

**PACKET**

**Sep 20**

**2021**



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

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

## BOARD OF SELECTMEN

THOMAS J. FAY  
ADAM G. GUTBEZAHL  
CHERRY C. KARLSON  
CAROL B. MARTIN  
DAVID V. WATKINS

## BOARD OF SELECTMEN Monday, September 20, 2021

7:00 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.*

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and via remote means, in accordance with applicable law. This means that members of the public body as well as members of the public may access this meeting in person, or via virtual means. In person attendance will be at the meeting location listed above, and it is possible that any or all members of the public body may attend remotely, with in-person attendance consisting of members of the public. The meeting may also be accessed remotely via zoom at the link below:

<https://zoom.us/j/95721725414?pwd=RvVKcG9qMXRVcXNlc1pMWVRXY1JlOT09>

Password: 346818

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

Additionally, the meeting will be broadcast live, in real time, via WayCAM which can be viewed online at <https://www.waycam.tv/live> or on one of their cable channels (Comcast 8, 9, or 99 & Verizon 37, 38 or 39). This meeting will also be recorded which will be made available to the public at the link above as soon after the meeting as is practicable.

Everyone in attendance must adhere the Town of Wayland's new mask requirement dated August 11 that requires the wearing of masks within municipal buildings for all members of the public and for staff when interacting with the public. <https://www.wayland.ma.us/home/news/august-11-2021-announcement-covid-19-update-and-new-mask-requirement-wayland-town>

7:00 pm 1. Call to Order, Review Agenda for Public

7:05 pm 2. Announcements and Public Comment

7:15 pm 3. Committee Appointments: Discuss and potential vote to appoint:

Committee	Potential Appointee	Term End Date
Senior Tax Relief Committee <i>1 vacancy representing Board of Assessors</i>	Susan Rufo	June 30, 2024
Zoning Board of Appeals <i>Full member</i>	Joshua Wernig	June 30, 2024

7:20 pm 4. Minutes – September 1 and September 13, 2021; review and vote to approve

**BOARD OF SELECTMEN**  
**Monday, September 20, 2021**  
**7:00 p.m.**  
**Wayland Town Building**  
**41 Cochituate Road, Wayland, MA**

- 7:25 pm 5. Finance Committee join meeting and call to order
- 7:30 pm 6. Financial Summit: Focus on Revenue: Presentation from Town Administrator and Finance Director
- 8:30 pm 7. 2021 Special Town Meeting: Review, discuss and potential vote on aspects of Special Town Meeting, including but not limited to articles (proposer's comments, funding sources, positions), prepare for League of Women Voter's issues forum, meet with petitioners, logistics.
- 9:30 pm 8. Code of Conduct policies: review, discuss and potential votes to adopt; identify next steps
- 10:00pm 9. Town Administrator update
- a. Stonebridge-Potter Road Bridge Town Counsel Opinion
  - b. Dudley Pond Boat Launch
  - c. Flu Vaccine
  - d. Facilities Concerns
- 10:15pm 10. Consent: review and vote to approve
- 10:20pm 11. Correspondence
- 10:25pm 12. Selectmen's Reports and Concerns
- 10:30pm 13. Topics not Reasonably Anticipated 48 hours in advance, if any
- 10:35pm 14. Adjourn

**BOARD OF SELECTMEN**  
**Monday, September 20, 2021**  
**7:00 p.m.**  
**Wayland Town Building**  
**41 Cochituate 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 and signing agreement #21-2024 with B-P Trucking, Inc. for Solid Waste and Recycling collection.
4. Vote the Question of approving and signing agreement with Option Technologies International, LLC for Town Meeting Electronic Voting Services
5. Vote the question of approving and joining program with CMRK, Inc for the collection and removal of residential Textile and Electronics.
6. Vote the question of approving and signing agreement with Emerging Compounds Treatment Technologies (ECT2), Inc. for supply, delivery and installation of all equipment needed for PFAS water treatment for Town's Drinking Water Supply.



**Town of Wayland  
Board/Committee Appointments  
Status as of September 16, 2021**

Most volunteer positions have a term that ends on June 30. All positions with openings are listed below. Incumbents may reapply, and all interested volunteers will be considered.

Information on each board and committee (purpose, responsibilities, Chair) can be found on its web page. All board and committee pages are linked here: <https://www.wayland.ma.us/boards>.

Volunteers interested in serving on one of the committees or boards listed below, please send an email explaining your interest and qualifications and a resume/CV to the Board of Selectmen c/o Teri Hegarty at [theharty@wayland.ma.us](mailto:theharty@wayland.ma.us). All positions are appointed by the Board of Selectmen unless otherwise noted.

<b>Committee</b>	<b>Term Ending Date</b>
<b>Audit Committee</b> School Committee	June 30, 2022
<b>Cable Advisory Committee</b> (2 positions)	completion of negotiations
<b>Conservation Commission</b>	June 30, 2022
<b>Cultural Council</b> (multiple vacancies)	3-year terms
<b>Design Review Advisory Board</b> Planning Board	June 30, 2024
<b>Finance Committee</b>	June 30, 2023
<b>Local Emergency Planning Committee</b> Selectmen (3 positions)	June 30, 2022, 2023 and 2024
<b>MBTA Advisory Board</b>	
<b>Municipal Affordable Housing Trust Fund Board</b> Selectmen (Real Estate Law Specialist)	June 30, 2022
<b>Personnel Board</b>	June 30, 2026
<b>Route 20 South Landfill Visioning Committee</b> Conservation Commission	November 1, 2023
<b>Senior Tax Relief Committee</b> Board of Assessors	June 30, 2024
<b>Surface Water Quality Committee</b>	June 30, 2022
<b>Youth Advisory Committee</b> Selectmen	June 30, 2023
<b>Zoning Board of Appeals</b>	June 30, 2023

5 REGULAR MEMBERS (VOTING) AND 3 ASSOCIATE MEMBERS (NON-VOTING) FOR 3 YEAR TERMS			TERM EXPIRATION	
ZONING BOARD OF APPEALS - Associate member	SELECTMEN	Evans Huber -associate	2024	
ZONING BOARD OF APPEALS -Full member	SELECTMEN	Joshua Wernig - full member	2024	
ZONING BOARD OF APPEALS - Associate member	SELECTMEN	James E. Grumbach- associate	2022	
ZONING BOARD OF APPEALS - Full member	SELECTMEN	Thomas W. White - full member	2022	
ZONING BOARD OF APPEALS - Full member	SELECTMEN	Aida A. Gennis - full member	2023	
ZONING BOARD OF APPEALS - Full member	SELECTMEN	Vacancy - full member	2023	David Katz Resigned June 14, 2021. Effective as of August 1, 2021
ZONING BOARD OF APPEALS - Associate member	SELECTMEN	Shaunt Sarian - associate	2023	
ZONING BOARD OF APPEALS -Full member	SELECTMEN	Adam Hirsh - full member	2024	



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

THOMAS J. FAY  
ADAM G. GUTBEZAHL  
CHERRY C. KARLSON  
CAROL B. MARTIN  
DAVID V. WATKINS

## **DRAFT Meeting Minutes** **BOARD OF SELECTMEN**

**Wednesday, September 1, 2021**

**7:00 p.m.**

**Wayland Town Building**  
**Council on Aging Room**

**41 Cochituate Road, Wayland, MA**

**Attendance:** Thomas J. Fay, Adam G. Gutbezahl, Cherry C. Karlson (joined at 7:08 p.m.), Carol B. Martin, David V. Watkins

**Also Present:** Town Administrator Louise Miller, Assistant Town Administrator John Bugbee, Public Works Director Tom Holder, Water Superintendent Don Millette, Public Works Superintendent Joe Doucette, Information Technology Director Mike McCann

**Board of Public Works (BoPW):** Clifford W. Lewis, Michael Wegerbauer, Sherre Greenbaum, Robert Goldsmith and Michael Lowery

**A1. Call to Order by Chair, Review the Agenda for Public:** At 7:04 p.m., T. Fay called the meeting of the Board of Selectmen to order when a quorum was present by video-teleconference. T. Fay announced each member by full name and that all would participate remotely by video-teleconference. T. Fay reviewed the agenda for the public.

At 7:05 p.m., Chair of the Board of Public Works, Clifford W. Lewis called to order the meeting of the Board of Public Works and announced that Michael Wegerbauer, Sherre Greenbaum, Robert Goldsmith and Michael Lowery would participate remotely by video-teleconference.

**A2. Announcements and Public Comment:** T. Fay thanked residents for participating in the August 30 Field Forum.

Tom Sciacca, Rolling Lane, joined by teleconference to offer public comment to the BoPW. T. Sciacca discouraged the BoPW from allowing the residents' need to irrigate lawns to influence any water supply strategy. T. Sciacca expressed that lawns were evil, and the Town should not encourage the maintenance of large lawns.

Kate Taunton-Rigby, Old Connecticut Path, joined by teleconference and thanked the Board for hosting the Fields Forum on August 30, and further encouraged the Board to continue the momentum and consider inserting a warrant article for the Special Town Meeting to design the needed grass fields.

Emory Ford, Hayward Road, joined by teleconference and expressed that the removal of PFAS from the water supply should be the Town's top priority, and there was a need to expedite efforts to acquire and install the approved PFAS removal system.

Judy Ling, Concord Road, joined by teleconference and requested the Board provide updated water sample results from the monitoring wells nearest Wayland High School.

**A3. Per- and Polyfluoroalkyl substances (PFAS): Joint Meeting with members of the Board of Public Works for update and discussion of PFAS in Town Drinking Water Supply:** T. Fay thanked several Town officials for the work they've done since the Commonwealth promulgated the new drinking water standards related to PFAS in October. T. Fay provided contextual background on the issue, specifically that the BoPW approved a treatment system for the Happy Hollow wellfield to reduce the level of PFAS to non-detectable levels in June, and that the Town was working closely with Massachusetts Department of Environmental Protection (MassDEP) and the Town's contractor, Tata & Howard, Inc. to execute the plan. C. Lewis requested that the comments and goals submitted to the PFAS workgroup by members of the BoPW become part of the record.

L. Miller offered a presentation via screen share which summarized the timeline events between January 2020 and August 2021, including the initial PFAS testing, public notifications, plans for short-term and long-term action plans, as well as financing and grant opportunities. L. Miller summarized the ongoing procurement process for the

short-term solution, which began on May 10, 2021, including the request for proposals (RFP) and the resulting MassDEP notifications regarding permits. L. Miller reported that MassDEP had approved the permit and the contract was subsequently expected to be awarded by September 10. L. Miller noted that the contract would not be awarded while the specifications were still under review. L. Miller noted that one outstanding issue was the definition of “non-detectable” and the second issue involved the vendors’ limitation on liability. The BoPW indicated it should have had an opportunity to opine on the definition of “non-detectable.”

T. Fay acknowledged the earlier public comment that suggested the Town had not prioritized the remediation of the PFAS issue. L. Miller reported that the remediation was being worked on daily by multiple Town officials and the PFAS workgroup, which included personnel as well as members of the BoS, BoPW and the Board of Health. L. Miller noted that some other communities in Massachusetts were able to move more quickly because they were able to shut down any number of wells; Wayland and other communities have needed several months to address the issue.

C. Lewis expressed concern that the BoPW goals and concerns were not being addressed. L. Miller noted that the slide deck was developed in response to the comments and concerns regarding procurement submitted by the BoPW. C. Lewis expressed frustration about the lack of specific dates and timing of the expected purchases. L. Miller noted that the specifics of the timeline would result from the contract, and that the contract was still being negotiated. L. Miller reported that the bid specifications would be completed by September 3. L. Miller stated that MassDEP advised the Town that it would be operating at its own risk if it proceeded without a MassDEP permit, and Town Counsel had advised the Town not to issue a purchase order for resin ahead of the contractual terms. There was a discussion about the contract negotiations and the decision about the risk.

L. Miller reiterated that the receipt of the bid specifications was expected on September 3, and subsequently the contract and purchase order would be awarded by September 10. T. Holder explained the 32 technical conditions required by the MassDEP permit, and specifically the requirement to rinse the resin, were being worked into the specifications and the contract. T. Holder reported that a permit from the Building Department and a water discharge permit from the Conservation Department would be required.

At 8:05 p.m., the meeting was paused for three minutes to resolve an interruption in the WayCAM broadcast.

L. Miller reported that there were grant opportunities from the Commonwealth, and that she has applied for the full cost of the short-term solution, up to \$750,000. The anticipated award would be up to \$150,000, and T. Fay had consulted with MassDEP to determine the expected timeline.

S. Greenbaum requested that the PFAS working group be more transparent and post minutes. T. Fay noted that a workgroup was not subject to open meeting laws, and such a workgroup was being utilized to expedite a solution for this specific problem. A. Gutbezahl requested that the workgroups and its members are posted publicly. C. Karlson noted that the workgroup was not a decision-making entity, and that the workgroup gathers information to inform a public body for a decision. L. Miller noted that she also issues memorandums periodically to update the public on the PFAS working groups’ progress.

C. Lewis reported that the BoPW received written observations from a PFAS workgroup representative, and recommended that they be posted on the website, S. Greenbaum concurred. T. Fay suggested that even informal minutes should go through an approval process of the entire workgroup before posting. D. Watkins recommended a master schedule be provided. T. Holder agreed to update the existing schedule that was posted on the website. C. Karlson reminded participants that staff had said that the specifics of the timeline would result from the terms of the pending contract and should be available by September 10.

At 8:32 p.m., the members of the BoPW recessed the meeting of the BoPW unanimously.

**A4. 2021 Fall Special Town Meeting: Review and potential vote to submit Articles, if any** T. Fay reported that he was impressed by the contributions of the residents at the Fields Forum held on August 30, and that the general consensus was to move forward with grass fields and not artificial fields. T. Fay suggested that the Board consider sponsoring a warrant article solely, or jointly with the Recreation Commission, to fund the design of a grass field, and possibly a separate motion for construction of a grass field at the Loker Recreation Area, 410-414 Commonwealth Road. D. Watkins acknowledged the need for at least three grass fields and suggested the Board also consider the 195-207 Main Street/Old DPW site in front of the Middle School and the 471-473 Boston Post Road/Route 20S former landfill area.

C. Karlson suggested the Board first review a short-term effort at the Loker Recreation site and then longer-term effort at other sites. C. Karlson voiced support of funding a grass field design and to leverage the design that already existed for the Loker site. C. Karlson expressed that construction funding could wait until the 2022 ATM in May when the costs could be clearer, and the Town could budget for operating and maintenance funds. C. Martin expressed support for the fields, suggested looking at irrigation or using a different reservation system for immediate relief on existing fields, and noted that there is no funding source set aside for the Middle School field renovation which has already entered the capital planning process. A. Gutbezahl favors an article to design and construct a grass field at Loker now and would support design of a second field at the old DPW site.

T. Fay estimated that the redesign would cost approximately \$65,000. There was a discussion about how to sequence the identification, design and development of three areas: Loker Recreation Area, 410-414 Commonwealth Road, 195-207 Main Street/Old DPW site in front of the Middle School and the 471-473 Boston Post Road/Route 20S former landfill area. C. Martin reviewed the need for design first and being aware of the impact on the five-year capital plan of inserting more projects. C. Karlson expressed concern with preempting the work of the Route 20 South Landfill Visioning Committee. T. Fay noted that fields were one of seventeen ideas the committee had considered for the property.

C. Karlson moved, seconded by A. Gutbezahl, that the Board authorize the chair to work with the Town Administrator to submit a warrant article for Special Town Meeting with two components: \$65,000 for design of a grass field at Loker Recreation Area and \$75,000 of a feasibility site at 195-207 Main Street/Old DPW site. D. Watkins offered an amended to the motion to include the 471-473 Boston Post Road/Route 20S former landfill area. C. Karlson declined the amendment. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

L. Miller reported that she had received a number of requests to not hold the Special Town Meeting on the turf field. The Recreation Director and the Facilities Director have assessed the property for alternate areas at Wayland High School in terms accessibility and meeting feasibility and suggested the JV Football field and the area where the Tennis Courts used to be located, both areas that would not disrupt the current activity schedule.

D. Watkins returned the discussion to field articles. D. Watkins moved, seconded by A. Gutbezahl, that the Board allocate \$65,000 in funds for a determination for the feasibility of a third location for field development. T. Fay clarified the motion, to authorize the chair of the Board of Selectmen to submit an article at Special Town Meeting, scheduled for October 3, 2021, where the Board asks the question to the Town to authorize \$65,000 for a feasibility study on a potential grass field location other than Loker Recreation Area and 195-207 Main Street/Old DPW site, A. Gutbezahl seconded the clarified motion. In discussion, the Board deliberated on whether the motion and article should specify a third location. C. Karlson expressed that it was too soon to review the Route 20S Landfill Area, the Route 20 South Landfill Visioning Committee was still reviewing the potential uses, and that there was more work to be done on identifying the third location. C. Martin agreed, reiterated her understanding of the need for fields and thought additional work needed to be done to identify a third location.

A. Gutbezahl, offered an amendment to the motion to look at a third location at any spot previously identified by the Recreation Department at the August 30 Fields Forum. The amendment was seconded by D. Watkins.

D. Watkins further amended the motion to determine a third location for a field for the purpose of building a grass field and determine its feasibility focused on the list of fields provided by the Recreation Commission at the latest fields forum. T. Fay clarified that the intent of the motion was to explore the list of fields provided, and possibly others to identify a third location, and that motion was to authorize the chair to wordsmith the article language.

D. Watkins withdrew the initial motion, A. Gutbezahl withdrew his amendments.

D. Watkins moved to allocate \$65,000 for the purpose of supporting a feasibility study for a third location for a grass field and site in and amongst fields that were reported on in the August 30 Board Meeting provided by the Recreation Department Director, Katherine Brenna, but not limited to those sites, A. Gutbezahl seconded the motion. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Martin, D. Watkins. NAY: C. Karlson. ABSENT: none. ABSTAIN: none. Adopted 4-1-0. C. Karlson expressed support for a third field but reiterated that there was not enough information or resources to move forward now.

**A5. Adjourn:** At 9:30 p.m., C. Martin moved, seconded by D. Watkins, to adjourn the meeting. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items included in the packet during the Board of Selectmen Meeting of September 1, 2021:**

1. There were none.

**Items Distributed For Information and Use By the Board during the Meeting of September 1, 2021  
Otherwise Not Included In The Packet (Handouts):**

1. PFAS Update, PowerPoint presentation prepared by Town Administrator dated September 1, 2021

★ ★ ★ ★ ★ ★ ★ ★ ★ ★

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

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before September 17, 2021.

Given under our hands and seals this 17<sup>th</sup> day of September, 2021.

Thomas J. Fay, Chair  
Cherry C. Karlson, Vice Chair  
Adam G. Gutbezahl  
Carol B. Martin  
David V. Watkins  
**Selectmen of the Town of Wayland**



Town of Wayland  
Board of Selectmen  
41 Cochituate Road  
Wayland, MA 01778  
[www.wayland.ma.us](http://www.wayland.ma.us)

PRST-STD  
U.S. Postage  
PAID  
Permit No. 16  
Wayland MA

***POSTAL PATRON WAYLAND, MA 01778***



**Wayland Special Town Meeting**

Sunday, October 3, 2021

12:30 p.m.

Wayland High School Stadium

264 Old Connecticut Path

Wayland, MA 01778



Please visit the Town's website <https://www.wayland.ma.us/town-meeting/STM2021> for the ADA notice & ADA compliance coordinator contact information, Be Prepared Statement, COVID19 & Field Protocols, The Moderator's Rules and Regulations, How to Vote Electronically, additional information on the articles, possible appendices and any other additional Town Meeting Materials.

**To any of the Constables of the Town of Wayland, Greetings:** In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Wayland who shall be qualified to vote in accordance with the provisions of Massachusetts General Laws, Chapter 51, Section 1, to meet at **the High School Stadium** on:

**SUNDAY, OCTOBER 3, 2021 AT 12:30 P.M.**

to act on the following Articles:

---

**Article 1. Town Code § 95.1 Moratorium on Synthetic/Artificial Turf**

*Proposed by: Petitioners*

To determine whether the Town will vote to:

Add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021.

This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

**Quantum of Vote:** Majority – see General Laws Chapter 39, Section 16, and General Laws Chapter 40, Section 21.

For more information about this article, contact Paul Dale, Lead Petitioner at 617-794-0851

In Town Counsel's opinion, the proposed bylaw amendment is not repugnant to Massachusetts or federal law

---

**Article 2. Grass Field at Loker Conservation & Recreation Area Design Fees**

*Proposed by: Board of Selectmen, Recreation Commission*

*Estimated Cost: \$125,000*

To determine whether the Town will vote to:

a) appropriate a sum of money, not to exceed \$125,000, to be expended under the direction of the Wayland Board of Selectmen for the design, permitting, and engineering for the development of a multi-purpose, rectangular, natural grass athletic field at the Loker Recreation site, including, but not limited to, lighting, drainage, landscaping, recreational amenities, irrigation system and any and all other costs incidental or related thereto; and

b) determine whether said appropriation should be provided by taxation, transfer from un-appropriated funds, transfer from available funds already appropriated for other purposes, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise. (If borrowing, the article should include standard authorization language for Treasurer and to apply bond premium.)

c) authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow up to said sum in accordance with Massachusetts General Laws Chapter 44, section 7 and 8 and any other enabling authority, and issue bonds or notes of the Town therefor; and

d) authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder in accordance with Massachusetts General Laws Chapter 44, section 20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

**Quantum of Vote:** 2/3 vote if borrowing funds under General Laws, Chapter 44, Sections 7 and 8. Majority vote to appropriate funds pursuant to General Laws Chapter 40, Section 5.

For more information about this article, contact Louise Miller, Town Administrator at [lmiller@wayland.ma.us](mailto:lmiller@wayland.ma.us)

---

**Article 3. Feasibility Study for a Grass Field at 195/207 Main Street**

*Proposed by: Board of Selectmen, Recreation Commission*

*Estimated Cost: \$50,000*

To determine whether the Town will vote to:

a) appropriate a sum of money, not to exceed \$50,000, to be expended under the direction of the Board of Selectmen for a feasibility study for a multi-purpose, natural grass athletic playing field at 195 and 207 Main Street, Wayland, Massachusetts, including, but not limited to, lighting, drainage, landscaping, recreational amenities, irrigation, access and parking areas, and any and all other costs incidental or related thereto; and

b) determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority. (If borrowing, the article should include standard authorization language for Treasurer and to apply bond premium.)

c) authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow up to said sum in accordance with Massachusetts General Laws Chapter 44, section 7 and 8 and any other enabling authority, and issue bonds or notes of the Town therefor; and

d) authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder in accordance with Massachusetts General Laws Chapter 44, section 20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

**Quantum of Vote:** 2/3 vote if borrowing funds under General Laws, Chapter 44, Sections 7 and 8. Majority vote to appropriate funds pursuant to General Laws Chapter 40, Section 5.

For more information about this article, contact Louise Miller, Town Administrator at [lmiller@wayland.ma.us](mailto:lmiller@wayland.ma.us)

---

**Article 4. Feasibility Study for Review of Potential Third Site for a Grass Field**

*Proposed by: Board of Selectmen, Recreation Commission*

*Estimated Cost: \$50,000*

To determine whether the Town will vote to:

a) appropriate a sum of money, not to exceed \$50,000, to be expended under the direction of the Board of Selectmen for a feasibility study to investigate and identify a site for a multi-purpose, natural grass playing field in Wayland, Massachusetts, and those sites to be considered shall include, but not be limited to, Greenways, the Route 20 South Landfill, and Orchard Lane/Holiday Road, and

b) to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise. (If borrowing, the article should include standard authorization language for Treasurer and to apply bond premium.)

c) authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow up to said sum in accordance with Massachusetts General Laws Chapter 44, section 7 and 8 and any other enabling authority, and issue bonds or notes of the Town therefor; and

d) authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder in accordance with Massachusetts General Laws Chapter 44, section 20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

**Quantum of Vote:** 2/3 vote if borrowing funds under General Laws, Chapter 44, Sections 7 and 8. Majority vote to appropriate funds pursuant to General Laws Chapter 40, Section 5.

For more information about this article, contact Louise Miller, Town Administrator at [lmiller@wayland.ma.us](mailto:lmiller@wayland.ma.us)



## MEMORANDUM

To: Tom Fay, Chair, Board of Selectmen  
Louise Miller, Wayland Town Administrator

From: Dennis Berry

Re: Timing of STM on October 3, 2021

Date: September 15, 2021

Determination of the time, date and place of an Annual or Special Town Meeting is clearly within the sole authority of the Board of Selectman. Other than a courtesy call to make sure the Moderator is available, the Moderator plays no role in those decisions. This is as it should be.

However, other than some language under Section 9<sup>1</sup>, adjustment of that designated date, time and place falls within the authority of the Moderator but only for the purposes and under conditions and restrictions set out in sections 10 and 10A.

At the BOS meeting last Monday, the issue of extending the time for commencement of the upcoming STM, due to the use of the field by youth athletics, was discussed. The issue was left, as I recall, with the understanding that I would use the Moderator's authority under Sec. 10A to extend the start time of the meeting from the current 12:30 to 2:30 or 3:00.

The purpose of this memo is to urge the Selectmen to reconsider that time extension and retain the designated 12:30 commencement. This would likely mean that other uses of the stadium would have to be curtailed or prohibited that day, but for reasons I will set out, I believe that the 12:30 time should be retained.

Please consider the following in favor of retaining the 12:30 start time. I will try to be brief and will be happy to elaborate on each point in person whether individually or at an upcoming meeting.

1. Publication: The 12:30 start time has been discussed, set, published in accordance with Sec. 36-1 (1) of the town code and will be set out on the face of the warrant. It is the time that people have heard of and will see. While those of us attuned to municipal matters are aware of possible changes to that time, most citizens are not so intimately informed and will focus solely on 12:30.
2. Precedent: Both sessions of the last annual town meeting commenced at 12:30. People have become at least somewhat used to that start time.
3. Legal basis: When we were speaking last Monday it was assumed by everyone, including myself, that Section 10A which we used last spring and summer could be invoked again. However, after close reading of that statute, it is based on a "weather related, public safety or public health emergency." Without getting too deeply involved in my personal statutory interpretation it is

---

<sup>1</sup> All statutory references here are to MGLA C. 39 unless otherwise noted. Incidentally, the Town Counsel and I do not completely agree on the precise authority of the Selectman under Sec. 9, but that disagreement is inapplicable in the current situation.

hard to say we have such an “emergency” on our hands. Last year there was a statewide state of emergency, which provided support for statewide extensions. That no longer exists. Nevertheless, we are not without a path in that Sec. 10 does provide some possible relief to support a time extension in that it does not require an emergency, instead it allows that:

Whenever the moderator determines that voters are being excluded from the town meeting because there is no room for them in the places provided or that voters in attendance are being deprived of the opportunity to participate therein for any reason whatsoever, he shall either, on his own motion recess the meeting for any period during the day of the meeting...

Having an ongoing athletic activity taking place on the field at 12:30 would, it seems to me, “deprive voters in attendance of the opportunity to participate.” This would appear to provide the Moderator the authority to extend the time of the meeting. There would also be public safety concerns with cars in and in and out of the parking lot simultaneously.

While this may seem to provide legal support for moving the timing of the meeting, it would require the Moderator to be present at 12:30 to determine the reason, along with the Town Clerk the determine that there were other voters to be in attendance and to handle check-in duties. There would also be the disruption to those who were in attendance and had to leave and return, or those who were otherwise planning to attend at 12:30 and somehow needed to be told of a new start time.

4. Setup. Setting up a town meeting requires chairs, electronic equipment for voting and sound, check-in stations, timing clocks, a Moderator’s podium and other accoutrements of a full-blown meeting. To have to do all this in an uncertain time window, while people are actively entering would be difficult for a trained staff. To do all this properly in a short time window with an unknown number of volunteers or even paid but inexperienced staff would be nearly impossible. Problems and issues are sure to arise when such a setup is rushed.
5. Mosquitoes: You could respond to just about every other reason, to me this is the clincher. On Tuesday afternoon I officiated a Wayland High cross-country meet. I arrived at the school field, immediately adjacent to the stadium, about 3:00 and left just before 6:00. Approximately the time of the proposed STM if the start were extended. After about 4:00 I was swatting away flies and looking for insect repellent. I am currently scratching several bites on my arms, legs and the back of my right hand; and I was able to move around at will. Perhaps if the day is bright and sunny, as we have had for the last sessions of Town Meeting, it might not be a problem. But if the day is a little overcast, as it was on Tuesday, it could be very uncomfortable. To ask people to sit still after 4:00 in that location raises the potential of very difficult afternoon.

Given all these reasons, I urge the Selectmen to exercise their authority to clear the field for the full day on Sunday the 3<sup>rd</sup> and begin the meeting at the already determined and published time of 12:30.

RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Paul Dale		
2	Karen Dale		
3	Marie W Thompson		
4			
5			
6			
7			
8			
9			
10			

Printed on 100% recycled paper

Article Page 1 of 32

RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Margarita Cavdenas		
2	HOLLY LAPP		
3	TAN HARRINGTON		
4	Elizabeth Newton		
5	Evelyn Wolfson		
6	HENRIK BROEKMAN		
7	MAI-LAN BROEKMAN		
8	Margaret Hutton		
9	Edward J. Collins		
10	Anne C. Hurston		

Anne C. Hurston

Printed on 100% recycled paper



PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Phillip L. Radoff	[Redacted]	[Redacted]
2	Norma L. Radoff	[Redacted]	[Redacted]
3	Carol Shirey	[Redacted]	[Redacted]
4	TERRY SHIREY	[Redacted]	[Redacted]
5	DAVID HATFIELD	[Redacted]	[Redacted]
6	Colene P. Adams	[Redacted]	[Redacted]
7	Karen A. Fahrner	[Redacted]	[Redacted]
8	IAN RUSSELL	[Redacted]	[Redacted]
9	Timothy McLoughlin	[Redacted]	[Redacted]
10	Barbara A. Heffner	[Redacted]	[Redacted]

RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	ANNE PATRICEZ	[Redacted]	[Redacted]
2	Lisa Breger	[Redacted]	[Redacted]
3	Ronnie T Bodkin	[Redacted]	[Redacted]
4	JAMES L. BODKIN	[Redacted]	[Redacted]
5	LEN ABERBACH	[Redacted]	[Redacted]
6	RITA ABERBACH	[Redacted]	[Redacted]
7	STEVE ENGLER	[Redacted]	[Redacted]
8	Mareia Filimin	[Redacted]	[Redacted]
9	Michael Filimin	[Redacted]	[Redacted]
10	Margo Melnicove	[Redacted]	[Redacted]

Printed on 100% recycled paper



RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	GAIL R. SHAPIRO		
2	Michael Brian Murphy		
3	GILBERT T. WOLIN		
4	Frances Strigler		
5	Charles A. Strigler		
6	MITSUE M. FREY		
7	ERIKA FREY		
8	Alice Boelter		
9	Linda Smith		
10	Robert Smith		

Printed on 100% recycled paper

Article Page 5 of 32

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE **Town Code § 95.1 Moratorium on Synthetic/Artificial Turf**

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	DAVID BERNSTEIN	<i>[Signature]</i>	
2	Kathleen Bernstein		
3	Richard Lippmann		
4	Carolyn Lippmann		
5	Daryl Mark		
6	DAVID NELSON		
7	Richard P. Bosne		
8	Doug Schorr		
9	Patricia Abeamson		
10	Minnette Harrington		



RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	TIMOTHY HARRINGTON	[Redacted]	[Redacted]
2		[Redacted]	[Redacted]
3		[Redacted]	[Redacted]
4			
5			
6			
7			
8			
9			
10			

Printed on 100% recycled paper

Article Page 7 of 32

RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Susan Koffman	[Redacted]	[Redacted]
2	Thomas Cooper	[Redacted]	[Redacted]
3		[Redacted]	[Redacted]
4			
5			
6			
7			
8			
9			
10			

Printed on 100% recycled paper

Article Page 8 of 32



RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	JUDY BENNETT		
2	Jim Smith		
3	Lesley Ormunde		
4	DAVID PROUTEN		
5	Margy Barton		
6	G. Achenbach		
7	EVAN HADINGTON		
8	Janet Hadkinson		
9	Sarah J. Barton		
10	Sarah E. Barton		

Printed on 100% recycled paper

Article Page 9 of 32

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

RECEIVED

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

AUG 23 2021

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

Board of Selectmen  
Town of Wayland

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	James W Ashker	[Signature]	[Redacted]
2	Michael J. Brien	[Signature]	[Redacted]
3	Barbara Brien	[Signature]	[Redacted]
4	George Hecker	[Signature]	[Redacted]
5	Phyllis Kido Sadagursky	[Signature]	[Redacted]
6	JOEL SADAGURSKY	[Signature]	[Redacted]
7	CONRAD SPANN	[Signature]	[Redacted]
8	Barbara Mae Dowd	[Signature]	[Redacted]
9	Ann Maguire	[Signature]	[Redacted]
10	Heben Gaezter	[Signature]	[Redacted]



PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Edward Greitzer	[Redacted]	[Redacted]
2	Ellen Silvius	[Redacted]	[Redacted]
3	Ethan Silvius	[Redacted]	[Redacted]
4	Michèle Orzechowski	[Redacted]	[Redacted]
5	Jim Orzechowski	[Redacted]	[Redacted]
6		[Redacted]	[Redacted]
7		[Redacted]	[Redacted]
8		[Redacted]	[Redacted]
9		[Redacted]	[Redacted]
10		[Redacted]	[Redacted]

**PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING**

**RECEIVED**  
**AUG 23 2021**  
 Board of Selectmen  
 Town of Wayland

LEAD PETITIONER Paul Dale                      DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851    EVENING PHONE 617 794-0851

TITLE **Town Code § 95.1 Moratorium on Synthetic/Artificial Turf**

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

**ARTICLE:** To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

**Town Code § 95.1 Moratorium on Synthetic/Artificial Turf**

**Purpose:** The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Deborah Aaron		
2	Dana Aason		
3	Nancy Haysmerton		
4	PIERRE J. CAUQUET		
5	Marcia Auguier		
6	ISAAC AARON		
7	ARNOLD GOLDBERMAN		
8			
9			
10			



**PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING**

**RECEIVED**

AUG 23 2021

Board of Selectmen  
Town of Wayland

LEAD PETITIONER Paul Dale                      DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851    EVENING PHONE 617 794-0851

TITLE **Town Code § 95.1 Moratorium on Synthetic/Artificial Turf**

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

**Town Code § 95.1 Moratorium on Synthetic/Artificial Turf**

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Nicky PATTERSON		
2	Maureen Patterson		
3	Patricia Starfield		
4	Lisa DiMaggio		
5	Joseph DiMaggio		
6	Barbara Howell		
7	Gomya Lergy ←		
8	Thomas Lergy		
9	Alison Webber		
10	Katharine Hecksher		

**PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING**

LEAD PETITIONER Paul Dale                      DATE RECEIVED \_\_\_\_\_  
 DAY PHONE 617 794-0851    EVENING PHONE 617 794-0851  
 TITLE **Town Code § 95.1 Moratorium on Synthetic/Artificial Turf**  
 TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen  
 ESTIMATED COST \$ 0

**RECEIVED**

**AUG 23 2021**

Board of Selectmen  
Town of Wayland

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

**Town Code § 95.1 Moratorium on Synthetic/Artificial Turf**

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Judith A Young	[Redacted]	[Redacted]
2	Elizabeth A. Patterson	[Redacted]	[Redacted]
3	Regina Mandl	[Redacted]	[Redacted]
4	ALAN MANDL	[Redacted]	[Redacted]
5	DAVID B STOTZ	[Redacted]	[Redacted]
6			
7			
8			
9			
10			



RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Sherrre Greenbaum		
2	Stephen Greenbaum		
3	Sylvia C. Diaz		
4	MaryTeresa Diaz		
5	Margaret Thornley		
6	Theodore F. Hatch		
7	MARY THERESA HATCH		
8	Marlene D. Newberg		
9	Jane H. Sciacca		
10	Thomas Sciacca		

Printed on 100% recycled paper

Article Page 15 of 32

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE **Town Code § 95.1 Moratorium on Synthetic/Artificial Turf**

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Alan B. Cohen		
2	Helaine H. Cohen		
3	HOWARD A COHEN		
4	Phyllis Cohen		
5	Carol A. Sax		
6	John Sax		
7	Marjorie Lee		
8	Anthony D. Lee		
9	ROBIN SELAR		
10	CAROL FRANKLIN		



PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Gary T. Lilienthal		
2	Janet L. Lilienthal		
3	V. Renée Uveges		
4	George Uveges		
5	Susan Reed		
6	STUART EDELMAN		
7	Rosemond D. Geller		
8	Judith C. Sleeper		
9	MARTIN E SLEEPER		
10	TOM MAGLIONE		

RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	DAVID GROENEWOLD		
2	FELICIA F PAYNE		
3	BRYAN S. PAYNE JR		
4	DAVID T. GLENN		
5			
6			
7			
8			
9			
10			

Printed on 100% recycled paper

~~STNA~~ Page 18 of 32  
Article



**PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING**

**RECEIVED**

LEAD PETITIONER Paul Dale                      DATE RECEIVED \_\_\_\_\_

**AUG 23 2021**

DAY PHONE 617 794-0851    EVENING PHONE 617 794-0851

Board of Selectmen  
Town of Wayland

TITLE **Town Code § 95.1 Moratorium on Synthetic/Artificial Turf**

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.





**Town Code § 95.1 Moratorium on Synthetic/Artificial Turf**

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	PAUL SALVUCCI		
2	JUDITH SALVUCCI		
3			
4			
5			
6			
7			
8			
9			
10			

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

RECEIVED

AUG 23 2021

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

Board of Selectmen  
Town of Wayland

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Christine Tierney		
2	Paul Grasso		
3	Thomas Turner		
4	Lynne Deenbrack		
5	<del>Alan Mandol</del>		
6	ALAN MANDOL		
7	Eileen Agnes		
8	Peter W. AGNES		
9			
10			

Printed on 100% recycled paper

Article Page 20 of 32



RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Steven M. Wyman	[Redacted]	[Redacted]
2	Joseph N. Gibbons	[Redacted]	[Redacted]
3		[Redacted]	[Redacted]
4		[Redacted]	[Redacted]
5			
6			
7			
8			
9			
10			

Printed on 100% recycled paper

Article Page 21 of 32

RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	JENNIFER D. RILEY		
2	KARL R. KLAPPER		
3	ALEXANDRA MCCONEGAL		
4	TOM MCGONEGAL		
5	EARLE LANE		
6	Jane Lane		
7	Robin Borgestadt		
8	Mats Borgestadt		
9	Nancy Seward		
10	Collin Hess		



RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	GRANT KRISTOFEK		
2	Emily Kristofek		
3	Thomas P. Black		
4	Virginia M. Slep		
5	Gary M. Slep		
6	Kathy Z. Allan		
7	Gabriele Mezger		
8			
9			
10			

Printed on 100% recycled paper

Article Page 23 of 32

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

RECEIVED

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

AUG 23 2021

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Board of Selectmen  
Town of Wayland

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	ANN BRAKER		
2	JUDY LING		
3	JANAI MENDLER de SUAREZ		
4	PHYLLIS JEAN MILBURN		
5	ROGER C WEGAND		
6	STEVEN P. KIRTGORD		
7	KAHUL RAY		
8	SHARMA RAY		
9	MARLOWE MILLER		
10	DAVID KEEVIL		

Printed on 100% recycled paper

Article Page 24 of 32



RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	SUZAN S AGER		
2	RODNEY HAGER		
3	SUSAN THORSON		
4	Marcia J Berger		
5	Leir Doerr		
6	PAUL DOERR		
7	ANDREW NIERENBERG		
8	KAREN BLUMENFELD		
9	Bonnie Jones		
10	Elaine Bossels		

Printed on 100% recycled paper



PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Lawrence Orloff	[Redacted]	[Redacted]
2	Elaine F Gossels		
3	Bonnie Gossels		
4	WERNERT F. GOSSELS		
5	Philip L Cohen		
6			
7			
8			
9			
10			

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

RECEIVED

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

AUG 23 2021

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Mary R. Upton		
2	Beverley A. Daniel		
3	David M. Hill		
4	CYNTHIA NICK		
5	DONNA BOUCHARY		
6	Fiona McHarg		
7	FRANK KENNEDY		
8	Regina Kennedy		
9	JUDITH F. CURRIER		
10	Carolyn Bernard		



RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	George Bernard		
2	Bret Leifer		
3	Nancy Leifer		
4	Sheila Carel		
5	Roland Carel		
6	Elodie Carel		
7	TRISTAN Carel		
8	BETTY SALZBERG		
9	Lawrence Plumb		
10	CAROLE PLUMB		



RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	Anne M. Nawawi		
2	Peter Bochnan		
3	Timothy LAHEY		
4	Lois Stevens		
5	WAYLON WOJCIK		
6	PAVEL OZHOGIN		
7	Heather Ozhogin		
8	LORING L. STEVENS		
9	Jennifer Stybel		
10	Maryanne Peabody		

RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	GEORGE H. HARRIS		
2	BARBARA HARRIS		
3	Michelle Galicia		
4	Paul Fyfe		
5	Maury Todd		
6	David Todd		
7	Ann Drowler		
8	JAMES OGLETREE		
9	Paul Dima		
10	Paul Dima		

Article Page 30 of 32

mu A 1



**PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING**

**RECEIVED**  
**AUG 23 2021**  
 Board of Selectmen  
 Town of Wayland

LEAD PETITIONER Paul Dale                      DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851    EVENING PHONE 617 794-0851

TITLE **Town Code § 95.1 Moratorium on Synthetic/Artificial Turf**

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

**Town Code § 95.1 Moratorium on Synthetic/Artificial Turf**

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly	Signature	Print Street Address
1	<i>Alan Fitch</i>	[Redacted]	[Redacted]
2		[Redacted]	[Redacted]
3			
4			
5			
6			
7			
8			
9			
10			



RECEIVED

AUG 20 2021

PETITIONERS ARTICLE FOR SPECIAL TOWN MEETING

LEAD PETITIONER Paul Dale DATE RECEIVED \_\_\_\_\_

DAY PHONE 617 794-0851 EVENING PHONE 617 794-0851

TITLE Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Board of Selectmen

ESTIMATED COST \$ 0

RECEIVED

AUG 23 2021

Board of Selectmen  
Town of Wayland

ARTICLE: To determine whether the Town will vote to add a new Chapter 95 to the Town Bylaws entitled, "Moratorium on Synthetic/Artificial Turf" as shown below prohibiting the construction of synthetic or artificial turf on Town land for three years. This bylaw will not affect the use or maintenance of the existing synthetic turf field at the high school.

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

Purpose: The use of synthetic/artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Wayland must carefully evaluate whether such use, even where privately funded, is consonant with Wayland's athletic needs, the health and safety of its children, residents in general, and the environment, and the Climate Emergency Resolution adopted by town meeting in May 2021. This moratorium allows the Town the opportunity (a) to examine the extent to which synthetic/artificial turf is injurious to public health and safety, the environment and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Wayland.

"Synthetic/artificial turf" means any of various artificial, synthetic or partially synthetic carpetlike materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports or other recreational activities.

The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town, for a period of three years from the effective date of this moratorium.

This restriction shall not apply to the use or maintenance of the synthetic/artificial turf field at Wayland High School installed prior to the adoption of this bylaw amendment.

#	Print Name Legibly		
1	Lynd DOWD		
2			
3			
4			
5			
6			
7			
8			
9			
10			





TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR SPECIAL TOWN MEETING

Attach extra pages if necessary

RECEIVED

SEP 07 2021

Board of Selectmen  
Town of Wayland

Handwritten signature and date: 10/30/21

**Article Title:** Grass Field at Loker Conservation & Recreation Area **Estimated Cost:** \$65,000  
**Design Fees**

**Article Description** (final language to be provided by Town Counsel based on description provided):

To determine whether the Town will vote to:

- a) Appropriate a sum of money of up to \$65,000 to be expended under the direction of the Wayland Board or Selectmen for the design, permitting, and engineering for the development of a multi-purpose, rectangular, natural grass field athletic field at the Loker Recreation site, including lighting, drainage, landscaping, recreational amenities, irrigation system and any and all other costs incidental or related thereto; and
- b) determine whether said appropriation should be provided by taxation, transfer from un-appropriated funds, transfer from available funds already appropriated for other purposes, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise.

**Background Information** (to be used by Finance Committee to draft its report. Please explain the intent of the article, why it should be supported now, as well as known reasons the article may be opposed):

**Proposer’s Comments** (if needed, 150-word limit per Town Code):

**DRAFT**

During an August 30, 2021 Board of Selectmen public forum on athletic field needs, a consensus was confirmed that the most appropriate manner to address the shortage of playing fields was to focus on grass, not turf, fields. This article is one of three STM warrant articles sponsored by the Board of Selectmen and the Recreation Commission to help address the needs. Specifically, this articles seeks monies to design a grass field, not a turf field. Since 2000, Wayland has invested almost \$2,000,000.00 in the purchase and design of the Loker site. Land was deeded specifically for recreational use and continues to lie vacant for over 20 years. Access to outdoor



**TOWN OF WAYLAND**

**SPONSORING BOARD ARTICLE REQUEST FOR SPECIAL TOWN MEETING**

*Attach extra pages if necessary*

recreation is valuable to both individuals and the Wayland community at large, now more than ever. This site is ideal given its distance from homes, compared to other potential sites, and will help address the ongoing playing field shortage.

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise M. Miller **Contact Person Phone:** 5083583620


**Contact Person Town Email:** lmiller@wayland.ma.us

**Proposing Board Information**

**Board Name:** Board of Selectmen and Recreation Commission

**Board Vote (Quantum) to Submit** BOS 5-0; Rec 5-0 **Date of Board Vote:** BOS 9.1.21; Rec 9.3.21

**Article:** BOS 5-0; Rec 5-0 **Date of Board Vote:** Rec 9.3.21

**Signature of Board Chairperson(s):**  **Date:** 9.7.21





TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR SPECIAL TOWN MEETING

Attach extra pages if necessary

RECEIVED

SEP 07 2021

Board of Selectmen  
Town of Wayland

@  
10730 Av

**Article Title:** Feasibility Study for a Grass Field at 195/207 Main Street

**Estimated Cost:** \$75,000

**Article Description** (final language to be provided by Town Counsel based on description provided):

To determine whether the Town will vote to:

- a. Appropriate a sum of money, not to exceed \$75,000, to be expended under the direction of the Board of Selectmen for a feasibility study for a multi-purpose, natural grass athletic playing field at 195 and 207 Main Street, Wayland, Massachusetts, including, but not limited to, lighting, drainage, landscaping, recreational amenities, irrigation, access and parking areas, and any and all other costs incidental or related thereto; and
- b. determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority.

**Background Information** (to be used by Finance Committee to draft its report. Please explain the intent of the article, why it should be supported now, as well as known reasons the article may be opposed):

**Proposer's Comments** (if needed, 150-word limit per Town Code):

**DRAFT**

During an August 30, 2021 Board of Selectmen public forum on athletic field needs, a consensus was confirmed that the most appropriate manner to address the shortage of playing fields was to focus on grass, not turf, fields. This article is one of three STM warrant articles sponsored by the Board of Selectmen and the Recreation Commission to help address the needs. The old DPW site, located at 207/195 Main Street, at the town's Middle School, is an excellent location for a grass athletic field. Access to outdoor recreation is valuable to all individuals, no matter their age. This article simply seeks a study that will advise the town whether this site is appropriate for placement of a grass field.



**TOWN OF WAYLAND**

**SPONSORING BOARD ARTICLE REQUEST FOR SPECIAL TOWN MEETING**

*Attach extra pages if necessary*

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise M. Miller **Contact Person Phone:** 5083583620

**Contact Person Town Email:** lmiller@wayland.ma.us

**Proposing Board Information**

**Board Name:** Board of Selectmen and Recreation Commission

**Board Vote (Quantum) to Submit** 9.1.21 BOS;

**Article:** BOS 5-0; Rec 5-0 **Date of Board Vote:** 9.3.21 Rec

**Signature of Board Chairperson(s):**  **Date:** 9.7.21



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR SPECIAL TOWN MEETING

Attach extra pages if necessary

RECEIVED

SEP 07 2021

Board of Selectmen  
Town of Wayland

@  
1030  
4m

<b>Article</b>	<b>Feasibility Study for Review of Potential Third Site for a</b>	<b>Estimated</b>	<b>\$65,000</b>
<b>Title:</b>	<b>Grass Field</b>	<b>Cost:</b>	

---

**Article Description** (final language to be provided by Town Counsel based on description provided):

To determine whether the Town will vote to:

- a. Appropriate a sum of money, not to exceed \$65,000, to be expended under the direction of the Board of Selectmen for a feasibility study to investigate and identify a site for a multi-purpose, natural grass playing field in Wayland, Massachusetts, and those sites to be considered shall include, but shall not be limited to, Greenways, the Route 20 South Landfill, and Orchard Lane/Holiday Road, and
- b. to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise.

**Background Information** (to be used by Finance Committee to draft its report. Please explain the intent of the article, why it should be supported now, as well as known reasons the article may be opposed):

**Proposer's Comments** (if needed, 150-word limit per Town Code):

**DRAFT**

During an August 30, 2021 Board of Selectmen public forum on athletic field needs, a consensus was confirmed that the most appropriate manner to address the shortage of playing fields was to focus on grass, not turf, fields. This article is one of three STM warrant articles sponsored by the Board of Selectmen and the Recreation Commission to help address the needs. Even if future Town Meetings vote to install a grass field at the Loker Recreation Area and the old DPW site, located at 207/195 Main Street, the need for a third grass field will exist. Access to outdoor recreation is valuable to all individuals, no matter their age. This article simply seeks a study that will advise the town whether certain sites are appropriate for placement of a grass field, the likely cost, and the likely hurdles in doing so.





**TOWN OF WAYLAND**

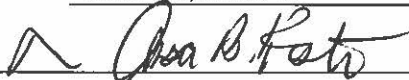
**SPONSORING BOARD ARTICLE REQUEST FOR SPECIAL TOWN MEETING**

*Attach extra pages if necessary*

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller **Contact Person Phone:** 5083583620  
**Contact Person Town Email:** lmiller@wayland.ma.us

**Proposing Board Information**

**Board Name:** Board of Selectmen and Recreation Commission  
**Board Vote (Quantum) to Submit** BOS 4-1; Rec 5-0 **Date of Board Vote:** BOS 9.1.21;  
**Article:** BOS 4-1; Rec 5-0 Rec 9.3.21  
**Signature of Board Chairperson:**  **Date:** 9.7.21

## 2021 SPECIAL TOWN MEETING SCHEDULE

### Schedule for fall STM to held on October 3, 2021

---

August 30	VOTE TO CALL SPECIAL TOWN MEETING AND OPEN WARRANT: The Board of Selectmen will vote on Monday August 30 to call a Special Town Meeting for Sunday, October 3, 2021 and to open the warrant for at least seven days beginning Tuesday, August 31, 2021 at 8:30 am.
August 31	NOTICE: Notice of the Board's action will be sent to all Town boards and committees. Per Town Code Chapter 36: 1) Within 48 hours of calling a Special Town Meeting, notice of the closing date of the warrant shall be posted at the Town Building, at the public library in Wayland Center, at the Cochrane Fire Station or Cochrane Post Office and at the Happy Hollow School; and 2) Notice of the time and place of the Special Town Meeting shall be published in the Wayland Town Crier and will also be posted at the above locations.
	<b>PETITIONERS' WORKSHOP:</b> The Board of Selectmen will conduct an information session for individuals considering submission of petitioned articles. Please see separate information sheet on the warrant article process for petitioners.
August 31	WARRANT OPENING: Warrant opens Tuesday, August 31, 2021 at 8:30 a.m. and closes September 7, 2021 at 4:30 p.m. Articles must be submitted in complete form with all exhibits to the Office of the Board of Selectmen and will be stamped with the date and time received. Articles must be signed by the chair of the sponsoring board or committee or its designee, as authorized by a vote of each public body. (Please refer to additional information for submission and preparation of articles by public bodies of the town and by petitioners.)
September 2 or 13	BOARD VOTE ON ARTICLES: Date by which the Board of Selectmen will vote to approve and submit any articles it wishes to sponsor.
September 7	WARRANT CLOSING: Last day at 4:30 pm for article sponsors and petitioners to submit articles to the Board of Selectmen's Office for Special Town Meeting.
September 9	FINANCE COMMITTEE SPECIAL TOWN MEETING ARTICLE WORKSHOP: Per Town Code, Chapter 19 - 3, the Finance Committee meets with all parties proposing or commenting on all Special Town Meeting articles. The Chair of the Finance Committee will contact the Board of Selectmen's Office to arrange for public notice of this meeting.
September 10	TOWN COUNSEL REVIEW OF ARTICLE TEXT: Approximate date by which Town Counsel completes review of submitted articles and any re-drafting of the text of each article, providing the article text in final form. Article text is then transmitted in PDF by the Town Administrator to each Article Sponsor and to the Chairs of the Board of Selectmen and Finance Committee for distribution as appropriate.
September 10	SPONSOR'S REPORT DEADLINE (12:30PM, close of business): Date by which any governmental body or lead petitioner sponsoring an article may submit to the Office of the Board of Selectmen a 150-word report which will be included in the Warrant only if the Finance Committee also provides comment.

	PERMANENT MUNICIPAL BUILDING COMMITTEE REPORT: Date by which requested reports are due to the Board of Selectmen from the PMBC about the status of any capital projects assigned to the PMBC.
	PLANNING BOARD REPORT: Deadline by which the Planning Board must vote to approve and submit to the Board of Selectmen's Office the Planning Board's approved report on zoning articles.
September 10	FINANCE COMMITTEE DEADLINE ( <u>12:30 pm, close of business</u> ) FOR SUBMISSION, THROUGH ITS CHAIR, TO THE BOARD OF SELECTMEN'S OFFICE ALL FINANCE COMMITTEE REPORTS ON SPECIAL TOWN MEETING ARTICLES if to be included in Warrant - No changes will be accepted after this date.
September 13	SELECTMEN BEGIN ARTICLE REVIEW AND VOTE TO INCLUDE ARTICLES IN WARRANT: the Board of Selectmen will: 1) include discussion about proposed articles on every agenda, 2) vote on whether to include articles in the warrant, 3) vote on the order the articles will appear in the Warrant, and 4) consider a vote on the Board's position on each article.
September 13	MODERATOR'S RULES: All changes are due from Moderator by this date.
September 14	WARRANT COMPLETED: Date by which the compilation of the warrant is completed. The final Warrant is scanned, posted on the website and delivered to the members of the Board of Selectmen, the Moderator, the Chair of the Finance Committee, the Town Clerk, Town Counsel and the Finance Director. <u>Warrant sent to printer.</u>
September 17	WARRANT SIGNED: The Board of Selectmen will meet to vote to sign the Warrant.
September 17	WARRANT POSTED: Date by which the Warrant will be posted at locations listed above and deadline for mailing of the Warrants to all households. (Town Code 36-2A, MGL c. 39, s. 10 - No later than 14 days before STM)
September 20	MOTIONS COMPLETED AND POSTED: A motion on each article is drafted by the Town Administrator and reviewed and finalized by this date by Town Counsel and provided to the Chair of the Board of Selectmen who will distribute to the Town Clerk, Moderator, Finance Committee Chair and article sponsors. Draft motions provided by Town Counsel must be posted on the website for public review and marked with the date of the draft.
	LEAGUE OF WOMEN VOTERS ISSUES FORMUM ON SPECIAL TOWN MEETING IF HELD
TBD	PRE-HEARING PLANNING: On or about this date, the Chair of the Board of Selectmen meets with Town Counsel, the Town Administrator, the Moderator, and the Town Clerk to review motions on each article before the 9/27/2021 Warrant hearing.
September 23, 2021	VOTER REGISTRATION DEADLINE: Last day before Town Meeting to register to vote. (This date is scheduled no later than 10 days before STM).



September 27                    WARRANT HEARING: The Board of Selectmen will convene a hearing to review the Warrant and each article. In addition to the general public, Article Sponsors, the Moderator, Town Counsel and the Town Clerk are invited to participate. The Board of Selectmen will also review motions on each article. The Office of the Board of Selectmen will provide at least 10 days advance notice of the Warrant Hearing to the public.

September 27, 2021            DEADLINE FOR SUBMISSION OF SLIDES: Any illustrative slides will be submitted to the Board of Selectmen's who will submit them to the Moderator for approval to show at Town Meeting. (See Town Moderator's requirements for slides)

September 27, 2021            FINAL PREPARATIONS: Moderator's instructions to tellers and list of non-resident employees provided to Moderator and Town Clerk. Warrants, final errata sheets and supplemental material prepared, printed and delivered to Town Meeting site for distribution.

October 3, 2021                SPECIAL TOWN MEETING, 12:30PM & WAYLAND HIGH SCHOOL STADIUM

\_\_\_\_\_                        MODERATOR'S FEEDBACK SESSION: *if held*

**OTHER IMPORTANT DATES:**

Monday 9/6/21	LABOR DAY
Tuesday 9/7/21	ROSH HASHANAH
Wednesday 9/7/21	ROSH HASHANAH
Wednesday 9/15/21	YOM KIPPUR
Thursday 9/16/21	YOM KIPPUR
Monday 10/11/21	COLUMBUS DAY / BOSTON MARATHON

## ARTICLE LIST 2021 SPECIAL TOWN MEETING

Proposed Article Order	Article Name	Sponsor	BoS Liaison	Board Position	FinCom Liaison	Tasks to be completed
1	Town Code § 95.1 Moratorium on Synthetic/Artificial Turf	Petitioner	Tom Fay		Steve Correia	
2	Grass Field at Loker Conservation & Recreation Area Design Fees	Board of Selectmen	Adam Gutbezahl		Bill Steinberg	
3	Feasibility Study for a Grass Field at 195/207 Main Street	Board of Selectmen	Carol Martin		Bill Steinberg	
4	Feasibility Study for Review of Potential Third Site for a Grass Field	Board of Selectmen	Dave Watkins		Bill Steinberg	

## **POLICY # A2-1.1**

### **MUTUAL RESPECT IN THE WORKPLACE ALL EMPLOYEES**

It is the policy of the Town of Wayland that associated Boards, Committees, governing bodies and employees conduct their work and work-related activities with respect for all employees, residents and individuals conducting business with the Town. Any action, inaction, gesture, or language that would offend a reasonable individual or that a reasonable individual would deem unwelcome will not be tolerated. Harassment or discrimination under any circumstances is prohibited. Harassment can include behavior that affects or interferes with one's work performance and is intended to intimidate or creates a hostile environment. Examples of harassment may include verbal communications, physical behavior or visual materials.

Employees, residents or other individuals who believe they have been harassed or subjected to discrimination should contact the Assistant Town Administrator/ Human Resources Director or the Town Administrator immediately following such actions to register their complaint. The Town may request such complaints in writing. An investigation of the allegation will be conducted immediately. Confidentiality will be maintained to the extent practical under the circumstances. Interviews may be conducted with the person filing the complaint, the person allegedly committing the violation of this policy and any individuals who may have witnessed the alleged violation. If it is determined that a violation of this policy has occurred, appropriate action will be taken. Actions may include counseling or discipline up to and including termination. Any actions will be consistent with existing rules, regulations, policies, applicable collective bargaining agreements and state or federal laws.

Personnel Board Updated:

November 16, 2005



## **POLICY # A2-2.1**

### **STANDARDS OF CONDUCT ALL EMPLOYEES**

It is the policy of the Town of Wayland that employees are courteous and respectful toward fellow workers, residents and customers at all times. The intent of this policy is to provide Boards, Committees and employees with clearly articulated standards and expectations of behavior in the workplace. The Town also expects all employees to dress in a manner that is suitable for conducting business. The Town of Wayland expects all employees to conduct themselves professionally at all times while on duty. The rules and regulations contained within these Standards of Conduct are expected to be observed in conjunction with the Town's Mutual Respect in the Workplace Policy.

The following conduct is prohibited:

- Excessive absenteeism or tardiness and dishonesty for reasons of absenteeism and tardiness.
- Leaving the worksite during work hours without permission.
- Disregard for a supervisor's specific directive or refusal to follow instructions.
- Neglect of duty.
- Violations of safety rules.
- Violation of any Town or Department policy or procedure.
- Performing personal non-Town business during working hours, including but not limited to personal use of Town property and equipment such as business machines, tools, supplies, vehicles, etc.
- Writing on someone else's time card or falsifying a time card.
- Falsifying any Town record or document.
- More than minimal personal use of the telephone.
- More than minimal personal use of a personal computer or the internet.
- Use of abusive, threatening or obscene language.
- Impairment by either legal or illegal substances during work hours: use, possession or distribution of alcohol, marijuana or illegal drugs during work hours or on Town property.
- Smoking in workplace areas where smoking is prohibited.
- Inappropriate conduct while on duty or on Town property, such as fighting, wrestling, roughhousing or any other like activity.
- Bullying another individual or individuals either through direct or indirect means; intentional efforts to harm another individual.
- Harassment, sexual harassment or other forms of discrimination against another individual.
- Deliberate injury to another person.
- Unauthorized release of confidential information or discussions held in executive session.

- Use of or attempt to use one's authority or official influence to control or modify the political actions of any Town employee, or engaging in any form of political activity during working hours.
- Misrepresenting or withholding information on employment application or in Town records.
- Neglect or improper use or abuse of Town property; deliberate misuse of Town property.
- Inappropriate use of Wayland's electronic media to visit inappropriate websites.
- Inappropriate use of Town equipment in printing, distributing or displaying sexually explicit or pornographic materials.
- Inappropriate use of Town equipment in printing, distributing or displaying electronic materials intending to harm another individual.
- Unauthorized removal, possession or damage or destruction of Town property; or the property of employees or customers at the workplace.
- Unauthorized possession or sale or use, on Town property of weapons, narcotics or substances that State or Federal statutes define as controlled.
- Theft of Town property or the property of other employees, residents or the general public.

The aforementioned standards attempt to identify inappropriate behavior in the workplace. While they cover many relevant topics, these standards should not be considered inclusive of all unacceptable behavior. Failure to adhere to these standards may result in disciplinary action up to and including termination. Discipline will be applied in a fair and equitable manner. Discipline will be applied consistent with established collective bargaining agreements and Town policies. The imposition of discipline, including termination, does not preclude an employee or former employee from being subjected to civil liability and/or criminal prosecution.

Personnel Board Approved:

March 6, 2017

## **POLICY # A2-5.1**

### **SEXUAL HARASSMENT ALL EMPLOYEES**

It is the policy of the Town of Wayland to promote a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings that employees may find themselves in connection with their employment is unlawful and will not be tolerated by the Town of Wayland. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. In order to provide a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated. A procedure has been provided to deal with inappropriate conduct.

Because the Town of Wayland takes allegations of sexual harassment seriously, it will respond promptly to complaints of sexual harassment. If it is determined that inappropriate conduct has occurred, the Town will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action, up to and including termination, where appropriate.

Please note that while this policy sets forth the Town's goal of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit the Town's authority to discipline or take remedial action for workplace conduct that is deemed unacceptable, regardless of whether that conduct satisfies the definition of unlawful sexual harassment.

#### **Definition of Sexual Harassment**

In Massachusetts, the legal definition of sexual harassment is the following:

"sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

(a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions;

or

(b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases,



promotions, increased benefits, or continued employment violates this policy and constitutes sexual harassment.

In addition other sexually oriented conduct that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment regardless of the intent of the individual engaging in such conduct.

It is not possible to list all those additional circumstances that may violate this policy. The following are some examples of conduct that, if unwelcome, may violate this policy, depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct or orientation, gossip regarding one's sex life; comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, sexually suggestive or insulting comments;
- Inquiries into one's sexual experiences; and
- Discussion of one's sexual activities.

As stated above, all employees should take special note that retaliation against an individual who has complained about or opposed sexual harassment and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by the Town of Wayland.

### **Complaints of Sexual Harassment**

If any employee believes he/she has been subjected to sexual harassment, the employee has the right to file a complaint with the Town. This may be done in writing or orally.

Complaints may be filed by contacting the Human Resources Manager, who will be responsible for the investigation of sexual harassment complaints and may be contacted at the following address and telephone number:

Kathleen Buckley  
Human Resources Manager  
Wayland Town Building  
41 Cochituate Road  
Wayland, MA 01778  
Tel. (508) 358-6721

The Human Resources Manager is also available to discuss concerns around sexual harassment and to provide information about the Town's policy on sexual harassment and the Town's complaint process.

If the complaint involves the Human Resources Manager, or if the employee prefers for any reason, the employee may file a complaint by contacting the Town Administrator, who will be responsible for the investigation the sexual harassment complaint and may be contacted at the following address and phone number:

Louise Miller  
Town Administrator  
Wayland Town Building  
41 Cochituate Road  
Wayland, MA 01778  
Tel. (508) 358-3620

### **Sexual Harassment Investigation**

Complaints will be promptly investigated in a fair and expeditious matter. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The Town of Wayland reserves the right to engage an individual who is not a Town employee to conduct the investigation. The investigation will include an interview with the person filing the complaint. Additional interviews may include witnesses and any appropriate persons. The person alleged to have committed sexual harassment may also be interviewed. Upon completion of the investigation, the person filing the complaint and the person alleged to have committed the conduct, will be informed of the results of the investigation to the extent appropriate.

If it is determined that inappropriate conduct has occurred, the Town will take action promptly to eliminate the offending conduct and, where appropriate, disciplinary action will be imposed.

### **Disciplinary Action.**

If it is determined that this policy has been violated by an employee, action will be taken as is appropriate under the circumstances. Such action may range from counseling to termination from employment, and may include such other forms of disciplinary action as deemed appropriate under the circumstances.







# 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)

## ACKNOWLEDGMENT OF RECEIPT OF TOWN OF WAYLAND POLICIES

I, \_\_\_\_\_, hereby acknowledge that I received a copy of the following  
Town of Wayland Policies:

Town Policy # A2-5.1 Anti-Harassment

Town Policy #A2-2.1 Standards of Conduct

Town Policy #A2-1.1 Mutual Respect in the Workplace

*(First and Last Name)* \_\_\_\_\_ *(Date)* \_\_\_\_\_

# Code of Conduct Policy



## FOR TOWN ELECTED AND APPOINTED OFFICIALS

### I. PURPOSE

The Town recognizes that all individuals elected and/or appointed by the Town must maintain and enforce respectful discourse with their fellow elected and/or appointed members, with those who work for the Town, those who volunteer their time and services on behalf of the Town and members of the public by striving at every meeting, forum or other official interaction to treat every person fairly and with respect regardless of any differences of opinion.

This policy provides a centralized standard of conduct for all elected and appointed officials in the Town.

### II. APPLICABILITY

This policy and all its sections shall apply to all elected and appointed officials acting on behalf of the Town and covers all of their actions and communications whether spoken or written including but not limited to all electronic communications including social media.

### III. CODE OF CONDUCT

All Town elected and appointed officials are expected to act honestly, conscientiously, reasonably and in good faith at all times having regard to their responsibilities, the interests of the Town and the welfare of its residents.

The Town elected and appointed officials must refrain from communicating or acting in a disrespectful, abusive and/or threatening manner towards members of the community, other elected or appointed officials, the Town Manager/Administrator or Town Staff.

Moreover, all elected and appointed officials must fully comply with the Town's Anti-Harassment and Anti-Discrimination Policy.

*This information is general in nature and does not, and is not intended to, constitute legal advice. You are advised not to take, or to refrain from taking, any action based on this information without consulting your legal counsel about the specific issue(s).*

 /miasocial

**MIIA**  
**Risk Management**  
Work Safe. Be Safe.



# Code of Conduct Policy



Further, all elected and appointed officials of the Town must assume the following responsibilities:

## A. Conduct Generally and in Relation to the Community

- Be well informed concerning the local and state duties of a board/committee member.
- Never purport to represent the opinion of your board/committee except when specifically authorized by a recorded vote to do so.
- Accept your position as a means of unselfish public service, not to benefit personally, professionally or financially from your board/committee position.
- Recognize that the chief function of local government at all times is to serve the best interests of all of the people.
- Demonstrate respect for the public that you serve.
- Safeguard confidential information.
- Conduct yourself so as to maintain public confidence in our local government.
- Conduct official business in such a manner that you cannot be improperly influenced in the performance of your official duties.
- Unless specifically exempted, conduct the business of the public in a manner that promotes open and transparent government.
- Comply as fully as possible with all Town policies, including, without limitation, the following:
  - Anti-harassment and Anti-discrimination Policy
  - Anti-fraud Policy
- Comply as fully as possible with all applicable laws, including, without limitation, the following:
  - The Open Meeting Law
  - Procurement Laws
  - The Ethics/Conflict of Interest Statute (G.L. c.268A).

*This information is general in nature and does not, and is not intended to, constitute legal advice. You are advised not to take, or to refrain from taking, any action based on this information without consulting your legal counsel about the specific issue(s).*

 /miiasocial





# Code of Conduct Policy



## B. Conduct in Relation to other elected and appointed officials

- Treat all members of the board/committee to which you belong with respect despite differences of opinion; keeping in mind that professional respect does not preclude honest differences of opinion, but requires respect within those differences.
- Participate and interact in official meetings with dignity and decorum fitting those who hold a position of public trust.
- Recognize your responsibility to attend all meetings to assure a quorum and promptly notify the chairman should you for any reason be unable or unwilling to continue to serve. Formal notice to resign from a board/committee requires written notification to the Town Clerk.
- Recognize that action at official legal meetings is binding and that you alone cannot bind the board/committee outside of such meetings.
- Refrain from making statements or promises as to how you will vote on quasi-judicial matters that will come before the board/committee until you have had an opportunity to hear the pros and cons of the issue during a public meeting.
- Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- Make decisions only after all facts on a question have been presented and discussed.

## C. Conduct in Relation to the Town Administrator/Manager

- Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
- Give the Town Administrator/Manager full responsibility for discharging his or her disposition and/or solutions.

*This information is general in nature and does not, and is not intended to, constitute legal advice. You are advised not to take, or to refrain from taking, any action based on this information without consulting your legal counsel about the specific issue(s).*

 /miasocial

**MIIA**  
**Risk Management**  
Work Safe. Be Safe.



# Code of Conduct Policy



- Refrain from giving orders or directions to the Town Administrator/Manager for action as an individual board/committee member.
- Refrain from providing information to the Town Administrator/Manager that you would not be willing to share with other board/committee members.

## D. Conduct in Relation to Town Staff

- Treat all staff as professionals and respect the abilities, experience, and dignity of each individual.
- Refrain from giving instructions to or requesting assistance from Town staff but rather channel all such activities through the Town Administrator/Manager.
- Never publicly criticize an individual employee or a department. Concerns about staff performance should only be made to the Town Administrator/Manager through private communication.
- Officials who interact with Town staff must do so in a respectful manner and understand employees should not be expected to take direction from any individual official on any matter.

## IV. DISTRIBUTION AND EDUCATION

- The Town Clerk shall provide a copy of this policy, the Town's Anti-Harassment and Anti-Discrimination policy and the Anti-fraud policy to all elected and appointed officials upon its issuance and upon the subsequent appointment or re-appointment of any individual.
- Each individual shall sign a statement that they have read this policy and will comply with all requirements set forth in this policy. In the event that any member declines to sign the form, that fact shall be noted by the Town Clerk on the form.

*This information is general in nature and does not, and is not intended to, constitute legal advice. You are advised not to take, or to refrain from taking, any action based on this information without consulting your legal counsel about the specific issue(s).*

 /miasocial

**MIIA**  
**Risk Management**  
Work Safe. Be Safe.

A stylized icon of a church building with a steeple, rendered in yellow and red colors, positioned to the right of the MIIA Risk Management text.



# Code of Conduct Policy



## V. ENFORCEMENT

### A. Generally

In addition to any other remedies or enforcement options available under the law, each board/committee may vote to censure any elected member and the appointing authority may decline to reappoint an individual who violates any provision of this Code of Conduct.

If any elected or appointed official is accused of violating the Town's Anti-Harassment and Anti-Discrimination Policy, the Town Administrator/Manager shall refer the matter for investigation to the contact named in the Anti-harassment and Anti-Discrimination policy or a disinterested outside firm or individual qualified to investigate the alleged conduct. The Town Administrator/Manager shall not be obliged to obtain any additional authority; this Code shall be sufficient authority. The firm or individual to whom the matter is referred shall promptly investigate the matter and report back findings of fact and recommendations to the Town Administrator/Manager. The Town Administrator/Manager shall share the reported findings and recommendations with the elected official's board/committee. The board/committee shall then take such action as is authorized by law and as it deems fit in response to the matter.

If an elected or appointed official is accused of violating any other provision of this Code of Conduct, the board/committee that the official represents or if applicable the appointing authority may take such action as is authorized by law and as it deems fit or it may vote upon request of the Town Administrator/Manager or on its own to refer the matter to a disinterested outside firm or individual qualified to investigate the alleged conduct. This firm or individual shall promptly investigate the matter and report back findings of fact and recommendations to the Town Administrator/Manager. The Town Administrator/Manager shall share the reported findings and recommendations with the board/committee. The board/committee shall then take such action as is authorized by law and as it deems fit in response to the matter. These remedies shall be in addition to, and not in substitution for, any other remedies that may be available by law.

*This information is general in nature and does not, and is not intended to, constitute legal advice. You are advised not to take, or to refrain from taking, any action based on this information without consulting your legal counsel about the specific issue(s).*

 /miiasocial

**MIIA**  
**Risk Management**  
Work Safe. Be Safe.





September 17, 2021

**Katharine Lord Klein**  
kklein@k-plaw.com

**ATTORNEY-CLIENT PRIVILEGED – EXECUTIVE SESSION MATERIAL**

Hon. Thomas J. Fay and  
Members of the Select Board  
Wayland Town Hall  
41 Cochituate Road  
Wayland, MA 01778

Re: Stonebridge – Town Expenditures

Dear Members of the Select Board:

You have requested an opinion regarding the validity of the Town of Wayland expending municipal funds for the reconstruction of Stonebridge. The Town, through its Board of Selectmen, entered into an Intermunicipal Agreement (the “Agreement”), dated October 5, 2018, pursuant to G.L. c. 40, §4A with the City of Framingham, regarding the “allocation of costs for [the] evaluation, design and repair” of Stonebridge” (known in Framingham as “Potter Bridge”). Thereafter, Town Meeting voted at the 2020 Annual Town Meeting to appropriate \$450,000 for this work.

Residents of the Town have questioned whether such an expenditure is appropriate, based on their assumption that Stonebridge is located in the Town of Framingham. In my opinion, the Town may expend municipal funds for this purpose, even if the bridge is located entirely within the City of Framingham.

**History of Stonebridge**

Old Stone’s Bridge was constructed, in or about 1858, to replace prior wooden structures that dated back to the 1600’s, to provide for a crossing of the Sudbury River. Old Stone’s Bridge was significant for its construction method – it is built entirely of dry-laid stones, without the use of mortar, and consists of four barrel-vault arch spans. See Secretary of the Commonwealth News, dated October 20, 2016, regarding the nomination of Old Stone’s Bridge to the National Register of Historic Places (Commonwealth News).

At the location of Old Stone’s Bridge, the boundary between Wayland and Framingham was the Sudbury River. Accordingly, Old Stone’s Bridge was located partially in Wayland and partially in Framingham.

In 1955, there was substantial damage to the bridge caused by Hurricane Diane. Old Stone’s Bridge was truncated, ending in the middle of the river, on the Wayland side, and has been used for fishing and passive recreation.

Hon. Thomas J. Fay and  
Members of the Select Board  
September 15, 2021  
Page 2

A new bridge was constructed, crossing the Sudbury River upstream (south) from the location of Old Stone's Bridge. In connection with the construction of the new bridge, the Sudbury River was rerouted, to the west, i.e., into Framingham. See Commonwealth News, Page 2. See also "Plan of Highway Taking Wayland, Mass. Stonebridge Road Relocation," dated January 1957, showing "Old" Stonebridge Road" and the relocated Stonebridge Road, connecting the newly constructed bridge with Stonebridge Road, in Wayland, and Potter Road, in Framingham.

A question was raised by a number of residents whether the relocated Stonebridge was still in Wayland.

The Town retained Jeffrey J. Stefanik, P.L.S., Survey Manager at Guerriere & Halnon, Inc. to report on the current location of Stonebridge. Mr. Stefanik issued a report, dated March 19, 2021 (copy enclosed). He states, correctly in my opinion, as follows: "The general rule of riparian boundaries is that they shift with changes due to accretion<sup>1</sup> or erosion but retain their original location if brought about by avulsion<sup>2</sup> or by artificial causes." Mr. Stefanik concluded that the bridge was still in Wayland. He was not, however, privy to the substantial evidence that the Sudbury River was moved, in 1956-57, in connection with the reconstruction of Stonebridge. Since the change in location was the result of man-made changes in the course of the Sudbury River, the boundary between Wayland and Framingham did not, in my opinion, change. Accordingly, Stonebridge is now substantially, if not entirely, in Framingham.<sup>3</sup>

### **Municipal Expenditures for Stonebridge**

In my opinion, regardless of whether Stonebridge is now outside of the Town of Wayland, or only partially so, Wayland may appropriate town funds for the reconstruction of the bridge.

Stonebridge connects Stonebridge Road and Potter Road, and is a significant east-west artery between the two communities of Wayland and Framingham. This was as true today, as it presumably was in 1957, when the Commonwealth and the two municipalities expended significant funds to replace the bridge destroyed by Hurricane Diane.

Massachusetts General Laws Chapter 40, Section 5 confers broad authority upon towns in determining how to expend its resources. The sole limitation appears to be whether the expenditure

---

<sup>1</sup> "Accretion" is a gradual change in the location of a body of water.

<sup>2</sup> "Avulsion" is a sudden change in the location of a body of water, whether as a result of a natural or artificial act.

<sup>3</sup> It appears that the eastern abutment may now be in Framingham. In my opinion, however, a bridge does not commence at the location of the abutment, and there are features of the bridge, e.g., ramp, rip rap, and other structures, that may be located in Wayland. A formal survey would be required to confirm this. However, whether or not a portion of the bridge is in Wayland does not affect the analysis of this opinion.

Hon. Thomas J. Fay and  
Members of the Select Board  
September 15, 2021  
Page 3

is “inconsistent” with any general or special law. The statute states:

A town may at any town meeting appropriate money for the exercise of any of its corporate powers; provided, however, that a town shall not appropriate or expend money for any purpose, on any terms, or under any conditions inconsistent with any applicable provision of any general or special law.

In Anderson v. City of Boston, 376 Mass. 178, 183 (1978), the Supreme Judicial Court recognized the broad powers of towns to expend municipal funds:

Section 5 of G.L. c. 40, as amended by St. 1951, c. 798, provides that a municipality may "appropriate money for the exercise of any of its corporate powers." . . . Neither as a matter of statutory construction nor in practice are municipal appropriations limited to those purposes enumerated in G.L. c. 40, Section 5. There are other statutory provisions explicitly authorizing the appropriation of funds. See, e.g., G.L. c. 40, Section 5A (reserve funds in cities); Section 5B (stabilization funds); Section 6A (limited amounts for advertising the municipality's resources, advantages, and attractions). Moreover, there are traditional municipal functions for which funds have been appropriated without any explicit statutory authorization beyond the general authorization to expend funds "for the exercise of any of its corporate powers."

The Court went on to state that the Legislature had not, after the enactment of the Home Rule Amendment in 1966, “limit[ed] the appropriation powers of municipalities to those purposes which are mentioned explicitly in legislation.” Anderson v. City of Boston, 376 Mass. at 183-84.

It is clear that municipalities may expend funds not only for expressly permitted purposes, but also for those not specifically enumerated, so long as deemed to be within its corporate powers, and not contrary to any general or special law.

G.L. c. 40 §4A, clearly envisions that contiguous municipalities may enter into joint agreements and contracts and appropriate funds in support of such agreements and contracts made.

The chief executive officer of a city or town, or a board, committee or officer authorized by law to execute a contract in the name of a governmental unit may, on behalf of the unit, enter into an agreement with another governmental unit to perform jointly or for that unit's services, activities or undertakings which any of the contracting units is authorized by law to perform, if the agreement is authorized by the parties thereto, in a city by the city council with the approval of the mayor, in a town by the board of selectmen and in a district by the prudential committee. . . . Any such agreement shall be for such maximum term, not exceeding twenty-five years, and shall establish such maximum financial liability of the parties, as may be specified in the authorizing votes of the parties thereto. A governmental unit, when duly authorized to do so in accordance with the provisions of law applicable to it, may raise money by any lawful means, including the incurring of debt for purposes for which



Hon. Thomas J. Fay and  
Members of the Select Board  
September 15, 2021  
Page 4

it may legally incur debt, to meet its obligations under such agreement. Notwithstanding any provisions of law or charter to the contrary, no governmental unit shall be exempt from liability for its obligations under an agreement lawfully entered into in accordance with this section.

The 2018 Intermunicipal Agreement addresses a public works project – which is clearly within the ambit of a municipality’s corporate powers. See e.g., Abbott v. Board of Water and Sewer Com’rs of Hopkinton, 40 Mass.App.Ct. 495 (1996), construing an intermunicipal agreement under G.L. c. 40, §4A under which Hopkinton would discharge its wastewater at the Westborough treatment plant. Neither the statutes nor case law require that the expenditure be precisely proportional to the benefit to a municipality. In this case, the Board of Selectmen determined that reconstruction of Stonebridge is in the public interest. Town Meeting voted to appropriate Town funds in support of the project, presumably finding that it substantially benefits the residents of the Town of Wayland. In my opinion, the Town, acting by and through its Board of Selectmen, may legally determine to commit resources to the reconstruction of Stonebridge.

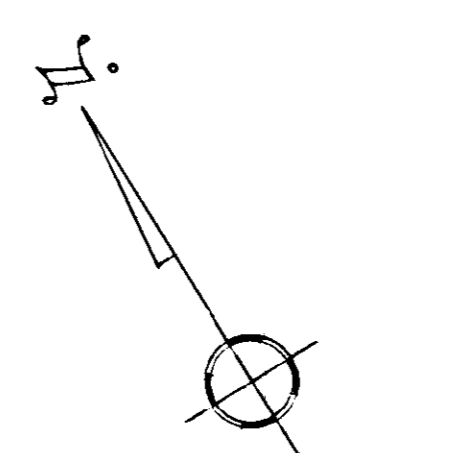
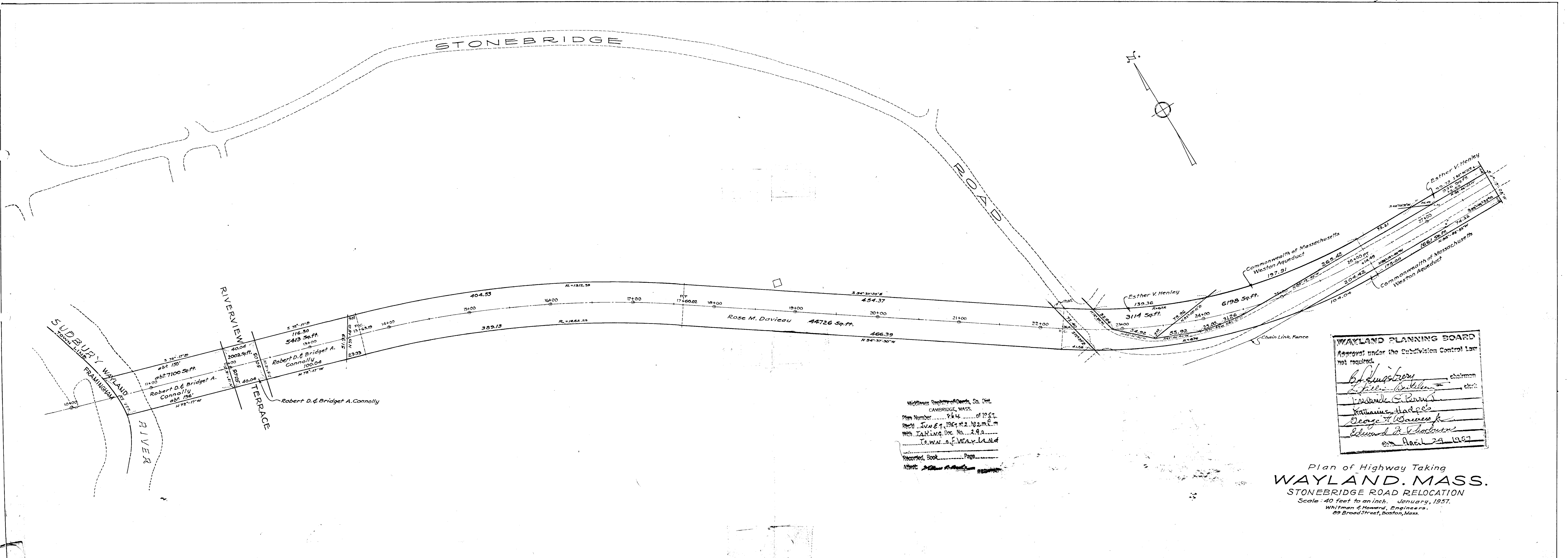
Very truly yours,



Katharine Lord Klein

KLK/caa

#777748/WAYL/0145



Middlesex Register of Deeds, Co. Dist.  
 CAMBRIDGE, MASS.  
 Plan Number... 2644... of 1957  
 Recd. Jan. 7, 1957, at 2.132 m.f.m.  
 with T.A.R. No. Dec. No. 290  
 Co. W. of WAYLAND  
 Recorded, Book... Page...  
 Attest: [Signature]

WAYLAND PLANNING BOARD  
 Approval under the Subdivision Control Law  
 not required.  
 [Signature] chairman  
 [Signature] clerk  
 [Signature]  
 [Signature]  
 [Signature]  
 22nd April 29 1957

Plan of Highway Taking  
**WAYLAND, MASS.**  
 STONEBRIDGE ROAD RELOCATION  
 Scale: 40 feet to an inch. January, 1957.  
 Whitman & Howard, Engineers.  
 89 Broad Street, Boston, Mass.

**AGREEMENT BY AND BETWEEN  
THE CITY OF FRAMINGHAM AND THE TOWN OF WAYLAND  
REGARDING ALLOCATION OF COSTS FOR EVALUATION, DESIGN AND REPAIR OF  
POTTER ROAD BRIDGE**

October  
CJP

This Agreement is made as of this 5<sup>th</sup> day of ~~September~~ 2018 by and between the **City of Framingham**, a political subdivision of the Commonwealth in the County of Middlesex, with its main office in the Memorial Hall, 150 Concord Street, Framingham, Massachusetts 01702 (hereinafter referred to as "Framingham") and the **Town of Wayland**, a political subdivision of the Commonwealth in the County of Middlesex, with its main office at 41 Cochituate Road, Wayland, MA 01778-2614 (hereinafter referred to as "Wayland").

**I. RECITALS**

**WHEREAS**, Framingham and Wayland, in accordance with M.G.L. c.40, § 4A, are authorized to enter into an agreement with another governmental unit to perform jointly or for that unit's services, activities or undertakings which any of the contracting units is authorized by law to perform; and

**WHEREAS**, Framingham and Wayland desire to enter into the Agreement to share the costs to evaluate the condition of the Stonebridge Road/Potter Road Bridge over the Sudbury River (F-07-039 per state classification) (the "Bridge") situated on the border between Framingham and Wayland, and to share costs of designing, bidding and making necessary repairs to the Bridge ("the Bridge Project"); and

**WHEREAS**, Wayland, through its on-call contractor will evaluate the condition of the Bridge to determine the scope of necessary repairs to it; and

**WHEREAS**, after the completion of the evaluation of the condition of the Bridge, Framingham and Wayland shall advertise a joint Invitation for Bids for the design and construction of the Bridge repairs;

**WHEREAS**, Framingham's commitment to share costs for funding for the Bridge Project is contingent upon receipt of adequate funds or appropriation of adequate funds under a vote of its City Council;

**WHEREAS**, Wayland's commitment to share costs for funding for the Bridge Project is contingent upon receipt of adequate funds or appropriation of adequate funds under a vote of its Town Meeting;

**NOW, THEREFORE**, in consideration of the mutual promises contained herein, Framingham and Wayland agree to the follows terms, provisions, and conditions:



## II. AGREEMENT

### A. General provisions:

1. **Effective Date and Term.** This Agreement shall become effective when fully executed by Framingham and Wayland, on the day and year first above written and shall endure for a period of five years unless sooner terminated.
2. **Cost sharing.** Framingham and Wayland mutually agree that they shall share equal responsibility for all aspects of the Bridge Project, including but not limited to, the costs of evaluation, project design, permitting, bidding, scheduling, oversight, construction, and contractor payment, to the extent that work is not undertaken by employees of the towns of Framingham and Wayland. "Costs" shall be limited to the actual payment for labor and materials obtains from contractors or vendors procured through public bidding. "Equal responsibility" for the purposes of this Agreement means that Framingham and Wayland shall each pay one-half of the cost of such evaluation, project design, permitting, bidding, scheduling, oversight, construction, and contractor payment.
3. **Cooperation.** Framingham and Wayland acknowledge that the Project must be completed by July 1, 2022. Accordingly, Framingham and Wayland agree to use good faith efforts to cooperate in completing Bridge Project design, bidding and repair.
4. **Default and Cure.** If either party fails to cure any breach of, or default of its obligations under this Agreement within ninety (90) days after receipt of written notice from the other party (provided, however, that such 90-day period shall be reasonably extended if curing the breach or default reasonably requires more than ninety (90) days and the breaching party has commenced to cure the same promptly within said 90-day period and thereafter continuously and diligently prosecutes such cure to completion), then the non-breaching party, at its sole option, may cure such breach or default for the account of the breaching party (without waiving any right or remedy for breaching party's breach or default and without liability to the non-breaching party for any interference with, or interruption of, the breaching party's use of the Bridge, and the breaching party shall reimburse the non-breaching party for all costs, expenses and liabilities incurred by the non-breaching party to cure such breach or default, subject to appropriation.
5. **Liability.** Each party hereto shall be liable and responsible for the negligent acts or intentional acts of its employees, agents, and contractors.
6. **Remedies.** Framingham and Wayland hereby expressly acknowledge and all rights and remedies that each of them may have at law, in equity, or by contract with respect to the Bridge Project and this Agreement. All rights and remedies given in this Agreement are cumulative and not exclusive of any other rights or

remedies which Framingham and Wayland otherwise have and both Framingham and Wayland reserve the right to enforce such rights to the full extent permissible by law.

7. **Inspection of Books.** Framingham and Wayland shall have the right at reasonable times and upon reasonable notice to examine the books, records, and other compilations of data of the other, as such books, records, and other compilations of data may pertain to the performance of the provisions and requirements of this Agreement.
8. **Audit.** All costs invoiced under this Agreement are subject to audit. The parties will promptly meet to settle all proposed audit adjustments. If the parties agree in writing that Framingham has made an overpayment to Wayland, Framingham shall be entitled to immediate restitution by Wayland and the right to deduct all sums due and unpaid as a result of the overpayment from each succeeding invoice until full restitution is accorded. If the parties agree in writing that Wayland has been underpaid, Wayland shall be entitled to include the underpayment sum in the next invoice and have the underpayment made up in full by Framingham at the time that the invoice is paid. If the audit is concluded after all services are performed, the audit adjustment agreed to by the parties shall be paid in the full amount within thirty (30) days. If the parties are unable to reach agreement on the proposed audit adjustments, they may be resolved in accordance with an agreed upon dispute resolution process. Framingham and Wayland shall have the right to audit one another's records at such times and places as may be mutually agreed to. The records subject to audit shall include, but shall not be limited to, all books records, documents, papers, and other supporting data that the auditors may reasonably believe are relevant to the purpose of the audit. All books, records, documents, papers, and other supporting data may be kept on microfilm or in electronic format in lieu of original documents.
9. **Available Funds.** Framingham and Wayland's obligations to make payment pursuant to this Agreement is limited to the extent that funds are appropriated for the work. The parties agree, however, that in the event that either of them asserts, or it is determined that either of them cannot meet, an obligation arising under this Agreement because sufficient funds are not available, or if either of them does not make payment in full for any other reason, the Framingham and Wayland shall have the right to immediately terminate any work under this Agreement and recover all costs for termination, including, but not limited to, all costs necessary to restore the Bridge to a safe and functional condition.
10. **Additional Funding Sources.** This Agreement shall not preclude Framingham or Wayland from applying for other funding from the Commonwealth of Massachusetts, or any other sources. The above payment process may be amended or modified upon the written agreement of both parties.

11. **Termination for Breach.** Either party may terminate this Agreement if the other breaches any material term or condition or fails to perform or fulfill any material obligation required by this Agreement, provided that written notice is provided to the other party and an opportunity to cure any such breach is given pursuant to the provisions of Section 4 herein. Neither party shall be deemed to be in breach for failure or delay in performance due to Acts of God or other causes factually beyond their reasonable control and without their fault or negligence.
12. **Notice and Change of Circumstances.** Each party shall promptly notify the other of any legal impediment, change of circumstances, including but not limited to changes in funding availability, insurance requirements, city or town approvals, or any other event or condition, which may adversely affect each Party's ability to carry out any of its obligations under this Agreement. Any request, demand, authorization, direction, notice, consent, waiver, or other document provided or permitted by this Agreement to be made, given, furnished to, or filed with one party by another party shall be in writing and shall be delivered by hand or by certified mail, return receipt requested or by overnight delivery service, in an envelope addressed as follows:

<b>City of Framingham</b>	<b>Town of Wayland</b>
Simon M. Alexandrovich, P.E. Director of Transportation Engineering Framingham Department of Public Works 100 Western Avenue Framingham, MA 01702 Office telephone: (508)532-6028 Cellular telephone: (508) 380-8059 Fax: (508) 620-4884 Email: sma@framinghamma.gov	Paul Brinkman, P.E. Town Engineer Wayland Department of Public Works 66 River Road Wayland, MA 01778 Office telephone: (508) 358-6852 Cellular telephone: (617)831-8325 Fax: (508) 358-4082 Email: PBrinkman@wayland.ma.us

with a copy to:

<b>City Solicitor</b>	<b>Town Counsel</b>
Petrini & Associates, P.C. 372 Union Avenue Framingham, MA 01702 Attn.: Amanda Zuretti, Esq. Tel: (508) 665-4310 Fax: (508) 665-4313 Email: azuretti@petrinilaw.com	KP Law, P.C. 101 Arch St., 12th Floor Boston, MA 02110 Attn.: Carolyn M. Murray, Esq. Tel: 617-556-0007 Fax: 617-654-1735 Email: cmurray@k-plaw.com

13. **Jurisdiction.** This Agreement is to be governed and construed in accordance with the laws of the Commonwealth of Massachusetts.



14. **Severability.** If any provision of this Agreement is determined to be invalid or unenforceable, the remaining provisions shall remain in force and unaffected to the fullest extent permitted by law and regulation.
15. **Assignment.** Except as otherwise provided by this Agreement, this Agreement shall inure to the benefit of and be binding upon the successors and assigns of the Parties hereto, except that neither Party shall assign or transfer this Agreement or any of its rights hereunder to any person, firm, or corporation without obtaining the prior written consent of the other, which consent shall not be unreasonably withheld.
16. **Assurances.** The Parties hereto each agree to execute, acknowledge and deliver such further assurances and amendments hereto as may from time to time be reasonably requested by the other party to better assure the rights and obligations herein created.
17. **Modification and Amendment.** This Agreement may be modified or amended only by written, mutual agreement of the parties.
18. **Entire Agreement.** This Agreement, including all documents incorporated herein by reference, constitutes the entire integrated agreement between the parties with respect to the matters described. This Agreement supersedes all prior agreements, negotiations and representations, either written or oral, and it shall not be modified or amended except by a written document executed by the parties hereto.

**B. Agreement as to the Bridge Evaluation:**

1. **On-call contractor.** Upon full execution of this Agreement, Wayland shall authorize its on-call contractor to evaluate the condition of the Bridge and agrees to provide Framingham with copies of all reports and data obtained from, or produced by, its on-call contractor regarding such evaluation. Wayland's on-call contractor shall be available for questions and clarifications associated with the Bridge evaluation.
2. **Oversight.** Framingham and Wayland agree that their respective agents, contractors, and assigns shall have unrestricted access to the Bridge, and that Framingham shall have the right to have an authorized representative present to review any work performed by Wayland's on-call contractor, from time to time during the performance of the work. Framingham agrees to promptly notify Wayland in the event that it considers any work to be nonconforming with this Agreement, the Bridge Project, or applicable federal, state, and local laws and regulations, and other applicable requirements.
3. **Payment.** Wayland shall pay actual costs for the Bridge evaluation not to exceed the estimate provided in the letter from TEC (The Engineering Company) dated

April 12, 2018 (Project No. T0737.08), a copy of which is attached hereto as **Exhibit A**. The sum of Wayland's payment to TEC for the bridge evaluation shall be credited toward Wayland's share of the costs for the Bridge Project. Should the project not progress, Framingham shall pay its half of Bridge Evaluation.

**C. Agreement as to the Bridge Project Design**

1. **Joint Invitation for Bids ("IFB").** Framingham and Wayland shall prepare and advertise a joint IFB for the construction of the Bridge repairs and shall jointly open and evaluate bids and award a contract to the selected eligible and responsible bidder.
2. **Preliminary Design.** TEC shall provide Bridge design and shall determine appropriate Bridge repair details and shall undertake utility coordination, preliminary traffic management design and filing a Request for Determination of Applicability (RDA) required for the improvements as portions of the site are located within the 200' Riverfront area associated with the Sudbury River.
3. **Final Design.** Framingham and Wayland shall meet to review plans prepared for the 50% Design Submittal and shall coordinate review of plans and technical specifications for all items not covered under the Standard Specifications. Framingham shall provide "Front End" specifications for the project for the design consultant's review.
4. **Approvals.** Framingham and Wayland agree to use diligent efforts to obtain, expeditiously and without undue delay, any required local, state, and federal permits, clearances, approvals, and/or waivers for the Bridge Project.

**D. As to Bridge Project Construction including Oversight:**

1. **Work in Harmony.** Framingham and Wayland mutually agree that each of their respective agents, contractors, subcontractors, and assigns shall coordinate and work in harmony on the Bridge Project.
2. **Oversight.** Framingham and Wayland agree that their respective agents, contractors, engineers and assigns shall have unrestricted access to the Bridge, and that Framingham and Wayland shall have the right to have an authorized representative present to review any work performed by the contractor, from time to time during the performance of the work. Framingham and Wayland agree that each of them shall promptly notify the other in the event that it considers any work to be nonconforming with this Agreement, the Bridge Project contract issued pursuant to the joint IFB, or applicable federal, state, and local laws and regulations, and other applicable requirements.

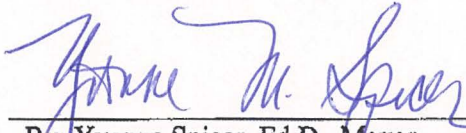
**F. Agreement as to post-Construction**

1. Upon completion of the Bridge Project by the Wayland's contractor, Framingham and Wayland shall retain ownership and maintenance of the Bridge and appurtenances installed as part of the Bridge Project to the limit of their respective municipal boundaries. Framingham and Wayland shall have the right to, among other things, use, occupy, maintain, inspect, improve, repair the Bridge as the same may from time to time be repaired or improved.



IN WITNESS HEREOF, the parties hereto have executed this Agreement on the day and year first above written.

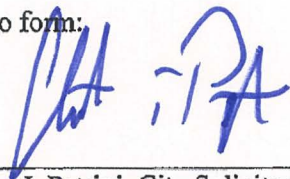
City of Framingham

  
\_\_\_\_\_

By: Yvonne Spicer, Ed.D., Mayor

Date:

Approved as to form:




By Christopher J. Petrini, City Solicitor


Date:

10/5/18

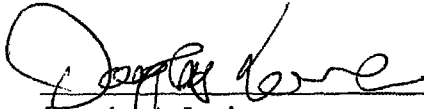
**Town of Wayland by its Board of Selectmen:**

  
\_\_\_\_\_  
Lea Anderson, Chair


  
\_\_\_\_\_  
Cherry C. Karlson, Vice Chair

  
\_\_\_\_\_  
Mary M. Antes

  
\_\_\_\_\_  
Louis M. Jurist

  
\_\_\_\_\_  
Douglas A. Levine

Date:  
Approved as to form:

  
\_\_\_\_\_  
By KP Law P.C., Town Counsel  
Date: 8-28-18

2018.08.27 Potter Road Bridge IMA - Final (401-09)



**Guerriere &  
Halnon, Inc.**

ENGINEERING & LAND SURVEYING  
[www.gandhengineering.com](http://www.gandhengineering.com)

*Est. 1972*

**Milford Office**  
333 West Street, P. O. Box 235  
Milford, MA 01757-0235  
(508) 473-6630/Fax (508) 473-8243

**Franklin Office**  
55 West Central Street  
Franklin, MA 02038-2101  
(508) 528-3221/Fax (508) 528-7921

**Whitinsville Office**  
1029 Providence Road  
Whitinsville, MA 01588-2121  
(508) 234-6834/Fax (508) 234-6723

# FRAMINGHAM-WAYLAND TOWN LINE REPORT

## SUDBURY RIVER

## POTTER ROAD-FRAMINGHAM STONEBRIDGE ROAD-WAYLAND

March 19, 2021

*Prepared for:*

*Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778*

*Prepared by:*

*Jeffrey J. Stefanik, P.L.S.  
Survey Manager  
Guerriere & Halnon, Inc.  
PO Box 235  
Milford, MA 01757*



This report is in regard to the location of the Town Line between the City of Framingham and Town of Wayland at the Sudbury River where Potter Road in Framingham meets Stonebridge Road in Wayland and is based on an investigation of public records recorded at the Middlesex District Registry of Deeds as well as other available information. The Sudbury River is the dividing line between the municipalities.

The area of concern is located in the Northeasterly portion of Framingham and Westerly portion of Wayland. Potter Road in Framingham runs easterly to Wayland where it becomes Stonebridge Road. The Sudbury River flows northerly under the road.

### **Background:**

The current bridge used by vehicular traffic was constructed in 1957 and replaced “Stone’s Bridge” as the traveled way. Stone’s Bridge is still extant and located approximately 200 feet Northerly (down river) of the 1957 bridge. It was constructed in the 1850s and replaced various bridges that had been at that site since the late 1600s.

### **Research:**

The major impetus to construct the 1957 bridge was the flooding caused by Hurricane Diane in August 1955. The new bridge location forced the relocation of StoneBridge Road in Wayland and a map was recorded in June 1957 (Plan 864 of 1957) showing the new location extending approximately 1,000 feet Westerly from the intersection of the old road to the center of the river at the Framingham line. Wayland also recorded a deed on April 14, 1959 (Book 9353 Page 270) referencing and matching the plan. This deed has bearings and distances and extends the line “to the town line between Wayland and Framingham in the Sudbury River”.

Stonebridge Road changes to Potter Road once it crosses the river into Framingham and this portion of the road relocation history is not as clearly defined. I could find no recorded documentation in regard to the road being adjusted at the Registry of Deeds.

In 1957 the land involved was owned by the Generazio family and New England Sand and Gravel Co., Inc. and in 1965 they subdivided both sides of the road. Plan 29 of 1965 depicts the North side of the road and Plan 30 of 1965 depicts the South side of the road at the river. Neither map shows either bridge or provides the bearings and distances to mathematically connect the Framingham portion of the road to the Wayland portion. Plan 29 of 1965 and Plan 329 of 1965 show the portion of land where the old road would have crossed the river to connect with Potter Road but the maps do not indicate any physical location of that nor do the lots deeded out reference the old road or any rights which may exist in relation to it.

**Summary:**

The question to be answered currently is where is the town line and in which municipality is the 1957 bridge located in?

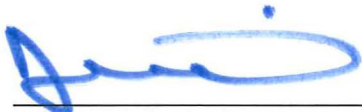
This may seem like an obvious and easy question to answer however due to the poorly documented legal history of the bridge it is vague. Local history indicates that the river “was re-routed to flow under the new bridge” (see Town of Wayland website) and if the historic town line is the center of the river did the town line move when the river was moved?

There is no recorded evidence of the river being moved nor deeds conveying adjusted boundaries to the adjoining land owners involved specific to the river’s location. There is also no recorded evidence of the town line being formally adjusted. The general rule of riparian boundaries is that they shift with changes due to accretion or erosion but retain their original location if brought about by avulsion or by artificial causes so if the river gradually shifts then, in theory, so does the town line.

It is not a simple legal matter or process to move or adjust a town line and no recorded evidence was found that this took place.

The lack of formal documentation of the river being moved in the 1950s leads to the conclusion that the river is generally in the same place and the recorded plans and deeds mentioned in paragraph four clearly state that the intention of the relocation of Stonebridge Road in Wayland was to extend “to the town line...at Framingham...at the Sudbury River”. The other information on the plans and deeds such as bearings and distances are informative however they do not override the clear intention of the boundary being the border with Framingham. The bridge obviously goes over the river and it is my considered opinion that the bridge is shared by Framingham and Wayland.

Jeffrey J. Stefanik has been a licensed Land Surveyor since 1996 and is registered in Massachusetts, Connecticut, Rhode Island, New Hampshire, Vermont and New York.



---

Jeffrey J. Stefanik, P.L.S.  
Survey Manager









General Notes

No.	Revision/Issue	Date


  
 Town of  
**Wayland**  
 Massachusetts



Department of Public Works  
20 River Road, Wayland, MA 01775

STONEBRIDGE RD.  
 BRIDGE  
 LOCATION  
 Wayland, Massachusetts

Project	PROJECT NAME	Sheet	<b>1</b>
Date	6/9/2021		
Scale	1" = 30'		



**TOWN OF WAYLAND  
GOVERNANCE GUIDELINES FOR  
ELECTED BOARDS  
THE BOARD OF SELECTMEN AND  
APPOINTED BOARDS, COMMITTEES, COMMISSIONS  
REVISED: JUNE 11, 2018**

**1.0 Volunteer Appreciation**

The Board of Selectmen thanks the members of all Boards, Committees and Commissions for giving their valuable time and effort to the improvement of the Wayland community.

**2.0 Authority and Purpose of These Guidelines**

The Wayland Board of Selectmen adopts these Guidelines for the governance of Elected Boards, the Board of Selectmen and its appointed Boards, Committees and Commissions, referred to in this document as "public bodies". ~~It is understood that elected public bodies including the Board of Assessors, Board of Health, Library Board of Trustees, Board of Public Works, Planning Board, Recreation Commission and School Committee possess independent authority to adopt these or separate Governance Guidelines consistent with law.~~

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

It is understood that elected public bodies including the Board of Assessors, Board of Health, Library Board of Trustees, Board of Public Works, Planning Board, Recreation Commission and School Committee possess independent authority in certain areas to adopt separate Governance Guidelines consistent with law. Elected public bodies should consult with the Town Administrator if they have any questions about the application of the Governance Guidelines to their Board, Committee, or Commission.

The Board of Selectmen will review, revise and distribute the Guidelines annually.

**3.0 Organization**

**3.1 Annual Organization Meeting:** The Board of Selectmen will elect a chair at the first meeting following the conclusion of Annual Town Meeting. Other appointed public bodies must organize annually after Annual Town Meeting, no later than July 15th or as otherwise required. Public bodies will elect a Chair and any other necessary officers such as a Vice-Chair or Co-Chair, Clerk and Assistant Clerk ~~(Elected boards should must follow statutory requirements for reorganization/reorganize once a year.)~~

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

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

**3.3: Responsibilities under Charge and Local and State Law:** Each ~~appointed~~ public body will conduct its business under a Town by-law, state statute or under a charge adopted by the Board of Selectmen.

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

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

**3.6 Advisory Committees:** The Board of Selectmen may appoint advisory committees for a specific purpose under a temporary charge.

**4.0 Role of Members:** A member of any public body will:

1. Respect the role of the Chair in setting agendas and facilitating meetings.
2. Respect decisions of the public body and recognize that members take action as part of a public body and may not conduct Town business independently of the public body except as authorized by a vote of the public body.
3. Recognize that action at an official legal meeting is binding and that an individual member cannot bind the public body outside of such meeting.
4. Not make statements or promises about how he / she will vote on matters that come before the public body until he / she has had an opportunity to hear the pros and cons of the issue during the body's public meeting.
5. Uphold the intent of Executive Sessions and respect the privileged communication that exists in Executive Session, holding it in confidence.

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

6. Assume a high level of integrity, striving toward fact - based and objective public statements and deliberations. Make decisions only after all facts on a question have been presented and discussed.
7. As a general rule, work with Town staff at the direction of the public body only so that Town staff are not subject to conflicting direction from individual public body members.
8. If appointed by a majority of the public body, serve as a liaison to other public bodies.
9. Public bodies must take any training require by law. ~~TFulfill any training~~ the Board of Selectmen may require additional training so members can effectively fulfill their duties. Training may be provided at Town Building, over the internet, or may require out of Town travel or require multiple sessions. Whenever training is required by the Town so that a volunteer can serve on a public body, the Town will pay for the costs of tuition and travel. All such costs must be approved in advance by a Department Head before the costs are incurred.

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

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

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

**5.0 Role of Chair and Vice Chair:** The Chair will set meeting agendas, convene all meetings, and execute documents as authorized by the public body. The Chair will act only under authority provided by a quorum of the public body. The Chair will serve as the public body's primary contact with the Town Administrator and other Town staff. As a general rule, the Chair will solicit the opinions of all members prior to stating his or her personal opinion on any agenda item before the public body. The Chair will be responsible for ensuring the proper preparation and disposition of all minutes under the Open Meeting Law. The Vice Chair will fulfill the duties of the Chair in his or her absence.

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

**Commented [LM1]:** Proposed alternative language – to be discussed

1. The Chair, will act on behalf of the board on routine matters between meetings (such as setting appointments and scheduling). Members of public bodies will request information from the Town Administrator and other Town staff during posted office hours. The Board of Selectman recommend that the Chair solicit the opinions of all members prior to stating his or her personal opinion on any agenda item before the public body.

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

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



## 6.0 Open Meeting Law

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

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

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

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

**6.2 Meeting Notices:** All public bodies must comply with the Open Meeting Law, including but not limited to filing meeting agendas with the Town Clerk at least 48 hours in advance of the meeting. Saturdays, Sundays and legal holidays are excluded in the calculation of the 48 hours. The agenda may be filed with the Town Clerk in person or e-mailed to the Town Clerk at [Townclerk@wayland.ma.us](mailto:Townclerk@wayland.ma.us). Agendas must be received by the Town Clerk at least 30 minutes before the end of business in order to be posted the same day. Agendas received after the close of business will not be posted until the next day. Please contact the Town Clerk's office if you have a late filing. The agenda must include a list of topics that is sufficiently specific to reasonably inform the public of the items to be discussed at the meeting. The agenda must also include any Executive Sessions planned, citing one of the 10 legal purposes for calling an executive session. Depending upon specific circumstances and the legal purpose of the Executive Session, the Executive Session notice must include specificity with regard, for example, the name of a matter of litigation, the name of a collective bargaining unit, or identification of parcels of land. Whenever in doubt, the Chairs of public bodies are encouraged to consult with ~~Town Counsel~~.

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

~~through a request to~~ the Town Administrator, who will refer questions to Town Counsel if necessary, for appropriate language for meeting notices for Executive Sessions.

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

**6.4 Requirement for Meeting Minutes:** The Open Meeting Law requires public bodies to create and approve minutes in a timely manner (defined as three meetings or 30 days, whichever is longer). The Public Records Law requires that existing minutes be made available to the public within 10 days upon request, whether these minutes have been approved or are in draft form. Materials or other exhibits used by the public body in an open meeting must also be made available to the public within 10 days of request. Minutes of all staffed public bodies will be posted to the website by departmental staff. Minutes of all other public bodies will be emailed to townclerk@wayland.ma.us to be posted on the Town website and kept on file in the Town Clerk's office.

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

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

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

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

**6.8 Recording of Meetings:** Any member of the public has the right to make an audio or video recording of an open session of a public meeting, but must notify the Chair before recording. The Chair must

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

inform attendees of any such recording at the beginning of the meeting including that that the meeting will be broadcast on the Way-Cam government access channel. The Chair may impose reasonable requirements regarding audio or video equipment so recording does not interfere with the meeting.

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

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

**6.11 Open Meeting Law Complaint Process:** Individuals who allege a violation of the Open Meeting Law must first file a complaint with the public body alleged to have violated the OML within 30 days of the date of the violation or the date the complainant could have reasonably known of the violation. The full complaint process, including the required response of the public body to the complainant within 14 days of receipt of the complaint is included in the Attorney General's Open Meeting Law Guide. Please provide a copy of all Open Meeting Law complaints to the Town Administrator's Office. Within 14 business days of the date on which the complaint was filed, the public body must review the complaint and send to the Attorney General's Office (AGO) a copy of the complaint along with a description of any action taken to resolve the issue that was raised by the complaint. Within seven business days of the date that the complaint was filed, the public body may request additional information from the person making the complaint if necessary to resolve the complaint. The person making the complaint shall provide the additional information to the public body within 10 business days, and the public body shall have 10 additional business days (total 24 business days from the date complaint was originally filed) to act on the complaint and notify the AGO. The public body may request additional time to consider taking remedial action and must make that request in writing to the AGO, to the Attention of the Director of the Division of Open Government. The AGO may, at its discretion, grant additional time to the public body if it determines there is a showing of good cause to grant the extension.

## **7 .0 Use of E-Mail to Conduct Business**

**7.1 E-Mail and Public Records Law:** E-mail communication created or received by a member of a public body while acting in his or her capacity as a member of the public body, is considered a

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



public record and is subject to a public records request under the Public Records Law even if the e-mail is received by or created on a private computer or sent to only one individual. The Town will assign e-mail addresses to all members of appointed and elected boards and committees which must be used for all town business to avoid violations of the Public Records Law.

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

**7.3 Board of Selectmen Guideline on E-Mail:** To avoid violations of the Open Meeting Law and the Public Records Law, it is [preferred-recommended](#) that e-mail between members of the Town's public bodies be restricted to scheduling meetings and distribution of agendas, documents and reports. [This is not a prohibition against email communication. However, eE-mails between members of public bodies should never contain any statement that is an opinion of any member.](#)

## 8.0 Code of Ethics and Code of Conduct

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

**8.2 Standard of Conduct:** All members will treat the public, applicants before the public body, Town employees and other members with respect and courtesy. The members and Chair of a public body should take time to listen to individuals speaking to the body. The Chair should make sure members of the public who are present also accord those speaking with respect and an opportunity to be heard uninterrupted.

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

**Commented [LM2]:** The BoS may want to take action on their own. Some appointed boards require a certain number of members to take action and absences can result in inability to act on applications.

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



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

**8.5 Litigation against Town by a Member of an Appointed Public Body:** An appointed member of any appointed public body may be temporarily suspended by the Board of Selectmen during a lawsuit filed by the member against the Town in a court of competent jurisdiction in the state of MA.

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

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

#### **10.0 Policy on Legal Services**

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

#### **SUPPLEMENTAL DOCUMENTS REFERENCED ABOVE:**

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

DATE OF ADOPTION/~~AMENDMENT~~: June 11, 2018

~~AMENDED: ....., 2021~~

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

**BOARD OF SELECTMEN**  
**Monday, September 20, 2021**  
**7:00 p.m.**  
**Wayland Town Building**  
**41 Cochituate 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 and signing agreement #21-2024 with B-P Trucking, Inc. for Solid Waste and Recycling collection.
4. Vote the Question of approving and signing agreement with Option Technologies International, LLC for Town Meeting Electronic Voting Services
5. Vote the question of approving and joining program with CMRK, Inc for the collection and removal of residential Textile and Electronics.
6. Vote the question of approving and signing agreement with Emerging Compounds Treatment Technologies (ECT2), Inc. for supply, delivery and installation of all equipment needed for PFAS water treatment for Town's Drinking Water Supply.