevant field; a Master's degree in a job-related field is preferred.

#### **Experience:**

A minimum of seven years of experience in public administration with a minimum of five years served in a senior management capacity.

**Substitutions:**

An equivalent combination of education and management experience may be substituted.

**Licenses/Certificates:**

Must possess a valid driver's license.

**Knowledge, Abilities and Skills:**

Ability to provide leadership, planning, management, organizational and supervisory skills in a highly matrixed organization.

Ability to promote strategic thinking and to facilitate change.

Ability to facilitate teamwork, collaboration and build consensus.

Mediation and conflict resolution skills.

Ability to motivate others and establish and maintain effective working relationships with Town employees, board and committee members, state agencies and the general public.

Ability to communicate effectively orally and in writing.

Ability to work effectively under pressure and time constraints.

Excellent customer service and public relations skills.

Ability to handle confidential information discretely.

Ability to operate standard office equipment.

Knowledge of relevant federal and state laws and regulations; ability to interpret local by-laws.

**Physical Requirements:**

Light physical effort required to perform duties under typical office conditions. Frequently required to sit, communicate and move around Town building. Travel as necessary to perform the job.

*This job description does not constitute an employment agreement between the employer and the employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.*

## **Addendum to Town Administrator Job Description**

8/6/14

### **Background:**

(i) By authorization of the May 3, 2004 Annual Town Meeting, Wayland petitioned the Massachusetts legislature and that state legislative body adopted a Special Act creating the position of Town Administrator (see Chapter 32 of Acts of 2004, August 19, 2002) Town Meeting also adopted a bylaw outlining the responsibilities of a Town Administrator (See Chapter 60 of the Code of the Town of Wayland).

(ii) Thereafter, by authorization of the April 10, 2008 Annual Town Meeting, Wayland petitioned the Massachusetts legislature and that state legislative body adopted another Special Act merging several previously distinct functions into a Department of Public Works, with the Town Administrator and the Board of Public Works having certain responsibilities (see Chapter 347 of the Acts of 2008, October 6, 2008). In addition, Town Meeting adopted a bylaw outlining the role of the Director of Public Works and that bylaw also contains substantive provisions concerning responsibilities of the Town Administrator (see Chapter 151 of the Code of the Town of Wayland).

## Chapter 60

### TOWN ADMINISTRATOR

#### GENERAL REFERENCES

Boards, commissions and committees — See Ch. 6.  
Personnel — See Ch. 43.

Finances — See Ch. 19.

Board of Selectmen — See Ch. 58.

Treasurer and Collector — See Ch. 72.

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#### § 60-1. Appointment and qualifications.

60.1.1 The Board of Selectmen, by a majority vote of its full membership then serving, may appoint a Town Administrator for a term of one or three years or the Town Administrator may serve the Town at will at the pleasure of the Board of Selectmen. The Town Administrator shall receive such aggregate compensation and benefits, not exceeding the amount appropriated, as the Board of Selectmen may determine. The Board of Selectmen may, but is not required to, establish a written employment contract with the Town Administrator pursuant to Massachusetts General Laws Chapter 41, Section 108N, to provide for the salary, fringe benefits, and other conditions of employment. The Town Administrator position shall be a non-union position.

60.1.2 The Town Administrator shall be appointed on the basis of educational, management and administrative qualifications and experience, including at least a bachelor's degree in a related field of study from an accredited four-year college or university. The Town Administrator shall have considerable professional experience, consisting of compensated service in municipal administration or an equivalent combination of education and business management experience.

60.1.3 The Town Administrator shall devote full-time to the responsibilities of the office. The Town Administrator shall hold no elective Wayland Town office. The Town Administrator may be appointed by the Board of Selectmen to any other compatible Town office or position, but s/he/she shall engage in no other business or occupation without advance written authorization by the Board of Selectmen.

**§ 60-2. Authority and responsibilities.**

60.2.1 The Town Administrator shall be responsible for executing all of the activities noted in the Town Administrator's job description in compliance with federal and state laws and the Town's bylaws and Town policies. The Town Administrator shall be responsible for the management of all affairs of the Town and Town departments under the supervision and control of the Board of Selectmen and shall act by and for the Selectmen in any matter relating to the administration and operations of the affairs of the Town which they may assign to the position.

The Town Administrator shall be responsible for overseeing, coordinating, and making recommendations that may impact multiple Town boards and committees, broadly or in detail, regarding Town financial, personnel and legal activities. The Town Administrator will not set Town policy, but will ensure there is appropriate coordination in the implementation of Town policy working across all Town departments in conjunction with all elected and appointed boards and committees.

Certain department heads and elected boards and committees have state statutory authority or responsibility over specific job-related activities resulting in the implementation of technical decisions, as defined in Town bylaws or Town policies. The technical knowledge necessary to execute the specific job-related activities is held by the applicable department heads and elected boards and committees. The Town Administrator shall understand and have a working knowledge of the statutory authority and responsibility held by certain department heads and elected boards and committees so s/he/she can effectively support these officers in the execution of their duties. Nothing in this bylaw is intended to reassign state statutory authority or responsibility over specific job activities, as defined in Town bylaws or Town policies to the Town Administrator.

60.2.2 The Town Administrator shall, unless otherwise directed by the Board of Selectmen, manage and supervise all affairs of Town departments and committees under the jurisdiction of the Board of Selectmen.

With respect to all other affairs of the Town government, the Town Administrator shall:

- (a) With respect to Town policies and programs that impact multiple areas of Town government, working with all elected and appointed boards and committees and Town department heads, be accountable for ensuring there is appropriate administration and coordination both (i) in the implementation and on-going adherence to Town policies; and (ii) in the development and execution of programs;
- (b) Be accountable for ensuring that all Town boards and committees and employees under the jurisdiction of these Boards:
  - 1) Comply with the Town's financial, personnel and legal policies and procedures;
  - 2) Comply with votes of Town meeting and Town bylaws and federal and state laws;

- 3) With respect to the development, implementation and execution of policies and programs affecting various Town departments:
    - i. Coordinate the setting of priorities with the rest of the Town government;
    - ii. Communicate activities, including projects, plans and studies, so that necessary input is received from all areas of Town government that should be involved in those initiatives;
    - iii. Coordinate efforts so that cross-functional services to residents and others are effectively and consistently delivered, and
  - 4) Prepare, file and maintain the appropriate records and reports on behalf of the Town; but, in no event shall the Town Administrator be responsible for making policy decisions or implementing technical decisions provided for by state statute, Town bylaws or Town policies;
- (c) Work with the Finance Director and Finance Committee to:
- 1) Develop long-term financial strategies for the Town;
  - 2) Establish set budgetary guidelines to be used in the development of annual budgets;
  - 3) Review budgets of all Town departments and make recommendations to the affected boards and committees and to the Finance Committee about priorities important to budget development; and
  - 4) Evaluate actual expenditures and receipts against budgets and coordinate with affected department heads, boards and committees the development of plans to manage to the budget or obtain Finance Committee approval for Reserve Fund transfers, in advance of spending, when possible;
- (d) Maintain an inventory of all Town-owned real and personal property;
- (e) Serve as the Town's chief procurement officer under the provisions of Massachusetts General Laws Chapter 30B;
- (f) Working with the Town's Human Resource Director, be responsible for the daily administration of the Town-wide personnel system, including the maintenance of personnel records and the enforcement of personnel policies, rules and regulations and managing personnel costs to ensure maximum efficiency and fairness across Town departments;
- (g) Oversee crisis intervention in emergency situations, working with other key Town department heads, and address any systemic problems impacting multiple areas of the Town as they arise, being accountable for ensuring priority items are properly attended to and for bringing concerns about problem resolution to related boards and committees, and ultimately, to the Board of Selectmen for assistance in resolution, if necessary;

- (h) Annually evaluate the job performance of all Town officers and department heads under the jurisdiction of the Board of Selectmen after seeking input and recommendations from any appointed committees served by any such officers and department heads;
- (i) For department heads under the jurisdiction of elected boards, the Town Administrator will provide input to the elected board on the department head's job performance, at a minimum, as part of the annual performance evaluation process and will provide input to the elected board on personnel hiring and removal. Evaluation feedback will address the Town Administrator's interaction with the department head relating to areas addressed under Subsections (a) through (g) above, and other similar interactions. Authority for hiring, evaluating, disciplining and removal of such department heads will remain with the elected board, with input provided by the Town Administrator;
- (j) At least annually, provide input to the office of the Town Clerk about his/her performance.

60.2.3 The Town Administrator shall have the power and authority to:

- (a) Appoint, on the basis of merit and fitness alone, without the ratification by the Board of Selectmen, and evaluate, discipline or, for cause, remove, without the ratification of the Board of Selectmen:
  - 1) An Information Technology Director;
  - 2) A Town Surveyor or a Town Engineer;
  - 3) All other administrative and clerical employees in the Offices of the Board of Selectmen and the Town Administrator; and
  - 4) Such other Town officers, department heads and employees under the jurisdiction of the Board of Selectmen, except for members of appointed boards or committees, as authorized by order of the Board of Selectmen, bylaw or state law; and
- (b) Appoint, on the basis of merit and fitness alone, subject to ratification by a majority vote of the full membership of the Board of Selectmen then serving, and, evaluate, discipline and, for cause, remove, without the ratification of the Board of Selectmen, a Human Resource Director;
- (c) (Reserved)<sup>1</sup>
- (d) Upon enactment of a special act approved by the General Court of the Commonwealth of Massachusetts, appoint, on the basis of merit and fitness alone, with ratification by a majority vote of the full membership of the Board of Selectmen then serving, and evaluate, discipline and, for cause, remove, without the ratification of the Board of Selectmen:
  - 1) A Police Chief;
  - 2) A Fire Chief;

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1. Editor's Note: Former Section 60.2.3(c), regarding appointment of Town Counsel and special counsel, was repealed 4-3-2014 ATM by Art. 27.

- 3) A Finance Director, who shall have the authority and responsibilities of a Town accountant; and
- (e) Upon enactment of a special act approved by the General Court of the Commonwealth of Massachusetts, appoint, on the basis of merit and fitness alone, without ratification by the Board of Selectmen, and evaluate, discipline and, for cause, remove, without the ratification of the Board of Selectmen:
  - 1) A Building Commissioner;
  - 2) One or two Directors of the Council on Aging;
  - 3) A Conservation Administrator; and
  - 4) A Town Treasurer and Collector.

60.2.4 The Town Administrator will consult with relevant primary boards and committees working with the department heads enumerated in Subsections (a) through (e) above, prior to implementing personnel related actions.

### **§ 60-3. Removal of the Town Administrator.**

The Town Administrator may be removed by a majority vote of the full membership of the Board of Selectmen then serving.

### **§ 60-4. Acting Town Administrator.**

The Board of Selectmen may designate a qualified person to serve as the Acting Town Administrator and to perform the duties of the Office of the Town Administrator during the period of any vacancy caused by the Town Administrator's absence, illness, suspensions, removal or resignation. The appointment shall be for a period not to exceed six months, but such appointment may be extended by an additional two months by majority vote of the Board of Selectmen.



**BOARD OF SELECTMEN**  
**Monday, November 30, 2020**  
**6:30 p.m.**  
**Wayland Town Building**  
**41 Cochrane Road, Wayland, MA**

**CONSENT CALENDAR**

1. Vote the question of designating and approving signing authority to Louise Miller, Town Administrator on items listed below.
2. Vote the question of approving and signing the weekly payroll and expense warrants.
3. Vote the question of approving expenditure of \$18,771.20 from the Wayland COVID-19 Relief Fund.
4. Vote the question of establishing the Testing for COVID-19 in the Wayland Schools Fund

**PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF SELECTMEN FROM  
NOVEMBER 24, 2020 THROUGH AND INCLUDING NOVEMBER 29, 2020  
OTHERWISE NOT LISTED AND INCLUDED IN THE CORRESPONDENCE PACKET  
FOR NOVEMBER 30, 2020**

**Items distributed to the Board of Selectmen –November 24, 2020 – November 29, 2020**  
(none)

**Items Distributed for Information and Use by the Board of Selectmen at the Meeting of  
November 23, 2020**

1. Board of Health COVID-19 Case update as of November 20, 2020
2. Press Release: Town of Wayland Awarded MassWorks Infrastructure Grant
3. Memorandum from Wayland School Committee to Board of Selectmen & Town Administrator re: COVID-19 Surveillance Testing Proposal
4. Memorandum dated November 9, 2020 from Town Administrator to Board of Selectmen re: COVID-19 testing in Schools
5. Board of Selectmen Motion for Town of Wayland Testing for COVID-19 in the Wayland Schools Fund

**Items included as part of the Agenda Packet for discussion during the November 30, 2020  
Board of Selectmen Meeting**

1. Tax Rate/Classification Hearing Notice
2. Slide deck regarding Tax Classification Hearing from Board of Assessors
3. Tax Rate Recapitulation For Fiscal 2020
4. Town Administrator Evaluation form updated September 2020
5. Town Administrator Employment Contract
6. Town Administrator Contract Memorandum of Understanding
7. Town Administrator Position Description
8. Town of Wayland Code Chapter 60: Town Administrator

**BOARD OF SELECTMEN**  
**Monday November 30, 2020**  
**6:30 pm**  
**Wayland Town Building**  
**Council on Aging Room**  
**41 Cochituate Road, Wayland, MA**

**CORRESPONDENCE**

1. Correspondence from George Harris to Board of Selectmen dated November 23, 2020 re: Open Meeting Law complaint filed September 3, 2020
2. Correspondence from Massachusetts Office of the Attorney General to Board of Selectmen dated November 24, 2020 re: Open Meeting Law filed September 3, 2020
3. Correspondence from Tom Holder, DPW Director to Town Administrator dated November 23, 2020 re: Eversource request for a Grant of Location on Rice Road.
4. Correspondence from Sudbury Town Manager to Board of Selectmen dated November 20, 2020 re: Town of Sudbury perambulating its boundaries starting on November 23, 2020
5. Correspondence from Susan Weinstein, Housing Authority Board Chair to Board of Selectmen dated November 24, 2020 re: Intention to fill Housing Authority Board Vacancy.
6. Correspondence from Executive Office of Housing & Economic Development to Town Administrator dated November 19, 2020 re: Awarding of \$2,203,000 MassWorks grant to Support the Alta at River's Edge Project.