



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Recognize Citizens and Employees for Particular Service to the Town      **Estimated Cost:** \$0

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

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

1. To recognize citizens who have served in a volunteer capacity on elected and/or appointed boards, committees, and commissions for a minimum of 25 years (service need not be consecutive);
2. To recognize employees who have retired since the previous Annual Town Meeting or intend to retire prior to June 30, 2021, subject to a minimum of 20 years of service;
3. To request Town Meeting observe a moment of silence in memory of elected or appointed volunteers, employees with at least 10 years of service, or an employee while in service to the Town without regard to tenure who shall have passed away since the adjournment of the 2020 Annual Town Meeting.

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

*Town Clerk is working with the Town Administrator's office to provide complete information before submission.*

The following town and school employees have retired since the 2020 Annual Town Meeting or will retire before June 30, 2021 and have or will have served the Town for over 20 years:

*Town Clerk is working with the Town Administrator's office to provide complete information before submission.*

The following elected or appointed volunteers or employees have passed away since the 2010 Annual Town Meeting:

*Town Clerk is working with the Town Administrator's office to provide complete information before submission.*

**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):

This is a standard article that allows recognition and commendation of certain citizens and employees.

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

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JAN 08 2021

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller

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

Board of  
Town of Wayland  
**Contact Person Phone:** 508.358.3620

**Proposing Board Information**



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Board Name:** Board of Selectmen

**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 12.14.2020

**Signature of Board Chairperson:** *Clayton Kaesly* **Date:** 1-8-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Pay Previous Fiscal Years Unpaid Bills **Estimated Cost:** \$

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

To determine whether the Town will vote to:

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

*Some additions may be made later if additional bills are found.*

**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):

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

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Brian Keveny **Contact Person Phone:** 508.358.3611

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

**Proposing Board Information**

**Board Name:** Board of Selectmen

**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 12.14.2020

**Signature of Board Chairperson:**  **Date:** 1-8-21

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Board of Selectmen  
Town of Wayland



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

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Board of Selectmen  
Town of Wayland

**Article Title:** Current Year Transfers **Estimated Cost:** \$

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

To determine whether the Town will vote to appropriate a sum or sums of money for the operation and expenses of various Town Departments for the current fiscal year; 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 funds received as grants from the Commonwealth or federal government, otherwise; and to determine which Town officer, board, or committee of combination of them, shall be authorized to expend the money or monies appropriated therefor.

Current Year Transfer FY21

Purpose:	AMOUNT
1)	
<b>TOTAL</b>	<b>\$</b>

1)	
<b>TOTAL</b>	<b>\$</b>

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Board of Selectmen  
Town of Wayland

*None known at this time. Some additions may be made later if a need is identified.*

**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):

This article authorizes the expenditure of funds for the current fiscal year, which were not foreseen in the current budget.

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

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Brian Keveny **Contact Person Phone:** 508.358.3611

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

**Proposing Board Information**

**Board Name:** Board of Selectmen

**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 12.14.2020

**Signature of Board Chairperson:**  **Date:** 1-8-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** OPEB Funding **Estimated Cost:** \$ \_\_\_\_\_

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

To determine whether the Town will vote to:

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

- |                          |    |       |
|--------------------------|----|-------|
| 1) Food Service          | \$ |       |
| 2) BASE                  | \$ |       |
| 3) Children’s Way        | \$ |       |
| 4) Full Day Kindergarten | \$ |       |
| 5) Water                 | \$ |       |
| 6) Transfer Station      | \$ |       |
| 7) Recreation            | \$ |       |
| 8) Pegasus               | \$ |       |
| 9) Building Use          | \$ |       |
| 10) Enrichment           | \$ | ; and |

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Board of Selectmen  
Town of Wayland

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

*\*Amounts and categories in a) and b) to be finalized by Finance Director.*

**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):

This article funds an OPEB contribution from two sources: a) enterprise and revolving funds and b) taxation.

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

The Government Accounting Standards Board (GASB) requires the Town to perform periodic actuarial valuations, based on prescribed accounting standards that measure the obligations accruing under these Other (than pensions) Post-Employment Benefits (OPEB) plans.

As of the July 1, 2019 measurement date, the Total OPEB Liability (“TOL”) for the Fiscal Year ending June 30, 2020, as determined under those accounting standards, was \$47,277,115million. Plan assets were \$18,203,791million. The Net OPEB Liability (“NOL”), which equals the TOL less assets, was \$29,273,324 million. A useful metric for gauging funding progress is the ratio of assets to total liabilities, or the funded ratio, which is currently at 38.5%.



**TOWN OF WAYLAND**

**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

While GASB requires that this liability be included on the balance sheet, GASB does not require funding this liability. The funding decision is up to the Town. However, unlike the Town's pension obligation, which is routinely funded in the operating budget, the Town has elected to make the OPEB funding decision via an annual article.

The total recommended contribution is based on the estimate of the Town's expenditures for retiree health care premiums with the amount in a) representing the fair share of that total amount coming from the revolving funds and the amount in b) representing the fair share of the total amount coming from taxpayers. The sum of these two items result in the estimated cost of \$546,534. (to be updated)

This year, the amount in b) is recommended at \$ and this same amount is planned as a sustainable annual contribution as part of the Town's long-term financial planning. This was first presented at the Financial Summit in September 2018. While it is less than the actuarial calculated contribution of \$XXX for FY21, the \$500,000 represents a sizeable and sustainable funding of the OPEB liability.

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Brian Keveny **Contact Person Phone:** 508.358.3611  
**Contact Person Town Email:** bkeveny@wayland.ma.us

**Proposing Board Information**

**Board Name:** Board of Selectmen  
**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 12.14.2020  
**Signature of Board Chairperson:** *Brian Keveny* **Date:** 1-8-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

**Article Title:** Fiscal Year 2022 Revolving Fund Expenditure Limits **Estimated Cost:** \$0

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

To determine if the Town will vote to set the following enumerated dollar figures as the total amount to be expended from the respective authorized revolving funds for Fiscal Year 2022, or take any action relative thereto:\*

1. Transfer Station: \$
2. Council on Aging: \$
3. School Department / Professional Development: \$
4. School Department / Curriculum: \$
5. Recreation: \$
6. Recreation Athletic Fields: \$
7. Conservation Community Gardens: \$

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**JAN 08 2021**  
 Board of Selectmen  
 Town of Wayland

*\*Finance Director and Department Head still finalizing amounts.*

**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):

Passage of this article will establish the Fiscal Year 2022 spending caps for the Town’s Revolving Funds. The 2017 Annual Town Meeting adopted Town Code Chapter 19, Section 10 establishing revolving funds under Mass General Laws, Chp. 44, section 53E ½. Adoption of this code requires the Board of Selectmen (BoS) to recommend to Town Meeting annually and for Town Meeting to set the limits of expenditure for each revolving fund. For FY 2021, the Board of Selectmen recommends the following spending caps:

<u>Revolving Fund</u>	<u>Recommended FY22 Spending Cap*</u>
Transfer Station	\$
Council on Aging	\$
School Department/Professional Development	\$
School Department/Curriculum	\$
Recreation	\$
Recreation/Athletic Fields	\$
Conservation Community Gardens	\$

*\*Finance Director and Department Head still finalizing amounts.*

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

**Contact Information for Publication in Warrant**



**TOWN OF WAYLAND**  
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*Attach extra pages if necessary*

**Contact Person Name:** Brian Keveny **Contact Person Phone:** 508.358.3611  
**Contact Person Town Email:** bkeveny@wayland.ma.us

**Proposing Board Information**

**Board Name:** Board of Selectmen

**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 12.14.2020

**Signature of Board Chairperson:** *Brian Keveny* **Date:** 1-8-21





**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Compensation for Town Clerk **Estimated Cost:** \$ - TBD

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

To determine whether the town will vote to fix the salary for the Town Clerk, pursuant to Massachusetts General Laws Chapter 41, Section 108, to be effective July 1, 2021.

SALARY SCHEDULE – TOWN CLERK

	<u>FY 2021</u>	<u>FY 2022</u>
Town Clerk	\$ 89,437	\$ - <u>TBD</u>

**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):

This Article requests that Town Meeting approve a salary increase for the Town Clerk. By law, annual wage adjustments for the Town Clerk are subject to Annual Town Meeting approval.

This article is placed before the Budget Article because the Town Clerk’s salary is embedded in the Town Clerk salary line item.

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Board of Selectmen  
Town of Wayland

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller **Contact Person Phone:** 508.358.3620

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

**Proposing Board Information**

**Board Name:** Board of Selectmen

**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 12.14.2020

**Signature of Board Chairperson:** *Clem Kauling* **Date:** 1-8-21



1/20/21

TOWN OF WAYLAND
SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING
Attach extra pages if necessary

Article Title: Personnel Bylaws and Wage & Classification Plan Estimated Cost: \$

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

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan (Appendix B) previously adopted by the Town to amend recreational and seasonal positions and adjust selected positions affected by the Massachusetts minimum wage.

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):

This Article is requesting Town Meeting to approve changes to the Wage and Classification Plan. Only recreational seasonal positions and those positions affected by the Massachusetts minimum wage increase are being adjusted. Minimum wage adjustments are reflected in departmental budgets. Recreational seasonal positions will be funded from the Recreation revolving fund.

The Wage and Classification Tables are identified in Appendix B. All current collective bargaining agreements expire on XXXXX. With the exception of the positions referenced above, the effective dates for wages listed in the tables are July 1, 2019. The Wage and Classification Tables are included for informational purposes only. As collective bargaining agreements are settled, information regarding adjustments for both non-union and union wages will appear in future Warrants.

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

Contact Information for Publication in Warrant

Contact Person Name: Louise Miller Contact Person Phone: 508.358.3620
Contact Person Town Email: lmiller@wayland.ma.us

Proposing Board Information

Board Name: Board of Selectmen
Board Vote (Quantum) to Submit 5-0-0 Date of Board Vote: 12.14.2020
Signature of Board Chairperson: [Signature] Date: 1-8-21

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Board of Selectmen
Town of Wayland



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
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**JAN 08 2021**

Board of Selectmen  
 Town of Wayland

**Article Title:** Personnel Bylaws and Wage & Classification Plan – Non-Union Personnel

**Estimated Cost:** \$ -

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

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL, and the Personnel Wage and Salary Classification Plan (Appendix TBD) previously adopted by the Town for non-union Town employees, and further, to determine whether the Town will vote to raise and appropriate, transfer from available funds, transfer from funds already appropriated for another purpose, or otherwise, the sum of \$ - for the purpose of funding said adjustments to wages and salaries for non-union Town employees for fiscal year 2020, and to authorize the Town Accountant to allocate said sums to and among the personnel and line items affected thereby in such accounts as are proper and required.

**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):

Annual wage adjustments for non-union staff are brought to Annual Town Meeting. The proposed - % FY22 increase as identified in Appendix TBD of the warrant represents a nominal increase for non-union staff. The increase is consistent with wage increases for other town employees. Increases to starting wages for hourly and seasonal employees reflect the increase in the state minimum wage.

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller **Contact Person Phone:** 508.358.3620

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

**Proposing Board Information**

**Board Name:** Board of Selectmen

**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 01.04.2021

**Signature of Board Chairperson:**  **Date:** 1-8-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Surface Water Quality Committee Budget **Estimated Cost:** \$51,000

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

To appropriate funds for the expenses of the Surface Water Quality Committee to be spent under the direction of the Board of Selectmen

**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):

The work of the Surface Water Quality Committee (SWQC) is cyclical with the seasons and the largest expenditures occur over the summer months. From a budget perspective, this timing and financial variability of expenditures does not fit well with the Town’s fiscal year ending on June 30. For instance, some years the SWQC needs to treat for milfoil which results in higher expenses and crosses the fiscal year end for the treatment timetable.

Appropriating funds through an article rather than the budget will allow funds to be carried over the June 30 year end and improve the budgeting and cash flow for the SWQC work and expenses. There is no change to the budgeted amount. The FY21 budget in Miscellaneous Committees was \$51,000 and the same amount is being requested for FY2021 in this article.

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

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JAN 08 2021

Board of Selectmen  
Town of Wayland

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller **Contact Person Phone:** 508.358.3620  
**Contact Person Town Email:** lmiller@wayland.ma.us

**Proposing Board Information**

**Board Name:** Board of Selectmen  
**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 12.14.2020  
**Signature of Board Chairperson:**  **Date:** 1-8-21



**TOWN OF WAYLAND**

**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

**Article Title:** FY2022 Omnibus Budget **Estimated Cost:** TBD

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

To Determine What Sum Of Money The Town Will Appropriate For The Operation And Expenses Of The Town Including Capital Expenses For Equipment, Improvements Or Other Purposes, And Determine Whether Such Appropriation Shall Be Provided By Taxation, By Transfer From Unappropriated Funds, By Transfer Of Funds Already Appropriated For Another Purpose, By Borrowing Or Otherwise.

**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):

The Finance Committee will submit and publish its budget report and recommendations in the warrant.

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Brian Keveny **Contact Person Phone:** 508-358-3611

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

**Proposing Board Information**

**Board Name:** Town Clerk

**Board Vote (Quantum) to Submit Article:** \_\_\_\_\_ **Date of Board Vote:** \_\_\_\_\_

**Signature of Board Chairperson:** \_\_\_\_\_ **Date:** \_\_\_\_\_

WAYLAND TOWN CLERK  
2021 JAN 15 AM 8:31



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Choose Town Officers **Estimated Cost:** \$0

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

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

- |                            |                  |
|----------------------------|------------------|
| Trustees of the Allen Fund | The Selectmen    |
| Fence Viewers              | The Selectmen    |
| Field Drivers              | The Constables   |
| Measurers of Wood and Bark | Paul Doerr       |
|                            | Gary Slep        |
|                            | John R. Sullivan |
| Surveyors of Lumber        | Judy Currier     |
|                            | Richard Hoyt     |
|                            | Susan W. Pope    |

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**JAN 08 2021**  
 Board of Selectmen  
 Town of Wayland

*Board of Selectmen: Need to confirm all nominees' ability and willingness to serve.*

**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):

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

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

The Allen Fund was established in 1854 through a gift from Miss Debby Allen and Mrs. Nabby (Allen) Draper. The permanent fund was intended for "beneficent objects." Although the Allen Fund was virtually depleted by 1990, it has recently grown so that it can now provide annual gifts. **As of June 30, 2019, the balance in the Allen Fund was \$ 8,508.77.** The trustees are responsible for overseeing the fund. The trust provides that the trustee shall be selected annually by vote of the annual town meeting; it also provides that in case no board of trustees is selected, the Selectmen shall be the Trustees of the Allen Fund. At a future Town meeting, citizens could vote to amend the trust document to provide that the Commissioners of Trust Funds serve as Trustees of the Allen Fund without annual vote.

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

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



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

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

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


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

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller **Contact Person Phone:** 508.358.3620  
**Contact Person Town Email:** lmiller@wayland.ma.us

**Proposing Board Information**

**Board Name:** Board of Selectmen  
**Board Vote (Quantum) to Submit** .5-0-0 **Date of Board Vote:** 12.14.2020  
**Signature of Board Chairperson:**  **Date:** 1-8-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Hear Reports **Estimated Cost:** \$0

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

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

- Board of Assessors
- Community Preservation Committee
- Planning Board

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Board of Selectmen  
Town of Wayland

*There may be other committees that decide to submit a report for Town Meeting.*

**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):

This is a standard article that allows reports commissioned by the Town or required by State law to be heard. Under Town Code Chapter 53, Section 3, whenever a report required by law is submitted to Town Meeting, it shall be included in the minutes of said meeting set forth in the Annual Town Report. This article provides a means of including such reports in the minutes of Town Meeting.

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller **Contact Person Phone:** 508.358.3620  
**Contact Person Town Email:** lmiller@wayland.ma.us

**Proposing Board Information**

**Board Name:** Board of Selectmen  
**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 12.14.2020  
**Signature of Board Chairperson:** *Caryn Kelley* **Date:** 1-8-21





**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Sell or Trade Vehicles and Equipment **Estimated Cost:** \$0

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

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

<u>Department</u>	<u>Vehicle/Equipment</u>	<u>Year</u>
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*No vehicles or equipment have been identified for sale or trade as of this times. This is a placeholder article in case any are identified.*

**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):

This is a standard article allowing the Town to sell used vehicles, equipment or other personal property.

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Board of Selectmen  
Town of Wayland

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**Contact Person Name:** Louise Miller **Contact Person Phone:** 508.358.3620  
**Contact Person Town Email:** lmiller@wayland.ma.us

**Proposing Board Information**

**Board Name:** Board of Selectmen  
**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 12.14.2020  
**Signature of Board Chairperson:** *Cheryl Kasey* **Date:** 1-8-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Accept Gifts of Land **Estimated Cost:** \$0

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

To determine whether the Town authorizes the Board of Selectmen, with approval by Town Counsel as to form, to acquire by gift, purchase, eminent domain or otherwise, for general municipal purposes, on such terms and conditions as the Board of Selectmen deems appropriate, land including the fee or any lesser interest in all or any part of the parcels of land and the buildings and other structures, on and off LOCATION, identified as Lot X-X, shown on a plan prepared by the Town Surveyor entitled "XXX" dated July XX, 20XX and recorded with the Middlesex South Registry of Deeds as Plan XX of 20XX, and Parcel XX, and further to authorize the Board of Selectmen to execute any and all documents as may be necessary or convenient in relation thereto or take any action relative thereto.

**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):

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Board of Selectmen  
Town of Wayland

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller **Contact Person Phone:** 508.358.3620

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

**Proposing Board Information**

**Board Name:** Board of Selectmen

**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 12.14.2020

**Signature of Board Chairperson:**  **Date:** 1-8-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

**RECEIVED**  
**JAN 13 2021**  
Board of Selectmen  
Town of Wayland

**Article Title:** Select Board / Town Manager Special Act

**Estimated Cost:** \$0

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

To determine if the Town will authorize the Board of Selectmen to petition the General Court for an act of special legislation entitled "An Act to Create a Select Board/Town Manager Form of Government in the Town of Wayland," the full text of which is printed as Appendix XX to this warrant, or take any other action relative thereto.

**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):

The Board of Selectmen (BoS) is proposing that the Town adopt the Select Board/Town Manager Special Act to professionalize the structure of Wayland's government; coordinate administrative, operational, and financial functions; provide a consistent approach for efficiency, effectiveness, and transparency across all departments and boards; use resources effectively; improve legal and regulatory compliance; and maintain volunteer opportunities.

This is the third effort over the past thirty years to strengthen the Town's executive and financial management structure. The Charter Commission (1989), the Maximus Group (2002), and the Collins Center for Public Management (2018) have all recommended strengthening the executive function so that all Town department heads (excluding Schools), report to a Town Manager. This article is proposing their recommendation regarding reporting structure, excepting Schools and Library. They also all recommended reducing the number of committees and boards. This article is proposing no changes to committees and boards.

The Charter was not approved at a town-wide election in 1990. Two recommendations from the Maximus report were approved by Town Meeting: the 2004 Town Administrator Special Act and the 2008 Act Authorizing the Town of Wayland to Establish a Department of Public Works. Even with these steps forward, Collins stated in the Executive Summary of Wayland's Financial Management Structure Report (2018),

*At its core, the issue is that the financial management of the Town is severely fragmented in a way that reduces the Town's efficiency, effectiveness, and transparency.*

This fragmented structure is causing deficiencies through increased risk of non-compliance with IRS regulations, Massachusetts Department of Revenue regulations, and procurement law.

**Why change now?** Wayland's organization was developed when times were simpler. Wayland was a small town with few professional staff and many volunteers who did much of the work. Wayland is now analogous to a \$95 million diversified company in a highly regulated and public service environment requiring a stronger centralized management structure.

Over the decades there have been changes in the complexity of municipal government with increased regulations, financial requirements, and public scrutiny. The level of volunteer work cannot and should not be sustained. Wayland has a reputation for being difficult to manage, which translates into difficulty in hiring



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

people into management positions. Previous Town Administrators have reported that their position has all the responsibility, but not the necessary accountability for many departments.

Feedback from some residents points to Wayland's strengths, including the Town's Aaa bond rating, as a measure of success.

Again from Collins:

*The Town has managed to achieve these things through the efforts of dedicated current and prior elected officials, appointed volunteers, and professional staff.*

*These accomplishments have come in spite of, not because of, the structure of Town Government, which appears increasingly anachronistic among Wayland's peer communities and increasingly unable to handle the accelerating changes Massachusetts municipalities must manage.*

It is not just the Town's finances that are fragmented. Currently the Town Administrator has 20 direct reports and 6 department heads appointed by boards and managed by both boards and the Town Administrator. More than 40 boards and committees source ideas and projects and set priorities for staff. There is little coordination of functions, efforts, or priorities among boards and committees. Town efforts are fragmented rather than organized to work towards a common goal.

Based on the Finance Committee's current and former peer community list, Collins looked at statutory management structures and found that Wayland had the weakest structure. The language of a charter, by-law, or special act is what determines the strength of the management structure, not simply the method by which the language was enacted. Also, the title (Town Manager or Town Administrator) does not inherently define the strength of the position. Collins looked at the following towns:

- Hopkinton, Lynnfield, Marshfield, Medfield, North Andover, North Reading, Scituate, Westford, Westwood, all of which operate under a charter
- Carlisle, Hingham, Lincoln, Manchester-by-the-Sea, all of which operate under a by-law
- Cohasset, Concord, Sudbury, Weston, all of which operate under a Town Manager Act with strong language
- Wayland, which operates under a Town Administrator Act with weak language

The reporting structure (organization charts) of Wayland, Cohasset, Concord, Sudbury, and Weston are available on line (add link). Wayland's organization is flat, while other towns have a variety of department groupings such as Finance, Planning and Land Management, Public Works (as Wayland enacted in 2008), Human Services, Culture and Leisure, Public Safety, Facilities, etc. No two towns have exactly the same structure. This proposed article allows flexibility for the Town Manager to group departments, with oversight by the Select Board, but does not propose a specific organization, due to union considerations for many employees including some department heads.

**What does the Special Act accomplish?** The Special Act defines the Town Manager's authority and responsibility for administration, finances, personnel, and facilities/property.

The Special Act *maintains* administrative authority and responsibility for coordinating implementation of Town policy; ensuring compliance with policies, procedures, and law; coordinating setting priorities (policies, projects,



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

staff); overseeing emergency situations; communicating activities and coordinating efforts; and responding to requests in a timely manner for public records, general information, Open Meeting Law and other complaints. The word *maintains* indicates that this responsibility already exists in the Town Administrator Special Act of 2004 under Chapter 60 of Town Code.

The Special Act *strengthens* financial authority and responsibility by establishing the Town Manager as the Chief Financial Officer; providing additional Town Manager oversight of Operating and Capital budget development; tasking the Town Manager with effective and compliant finances; affirming the role of Town Manager as Chief Procurement Officer ensuring compliance; and creating clear signing authority to execute and award grants and sign contracts. The word *strengthens* implies a change, but that change does not require any amendment to Chapter 19 defining the Finance Committee's role.

The Special Act *strengthens* personnel authority and responsibility by centralizing employee services; standardizing consistent and compliant hiring practices; assigning responsibility for performance review standards to the Town Manager; assigning leadership of negotiations to the Town Manager rather than the Personnel Board; and establishing compliance with bargaining unit contracts. Again the word *strengthens* indicates a change from the current practice. In this case, Town Code Chapter 43 will need to be amended to give responsibility for negotiating to the Town Administrator, not the Personnel Board.

The Special Act *maintains* facilities/property authority and responsibility of the Town Manager for construction, repair and maintenance of all Town buildings, real and personal property, and information technology and infrastructure. The Town Manager is still responsible for maintaining an inventory of all Town-owned real and personal property. The word *maintains* indicates that this responsibility already lies with the Town Administrator under current Town Code (Chapter 60).

**What else does the Special Act accomplish?** The Special Act changes the name from Board of Selectmen to Select Board. It reaffirms the Select Board's role as an executive and policy-making body and restates current Chapter 58 (Board of Selectmen) roles.

The Special Act changes the name from Town Administrator to Town Manager with defined responsibilities only as stated in the Special Act. It incorporates all elements of current Chapter 60 (Town Administrator).

The Special Act changes the Town Clerk from an elected to an appointed position.

**The Special Act does not change** the following: departments continue to make operational decisions and conduct day-to-day operations; boards/committees retain rights under state law and continue to set policies and maintain all permitting and regulatory responsibilities; volunteer spirit continues through over 40 elected and appointed boards/committees. All currently elected boards/committees remain elected. The number of appointed boards/committees remains the same.

Town Code is unchanged for Council on Aging, Chapter 12; Finances, Chapter 19; Planning Board, Chapter 47; Treasurer and Collector, Chapter 72; Board of Health, Division 2; and Director of Public Works, Chapter 151. The Library continues to operate under Massachusetts General Laws Chapter 78.



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
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Town Code will be updated for Personnel, Chapter 43, section B (3) responsibility for negotiations; Board of Selectmen, Chapter 58 (being replaced); Town Administrator, Chapter 60 (being replaced).

**Communication: Information Gathering** The Collins Center conducted a Review of Financial Policies and Procedures in 2016, a Review of Financial Management Structure in 2018, and created a first draft of the Special Act.

The BoS received staff input at a public meeting in April 2018 and at a department head meeting organized by the former Town Administrator. Town Counsel updated the draft in 2019 to make the language more Wayland friendly and fit with existing Town Code. The Board of Selectmen conducted committee presentations (17) and community forums (7) in 2019. The Select Board/Town Manager Special Act was scheduled for discussion on 15 agendas in 2018 and 19 agendas in 2019. The Board of Selectmen submitted the SB/TM Special Act article in January 2020 for the planned April 2020 Annual Town Meeting. Due to the Covid-19 pandemic, the BoS voted to pass over this article at the rescheduled and shortened 2020 ATM in September.

**Feedback and response:** The BoS heard concerns about checks and balances, definitions, hiring and evaluations, and consistency with existing code. The BoS revised the text of the Special Act to continue the Select Board as Chief Executive Officer (CEO) with Town Manager as Chief Financial Officer (CFO) and Chief Operating Officer (COO); to consistently use the words *responsible* and *responsibility* to illustrate that the “buck stops” at the Town Manager’s desk, rather than the Town Manager doing the daily work; to include consultation with committees on hiring and evaluating department heads and allow department heads to hire other staff (within union contract specifications); and to recognize that preference is given to State law and existing Town Code.

The BoS also heard requests to propose a specific organization chart, but agrees that it is too early to determine the future structure. It is likely that the first structural change will be grouping of finance related positions, as that was the focus of the Collins study. The Act provides flexibility to work within Wayland’s needs.

There are no changes proposed to staff positions or union structure, but the Special Act allows for flexibility in organization. There are no changes proposed to the volunteer structure. There are no changes to Chapter 19 regarding the role and appointment of the Finance Committee. The Special Act clarifies practices regarding flexibility in the organization of financial services, as well as responsibility for budget preparation.

Questions about expense savings are difficult to answer. Time and effort efficiencies on future work are not easily quantified. It is expected that repetitive work will be reduced and that project outcomes will improve.

Questions about the process for conflict resolution between committees and departments were posed. The Special Act maintains the Select Board as an elected board with the Town Manager reporting to the Select Board/CEO. Procedural questions such as “who do I call to fix something?” or “what if I have an IT issue?” will not be answered in Town Code, but instead through policy.

Feedback suggesting discomfort with the Special Act includes the following: some committee members may feel that they are losing power or control over their departments or areas of interest; some citizens trust volunteers more than employees; some citizens are concerned that we don’t know for sure if the article will cost money; and some people may feel that one person cannot do all that is expected of a Town Manager.



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Summary:** The challenges of 30 years ago remain today. The Wayland Charter Commission (1990) wrote:

*Town government is growing increasingly complex and it is essential that we have a well qualified person to handle the day to day administration. Having specified powers and responsibilities...will enable the town administrator to be more effective; and we will attract and retain competent people.*

The suggestions of 18 years ago are still pending today. The Maximus Report (2002) stated:

*Move towards a Town Manager form of government. As an interim (or evolutionary) step, consider making the transition to a Town Administrator form.\* This will entail delegation of additional authority to the Town Administrator/Manager. This will also include moving staff from reporting to various boards and commissions to the Town Manager."*

*\*accomplished in 2004*

*Other functions of the Town currently are responsible to a range of accountability points (i.e., boards, commissions, Executive Secretary) which leads to some confusion about responsibility and authority (as well as diluting accountability).*

*All staff in the Town should report to the Town Manager on matters of personnel finance, service levels, etc. Board and commissions should retain no direct supervisory authority.*

Today's challenge is summarized by the Collins Center (2018):

*Wayland appears increasingly anachronistic among Wayland's peer communities and increasingly unable to handle the accelerating changes Massachusetts municipalities must manage.*

Much of what is included in the Special Act is either in the current Chapter 60 (Town Administrator) or follows current practice. This is an opportunity to think about what is best for the whole Town, not just about retaining the power of a committee, but also about how individual departments should fit within the Town structure to best position the Town for future functionality.

We have come full circle to 1990. The Charter Commission wrote:

*The commission feels that the proposed charter provides a viable, progressive and flexible structure for Wayland government for many years to come.*

*Very few voters will favor every provision of this charter. We urge that you vote for adoption if you conclude that, on balance, the town will be better managed under the charter than without it.*



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Lea Anderson **Contact Person Phone:** 5083582667  
**Contact Person Town Email:** landerson@wayland.ma.us

**Proposing Board Information**

**Board Name:** Board of Selectmen  
**Board Vote (Quantum) to Submit Article:** 4-1 **Date of Board Vote:** Jan. 4, 2021  
**Signature of Board Chairperson:** *Clayton Kasey* **Date:** 1-13-21



1/4/21

## SELECT BOARD/TOWN MANAGER SPECIAL ACT

### Special Act of Legislation Creating Select Board/Town Manager Form of Government in the Town of Wayland

[HISTORY: Adopted by the Annual Town Meeting of the Town of Wayland 5-3-2004 by Art.11. Amendments noted where applicable.]

#### GENERAL REFERENCES

Boards, commissions and committees — See Ch. 6.

Finances — See Ch. 19.

Personnel — See Ch. 43.

Board of Selectmen — See Ch. 58.

Town Administrator — See Ch. 60.

Treasurer and Collector — See Ch. 72.

Director of Public Works — See Ch. 151.

#### § 1. The Select Board.

1.1 The Board of Selectmen in the Town of Wayland shall hereafter be known as the Select Board, who shall be vested with all of the powers and duties conferred upon a board of selectmen by any general or special law. All references to the Board of Selectmen contained in the Town Code shall be construed as referring to the Select Board, and all powers and duties conferred upon the Board of Selectmen by the Town Code shall be vested in the Select Board. *(new)*

1.2 The Select Board shall be the chief executive officers of the Town and shall serve as the chief policymaking body of the Town. *(new)*

1.3 The Select Board shall consist of five (5) residents of the Town, elected by ballot, to serve a term of three (3) years. The terms of the members of the Select Board shall be staggered such that one (1) or two (2) members shall be elected each year. Upon the effective date of this Act, the incumbent members of the Board of Selectmen shall continue in office for the duration of their elected terms but shall be referred to as members of the Select Board. *(new)*

1.4 The Select Board shall develop and promulgate policy directives and regulations that shall be followed by all agencies serving under it and, in conjunction with other elected Town officers and multiple-member bodies, shall develop and promulgate policies and regulations designed to bring the operation of all town agencies into harmony; provided, however, nothing in this section shall authorize any member of the Select Board or a majority of such members to become involved in the day-to-day administration of a town agency nor shall this provision be construed as conferring upon the Select Board any policy-making directives or regulations specifically reserved to other Town boards or commissions by statute or Town Code. *(new)*

1.5 The Select Board shall cause the Town Code, rules and regulations of the Town to be enforced. *(new)*

1.6 The Select Board shall appoint a Town Manager, Town Counsel, independent auditor and any other boards, committees, and commissions according to Town Code, statute or any special act. The Select Board shall also appoint any other multi-member boards for whom no other method of appointment is provided by Town Code, statute or special act. *(new)*

1.7 The Select Board shall have full authority as agents of the Town to employ counsel to commence, prosecute and defend suits in the name of the Town, unless otherwise especially ordered by vote of the Town. Said authority shall not extend to employing counsel to the School Committee. *(in current Code, Section 58-1)*

1.8 The Select Board shall cause an adequate supply of the full Town report to be available in the Town offices and in the public library from which to furnish a copy to any interested person, and it shall cause the warrant and Finance Committee's report with recommendations to be served as provided in Section 36-2 of the Town Code. *(in current Code, Section 58-2)*

1.9 The Select Board shall have the authority to declare a state of emergency in the Town of Wayland upon the occurrence of any disaster, catastrophe, fire, flood, earthquake, storm, public health emergency, other natural calamity, act of terrorism, or cyber attack. Any state of emergency proclaimed by the Select Board shall, unless sooner terminated by proclamation of the Select Board, terminate five days from the day it takes effect. *(in current Code, Section 58-3)*

1.10 The Select Board shall have full authority to establish rules and regulations, binding upon all boards, commissions, committees, councils, authorities, officials and employees of the Town of Wayland, governing the use, marking, record-keeping, maintenance and reporting requirements pertaining to Town-owned vehicles and reimbursement for the use of privately owned vehicles by employees and officials while on Town business. *(modified from current Code, Section 58-4)*

## **§ 2. Appointment and qualifications of Town Manager.**

2.1 The Select Board, by an affirmative vote of at least four (4) members, may appoint a Town Manager for a term not to exceed three years, as the Select Board deems to be in the best interests of the Town. The Town Manager shall receive such aggregate compensation and benefits, not exceeding the amount appropriated, as the Select Board may determine. The Select Board may, but is not required to, establish a written employment contract with the Town Manager pursuant to Massachusetts General Laws Chapter 41, Section 108N, to provide for the salary, fringe benefits, and other conditions of employment. The Town Manager position shall be a non-union position. *(modified from current Code)*

2.2 The Town Manager shall be appointed on the basis of educational, management and administrative qualifications and experience, including at least a bachelor's degree from an accredited four-year college or university. The Town Manager shall have considerable professional experience, consisting of compensated service in government administration or an equivalent combination of education and business management experience. *(modified from current Code)*

2.3 The Town Manager shall devote full-time to the responsibilities of the office. The Town Manager shall hold no elective Wayland Town office. The Town Manager may be appointed by the Select Board to any other compatible Town office or position, but he/she shall engage in no other business or occupation without advance written authorization by the Select Board. *(in current Code)*

### **§ 3. Authority and responsibilities of Town Manager.**

#### **3.1 Administrative Authority and Responsibilities**

- a. The Town Manager shall be the chief administrative and operating officer of the Town. *(new)*
- b. The Town Manager shall be responsible for managing, supervising and executing all of the activities noted in this Act, the Town Manager's job description, and any other duties assigned to the Town Manager by the Select Board or in compliance with federal and state law and the Town Code and Town policies. *(in current Code)*
- c. The Town Manager will not set Town policy, but will ensure there is appropriate coordination in the implementation of Town policy working across all Town departments in conjunction with all elected and appointed boards and committees. *(in current Code)*
- d. The Town Manager shall ensure that all Town employees, boards, commissions and committees comply with the Town's financial, personnel and legal policies and procedures, as well as all Town Meeting votes, Town Code, federal and state law, and all regulations *(modified from current Code)*
- e. The Town Manager shall be responsible for the management of all financial, administrative and operational affairs of the Town and Town departments and all boards, commissions and committees but excluding the School Department, provided, however, that all boards, commissions and committees shall continue to exercise permitting and/or policy-making authority as provided in state law. *(modified from current Code)*
- f. The Town Manager shall be responsible for overseeing, coordinating, and making recommendations that may impact multiple Town boards and committees, broadly or in detail, regarding Town financial, personnel and legal activities. *(in current Code)*
- g. The Town Manager shall understand and have a working knowledge of the statutory and regulatory authority and responsibility held by department heads and elected and appointed boards, commissions and committees so s/he can effectively support these officers in the execution of their duties. Unless expressly stated herein, nothing in this Act is intended to reassign policy-making or permit granting statutory authority of any department head or any elected or appointed board, commission or committee to the Town Manager. *(modified from current Code)*

- h. With respect to Town policies and programs that impact multiple areas of Town government, the Town Manager shall work with all elected and appointed boards, commissions and committees and Town department heads, be responsible for ensuring there is appropriate administration and coordination both (i) in the implementation and on-going adherence to Town policies; and (ii) in the development and execution of such policies and programs. *(modified from current Code)*
- i. With respect to the development, implementation and execution of policies and programs affecting various Town departments, the Town Manager shall:
  - i) Coordinate the setting of priorities with the rest of the Town government;
  - ii) Communicate activities, including projects, plans and studies, so that necessary input is received from all areas of Town government that should be involved in those initiatives; and
  - iii) Coordinate efforts so that cross-functional services to residents and others are effectively and consistently delivered. *(in current Code)*
- j. With the exception of the School Department and Library, and except as otherwise provided in the Town Code or Chapter 347 of the Acts of 2008, to streamline services, the Town Manager may create a new department, may reorganize, eliminate or consolidate Town departments or functions, in whole or in part, and may assign functions of one department to another department, subject to the approval of the Select Board. *(new)*
- k. The Town Manager is designated as the Town's Records Access Officer under the Public Records statute. The Town Manager shall, directly or through the Town's various departments, boards, commissions and committees, be responsible for the preparation, filing and maintenance of all records and reports on behalf of the Town. *(modified from current Code)*
- l. The Town Manager oversees crisis intervention in emergency situations, working with other key Town department heads, and addresses any systemic problems impacting multiple areas of the Town as they arise. The Town Manager shall ensure priority items are properly attended to and bring concerns about problem resolution to related boards, commissions and committees, and ultimately, to the Select Board for assistance in resolution, if necessary. *(in current Code)*

### 3.2 Financial Authority and Responsibilities

- a. The Town Manager shall be the chief financial officer of the Town. *(new)*
- b. The Town Manager shall initiate, draft and have general oversight of the process of preparing the Town's annual operating and capital budgets for submission to the Finance Committee. To assist the Town Manager in preparing the proposed annual operating and capital budgets, all department heads, boards, commissions and committees of the Town, including the School Department, shall furnish all relevant information and submit to the Town Manager, in writing and in such form as the

Town Manager shall prescribe, a detailed estimate of the appropriations required and available funds. *(new)*

- c. The Town Manager shall draft and update a five-year capital improvement plan for all Town departments for submission to the Finance Committee. *(new)*
- d. The Town Manager shall work with the Finance Director and Finance Committee to:
  - i) Develop long-term financial strategies addressing operational and capital financial needs of the Town;
  - ii) Establish set budgetary guidelines to be used in the development of annual budgets;
  - iii) Review all operating and capital budgets of all Town departments and make recommendations to the affected boards, commissions and committees and to the Finance Committee about priorities important to budget development; and
  - iv) Evaluate actual expenditures and receipts against budgets and coordinate with affected department heads, boards, commissions and committees the development of plans to manage to the budget or obtain Finance Committee approval for Reserve Fund transfers, in advance of spending, when possible. *(in current Code)*
- e. The Town Manager shall serve as the Town's chief procurement officer pursuant to state and federal law and shall ensure that all Town departments comply with applicable procurement laws. The Town Manager may, in his or her discretion, delegate any procurement responsibilities. *(modified from current Code)*
- f. Unless any statute or special act provides to the contrary, the Town Manager is authorized to execute all grant applications and shall award and execute all contracts binding the Town up to a set amount to be established by policy set by the Select Board. *(new)*

### 3.3 Personnel Authority and Responsibilities

- a. **Department Heads:** Except as expressly provided herein, the Town Manager shall appoint on the basis of merit and fitness alone, all department heads or similar positions, in consultation with the respective boards, commissions and committees that the Department Heads or similar positions support and in compliance with any applicable provision of a collective bargaining agreement, with the exception of the School Department and Library. *(modified from current Code)*
- b. **Department Employees (subordinate to Department Head or similar position):** The Town Manager shall ultimately be responsible for appointing subordinates to Department Heads or similar positions. Unless otherwise provided by the terms of an applicable collective bargaining agreement, the Department Head or similar position may, with the consent of the Town Manager or his or her designee, appoint on the

basis of merit and fitness alone, all subordinate employees of each Town department, with the exception of the School Department. *(modified from current Code)*

- c. Unless otherwise provided under this Act, the Town Manager shall be responsible for appointing all other appointed employees for whom no other method of appointment is provided by the Town Code or other special act. *(new)*
- d. Discipline and Removal for Cause: The Town Manager may, for cause, discipline or remove any department head or similar position, with the exception of the School Department and Library Director, and shall, in consultation with the applicable Department Head or similar position, discipline or remove all subordinate employees of each Town department, with the exception of the School Department. *(new)*
- e. The Town Manager shall appoint, on the basis of merit and fitness alone, with ratification by a vote of at least three members of the Select Board, and evaluate, discipline and, for cause, remove, without the ratification of the Select Board:
  - i) A Police Chief;
  - ii) A Fire Chief;
  - iii) A Finance Director; and *(modified from current Code)*
  - iv) A Town Clerk. *(new)*
- f. In the event of a vacancy, disability or absence anticipated to be greater than thirty (30) days of any department head or any position appointed by the Town Manager, the Town Manager may appoint someone to serve in an acting or interim capacity for the period of such vacancy, disability or absence. *(new)*
- g. Working with the Town's Human Resource Department, the Town Manager shall be responsible for the daily administration of the Town-wide personnel system, including the maintenance of personnel records and the enforcement of personnel policies, rules and regulations and managing personnel costs to ensure maximum efficiency and fairness across Town departments. *(in current Code)*
- h. Evaluations: The Town Manager may develop a performance evaluation process and establish performance standards not inconsistent with any terms of any collective bargaining agreement. *(new)* The Town Manager shall be responsible for the annual evaluation of job performance of all Town department heads, including the Town Clerk and other positions appointed by the Town Manager but excluding the School Department and Library Director, and shall incorporate any input or recommendations received from any elected or appointed board, commission or committee served by such department heads. Evaluation of the Library Director shall include input of the Town Manager. The Town Manager shall be responsible for ensuring the completion of annual evaluations of the job performance of all subordinate Town employees, excluding those of the School Department. *(modified from current Code)*
- i. The Town Manager shall serve as the agent of the Select Board and negotiate collective bargaining agreements on behalf of the Select Board in accordance with

General Laws Chapter 150E, provided, however, that such agreements shall be subject to ratification by the Select Board and subject to funding by Town Meeting. The Town Manager may designate appropriate employees to assist with collective bargaining. *(new)*

### 3.4 Facilities/Property Authority and Responsibilities

- a. Except as otherwise provided in Chapter 347 of the Acts of 2008, the Town Manager shall be responsible for the construction, reconstruction, restoration, rehabilitation, repair and maintenance of all Town buildings and all Town real and personal property, and information technology and infrastructure. Nothing in this provision shall be construed as conferring any authority upon the Town Manager to have access to information that is otherwise unauthorized under state law. *(new)*
- b. The Town Manager shall, directly or through the Town's various departments, boards, commissions and committees, maintain an inventory of all Town-owned real and personal property. *(in current Code)*

### 3.5 Transitional Authority and Responsibilities *(all new)*

- a. With the enactment of this Act by the General Court, Chapter 320 of the Acts of 2004, An Act Relative to the Position of Town Administrator in the Town of Wayland, shall be repealed and be of no effect, and the position of Town Administrator shall be abolished and the incumbent thereof shall serve as the Acting Town Manager, or if there is no incumbent, the Select Board shall appoint an Acting Town Manager. The Acting Town Manager shall serve until the Select Board appoints a permanent Town Manager.
- b. Following the enactment of this Act, the Select Board shall appoint a Town Manager, and if the Select Board so chooses, the incumbent Town Administrator may be appointed Town Manager on a permanent basis.
- c. Following the enactment of this Act by the General Court, any reference to the Town Administrator existing in any provision of the Town Code or any other special act shall be construed as referring to the Town Manager. All powers and duties conferred upon the Town Administrator by the Town Code or other special act shall be vested in the Town Manager, unless otherwise provided in this Act.
- d. Following the enactment of this Act by the General Court, Sections 58 and 60 of the Town Code shall be repealed and be of no effect.
- e. Following the enactment of this Act, all Town officers, boards, commissions and employees shall continue to perform their duties in the same manner and to the same extent as they have performed the same prior to the enactment of this Act, except that, upon the appointment of a Town Manager, the powers and duties outlined herein shall be vested in the Town Manager.

#### **§ 4. Removal of the Town Manager.**

The Town Manager may be removed by an affirmative vote of at least four (4) members of the Select Board in accordance with the provisions of the Town Manager's contract, if applicable. *(modified from current Code)*

#### **§ 5. Acting Town Manager.**

If the Town Manager shall be absent from his/her office for up to fourteen (14) days, the Town Manager may designate a qualified person to serve as the Acting Town Manager and to perform the duties of the Office of the Town Manager during this period of absence. In the event the Town Manager shall be absent for more than fourteen (14) days or the office of Town Manager shall be vacant for more than fourteen (14) days, the Select Board may appoint a qualified person to serve as the Acting Town Manager and to perform the duties of the Office of the Town Manager during the period of any vacancy caused by the Town Manager's absence, illness, suspensions, removal or resignation. The appointment by the Select Board shall be for a period not to exceed six months, but such appointment may be extended by majority vote of the Select Board. *(modified from current Code)*

#### **§ 6. Town Clerk To Become Appointed Position. *(new)***

6.1 Upon the effective date of this Act, the position of Town Clerk shall cease to be elected and shall become a position appointed by the Town Manager pursuant to Sections 3.3.e and 6 of this Act.

6.2 The incumbent in the office of Town Clerk shall continue to serve until the expiration of the term for which elected as Town Clerk, and at the expiration of that term, a Town Clerk shall be appointed by the Town Manager as provided in Section 3 of this Act. If the incumbent in the office of Town Clerk vacates said office prior to the expiration of the term for which the Town Clerk was elected, the office of Town Clerk shall cease to be an elected position and shall be appointed by the Town Manager as provided in Section 3 of this Act.

#### **§ 7. Conflict with Other Acts or Town Code.**

In the event that there is a conflict between any provision of this Act and any provision of the Town Code, rules, regulations, orders, special acts, acceptances of laws, or other special act pertaining to the Town of Wayland, this Act shall prevail. All other provisions of Town Code, resolutions, rules, regulations and votes of the Town Meeting that are in force at the time this Act is enacted, not inconsistent with or superseded by the provisions of this Act, shall continue in full force and effect until amended or repealed.

#### **§ 8. Time for Taking Effect. *(new)***

This Act shall take effect upon its passage by the General Court.



**Select Board/Town Manager Special Act  
Frequently Asked Questions (FAQS)  
1-4-2021**

**General questions on why change and what changes**

- **Why are we doing this at all?** The Board of Selectmen wants to bring Wayland's organization into the 21<sup>st</sup> century. The purpose of the Special Act is to professionalize the structure of Wayland's government; coordinate administrative, operational, and financial functions; provide a consistent approach for efficiency, effectiveness, and transparency across all departments and boards; use resources effectively; improve legal and regulatory compliance; and maintain volunteer opportunities.
- **Why now?** We might ask, why not 30 years ago? Wayland has looked at its structure three times over the last 30 years. The Town's Charter Commission (1989), The Maximus Group (2002), and The Collins Center for Public Management (2018) have all told us the same thing: Wayland's financial management is severely fragmented and the executive function needs to be strengthened.

With the opportunity to hire two Town Administrators in the past 6 years, the Board has received direct feedback that Wayland's organizational structure is unwieldy and unusually flat. We've heard this from the prior Town Administrator and our hiring consultant. Our organizational structure is viewed as a challenge.

Wayland's organization was developed when times were simpler. Wayland was a small town with few professional staff and many volunteers who did much of the work. Wayland is now analogous to a \$95 million diversified company in a highly regulated and public service environment requiring a stronger centralized management structure.

Over the decades there have been changes in the complexity of municipal government with increased regulations, financial requirements, and public scrutiny. The level of volunteer work cannot and should not be sustained. Wayland has a reputation for being difficult to manage, which translates into difficulty in hiring people into management positions. Previous Town Administrators have reported that their position has all the responsibility, but not the necessary authority and accountability for many departments.

- **Why can't we accomplish these goals with the current Town Administrator position?** In 2004 the Town made some improvements by changing from an Executive Secretary to a Town Administrator (TA) form of government. However many department heads continue to report to elected boards and committees, not up through a single executive. This makes it difficult to manage workload, set priorities that cross departmental lines, and ensure that laws and regulations are met. The current TA has 20 direct reports – an unsustainable number. There is no flexibility to organize a deeper structure of departments when some departments are not under the TA's direct management.

- **What changes are being proposed to current code?** With passage of the Special Act, the Town Code will be updated for two chapters: Board of Selectmen, Chapter 58 (being replaced); Town Administrator, Chapter 60 (being replaced). One section of Town Code will be updated at a future Town Meeting: Personnel, Chapter 43, section B (3) responsibility for negotiations, which will go to the Town Manager. In summary, the function will move to the Town Manager and the Personnel Code will be revised later.
- **Why not make this change through a Charter?** The Town tried a charter in 1989. It did not pass. A charter is a total rewrite of Town Code that follows a specific two-year process. The Board of Selectmen thinks it is more manageable to address the needed changes in parts, addressing the professional organization first. In the future the Town can choose to address financial and committee structure.
- **Why not make recommendations on consolidating or removing committees?** The volunteer spirit is very strong in Wayland and will continue through over 40 elected and appointed boards/committees. All currently elected boards/committees remain elected. The number of appointed boards/committees remains the same. Looking at committees is for a future reform.

### **Organizational Structure**

- **What will the organization look like?** The goal is to take a very flat organization with over 20 direct reports and create functional groupings with existing staff in organizational roles. In the public discussions, the Board shared sample organizational charts from similar towns to show groupings of human services, land services, administrative support work, and public safety services.
- **Why can't we see exactly what the staff organization chart will be?** No determination has been made on an exact organization for Wayland. We can offer a couple of examples of what it might look like. However, discussions with union staff may require contract negotiation for potential changes in responsibility or reporting structure. Also, to manage staff and resident expectations and avoid unnecessary apprehension, no decision on structure will be made until passage of the Special Act.
- **Will all department groupings have a staff manager?** Functional groupings may have a leader named to facilitate communication and workload. It is not anticipated that additional staff will be hired to head these functional groups. A shift in work responsibilities should be able to accommodate the change.
- **How are Boards/Committees/Commissions changing under this act?** There are no changes to the number of boards/committees/commissions. There are no suggested changes to the selection process (elected vs. appointed), the purpose and mission statements, or the number of volunteers.

- **Do volunteers' roles change? Why is it difficult to appoint volunteers?** Committee/board volunteers will continue to have regulatory and policy responsibility. However, it is anticipated that the daily work will move to staff. Examples of this include but are not limited to regulatory mailings, implementing contracts for services. It can be difficult to attract volunteers given the amount of work required on some committees.
- **Will all boards/committees have a staff contact?** Each board/committee will have a staff contact. Now, there are some committees that report directly to the Town Administrator, for example, Historical Commission, Surface Water Quality Commission and Historic District Commission. The staff contact can assist with posting agendas, maintaining information on the website, regulatory mailings and similar responsibilities.
- **Why is the Library not also under the Town Manager? Is there an explicit law?** The Library is governed by a state statute giving the Library Trustees regulatory authority over collections, programming and its building, among other responsibilities. These areas are not changed by passage of the Special Act. However, parts of the Library function require coordination with other Town staff and as such do fall under the proposed Town Manager. For instance, Facilities budgeting and work, IT for technology, Human Resources support for hiring and benefits, Finance support for payroll and expenses, and outside maintenance done by the DPW all require coordination. The Library union contract also assigns rights to the Town Administrator now and those would continue with the Town Manager.
- **Why are department heads in a union? Can we change that?** Most department heads are in the AFSCME I union; most other Town Building staff are either in the AFSCME I or AFSCME II union. Department Heads in AFSCME may not hire, discipline or review a staff member in the same union. This affects the Conservation, Council on Aging, Planning, Health, Treasury, Assessing, and Building Departments. Department heads unionized decades ago most likely for salary reasons. If the Town wishes to change the union status of any position, it must be negotiated.

#### **Financial Cost**

- **What is the financial cost of this act? What are the savings?** The Board of Selectman does not anticipate any particular costs specific to implementation of the Special Act. Concerning savings, we anticipate that passage of the Special Act will allow the Town to use its resources more effectively. Whether it be personnel, use of time, or financial, it is anticipated that the act will streamline certain processes, which will result in some savings. Savings are anticipated also through coordination of administrative, operational and financial functions.
- **Does this act require new staff, more staff, or less staff?** It is anticipated that the Special Act will not change total staffing needs town-wide. However, it is anticipated that responsibilities for administrative, financial, or operational functions may change, subject to

negotiations with the Town's unions. As the Special Act is implemented, personnel resources will be used more effectively to deliver town services.

- **If the Town's linear reporting structure changes with the passage of this act, will there be a need for a new level of staff and bureaucracy?** It is not anticipated there will be a need for a new level of staff and added bureaucracy, if the Special Act passes. In fact, we anticipate the effect will be just the opposite. We anticipate that there will be greater efficiency, and effectiveness with the passage of this act. There will be more effective use of personnel, time and money. Based on our observations of the many other peer communities who have established a Town Manager position, staffing needs have not increased as a result of the change.

### **Checks and Balances**

- **What are the checks and balances around the TM being CFO? COO?** The underlying check on the authority of the Town Manager in his/her role as Chief Financial Officer and Chief Operating Officer (as well as other roles he/she plays) is the Select Board, which directly oversees the Town Manager. Policy decisions are made and/or ratified by the Select Board, and, as such, the Town Manager is required to take direction from the Select Board. Further, as an elected body of officials the Select Board is accountable to the residents of the Town who may vote to replace individual members at the conclusion of their terms.
- **Is it typical for the Town Manager to be Chief Financial Officer?** Yes. Most towns operate under a charter or special act that authorizes the Town Manager to appoint the CFO or Finance Director, or expect the Town Manager to perform the functions of a CFO. This person is ultimately responsible for budgets and capital outlay recommendations and making sure that once those recommendations are approved by the legislative body, they are carried out.
- **Is it legal for the Select Board, a group of citizens, to be Chief Executive Officer in a town?** Yes. Massachusetts General Laws Chapter 4, Section 7 includes various definitions to be used in statutory construction. When a statute refers to "chief executive officer" used in the context of municipal government, the term refers to a Board of Selectmen in a town. In Wayland's case, the Special Act serves as a local charter and names the Select Board as CEO. If the Special Act didn't exist, the default would be the Board of Selectmen.
- **Should the Finance Committee be appointed by the moderator or a hybrid group (moderator, Select Board member, Finance Committee member, others) as proposed by Collins?** The determination to amend the current process as to who appoints the members of the Finance Committee is one that entails considerable ramifications, and should thus be studied in some depth in order to present residents with the pros and cons of each option. There are a number of sections within Chapter 19 of the Town Code that could potentially use clarification and improvement, and could benefit from a rewrite, which would incorporate this question about appointment of members of the Finance Committee.

Instead of addressing issues within the chapter in a piecemeal fashion, it makes more sense to consider a rewrite for the entire chapter.

- **What is the role of the Finance Committee?** The Finance Committee's role is unchanged. It will still be responsible for bringing a budget to Town Meeting. The Finance Committee's stated mission is "to recommend a fiscally responsible operating budget and capital spending plan that balances the demand and need for services and infrastructure with the impact on taxpayers across a broad financial spectrum. To fulfill this mission, the Finance Committee outlines a financial strategy and provides factual and relevant information to residents so they can make informed decisions at town meeting." The Finance Committee also prepares a formal report on the budget and finances of the Town at Town Meeting as well as an annual report.
- **Will the boards/committees be involved in hiring, firing, evaluating of staff?** The Town's boards and committees will still have the opportunity to provide substantive input regarding the hiring, removal, and evaluation of town staff, but will not be directly responsible for any of those personnel-related actions.
- **Who does a board go to if there is disagreement between Town Manager and department head on budget or other things?** In the event of a disagreement involving a policy-related issue that cannot be resolved at the staff level, members of a board or committee may involve the Select Board who can subsequently determine if its involvement is necessary to seek a resolution.

### **Role of the Town Manager**

- **How can the Town Manager possibly know and manage the intricacies of every department?** The Town Manager cannot know the intricacies of every department, yet s/he can still manage the Town well. The manager of an orchestra is unlikely to be able to play every instrument but s/he knows what to do to motivate and support the performers to produce beautiful music. In the same way a manager's job is to hire well-qualified staff, oversee employees, departments, even volunteers to ensure that they carry out their duties and meet the town's goals. The Town Manager also serves as a support system for the staff and ensures the best use of town resources, both people and financial. Manager and staff work together as a mutually interdependent team for the benefit of the Town.
- **What is the definition of "be responsible for" as it relates to the Town Manager?** To say the Town Manager (TM) is "responsible for" something (see: 3.1.b: managing, supervising, and executing; 3.1.e: the management of all financial, administrative, and operational affairs; 3.4.a: the construction, reconstruction, restoration, rehabilitation, repair and maintenance) means being **accountable** for ensuring the work is completed successfully and in a timely manner. This can be accomplished by working with staff to set goals, establishing policies, ensuring necessary resources, providing training and support, problem solving, brainstorming solutions, respecting staff knowledge and skills, and even staying out of the way. It is the TM's job to make sure the job gets done.

- **What is the Town Manager’s motivation to serve the public?** One becomes a town manager because s/he is dedicated to serving the public. The pay isn’t bad, but the hours are terrible—all those night meetings! And public scrutiny is just a TV screen or email away.

The Special Act ensures that the Town Manager is accountable to and overseen by the Select Board, which in turn is responsible to the voters. The position is the chief administrative and operating officer of the Town, a very public position, particularly in a community like Wayland with many very active volunteers. The TM’s three major responsibilities, fiscal, personnel, and facilities, have boards, committees, and constituencies concerned with the outcome of the work: Why hasn’t that bill been paid? When will I get my building permit? Why isn’t that project that was approved at last Town Meeting completed? The TM is accountable to the staff, the volunteers, the public, state and federal laws—hundreds if not thousands of people poised to critique, criticize, complain, and—we hope—commend the TM on doing the job well. If not, there will be a phone call or email or article before s/he goes home after the fifth meeting of the day.

- **If the department head decides to rule against issuing a permit for good reason, will there be political pressure from the new Town Manager to intervene?** Permit decisions are made by the regulatory committee. If the department head is ruling on a permit, it is only because the committee has designated that authority and the committee/board has the ultimate responsibility on regulatory permits. While there could be exceptions, generally the TM’s role is not political and is to enact the will of the regulatory boards. In a smooth running organization, a department head would discuss controversial issues with the TM in advance of having to make a difficult decision. However, if there are legal or procurement improprieties, if there is new information, if the permit conflicts with a decision of another board, or puts the Town in jeopardy, we would want the TM to intercede.
- **How “down in the weeds” would the Town Manager get in the plans laid out by a board?** Typically the TM would not get into the weeds of board/committee work. The town hires well-qualified and knowledgeable staff who understand their jobs and how to complete the work of their department; the department heads remain the primary staff contact for their respective boards/committees. However municipal governments have gotten more complex; rules change; new laws are passed; technology advances and procedures that once worked may no longer be correct or effective. Generally, the TM sets the direction and encourages the staff to make the necessary changes, but occasionally the TM may need to delve into the “weeds”.
- **How will the Act improve a board’s ability to accomplish its work and how will the board/Town Manager/department head really work?** The Special Act gives the TM the authority commensurate with the responsibilities of the job. This is a major improvement. The Special Act clarifies the TM’s role and responsibilities as well as that person’s relationship with department heads. Using the orchestra metaphor again, we would not expect high quality music if only half the musicians followed the conductor and the other half marched to a different beat. The TM cannot manage efficiently and well when there is

no reporting relationship with half the staff and when some committees operate independently of Town goals. The Special Act establishes clear lines of authority. With approval of the Select Board, it gives the TM the capacity to streamline and reorganize departments to improve operations and reporting structures; coordinate and communicate; supervise, facilitate, and support all department heads—but not set town policy or exercise policy-making authority as provided by state law. Boards and committees continue their policy-making and permitting functions.

### Measures of Success

- **Is there a way to analyze success after the new structure is implemented?** The structure change will not happen immediately; it will evolve over time. Consideration of staff strengths, upcoming retirements, union negotiations in some cases, will all come into play. It will be important to set goals and measure progress every year.
- **Will we initially see more bottlenecks? How is this more efficient?** Bottlenecks happen for different reasons now. When there is a new regulation or procedure, there is a learning curve. Bottlenecks also happen now because 20 direct reports result in a difficult management structure with varying priorities. As the organization becomes deeper (less flat), grouped departments, such as a Finance Department, will improve delegation of decision-making and will improve efficiency, which should result in a better product from the same staff.
- **How does a department/board get help from IT or Facilities? Whom do they call?** Department heads will still call the IT hotline for system issues and use Facilities scheduling software for standard repairs. More detailed questions will not be answered by this act, but rather through policy and procedure.
- **Will this act improve coordination of all participating departments/boards/committees to figure out a strategy and bring forward better projects?** That is the goal. The Town Manager working with department heads will channel projects to the right regulatory board in the right order. This should result in fewer continuances due to missing information or approvals taken out of order. This will be a significant saving of staff and volunteer time.
- **Does this act improve the setting of priorities as a Town?** Setting of major town-wide priorities resides with the voters and with their direction, the Board of Selectmen. Implementing these priorities requires the input of staff on resources, feasibility, and schedule. A Town Manager will have the responsibility and authority to facilitate the implementation of priorities, as set by the Board of Selectmen.
- **Do we still have to go to Town Meeting to vote on budgets?** Yes. Nothing about Town Meeting is changed with the passage of the act.







**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

JAN 12 2021

Board of Selectmen  
Town of Wayland

**Article Title:** ACQUISTION OF LAND FOR A COACC

**Estimated Cost:** \$100.00

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

To determine whether the Town authorizes the Board of Selectmen, with approval by Town Counsel as to form, to acquire by gift, purchase, or otherwise, for general municipal purposes, but focused on providing space for the eventual construction of a multi-use Community Center (Counsel of Aging/Community Center), on such terms and conditions as the Board of Selectmen deems appropriate, land, including the fee or any lesser interest in all or any part of the parcels of land, on and off Elissa Avenue, identified as Lot ?, shown on a plan identified as ? , dated ?, and recorded with the Middlesex South Registry of Deeds as Plan ? of ?, and Parcel ?, shown on a plan prepared by ? entitled ? dated ?, recorded with the Middlesex South Registry of Deeds as Plan ? of ? on file with the Town Clerk, and further to authorize the Board of Selectmen to execute any and all documents as may be necessary or convenient in relation thereto or take any action relative thereto, and further authorize the Board of Selectmen to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated fund, transfer from available funds already appropriated for another purpose, 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):

A Council on Aging/Community Center has been a Town priority for many years. The Council of Aging/Community Center Advisory Committee worked on a proposed project at the Town Center as far back as May 2015. Town Meeting has twice appropriated funds for a Council on Aging/Community Center to be built at Town Center. The project at the Town Center initially involved using the existing approximately 10,250 square foot building on the so-called "Municipal Parcel" and use of three adjacent parcels. This area is at the westernmost portion of Town Center. As of this writing, the Town has not been able to negotiate acquisition of the Municipal Parcel or the adjacent parcels, which are needed to build an adequate facility. The Council on Aging sought consideration of other locations within the Town to build a Council on Aging/Community Center. It approached the Board of Selectmen with this idea.

In response to the Council on Aging, the Board of Selectmen agreed and issued a Request for Proposals. The only bid receive offered a parcel of land behind X Golf at Town Center ("New Parcel"), which is only about 600 feet from the Municipal Parcel, but with a different owner. The New Parcel is being offered to the Town for a nominal cost, less than \$100.00. The size of the Municipal Parecel (Lot 4.1) is 85K sq. ft. The size of the New Parcel, including the adjacent parking, is 111K sq. ft. The Council on Aging prefers the New Parcel, over the Municipal Parcel. Before anything is built, though, residents, at a future Town Meeting, would need to authorize construction monies.

Community Centers provide people of all ages the opportunity to work, play, and, most importantly, to gather and strengthen their connections to one another. This will be especially so in the years ahead as more people will be working in their homes, due to changing habits resulting from COVID-19. Once this virus moves on, our Town will need even more spaces for us to gather.

There are many Town needs unmet today due to a lack of space. The Council on Aging has no small room meeting space for the many different types of counseling in which they engage, such as offering professional tax-related advice. There is no veteran assistance space in town, and indoor recreation activities are scattered throughout the Town. Many activities are unable to be scheduled at all as a result of a lack of space. For example, the Wayland



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

Arts Center was closed to make room for the fire department expansion at Fire Station 2, in Cochituate Village, that resulted in the cancellation of all arts-related activities there.

The need for space for Council on Aging Services is particularly acute. Our peer towns that have built out Council on Aging space have 1.2 to 1.6 square feet per capita – with some, including Concord and Sudbury, in the design phase to expand. Wayland has .2 square feet per capita, approximately 10 percent of our peer towns.

By way of background, the Council on Aging/Community Center Advisory Committee (CoA/CCAC) retained an engineer to conduct an alternative site analysis of the appropriate town-owned parcels that could be used for a community center, including the existing Town Building, Alpine Road, Orchard Lane, the high school, Claypit Hill School, the Paine Estate, and the former Department of Public Works site at the Middle School. The report found appreciable challenges with each of these alternative sites.

The CoA/CCAC also coordinated with the Recreation Department, the Council on Aging, Veterans Services and other departments in order to propose an affordable, flexible, and efficient facility. In 2015, their final report concluded that the Town Center location was the optimal site for this project. The Council on Aging prefers the New Parcel location due to its easy parking, and its proximity to other businesses.

The Town Center location is ideal because it is central to Wayland, and is located in a walkable retail area, along the popular bike path, which makes it user-friendly for seniors, families and residents alike. Locating the Community Center at the New Parcel will encourage the everyday connections with neighbors and friends that make a small town like Wayland a great place to live.

The Town does not own the New Parcel, and before any monies would be spent on construction, Town Meeting attendees would need to vote for the Town to acquire the land within this Town Meeting, and it would need to vote construction monies later on, likely at the Town's Annual Town Meeting in 2022.

The Town has spent ? to date to secure a site and develop a Community Center at the Town Center. Of that sum, ? has been spent on design.

**Proposer's Comments (if needed, 150-word limit per Town Code):** In 2018

Town meeting has twice appropriated funds for a Council on Aging/Community Center to be built at Town Center. At the 2020 Annual Town Meeting residents voted to permit monies previously allocated for feasibility, design, construction and bid documents for a multi-use Council on Aging/Community Center to be used for a facility located at an appropriate location within the Town of Wayland. The Board of Selectmen will negotiate, or has successfully negotiated, an agreement with ? whereby ? has agreed to permit the sale of land behind the X-Golf business at Wayland Town Center, for a nominal amount of money. This article seeks Town Meeting approval to secure this land for the Town in order that a Council on Aging/Community Center can be built once a future town meeting votes construction monies.



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Contact Information for Publication in Warrant**

Contact Person Name: Thomas J. Fay Contact Person Phone: 6173127573  
Contact Person Town Email: tfay@wayland.ma.us

**Proposing Board Information**

Board Name: Board of Selectmen  
Board Vote (Quantum) to Submit Article: 5-0-0 Date of Board Vote: 1.11.2021  
Signature of Board Chairperson: *Greg Kasen* Date: 1-12-21

RECEIVED

JAN 08 2021

Board of Selectmen  
Town of Wayland

**TOWN OF WAYLAND  
SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

**Article Title:** Community Choice Aggregation

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

To authorize the Board of Selectmen to initiate the process of aggregating electrical load through a Community Choice Aggregation Program(CCA), and to contract for electric supply for Wayland residents as authorized by M.G.L. 164, Section 134, and through the CCA, to decrease greenhouse gas emissions from the generation of electricity used by Town residents by pursuing a higher percentage of Class I designated renewable energy than that required by the Massachusetts Renewable Portfolio Standard (RPS).

The article further authorizes the Town Administrator to establish and/or appoint representatives for a committee or task force to oversee the process.

Sample text from other communities is included as an attachment.

**Background Information** (to be used by the 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):

Municipal aggregation often referred to as Community Choice Aggregation (CCA) is a state regulated process that allows towns and cities, including Wayland, to purchase electricity supply in bulk for all households and small businesses currently enrolled in Eversource's Basic Service (EBS). These Wayland residents and small businesses would be offered the choice to buy electricity generated with a higher percentage of locally produced renewable sources (e.g., solar and wind) compared to the 18% currently mandated by the state for 2021, further reducing greenhouse gas emissions that are contributing to the climate emergency. Residents and small businesses would be enrolled in the program by default, as required by legislation, but can opt out at any time and return to Eversource Basis Service or another supplier at no cost. During the process of exploring CCA, the Town incurs no cost beyond staff time and will only enter into a CCA contract if the negotiated rates are favorable for its residents and small businesses compared with Eversource Basic Service rates. Experience in other communities has shown that such rates are competitive, if not lower, than average Eversource Basis Services rates. Once a CCA Program is implemented, State law requires residents and small businesses on Eversource Basic Service to enroll in the program by default; however, they may opt out at any time with no fees.

Reasons in favor:

Adopting a CCA program has several benefits

1. **Consumer Choice and Vetted Options:** The program would provide Wayland residents and small businesses with a choice of one or more negotiated CCA supply rate(s), which will have a higher

percentage of renewable energy supply. The Town will, with support from a consultant, identify vetted supply options to increase our renewable energy supply and maximize, to extent feasible, procurement of locally produced green energy. Residents may opt out of the CCA program at any time and return to EBS or another supplier. Consumers are increasingly approached by various electricity suppliers attempting to sell them energy contracts. CCAs offer municipalities a way to vet suppliers for residents through government procurement procedures. CCA is well regulated and overseen by the Massachusetts Department of Energy Resources (DOER) and the Department of Public Utilities (DPU).

2. **Addressing the Climate Emergency by Increased Use of Renewable Energy:** We face a climate emergency that warrants action. CCA will give Wayland residents the opportunity to purchase supplied electricity with a greater percentage of renewable energy, reducing our collective greenhouse gas emissions. The CCA program will add more renewable energy to the supply above the state mandated Renewable Portfolio Standard (RPS), which requires 18% renewables in 2021.
3. **Stability and Competitive Rates:** Through CCA, Wayland will have the opportunity to negotiate longer term (2-3 year) supply contracts, in contrast to Eversource Basic Service rates which change every 6 months. Rates are competitive and, in some towns, have been lower than EBS.
4. **Minimal Municipal Staff Support is Required and No Added Costs:** The town will engage a consultant to manage the process, which includes identifying supply options and managing the implementation and operation of the program (e.g., tracking rates to ensure the negotiated rate remains competitive or better than EBS, managing the resident opt in/opt out through a web portal and phone line, providing outreach materials to help explain the program). The consultant is paid by fees on the supply rate at no cost to Wayland.
5. **Good Track Record:** Over 40 municipalities have used or are in the process of using CCA including neighboring towns of Newton, Brookline, Sudbury, Natick, and Lincoln. Weston passed a CCA Town Meeting article in December 2019. Framingham is also moving forward with CCA.

Potential issues that could be raised.

Residents may be concerned about the ease of the opt out or opt in process. Experience in other towns has demonstrated that this can work smoothly. An important criterion to be used in hiring the consultant will be the level of support they plan to provide and their track record in doing so.

**Estimated Cost:** There are no anticipated costs to the town beyond staff time to oversee the effort. The Energy and Climate Committee will also assist in overseeing the effort.


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

We face a climate emergency requiring action. Community Choice Aggregation (CCA) is a state regulated process that allows Wayland to purchase electricity supply in bulk for households and small businesses currently enrolled in Eversource's Basic Service (EBS). Residents and small businesses would be offered the choice to buy electricity generated with a higher percentage of locally produced renewable sources (i.e. solar and wind) from a well vetted supplier above the 18% currently mandated by the state. Higher percentages will further reduce our collective greenhouse gas emissions. Residents/small businesses can opt out at any time and return to Eversource Basic Service or another supplier at no cost. The Town incurs no cost during the process of exploring CCA and will only enter into a CCA contract if the negotiated rates are favorable.

**Contact Information for Publication in Warrant**

Contact Person Name: Louise Miller Contact Person Phone: 508.358.3620  
Contact Person Town Email: lmiller@wayland.ma.us

**Proposing Board Information**

Board Name: Board of Selectmen  
Board Vote (Quantum) to Submit Article: 5-0-0 Date of Board Vote: 01.04.2021  
Signature of Board Chairperson:  Date: 1-8-21

**Attachment: Sample Town Meeting Article Text From Other Communities**

**Weston Town Meeting Article**

To vote to authorize the Board of Selectmen to initiate the process of seeking to aggregate energy, whether independently or in joint action with other municipalities, and contract for electric supply for Weston residents as authorized by M.G.L. 164, Section 134, and through what is known as Community Choice Aggregation (CCA), decrease greenhouse gas emissions from the generation of electricity for Weston residents by pursuing an amount of Class I designated renewable energy higher than is required by the Massachusetts Renewable Portfolio Standard (RPS), and further to authorize the Town Manager to establish, and/or appoint representatives for a taskforce to oversee such independent or joint action, or take any other action relative thereto.

**Proposed from the Board of Selectmen to the voting residents of the Town of Scituate**

To see if the Town will vote to authorize the Board of Selectmen to enter into a Community Choice Aggregation Program and contract for electric supply for Scituate residents and businesses as per Massachusetts General Law 164, Section 134 of the Acts of 1997, or otherwise act thereon. This includes authorizing the Town Administrator to establish and/or appoint representatives for a committee to oversee such independent action, or take any other action relative thereto, and to execute all documents necessary to accomplish the same.

**Proposed from the Board of Selectmen at Sharon's Town Meeting**

To see if the Town will authorize the Board of Selectmen to commence a Community Choice Aggregation Program (CCA) and contract for electric supply as authorized by M.G.L. 164, Section 134, and through CCA decrease greenhouse gas emissions from the generation of electricity for Sharon residents and businesses by pursuing an increased amount of Class I

designated renewable energy than is required by the Massachusetts Renewable Portfolio Standard (RPS), or take any other action relative thereto.



## TOWN OF WAYLAND

### SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

*Attach extra pages if necessary*

JAN 12 2021  
Board of Selectmen  
Town of Wayland

**Article Title:** Remote Participation at Town Meeting **Estimated Cost:** \$0

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

To determine whether the Town will vote to:

Instruct the Board of Selectmen to file with the legislature a request for a special act entitled, An Act authorizing remote participation in Annual Town Meeting for residents in Wayland, as follows:

- 1) Create an Act authorizing remote participation at Annual Town Meetings, including but not limited to:
- 2) Establish roles and responsibilities for remote participation
- 3) Establish filing and notification responsibilities
- 4) Establish the minimum electronic platform features required to accurately and securely records the votes
- 5) Identify historical record retention and distribution responsibilities
- 6) Establish that all Town Meeting business be conducted in accordance with all other applicable laws, charter provisions, and bylaws.
- 7) Establish that proxy voting is illegal and shall be punished by a fine of not more than ten thousand dollars or by imprisonment for not more than five years, or both.
- 8) Authorize the Town to conduct a pilot

**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):

This Article allows Wayland to request that the State Legislature pass a bill that allows the Town of Wayland to support remote participation of any open Town Meeting. Currently remote participation at any Town Meeting is not allowed by law.

The rationale behind remote participation is to remove the obstacles that may make participation more difficult for some residents than for others. Remote Participation offers Wayland's form of government numerous benefits among others: support for voters with family constraints, support for residents that do not have access to transportation, who are travelling, who may find voting difficult for health reasons, and those who cannot leave the place in which they are residing at the time of the Annual Town Meeting. Understanding how different voting methods could aid or discourage greater participation in Town related issues could help contribute to a wider strategy for enabling civic engagement.

In June of 2020 the Massachusetts legislature enacted legislation that allows communities to change certain town meeting, election and budget processes in response to the ongoing public health emergency. Representative town meetings have the option to meet remotely, if approved by the Board of Selectmen and town moderator, as well as by the town meeting when it meets. That remote participation provision includes substantial procedural and technology rules for the use of this option. For example, the Town of Lexington has used remote participation in its Representative Town Meeting.





**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

The proposed Article also is a reflection of what has been learned during the COVID19 pandemic and that is that citizens are interested in participating in their democracy if given more convenient tools, like early voting and remote participation.

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

None

**Contact Information for Publication in Warrant**

**Contact Person Name:** David Watkins **Contact Person Phone:** \_\_\_\_\_

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

**Proposing Board Information**

**Board Name:** Board of Selectmen

**Board Vote (Quantum) to Submit**

**Article:** 5-0-0 **Date of Board Vote:** 1.11.2021

**Signature of Board Chairperson:**  **Date:** 1-12-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

Candidate Text of Article to be reviewed by Town Counsel:

**An Act authorizing remote participation at Annual Town Meetings**

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to protect both public health and the viability of town meetings. Therefore, it is hereby declared to be a law, necessary for the immediate preservation of the public health and convenience.

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

**SECTION 1.** If the moderator in a town having an open town meeting form of government determines to assemble town meeting members and interested members of the public in common and independent locations while complying with any applicable state or local orders, directives, or guidance concerning public assemblies, the moderator may, notwithstanding any general or special laws, charter provisions or bylaws to the contrary, request the select board of said town to call for any such open town meeting to be held in a common location or through remote participation by means of a remote participation platform.

Any such request by the moderator to the select board shall be in writing and shall include the following certifications and information: (a) the moderator's determination and request to hold any town meeting through remote or physical participation in accordance with this section; (b) the remote participation platform the moderator has determined to use to hold the remote town meeting; (c) a certification that the moderator has consulted with the local disability commission or coordinator for Americans with Disabilities Act compliance and has received recommendations for ensuring the highest level of feasible access to the public; and (d) a certification that the moderator has tested the remote participation platform to his or her satisfaction to confirm that it will enable the remote town meeting to be conducted in substantially the same manner as if the meeting occurred in person at a physical location, including (i) the ability for the moderator, all town meeting members, other town officials and any other interested members of the public to identify and hear the moderator and each town meeting member who attends and participates in the common and or remotely-held town meeting, (ii) the ability to determine whether a quorum is present, (iii) the ability for the moderator to determine when a town meeting member wishes to be recognized to speak, make a motion, raise a point of order or object to a request for unanimous consent, (iv) the ability for the moderator to recognize a town meeting member or town official to speak and to enable that person to speak; (v) the ability to conduct a vote, (vi) the ability for any interested members of the public to access the meeting remotely for purposes of witnessing the deliberations and actions taken at the town meeting, (vii) the ability for the town meeting to be recorded, (viii) the ability to prevent proxy voting, and (ix) the ability for the moderator to conduct a limited pilot with preregistered meeting participants.

**SECTION 2.** Notwithstanding any general or special laws, charter provisions or bylaws to the contrary, not later than 10 business days following receipt of a written request of the moderator pursuant to and in accordance with the requirements of section 1, the select board shall vote to determine whether any future town meeting for which a warrant has been or will be issued shall be also held remotely by means of the remote participation platform requested by the moderator.



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**SECTION 3.** In the event that the select board votes to approve the request of the moderator and if the select board has already issued a warrant calling a town meeting to be held on a date specific, then, at the same meeting of the board, the select board shall approve and shall issue jointly with the moderator a notice, to be filed and posted in accordance with the requirements of section 10A subsection (b) of chapter 39 of the general laws and distributed to each town meeting member, that expressly states that the town meeting shall be also held remotely by means of the remote participation platform requested by the moderator, states the date and time of the meeting, and provides the necessary information for the moderator, town meeting members, other town officials and interested members of the public to also access and attend the town meeting remotely.

**SECTION 4.** In the event that the select board votes to approve the request of the moderator and if the select board has not yet issued a warrant for a town meeting, the select board shall approve and issue a warrant for the town meeting pursuant to and in accordance with section 10 of chapter 39 of the general laws, all other applicable laws, and any relevant provisions of the town charter and bylaws which states the date and time of the town meeting and the articles to be acted upon, and which expressly states that the town meeting shall be held remotely by means of the telephone conferencing platform requested by the moderator and provides the necessary information for the moderator, town meeting members, other town officials and interested members of the public to access and attend the town meeting remotely.

**SECTION 5.** Any notice issued pursuant to section 3 and any warrant issued pursuant to section 4 providing for a town meeting to also be held remotely shall also include the written request of the moderator submitted to the select board pursuant to section 1. Any such notice or warrant may also include a date, time and place for the town meeting to be resumed in the event that the town meeting does not approve conducting the town meeting remotely as required under section 7. Within 5 business days after any vote of the select board to approve the request of the moderator to also hold any town meeting remotely pursuant to this section, the town clerk shall submit a certified copy of the vote of the select board and of the written request of the moderator to the attorney general.

**SECTION 6.** Notwithstanding any general or special laws, charter provisions or bylaws to the contrary, each vote taken at an Annual Town Meeting held also through telephone conferencing pursuant to this act shall be taken by such means as the moderator shall determine accurately and securely records the votes of those entitled to vote at the meeting, which means may include without limitation electronic voting, votes securely conveyed via the cellular telephone network and/or Internet, voting by ballot, voting by phone or any combination of the foregoing. Notwithstanding any general or special laws, charter provisions or bylaws to the contrary, the moderator is vested with sole discretion to determine the manner and timing for submission and presentation of written and audio-visual materials and the regulation of speakers at a town meeting held pursuant to this act.

**SECTION 7.** Any open town meeting also held remotely pursuant to this act shall be recorded and the recording shall be preserved and made available for public view on the town's web page for at least 30 days following the conclusion of the town meeting.



## **TOWN OF WAYLAND**

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

*Attach extra pages if necessary*

**SECTION 8.** This act shall take effect upon its passage and shall remain in effect. Any town that has called a town meeting to be also held by telephone conferencing in accordance with this act pursuant to a warrant issued by the select board may proceed to hold such town meeting also by telephone conferencing in accordance with the provisions of this act.

**SECTION 9.** All acts, proceedings and votes taken by open town meeting pursuant to and in accordance with this act and all actions taken pursuant thereto are hereby ratified, validated and confirmed to the same extent as if the town meeting had been conducted in accordance with all other applicable laws, charter provisions, and bylaws.

**SECTION 10.** The Moderator will notify remote participants that they proxy voting is illegal and in accordance with M.G.L. Part I, Title VIII Chapter 56: shall be punished by a fine of not more than ten thousand dollars or by imprisonment for not more than five years, or both.

JAN 08 2021

Board of Selectmen  
Town of Wayland

Article Title: Capital Stabilization Fund

Estimated Cost:

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

Establish **and fund** a Capital Budget Stabilization Fund

**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):

Creating a Capital Stabilization Fund is part of developing a Capital Improvement Plan that maintains town assets with minimal fluctuation in taxes. **This article creates the stabilization fund but does not appropriate funds at this time.** A stabilization fund is created with a 2/3 majority vote, appropriations into the fund are by a simple majority vote, and appropriations from the fund require a 2/3 majority vote.

State law allows the creation of one or more stabilization funds, which are special reserves into which monies may be appropriated and reserved for later appropriation for any lawful municipal purpose. Monies accumulated in a stabilization fund carry over from one fiscal year to another, and interest remains with that fund.

A capital stabilization fund can be used to defray the cost of new equipment, building repairs/maintenance, and capital improvements to town land and buildings to the extent that these costs may be funded by the Fund's balance. Purchases exceeding the Fund's available balance may require other sources of funding.

A capital stabilization fund is a tool to level the tax impact of a fluctuating level of expenses to maintain the town's capital assets. The capital funding plan works to hold capital funding at a steady level (cash, cash capital and debt service). In years in which repairs are lighter, funds may be contributed to a stabilization fund. They will be held until voted to be used on a capital expenditure. In years in which the demand for capital is higher, residents can vote to use funds from the stabilization fund to offset the higher expense. Investment of these funds is in investment vehicles as prescribed by the state.

Specifically, in December 2018, the Finance Committee requested that the Board of Selectmen and Town Administrator pursue a capital stabilization fund as a means of providing financial stability. They also recommended the Board of Selectmen endorse a policy to fund non-exempt debt at a constant percentage of the total budget with any funds over the actual amounts required to service non-exempt debt be transferred to the Capital Stabilization Fund. (Memo attached for background.)

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

Contact Information for Publication in Warrant

Contact Person Name: Brian Keveny

Contact Person Phone: 508.358.3611

Contact Person Town Email: bkeveny@wayland.ma.us

Proposing Board Information

Board Name: Board of Selectmen

Board Vote (Quantum) to Submit Article: 5-0-0

Date of Board Vote: 01.04.2021

Signature of Board Chairperson:



Date: 1-8-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

Board of Selectmen  
Wayland Town Building  
41 Cochituate Road  
Wayland, MA 01778

Dear Board of Selectmen,

At its meeting on November 26th, the Finance Committee voted to recommend that at the next ATM, the Town establish a Capital Stabilization Fund (CSF) and that the Board of Selectmen immediately consider:

- What by-laws may need to be amended to set up a Capital Stabilization Fund
- What the appropriate/recommended funding strategy should be

The Finance Committee further recommends that the Board of Selectmen endorse level-funding the non-exempt debt at some constant percentage of the total budget with the excess of this level percentage over the actual amounts required to service the debt to be transferred to the General Stabilization Fund or the CAP-X fund once it is established.

**Background**

The Moody's credit opinion, issued on February 20, 2018, notes that over the last two years, the Town has worked to eliminate the use of reserves for operational expenses and has produced a structurally balanced budget. However, they also noted that the Town's reserves are currently below average for a Aaa rating category.

Moody's continually cites their concern over continued reduction in the fund balance. The Town's Financial Advisor, UniBank has observed that they explicitly drew the "line in the sand" with their requirement that General Fund balances not fall below 20 percent of operating revenues. Moody's also indicated that they were concerned about any material increases in the debt burden.

The Town needs to continue to be vigilant in its defense of the Aaa rating. In keeping with that defense, the Town needs to ascribe to a 3 to 5-year revenue and expense plan that shows the restoration of fund balance and that continues to support a structurally sound budget.

Unibank's recommendation, in support of that objective, was to level-fund debt service where excess of recommended appropriations over the amount required to actually service the debt be transferred to the General Stabilization Fund. Other advantages for level-funding the debt service are 1) it smooths out the tax rate and 2) it provides a convenient funding source for future capital projects.

More generally, in order to maintain a 20% fund balance any net increases in the Town's annual operating expenses should be accompanied by an adjustment that increases the fund balance by 20% of such a net increase. One of the techniques to accomplish this would be to appropriate \$20 for



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

designation to a Capital Stabilization fund for each \$100 of new debt service incurred. Another technique used by some other Towns is to make explicit appropriations into a Cap-X funds by way of Articles that are considered under the expedited approval process.

The Committee is available to answer any questions regarding this matter. Thank you in advance for your consideration.

Very truly yours,

Wayland Finance Committee

CC: Louise Miller, Town Administrator

Brian Keveny, Finance Director



## TOWN OF WAYLAND

### SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

*Attach extra pages if necessary*

RECEIVED

JAN 08 2021

Board of Selectmen  
Town of Wayland

**Article Title:** Loker Elementary School Solar Agreement

**Estimated Cost:** \_\_\_\_\_

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

To determine Whether the Town will vote to:

- a.) authorize the School Committee, to transfer the care, custody, management and control of the parking lot and building of the Loker Elementary School at 47 Loker Street to the Board of Selectmen for the purpose of leasing, as lessor, or licensing said areas of land and buildings for a term of not more than twenty (20) years for the installation and operation of solar photovoltaic power generation systems to be installed and operated on canopies located in parking lot and on the roof of Loker Elementary School; and
- b.) authorize the Board of Selectmen to enter into and execute an agreement for the purchase of solar energy or net metering credits generated by said systems above to be installed and operated on canopies located in parking lot of Loker Elementary School for a term of twenty (20) years; and
- c.) authorize the Board of Selectmen, pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 38H, with the approval of Town Counsel as to form, to enter into and execute a structured tax or payment in lieu of tax (PILOT) agreement in connection with the solar photovoltaic power generation systems to be installed and operated on canopies located in parking lot at The Loker Elementary School for a term of twenty (20) years upon such terms and conditions, as the Board of Selectmen shall deem to be in the best interest of the Town.

**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):

*What is the purpose of this article?* The article empowers the Town to sign a power purchase agreement (PPA) with a solar project developer selected by the Town (the Developer) to lease portions of the roof and parking lot of the Loker Elementary School, for the construction and operation of a solar photovoltaic system at such site and for the Town to purchase all of the electricity generated by such system, for a term of 20 years. The article also empowers the Town to enter into a structured tax agreement with the Developer to set the amount of annual property taxes associated with the solar system to be paid to the Town for the same term.

With passage of this article, the Town will: 1) take action on its [2018 Town Meeting](#) resolution to minimize carbon-based energy use in undertaking all new municipal building construction and substantial renovation projects and reduce town related greenhouse gas emissions to address our climate emergency 2) support its 2009 state designation as a Green Community, 3) save money through reduced electricity costs, and 4) generate additional property tax revenues for the Town.

*What is the financial benefit to the Town?* The Town expects financial benefits from the solar project in two ways: 1) the Town will realize savings on its electricity bills, and 2) the Developer will pay annual property taxes on the solar project. The amount of the electricity cost savings and property tax payments will depend on the ultimate size of the solar array on the roof and whether a solar canopy is installed in the Loker parking lot. The combined savings and property tax payments could exceed \$20,000 in the first year. The combined potential benefits over 20 years could exceed \$400,000 or more, depending on future utility electricity rates increases.





**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

*What has been the Town's past experience contracting for solar systems?* Wayland has had a positive experience with a similar agreement for the four existing solar arrays at the Wayland High School, Wayland Middle School, Town Building, and the Department of Public Works facility (the Existing Arrays). The 2015 Town Meeting approved the Town entering into a power purchase agreement (PPA) with Ameresco to design, construct and operate the Existing Arrays and to sell the power to the Town. The arrays commenced operations in early 2017. They have generated over \$100,000 each year in savings and property taxes. The Existing Arrays were constructed at no cost to Wayland, beyond staff time.

*Why is a solar array being considered now for the Loker Elementary School roof?* The pending installation of a new roof on Loker Elementary School in 2021 offers an ideal opportunity to add a solar array to that Town facility; the age of the roof prevented the Town from installing a solar array earlier.

*How will the Town select the solar developer?* The Town is evaluating proposals from two solar developers: Ameresco and Solect Energy. Both solar developers were selected under separate competitive procurements that can be accessed by the Town. If the Town chooses Ameresco, the Town can amend the existing PPA with Ameresco to add the Loker solar project. Ameresco was selected as the solar developer for our existing solar projects based on their successful response to an RFQ for energy management services issued by the Metropolitan Area Planning Council (MAPC). Alternatively, as a member of PowerOptions, the Town can contract with Solect Energy, the solar vendor competitively selected by PowerOptions.

*What is the solar project structured?* Under the PPA, the Developer will design, permit, finance, install and operate the solar electric power system at the Loker Elementary School at no cost to the Town. The Developer will sell the solar electricity to the Town at a negotiated price. Some of the solar electricity will be used by the school; the excess over the school's needs will be sent to the utility, Eversource Energy, in exchange for credits on our electric bills, as allowed by the state's net metering credit incentive program. There are no anticipated indirect operating costs to the Town. The Developer is responsible for all costs including the construction, operation, maintenance, and removal of the solar systems.

As the owner of the solar system, the solar project owner will be required to pay personal property taxes to the Town. Under state law, Wayland can enter into a structured tax agreement with the Developer to set the amount of the annual tax payment. A level tax payment enables Wayland to: 1) count on a known property tax income stream over 20 years, and 2) simplify the Town's tax administration. The warrant article is needed to authorize the Board of Selectmen, in consultation with the Board of Assessors, to enter into the structured tax agreement.

*Status of Town Staff and Committee Reviews (To be updated):*

- The Energy & Climate Committee on November 11<sup>th</sup> voted unanimously to endorse the solar initiative.
- Town Staff and Energy & Climate Committee are reviewing proposals from Ameresco and Solect for the Loker solar project and will make a recommendation to the Board of Selectmen.
- Prior to Town Meeting, the Board of Selectmen will vote on signing a non-binding letter of intent with one of the Developers.
- Prior to Town Meeting, the proposal from the selected Developer will be reviewed by the Permanent Municipal Building Committee, the School Committee, and the Board of Selectmen.
- Consideration by the Board of Assessors of a structured tax agreement will be subject to approval of this article.

If Town Meeting approves this article, the Board of Selectmen will negotiate the power purchase agreement with the assistance of the Town Administrator, Town Counsel, the Energy & Climate Committee, and, if needed,



## TOWN OF WAYLAND

### SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

*Attach extra pages if necessary*

outside solar technical and legal services experts hired by the Town for this purpose. Approval also will enable the Town to negotiate the structured tax agreement. Installation of the solar array will follow installation of the roof on the Loker Elementary School. The Developer will work with the Town to manage the installation schedule to minimize the impact on school activities.

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

- The solar project will be a visible and significant reaffirmation of the Town's resolution to reduce its carbon-based energy use and continue to fulfill its obligations as a Green Community.
- The solar electricity will exceed Loker Elementary School's own electricity net requirements, with the excess generating credits that will reduce the Town's electricity bills. Preliminary estimates from Solect Energy estimate an annual electricity credit of \$20,000?
- The solar project will protect Loker Elementary School from future inflation-related utility electricity rate increases. Any such rate increases would raise the solar project's net financial benefits to the Town.
- The solar project will generate property tax payments for the Town each year.
- This is an opportune time to install a solar array on the roof. Both the new roof and the solar array will have similar long-lives, making it likely that the Town can avoid the cost of removing panels for roof repairs. In addition, the roof and solar contractors can coordinate to ensure the roof warranty is maintained in full force.
- The Developer will have sole liability related to construction and operation of the solar arrays.
- The Town's existing four solar arrays have generated savings and tax revenues to the Town, with no operating issues. We can build on that good experience to add a fifth project.

#### **ARGUMENTS OPPOSED:**

- The projected net electricity saving assumes continuation of the state's net metering credit solar incentive program.
- The value of the utility's net metering credits will vary, as the credits are not set by contract. Lower electricity prices might reduce the value of the credits and the net savings to the Town from the solar project.
- There is no guaranty that the Developer will be in existence to maintain the solar arrays during the twenty-year life of the power purchase agreement or to remove the arrays at the end of the agreement.
- Town operating costs might marginally increase as a result of working around the canopy.
- The solar canopy in the parking lot might complicate any future remodeling during the next twenty years.
- There can be incremental costs if the Town damages the solar systems or if solar panels on the roof need to be removed to support roof maintenance.

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

The Energy & Climate Committee strongly favors passage of this article. The Loker solar project will build on the success of the existing solar arrays in generating financial benefits for the Town. It will show the commitments of Loker Elementary School and the Town to taking meaningful steps to combat climate change. Both solar Developers are highly experienced, having installed comparable solar arrays for dozens of towns and other non-profit entities in Massachusetts. The solar project will not require any Town capital expenditure and will create immediate and tangible electric utility cost savings and property tax payments for the Town. Passage of the article is necessary in order to realize these savings and tax payments. Deferral on this article for a later meeting would result in the solar project receiving lower state financial incentives, causing a permanent reduction in potential Town electricity cost savings.



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller **Contact Person Phone:** 508.358.3620  
**Contact Person Town Email:** lmiller@wayland.ma.us

**Proposing Board Information**

**Board Name:** Board of Selectmen  
**Board Vote (Quantum) to Submit Article:** 5-0-0 **Date of Board Vote:** 01.04.2021  
**Signature of Board Chairperson:** *Clemmy Chassey* **Date:** 1-8-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Rescind Transfer Station Revolving Fund **Estimated Cost:** \$0

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

To determine whether the Town will vote to rescind its authorization of the Revolving Fund for the Board of Public Works for its operation of the Transfer Station established pursuant to G.L. Chapter 44 Section 53E1/2.

**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):

Previously established Annual Town Meeting 2017 article 5.

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JAN 12 2021

Board of Selectmen  
Town of Wayland

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller **Contact Person Phone:** 508.358.3620

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

**Proposing Board Information**

**Board Name:** Board of Selectmen

**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 1.11.2021

**Signature of Board Chairperson:**  **Date:** 1-12-21



TOWN OF WAYLAND
SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING
Attach extra pages if necessary

Article Title: Create Transfer Station Enterprise Fund Estimated Cost: \$

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

To determine whether the Town will vote to:

- a) accept the provisions of the Massachusetts General Laws Chapter 44, Section 53F1/2 to establish an enterprise fund...
b) fund said enterprise fund by appropriating the closing and post-closing funds of the dissolution Transfer Station Revolving Fund...

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):

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JAN 12 2021
Board of Selectmen
Town of Wayland

Contact Information for Publication in Warrant

Contact Person Name: Louise Miller Contact Person Phone: 508.358.3620
Contact Person Town Email: lmiller@wayland.ma.us

Proposing Board Information

Board Name: Board of Selectmen
Board Vote (Quantum) to Submit 5-0-0 Date of Board Vote: 1.11.2021
Signature of Board Chairperson: [Signature] Date: 1-12-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** FY22 Transfer Station Enterprise Fund Budget **Estimated Cost:** \$TBD

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

To determine whether the Town will vote to raise and/or transfer and appropriate the following sums of money set forth in the FY22 budget of the Transfer Station Enterprise, to be included in the tax levy and offset by the funds of the enterprise under the provisions of M.G.L. Chapter 44, Section 53F ½:

<Insert budget Grid once available>

RECEIVED

JAN 12 2021

Board of Selectmen  
Town of Wayland

**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):

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller **Contact Person Phone:** 508.358.3620

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

**Proposing Board Information**

**Board Name:** Board of Selectmen

**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 1.11.2021

**Signature of Board Chairperson:**  **Date:** 1-12-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Appropriation to Pay BAN related to River's Edge      **Estimated Cost:** \$TBD

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

To determine whether the Town will vote to authorize the Board of Selectmen to appropriate funds to fund the Bond Anticipatory Note (BAN) used for asbestos cleanup remediation costs and other associated costs at River's Edge (source to be determined).

**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):

RECEIVED

JAN 12 2021

Board of Selectmen  
Town of Wayland

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller      **Contact Person Phone:** 508.358.3620

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

**Proposing Board Information**

**Board Name:** Board of Selectmen

**Board Vote (Quantum) to Submit**      5-0-0      **Date of Board Vote:** 1.11.2021

**Signature of Board Chairperson:** *Clemency*      **Date:** 1-12-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Senior Citizen Tax Work Off Exemption **Estimated Cost:** \$0

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

To determine whether the Town will vote to:

- adjust the exemption for senior citizen tax work off exemption under Chapter 59 Section 5K by :
- a) allowing an approved representative for persons physically unable to provide volunteer services to the town; and
  - b) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,500.

**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):

**RECEIVED**

JAN 08 2021

Board of Selectmen  
Town of Wayland

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller **Contact Person Phone:** 508.358.3620  
**Contact Person Town Email:** lmiller@wayland.ma.us

**Proposing Board Information**

**Board Name:** Board of Selectmen

**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** 01.04.2021

**Signature of Board Chairperson:** *Cleary Cheney* **Date:** 1-8-21





**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Spencer Circle Street Acceptance

**Estimated Cost:** \$32,000

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

The following provision should be included in this section "Provided that the Town has executed the necessary easement agreements with residents on Spencer Circle....."

**RECEIVED**  
**JAN 12 2021**  
Board of Selectmen  
Town of Wayland

**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):

Spencer Circle was constructed to be a public way in or around 2002. At the time that the subdivision was approved and, in the decision of the Planning Board, Spencer Circle was intended to be accepted as a public way. Since the Town had not moved forward with acceptance as a public way, the residents of Spencer Circle inserted a petitioners' article for acceptance of Spencer Circle as a public way at the 2019 Annual Town Meeting. Following discussions with Town officials, the petitioners withdrew the article in order to allow the Town to proceed with the street acceptance process pursuant to Massachusetts General Laws.

The Board of Public Works recommends that the Town accept Spencer Circle as a public way, and any easements appurtenant thereto, as laid out by the Board of Public Works and shown on a plan thereof entitled As-Built Spencer Circle dated October 25, 2004 by Ducharme & Wheeler, Inc.. The Board of Public Works will advance this street acceptance process as procedurally identified by Town Counsel.

The condition of the road, after 17 years, requires approximately \$32,000 of repairs. The Department of Public Works (DPW) understands this and is prepared to place Spencer Circle on its Roadway Improvement Plan on a schedule appropriate with the Department's condition and plan criteria. In addition to these repairs, there remain several infrastructure deficiencies that need to be addressed prior to Town acceptance. These repairs have been itemized in a DPW memo to the Board of Public Works dated 4/22/2019. The Spencer Circle developer is aware of these repairs and understands that any acceptance of the road and release of the developer for liability will be conditional upon these repairs being made by him.

Should Spencer Circle be accepted as a public road, the Town would own two drainage structures, located in part on Nos. 4 and 6 Spencer Circle. The Town has performed a limited conditions assessment of the drainage systems and has determined the systems to be in good working condition. Easements are necessary at Nos. 4 and 6 Spencer Circle pertaining to the Town's access, operation and maintenance of these drainage systems. Any street acceptance will be conditional upon the execution of these easements. Under Massachusetts General Laws, the easements must be completed within 120 days of the dissolution of Town Meeting after a vote to accept a road as a public way.

The Board of Selectmen are currently negotiating with the owners of No. 4 and No. 6 Spencer Circle to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for the laying out and the acceptance of Spencer Circle, or other related easements.



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

The Planning voted to accept Spencer Circle as a public way on -----.  
**Proposer's Comments** (if needed, 150-word limit per Town Code):

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller **Contact Person Phone:** 508.358.3620  
**Contact Person Town Email:** lmiller@wayland.ma.us

**Proposing Board Information**

**Board Name:** Board of Selectmen  
**Board Vote (Quantum) to Submit Article:** 5-0-0 **Date of Board Vote:** 1.04.2021  
**Signature of Board Chairperson:** *Clayton Chace* **Date:** 1-12-21



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

**Included in the Board of Selectmen 1.11.2021 Agenda Packet**

**Article Title:** Spencer Circle Street Acceptance

**Estimated Cost:** \$0

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

To determine whether the Town will vote to accept Spencer Circle as a public way, and any easements appurtenant thereto, as laid out by the Board of Public Works as shown on a plan thereof titled As-Built Spencer Circle dated October 25, 2004 by Ducharme & Wheeler, Inc.; and to see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and the acceptance of Spencer Circle, or other easements related to; and further, to authorize the Board of Selectman and/or the Board of Public Works, and/or any other applicable Town of Wayland Board and their personnel and/or representatives or designees, to take any and all related actions necessary or appropriate to accomplish the purposes of this Article and/or otherwise act thereon.

**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):

Spencer Circle was constructed to be a public way in or around 2002. At the time that the subdivision was approved and, in the decision of the Planning Board, Spencer Circle was intended to be accepted as a public way. Since the Town had not moved forward with acceptance as a public way, the residents of Spencer Circle inserted a petitioners' article for acceptance of Spencer Circle as a public way at the 2019 Annual Town Meeting. Following discussions with Town officials, the petitioners withdrew the article in order to allow the Town to proceed with the street acceptance process pursuant to Massachusetts General Laws.

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**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

**Included in the Board of Selectmen 1.11.2021 Agenda Packet**

The Board of Selectmen are currently negotiating with the owners of No. 4 and No. 6 Spencer Circle to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for the laying out and the acceptance of Spencer Circle, or other related easements.

The Planning voted to accept Spencer Circle as a public way on -----.

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Louise Miller **Contact Person Phone:** 508.358.3620

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

**Proposing Board Information**

**Board Name:** Board of Selectmen

**Board Vote (Quantum) to Submit** 5-0-0 **Date of Board Vote:** \_\_\_\_\_

**Signature of Board Chairperson:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Sponsored by:** Alan Reiss, David Bernstein – **Main Petitioners**

**Estimated Cost:** Approximately \$70K per year

RECEIVED

JAN 04 2021

Board of Selectmen  
Town of Wayland

1:25 PM

**To determine whether the Town will vote to:**

**LET IT BE RESOLVED** that Town Meeting endorses the use of an electronic voting service for all sessions of all Town Meetings through fiscal year 2027, subject to the Moderator's rules, and requests the Board of Selectmen and Finance Committee to include sufficient funding in the FY2023, FY2024, FY2025, FY2026, FY2027 Omnibus Budget articles present at the CY2022, CY2023, CY2024, CY2025, CY2026 Annual Town Meetings. - 5 Consecutive years.

**PETITIONERS' COMMENTS:** Electronic voting at Town Meeting replaces voice voting and occasional standing counts. Because sound intensity declines with distance, voice voting is fundamentally inaccurate: voters seated further from the Moderator have less of a vote than those seated closer. For borrowing or zoning articles where a two-thirds majority is required, it can be difficult for the Moderator to determine the outcome. When the Moderator can't determine the outcome or when 7 voters request it, the outcome is determined by a standing count, which depending upon the number of voter's present can take from 10 minutes to an hour. Electronic voting ensures that every vote is accurate, without requiring voters to shout out their vote to ensure being heard, and without the need for standing counts. Whether voting by voice or by standing count, a voter's choice is public; the consequences of having one's votes known to friends, neighbors, employers, or employees can prevent the application of one's best judgement. Electronic voting ensure that all votes are private, free of intimidation in any form. Since Wayland began using electronic voting in 2012, the combination of its benefits have markedly changed the Town Meeting environment. Electronic voting eliminates the stress of shouting out votes, the concern over accurate vote resolution, and the worries from public voting; as a result, voters have become more relaxed, methodical, and deliberate – enabling them to employ their best judgement for the benefit of all Wayland citizens.

**ARGUMENTS IN FAVOR:**

- Electronic voting is more accurate than voice or hand voting at Town Meetings.
- Electronic voting takes away the need for standing or hand counts that can be time consuming when recounts are needed, and 2/3<sup>rd</sup>'s quantum are required for zoning and borrowing.
- A supermajority believe that private electronic voting can produce a better outcome of articles with less intimidation and fear of retribution caused by public voting.
- A supermajority feel that voting integrity is better preserved, and the quality of government is improved.
- Town Meeting is run more efficiently and can inhibit non-residents from fraudulently voting.
- The use of eVoting has saved the town an average of 3 hours per Town Meeting and sometimes a full session.

1. JOHN CANDAY 85 OCP  
Name Address

2. Kiplee Johnson 34 Woodridge rd.  
Name Address

3. STEVEN MURRAY 5 EDGEWOOD ROAD  
Name Address

4. STEPHEN B. TURNER 25 Dwyer Rd  
Name Address

5. WING MING KEUNG 2 Juniper Ln  
Name Address

6. Judith B Kennedy 4 Emerson  
Name Address

7. Gait Baker 9 Springhill  
Name Address

8. Ian Condry 6 Snake Brook  
Name Address

9. Patty Chung 44 Country corner rd  
Name Address

10. Eric Lam 27 old Tavern Rd  
Name Address

11. Helen J. Reiss 463 Old Corn Path  
Name Address

12. Alan J. Reiss 463 Old Corn Path  
Name Address

13. Kathleen Bernstein 25 Glozen Lane  
Name Address

14. DA BA 25 GLEZEN LANE  
Name Address

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Name Address

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Name Address

**PETITIONERS' ARTICLE FOR 2021 WAYLAND ANNUAL TOWN MEETING**

To the Wayland Board of Selectmen: Pursuant to G.L. c. 39, §10, please insert the following article in the Warrant for the 2021 Annual Town Meeting.

RECEIVED  
JAN 11 2021

Board of Selectmen  
Town of Wayland

2:47 pm

**ARTICLE X: APPOINTMENT OF FINANCE COMMITTEE**

To determine whether the Town will vote to amend Town Code § 19-1 such that the Finance Committee is appointed by a new Finance Committee Appointing Board, as follows:

[Key to changes: underlining denotes addition; ~~strikethrough~~ denotes deletion]

**§ 19-1. Finance Committee.**

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

The Finance Committee Appointing Board (FCAB) shall consist of the Moderator and the chair of the Finance Committee. Current Finance Committee members shall serve out their terms of office.

RECEIVED BY MAIL 12/23/20  
2020 JAN 11 10:00 AM

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
<u>Carole Plumb</u>	<u>CAROLE PLUMB</u>	<u>17 BALD ROCK RD</u>
<u>Corolay M Plumb</u>	<u>DOROTHY PLUMB</u>	<u>17 BALD ROCK RD</u>
<u>Stephen Plumb</u>	<u>Stephen Plumb</u>	<u>17 Bald Rock Rd</u>
<u>Margaret Hill</u>	<u>MARGARET E. HILL</u>	<u>23 BALD ROCK RD</u>
<u>Ken P Hill</u>	<u>Kenneth P Hill</u>	<u>23 Bald Rock Rd.</u>
<u>Brendan Egan</u>	<u>Brendan Egan</u>	<u>13 Bald Rock Rd</u>
<u>Joseph T. Flynn</u>	<u>Joseph T. Flynn</u>	<u>14 Bald Rock Rd</u>



**PETITIONERS' ARTICLE FOR 2021 WAYLAND ANNUAL TOWN MEETING**

To the Wayland Board of Selectmen: Pursuant to G.L. c. 39, §10, please insert the following article in the Warrant for the 2021 Annual Town Meeting.

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**§ 19-1. Finance Committee.**

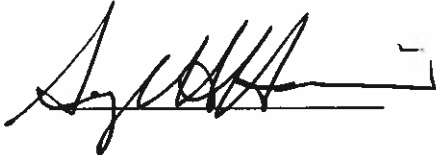
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Signature

Printed Name

Address



GEORGE H. HARRIS

8 HOLIDAY RD.

Barbara Harris

BARBARA HARRIS

8 HOLIDAY ROAD

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STAMPED: WAYLAND  
SELECTMEN'S OFFICE

**PETITIONERS' ARTICLE FOR 2021 WAYLAND ANNUAL TOWN MEETING**

To the Wayland Board of Selectmen: Pursuant to G.L. c. 39, §10, please insert the following article in the Warrant for the 2021 Annual Town Meeting.

**ARTICLE X: APPOINTMENT OF FINANCE COMMITTEE**

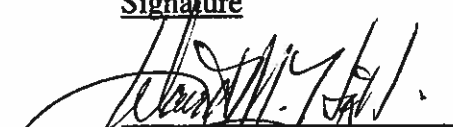
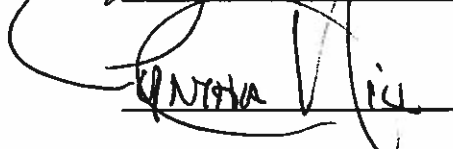
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<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	DAVID M. Hill	54 ORCHARD LANE
	CYNTHIA Hill	54 ORCHARD LANE
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2021 JUN 23 10:00 AM

**PETITIONERS' ARTICLE FOR 2021 WAYLAND ANNUAL TOWN MEETING**

To the Wayland Board of Selectmen: Pursuant to G.L. c. 39, §10, please insert the following article in the Warrant for the 2021 Annual Town Meeting.

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The Finance Committee Appointing Board (FCAB) shall consist of the Moderator and the chair of the Finance Committee. Current Finance Committee members shall serve out their terms of office.

Signature

Printed Name

Address

Mary Alice Boelter

Mary Alice Boelter

106 Lakeshore Dr. Wayland

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STAMPED: 2021 APR 13 10:00 AM

**PETITIONERS' ARTICLE FOR 2021 WAYLAND ANNUAL TOWN MEETING**

To the Wayland Board of Selectmen: Pursuant to G.L. c. 39, §10, please insert the following article in the Warrant for the 2021 Annual Town Meeting.

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Signature

Printed Name

Address

*Edmund J. Cousins*

EDMUND J. COUSINS

43 PLAIN ROAD

*Margaret P. Cousins*

Margaret Cousins

43 Plain Rd

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WAYLAND BOARD OF SELECTMEN  
2021 APR 20 10:00 AM

**PETITIONERS' ARTICLE FOR 2021 WAYLAND ANNUAL TOWN MEETING**

To the Wayland Board of Selectmen: Pursuant to G.L. c. 39, §10, please insert the following article in the Warrant for the 2021 Annual Town Meeting.

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Signature

Printed Name

Address

Rosamond Geller      ROSAMOND GELLER      1703 Bayberry Lane

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2021 APR 12 10:00 AM  
WAYLAND MASS

**PETITIONERS' ARTICLE FOR 2021 WAYLAND ANNUAL TOWN MEETING**

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<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
<u>Donna H. Lasoell</u>	<u>Donna H. Lasoell</u>	<u>1704 Bayberry Lane</u> <u>Wayland, MA 01778</u>
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STAMP: 01/24/21 10:00 AM  
WAYLAND, MA

**PETITIONERS' ARTICLE FOR 2021 WAYLAND ANNUAL TOWN MEETING**

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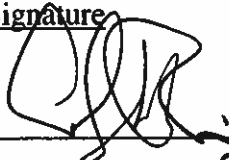
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<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	Alcides	413 Old Court Path
Helen Reis	Helen Reis	413 Old Court Path
_____	_____	_____
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**TOWN OF WAYLAND**

**RECEIVED**

**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

**JAN 14 2021**

*Attach extra pages if necessary*

Board of Selectmen  
Town of Wayland

**Article Title: Community Preservation Act – Set Asides and Transfers Estimated Cost: \$700,289**

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

To determine:

- a) whether the Town will vote to set aside from the Community Preservation Fund's (CPF) Uncommitted Fund for later spending \$109,186 for open space, but not including land for recreational use, \$109,186 for historic preservation, and \$109,186 for community housing pursuant to Massachusetts General Laws Chapter 44B, Section 6 for FY 2022;
- b) whether the Town will vote to set aside from the CPF for later spending \$372,731 from the Uncommitted Fund for annual debt service obligations for the purchase of the conservation restriction on Mainstone Farm, as previously approved by Town Meeting; and
- c) further, whether the Town will vote to transfer funds in the amount of \$109,186 from the Community Housing Fund of the CPF to the Wayland Municipal Affordable Housing Trust Fund.

**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):

This article accomplishes three annual tasks for managing the Town's Community Preservation Fund:

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

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

- a) Within the Wayland CPF, there are four separate pools of money, with funds designated exclusively for open space, historic preservation, and community housing, each of which receives at least 10% of the annual contributions (1.5% local tax surcharge + State Trust Fund yield), and the Uncommitted Fund, which receives the balance of funds not specifically designated. The monies in the individual purpose funds can only be used for those particular purposes, while the monies in the Uncommitted Fund may be used for any of the three





**TOWN OF WAYLAND**

**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

purposes plus certain recreation projects, administrative expenses, and fees incurred for projects. The first part of this article accomplishes the annual allocation to the three purposes

- b) The 2017 Annual Town Meeting voted to purchase a Conservation Restriction protecting Mainstone Farm land from development and preserving it as open space in perpetuity. To accomplish that purchase, the Town assumed debt that is paid exclusively by the Community Preservation Fund.
- c) The WMAHTF was created to address the shortage of affordable housing in Wayland. Funds to be transferred to the WMAHTF are those already allocated to the Community Housing Fund through the annual distribution. These funds maintain the same use restrictions as if they continued to be held in the CPF.

There are no known reasons to oppose this article.

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Gretchen Schuler **Contact Person Phone:** 508-245-4115

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

**Proposing Board Information**

**Board Name:** Community Preservation Committee

**Board Vote (Quantum) to Submit Article:** 8-0-0 **Date of Board Vote:** 1/13/21

**Signature of Board Chairperson:**  **Date:** 1/14/21



TOWN OF WAYLAND

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

Attach extra pages if necessary

JAN 14 2021

Board of Selectmen  
Town of Wayland

Article Title: CPA Historic Preservation: Rehabilitation of 70-74 Main Street Estimated Cost: \$145,000

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

To determine whether the Town will vote to appropriate the following sum of money not to exceed \$145,000 from the Community Preservation Fund's Historic Preservation Fund to be expended, upon Historical Commission approval of design plans, to rehabilitate the exterior elevations of the building to their early 20th century appearance; and that a grant agreement is signed with the following conditions:

- a) that the work will be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (36 C.F.R. 67 and 68), and is reviewed and approved by the Wayland Historical Commission prior to demolition and construction;
- b) that a preservation restriction is granted by the property owner to the Wayland Historical Commission; and
- c) that a repayment schedule is included in the preservation restriction if the property is sold within a certain period of time that may also be guaranteed by a lien on the property.

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):

The Economic Development Committee (EDC) has identified 70-74 Main Street as one of the only historic commercial properties remaining in Cochituate. It is in disrepair and has lost its historic character due to 40-year-old renovations including the application of vinyl siding and out-of-scale windows. The EDC believes that rehabilitation of the exterior of the building consistent with early 20th century photographs will enhance the property and the streetscape and will be a public benefit for the Cochituate neighborhood.

The building at 70-74 Main Street sits in a high-profile position on Main Street, and its renovation would improve the streetscape economic vitality, while uncovering the history of a bygone era. Every day, people who wait in line at the traffic light, visit the Hannah Williams Playground, or walk by to restaurants, stores, the post office or the bank, will be able to appreciate the details of the small retail building up close. The building contains retail space with two small apartments above, no dedicated parking, and limited sewer capacity. It cannot expand, or build new, due to its septic constraints and lot size (only 4,105 sf, less than one tenth of an acre). The 3,104-square foot building and property is assessed at \$336,500, about a third of the value of a typical house in the surrounding neighborhoods, and this value reflects the limited rents that an owner can garner. This confluence of factors, here and elsewhere, results in severely limited financial resources for private property owners to do maintenance and improvements. Without some assistance, facades like this one remain as they are for years, to the detriment and lost opportunity of the community. Thus, this project proposes to work collaboratively with the owner to pool funds to uncover the building's history. Funds that would otherwise install vinyl could be directed toward a more robust and meaningful restoration. This work will yield an end product that has the potential to elevate the streetscape and the neighborhood, raise awareness about Cochituate's history, and perhaps inspire surrounding commercial and residential property owners to improve their properties historically as well.



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

The rehabilitation would require Historical Commission approval and would be judged by the standard historic preservation guidelines set forth in the Secretary of the Interior's Standards for the Treatment of Historic Properties. The public funds would be protected by a Preservation Restriction (PR) granted by the property owner to the Town and attached to the property deed. In addition, there would be a "repayment" schedule should the property be sold within a certain period of time after signing of the PR.

This project would be funded by monies that have already been collected and received by the Town and will not impact the Town's tax rate. There are sufficient funds available in the Community Preservation Fund's Historic Preservation Fund.

Reasons to Approve: Enhancement of the busy streetscape in Cochituate Village would be an asset enjoyed by passersby and potentially an incentive to other property owners to improve their properties. This property is one of only a couple remaining commercial building in Cochituate Village from that period in history.

Reason Not to Approve: In the future there may be more pressing projects for which historic preservation funds may be used. Some may not approve of public funds used to enhance private property despite the protections of the public monies required within the article.

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

Contact Information for Publication in Warrant

Contact Person Name: Gretchen Schuler Contact Person Phone: 508-245-4115

Contact Person Town Email: gschuler@wayland.ma.us

Proposing Board Information

Board Name: Community Preservation Committee

Board Vote (Quantum) to Submit Article: 7-0-1 Date of Board Vote: 1/13/21

Signature of Board Chairperson: Gretchen Schuler Date: 1/14/21



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

*Attach extra pages if necessary*

RECEIVED

JAN 14 2021

Board of Selectmen  
Town of Wayland

**Article Title: CPA Historic Preservation: Cemetery Stones Condition Assessment & Library Archival Document Conservation** Estimated Cost: \$30,820

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

To determine whether the Town will vote to appropriate the following sums of money not to exceed:

a) \$14,000 from the Community Preservation Fund's Historic Preservation Fund to be expended by the Historical Commission to hire professional preservation consultants to assess conditions and make recommendations regarding restoration and rehabilitation of gravestones in the oldest sections of Wayland's North Cemetery and Lakeview Cemetery, and all of South Cemetery; and

b) \$16,820 from the Community Preservation Fund's Historic Preservation Fund to be expended by the Wayland Free Public Library Trustees to conserve and digitize irreplaceable historic documents owned by the Wayland Free Public Library.

**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):

The work entailed in these two historic preservation projects is similar to other projects that have been funded using Community Preservation Act Historic Preservation monies in the past.

a) The Wayland Historical Commission requests \$14,000 to hire professional preservationists to evaluate the conditions of gravestones in each of Wayland's three cemeteries: specifically the oldest sections of Lakeview Cemetery on Commonwealth Road (Sections A, B, C, and small parts of E and F as shown on a map of the Cemetery) and North Cemetery on Old Sudbury Road (Old and Stoney Sections) and all of South Cemetery on Cochituate Road and make recommendations about restoration and rehabilitation. These areas have been targeted because: they contain some of the oldest graves in Wayland and there are damaged graves in all these locations, including stones that are broken, have fallen over, are leaning, are cracked or chipped, and/or are sitting on eroded ground.

Historic cemeteries are important cultural, architectural and archaeological resources. Wayland's cemeteries are windows into the town's historical development. North Cemetery, which dates to 1643, is the resting place of the Town's original settlers; Revolutionary War soldiers, former slaves, suffragists, authors, among others, and the location of the first Meetinghouse. South Cemetery, once called Centre Cemetery and established in 1835, is the smallest of the three cemeteries. Lakeview Cemetery was formally established in 1871 and is the resting place of many of the prominent shoe factory owners and families as well as many individuals who worked in those factories.

Preserving deteriorating gravestones in these cemeteries helps to preserve historic artifacts that carry both artistic and factual information that is useful to historians and genealogists. Just as important, it pays respect to those who have contributed to life in Wayland. As Benjamin Franklin said, "Show me your burial grounds and I'll show you a measure of the civility of a community."



**TOWN OF WAYLAND**

**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

b) The Library Trustees request \$16,820 to hire conservators to preserve some recently discovered primary resources/documents that are fragile and deteriorating. These historic documents provide valuable insight into Wayland's history. Each is one of a kind and irreplaceable. They include: records from 1796-1843 of the East Sudbury Social Library, which was the institutional predecessor to the Wayland Free Public Library, itself the first truly public library in Massachusetts (and the second in the United States); as scrapbook donated by James Sumner Draper, a rich source of local history and a kind of portrait of a key figure in that history; a collection of letters (1903-1918) and a scrapbook on the Beginnings of the Library (1848-1878). Wayland residents have a strong interest in maintaining records of the past, knowing that our history points the way to the future. Conserving these documents preserves them for future generations while digitization makes them readily available to all who explore our past history.

Both projects are eligible for Community Preservation Fund's (CPF) Historic Preservation Fund, which can be used for preservation, rehabilitation, and restoration of historic resources. These projects would be funded by monies that have already been collected and received by the Town and will not impact the Town's tax rate. There are sufficient funds available in the CPF Historic Preservation Funds.

Reasons to Approve: Historic preservation is one of the three key purposes of the CPA. These resources must be protected and preserved now rather than later because the more they deteriorate the more difficult and expensive it is to preserve them. The gravestones project enables us to get a clear assessment of the condition of these resources so we can plan for their restoration and preservation. The library project will ensure that these unique records are maintained and made accessible for use by anyone with an interest in Wayland's history. Furthermore, these projects are not likely to be a priority for other town funding sources.

Reason not to Approve: In the future there may be more pressing projects for which historic preservation funds may be used.

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

**Contact Information for Publication in Warrant**

Contact Person Name: Gretchen Schuler Contact Person Phone: 508-245-4115  
Contact Person Town Email: gschuler@wayland.ma.us

**Proposing Board Information**

Board Name: Community Preservation Committee

Board Vote (Quantum) to Submit Article: 8-0-0 Date of Board Vote: 1/13/21

Signature of Board Chairperson: *Gretchen Schuler* Date: 1/14/21



## TOWN OF WAYLAND

### SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

*Attach extra pages if necessary*

RECEIVED

JAN 14 2021

Board of Selectmen  
Town of Wayland

**Article Title:** CPA Open Space: Native Plantings & Pollinator  
Plantings

**Estimated Cost:** \$9,000

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

To determine whether the Town will vote to appropriate funds to be expended by the Conservation Commission, including:

- a) \$7,000 from the Community Preservation Fund's Open Space Fund for the purchase of native plant species to help preserve Conservation Commission open spaces, and
- b) \$2,000 from the Community Preservation Fund's Open Space Fund to plant pollinator gardens on Conservation Commission land to preserve existing landscape.

**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):

Open space is a treasured part of Wayland's character and our conservation properties are destinations for many townspeople's enjoyment and passive recreation activities. The Conservation Commission requests funding to preserve its open space properties and their ecosystems by supplementing native plant materials and creating pollinator gardens on land managed by the Conservation Commission.

a) The Native Plant Species project will be used to purchase native trees, shrubs and seed mixtures (\$5,500) and soil amendment and fencing (\$1,500) to protect and support these plantings. Native plant material has been substantially reduced due to invasive species. This project will offset the rapid degradation brought on by invasive species by providing enriched habitats on conservation property. As removal of invasive species continues, these preserved areas will act as nodes of regeneration that will propagate outward, helping to offset the imbalance brought on by invasive species and preserve the open space that the Conservation Commission maintains.

b) Pollinator Garden funding will be used to purchase pollinator-friendly shrubs, perennials, and seed mix (\$1,800) and soil amendment such as compost and straw (\$200) in order to install clusters of pollinator plants working to preserve and protect the open space's natural plant life and the insects and animals that rely upon it. The reproduction of plants and the life of our ecosystems depend upon pollination by birds, bats, bees, butterflies, beetles, and other small mammals.

Both projects are eligible for Community Preservation Fund's (CPF) Open Space Fund because they seek to preserve existing designated open space. Both projects would be funded by monies that have already been collected and received by the Town and will not impact the Town's tax rate. There are sufficient funds available for both projects in the CPF Open Space Fund.

**Reason to Approve:** These projects help to preserve the habitats and ecosystems of open space resources.

**Reason Not to Approve:** In the future there may be more pressing projects for which CPA funds may be used.



**TOWN OF WAYLAND**

**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

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

**Contact Information for Publication in Warrant**

**Contact Person Name:** Gretchen Schuler **Contact Person Phone:** 508-245-4115

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

**Proposing Board Information**

**Board Name:** Community Preservation Committee

**Board Vote (Quantum) to Submit Article:** 8-0-0 **Date of Board Vote:** 1/13/21

**Signature of Board Chairperson:** *Gretchen Schuler* **Date:** 1/14/21



**TOWN OF WAYLAND**

**RECEIVED**

**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

**JAN 14 2021**

*Attach extra pages if necessary*

Board of Selectmen  
Town of Wayland

**Article Title: CPA Recreation: Mill Pond Dam Walkway, Athletic Fields Design, Heard Farm Improvements (CPA-Historic Preservation in part)**

**Estimated Cost: \$79,260**

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

To determine whether the Town will vote to appropriate the following sums of money not to exceed:

a) \$21,760 from the Community Preservation Fund's Uncommitted Fund for Recreational use to be expended by the Board of Public Works to reconstruct the Mill Pond Dam walkway at Adams Park, off Millbrook Road; and

b) \$50,000 from the Community Preservation Fund's Uncommitted Fund for Recreational use to be expended by the Recreational Commission for design of playing fields and appurtenances at the Wayland Middle School, 201 Main Street; and

c) \$7,500 from the Community Preservation Fund of which \$5,500 from the Uncommitted Fund for Recreational use to be expended by the Conservation Commission to build a kiosk and signs at Heard Farm and \$2,000 from the Historic Preservation Fund to restore the historic apple orchard at Heard Farm, Heard Road off Pelham Island Road.

**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):

These recreational projects funded through the Community Preservation Fund (CPF), will enhance the opportunities for and experience of recreational activities in Wayland.

a) The Board of Public Works is custodian for parkland in Wayland including Adams Park at Mill Pond and thus for the walkway over the Mill Pond Dam. The walkway adjoins the Town's trail system and provides access across the Mill Brook at the dam outlet from Mill Pond. The walkway supports have deteriorated and the walkway is no longer stable. This project will replace the structure in location with a timber supports and a new pressure treated walkway.

b) The Recreation Commission is custodian of Town playgrounds and playing fields, which are open to the general public when school is not in session. The Commission requests design funds for improvements to four playing fields at the Wayland Middle School. The design plans will address reconstruction of the softball infield; replacement of the backstop and team bench areas; renovation of the surfaces of the softball outfield and multi-use rectangular field with root zone mix; installation of a new irrigation system; addition of bleachers and team benches; and, reconstruction and expansion of the parking lot.

c) The Conservation Commission is custodian of conservation land known as Heard Farm, which is one of Wayland's iconic landscapes. Covering 87 acres along the shores of the Sudbury River, Heard Farm provides visitors with exceptional passive recreation trails, unique wildlife viewing opportunities, and a chance to connect to Wayland's past. Many visitors to Heard Farm visit the property unaware of the rich history and unique habitat that surrounds them as they stroll along the grassy trails. The addition of an informational kiosk in the New Orchard section and signs, at the kiosk and in the parking area,





**TOWN OF WAYLAND**

**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

improves the recreational experience for those using the property. The kiosk request is for materials only because staff and volunteers will build it. Historic Preservation Funds will be used for restoration of the old apple orchard, a remnant of Wayland’s agricultural history from the 19<sup>th</sup> century.

All three projects are eligible for funding because the Community Preservation Act allows for preservation, rehabilitation, and restoration of recreational resources. These projects would be funded by monies that have already been collected and received by the Town and will not impact the Town’s tax rate. There are sufficient funds available for these projects in the CPF Uncommitted Fund and Historic Preservation Fund.

Reasons to Approve: These resources are well used by Town residents and will contribute to the available, passive (walkway and Heard Farm improvements) and active (playing fields) recreational activities.

Reason not to Approve: In the future there may be more pressing projects for which CPA funds may be used.

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

**Contact Information for Publication in Warrant**

Contact Person Name: Gretchen Schuler Contact Person Phone: 508-245-4115

Contact Person Town Email: gschuler@wayland.ma.us

**Proposing Board Information**

Board Name: Community Preservation Committee

Board Vote (Quantum) to Submit Article: 8-0-0 Date of Board Vote: 1/13/21

Signature of Board Chairperson: *Gretchen Schuler* Date: 1/14/21



**TOWN OF WAYLAND**  
**PETITIONERS' ARTICLE FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Establish Wayland Human Rights Commission

**RECEIVED**  
**Estimated Cost: 0**

**JAN 14 2021**  
**Board of Selectmen**  
**Town of Wayland**

**Article Text for Warrant:** To determine if the town will vote to:

To determine if the Town will vote to establish a Human Rights Commission (HRC), which will serve as a government entity specifically focused on promoting justice, equity, and inclusive humanity in all spheres of Wayland life (including but not limited to education, employment, law enforcement, housing, public accommodation, health, recreation, sports, and the arts) for all persons who live, work, study, worship in or visit Wayland for any reason.

The HRC shall consist of no fewer than 13 and no more than 17 members. At least 9 members shall be Voting Members. To qualify as a Voting Member, a person shall be a Town resident 18 years of age or older. A person may be appointed as an Associate Member even if the person is not a resident of the Town or 18 years of age or older. The Town Administrator / Town Manager may serve as an ex-officio, non-voting member of the HRC. The members of the HRC (with the exception of the Youth Member, who will serve a 1-year term) shall be appointed to serve 3-year terms with no member serving more than 6 consecutive years. The initial HRC appointments shall be for staggered terms so that 4 of the appointed members shall initially serve 1-year terms, 5 of the initial members shall serve 2-year terms, and all remaining initial members shall serve 3-year terms. The length of the initial staggered terms shall be determined by lottery.

The members of the HRC shall be nominated by the entities identified below. These entities shall consider the goal of the composition of the HRC when making such nominations, which is to have an HRC that represents a broad spectrum of the community, including but not limited to a diverse representation of race, skin color, sex, age, religion, ethnicity, physical or mental ability, sexual orientation, gender identity, family and/or marital status, educational status, health status and socio-economic status. In addition to these factors, the nominating entities may also consider diversity of professional expertise, advocacy experience, and community involvement.

Cognizant of these goals, HRC members shall be nominated as set forth below and then confirmed by a majority of the Board of Selectmen:

Three members shall be nominated by the Wayland Board of Selectmen. One member nominated by the Board of Selectmen shall serve as the Chairperson of the HRC for the first 6 months, after which time the HRC shall elect Co-Chairpeople from among the full HRC membership;

Two members shall be nominated by the Wayland School Committee;

One member, serving as the Youth Member of the HRC, shall be nominated by the Principal of the Wayland High School;

One member shall be nominated by the Chief of the Wayland Police Department;

One member shall be nominated by the Director of the Wayland Public Schools METCO Program;



**TOWN OF WAYLAND**  
**PETITIONERS' ARTICLE FOR TOWN MEETING**  
*Attach extra pages if necessary*

One member shall be nominated by the Wayland Council on Aging;  
One member shall be nominated by the Wayland Housing Authority; and  
One member shall be nominated by the Board of Library Trustees

The HRC shall nominate any remaining members up to a maximum of 17 not otherwise appointed, as above (including filling remaining unexpired terms), by seeking applications from a broad range of interested persons who shall reflect the HRC's goals as set forth above. In the case of the initial HRC, such nominations shall be made no later than 60 days following the first meeting of the HRC.

The HRC shall be authorized to:

- (1) Receive reports from individuals alleging a violation of human rights. Such violations may include, but are not limited to, allegations of inequity or mistreatment on the basis of race, skin color, sex, age, religion, ethnicity, physical or mental ability, sexual orientation, gender identity, family and/or marital status, educational status, health status, or socio-economic status. Upon receipt of a report, the HRC may suggest resources and provide referrals for human services and other resources as appropriate to the situation and/or report and refer reported matters to relevant Town, state, and/or federal authorities for investigation and disposition within their respective jurisdictions.
- (2) Mobilize Town entities (including but not limited to Town departments, elected and appointed Town boards, committees, councils, and commissions) to:
  - (a) identify discriminatory impacts of entity practices;
  - (b) establish justice, equity and inclusive humanity goals;
  - (c) collect and analyze data to measure progress toward these goals;
  - (d) determine what steps are needed to end or mitigate the negative impact of public and private policies and practices that are found to be barriers to the achievement of these goals.
- (3) Collaborate with representatives from historically disadvantaged groups to better understand barriers to justice, equity and inclusive humanity in the community, promote mutual understanding and respect for differences, develop strategies for ending inequities and eliminating these barriers, and organize community education events.

The HRC shall be directly accountable to the residents of the Town. To ensure such accountability, the HRC shall submit annually a written report for the record at Annual Town Meeting. The HRC shall also hold an annual public forum within two months of Annual Town Meeting, which includes an oral report by members of the HRC and an opportunity for the public to ask questions and provide comments to the HRC.



TOWN OF WAYLAND

PETITIONERS' ARTICLE FOR TOWN MEETING

Attach extra pages if necessary

#	Print Name Legibly	Signature	Print Street Address
1	Kimberly E. Winter	<i>[Signature]</i>	11 Glover Rd Wayland
2	Terrie Livingston	<i>[Signature]</i>	7 Old Vineyard Way, Wayland
3	Nora Rothschild	<i>[Signature]</i>	150 Concord Rd Wayland
4	Barry Rothschild	<i>[Signature]</i>	150 Concord Rd, Wayland
5	ELAINE DONIVELLY	<i>[Signature]</i>	36 HAMPSHIRE RD, WAYLAND
6	AMRUTA MHATRE	<i>[Signature]</i>	16 HAMPSHIRE RD. WAYLAND
7	Margaret M Ingolia	<i>[Signature]</i>	25 Lee Rd., Wayland
8	Heather A. Pineault	<i>[Signature]</i>	53 Country Corners Rd. Wayland
9	Christopher C. Winter	<i>[Signature]</i>	11 Glover Rd wayland
10	Rachel M. Sideman-Kurtz	<i>[Signature]</i>	69 Plain Road, Wayland
11	Jeffrey L. Kurtz	<i>[Signature]</i>	69 Plain Rd, Wayland
12	Judy Ling	<i>[Signature]</i>	274 Concord Rd, Wayland
13	Steven Klitgord	<i>[Signature]</i>	274 Concord Rd, Wayland
14	ANDREW A. NIERENBELL	<i>[Signature]</i>	113 OXBOW RD, WAYLAND



**TOWN OF WAYLAND**  
**PETITIONERS' ARTICLE FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Establish Wayland Human Rights Commission

**Estimated Cost:** 0

**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):

**Introduction and Background Regarding the Petitioner's Article to Establish a Human Rights Commission in Wayland**

The idea for this Petitioner's Article to Establish a Human Rights Commission in Wayland began in January of 2020 when a small group of residents began to explore the idea of a Human Rights Commission (HRC) for the Town of Wayland. The group, which has informally adopted the name "HRC Study Group" now includes about a dozen residents who have been meeting almost weekly since June to learn how a Human Rights Commission might serve the needs of Wayland.

Human Rights Commissions, which exist in cities and towns across the United States and the world, are based on the principle that every person has equal value and dignity no matter who they are. HRCs can provide resources and support for individuals who experience identity-based mistreatment or discrimination, educate the public, champion equitable policies and practices, and more.

In Massachusetts, there are nearly 40 municipal-level HRCs that offer these protections across a range of commission and committee models. The HRC Study Group has investigated many of these models with a goal of identifying what entity, if any, would best serve the Wayland community.

Members of the HRC Study Group represent a wide range of experiences professionally and personally, including attorneys, educators, fundraisers, PhDs, parents, researchers, members of various town committees and boards, and individuals who have lived in Wayland from one year to many decades. The group has been aided by a faculty member at Northeastern University School of Law who specializes in human rights at the international, national and local levels. In the course of the work of the HRC Study Group the Northeastern University School of Law Professor and her research assistants have investigated and written informal memoranda on the structure of HRCs in other town and cities in Massachusetts as well as other HRCs across the country, the possible investigative powers of a town-based HRC in Massachusetts including whether or not a town-based HRC can issue a subpoena (they do not have independent subpoena power), and the relationship of an HRC to Massachusetts Open Meeting Laws.

It is important to note that members of the HRC Study Group are not necessarily seeking to serve as commissioners of an HRC but, rather, are focused on its design, implementation, and eventual evaluation.

Since June 2020, the HRC Study Group has:

- Studied the need for, and potential contours of, a Human Rights Commission for Wayland
- Heard directly and indirectly regarding incidents of bias in Wayland
- Learned from other HRCs around the Commonwealth and the country



## TOWN OF WAYLAND

### PETITIONERS' ARTICLE FOR TOWN MEETING

*Attach extra pages if necessary*

- Expanded its focus from racial equity to human rights more broadly, and
- Developed the [Lived Experiences Project](#) to explore the dimensions of bias incidents through a survey to collect personal narratives (survey launched on International Human Rights Day, Dec 10, 2020).

#### **Why does Wayland Need a Human Rights Commission?**

*"Where, after all, do universal human rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighbourhood he lives in; the school or college he attends; the factory, farm or office where he works.*

*Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerted citizen action to uphold them, we shall look in vain for progress in the larger world."*

- Eleanor Roosevelt, speech commemorating the 10th anniversary of the Universal Declaration of Human Rights

Identity-based mistreatment and discrimination occur everywhere in the United States, and Wayland is no exception. Incidents of identity-based mistreatment in Wayland have been reported, for example, in the "bipoc.wayland" [Black, Indigenous and Other People of Color] and "Dear Wayland" Instagram accounts. Friends and neighbors have shared accounts of similar incidents with members of the HRC Study Group, including individuals in the group who have been targets of such incidents. While various Wayland entities play a crucial role in ensuring the safety and wellbeing of Wayland residents, there is currently no one civic body charged with ensuring that policies, practices and programs are in place to prevent these occurrences and, if that is not possible, to provide recourse and assistance to our neighbors who are impacted.

For example, currently if a person in Wayland is the target of an identity-based incident they can report it to the police, but they may not know where to turn for support. If an HRC were in place, a person could contact the HRC to get support, resources and advocacy on their behalf.

Establishing a Human Rights Commission would align Wayland with peer and neighboring towns, including [Arlington](#), [Belmont](#), [Concord-Carlisle](#), [Framingham](#), [Lexington](#), [Maynard](#), [Needham](#), [Newton](#) and [Winchester](#), who are working to improve the quality of life for all residents no matter their racial identity, religion, sexual orientation, gender identity, country of origin, or other aspect of identity. Creation of an HRC would establish Wayland as a town where residents and town officials share a belief that every person has equal value and dignity no matter who they are.

#### **Purpose of a Human Rights Commission**

The purpose of a Wayland Human Rights Commission would be to champion the achievement of justice, equity and inclusive humanity in all spheres of Wayland life for all people who live, work, study, worship in or visit Wayland. The work of the HRC would be guided by these values:

-What binds people together is greater than what separates us



**TOWN OF WAYLAND**  
**PETITIONERS' ARTICLE FOR TOWN MEETING**  
*Attach extra pages if necessary*

- Every person has equal value and dignity no matter their race, color, sex, religion, physical or mental ability, origin or ancestry, ethnicity, sexual orientation, gender identity, marital status, socio-economic status or a combination of identities
- Everyone deserves equal access to benefits, privileges and power
- All groups of people are inherently equal, and no group is inferior or superior to another
- Working to achieve these goals is an immediate obligation

These values are rooted in the universal human rights principles expressed in the United Nations' Universal Declaration of Human Rights.

The HRC would comprise a volunteer group of Wayland stakeholders, representing various aspects of town life. The HRC Study Group held many discussions on the proposed composition of the HRC and concluded that the membership set forth in the article represents a wide variety of different groups who would nominate members while also allowing the HRC itself to nominate additional members to ensure diversity and inclusive humanity within the HRC. In addition, allowing the entities to nominate the members, who are then subject to confirmation by the Board of Selectman, will encourage the necessary autonomy of the members and entities while ensuring that the HRC also has sufficient authority to take any necessary action.

### ***What's Happening in Other Locations?***

Many towns and cities across Massachusetts have Human Rights Commissions or Committees. The Massachusetts Human Rights Coalition (MAHRC) is a coalition of "municipal and local agencies responsible for promoting human and civil rights and harmonious relationships among diverse groups at a local level." Members of the Wayland HRC Study Group have attended several MAHRC meetings. A list of Human Rights local and municipal agencies in Massachusetts can be found here on the MAHRC website. In addition, the Wayland HRC Study Group researched 24 of these agencies and created a summary of its findings here.

The International Association of Official Human Rights Agencies maintains a list of U.S. State-level human rights organizations, such as the Mass Commission Against Discrimination here in the Commonwealth, as well as city and town human rights organizations around the U.S. and Canada.

The US Human Rights Network is home to the National Human Rights Cities Alliance, a membership organization that promotes human rights cities projects around the U.S. This organization has published a statement of human rights city principles.



**TOWN OF WAYLAND**  
**PETITIONERS' ARTICLE FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Petitioners' Comments (150-word limit per Town Code):**

Human Rights Commissions (HRCs) exist nationally and internationally, including nearly 40 municipal HRCs in Massachusetts. Their underlying principle is that everyone has equal value and dignity. HRCs provide resources and support for individuals who experience identity based mistreatment or discrimination, educate the public and champion equitable practices.

Wayland needs an HRC because, like everywhere else, identity based mistreatment and discrimination occur here. Such incidents have been shared in many ways including responses to the Lived Experiences Project. While various entities play a crucial role in ensuring the safety and well being of Wayland residents, no one civic body is currently charged with ensuring that policies and programs are in place to prevent occurrences and provide assistance to those impacted. An HRC would be the government entity so authorized and would establish Wayland as a town where residents and town officials share a belief that everyone has equal value and dignity.

**Lead Petitioner's Contact Information\***

Name (for publication in warrant): Karen Blumenfeld

Phone (for discussing article): (508)272-1384

Email (for publication in Oxbow3@comcast.net

Signature of Lead Petitioner: Karen Blumenfeld Date: 1-13-21

*\* The lead petitioner will serve as spokesperson for the article and will be the contact person for the Finance Committee, Board of Selectmen, and Planning Board, if the petition is a zoning issue.*





TOWN OF WAYLAND

RECEIVED

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

JAN 14 2021

Attach extra pages if necessary

Board of Selectmen  
Town of Wayland

Article Title: **LOKER TURF FIELD CONSTRUCTION**

Estimated Cost: **\$3,600,000**

**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 of not more than \$3,600,000 to be expended under the direction of the Wayland Recreation Commission for designing, permitting, engineering and constructing a multi-purpose synthetic turf athletic playing field at the Loker Conservation & Recreation Area including playing surfaces, lighting, drainage, landscaping, recreational amenities, access and parking areas; and any and all other costs incidental or related thereto;
- b) Provide for said appropriation by borrowing, taxation, transfer from unappropriated funds, transfer from available funds appropriated for other purposes, or otherwise, provided not more than \$188,816 of the funds appropriated shall be transferred from the Recreation Stabilization Fund;
- 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.

**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):

**2019 FINANCE COMMITTEE COMMENTS:** This Article would authorize \$3,600,000 for the construction of a multi-purpose synthetic turf field at the Loker Conservation & Recreation Area, an area that the Town purchased for \$1.7 million in 2000. At a Special Town Meeting in November 2017, the Town approved design funds for this project, of which \$154,000 was expended. The scope of this project includes a regulation-sized field (measured at 195' by 330') and includes the playing surfaces, lighting, drainage, landscaping, amenities, access roads, and parking areas. Of the total sum, \$188,816 is to be transferred from the Recreation Stabilization Fund, and up to \$200,000 is to be transferred from the Recreation Revolving Fund. The requested funds are anticipated to be expended in FY 2022.

The Recreation Commission recommends the construction of this field to address a playing field shortage in Wayland. It is estimated that there are over 6,000 children, adults, and seniors who use Wayland Recreation sites annually. The Town cannot currently meet demand at our present field capacity, has been unable to find fields in other towns with capacity to rent, and, as a result, needs to turn kids away from youth sports. The *Wayland Town-Wide Recreation Facilities Strategic Plan* concluded that Wayland grass fields are significantly over-utilized, deteriorating, and deficient. Both Weston & Sampson Engineers in the Strategic Plan and Gale Associates, Inc. have suggested that our grass fields be used 400-600 hours per year. Using this standard and, based on presumed field usage data for actual field permits issued by the Recreation Department since 2017, we are currently overusing Wayland's existing assets by an average of 5,000 hours per year. This represents a



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**

*Attach extra pages if necessary*

deficit of eight to twelve grass fields. A single, rectangular turf field with lights can accommodate over 2,400 hours of usage per year, or cut in half the deficit faced by the Town. Using synthetic turf instead of natural grass turf allows for many more hours of usage which natural grass cannot withstand, especially with New England weather. While turfing over an existing grass field does add some hours of playability, adding a new field footprint does much more. For example, Cochituate Ball Park is already used by Wayland athletes from 8:00 am to 10:00 pm almost daily, changing the surface to synthetic turf does not add much, if any, play time.

The synthetic turf field is proposed to have virgin crumb rubber infill. A similar Article considered during the 2019 Annual Town Meeting for a synthetic turf field at the Loker Area proposed a crumb rubber infill. The decision to use this infill material was made after thorough analysis by a Weston and Sampson toxicologist and community input, including by the School Committee, the Recreation Commission, and the Permanent Municipal Building Committee (PMBC). Analysis of research was compiled by the School Committee and virgin crumb rubber infill was approved by the Recreation Commission on November 19, 2019, and the PMBC on July 18, 2018. Crumb rubber is the most widely used infill and most researched material for synthetic turf fields. This Article proposes the infill choice of “virgin” crumb rubber. Unlike crumb rubber, “virgin” crumb rubber is made from known components that can be modified to enhance the product and avoid specific chemicals. Although virgin crumb rubber has a higher cost than alternative infills, it is a material that requires less maintenance, provides good drainage, and does not float.

The publication of a recent study, reported in local news articles, addressed potential health concerns regarding PFAS, man-made chemicals that do not degrade easily, in synthetic turf blades/fibers. Studies show, however, that only a small amount of PFAS can be absorbed through the skin, and that 98% of Americans have detectable levels of PFAS in their blood. The turf field installed at Wayland High School was manufactured without PFAS. The Town would require that the construction specifications for the field installed at the Loker Area prohibit use of PFAS, as confirmed by the carpet provider.

Design and construction bid documents are complete. The project is being managed by the same team who managed the recent WHS Stadium Project: PMBC, the Town Project Manager and an Owner’s Project management firm, *Left Field, Inc.*

As of the publication of the Warrant, the project still requires approvals and permits from the Conservation Commission and the Zoning Board of Appeals. The approval of this warrant article does not obviate the need for permits. The Conservation Commission previously voted twice on the applications for this project. Both applications resulted in a draw vote, which is a procedural denial, and therefore the Commission issued neither a permit nor conditions. The Town will apply a third time for the permit in early 2021 with the intent to obtain all required permits before ATM.

The Zoning Board of Appeals is expected to consider the project for a Special Permit for lights and Site Plan approval in early 2021. Throughout 2018 and 2019, the Town invested over \$150,000 to design this project, as well as many public meetings, resources, personnel, professional studies, and consultant reviews. Approval of this article appropriates the funds and does not obviate the need for any regulatory permits. While the upfront cost of developing a synthetic turf field at Loker is twice the cost of a grass field, the higher cost is justified by 1) lower annual maintenance costs (because there is no need to mow, seed, fertilize, irrigate, or paint); 2) increased availability and usage; and 3) the need for fewer total fields to meet the Town’s athletic and



## TOWN OF WAYLAND

### SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

*Attach extra pages if necessary*

recreational needs.

The total ongoing costs for turf maintenance is estimated to be \$10,500-\$19,000 annually:

- Maintenance of the artificial turf surface: \$6,500-\$15,000 (Weston & Sampson has estimated \$10,000-\$15,000/year for maintenance of a generic turf field. The current contract for the maintenance of the artificial turf playing surface at the High School ranges from \$6,500-\$8,000/year).
- Routine parks maintenance of natural areas, toilets, trash, and recycling, and parking: \$4,000. The Department of Public Works (DPW) will perform the routine parks maintenance of natural areas, trash and recycling, and parking areas. The field maintenance will be managed through the Recreation Department and funded by field users.

According to Weston & Sampson, newer generation turf fields have a lifespan of 10 years or more. Synthetic turf carpet replacement was estimated at a cost of approximately \$900,000. The Recreation Commission considered as many as 12 other Town land parcels for locating a new field. The challenges vary from site to site, but each involve significant tree removal and land clearing, building expensive access roadways and parking lots, while protecting wetlands areas. The Loker Area site has an existing paved asphalt access roadway and the remnants of the Dow Chemical parking lot. While there is tree removal expected, much of the area is open and clear because the site was home to the former Dow building. Approximately 45 trees in the wetlands area are planned to be removed and will require replacement, and an additional 268 trees in upland areas will be removed. The design includes a replacement planting plan that will replant 221 new trees and shrubs at the site. A new parking lot at Loker could also serve to allow public access to conservation land through use of an existing trail system. An additional \$118,000 of CPA funds appropriated during the 2019 Annual Town Meeting could partially offset the cost of this project's parking lot. The Loker Field plan utilizes the existing access road and calls for 63 parking spaces planned, which is more parking than most other recreational facilities in Wayland. A consultant not affiliated with this project conducted a peer-reviewed traffic study, which concluded that the traffic in the area of the project is rated D, and the installation of a new field would not worsen the traffic rating.

After design, the nearby North Pond was certified as a protected vernal pool. Vernal pools are unique but temporary wildlife habitats best known for the amphibians and invertebrate animals that use them to breed. The project could mitigate the effect of development by cleaning up old debris that has remained after Dow Chemical vacated and also enhance the trail system to distance other threats to the vernal pools.

In its prior denial of a permit for this project on April 25, 2019, the Conservation Commission noted concern with relocating the Conservation Trail and adding vegetation to protect the vernal pools. The project was designed to sit outside the thirty-foot buffer 'No Build Zone' that protects the Wetlands.

Overall, the design team felt the project is improving the habitat in and around the wetlands by removing old asphalt and fencing abandoned by Dow Chemical. The project was also designed to comply with the 2013 Historical Commission's directive to avoid any area that was of Native American tribal, archeological, ceremonial, or historical significance. Wayland residents approved the use of excluded debt for this project at the polls in the April 2019 election, which Massachusetts Department of Revenue confirms is still valid. At the 2019 Annual Town Meeting, a similar Loker Turf Article was considered but narrowly did not obtain the 2/3 threshold needed to approve the funding.



## TOWN OF WAYLAND

### SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

*Attach extra pages if necessary*

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

Since 2000, Wayland has invested almost \$2M in the purchase and design of the Loker site. The design utilizes land that is deeded specifically for recreational use and continues to lie vacant for over 20 years. Recreation studied and pursued over a dozen other suitable options to alleviate the over-usage of its grass fields and Loker was deemed most suitable for a multipurpose turf field. Grass fields continue to deteriorate from over-utilization. When school dismissal times changed, field shortages became dire, shifting youth organizations to using school fields after dark. Access to outdoor recreation is valuable to both individuals and the Wayland community at large, now more than ever. The turf project demonstrates fiscal responsibility by: 1) lower maintenance costs; no need to mow, seed, water, or paint 2) the need for less grass fields 3) significantly greater playing time, both by hours/day and days/year. FAQ at [wayland.ma.us](http://wayland.ma.us).

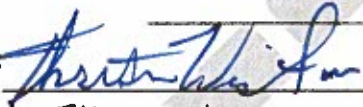


**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Contact Information for Publication in Warrant**

**Contact Person Name:** K. Brenna **Contact Person Phone:** 6864  
**Contact Person Town Email:** [kbrenna@wayland.ma.us](mailto:kbrenna@wayland.ma.us)

**Proposing Board Information**

**Board Name:** Recreation Commission  
**Board Vote (Quantum) to Submit Article:** 5-0-0 **Date of Board Vote:** 01/05/2021  
**Signature of Board Chairperson:**  **Date:** 11/13/2021  
HEUSTON WRIGHT

DRAFT



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

**TEXT FROM 2020 WARRANT ARTICLE**

**ARGUMENTS IN FAVOR:** This proposal would establish a new multi-purpose playing field for Wayland Recreation users and allow the Recreation Department to enhance and expand current program offerings for preschool, adult, and senior groups.

The addition of this field will partially alleviate the severe overuse of existing recreation grass fields. A new rectangular turf field will allow for the rest and rehabilitation of existing recreation fields that need repair. Existing conditions of Wayland grass fields are deteriorating and deficient. Rehabilitation would ensure safer playing fields for all Town residents.

Based on usage trends in Wayland, the Town currently has a field deficit of over 5,000 hours. An additional lighted field can accommodate over 2,400 hours of usage per year. An additional full-size grass field would accommodate approximately 400-600 hours of usage. One lighted turf field can accommodate 4-6 times the capacity of a grass field.

The addition of a field with lighting has become increasingly more important since the Wayland Public Schools shifted their school start times later in the day, thus pushing back the start time at which children can begin use of the fields.

The average cost to maintain a synthetic turf field is less than the average cost to maintain a grass field.

Synthetic turf requires no mowing, painting, fertilizers, irrigation, saving thousands of gallons of water per year, while also reducing the burden on the DPW. Wayland is the only community in the Dual County League that does not have multiple turf fields to support its programs.

Building this field will utilize a site that is delineated for recreation and has been vacant since 2000.

**ARGUMENTS OPPOSED:** Opponents argue that this proposal is too expensive and that a field could be built at lower cost on another site in Town.

These resources would be better spent to complete the upgrade of fields in the Recreation Department strategic plan, including Alpine, Claypit, Schwartz/Riverview, and Middle School fields.

The construction plans for the Loker turf field may require the removal of ledge in addition to soil removal. Opponents note that costs could escalate if ledge removal is more difficult than anticipated.

Artificial turf fields may pose greater danger of severe burns and heat illness during summer weather since field surface temperatures are higher on artificial turf fields; surface temperatures can reach as high as 200 degrees Fahrenheit.

A higher capacity artificial turf field will have more use than a grass field and may have a greater impact on traffic. There are also concerns about the adequacy of on-site parking and the potential for overflow parking in the adjacent neighborhood, as well as the ability of the roadway to handle emergency vehicles.

Residents have expressed concerns regarding the safety of materials in the synthetic turf, particularly turf fibers and crumb rubber infill. Opponents argue that "virgin" crumb rubber does not eliminate the issue and that a different infill (like walnut shells, cork, or coconut) should be used as an alternative.

Opponents may argue that the site was cleaned up twenty years ago using the required standards at the time. Given that standards have changed, opponents argue that additional testing should be conducted to better understand potential hazards at the site and ensure safety.



**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*

Opponents may argue that consideration of this Article is premature based on the Town's recommended Five-Year Capital Improvement Plan, which recommended funding for this project in FY 2022.

As of the publication of the Warrant, the project has not received the Conservation Commission permits or the Zoning Board of Appeals approval. Concern exists that the requirements included in these approvals could cause costs to increase.

**RECOMMENDATION:**

**QUANTUM OF VOTE:** 2/3 vote – See General Laws, Chapter 44, Sections 7 and 8.

*For more information about this article, contact Recreation Director Katherine Brenna at 508-358-6864 or email [kbrenna@wayland.ma.us](mailto:kbrenna@wayland.ma.us).*



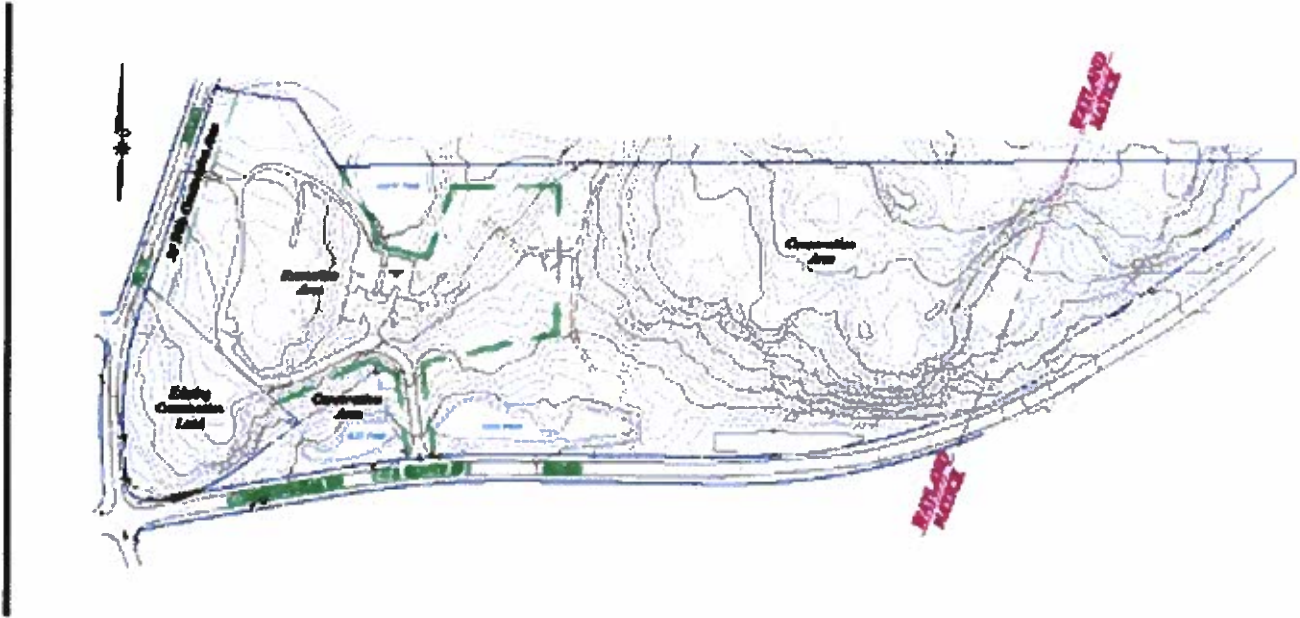
**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*







**TOWN OF WAYLAND**  
**SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING**  
*Attach extra pages if necessary*



**412 Commonwealth Road | Loker Conservation & Recreation Area**



TOWN OF WAYLAND

PETITIONERS' ARTICLE FOR TOWN MEETING

Attach extra pages if necessary

Article Title: Law Enforcement Officers Recognition Day Estimated Cost: 0

Article Text for Warrant: To determine if the town will vote to: declare that January 9 of every year, beginning 2022 in Wayland, Massachusetts shall be recognized as "Law Enforcement Officers day"

Table with 4 columns: #, Print Name Legibly, Signature, Print Street Address. Contains 14 rows of handwritten entries.

Sign page 1 and 2



**TOWN OF WAYLAND**  
**PETITIONERS' ARTICLE FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Law Enforcement Officers Recognition Day **Estimated Cost:** - 0 -

**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):

*see attached*

**Petitioners' Comments** (150-word limit per Town Code):  
*see attached.*

**Lead Petitioner's Contact Information\***

**Name (for publication in warrant):** Virginia A Gardner

**Phone (for discussing article):** 617-721-1062

**Email (for publication in warrant):** virginiagardner@aol.com

**Signature of Lead Petitioner:** Virginia Gardner **Date:** 1-02-2021

*\* The lead petitioner will serve as spokesperson for the article and will be the contact person for the Finance Committee, Board of Selectmen, and Planning Board, if the petition is a zoning issue.*

**PETITION TO MAKE JANUARY 9, AN ANNUAL RECOGNITION DAY FOR WAYLAND, MASSACHUSETTS LAW ENFORCEMENT OFFICERS**

**WHETHER IT IS CIVIL UNREST, LABOR STRIKES, HUGE SPORTING EVENTS, OR JUST HELPING A CAT GET DOWN FROM A TREE, LAW ENFORCEMENT OFFICERS ARE A CRITICAL PART OF OUR LIVES, WOVEN INTO THE EVERYDAY FABRIC OF LIVING IN AMERICA. THEY KEEP OUR NEIGHBORHOODS SAFE AND HELP ENSURE THAT WHATEVER IT IS YOU NEED TO DO; YOU CAN DO WITH PEACE OF MIND. THEY ARE OUR FIRST LINE OF DEFENSE**

**Let's show Wayland Law Enforcement that the difficult career path they have chosen is recognized by the people of Wayland who they protect and uphold the law for. Let's make January 9 an annual event for recognizing how important our Law enforcement officers are. Word count**

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RECEIVED

JAN 15 2021

Board of Selectmen  
Town of Wayland

2:35pm

**Article Title:** Implement Recommendation of the Elementary Space Utilization Study for the 2021-2022 School Year

**Estimated Cost:** \$350,000

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

To determine whether the Town will vote to:

- a) Appropriate the sum of \$350,000 to be expended under the direction of the School Committee for the design, permitting, engineering, leasing, placement and installation of temporary or modular space units and construction to provide for the additional space needs at the Elementary Schools resulting from the COVID-19 related response to in person instruction as recommended by the (contracted) TBA Architect Space Utilization Study; including any and all other costs incidental or related thereto;
- b) Provide for said appropriation by borrowing, taxation, transfer from unappropriated funds, transfer from available funds appropriated for other purposes by borrowing under MGL Chapter 44 or any other enabling authority, or otherwise;
- c) Authorize the School Committee and the Town Administrator to take any action necessary to carry out this program.

**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):**

A space utilization study conducted by TBA Architects in early winter built on the work of the district's 2012 utilization study and the 2020 ventilation assessment. It identified essential space requirements for the 2021-2022 school year commencing in August 2021. The estimated cost of this project reflects the lease, placement and installation costs for temporary or modular units sited at the elementary school campuses and construction costs associated with adding, remodeling, refurbishing and repurposing space at the elementary schools. This request would require project management services.

Implementation of the Space Utilization Study recommendations will resolve capacity issues related to COVID-19 to ensure our instructional and student services staff have the spaces necessary in which to deliver and conduct educational services. Elementary school class sizes and instructional spaces are at capacity as a result of COVID-19 driven instructional needs. Due to DESE's requirements for health waiting rooms, ventilation specifications and social distancing protocols, certain spaces within each elementary school have become limited or altogether unavailable for service delivery. There is a need to restore spaces for service delivery and conducting confidential parent and student services meetings.

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

To return more students to an all-in model with continued COVID-19 health and safety requirements, there is a need to restore spaces for service delivery and conducting confidential parent and student services meetings. The completion of this work will make certain that educational and student support services will be delivered in safe and appropriate spaces.

**Contact Information for Publication in Warrant**

Contact Person Name: Jeanne Downs Contact Person Phone: 358-0270

Contact Person Town Email: jeanne-downs@waylandps.org

**Proposing Board Information**

Board Name: Wayland School Committee

Board Vote (Quantum) to Submit Article: 5-0-0 Date of Board Vote: 1/13/21

Signature of Board Chairperson: Jeanne Downs Date: 1/15/21



TOWN OF WAYLAND

PETITIONERS' ARTICLE FOR TOWN MEETING

Attach extra pages if necessary

RECEIVED

JAN 15 2021

Board of Selectmen  
Town of Wayland

2:23 PM

Article Title: Resolution to Declare a Climate Emergency

Estimated Cost: TBD by Task Force

Article Text for Warrant: To determine if the town will vote to:

- 1) Declare that a climate emergency threatens our town, all human civilization, and the natural world; and that a climate emergency mobilization effort to meet this challenge is both a moral imperative to remedy environmental harms and an opportunity to convert to a just and ecologically sustainable economy and improve human lives;
- 2) Commit to a town-wide mobilization of municipal departments, boards, commissions, residents, and businesses, with the ambition of achieving an 85% reduction of community-wide greenhouse gas emissions from its current levels by 2030;
- 3) Create a Climate Emergency Mobilization Task Force composed of members of The Energy and Climate Committee and other residents to: (1) within 3 months report on means to achieve a rapid phase-out of fossil fuel use in Wayland municipal operations as well as residential and business settings, including changes to local ordinances and permitting processes, incentive programs, local renewable power generation, and municipal operations, and (2) within 6 months develop a 10-year Climate Mobilization Action Plan for Wayland to achieve the above goal of an 85% reduction of community-wide greenhouse gas emissions from its current levels by 2030, which addresses greenhouse gas mitigation; resilience; adaptation; engagement; education; and taking into account the consequences of recommended technologies on residents beyond our town's borders. The planning process shall engage residents representing various ages, incomes, racial backgrounds;
- 4) Submit a certified copy of this resolution to elected officials at the county, state, and federal levels as well as to relevant agencies and request that all relevant support and assistance in effectuating this resolution be provided and encourage a state-wide, regional, and national climate emergency mobilization effort.

#	Print Name Legibly	Signature	Print Street Address
1	Michael Delman	Michael J. Delman	192 Stonebridge Road
2	Stephanie Howard	Stephanie Howard	192 Stonebridge Road
3	Daryl Vanderburgh	[Signature]	31 Stonebridge Rd.
4	Linda Vanderburgh	Linda Vanderburgh	31 Stonebridge Rd.
5	Zoe Hughes	[Signature]	26 Lake Road
6	Mark Hughes	Mark Hughes	26 LAKE RD
7	Karen MS Hughes	[Signature]	26 Lake Rd
8	John McGah	John McGah	24 Shawmut Ave.
9	Kathryn Y. Lee	[Signature]	69 Woodridge Rd
10	Bernard Lee	[Signature]	69 Woodridge Rd



TOWN OF WAYLAND  
PETITIONERS' ARTICLE FOR TOWN MEETING  
*Attach extra pages if necessary*

11	KATRIEN VANDER STRAETEN	<del>Amundtson</del>	60 SHAW DRIVE
12	SATRAJIT GHOSH	Satrajit Ghosh	60 SHAW DR
13	Molly Foresman	Molly Foresman	123 Stonebridge Rd.
14	BEN SUPNIK	<del>Molly</del>	10 GRACER D
15			

DRAFT





**TOWN OF WAYLAND**  
**PETITIONERS' ARTICLE FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title: Resolution to Declare a Climate Emergency**

**Estimated Cost: TBD by Task  
Force**

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**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):

Climate change has been widely acknowledged as an existential threat to humanity, the single greatest concern we face with rippling and escalating consequences if it is ignored. Recognizing the climate crisis as the emergency it is creates a cultural pivot that mobilizes us at the municipal and individual level to respond with the urgency that is required. The pandemic that currently floods our hospitals and destroys our businesses is a harbinger of the numerous problems we in Wayland will face and, indeed, humanity faces worldwide if we continue our trajectory of limiting ourselves to incremental change. We must scale at a far more rapid pace in order to prevent the worst effects of heat waves, storms and flooding, the rampant spread of new diseases, population dislocations, disruptions to food supply, and numerous other effects from greenhouse gas emissions. The Intergovernmental Panel on Climate Change's 2018 report starkly stated the dire consequences if we do not reduce emissions sufficiently by 2030, and as a nation, we have wasted over two of those years. The costs of inaction far outweigh the costs of making significant changes.

While state and federal legislation may be forthcoming, there are two concerns in delaying town-wide action. First, waiting and hoping is a poor strategy. We have seen our state delay too many times, just this winter with the legislatures' bill, S. 2995, and the federal government is far more divided on prioritizing climate issues than our own town. Second, Wayland is in a position to lead. Some of the leading thinkers on the issues are members of our Town. We also have more resources than most towns in the state. Out of 351 towns and cities, Wayland ranks 11<sup>th</sup> in median family income at \$204,000. Wayland needs to and can be at the forefront of creating and implementing innovative policies and practices.

Opposition is likely to be centered on the fact that the actual price tag is unknown and cannot be determined until the appointed Task Force returns with its findings. The role of the Task Force is to find one or more paths to achieving the stated goal of reducing emissions by 85% from current levels by 2030. Of course, the Task Force may return with a modified goal that is somewhat lower, and whatever recommendations are made will need to be approved.



**TOWN OF WAYLAND**  
**PETITIONERS' ARTICLE FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Petitioners' Comments** (150-word limit per Town Code):

Climate change has been widely acknowledged as an existential threat to humanity, the single greatest concern we face and one with rippling and escalating consequences if it is addressed only incrementally. Recognizing the climate crisis as an emergency mobilizes us at the municipal and individual levels to respond with the urgency that is required. The Intergovernmental Panel on Climate Change's report starkly stated the dire consequences if we do not reduce emissions sufficiently by 2030: heat waves, storms and flooding, the rampant spread of new diseases, population dislocations, and disruptions to food supply among others. Taking bold action is the best way we can exert pressure upward to state and federal levels just as 1800 other municipalities around the world already have. Wayland has the knowledge and resources to lead. We owe this to our children, our grandchildren, and the planet itself.

**Lead Petitioner's Contact Information\***

**Name (for publication in warrant):** Michael Delman

**Phone (for discussing article):** 774-279-6395

**Email (for publication in** mdelman@BeyondBookSmart.com

**Signature of Lead Petitioner:** Michael S. Delman **Date:** January 14, 2021

\* *The lead petitioner will serve as spokesperson for the article and will be the contact person for the Finance Committee, Board of Selectmen, and Planning Board, if the petition is a zoning issue.*



**TOWN OF WAYLAND**  
**PETITIONERS' ARTICLE FOR TOWN MEETING**  
*Attach extra pages if necessary*

**RECEIVED**

JAN 15 2021

Board of Selectmen  
Town of Wayland

4:29 PM

**Article Title:** Support Information Ombudsman Resources **Estimated Cost:** \$25,000

**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):

“Everyone is entitled to his own opinion, but not to his own facts.”  
 – Daniel Patrick Moynihan

In light of violent events in our nation’s Capitol in January 2021, which were motivated in large measure by Americans believing false information disseminated on social media – and then accelerated by the tinder of the internet where lies travel six times faster than truth (*Source: The Social Dilemma, 2020*) – we must begin to create tools to help discern between fact and fiction. Words matter. The truth matters.

Yes, everyone has first amendment rights. But when *results* stemming from First Amendment rights – particularly when speculation or lies are passed as truth and not challenged – begin to tear apart the fabric of a community, we are beginning to realize that a community must stand up and help truth rise to the surface, for the good of all.

Here in Wayland, our community has been impacted by tough debates and decisions over the years. We have many more to come. Together, now it is all the more important to seek out facts and truth so that we can make these decisions together as a community, reasonably and in good faith. We can do better.

Our local social media community is rich in resources, including non-governmental websites, pages and groups like Wayland Buzz, Wayland eNews, Wayland CPA, Wayland Community Facebook page, PTO, Wayland Voters Network and many others. However, not all are transparent in listing authors and contributors. Some have opinions or speculation which are conveyed as truth, and some may unwittingly convey incorrect information.

For some platforms, like Wayland Community Facebook page, there are often chats and speculation as to what may be happening in town, all pure curiosity. With an innocuous question of “Does anyone know anything about [insert topic here]...” three or four people may chime in who may not have full information, so what ends up being circulated is not based on facts. There is no malice, but dialogues often may include misinformation about Town services, infrastructure or schools.

In other platforms, misinformation or lack of clarity leads to friction. Since 2004, Wayland Voters Network has issued periodic email updates to their subscribers. They insist on transparency from the Town when reporting on all government matters, but they themselves are nearly opaque. The editor is identified, however the rest of WVN Staff is not. Most articles have no bylines – they are just written by “WVN Staff” – so readers have no idea if there is any conflict on behalf of the writer. Headlines and content are often sensationalized or editorialized. Corrections or rebuttal are not accepted. It is a one-way megaphone, which is fine and protected by free speech; but it is circulated under the guise of true “news”, which based on all of the above, it is not.



**TOWN OF WAYLAND**  
**PETITIONERS' ARTICLE FOR TOWN MEETING**  
*Attach extra pages if necessary*

WVN notes on its webpage that their goal is a “Wayland that promotes respect for citizens” and they want to “ensure that Town of Wayland voters are informed about Town decisions.” WVN is circulated to over 1400 subscribers – nearly 20% of all Wayland households. They circulate a host of useful community information, and can and do act as a tremendous resource in many regards. But for years, questionable stories have been floated, many without substantiation or rational debate of the facts, to the detriment of our civic discourse. Conflicts over WVN coverage and bias, via letters to the editor (notably in other publications), have flared up in years past on this issue. But nothing has changed.

As just one example of the result of this, the day after the attack on the Capitol in January, a resident letter to the editor in Wayland Town Crier was published complaining about Town Center (entirely her prerogative, everyone has an opinion) and then asserting that regarding River’s Edge, the Board of Selectmen are cutting sweetheart deals with the developer and purposely hiding harmful environmental information from townspeople. These River’s Edge allegations came directly from the most recent WVN newsletter. These claims can be readily debunked.

WVN is not, then, promoting respect for citizens, nor ensuring that Town voters are informed. Beliefs based on speculation, not fact, subverts our democracy, subverts our trust in one another, and turns us unnecessarily against each other. As we’ve now seen the toxic results of this endgame at the US Capitol, it is time for us to stop and throw a lifeline for truth.

So what can we do? Begin to take action.

**First**, our local social media community is a true town resource. The Town should catalogue these resources and inform the community of their information and links for easy reference. To protect the truth, as a Town we should confirm the following for each platform:

1. Group members responsible for the content are **disclosed**
2. Authors should be **identified**, so writers can’t hide behind anonymity
3. Any **conflicts** should be noted
4. **Corrections** should be available to readers

If these are not confirmed by a platform, and we as a Town know this, then we need in good faith to caution Townspeople that the group should be questioned as a news source. Similar to Twitter or Facebook, the Town would flag them on the list with **🚫 News on this site may be anonymously generated and not able to be refuted or corrected, therefore should be verified with other sources.**

This messaging is just the first step, and an important one. However, many may not see it. So we must go further.

**Second**, as a Town we need to create the functionality of an **Information Ombudsman**. An Ombudsman by original definition is an individual who roots out government corruption. This petition is not that. This is more like a media ombudsman, a person or department whose sole mission is to root out the truth behind a complaint or an issue, not to take sides, just dig for the facts.



**TOWN OF WAYLAND**  
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In Wayland, a separate page can be created on our Town website. If someone has a complaint, or a question, they can go to the Info Ombudsman link, phone number or email. Acting with the mindset of an Info Ombudsman, whoever is answering has no skin in the game but to find the answers, and they have the role and responsibility to do so. They can direct people where to find answers, and if they don't know, they can reach out to the correct board, committee or Town employee to find the answers. They are an information connector.

Complaints can become non-confrontational for all parties. Queries can get answered. All requests are public and posted. If one person has a question, most likely others do too, so it helps to make information public and searchable.

And when a WVN newsletter comes out, or any other town Facebook page, or email blast, which may have factually incorrect information, whoever is managing the Info Ombudsman page can fact-check it. Not rebut it, which implies defending a position – just flag and fact check what is incorrect. And post it. If there is any debate over the fact itself, even that can be honed until the fact is revealed.

In this way, there can be a reliable resource for those who may be trying to understand what is real and what is speculation, to readily understand what is fact. Then they can form their own opinions from there. Wayland is a community and we need to defend *truth*, before anyone starts defending *positions*.

Wayland as a Town is extraordinarily disciplined with truth once a year in regard to Town Meeting. Petitioners and committees are held responsible to assure that every warrant article is meticulously written to explain the facts, and only then can positions for and against be developed. We need to apply this discipline all year around, create staff functionality for fact verification for all matters relating to the Town, for the benefit of our community. We may not always agree on our opinions but we should not be wasting time and money and friendships and respect over "facts" that can be readily debunked.

The funds being requested are a contingency budget to support Information Ombudsman functionality within the Town. The Town's website may not be able to support a robust Ombudsman page, so web consulting may be needed to create a linked landing page or other accessory; additional time may be needed to set it up initially; or information distribution which may need additional support. Funds will be used only as needed, and usage shall be tracked on the Ombudsman page, in the spirit of open information.

This budget constitutes a one-year experiment, to help get efforts underway, to see if efforts are working over the course of a year, and if so, help determine what funds may be needed for long term efforts to sustain the commitment.

Some may say that the Town can't afford to spend the time, attention and resources to create or support this functionality. We can't afford NOT to. The Town is already burdened with FOIA requests and Open Meeting Law complaints, justified or not, and this may help streamline those and restore trust. It can protect Town employees and board and committee volunteers, with a non-confrontational method of getting information, so that they don't feel personally affronted, and they can get on with the business of their work, while an impartial intermediary fields requests and questions in a professional way.



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**PETITIONERS' ARTICLE FOR TOWN MEETING**  
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For those looking to find the information, it also provides a non-confrontational pathway, so they are not reduced to having to file FOIA requests, or otherwise have their only other avenue be to rapid-fire questions during meeting Public Comment which may or may not get answered. Even perhaps OML complaints could get solved in days instead of weeks and months and with a lot less paperwork.

Some may say that a small number of townspeople may abuse this new resource, and indeed it may have to be protected from overuse, protocols can be figured out over time to protect the rights for all to equally access this resource. Some may complain that not all information will be able to be shared at any given time, given employment law or executive session legalities – but even if we can openly share 95% of the information topics, and directly state why other info cannot be shared at that time, we are a better community for it.

Some may say that if the Information Ombudsman role is under the Town Administrator (or any other Town board or committee) that it cannot be truly independent to be able to provide unvarnished facts. For the Town to fund or direct any efforts, it must be in some way part of, or tied to, Town government, this is true. But to mitigate concerns, by making the tools, questions and answers all publicly available on the Ombudsman webpage, if anyone has a concern with the facts as they are presented, concerns can be raised, publicly, and worked through together.

We live in an era when disinformation can be disseminated as truth in a matter of seconds, and as a Town we need to step up and protect and cultivate the truth. Truth is no longer a passive goal. We must set it as a priority and at least try to fix what is not working.

**Petitioners' Comments (150-word limit per Town Code):**

Words Matter. Truth Matters. Facts Matter. Community is one of our most precious resources. We've seen over the past few years that truth doesn't just float to the top, we need to actively engage so that it does. We need to throw it a lifeline. We have so many important issues facing us as a Town. To find solutions, we need to put ourselves on a solid foundation to face them together – and a large part of that is using the power of the internet to make sure that information and facts are available and are a meaningful and useful tool for all of our residents.

**Lead Petitioner's Contact Information\***

**Name (for publication in warrant):** Rebecca Stanizzi

**Phone (for discussing article):** 617-922-3409

**Email (for publication in** rstanizzi@wayland.ma.us

**Signature of Lead Petitioner:** *Rebecca Stanizzi* **Date:** 1/15/2021

\* The lead petitioner will serve as spokesperson for the article and will be the contact person for the Finance Committee, Board of Selectmen, and Planning Board, if the petition is a zoning issue.



**TOWN OF WAYLAND**  
**PETITIONERS' ARTICLE FOR TOWN MEETING**  
*Attach extra pages if necessary*

**Article Title:** Support Information Ombudsman Resources **Estimated Cost:** \$25,000

**Article Text for Warrant:** To determine if the town will vote to:

appropriate a sum of money to be expended by the Town Administrator to support information ombudsman functions within Wayland Town government, to communicate and prioritize facts, truth and information as a resource for citizens. Trust in one's community and fellow townspeople rests fundamentally upon facts that can be relied upon, and in our current information age, the Town shall recognize facts and truth as a valuable resource to be supported and protected. Such financial appropriation shall be provided by taxation, by transfer from unappropriated funds or by transfer of funds already appropriated for another purpose.

#	Print Name Legibly	Signature	Print Street Address
1	Emily Weintraub	<i>[Signature]</i>	8 Trinity Place, Wayland, MA
2	Erin Gamy	<i>[Signature]</i>	18 Winthrop Rd. Wayland, MA
3	Robert Staritzki	<i>[Signature]</i>	14 Winthrop Rd, Wayland, MA
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#	Print Name Legibly	Signature	Print Street Address
1	Kathleen Steenberg	<i>[Handwritten Signature]</i>	49 Highland Cir Wayland
2	MORGAN LEY	<i>[Handwritten Signature]</i>	42 HIGHLAND
3	Nelen Green	<i>[Handwritten Signature]</i>	6 JERICHO Lane
4	Ramamurthy Hari	<i>[Handwritten Signature]</i>	48 HIGHLAND
5	Naren Srinivasa	<i>[Handwritten Signature]</i>	35 Lovell Bridge Lane
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