



TOWN OF WAYLAND Annual Reports



*Two Hundred and Twenty-fourth Year
July 1, 2003 Through June 30, 2004*



ANNUAL REPORTS FOR THE TOWN OF WAYLAND

FOR ITS TWO HUNDRED AND
TWENTY- FOURTH MUNICIPAL YEAR

JULY 1, 2003 TO JUNE 30, 2004

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BOARD OF SELECTMEN

The highlight of the Selectmen's effort this year was obtaining the approval at annual Town Meeting to upgrade the Town's Executive Secretary position to a Town Administrator. Besides having increased authority and accountability over functions previously overseen by the Selectmen, the Town Administrator will have increased authority and accountability over functions across Town government. The Town Administrator will be responsible for ensuring that Town government functions in a coordinated manner with good communication across Town Boards, Committees, Department Heads and with residents. Defining of the role of the Town Administrator was an effort involving many Town Boards and Committees and Town residents. This upgraded position is the result of many years of work involving at least four different Boards of Selectmen. A candidate search is now going on and the Selectmen expect to appoint a Town Administrator by the end of calendar year 2004.

The Town has hired a new finance director to replace the long-term director who is retiring as of December 31, 2004.

Financial Matters

The Selectmen, Finance Committee and School Committee work diligently to maintain the overall financial health of the Town. Due to the State's fiscal challenges, Wayland's local state aid was cut by \$850,000 cumulatively, during fiscal 2003 and 2004. In addition, Wayland was not sheltered from the escalating health and general insurance costs seen all across the U.S. Based on the unanimous recommendation of Wayland's Finance Committee, the Board of Selectmen voted to hold a special election on November 18 to seek approval of an \$850,000 override of Proposition 2 ½. The override, which was approved by residents, was part of a multi-tiered effort to pay for town services that includes the override, increasing fees and looking for other non-tax related revenue sources, making immediate short-term cost reductions and implementing long-term cost savings initiatives.

The Board and the Executive Secretary continued to work on its revenue enhancements (fees and other funding vs. taxation) and cost savings initiatives. During the year approximately \$252,000 in incremental fees were raised to offset taxes that might have otherwise been incurred by residents. All Town departments evaluated their fees from a

competitive perspective and fees were increased across the board. Non-recurring revenues and grants raised another \$536,000 in one-time revenues. In addition, approximately \$160,000 in cost savings were generated, primarily related to staff reductions. This represents a total of \$948,000 in additional revenues and cost saving initiatives.

The Board continues to believe that implementing changes of a long-term nature will generate the most savings. The Town's budget is so oriented to staff costs (77.9% of the budget goes to staff costs) which are difficult to reduce without significant organizational change. Over the past three years health care costs have skyrocketed. A small staff originated committee began to investigate various health care options that may eventually save the Town and Town employees a considerable amount. While the work was not fully complete by the 2004 annual Town Meeting, the education gained was considerable and the initiative continues with the Board planning to recommend some new options to town unions, employees and retirees and residents by Town Meeting in April 2005. Employee and union educational initiatives about new health insurance plans options will be starting soon.

Legal Matters

The Selectmen have primary responsibility for overseeing the Town's legal budget and act as gatekeepers for requests from operating departments that are in need of legal advice.

Each year's budget typically includes an estimate for funding routine legal advice that is provided by Town Counsel and Special Labor Counsel. These funds allow each operating department the opportunity to seek legal counsel on a wide range of matters, including land use, collective bargaining, municipal finance, procurement, contracts, etc.

Unfortunately, each year the Town also incurs legal costs to defend itself in lawsuits brought against it or one of the many boards and committees that oversee the operation of Town government. As of June 30, 2004, there were approximately thirty-five ongoing lawsuits. Most of these involve land use issues, including the appeals of decisions rendered by the Zoning Board of Appeals, Planning Board and Conservation Commission. Examples include appeals involving the location of wireless

communications facilities, proposed 40B developments and new subdivisions.

From time to time, the Town also incurs legal costs to bring a lawsuit against another party. An example is the lawsuit brought by the Town against National Development and the Town of Framingham with respect to the proposed development known as the Villages at Danforth Farms. The Selectmen are hopeful that this matter, which has cost the Town approximately \$75,000 as of June 30, 2004, can be resolved during the upcoming fiscal year.

During Fiscal 2004, the Town incurred approximately \$199,000 for legal services and related expenses, which exceeded the budget by approximately \$74,000.

Other Matters

Other highlights of the year relate to furthering the work necessary under the goals the Selectmen set for themselves and the Executive Secretary. In the category of affordable housing, the Town is about to submit an affordable housing plan to the Commonwealth. Wayland will be one of only a handful of towns having an affordable housing plan on file with the Commonwealth. The Board and many residents worked hard to secure Town Meeting approval to acquire the NIKE site on Oxbow Road in

North Wayland for up to sixteen affordable housing units and for conservation and park and recreation use. The federal government had concluded the site was surplus property and the Town had to act quickly to secure ownership of the property. The NIKE site committee appointed by the Board was very committed to its work to evaluate the environmental aspects of the property, obtain appraisals to clean up and acquire the property and make recommendations to the Selectmen as to the future use of the property.

The evaluation of town owned land continues. During fiscal 2004 all Boards and Committees reviewed their town owned land and provided the Selectmen with an assessment of what the land is currently used for, describing its planned future use or indicating it is not expected to be used in the foreseeable future by the department now responsible for the land. The next step will be to look at land requirements across town towards determining the best use for each property and identifying land that could potentially be sold. This is an effort that will involve all relevant boards and committees and ultimately Town Meeting.

Finally, the Board completed its update of Selectmen policies, which are now available in the Town Building and Library.

General Information

Form of Government	Open Town Meeting										
Town Website	www.wayland.ma.us										
Population (6/04)	13,941										
Number of Households	4,923										
Number of Registered Voters (6/04)	<table border="0" style="margin-left: 20px;"> <tr> <td>Precinct 1</td> <td style="text-align: right;">2,093</td> </tr> <tr> <td>Precinct 2</td> <td style="text-align: right;">2,089</td> </tr> <tr> <td>Precinct 3</td> <td style="text-align: right;">1,989</td> </tr> <tr> <td>Precinct 4</td> <td style="text-align: right;"><u>2,271</u></td> </tr> <tr> <td></td> <td style="text-align: right;">8,442</td> </tr> </table>	Precinct 1	2,093	Precinct 2	2,089	Precinct 3	1,989	Precinct 4	<u>2,271</u>		8,442
Precinct 1	2,093										
Precinct 2	2,089										
Precinct 3	1,989										
Precinct 4	<u>2,271</u>										
	8,442										
Polling Hours	7:00 A.M. – 8:00 P.M.										
Polling Locations	Wayland Town Building (Precincts 1 and 4) Wayland Middle School (Precincts 2 and 3)										
Current Tax Rate	\$12.52										
School Enrollment	Claypit Hill Elementary 599										

Happy Hollow Elementary	384
Loker Elementary	355
Wayland Middle School	746
Wayland High School	871

TOTAL ENROLLMENT 2,955 (September 2003)

Land Area - Town of Wayland

15.28 Square Miles

Landfill Hours: (Except Holidays)

Tuesday	7:00 am – 4:00 pm
Thursday	7:00 am – 4:00 pm
Saturday	7:00 am – 4:00 pm

Library Hours: (School Year)

Monday – Thursday	9:00 am – 9:00 pm
Friday	9:00 am – 6:00 pm
Saturday	10:00 am – 5:00 pm
Sunday	2:00 pm – 5:00 pm

Town Building Office Hours:

Monday	8:00 am – 7:00 pm
Tuesday – Friday	8:00 am – 4:30 pm

(Please check with individual departments as the hours may vary.)

FEDERAL AND STATE OFFICIALS REPRESENTING WAYLAND

United States Senators in
Congress:

Edward M. Kennedy - D
2400 John F. Kennedy Federal
Building
Boston, MA 02203(617) 565-3170
E-mail: senator@kennedy.senate.gov

John F. Kerry – D
1 Bowdoin Square 10th Floor
Boston, MA 02114
(617) 565-8519
E-mail: john_kerry@kerry.senate.gov

Representative in Congress,
Precinct 2
7th Congressional District:

Edward J. Markey – D
188 Concord Street
Framingham MA 01702
(508) 460-9292

Representative in Congress,
Precincts 1, 3 and 4,
5th Congressional District:

Martin T. Meehan – D
11 Kearney Street
Lowell, MA 01852
(978) 459-0101
E-mail: martin.meehan@mail.house.gov

State Senator,
5th Middlesex District:

Scott P. Brown - R
State House Room 520
Boston, MA 02133
(617) 722-1555
E-mail: Sbrown@senate.state.ma.us

Representative in General Court,
13th Middlesex District:

Susan W. Pope - R
State House Room 237
Boston, MA 02133
(617) 722-2305
E-mail: SusanPope@hou.state.ma.us

ELECTED TOWN OFFICIALS	NAME	TERM EXPIRES
MODERATOR	C. Peter R. Gossels	2005
TOWN CLERK	Judith L. St. Croix	2007
SELECTMEN	Betsy E. Connolly	2005
	Douglas J. Leard	2006
	Brian T. O'Herlihy	2005
	Michael L. Tichnor	2007
	William D. Whitney	2006
SCHOOL COMMITTEE	Frederick K. Knight	2005
	Heather A. Pineault	2006
	Jeffrey Dieffenbach	2006
	Lori C. Frieling	2005
	Robert B. Gordon	2007
ASSESSORS	Francis P. Aurelio	2005
	Susan M. Rufo	2007
	Thomas V. Maglione	2006
ROAD COMMISSIONERS	Stewart A. Millerd	2007
	Anthony Timperio	2007
	Mark A. Santangelo	2005
	Joseph F. Nolan	2006
	Anette S. Lewis	2006
PLANNING BOARD	Albert I. Montague, Jr.	2008
	Rebecca L. Regan	2006
	Lawrence A. Stabile	2007
	Christopher W. Seveney	2009
	Maureen A. Cavanaugh	2005
PLANNING BOARD Associate Member	Anette S. Lewis	2009
WATER COMMISSIONERS	Joel Goodmonson	2007
	Robert L. Duffy, Jr.	2006
	W. Edward Lewis	2005
BOARD OF HEALTH	Steven E. Locke	2005
	Philip Pattison	2005
	Constance A. Bean	2006
	(Vacancy)	2006
	Michelle Wolf	2007
TRUST FUND COMMISSIONERS	Jerrold I.W. Mitchell	2007
	John B. Wilson	2005
	Michael Patterson	2006
LIBRARY TRUSTEES	Perry R. Hagenstein	2007

	John B. Wilson	2006
	Rosamond Swain	2006
	Anne B. Heller	2007
	Gwenn Schurgin O'Keefe	2005
	Lynne J. Lipcon	2005
PARK & RECREATION COMM	Rebecca Butler	2006
	James K. Forti	2006
	Anna Meliones	2005
	Mary Ellen Litter	2007
	William J. Bowhers	2007
HOUSING AUTHORITY	Mary Ann Wohlfarth	2008
	Mary M. Antes	2007
	Susan Weinstein	2005
	Charles Raskin	2009
	Martin Nichols	2008

APPOINTED TOWN OFFICIALS	NAME	TERM EXPIRES
Advanced Life Support Comm	Beth A. Zeeman	2005
	Vincent J. Smith	2005
	Douglas J. Leard	2005
	Elizabeth C. Sweitzer	2005
	Michael B. Patterson	2005
Trustees Of Allen Fund (3)	Michael B. Patterson	2005
	Benjamin W. Johnson III	2005
	Sema M. Faigen	2005
Animal Inspector (Livestock)	Bruce S. Sweeney	2005
Animal Officer (Dead Animals)	David R. Poirier	2005
Assessor, Assistant	Molly K. Reed	
Assessor, Administrative	Carol Niedbala	
Assistant Town Clerk	Lois M. Toombs	2005
Building Commissioner	Daniel F. Bennett	2005
Local Inspector	Jay T. Abelli	2005
Gas Inspector	Ernest Ferraro	2005
Gas Inspector, Deputy	William Rheume	2005
Plumbing Inspector	Ernest Ferraro	2005
Plumbing Inspector, Deputy	William Rheume	2005
Wiring Inspector	Ward Keller	2005
Wiring Inspector, Deputy	Arthur J. Richard	2005
Cable TV (8)	Richard P. Turner	2005
	Robert W. Hanlon	2005
	Russell A. Ashton	2005
	(Vacancy)	2005
	Maurice H. Stauffer	2005
	William J. Kaplan	2005

	Marc Joniec	2005
	Betsy G. Moyer	2005
Central MA Advisory Rail Trail	David C. D'Orlando	2005
Civil Defense Director	Robert Irving	PERM
Cochituate State Park Advisory	Harold Meyer	2007
Community Preservation Committee (7)	Stephen Curtin	2005
	Charles Raskin	2005
	William J. Bowhers	2006
	Rebecca Regan	2007
	Marylynn Gentry	2005
	Michael B. Patterson	2006
	Jerome Heller	2007
Conservation Administrator	Brian Monahan	
Conservation Commission (7)	Frank R. Antonell	2007
	Marylynn Gentry	2006
	Barbara Howell	2006
	J. Andrew Irwin	2005
	John R. Sullivan	2005
	Megan M. Lucier	2005
	Roger A. Backman	2007
Constables	Christopher Hanlon	2005
	William E. Pickett	2007
	Curtis P. Donelan	2005
	Louis V. Gaglini	2007
	Nelson H. Goldin	2005
Council on Aging (9)	Clement Sansone	2005
	Betsy Soule (non-voting)	2006
	Martha E. Bustin	2007
	Julie Secord	2007
	Denise N. Yurofsky	2007
	George Blood	2007
	Harriet H. Onello	2007
	Geoffrey E. Smith	2006
	Mitchell J. Marcus	2007
Council on Aging-Co-Directors	Kristin Kiesel	
	JoAnn Kunz	
Cultural Council	Kathryn Welter	2006
	Carole M. Felz	2006
	Barbara J. Carter	2006
	Margret B. Krakauer	2006
	Allen J. Kaplan	2005
	Anna Laura Rosow	2006
Dog Control Appeals Board	Susan Sherwood	2007
	Jeffrey S. Baron	2005
	Susan Koffman	2006
	Daniel Brown	2007
Dog Control Officer /Animal Inspector	Leslie E. Boardman	2005
Dudley Pond Area Planning Committee	Christopher Foster	2005
	Deborah Portyrata	2006
	(Vacancy)	

	(Vacancy)	
	(Vacancy)	
	William B. Gagnebin	2007
	(Vacancy)	
Emergency Planning Committee	Anette Lewis	
	Charles H. Raskin	
	Betsy Connolly	
	Robert Loomer	
	Robert Irving	
Executive Secretary	John Jeffrey Ritter (Jeff)	
Fence Viewers	Board of Selectmen	2005
Field Drivers	Constables	2005
Finance Committee (7)	George Christopher Riley	2007
	Charles D'Ambrosio	2007
	Robert L. Lentz	2006
	Cherry C. Karlson	2005
	(Vacancy)	
	Roderick W. Fletcher	2006
	Karl A. Geiger	2005
Finance Director/Town Accountant	Robert W. Hilliard	2005
Fire Chief	Robert Loomer	
Health Director	Steven Calichman	2005
Sanitarian, Inspector	Julia M. Junghanns	2005
Inspector of Milk	Steven Calichman	2005
Burial Agent	John C. Bryant	2005
Burial Agent	Cynthia F. Bryant	2005
Highway Operations Director	Stephen F. Kadlik, III	2006
Historical Commission (7)	Paul Gardescu	2006
	Mary C. Reed	2007
	Bonnie S. Nash	2006
	James H. Flanagan	2005
	R. Richard Conrad	2006
	Stephen J. Curtin	2005
	Howard L. Schultz	2007
Historic District Commission (7)	Christopher F. Nash	2005
	Christopher L. Hagger	2007
	Diana Warren	2007
	Margery F. Baston	2007
	Desmond J. McAuley	2006
	Gretchen G. Schuler	2005
	Edward H. Culver (Ned)	2006
Housing Authority Director	Brian E. Boggia	
Housing Partnership Comm (9)	(Vacancy)	
	Jonathan F. Saxton	2005
	Martin S. Nichols	2005
	Marilyn J. Wallin	2005
	Mary M. Antes	2005
	Rachel G. Bratt	2005

	Frank J. Silva (Vacancy) (Vacancy)	2005
Human Resources Director/Assistant Executive Secretary	John Senchyshyn	
Information Technology Manager	Gwen Sams-Lynch	2006
Library Director	Ann F. Knight	
Library Feasibility Study Comm	Sally Cartwright	2004
	Anne Heller	2004
	Eric Hollenberg	2004
	Louise Brown	2004
	Joseph Nolan	2004
	John Wilson	2004
	Anne Wilson	2004
Local Access Corp (WAYCAM)	(Vacancy) (Vacancy)	
	Arnold L. Kahn	2007
MAPC	Mary M. Antes	2006
Master Plan Advisory Task Force (11)	Regina Snow Mandl	2005
MBTA Advisory Board	Marcia P. Crowley	2005
Measurers of Wood & Bark	Paul Doerr	2005
	Lewis S. Russell, Jr.	2005
	Harry F. Sweitzer	2005
Metrowest Growth Mgmt Comm	Mary M. Antes	2005
Metrowest Open Space Task Force	(Vacancy)	2005
Middle School Building Comm	Robert A. Doyle	2005
	Laurene M. Sperling	2005
	Mark R. Kaufman	2005
	Celia L. Lombardo	2005
	Robert B. Gordon	2005
	Frederick K. Knight	2005
	Lawrence J. Krakauer	2005
	William D. Whitney	2005
	Mark Santangelo	2005
Minuteman Voc Tech School	Mary Ellen Castagno	2005
Park & Recreation Superintendent	William C. Kilcoyne	
Personnel Board (5)	Maryanne Peabody	2007
	(Vacancy)	
	Walter W. Jabs	2005
	Jane A. Evans	2008
	Philip C. Schneider	2005
Planner, Town	Joseph Laydon	
Police Chief	Robert Irving	
Public Ceremonies Committee (5)	Caroline Meliones	2005
	John C. Dyer	2006
	Alessandra Kingsford	2007
	John Turchinetz	2005

	Richard P. Turner	2005
Records Manager	Judith L. St. Croix	2005
Records Management Committee	Judith L. St. Croix	2005
	(Vacancy)	2005
	MaryAnn DiNapoli	2005
	Norma Badger	2005
	Dale Sicotte	2005
Regional Transportation Advisory Committee	Marcia P. Crowley	2005
Board of Registrars (4)	Georgia K. Gillespie	2006
	Judith H. Ide	2007
	Elizabeth A. Salerno	2005
	Judith L. St. Croix	
Assistant Registrar	Lois M. Toombs	2006
River Stewardship Council	Thomas Sciacca	2005
	Mary M. Antes (Alternate)	
Route 20 Corridor Committee (5)	David A. Roberts	2005
	(Vacancy)	
	Stephen B. Turner	2005
	(Vacancy)	
	Thomas H. McEnany	2006
Route 30 Corridor Committee (5)	(Vacancy)	2005
	Paul A. Rufo	2005
	Arthur Romania	2005
	(Vacancy)	2005
	(Vacancy)	2005
School Superintendent	Gary Burton	
Sealer of Weights & Measures	Courtney Atkinson	2005
Senior Tax Relief Committee	Geoffrey P. Smith	2005
	Robert B. Hatton	2005
	Mitchell J. Marcus	2005
	Stephen J. Colella	2005
	Patricia Nelson	2005
	Clement V. Sansone	2005
	Madeline O. Foley	2005
	Kristin Kiesel	2005
	Lillian I. Mills	2005
Septage Committee (8)	George H. Bernard	2007
Appointed by	Philip Pattison	2005
(4) Wayland (4) Sudbury	(Vacancy)	
	John Dyer	2007
SMOC	Lawrence N. Scult	2005
Station Two Committee	Constance Bean	2005
	Douglas J. Leard	2005
	Kathleen Lang	2005
	Elizabeth Sweitzer	2005
	Gerald Galvin	2005
Surface Water Quality Comm (5)	Michael Gitten	2006

	Wayne Kelley	2006
	Lili Griffin	2006
	Thomas J. Largy	2006
	Jackson Madnick	2006
Surveyors of Lumber	Jean B. Pratt	2005
	Marcia P. Crowley	2005
	Harry F. Sweitzer	2005
Taxation Aid Committee (Town Meeting)	Markey P. Burke	2007
	Paul Keating	
	Jeffrey A. Cohen	
	Kenneth Sawyer	2006
	Mary S. Morss	2005
Town Center Committee (Subcommittee of Planning Board)	Betsy Connolly	2005
	Daniel B. Mesnick	2004
	Harvey R. Montague	2004
	Lewis S. Russell, Jr	2004
	Marisa G. Serafini	2004
	John R. Sullivan	2004
	Gretchen G. Schuler	2004
Town Counsel	Mark J. Lanza	
Town Surveyor	Alfred (Alf) Berry	2005
Transportation Committee	George Blood	
	Kevin Goodwin	
	Lorraine Greiff	
	John Thomas	
Transportation Improvement Program Coordinator	Joseph Laydon	
Treasurer/Collector	Paul Keating, Jr.	2005
Deputy Tax Collector	Kelley & Ryan Associates, Inc.	2005
Treasurer/Collector, Asst.	Helen Lewis	
Trinity Mental Health Rep	Karen Braunwald	
Veteran's Agent	John Turchinetz	2005
Veteran's Memorial Committee	John C. Dyer	2005
	Richard Hoyt	2005
	James H. Burkley	2006
Wastewater Management Commission	Lana Carlsson-Irwin	2006
	Eugene C. Roberts	2007
	Harry F. Sweitzer	2005
Water Superintendent	Donald W. Hollender	
Wayland High School Bldg Comm	Mary L. Lentz	2009
	Lea T. Anderson	2009
	Joshua Bekenstein	2009
	Dianne H. Bladon	2009
	Stephen R. Breit	2009
	Brian J. Chase	2009

	James H. Howard Jr.	2009
	Stephen E. Tise	2009
	Joseph R. Lewin	2009
	Celia L. Lombardo	2009
	Eric Sheffels	2009
Youth & Adolescent Director	Paul R. Neustadt	
Youth Advisory Committee (7)	Mary Elizabeth Wright Groden	
	Lynne M. Cavanaugh	2007
	Trudy Zimmerman	2005
	Doris E. Goldthwaite	2005
	Jeffrey Johnson	2004
Elected by student body	(Vacancy)	
Elected by student body	(Vacancy)	
	James K. Forti	
Youth Officer	James K. Forti	
Zoning Board of Appeals (5)	Susan F. Koffman	2005
	James E. Grumbach	2005
	Eric B. Goldberg	2006
	Steven Fugarazzo	2007
	Lawrence K. Glick	2006
ZBA Assoc. Members (3)	Aida A. Gennis	2007
	Shaunt Sarian	2005
	Linda L. Segal	2006

GENERAL GOVERNMENT

TOWN CLERK

During FY2004 the following town meetings and elections were held:

Special Town Election	November 18, 2003
Special Town Meeting	November 20, 2003
Special State Primary	February 3, 2004
Special State Election	March 2, 2004
Presidential Primary	March 2, 2004
Annual Town Election	April 27, 2004
Annual Town Meeting	April 29, 2004
Special Town Meeting	May 5, 2004

Please consult the Table of Contents for election results and town meeting minutes.

FY'04 HIGHLIGHTS

Elections

2003/2004 was a very busy election year for the Town Clerk's Office. A special state primary and a special state election were called to fill the state senate seat vacancy caused by the resignation of Cheryl Jacques. A dual election was held on March 2, 2004 – Special State Election and the Presidential Primary.

Town Census

The Annual Town Census was mailed to all households the first week of January. The information was compiled, updated, and printed in the form of the resident list published in April. The census information is used to validate and update the residency of voters; to assist the police/fire in updating E-911; to assist the school department with enrollment information and projections; to assist the council on aging with service projections; to prepare the annual jury list; to assist the park and recreation department in enrolling residents in programs throughout the year; to assist the Veteran's Agent, and to assist other municipal departments in the course of their daily work. The cooperation of all residents to complete the form and return it promptly was appreciated.

Voter Registration

The Town Clerk's office continued to utilize the state's Voter Registration Information System

(VRIS) for voter registration. To avoid duplication of voter registrations, this system connects Wayland with all 351 cities and towns across the state, to the Registry of Motor Vehicles, and to the Office of the Secretary of the Commonwealth.

Pursuant to a new federal law, the Help America Vote Act of 2002 (HAVA), all new registrants must provide a valid driver's license number or the last four digits of their Social Security Number when they register to vote. All voters who registered by mail after January 1, 2003, and who have not voted in a federal election, must provide a copy of a valid form of identification when they vote in person or by absentee ballot.

Board of Registrars

Elizabeth A. Salerno, Chair	4/05
Georgia Gillespie	4/06
Judith Ide	4/07
Judith L. St. Croix, Clerk	4/07
Lois M. Toombs, Assistant Registrar	4/05

The Board of Registrars in a town is the counterpart of an Election Commission in a city and the Elections Division of the Secretary of the Commonwealth's Office at the state level. The Board is composed of four members, not more than two may be members of the same political party.

The Town Clerk, by virtue of the office, is one of the four, and is responsible for executing the functions of the Board of Registrars including the conduct of elections, election recounts, voter registration, compilation of the annual listing of residents (Town Census), and certification of signatures on nomination papers and petitions.

As of June 30, 2004, total number of registered voters:

Precinct 1	2,093
Precinct 2	2,089
Precinct 3	1,989
Precinct 4	<u>2,271</u>
Total Registered Voters	8,442
Political Parties:	
Democrat	2,213

Republican	1,474
Libertarian	19
Massachusetts Green	13
Unenrolled	4,718

Political Designations:

Green Party USA	2
Reform Party	2
Rainbow Coalition	1

Inactive Voters: 996

Population
(Census January 1, 2004) 13,812

Vital Records

Births Recorded	129
Deaths Recorded	152
Marriages Recorded	36

Financial Report

Dog Licenses \$ 20,520.00

Kennel Licenses 250.00

Dog Late Fines 1,435.00

Miscellaneous 13,097.90

Water Fines 1,600.00

Total \$ 57,422.90

Dogs

Wayland Dog Control Bylaw requires all dogs six months old or older to be licensed by the Town Clerk by January 15 of each calendar year. Renewal letters were mailed to each dog owner in the month of December 2003 and residents were able to license their dog(s) either by mail or in person. Copies of the Dog Control Bylaw are available at the Office of the Town Clerk.

Dog Licenses Issued

Dog Licenses	1631
Kennels	4

TOWN COUNSEL

During FY '04 Town Counsel performed general legal services for all Town departments, boards, committees, and commissions and for the School Department. Most Town employment relations law services were performed by the firm Deutsch, Williams, Brooks, DeRensis, Holland & Drachman, P.C. Insurance defense counsel designated by the

Town's liability insurance carrier provided defense of tort claims (negligence). Defense of workers' compensation claims was provided by counsel designated by the Town's insurance group's claims management service. Bond Counsel services were provided by the law firm of Palmer and Dodge. Special counsel is utilized on an as-needed basis to supplement or supplant Town Counsel's services when appropriate, especially in the area of employment relations law. Other special counsel is used on a case-by-case basis.

A considerable amount of time was spent during FY '04 on one subdivision plan modification appeal, one comprehensive permit denial appeal, one zoning variance denial appeal, one special permit modification denial appeal and settlement discussions relative to a civil suit filed by the Town against the Town of Framingham Planning Board challenging the special permit issued for the Danforth Farm Planned Unit Development in Framingham and Wayland.

Throughout FY'03, Town Counsel kept regular office hours in Wayland Town Building on Thursday afternoons. Town Counsel met with various boards and committees on an as-needed basis. Town Counsel also attended all sessions of the Annual Town Meeting and the Special Town Meetings.

Town Counsel represented the Town in various legal proceedings in the Massachusetts Appeals Court, Middlesex County Superior Court, Norfolk County Superior Court, the Land Court and the Appellate Tax Board.

INFORMATION TECHNOLOGY

An integral part of Town Hall, the Information Technology needs and expectations of our constituents continue to grow dramatically. The Technology Review Committee (TRC) has identified major trends and directions; the Committee seeks to guide changes within the Information Technology Department to effectively monitor, evaluate, implement and operationalize appropriate resources in strengthening the Town's Information Technology services to the community.

The Information Technology Department strives to adopt new trends and capabilities to enhance and empower Town Hall administrative staff in improving services to the community. Significant resources are devoted to technology and the

Information Technology Department manages and coordinates projects and services in order to obtain the most from these investments.

The goals of the Information Technology Department includes providing local and remote access to Town's resources and services; providing, improving and maintaining centralized administrative functions, such as VADAR system for abatements and auto excising between the Treasurer and Assessors' office, the GIS systems, and the Accounting & Payroll system between the Town and School department. This year, the Manager of the Information Technology Department assisted the Project Manager for the new Police Department/Fire Department in the computerized dispatching system and the network infrastructure.

The Information Technology Department continually strives to monitor emerging technologies and to effectively evaluate opportunities to improve current Town operations by incorporating or migrating viable new hardware, software and technology implementations.

PERSONNEL BOARD

Chapter 43 of the Code of the Town of Wayland defines the role of the Personnel Board to be the development and administration of the Wage and Salary Classification Plan and personnel policies and procedures in cooperation with the affected town boards and departments. In addition, the Board is charged with approving all pay or classification changes of town employees; negotiating collective bargaining agreements for the town; establishing and maintaining central personnel files for all employees; reviewing the operation of the Wage and Salary Classification Plan and recommending appropriate changes to town meeting.

Maryanne Peabody continues to serve as Chair; Wally Jabs serves as Vice-chair. Other members include Jane Evans and Philip Schneider. In April Tracy Brown resigned from the Personnel Board. The Board thanks Tracy for her dedicated service and will miss the expertise that she brought to the Board.

The Personnel Board has worked on several major projects this year. A Request for Proposal for a wage and classification study for AFSCME bargaining unit positions, SEIU bargaining unit positions and selected non-union positions was prepared and advertised. The contract was awarded to Stone

Consulting, Inc. Fifty-seven positions were included in the study. Job descriptions were updated and revised prior to beginning the study. This work was completed in-house in an effort to contain costs. The consultant compared Wayland's positions to seventeen comparable communities. At the conclusion of the study the consultant recommended eleven positions for reclassification.

The Board continued its review of personnel policies and procedures. Seventeen policies have been completed and distributed to employees. This includes a combination of revisions to existing policies and the creation of new policies. It is anticipated that approximately thirty additional policies will be revised or established.

On June 30th of this year collective bargaining agreements expired with the eight unions representing Town employees. Employees affiliated with collective bargaining units represent a vast majority of the Town's regular workforce. The Personnel Board is charged with negotiating the union contracts. Negotiations have begun with the unions on successor agreements. In addition to contract negotiations the Board has dealt with a variety of employment issues affecting employees through the contractual grievance process. The Board continues to maintain a posture of strict interpretation of the collective bargaining language.

Wayland continues to participate in the in a multi-town training consortium. By pooling resources the Town is able to stretch its training dollars. This past year employees participated in one-half day seminars which focused on Increasing Management and Staff Effectiveness Through Behavioral Styles Matching, Turning Conflict Into Opportunity: Putting Communication and Negotiation Skills to Work and Dealing With Difficult Behavior At Work.

The Personnel Board would like to thank all boards, committees, officials and employees for their cooperation and input during the past year. The Board welcomes attendance at its meetings and would also like to remind all employees and officials that the Personnel Board is available to assist on a wide variety of personnel matters.

HISTORICAL COMMISSION

The Wayland Historical Commission, a seven-member town agency, meets once a month, September through June, to plan the identification, evaluation, and protection of Wayland's historical, cultural, and archaeological resources. During FY2004, its scope of work included involvement in several projects requiring Historical Commission evaluation and comment, as well as the administration of ongoing programs.

During FY2004, consultants Fannin-Lehner completed its study of the deteriorating condition of gravestones in the Town's cemeteries, and the Commission selected Monument Conservation Collaborative to start repair of the most damaged headstones and footstones at North and South Cemeteries. Funding for the remediation work came from a 2003 Town Meeting Warrant article co-sponsored by the Historical Commission and the Community Preservation Committee, which appropriated \$65,000 of CPA funds to make repairs. Also during FY2004, the Commission selected Hines Wasser Associates to investigate ways to make the historically-significant railroad artifacts in Wayland Center accessible to the public. This study, to be completed in FY2005, is funded by \$15,000 in CPA funds, voted at the Spring 2003 Town Meeting. At the Spring 2004 Town Meeting, the Commission co-sponsored with the Park and Recreation Commission a warrant article that gives joint responsibility to oversee the maintenance of numerous public memorials throughout the Town. The Historical Commission expects early FY2005 activities to include inventorying those monuments at least fifty years old. Also at the Spring, 2004 Town Meeting, the Commission endorsed the successful creation of the Bow Road Historic District.

During this past year, the Historical Commission evaluated the effect of proposed cell tower construction, continued its archaeological evaluation of several areas at Greenways in anticipation of canoe access there, and engaged volunteers to assist in the cleanup of the area surrounding the rail tracks near the Wayland Depot.

In ongoing programs, the Commission continued to photograph and document area homes, adding to its historic properties inventory. The Wayland Archaeology Group, a subcommittee of the Historical Commission, continued its data recovery work and educational programs, as well as the aforementioned

work at Greenways.

Commission representatives participated in Wayland's Community Preservation Committee, an ongoing committee charged with recommending dispersal of Community Preservation Act funds; and the Master Plan Advisory Committee, a Planning Board committee that presented a new Master Plan for the Town.

HISTORIC DISTRICT COMMISSION

During this last year, the Historic District Commission (WHDC) has been busy. In September and October 2003, the Commission held public hearings on an application for retention of a sign at the Wayland Depot at 1 Cochituate Road and installation of an exterior vent at 43 Cochituate Road.

The WHDC continued discussions with residents of Bow Road in relation to creation of a Bow Road Historic District. The WHDC prepared a Bow Road Historic District Study Report that was submitted to the Massachusetts Historical Commission (MHC) for review and approval. After its approval by the MHC, the WHDC scheduled a public hearing in October on the creation of a new Historic District. The November Town Meeting approved the creation of the Bow Road Historic District.

The WHDC also held a public hearing and sponsored a warrant article at last year's Spring Town Meeting to codify past Town Meeting votes that created two local historic districts and enlarged the original district four times. It was successfully passed.

In March, the WHDC held a public hearing and adopted Rules and Regulations governing the Commission.

The WHDC also held additional public hearings prior to June 30, 2004. There were public hearings on applications for placement of signs on Mellon Office Green, to install a lightning protection system at the First Parish Church at 225 Boston Post Road, relocation of a railroad switch stand to the Wayland Depot, and the construction of a second story addition over an attached garage at 24 Cochituate Road.

The WHDC also met several times to discuss the status of unapproved Public Safety Building exterior features and held public hearings on many of these

unapproved features. The WHDC will continue to encourage the Town to implement the results of the public hearings.

The Historic District Commission welcomes support from members of the community who share our interest in the preservation and enhancement of the significant historic resources in the Wayland Center and Bow Road Historic Districts.

PUBLIC CEREMONIES COMMITTEE

The Public Ceremonies Committee (PCQ) coordinates Wayland's observance of Memorial Day and recognizes events, persons, and projects of importance to the town. Activities this year include recognition of Mabel Reid-Wallace and the METCO program she directs benefiting Wayland schools, other actions relative to town memorials deserving perpetual maintenance, and appointment each year of a high school senior, in 2003/4 Stephen Carroll, a full PCC member in introduction to town government.

Memorial Day Parade and Service The parade stepped off from Wayland Middle School at 11:00 a.m. Monday, May 31, 2004, for memorial services at Lakeview Cemetery, Cochrane, beginning at 11:30 p.m. The service concluded one hour later. There, all were welcomed by Selectperson Chair Betsy Connolly, who introduced Associate Minister of the Trinitarian Congregational Church Scott Warren for a non-denominational prayer of remembrance and then for Stephen Carroll's eloquent reading of the Gettysburg Address. Veterans' Agent John Turchinets honored all servicemen and women in a moving reminiscence entitled "Veterans' Moments" based upon contributions and sacrifice present and past. Keynote Speaker John Michalczyk of Boston College, who frequently has forwarded understanding within Wayland, asked all "in our peace-filled town" to realize the "costs of war ... the fruits of peace ... and the hope ... to give light to the, living." Involved on Memorial Day were town organizations, beautiful musicians, leaders, and guests from grade, middle, and high schools. Flags previous to the day had been placed on veterans' graves, beside town memorials, wreaths at other locations. On Memorial Day itself, ceremonies were held at North and South Cemeteries, St Zepherin's Cemetery, and at the World War II Memorial next to the Villa. Included everywhere were town guests and participants from Wayland Elementary, Middle and High Schools, Wayland VFW, the American Legion Post, the veterans' firing

squad, and escorts from Police and Fire Departments.

Honoring Mabel Reid-Wallace and the METCO Program at Wayland Schools, under Article 1 of the Wayland Town Meeting April 29, 2004

By unanimous vote, the Town of Wayland recognized Mabel Reid-Wallace and Wayland's METCO Program (represented by students Chester Barboza and Tyisha Edwards of the METCO High School Council) to receive the town's honor in framed statements that thanked Mrs. Reid-Wallace, standing with her two student representatives, for her enthusiasm, dedication, and understanding for and of "the needs of the children within her program and the need for interaction between METCO and Wayland students. Her continuing passion for her work and for students that it encompasses has created the most diverse atmosphere Wayland has ever had in its schools. The people of Wayland show thanks to Mrs. Reid-Wallace and to the entire METCO program for also enriching the lives of all Wayland students." (Words by Stephen Carroll.)

Town Memorials Relative to the care of Wayland's memorials and historic sites, the PCC in December 2002 appointed two of its own members and four other Wayland citizens to an Ad Hoc Study Committee to advise on how best to ensure policy and perpetual care for town sites and markers. The, Ad Hoc Committee met five times and delivered its advice to the PCC for town action at the 2004 regular town meeting under Article 29. The motion passed as proposed.

FINANCE

BOARD OF ASSESSORS

The principal duty of an assessor is to locate and value all taxable property within a community so that the taxpayer will share the cost of services in proportion to the value of their property. It is also the assessor's responsibility to seek not only market value but also equalization or uniform treatment of taxable property.

The property tax in Wayland Massachusetts is an AD VALOREM tax, which means that it is based on the value of the property rather than the ability of the homeowner to pay.

Market price is sometimes confused with market value. Market price refers to the amount actually paid in a transaction and is a fact. Market value is an estimate of what a price should be when there are no special circumstances influencing the sale.

The Board of Assessors welcomes new member Susan Rufo. Susan adds to the Board her wealth of experiences as a broker and property manager. The Board looks forward to working with Susan.

FY2004 was the third phase of the 10-year cyclical internal and external inspections of residences as mandated by the Commonwealth's Department of Revenue (DOR). The designated areas for FY2004 were bounded as follows: East of Main Street, North of East Plain/Commonwealth, West of the Natick town line, and South of Loker/Woodridge. There are approximately 402 parcels in this phase.

In accordance with the code of Wayland, Section 19-7 the Board of Assessors makes the following Report. 101.1.2. A report for the previous six calendar years of abatement history follows: 2 (a,b,c)

FISCAL YEAR	# RECD	# GRANTED	# DENIED	AVG ABMT
1999	57	31	26	\$1,031.00
2000*	226	138	88	\$ 803.75
2001	81	37	42	\$ 2,372.38
Supplemental	4	3	1	\$ 661.64
52/72A Exempt**	1	1	0	\$ 818.83
2002	27	16	11	\$2,037.60
Supplemental	1	1	0	\$ 222.62
2003*	295	211	118	\$ 840.06
Supplemental	0	0	0	\$ 0.00
2004	72	45	200	\$ 1,259.75
Supplemental	0	0	0	\$ 0.00

Four notifications/attempts are made to gain access to each residence. Experienced data collectors contracted specifically for this task make all inspections. The results are as follows:

Phase four of the cyclical inspections will begin in fiscal year 2005.

This year the Board spent some time to streamline the Community Preservation Act (CPA) and Circuit Breaker (CB) application process in order to ensure a complete and timely review and response. This was the third year of the administration of these forms, and the Board has developed a check-off sheet to assist in their processing. This year the board processed the following:

This past year the Board spent time reviewing presentations by nearly every company providing municipal assessment services in Massachusetts. Next year (FY2006) is a full revaluation year. Besides the normal complete review of all properties in town, the Board is also anticipating a major upgrade to our software applications for mass appraisal.

The Board is presently gathering data on office personnel tasking and workload as part of a study to improve our efficiency and determine future staffing levels.

*Revaluation Year

2 (d,e)

ATB decisions denied, by address, per year:

(d) ATB filing last six years:

YEAR		ADDRESS	YEAR
1999	2	55 Hillside Drive	2000
2000	23	22 Oak Hill Road	2000
2001	7	81 Plain Road	2000
2002	2	2 Plainview Road	2000
2003	26	113 Dudley Road	2001
2004	13	6 Aqueduct	2004
		4 Cutting Cross	2004
		54 Old Connecticut Path	2004
		58 Old Connecticut Path	2004
		29 Rice Road	2003

(e.)

# PROPERTY	OWNER	ATB ASSMNT	TAX ABATE	CPA ABATE
15 Sedgemoadow Road	Curtis	\$547,300.00	\$381.86	\$5.73
57 Moore Road	Scott	\$470,000.00	\$290.46	\$4.35

3.

Cyclical Data Inspections

Entry	258
Refused	50
Not Home	94
Total	402

B.

The Board has supplied reports to the Board of Selectmen.

C.

The public meeting was held on February 28, 2002 for the Board to listen to taxpayers express their concerns. Two taxpayers participated.

D.

To comply with this section will require additional financial support and personnel.

Shown below are fiscal year 2003 assessed values for the separate classes of properties as well as the number of parcels in each class and their share of the tax levy.

CLASS	PARCEL COUNT	VALUATION	PERCENTAGE OF LEVY
Residential	4888	2,691,489,000	95.37
Com/Industrial	139	2,802,873	3.94
Personal	269	19,386,810	.69

The single tax rate for FY2004 was \$13.13 per \$1,000 of value. The maximum allowable levy limit was \$37,077.95; the Town levied \$37,055,350 with New Growth contributing \$379,136. The Board expects this figure to drop yearly with the decline of new house starts.

The Statutory Exemptions granted for the period of July 2002 to June 2003.

Exemption Type	Amount (not to exceed)	Count	Tax Amount
Clause 17D (Widow/Widower)	\$350.00	11	\$ 3,500.00
Clause 18 (Hardship)		1	\$ 1,500.00
Clause 22 (Disabled Veterans)	\$500.00	58	\$28,750.00

Clause 22A (10% Disabled)	\$ 850.00	3	\$ 2,250.00
Clause 22E (100% Disabled)	\$1,200.00	2	\$ 2,100.00
Clause 37 (Blind)	\$ 875.00	11	\$ 9,262.50
Clause 41C (Elderly)	\$1,000.00	35	\$29,713.77
Clause 42 (Police/Fire Surviving Spouse)	Full /Total	1	\$ 4,987.24
Paraplegic (Vet)	Full	2	\$ 9,360.21
Circuit Breaker (CB)	97 applied 4 denied		\$65,909.88
Community Preservation Act (CPA)		90	\$ 3,878.51

For the period of July 2003 to June 2004, the total number of excise bills issued for this period was 14,041 that generated \$2,046,185.81 in levies. There were 299 abatements granted in the amount of \$28,308.30. The Registry of Motor Vehicles sends commitments throughout the year. The above figures represent 2003 and 2004. Taxpayers should not ignore an excise bill. If an excise bill remains unpaid, the Registry will mark the owners license number and all unpaid balances will need to be paid before a car registration or license can be renewed.

TREASURER/COLLECTOR

The Treasurer's office is responsible for collecting all monies due to the Town of Wayland. This includes real estate taxes, personal property taxes, excise taxes, water bills, departmental turn-ins such as building permits, health permits, and park and recreation fees. We are also responsible for collecting the money received from the Community Preservation Act that now shows up on each quarter's Real Estate bill. These receipts must be reported to the Town Accountant on a timely basis. Unspent money must be invested in high yield, insured accounts.

JULY 1, 2003	CASH BALANCE	\$ 7,859,575.46
FISCAL YEAR 2004	RECEIPTS	<u>\$142,349,069.51</u>
		\$150,208,644.97
FISCAL YEAR 2004	EXPENDITURES	\$141,165,484.81
JUNE 30, 2004	CASH BALANCE	<u>\$ 9,043,160.16</u>
		\$150,208,644.97
AS OF JUNE 30, 2004	TAX TITLE 38 PARCELS	\$ 536,241.00
AS OF JUNE 30, 2004	TAX TITLE POSSESSIONS 39 PARCELS	\$ 6,102.20

BOND ANTICIPATION NOTES

TEMPORARY NOTES

Project	Type	Sold	Rate	Amount	Payoff	Interest	Buyer
School Building	BAN	11/21/2003	1.090%	\$ 10,745,000.00	11/18/2004		Sovereign Bank
				\$ 10,745,000.00			
Highway Project	SAAN	06/30/2004	1.600%	\$ 41,945.00	11/18/2004		Eastern Bank
				\$ 41,945.00			

MATURING DEBT AND INTEREST

	BALANCE JULY 1, 2003	PRINCIPAL FY 2004	INTEREST FY 2004	BALANCE JUNE 30, 2004
High School Remodel \$6,180,000.00	\$2,715,000.00	\$ 360,000.00	\$ 110,525.00	\$ 2,355,000.00
School – 1993 \$4,146,000.00	\$2,150,000.00	\$ 215,000.00	\$ 95,675.00	\$ 1,935,000.00
Multi-Purpose - 1996 \$6,158,000.00	\$2,620,000.00	\$ 360,000.00	\$ 329,200.00	\$ 2,260,000.00
Multi-Purpose - 1997 \$3,830,000.00	\$1,445,000.00	\$ 375,000.00	\$ 64,942.50	\$ 1,070,000.00
Multi-Purpose - 1998 \$8,722,000.00	\$5,695,000.00	\$ 740,000.00	\$ 223,332.50	\$ 4,955,000.00
Multi-Purpose - 2000 \$3,613,000.00	\$2,300,000.00	\$ 425,000.00	\$ 115,145.02	\$ 1,875,000.00
Multi-Purpose - 2001 \$3,425,000.00	\$2,690,000.00	\$ 355,000.00	\$ 111,838.76	\$ 2,335,000.00
Multi-Purpose - 2002 3,420,000.00	\$3,110,000.00	\$ 285,000.00	\$ 135,615.00	\$ 2,825,000.00
Multi-Purpose - 2004 2,550,000.00	\$ -	\$ -	\$ -	\$ 2,550,000.00
MWPAT	\$ 612,778.49	\$ 26,873.61	\$ 7,121.90	\$ 585,904.88
MWPAT	\$ 178,928.00	\$ 10,539.00	\$ -	\$ 168,389.00
	\$ 23,516,706.49	\$ 3,152,412.61	\$ 1,193,395.68	\$ 22,914,293.88

TAXATION AID COMMITTEE

The committee's mission is to aid Wayland Disabled and Elderly with their property taxes. Contributions to the Fund are voluntary and may be made by anyone, in any amount. Applications are available after the first of the year and the Committee usually disburses the funds in time for the May tax payment. This past year six applicants received help with their taxes. You may direct any questions to the Treasurer's Office.

	Collected	Disbursed
Carryover Balance FY 01	\$4,151.58	
FY 02	\$2,071.37	\$1,900.00
FY 03	\$1,693.65	\$2,700.00
FY 04	\$3,296.76	\$3,000.00
Year End Balance	\$3,613.36	

COMMISSIONERS OF TRUST FUNDS

The goal of the Commissioners is to invest Wayland's trust funds to realize the best possible gain while maintaining a balance between risk and return appropriate to a public trust. The following are the fund's balances at the end of the past ten years:

2004	\$ 1,876,786
2003	\$ 1,684,155
2002	\$ 1,609,578
2001	\$ 1,764,659
	\$ 1,789,690
1999	\$ 1,581,869
1998	\$ 1,325,784
1997	\$ 939,000

1996	\$ 784,717	For a Statement of Investment Policy please refer to prior Town Reports or contact the Commissioners of Trust Funds
1995	\$ 681,655	

TOWN OF WAYLAND TRUST FUNDS

Short-Term Investments

Vanguard – Prime Money Market Fund	\$ 7,622
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Bonds

Vanguard Intermediate – Term Bond Index Fund	\$ 466,278
Vanguard Total Bond Market Index Fund	\$ 87,205

Stocks

Vanguard Extended Market Index Fund Investor Shares	\$ 337,867
Vanguard Growth Index Fund Investor Shares	\$ 303,004
Vanguard 500 Index Fund Investor Shares	\$ 298,665
Vanguard Value Index Fund Investor Shares	<u>\$ 376,142</u>
 Total Investments	 \$1,876,786

Individual Funds**Distribution Taken FY'04**

Cemetery Funds	\$ 55,772
Library Funds	0
Library Endowment *	0
Allen Fund	400
Greaves/Croft Funds	4,087
J. Leavitt Fund	0
S. Leavitt (Wayland Charitable) Fund	12,000
Gossels Fund (Library)	600
Gossels Fund (School)	<u>7,276</u>
	\$ 80,135

TRUSTEES OF THE ALLEN FUND

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." The Allen fund was later combined with the "Donation Funds" which date back to 1678. Over the years several additional gifts were contributed to the Fund. Although the Allen Fund was virtually depleted by 1990 it has recently grown so that it can now provide annual gifts. In the past year, three gifts were given to deserving Wayland citizens.

FINANCE DIRECTOR/ACCOUNTANT

REVENUE FY 04**RECEIPTS FY04****GENERAL FUND**

REAL ESTATE TAXES	\$36,700,143
PERSONAL PROPERTY TAXES	\$252,794
MOTOR VEHICLE EXCISE	\$2,006,099
TAX LIENS/REDEMP. TAX TITLE	\$77,755
REVENUE/REFUNDS	\$23,602
1984 COMMITTED INTEREST	\$287
INTEREST ON TAXES	\$236,544
IN LIEU OF TAX PAYMENT	\$41,652
FEES	\$86,209
SCHOOL REVENUES	\$1,413
LIBRARY FINES	\$19,256
CEMETARIES	\$24,020
RECREATION FEES	\$704,385
LICENSES AND PERMITS	\$1,479,585
FINES AND FORFEITS	\$48,296
HIGHWAY UTILITY PERMITS/APPLICATIONS	\$17,345
DOG LICENSES	\$21,167
TOTAL REVENUES G.F.	\$41,740,552

GENERAL FUND AGENCY

INVESTMENT G.F. CASH	\$72,498,166
BETTERMENTS	\$57,449
PROJECT REVENUE - STATE AID	\$3,697,050
PAYROLL ATTACHMENTS	\$468
POLICE DETAILS	\$120,443
INSURANCE 32B	\$590,949
GUARANTEED DEPOSITS	\$151,079
BOARD OF HEALTH LANDFILL/CAPPING	\$74,325
STATE AID ANTICIPATION NOTES	\$41,945
REFUNDS	\$534,223
RAYTHEON PERF BOND	\$100,000
TOWN POOL FUND	\$6,102
TOTAL G.F. AGENCY	\$77,872,199

SPECIAL REVENUE

RAYTHEON ENVIR TECHNICAL	\$27,105
WEIGHT ROOM REVOLVING FUND	\$10,550
SCHOOL ATHLETICS	\$123,152
SPEC ED REVOLVING ACCT	\$19,696
OTHER SCHOOL	\$2,323,319
REIMBURSEMENT UNDER 5000	\$3,861
PEGASUS	\$220,874
WAYLAND HIGH HOCKEY	\$30,914
BOH TITLE 5 BETTERMENT & INTEREST	\$18,785
SCHOOLS 2000/2001/2002	\$593,728

SCHOOL CABLE STUDIO	\$193
METCO AFTER SCHOOL PROGRAM	\$64,517
TITLE V, METCO, COMM. PRTRNSHP, SPED EC 2004	\$247,151
VETERAN'S MEMORIAL DONATIONS	\$73,707
REIMBURSEMENT OVER 5000	\$33,240
SALE OF CEMETARY LOTS	\$6,602
CONSERVATION RECEIPTS	\$21,139
AMBULANCE RECEIPTS	\$225,844
COUNCIL ON AGING PROGRAM	\$20,913
ZONING PLANNING CHAPTER 44 SECTION 53G	\$19,016
INJURY PREVENTION GRANT 04	\$5,000
SCHOOL LUNCH	\$822,712
LIBRARY BOOK FUND	\$910
ELDER AFFAIRS GRANT	\$12,251
SALE TOWN OWN LAND	\$345,400
PARK & RECREATION GIFT FUND	\$62
ELECTION REIMBURSEMENT	\$2,712
PREMIUM ON TEMPORARY LOANS	\$122,536
CULTURAL COUNCIL - ARTS	\$2,013
COMMUNITY POLICING GRANT	\$19,200
LEPC GRANT - MEMA	\$5,640
HANNAH WILLIAMS PLAYGROUND	\$1,096
POLICE FID PERMITS	\$10,200
POLICE GIFT & DONATIONS	\$1,106
STORM REIMBURSEMENT	\$54,618
HIGHWAY SAFETY	\$1,146
LIBRARY NON RESIDENT LIB FUND	\$4,782
LIBRARY AUTOMATION & GRANT	\$10,186
ELDERLY DONATIONS	\$3,200
HEALTH SUB FEES	\$7,002
LIBRARY CHILDRENS CENTER ROOM	\$50
FIRE – S A F E ACCOUNT	\$1,305
EMERGENCY PREPAREDNESS	\$2,831
EMERGENCY MEDICAL TRAINING	\$2,000
TOTAL SPECIAL REVENUE	\$5,522,264
CAPITAL PROJECTS	
ACCOUNT SALE BOND	\$54,000
PROJECT REVENUE	\$1,521,100
LANDFILL BOND SALE	\$406
AGENCY REFUNDS	\$1,529
LIBRARY BOND SALE	\$40,000
WATER BOND SALE	\$300,900
HIGH SCHOOL REMODELING BOND SALE	\$50,000
PUBLIC SAFETY BUILDING	\$528,411
MIDDLE SCHOOL BOND SALE	\$143,000
MIDDLE SCHOOL ADDITIONS	\$10,745,000
COMMUNITY PRESERVATION & INTEREST	\$919,432
TOTAL CAPITAL PROJECT	\$14,303,778

WATER FUND	
USER CHARGES	\$2,030,787
OTHER CHARGES	\$45,238
LIENS	\$19,466
TOTAL WATER REVENUE	\$2,095,491
SEPTAGE FUND	
LIENS	\$2,677
REIMBURSEMENT SUDBURY	\$464,298
OPERATING ACCT - INTEREST	\$8,536
TOTAL SEPTAGE REVENUE	\$475,511
WASTE WATER	
INTEREST	\$24,266
RECEIPTS	\$140,426
APPORTIONED WW BETTERMENT	\$48,901
UNAPPORTIONED WW BETTERMENT	\$4,881
MANAGEMENT INTEREST	\$1,673
TOTAL SEPTAGE REVENUE	\$220,147
TRUST AND AGENCY	
LIBRARY ENDOWMENT FUND	\$475
STABILIZATION INCOME	\$1,542
RETIREMENT FUNDING	\$201
KERTZMAN FUND INCOME	\$102
CHARITY/PERPET/ACADEMIC EXCEL INCOME	\$86,231
FRANCIS J. SMITH DIGNITAS AWARD	\$11
GOSELS HUMAN DIGNITY	\$1,600
CHARITY/LIBRARY/PERPETUAL CARE TRUST/ GREAVES FUND/JANET DOLAN MEMORIAL	\$28,969
TRUST FUND REVENUE	\$119,131
GRAND TOTAL REVENUE FY04	\$142,349,073

FISCAL 04 EXPENDITURES	EXPENDED FY04
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AGENCY EXPENDITURES

GENERAL FUND CASH	\$69,375,772
REAL ESTATE TAXES	\$435,348
MOTOR VEHICLE EXCISE	\$30,788
PERSONAL PROPERTY TAXES	\$8,355
PAYROLL WITHHOLDING	\$10,580,111
PARK & REC DUES	\$7,382
ENVIRONMENTAL AUDIT	\$5,866
POLICE DETAILS	\$140,391
INSURANCE 32B	-\$1,899
COMM MBTA ASSESSMENT	\$162,394

AIR POLLUTION	\$4,760
MAPC	\$3,408
RENEWAL MOTOR VEHICLE EXCISE	\$3,320
COUNTY RETIREMENT	\$1,602,474
REVENUE REFUNDS	\$10,460
MISC EXPENSE	\$12,775
SUMMER SALARIES	\$1,048,294
SCHOOL CHOICE	\$8,501
TOWN POOL	\$638
POLICE FID PERMITS	\$7,750
COUNTY-DOG LICENSES	\$500
TOTAL G. F. AGENCY	\$83,447,388
SPECIAL REVENUE	
RAYTHEON ENVIR TECH	\$27,843
WEIGHT ROOM REVOLVING FUND	\$4,736
SCHOOL ATHLETIC	\$103,647
SCHOOL GRANT ACCT - PL 89-313 1993	\$4,716
BASE/CHILDREN'S WAY/FIELD TRIPS FOUNDATION GRANTS/HOCKEY/CHAP 1	\$1,624,439
INS REM OVER 5000	-\$5,533
PEGASUS	\$179,217
METCO AFTERSCHOOL PROGRAM	\$56,648
BOH TITLE 5 BETTERMENT	\$50,000
SCHOOL	\$1,651,525
SCHOOL CABLE STUDIO	\$6,350
VETERAN'S MEMORIAL	\$1,367
COUNCIL ON AGING	\$21,410
HIST COMM MAKER PROGRAM/ ZONING/PLANNING CHAP44 SEC53G	\$10,045
SCHOOL LUNCH	\$802,349
LIBRARY BOOK FUND	\$3,518
ELDER AFFAIRS GRANT	\$12,151
SWQ CLEAN LAKES GRANT	\$1,837
HIGHWAY UTILITY PERMITS	\$3,739
PARK & REC GIFT ACCT	\$3,187
COMMUNITY POLICING GRANT	\$18,681
LEPC MEMA GRANT	\$234
HANNAH WILLIAMS PLAYGROUND	\$1,057
MWRA DUDLEY POND MONITOR	\$6,720
POLICE SAFETY EQUIP GRANT	\$1,312
DRUG FREE SCHOOLS	\$624
ARTS LOTTERY COUNCIL	\$3,729
POLICE GIFT FUND	\$545
AMBULANCE REFUND	\$51,172
MASS RECYCLING INCENTIVE PROGRAM	\$10,842
LIBRARY NON RESIDENT	\$1,493
CHILDRENS' CENTER	-\$22,438
LIBRARY AUTOMATION ACCT	\$62
COUNCIL AGING ELDERLY DONATION	\$1,819
S A F E ACCOUNT	\$2,014

BOARD OF HEALTH TITLE 5	\$53,514
BOARD OF HEALTH SUB DIV	\$1,480
AMBULANCE GIFT ACCOUNT	-\$50
FIRE SAFETY EQUIPMENT	\$21,000
EMERGENCY PREPAREDNESS	\$2,831
DISCOVERY KIT GRANT	\$887
COMM PRESERVATION ACT	\$19,883
REFUND OTHER CHARGES (WATER)	\$7,163
TOTAL SPECIAL REVENUE	<u>\$4,747,765</u>
CAPITAL PROJECTS	
CONSERVATION BAN	\$54,000
MISC BOND ANTICIPATION NOTE	\$1,016,300
POLICE/FIRE COMPUTER	\$189
ROAD RESURFACING	\$514,684
BAN HIGHWAY PROJECTS	\$392,351
PUBLIC SAFETY BLDG	\$427,927
PUBLIC SAFETY BAN	\$441,000
MIDDLE SCHOOL BAN	\$10,888,000
TOTAL CAPITAL PROJECTS	<u>\$13,734,451</u>
TRUST AND AGENCY	
INVESTMENTS	\$34,805
CHARITY INCOME	\$400
PERPETUAL CARE INCOME	\$100,030
GREAVES TRUST FUND	\$4,087
CHARITY TRUST FUND	-\$187
LIBRARY INCOME	\$837
FRANCES J SMITH DIGNITAS AWARD	\$43
GOSSELS HUMAN DIGNITY LIBRARY/SCHOOL	\$3,285
SUSAN LEAVITT TRUST	\$13,100
CAFETERIA PLAN	\$189,991
TOTAL TRUST AND AGENCY	<u>\$346,391</u>
GRAND TOTAL EXPENDED FY03	<u>\$102,275,995</u>

	<u>SEPTAGE BUDGET</u>	<u>EXPENDED FY 2004</u>
1	SALARIES	\$218,464
	EXPENSE	
2	EXPENSE UTILITY	\$39,991
3	EXPENSE CHEMICAL	\$19,470
4	MISC. & OTHER EXPENSE	\$48,857
5	PROFESSIONAL SERVICES	\$10,600
	EQUIPMENT	
6	PURCHASE/RENTAL	\$0
7	EQUIPMENT MAINTENANCE	\$18,039

8	MATERIAL/SUPPLIES	\$2,058
	BUILDING/MAINT EXPENSE	
9	BUILDING UTILITY	\$515
10	BUILDING/EQUIPMENT ENERGY	\$4,797
11	MAINTENANCE REPAIRS	\$3,633
12	EMERGENCY REPAIRS	\$24,761
	SPECIAL BUDGET ITEMS	
13	DEBT & INT. PAYMENT	\$73,135
14	SLUDGE DISPOSAL	\$106,583
	INDIRECT EXPENSES	
15	LAB	\$7,312
16	ADMINISTRATION	\$40,000
17	GREASE DISPOSAL	\$4,479
18	LEGAL SERVICES	\$1,840
19	GROUND WATER MONITOR	\$0
20	COMMITTEE SECRETARY	\$0

TOTAL SEPTAGE BUDGET FY04 \$624,534

BUDGET

EXPENDED FY 2004

SELECTMEN

1	SALARIES	\$0
2	EXPENSE	\$16,350
3	FIRE STATION 2 RENOVATION	\$6,307
4	METRO WEST	\$4,258
5	UNPAID BILLS FY 2003	\$5,607
6	DOW SITE STUDY	\$13,507
7	IMPROVEMENT TO TOWN CENTER	\$10,250
8	NIKE SITE	\$34,783
9	BEAUTIFICATION PROP	\$7,008
	TOTAL SELECTMEN	\$98,070

EMERGENCY MANAGEMENT

10	OPERATIONS/MISC	\$399
11	UNIFORMS	\$4,252
12	EMERGENCY MANAGEMENT	\$6,949
	TOTAL EMERGENCY MANAGEMENT	\$11,600

TOWN OFFICE

SALARIES:		
	EXECUTIVE SECRETARY	\$93,531
	PERSONNEL DIRECTOR	\$71,744
	FIN. DIR./TOWN ACCT.	\$97,838
	OFFICE ADMIN	\$42,880

	S. SCHEDULE	\$40,805
	CLERICAL	\$106,237
	OVERTIME/LONGEVITY/SICK LEAVE	\$15,928
13	TOTAL SALARIES	\$468,963
14	EXPENSE	\$73,494
15	EQUIPMENT	\$3,650
16	TELEPHONES	\$63,359
17	PROFESSIONAL SERVICES	\$26,500
	TOTAL TOWN OFFICE	\$635,966
	WAYLAND TOWN BUILDING	
18	SALARIES	\$93,795
19	BUILDING UTILITIES	\$126,955
20	EXPENSE	\$27,450
21	BUILDING REPAIR	\$11,235
22	FIRE STATION REPAIR	\$6,040
	TOTAL TOWN BUILDING	\$265,475
	COCHITUATE TOWN BUILDING	
23	EXPENSES	\$20,685
	INFORMATION TECHNOLOGY	
	MANAGER	\$66,775
	COMPUTER OUTREACH TECHNICIAN	\$23,080
24	TOTAL SALARIES	\$89,855
	EXPENSES	
25	FORMS, SUPPLIES	\$24,022
26	EDUCATION/TRAVEL	\$2,500
	EQUIPMENT	
27	RENTAL AND REPAIRS	\$1,136
28	NEW EQUIPMENT & PROGRAMS	\$7,691
29	TECHNOLOGY	\$6,178
30	PROFESSIONAL SERVICES	\$36,451
	TOTAL INFORMATION TECHNOLOGY	\$167,833
	TREASURER/COLLECTOR	
	TREASURER/COLLECTOR SALARY	\$72,784
	CLERICAL SALARY	\$89,204
	TREASURER CERTIFICATION	\$1,000
31	TOTAL SALARIES	\$162,988

EXPENSES:		
32	OPERATING EXPENSE	\$3,528
33	TAX TITLE EXPENSE	\$2,516
34	EXCISE TAX PROGRAM	\$1,045
35	BANKING SERVICES	\$9,645
36	LOCK BOX SERVICES	\$11,301
	TOTAL TREASURER/COLLECTOR	\$191,023
ASSESSORS		
37	SALARIES	\$4,355
38	PROF/CLERICAL	\$142,912
39	EXPENSE	\$5,645
40	PROF SERVICES	\$24,546
41	OTHER EXPENSE	\$1,000
42	COMPUTER SOFTWARE	\$6,000
	TOTAL ASSESSORS	\$184,458
43	FINANCE COMMITTEE	\$0
PERSONNEL BOARD		
44	EXPENSE	\$10,918
45	ADJUSTMENT FD	\$1,265
	TOTAL PERSONNEL BOARD	\$12,183
TOWN COUNSEL		
	PROFESSIONAL SERVICES	
	TOWN COUNSEL	\$100,618
	ASSOC. TOWN COUNSEL	\$62,251
46	TOTAL PROFESSIONAL SERVICES	\$162,869
47	MISCELLANEOUS	\$2,108
	TOTAL TOWN COUNSEL	\$164,977
REGISTRARS		
48	SALARY	\$625
49	LISTING	\$3,406
	TOTAL REGISTRARS	\$4,031
TOWN CLERK		
50	TOWN CLERK SALARY	\$61,681
51	TOWN CLERK ADDED COMPENSATION	\$400
52	CLERICAL	\$39,057
53	CODIFICATION BY LAWS	\$2,976

54	EXPENSE	\$3,194
55	TOWN CLERK CERTIFICATION	\$1,000
	TOTAL TOWN CLERK	\$108,308
ELECTIONS		
56	OFFICERS SALARIES	\$16,902
57	EXPENSE	\$7,530
	TOTAL ELECTIONS	\$24,432
PLANNING BOARD		
58	EXPENSE	\$5,324
59	PLANNING ADMINISTRATOR SAL	\$59,315
60	PLANNING ADMINISTRATIVE ASST.	\$25,591
61	EQUIPMENT MAINTENANCE	\$0
62	SPECIAL ITEMS	\$27
63	TOWN MASTER PLAN	\$2,570
	TOTAL PLANNING BOARD	\$92,827
TOWN SURVEYOR		
	TOWN SURVEYOR SAL	\$66,775
	SURVEY/COMP SPEC SAL	\$57,729
64	TOTAL SALARIES	\$124,504
65	EXPENSE	\$4,429
66	VEHICLE GAS EXPENSE	\$90
67	COMPUTER SYSTEM	\$5,474
68	IMPLEMENTATION ASST.	\$4,405
	TOTAL TOWN SURVEYOR	\$138,902
CONSERVATION		
69	SALARIES	\$99,579
70	EXPENSE	\$10,195
71	STORMWATER DRAINAGE	\$24,203
72	PROFESSIONAL SERVICES	\$2,935
73	42 RICH VALLEY	\$210
74	COMM EQUIPMENT TRUCK	-\$17,079
75	TRUCK	\$22,000
	TOTAL CONSERVATION	\$142,043
HISTORICAL COMMISSION		
76	EXPENSE	\$192
77	GRAVESTONES PRESERVATION	\$5,964

	TOTAL HISTORICAL COMMISSION	\$6,156
	SURFACE WATER QUALITY COM	
78	HURD POND MILFOIL	\$8,012
79	HURD POND	\$29,447
80	SURFACE WATER QUALITY	\$405
	TOTAL SURFACE WATER QUALITY	\$37,864
81	HISTORIC DISTRICT COMM	\$355
	COUNCIL ON AGING	
82	SALARIES	\$108,496
83	OPERATING EXPENSE	\$5,500
84	TAX WORK-OFF PROGRAM	\$19,410
85	EQUIPMENT	\$895
86	TRANSPORTATION	\$37,170
87	SENIOR VOUCHER PAYMENT	\$2,076
88	NEWSLETTER	\$4,106
	TOTAL COUNCIL ON AGING	\$177,653
	TOTAL GENERAL GOVERNMENT	\$2,484,841
	POLICE	
	SALARIES	
	POLICE CHIEF SALARY	\$113,758
	LIEUTENANT SALARY	\$82,781
	YOUTH OFFICER SALARY	\$63,925
	SERGEANTS SALARY	\$353,890
	DETECTIVES SALARY	\$168,170
	PATROLMEN SALARY	\$717,785
	INTERNS SALARY	\$7,054
	OVERTIME SALARY	\$65,660
	RETIREMENT EXPENSE	\$9,253
	HOLIDAY SALARY	\$63,745
	SCHOOL TRAFFIC SUPERVISOR	\$38,072
	COURT TIME	\$7,093
	PRISONER WATCH	\$823
	TUITION REIMBURSEMENT	\$1,600
	CLERK	\$40,805
1	TOTAL SALARIES	\$1,734,414
	EXPENSE:	
2	ANNUAL PHYSICALS	\$3,772
3	OPERATING EXPENSE	\$18,280
4	UNIFORM EXPENSE	\$24,205
5	TRAINING EXPENSE	\$68,237
6	SPECIAL SERVICES	\$1,081

7	YOUTH OFFICER SAFETY	\$4,095
8	CRIME PREVENTION	\$409
9	OUT-OF-STATE TRAVEL	\$759
10	PARTS SUPPLIES	\$16,680
11	LINE PAINTING/STREET SIGNS	\$21,136
12	PUBLIC SAFETY COMPUTER	\$10,114
	EQUIPMENT	
13	POLICE CARS PURCHASED	\$79,543
14	NEW EQUIPMENT, MISC, SUPPLIES	\$3,536
15	EQUIPMENT MAINTENANCE & REPAIR	\$5,827
16	VEHICLE GASOLINE	\$29,979
17	COMPUTER UPGRADE/SOFTWARE/TRAFFIC LIGHTS	\$32,217
	TOTAL POLICE DEPT.	\$2,054,284

FIRE

	SALARIES	
	CHIEF SALARY	\$104,378
	DEPUTY CHIEF SALARY	\$61,727
	CAPTAINS SALARY	\$172,093
	LIEUTENANTS SALARY	\$189,428
	FIREFIGHTERS SALARY	\$758,589
	INCENTIVE & EMPLOYEE PAY	\$46,550
	OVERTIME	\$130,404
	TRAINING OVERTIME	\$1,817
	CALLBACK PAY	\$39,476
	HOLIDAY PAY	\$80,025
	CALLMEN HOURLY	\$7,997
	CALLBACK PAY: AMBULANCE	\$37,048
	CLERICAL/ CLERICAL PART TIME	\$23,952
	FIRE PREVENTION-PART TIME	\$6,000
	POLE REPLACEMENT LABOR	\$5,000
18	TOTAL SALARIES	\$1,664,484
19	PHYSICAL EXAMS	\$5,133
20	OPERATING EXPENSE	\$9,976
21	AMBULANCE EXPENSE	\$11,265
22	FIRE ALARM SYSTEM EXPENSE	\$7,323
23	TRAINING AND EDUCATION	\$5,109
24	UNIFORM EXPENSE	\$18,310
25	POLE REPLACEMENT	\$3,962
26	CAR 2	\$502
27	LADDER/PUMPER TRUCK	\$307,579
28	COCHITUATE BUILDING PEPAIRS	\$57,055
	EQUIPMENT	
29	COMPUTER MAINTENANCE	\$4,996
30	MISC. EQUIPMENT & HOSE	\$13,039

31	EQUIPMENT MAINTENANCE	\$13,598
32	EQUIPMENT RENTAL	\$825
33	VEHICLE GASOLINE	\$13,939
	TOTAL FIRE DEPT.	\$2,137,095
INSPECTION/BUILDING		
	SALARIES	
	BLDG.& ZONING INSP. SAL	\$68,059
	DEPUTY BLDG INSPECTOR	\$48,920
	SUB INSPECTOR SALARY	\$1,664
	WIRING INSPECTOR	\$19,631
	OVERTIME	\$4,418
	PLUMBING/GAS INSPECTOR	\$22,846
	CLERICAL	\$77,725
	SEALER OF WEIGHTS & MEAS., SALARY	\$618
34	TOTAL SALARIES	\$243,881
	EXPENSE:	
35	BUILDING & ZONING EXPENSE	\$7,488
36	INSPECTORS EXPENSE	\$3,711
37	ZONING BOARD EXPENSE	\$2,167
	EQUIPMENT	
38	VEHICLE EXPENSE	\$2,140
39	VEHICLE GASOLINE	\$788
40	COMPUTER UPDATE	\$3,929
41	COPY MACHINE	\$400
42	COMPUTER EQUIPMENT	\$6,067
	TOTAL INSPECTION	\$270,571
	DOG OFFICER:	
43	DOG OFFICER SALARY	\$51,966
44	DOG OFFICER EXPENSE	\$2,732
45	BOARD & VET FEES	\$1,136
46	VEHICLE GASOLINE	\$1,919
	TOTAL DOG OFFICER	\$57,753
JOINT COMMUNICATIONS		
47	DISPATCHERS SALARY	\$364,447
48	OPERATING EXPENSE	\$21,500
49	BLDG. EXPENSE, MAINT, REPAIR	\$13,038
50	BLDG. EXP UTILITIES	\$80,240
51	UNIFORM ALLOWANCE	\$2,555
52	SPECIAL ITEMS: WASTE WATER MANAGEMENT FEES	\$641

TOTAL JOINT COMMUNICATIONS		\$482,421
TOTAL PROTECTION		\$5,002,124
BOARD OF HEALTH		
SALARIES:		
BOARD MEMBERS		\$250
HEALTH DIRECTOR		\$75,583
ADMINISTRATIVE ASSISTANT		\$38,762
ADMINISTRATIVE ASSISTANT OT		\$3,441
PART-TIME CLERICAL		\$15,978
HEALTH AGENT/ SANITARIAN		\$48,321
ANIMAL INSPECTOR		\$450
ANIMAL CONTROL OFFICER		\$9,000
1 TOTAL SALARIES		\$191,785
EXPENSES:		
2 OFFICE EXPENSE		\$9,643
3 IN STATE TRAVEL EXPENSE		\$984
4 FRINGE BENEFITS		\$1,101
CONTRACT/PROF SERVICES:		
5 MENTAL HEALTH CLINICS		\$47,400
6 COMMUNITY NURSING CARE		\$300,836
7 MOSQUITO CONTROL		\$31,972
8 PROFESSIONAL SERVICES		\$720
9 ENVIRONMENTAL PROFESSIONAL SERVCIES		\$7,000
10 VEHICLE OPERATION/MAINT		\$1,178
SPECIAL BUDGET ITEMS:		
11 WATER QUALITY TESTING		\$1,287
12 HAZARDOUS WASTE MGT		\$15,000
TOTAL BOARD OF HEALTH		\$608,906
HIGHWAY		
SALARIES:		
DIRECTOR OF HIGHWAY		\$65,265
CLERKS' SALARIES		\$74,562
HIGHWAY LABOR SALARY		\$504,625
OVERTIME LABOR		\$0
1 TOTAL SALARIES		\$644,452
MAINTENANCE:		
2 MAINTENANCE OF ROADS		\$144,584
3 MAINTENANCE OF PRIVATE ROADS		\$2,630
4 MAINTENANCE OF EQUIPMENT		\$64,750
5 SNOW REMOVAL		\$157,134

6	UNIFORMS/OTHER FRINGE	\$14,542
7	INDIAN ROAD/MASSASOIT PATH	\$7,775
8	SIDEWALK RECONSTRUCTION	\$14,060
9	CONSTRUCTION LODGE ROAD	-\$16
10	SIDEWALKS & BICYCLE	\$3,684
	CONTRACT/PROFESSIONAL SERVICES	
11	CONTRACT BASIN CLEANING	\$20,007
12	ROAD RESURFACING	\$9,308
	EQUIPMENT	
13	EQUIPMENT MISC.	\$10,971
14	HIGHWAY FUEL	\$33,807
15	STREET SWEEPER	\$103,780
	BUILDING MAINTENANCE:	
16	HIGHWAY GARAGE REPAIR	\$15,968
17	WASTEWATER DISPOSAL	\$8,673
18	HIGHWAY GARAGE UTILITIES	\$32,369
19	OFFICE EXPENSE	\$6,964
	TOTAL HIGHWAY	\$1,295,442
	BOARD OF HEALTH-LANDFILL	
1	SALARIES:	\$192,159
	EXPENSE:	
2	LEACHATE COLLECTION	\$59,969
3	DISPOSAL OF WOOD	\$30,006
4	FUEL	\$12,891
	PROFESSIONAL SERVICES	
5	MISC. ENGINEERING	\$16,876
	BUILDING:	
6	REPAIRS	\$9,129
7	UTILITIES	\$14,984
8	OTHER EXPENSE	\$13,386
9	MAINTENANCE REPAIRS	\$28,985
10	LEASE EQUIPMENT	\$6,007
11	OTHER EXPENSE: COVER	\$14,629
12	MISC. EQUIPMENT	\$8,192
13	BANNED WASTE DISPOSAL	\$30,000
14	SECURITY SYSTEM	\$5,813
15	ENGINEERING LANDFILL CAP	\$509
16	CAP & CLOSURE/ROLL OFF TRUCK	\$108,573
17	COMPACTOR UNIT/CONTAINERS	\$30,818
18	REPLACE WALL	\$19,734

	TOTAL LANDFILL	\$602,660
	WASTE WATER	
1	OPERATING EXPENSE	\$13,826
2	PROFESSIONAL SERVICES	\$113,503
3	DEBT SERVICES	\$29,851
	TOTAL WASTE WATER	\$157,180
	VETERANS BENEFITS	
1	VET BENEFIT APPROPRIATION	\$4,373
2	MISCELLANEOUS	\$145
3	SALARIES	\$3,802
	TOTAL VETERANS BENEFITS	\$8,320
	SCHOOLS	
	REGULAR INSTRUCTION 1	\$12,394,246
	HIGH SCHOOL DESIGN	\$119,500
	SPECIAL INSTRUCTION 2	\$4,608,525
	INSTRUCTIONAL SERVICES 3	\$3,999,540
	OPERATIONS SERVICES 4	\$2,542,522
	POLICY ADMIN. SERVICES. 5	\$755,850
	OUT OF STATE TRAVEL 6	\$3,672
	CLAYPIT HILL ROOF	\$48,000
	TECHNOLOGY	\$50,394
	BUILDING REPAIRS	\$115,536
	RENOVATIONS CHILDREN'S WAY	-\$85,000
	MIDDLE SCHOOL CONSTRUCTION	\$40,963
	HIGH SCHOOL FEASIBILITY	\$1,309
	CONTRACT SERVICES	\$488
1	TOTAL SCHOOLS	\$24,595,545
11	REGIONAL VOCATIONAL SCHOOL	\$178,450
	DIRECTOR YOUTH SERVICES	
	DIRECTOR YOUTH SERVICES	\$68,059
	ASSOC DIRECTOR YOUTH SER	\$63,271
1	TOTAL YOUTH SERVICES SALARIES	\$131,330
2	EXPENSE	\$4,017
3	AUTOMOBILE EXPENSE	\$710
4	VEHICLE PURCHASE	\$0
5	AUTOMOBILE REPAIR	\$0
	TOTAL YOUTH SERVICES	\$136,057

LIBRARY

SALARIES		
	LIBRARY DIRECTOR	\$64,043
	ADMIN. ASSISTANT	\$47,942
	CHILDREN'S LIBRARIAN	\$42,159
	ASST. CHILDREN'S LIBRARIAN	\$43,085
	LIBRARY ASSISTANTS	\$112,947
	PAGES SALARY	\$12,348
	CLERKS SALARY	\$73,422
	CUSTODIAN SALARY	\$31,746
	REFERENCE LIBRARIAN	\$53,231
	ASSISTANT DIRECTOR	\$50,251
	HEAD OF CIRCULATION	\$49,153
	COMPUTER SPECIALIST/PART TIME	\$14,866
	NEW POSITIONS	\$27,277
1	TOTAL SALARIES	<u>\$622,470</u>
2	EXPANSION PLANNING	\$1,811
3	OPERATING EXPENSE	\$43,000
4	TUITION REIMBURSEMENT	\$1,223
5	MATERIALS PURCHASE	\$133,001
6	COMPUTERS	\$15,000
7	LIBRARY AUTOMATION	\$32,000
	TOTAL LIBRARY	<u>\$848,505</u>

PARK & RECREATION

SALARIES:		
	SUPERINTENDENT	\$78,074
	LABOR	\$428,592
	CLERICAL REGULAR	\$41,005
1	TOTAL SALARIES	\$547,671
EXPENSE:		
2	REPAIRS & MISC.	\$50,801
3	LANDSCAPE, MATERIAL & SUPPLIES	\$29,817
4	UNIFORM EXPENSE	\$4,280
5	TREE PLANTING	\$3,740
6	TRAVEL & DUES IN STATE	\$355
7	TRAVEL OUT OF STATE	\$620
EQUIPMENT		
8	MISC SMALL EQUIPMENT	\$824
9	REPAIR SUPPLY & EQUIP	\$2,811
10	COMPACT MOWER	\$11,500
BUILDING REPAIRS		

11	LIGHTING, ETC.	-\$995
	CONTRACT/PROF SERVICES	
12	TREE TRIMMING	\$29,062
13	PUBLIC WORKS EXPENSE	\$1,983
	TOTAL PARK & RECREATION	\$682,469
14	FEE SUPPORTED PROGRAMS	\$461,338
	PARK/RECREATION: POOL OPERATION	
	SALARIES	\$163,437
	UTILITIES	\$53,648
	ADMIN MATERIALS, SUPPLIES	\$13,986
	MAINTENANCE MATERIALS, SUPPLY PROGRAMS	\$40,284
		\$6,013
15	TOTAL POOL OPERATION	\$277,368
	UNCLASSIFIED	
1	INSURANCE GENERAL	\$360,709
2	INSURANCE 32B	\$5,188,747
3	UNEMPLOYMENT COMPENSATION	\$15,599
4	STREET LIGHTING	\$95,988
5	TOWN MEETING WARRANT	\$13,398
6	PUBLIC CEREMONIES	\$3,495
7	SPECIAL TOWN MEETING	\$411
8	NON CONTRIBUTORY PENSION	\$12,986
9	OCCUPATIONAL HEALTH NURSE	\$9,409
	TOTAL UNCLASSIFIED	\$5,700,742
	DEBT AND INTEREST	
	INTEREST	
1	BOND ANTICIPATION NOTES	\$3,649
2	BOND ANTICIPATION NOTES EX	\$6,739
3	MULTI PURP EX 91 HIGH SCHOOL	\$110,525
4	MULTI PURP EXEMPT SCHOOL 1993	\$95,675
5	LAND ACQUISITION EXEMPT	\$230,855
6	MULTI PURPOSE 1996	\$46,957
7	MULTI PURPOSE 1997	\$26,282
8	MULTI PURPOSE EXEMPT 1997	\$27,000
9	PUBLIC SAFETY BLDG. EXEMPT	\$188,695
10	DECARLO LAND ACQUISITION	\$281
11	DEPARTMENTAL EQUIPMENT	\$3,938
12	FIELD HOUSE ROOF	\$716
13	COMPUTERS	\$1,500
14	TRAFFIC LIGHTS	\$94
15	LAND ACQUISITION	\$42,210
16	MODULAR CLASSROOMS/GYM	\$35,175

17	POOL REMODEL	\$11,795
18	STREET REMODEL	\$8,694
19	SIDEWALK/BIKE	\$1,950
20	TEMP BORROWING MIDDLE SCHOOL	\$241,763
21	DEPARTMENT EQUIPMENT	\$9,750
22	LAND ACQUISITION 2001	\$64,964
23	DEPT EQUIPMENT 2001	\$15,600
24	SCHOOL TECH 2001	\$6,000
25	TOWN BLDG/FIRE REPAIRS	\$4,815
26	SIDEWALK 2001	\$1,200
27	LANDFILL 2001	\$8,025
28	BUILDING REPAIR	\$1,112
29	RADIO REHAB 2002	\$735
30	COMPUTERS 2002	\$175
31	TELEPHONES 2002	\$339
32	COMPACTOR UNIT 2002	\$1,388
33	CONTAINERS 2002	\$370
34	ASPHALT REPAIR UNIT 2002	\$771
35	PICKUP TRUCK 2002	\$1,326
36	SCHOOL TECH 2002	\$10,805
37	SCHOOL FURNITURE 2002	\$2,528
38	SCHOOL BLDG REPAIR 2002	\$4,743
39	SCHOOL VEHICLES 2002	\$1,603
40	PUBLIC SAFETY 2002	\$68,960
41	TOWN POOL REPAIRS 2002	\$7,400
42	LAND PURCHASE CAZANAS	\$1,850
43	CANOE LAUNCH	\$1,850
44	PUBLIC WAY 2002	\$1,400
45	SURFACE DRAIN 2002	\$4,485
46	SEWER 2002	\$375
	MATURING DEBT	
47	MULTI PURP EX 91 HIGH SCHOOL	\$360,000
48	MULTI PURP EXEMPT SCHOOL 1993	\$215,000
49	LAND ACQUISITION EXEMPT 1996	\$50,855
50	MULTI PURPOSE 1996	\$1,957
51	BOND SALE EXPENSE	\$47,656
52	FINANCIAL DISCLOSURE	\$2,650
53	MULTI PURPOSE 1997	\$147,300
54	MULTI PURPOSE EXEMPT 1997	\$150,000
55	PUBLIC SAFETY BLDG.	\$290,000
56	DECARLO LAND ACQUISITION	\$15,000
57	DEPARTMENTAL EQUIPMENT	\$210,000
58	FIELD HOUSE REMODEL	\$3,675
59	COMPUTERS	\$80,000
60	TRAFFIC LIGHTS	\$5,000
61	DEPARTMENTAL EQUIPMENT	\$100,000
62	LAND ACQUISITION	\$120,000
63	MODULAR CLASSROOMS/GYM	\$100,000
64	STREET REMODEL	\$33,000
65	POOL REMODEL	\$35,000

66	SIDEWALK/BIKE	\$20,000
67	LAND ACQUISITION 2001	\$90,000
68	DEPT EQUIPMENT 2001	\$130,000
69	SCHOOL TECH 2001	\$50,000
70	TOWN BLDG/FIRE REPAIRS	\$15,000
71	SIDEWALK 2001	\$10,000
72	LANDFILL 2001	\$25,000
73	BUILDING REPAIR	\$3,800
74	RADIO REHAB 2002	\$5,000
75	COMPUTERS 2002	\$5,000
76	TELEPHONES 2002	\$2,238
77	COMPACTOR UNIT 2002	\$9,168
78	CONTAINERS 2002	\$2,442
79	ASPHALT REPAIR 2002	\$5,093
80	PICKUP TRUCK 2002	\$8,761
81	SCHOOL TECH 2002	\$35,000
82	SCHOOL FURNITURE 2002	\$16,703
83	SCHOOL BLDG REPAIR 2002	\$16,200
84	SCHOOL VEHICLES 2002	\$10,593
85	PUBLIC SAFETY 2002	\$80,000
86	TOWN POOL REP 2002	\$20,000
87	LAND PURCHASE CAZANES	\$5,000
88	CANOE LAUNCH 2002	\$5,000
89	PUBLIC WAY 2002	\$15,000
90	SURFACE DRAINS 2002	\$5,000
91	SEWER 2002	\$5,000

TOTAL DEBT & INTEREST

\$3,869,153

GRAND TOTAL BUDGET

\$46,909,101

WATER DEPARTMENT

SALARIES:

COMMISSIONERS	\$225
SUPERINTENDENT	\$69,969
LABOR	\$390,528
CLERICAL	\$39,995

1 TOTAL SALARIES

\$500,717

2	VEHICLES/FILTRATION PLANT/TANKS/COMP EQ & SFTWR	\$166,774
3	WATER BONDS	\$51,511
4	OPERATING EXPENSE	\$591,430
5	PERGE WELLS	\$15,955
6	SOFTWARE & EQUIPMENT	\$11,687
7	POLICE DETAILS	\$7,588
8	BORROWING COSTS	\$370,026

TOTAL WATER

\$1,715,688

EDUCATION AND LIBRARY

SCHOOL COMMITTEE

The Massachusetts Education Reform Act of 1993 stipulates that the responsibilities of a school committee include formulating policy, overseeing the superintendent, and approving the budget. This report will touch on these three functions of the Wayland School Committee, as well as other information relevant to the Wayland Public Schools.

OVERVIEW

During FY 2004, the School Committee conducted 26 regular business meetings, open discussion meetings and a Budget Hearing. We also met periodically with other Town boards and committees.

The School Committee is pleased with the results of the 2003-04 school year that was highlighted by numerous student and staff accomplishments. A high percentage of our students performed well by state and local standards. The academic success of our students continues to be a valid measure of the district's effectiveness and is closely monitored by the School Committee. More important to us, however, our students were judged successful in a wide variety of school activities by their parents, teachers, assistants and coaches.

We also take pride in the many extra curricular accomplishments of the students. The School Committee is particularly happy with the number and variety of school-sponsored activities offered by the staff at all levels of the system. Wayland remains a healthy and active community in which to raise children. Moreover, we continue to be proud of our commitment to the METCO program and all that this program offers both our Boston and Wayland students and their families.

In concert with our successes, the district continues to face a variety of challenges. Enrollment has grown for fifteen straight years and at 2,965 in October of 2003 is 43% higher than the low of 2,072 in the 1987-1988 school year. Maintaining the quality of our schools as enrollment increases remains our top priority. While the level of financial support from the town is excellent, state and federal financial aid remains inadequate and threatens local programs. Rising costs of special education and increased space

needs, particularly at the High School, are also causes for concern. One of the greatest challenges in the coming years continues to be hiring replacement staff for retiring teachers and mentoring for newly hired teachers.

This report continues with information on the following areas:

- School Committee policies
- Superintendent goals
- Current issues
- Our staff
- Our curriculum
- Our buildings
- Our budget

SCHOOL COMMITTEE POLICIES

The School Committee continues to respond to mandates from the Department of Education and Federal Government (NCLB) relative to the rules and regulations that govern the Commonwealth's public schools. The Committee annually reviews the appropriateness of its policies. A Policy Manual is available in each school, in the public library, and in the superintendent's office in the Town Building. During FY '04, the School Committee established a Policy Manual Subcommittee whose members met regularly to assess the validity of each policy. Policy modifications will be made with the input of the School Committee and Administrative Council. Our section of the Wayland Public Schools web site (www.wayland.k12.ma.us) is accessible at all times and contains the policies, and many other pertinent school documents, reports, and daily news. Additional information may be found on our separate web site (www.waylandschoolcommittee.org). School Committee meetings are open to the public, and citizens interested in becoming more informed about our schools may access school policies via any of the sources listed above.

SUPERINTENDENT'S GOALS

Dr. Gary A. Burton has completed his tenth year as our district's chief administrator. In September 2003, Dr. Burton presented annual goals that we approved and monitored throughout the school year. These goals addressed budget management, building

projects, curriculum work and bargaining. One area of note was his hiring and orientation of Language Curriculum leaders for K-5. A second area of note is the replacement of Dr. Richard Schaye, principal of Wayland Middle School for 22 years. A thorough recruiting process ensued and parents, faculty and administrators were involved in the hiring process of Dr. Charles Schlegel as Dr. Schaye's replacement. The Committee evaluates Dr. Burton's performance annually, and, again this year, we are very pleased with his leadership of the schools.

BUDGET INFORMATION

Each spring, a proposed school budget booklet is mailed to every household in the community prior to the annual town meeting. This document contains a wealth of information about our schools and should be referred to in support of this report.

The FY 2004 budget totaled \$25,462,202. Financially, the schools have operated as planned, and, while there were some unanticipated expenses, the School Committee is pleased with our year-end status. As requested by the Board of Selectmen and Finance Committee, the School Committee returned to the town \$100,000 to replace state aid funds originally promised, but not available in FY04. This required careful budgeting and management of resources.

Barring any unforeseen emergencies, the FY 2005 budget of \$25,909,202 should prove sufficient to maintain high levels of direct instructional services. School Committee members remain committed to maintaining a proper balance between desired programs, student opportunities, and realistic limitations on town and taxpayer resources.

Overall, the district's fiscal health is good, but is challenged by the likely need for an operating override to support FY 2006. As has been said before, excellence is costly. We continue to value the unusually positive relationship that exists between Wayland's taxpayers and the district's staff.

PRIVATE CONTRIBUTIONS USED BY WAYLAND PUBLIC SCHOOLS

The Committee is particularly pleased that community-based groups such as the Wayland Public Schools Foundation, the Wayland High School Scholarship Committee, and Arts/Wayland, along with our many parent-led school-based groups (PTO's, CAPA, Boosters), continue to support our school programs with enthusiasm and generous

financial assistance. In total, more than \$450,000 was donated or given to the schools this past year to assist special programs or enrich the general learning environments within our schools. These organizations have become a critical part of the foundation upon which the quality of this school district exists. It is obvious to those associated with the schools that the broad community support of our schools strongly encourages our professional staff. The level of support in dollars alone is extraordinary, and the School Committee again thanks all who have supported the schools with donations of time, energy, and money.

CURRENT ISSUES

Among the regular matters of budget preparation and general oversight, several key issues occupied the attention of the School Committee. As discussed later in the Building Status section, the high school requires modernization and expansion. The ten-year accreditation of the high school gained Administrative, faculty and school committee attention. A High School mission statement was developed by a working group of faculty and parents and approved by the School Committee. The accreditation committee has been formed and planned for throughout the year.

On another front, Parmenter, the organization that has provided school-nursing services for more than fifty years, notified the committee that they would not renew their contract beyond the 2003-2004 school year. The School Committee worked closely with the Board of Health to find a solution to how best to provide nursing services. By the end of the school year, it was decided that the Board of Health would fund the nursing program and there would be a joint oversight of the nursing staff by the Board of Health and the School Administration. The nursing staff was evaluated and hires were made to cover the nursing services in all buildings.

On the building side, the Claypit Hill gym was reconstructed during the school year, and a capital expenditure of \$1M was allocated by the town to replace the aging and deteriorating Claypit Hill Roof. A roofing contractor was secured and the work is scheduled for completion by the start of school, September '04.

STAFF RELATIONS

The school district completed the third year of a three-year labor agreement with the district's four unions (teachers, support staff, custodians, and

cafeteria workers) in FY 2004. Labor relations with the district's unionized employees are good, and this benefits the school district in ways not always apparent to the general public. The School Committee eagerly pays its teachers well. In return, we expect that our children will be exposed to a rigorous program of study within a school environment that is truly conducive to learning. Likewise, the community has demonstrated that it values educators and the achievement of our students alike.

A negotiating team was assigned to work with the district's attorney. Between February and June of '04, this team had regular negotiating sessions resulting in a ratified contract agreement between the School Committee and the Wayland Teacher's Association before the end of school in June '04. Also ratified were the Custodial contract and the Food Service contract. Pending is the WESA contract by the publishing of this annual report.

CURRICULUM MATTERS

During FY 2004, the district initiated a number of program changes designed to improve student performance and enhance the professional skills of the staff. Most notably, FY 2004 saw the integrating of new curriculum specialist positions at the elementary school level. A system-wide literacy initiative proceeded in an effective way and was led by two of our new Language Arts Specialists. Also, the Middle School devoted added resources to the differentiated learning initiative so important to that level of education in our system. District administrators continue to oversee a number of training workshops in language arts, reading, mathematics, science, and technology designed to help newer staff understand the curriculum while reinforcing instructional techniques that are known to be successful. The district continues to support a mentoring program that pairs veteran teachers with instructors new to Wayland. This effort becomes increasingly important, as a large number of veteran staff is retiring.

A number of curriculum and other school-related documents (Enrollment Report, Staff Deployment and Class Size Report, MCAS Analysis Report, Special Education Program Report, Technology Report, End of Year Curriculum Report and Budget Report) have been produced by the staff and were distributed throughout the year. These public documents promote a common language and allow the community to better understand the work of our

district. These reports and others are available in the superintendent's office and on the Wayland Public Schools web site.

MCAS UPDATE

Found within the Superintendent's report are our district's most recent standardized test scores. District-wide results for all grades tested have been well above state averages and places Wayland among the top performing school districts in the state. The School Committee is not opposed to assessment *per se*, and indeed welcomes an appropriately balanced system for evaluating the quality of our district's program. We do, however, share our staff's concern with a number of the aspects of MCAS, and, in particular, the valuable teaching time lost to administering these lengthy examinations.

BUILDING STATUS

The final stages of the \$10.7 million dollar middle school building project continued throughout the 2003-2004 school year, with only a few lingering details remaining. The Middle School Building Committee was decommissioned in May 2004.

The School Committee's current project focus is on the High School facility. Based on the results of the feasibility study completed in November 2002, the School Committee planned a \$2.5M ballot question to fund design drawings and construction documents.

In February 2003, however, the School Building Assistance Bureau (SBAB) informed the Commonwealth of a moratorium on reimbursing schools for building projects. Because of the uncertainty that this announcement created late in the communication effort, the School Committee elected to recommend a much smaller \$375,000 design-only effort. That project was narrowly defeated at the Annual Town Meeting in April of 2003.

While the possibility of reimbursement disappeared, the needs for modernization and expansion of the High School did not. The School Committee established the High School Study Committee (HSSC) to spend the summer and fall of 2003 gathering additional information elaborating on physical condition, educational program, and enrollment needs. The HSSC's work led to a November 2003 Special Town Meeting request to ask voters to fund a more tightly defined design study at a cost of \$355,000. This expenditure was approved by town voters attending the Special Town Meeting along with the formation of an 11 member High

School Building Committee. In January 2004, the School Committee, the Board of Selectmen, and the Finance Committee appointed the High School Building Committee (HSBC) members and work began shortly thereafter. Throughout the winter and spring of 2004, the HSBC commissioned the architectural firm of HMFH and the project management team of Turner Construction to assist in assessing the needs of the High School physical plant and developing an educational program report. By the end of the summer 2004, a recommended option for expansion and modernization will be presented to the School Committee.

As referred to earlier in this report, the Claypit roof is scheduled for complete replacement by the start of school September 2004.

It should be reported again that there is little vacant space within the three elementary schools, and while this is not an immediate problem, it is being closely monitored by the School Committee through regular review of enrollment data.

Overall, the district's facilities are well maintained, and the efforts of the custodial staff have ensured that learning and teaching areas are clean and safe.

CONCLUDING REMARKS

The School Committee is pleased with the academic achievement and personal progress experienced by the vast majority of our students over the past twelve months. We believe that our students have attended to their studies and have seen good results for their efforts. We are equally pleased with the performance of our professional educators and thank them for their excellent work. They have served our children well and are a credit to their profession. The work of all other school employees is likewise noteworthy and appreciated.

Finally, the School Committee thanks the taxpayers of Wayland for their continued support of the schools and understands that the partnership that has been forged between those families with children in school and those households that receive no direct benefit is proper and necessary to the town's overall welfare. Wayland's schools continue to be vibrant and strong, and all in the community benefit from their success.

For further information please contact:

Wayland Public Schools
P.O. Box 408 – 41 Cochituate Road
Wayland, MA 01778

or visit our web sites at:
www.wayland.k12.ma.us
www.waylandschoolcommittee.org

SUPERINTENDENT OF THE SCHOOLS

This is the one-hundred-and-eighth Annual Report of the Superintendent of the Wayland Public Schools. It covers the 2003-04 academic year, and is submitted by Dr. Gary A. Burton, who began his tenth year as the district's superintendent on July 1, 2004.

Serving as the chief school administrator in this community continues to be a privilege, and I thank many throughout the town for their support of the schools. Wayland's reputation as a community that values its young people, respects their educators, and supports its schools is well-deserved. This makes my job and that of other school employees highly desirable. I believe Wayland's instructors are among the finest in their profession, and the children's scholarly achievements are proof of this.



A positive correlation exists between the quality of community life and the Wayland Public Schools. School-sponsored activities, including concerts, plays, parades and sporting events, enrich the lives of many residents, regardless of age or association with a particular school. The retail values of homes

remain unusually strong and reflect the strength of a long-standing partnership between Wayland property owners and the local schools.

Curriculum and Instruction

Curriculum initiatives throughout the district are ongoing. High-performing schools cannot rest upon previous accomplishments; thus, when deemed appropriate, Wayland teachers and administrators, often with the encouragement of parents, make necessary changes to existing programs and school activities. School principals challenge their staff to continually search for more effective methods of instruction. When appropriate, curriculum revisions reflect a thorough understanding of changing learning styles, while acknowledging the strengths and special value of programs over time.

The recent addition of two highly qualified curriculum specialists has prompted a renewed interest in our K-5 literacy program. The work of these individuals is reflected in all three elementary schools and has been extremely well received by the instructional staff. Student learning is at the center of their efforts, and measurable improvements are expected at all grade levels.

At the middle school, a majority of the staff has been trained in an instructional strategy entitled, "Differentiated Instruction." The training is focused on the "science" of teaching and is expected to produce noticeable student results.

The high school faculty has spent the past year preparing for an accreditation visit by representatives of the New England Association of Secondary Schools and Colleges. Their visit is scheduled for Spring 2005 and includes a comprehensive review of all secondary programs and activities. A final report will be forthcoming in the summer of 2005.

Overall, student successes, as measured by standardized tests and individual teacher assessment, lead me to believe that our K-12 programs are well-aligned with student needs and the state's Curriculum Frameworks.



Student Enrollments as of October 1

Enrollment increases continued for the fourteenth consecutive year, though the rate of growth has slowed and is manageable. Predicted future enrollments indicate a stable K-12 population for the next five years.

	<u>97/98</u>	<u>98/99</u>	<u>99/00</u>	<u>00/01</u>	<u>01/02</u>	<u>02/03</u>	<u>03/04</u>
K-5	1364	1378	1387	1427	1381	1350	1347
Middle: 6,7,8	633	635	652	682	730	748	737
High: 9,10,11,12	<u>682</u>	<u>710</u>	<u>756</u>	<u>778</u>	<u>811</u>	<u>829</u>	<u>881</u>
Totals:	2679	2723	2795	2887	2922	2927	2965
% of Change	3.8	1.6	2.6	3.3	1.2	0.2	1.3

Class Sizes

Class sizes are regulated by School Committee policy and are carefully monitored by the school administrators. As a rule, kindergarten and first grade classes are budgeted with 20 or fewer students, second and third grade classes with 23 or fewer students, and grades 4-12 with no more than 25 students per class. Exceptions to these guidelines are permitted.

Elementary Class	<u>98/99</u>	<u>99/00</u>	<u>00/01</u>	<u>01/02</u>	<u>02/03</u>	<u>03/04</u>
Size Averages:						
Claypit Hill: K-5	21.3	22.1	22.0	21.6	20.9	19.6
Happy Hollow: K-5	22.6	22.6	22.7	21.3	21.6	21.4
Loker School: K-5	20.6	22.6	20.6	20.4	19.9	20.7

	<u>Middle School</u>			<u>High School</u>		
Secondary Class	<u>01/02</u>	<u>02/03</u>	<u>03/04</u>	<u>01/02</u>	<u>02/03</u>	<u>03/04</u>
Size Averages:						
English	19.5	19.9	19.3	20.9	19.6	21.5
Social Studies	19.6	19.1	19.2	19.7	19.7	20.9
Math	19.0	19.4	18.1	18.9	19.6	19.4
Science	20.2	19.5	19.5	19.7	19.7	19.5
Modern Languages	19.2	17.2	18.7	15.5	19.8	18.6
Classical Studies	18.0	17.5	19.0	14.9	16.7	17.7

Standardized Scores

Once again, standardized test scores have been praiseworthy, and I am pleased to report that Wayland High School students attained a mean SAT score of 591 in verbal and 624 in math, with 99% of the graduating seniors having taken these tests. The combined score of 1215 is 174 points above mean scores statewide. Students taking advanced placement (AP) examinations have also done extremely well, with 79% of the 261 tests taken receiving scores of 4 and 5. These are truly exceptional results that reflect well on our students and their instructors. Finally, the district's MCAS scores for spring 2004 in grades 3-10 were again among the highest in the state, and this, too, is laudable.

Wayland High School

Wayland residents are again advised that the high school facility is in serious need of repair and/or replacement. This fact has become the topic of much public discussion, and the School Committee, assisted by an eleven-member High School Building Committee (HSBC) has been aggressively searching for the most cost-efficient solutions to this problem.

For those unfamiliar with Wayland High School, there are three basic problems that must be addressed. Classroom space is inadequate to meet the needs of the instructional staff and the academic programs that have become part of a youngster's secondary school experience. The age and condition of the existing facility no longer complies with numerous life safety and building code requirements and cannot be

allowed to continue uncorrected. Finally, the secondary school population continues to increase, and this further taxes the capacity of the existing facility.

Earlier feasibility studies, plus the ongoing work of the HSBC, leave little doubt in the minds of many that the condition of the High School remains the most serious and costly challenge confronting the community. Numerous public meetings have allowed many residents to voice their opinions regarding the proper course of action and the HSBC, under former school committee member Lea Anderson's direction, has been unusually diligent in crafting recommendations for School Committee consideration. The planning and construction of a modernized Wayland school will continue to be a "front page story" for the foreseeable future.

Present and Future Directions

The district's overall effectiveness continues to be linked to an instructional staff that is sincerely committed to the children in their care. Faced with the retirement of many veteran teachers, it is essential that the district attract instructors of the highest professional caliber and good personal character. Many community-based groups (PTOs, Wayland Public Schools Foundation, Boosters, CAPA, etc.) are likewise essential to the schools' success, and must continue to be supported. The School Committee members, too, continue to be strong advocates for public education.

The Boston Globe ranked public school districts on their average rank on all MCAS tests taken Spring 2004. The ranking includes all school districts: regular, charter, regional, and vocational. The Globe determined the rankings by adding the percentage of students who scored either "advanced" or "proficient" in the grades and subjects below. One hundred is the highest possible score.

Grade	Subject	Score	Ranking
3	Reading	7	59
4	English	81	16
	Math	67	27
5	Science/Technology	84	13
6	Math	76	15
7	English	95	3
8	Math	77	5
	Science/Technology	77	3
10	English	85	39
	Math	87	15
Overall (10 tests)			12

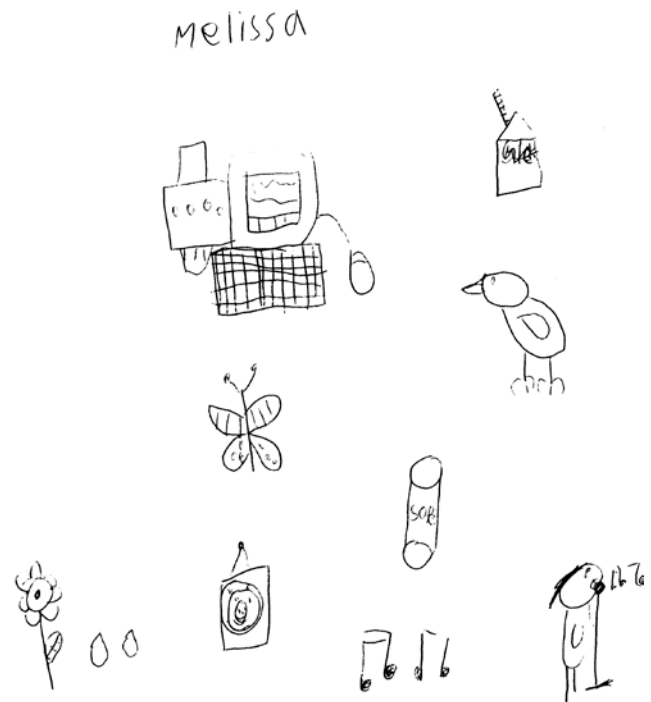
The challenges ahead are not unlike those of previous years. Efforts to control the growth of the operating budget remain a priority, as school officials are sensitive to economic difficulties at the state and national level, yet mindful that Wayland residents will not tolerate the permanent elimination of school programs or a narrowing of student opportunities. To do so would disadvantage our students and quickly undermine the partnership between Wayland property owners and the public schools.

Also important to the long-term well being of this district are the ongoing efforts of the HSBC and School Committee to modernize Wayland High School. At this time, it appears that the HSBC will remain active through 2009.

The district's instructional staff is prepared to make appropriate curriculum adjustments resulting from the Massachusetts Education Reform Act of 1993 and the 2001 Federal initiative *No Child Left Behind*. Figuratively speaking, the district must grow and change, as the future becomes the present. Careful planning, a respect for learning, and the needs of Wayland's children will continue to guide the professional staff.

Concluding Remarks

Strengths of the district continue to be found in the scholarly habits of our students, the encouragement of their parents, and the fiscal support of the community. This allows us as the community's educators to promote unusually high standards for academic work and personal behavior. I am pleased to work in a community that recognizes the long-term value of investing in its youngest citizens.



BOARD OF LIBRARY TRUSTEES

During FY2004 the Wayland Public Library (WPL) continued to improve its current services. The year was filled with typical library activities, such as maintaining the library's physical plant, enriching our existing collections of print and non-print materials, offering cultural programming and art exhibits, filling staff vacancies, and upgrading library technology. Also, due to the impact of severe space constraints on the library program, the Trustees started to study the feasibility of future expansion on the current library site.

TECHNOLOGY: A major accomplishment this year was the adoption of a new library automation

system. During the summer of 2003, our library, as a member of the Minuteman Library Network, migrated its automation functions, including the online catalog, network transfer, and circulation system, to a new software platform. This was a major undertaking, requiring extra staff education and patron training. This transition went quite smoothly with as little interruption of service to our patrons as possible. In the spring of 2004 we also installed a Windows 2003 server at the library to increase the efficiency and security of our local area network. We continue to upgrade computers for our users and staff on a regular but conservative replacement schedule.

BUILDING AND GROUNDS: The Trustees formed the Library Building Feasibility Study Committee in September of 2003 to study possible expansion of the library program and facilities. For information on the work of the Feasibility Study Committee (FSC), please see its report, which is published separately in this annual Town Report. The Trustees and the FSC plan to report the conclusions of the expansion study to Town Meeting in April 2005. Our current facility continues to serve the community despite deficiencies in critical collection and staff work areas. Notable building expenditures in FY2004 included major repairs to the flat roof of the 1987 addition and repairs at the main entrance doorway.

PERSONNEL: The library mourned with the community over the death of long-time circulation supervisor, Margaret Harper, who had worked at the library circulation desk for 40 years. Mrs. Harper left an indelible imprint on the library's collection and customer service ethos. Jan DeMeo was promoted to Circulation Supervisor, and Nancy McLaughlin became the library serials associate toward the end of FY04. Staff members attended state, regional, and national professional conferences and also participated in training programs offered by the Minuteman Library Network and the Metrowest Region. The library participated in the town tax work-off program for seniors who performed many helpful services for the library. Retired director, Louise Brown, volunteered to undertake a massive necessary weeding program of the library print collection. WPL also worked with the TEC Collaborative and the high school to offer work projects to youth with disabilities.

COLLECTION: Circulation (not including interlibrary loan) of library materials grew to 246,667 in FY2004, an increase of about 1% over the

previous year. In addition, the Wayland Public Library provided over 28,000 of our items to patrons of other MLN libraries and secured over 20,000 items from other MLN libraries for our patrons. Non-print materials continue to gain in popularity, and we continue to struggle to find space in the library to house them. The library is fortunate to be able to offer our patrons both in-library and home access to a number of general and specialized online databases, including (among others) access to the Boston Globe, the New York Times, and a host of general periodicals. A chart of collection and other statistics for FY2004 follows this narrative.

PROGRAMS: The Library presented its third annual program funded by the Gossels Fund for Human Dignity, a film series featuring the documentaries of local filmmaker John Michalczyk. The Library's Millennium Endowment Fund sponsored a program on classical mythology with Frank Smith. The Friends and the Council on Aging supported a series of art lectures by Judy Schurgin. The Wayland Cultural Council provided support for the 15th annual spring Shakespeare festival with Professor Helen Whall. The Friends' Baldwin gift allowed us to present a lively program of Irish music in March.

Other library programs include the semimonthly Poetry Workshops, monthly blood pressure clinics, our monthly Friday lunchtime book discussion group, the Library's ESOL program, and the Great Decisions Group. In addition, the Raytheon Room served as a venue for many other topical presentations and workshops. Our Children's Department also presented many programs. In addition to regularly scheduled story times, their programming included storytellers, book groups, author visits, movie screenings, weekend arts and crafts workshops, and a summer reading program. The Children's Room received funding from the Wayland Cultural Council for storyteller Mary Jo Maichack.

Support provided by our dedicated Friends group continues to be outstanding. The proceeds of its two book/bake sales sustain many library programs, including museum passes, audio and video acquisitions, special programs, honoraria for presenters, and other expenses that fall outside the library budget.

MILLENNIUM ENDOWMENT FUND: The Trustees are pleased to report that the endowment fund continues to grow through donations and

bequests (see statistics following this narrative). This fund was established to sustain excellence in library service and to provide a stable supplementary source of support for the library.

EXHIBITS: The library continues to host a variety of art exhibits in the Raytheon Room, the library foyer, and the display case.

We would like to express our gratitude to the committed and talented library staff, our many dedicated volunteers, the cooperative members of other town departments, and most of all to the citizens of Wayland whose financial and moral support have allowed the library to provide its users with an exceptional level of service this year.

SUMMARY OF FISCAL YEAR 2003 LIBRARY STATISTICS

	FISCAL YEAR 2003	FISCAL YEAR 2004
	CIRCULATION	
ADULT		
PRINT	76,436	80,904
NON-PRINT	66,365	73,081
JUVENILE		
PRINT	77,913	69,586
NON-PRINT	23,973	23,096
TOTAL CIRCULATION	244,687	246,667
	ACQUISITIONS	
PRINT	5,975	5,521
NON-PRINT	1,815	2,144
TOTAL ITEMS ADDED	7,790	7,665
	OTHER	
REGISTERED BORROWERS	8,614	8,879
MLN Interlibrary Loans Filled for other Libraries	9,128	28,517
MLN Interlibrary Loans Filled for Wayland Patrons	7,266	20,269
REFERENCE QUESTIONS	26,430	28,345
PROGRAMS HELD	294	264
Total Attendance	6,892	6,977
FINES COLLECTED	\$22,111	\$21,548
TRUST FUND BALANCE		
ENDOWMENT FUNDS	\$363,129	\$419,825
OTHER TRUST FUNDS	\$122,521	\$140,295
TOTAL	\$485,650	\$560,120

PLANNING AND NATURAL RESOURCES

CONSERVATION COMMISSION

The Conservation Commission has held a statutory responsibility for the “promotion and development of the natural resources and for the protection of watershed resources of said city or town” (MGL Chapter 40, Section 8C). This responsibility has been described by the Massachusetts Association of Conservation Commission’s as planning, acquiring and managing open space and encouraging and monitoring conservation and agricultural preservation restrictions. The original act was passed in 1957. The Town of Wayland accepted the provisions of Chapter 40, Section 8C in March 1961 creating a seven member Conservation Commission. The Commission has had a forty-three year history of protecting Wayland’s natural resources, which has been done a variety of ways including promoting the acquisition of property meriting protection. Taking care of these properties, once protected is also the responsibility of the Conservation Commission.

The Conservation Commission uses seasonal labor to help maintain Conservation areas. Portions of the Timberlane Conservation Area had extensive effort made to remove the invasive plant species – buckthorn that is gradually filling in open fields in this area. The clearing was not completed. Community service participants provided additional efforts. The Lower Snake Brook Conservation Area also had fields that required greater effort to mow as some years these are not completely mowed. The mixture of open fields, shrubs, borders and woods all promotes various natural habitats, which the Commission strives to maintain in each of the Conservation areas. Three of the Conservation areas are also used for farming: Heard Farm (hayfields), Cow Common (hayfields and the community gardens), and Sedge Meadow (assorted gardening). The Commission relies heavily on volunteers to assist in maintaining the Conservation areas and their assistance is invaluable.

The first Saturday in June is National Trail Day. For the past four years, and on occasion prior to that time, the Conservation Commission and the Open Space Advisory Committee have organized and participated in a trail day activity. This year the activity was the creation of a looped trail at the Loker Conservation and Recreation Area on Commonwealth Road – where the care and custody of the property has been

formally voted to be transferred to the Conservation Commission and Park & Recreation Commission at the April, 2004 Town Meeting. Trail Day serves as a means to introduce volunteers to each other and to promote the proper use and maintenance of conservation lands. Throughout the year Commissioners, Staff, and others lead walks on the various Conservation Areas.

The Commission continues to be fortunate to have active participation in projects through Scouts. This year Ryan Judy in fulfilling part of his Eagle Scout requirements organized and built a bridge at the Rowan Hill Conservation Area to replace an old bridge crossing a brook that provided critical access for equipment to mow the fields at that Conservation Area. The project resulted in a new bridge and was done efficiently during one weekend. This type of scouting participation is greatly appreciated by the Commission.

In 1972 Conservation Commission’s assumed the responsibility for administering the Wetlands Protection Act (“WPA”) – MGL Chapter 131, Section 40. In 2002 the Town of Wayland adopted a Wetlands and Water Resources Bylaw (“Chapter 194”) which strengthens the Commission’s responsibilities under the WPA.

The administration and enforcement of the WPA and the Chapter 194 accounts for a major portion of the efforts of the Conservation Commission. In February of 2004, Rules and Regulations were adopted as part of Chapter 194 in accordance with Chapter 194, Section 194-7. A Checklist for Chapter 194 Application Submission Requirements has been written and this checklist is given to all applicants in order that they have, in writing, the requirements necessary for submission.

Forty-six Requests for Determination of Applicability were received under the Wetlands Protection Act (WPA) and Chapter 194. This was a 15% increase in applications from the most recent year. One request was under the WPA only. Two were after the fact filings. There were forty negative findings, under both the WPA and Chapter 194, plus one filing under the Chapter 194 only, that the work proposed would

not alter areas subject to protection under M.G.L. Ch.131, s.40 if performed as described in the submitted plans and subject to relevant conditions and therefore did not require the filing of a Notice of Intent. There were five positive findings under both the WPA and Chapter 194 requiring filings of Notices of Intent. One was withdrawn. Action was stayed on one. Additional discussions were held on four Determinations.

Twenty-eight Notices of Intent were received on projects impacting wetland resource areas and formal Public Hearings under the WPA and Chapter 194 were held. Four were heard under the Wayland Wetlands Bylaw only. There was one Abbreviated Notice for Resource Area Delineation under both the WPA and Chapter 194 and four were to amend Orders of Conditions. The Commission held sixty-six continued Public Hearings under both the WPA and Chapter 194, two under the WPA only and one under the Chapter 194 only. Thirty-two Public Hearings were closed under the WPA and Chapter 194. Four Public Hearings to amend Order of Conditions and five under the Chapter 194 only were closed. Thirty-one findings / Order of Conditions under both the WPA and Chapter 194 an increase of more than 30% from last year. Four amended Orders of Conditions, five under the Chapter 194 only, one under the WPA only were issued. Follow up discussions were held on seventeen projects.

There were six violations found.

There were fourteen Requests for Certificate of Compliance. Eight partial Certificates were issued under both the WPA and Chapter 194. One was issued under the WPA only. One was deferred and four denied. Nine requests for Extensions were received and two were extended under the WPA only. Seven were issued under both the WPA and Chapter 194. In general all regulatory activities were greater than the previous year.

One request for a waiver under the by-law was received and one was denied.

One Conservation Restriction was obtained.

The Commission held Public Hearings on the Stormwater Policy and three on Rules and Regulations for the Wayland By-law.

Many discussions were held on the on-going studies and clean up at the former Raytheon site. The Commission discussed MWRA/ Dudley / Waybridge

Pond issues, Danforth Farms and held informal reviews on several properties. The Conservation Commission met on several occasions with the Park & Recreation Commission both with matters relating to the Loker Conservation and Recreation Area as well as weed management at Lake Cochituate.

COMMUNITY PRESERVATION COMMITTEE

The provisions of the Community Preservation Act (CPA) were approved at Annual Town Meeting 2001 and Wayland’s Community Preservation Committee was established with representatives from the Conservation Commission, Historic Commission, Planning Board, Housing Authority, Park and Recreation Authority, and two members appointed by the Selectmen.

The Committee’s responsibilities are to identify and evaluate potential community preservation projects and, as appropriate, submit project recommendations in the form of articles at town meeting. These projects will focus on open space preservation, historic preservation, or community housing. Funds can also be used for public recreational purposes.

Funding for community preservation projects is provided by a one-and-one half percent surcharge on property tax bills (after reductions). The State provides additional funds to supplement the town’s receipts. On June 30, 2004 Wayland’s CPA balance was \$2,085,681. This includes 100% matching funds of \$432,175 received from the State in October 2003.

Wayland’s CPA funds are maintained by the Town Treasurer in a separate, interest bearing account. There is no requirement to spend a specific amount of money each year and the funds will remain in Wayland’s CPA account until expended. Although projects have been approved, to date, no funds have been withdrawn.

The following CPA projects or expenditures have been approved at town meetings:

Repair of the town’s historic gravestones.....	\$ 65,000
Planning study to create a railroad interpretive site	15,000
Environmental testing at former Nike site	35,000

Make repairs and improvements to memorials and monuments	5,000
Acquire land for affordable housing at former Nike site and fund clean up of site	600,000
Administrative fees for the Community Preservation Committee	10,000
	\$ 730,000

In addition, \$600,000 has been set aside for future open space acquisition.

PLANNING BOARD

The mission and the responsibilities of the Planning Board are specified in the state laws known as “Improved Methods of Municipal Planning” and “The Subdivision Control Law,” and are described as follows: to undertake planning and land use studies, including needs studies and comprehensive plans; to prepare plans of the resources and future development scenarios for the Town; to report annually to the Town regarding the condition of the town; to prepare an official map of the public and private ways and public parks within the Town; to report on the layout, alteration, relocation, or discontinuance of public ways; and to adopt regulations for, and administer the processes of, dividing and subdividing land into building lots and other parcels.

Accomplishments and Activities

The Board met approximately 35 times during the year to review and approve applications for new building lots in residential subdivisions, applications for several new residential building lots not requiring subdivision approval (known as ANR lots), several site plans for non-residential development; and to oversee the construction of various residential and non-residential developments for which approval had been granted.

In FY 2004, the Board welcomed Rebecca Regan and Christopher Seveney, who were elected the Board in April 2004 and replaced members David Todd, who resigned in July 2003 and Gretchen Schuler who served 13 years on the board and did not seek reelection.

On behalf of the Planning Board, the Master Plan Advisory Task Force has continued to work with Daylor Consulting to complete Town’s first Master

Plan since 1962. Two public forums, out of a total of seven during the master plan process, were held as well as numerous Task Force meetings. The final draft report was posted on the Town Website and there has been a lengthy review and comment period on that part of the final product as well as the recommendations. This task will continue into the next fiscal year.

Another recently established sub-committee of the Planning Board is the newly appointed Town Center Committee, which is has begun work to develop a Plan for Wayland Center. The Committee is chaired by former Planning Board Gretchen Schuler.

The Town Planner advised the Planning Board and assisted the Town in coordinating information about and responses regarding the potential adverse affect of the proposed Natick Mall Expansion.

Special Activities

Planning Board members Maureen Cavanaugh, Rebecca Regan, and Ira Montague continued as members of the Master Plan Advisory Task Force. Associate Member Anette Lewis Task Force also served on the Master Plan Advisory Task Force as a representative of the Board of Road Commissioners. Ms. Regan serves as the Board’s representative to the MetroWest Growth Management Committee and the Community Preservation Committee. Ira Montague represented the Board on the Nike Site Advisory Committee and also served as Co-Chair of the Committee.

Goals

The major activities for the upcoming year will be to commence implementation of the Master Plan, formulate a Town Center Plan, and finalize the review and adoption of the revised subdivision regulations.

BEAUTIFICATION COMMITTEE

Since its inception in 1998, Wayland Beautification has dedicated its efforts to beautifying highly visible areas of Wayland with garden spaces and trees. The garden spaces, which are primarily designed for low maintenance and multi-season interest, are routinely maintained April through October by a core group of volunteers. Twenty-eight barrels are also planted along the main roads and at the entrances to parks, the landfill and Town Hall each June.

The sites for garden spaces were selected to provide enjoyment for both residents and visitors to Wayland. Hooker's Green, a large triangular garden located at the intersection of Rt. 20 and Old Conn. Path, welcomes visitors to Wayland from the east with its colorful combination of perennials and ornamental grasses. From the west, the entrance to the landfill is enjoyed throughout the year as the pink and white roses of summer give way to the ornamental grasses throughout the fall and winter. In the Town Center area, the large oak trees in Blacksmith Green are underplanted with painted ferns and impatiens in the spring, and the Mellen Law Office garden of daylilies, hostas and phlox is tended to as well. There are planted beds sited below the four sign areas in town as well as a red daylily garden near the Knox monument at Five Paths.

Over 46 shade and ornamental trees have been planted by Wayland Beautification, which monitors and waters them until established. Sites for trees include such highly visible areas as Hooker's Green, the landfill, Alpine Field, Adams Lane, the high school and the middle school.

The "Keep Wayland Tidy Campaign" was formed in response to the problem of litter in Wayland. Dedicated members of this subgroup of Wayland Beautification are organizing a multi-faceted approach to keeping the town's streets and public areas free of litter.

Wayland Beautification receives town funds as well as public donations to support its work. Major donations from the Wayland Business Association have been used for plant material and some installation of trees. Mahoney's, Russell's Garden Center, and Weir Meadow Nursery have been extremely generous in donating plant material for the barrels and gardens. Even with the selection of bulbs, annuals, perennials, shrubs and trees for sustainability, watering consumes a substantial part of the budget. The remainder of the work, which represents hundreds of hours of labor annually, is primarily done by volunteers, and a summertime intern. Wayland Beautification continues to plan future projects thoughtfully but conservatively.

Membership in Wayland Beautification is by participation. Any resident with an interest in joining is invited to attend informal planning meetings held the first and third Wednesday each month at 8:00 a.m. in Town Hall. Volunteers are always needed to help with spring, summer and fall planting or maintenance. Volunteers can call Jeff Ritter at (508) 358-3620.

Wayland Beautification is grateful for the tremendous cooperation and support it has received from numerous town departments. Wayland Beautification is proud of its accomplishments to date and looks forward to continuing to contribute in a meaningful way to the town's beautification efforts.

TOWN SURVEYOR

As in past years, this year has seen many areas of activity in the Town Surveyors' office. We are proud to be involved with the Veteran's Memorial project that will soon be built adjacent to the Town Offices. As the proposed High School and Library building projects move through their respective processes, we are constantly called upon to provide services to the pertinent committee. Our office, in conjunction with several other departments, has undertaken the Herculean task of cataloging and scanning all of the plans that reside in our office. This process will ultimately allow all the "land use" departments to share files and data on a far more timely and efficient basis. We expect to have full functionality of this system within the following year. We continue to work with all town departments and committees on a variety of projects.

The Town Geographic Information System, (G.I.S.) continues to see improvement with each passing month. The online version of the system may be accessed from the Town website or by typing the following address into your web browser, (<http://www.wayland.ma.us/surveying/disclaimer.htm>). Please take the time to visit this site and let us know what you think.

Updating the Town Atlas continues to be a challenge due to the large number of parcel and property line changes that occur in any given year. The most current version of the Atlas is available in our office.

Responding to requests for information from various committees and boards as well as the general public continues to occupy a significant portion of our time. This helps us keep our hand on the "pulse of the community".

Our office is also a repository for many historical, physical, and regulatory maps of the town. All of these maps are available to the general public.

Once again, we invite the general public to stop by and visit.

ZONING BOARD OF APPEALS

The Wayland Zoning Board of Appeals is composed of five members (Chairman Jim Grumbach, Steve Fugarazzo, Lawrie Glick, Eric Goldberg and Susan Koffman), and three associate members (Aida Gennis, Shaunt Sarian and Linda Segal), appointed by the Board of Selectmen. The ZBA conducts public hearings on all applications for zoning relief. The ZBA generally meets on the second and fourth Tuesday of each month at 8:00 p.m. when there are three or less hearings scheduled, and at 7:30 p.m. when there are more than three hearings scheduled. The meetings for each public hearing are held in the Town Building. Participation in the public hearings by interested citizens is always welcomed.

Caroline Klein resigned from the Board on August 12, 2003. She had served as a member for seven years. We would like to recognize and thank her for her many years of dedication, expertise, professionalism and commitment to the Town.

The cases that are heard by the ZBA include: (1) applications for dimensional or use variances from the zoning bylaws, (2) applications for special permits requested under the zoning bylaws, and (3) appeals from various decisions of the Building Commissioner. The ZBA also hears applications for site plan approval under certain circumstances. The ZBA has jurisdiction over comprehensive permit applications under Massachusetts General Laws Chapter 40B, in which a developer, under certain circumstances, is able to bypass local zoning laws if 25% of the proposed units are affordable. The ZBA has jurisdiction over cell tower applications that are governed by the Telecommunications Act of 1996, by virtue of which an applicant, under certain circumstances, is able to bypass local zoning laws if there is a "substantial gap in coverage" and there are no feasible alternatives.

The most common type of proceeding heard by the Board is a request to construct an addition to a home that is "grandfathered," i.e., it does not comply with the current zoning bylaws, but did comply with the bylaws that were in effect at the time it was built. If such an addition will either increase the gross floor area of the dwelling by more than 20%, or deviate in any way from the current bylaws, a special permit is needed from the ZBA. Many recent cases have involved section 401.1.6 of the bylaws, which the ZBA has construed, and a recent amendment to the bylaws has reinforced, as not permitting a "voluntary

demolition" of a pre-existing structure that has not been damaged or destroyed "by natural causes".

Notices of hearings before the ZBA are published in the legal notices section of the Wayland Town Crier at least fourteen days prior to the date of the hearing. In addition, abutters of the subject property are notified of a hearing by mail. Each applicant is charged a filing fee, which covers the cost of publication and other administrative expenses. ZBA application forms may be obtained from the Building Department in the Town Building during regular business hours. Decisions rendered by the Board are filed with the Town Clerk; notice of each decision is given to the applicant and others and, after an appeal period of twenty days has lapsed, the decision becomes final, unless an appeal is filed. In the event that the ZBA grants relief to an applicant, the special permit or variance is generally granted subject to explicit conditions.

The Building Commissioner, Daniel Bennett, is the Zoning Enforcement Officer for the Town. Citizens may report zoning violations and requests for zoning enforcement in writing to the Building Commissioner. The ZBA has jurisdiction to hear appeals relating to the Building Commissioner's response to such requests.

There were 58 applications filed with the Zoning Board of Appeals during FY 2004. A total of 30 hearings were held. A total of \$9,400. in application fees was collected.

NIKE SITE ADVISORY COMMITTEE

Purpose: To assist the Board of Selectman in evaluating the former NIKE site for possible purchase and reuse by the Town and, if appropriate, developing a plan for its reuse.

Charge: The Committee shall undertake the work necessary to inform itself and advise the Selectman of the process for acquiring the property, evaluate the parcel of land, and develop a plan for its reuse.

Accomplishments and Activities: As a result of the committee's endless efforts and relentless schedule of weekly meetings, an article to take possession of the former NIKE site was passed at special town meeting in April.

The provisions of the article are summarized as follows.

1. Build up to 16 units of affordable housing on approximately 3 acres. These houses will be sold to people making about 80 percent of the median income, such as our fire fighters, police, and teachers as well as other young families and empty nesters.
2. Use approximately 10 acres for passive and active recreation. Develop a trail that would serve as a buffer around the entire property.

The passing of this article secured \$100,000 from CPA funds for clean up and demolition of the site.

Leading up to the passing of this article, funding was obtained for site development review and analysis from a Mass Housing Partnership Grant, a number of well-attended public hearings were held, and Bois Consulting completed a final environmental site assessment.

Essential collaboration was on going from related town departments including the Conservation Committee, Housing Authority, Parks and Recreation Commission, and the CPA.

METROWEST GROWTH MANAGEMENT COMMITTEE

Established in 1985, the MetroWest Growth Management Committee (MWGMC) is an advisory coalition of the towns of Ashland, Framingham, Holliston, Natick, Southborough, Sudbury, Wayland, Weston, the city of Marlborough, and the Metropolitan Area Planning Council (MAPC). The Committee facilitates inter-local collaborative planning and problem solving to enhance the quality of life and economic competitiveness of the MetroWest region. The Committee is a municipal governance and planning cluster – a learning network where shared knowledge, skills, and experience help speed up the process of innovation for the whole group.

One selectman/mayor or city council member and one planning board member represent each member community. The executive director of MAPC is an *ex officio* member of the Committee. Funding for the MWGMC comes from member assessments, grants and contracts. MWGMC maintains an office in Framingham and employs a staff of two to deliver core services to member communities.

The Committee provides members with five core services. Our Monthly Leadership Forum and Community Exchange is held 11 times per year. We are the only organization to bring together locally elected officials from the MetroWest region on a regular basis to discuss regional concerns and provide briefings to local officials. A sampling of topics addressed at these monthly meetings include storm water regulations, traffic issues, local aid cuts to towns, transportation and rails to trails issues. This year a great deal of time was spent on the proposed development of Danforth Farms and issues related to the density and impact of Danforth Farms on adjacent communities.

The Forum and Community Exchange also offers local officials an opportunity to brief each other and to exchange thoughts and ideas about local issues with their colleagues. Through the committee's Regional Impact Review program we conduct timely reviews of proposed development to assess regional impacts and to influence local and state permitting of development. We organize a very popular monthly Roundtable for local planners and planning board members. The Roundtable provides staff and officials with technical information and training on planning growth issues. We provide Technical Assistance and Information Services to our members. For example, our newsletter, "Community Exchange", is distributed to local officials throughout the region. We also issue a quarterly report on development in the MetroWest and maintain the only regional database that racks current development. Our At-A-Glance briefings provide one-page reviews of issues affecting the region. In the past, we have helped to establish a regional municipal purchasing consortium. Our Public Policy Taskforces provide a local and regional voice on state policy issues.

The MetroWest Growth Management Committee's part-time director left last summer for a position with the MAPC. In September, Donna Jacobs was hired as the new full-time director of the Committee. Donna comes highly recommended and we are pleased to have her on board.

METROPOLITAN AREA PLANNING COMMITTEE

The Metropolitan Area Planning Council is the regional planning and economic development district representing 101 cities and towns in metropolitan Boston. In addition, the Council shares oversight responsibility for the region's federally funded

transportation program as one of 14 members of the Boston Metropolitan Planning Organization. The Council's legislative mandate is to provide technical and professional resources to improve the physical, social and economic condition of its district, and to develop sound responses to issues of regional significance. The Council provides research, studies, publications, facilitation and technical assistance in the areas of land use and the environment, housing, transportation, water resources management, economic development, demographic and socioeconomic data, legislative policy and interlocal partnerships that strengthen the operation of local governments.

The Council is governed by 101 municipal government representatives, 21 gubernatorial appointees, and 10 state and 3 city of Boston officials. An Executive Committee composed of 25 members oversees agency operations and appoints an executive director. The agency employs approximately 30 professional and administrative staff. Funding for Council activities is derived from contracts with government agencies and private entities, foundation grants, and a per-capita assessment charged to municipalities within the district.

In the past year, the Council has focused on initiatives that respond to regional challenges, some of which include:

Municipal planning: working with more than 25 communities under the Executive Order 418 program. EO 418 provides communities with up to \$30,000 in state funding to undertake overall visioning on local planning issues, including housing, economic development, natural resources, and transportation.

Bringing advanced technology to cities and towns in the region: a contract with Pictometry International will provide aerial photographic images that municipal departments, including police and fire, can utilize to improve service delivery.

Adoption of smart growth principles: MAPC developed and adopted principles of good planning practice that will encourage sustainable patterns of growth to benefit people living throughout the metro Boston region. MAPC is also a founding member of the Massachusetts Smart Growth Alliance.

Metro Data Center: The Center is an official US Census affiliate, helping to distribute demographic

data throughout the region, including demographic, economic, and housing profiles for all 101 communities in metro Boston.

Transportation planning: as vice chair of the Boston Metropolitan Planning Organization, MAPC worked to develop the 25-year Regional Transportation Plan as well as the annual Transportation Improvement Program, including transportation spending priorities for the region. We also spearheaded development of transportation spending criteria, taking into account environmental, economic, and equity considerations.

Metropolitan Highway System Advisory Board: MAPC staffs this board, established in 1997 by the Commonwealth to advise the Massachusetts Turnpike Authority on issues relative to land use, air rights, zoning, and environmental impacts associated with development of land owned by the authority. **Regional Services Consortia:** The four regional consortia established by MAPC collectively purchased \$18 million in office supplies and highway maintenance services for its 31 member municipalities. The project also facilitates collegial forums among members' chief administrative officers focused on collaborative problem solving and resource sharing. MAPC recently became the purchasing and administrative agent for the Greater Boston Police Council, which assists over 300 units of local government in the purchase of police vehicles and other public safety supplies.

Metro Mayors Coalition: Working with the mayors and city managers of 10 municipalities in the urban core on issues such as group purchasing, employee health insurance, security and emergency coordination, and municipal relief legislation. **Homeland security:** addressing homeland security issues by facilitating cross-municipal partnerships between police, fire, and emergency management departments to acquire and share equipment, and more generally to plan for emergencies involving multiple municipalities; fiduciary agent for state/federal grant funding through the Massachusetts Executive Office of Public Safety.

Hazard mitigation: initiating a federally-funded partnership to produce a hazard mitigation plan to protect nine coastal communities in the event of natural disasters, including flood, winter storm, wind, fire, and geologic hazards.

Please visit our website, www.mapc.org, for more details about these and other activities.

Metrofuture: Making A Greater Boston Region

MAPC has launched a new civic process, called MetroFuture, to create an updated regional vision and growth strategy for metropolitan Boston.

MetroFuture engages city and town governments, state agencies, non-profits, business, labor and academic groups in this planning process. The outcome will be a vision and growth strategy that puts the region on a sustainable path in terms of land use, economic, environmental and social issues. MAPC will need the support of a broad range of organizations in the region to help plan, fund and implement this new framework for addressing the challenges facing metropolitan Boston.

The effort to create this new strategy was launched on October 29, 2003 at a Boston College Citizens Seminar. More than 400 citizens from a wide range of local and regional groups attended the event, and expressed their opinions on the region's resources and challenges as well as their own visions for the future. This input will be critical as we move to the next phase of this exciting multi-year project. Please visit the project web site, www.metrofuture.org, for more information.

The Town of Wayland is a member of the Metro West Growth Management Committee, which has submitted an Annual Report covering the activities of that Committee.

MAPC Annual Report prepared and submitted by Marc D. Draisen, Executive Director, Metropolitan Area Planning Council.

PUBLIC SERVICES

BOARD OF HEALTH

The Board of Health derives its authority through specific delegation of power from the state legislature. This authority includes both the powers that are expressly granted by state statutes and those powers that are necessarily implied from those statutes. The extent of the state's delegation of power varies from designating the Board of Health as the primary enforcement agent of the state's regulations to authorizing the Board of Health to draft its own regulations regarding public health matters (M.G.L. c.111 §31). Local regulations may be more stringent than existing state mandates, but in no case may they be inconsistent with state regulations.

Upon the death of Chairman Herbert Jacobus on November 25, 2003, the Board expressed its appreciation for his many years of dedicated service to the Town. A joint Committee of the Board of Health and the Board of Selectmen subsequently appointed Dr. Steven Locke. In April, Dr. Locke was elected to the Board and Michelle Wolf was re-elected. At the end of the fiscal year, Chairman Russ Sylva requested a leave of absence from the Board for health reasons. The Board of Health wishes Mr. Sylva well and gratefully recognizes the valuable contribution, which he has made to the Board and the community.

The Town's Community Septic Management Program continues with the Title 5 Betterment Program where direct financial assistance up to \$10,000 is available to homeowners with failed septic systems at an interest rate of 5%. Interested residents who qualify should contact the Board of Health office for information.

As part of the formation of MDPH regional coalitions for collaborative emergency preparedness and the distribution of grant funding, Wayland joined Region 4A, a group of 34 cities and towns in the local area. The first distribution to the Town consisted of emergency response equipment, as well as communication and global positioning technology.

With the cooperation of the Human Resources Director and the School Committee, the Board

successfully developed a new Community Health Nursing Program for the Town incorporating the School Nurses as Town employees under the authority of the Board of Health. School nurses were previously provided under a contract with Parmenter VNA.

The Board began discussions on planning for Healthy Wayland 2010, a strategic planning session for improving the public health and community resilience of Wayland. The retreat is expected to take place in the fall 2004.

The Board of Health serves as a document repository for the environmental assessment and remediation activities at the former Raytheon site at 430 Boston Post Road. The Board also reviewed and commented on the Wayland Master Plan, the Villages at Danforth Farms project and the New England Sand and Gravel site.

The Board is continually updating information on the Board of Health website at www.wayland.ma.us/boh.

Inspectional Services

Compliance with Title 5 regulations continues to place demands on the Board of Health. The staff issued 201 septic system permits, including 50 new construction permits, 84 upgrades of septic systems, 1 revised permit and 66 alteration permits, constituting a 25% increase in the number of permits over the prior fiscal year. In addition, 138 soil tests were witnessed and recorded by the staff. 259 building permit projects were reviewed and approved. The staff also reviewed a total number of 160 Title 5 inspection reports, of which 17 systems conditionally passed and 11 systems failed. A total of 115 Certificates of Compliance were issued during this period. The staff and the BOH consulting engineer also reviewed several new subdivisions.

The Board of Health provided its routine inspectional services as required by State law and Town regulations relative to food establishments, public and semi-public swimming pools, Town beach, and recreational camps. State regulations required testing on a weekly basis at the Town Beach, where samples never exceeded State standards. Additionally,

investigation and follow-up of complaints filed with the Board of Health relative to housing, public health nuisances and other environmental matters were also conducted. Two such complaints became District and Superior Court matters.

Rabies Control

The risk of rabies continues to be a potential problem. Rabies has been found in the past in raccoons, skunks and bats in town. The Board of Health continues to provide information to the community in an effort to reduce the threat of rabies to the general public.

Routine Services

The department oversees the daily management of public health and environmental programs, collection of communicable disease statistics, issuance of burial permits, issuance of licenses as reported in the statistics section, review of subdivision plans and building permit applications, and monitoring the special services provided by Parmenter VNA and Community Care, Human Relations Services, and the East Middlesex Mosquito Control Project.

Mosquito Control

The Board of Health applied Vectolex (30 days) in August 2003 and Altosid XR Briquets (150 days) in June 2004 for the prevention of mosquito breeding in the 2500 drainage catch basins in the roads and streets of the Town. Each application prevents or greatly curtails mosquito breeding for thirty or one hundred fifty plus days, depending on the product used. The Board of Health completed treatment at the end of June 2004 with the cooperation of Landfill, Highway and Park & Recreation Department personnel licensed for pesticide application. There were no positive birds for WNV in Wayland confirmed by MDPH during the 2003 mosquito season.

Landfill Division

Wayland's Recycling Program was once again recognized by the State for the eighth year in a row for achieving one of the highest ratios of recycling solid waste in the Commonwealth at 59%. The Landfill hosted a successful Earth Day celebration on May 22, 2004.

Construction for the capping of three acres at the landfill was completed on October 18, 2003. As previously reported, after a competitive bidding process in 2002, the Town signed a favorable contract with the Welch Corporation, in which the Town was paid \$395,000.

A new compaction unit for bulky waste was installed. This allows for safer disposal for residents and reduces the amount of landfill space used due to compaction and better control.

The Landfill staff continues to pick up all trash from the Town's schools and public buildings. A good portion of this trash is also recycled. This program continues to save the Town a considerable amount of money. Additional containers were also provided for the School Department for several construction projects for additional savings to the Town.

The Landfill was pleased to assist the Surface Water Quality Committee in the Heard Pond Weed Recovery project by hauling and composting invasive water chestnut weeds, resulting in a substantial savings for the Town.

In compliance with DEP's financial assurance requirement, the Town has begun financial planning for post-closure. Sticker fees for landfill services were held at \$195 for regular stickers and \$140 for senior citizen stickers:

• Sticker sales	\$455,667
• Recycling sales	\$ 7,838
• Cost Avoidance to Landfill due to amount of solid waste recycled	\$ 281,944
• Material landfilled	2,696.36 tons
• Material recycled	3,815.81 tons

Animal Inspector

The Animal Inspector provided annual inspections for animal keeping permits in the Town. The following is a summary of the animal inspections for FY04:

Cattle	89
Horses	17
Ponies	4
Sheep	8
Donkey	1
Goats	2
Swine	2
Llamas	2

Animal Control Officer

The Animal Control Officer responded to requests from the Police Department and the Board of Health regarding problem animals reported on public or private property and for the collection and disposal of dead animals on public property. The officer maintained a log of all dead animals collected and all locations attended for problem animal cases and submitted them monthly to the Board of Health.

Statistics as of June 30, 2004

The Board of Health issued the following licenses and permits:

Animal Keeping	18
Burial	90
Disposal Works Construction:	
New	50
Alteration	66
Repair	84
Review of Previously Approved Plan	1
Building Permit Approvals	259
Variance Requests	5
Disposal Works Installers	46
Food:	
Food Service Establishment	33
Limited Food Service	16
Milk and Cream	40
Retail Food Establishment	8
Limited Retail Food	10
Mobile Canteen	2
Ice Cream Truck	1
Funeral Director	2
Guest House	1
Massage Establishment	7
Massage Therapist	14
Operating Semi-public Pool	10
Pool Construction (private)	1
Pool Installer	2
Recreational Camp for Children	5
Refuse Collection	24
Septage Hauler	42
Tobacco Sales	15
Wastewater Treatment Plant	4
Wastewater Hookup	1
Private Well	6

Communicable Diseases reported to the Board of Health:

Babesiosis	1
Campylobacter	3
Giardia	3
Hepatitis	3
Lyme Disease	11
Meningitis	3
Pertussis	1
Salmonella	5
Streptococcus Pneumonia	5
Aids	<6*

* Number of cases living in Wayland when first diagnosed, as provided by the State Dept. of Public Health for the period of 1983 through September 1, 2004.

In addition, 217 residents participated in the two Household Hazardous Waste Collection Days sponsored by the Board of Health.

PARMENTER HEALTH SERVICES

The Wayland Board of Health contract with Parmenter VNA and Community Care is divided into two major programs: the Public Health Program and the School Health Program. The Public Health Program covers a broad range of services to Wayland residents, which are preventative and supportive in nature. They include:

- A range of regularly scheduled clinics at Parmenter and at other sites where seniors gather in the town
- A range of regularly scheduled clinics at Parmenter and at other sites where seniors gather in the town
- Ordering and distributing vaccines
- Tracking and reporting of communicable diseases
- Providing immunizations to at risk population
- Health education and community service programs
- Administering the Pantry Program
- Providing free home care services to residents without health insurance that qualify
- TB testing
- Flu and Pneumonia clinics

In 2003-2004, Parmenter provided 1,023 screenings (blood pressure, blood sugar and cholesterol) to Wayland residents, screened 58 people for TB, and administered Hepatitis B vaccine to middle high school students, 918 flu shots and pneumonia shots. 215 homecare visits (nursing, social service, home health aide and nutritionist) were made to individuals without health insurance or other means of payment. Seventeen communicable disease follow-up contacts were made.

The School Program provides health services to the five public schools in Town. Parmenter provides full-time R.N.s to all the public schools. These employees provide emergency, routine and preventative health services to the schools, consult with school staff and parents concerning health concerns, provide some health education services and maintain student health records. In the 2003-2004 school year, 23,004 student visits to the health rooms were made and nurses administered 3,715 doses of medication. Additionally, Parmenter provides the

required screening services to students and complies with all State regulations and submits required reports.

HUMAN RELATIONS SERVICE, INC.

The Human Relations Service, Inc. (HRS), a private, non-profit community mental health agency, has been the Town's provider of mental health services since FY97. HRS, located in Wellesley Hills, is the nation's oldest community mental health agency.

As in past years, the majority of our services to residents in FY04 were school-related, primarily clinical counseling to students and their families, along with consultation to school staff to help them better serve students, particularly those with special needs. This combination of treatment and consultation is an ideal way to both meet students' needs and avoid the dislocation and expense of residential and other special programs. HRS also serves town residents who do not come to us through the schools and offers all Wayland residents a sliding fee scale.

During FY04, HRS delivered 1496 total service hours. 1354 of these hours were for direct clinical service to clients (diagnostic, testing, individual, group, or family therapy, psychopharmacology). Of these, 496 hours were provided to 24 students and their families who were seen in connection with their special education plan, and 142 hours were for school consultation. We also served 70 individuals and 25 families who were not referred due to special education-related issues, providing a total of 858 hours to them.

Total service hours to the Town were approximately the same in FY04 as in FY03, which means that we continued to experience strong demand for our services from Town residents. In our view, this reflects continuing stress on children and families, leading to emotional and behavioral problems at home and at school, which can result in a call for our services. We see little evidence that this trend is changing and expect the coming year to be another very busy one. HRS' strong relationship with the Wayland Public Schools puts us in an excellent position to support local counselors and caregivers wherever possible, and to provide intervention sooner when problems get beyond their purview.

HRS' relationship with the Town has deepened in the past year, with the election of 7 Wayland residents to our Board of Trustees. These Board members have

been active and generous, supporting the clinic with their time, energy, and insights. They also help us keep in mind the unique needs and issues facing Wayland. HRS staff will also continue to support the community through lectures and workshops on a variety of topics of interest to parents and teachers.

EAST MIDDLESEX MOSQUITO CONTROL PROJECT

The East Middlesex Mosquito Control Project conducts a program in Wayland consisting of mosquito surveillance, larval mosquito control, ditch maintenance and public education.

The risk of mosquito borne transmission of West Nile Virus (WNV) continues to be a local health concern. In 2003, there were 18 residents from Massachusetts that contracted WNV. The Project participated in the State's Surveillance and Response Plan to Reduce the Risk of WNV Transmission and Human Encephalitis. Frequent rains produced moderate mosquito activity during the summer of 2003 with peak populations occurring in late August. Record rains in April 2004 resulted in above average mosquito populations in late spring and early summer.

The adult mosquito surveillance program used traps to collect mosquitoes from as many as 3 Wayland locations per night. Between July and October 2003 and in June 2004, mosquito populations were monitored from 20 mosquito trap collections from 8 different nights. Selected Wayland trap collections were tested for WNV by the Mass. Dept. of Public Health. In 2004 testing was expanded to include EEE.

The larval mosquito control program at wetlands relies on the biological larvicide, *Bacillus thuringiensis var. israelensis* (Bti). The EPA classifies the larvicide as relatively non-toxic. An April helicopter application of Bti controlled mosquito larvae at 101 wetland acres. Field crews using portable sprayers made 54 site visits and applied Bti in the spring and the summer to 33 wetland acres when high densities of mosquito larvae were found breeding in stagnant water. Restrictions by the managers of Great Meadows National Wildlife Refuge and the Sudbury Valley Trustees prevented applications of Bti to wetlands under their control.

The Project's public education program is designed to develop awareness within the public and the private sectors as to their roles in mosquito control.

The Project serves as a resource to residents, municipal officials and the local media on controlling mosquitoes, breeding sites and mosquito borne diseases. A web page provides residents with information on mosquitoes, Project control programs and related topics. The website address is www.town.sudbury.ma.us/services/health/emmcpc.

INSPECTION/BUILDING DEPARTMENT

The Building Department staff administers and enforces all applicable state and local regulations (Town By-laws, Zoning By-laws, Massachusetts General Laws, Massachusetts State Building Code, etc.), for all properties within the Town.

As mandated by Town By-laws and Massachusetts General Law the Building Department administers and enforces the following:

The construction, reconstruction, alteration, repair, demolition, removal, inspection, issuance, and revocation of permits or licenses, installation of equipment, classification, and definition of any building or structure, use and occupancy of all buildings and structures or parts thereof;

The rehabilitation and maintenance of existing buildings;

The standards or requirements for materials to be used in connection therewith, including but not limited to, provisions for safety, ingress and egress, energy conservation, and sanitary conditions;

Interpretation and enforcement of the Town of Wayland Zoning By-law; and enforcement of certain provisions of the Town of Wayland Town By-laws. Administrative liaison to the Zoning Board of Appeals;

Administrator and keeper of all records, plans, etc. that pertain to the above responsibilities;

Periodically inspect and certify buildings and structures or parts thereof with regard to use as required by the Commonwealth of Massachusetts.

On a daily basis, the Building Department serves the residents, business owners, and contractors within the community by processing numerous permit and zoning applications, issuing permits, performing periodic state inspections, conducting site visits, investigating complaints and granting certificates of

use and occupancy. Department staff maintains communication with applicable land use departments to better serve its users and expedite the permit approval process.

We continue to perform the necessary on site inspections as required by state and local regulations, respond to and investigate complaints received with regard to zoning enforcement and building construction.

The following is a list of major projects within the Town of Wayland that are in process or have been completed over the past year:

Islamic Center – Renovate existing facility and construct addition for 15,000 square foot Community Center including new classrooms, prayer hall and function room.

Peace Lutheran Church – Interior renovations to lobby and bathrooms.

Middlesex Savings Bank– Interior renovations to update teller lines, offices and conference room.

Construction of 19 Single Family Dwellings.

The Building Department continues to insure the public safety, health and welfare of the residents of the Town of Wayland, as they are affected by building construction.

The following fees were collected for FY'04:

Building Permits:	
Number of Permits:	509
Value	\$ 25,730,211
Fees	\$ 254,172
Plumbing Permits:	
Number of Permits:	253
Fees	\$ 14,006
Gas Permits:	
Number of Permits	240
Fees	\$ 9,540
Electrical Permits:	
Number of Permits	431
Fees	\$ 31,508
Zoning Cases:	
Number of Decisions	58
Fees	\$ 7,725

BOARD OF ROAD COMMISSIONERS

The Board of Road Commissioners has exclusive jurisdiction over public ways and sidewalks. It is responsible for overseeing the operations of the Highway Department in: maintaining, repairing, and constructing all Town roads, sidewalks, bridges, and associated drainage facilities; snow and ice operations; fleet maintenance; and procurement of services for major projects and equipment.

In FY2004 the Highway Department reconstructed 3.9 miles of roadway and associated drainage facilities on: Woodridge Road, Black Oak Road, Reservoir Road, Morrill Drive, Lake Road, Fuller Road, Pleasant Street, Grace Road, Gage Road, Maguire Road, Charles Street, Leary Street, Pollack Road, Willow Lane, Melville Place and Lawrence Road. The Department also reconstructed 3,600 feet of sidewalk on Old Connecticut Path West from Parkridge Road to Old Farm Road. In addition, the Highway Department completed its annual program of sealing cracks on road surfaces to forestall roadway deterioration and cleaned catch basins throughout Town.

The Department received 53 permit applications for street/sidewalk openings and received 15 physical alteration permit applications for installation of or changes to curbs, sidewalks, driveway openings, and drainage. On most roadways, the Town owns land on either side of the road, well beyond the edge of the pavement. The town retains this land so that it can be used to store snow that is cleared from the road surface, for placement of underground and above ground utilities, for storage of materials during roadway construction projects, for road widening, and for other municipal purposes. Placement of plantings or structures (e.g., walls and fences) in the unpaved portion of the town's roadway layout can interfere with municipal services and impair sight lines for vehicles exiting driveways. With increased development and traffic in Town, the Board of Road Commissioners and the Highway Department have more aggressively sought to curtail private use of the unpaved portion of the Town's roadway.

In FY 2004, the Department responded to twelve winter storms and intermittent icing conditions and kept our roads clear and passable. The Highway Department was able to apply for and receive a \$54,617.96 reimbursement from the federal government for the December 6-7th, 2003 blizzard.

Prior to the opening of school, the Department painted crosswalks in all school zones. During a five-month period beginning in the spring, it completed sweeping of public ways in the entire Town. And, the Department responded to 179 requests from residents for service for items such as repair of potholes, grading of private ways, additional snow clearing along the rights – of – way, clearing of brush at the sides of public ways, and maintenance of street signs.

In response to a federal mandate, the Highway Department is continuing with its town-wide five year program of installing all new street signs that have easily readable, reflective lettering.

From monies specifically approved by Town Meeting, the Highway Department purchased a new 2005 Elgin Pelican three-wheel Street Sweeper.

The Highway Department will continue to interface with the Massachusetts Highway Department (MHD) on MHD's construction phase of roadway improvements at the Route 20/126/27 intersection and the enhancement project in Wayland Town Center. In addition, the Board of Road Commissioners has been working with the Police Chief in: establishing traffic safety measures to reduce speeding within local neighborhoods throughout town and to reduce on-street parking of large commercial vehicles; with the Board of Selectmen in pursuing possible measures to address increased traffic from a major housing project proposed in an abutting town; and with the Planning Board to address drainage, curbing, safety, and roadway width in proposed new subdivisions.

WATER COMMISSION

The Wayland Water Department delivers approximately 590,000,000 gallons of potable water each year to its residents, businesses, and visitors. The superintendent and staff and of the water department are charged with the duty of complying with all federal and state regulations and maintaining a water system that includes 85 miles of water mains, 689 fire hydrants and two water storage tanks that together hold 2,500,000 gallons of water.

Approximately two years ago the Wayland Water

Department signed a consent order with the Massachusetts Department of Environmental Protection (DEP) that required the Town to decrease its water consumption. At the time the consent order was signed the DEP estimated that Wayland residential users consumed 99 gallons of water per day. This figure was among the highest in the state and well above the DEP allowed maximum of 80 gallons per person per day. Because of several initiatives, including an irrigation/water sprinkler system bylaw, restructuring of water rates, installation of low flow devices and an increased public education campaign, the water department is pleased to report that our 2003 water consumption has been reduced to 77 gallons per person per day. Overall residential and commercial water consumption has also been reduced from 2,160,000 gallons per day in 1999 to 1,620,000 gallons per day in 2003.

It is important to recognize that the DEP regulates how much water Wayland is allowed to pump and that we are not allowed to pump and consume as much water as we want. The town does not have the option of drilling a new well or increasing the amount of water we pump. The water department will continue to initiate water conservation measures in order to keep consumption within DEP guidelines. Our expanded water conservation education program in all Wayland's elementary schools has been very well received, and the water department hopes to continue this program. The water department appreciates the efforts by many of our water users who have decreased their water usage.

In the spring of 2004 the water department began what may be its largest water main replacement project. The water main replaced on Draper Road and Hazelbrook Lane is over 1 ½ miles long. Since 1999, the water department has repaired eight water main breaks on Draper Road, more than any other road in Town. The new twelve inch water main replaces an eight inch main. By including Hazel brook Lane we will be increasing water flow throughout the northeast portion of Wayland. Other projects have included rehabilitation of a water storage tank at Reeves Hill, completion of a federally mandated water system vulnerability study and a study into the viability of system wide water filtration.

The Water Commissioners appreciate the efforts by Superintendent Donald Hollender and the staff of the Water Department for their professional and responsive service to the residents of Wayland.

SURFACE WATER QUALITY COMMITTEE

The Wayland Surface Water Quality Committee (SWQC) has been chartered by the Board of Selectmen to “oversee, monitor, maintain and improve the health and quality of bodies of water in the Town of Wayland... SWQC shall take appropriate action to maintain water quality, contain invasive weed growth, and seek and manage appropriate grants to improve the surface waters”.

Invasive Weeds & this past years work:

In spite of roadway, storm drain, septic & water quality improvements, invasive weeds plague the town's waters. During the period from June 2003 to September 2004 SWQC addressed and performed the following projects and programs:

Dudley Pond- For management of the invasive weed called Eurasian Watermilfoil, in 2003 Dudley was tested with a Plantest to create a scientific baseline to determine how much Sonar Herbicide was necessary to control the weeds, but not over treat. Two applications of Sonar were applied during the summer of 2003. Because repeated use of herbicides is expensive, can create herbicide resistant plants and there are environmental and health concerns associated with herbicides, a range of complimentary programs and research was implemented to try to eliminate or seriously extend the period between future chemical treatments. We researched weed control methods used around the country and brought in experts to explore options:

Alternative Programs - A waterproof Barrier was installed by 3 divers, Tom Largey, Lili Griffin and Jackson Madnick to protect a small stand of invasive weeds from the herbicide as part of a small pilot test area. A native beetle will be introduced to this test site in the spring of 2005 to see if the weed-eating beetles will survive in the ecology of Dudley Pond. Dr. Ken Wagner (a weed management expert and consultant) did a “draw down feasibility study” of Dudley pond and found that this draw down method should be investigated further. This method could save the town millions of dollars over the long run. Draw Down can be used alone or in conjunction with hand pulling weeds and/or beetles, or a fish called Japanese Carp (when legal) or other methods. These studies are not programs to proceed, but essential research needed for informed future decisions.

In the spring of 2004, SWQC was informed of the success of a 319 grant filed by the Dudley Pond Association, led by the efforts of Judy Currier and that will be financially managed by SWQC. This grant will cover the introduction of more Beetles, addressing a run off problem by the school, some public education and stenciling storm drains, etc.

In the summer of 2004 Ted Fuist and other divers hand pulled 12,000 milfoil weeds to extend last years treatment. As of fall, the pond was relatively milfoil free. If we keep up this pulling program with the introduction of beetles we may be able to manage the problem better in the future. Time will tell.

SWQC attended a major International conference of lakes management in November 2003 to review new approaches/ techniques and other town's water management successes to see what might work here.

Heard Pond:

A harvesting vendor (ACT) was selected to harvest the invasive Water Chestnut weed. SWQC devised a creative plan to compost the weeds at the Wayland landfill instead of using a private contractor to haul them away. We tested the weeds again to affirm acceptable quality and non-toxicology of the final compost. Tom Largie and Jackson Madnick worked with the Departments of Health, Highway, and landfill to use excess town resources to bring the cut water chestnut weeds to Wayland landfill. This saved the Town well over \$30,000 in the summer of 2003 and \$66,800 in the summer of 2004 in private contractor hauling and incineration fees and Massachusetts from more air pollution. The 400,000 pounds of high grade weed compost from 2003 and 900,000 pounds from 2004 will be given back to the citizens of the town for free next year. SWQC was successful in enticing Channel 4 TV News in 2003 to do a live remote, probably seen by over one million people, to promote the environmental and cost savings activity at Heard Pond and bring positive P.R. to the Town, SWQC and the interdepartmental cooperation. Positive print stories were also in the Boston Globe & Metrowest News.

Jackson Madnick and Lili Griffin did a research project to recommend future weed treatment techniques for the Park Department to be used at the town beach on Lake Chocituate.

FUTURE PROGRAMS 2004/2005:

Continue Heard Pond harvesting for the next one-two

years to eradicate this weed. SWQC will explore getting the Federal Government to cover most of the future harvesting cost at Heard Pond, being that it is mostly on federal land. In the future SWQC will assemble a joint meeting of town boards, departments and committees related to ground and surface waters; to discuss town water related issues and public education. At that meeting, SWQC proposes to have all official town bodies that relate to water share concerns, ideas, and solutions.

During 2005 SWQC will perform town wide water and soil testing and remote scanning to investigate the sources of pollution and what can be done about it in all surface waters. SWQC will design / install new signage at boat launch areas to prevent spread of weeds and monitor the Danforth PUD problem as it relates to surface waters.

Future actions for Dudley Pond:

Ongoing Hand pulling of weeds. Proceed with next steps of draw down feasibility study. Meet with DEM & Fish & Wildlife to explore Carp pilot study. Introduce beetles into 3-4 pilot study areas. We will do some restoration of native plant species and fast growing ground cover for erosion control on hills around Dudley Pond.

Public education and out reach will be furthered through mailings/e-mailings of existing relevant material to people in the watersheds and school children.

SWQC research:

Over the past four years, members of the SWQC attended many water related conferences, including 9 different conferences held by the Council On Lakes and Ponds (COLAP) and two sessions by the Clean Water Fund. These sessions went over common water problems and potential solutions to address many of Wayland's water quality issues.

SWQC is researching and pursuing different sources of State and Federal funding.

PARK & RECREATION COMMISSION

The Park & Recreation Commission continues to support the mission of the department as follows:

- To provide active and passive recreational opportunities for all residents in all phases of recreation. This includes cooperating and working with the other recreation, sporting, and leisure type agencies in pursuing the goal of meeting all residents' leisure needs.
- To develop an interest in, and exposure to, life long leisure skills within the resident population.
- To provide appropriate instruction for the development of basic skills in each individual's area of interest.
- To maintain a high degree of quality and enjoyment in all areas of recreation programming.
- To promote leisure awareness, use of open space and available outdoor recreation and park facilities in the community.
- To continue to upgrade existing and acquire additional properties and facilities as needed by the residents.
- To provide quality athletic facilities relating to sporting and recreational interest of residents, including turf and hard surfaces.
- To provide quality park and playground areas for residents' active and passive use.
- To provide quality aquatic facilities and water related resources for active and passive enjoyment.
- To provide seasonal activities relative to our New England climate such as recreational skating, skiing, etc.

The Park Maintenance staff, along with the Water and Highway Departments, were able to restore water in North and Lakeview Cemeteries in the spring of 2004. We thank our residents for their patience during our handling of this issue. We also thank the Water Dept., Highway Department, and Town Surveyor for their cooperation with our project.

Springtime begins the active growing season and keeping up with lawn mowing became a challenge. We were fortunate to hire two summer maintenance workers, who mowed primarily all summer, bringing our crew up to 12 full time personnel.

We continue to serve as steward of all athletic fields within the town and to work with many youth programs and our School Athletic Department throughout the year.

Our jewel, the Wayland Town Beach, is now home to Wayland/Weston Crew. There is nothing more beautiful on a fall or spring day as watching these young people row in competition on North Pond of Lake Cochituate.

WAYLAND/SUDBURY SEPTAGE TREATMENT FACILITY

FY'04 was the seventh year of operations following the Wayland and Sudbury Town Meetings' adoption of the administrative changeover to a Committee structure. The eight member committee is composed of four members from Wayland and four members from Sudbury, appointed by various boards in each town. CDM, Camp Dresser & McKee, continues under contract to provide administrative and technical assistance to the facility.

The facility service area has continued to expand into a truly regional septage treatment facility. For FY 2004, the facility received and treated 8,449,563 gallons of septic waste, with 55.6% of the septage received coming from communities other than Wayland and Sudbury. The Town of Wayland residents contributed 22.0% of the volume and 21.9% originated from Sudbury. The septage volume increased over FY 2003 by 2,043,587 gallons or 31.9%. It should be noted that not all septage generated in Wayland and Sudbury is disposed of at the facility. Some septage haulers choose to use other wastewater treatment facilities, which results in the per gallon cost for treatment increasing for all customers. If all septage generated in Wayland and Sudbury was disposed of at the facility, the cost of disposal and treatment could be kept as low as possible for the citizens of the two towns.

Although the facility received and treated significantly more septage and generated \$523,869 in revenue, the operation showed a deficit of \$135,666 based on the final FY 2004 financial report. More than \$50,000 of the operating budget expenditures were for rebuilding of one of the truck scales and the replacement of an equalization tank mixer, which are one-time capital improvement items. The deficit has been reduced for the third year in a row and is expected to be at breakeven for FY 2007 once the

current debt service is retired. The facility staff, the Septage Committee and CDM continues to work on increasing efficiency, decreasing costs and maintaining the high level of septage treatment and effluent quality.

Mr. Joseph Brown, Assistant Chief Operator of the Septage Treatment Facility, retired at the end of September 2004. Mr. Brown worked at the facility since it opened in 1983 and worked for the Highway Department for several years previous to that date. A valuable asset and a pleasure to work with, Joe will be missed by his co-workers.

The quality of the water discharged from the facility currently continues to be better than required by the Massachusetts Department of Environmental Protection. However, a new five-year discharge permit will be issued in March 2005 which may require an additional level of treatment and an upgrade to the facility.

The Wayland/Sudbury Septage Committee is committed to serving the communities and the local environment by exploring cost-saving alternatives while maintaining facility performance and improving service.

WASTEWATER MANAGEMENT DISTRICT COMMISSION

The Wayland Wastewater Management District Commission was approved by Town Meeting and established by the Massachusetts Legislature in 1996. The Commission operates a sewer system along Route 20 from the intersection of Route 27 to a treatment plant located on the former Raytheon property. Approximately 36 businesses and residential properties are served by the system. The system is operated and maintained by an outside contractor.

The Commission operates as an Enterprise Fund that means that operations are financed in a manner similar to private business enterprises. The cost of operating and maintaining the system is financed by user charges consisting of betterment charges, privilege fees, and user fees. User fees are based on winter water usage. No tax money is used to support the system. If a surplus is realized, it is retained by the enterprise.

For FY2004, income was \$220,146.73 while expenses were \$157,180.55 for a surplus of \$62,966.18. Income exceeded the budget of \$192,292.00 and expenses were less than the same budget. The cash balance at the end of FY2004 was \$252,749.90. On January 1, 2004, the Commission introduced two new procedures concerning the quarterly billing of users of the system. The first procedure was minimum billing. Under this procedure, users are billed for actual water usage or for 15 % of sewer capacity whichever is greater. The second procedure involved the charging of interest on invoices unpaid after 30 days. The interest rate is 1 % per month or portion thereof. The Commission experienced a substantial reduction of water use by users of the system for the winter of 2003-2004. As a result, quarterly billing of users decreased from approximately \$38,000 per quarter to approximately \$25,000 per quarter.

During FY2004, the Commission treated 3,171,490 gallons of wastewater or an average of 8,689 gallons per day with no effluent parameters in excess of Federal and State requirements. In FY2003, the Commission treated an average of 10,125 gallons per day. The highest daily average in FY2004 was 11,788 gallons per day in July 2003 and the lowest daily average was 6171 gallons per day in December 2003. With a treatment capability of 65,000 gallons per day the system is seriously underutilized. The low flow into the system has a negative impact on the ability of the plant to treat wastewater. In addition there is a negative impact on financial performance because user fees are based on system usage. The low usage of the system is due mainly to the low occupancy of the former Raytheon facility.

PUBLIC SAFETY

FIRE DEPARTMENT

The past year has been a busy and productive time for the Wayland Fire Department.

With our first year full year of occupancy in the new public safety building behind us we have been truly able to appreciate the advantage of this modern facility. Despite a few minor “bugs” our new quarters have allowed us a much improved work environment that allows us to better serve the community.

On April 12, 2004 the department suffered its largest dollar loss fire in our 104-year history as a result of a four-alarm fire in a large residence at 4 Moore Road. Upon arrival firefighters were confronted with a well-developed fire throughout attic portion of the home. Fortunately there were no injuries. Citizens are reminded of the importance of having adequate fire detection in every area of the home.

This past year the number of calls for service was up by approximately 10% from the previous fiscal year. There were a total of 12 building fires with substantial property damage.

In response to the loss of Paramedic Service from Leonard Morse Hospital the Board of Selectmen appointed an Advanced Life Support Committee to study the issue and make recommendations as to insure the continuance of these services. In June the group issued a report to the Board recommending Wayland explore the idea of a shared service with the communities of Lincoln, Sudbury and Weston.

In accordance with the vote of the 2003 Town Meeting needed repairs were made to station #2. A new roof has been installed. Damaged ceilings and floor covering were replaced and most of the interior of the building was repainted. This spring funds were allocated to install an exhaust removal system in the station, as well as, to allow the installation of an emergency generator for the building.

The department was fortunate to be the recipient of several grants. Under the federal FIRE Act grant Wayland received \$ 99,960 to replace our present inventory of self-contained breathing apparatus. The Department of Public Health awarded a \$ 5,000 grant for the implementation of an injury prevention program to be presented to students in Wayland Public Schools. The Tenant Foundation provided a \$2,000 grant to improve emergency medical services.

Our Student Awareness of Fire Safety Education (S.A.F.E.) program continued to provide valuable fire safety training to our public school children. The program has historically been funded without town funds. While state aid of this program was curtailed for fiscal year 2004, private donations allowed the program to continue. Last August the retirement of Captain Robert Campana resulted in the promotion of Lewis Leblanc to the rank of Captain. Daniel Buentello was promoted to Lieutenant and Firefighter William Ash was hired to fill the vacant position.

As I submit this report my first full year as your Fire Chief has come to an end. My sincere thanks to all that have been of assistance to our department during the past twelve months.

INVENTORY OF ALL FIRE DEPARTMENT MOTOR VEHICLE APPARATUS

1,250 gallon per minute pumping engine	Engine 1	E-One	1997
1,250 gallon per minute pumping engine	Engine 2	E-One	2004
4-wheel drive brush truck	Engine 3	Ford	1997
1,000 gallon per minute pumping engine	Engine 4	E-One	1983
1,250 GPM pump with a 75 foot aerial	Ladder 1	E-One	1993
Ambulance, primary	A-1	Ford	1999
Ambulance, reserve	A-2	Ford	1994
Chief's car	Car 1	Ford	2004
Shift commanders vehicle	Car 2	Ford	2003
Pick-up truck w/ utility body	Car 3	Ford	1997
Fire Inspector's car	Car 4	Ford	2000
Fire alarm repair truck	M-1	Ford	1986

PROPERTY PROTECTED	2003/2004	\$ 2,822,189.683
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PROPERTY DAMAGE – 5 YEAR COMPARISON

1998/1999	\$ 200,007	2001/2002	\$ 450,000
1999/2000	\$ 60,550	2002/2003	\$ 22,500
2000/2001	\$ 907,500	2003/2004	\$5,706,865

TOTAL INCIDENTS (emergency and calls for service) - 5 YEAR COMPARISON

1999/2000	3,221	2002/2003	2,936
2000/2001	3,333	2003/2004	3,232
2001/2002	3,326		

CLASSIFICATION OF INCIDENTS 2003/2004

Fire Emergencies	372
Medical Emergencies	921
Other Emergency services	404
Motor Vehicle Accidents	82
Hazardous Materials Incidents	60
Fire Alarm System Work	411
Inspections	762
Public Education	46
Training Sessions	136
TOTAL INCIDENTS	3,232

STATION TWO PLANNING AND CONCEPT DESIGN STUDY COMMITTEE

The Station 2 Planning & Concept Design Study Committee was formed as a result of a 2000 Annual Town Meeting Warrant Article calling for an analysis of the Cochituate Fire Station No. 2. After much work, the Committee's proposal to build new and/or renovate Station 2 failed. In its place Town Meeting appropriated \$100K for needed repairs.

The Committee is very confident that as you read this report all scheduled repairs and updates will have been completed. Some of the projects undertaken to extend the useful life of this building were as follows: The flat leaking roofs over the Fire/Police and Art Center (Park & Rec) portions of the building have been replaced. In an effort to conserve energy and improve building lighting, suspended ceilings were installed in some areas of the building and the Committee utilized NSTAR's Energy & Cost Savings Program to replace inefficient lighting fixtures. Interior rooms and exterior trim have been freshly painted. A new carpet was installed in the firefighters living quarters. Reoccurring and costly mechanical problems with fire apparatus bay doors resulted in the replacement of two large bay doors along with electrical updates.

The Committee continues to believe that the community's demand for Public Safety and Park & Recreation services will continue to grow. The majority of the funds expended by this Committee went to address maintenance issues only. Any previously discussed structural changes or building updates remain unresolved.

Let us not forget the words of an architect who performed a structural analysis of Station 2 "If there is a message to be conveyed to the Town in all this, it has to do with the eventual high cost of deferring maintenance....." "Earlier action (in this case, years earlier) would mean a simpler repair." (re: the need for a new roof) This Committee thanks the residents of Wayland for their continued support.

POLICE DEPARTMENT

The Police Department spent its first full fiscal year in the new Wayland Public Safety Building. The facility houses the police and fire departments as well as the Joint Communications Center. On August 19th, 2003 a formal dedication ceremony and ribbon cutting was held at the new building. Many local and state politicians attended, along with the Wayland Public Safety Building Committee. Colonel Thomas Foley, head of the Massachusetts State Police, was the keynote speaker. Refreshments and tours of the new facility were provided for townspeople after the formal event. The department has settled in to its new environment, which includes a highly secure cellblock with adjacent "sally port" for secure prisoner transports, a booking area, a Sergeant's area, a Detective Division with an evidence processing area and interview room, an Administrative area, male and female locker rooms and a roll call/break room. There is also a shared Training Room for both the police and fire departments that can be easily converted into an Emergency Operations Center.

During the year the police department reduced the level of staffing by one to a total of twenty-two sworn officers. This came about as a result of the retirement of longtime officer, Sergeant Stephen Williams, on December 31st, 2003. Through a departmental reorganization, this position was not filled at the patrol officer level, resulting in a cost savings for the town. On August 25th, 2003 Officer Phillip Hurton was hired to replace an officer that left the department. On January 12th, 2004 Officer Thomas Galvin was promoted to the rank of Patrol Sergeant and Sergeant Patrick Swanick was assigned as the department's new Administrative Sergeant. Two dispatchers were hired during the fiscal year to replace dispatchers that resigned. Alana Santillo was hired on March 24th, 2004 and Ken McGuire on April 5th, 2004.

During the fiscal year the police department was again successful in obtaining funds through several grant opportunities such as the Governors' Highway Safety Bureau's "Click It or Ticket" and "You Drink, You Drive, You Lose" campaigns. In addition, the police department obtained a number of items through the Executive Office of Public Safety's Community Policing Grant. Through this grant the department purchased body suits for the Rape, Aggression, Defense Program, high impact safety signs for crosswalks, police and joint communications scheduling software and 1,000

Junior Police t-shirts. Funding from this grant also supported alcohol and tobacco compliance checks, the Citizen Police Academy and the Wayland Police Bicycle Patrol.

In the fall of 2003 the police department conducted its first ever Citizens Police Academy. This eight-week program is designed to teach interested Wayland residents about the various jobs that are performed by Wayland police officers in the community.

In addition to a tour of the new Public Safety Building, participants were exposed to topics such as; powers of arrest, sources of law, alcohol abuse, O.U.I. enforcement, motor vehicle law, accident investigation, domestic violence, the court process, detective services and patrol procedures. As part of the course each student experienced a "ride-along" for part of a shift with a Wayland police officer. The course is designed to give interested citizens a better understanding of police operations in Wayland and the value of the investment made for public safety. It also provides an opportunity for police officers to hear the opinions and concerns of residents on matters of public safety and police services.

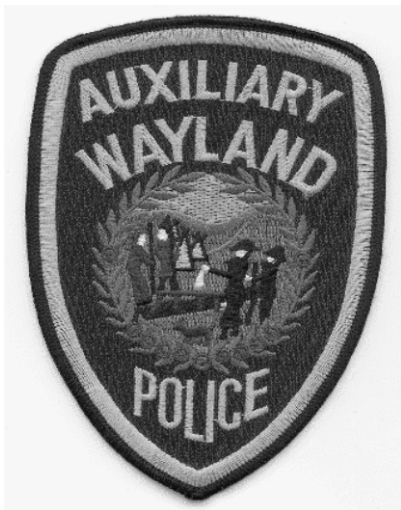
The Police Department worked diligently to reduce the traffic accident rate in Wayland during the fiscal year. The department participated in state funded enforcement programs, used directed enforcement posts and worked with residents to insure that roadways were properly posted with both regulatory and warning signs. In fiscal year 2003 there were 483 traffic crashes investigated by the Wayland Police Department. In fiscal year 2004 there were 336 investigations of accidents, a reduction of 30.4%.

An aggressive training program was maintained during the fiscal year. All officers received a minimum of 12 hours training in the use of their firearms that included a session of night firing. Many officers attended specialized training programs such as Incident Command, Computer Forensics, Search Warrants and Affidavit Writing, Drug Enforcement and Police Mountain Bike Patrol. In January of 2003 Sgt. Patrick Swanick attended the prestigious F.B.I. National Academy in Quantico, Virginia, becoming the third member of the department to graduate from the nine-week executive development course.

The Wayland Police Department completed its first full fiscal year as a member of the Metropolitan Law Enforcement Council. The department has joined 41 departments from Middlesex, Bristol, Norfolk and Plymouth counties that have combined resources to provide a 125-member rapid response team, a S.W.A.T. team, a cyber crime division, a traffic investigations division and an information technology division. Officer Bill Bradford is a member of the Rapid Response Team. He has participated in numerous activations of the unit, including the Democratic National Convention in Boston. Officer Mark Wilkins is a member of the cyber crime unit, utilizing his expertise in computer science to help investigate computer crime.

In FY 2003 there were 11,212 calls for police service.

AUXILIARY POLICE



⊕ Ride-a-long Program

This program is a continuing training program with the Wayland Police Department. An Auxiliary Officer voluntarily signs up to ride as a second officer in a Police Department Patrol Unit. During the patrol, the Auxiliary Officer learns how to put into practice the training they have received in Monthly Training Meetings and from regular Officers. This provides the Town with a two-man patrol unit. On many occasions the presence of a second Officer in the initial responding unit has been extremely beneficial.

⊕ X-ray Unit

The X-ray unit is an element of the Auxiliary's used

by the Police Department on special occasions, for patrolling the Town buildings as well as the schools, and as back up for Department Patrol Units, if requested. This allows the Town to have three marked cruisers and one marked two (2) Officer Auxiliary cruiser to provide more visibility to the public.

⊕ Turn Over Rate

The Auxiliary Department has watched the following Aux. Officers realize their goal of becoming Police Officers: Off. Sean Lando, Groton PD; Off. Derek McGill, Northeastern Uni. PD; Off. Michael Vinviulla, Ashland PD; Off. David Waters, Southborough PD. The following Auxiliary Officers have found employment within the Law Enforcement Field: Auxiliary Officers Alana Santillo & Richard Freni, Dispatchers for the Wayland PD. The following Auxiliary Officers have resigned to pursue other endeavors: Aux. Off.'s Antonio Bianci & Brooke Nadeau. We wish all members that have moved on to seek other goals good luck in all their future endeavors. All members of the Wayland PD want to congratulate & give best wishes to Aux. Off. Douglas Deane, who after 28 years of voluntary service has retired. The Department wishes Aux. Off. Deane and his family the best in all future endeavors. The members of the Auxiliary Police want to welcome the following new members: Aux. Off.'s James Cunningham, Joseph Grassi, Philip Hardy, Michael O'Connor, & Eric Tebeau.

⊕ Special Thanks

Thanks to Chief Robert Irving for the support and guidance in this program. Thanks to Officer Chris Hanlon, Auxiliary Police Commander, for volunteering his time to motivate, train and lead us. Thanks to all the regular officers of the Wayland Department that have participated in the Ride Along Program and have taken the time to enhance the Aux. Off.'s knowledge by allowing Aux. Officers to ride along while they are on regular patrol. Thanks also to all the families and loved ones who have sacrificed time and special days when the Auxiliary Police are called upon for duty.

Ride-a-long Duty (68 Tours of Duty) (Includes Bike Patrol)	
Total Hours	283
X-ray Patrol 73 Tours of Duty	
Total Hours	515

Special Assignments	
Parade Duty	30
Senior Holliday Viewing	54
Halloween/Cabbage Night	32
Special Patrol	25
Special	253
Bldg Dedication	42
Thanksgiving Football	20
WPA Football	7
Crossing	4

Training Assignments	
Monthly Meetings	541
Firearms Training	32
First Responder/CPR/AED	86
In-service Training	361
(Based on 40 hours)	
Repelling	360
WAPD Room	12
Total Donated Hours	2,657

Dollar value based on entry-level
Police salary of \$19.81 per hour **\$52,635.17**

DOG CONTROL OFFICER

As of May 1, 2004 the former Dog Officer, Mary Lou Chamberlain retired; all records and files prior to May 1st were not obtainable by the new Officer. The following is reflective for May and June only.

TOTAL # CALLS	178
COMPLAINT CALLS	29
LOST DOG CALLS	14
LOST CAT CALLS	5
(*) MISCELLANEOUS	126
TOTAL # DOGS PICKED UP	6
TOTAL # BITE CALLS	1
TOTAL # QUARANTINE ORDERS ISSUED	7
TOTAL # CITATIONS ISSUED	29
NO LICENSE CITATIONS	24
LEASH LAW VIOLATION	4
OTHER OFFENSE	1
TOTAL # DOGS LICENSED BY THE TOWN CLERK	1,631
TOTAL # KENNELS LICENSED	4

(*) Examples of miscellaneous calls are questions relative to animals, wildlife, license questions, stray cat calls, etc.

COMMUNITY SERVICES

COUNCIL ON AGING

The Council on Aging (COA) works to promote and enhance the quality of life for older citizens and their families. The COA seeks to provide a full range of services, including information and referral, transportation, socialization, nutrition, education, health promotion, and opportunities for creativity. The COA also provides outreach to elders who through physical and/or cognitive impairments are unable to participate in Senior Center programs.

Accomplishments: With funds appropriated at Town Meeting, the COA developed a Taxi Ticket program that provided 386 rides for seniors and people with disabilities in 2004. The town was awarded a grant from EOTC towards the purchase of a wheelchair accessible van through the efforts of the Transportation Committee. A 10-week Healthy Eating television program was produced at the local cable access station. **New classes and programs:** Included were a genealogy class, line dancing, chair yoga, sleep and alertness seminar, a four-part series on the beginning stages of Alzheimer's disease for people in the early stage of the illness and their care partners, a monthly series on stress management through alternative therapies, an evening series of classes for caregivers, and a daytime series of support groups for seniors dealing with the changes of aging. This year we expanded outreach to residents of Wayland's two senior housing buildings, including monthly information meetings and a series of chair yoga workshops. The COA continues to work with seniors and their families to ameliorate the impact of property taxes, and offered 40 seniors the chance to participate in the Property Tax Work Off program.

Events and Services: The COA mails its newsletter, *The Wayland Senior*, to every senior household in town as well as to 150 seniors and senior centers out of town. The newsletter highlights events, activities, and information on health and aging. **Ongoing programs** include T'ai Chi, chair yoga, line dancing, crafts, movies, bridge, exercise, genealogy classes, computer classes, art appreciation, men's breakfasts, Kids Holiday Shoppe, Holiday Lights Tour, billiards, state legislator office hours, intergenerational events, trips, and social events. **Services** include transportation, health clinics, free legal consultations, insurance benefits counseling, a meal site and home

delivered meals, speakers, AARP tax assistance, handyman referrals, hotline reassurance calls, outreach, help with Fuel Assistance applications, assistance with completing property tax forms, and the Property Tax Work-Off Program. In addition, the COA offers ongoing support to the Wayland Senior Club and the Golden Tones, both of which meet in the Senior Center.

Challenges: In 2004 the COA was challenged to maintain and improve services. In addition, space constraints at the Senior Center impact programming choices.

Goals for FY '05

- Continue to expand transportation services for seniors and those with disabilities
- Continue to advocate for property tax relief for senior residents
- Find practical ways to increase the amount of affordable housing in Wayland.
- Widen the scope of those served to include family caregivers, seniors of diverse ethnicities, people facing retirement, and elders at risk
- Improve and expand the COA information resources and outreach efforts
- Promote intergenerational programs that emphasize integration of community interests
- Improve liaison communication with the police and fire to enhance services to at-risk elders
- Provide information seminars aimed at educating seniors on housing options, strategies for aging well and planning for aging, managing the health care system, and the use of legal tools for estate planning.

SENIOR PROPERTY TAX RELIEF COMMITTEE

Regular meetings were held during the year. Present members of the committee are, Steve Colella, Madeline Foley, Bob Hatton, Kris Kiesel, Mitchell Marcus, Lillian Mills, Patricia Nelson, Clem Sansone and Geoff Smith.

Town meeting passed by unanimous vote an article granting authorization for an Initiative Petition to

provide additional relief under Clause 41A, Tax Deferral. This article reduced the eligible age from 65 to 60 years, increased the maximum allowable annual income from \$40,000 to \$60,000, eliminated the requirements for minimum length of home ownership and continuous domicile in Massachusetts, and reduced the annual interest rate on deferred tax payments from 8% to 4%. The Initiative Petition was duly submitted. However as there were many such petitions presented concerning property tax relief for Seniors, the State Legislature undertook preparation of a comprehensive revision of many Property Tax provisions, including our Clause 41A request. Final enactment is unlikely before FY2005.

The Senior Center prepared, in conjunction with the Town Assessors, a simplified guide to the various Property Tax relief measures that may be applicable under various circumstances.

SOUTH MIDDLESEX OPPORTUNITY COUNCIL

South Middlesex Opportunity Council, Inc. (SMOC) is a not-for-profit corporation providing social services, housing development and job training for 10 towns in the Metrowest region. As one of the towns in SMOC's service area, Wayland is able to appoint one representative to a 30-member board of directors. Nine of the other directors are selected from the other towns in the region; ten directors are selected from the groups served by SMOC; and the remaining ten are selected from the public, various community organizations and businesses.

The following list describes SMOC's major programs and services and the Wayland residents served during the past year:

The Meals on Wheels Program served a total of 4,493 meals to elderly residents. Of those meals, 3,819 were home delivered meals to 36 unduplicated individuals while 674 meals were served to 156 unduplicated clients. Meals on Wheels drivers donated over 1,500 hours for meal delivery.

Metrowest Helpline, a general information and referral service, responded to two calls from Wayland residents.

Voices Against Violence provided services to 15 Wayland residents for domestic violence services.

Fuel Assistance served 45 Wayland households, 27

homeowners and 18 renters.

SMOC Behavioral Health Services provided services to 15 Wayland residents through the following programs: Adult Mental Health Outpatient, Child and Family Services, Community Rehab Support, Second Offender and Substance Abuse Services.

Heating System Assistance served one Wayland household and **Energy Conservation Services** were provided to 2 units in Wayland.

The Rental Assistance Program (Section 8) served one Wayland household.

The SEE Program (Services for Education and Employment), which provides client services to assist persons with severe mental disabilities to obtain and maintain education and employment, serviced one Wayland resident.

SMOC Shelter Programs served one Wayland family through the Pathways Family Shelter.

In the addition to the above, several Wayland residents have donated time, services and/or money to SMOC programs, including holiday drives.

CHARITABLE COMMITTEE

The Committee provides short-term, emergency help to people who have lived in Wayland for at least one year. Payment is made directly to vendors or the suppliers of services. Assistance has been provided for utilities, medicine, food, rent, clothing, medical service, special transportation connected with medical needs, and for other items.

The Wayland Charitable Committee reports to the Commissioners of Trust Funds. The Committee's work is funded through a bequest from Suzanne A. Leavitt, which has been supplemented by gifts from Wayland residents, community organizations, and businesses.

In FY'04 the Charitable Committee provided \$17,753 in short-term financial assistance to Wayland residents. The largest areas of need were utility payments and rent payments.

VETERANS' AGENT

The Veterans' Agent is responsible for the administration of assistance to eligible Armed Service Veterans, their spouses, and dependents pursuant to the provisions of MGL c.115.

During FY'04 only modest sums were expended. However, it is anticipated that expenditures for FY'05 year will be higher. As veterans age, their health and other needs will require greater assistance. In addition, veterans returning from the Afghanistan, Iraq, and other current war(s) will require assistance.

Memorial Day

The Veterans' office, prior to Memorial Day, assisted by the Wayland Girl Scouts and Boy Scouts and Wayland High School, placed flags at our local cemeteries for our deceased veterans. Wayland is reimbursed seventy-five percent for the cost of the flags by the Department of Veterans Services (DVS).

A flowerbed display and accompanying sign, "IN MEMORY OF ALL VETERANS" was initiated at the entrance of our three town cemeteries. This office coordinated the effort with two of our town citizens who will make this a permanent annual event. Each spring a new planting of flowers and its maintenance will continue to honor our deceased veterans at these cemeteries.

Veterans Day

During November the Wayland Public Library honored Veterans. Memorabilia from seven Naval vessels named Boston since 1776 was presented. Each United States Ship (USS) Boston provided detailed historical logistical and battle data. The viewers responded appreciatively to the pictures and associated data of the 6th USS Boston bringing back its unknown soldier to its final internment at Washington DC.

Patriots Day

This office coordinated a flag returning ceremony in Wayland hosted by the Wayland/Sudbury Chapter of the Daughters of the American Revolution (DAR). Attendees participated in the correct way in folding our flags and also the procedure required in the flag disposal. We have an open invitation with the DAR for a repeat performance on a larger scale every other year.

Patriotic Tribute

Wayland High School honored Wayland Veterans and Wayland Fire and Police in observance of September 11th at the first home football game of the season. The Veterans' office coordinated this effort by contacting and inviting its veterans and their family members to this game. The veterans participated with the posting of the colors, assembling on the field at half time and the singing of Patriotic songs conducted by the Wayland High School Band.

Operation Recognition

The History class of Wayland High School did a remarkable job in their search of WWII Veterans who left Wayland High School to enter the war without graduating. This office has located three veterans, two of which are posthumous who qualify and presently pursuing Korean War Veterans who left Wayland High School without graduating and qualify. High School diplomas will be awarded to these veterans or family members for posthumous veterans at a near future date.

This office will continue its effort to locate these Veterans and/or family members so that they may be awarded their belated High School diplomas at a future graduation ceremony.

Nursing Home Visitations

Veterans confined in our local nursing home in Wayland were visited on Valentines Day and during the Christmas season. Encouragement and a small token were given to each veteran, expressing our appreciation for their sacrifices. In addition, this office participated in the visitation of hospitalized veterans at the VA Hospital in Bedford and distributed Valentines provided by the Wayland Women's Club to each veteran.

Town Pole Flags

An inventory of our town pole flags was coordinated with this office and our Fire Chief. Only ten flags were salvageable. It was then decided to replace the faded or torn flags and to add fourteen additional new flags and poles. Approval was received from NStar and all the flags were replaced prior to Memorial Day.



Wayland Veterans' Agent John Turchinetz receives the Points of Light Award from Governor Mitt Romney, State Representative Susan Pope, and State Senator Scott Brown on May 11, 2004, in recognition of his energy, drive, and selflessness in serving the Veterans of the Town of Wayland.

VETERANS' MEMORIAL COMMITTEE

The purpose of this committee is to make recommendations to the Town Meeting regarding a Wayland Veterans Memorial, its design, location and funding, and to oversee construction.

FY 2004 has been a busy and most successful year. Town Meeting approved both parts of the article we sponsored: it accepted the recommended design and gave the VMC authority to construct the monument provided that the Selectmen are satisfied enough funds have been raised privately to cover all expenses.

During the year the committee met biweekly, a total of 22 times. The major efforts were to advance the preliminary design, authorized for costing by the 2003 Town Meeting, for approval and to continue raising funds sufficient for its construction.

The initial cost estimates we received from granite contractors were on the order of \$100,000 or more and with the additional work required, would have put the complete memorial cost near \$150,000, far above what we felt was affordable. Thus we

undertook a number of cost cutting steps and design changes that made the price more reasonable without sacrificing the artistic integrity or quality.

We also began to raise funds with a town-wide mailing, a display or presence at public events, letters to businesses and foundations. One citizen, to whom we are deeply grateful, came up to us and on his own initiative personally raised over \$40,000 from "young families" as an expression of thanks for the freedoms they enjoy. We met with several student bodies and they also gave generously. Many donors gave for second and third times.

The Veterans Memorial Fund balance on June 30, 2003 was \$86,900, with additional pledges of \$3500 to come. Because town budgets will be tight for the foreseeable future, we decided to raise all money by private donation. There will be no Town funds used for this memorial.

We held 2 public meetings at which potential designs were presented and public comment was received. Some of that comment was used in the selection of a final design, which was recommended to, and approved by the Town Meeting on May 6, 2004.

Following design approval, and after review by Town

Counsel, we began to finalize our preparations for choosing a construction contractor. We expect a contract signing to take place during the summer following authorization by the Board of Selectmen. Groundbreaking is scheduled to take place in Fall 2004 with construction completed before Summer 2005.

We have begun work on a Book of Remembrance in which we will include some Wayland history that we have uncovered in our research. In addition we will list names of all donors and names of those who have served in the U.S. military who donors choose to honor or memorialize.

We expect to endow an annual Veterans Memorial Academic Award to the Wayland student who writes the best essay on Freedom, or a topic related to the memorial. More details on this during the coming year.

HOUSING AUTHORITY

The Wayland Housing Authority (WHA) was incorporated in 1970 under M.G.L. Chapter 121B as a public authority to provide safe and sanitary housing to the Town of Wayland. The WHA administers the following housing programs for the Town:

Bent Park State Elderly Housing
 Cochituate Village Apartments Elderly Housing
 Family Scattered Site Federal Public housing.
 Section 8 Voucher Rental Assistance Programs

The WHA maintains a waiting list for all housing programs and provides local preference for Wayland residents. The elderly/disabled waiting list is open to applicants. The family housing waiting lists are closed due to the high volume of applications and limited unit turnover.

Information for other town wide affordable housing programs can be obtained at the WHA office:
 Soft Second Loan Program (First-time homebuyer mortgage assistance)
 Affordable Accessory Apartment Program
 First-time Homeownership Programs

The WHA has an updated agency plan for the federal housing programs, which describes the mission of the WHA, long-range goals, objectives and action plan. This plan is available at the WHA office.

The WHA is designated by HUD as a “High Performer” public housing agency. The WHA received a score of 92 out of 100 under the Public Housing Assessment System (PHAS). The WHA is rated on physical, financial and management indicators as well as the results of a resident satisfaction survey. The WHA scored well above the national average on all indicators.

The Town has been working on a Comprehensive Affordable Housing Plan, which will be submitted to the state. The plan details activities that will preserve and increase the supply of affordable housing in Wayland.

The WHA has representatives serving on the Wayland Housing Partnership, the Community Preservation Committee, the Master Plan Task Force and the Nike Site Advisory Committee.

Town Meeting approved the purchase of the former Nike missile site on Oxbow Road for conservation, recreation, and the construction of up to 16 units of affordable housing. This was accomplished through the efforts of town officials and residents including local affordable housing advocates and neighbors. The Nike Site Reuse Advisory Committee will advise the Board of Selectmen on the development of the site.

The WHA would like to recognize the outstanding contributions of Robert Dolan who resigned from the WHA Board of Commissioners this year, after thirteen years of service. The WHA welcomes back Mary Antes who was elected to serve on the WHA Board of Commissioners. The WHA is indebted to the community volunteers who provide outstanding service to the WHA and our residents. The WHA appreciates the Town’s continued support of public and affordable housing.

FAIR HOUSING COMMITTEE

The Fair Housing Committee is charged with facilitating equal access to housing regardless of race, color, age, sex, religion, national origin, sexual orientation, veteran status, disability, welfare status, or children. To do this, the Fair Housing Committee must analyze the community and develop a plan to eliminate any barriers that may exist that hinder equal access to and the choice of housing. The committee is directly responsible to the Board of Selectmen and the Massachusetts Commission Against Discrimination

(MCAD). It must adhere to guidelines set forth by MCAD to avoid jeopardizing Wayland's applications for state grants. Complaints about housing discrimination may be made to the Fair Housing Committee through the Fair Housing Officer. There have been no complaints in recent years.

YOUTH ADVISORY COMMITTEE

Wayland Youth and Family Services provides five basic services to youth, families, and the community: 1) counseling, 2) community education and prevention, 3) consultation, 4) information and referral, and 5) crisis intervention (after hours we refer people to Advocates Psychiatric Emergency Services in Framingham).

Counseling is the primary focus of the program. The staff provides consultation and counseling for children, adolescents, parents and families for communication problems and family conflicts, stress management, substance abuse, and the impact of family disruption, such as separation, divorce, illness and death. We also address issues of depression, suicide, anxiety, eating disorders, concerns about sexuality, physical or sexual abuse, and peer relationships. These services are provided at no cost to Wayland residents and students. All counseling is strictly confidential.

Community education and prevention are our next priority. Last year we brought in two very well known speakers on adolescent issues. Dr. Anthony Wolf spoke to parents in the fall on the challenges of raising teenagers. We collaborated with the PTOs and the Wayland Public Schools Foundation to bring Rosalind Wiseman, author of Queen Bees, Wanna Bees, in February to speak to middle school students, parents, and the entire system wide faculty on the challenges of adolescent group dynamics. We provide several monthly parent discussion groups which are organized by grade and a group for parents of students with ADD. We collaborate with the high school in offering a group for parents of high school seniors on the college application process.

We participate in the Wayland Substance Abuse Task Force and help to develop approaches and programs to educate about and prevent substance abuse among teenagers. This year we worked with a parent subcommittee which initiated the hiring of a well known substance abuse prevention program named Freedom From Chemical Dependency to do an

evaluation of Wayland's efforts. FCD interviewed students, parents, and high school staff and produced recommendations that will be reviewed at a community forum in November.

WYFS sponsors the Single Parent Network which organizes programs for single parents and their children. The goal of this network is to provide opportunities for single parents to meet, socialize, and support each other in both emotional and practical ways, and to offer programs and speakers that address the needs and challenges of single parents. A single parents discussion group has met monthly. The programs have included eating dinner together and childcare provided by students from the High School community service program. We have worked with students in a variety of ways. We have continued to lead the Community Service Leadership Program at the High School which gives over 40 high school students the opportunity to do community service with Habitat for Humanity, Traditions, a local homeless shelter, the annual Fishing Derby, and other projects. This year we also had a very successful summer community service program. A staff member gave presentations to high school biology classes about body image and eating disorders prevention. We participated in a series of discussions focused on substance use with high school students representing numerous student organizations.

Current goals for WYFS include: working closely with the Substance Abuse Task Force in regard to substance abuse prevention; and maintaining the quality of the counseling program and the numerous prevention and education programs that we offer.

TRANSPORTATION COMMITTEE

Subsequent to funding approved at Town mtg. two years ago, the Council on Aging Transportation Committee has implemented the taxi-voucher program and has completed and submitted the Committee's grant application for 80% matching funds for an accessible van to the state's Mobility Assistance Program (MAP). We were informed by the MAP the grant funds had been approved.

On Sept 29, the Committee learned that funding for the MAP grant had been cut by the Mass. Exec. Office of Transportation (EOTC) which oversees MAP as a result of the Governor's proposed FY04 capital budget. In an effort to restore the funds, the

Committee contacted the Governor, local legislators and the press to report this news and request a restoration of funds.

In 12/22/03 letter from Sec. EOTC Grabauskas, the Committee learned the funds had been restored and the van's arrival was assured. The committee began work on creating a new operational contract for the vehicle. The committee solicited bids from three vendors to obtain price quotes. After a review of this data, the Committee decided to maintain its previous relationship with JFK Transportation that had been contracted to provide services through the existing COA transportation service. The previous contract will be amended to accommodate JFK's operational and maintenance oversight duties of the new van upon its arrival.

The COA Taxi-Voucher program continues to successfully provide a 50% reimbursement for accessible transportation options for local seniors and people with disabilities to access employment, medical appointments and other destinations.

CULTURAL COUNCIL

In 2004 the Mass. Cultural Council provided the Wayland Cultural Council with \$2000.00 to be used to fund varied cultural programs and activities. After soliciting applications, and interviewing the applicants, the Wayland Cultural Council awarded the following grants:

Musicians of the Old Post Rd.	\$500.00
Wayland Public Library	
Folksinger	\$400.00
Shakespeare and Human Kindness	\$425.00
Park and Rec Mad Science Show	\$195.00
Wayland Diversity Network Concert	\$400.00
Wayland Golden Tones	\$500.00

The ArtSpace in the Wayland Town Building featured the diverse culture, history and talent of the community. The exhibits included Digital Photography by George Brawerman, Maps of Wayland 1650-Now, by Cartographer Richard Ames, Martin Luther King Day posters by elementary school students, Historic Winter Spectacles in Wayland from the Heard House collection, High School Art Exhibit of exceptional talent, Sports Spectacular-Then and Now, acquired from the High School Athletic Dept. and the archives, and Arts/Wayland meets the Wayland Cultural Council,

contributed by members of Arts/Wayland. The WCC hosted a reception for each exhibit and we hope to continue the very successful formula this year!

CABLE TV COMMITTEE

The Cable Advisory Committee is a group of residents who advise the Selectmen on matters relating to the town's cable television and related cable services. The Selectmen are the official "issuing authority" for the Town's cable licenses. The town is currently served by Comcast. During the past year the membership of the Cable Advisory Committee has been 8 members with 7 currently appointed. Committee members are Maury Stauffer(chair), Russ Ashton, Bob Hanlon, Betsy Moyer, Richard Turner, Maris Joniec, and Bill Kaplan.

The committee has addressed the current and future needs for our Institutional Network (I-Net), the deployment of cable drops in Wayland's public buildings and schools, the needs of the schools, the elderly, the town offices, and the public safety services in town, as well as the needs of the general public. The Cable Advisory Committee and the Selectmen have been working with Wayland Community Access and Media, Inc. (WayCam) to upgrade studio equipment and to facilitate WayCam's broadcast of town events such as the weekly Selectmen's meetings. WayCam board members are Arnold Kahn, Joe Damplo, Tom Turner, and Maury Stauffer. There is currently 1 open WayCam Board position. On October 5, 2004, WayCam held an open house at the studio, currently located at the high school. Numerous visitors were interviewed and broadcast live on the Wayland Channel.

In September 17, 2001, WayCam assumed operation of the Wayland Channel and the studio, appointing Jim Mullane as studio director. Plans are continuing; first, to improve overall signal quality for Wayland Channel broadcasts; second, to re-equip the studio with state-of-the-art digital video technology; and third, to improve broadcasts of the Selectmen's meeting. WayCam has taped and broadcast various town committee meetings, High School sports events, as well as those of other town organizations. WayCam is a volunteer-run organization; volunteers of all ages are welcome. Interested citizens are needed to assist with all aspects of video and audio recording and production.

**TOWN OF WAYLAND
SPECIAL TOWN MEETING NOVEMBER 20, 2003**

DATE:

Thursday, November 20, 2003
Monday, November 24, 2003

ARTICLES DISPOSED OF:

1, 2, 3, 4, 11
5, 6, 7,8, 9,10

RETURN OF SERVICE

MIDDLESEX, s.s.

November 4, 2003

I, Christopher Hanlon, duly qualified Constable of the Town of Wayland, do hereby affirm and certify that I have posted the specimen of the Warrant for the Special Town Meeting to be held on Thursday, November 20, 2003, by my posting copies thereof at the Town Building, Cochituate Post Office, Wayland Library and the Happy Hollow School, by posting fourteen (14) days at least before the date appointed for the posting of the Special Town Meeting. Posting was done November 4, 2003.

VOTES ENACTED:

November 20, 2003 AT THE WAYLAND HIGH SCHOOL FIELD HOUSE

C. PETER R. GOSSELS, MODERATOR:

Pursuant to the Warrant dated November 3, 2003 signed by Betsy E. Connolly, William Whitney, Mary M. Antes, Brian T. O’Herlihy and Douglas J. Leard, Selectmen, served and return of service given by Christopher Hanlon, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at the Special Town Meeting met this day at Wayland High School Field House; and at 7:45 P.M. the Moderator called the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

ARTICLE 1: CURRENT YEAR TRANSFERS

Proposed by: Board of Selectmen

Estimated Cost: \$8,800.00

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, by borrowing, or 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 TRANSFERS FY 2004	
2 TOWN CLERK ELECTIONS (SPECIAL ELECTION)	\$5,800.00
3 UNCLASSIFIED (SPECIAL TOWN MEETING)	\$3,000.00
TOTAL CURRENT YEAR TRANSFERS	
	\$8,800.00
FUNDING SOURCE:	
UNRESERVED FUND BALANCE	\$8,800.00
TOTAL SOURCE	
	\$8,800.00

MOTION :

Brian O'Herlihy moved and was duly seconded that the Town appropriate the following sums to be expended by the following boards and officials in Fiscal Year 2004 for the following purposes:

<u>Purpose</u>	<u>Amount</u>	<u>Board or Official</u>
Elections	\$5,800.00	Town Clerk
Unclassified - Special Town Meeting	3,000.00	Selectmen
Street Sweeper	24,000.00	Road Commissioners;

and that said appropriations be provided by transferring \$8,800.00 from the General Fund - Unreserved Fund Balance for Elections and Unclassified - Special Town Meeting expenses and by authorizing the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$24,000.00 pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 7 for the acquisition of the aforesaid departmental equipment.

AMENDMENT:

Brian O'Herlihy moved and was duly seconded that the Town delete the following from the main motion: "for Elections and Unclassified - Special Town Meeting expenses and by authorizing the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$24,000.00 pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 7 for the acquisition of the aforesaid departmental equipment" and that the amount of \$8,800.00 be changed to \$32,800.00

VOTED ON AMENDMENT: MOTION CARRIED

MAIN MOTION AS AMENDED:

That the Town vote to appropriate the following sums to be expended by the following boards and officials in Fiscal Year 2004 for the following purposes:

<u>Purpose</u>	<u>Amount</u>	<u>Board or Official</u>
Elections	\$5,800.00	Town Clerk
Unclassified - Special Town Meeting	3,000.00	Selectmen
Street Sweeper	24,000.00	Road Commissioners;

and that said appropriations be provided by transferring \$32,800.00 from the General Fund-Unreserved Fund Balance.

VOTED ON MAIN MOTION AS AMENDED: UNANIMOUSLY IN FAVOR

ARTICLE 2: PAY PREVIOUS FISCAL YEAR UNPAID BILLS

Proposed by: Board of Selectmen

Estimated Cost: \$13,938.18

To determine whether the Town will vote to:

(a) pay the following bills of a prior Fiscal Year:

<u>Vendor</u>	<u>Fiscal Year</u>	<u>Amount</u>	<u>Board</u>
Citgo	2003	\$5,607.20	Selectmen
Select Energy	2003	\$8,330.98	Selectmen;

(b) appropriate the sum of money for the payment of the foregoing bills of a prior fiscal year; 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.

MOTION:

Brian O’Herlihy moved and was duly seconded that the Town of Wayland

(a) pay the following bills of Fiscal Year 2003:

<u>Vendor</u>	<u>Amount</u>	<u>Board</u>
Citgo	\$5,607.20	Various
Select Energy	8,330.98	Various;

(b) appropriate \$13,938.18 for the payment of said bills of Fiscal Year 2003; and provide for said appropriation by transferring \$13,938.18 from the General Fund - Unreserved Fund Balance.

VOTED: MOTION CARRIED

ARTICLE 3: HOUSING FUND DISBURSEMENT AUTHORIZATION

Proposed by: Board of Commissioners of Wayland Housing Authority and the Board of Selectmen

To determine whether the Town will vote to authorize a disbursement procedure for the Housing Fund for identifying, testing, redeveloping, rehabilitating, constructing, acquiring and otherwise preparing properties for the acquisition of affordable housing in Wayland; to require that any net proceeds realized from use of Housing Fund monies be returned to the Housing Fund; and to require reporting relative to expenditures and the number and percentage of affordable housing units in Wayland.

MOTION:

Mary Antes moved and was duly second that the Town ratify the Board of Selectmen’s use of \$45,839.53 from the Housing Fund established by vote of the 1991 Annual Town Meeting under Article 25 of the Warrant therefor and funded by the net proceeds of the sale of Lot #37, Riverview Avenue, Wayland, Massachusetts, for appraisals, surveys, testing, engineering, legal and other professional services, developing a housing plan, and the acquisition of options to acquire properties for the provision of affordable housing, with the approval of the Finance Committee, and the Wayland Housing Authority’s and Wayland Housing Partnership’s use of said funds for such purposes with the approval of both the Board of Selectmen and the Finance Committee; and that the Board of Selectmen shall include a report in the Annual Town Report relative to the expenditure of said monies in the Housing Fund.

VOTED: MOTION CARRIED

ARTICLE 4: CONTINUED PLANNING AND DESIGN SERVICES FOR WAYLAND HIGH SCHOOL

Proposed by: School Committee

Estimated Cost: \$355,000.00

To determine whether the Town will vote to appropriate a sum of money to be expended by the School Committee for the purpose of funding design fees and other required services for a conceptual design and implementation plan for a project to modernize and expand the Wayland High School, and 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 the Federal Government, by borrowing, or otherwise.

MOTION:

Jeffrey Dieffenbach moved and was duly seconded that the Town appropriate \$355,000.00 to be expended by the School Committee for the purpose of funding design fees and other required services for a conceptual design and implementation plan for a cost effective project to modernize and expand the Wayland High School; and that said services shall include a prioritization of program requirements and construction tasks and that said appropriation be provided by authorizing the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$355,000.00 pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 7 for the aforesaid purpose.

AMENDMENT:

Brian O’Herlihy moved and was duly seconded that the Town appropriate \$355,000.00 to be expended by the School Committee for the purpose of funding design fees and other required services for a conceptual design and implementation plan for a cost-effective project to modernize and expand the Wayland High School, that said services shall include a prioritization of program requirements and construction tasks and a recommended approach, in writing, for altering such plan, program requirements and construction tasks in order to achieve a project costing approximately \$20 million, and that said appropriation be provided by authorizing the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$355,000.00 pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 7 for the aforesaid purpose.

MOTION TO TERMINATE DEBATE:

Kimberly Reichelt moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: UNANIMOUSLY IN FAVOR

VOTED ON AMENDMENT:

STANDING COUNTED VOTE:	IN FAVOR:	537	
	OPPOSED:	795	MOTION NOT CARRIED

TELLERS:

Perry Hagenstein	15 Bennett Rd
Vincent J. Smith	5 Oak St
Brian Boggia	36 Peck Ave
Judy Currier	22 Algonquin Path
Reid Crockett	223 Stonebridge Rd
Sharon Hecker	41 Three Ponds Rd
Sema M. Faigen	19 Highgate Rd
Marcia P. Crowley	6 Wayland Hills Rd

MOTION TO TERMINATE DEBATE:

Ferenc Vasady-Kovacs moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON MAIN MOTION:

STANDING COUNTED VOTE: IN FAVOR: 964
 OPPOSED: 373 MOTION CARRIED

TELLERS:

Perry Hagenstein	15 Bennett Rd
Vincent J. Smith	5 Oak St
Brian Boggia	36 Peck Ave
Judy Currier	22 Algonquin Path
Reid Crockett	223 Stonebridge Rd
Sharon Hecker	41 Three Ponds Rd
Sema M. Faigen	19 Highgate Rd
Marcia P. Crowley	6 Wayland Hills Rd

PROCEDURAL MOTION:

Christopher Hagger moved and was duly seconded that the Town vote to extend the time of adjournment of the Meeting for thirty minutes to consider Article 11.

VOTED: 1ST VOICE VOTE: UNDECIDED
 2ND VOICE VOTE: MOTION NOT CARRIED
 Seven voters questioned the vote
 STANDING COUNTED VOTE: IN FAVOR: 215
 OPPOSED: 107 MOTION CARRIED

TELLERS:

Perry Hagenstein	15 Bennett Rd
Vincent J. Smith	5 Oak St
Brian Boggia	36 Peck Ave
Judy Currier	22 Algonquin Path
Reid Crockett	223 Stonebridge Rd
Sharon Hecker	41 Three Ponds Rd
Sema M. Faigen	19 Highgate Rd
Marcia P. Crowley	6 Wayland Hills Rd

PROCEDURAL MOTION:

Christopher Hagger moved and was duly seconded that the Meeting consider Article 11 out of order.

VOTED:
 STANDING COUNTED VOTE: IN FAVOR: 234
 OPPOSED: 43 MOTION CARRIED

TELLERS:

Perry Hagenstein	15 Bennett Rd
Vincent J. Smith	5 Oak St
Brian Boggia	36 Peck Ave
Judy Currier	22 Algonquin Path
Reid Crockett	223 Stonebridge Rd

Sharon Hecker	41 Three Ponds Rd
Sema M. Faigen	19 Highgate Rd
Marcia P. Crowley	6 Wayland Hills Rd

ARTICLE 11: CREATION OF BOW ROAD LOCAL HISTORIC DISTRICT

Proposed by: Wayland Historic District Commission

To determine whether the town will vote to expand Wayland's Historic District, established by a vote of the Town in 1965, by creating a new local historic district to be known as the Bow Road Historic District to include the areas of land shown as Lots 18-036, 23-053, 23-054, 23-056, 23-057, 23-066, 23-067, 23-068, 23-069, 23-070, 23-071, 23-072, 23-073, 23-074, 23-075, 23-076, 23-077, 23-077A, 23-078, 23-079, 23-080, 23-081, 23-082, 23-083, 23-084, the southern part of Lot #18-037 from Bow Road north to the point where the lot is widened to the west, and the southern 20 foot wide strip of Lot #18-092A from Bow Road to the point where the lot is widened to the east, as shown on a plan filed in the Office of the Town Clerk entitled "Plan of Land in Wayland, Massachusetts showing Bow Road Historic District" dated September 25, 2003, and prepared by the Wayland Town Surveyor's Department.

MOTION:

Christopher Hagger moved and was duly seconded that the Town expand its Historic District, established by a vote of the Town in 1965, by creating a new local historic district to be known as the Bow Road Historic District, which shall include the areas of land as shown on a plan filed in the Office of the Town Clerk entitled "Plan of Land in Wayland, Massachusetts showing Bow Road Historic District", dated September 25, 2003 and prepared by the Wayland Town Surveyor's Department and as shown on Appendix D at Page 17 of the Warrant for this special town meeting.

MOTION TO TERMINATE DEBATE:

Neil Smith moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED:

1 ST VOICE VOTE:	UNDECIDED	
MODERATOR COUNT:	UNDECIDED	
STANDING COUNTED VOTE:	IN FAVOR:	210
	OPPOSED:	49 MOTION CARRIED

TELLERS:

Perry Hagenstein	15 Bennett Rd
Vincent J. Smith	5 Oak St
Brian Boggia	36 Peck Ave
Judy Currier	22 Algonquin Path
Reid Crockett	223 Stonebridge Rd
Sharon Hecker	41 Three Ponds Rd
Sema M. Faigen	19 Highgate Rd
Marcia P. Crowley	6 Wayland Hills Rd

MOTION TO RECONSIDER:

Jeffrey Koechling moved and was duly seconded that the Meeting reconsider the vote taken under Article 11.

MOTION TO TERMINATE DEBATE:

Matthew Shear moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTE ON MOTION TO RECONSIDER: MOTION NOT CARRIED

The Moderator thanked the sound and audio crew.

Benjamin Sieber

Richard Turner

Thomas Turner

Albie Cincotti

Jeff Wadsworth

John Jakes

Kevin Racine

The Wayland High School T.V. Production Class for setting up town meeting for the cablecast.

The Meeting adjourned at 11:50 P.M. until Monday, November 24, 2003 at 7:45 P.M.

Attendance: 1437

VOTES ENACTED:

November 24, 2003 AT THE WAYLAND HIGH SCHOOL FIELD HOUSE

C. PETER R. GOSSELS, MODERATOR:

Pursuant to the Warrant dated November 3, 2003 signed by Betsy E. Connolly, William Whitney, Mary M. Antes, Brian T. O'Herlihy and Douglas J. Leard, Selectmen, served and return of service given by Christopher Hanlon, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at the Special Town Meeting met this day at Wayland High School Field House; and at 7:45 P.M. the Moderator called the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

MOTION TO RECONSIDER:

Margo Melnicove moved and was duly seconded that the Meeting reconsider Article 4.

PROCEDURAL MOTION:

Betsy Connolly moved and was duly seconded that, if necessary, the Meeting reconvene on December 4, 2003.

VOTED: MOTION CARRIED

ARTICLE 5: APPOINTMENT OF A HIGH SCHOOL BUILDING COMMITTEE

Proposed by: School Committee

To determine whether the Town will vote to authorize the establishment of a committee appointed by and accountable to the School Committee to be hereafter known as the High School Building Committee, to effect the modernization and expansion, equipping and furnishing of Wayland High School, which Committee shall be composed of eleven members, nine appointed by the School Committee, one appointed by the Finance Committee and one appointed by the Board of Selectmen.

MOTION:

Lori Frieling moved and was duly seconded that the Town authorize the establishment of a committee, appointed as follows and accountable to the School Committee, to be hereafter known as the High School Building Committee, to effect the modernization, expansion, equipping and furnishing of the Wayland High School, which committee shall be composed of eleven members, nine appointed by the School Committee, one appointed by the Finance Committee and one appointed by the Board of Selectmen.

AMENDMENT NO. 1:

William Currier moved and was duly seconded that the Town authorize the establishment of a committee, appointed as follows and accountable to the School Committee, to be hereafter known as the High School Planning and Building Committee, to explore the design options, prepare written cost/benefit analyses of design choices, propose a preferred option and detailed cost implementation plan subject to voter approval, and oversee implementation of the project for the modernization, expansion, equipping and furnishing of Wayland High School, which committee shall be composed of eleven members:

- 6 appointed by the School Committee
- 2 appointed by the Finance Committee. Both appointees shall have significant construction project financing experience
- 2 appointed by the Selectmen. At least one appointee shall have significant construction project management experience
- 1 appointed by the Moderator

MOTION TO TERMINATE DEBATE:

Robert Lentz moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON AMENDMENT NO. 1: MOTION NOT CARRIED

AMENDMENT NO. 2:

Anette Lewis moved and was duly seconded that the Town authorize the establishment of a committee, appointed as follows and accountable to the School Committee, to be hereafter known as the High School Planning and Building Committee, to explore the design options, prepare a written cost/benefit analysis of design choices, propose a controlled-cost implementation plan and, subject to voter approval of the plan, oversee implementation of the project for the modernization, expansion, equipping and furnishing of Wayland High School, which committee shall be composed of eleven members, nine appointed by the School Committee, one appointed by the Finance Committee and one appointed by the Board of Selectmen.

MOTION TO TERMINATE DEBATE:

Christopher Devany moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON AMENDMENT NO. 2: MOTION NOT CARRIED

MOTION TO TERMINATE DEBATE:

Jeffrey Sklar moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON MAIN MOTION: MOTION CARRIED

ARTICLE 6: REQUEST TO PETITION THE GENERAL COURT

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act authorizing the Town of Wayland (i) to incur debt payable within 30 years for constructing an addition to and remodeling, reconstructing and making extraordinary repairs to the Wayland High School, including original equipment and furnishings, and any other projects subsidiary or incidental to such project as determined by vote of the Town and (ii) to issue temporary loans in anticipation of such debt for a period of not more than 7 years.

MOTION:

Robert Gordon moved and was duly seconded that the Town authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act authorizing the Town of Wayland (i) to incur debt payable within 30 years for constructing a new high school or constructing an addition to and remodeling, reconstructing and making extraordinary repairs to the Wayland High School, including original equipment and furnishings, and any other projects subsidiary or incidental to such project as determined by vote of the Town and (ii) to issue temporary loans in anticipation of such debt for a period of not more than 7 years.

AMENDMENT:

Bill Pavloglou moved and was duly seconded that the main motion be amended by striking the words “constructing a new high school or” from the motion.

VOTED ON AMENDMENT: MOTION NOT CARRIED

MOTION TO TERMINATE DEBATE:

Eleanora West moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON MAIN MOTION: MOTION CARRIED

<p>ARTICLE 7: WATER MAIN REPLACEMENT PROJECT ON DRAPER ROAD AND HAZELBROOK LANE</p>
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Proposed by: Board of Water Commissioners

Estimated Cost: \$50,000.00

To determine whether the town will vote to appropriate a sum of money to be expended by the Board of Water Commissioners for the design plans and related costs of designing and bidding a water main replacement project on Draper Road and Hazelbrook Lane; 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 grants received from the Commonwealth or Federal Government by borrowing or otherwise.

MOTION:

Joel Goodmonson moved and was duly seconded that the Town appropriate \$50,000.00 to be expended by the Board of Water Commissioners for the design plans and related costs of designing and bidding a water main replacement project on Draper Road and Hazelbrook Lane; and that said appropriation be provided by authorizing the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$50,000.00 pursuant to the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8 for the aforesaid purposes.

VOTED: UNANIMOUSLY IN FAVOR

<p>ARTICLE 8: STATION TWO ADDITIONAL APPROPRIATION</p>

Proposed by: Board of Selectmen

Estimated Cost: \$50,000.00

To determine whether the town will vote to appropriate a sum of money to be expended by the Board of Selectmen to make various capital improvements to Fire Station Two in Cochituate, including but not limited to roof replacement; and 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 the Federal Government, by borrowing, or otherwise.

MOTION:

Douglas Leard moved and was duly seconded that the Meeting pass over the article.

VOTED: UNANIMOUSLY IN FAVOR

<p>ARTICLE 9: REMOVAL OF OVERHEAD WIRES</p>
--

Proposed by: Planning Board

To determine whether the Town will vote to amend the Code of the Town of Wayland by adding the following provisions to Chapter 177, Utilities, Underground:

Any person, firm, corporation, partnership, their agents and employees, who has been granted, or may be granted, any license, permission, or other authority to construct or maintain poles and overhead wires and associated overhead structures upon, along, under or across any public way or ways, is forbidden from

installing or constructing, and shall remove immediately any poles, overhead wires and associated overhead structures which are located on, along, or across the following sections of roadway:

Wayland Center: that part that is included in the scheduled reconstruction of the Rt. 20/Rt. 126/27 intersection - along the roadway that will be part of the Rt. 20 / Rt. 126/27 intersection reconstruction, extending along Rt. 20 from Winthrop Road on the east through the intersection to the western end of the triangle at the Mellen Law Office Green and Pelham Island Road East; from the intersection of Rt. 126 and Rt. 27 at the railroad tracks on the north, through the intersection to Winthrop Road on the south.

Cochituate Village: Rt. 30 and Rt. 27 that pass through the Village center - along Rt. 30 from French Street on the east to the Lakeview Cemetery on the west and Rt. 27 from the East Plain / West Plain Street intersection on the north to the Natick Town line on the south.

MOTION:

Gretchen Schuler moved and was duly seconded that the Town amend the Code of the Town of Wayland by adding the following underlined provisions to Chapter 177 thereof relative to underground utilities:

§177.1. Construction of poles and overhead wires prohibited.

No utility, person, firm, corporation, partnership or their agents and employees, who has been granted, or may be granted, any license, permission or other authority to construct or maintain poles and overhead wires and associated overhead structures upon, along, under or across any public way or ways, shall install or construct, except by way of temporary replacement or upgrading of existing facilities, any poles and overhead wires and associated overhead structures upon, along or across any public way within the parts of town listed in § 177-2 herein. Any poles and overhead wires and associated overhead structures installed or constructed in violation of this chapter shall be immediately removed and replaced with functionally equivalent wires and appurtenant equipment and facilities, which shall be installed underground by the utility, person, firm, corporation or partnership responsible therefor. Project costs paid by utilities and recovered by a 2% yearly surcharge on its total bill to each customer shall include all utility's service facilities and customers service facilities as defined in MGL Chapter 166 Sections H and I.

§177.2. Applicability.

This chapter applies to the following parts of town:

- A. Any new way within a new subdivision approved by the Planning Board.
- B. Any way in which the wires and utility facilities are underground as of the effective date of this chapter.
- C. Wayland Center. That part of that is included in the planned reconstruction of the Route 20/Route 126/Route 27 intersection- along the roadway that will be part of said intersection reconstruction, extending along Route 20 from Winthrop Road on the east through said intersection to the western end of the triangle at the Mellen Law Office Green and Pelham Island Road East; from the intersection of Route 126 and Route 27 at the railroad right-of-way on the north, through the intersection to Winthrop Road on the south.

D. Cochituate Village. Route 30 and Route 27 where they pass through the village center - along Route 30 from French Street on the east to the Lakeview Cemetery on the west and Route 27 from the East Plain Street/West Plain Street on the north to the Natick-Wayland town line on the south.

AMENDMENT:

Werner Gossels moved and was duly seconded that the Meeting pass over the article.

MOTION TO TERMINATE DEBATE:

Judy Bennett moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON AMENDMENT TO MAIN MOTION: MOTION CARRIED

PROCEDURAL MOTION:

Robert Lentz moved and was duly seconded that the Meeting continue until all the business in the Warrant has been disposed of.

VOTED: MOTION CARRIED

<p>ARTICLE 10: FUNDING FOR EVALUATION OF FORMER NIKE SITE ON OXBOW ROAD</p>
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Proposed by: Board of Selectmen/Community Preservation Committee *Estimated Cost: \$36,000.00*

To determine whether the town will vote to appropriate a sum of money to be expended by the Board of Selectmen for the purpose of funding environmental testing and other due diligence to evaluate the current state and potential costs to reuse the former Nike Site on Oxbow Road; and to determine whether such appropriation shall be provided by Community Preservation funds, or, if needed, 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 the Federal Government, by borrowing, or otherwise.

MOTION:

Mary Antes moved and was duly seconded that the Town appropriate \$35,000.00 to be expended by the Board of Selectmen for the purpose of funding environmental testing and other due diligence to evaluate the current state and potential costs to reuse the so-called former Nike Site on Oxbow Road, Wayland, Massachusetts, which site is shown on Appendix C at Page 17 of the Warrant for this special town meeting; and that said appropriation be provided by transferring \$35,000.00 from the Community Preservation Fund.

AMENDMENT:

Susan Weinstein moved and was duly seconded that the Meeting amend the main motion by adding the following words "undesignated funds" at the end of the motion after the words "from the Community Preservation Fund."

VOTED ON AMENDMENT: MOTION CARRIED

VOTED ON MAIN MOTION AS AMENDED: MOTION CARRIED

MOTION TO RECONSIDER:

Margo Melnicove moved and was duly seconded that the Meeting reconsider Article 4.

MOTION TO TERMINATE DEBATE:

Matthew Shear moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON MOTION TO RECONSIDER:

1ST VOICE VOTE: UNDECIDED

STANDING COUNT BY MODERATOR: IN FAVOR: 47
OPPOSED: 420 MOTION NOT CARRIED

MOTION TO ADJOURN:

Roderick Fletcher moved and was duly seconded that the Meeting be adjourned.

VOTED: UNANIMOUSLY IN FAVOR

The Meeting adjourned at 10:30 P.M. sine die.

Attendance: 668

**TOWN OF WAYLAND
ANNUAL TOWN MEETING 2004**

DATE:

Thursday, April 29, 2004
Monday, May 3, 2004
Wednesday, May 5, 2004
Thursday, May 6, 2004
Wednesday, May 12, 2004

ARTICLES DISPOSED OF:

1, 2, 3, 4
5 - 11
12 - 20, 41, 42
21 - 28
29 - 40, 43 - 45

RETURN OF SERVICE**MIDDLESEX, s.s.****APRIL 13, 2004**

I, Christopher Hanlon, duly qualified Constable of the Town of Wayland, do hereby affirm and certify that I have posted the specimen of the Official Ballot for the Annual Town Election to be held on Tuesday, April 27, 2004, together with the Warrant for the Annual Town Meeting to be held on Thursday, April 29, 2004, and the Special Town Meeting to be held on May 5, 2004, by my posting copies thereof at the Wayland Town Building, Cochituate Post Office, Wayland Library and the Happy Hollow School, by posting seven (7) days at least before the date appointed for the posting of the Warrant for the Annual Town Election and the Annual Town Meeting and fourteen (14) days at least before the date appointed for the posting of the Warrant for the Special Town Meeting. Posting was done April 13, 2004.

VOTES ENACTED:**THURSDAY, APRIL 29, 2004 AT THE WAYLAND HIGH SCHOOL FIELD HOUSE****C. PETER R. GOSSELS, MODERATOR:**

Pursuant to the Warrant dated April 12, 2004 signed by Betsy E. Connolly, Mary M. Antes, Douglas J. Leard, William D. Whitney, and Brian T. O'Herlihy, Selectmen, served and return of service given by Christopher Hanlon, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at Town Meeting met this day at Wayland High School Field House; and at 7:47 P.M. the Moderator called the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

ARTICLE 1: RECOGNIZE CITIZENS AND EMPLOYEES FOR EXTENSIVE SERVICE TO THE TOWN

Proposed by: Board of Selectmen

To determine whether the Town will vote to recognize certain citizens and employees for their extensive service to the Town of Wayland.

MOTION NO. 1:

Betsy Connolly moved and was duly seconded that the Town recognize and observe a moment of silence in remembrance of the following citizens who served the Town and have passed away:

- ❖ Peg Harper, April 25, 2004
 - Head of Circulation,
Wayland Free Library
- 1971-Present

- ❖ Herbert “Herb” Jacobus, November 25, 2003
 - Solid Waste Study Committee 1978
 - Regional Solid Waste Commission 1996-1997
 - Conservation Commission 1982-1994
 - Earth Day Celebration Committee 1990
 - Operational Review Committee 1994-1997
 - Landfill Study Committee 1984-1995
 - Growth Policy Committee 1995-2000
 - Dudley Pond Planning Committee 2000-
 - Board of Health (elected) 1993-

- ❖ Catherine (Katy) Seiler, May 9, 2003
 - Board of Selectmen 1971-1974
(First Woman Elected) 1977-1988
 - Finance Committee 1974-1977
 - Paine Estate Advisory Committee 1994-1995
 - Public Safety Building Committee 1999-2003

- ❖ Edwin W. Marston, September 25, 2003
 - Personnel Board 1981-1991

The Moderator declared that the motion passed unanimously by observing a moment of silence.

MOTION NO. 2:

Betsy Connolly moved and was duly seconded that the Town recognize the following employees who have retired this year or are planning to retire before the next annual town meeting:

- ❖ Mary Lou Chamberlain 31 years
Dog Control Officer

- ❖ Detective Stephen W. Williams 30 years
Police Department

- ❖ Joseph Brown 28 years
Highway/Septage Facility

- ❖ Bob Hilliard 25 years
Town Accountant/Finance Director

- ❖ Christine Mallard 12 years
Assistant Treasurer

The Moderator declared that the motion passed after a round of applause in recognition.

MOTION NO. 3:

Stephen Carroll moved and was duly seconded that the Town vote to approve the unanimous decision by Wayland’s Public Ceremonies Committee to recognize and honor Mabel Reid-Wallace, Director of the Wayland METCO program, and with her the METCO program itself. Mrs. Reid-Wallace is an enthusiastic and dedicated director who understands the needs of the children within her program and the

need for interaction between METCO and Wayland students. Her continuing passion for her work and for students that it encompasses has created the most diverse atmosphere Wayland has ever had in its schools. The people of Wayland wish to show their thanks to Mrs. Reid-Wallace and to the entire METCO program for not only enriching the lives of METCO students, but for also enriching the lives of all Wayland students.

The Moderator declared that the motion passed after a round of applause in recognition.

MOTION NO. 4:

Dennis Berry moved and was duly seconded that the Meeting recognize Mary Antes for her years of service to the Town.

The Moderator declared that the motion passed after a round of applause in recognition.

ARTICLE 2: HEAR REPORTS

Proposed by: Board of Selectmen

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

MOTION NO 1:

Douglas Leard moved and was duly seconded that the Town vote to accept the 2003 Wayland Annual Report, and that the Town hear reports from the following:

- ❖ Youth Advisory Committee – Doris Golthwaite
- ❖ Station Two Committee – Douglas Leard
- ❖ Public Safety Building Committee – Dennis Berry
- ❖ Board of Assessors – Tom Maglione
- ❖ High School Building Committee – Lea Anderson
- ❖ Board of Selectmen Organizational Study – Betsy Connolly
- ❖ Veterans' Memorial Committee – John Dyer
- ❖ Community Preservation Committee – Michael Patterson
- ❖ Report of the Executive Secretary Goals – Jeff Ritter
- ❖ Report on Operating Budget Costs Savings/Revenue Enhancements – Rebecca Butler

The Meeting heard no objection to Jeff Ritter and Doris Golthwaite, non-residents, to read their reports.

VOTED ON MOTION NO 1: UNANIMOUSLY IN FAVOR

MOTION NO. 2:

Maureen Cavanaugh moved and was duly seconded that the Town hear the report of the Master Plan Advisory Task Force.

VOTED ON MOTION NO. 2: UNANIMOUSLY IN FAVOR

MOTION – SENSE OF TOWN MEETING:

George Harris moved and was duly seconded that the selectmen shall exert their best efforts to constrain the warrant so that no town meeting, with included special town meeting, if any, extend beyond five evenings.

VOTED: 1ST VOICE VOTE: UNDECIDED
2ND VOICE VOTE: MOTION CARRIED

ARTICLE 3: CHOOSE TOWN OFFICERS
--

Proposed by: Board of Selectmen

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

MOTION:

William Whitney moved and was duly seconded that the following persons be nominated for the following offices:

As Trustees of the Allen Fund:

Sema Faigen
Benjamin W. Johnson III
Michael B. Patterson

As Fence Viewers:

The Selectmen

As Field Drivers:

The Constables

As Measurers of Wood and Bark:

Paul Doerr
Lewis S. Russell Jr.
Harry F. Sweitzer

As Surveyors of Lumber:

Marcia P. Crowley
Jean B. Pratt
Harry F. Sweitzer

and that there being no further nominations, the Town Clerk be instructed to cast one ballot for the same.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 4: CURRENT YEAR TRANSFERS
--

Proposed by: Finance Committee

Estimated Cost: \$669,840.

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, by borrowing, or 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 TRANSFERS FY 2004	
1 TOWN COUNSEL	\$25,000
2 SNOW REMOVAL	\$89,967
3 LABOR OVERTIME	\$44,273
4 INSURANCE 32B	\$250,000
5 MEDICARE REIMBURSEMENT	\$105,000
6 BLDG INSURANCE	\$63,000
7 PUBLIC SAFETY BLDG UTILITIES	\$32,600
8 PARK AND RECREATION TREES	\$30,000
9 LSP DANFORTH FARMS	\$30,000
TOTAL CURRENT YEAR TRANSFERS	\$669,840
FUNDING SOURCES:	
UNRESERVED FUND BALANCE	\$639,840
WATER RETAINED EARNINGS	\$30,000
TOTAL SOURCES	\$669,840

MOTION:

Robert Lentz moved and was duly seconded that the following sums be appropriated to be expended by the following boards and committees in Fiscal Year 2004 for the following purposes:

<u>Purpose</u>	<u>Amount</u>	<u>Board or Committee</u>
Town Counsel	\$35,000	Selectmen
Highway Snow Removal	\$98,684	Road Commissioners
Highway Labor Overtime	\$64,700	Road Commissioners
Insurance 32B	\$250,000	Selectmen
Medicare Reimbursement	\$105,000	Selectmen
Building Insurance	\$63,000	Selectmen
Public Safety Bldg. – Utilities	\$32,600	Selectmen
Park & Recreation – Trees	\$30,000	Park & Recreation Comm.
LSP – Danforth Farm Case	\$30,000	Water Commissioners
Double Pole Transfer	\$11,930	Fire Department;

and that said appropriations be provided by transferring \$30,000 from Water Retained Earnings and \$690,914 from the General Fund – Unreserved Fund Balance.

VOTED: MOTION CARRIED

ARTICLE 5: FY2005 OMNIBUS BUDGET
--

Proposed by: Finance Committee

To determine what sum of money the Town will appropriate for the operation and expenses of the Town, including capital expenditures 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.

MOTION UNDER ARTICLE 5:

For what it considers to be the proper management of the Town and its finances, the Finance Committee makes the following recommendations, and they are, therefore, incorporated under the motion to be made under Article 5 at the Annual Town Meeting, as follows:

“That the Executive Secretary, or if a Town Administrator is appointed, the Town Administrator, be charged with responsibility for (1) the operation, maintenance, and administration of the Wayland Town Building, the Public Safety Building, and the Cochrane Town Building, their equipment, and their grounds, as well as (2) the supervision, except for matters relating to policy, of all employees in those buildings, other than elected officials, non-salaried appointed officials, and employees of the School Department;

“That the appropriation under Conservation Commission for ‘Conservation Fund’ be maintained as a fund against future purchases and not be expended without future vote of the Finance Committee and Board of Selectmen;

“That the appropriation for ‘Hydrant Rental’ of \$18,000 for the Water Department granted in the budget be transferred to ‘Water Available Surplus’;

“That the Office of the Town Clerk be continued on a salary basis and that all fees from whatever source derived be turned over to the Town as Town income;

“That property tax abatements granted to eligible senior citizens under Sections 80 and 81 of Chapter 127 of the Acts of 1999 be funded by transfer from the overlay account;

“That all fees, wages, or payments made to the Tree Warden, from whatever source, be turned over to the Town as Town income;

“That the Director of Youth and Adolescent Services and Staff be under the jurisdiction of the Youth Advisory Committee which shall report to the Town on the activities of the Director of Youth and Adolescent Services and Staff at the Annual Town Meeting. The Director of Youth and Adolescent Services and Staff will receive administrative support from the School Department.”

MOTION NO. 1:

Robert Lentz moved and was duly seconded that the report of the Finance Committee respecting the Fiscal Year 2005 Budget be accepted; and that each and every numbered item set forth in the Finance Committee’s Budget for Fiscal Year 2005 be voted, granted and appropriated as an expenditure for the several purposes and uses set forth in said budget establishing a total budget of \$46,515,770. which sum shall be expended only for the purposes shown under the respective boards, committees and offices of the Town; and, of the total sum so appropriated, \$43,977,304. shall be raised by taxation, \$200,000. shall be provided by transfer from Ambulance Receipts, \$250,000. shall be provided by transfer from the sale of

Town-owned Land Account for payment of debt, \$10,000. shall be provided by transfer from the Conservation Receipt Account, \$209,463. Premium on Bonds Account, and \$1,869,003. shall be transferred from the General Fund - Unreserved Fund Balance; and for what it considers to be the proper management of the Town and its finances, the Finance Committee makes the following recommendations, and they are, therefore, incorporated under this motion as printed in the Warrant on Page 21.

AMENDMENT NO. 1 TO MOTION NO. 1:

George Harris moved and was duly seconded that the second paragraph under the motion for Article 5 be amended by placing a period after the word “grounds” and deleting the rest of the sentence.

VOTED ON AMENDMENT NO. 1 TO MOTION NO. 1: MOTION CARRIED

AMENDMENT NO. 2 TO MOTION NO. 1:

William Bowhens moved and was duly seconded that the last paragraph under the Motion for Article 5 on Page 21 of the Warrant be deleted.

VOTED ON AMENDMENT NO. 2 TO MOTION NO. 1: MOTION CARRIED

AMENDMENT NO. 3 TO MOTION NO. 1:

Anette Lewis moved and was duly seconded that Line Item 45, Joint Communications, be reduced by \$100,000.

MOTION TO TERMINATE DEBATE:

Perry Smoot moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: UNANIMOUSLY IN FAVOR

VOTED ON AMENDMENT NO. 3 TO MOTION NO. 1: MOTION NOT CARRIED

AMENDMENT NO. 4 TO MOTION NO. 1:

Margo Melnicove moved and was duly seconded that the total School Budget on Page 30 of the Warrant be reduced by \$100,000.

MOTION TO TERMINATE DEBATE:

Eleanora West moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: UNANIMOUSLY IN FAVOR

VOTED ON AMENDMENT NO. 4 TO MOTION NO 1: MOTION NOT CARRIED

AMENDMENT NO. 5 TO MOTION NO. 1:

Margo Melnicove moved and was duly seconded that Line Item 7 under Unclassified on Page 31 of the Warrant be reduced to \$ 0.

MOTION TO TERMINATE DEBATE:

Matthew Shear moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON AMENDMENT NO. 5 TO MOTION NO. 1: MOTION NOT CARRIED**AMENDMENT NO. 6 TO MOTION NO. 1:**

Margo Melnicove moved and was duly seconded that Line Item 7 under Unclassified on Page 31 of the Warrant be reduced by \$100,000.

VOTED ON AMENDMENT NO. 6 TO MOTION NO. 1: MOTION NOT CARRIED**AMENDMENT NO. 7 TO MOTION NO. 1:**

Margo Melnicove moved and was duly seconded that Line Item 15 under Unclassified on Page 31 of the Warrant be reduced by \$70,000.

VOTED ON AMENDMENT NO. 7 TO MOTION NO. 1: MOTION NOT CARRIED**MOTION TO ADJOURN:**

George Harris moved and was duly seconded that the Meeting adjourn.

VOTED ON MOTION TO ADJOURN:

1 ST VOICE VOTE:	UNDECIDED
2 ND VOICE VOTE:	UNDECIDED
STANDING COUNT BY MODERATOR:	MOTION CARRIED

QUESTION QUORUM:

Diana Warren questioned the quorum. The Moderator declared that a quorum was present.

MOTION TO ADJOURN:

Lewis Russell moved and was duly seconded that the Meeting adjourn.

The Meeting adjourned at 11:35 P.M. until Monday, May 3, 2004 at 7:45 P.M.

Attendance: 196

VOTES ENACTED:

MONDAY, MAY 3, 2004 AT THE WAYLAND HIGH SCHOOL FIELD HOUSE

C. PETER R. GOSSELS, MODERATOR:

Pursuant to the Warrant dated April 12, 2004 signed by Betsy E. Connolly, Mary M. Antes, Douglas J. Leard, William D. Whitney, and Brian T. O'Herlihy, Selectmen, served and return of service given by Christopher Hanlon, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at Town Meeting met this day at Wayland High School Field House; and at 7:50 P.M. the Moderator called the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

STATEMENT ON AMENDMENT NO. 2 TO MOTION NO. 1 BY WILLIAM BOWHERS:

"Last Thursday, I made a motion to amend Article 5, the FY2005 Omnibus Budget. My motion, which was approved by town meeting, was to remove the second to last paragraph, "That all fees, wages, or

payments made to the Tree Warden, from whatever source, be turned over to the Town as Town income;" from the motion under Article 5. I would like to clarify my position on this motion.

It is my desire, and I believe the will of the town, that the Town's Park and Recreation Department spend all money collected on behalf of tree concerns on tree concerns such as replanting and maintenance.

Changing town policy or operating procedure was not the intent of the motion. We have agreed to remove a sentence from this Town Warrant. We did not agree on an alternative policy for funding the Tree Warden. I have been informed of the Town Bylaw on this regard. It is my understanding that removal of this sentence does not change the operational procedures should the Tree Warden collect a fee or other payment. The check will be written to pay to the order of the Town of Wayland."

ARTICLE 5: FY2005 OMNIBUS BUDGET
--

The Meeting continued discussion on Motion No. 1.

MOTION TO TERMINATE DEBATE:

John Gannon moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON MAIN MOTION NO. 1 AS AMENDED: UNANIMOUSLY IN FAVOR

MOTION NO. 2:

Robert Lentz moved and was duly seconded that the following amounts be appropriated for the following numbered equipment and vehicle acquisitions and projects for the following departments, each of which shall be a separate appropriation:

<u>Equipment/Vehicle/Project</u>	<u>Department</u>	<u>Amount</u>
1. Interim Reassessment Computer Software	Board of Assessors	40,000.00
2. Town Building Roof Repairs	Board of Selectmen	87,500.00
3. Computer Equipment	Board of Selectmen	22,300.00
4. Car Replacement	Fire Department	30,000.00
5. Ambulance Replacement	Fire Department	150,000.00
6. Fire Alarm Truck	Fire Department	70,000.00
7. Vehicle Exhaust Systems-Fire Station 2	Fire Department	28,000.00
8. Generator-Fire Station 2	Fire Department	9,500.00
9. School Hearing/Eyesight Tester	Board of Health	5,900.00
10. 15,000 lb G.V.W. Dump Truck	Highway	53,000.00
11. Refurbish Compacter Units	Landfill	12,000.00
12. Computers	Library	8,500.00
13. Five Ton Dump Truck with Plow	Park & Recreation	90,000.00
14. Compact Mower	Park & Recreation	11,000.00
15. Pool Repairs	Park & Recreation	22,000.00
16. Claypit Hill School Roof	School Department	1,000,000.00
17. Technology	School Department	200,000.00
18. Building Repairs	School Department	100,000.00

and, to meet these appropriations, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,939,700. pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 7.

AMENDMENT NO. 1 TO MOTION NO. 2:

Mark Santangelo moved and was duly seconded that Line Item 18 be reduced from \$100,000. to \$67,000.

VOTED ON AMENDMENT NO. 1 TO MOTION NO. 2: MOTION NOT CARRIED

AMENDMENT NO. 2 TO MOTION NO. 2:

Linda Rosenthal moved and was duly seconded to delete Line Item 16.

VOTED ON AMENDMENT NO. 2 TO MOTION NO. 2: MOTION NOT CARRIED

VOTED ON MOTION NO. 2:

1ST VOICE VOTE: UNDECIDED
 2ND VOICE VOTE: SCATTERING OF NOES
 3RD VOICE VOTE: SCATTERING OF NOES
 STANDING COUNT BY MODERATOR:
 IN FAVOR: 153
 OPPOSED: 3 MOTION CARRIED BY 2/3 MAJORITY

ARTICLE 6: WATER DEPARTMENT MAINTENANCE BUDGET

Proposed by: Board of Water Commissioners

Estimated Cost: \$2,683,908.

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Water Commissioners for the operation and expenses of the Water Department; and 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 grants received from the Commonwealth or Federal Government, by borrowing or otherwise.

WATER DEPARTMENT BUDGET FY 2005

	EXPENDED FY 2003	APPROPRIATED FY 2004	REQUESTED FY 2005
Salaries			
Commissioners	\$ 225	\$ 225	\$ 225
Superintendent	\$ 66,181	\$ 71,000	\$ 73,130
Labor	\$365,129	\$368,001	\$379,041
Clerical	\$ 40,109	\$ 39,562	\$ 40,749
Total Salaries	\$471,644	\$478,788	\$493,145
Operating Expense	\$432,706	\$530,500	\$580,000
Professional Services	\$0	\$0	\$ 58,000
Fringe Benefits	\$0	\$0	\$125,780
Equipment; Water Meters	\$0	\$0	\$ 15,000
Police Details	\$ 1,240	\$0	\$0
Borrowing Costs	\$401,493	\$370,026	\$401,983
Total Water Operating Budget	\$1,307,083	\$1,379,314	\$1,673,908

Water Capital		
Draper Road-Hazelbrook	Borrow	\$1,010,000
Total Water Capital		\$1,010,000

MOTION:

Robert Duffy moved and was duly seconded that the Town appropriate the sum of \$2,704,408. to be expended by the Board of Water Commissioners for the operation and expenses of the Water Department during Fiscal Year 2005 for the following purposes:

<u>Salaries:</u>	
Commissioners	\$ 225.
Superintendent	73,130.
Labor	379,041.
Clerical	<u>40,749.</u>
Total Salaries	493,145.
 <u>Operating Expenses:</u>	
Professional Services	580,000.
Fringe Benefits	33,000.
Equipment; Water Mains	125,780.
Borrowing Costs	15,000.
	401,983.
Total Water Operating Budget	\$1,648,908.
 Water Capital	
Draper Road – Hazelbrook	\$1,055,500.
Total Water Department	\$2,704,408.

and that said appropriation be provided by the use of \$1,000,000. from Water Revenues, by transferring \$648,908. from Water Retained Earnings and by authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow \$1,055,500. pursuant to the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8 for the aforesaid capital projects.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 7: WASTEWATER MANAGEMENT DISTRICT COMMISSION BUDGET

Proposed by: Wastewater Management District Commission *Estimated Cost: \$216,410*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Wastewater Management District Commission for the annual operating expenses of the Wayland Wastewater Management District; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds appropriated for another purpose, by borrowing or otherwise.

WASTEWATER MANAGEMENT DISTRICT COMMISSION BUDGET FY 2005

	EXPENDED FY 2003	APPROPRIATED FY 2004	REQUESTED FY 2005
Operating Expense	\$38,270	\$23,226	\$25,000
Maintenance/Repair	\$0	\$40,000	\$20,000

Contract/Professional Services	\$82,366	\$98,000	\$110,00
Debt Service	\$41,759	\$31,066	\$31,083
Capital Expenditure	\$18,134	\$0	\$15,000
Sewer Easement	\$11,500	\$0	\$0
Contingency Fund	\$0	\$0	\$15,327
Total Expenses	\$192,029	\$192,292	\$216,410
Anticipated/Actual Revenues	\$204,304	\$220,700	\$216,410

MOTION:

Lana Carlsson Irwin moved and seconded that the Town appropriate the sum of \$216,410. to be expended by the Wastewater Management District Commission for its annual operating expenses during Fiscal Year 2005 for the following purposes:

Operating Expense	\$ 25,000.
Maintenance/Repair	20,000.
Contract/Professional Services	110,000.
Debt Service	31,083.
Capital Expenditure	15,000.
Contingency Fund	15,327.
Total Expenses	\$216,410.

and that said appropriation be provided by the use of \$116,410. from Wastewater Management Revenues and \$100,000. from Wastewater Retained Earnings.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 8: WAYLAND/SUDBURY SEPTAGE TREATMENT FACILITY BUDGET

Proposed by: Septage Committee

Estimated Cost: \$697,040

To determine whether the Town will vote to appropriate a sum of money to be expended by the Septage Committee for the operation of the Wayland/Sudbury septage treatment facility; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

	EXPENDED FY 2003	APPROVED FY 2004	RECOMMENDED FY05
1 SALARIES	\$165,131	\$127,100	\$127,100
EXPENSE			
2 OPERATING EXPENSE	\$1,400	\$3,500	\$3,000
3 OTHER EXPENSE	\$12,610	\$14,000	\$14,000
4 EXPENSE UTILITY – MISC.	\$33,201	\$45,000	\$40,000
5 CONTRACTED/PROF SVCES	\$12,500	\$34,000	\$20,000
6 CONTRACT SERVICES DIRECTOR	\$47,103	\$64,000	\$65,000
7 LEGAL SERVICES	\$3,472	\$3,000	\$4,000
8 OUT OF STATE TRAVEL	\$0	\$500	\$500
EQUIPMENT			
9 CAPITAL REPLACEMENT	\$10,266	\$75,000	\$80,000

10	PURCHASE/RENTAL	\$0	\$3,000	\$3,000
11	MAINTENANCE & REPAIRS	\$16,689	\$20,000	\$20,000
12	MATERIAL/SUPPLIES	\$3,472	\$4,000	\$4,000
12B	EMERGENCY REPAIRS			\$0
	BUILDING/MAINTENANCE EXPENSE			
13	MAINT/REPAIRS/RENOVATIONS	\$765	\$2,000	\$2,000
14	BUILDING UTILITIES	\$0	\$1,000	\$1,000
15	BUILDING ENERGY	\$8,285	\$9,000	\$9,000
	SPECIAL BUDGET ITEMS			
16	ENGINEERING SERVICES	\$0	\$5,000	\$10,000
17	DEBT SERVICE	\$76,865	\$73,135	\$65,340
18	SLUDGE DISPOSAL	\$80,180	\$90,000	\$85,000
19	GROUND WATER MONITORING	\$0	\$2,000	\$10,000
20	AUDIT, FINANCIAL SERVICES	\$0	\$16,000	\$10,000
20B	LABORATORY AND PROFESS SVCS	\$7,048	\$3,000	\$7,000
	INDIRECT EXPENSES			
21	ADMINISTRATION	\$40,000	\$10,000	\$10,000
22	INSURANCE FRINGE BENEFITS	\$31,891	\$20,000	\$20,000
23	OTHER INSURANCE	\$4,400	\$4,000	\$4,000
24	RETIREMENT BENEFITS	\$0	\$17,100	\$17,100
25	GREASE DISPOSAL	\$2,736	\$15,000	\$5,000
26	SEPTAGE COMMITTEE	\$0	\$500	\$500
27	RESERVE FOR EMERGENCY REP	\$0	\$0	\$0
28	SEPTAGE COMMITTEE SEC.	\$387	\$1,000	\$500
29	SEPTAGE BILLING UPGRADE	\$0	\$0	\$0
30	RESERVE FOR EXTRAORDINARY REP	\$0	\$60,000	\$60,000
	TOTAL BUDGET REQUEST	\$557,401	\$721,835	\$697,040
	REVENUE SOURCES			
	ANTICIPATED REVENUE	\$457,489	\$572,449	\$540,974
	RETAINED EARNINGS	\$99,912	\$149,386	\$156,066
	TOTAL REVENUES	\$557,401	\$721,835	\$697,040

MOTION:

Philip Pattison moved and was duly seconded that the Town appropriate the sum of \$697,040. to be expended by the Septage Committee for the operation of the Wayland/Sudbury Septage Treatment Facility during Fiscal Year 2005 for the following purposes:

Salaries	\$ 127,100
<u>Expenses</u>	
Operating Expense	3,000
Other Expense	14,000
Expense Utility - Misc.	40,000
Contracted/Profess. Services	20,000
Contract Services/Director	65,000
Legal Services	4,000
Out of State Travel	500

<u>Equipment</u>	
Capital Replacement	80,000
Purchase/Rental	3,000
Maintenance/Repairs	20,000
Materials/Supplies	4,000
<u>Building/Maintenance Expense</u>	
Maint/Repairs/Renovations	2,000
Building Utilities	1,000
Other Expense	9,000
<u>Special Budget Items</u>	
Engineering Services	10,000
Debt Service	65,340
Sludge Disposal	85,000
Ground Water Monitoring 1	10,000
Audit, Financial Services	10,000
Laboratory and Professional Svcs	7,000
<u>Indirect Expenses</u>	
Administration	10,000
Insurance Fringe Benefits	20,000
Other Insurance	4,000
Retirement Benefits	17,100
Grease Disposal	5,000
Septage Committee	500
Septage Committee Secretary	500
Reserve for Extraordinary Repairs	60,000
Total	\$697,040

and that said appropriation shall be provided by the use of \$540,974. from Septage Revenues and by transferring \$156,066. from Septage Retained Earnings.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 9: COMPENSATION FOR ELECTED OFFICIALS

Proposed by: Board of Selectmen

To determine whether the Town will vote to fix the salaries and compensation of all elected officers of the Town effective July 1, 2004, which salaries and compensation are printed below.

SALARY SCHEDULE – ELECTED TOWN OFFICIALS

	<u>FY 2004</u>	<u>FY 2005</u>
Town Clerk	\$61,681	\$61,681
Assessors (Chairman)	\$1,600	\$1,600

	(2 @ \$1,500)	\$3,000	\$3,000
Board of Health	(5 @ \$50)	\$250	\$250
Water Commissioners	(3 @ \$75)	\$225	\$225
TOTAL		\$66,756	\$66,756

MOTION:

Betsy Connolly moved and was duly seconded that the Town vote to fix the salary and compensation of all elected officers of the Town to be effective July 1, 2004, as follows:

<u>ELECTED TOWN OFFICERS</u>	<u>Salary/Compensation Per Person FY 2005</u>
Town Clerk	61,681.
Assessors (Chairman)	1,600.
(2) (members)	1,500.
Board of Health (5)	50.
Water Commissioners (3)	75.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 10: PAY PREVIOUS FISCAL YEAR UNPAID BILLS

Proposed by: Board of Selectmen

Estimated Cost: Unknown

To determine whether the Town will vote to:

- (a) pay the following bill of a prior Fiscal Year:
- (b) appropriate the sum of money for the payment of the foregoing bill of a prior fiscal year; 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.

MOTION:

Brian O’Herlihy moved and was duly seconded that the Town pass over the article.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 11: CREATE TOWN ADMINISTRATOR POSITION

Proposed by: Board of Selectmen

To determine whether the Town will vote to:

- 1.) authorize and empower the Board of Selectmen to appoint a Town Administrator pursuant to Massachusetts General Laws Chapter 41, Section 23A;

2.) rescind its vote under Article 6 of the Warrant for the 1957 Annual Town Meeting authorizing the Board of Selectmen to appoint an Executive Secretary pursuant to Massachusetts General Laws Chapter 41, Section 23A;

3.) Amend the Code of the Town of Wayland by:

- a.) adding thereto the new Chapter 60 (See Section A below);
- b.) making revisions to Chapter 19, Section 19-4 (See Section B below);
- c.) making revisions to Chapter 58, Section 58-1 (See Section C below);
- d.) making revisions to Chapter 62, Section 62-2 (See Section D below), and

4.) Authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act providing for the establishment of the position of Town Administrator substantially the same as the special act set forth in Appendix B of this Warrant (See Section E below).

Section A

Chapter 60 Town Administrator

§60-1. Appointment and Qualifications.

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

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

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

§60-2. Authority and Responsibilities.

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

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

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

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

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

(a) with respect to Town policies and programs that impact multiple areas of Town government, working with all elected and appointed boards and committees and Town department heads, be accountable for ensuring there is appropriate administration and coordination both (i) in the implementation and on-going adherence to Town policies; and (ii) in the development and execution of programs;

(b) be accountable for ensuring that all Town boards and committees and employees under the jurisdiction of these Boards:

- 1) comply with the Town's financial, personnel and legal policies and procedures;
- 2) comply with votes of town meeting and Town by-laws and federal and state laws;
- 3) with respect to the development, implementation and execution of policies and programs affecting various Town departments:
 - i. coordinate the setting of priorities with the rest of the Town government;
 - ii. communicate activities, including projects, plans and studies, so that necessary input is received from all areas of Town government that should be involved in those initiatives;
 - iii. coordinate efforts so that cross-functional services to residents and others are effectively and consistently delivered, and
- 4) prepare, file and maintain the appropriate records and reports on behalf of the Town;

but, in no event shall the Town Administrator be responsible for making policy decisions or implementing technical decisions provided for by state statute, Town by-laws or Town policies;

(c) work with the Finance Director and Finance Committee to:

- 1) develop long-term financial strategies for the Town;
- 2) establish set budgetary guidelines to be used in the development of annual budgets;
- 3) review budgets of all Town departments and make recommendations to the affected boards and committees and to the Finance Committee about priorities important to budget development, and

- 4) evaluate actual expenditures and receipts against budgets and coordinate with affected department heads, boards and committees the development of plans to manage to the budget or obtain Finance Committee approval for Reserve Fund transfers, in advance of spending, when possible;
- (d) maintain an inventory of all Town-owned real and personal property;
- (e) serve as the Town's chief procurement officer under the provisions of Massachusetts General Laws Chapter 30B;
- (f) working with the Town's Human Resource Director, be responsible for the daily administration of the Town-wide personnel system, including the maintenance of personnel records and the enforcement of personnel policies, rules and regulations and managing personnel costs to ensure maximum efficiency and fairness across Town departments;
- (g) oversee crisis intervention in emergency situations, working with other key Town department heads, and address any systemic problems impacting multiple areas of Town as they arise, being accountable for ensuring priority items are properly attended to and for bringing concerns about problem resolution to related boards and committees, and ultimately, to the Board of Selectmen for assistance in resolution, if necessary;
- (h) annually evaluate the job performance of all Town officers and department heads under the jurisdiction of the Board of Selectmen after seeking input and recommendations from any appointed committees served by any such officers and department heads;
- (i) For department heads under the jurisdiction of elected boards, the Town Administrator will provide input to the elected board on the department head's job performance, at a minimum, as part of the annual performance evaluation process and will provide input to the elected board on personnel hiring and removal. Evaluation feedback will address the Town Administrator's interaction with the department head relating to areas addressed under Subsections (a) through (g) above, and other similar interactions. Authority for hiring, evaluating, disciplining and removal of such department heads will remain with the elected board, with input provided by the Town Administrator;
- (j) at least annually, provide input to the office of the Town Clerk about his/her performance.

60.2.3 Subject to ratification by majority vote of all members of the Board of Selectmen, the Town Administrator shall have the power and authority to:

- (a) appoint, on the basis of merit and fitness alone, without the ratification by the Board of Selectmen, and evaluate, discipline or, for cause, remove, without the ratification of the Board of Selectmen:
- 1) an Information Technology Director,
 - 2) a Town Surveyor or a Town Engineer,
 - 3) all other administrative and clerical employees in the Offices of the Board of Selectmen and the Town Administrator; and
 - 4) such other Town officers, department heads and employees as authorized by order of the Board of Selectmen, by-law or state law; and
- (b) appoint, on the basis of merit and fitness alone, subject to ratification by a majority vote of the full membership of the Board of Selectmen then serving, and evaluate, discipline and, for cause, remove, without the ratification of the Board of Selectmen, a Human Resource Director;

(c) appoint, on the basis of merit and fitness alone, subject to ratification by a majority vote of the full membership of the Board of Selectmen then serving, and, without cause, remove, without the ratification of the Board of Selectmen, Town Counsel and special counsel, except for counsel to the School Committee;

(d) upon enactment of a special act approved by the General Court of the Commonwealth of Massachusetts, appoint, on the basis of merit and fitness alone, with ratification by a majority vote of the full membership of the Board of Selectmen then serving, and evaluate, discipline and, for cause, remove, without the ratification of the Board of Selectmen:

- 1) a Police Chief,
- 2) a Fire Chief,
- 3) a Finance Director, who shall have the authority and responsibilities of a town accountant, and

(e) upon enactment of a special act approved by the General Court of the Commonwealth of Massachusetts, appoint, on the basis of merit and fitness alone, without ratification by the Board of Selectmen, and evaluate, discipline and, for cause, remove, without the ratification of the Board of Selectmen:

- 1) a Building Commissioner,
- 2) one or two Directors of the Council on Aging,
- 3) a Conservation Administrator, and
- 4) a Town Treasurer and Collector.

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

§60-3. Removal of the Town Administrator.

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

§60-4. Acting Town Administrator.

The Board of Selectmen may designate a qualified person to serve as the Acting Town Administrator and to perform the duties of the Office of the Town Administrator during the period of any vacancy caused by the Town Administrator's absence, illness, suspensions, removal or resignation. The appointment shall be for a period not to exceed six (6) months, but such appointment may be extended by an additional two (2) months by majority vote of the Board of Selectmen;

(Key to revisions: underlining = additions; [bracketing] = deletions)

Section B

b.) making the following revisions to Chapter 19, Section 19-4 thereof:

(i) amend the third sentence of the first paragraph as follows:

One month prior to December 15th each year, for all town boards, officers and committees under the jurisdiction of the Board of Selectmen, the Town Administrator shall submit to the Board of

Selectmen detailed estimates of the amounts deemed necessary for the administration of [their respective] all such boards, offices or departments for the ensuing fiscal year, including both capital and expense items.; and

(ii) amend the second and third sentences of the second paragraph as follows:

For each such town board[s], office[s] [and], committee[s] and department under the Board of Selectmen's jurisdiction, the Town Administrator shall also, as part of the submission, file estimates of all probable items of income which may be received by them during the ensuing fiscal year in connection with the administration of [their] each such board, office [or], committee and department. For the town boards, offices, [and] committees and departments under the Board of Selectmen's jurisdiction, the Town Administrator shall submit preliminary budgets to the Finance Committee by December 15th of each year. Prior to January 15th of each year, unless another date is agreed to, the Town Administrator shall review and make recommendations to the Board of Selectmen with respect to the budget requests, including both capital and expense items, and income estimates of all other Town boards, committees, offices and departments, except for the School Committee;

Section C

c.) by making the following revisions to Chapter 58, Section 58-1 thereof:

The Board of Selectmen shall have full authority as agents of the town to [employ counsel to appear for] commence, prosecute and defend suits in the name of town, unless otherwise especially ordered by vote of the town.; and

Section D

d.) by making the following revisions to Chapter 62, Section 62-2 thereof:

§62-2. Approval of [Executive Secretary] Town Administrator.

Prior to disposing of any surplus property valued at less than \$1,500, the designated procurement officer for a town board, committee, commission, council, office or department shall first obtain approval from the Town Administrator [Board of Selectmen and the Finance Committee]; and

Section E

4.) authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act providing for the establishment of the position of Town Administrator substantially the same as the special act set forth in Appendix B of this Warrant.

MOTION:

Betsy Connolly moved and was duly seconded that the town:

- 1) authorize and empower the Board of Selectmen to appoint a Town Administrator pursuant to Massachusetts General Laws Chapter 41, Section 23A;
- 2) rescind its vote under Article 6 of the Warrant for the 1957 Annual Town Meeting authorizing the Board of Selectmen to appoint an Executive Secretary pursuant to Massachusetts General Laws

Chapter 41, Section 23A;

- 3) amend the Code of the Town of Wayland by:
- a) adding thereto the new Chapter 60 as printed in pages 41 through 45 of the Warrant under the heading of Section A, except that (a) on page 42, in the first sentence of 60.2.1, the word “executing” shall be inserted immediately before the word “all” and the words “in compliance with Federal and State laws and the Town’s Bylaws and town policies” shall be added to the end of the sentence thereof; and (b) on page 44, in the first sentence of 60.2.3, the words “Subject to ratification by majority vote of all members of the Board of Selectmen,” shall be stricken therefrom;
 - b) making revisions to Chapter 19, Section 19-4 thereof as printed in page 45 of the Warrant under the heading of Section B;
 - c) making revisions to Chapter 58, Section 58-1 thereof as printed in pages 45 and 46 of the Warrant under the heading of Section C; and
 - d) making revisions to Chapter 62, Section 62-2 thereof as printed in page 46 of the Warrant under the heading of Section D; and
- 4) authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act providing for the establishment of the position of Town Administrator substantially the same as the special act set forth in Appendix B on Page 124 of this Warrant.

AMENDMENT NO. 1:

Brian O’Herlihy moved and was duly seconded that the motion and the special act set forth in Appendix B on Page 124 of the Warrant, be amended by inserting in 60.2.3 (a) 4) the words “under the jurisdiction of the Board of Selectmen” after the word “employees.”

POINT OF ORDER:

Tom Maglione questioned if the motion was within the scope of the Article. The Moderator ruled that the amendment was in order.

AMENDMENT TO AMENDMENT NO. 1:

Brian O’Herlihy moved and was duly seconded that the words “, except for members of appointed boards or committees” be added after the words “under the jurisdiction of the Board of Selectmen” and in the special act set forth in Appendix B on page 124 of the Warrant.

VOTED ON AMENDMENT TO AMENDMENT NO. 1: MOTION CARRIED

AMENDMENT NO. 2:

George Harris moved and was duly seconded to amend the pending motion by striking from it the paragraphs denoted 3) a), 3) b), and 4).

MOTION TO TERMINATE DEBATE:

Perry Smoot moved and was duly seconded to move the question.

VOTER ON MOTION TO TERMINATE DEBATE: UNANIMOUSLY IN FAVOR

VOTED ON AMENDMENT NO. 2: MOTION NOT CARRIED

PROCEDURAL MOTION:

Holly Lapp moved and was duly seconded that the time for debate under Article 11 be extended for thirty minutes.

VOTED: MOTION CARRIED

AMENDMENT NO. 3:

David Marshall moved and was duly seconded that the following words be added under 60.2.1 at the end of the sentence “elected bodies will control their monies and personnel.”

VOTED ON AMENDMENT NO. 3: MOTION NOT CARRIED

MOTION TO TABLE:

Kevin Goodwin moved and was duly seconded to table Article 11.

VOTED TO TABLE MOTION: MOTION NOT CARRIED

MOTION TO PASS OVER:

Linda Segal moved and was duly seconded to pass over Article 11.

VOTED ON MOTION TO PASS OVER:

COUNTED VOTE: IN FAVOR: 80
OPPOSED: 107 MOTION NOT CARRIED

VOTED ON MAIN MOTION AS AMENDED:

COUNTED VOTE: IN FAVOR: 110
OPPOSED: 74 MOTION CARRIED

TELLERS:

John Seiler	12 Plain Rd
Judith Ide	135 Old Connecticut Path
Amelia Entin	24 Alden Rd
Paul Gardescu	135 Glezen Ln
Elizabeth Gulesian	6 Christina
John Campbell	501 Dahlia Dr

The Meeting adjourned at 10:35 P.M. until Wednesday, May 5, 2004 at 7:45 P.M.

Attendance: 218

VOTES ENACTED:

WEDNESDAY, MAY 5, 2004 AT THE WAYLAND HIGH SCHOOL FIELD HOUSE

C. PETER R. GOSSELS, MODERATOR:

Pursuant to the Warrant dated April 12, 2004 signed by Betsy E. Connolly, Mary M. Antes, Douglas J. Leard, William D. Whitney, and Brian T. O’Herlihy, Selectmen, served and return of service given by Christopher Hanlon, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at Town Meeting met this day at Wayland High School Field House; and at 7:45 P.M. the Moderator called

the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

ARTICLE 12: ACCEPT LAW INCREASING REAL ESTATE TAX EXEMPTION AMOUNTS
--

Proposed by: Board of Selectmen and Board of Assessors

To determine whether the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and allow an additional exemption of up to one hundred percent for Fiscal Year 2004.

MOTION:

William Whitney moved and was duly seconded that the Town accept the provisions of Section 4 of Chapter 73 of the acts of 1986, as amended by Chapter 126 of the Acts of 1988, and allow an additional exemption of up to one hundred percent for Fiscal Year 2005.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 13: PERSONNEL BY-LAWS/WAGE/CLASSIFICATION STUDY
--

Proposed by: Personnel Board

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL as previously adopted by the Town by making the following additions, deletions or modifications thereto and the Personnel Wage and Salary Classification Plan as set forth in Appendix C to this Warrant:

- 1) Strike from §43-1 "PERSONNEL DIRECTOR", and insert in place thereof "HUMAN RESOURCES DIRECTOR"; and, in the definition immediately following, strike "Assistant Executive Secretary", and insert in place thereof "Assistant Town Administrator";
- 2) Strike from §43-6, Paragraph A: "Personnel Director" and insert in place thereof "Human Resources Director";
- 3) Strike from §43-6, Paragraph B, in the first and second sentences, "Personnel Department", and insert in place thereof "Human Resources Department";
- 4) Strike from §43-9, Paragraph C(2) "Personnel Board/Department" and insert in place thereof "Personnel Board/Human Resources Department"; and
- 5) Strike from §43-17: "Personnel Department", and insert in place thereof "Human Resources Department".

MOTION:

Mary Anne Peabody moved and was duly seconded that the Town amend the Code of the Town of Wayland, Chapter 43, PERSONNEL, as previously adopted by the Town, by making the revisions thereto as printed in pages 49 and 50 of the Warrant and by adopting the Wage and Salary Classification Plan as printed in Appendix C of the Warrant, which wage and salary classification plan shall be effective on the dates set forth therein.

VOTED: MOTION CARRIED

ARTICLE 14: REVOLVING FUND FOR COUNCIL ON AGING
--

Proposed by: Council on Aging

To determine whether the Town will vote to authorize the continuance of a revolving fund pursuant to Chapter 44, Section 53E ½ of the Massachusetts General Laws for the Council on Aging; and to determine: (1) the programs and purposes for which such revolving fund may be expended; (2) the departmental receipts which may be credited to such revolving fund; (3) the board or officer(s) authorized to expend monies from such fund; and (4) the total amount that may be expended from such fund in Fiscal Year 2005.

MOTION:

Douglas Leard moved and was duly seconded that (a) the Town continue the revolving fund established by vote of the 1994 Annual Town Meeting pursuant to Massachusetts General Laws Chapter 44, Section 53E½ for the Council on Aging for education, cultural and entertainment programs and purposes; (b) that receipts from said programs may be credited to said revolving fund; (c) that the Co-Executive Directors of the Council on Aging are hereby authorized to expend monies from such fund for the aforementioned programs and purposes; and (d) that the sum of \$50,000. may be expended from such fund during Fiscal Year 2005.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 15: AMENDMENTS TO OFF-STREET PARKING AND LOADING REQUIREMENTS IN ZONING BY-LAWS
--

Proposed by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, by moving the off-street parking and loading requirements from §198-1105 thereof to Article 5 thereof and by making the following deletions (indicated in ~~striketrough lettering~~) and insertions (indicated in underlined lettering):

§198-1105-506. Off-street parking ~~and loading requirements~~

~~1105.1.~~ 506.1. ~~In both Business Districts A and B,~~ Off-street parking space shall be provided in connection with the original erection, or increase by units or dimensions, of any building or structure in the following amounts except as otherwise specified in the Zoning By-Law:

~~1105.1.1.~~ 506.1.1. For general retail businesses, commercial and personal service establishments parking facilities on the basis of one parking space per 70 square feet of floor area, exclusive of basement storage space or other space not used for business purposes. In addition to this amount, one parking space for every two employees shall be provided. [Amended 5-5-1999 STM by Art. 11]

~~1105.1.2.~~ 506.1.2. For office, professional or public buildings, one off-street parking space for each 200 square feet of ground floor area not used for bulk storage and one parking space for each 400 square feet of floor area other than ground floor. [Amended 5-5-1999 STM by Art. 11]

~~1105.1.3.~~ 506.1.3. For restaurants, tearooms, lunch counters or other facilities for eating or drinking, one parking space for each three employees, plus one additional space for each four seats. [Amended 5-5-1999 STM by Art. 11]

~~1105.1.4.~~ 506.1.4. For roadside stands, filling stations, auto sales, automobile repair shops or other

roadside service establishments, one parking space for each two employees, plus such additional spaces for customer-motorists as the ZBA shall deem necessary to provide a maximum of safety and a minimum of congestion on the adjacent roadways.

506.1.5. Religious facilities, theaters, auditoriums or any public assembly area: - One (1) parking space for each three (3) occupants based on the allowed occupancy.

506.1.6. Educational or training center — One (1) parking space for each employee plus one (1) parking space for each instructor plus one (1) parking space for each one and one-half (1.5) students based on the allowed occupancy.

506.1.7. Elementary or junior/middle schools — One (1) parking space for each employee, teacher, or staff member; a number of parking spaces equal to 5% of the allowed occupancy for visitor parking; plus sufficient off-street space for the safe and convenient loading and unloading of students.

506.1.8. High school — One (1) parking space for each employee, teacher, or staff member; a number of parking spaces equal to 5% of the allowed occupancy for visitor parking; plus one (1) parking space per four (4) students of driving age.

506.1.9. Day care center or nursery school — One (1) parking space per four (4) persons of the facility's licensed capacity plus three (3) parking spaces designed for the safe and convenient loading and unloading of persons.

~~4405.1.5.~~ 506.1.10. For any and all uses or structures not specifically provided for in the foregoing enumeration, such parking spaces as the ZBA Site Plan Approval Granting Authority, in accordance with §198-603, shall determine to be necessary, considering the activities involved, to provide a maximum of safety and a minimum of congestion on the adjacent roadways.

~~4405.2.~~ 506.2. Whenever, after the date of this Zoning By-Law, there is a change in the lawful use of the premises or in the number of employees or business visitors or any other unit of measurement specified in any of the foregoing paragraphs of this article, and whenever such change creates a need for an increase of more than 20% of the number of off-street automobile parking spaces, as determined by the requirements of this article, more off-street parking facilities shall have been provided on the basis of the adjusted needs, as determined by this article.

~~4405.3.~~ 506.3. Mixed uses.

~~4405.3.1.~~ 506.3.1. In the case of mixed uses, the parking facilities required shall be the sum of the requirements for the various individual uses, computed separately in accordance with §198-1105. Parking facilities for one use shall not be considered as providing the required parking facilities for any other use unless it can be clearly demonstrated that the need for parking occurs at different times.

506.4. Special Permit. The number of parking spaces may be reduced by the granting of a special permit from the Site Plan Approval Granting Authority, in accordance with §198-603, where the applicant demonstrated that such parking spaces will not be needed for the proposed use, subject to the condition that the area necessary for those spaces is available on the lot and is designated on the approved plan of record. Additional spaces may be required if, at anytime after the special permit is granted, the Site Plan Approval Granting Authority determines that a need exists or parking is deficient.

~~4405.4.~~ 506.5. Location of facilities.

~~1105.4.1.~~ 506.5.1. Off-street automobile parking facilities, to the extent required in this article, may be required either on the same lot or premises with the parking-generating activity or on any lot or premises a substantial portion of which, at least, is within 300 feet of such activity.

~~1105.5.~~ 506.6. Parking areas shall be used for automobile parking only, with no sales, dead storage, repair work, dismantling or servicing of any kind. The required parking areas shall be permanently available for use by patrons and employees of establishments providing such space.

~~1105.6.~~ 506.7. The following design standards apply to off-street parking facilities:

~~1105.6.1.~~ 506.7.1. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley, as well as maneuvering areas. Access to and from lots shall be through designated driveways, with openings or curb cuts not in excess of 40 feet in width at the exterior line of a public or private way.

~~1105.6.2.~~ 506.7.2. Said parking areas shall be provided and maintained with a permanent, dust-free surface, shall be provided with adequate drainage and shall have bumper guards where needed for safety.

~~1105.6.3.~~ 506.7.3. If lighting is provided, the source of light shall be so arranged and shielded as to prevent direct glare from the light source into any public street or onto adjacent property.

506.7.4. For parking areas of 10 or more spaces, bicycle racks facilitating locking, shall be provided to accommodate one bicycle per 10 parking spaces.

506.7.5. Standard Parking Dimensional Regulations. Off-street parking facilities shall be laid out and striped in compliance with the following minimum provisions:

<u>Angle of Parking (in degrees)</u>	<u>Width of Parking Stall (ft.)</u>	<u>Parking Stall Length of Line (ft.)</u>	<u>Width of Maneuvering Aisle (ft.)</u>
<u>90 (two-way)</u>	<u>9</u>	<u>18.5</u>	<u>24</u>
<u>60 (one way)</u>	<u>10.4</u>	<u>22</u>	<u>18</u>
<u>45 (one way)</u>	<u>12.7</u>	<u>25</u>	<u>14</u>
<u>Parallel (one-way)</u>	<u>8</u>	<u>22</u>	<u>14</u>
<u>Parallel (two-way)</u>	<u>8</u>	<u>22</u>	<u>18</u>

506.8. Landscaping in Parking Areas

~~1105.6.4.~~ 506.8.1. Parking lots immediately adjacent to a residence district shall be adequately screened year-round from view from said residence district by trees, hedges or a tight fence. [Amended 5-5-1999 STM by Art. 11]

~~1105.7.~~ §198- 507. Off-street loading.

~~1105.7.1. 507.1.~~ On the same premises with every building where goods are received or shipped, newly erected or increased by units or dimensions after the date of adoption of this Zoning By-Law, adequate loading areas shall be provided. Off-Street loading that is spaced logically, conveniently located for bulk pickups and deliveries, scaled to the delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled, shall be provided for all commercial and business uses. Required off-street loading space is not to be included as off-street parking space. Loading areas shall be screened from any view from a street. The Site Plan Approval Granting Authority may modify this requirement. Every part of such loading area shall be located completely off the street.

MOTION:

Rebecca Regan moved and was duly seconded that the Town amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, by moving the off-street parking and loading requirements from §198-1105 thereof to Article 5 thereof and by making the revisions thereto as printed in pages 51 through 54 of the Warrant.

PLANNING BOARD REPORT:

The Planning Board held its public hearing as required by law on February 2, 2004.

The purpose of this article is to move parking and loading requirements from Article 11 Business Districts to Article 5 General Regulations.

The reason to change the section in which the standards appear is to provide parking and loading standards for all uses within the Town rather than specifically Business Districts A and B. The Planning Board has been unable to apply or enforce the parking provisions contained in §198-1105 for developments outside of Business A and B Zoning Districts resulting in inconsistent parking standards, negotiation during development review and possible insufficient parking at these developments. The article also proposes the establishment of dimensions for parking spaces and isles, landscaping requirements within parking areas and a special permit process for the land banking of parking spaces. The current Bylaw does not provide parking standards for exempt uses such as religious institutions, schools and day cares.

The proposed amendments will reduce the impact of development on the surrounding neighborhood (e.g., 506.8.1 screening requirement) while providing guidance for the design of parking areas for all uses including exempt uses, which the current bylaw lacks. Further, the amendments will provide more attractive parking areas via the landscaping requirements while not forsaking the possible need for future additional parking for a site (e.g. the Special Permit 506.4 amendment).

The Planning Board unanimously recommends passage of the article.

VOTED: 1ST VOICE VOTE: SCATTERING OF NOES
2ND VOICE VOTE: UNANIMOUSLY IN FAVOR

<p>ARTICLE 16: AMEND ARTICLE 5 OF THE ZONING BY-LAWS RE: OFF-STREET PARKING</p>
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Proposed by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the Town of Wayland, the Zoning By-Laws, §198-506, by making the following deletions (indicated in ~~striketrough lettering~~) and insertions (indicated in underlined lettering):

506.1.1. For general retail businesses, commercial and personal service establishments parking facilities on the basis of one parking space per ~~70~~ 140 square feet of gross floor area, ~~exclusive of basement storage space or other space not used for business purposes.~~ In addition to this amount, one parking space for every two employees shall be provided.

506.8.2. Within the interior areas of a parking lot, an area equivalent to ten percent (10%) of the parking lot area shall be landscaped.

MOTION:

Rebecca Regan moved and was duly seconded that the Town amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, §198-506 thereof by making the revisions thereto as printed in page 55 of the Warrant.

PLANNING BOARD REPORT:

The Planning Board held its public hearing as required by law on February 2, 2004.

To determine whether the Town will vote to amend Chapter 198, Section 506.11 of the Zoning Code of the Town of Wayland by changing the parking requirements for general retail businesses, commercial and personal service establishments to be based on the gross floor area of the facility, including all space in the facility except basement space. Additionally, this amendment will provide an additional requirement for landscaping a portion of a parking lot.

The current bylaw is open for interpretation as to what is and what is not retail space and excludes storage space in the calculation of the required parking spaces. This presents a problem in the event that interior renovations are completed after the initial plan approval, thus increasing the "retail space" and resulting in inadequate parking for the facility.

This amendment will stipulate the parking requirements to be based on gross square feet of the facility and will continue to exclude unfinished basement space (as the current bylaw does). This will likely result in an appropriate increase in parking spaces for some plans. This amendment will likely concurrently decrease the parking requirements for commercial establishments by changing the ratio to one parking space per 140 square feet of gross floor area versus the current ratio of one space per 70 square feet. This new ratio is still conservative compared to neighboring towns. However, it better balances an appropriate level of parking for retail developments than the Town's current bylaw. In order to further encourage appropriate parking areas, this amendment also requires that an area equivalent to 10% of the total parking area be used for landscaping within the parking area which will break up large areas of pavement and improve the aesthetics of the parking areas.

The Planning Board unanimously recommends passage of the article.

VOTED: 1ST VOICE VOTE: SCATTERING OF NOES
STANDING COUNT BY MODERATOR: IN FAVOR: 103
OPPOSED: 1

The Meeting recessed at 8:00 P.M. to convene the Special Town Meeting.

The Meeting was reconvened at 10:05 P.M. and proceeded to transact the following business:

PROCEDURAL MOTION:

Brian O'Herlihy moved and was duly seconded that the Meeting vote to take Article 41 and Article 42 out of order.

VOTED: MOTION CARRIED BY 2/3 MAJORITY

ARTICLE 41: ACQUISITION OF U.S. PROPERTY AT OXBOW ROAD

Proposed by: Petitioner

To determine whether the Town will vote to authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, eminent domain, gift, or otherwise the fee or any lesser interest in the land owned by the United States of America 300 Westgate Center Drive Hadley MA 01035-9589 off Oxbow Road and near Williams Road, containing 13.627 acres, more or less, identified on Town of Wayland assessors record as map 1 lot 47 book 8297 page 121 dated May 26, 1954, in all or any portion of said land, for municipal purposes; to determine whether the Town will appropriate a sum of money for the acquisition of said land or interest therein; and to determine whether said appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

MOTION:

Brian O'Herlihy moved and was duly seconded to pass over the Article.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 42: TOWN ACQUISITION OF FORMER NIKE BASE LAND
--

Proposed by: Petitioner

To determine whether the Town will vote to authorize the Board of Selectman, with the approval of the Town Counsel as to form, to acquire by purchase, gift or otherwise the parcel of land in Wayland and Lincoln, Massachusetts located on and off Oxbow Road in Wayland containing 14.2 acres of land, more or less, described in a judgment recorded with the Middlesex South Registry of Deeds in Book 8297, page 121 for conservation, passive recreation, parks, open space or any combination of such uses; appropriate a sum of money to be expended by the Board of Selectmen for the acquisition of said parcel of land and for the demolition and removal of structures and other material located on and under said parcel of land, and to determine whether said appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, from grants received from the Commonwealth or Federal Government, by borrowing or otherwise.

MOTION:

Brian O'Herlihy moved and was duly seconded to pass over the Article.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 17: DELETE WATERSHED PROTECTION DISTRICT FROM ZONING BY-LAWS

Proposed by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, by deleting therefrom §198-302.1.2 and §198-1703 relative to the Watershed Protection District, in their entirety.

MOTION:

Maureen Cavanaugh moved and was duly seconded that the Town amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, by deleting therefrom §198-302.1.2 and §198-1703 relative to the Watershed Protection District, in their entirety.

PLANNING BOARD REPORT:

The Planning Board held its public hearing as required by law on February 2, 2004.

The article proposes to delete a Watershed Protection District established in 1962 that is now obsolete and often in conflict with more current, comprehensive and effective environmental laws and regulations.

The Planning Board unanimously recommends passage of the article.

VOTED: MOTION CARRIED BY MORE THAN 2/3 MAJORITY

ARTICLE 18: DELETE COCHITUATE INTERIM PLANNING OVERLAY DISTRICT FROM ZONING BY-LAWS

Proposed by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, by deleting therefrom §198-302.1.7 and Article 22 relative to the Cochituate Interim Planning Overlay District, in their entirety.

MOTION:

Maureen Cavanaugh moved and was duly seconded that the Town amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, by deleting therefrom §198-302.1.7 and Article 22 relative to the Cochituate Interim Planning Overlay District, in their entirety.

PLANNING BOARD REPORT:

The Planning Board held its public hearing as required by law on February 2, 2004.

The article proposes to delete the Cochituate Interim Planning Overlay District (CIPOD) from the Zoning By-Law, which is delineated in Section 302.1.7 and found within Article 22.

The CIPOD was a temporary zoning and regulatory system for Cochituate Village. Created in 1997, the CIPOD was written with a time limitation. The district expired on January 1, 2002, and is no longer a valid zoning district. Therefore, this is a housekeeping measure to delete the language in the bylaw.

The Planning Board unanimously recommends passage of the article.

VOTED: 1ST VOICE VOTE: SCATTERING OF NOES
2ND VOICE VOTE: UNANIMOUSLY IN FAVOR

ARTICLE 19: AMEND ZONING MAP AND OVERLAY ZONING DISTRICT MAPS

Proposed by: Planning Board

To determine whether the Town will vote to adopt (1) the revised Town of Wayland Zoning Map dated December 5, 2003; and (2) the revised Town of Wayland Zoning Overlay District Map dated December 5, 2003; and make the corresponding amendments to Article 3 of Chapter 198 of the Code of the Town of

Wayland, the Zoning By-Laws, by making the following deletions (indicated in ~~strikethrough lettering~~) and insertions (indicated in underlined lettering):

ARTICLE 3
Establishment of Districts

§198-301 Designation

301.2. Said districts are defined and described in numerous votes of the Town, beginning with the adoption of this Zoning By-Law under Article 5 of the September 5, 1934, Special Town Meeting, and subsequent Town Meetings, and are shown on a plan accompanying this Zoning By-Law that has been filed with the Town Clerk entitled "Town of Wayland Zoning Map," Survey Department, 41 Cochituate Road, Wayland MA, 01778, December ~~11, 2000~~ 5, 2003, as the same may be amended from time to time hereafter. [Amended 5-7-1997 ATM by Art. 39; 4-30-2001 ATM by Art. 23]

§198-302 Overlay districts. [Amended 30-20-1974 ATM by Art. 44; 4-30-1975 ATM by Art. 28]

302.1.3 2. A Federal Flood Protection District, defined as the one-hundred-year floodplain, Zones A and A1-A30, that is shown, defined and bounded on maps published by the Federal Emergency Management Agency on file with the Town Clerk and entitled "FIRM – Flood Insurance Rate Map, Town of Wayland, Massachusetts, Middlesex County," and "Floodway-Flood Boundary and Floodway Map, Town of Wayland, Massachusetts, Middlesex County," dated June 1, 1982. [Amended 5-4-1982 ATM by Art. 17]

302.1.4 .3. A Southeast Wayland-Cochituate Planning district that includes all land to be placed in said district by a two-thirds vote of Town Meeting, but including only such land with an area not less than 25 acres, a substantial portion of which (herein defined as more than 30%) is wet areas, as defined in §198-1402 herein, and that is located in the area shown as Residence Zone 30,000 square feet-150 feet Front bordering on the Wayland-Natick Town lines on the map entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, MA 01778, dated ~~January 29, 2002~~ December 5, 2003. [Amended 6-16-1987 STM by Art. 3; 4-30-2001 ATM by Art. 22; 4-30-2001 ATM by Art.23; 4-29-2002 STM by Art. 5]

302.1.5 4. An Aquifer Protection District that is shown on a map on file with the Town Clerk entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, MA 01778, dated ~~January 29, 2002~~ December 5, 2003. The district comprises areas in the Town of Wayland where liquids or water-soluble materials placed on or below the surface of the land will migrate to the Town's municipal wells if pumping is sufficiently heavy and prolonged. For data, standards and procedures by which the boundary of the district was established and for other details, see a report on file with the Town Clerk entitled "Aquifer Mapping Project, Town of Wayland," January 1988, by IEP, Inc., Consulting Environmental Scientists of Northborough, Massachusetts. [Added 5-1-1989 STM by Art. 7; amended 4-30-2001 ATM by Art. 23; 4-29-2002 ATM by Art. 5]

302.1.6 5. A Senior and Family Housing Overlay District which includes all of the following land: Parcels F and G as shown on a plan entitled "Town of Wayland Zoning Overlay Districts,"_Survey Department, 41 Cochituate Road, Wayland, MA 01778, dated ~~January 29, 2002~~ December 5, 2003 and is available at the office of the Town Clerk for public inspection. [Added 4-28-1997 STM by Art. 5; amended 4-30-2001 ATM by Art.23; 4-29-2002 ATM by Art. 5]

302.1.8 6. A Wireless Communications Services District that includes the land owned by the Town of Wayland known as the "old landfill site" as shown in the Atlas of the Town of Wayland, Massachusetts, 1999, on Plates 22 and 23, Parcels 22-001 and 22-002, and known as the "new landfill site" as shown in

the Atlas of the Town of Wayland, Massachusetts, 1996, on Plates 17, 21, and 22 inclusive, that portion of parcel 17-018 that is south of the line that is the continuation of the northwestern property line of parcel 22-004, Parcels 21-010A, 22-003, 22-004, 22-006 and 22-007; and the land comprising the portion of the so-called Massachusetts Bay Transportation Authority (MBTA), "right-of-way" from its boundary with the southerly sideline of Boston Post Road (Route 20) westerly to its westernmost boundary with the Town of Sudbury as shown in the Atlas of the Town of Wayland, Massachusetts, 1999, on Plates 22, 26 and 27, inclusive, and as shown on the plan entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, MA 01778, dated ~~January 29, 2002~~ December 5, 2003, a copy of which is on file in the office of the Town Clerk. [Added 11-17-1999 STM by Art. 3; amended 4-30-2001 ATM by Art.23; 4-29-2002 STM by Art. 5]

MOTION:

Maureen Cavanaugh moved and was duly seconded that the Town adopt (1) the revised Town of Wayland Zoning Map dated December 5, 2003; and (2) the revised Town of Wayland Zoning Overlay District Map dated December 5, 2003; and make the corresponding amendments to Article 3 of Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, as printed in pages 57 and 58 of the Warrant.

PLANNING BOARD REPORT:

The Planning Board held its public hearing as required by law on February 2, 2004.

The article proposes to amend the official zoning maps for the Town of Wayland. The maps entitled "Town of Wayland Zoning Map" and "Town of Wayland Overlay Zoning Map" are proposed to be changed from color-coded maps to black-and-white maps. The purpose of this change is to allow the maps to be reproduced by photocopy rather than color printed. This change will reduce the cost of producing these maps and will result in cost savings to the Town as well as customers of the Town.

The Article also proposes renumbering sections of the Zoning Code to reflect the deletion of Section 302.1.1 Watershed Protection District and Section 302.1.7 Cochituate Interim Planning Overlay District, which are the subjects of two other 2004 Annual Town Meeting Warrant Articles.

The Planning Board unanimously recommends passage of the article.

VOTED: UNANIMOUSLY IN FAVOR

<p>ARTICLE 20: AMEND ARTICLE 4 OF ZONING BY-LAWS RE: NONCONFORMING STRUCTURES AND USES</p>

Proposed by: Planning Board

To determine whether the Town will vote to amend Chapter 198, Code of the Town of Wayland, the Zoning By-Laws, by making the following deletions (indicated in ~~striketrough lettering~~) and insertions (indicated in underlined lettering) in §198-401.16 thereof:

401.1.6. The ZBA may, but shall not be obligated to, issue a special permit for any changes in size, location, configuration and extent of use in a nonconforming structure damaged or destroyed by natural or other involuntary causes ~~or otherwise~~, provided that the ZBA shall find that such change shall not be substantially more detrimental to the neighborhood than the existing nonconforming use. [Amended 5-14-1998 ATM by Art 45]

MOTION:

Lawrence Stabile moved and was duly seconded that the Town amend Chapter 198, Code of the Town of Wayland, the Zoning By-Laws, by making the revisions to §198-401.16 thereof as printed in page 59 of the Warrant.

PLANNING BOARD REPORT:

This article proposes to amend Chapter 198, Section 401.1.6, regarding the issuance of special permits for alterations to pre-existing, nonconforming structures. The section currently states that special permits for alterations may be issued when such structures are “destroyed by natural causes or otherwise.” The phrase “or otherwise” has been the source of considerable ambiguity and is open to wide interpretation.

One argument is that the phrase implies permission to tear down a nonconforming structure, in whole or in part, then seek relief from zoning via the special permit process under this section. Another argument is that the phrase was meant to cover forms of disaster which are not natural such as arson.

After research on the history of this section and considerable discussion, the Planning Board determined that the original intent of the phrase was to permit relief for non-natural disasters, and that specifically this section of the bylaw was not intended to enable arbitrary demolition. Thus, it is proposed to change “destroyed by natural causes or otherwise” to “destroyed by natural or other involuntary causes.”

The Planning Board further reaffirms the original intent as a desirable attribute to our zoning bylaw. This clarification will better protect neighborhoods that may already be densely developed or are of historical significance and have non-conforming lots. This philosophy is also consistent with the draft Master Plan of the Town.

An additional need is met by this article in clarifying the language of the section to provide better guidance to the Zoning Board of Appeals. The current phrase is open to interpretation and so can be the source of considerable confusion and delay in the entire permit process. The proposed language clearly states the conditions under which a special permit may be considered.

The Planning Board recommends passage of the article.

<u>VOTED:</u>	1 ST VOICE VOTE:	UNDECIDED	
	COUNTED VOTE:	IN FAVOR:	124
		OPPOSED:	23
			MOTION CARRIED

TELLERS:

Judith Currier	22 Algonquin Path
Robert Hatton	11 Grace Rd
Paul Greiff	2 Cameron Rd
Jane Stabile	120 Commonwealth Rd
Vasileos Pavloglou	16 Highland Cir
David Kunen	42 York Rd

The Meeting adjourned at 10:35 P.M. until May 6, 2004 at 7:45 P.M.

Attendance: 437

**VOTES ENACTED:
THURSDAY, MAY 6, 2004 AT THE WAYLAND HIGH SCHOOL FIELD HOUSE**

C. PETER R. GOSSELS, MODERATOR:

Pursuant to the Warrant dated April 12, 2004 signed by Betsy E. Connolly, Mary M. Antes, Douglas J. Leard, William D. Whitney, and Brian T. O'Herlihy, Selectmen, served and return of service given by Christopher Hanlon, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at Town Meeting met this day at Wayland High School Field House; and at 7:50 P.M. the Moderator called the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

**ARTICLE 21: AMEND FOR CLARITY, SECTIONS 505, 702.1 AND
901.1.2.1 OF THE ZONING BY-LAWS**

Proposed by: Planning Board

To determine whether the Town will vote to amend Chapter 198 (the Zoning By-Laws), §198-702.1, §198-505, and §198-901.1.2.1 of the Code of the Town of Wayland by making the following deletions (indicated in ~~striktthrough lettering~~) and insertions (indicated in underlined lettering) indicated in the following:

§198-505. ~~General~~ Performance Standards

505.1. In all zoning districts all uses shall be conducted in a manner so as not to create offensive or unreasonable noise, vibration, light, smoke, gas, fumes, odor, dust, or so as to be dangerous to the public health or safety.

§198-702.1. Setbacks

All buildings or structures in any residence district shall comply with the setbacks in § 198.801 Table of Dimensional Requirements. The setbacks shall apply to any public or private street right-of-way whether accepted or not. The setbacks shall apply to whichever distance is greater, except as provided in § 198-702.2 and 702.3 below; except that any existing lot shown on a plan or described in a deed, recorded in the Registry of Deeds, that conformed or was considered to conform to the area and frontage requirements on, but not after, January 28, 1998, shall be considered to be in compliance with this Zoning By-Law. Exempt from the setback requirement of this paragraph are roof eaves, stoops, stairs, bulkheads, chimneys and bay windows; and fences and walls up to six feet in height from the existing natural topography. [Amended 5-14-1998 ATM by Art. 51; 5-5-1999 STM by Art. 9; 5-5-1999 STM by Art 11]

901.1.2.1 [Added 4-30-2001 ATM Art. 2]

The use of the dwelling unit, or ~~where permitted~~, an accessory structure, by the resident for business is incidental and subordinate to its use for residential purposes and occupies no more than 25% of the gross floor area of the dwelling unit or 500 square feet, whichever is less, within the dwelling unit or accessory structure on the premises;

MOTION:

Lawrence Stabile moved and was duly seconded that the Town amend Chapter 198, the Zoning By-Laws, by making the revisions to §198-702.1, §198-505, and §198-901.1.2.1 thereof as printed in page 60 of the Warrant.

PLANNING BOARD REPORT:

The Planning Board held its public hearing as required by law on February 2, 2004.

The purpose of the article is to determine whether the Town will vote to amend Chapter 198, Sections 505, 702.1, and 901.1.2.1 of the Zoning Code of the Town of Wayland by making the following deletions and inserts indicated:

The purpose of the article is to provide clarification within three sections of the Zoning Bylaw. It is meant to address areas that have been confusing in past interpretations. It is not meant to redefine or modify the intent of the original section.

The Planning Board recommends passage of the article.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 22: AMEND ZONING BY-LAWS RE: AQUIFER PROTECTION DISTRICT

Proposed by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, Article 16, by making the following deletions (indicated in ~~striketrough lettering~~) and insertions (indicated in underlined lettering):

1603.2. Prohibited uses.

The following uses are specifically prohibited within the Aquifer Protection District:

~~i.~~ 1603.2.1. Sanitary landfills and open dumps as defined in 310 CMR 19. 006; disposal or stockpiling of solid wastes, other than brush and stumps; and disposal of brush or stumps by burial with less than four feet of clearance above the maximum water table, as defined by the Board of Health. Landfills receiving only wastewater residuals and/or septage. ~~Landfilling of sludge and septage as defined in 310 CMR 32.05.~~ Storage of sludge and septage, unless such storage is in compliance with 310 CMR 32.30 and 310 CMR 32.31.

~~ii.~~ 1603.2.2. Junkyards or motor vehicle salvage operations. as defined in Massachusetts General Laws Chapter 140B Section 1.

~~iii.~~ 1603.2.3. Storage of deicing chemicals, ~~except calcium chloride, potassium chloride, and calcium magnesium acetate,~~ unless such storage and required loading areas are within a weatherproof structure having an impervious floor designed to prevent the generation and escape of contaminated runoff or leachate and only if all loading and unloading will be done within that shelter, with provisions for a separate closed drain system for safe disposal.

~~iv.~~ 1603.2.4. Stockpiling/Disposal of snow transported into the district containing deicing chemicals.

~~v.~~ 1603.2.5. Dry-cleaning establishments where cleaning is performed on the premises in open or non-self contained units.

~~vi.~~ 1603.2.6. Commercial establishments for the plating, finishing, etching or polishing of metals or semiconductors.

~~vii.~~ 1603.2.7. Painting, wood preserving, wood finishing or stripping paint on a commercial scale or on a scale more than that which is required for maintenance of existing structures and facilities.

~~viii.~~ 1603.2.8. Manufacture of semiconductors or other electronic components or electronic circuit assembly on a commercial scale where hazardous materials are used.

~~ix.~~ 1603.2.9. Chemical or bacteriological laboratories on a commercial scale.

~~x.~~ 1603.2.10. Commercial establishments for printing, photocopying or photographic processing where the processing is performed in open or non-self contained units.

~~xi.~~ 1603.2.11. Storage of liquid petroleum products, except the following:

- a) normal-household use, outdoor maintenance, and heating of a structure.
- b) waste oil retention facilities required by statute, rule, or regulation
- c) emergency generators required by statute, rule, or regulation
- d) treatment works approved under 314 CMR 5.00 for treatment of ground and surface waters;

provided that such storage, listed in items a. through d. above, meets the requirements of 1603.3.10 subsection ~~(xi)~~.

~~xii.~~ 1603.2.12. Earth removal, consisting of the removal of soil, loam, sand, gravel, or any other earth material (including mining activities) to within 4 feet of historical high groundwater as determined from monitoring wells and historical water table fluctuation data compiled by the US Geological Survey, except for excavations for building foundations, roads, or utility works.

~~xiii.~~ 1603.2.13. Hotels or motels.

~~xiv.~~ 1603.2.14. Any other use that includes, ~~as a principal component~~ the generation, the manufacture, use, transportation or disposal of toxic or hazardous materials ~~waste~~, except for the following:-

- a) Very small quantity generators as defined under 310 CMR 30.000;
- b) Household hazardous waste centers or events operated pursuant to 310 CMR 30.390;
- c) Waste oil retention facilities required by MGL c. 21, §52A; and
- d) Treatment works approved by DEP designed in accordance with 314 CMR 5.00 for the treatment of contaminated ground or surface waters.

~~xv.~~ 1603.2.15. Any floor drainage system in existing facilities, in industrial or commercial process areas or hazardous material and/or hazardous waste storage area, which discharge to the ground without a DEP permit or authorization. Any existing facility with such a drainage system shall be required to either seal the floor drain (in accordance with the state plumbing code, 248 CMR 2.00) or connect the drain to a holding tank meeting the requirements of all appropriate DEP regulations and policies.

1603.2.16. Treatment or disposal works subject to 314 CMR 5.00 for wastewater other than sanitary sewage. This prohibition includes, but is not limited to, treatment or disposal works related to activities under the Standard Industrial Classification (SIC) Codes set forth in 310 CMR 15.004(6) (Title 5), except the following:

- a) The replacement or repair of an existing system(s) that will not result in a design capacity greater than the design capacity of the existing system(s);
- b) Treatment works approved by the DEP designed for the treatment of contaminated ground or surface waters operated in compliance with 314 CMR 5.05(3) or 5.05(13); and
- c) Publicly owned treatment works or POTW's.

1603.2.17. Petroleum, fuel oil, and heating oil bulk stations and terminals including but not limited to those listed under Standard Industrial Classification (SIC) Codes 5171 and 5983. SIC Codes are established by the US Office of Management and Budget and may be determined by referring to the publication, Standard Industrial Classification Manual, and any other subsequent amendments.

1603.2.18. Storage of commercial fertilizers, as defined in Massachusetts General Laws Chapter 128, Section 64, unless stored within a structure designated to prevent the generation and escape of contaminated runoff or leachate.

1603.2.19. Storage of animal manure unless stored within a structure designated to prevent the generation and escape of contaminated runoff or leachate.

1603.3 Special permit uses.

The following uses and activities are permitted only upon the issuance of a Special Permit by the Special Permit Granting Authority (SPGA) under such conditions as they may require:

- i. 1603.3.1. Golf courses, whether public or private.
- ii. 1603.3.2 Commercial cabinetry or furniture making. (Note that painting, wood preserving, wood finishing and stripping of paint are prohibited).
- iii. 1603.3.3. Cluster developments, planned developments and other forms of flexible development that require special permits under other articles of this Zoning By-Law.
- v. 1603.3.4. Any use with the exceptions of uses described in ~~(vi)~~ 1603.3.5 and ~~(viii)~~ 1603.3.6 below, where the design flow of sanitary waste exceeds a total of 10,000 gallons per day for the entire project.
- vi. 1603.3.5. Municipal wastewater treatment facilities with on-site disposal of effluent from primary or secondary treatment. (See also 198- 1603.2.1 ~~(i)~~ herein.)
- vii. 1603.3.6. ~~Individual on-site sewage disposal systems (in compliance with Title V of the State Environmental Code) serving all uses in residential districts which discharge more than 550 gallons per day per 40,000 square feet of lot area; and individual on-site sewage disposal systems (in compliance with Title V of the State Environmental Code) serving business, industrial, or institutional uses in all other districts which discharge more than 1000 gallons per day per 40,000 square feet of lot area. The replacement or repair of an existing system that will not result in an increase in design capacity above the previously approved design is not prohibited. Requests to increase the capacity of individual sewage disposal systems and those proposed for undeveloped lots above these limits may be permitted upon a written certification by the Wayland Board of Health that a valid nitrogen loading analysis approved by the DEP has been completed which demonstrates that the DEP drinking water performance goal for nitrates of 5 MG/L will not be exceeded in any water supply well. On residentially zoned lots legally in existence as of the effective date of this By Law, which contains less than 40,000 square feet of area, the discharge rate of any individual sewage disposal system shall be permitted up to a maximum of 500 gallons per day. The replacement or repair of an existing system that will not result in an increase in design capacity above the previously approved design capacity is not prohibited hereunder. Individual on-site sewage disposal systems shall comply with Board of Health and DEP requirements for the installation of septic systems in DEP recognized Zone II areas.~~

- ~~viii.~~ 1603.3.7. Those activities that involve the handling of toxic or hazardous materials in quantities greater than those associated with normal household use, permitted in the underlying zoning (except as prohibited under 1603.2). Such activities shall require a special permit to prevent contamination of groundwater.
- ~~ix.~~ 1603.3.8. Any other use that involves, as an accessory activity, the storage, use, transportation or disposal of toxic or hazardous materials, not including ordinary household storage or use.
- ~~x.~~ 1603.3.9. Nursing homes or hospitals.
- ~~xi.~~ 1603.3.10. Storage of liquid hazardous materials as defined in M.G.L. c 21E and/or liquid petroleum products unless such storage is above ground and on an impervious surface and either:
- ~~a.~~ above ground and
 - ~~b.~~ on an impervious surface, and
 - ~~c.~~ either
 - ~~(i)~~ a. in container(s) or above ground tank(s) within a building or
 - ~~(ii)~~ b. outdoors in covered container(s) or above ground tank(s) in an area that has a containment system designed and operated to hold either 10% of the total possible storage capacity of all containers or 110% of the largest containers storage capacity whichever is greater.

However these storage requirements shall not apply to the replacement of existing tanks or systems for the keeping, dispensing or storage of gasoline provided that the replacement is performed in a manner consistent with state and local requirements.

- ~~xii.~~ 1603.3.11. The application of pesticides, including herbicides, insecticides, fungicides and rodenticides for nondomestic or nonagricultural uses in accordance with state and federal standards. If applicable the applicant shall provide documentation of compliance with a Yearly Operating Plan (YOP) for vegetation management operations under 333 CMR 11.00 or a Department of Food and Agriculture approved Pesticide Management Plan or Integrated Pest Management (IPM) program under 333 CMR 12.00.

1603.4. Site Plan Approval Uses

The following uses and activities are permitted only upon the issuance of a Site Plan approval in accordance with Article 6. The Planning Board shall include the standards and criteria of this Article 16 in addition to those contained in Article 6.

- ~~i.~~ Storage of commercial fertilizers, as defined in Massachusetts General Laws Chapter 128, Section 64, such storage shall be within a structure designated to prevent the generation and escape of contaminated runoff or leachate.
- ~~ii.~~ Storage of animal manure covered or contained in accordance with the specifications of the US Soil Conservation Service.
- ~~iii.~~ 1603.4.1. Commercial or municipal facilities for the washing, servicing or repair of boats or motor vehicles.
- ~~iv.~~ 1603.4.2. Dry-cleaning establishments wherein the dry cleaning materials are completely self-contained and all the disposal of such materials is off site. The operation and maintenance of this use shall require periodic inspections in accordance with 1606.8.1.5

v. 1603.4.3. Commercial establishments for printing, photocopying or photographic processing; wherein the processing materials are completely self-contained and all the disposal of such materials is off site. The operation and maintenance of this use shall require periodic inspections in accordance with 1606.8.1.5

vi. 1603.4.4. Commercial laundries.

MOTION:

Lawrence Stabile moved and was duly seconded that the Town amend Chapter 198, the Zoning By-Laws, Article 16, by making the revisions thereto as printed in pages 61 through 65 of the Warrant.

PLANNING BOARD REPORT:

The Planning Board held its public hearing as required by law on February 2, 2004.

The purpose of this article is to address inconsistencies between the current bylaw and State Drinking Water Regulations set forth in 310 CMR 22.21 (2) as required by the Department of Environmental Protection.

The Town of Wayland is under an order from DEP to reduce the rate of withdrawals from the Town wells. As part of an agreement to address this issue, numerous initiatives have been taken to reduce Wayland's use of water such as education, enforcement, and regulatory changes. The amendments in this article are one part of the Town's plan to address the DEP order and to protect the public drinking water supply.

The Aquifer Protection Bylaw is a regulation for use of land in Zone II areas so that those uses are compatible with the protection of drinking water. The Commonwealth's Drinking Water Regulations specify that threatening land uses must either be prohibited or regulated within Zone II. Wayland's Aquifer Protection Bylaw was drafted and adopted to comply with these state regulations. The proposed amendments bring the law into compliance with the state regulations.

The Planning Board believes the proposed changes proposed in Annual Town Meeting Warrant Article 23, as indicated above, will address the concerns raised by DEP and will help to minimize conflicts between local and state regulations.

The Planning Board recommends passage of the article.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 23: AMEND ZONING BY-LAWS RE: EARTH REMOVAL

Proposed by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, by amending (1) Article 1, §198-104.2 thereof by adding the following definitions; and (2) Article 5, §198-504. thereof by making the following deletions (indicated in ~~striketrough lettering~~) and insertions (indicated in underlined lettering):
§198-104.2. Definitions

Earth - "earth" shall include soil, loam, sand, gravel, clay, rock or other natural minerals and peat.

Movement - "Move or Movement" shall mean to dig, excavate, remove, deposit, fill, grade, replace, level, or otherwise alter or change the location or contour of land.

§ 198-504. ~~Earth removal~~ movement. [Amended 5-14-1998 ATM by Art. 47]

504.1. ~~The removal of sod, loam and gravel, stone or other earth materials from any premises in any district, including such removal to effect topographical changes, shall be allowed only if a~~ No earth in excess of 50 cubic yards shall be moved on any parcel of land in any district less than 40,000 square feet in area and no earth in excess of 150 cubic yards on any parcel of land in any district 40,000 square feet or more unless a special permit from the ZBA is obtained in accordance with the procedure provided in § 198-203, and only under such conditions as the ZBA may impose, with the following exceptions:

504.1.1. ~~Removal necessary for the construction or alteration of a building for which a permit has been issued, including the installation of walks, driveways and other appurtenances to said building, provided that the quantity of material to be removed as certified by a registered professional engineer or land surveyor, or the Town Surveyor, does not exceed that displaced by the building, walks, driveways and other appurtenances. Where necessary as a part of farm or nursery activities.~~

504.1.2. Where the amount of earth to be moved is limited to the volume of the foundation and basement of the primary structure, or excavation for, septic systems, driveway, and walkways. The quantity of material to be moved shall be certified by a registered professional engineer or land surveyor.

504.1.2.3. ~~Removal from~~ Where the movement is on Town-owned land or to be transferred between or among such parcels.

504.2. Nothing contained in § 198-504.1. shall prevent the continued use of any land for the purpose for which it is used at the time § 198-504.1. takes effect or prevent the use of any land for farms, gardens, nurseries, cemeteries, parks, playgrounds and such purposes as are incidental to, or usual in connection with, any of said purposes.

504.3. Before a special permit is issued, the applicant shall show to the satisfaction of the ZBA that the ~~removal movement~~ will not impair the usability of the area for the purposes permitted in this Zoning By-Law, that the grades to be established within the area will permit vehicular access to the area and the continuation of streets from the abutting premises, and that the area may ultimately be developed compatibly with the neighboring land.

504.4. The ~~removal movement~~ of sod, loam, sand, gravel or quarried stone earth from within a subdivision, the plan of which has been approved by the Planning Board and duly recorded in the Middlesex South District Registry of Deeds, shall be permitted as of right when and to the extent that such is necessary for the lawful construction or alteration of a way shown on said plan or for the lawful installation of utilities, drainpipes or drain structures in said subdivision, provided that the quantity of ~~sod, loam, sand, gravel or quarried stone earth~~ so removed shall not exceed that in place in the particular space to be occupied by such way, utilities, drainpipes or drain structures, and subject to any requirements made by the Planning Board endorsed or referred to on the plan of such subdivision.

MOTION:

Albert Montague moved and was duly seconded that the Town amend Chapter 198, the Zoning By-Laws, by amending (1) Article 1, §198-104.2 thereof by adding thereto the definitions as printed in page 66 of the Warrant; and (2) Article 5, §198-504 thereof by making the revisions thereto as printed in pages 66 and 67 of the Warrant.

AMENDMENT NO. 1:

Joyce Lauer moved and was duly seconded that the motion be amended as follows:

504.1. No earth in excess of 50 cubic yards shall be moved on any parcel of land in any district less than 40,000 square feet in area and no earth in excess of 150 cubic yards on any parcel of land in any district 40,000 square feet or more unless a special permit from the ZBA is obtained in accordance with the procedure provided in 198-203, and only under such conditions as the ZBA may impose, with the following exceptions:

504.1.1. (same as warrant article)

504.1.2. (same as warrant article)

504.1.3. Where the movement of earth will result in a net change in elevation of less than three (3) feet throughout an aggregate area which is less than twenty (20) percent of the area of the parcel.

504.1.4. (same as warrant article)

POINT OF ORDER:

David Todd questioned if the amendment was within the scope of the motion.

The Moderator ruled that the amendment was out of order.

AMENDMENT NO. 2:

Lawrence Stabile moved and was duly seconded that in 504.1:

Change 50 cubic yards to 500 cubic yards

Change 150 cubic yards to 1500 cubic yards

VOTED ON AMENDMENT NO. 2: UNANIMOUSLY IN FAVOR

VOTED ON MAIN MOTION AS AMENDED:

1ST VOICE VOTE: SCATTERING OF NOES

2ND VOICE VOTE: SCATTERING OF NOES

COUNTED VOTE BY MODERATOR:

IN FAVOR: 134

OPPOSED: 12 MOTION CARRIED BY 2/3 MAJORITY

ARTICLE 24: FUND THE REWRITING OF THE ZONING BY-LAWS

Proposed by: Planning Board

Estimated Cost: \$30,000.

To determine whether the Town will vote to appropriate a sum of money to be expended by the Planning Board to engage the services of a consultant or consultants for the purpose of the rewriting of the Zoning By-Laws of the Town; and to determine whether such appropriation shall be provided by taxation, transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, by gift, or otherwise.

MOTION:

Anette Lewis moved and was duly seconded that the Town appropriate \$30,000. to be expended by the Planning Board to engage the services of a consultant or consultants for the purpose of rewriting the Zoning By-Laws of the Town; and that said appropriation be provided by transferring \$30,000. from the General Fund – Unreserved Fund Balance.

MOTION TO TERMINATE DEBATE:

Diana Humphreys moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED: 1ST VOICE VOTE: UNDECIED
 2ND VOICE VOTE: MOTION CARRIED

**ARTICLE 25: ACQUIRE GILBERTS' PROPERTY, LOTS A AND B OFF
 BRACKETT ROAD**

Proposed by: Planning Board

To determine whether the Town will vote to:

- a) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain, or otherwise, for conservation purposes, the fee or any lesser interest in all or part of the parcels of land located off Brackett Road, Wayland Massachusetts, containing, in the aggregate, 53,409 square feet , more or less, shown as Parcels A and B on a plan entitled "Proposed Lot Layout Victoria Woods Wayland, MA." Dated November 6, 2003, prepared by Sullivan, Connors & Associates, a copy of which plan is on file in the Office of the Town Clerk;
- b) appropriate a sum of money to compensate the owner and/or acquire said parcels of land; and
- c) provide for said appropriation by taxation, transfer from unappropriated available funds, transfer from funds appropriated for other purposes, by borrowing or otherwise.

MOTION:

Philip Pattison moved and was duly seconded that the town vote to acquire Gilbert's property as in the words of the Article.

AMENDMENT:

Lawrence Stabile moved and was duly seconded to amend the main motion by voting to pass over the article.

VOTED ON AMENDMENT: MOTION CARRIED

VOTED ON MAIN MOTION AS AMENDED: UNANIMOUSLY IN FAVOR

ARTICLE 26: REMOVAL OF OVERHEAD WIRES
--

Proposed by: Planning Board

To determine whether the Town will vote to amend the Code of the Town of Wayland by adding the following provisions to Chapter 177, Utilities, Underground:

Any person, firm, corporation, partnership, their agents and employees, who has been granted, or may be granted, any license, permission, or other authority to construct or maintain poles and overhead wires and associated overhead structures upon, along, under or across any public way or ways, is forbidden from installing or constructing, and shall remove immediately any poles, overhead wires and associated overhead structures which are located on, along, or across the following sections of roadway:

Cochituate Village: Rt. 30 and Rt. 27 that pass through the Village center - along Rt. 30 from a point in the right-of-way at the southeast corner edge of Lot 51D-72 at the corner of Winter Street and Commonwealth Road on the east to Pemberton Road on the west, Rt. 27 from the East Plain / West Plain Street intersection on the north to the Natick Town line on the south, East Plain Street easterly from Main Street to Leary Street, and West Plain Street from Main Street westerly to a point in the right-of-way in line with the western edge of Lot 51B-73 at the corner of West Plain and Main streets.

Project costs paid by utilities and recovered by a capital contribution of a 2% yearly surcharge on its total bill to each customer shall include all "utility's service facilities" and "customer's service facilities" as defined in Massachusetts General Laws Chapter 166, Sections 22H and 22I, respectively.

MOTION:

Lawrence Stabile moved and was duly seconded that the town amend the Code of the Town of Wayland by:

1) adding the following provisions to Chapter 177, Utilities, Underground:

§177-4. Cochituate Village.

Any person, firm, corporation, partnership, their agents and employees, who has been granted, or may be granted, any license, permission, or other authority to construct or maintain poles and overhead wires and associated overhead structures upon, along, under or across any public way or ways, is forbidden from installing or constructing, and shall remove immediately any poles, overhead wires and associated overhead structures which are located on, along, or across the following sections of roadway:

Cochituate Village: Rt. 30 and Rt. 27 that pass through the Village center - along Rt. 30 from a point in the right-of-way at the southeast corner edge of Lot 51D-72 at the corner of Winter Street and Commonwealth Road on the east to Pemberton Road on the west, Rt. 27 from the East Plain / West Plain Street intersection on the north to the Natick Town line on the south, East Plain Street easterly from Main Street to Leary Street, and West Plain Street from Main Street westerly to a point in the right-of-way in line with the western edge of Lot 51B-73 at the corner of West Plain and Main streets.

Project costs paid by utilities and recovered by a capital contribution of a 2% yearly surcharge on its total bill to each customer shall include all "utility's service facilities" and "customer's service facilities" as defined in Massachusetts General Laws Chapter 166, Sections 22H and 22I, respectively.;

2.) renumbering the current §177-4 as §177-5.

VOTED: MOTION NOT CARRIED

RESOLUTION:

Steve Allen moved, was duly seconded, and offered the following to the Meeting:

“The Town officers should fully explore and, if feasible, implement a comprehensive plan to progressively remove overhead wires, especially in conjunction with road reconstruction.”

VOTED ON RESOLUTION: MOTION CARRIED

ARTICLE 27: AUTHORITY TO CONSTRUCT WAYLAND VETERANS MEMORIAL

Proposed by Veterans Memorial Committee

To determine if the Town will vote to (a) accept a proposed design for the Wayland Veterans Memorial as the basis for the Veterans Memorial Committee to acquire and construct said memorial.; and (b) authorize the Board of Selectmen to designate the Wayland Veterans Memorial Committee to act as the Selectmen’s agent to erect said veterans memorial, consistent with said design, on the site near the entrance to the Wayland Town Building approved by vote of the Town under Article 22 of the Warrant for the 2003 Annual Town Meeting, provided that said committee demonstrates to the satisfaction of the Selectmen that sufficient funds raised from private donations are available to acquire and erect said veterans memorial.

This design is the result of a deliberate process that began with citizen dialogue, concept development, further refinement, design review, public hearings and periodic interaction with monument suppliers. Town Meeting approval is the final step in the design process leading up to acquisition.

After careful review and public hearings, the Wayland Veterans Memorial Committee voted unanimously to recommend this design. Your approval of this design will enable the committee to proceed with the memorial acquisition and construction. (See Proposed Design at Appendix E.)

MOTION:

Douglas Leard moved and was duly seconded that the Town (a) accept the proposed design as depicted in Appendix E of the Warrant for the Wayland Veterans Memorial as the basis for the Veterans Memorial Committee to acquire and construct said memorial.; and (b) authorize the Board of Selectmen to designate the Wayland Veterans Memorial Committee to act as the Selectmen’s agent to erect said veterans memorial, consistent with said design, on the site near the entrance to the Wayland Town Building approved by vote of the Town under Article 22 of the Warrant for the 2003 Annual Town Meeting, provided that said committee demonstrates to the satisfaction of the Selectmen that sufficient funds raised from private donations are available to acquire and erect said veterans memorial.

MOTION TO TERMINATE DEBATE:

Sally Newbury moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

<u>VOTED:</u>	1 ST VOICE VOTE:	UNDECIDED
	2 ND VOICE VOTE:	MOTION CARRIED

PROCEDURAL MOTION:

Brian O’Herlihy moved and was duly seconded that the adjourned time of the Meeting be extended until 11:00 P.M.

VOTED: MOTION NOT CARRIED

ARTICLE 28: FUND IMPROVEMENTS TO PUBLIC MEMORIALS AND MONUMENTS
--

Proposed by: Board of Selectmen and Public Ceremonies Committee

Estimated Cost: \$5,000.

To determine whether the town will vote to appropriate a sum of money to be expended by the Historical Commission to make repairs and improvements to approximately thirty historic markers, memorials and monuments; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

MOTION:

Betsy Connolly moved and was duly seconded that the Town appropriate \$5,000. to be expended by the Historical Commission to make repairs and improvements to approximately thirty historic markers, memorials and monuments; and that said appropriation be provided by transferring \$5,000. from the Community Preservation Fund.

VOTED: UNANIMOUSLY IN FAVOR

The Meeting adjourned at 10:30 P.M. until May 10, 2004 following conclusion of the Special Town Meeting.

Attendance: 155

VOTES ENACTED:

WEDNESDAY, MAY 12, 2004 AT WAYLAND HIGH SCHOOL FIELD HOUSE

C. PETER R. GOSSELS, MODERATOR:

Pursuant to the Warrant dated April 12, 2004 signed by Betsy E. Connolly, Mary M. Antes, Douglas J. Leard, William D. Whitney, and Brian T. O'Herlihy, Selectmen, served and return of service given by Christopher Hanlon, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at Town Meeting met this day at Wayland High School Field House; and at 7:57 P.M. the Moderator called the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

ARTICLE 29: FINAL APPROPRIATION FOR THE PUBLIC SAFETY BUILDING CONSTRUCTION PROJECT
--

Proposed by: Board of Selectmen

Estimated Cost: \$125,000.

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen to provide final compensation for the General Contractor and Architect of the Public Safety Building and 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 the Federal Government, by borrowing, or otherwise.

MOTION:

Brian O'Herlihy moved and was duly seconded that the Town appropriate \$92,000. to be expended by the Board of Selectmen to provide final compensation for Architect of the Public Safety Building and certain

other remaining costs and that said appropriation be provided by authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow \$92,000. pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 7.

AMENDMENT:

George Harris moved and was duly seconded that the Town amend the main motion by reducing the appropriation from \$92,000. to \$19,000.

MOTION TO TERMINATE DEBATE:

Mark Santangelo moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

<u>VOTED ON AMENDMENT:</u>	1 ST VOICE VOTE:	UNDECIDED
	2 ND VOICE VOTE:	MOTION NOT CARRIED

<u>VOTED:</u>	1 ST VOICE VOTE:	UNDECIDED
	2 ND VOICE VOTE:	UNDECIDED
	STANDING COUNT BY MODERATOR:	UNDECIDED
	STANDING COUNT VOTE:	
	IN FAVOR:	88
	OPPOSED:	71
		MOTION NOT CARRIED BY 2/3 MAJORITY

TELLERS:

Marcia Crowley	6 Wayland Hills Rd
Jackson Turner	7 Nob Hill Rd
Steven Allen	7 County Corners Rd
Paul Abramson	4 Hampshire Rd

MOTION:

Mark Santangelo moved and was duly that the Town appropriate \$92,000. to be expended by the Board of Selectmen to provide final compensation for the Architect of the Public Safety Building and certain other remaining costs and that said appropriation be provided by transferring \$92,000. from the General Fund – Unreserved Fund Balance.

POINT OF ORDER:

Brian O’Herlihy questioned the quorum. The Moderator announced that a quorum was present.

POINT OF ORDER:

George Harris questioned if the motion was a main motion. The Moderator ruled the motion was in order.

VOTED: MOTION NOT CARRIED

ARTICLE 30: AMEND GENERAL BY-LAWS CHAPTER 91-3B, ANIMALS

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend Chapter 91, §91-3, Paragraph B of the Code of the Town of Wayland by adding thereto immediately after the word Building, “under the daily supervision of the Chief of Police.”

MOTION:

Douglas Leard moved and was duly seconded that the Town amend Chapter 91, §91-3, Paragraph B of the Code of the Town of Wayland by adding thereto immediately after the word Building, “under the daily supervision of the Chief of Police.”

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 31: PETITION MASSACHUSETTS LEGISLATURE TO ENACT SPECIAL ACT RE: FILED SUB-BID LAW EXEMPTION FOR SCHOOL BUILDING PROJECTS

Proposed by: School Committee

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act providing that the school building programs of the Town of Wayland shall not be subject to the provisions of Section 44F of Chapter 149 the Massachusetts General Laws, except for the form of contract set forth in paragraph (c) of subsection (4) of said section 44F, for any future design, construction, repair, renovation, remodeling, equipping, furnishing or any partial or complete demolition of public school facilities in the Town of Wayland.

MOTION:

Jeffrey Dieffenbach moved and was duly seconded that the Town authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act providing that the school building programs of the Town of Wayland shall not be subject to the provisions of Section 44F of Chapter 149 the Massachusetts General Laws, except for the form of contract set forth in paragraph (c) of subsection (4) of said section 44F, for any future design, construction, repair, renovation, remodeling, equipping, furnishing or any partial or complete demolition of public school facilities in the Town of Wayland.

VOTED: MOTION CARRIED

ARTICLE 32: DELINEATION OF THE LOKER CONSERVATION/RECREATION AREA
--

Proposed by: Board of Selectmen

To determine whether the Town will vote to instruct the Board of Selectmen to transfer the care, custody, management and control of the parcels of land on Commonwealth Road (Route 30) and Rice Road, Wayland, Massachusetts, known as the Loker Conservation/Recreation area and shown on a Plan of Land in Wayland, Massachusetts, Loker Conservation and Recreation Area, prepared by the Town Surveyors’s office and dated 4/1/2004, scale: 1” = 100’, from the Board of Selectmen to the Conservation Commission and/or the Parks and Recreation Commission.

MOTION:

William Bowhens moved and was duly seconded that the Town instruct the Board of Selectmen to

transfer the care, custody, management and control of the areas of land on Commonwealth Road (Route 30) and Rice Road, Wayland, Massachusetts, being a part of the site known as the Loker Conservation/Recreation area and shown on a Plan of Land in Wayland, Massachusetts, Loker Conservation and Recreation Area, prepared by the Town Surveyors's office and dated 4/1/2004, scale: 1" = 100', a copy of which plan is on file in the office of the Town Clerk, and shown on said plan as conservation area and 50' wide conservation area, from the Board of Selectmen to the Conservation Commission, for conservation purposes, and as recreation area to the Parks and Recreation Commission, for recreation purposes, respectively.

MOTION TO TERMINATE DEBATE:

Perry Smoot moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED: 1ST VOICE VOTE: UNDECIDED
 STANDING COUNT BY MODERATOR:
 IN FAVOR: 151
 OPPOSED: 14 MOTION CARRIED

ARTICLE 33: AMEND CHAPTER 36 OF CURRENT BY-LAWS

Proposed by: Petitioner

To determine whether the Town will vote to amend Chapter 36 of the Code of the Town of Wayland by:

- a) changing the title of the chapter to "Meetings and Elections" (underlining denotes added text);
- b) adding thereto the following new section:

36-1.1. Scheduling of ballot questions and special town meetings involving capital expenditures or Proposition 2 1/2 debt exclusions in excess of \$2,500,000.

- A. Referenda questions for capital expenditures or Proposition 2 1/2 debt exclusions in excess of \$2,500,000 that are normally approved for placement on the election ballot by vote of the Board of Selectmen, shall only be placed on the ballot of a U.S. Presidential election, state biennial election, annual Town election or special election that coincides with a U.S. Presidential or state biennial election, except for instances when a different election date is required under the provisions of Massachusetts General Laws Chapter 59, Section 21C, paragraphs (i)1/2 and (m)(3);.
- B. Special town meetings called by the Board of Selectmen for purposes of approving the appropriation of funds for capital expenditures in excess of \$2,500,000, contingent on the passage of a ballot question described in Subsection A above following such special town meeting, shall be scheduled only on such dates that will permit compliance with the requirements of both Subsection A above and Massachusetts General Laws Chapter 59, Section 21C, paragraph (m)(3); and
- C. In those instances where the Board of Selectmen determines that such a question must be placed on the ballot of a special election other than one that coincides with a U.S. Presidential or state biennial election, the Selectmen shall hold a public hearing at which the reasons for having to place the question on the ballot of a special election to be held on such other date will be presented."

- c) substituting the following in place of the language noted in (b) above if, and only if, the language noted in (b) above is determined by Town Counsel or the Attorney General to be inconsistent with Massachusetts or federal law:
- 36-1.1. Scheduling of ballot questions involving capital expenditures or Proposition 2 1/2 debt exclusions in excess of \$2,500,000.
- A. Referenda questions for capital expenditures or Proposition 2 ½ debt exclusions in excess of \$2,500,000 that are normally approved for placement on the election ballot by vote of the Selectmen, shall, when possible, be placed only on the ballot of a U.S. Presidential election, state biennial election, annual Town election or a special election that coincides with a U.S. Presidential or state biennial election, except for instances when a different election date is required under the provisions of Massachusetts General Laws Chapter 59, Section 21C, paragraphs (i1/2) and (m)(3);
- B. Special town meetings called by the Board of Selectmen for purposes of approving the appropriation of funds for capital expenditures in excess of \$2,500,000, contingent on the passage of a ballot question described in Subsection A above following such special town meeting, shall be scheduled only on such dates that will permit compliance with the requirements of both Subsection A above and Massachusetts General Laws Chapter 59, Section 21C, paragraph (m)(3); and
- C. In those instances where the Board of Selectmen determine that such a question must be placed on the ballot of a special election other than one that coincides with a U.S. Presidential or state biennial election, the Selectmen shall hold a public hearing at which the reasons for having to place the question on the ballot of a special election to be held on such other date will be presented.”

MOTION:

Brian O’Herlihy moved and was duly seconded that the Town amend the Code of the Town of Wayland by:

- a) changing the title of Chapter 36 to “Meetings and Elections” (underlining denotes added text);
- b) adding thereto the following new section:

36-1.1. Scheduling of ballot questions and special town meetings involving capital expenditures or Proposition 2 1/2 debt exclusions in excess of \$2,500,000.

- A) Referenda questions for capital expenditures or Proposition 2 1/2 debt exclusions in excess of \$2,500,000. that are normally approved for placement on the election ballot by vote of the Board of Selectmen, shall only be placed on the ballot of a U.S. Presidential election, state biennial election, annual Town election or special election that coincides with a U.S. Presidential or state biennial election, except for instances when a different election date is required under the provisions of Massachusetts General Laws Chapter 59, Section 21C, paragraphs (i1/2) and (m)(3). This section shall not apply to ballot questions for funding requests related to the repair of Town-owned assets damaged or destroyed by natural or other involuntary causes.
- B) Special town meetings called by the Board of Selectmen for purposes of approving the appropriation of funds for capital expenditures in excess of \$2,500,000.,

contingent on the passage of a ballot question described in Subsection A above following such special town meeting, shall be scheduled only on such dates that will permit compliance with the requirements of both Subsection A above and Massachusetts General Laws Chapter 59, Section 21C, paragraph (m)(3), except in instances, if any, when a different date is required for a special town meeting called by the Board of Selectmen pursuant to the request of at least two hundred registered voters of the Town pursuant to Massachusetts General laws Chapter 39, Section 10; and

- C) In those instances where the Board of Selectmen determines that such a question must be placed on the ballot of a special election other than one that coincides with a U.S. Presidential or state biennial election, the Selectmen shall hold a public hearing at which the reasons for having to place the question on the ballot of a special election to be held on such other date will be presented.”

AMENDMENT:

Carla Howell moved and was duly seconded that the Town vote to remove the words “except in instances, if any, when a different date is required for a special town meeting called by the Board of Selectmen pursuant to the request of at least two hundred registered voters of the Town pursuant to Massachusetts General laws Chapter 39, Section 10” from the motion.

The Moderator ruled that the amendment was out of order.

MOTION TO TERMINATE DEBATE:

Judy Bennett moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED: 1ST VOICE VOTE: UNDECIDED
 STANDING COUNT BY MODERATOR: MOTION CARRIED
 SEVEN (7) PERSONS QUESTIONED THE VOTE
 STANDING COUNTED VOTE:
 IN FAVOR: 79
 OPPOSED: 117 MOTION NOT CARRIED

TELLERS:

Marcia Crowley	6 Wayland Hills Rd
Jackson Turner	7 Nob Hill Rd
Steven Allen	7 County Corners Rd
Paul Abramson	4 Hampshire Rd

PROCEDURAL MOTION:

Robert Lentz moved and was duly seconded that the Meeting extend time of adjournment to 11:00 P.M.

VOTED: MOTION CARRIED

ARTICLE 34: AMEND CHAPTER 36 OF CURRENT BY-LAWS (36-1)

Proposed by: Petitioner

To determine whether the Town will vote to amend § 36-1 of the Code of the Town of Wayland, entitled “Annual Town meeting and election,” by deleting said § 36-1 in its entirety and substituting therefor the following new § 36-1:

“§ 36-1. Town meeting and election.

The annual Town meeting shall commence on a day in April ordered by the Selectmen. The election of Town officers and the determination of all matters placed on the official ballot at such election shall take place within seven days, but no fewer than two days, before the annual Town meeting. In addition to the warrant required by MGL c. 39, § 9A, the Selectmen shall cause notice of the time and place(s) of each annual and special Town meeting and each annual and special election (1) to be published in a newspaper of general circulation in Wayland no later than the date fixed by them for the closing of the warrant pursuant to § 36-3 below and (2) to be posted on the four Town sign boards located at the Cochituate Fire Station and the following intersections: Boston Post Road and Old Connecticut Path, Boston Post Road and Cochituate Road, and Cochituate Road and Old Connecticut Path. Such notice shall be posted on the Town sign boards commencing at least two weeks prior to the election and Town meeting and shall remain posted until the election is held and the Town meeting is concluded.”

MOTION:

Linda Segal moved and was duly seconded that the town amend the Code of the Town of Wayland, Chapter 36, as previously adopted by the Town by deleting section 1, ANNUAL TOWN MEETING AND ELECTION, in its entirety and substituting therefor the following new section § 36-1: “Town meeting and election.” The annual Town meeting shall commence on a day in April ordered by the Selectmen. The election of Town officers and the determination of all matters placed on the official ballot at such election shall take place within seven days, but no fewer than two days, before the annual Town meeting. In addition to the warrant required by MGL c. 39, § 9A, the Selectmen shall cause notice of the time and place(s) of each annual and special Town meeting and each annual and special election (1) to be published in a newspaper of general circulation in Wayland no later than the date fixed by them for the closing of the warrant pursuant to §36-3 below and (2) to be posted on the Town sign boards. Such notice shall be posted on the Town sign boards commencing at least two weeks prior to the election and Town meeting and shall remain posted until the election is held and Town meeting is concluded.

MOTION TO TERMINATE DEBATE:

Matthew Shear moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED: 1ST VOICE VOTE: UNDECIDED
 STANDING COUNT BY MODERATOR: MOTION CARRIED

ARTICLE 35: AMEND CHAPTER 36 OF CURRENT BY-LAWS (36-2)

Proposed by: Petitioner

To determine whether the Town will vote to amend § 36-2 of the Code of the Town of Wayland, entitled “Service of warrant,” by adding thereto a second paragraph:

11§ 36-2. Service of warrant. [Amended 10-30-1974 STM by Art. 3; 5-6-1982 ATM by Art. 33; 5-8-1989 ATM by Art. 21; 11-14-1991 STM by Art. 14; 11-13-1996 STM by Art. 2]

“The front cover of the warrant for the annual election and the annual Town meeting, and for any special election and any special Town meeting, shall clearly identify the date, voting hours, and polling places for the election.”

MOTION:

Mark Santangelo moved and was duly seconded that the town amend the Code of the Town of Wayland, Chapter 36, Section 2, SERVICE OF WARRANT, as previously adopted by the Town, by adding thereto a second paragraph as printed on page 83 of the Warrant.

MOTION TO TERMINATE DEBATE:

Richard Turner moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED: MOTION CARRIED

<p>ARTICLE 36: AMEND CHAPTER 36 OF CURRENT BY-LAWS (36-17)</p>

Proposed by: Petitioner

To determine whether the Town will vote to amend Chapter 36 of the Code of the Town of Wayland by adding thereto the following new section:

§ 36-17. Procedures to be followed where attendance exceeds occupancy limits at facility in which meeting is being held.

At any scheduled session of annual or special town meeting where the total number of registered voters present, whether already present in the facility and/or waiting to physically check in and enter the facility, would cause the occupancy limits of the facility to be exceeded, the Moderator shall immediately suspend the proceedings. Prior to continuing such session or adjourning, the Moderator, in consultation with the Board of Selectmen, shall first announce an alternate means or an alternate location and time where all registered voters who wish to be present can enter and fully participate in the proceedings.

MOTION:

Rebecca Butler moved and was duly seconded that the town amend the Code of the Town of Wayland, Chapter 36, as previously adopted by the Town, by adding thereto a new section §36-17 titled “Procedures to be followed where attendance exceeds occupancy limits at facility in which meeting is being held.” At any scheduled session of annual or special town meeting where the total number of registered voters present in the facility would cause the occupancy limits of the facility to be exceeded, the Moderator shall immediately suspend the proceedings. Prior to continuing such session or adjourning, the Moderator, in consultation with the Board of Selectmen, shall first announce an alternate means or alternate location and time where all registered voters who wish to be present can enter and fully participate in the proceedings.

VOTED: MOTION CARRIED

ARTICLE 37: AMEND CHAPTER 58 OF CURRENT BY-LAWS (58-5)

Proposed by: Petitioner

To determine whether the Town will vote to amend Chapter 58 of the Code of the Town of Wayland by adding thereto the following new section:

“§ 58-5. Chairman of the Board of Selectmen.

The Board of Selectmen shall vote to elect from its membership a chairman and a vice chairman, each year, during the month of June. The chairman shall serve at the behest of the Board. The vice- chairman shall act as the chairman during the absence or disability of the chairman. No member of the Board of Selectmen shall serve as chairman for a second consecutive year nor during the last year of a three-year term of office unless a supermajority of all five members of the Board of Selectmen votes to waive these limitations. The chairman’s duties include presiding at meetings of the Board of Selectmen, signing its correspondence, drafting its annual report, drafting the Executive Secretary’s or the Town Administrator’s annual performance evaluation, establishing the agenda for its meetings and any other routine administrative duties delegated to the chairman by vote of the Board of Selectmen. The chairman shall have no greater authority or jurisdiction than any other members of the Board of Selectmen regarding other matters unless so voted by said Board.”

MOTION:

Linda Segal moved and was duly seconded that the Meeting pass over the Article.

VOTED: UANANIMOUSLY IN FAVOR

PROCEDURAL MOTION:

Matthew Shear moved and was duly seconded that the Town vote to continue the Meeting until all articles in the Warrant have been disposed of.

VOTED: MOTION CARRIED

ARTICLE 38: CODIFY ESTABLISHMENT OF LOCAL HISTORIC DISTRICT BY-LAW

Proposed by: Wayland Historic District Commission

To determine whether the Town will vote to codify the existing local historic districts established pursuant to Massachusetts General Laws Chapter 40C by adding the following Chapter to the Code of the Town of Wayland:

Chapter 196
HISTORIC DISTRICTS

ARTICLE I
Establishment of Districts

§196-101. Wayland Historic District; establishment, boundaries.

There is hereby established pursuant to Massachusetts General Laws Chapter 40C and this by-law, an historic district known as the Wayland Historic District. The location and boundaries of the Wayland Historic District are defined and shown on the map entitled “Plan Showing Proposed Historic District Changes in Wayland, Massachusetts 2001 Annual Town Meeting” dated 2-1-2001, which map is attached to and made part of this by-law. This district includes the original district established pursuant to a vote of

the 1965 Annual Town Meeting on March 10, 1965 as shown on a plan entitled "Plan of Proposed Historic District" dated January 19, 1965, and enlarged by vote of the 1966 Annual Town Meeting on March 9, 1966, the 1973 Annual Town Meeting on March 9, 1973, the 1994 Annual Town Meeting on April 28, 1994, the 1995 Annual Town Meeting on May 1, 1995, the 2000 Annual Town Meeting on April 27, 2000 and the 2001 Annual Town Meeting on April 26, 2001. Said plan is recorded as plan number 1036 of 2001 in the Middlesex County Registry of Deeds.

§196-101. Bow Road Historic District; establishment, boundaries.

There is hereby established pursuant to Massachusetts General Laws Chapter 40C and this by-law, an historic district known as the Bow Road Historic District, bounded and described as shown on the map entitled, "Plan of Land in Wayland, Massachusetts showing Bow Road Historic District," dated September 25, 2003, which map is attached to and made part of this by-law. Said plan is recorded as plan number 1208 of 2003 in the Middlesex County Registry of Deeds.

MOTION:

Christopher Hagger moved and was duly seconded that the Town codify the existing local historic districts established pursuant to Massachusetts General Laws Chapter 40C by adding a new Chapter to the Code of the Town of Wayland entitled "Chapter 196 HISTORIC DISTRICTS" as printed in pages 87 and 88 of the Warrant.

VOTED: MOTION CARRIED

ARTICLE 39: CURRENT DEBT IN EVERY ANNUAL REPORT
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Proposed by: Petitioner

To determine whether the Town will vote to amend § 53-1 of the Code of the Town of Wayland, entitled "Annual reports", by adding a new second paragraph: "Every Annual Report shall contain a section entitled 'Current Debt', which shall provide the following information for the debt funded by the Town, with debt remaining and/or with as yet unfunded grants from the Commonwealth or the Federal Government: (1) name of the debt (2) funds appropriated by identified town meeting article(s), (3) cumulative funds expended at fiscal year-end, (4) cumulative interest paid at fiscal year end, and (5) anticipated final cost to the Town, including principal and interest after receipt of funded grants, if any, and date when all financing will have been paid off or otherwise completed."

MOTION:

George Harris moved and was duly seconded that the Town vote to amend § 53-1 of the Code of the Town, entitled "Annual reports" by adding a new second paragraph as in the words of the Article.

MOTION TO TERMINATE DEBATE:

Roderick Fletcher moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED: 1ST VOICE VOTE: UNDECIDED
 STANDING COUNT BY MODERATOR: UNDECIDED
 STANDING COUNTED VOTE:
 IN FAVOR: 55
 OPPOSED: 47 MOTION CARRIED

TELLERS:

Marcia Crowley	6 Wayland Hills Rd
Margaret Patton	43 Plain Rd
Steven Allen	7 County Corners Rd
Paul Abramson	4 Hampshire Rd

MOTION:

Rebecca Butler moved and was duly seconded that the Town reconsider the vote under Article 39 and change the words "Current Debt" to "Total Debt."

VOTED: MOTION NOT CARRIED

ARTICLE 40: REPORTING CHANGE OF ASSESSED VALUATIONS OF REAL PROPERTY TO OWNERS

Proposed by: Petitioner

To determine whether the Town will vote to amend 19-8 of the Code of the Town Wayland, entitled "Board of Assessors," by adding thereto a new paragraph E.

1. After the Board of Assessors has made a decision concerning a taxpayer's abatement request of change of real property assessment, included with the decision, on the form provided by the state that is sent to the taxpayer, will be notice of any change in the data on that property record card and the dollar effect in assessment for each change in the section that states "reason for abatement".
2. If the Board of Assessors deems a change in the property record card's market data, either as a result of a visit to a property in Wayland that takes place once every decade to be sure that information on the property record card is accurate, or the visit is the result of a sale of, or a renovation to a property, or as a result of sales since the last town-wide revaluation (such as, but not limited to a change in assessment neighborhood) that data change shall be reported to the real property owner at the time that the new data will cause a change in the assessed value of said property.

When the assessed valuation of a property changes, as occurs at an annual, biannual, or tri-annual town-wide revaluation, the town shall make the following information available at the Assessor's desk and on the Town website in table form: all of the influence factors that the Board of Assessors uses to value real property in Wayland such as, but not limited to: style of house, age, grade, value per square foot, CDU (condition/desirability/utility rating), heating type, fuel, heating system, finished basement living area, porches, open porches, wood decks, story height, swimming pool, barn, tennis court, traffic influence. For each of these each level of assessed value, both current and prior will be indicated. These statistical data shall be put to three decimal points, when applicable, even if more than that number are used in the actual formula.

3. Additionally, available at the desk and on the Town website shall be: a general description of the valuation algorithm, definition of special terms, and a detailed description of the specific implementation.
4. When the assessed valuation of a property changes as occurs at an annual, bi-annual, or tri-annual town-wide revaluation, the town shall make the following information available at the Assessor's desk and on the Town website: a table displaying the prior and new town-wide land valuations by assessment neighborhood with a map identifying and displaying all assessment neighborhoods.

MOTION:

Marcia Malmfeldt moved and was duly seconded to amend 19-8 of the Code of the Town of Wayland, entitled "Board of Assessors," by adding thereto a new paragraph E as shown in the printed warrant with

the following corrections, adjustments, and clarifications:

In the paragraph numbered "1.": delete the comma after "included with the decision;" insert the words "where applicable" and a comma after "sent to the taxpayer;" and insert the word "approximate" before "dollar effect."

In paragraph numbered "2.": insert the word "appropriate" after "deems."

In the next paragraph, which is unnumbered: replace the last two sentences with "All pertinent constants and coefficients shall be stated."

In the paragraph numbered "4.": replace "town-wide land valuations" with "land valuation factors."

MOTION TO TERMINATE DEBATE:

Richard Turner moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED: MOTION CARRIED

ARTICLE 43: ADMINISTRATIVE FEES FOR THE COMMUNITY PRESERVATION COMMITTEE

Proposed by: Board of Selectmen and Community Preservation Committee Estimated Cost: \$10,000

To determine whether the town will vote to appropriate and transfer a sum of money from the Community Preservation Fund to be expended by the Community Preservation Committee for its administrative and operating expenses.

MOTION:

Douglas Leard moved and was duly seconded that the Town appropriate and transfer \$10,000. from the Community Preservation Fund to be expended by the Community Preservation Committee for its administrative and operating expenses.

VOTED: MOTION CARRIED

ARTICLE 44: SELL OR TRADE VEHICLES AND EQUIPMENT

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to sell or otherwise dispose of the following 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>
Board of Road Commissioners	Ford one-ton dump truck	1992
Board of Road Commissioners	Ford two-wheel drive utility truck	1995
Board of Road Commissioners	Ingersoll Rand Compressor	1974
Board of Health	Ford Crown Victoria	1995
Park & Recreation Commission	Chevrolet Kodiak Dump Truck	1991
Park & Recreation Commission	Ford F150 Pickup Truck	1987
Park & Recreation Commission	Hustler 295 Lawnmower	1983

Park & Recreation Commission Hustler 260 Compact Lawnmower 1996

MOTION:

Betsy Connolly moved was duly seconded that the Town authorize the Board of Selectmen to sell or otherwise dispose of the following surplus vehicle and equipment in connection with the purchase of new vehicles and equipment:

<u>Department</u>	<u>Vehicle/Equipment</u>	<u>Year</u>
Board of Road Commissioners	Ford one-ton dump truck	1992
Board of Road Commissioners	Ford two-wheel drive utility truck	1995
Board of Road Commissioners	Ingersoll Rand Compressor	1974
Board of Health	Ford Crown Victoria	1995
Park & Recreation Commission	Chevrolet Kodiak Dump Truck	1991
Park & Recreation Commission	Ford F150 Pickup Truck	1987
Park & Recreation Commission	Hustler 295 Lawnmower	1983
Park & Recreation Commission	Hustler 260 Compact Lawnmower	1996
Fire Department	Ford Utility Body (Fire Alarm Truck)	1985
Fire Department	Ford Crown Victoria Sedan	1997
Fire Department	Ford E450 Ambulance	1994

VOTED: UNANIMOUSLY IN FAVOR

MOTION TO RECONSIDER:

Marcia Malmfeldt moved and was duly seconded that the Meeting reconsider Article 33.

VOTED: MOTION NOT CARRIED

ARTICLE 45: ACCEPT GIFTS OF LAND

Proposed by: Board of Selectmen

To determine whether the Town will vote to accept real property or interests in real property which have been tendered to it as a gift, by devise, or otherwise.

MOTION:

Douglas Leard moved and was duly seconded that the Town encourage residents to consider a tax-deductible donation of land to the Town for conservation purposes and thank those who have made such donations.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 46: AUTHORIZE TREASURER TO BORROW

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow monies from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2004, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 4 and Chapter 849 of the Acts of 1969, both as amended, and to issue a note or notes therefor, payable within

one year, and to renew any note or notes that may be given for a period of less than one year in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 17, as amended.

MOTION:

William Whitney moved and was duly seconded that the Town authorize the Treasurer, with the approval of the Board of Selectmen, to borrow monies from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2004, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 4, and Chapter 849 of the Acts of 1969, both as amended, and to issue a note or notes therefor, payable within one year, and to renew any note or notes that may be given for a period of less than one year in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 17, as amended.

VOTED: UNANIMOUSLY IN FAVOR

The Moderator recognized the sound crew and WAYCAM volunteers:

WAYCAM

Jim Mullane
Thomas J. Turner
Richard P. Turner
Matthew Shear
William J. Kaplan
Maris Joniec

SOUND CREW

Albie Cincotti
Jeff Wadsworth
Joshua Wise
Will Bennett
Kevin Racine

The Meeting adjourned at 11:45 P.M. sine die.

Attendance: 220

**TOWN OF WAYLAND
SPECIAL TOWN MEETING 2004**

DATE:

Wednesday, May 5, 2004
Monday, May 10, 2004

ARTICLES DISPOSED OF:

1 – 6, 8
7, 9 – 16

RETURN OF SERVICE**MIDDLESEX, s.s.****APRIL 13, 2004**

I, Christopher Hanlon, duly qualified Constable of the Town of Wayland, do hereby affirm and certify that I have posted the specimen of the Official Ballot for the Annual Town Election to be held on Tuesday, April 27, 2004, together with the Warrant for the Annual Town Meeting to be held on Thursday, April 29, 2004, and the Special Town Meeting to be held on May 5, 2004, by my posting copies thereof at the Wayland Town Building, Cochituate Post Office, Wayland Library and the Happy Hollow School, by posting seven (7) days at least before the date appointed for the posting of the Warrant for the Annual Town Election and the Annual Town Meeting and fourteen (14) days at least before the date appointed for the posting of the Warrant for the Special Town Meeting. Posting was done April 13, 2004.

VOTES ENACTED:**WEDNESDAY, MAY 5, 2004 AT THE WAYLAND HIGH SCHOOL FIELD HOUSE****C. PETER R. GOSSELS, MODERATOR:**

Pursuant to the Warrant dated April 12, 2004 signed by Betsy E. Connolly, Mary M. Antes, Douglas J. Leard, William D. Whitney, and Brian T. O’Herlihy, Selectmen, served and return of service given by Christopher Hanlon, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at Town Meeting met this day at Wayland High School Field House; and at 8:05 P.M. the Moderator called the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

ARTICLE 1: ACQUIRE FORMER NIKE SITE LAND ON OXBOW ROAD

Proposed by: Board of Selectmen; Community Preservation Committee; Wayland Housing Authority; Wayland Housing Partnership; Park & Recreation Commission; Conservation Commission; and Planning Board

To determine whether the Town will vote:

- (a) to authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift or otherwise, for municipal purposes including, and limited to, housing, conservation, park, passive and active recreation, and any combination of such purposes, the fee or any lesser interest in all or any part of the parcel of land owned by the United States of America located on Oxbow Road, Wayland, Massachusetts and described in a judgment recorded with the Middlesex South Registry of Deeds in Book 8297, Page 121, containing 14 acres, more or less (exclusive of any portion of such land that is located in Lincoln, Massachusetts) (the “Site”);
- (b) to authorize the Board of Selectmen to contract with one or more outside vendors to secure the Site, to remove the materials located on the Site, and to remove or in-fill existing structures located on the Site;

- (c) to authorize the Board of Selectmen, in consultation with other interested parties, including, but not limited to, the Wayland Housing Partnership and Wayland Housing Authority, to prepare, design, and development guidelines and pursue a plan for the development, by the Town or a not-for profit or for-profit private developer, of up to sixteen (16) housing units on no more than 3.5 acres of the Site, with a priority given to the development of affordable housing units (within the meaning of the Commonwealth of Massachusetts - Department of Housing and Community Development's affordability guidelines), with such units designated as affordable through the use of long-term deed restrictions;
- (d) to require the Board of Selectmen to include, in any plan for the ultimate use(s) of the Site, an approximately fifty (50) foot wide buffer around the entire perimeter of the Site (with the exception of the entrance at Oxbow Road) that is designated for conservation and pedestrian trail use in perpetuity ("Conservation and Trail Land");
- (e) to authorize the Board of Selectmen, in consultation with other interested parties, including, but not limited to, the Conservation and Park & Recreation Commissions, to pursue a plan for the development, by the Town, of a handicapped accessible trail that spans the entire length of, and is located entirely within, the Conservation and Trail Land; which land and trail shall be held in the care, custody, management and control of the Conservation Commission;
- (f) appropriate \$500,000. to be expended by the Board of Selectmen for the acquisition of said land, or interest therein, to secure the Site and for the demolition and removal of material located on the Site and the removal or in-filling of existing structures located on the Site; and
- (g) provide for said appropriation by transferring from the Community Preservation Fund, or, if needed, by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth, the Federal Government or other entities or agencies, by borrowing, or otherwise.

MOTION:

Brian O'Herlihy moved and was duly seconded that the Town

- a) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift or otherwise, for municipal purposes including, and limited to, housing, conservation, park, passive and active recreation, and any combination of such purposes, the fee or any lesser interest in all or any part of the parcel of land owned by the United States of America located on Oxbow Road, Wayland, Massachusetts and described in a judgment recorded with the Middlesex South Registry of Deeds in Book 8297, Page 121, containing 14 acres, more or less, exclusive of any portion of such land that is located in Lincoln, Massachusetts (the "Site");
- b) authorize the Board of Selectmen to contract with one or more outside vendors to secure the Site, to remove the materials located on the Site, and to remove or in-fill existing structures located on the Site;
- c) authorize the Board of Selectmen, in consultation with other interested parties, including, but not limited to, the Wayland Housing Partnership and Wayland Housing Authority, to prepare design and development guidelines and pursue a plan for the development, by the Town or a not-for profit or for-profit private developer, of up to sixteen (16) housing units on not more than 3.5 acres of the Site, with a priority given to the development of

affordable housing units within the meaning of the Commonwealth of Massachusetts Department of Housing and Community Development's affordability guidelines (the "Affordability Guidelines"), with such units designated as affordable through the use of long-term deed restrictions;

- d) require the Board of Selectmen to include, in any plan for the ultimate use(s) of the Site, an approximately fifty (50) foot wide buffer around the entire perimeter of the Site, except for the entrance at Oxbow Road, that is designated for conservation and pedestrian trail use in perpetuity ("Conservation and Trail Land");
- e) authorize the Board of Selectmen, in consultation with other interested parties, including, but not limited to, the Conservation and Park & Recreation Commissions, to pursue a plan for the development, by the Town, of a handicapped accessible trail that spans the entire length of, and is located entirely within, the Conservation and Trail Land, which land and trail shall be held in the care, custody, management and control of the Conservation Commission;
- f) appropriate \$600,000. to be expended by the Board of Selectmen for the acquisition of said land, or interest therein, to secure the Site and for the demolition and removal of material located on the Site and the removal or in-filling of existing structures located on the Site; and
- g) provide for said appropriation by transferring \$600,000. from the Community Preservation Fund, subject to the following conditions and limitations: (i) up to \$500,000. of the amount so transferred may be expended to acquire the aforesaid portion of the Site for the construction of affordable housing within the meaning of the Affordability Guidelines and to demolish the structures located on such portion of the Site and to prepare it for the construction of such affordable housing ("Affordable Site Preparation Costs"), provided that the Affordable Site Preparation Costs do not exceed \$100,000.; (ii) up to \$100,000. of the amount so transferred may be expended in conjunction with the aforesaid amount so transferred, or separately, for the purposes set forth in Paragraph (b) of this motion; (iii) if the land or interest therein or any portion thereof acquired with such funds is not used for affordable housing within the meaning of the Affordability Guidelines, then the funds attributable to any portion of the Site acquired for such affordable housing purposes and not so used and any related Affordable Site Preparation Costs shall be returned to the Community Preservation Fund; and (iv) moreover, any amounts so transferred which are unexpended or otherwise not used for the purposes set forth in this motion shall be returned to the Community Preservation Fund.

PROCEDURAL MOTION:

Patricia Abramson moved and was duly seconded to extend debate on Article 1 by an additional thirty minutes.

VOTED ON PROCEDURAL MOTION: MOTION NOT CARRIED

VOTED: 1ST VOICE VOTE: UNDECIDED
 COUNTED VOTE: IN FAVOR: 287
 OPPOSED: 116 MOTION CARRIED

TELLERS

Judith Currier	22 Algonquin Path
Robert Hatton	11 Grace Rd
Paul Greiff	2 Cameron Rd
Jane Stabile	120 Commonwealth Rd
Vasileos Pavloglou	16 Highland Cir
John Wilson	8 Lincoln Rd

ARTICLE 2: FUND ACQUISITION COSTS FOR PART OF NIKE SITE FOR AFFORDABLE HOUSING

Proposed by: Community Preservation Committee

Estimated Cost: \$500,000.

To determine whether the Town will vote to appropriate a total of \$500,000. to be expended by the Board of Selectmen for the purposes of (i) acquiring no more than 3.5 acres of the parcel of land owned by the United States of America located on Oxbow Road, Wayland, Massachusetts and described in a judgment recorded with the Middlesex South Registry of Deeds in Book 8297, Page 121, containing 14 acres, more or less (exclusive of any portion of such land that is located in Lincoln, Massachusetts) ("Lot 2"), to be used for the construction of community (affordable) housing units, and (ii) demolishing the structures located on Lot 2 and preparing the site for the construction of the housing units, provided that such demolition and site preparation costs do not exceed \$100,000.; and to determine whether such appropriation shall be provided by funds already collected through the Community Preservation Act, provided that if the Town is unable, for any reason, to construct the housing units, any proceeds (up to \$500,000) from a subsequent sale of Lot 2, or any portion thereof, shall be returned to the Wayland Community Preservation Fund upon receipt by the Town.

MOTION:

Michael Patterson moved and was duly seconded that the Town pass over the article.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 3: PARTIAL FUNDING FOR NIKE SITE CLEAN UP
--

Proposed by: Community Preservation Committee

Estimated Cost: \$100,000.

To determine whether the Town will vote to appropriate and transfer from the Community Preservation Fund a sum of money to be expended by the Board of Selectmen for site preparation and demolition and removal of structures and materials on the so-called Nike Site located on and off Oxbow Road in Wayland, Massachusetts containing 13.63 acres of land, more or less, described in a judgment recorded with the Middlesex South Registry of Deeds in Book 8297, Page 121.

MOTION:

Michael Patterson moved and was duly seconded that the Town pass over the article.

VOTED: UNANIMOUSLY IN FAVOR

<p>ARTICLE 4: SET ASIDE COMMUNITY PRESERVATION FUNDS FOR FUTURE OPEN SPACE ACQUISITION</p>

Proposed by: Community Preservation Committee/Conservation Commission Estimated Cost: \$600,000.

To determine whether the Town will vote to set aside for later spending a sum of money in the Community Preservation Fund for the future acquisition of land or interest in land for open space for passive use.

MOTION:

Michael Patterson moved and was duly seconded that the Town set aside for later spending \$600,000. in the Community Preservation Fund for the future acquisition of land or interests in land for open space for passive use.

VOTED: 1ST VOICE VOTE: SCATTERING OF NOES
2ND VOICE VOTE: MOTION CARRIED

<p>ARTICLE 5: ACQUISITION OF NIKE SITE FOR PASSIVE RECREATION</p>
--

Proposed by: Petitioner

To determine whether the Town will vote to authorize the Board of Selectman, with the approval of the Town Counsel as to form, to acquire by purchase for nominal consideration, gift, or otherwise the parcel of land in Wayland, Massachusetts located on and off Oxbow Road in Wayland containing 13.63 acres of land, more or less, described in a judgment recorded with the Middlesex South Registry of Deeds in Book 8297, page 121, less any portion thereof in Lincoln, for conservation, passive recreation, parks, open space or any combination of such uses; appropriate a sum of money to be expended by the Board of Selectman for the acquisition of said parcel of land and for the demolition and removal of structures and other material located on and under said parcel of land; and to determine whether said appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, from grants received from the Commonwealth or Federal Government, donations, or otherwise.

MOTION:

Brian O'Herlihy moved and was duly seconded that the Town vote to pass over the article.

VOTED: UNANIMOUSLY IN FAVOR

<p>ARTICLE 6: CONSERVATION EASEMENT ASSIGNMENT ON NIKE SITE</p>
--

Proposed by: Petitioner

To determine whether the Town will vote to authorize the Board of Selectmen and/or the Conservation Commission, with approval of Town Counsel as to form, to enter into an agreement with the present owners, United States of America 300 Westgate Center Drive Hadley MA 01035-9589, (Grantor), of the property know as the Nike site on Oxbow Road, Map 01 Lot047 Book 8297 Page00121 Date July 28, 1954, to establish and grant to the inhabitants of the Town of Wayland, a Massachusetts municipal corporation, having a mailing address Town Building 41 Cochituate Road Wayland MA 01778, (Grantee), in the care and custody of the Wayland Conservation Commission pursuant to Massachusetts General Laws, Chapter 40 Section 8C, with Quit Claim Covenants, the perpetual right and easement to use that portion of the property land located off Oxbow Road in Wayland, Middlesex County, Massachusetts, shown as the area labeled "Conservation Easement Area = 3.5 acres +/-, on the sketch

attached hereto as Appendix T (“the Conservation Area”) for all purposes consistent with the promotion and development of the natural resources of the Town and which are consistent with “Rules and Regulations governing the use of Conservation Land in the Town of Wayland” as adopted by the Wayland Conservation Commission and as may be amended from time to time for which conservation land, i.e., Town-owned land under the control and custody of the Conservation Commission, is now or may hereafter be allowed in the Town of Wayland, including without limitation the promotion and development of the natural resources of the Town; passive recreation such as walking, hiking, cross country skiing, snow shoeing, and the occasional pruning, trimming, planting of shrubs and trees incidental to woodland trail maintenance.

Notwithstanding anything to the contrary herein contained the Conservation Easement is subject to the following:

The Conservation Easement hereby granted shall be for use and benefit of the Town of Wayland and its agents, employees, guests, invitees and other parties to whom Grantee may give rights to so use the Conservation Easement.

The Conservation Commission, (Grantee), shall have the right to develop and maintain pedestrian trails, walkways and handicap accessible pathways consistent with a conservation management plan, as may be adopted by and changed from time to time by the Wayland Conservation Commission.

Grantee shall not permit any loam, peat, sand, gravel, rock or other mineral resource or natural deposit to be excavated or removed from the Conservation Easement Area in such a manner as would affect the surface thereof, except as may be consistent with or incidental to the purposes of the Conservation Easement.

The Conservation Commission, (Grantee), shall not allow or not permit in the Conservation area any active recreational use, including, without limitation, any motorized sports vehicles, such as snowmobiles, all terrain vehicles, race cars, any hunting, discharge of firearms or other projectiles, any archery or use of bow and arrows, any camping, except that Grantee may use motor vehicles to maintain and otherwise manage and enjoy the Conservation Easement; and

With reference only to Grantee’s use or activity hereunder, Grantee shall not allow in the Conservation Easement Area any use or activity which would derogate from the provisions of M.G.L. Chapter 184, Section 31 through 33.

The Conservation Easement area shall hereafter in perpetuity be known as the **OXBOW – BIRCHWOOD** Conservation area and Grantee agrees to designate the Conservation Easement area in its records. Grantor and Grantor’s successors and assigns shall have the perpetual right to include the entire Conservation Easement area with respect to all or any part of the remaining land owned by Grantor and shown on “Appendix T” in any computation of lot area, yard area, set-back distance or any other computation (“land use computations”) required or permitted under zoning by-law, subdivision control law, or other governmental rule, regulation, law, ordinances, permit, or approval.

MOTION:

William Murphy moved and was duly seconded that the Town vote to authorize the Board of Selectmen and/or the Conservation Commission, with the approval of Town Counsel as to form, to enter into an agreement as in the words of the Article on Pages 102 and 103 of the Warrant.

AMENDMENT TO MAIN MOTION:

Brian O’Herlihy moved and was duly seconded to strike the main motion by substituting with a motion to pass over the Article.

VOTED ON THE AMENDMENT TO MAIN MOTION: MOTION CARRIED

PROCEDURAL MOTION:

Brian O'Herlihy moved and was duly seconded to take Article 8 out of order.

VOTED: 1ST VOICE VOTE: UNDECIDED
2ND VOICE VOTE: MOTION CARRIED

ARTICLE 8: REPRINT THE PURITAN VILLAGE EVOLVES

Proposed by: Petitioner

Estimated Cost: \$5,000.

To determine whether the Town will vote to reprint 200 copies of Helen F. Emery's The Puritan Village Evolves, the only published history of Wayland, Massachusetts. The initial cost to the Town of \$5,000 will be returned to the Town through sales of the book.

MOTION:

Jane Sciacca moved and was duly seconded that the Town (a) reprint 200 copies of Helen F. Emery's The Puritan Village Evolves; (b) appropriate \$5,000. to be expended by the Board of Selectmen for such reprinting; and (c) provide for said appropriation by transferring \$5,000. from the General Fund – Unreserved Fund Balance.

VOTED: MOTION CARRIED

PROCEDURAL MOTION:

Brian O'Herlihy moved and was duly seconded that the Meeting vote to adjourn Special Town Meeting until Monday, May 10, 2004 at 7:45 P.M.

MOTION TO TERMINATE DEBATE:

Mark Santangelo moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON PROCEDURAL MOTION: MOTION CARRIED BY 2/3 MAJORITY

The Meeting adjourned at 10:05 P.M. until May 10, 2004 at 7:45 P.M.

Attendance: 437

VOTES ENACTED:

MONDAY, MAY 10, 2004 AT THE WAYLAND HIGH SCHOOL FIELD HOUSE

C. PETER R. GOSSELS, MODERATOR:

Pursuant to the Warrant dated April 12, 2004 signed by Betsy E. Connolly, Mary M. Antes, Douglas J. Leard, William D. Whitney, and Brian T. O'Herlihy, Selectmen, served and return of service given by Christopher Hanlon, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at

Town Meeting met this day at Wayland High School Field House; and at 7:50 P.M. the Moderator called the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

The Moderator, a retiree of the Town, stepped down from moderating Article 7.

PROCEDURAL MOTION:

Sema Faigen moved and was duly seconded to nominate Judith L. St. Croix, Town Clerk, to be the Temporary Moderator for Article 7 of the Special Town Meeting.

VOTED: UNANIMOUSLY IN FAVOR

PROCEDURAL MOTION:

Mark Santangelo moved and was duly seconded to nominate Lois M. Toombs, Assistant Town Clerk, to be the Temporary Clerk for Article 7 of the Special Town Meeting.

VOTED: UNANIMOUSLY IN FAVOR

Judith L. St. Croix, Moderator:

<p>ARTICLE 7: ACCEPT LAW RE: TRANSFER OF RETIREES TO MEDICARE EXTENSION PLAN</p>
--

Proposed by: Board of Selectmen

To determine whether the Town will vote to accept the provisions of Massachusetts General Laws Chapter 32B, Section 18.

MOTION:

Betsy Connolly moved and was duly seconded that the Town accept the provisions of Massachusetts General Laws Chapter 32B, Section 18.

AMENDMENT:

James Forti moved and was duly seconded to amend the main motion by substituting the words "to pass over Article 7".

MOTION TO TERMINATE DEBATE:

Eleanora West moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON AMENDMENT: MOTION CARRIED

C. Peter R. Gossels, Moderator:

ARTICLE 9: INTER-LOCAL MUNICIPAL COOPERATION AGREEMENT

Proposed by: Board of Selectmen

To determine whether the Town will vote to pursuant to General Laws Chapter 40, Section 4A, as amended, to authorize the Board of Selectmen to enter into an agreement or agreements with other communities which will, among other things, allow for contracting of inter-local municipal services and the sharing of resources.

MOTION:

William Whitney moved and was duly seconded that the Town authorize the Board of Selectmen to enter into an agreement or agreements pursuant to General Laws Chapter 40, Section 4A, as amended.

AMENDMENT:

Anette Lewis moved and was duly seconded to amend the motion by adding the words “or a Board, Committee or Officer otherwise authorized by law” after the words “Board of Selectmen.”

POINT OF ORDER:

Brian O’Herlihy inquired as to whether the amendment was within the scope of the Article.

The Moderator ruled the amendment was in order.

AMENDMENT TO AMENDMENT:

Susan Weinstein moved and was duly seconded that the words “in concurrence with an affected Board, Committee or Officer otherwise authorized by law” be added after the words “Board of Selectmen.”

VOTED ON AMENDMENT TO AMENDMENT: MOTION CARRIED

MOTION TO TERMINATE DEBATE:

Perry Smoot moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON MAIN MOTION AS AMENDED:

1ST VOICE VOTE: UNDECIDED

STANDING COUNT BY MODERATOR: MOTION CARRIED

ARTICLE 10: RELOCATE DRAINAGE EASEMENT AT 49 FORTY ACRES DRIVE

Proposed by: Board of Selectmen

To determine whether the Town will vote:

- (a) to instruct the Board of Road Commissioners, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of all or any portion of the drainage easement on 49 Forty Acres Drive, Wayland, Massachusetts, shown as “20’ WIDE DRAIN EASEMENT” on a plan entitled “Forty Acres Estate Subdivision Plan of Land on Cochituate Road in Wayland Mass.,” dated April 14, 1961, prepared by Everett M. Brooks Co., Civil Engineers, and recorded with the Middlesex South Registry of Deeds as Plan No. 1509 of 1961 in Book 9911, Page 105, to the Board of Selectmen for the purpose of releasing, conveying, transferring, exchanging or otherwise disposing of all or any portion of said easement in exchange for a substantially similar drainage easement;

- (b) to authorize the Board of Selectmen, with the approval of Town Counsel as to form, to release, convey, transfer, exchange or otherwise dispose of all or any portion of the drainage easement described in Paragraph (a) above in exchange for a substantially similar drainage easement shown as "Proposed 20' Wide Drain Easement" on a plan entitled "Plot Plan of Land in Wayland, Ma. Prepared For: Philip Whaley", dated February 17, 2004, prepared by Schofield Brothers of New England, Inc., a copy of which plan is on file in the Office of the Town Clerk; and
- (c) to authorize the Board of Selectmen, with the approval of Town Counsel as to form, to execute and record all necessary and appropriate documents to effectuate the release, conveyance, transfer, exchange or other disposition of all or any portion of the drainage easement as described in Paragraph (a) above in exchange for a substantially similar drainage easement described in Paragraph (b) above, provided that the owner of said 49 Forty Acres Drive pays the Town's costs of said transaction.

MOTION:

Brian O'Herlihy moved and was duly seconded that the Town vote to instruct the Board of Road Commissioners, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of all or any portion of the drainage easement on 49 Forty Acres Drive, Wayland, Massachusetts as in the words of the Article.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 11: AMEND TOWN CODE SECTION 36-3C, SUBMISSION OF WARRANT ARTICLES
--

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend the Town Code, Section 36-3C, "Submission of Warrant Articles," by deleting therefrom the words "before the time and date fixed by the Board of Selectmen for closing of the warrant for such meeting." and replacing them with the following: "by 4:30 p.m. on the date fixed by the Board of Selectmen for closing of the warrant for such meeting."

MOTION:

William Whitney moved and was duly seconded that the Town amend the Town Code, Section 36-3C, "Submission of Warrant Articles," by deleting therefrom the words "before the time and date fixed by the Board of Selectmen for closing of the warrant for such meeting." and replacing them with the following: "by 4:30 P.M. on the date fixed by the Board of Selectmen for closing of the warrant for such meeting."

VOTED: 1ST VOICE VOTE: UNDECIDED
2ND VOICE VOTE: MOTION CARRIED

ARTICLE 12: ESTABLISH A NEW BY-LAW REQUIRING PROMPT REMOVAL OF UTILITY POLES

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend the Code of the Town of Wayland by adding to Chapter 158 thereof the following a new by-law, relative to the prompt removal of utility poles:

**ARTICLE V
Removal of Utility Poles**

§158-13. Prompt Removal of Utility Poles. In accordance with the provisions of Section 34B of Chapter 164 of the Massachusetts General Laws, an electric distribution company or telephone company engaging in the removal of an existing pole and the installation of a new pole in place thereof shall complete the transfer of wires, all repairs and the removal of the existing pole from the site within 90 days from the date of installation of the new pole or within 90 days from the effective date of this by-law, whichever is later; provided, however, that for any approved commercial or industrial construction project, the completion of which is expected to take longer than one year, said company shall be required to remove such existing pole within six months from the date of installation of the new pole. The owner of such pole shall notify all other users of the pole of the starting date of such removal and installation work at least 48 hours prior to the commencement of such work, and said owner shall require all other users to remove their wiring and other attachments from the poles in a timely manner. As used herein, the term “owner” shall mean the entity owning or having majority ownership of any such pole.

§158-14 Penalties for Violations. Violations of the terms of this by-law provision shall be punishable by a penalty of one hundred dollars per pole for each pole for each day of violation. This section of the By-Laws may be enforced by a non-criminal citation pursuant to the provisions of Massachusetts General Laws, Chapter 40, Section 21D, by any police officer of the Town, the Building Commissioner or the Director of Highway Operations.

MOTION:

Douglas Leard moved and was duly seconded that the Town amend the Code of the Town of Wayland by adding to Chapter 158 thereof a new Article V relative to the prompt removal of utility poles as in the words of the article.

VOTED: MOTION CARRIED

ARTICLE 13: AMEND BY-LAW RE: FALSE ALARMS
--

Proposed by: Board of Selectmen

To determine whether the town will vote to amend the Code of the Town of Wayland by deleting from Chapter 83, §83-2, Paragraph A (2) thereof the words “and subsequent false alarms,” and inserting in place thereof “false alarm, and one hundred dollars for the sixth and subsequent false alarms.”

MOTION:

Douglas Leard moved and was duly seconded that the Town amend the Code of the Town of Wayland by deleting from Chapter 83, §83-2, Paragraph A (2) thereof the words “and subsequent false alarms,” and inserting in place thereof “false alarm, and one hundred dollars for the sixth and subsequent false alarms.”

AMENDMENT:

Susan Weinstein moved and was duly seconded to add the word “each” after the words “sixth and.”

VOTED ON AMENDMENT: MOTION CARRIED

VOTED ON MAIN MOTION AS AMENDED: UNANIMOUSLY IN FAVOR

ARTICLE 14: CONNECTION OF PUBLIC LIBRARY TO TOWN SEWER SYSTEM

Proposed by: Board of Library Trustees

Estimated Cost: \$ 11,950.

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Library Trustees for the connection of the Public Library located at 5 Concord Road, Wayland, Massachusetts to the Town-owned wastewater management system controlled and managed by the Wastewater Management District Commission; and to determine whether said appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

MOTION:

Lynn Lipcon moved and was duly seconded that the Town appropriate \$11,950. to be expended by the Board of Library Trustees for the connection of the Public Library located at 5 Concord Road, Wayland, Massachusetts to the Town-owned wastewater management system controlled and managed by the Wastewater Management District Commission; and that said appropriation be provided by authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow \$11,950. pursuant to the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8, for the aforesaid purpose.

AMENDMENT:

William Whitney moved and was duly seconded that the Town amend the motion by substituting the words “for the” with the words “to enable the future connection of the library.”

VOTED ON AMENDMENT: UNANIMOUSLY IN FAVOR

VOTED ON MAIN MOTION AS AMENDED: UNANIMOUSLY IN FAVOR

ARTICLE 15: LENGTH OF CONTRACT AND INDEMNIFICATION OF TREATMENT PLANT OPERATOR

Proposed by: Wastewater Management District Commission

To determine whether the Town will vote to authorize the Wayland Wastewater Management District Commission to :

- (a) enter into service contracts with terms exceeding three years; and
- (b) enter in an agreement indemnifying its treatment plant operator against claims to the extent due to the negligence of the Town or to the extent due to events beyond the control of the operator.

MOTION NO 1:

Lana Carllson Irwin moved and was duly seconded that the Town authorize the Wayland Wastewater Management District Commission to enter into service contracts with terms exceeding three years.

VOTED ON MOTION NO. 1: MOTION CARRIED

MOTION NO. 2:

Lana Carllson Irwin moved and was duly seconded that the Town enter into an agreement indemnifying its treatment plant operator against claims to the extent due to the negligence of the Town or to the extent due to events beyond the control of the operator.

AMENDMENT NO MOTION NO. 2:

George Harris moved and was duly seconded that the Town amend the motion by adding the words “but not against claims pursued by the Town against the operator or claims by the operator against the Town” at the end of the motion.

PROCEDURAL MOTION:

Robert Lentz moved and was duly seconded that the Town vote to extend the time of adjournment until 11:00 P.M.

VOTED: MOTION NOT CARRIED

PROCEDURAL MOTION:

Karl Geiger moved and was duly seconded that the meeting remain in session until all articles in the Special Town Meeting have been disposed of.

VOTED: MOTION CARRIED

MOTION TO TERMINATE DEBATE:

Robert Lentz moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON AMENDMENT: MOTION CARRIED

VOTED ON MAIN MOTION AS AMENDED: UNANIMOUSLY IN FAVOR

<p>ARTICLE 16: PETITION LEGISLATURE TO ENACT SPECIAL ACT FOR SAFE PLACEMENT OF NEWBORNS AND INFANTS</p>
--

Proposed by: Petitioner

To determine if the Town will vote to authorize the Board of Selectmen to petition the Legislature to enact a Special Act which would provide for safe placement of newborns and infants in the Town of Wayland. Since parents are not protected from prosecution for their abandonment of a newborn or infant, the incidents of newborns discarded into trash receptacles or abandoned in public places will continue to occur. This act would seek to protect the health and safety of any infant child seven (7) days of age or younger by allowing his or her acceptance when placed by parents or lawful agents of parents with authorized employees of designated facilities (“safe havens” such as police, fire stations or hospitals). The authorized employees at such facilities shall make every effort to obtain information about the child and family (in the best interests of the child) while adhering to regulations, including confidentially, and will provide a pamphlet to the parents outlining the process of their rights. (The full text of the proposed home rule petition law is available separately.)

MOTION:

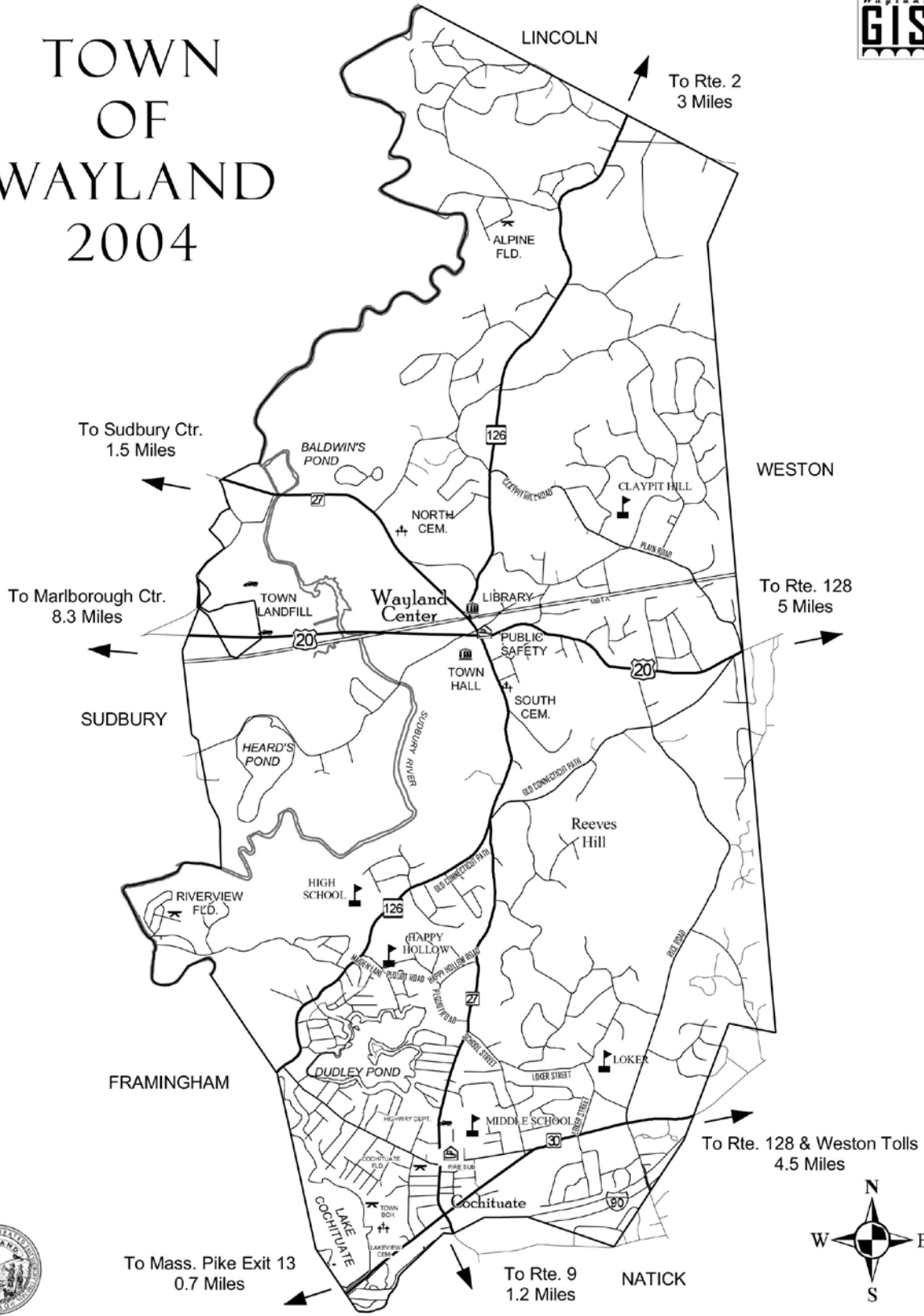
Betsy Connolly moved and was duly seconded that the Town vote to authorize the Board of Selectmen to petition the State Legislature to enact a Special Act which would provide for safe placement of newborns and infants in the Town of Wayland with the provisions and protections for newborns and infants as set forth in page 108 of the Warrant.

VOTED: MOTION CARRIED

The Meeting adjourned at 10:40 P.M. sine die

Attendance: 190

TOWN OF WAYLAND 2004



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Special thanks to MaryAnn DiNapoli for her effort and hard work organizing this report.