

TOWN OF WAYLAND

SPECIAL TOWN MEETING

Sunday, October 3, 2021

ARTICLES DISPOSED OF: 1, 2, 3, 4

OPENING OF THE WARRANT

The Board of Selectmen voted on Monday, August 30, 2021 to open the Warrant for the Special Town Meeting to begin on Sunday, October 3, 2021 at 12:30 p.m. and to open the warrant from Tuesday, August 31, 2021, 8:30 a.m. through September 7, 2021, 4:30 p.m. Pursuant to Chapter 36, section 36-3 of the Code of the Town of Wayland, the deadline for submission of all articles for consideration and inclusion in the warrant, submitted to the Selectmen’s Office in Wayland Town Building at 41 Cochituate Road, Wayland, Massachusetts was Tuesday, September 7, 2021, 4:30 p.m.

RETURN OF SERVICE

Lou Gaglini, duly qualified Constable for the Town of Wayland, affirmed and certified that he posted the Warrant for the Special Town Meeting to be held on Sunday, October 3, 2021, by posting copies thereof at the Wayland Town Building, Cochituate Fire Satiation or the Cochituate Post Office, Wayland Public Library, and Happy Hollow School, by doing so at least seven (7) days before the date appointed for the posting of the Warrant for the Annual Town Election and the Annual Town Meeting. Posting was done on Friday, September 17, 2021.

VOTES ENACTED AT THE ANNUAL TOWN MEETING

Dennis J. Berry, Moderator:

Pursuant to the Warrant signed by Carol B. Martin, Adam Garrett Gutbezahl, Cherry C. Karlson, Thomas Fay, and David V. Watkins, served to the inhabitants of the Town of Wayland qualified to vote at Town Meeting, voters met on Sunday, October 3, 2021 at the Wayland High School Stadium and at 12:35 p.m., the Moderator called the Special Town Meeting to order, declared that a quorum of over 100 voters in attendance was present (294 count), and the Town proceeded to transact the following business:

ARTICLE 1: TOWN CODE SEC. 95.1 MORATORIUM ON SYNTHETIC/ARTIFICIAL TURF
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Proposed by Petitioners

To determine whether the Town will vote to:

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

Town Code § 95.1 Moratorium on Synthetic/Artificial Turf

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

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

"Synthetic/artificial turf" means any of various artificial, synthetic ,or partially synthetic carpet-like materials made to resemble grass, including the infill and liners, used as a surface for athletics, sports, or other recreational activities. The Town of Wayland shall neither install nor authorize or allow the installation of synthetic/artificial turf on any real estate owned by the Town for a period of three years from the effective date of this moratorium.

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

Motion

The Petitioner, Paul B. Dale of 12 Grace Road stated that his motion is to vote identical to the warrant language. He spoke to his motion.

In opposition, Thruston (Brud) Wright, III of 36 Jeffrey Road and co-chair of the recreation commission, spoke in opposition to the motion and (clarified ZBA permit pursuit, permit triggered issues for lighting, no plans/no funds to build and artificial turf field).

In favor of the motion the following voters spoke: Michael Lowery, Board of Public Works, of 120 Lakeshore Drive; David H. Bernstein of 25 Glezen Lane; Judy Ling of 274 Concord Road;

and David V. Watkins of 20 Forty Acres Drive and member of the Board of Selectmen, of behalf of himself.

VOTE on Article 1:

TOWN CODE SEC. 95.1 Moratorium on Synthetic/Artificial Turf

In Favor: 353

Opposed: 77

PASSED (majority vote required)

Dana Aaron, of 34 Rolling Lane questioned regarding consequences and accountability for holding special town meeting. Thomas J. Fay, of 1 Happy Hollow Lane and chair of the Board of Selectmen clarified that special town meeting was scheduled because the requisite number of signatures petitioning such a meeting was obtained and filed.

The Moderator declared the Article disposed of.

ARTICLE 2: GRASS FIELD AT LOKER CONSERVATION & RECREATION AREA DESIGN FEES (AMENDED BY STRIKING SUM OF MONEY NOT TO EXCEED \$125,000 AND ADDING APPROPRIATE \$50,000)

Proposed by: Board of Selectmen, Recreation Commission

Estimated Cost: \$125,000

To determine whether the Town will vote to:

- a) appropriate a sum of money, not to exceed \$125,000, to be expended under the direction of the Wayland Board of Selectmen for the design, permitting, and engineering for the development of a multi-purpose, rectangular, natural grass athletic field at the Loker Recreation site, including, but not limited to, lighting, drainage, landscaping, recreational amenities, irrigation system, and any and all other costs incidental or related thereto; and
- b) determine whether said appropriation should be provided by taxation, transfer from un-appropriated funds, transfer from available funds already appropriated for other purposes, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise. (If borrowing, the article should include standard authorization language for Treasurer and to apply bond premium.)
- c) authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow up to said sum in accordance with Massachusetts General Laws Chapter 44, section 7 and 8 and any other enabling authority, and issue bonds or notes of the Town therefor; and
- d) authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder in accordance with Massachusetts General Laws Chapter 44, section 20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

Motion

Adam Gutbezahl, of 48 Rice Spring Lane and member of Board of Selectmen, moved that the Town vote to appropriate a sum of money, not to exceed \$50,000, by repurposing funds from the balance remaining from previously borrowed funds for the high school stadium project authorized under Article 13 of the 2019 Annual Town Meeting, which project is now complete, to be expended under the direction of the Wayland Board of Selectmen for the design, permitting, and engineering for the development of a multi-purpose, rectangular, natural grass athletic field at the Loker Recreation site, including, but not limited to, lighting, drainage, landscaping, recreational amenities, irrigation system and any and all other costs incidental or related thereto, said funds to supplement funds authorized by the Recreation Commission to be expended from the Recreation Commission Revolving Fund for this purpose.

Mr. Gutbezahl noted that he motion differed from the warrant in two substantial ways. First, he explained that the warrant sought to appropriate a sum not to exceed \$125,000, but his motion notes that the amount not exceed \$50,000. Second, section b), c), and d) were eliminated. Mr. Gutbezahl spoke to his motion.

Motion to Amend the Article to Substitute Recreation Commission for Board of Selectmen

Michael Price Lowery, Board of Public Works, of 120 Lakeshore Drive moved to amend the Article to substitute “Recreation Commission” for Board of Selectmen.”

Mr. Gutbezhal rose to oppose the amendment and deferred to Thruston (Brud) Wright III of 16 Jeffrey Road and co-chair of the recreation commission, to speak in opposition. Mr. Wright, on behalf of himself, spoke in opposition to the amendment.

In support of the Motion, Donna E. Bouchard of 72 Concord Road spoke.

Mr. Gutbezhal spoke in opposition.

Questions were asked by Bill Worstell, 5 Snakebrook Road (number of trees to be cut) and Carole Plumb of 17 Bald Rock Road (who pays out first, town or revolving fund). Mr. Gutbezhal responded.

VOTE on Motion to Amend the Article to Substitute Recreation for Board of Selectmen
In Favor: 168
In Opposition: 268
NOT PASSED

George H. Harris of 8 Holiday Road asked a question to which Mr. Gutbezhal responded.

Motion to Amend the Main Motion to strike “a sum not to exceed” and replace it with “appropriate”

Mr. Gutbezhal noted that the Board of Selectmen had no position on the motion.

Mr. Wright, on behalf of himself, stated that he supported the motion.

Margo Melnicove of 254 Lakeshore Drive asked a question which William Steinberg answered.

VOTE on Motion to Amend the Article to strike “a sum not to exceed” and replace it with “appropriate”

In Favor: 272
In Opposition: 177
PASSED

In opposition to the main motion as amended, the following voters spoke: Thomas V. Maglione of 29 Rice Road and Margaret T. Patton of 43 Plain Road. Mr. Wright spoke in support.

Motion to Terminate Debate

Joseph H. Schwendt II of 149 Pelham Island Road moved to terminate debate.

VOTE to Terminate Debate

In Favor: 364
In Opposition: 82
PASSED

VOTE on Article 2: Grass Field at Loker Conservation & Recreation Area Design Fees (Amended by Striking Sum of Money Not to Exceed \$125,000 and Adding Appropriate \$50,000

In Favor: 327
Opposed: 120
PASSED (majority vote required)

The Moderator declared the Article disposed of.

<p>ARTICLE 3: FEASIBILITY STUDY FOR A GRASS FIELD AT 195/207 MAIN STREET</p>

Proposed by: Board of Selectmen, Recreation Commission
Estimated Cost: \$50,000

To determine whether the Town will vote to:

a) appropriate a sum of money, not to exceed \$50,000, to be expended under the direction of the Board of Selectmen for a feasibility study for a multi-purpose, natural grass athletic playing field at 195 and 207 Main Street, Wayland, Massachusetts, including, but not limited to, lighting,

drainage, landscaping, recreational amenities, irrigation, access and parking areas, and any and all other costs incidental or related thereto; and

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

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

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

Motion

Carol B. Martin, of 42 Lake Road and member of the Board of Selectmen moved that the Town vote to appropriate a sum of money, not to exceed \$1,000, by repurposing funds from the balance remaining from previously appropriated funds authorized under Article 10 of the 2021 Annual Town Meeting, to be expended under the direction of the Wayland Board of Selectmen for a feasibility study for a multi-purpose, natural grass athletic playing field at 195 and 207 Main Street, Wayland, Massachusetts, including, but not limited to, lighting, drainage, landscaping, recreational amenities, irrigation, access and parking areas, and any and all other costs incidental or related thereto, said funds to supplement funds authorized by the Recreation Commission to be expended from the Recreation Commission Revolving Fund for this purpose.

Ms. Martin noted that her motion differed from the written motion, and the warrant, in three ways.

Ms. Martin spoke to her motion.

Questions were asked by Thomas Sciacca of 31 Rolling Lane, Silvia C. Diaz of 104 Willow Brook Drive, and Janot-Reine Mendler Desuarez of 56 Orchard Lane asked questions to which Ms. Martin responded.

Speaking in support of the motion were: Thruston (Brud) Wright III of 16i Jeffrey Road on behalf of himself, Kathleen Mo Taunton-Rigby of 147 Old Connecticut Path, David H. Bernstein of 25 Glezen Lane, Michael Price Lowery, Board of Public Works member, of 120 Lakeshore Drive on behalf of himself, John Sax of 203 Willow Brook Drive, David B. Pearlman of 34 Pequot Road, and Paul B. Dale of 12 Grace Road

Hope G. Podell of 7 Jennison Avenue spoke in opposition.

**VOTE ON ARTICLE 3: FEASIBILITY STUDY FOR A GRASS FIELD
AT 195/207 MAIN STREET**

In Favor: 340
Opposed: 36
PASSED (majority vote required)

The Moderator declared the Article disposed of.

ARTICLE 4: FEASIBILITY STUDY FOR REVIEW OF POTENTIAL THIRD SITE FOR A GRASS FIELD

Proposed by: Board of Selectmen, Recreation Commission
Estimated Cost: \$50,000

To determine whether the Town will vote to:

- a) appropriate a sum of money, not to exceed \$50,000, to be expended under the direction of the Board of Selectmen for a feasibility study to investigate and identify a site for a multi-purpose, natural grass playing field in Wayland, Massachusetts, and those sites to be considered shall include, but not be limited to Greenways, the Route 20 South Landfill, and Orchard Lane/Holiday Road, and
- b) to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise. (If borrowing, the article should include standard authorization language for Treasurer and to apply bond premium.)
- c) authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow up to said sum in accordance with Massachusetts General Laws Chapter 44, section 7 and 8 and any other enabling authority, and issue bonds or notes of the Town therefor; and
- d) authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder in accordance with Massachusetts General Laws Chapter 44, section 20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

Motion

David V. Watkins, of 20 Forty Acres Drive and member of the Board of Selectmen, moved that the Town vote to appropriate a sum of money, not to exceed \$1,000, by repurposing funds from the balance remaining from previously appropriated funds under Article 10 of the 2021 Annual Town Meeting, to be expended under the direction of the Wayland Board of Selectmen for a feasibility study to investigate and identify a site for a multi-purpose, natural grass playing field

in Wayland, Massachusetts, and those sites to be considered shall include public and private sites, but not be limited to Town-owned land at Orchard Lane/Holiday Road, at Greenways, and at the Route 20 South Landfill, said funds to supplement funds authorized by the Recreation Commission to be expended from the Recreation Commission Revolving Fund for this purpose.

Mr. Watkins stated that his motion differed from the warrant in three respects: the phrase “not to exceed” was struck from his motion; \$1,000 replaced \$50,000 that was indicated in the warrant; and the funding source was specified in his motion. He spoke to his motion.

Michael Price Lowery, Board of Public Works, of 120 Lakeshore Drive spoke in opposition of the motion.

Thruston (Brud) Wright III, of 16 Jeffrey Road and co-chair of the recreation commission, spoke in support of the motion.

Motion to Amend

Patricia Yce Lin of 5 Pelham Island Road moved to strike the Route 20 landfill from the Article. Her motion was seconded.

Mr. Wright spoke in opposition of the motion to amend.

Robin Gale Borgstedt of 21 Jeffrey Road spoke in support of the amendment.

Alexia S. Obar of 18 Dean Road asked if the middle school had been a former dump. The Moderator responded affirmatively.

Also speaking in opposition to the amendment were: Gretchen G. Schuler of 126 Old Connecticut Path and Thomas J. Fay of 1 Happy Hollow Road.

Joseph H. Schwendt II of 149 Pelham Island Road moved to terminate debate. The Moderator found that the motion moot as no one was at the microphones: pro, con, questions.

VOTE on Motion to Amend

In Favor: 37

In Opposition: 291

NOT PASSED

On the main motion, the following voters spoke in opposition: Margo Melnicove of 245 Lakeshore Drive, Thomas Maglione of 29 Rice Road, and Bill Worstell of 5 Snakebrook Road.

Speaking in favor were: John Sax of 203 Willow Brook Drive and David Pearlman of 34 Pequot Road

Ms. Obar of 18 Dean Road asked a question to which David V. Watkins responded.

**VOTE on Article 4: Feasibility Study for Review of Potential Third Site
For a Grass Field**

In Favor: 216
Opposed: 100
PASSED (majority vote required)

The Moderator declared the Article disposed of.

The Moderator noted that he heard a motion to adjourn the special town meeting, a second, and announced a Motion to Adjourn Annual Town Meeting adjourned sine die.

The Annual Town Meeting concluded at 2:26 p.m.
Overall voter attendance: 507

Submitted by,

Anna M. Ludwig
Town Clerk

**Special Town Meeting
Sunday, October 3, 2021 – Articles 1, 2, 3, and 4**

#	Article	Result	Vote	Page No.
1	Town Code sec. 95.1 Moratorium on Synthetic/Artificial Turf	Passed	353-77	1-3
2	Grass Field at Loker Conservation & Recreation Area Design Fees (amended to appropriate \$50,000 and strike sum of money not to exceed \$125,000)	Passed	327-120	3-5
3	Feasibility Study for a Grass Field at 195/207 Main Street	Passed	340-36	5-6
4	Feasibility Study for Review of Potential Third Site for a Grass Field	Passed	216-100	6-9