

**TOWN OF WAYLAND**

# **WARRANT**



## **2014 ANNUAL TOWN MEETING**

**Thursday, April 3, 2014 7:30 P.M.**

**PLEASE NOTE:**

**The location of the Annual Town Meeting  
will be the**

**WAYLAND HIGH SCHOOL FIELD HOUSE**

**DOORS OPEN AT 6:00 P.M.**

## **ANNUAL TOWN ELECTION**

**Tuesday, April 1, 2014**

**Precincts 1 and 4**

**Town Building Gymnasium**

**Precincts 2 and 3**

**Wayland Middle School Gymnasium**

**VOTING HOURS: 7:00 A.M. to 8:00 P.M.**

**[www.wayland.ma.us](http://www.wayland.ma.us)**

## NOTICE

The Town of Wayland does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Wayland does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 (ADA).

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to Wayland's designated ADA Compliance Coordinator.

Name:	John Senchyshyn
Title:	Acting Town Administrator/HR Director
Office Address:	41 Cochituate Road, Wayland MA 01778
Phone Number:	(508) 358-3623
Fax Number:	(508) 358-3627
TDD:	(508) 358-0194 or 911
Days/Hours Available:	Monday, 8:00 a.m. to 7:00 p.m. Tuesday to Thursday, 8:00 a.m. to 4:00 p.m. Friday, 8:00 a.m. to 12:30 p.m.

Individuals who need assistance in seating for more effective communication are invited to make their needs and preferences known to the ADA Compliance Coordinator. Notification prior to Annual Town Meeting would be helpful.

**This notice is available in large print and on audio tape  
from the ADA Compliance Coordinator.**



# TOWN OF WAYLAND 2014 ANNUAL TOWN MEETING WARRANT

## WITH REPORT OF THE FINANCE COMMITTEE

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## ADJOURNED MEETINGS

It is anticipated that if adjourned meetings are necessary to complete action on this warrant, they will be held on the following dates and times, subject to Town Meeting approval:

April 7 – Monday	7:30 p.m.
April 8 – Tuesday	7:30 p.m.
April 10 – Thursday	7:30 p.m.

and thereafter, as may be necessary, on dates as Town Meeting directs.

If you have any questions about the Articles, please attend **the Warrant Hearing on Wednesday, March 26, 2014, at 7:30 P.M.** at the Town Building. You may also call the Town Administrator's office at (508) 358-3621 before Town Meeting.

## NOTICE REGARDING MOTIONS

This warrant for Wayland Town Meeting is issued by the Board of Selectmen and is served upon all residents by mail to each household and by posting at the Town Building, the Wayland Public Library, the Cochituate Fire Station or the Cochituate Post Office, and at Happy Hollow School. It contains the agenda of subjects to be acted upon - the articles.

By state law, no action at the Town Meeting is valid unless the subject matter is contained in the warrant. This requirement means only that the subjects to be acted upon must be sufficiently stated in the warrant to apprise voters of the nature of the matters with which the meeting is authorized to consider. It does not require that the warrant contain an accurate forecast of the precise action that the meeting will take upon those subjects. A valid motion at Town Meeting may differ from the underlying article, but it must be within the scope of that article.

If you are in doubt about the action Town Meeting might take under an article, you should plan to attend the Town Meeting.

## TOWN MEETING PROCEDURES

Town Meeting functions best when all voters are familiar with its rules of procedure. A summary of those rules appears in the document, "The Moderator's Rules and Regulations Governing Wayland's Town Meetings" prepared by the Moderator and included as part of this warrant booklet. See rules at Appendix A at page 116. Copies of the pamphlet, "The Moderator's Handbook for Wayland Town Meetings," are available at the Selectmen's Office in the Wayland Town Building, or online at [http://www.wayland.ma.us/Pages/WaylandMA\\_BComm/Moderator/Handbook2010.pdf](http://www.wayland.ma.us/Pages/WaylandMA_BComm/Moderator/Handbook2010.pdf).

## NO SMOKING NOTICE

Voters are reminded that no smoking is permitted on school grounds.

## QUANTUM OF VOTE

The quantum of vote is specified in the warrant for each article.

For those articles involving appropriations which are anticipated to be provided by taxation or from available funds or transferred funds previously appropriated for another purpose, a majority quantum of vote is indicated. For articles which are anticipated to be funded by borrowing, a two-thirds quantum of vote is indicated.

Certain articles request the action of Town Meeting under its general legislative powers (i.e., to hear and accept reports, to appoint a committee, to adopt a resolution or "sense of the meeting" vote, etc.), and in such cases no particular statute is referenced. Town Counsel has advised that, as a matter of common law precedent in Massachusetts, such matters are decided by a majority vote.

## HOW TO VOTE ELECTRONICALLY

During the April 2012 Annual Town Meeting, Wayland's citizens approved a resolution endorsing the use of wireless electronic voting for all sessions of all town meetings through fiscal year 2015. Instead of shouting out *Aye* or *No*, raising our hands, or standing to be counted, we'll use electronic handsets to register our votes quickly, accurately, and privately during the upcoming Annual Town Meeting.

The handsets look a bit like a TV remote control, but instead of pushing buttons to change channels, we push buttons to vote: the 1 button for *Yes*, or the 2 button for *No*. Your vote is displayed on your handset's screen and wirelessly transmitted to a computer that counts votes and displays results for the Moderator to announce. Nothing but these totals is permanently recorded, so your vote will remain private.

This year's Annual Town Meeting will be held in the High School Field House. As in past Town Meetings, check-in will be organized alphabetically by last name. As you're checking in, you'll be issued a handset for your use during that session. If your phone, tablet, or laptop supports Wi-Fi, please disable this feature, as doing so will enhance performance of the electronic voting system.



Before each vote, the Moderator will summarize the motion or amendment being decided. He'll then announce the beginning of a 30 second interval during which you can convey your vote, and a "voting light" near the Moderator will be illuminated. To vote *Yes*, push your handset's 1 button. To vote *No*, push your handset's 2 button. If you accidentally push the wrong button, you can change your vote by pushing the correct button. If you don't want to participate in a particular vote, don't push any buttons during the 30 second voting interval; if you don't want to participate but accidentally push the 1 button or the 2 button, you can clear your unintentional vote by pushing the 3 button. When the 30 second interval is over, the "voting light" will be extinguished, and the Moderator will announce that the vote is complete; shortly thereafter, the Moderator will announce the results.



If you inadvertently turn your handset off by pushing the power button in its lower-right corner, its display will be blank; push the power button briefly to turn your handset back on. Pushing any of your handset's other buttons during the voting interval will not change your vote, but for peace of mind, your handset will encourage you to *Re-Vote*; push the 1 button for *Yes* or the 2 button for *No*.

If you temporarily leave your seat during the meeting, please keep your handset with you. When you leave the Field House – either during a session or at the close of a session – please place your handset in one of the boxes at each of the

Field House exits. If you forget to turn in your handset, we'll give you a call the next day and ask you to return it.

Every handset will be tested before each session of Town Meeting, so the probability of a handset failing is very low. That said, if pushing your handset's 1 button or 2 button during a vote does not produce an *Yes* or *No* on its display, please raise your hand; the Moderator will direct personnel from the Help Desk to provide you with a paper ballot to record your vote, and you'll be issued a new handset. We don't expect this to happen, but like the Boy Scouts, we'll be prepared.

If you're physically unable to use a handset to vote, inform the person who checks you in, and you'll be seated in an area where your votes will be manually counted by Help Desk personnel. If you're wondering how much radio energy is used by a handset to convey your vote wirelessly, it's less than 1% that of a typical cell phone and only for brief instants, employing the same frequencies used for Wi-Fi wireless internet access.

### **ELVIS: Wayland's Electronic Voting Implementation Subcommittee**

## REPORT OF THE FINANCE COMMITTEE

To the Residents of Wayland:

The Finance Committee is pleased to present our annual report to Town Meeting. Our budget recommendations maintain current service levels with two exceptions: we recommend, along with the School Committee, the proposed elementary school reconfiguration, and we recommend that the Fire Department add another firefighter.

Wayland's financial position is growing stronger by many measures, even though many in Wayland still struggle with the lingering effects of the recession. Household income is up, property values are up, and unemployment is down. With this new strength some residents demand more and better services from town government. The proposed school reconfiguration is the best example of this development. Others still struggle with the property tax obligations and other fees town government imposes on our residents.

Through the recession until today, the Town of Wayland kept its top-notch financial status. In January 2014, Moody's reaffirmed our Aaa bond rating with comments highlighting a stable financial position with satisfactory reserve levels despite recent planned drawdowns, management's demonstrated ability to control expenditures, a stable tax base and elevated yet manageable debt position. The full text of the Moody's report is available on the Town website.<sup>1</sup> Our Aaa bond rating provides real, permanent savings in our debt service expense as long as we keep it.

### THE COMMITTEE

The Wayland Finance Committee's seven members are appointed by the Board of Selectmen. The members' three year terms are staggered which allows for a mix of new and more experienced members. Our meetings are open to the public and include a public comment period. Meeting minutes and other working documents and public presentations are available on the Finance Committee webpage on the Town website.

### ROLE

The Code of the Town of Wayland charges the Finance Committee with two primary responsibilities. The Committee is required to prepare, recommend, and present the Omnibus Budget comprising the Town's operating and capital budgets, which appear as motions under an article in the Annual Town Meeting Warrant. The Committee also comments on articles submitted for inclusion in the Warrant.

### MISSION STATEMENT

The mission of the Wayland Finance Committee is to define a financial strategy for the Town and to use this strategy as the basis for recommending to the Town a fiscally responsible operating and capital-spending plan. The Finance Committee seeks to balance the demand for services against the ability of residents with a broad range of financial situations to afford these services.

### FINANCIAL STRATEGY AND GOALS

The Finance Committee's strategy has four main elements:

- Maintain quality Town services supplied by an efficient workforce

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<sup>1</sup> [http://www.wayland.ma.us/Pages/WaylandMA\\_Finance/MoodysJan2014.pdf](http://www.wayland.ma.us/Pages/WaylandMA_Finance/MoodysJan2014.pdf)



- Continue infrastructure investment through our capital spending plan
- Maintain appropriate levels of free cash and other reserve funds
- Provide a budget that takes into account the items listed above while being cognizant of residents' desire to restrain the growth in the tax levy

In implementing that strategy, this year the Finance Committee focused on six points when developing the FY2014 budget:

- Maintain existing services & infrastructure
- Exert fiscal discipline
- Manage both long and short term debt service levels
- Borrow consistently with our debt guidelines
- Keep our Aaa bond rating to reap permanent debt service benefits
- Continue to address long term liabilities

Overall, our challenge is to balance a long-term financial plan that provides residents with the quality and quantity of services they desire as efficiently as possible. One of the consistent concerns and considerations for the Finance Committee is the amount that our residents pay in taxes each year. This concern is balanced by the consideration for the types of services residents expect as members of this community.

### **BUDGET PROCESS**

In September 2013, the Finance Committee reviewed various FY2015 budget scenarios based on our three-year long-range plan, revenue estimates, expense growth as compared to FY2013 actuals and FY2014 year-to-date information, changes to the free cash position, and the economic challenges facing the Town. Following these discussions, the Finance Committee issued FY2015 Budget Guidelines on September 30, 2013.

The Finance Committee's FY2015 operating budget guideline requested boards, committees, and departments to submit level-funded operating budget requests at FY2014 amounts, excluding utility-related accounts and settled labor contracts, including step and lane increases.

For this upcoming fiscal year, many of our collective bargaining agreements remain unsettled. New contracts are in the process of being negotiated with several of our bargaining units. For the FY2015 budget, the salary line items and the school budget include increases for those contracts that are settled. In order to account for potential FY2015 changes based upon the ongoing contract negotiations and other salary adjustments, the Finance Committee is recommending, as usual, that funds be held in a line item called Unclassified – Reserve for Salary Settlement.

Boards, committees, and departments submitted their operating budgets and capital requests to the Finance Committee in November, December, and January. We requested budget summaries from our larger departments (those with budgets greater than \$500,000). The Finance Committee held 12 budget meetings in January, February, and March 2014 (as well as many budget-related meetings from September through December 2013). In January, the Committee met with boards, departments and commissions to discuss specific operating and capital budget requests and to review those requests against prior and current actual expenses. All participants were reminded that capital requests needed to be in compliance with the capital improvement process.

In addition to board and committee members, and town officials and staff, several members of the community provided valuable comments and insight during the budget recommendation process. We

appreciate all the help, comments, and questions we receive. Moreover, members of the Finance Committee reached out to interested members of the community on an individual basis, seeking their input in the budget process. We tried to incorporate their suggestions as best we could.

On February 6, the Finance Committee deliberated and unanimously voted to recommend a draft budget to Town Meeting. This draft budget was presented at a Public Hearing on February 10. The presentation is available on the Finance Committee's website. After closing several open items, and reconsidering others, the Finance Committee recommended the budget printed in the Warrant on March 3, 2014 by a vote of 7-0.

### BUDGET DRIVERS

The top five general fund appropriations that drive the budget higher this year, in dollar terms, are as shown below in Table 1:

<b>Table 1: Operating Budget Drivers</b>		
<i>Department</i>	<i>Dollar Increase</i>	<i>Percent Increase</i>
Schools	2,036,042	6.1%
Debt and Interest	440,111	6.0%
Retirement	232,988	6.6%
Town Office	58,240	11.9%
Fire	42,444	1.7%

As explained in more detail in the School Committee's budget presentation to the Finance Committee,<sup>2</sup> there are three primary drivers of the increase in the school budget: payroll, the proposed elementary reconfiguration, and unfunded mandates from the Commonwealth and the federal government. In all, the School Committee recommends about 7.8 new and expanded Full-time equivalents (FTEs) this year.

First, the net increase in personnel expenses for current staff adds about \$1 million to the School Budget this year. This figure is higher than the agreed 1.5% cost-of-living adjustment (COLA) for FY2015 for members of the Wayland Teachers Association would imply. The explanation is straightforward: the schools' FY2014 COLA were carried in the reserve for salary settlement item in the budget last year. This year, since the WTA agreement is settled, the COLA has been reclassified back to the school department budget, which makes it look as though the school budget went up more than it actually did.

Second, we estimate that the proposed reconfiguration would add \$750,062 to the budget. Most of that additional expense would come in the school department, attributable to additional specialists, administrators, and other staff, but a portion of the additional expense would be incurred in other departments. The Police Department would incur additional crossing guard expense, and the Health Department would incur additional expense in its school nurse line item. The benefits associated with the incremental payroll obligations would be carried in the Unclassified budget. Table 2 shows the total expense carried in the proposed budget attributable to the school reconfiguration.

<sup>2</sup>[http://p2cdn2static.sharpschool.com/UserFiles/Servers/Server\\_1036352/File/Superintendent/FY15%20Budget/FY15\\_SC\\_Presentation\\_to\\_FC%20-%20FINAL.pdf](http://p2cdn2static.sharpschool.com/UserFiles/Servers/Server_1036352/File/Superintendent/FY15%20Budget/FY15_SC_Presentation_to_FC%20-%20FINAL.pdf)

<b>Table 2: School Reconfiguration Operating Expenses</b>		
<i>Department</i>	<i>Budget Item</i>	<i>Amount</i>
School	Various	\$594,645
Police	Crossing Guards	\$8,000
Health	School Nurse	\$18,239
Unclassified	Various	<u>\$129,178</u>
<b>Total</b>		<b>\$750,062</b>

Third and finally, mandated special education and English Language Learner (ELL) components of the School budget drive the school budget higher.

Our net debt service will go up by \$440,111 next year, largely because of the previously-authorized borrowing related to the new Department of Public Works facility, which we supported. The Finance Committee spent several sessions this winter actively working to manage our debt service. Barring the unforeseen, we expect that debt service will go down in FY2016.

Our retirement assessment from Middlesex Retirement went up. This is a nonnegotiable, actuarially derived assessment designed to cover long-term pension obligations. Our Town Office department is up because of the full-time financial analyst position, which was only budgeted for half of FY2014, and because the town is obliged to pay the former Town Administrator’s salary through two months of FY2015. Finally, the Personnel Board and the Finance Committee agreed with Fire Chief Smith’s recommendation to add another position to the Fire Department. The Fire Department has been staffed at 24 officers since 1970. Increased demand for fire department services, including Advanced Life Support, means that we should increase our staffing in the Fire Department.

**SUMMARY OF THE FY2015 OPERATING BUDGET**

There are several components to the operating budget. The General Fund Operating Budget funds most municipal and all school operations. Three other municipal enterprise fund operating budgets (Water, Wastewater, and Septage), along with the General Fund Operating Budget add up to the Omnibus Budget. We budget expenses to equal fee revenues generated in our enterprise fund budgets. In other words, the enterprise funds generally support themselves through fee revenue charged to their users.

For this reason, in our report, we focus on the General Fund Operating Budget. We recommend an Operating Budget with expenses totaling \$70,303,159 million. We estimate total revenue from property taxes, local receipts, and state aid in FY2015 will be \$66,997,329 million. The result is an operating budget deficit of about \$3,305,830. We propose to close this operating deficit with \$1,000,000 from free cash reserves, approximately \$360,000 in ambulance receipts and \$101,583 in bond premiums, and \$665,000 from the Overlay Surplus recently released by the Board of Assessors, and \$1,179,247 from other funds. Tables Three and Four, below, summarize General Fund overall budgeted expenses and revenues and expense budget summaries by function. Table Five estimates the average property tax bill if our recommended budget passes Town Meeting.

**TABLE 3: SUMMARY OF GENERAL FUND EXPENSES AND REVENUES**

<i>Thousands of Dollars</i>	APPROVED FY 2013	APPROVED FY 2014	PROPOSED FY 2015
1 Operating Budget	65,636	67,975	70,303
Change Over Prior Year	-2.41%	3.56%	3.42%
2 Other Expenses	1,735	1,268	1,294
3 Total Amount to be Raised (1+2)	67,371	69,243	71,597
4 Total Revenues	67,371	69,243	71,597
Property Tax Revenue	52,011	54,589	59,855
Local Receipts	4,175	4,180	4,180
Free Cash	4,800	3,400	1,000
Overlay Surplus	1,720	1,195	665
Other Revenue	4,665	5,879	5,897
State Aid	4,186	4,260	4,260
Ambulance Receipts	360	360	360
Bond Premium	119	111	101
Transfers from other funds	-	1,148	1,176

**TABLE 4: EXPENSE BUDGET SUMMARY BY FUNCTION**

<i>Thousands of Dollars</i>	FY2013 Expended	FY2014 Adopted	FY2015 Proposed	Percent Change
General Government	3,059	3,209	3,346	4.25%
Public Safety	5,275	5,552	5,605	0.95%
Land Planning and Use	679	745	767	3.04%
Schools	32,521	33,396	35,432	6.10%
Regional Vocational Schools	256	211	199	-5.93%
Public Works	2,100	1,927	1,883	-2.28%
Snow Removal	611	449	449	0.00%
Human Services	2,409	2,498	2,505	0.28%
Debt and Interest	7,637	7,348	7,788	5.99%
Retirement	3,170	3,506	3,739	6.64%
Unclassified	6,247	9,122	8,579	-5.95%
<b>TOTAL - GENERAL FUND</b>	<b>63,974</b>	<b>67,974</b>	<b>70,303</b>	<b>3.42%</b>
Water Fund	4,245	3,555	3,431	-3.49%
Septage Fund	32	32	39	18.96%
Wastewater Management District	598	687	654	-4.79%
<b>ENTERPRISE FUNDS</b>	<b>4,877</b>	<b>4,276</b>	<b>4,126</b>	<b>-3.52%</b>
<b>TOTAL - OMNIBUS BUDGET</b>	<b>68,851</b>	<b>72,251</b>	<b>74,429</b>	<b>3.01%</b>

<b>TABLE 5: REAL ESTATE TAX RATE FORECAST</b>			
<i>Thousands of Dollars</i>	APPROVED FY 2013	APPROVED FY 2014	PROPOSED FY 2015
<b>Real Property Tax Rate Forecast</b>			
Property Tax Revenue	52,011	54,589	59,855
Divided by Total Assessed Valuation	2,907,557	2,978,114	2,978,114
Equals Tax Rate ( <i>Mils</i> )	17.89	18.33	20.10
Percent Change in Tax Rate from Prior Year	-5.90%	2.50%	9.65%
Average Annual Change from FY11	-7.60%	-5.30%	3.87%
<b>Average Residential Real Property Tax Bill (assuming \$600,000 assessment--not in thousands)</b>			
Average Annual Change from FY11	10,733	10,998	12,059
		2.47%	9.65%

**OTHER NON-APPROPRIATED EXPENSES**

The Town is responsible for funding other non-operating budget expenses. These expenses are shown in line 2 of Table 3 above, and detailed here, in Table 6:

<b>TABLE 6: OTHER NON-OPERATING BUDGET EXPENSES</b>	
<i>Description</i>	<i>Amount</i>
Real Estate Overlay	\$950,000
State / County Assessment	\$159,180
Cash Capital	\$160,000
Cherry Sheet Offsets	\$25,796
<b>Total</b>	<b>\$1,294,976</b>

**OMNIBUS BUDGET**

When combined, the total appropriation recommended by the Finance Committee is \$75.7 million, as explained above and as summarized below in Table 7:

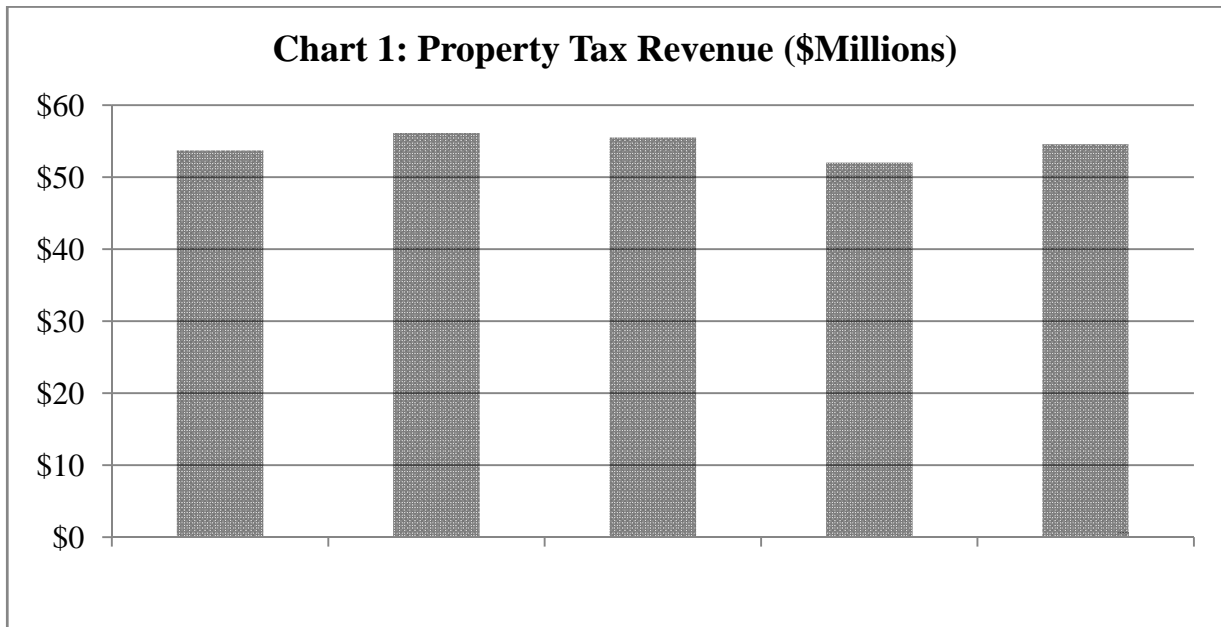
<b>Table 7: Total FY 2015 Town Operating Expenses</b>	
<i>Expense</i>	<i>Amount</i>
General Fund	\$70,303,157
Water Enterprise	\$3,432,054
Septage	\$39,502
Wastewater	\$654,905
Non-Appropriated	\$1,294,976
<b>Total</b>	<b>\$75,724,596</b>

**FREE CASH BRIDGED THE GAP**

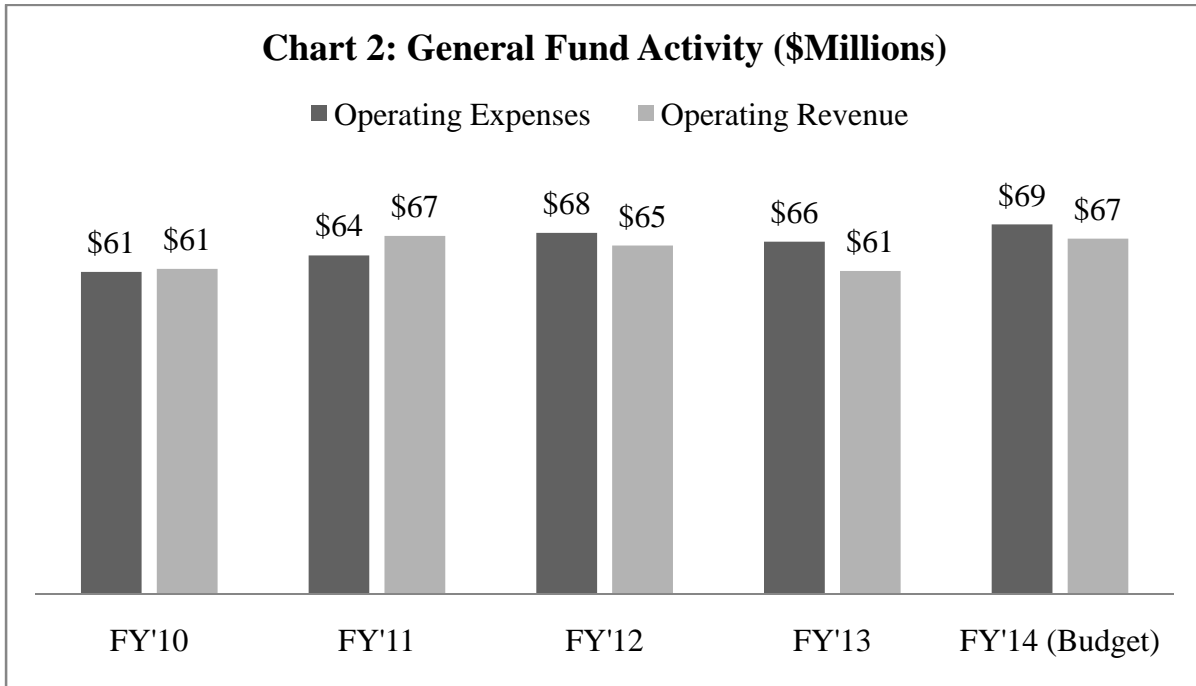
As noted above in Table 5, we estimate that the average property tax bill will go up by almost ten percent if Town Meeting approves our recommended budget. While we understand that this would be a large one-year tax increase, we also note that we kept property taxes almost flat during the recession and its aftermath by a combination of measures.

First—and most importantly—our bargaining units and negotiating teams agreed to cost-of-living adjustments at or below the rate of inflation. Personnel expense is by far the biggest cost component of our budget. Second, faced with our flat budget guidelines, boards, committees, and departments made hard decisions about delivering services more efficiently—as the School Committee did when it voted to turn Loker into a Kindergarten-only school. Third, the Finance Committee tightened expense budgets and revenue estimates to better match experience. Fourth, the Board of Assessors returned substantial overlay reserves to the general fund. Finally, taxpayers, boards, committees, and staff shared a consensus that the most important goal over this period was to maintain existing services without increasing the burden on taxpayers and fee-payers.

These operational and budget decisions allowed Town Meeting to spend one-time money in the form of accumulated free cash to offset the modest expense budget growth. Chart 1 shows how flat taxes have been over the past five years:



Even though our operating budgets grew modestly over this period, we managed to keep taxes flat in large part because we recommended budgets with operational deficits, as Chart 2 shows. We filled the gap between our budgeted expenses and estimated revenues each year by deliberately drawing down our free cash and other reserves. Table 8 shows just how much cash we spent—one-time money—to offset annual, ongoing operating expenses over the past several years.



The cry on Town Meeting floor in 2011 was: “We want our money back!” The Finance Committee listened: we recommended budgets that drew down our reserves, all the way down to the lower end of our free cash reserve policy: 5% of the FY2014 operating budget. Table 8 illustrates just how much of our reserves we used to offset operating expenses over the past three years.

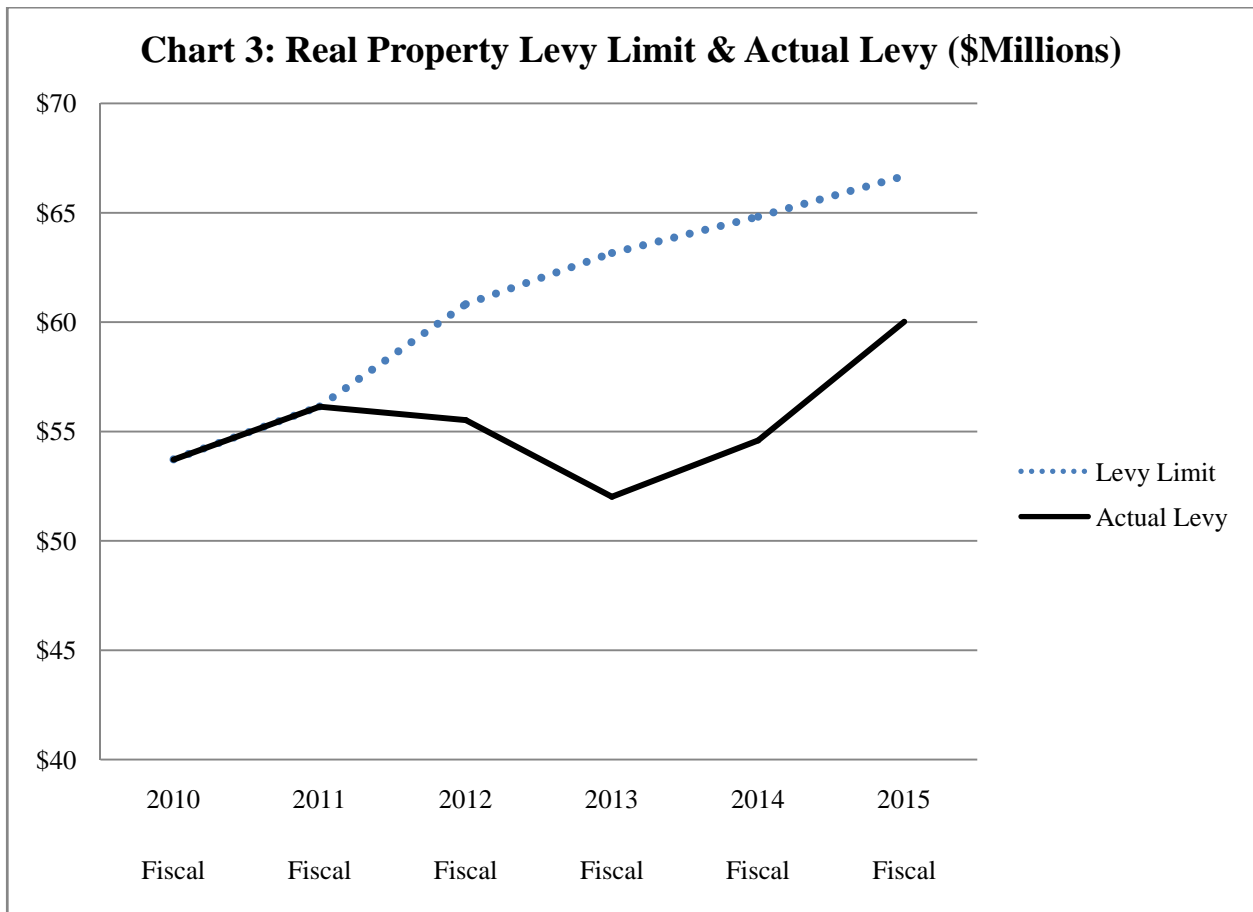
**TABLE 8: ONE-TIME MONEY OFFSETS OPERATING BUDGETS**

Fiscal Year	Free Cash Offset	Overlay Surplus Offset	Total Nonrecurring Revenue
FY2012	\$ 4,500,000	--	\$ 4,500,000
FY2013	\$4,800,000	\$1,720,000	\$6,520,000
FY2014	\$3,400,000	\$1,195,000	\$4,595,000
<b>Totals</b>	<b>\$12,700,000</b>	<b>\$2,915,000</b>	<b>\$15,615,000</b>

Our current free cash balance was last certified by the Department of Revenue at just over \$4 million, or just over 5 percent of our FY2014 operating budget, the absolute bottom of our 5-10% range we target as a matter of policy. Given this, even if we wanted to, it would be imprudent to keep using free cash as we have over the past three years. For one thing, we don’t have enough free cash to spend anymore, as we spent much of it supporting our 2012-2014 operating budgets. Further, even modest net draws on free cash would violate our long-standing free cash reserve policy, imperil our financial strength and flexibility, and jeopardize our Aaa bond rating. Unexpected events and inevitable cash-to-accrual timing mismatches teach us that we should not plan to bottom out our free cash reserves year after year.

For this reason, this year we ask Town Meeting this year to follow through on our planned strategy—first laid out at the 2011 Special Town Meeting by petitioners, the Board of Selectmen, and the Finance Committee—of returning to our traditional approach to the use of free cash: use it sparingly for one-time capital expenses, and apply no more to the operating budget than we expect to generate in terms of current year expense turnbacks. And in all cases, we should target a free cash balance certified at between 5-10 percent of the next year’s operating budget.

We do not anticipate the need for an operational override under Proposition 2 ½ in the near term if we keep a lid on expense growth. Some may wonder how property taxes could go up in FY2015 by ten percent, as we forecast if Town Meeting adopts our recommended budget, without violating Proposition 2 ½. The reason is that our Proposition 2 ½ “Levy Limit” goes up each year, regardless of whether we actually impose taxes up to the levy limit or not. Therefore, over the past years as we have kept taxes flat, our levy limit has grown, as illustrated by Chart 3 below:



As Chart 3 suggests, if the General Fund expense budget grows at much more than 2 ½ percent each year (we recommend about a 3 ½ percent increase this year), we will soon reach our levy limit, forcing a decision between passing an operational override or cutting expenses. On the other hand, if we constrain expense budget growth to around 2 ½ percent over time, we may not hit our levy limit for some time. New property growth is an additional factor to consider, as Town Center and other developments in town will work to grow our levy limit as well as offer additional opportunity to spread the tax burden more broadly.



**WASTEWATER**

We generally do not discuss in detail our several enterprise fund budgets, but we make an exception this year for Wastewater, because the Wastewater enterprise fund fell into a large cash deficit this year. We are not asking Town Meeting to take any extraordinary action with respect to this situation. In fact, the proposed Wastewater appropriation contained in the Omnibus budget is in line with past years. Nevertheless, given the cash deficit in the fund, its operating difficulties, and the implications for taxpayers, we feel obliged to report to Town Meeting on the status and outlook for Wastewater. For further details, please read our Finance Committee Note on the Wastewater Fund in Appendix B.

**FIVE-YEAR CAPITAL PLAN**

Capital planning is part of the overall financial plan for the Town of Wayland that the Finance Committee prepares each year. Capital needs fall into four categories: equipment, buildings, land and roads. During 2008, the Town formalized the capital planning process by implementing a new Capital Improvement Program or "CIP." Capital requests are summarized by department, board or commission. Capital items beyond next fiscal year for FY2016 through FY2019 have not been formally presented by departments or approved by the Finance Committee; we include them for planning purposes only. Significant capital projects listed on the five-year plan include potentially funding a new Library/Senior Center and a ladder truck for the fire department.

**CAPITAL REQUESTS**

This year, Town boards and departments presented \$12,230,076 in capital requests to the Finance Committee. We recommend that Town Meeting fund \$7,631,320, or 62% of the initially requested amount. If approved at Town Meeting, the Town will need to borrow to fund some of these investments. Borrowing is the prudent way to finance these investments, because it spreads the cost of buying the asset (debt service) over the asset's useful life and interest rates are low. The Finance Committee also recommends using free cash to fund \$415,000 of capital requests.

Our capital recommendations were based on properly maintaining the current infrastructure and replacing vehicles and equipment that have outlived their useful lives. Capital expenditure requests are listed on the final page of the Omnibus Budget under the title "Capital Budget". Additional information supporting each capital expenditure requested is available on the pages following the request (beginning on page xx) and on the Finance Committee's webpage in the Capital Improvement Plan "CIP" folder

[http://www.wayland.ma.us/Pages/WaylandMA\\_Finance/FY15Budget.pdf](http://www.wayland.ma.us/Pages/WaylandMA_Finance/FY15Budget.pdf)

Capital expenditures generally fall in one of these three following categories:

*Cash capital items:* regularly occurring, replaceable equipment and vehicles with a life span of less than 5 years, funded with cash within the operating budget or from cash reserves. Cash capital items do not impact the tax rate directly as they are funded within the Proposition 2 ½ levy.

*Non-exempt capital items:* regularly occurring, replaceable equipment and vehicles with an individual unit cost of less than \$100,000, funded by borrowing and limited to the capacity within the existing debt service. Therefore, non-exempt capital items also do not directly impact the tax rate as they are funded within the Proposition 2 ½ levy.

*Exempt capital items:* includes all building repairs as well as equipment and vehicles with an individual unit cost greater than \$100,000. These items are typically funded with a debt exclusion and normally result in a temporary increase in the tax rate.

### **LONG-RANGE PLANNING**

An important job for the Finance Committee is to look ahead, over the long term. Each year, the Finance Committee crafts and adjusts its financial projections for town expenses and revenues forward over the next several years. Our current financial projections look out through FY2019. Periodically, we take a more comprehensive, broader, and more qualitative look at the long-range outlook. We issued our last long-range report in 2009.<sup>3</sup> Five years later, and spurred in part by members of the Board of Selectmen, we plan to take a fresh look at long-range planning in the coming year, together with the Selectmen, the new Town Administrator, and other boards and committees.

Wayland is a different town in some ways than it was in 2009, but in some ways it is very much the same. We need to carefully consider how Wayland may change over the next five to ten years, and how our financial decisions affect those changes. We invite all Town boards and committees, members of Town Meeting, and all residents and other stakeholders to get involved in upcoming the long-range planning process. Our choices and the inevitable changes ahead for Wayland will make a difference for all of us and our families.

### **CONCLUSION**

The Finance Committee voted 7-0 to recommend both the FY2015 operating and capital budgets. The Finance Committee believes it is in the best interest of the citizens to support the FY2015 budget to maintain core services and infrastructure.

The Finance Committee extends thanks and appreciation to the Town's employees, municipal and school department heads, and the various committees for their support during this year's budget preparation. Finally, we thank the interested residents who provided us timely advice and comments on how to make the budget better.

Respectfully submitted,

### **WAYLAND FINANCE COMMITTEE**

Tom Greenaway, Chair  
Nancy Funkhouser  
David J. Gutschenritter  
Cherry Karlson  
Carol Martin  
Bill Steinberg  
Gil Wolin

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<sup>3</sup>[http://www.wayland.ma.us/pages/WaylandMA\\_Finance/long.pdf](http://www.wayland.ma.us/pages/WaylandMA_Finance/long.pdf).

Fiscal 2015 thru Fiscal 2019 DEPARTMENTAL CAPITAL PLAN

	2015	2016	2017	2018	2019	Year 1-5 Total
ASSESSOR						
Equipment						
Vehicle						
Land / Improvements						
Building Renovations						
Other						
Subtotal						
INFORMATION TECHNOLOGY						
Equipment						
Vehicle						
Land / Improvements						
Building Renovations						
Other		75,000.00				125,000.00
Subtotal	50,000.00	75,000.00				125,000.00
CONSERVATION						
Equipment			45,000.00			45,000.00
Vehicle						
Land / Improvements	30,000.00	700,000.00	500,000.00	500,000.00	500,000.00	2,380,000.00
Building Renovations						
Infrastructure		100,000.00	50,000.00	200,000.00		350,000.00
Other						
Subtotal	30,000.00	800,000.00	595,000.00	700,000.00	500,000.00	2,775,000.00
TOWN SURVEYOR						
Equipment						
Vehicle						
Land / Improvements						
Building Renovations						
Other						
Subtotal						
FACILITIES						
Equipment						
Vehicle						
Land / Improvements						
Building Renovations	3,067,826.00	1,870,000.00	455,000.00			5,392,826.00
New construction		1,200,000.00	14,500,000.00	14,401,955.00		30,101,955.00
Other						
Subtotal	3,067,826.00	3,070,000.00	14,955,000.00	14,401,955.00		35,494,781.00
POLICE						
Equipment			30,000.00			30,000.00
Vehicle						
Land / Improvements						
Building Renovations						
Other						
Subtotal			30,000.00			30,000.00
JCC						
Equipment		75,000.00				75,000.00
Vehicle						
Land / Improvements						
Building Renovations						
Other						
Subtotal		75,000.00				75,000.00

2014 Annual Town Meeting Warrant

Wayland, Massachusetts

FIRE	Equipment	25,000.00	48,000.00				73,000.00
	Vehicle	125,000.00	55,000.00	1,035,000.00	395,000.00	60,000.00	1,670,000.00
	Land / Improvements						
	Building Renovations						
	Other						
	Subtotal	150,000.00	103,000.00	1,035,000.00	395,000.00	60,000.00	1,743,000.00
BUILDING & ZONING	Equipment						
	Vehicle						
	Land / Improvements						
	Building Renovations						
	Other						
	Subtotal						
DPW	Equipment	460,000.00	410,000.00	635,000.00	550,000.00	550,000.00	2,605,000.00
	Vehicle						
	Land / Improvements						
	Building Renovations						
	Infrastructure	675,000.00	450,000.00	350,000.00	300,000.00	300,000.00	2,075,000.00
	Other						
	Subtotal	1,135,000.00	860,000.00	985,000.00	850,000.00	850,000.00	4,680,000.00
BOARD OF HEALTH	Equipment						
	Vehicle						
	Land / Improvements						
	Building Renovations						
	Other						
	Subtotal						
COUNCIL ON AGING	Equipment						
	Vehicle						
	Land / Improvements						
	Building Renovations						
	Other						
	Subtotal						
LIBRARY	Equipment						
	Vehicle						
	Land / Improvements						
	Building Renovations						
	Other						
	Subtotal						
RECREATION	Equipment						
	Vehicle						
	Land / Improvements	75,000.00	1,210,000.00	1,595,000.00	225,000.00	1,761,057.00	4,866,057.00
	Building Renovations						
	Other						
	Subtotal	75,000.00	1,210,000.00	1,595,000.00	225,000.00	1,761,057.00	4,866,057.00
SCHOOL	Equipment	95,000.00	130,000.00	435,000.00	70,000.00	70,000.00	800,000.00
	Vehicle						
	Land / Improvements	55,000.00	140,000.00	1,060,000.00	150,000.00		1,405,000.00
	Building Renovations	1,917,400.00	1,539,810.00	1,215,000.00	120,000.00		4,792,210.00
	Other						
	Subtotal	2,067,400.00	1,809,810.00	2,710,000.00	340,000.00	70,000.00	6,997,210.00
<i>SUBTOTAL GENERAL FUND</i>		<u>6,575,226.00</u>	<u>8,002,810.00</u>	<u>21,905,000.00</u>	<u>16,911,955.00</u>	<u>3,241,057.00</u>	<u>56,786,048.00</u>

2014 Annual Town Meeting Warrant

Wayland, Massachusetts

WATER FUND						
Equipment		200,000.00	200,000.00		1,000,000.00	1,400,000.00
Vehicle	75,000.00	140,000.00	75,000.00	75,000.00	75,000.00	440,000.00
Land / Improvements						
Building Renovations	1,000,000.00	50,000.00	90,000.00			1,140,000.00
Other						
Infrastructure		850,000.00	500,000.00	500,000.00	500,000.00	2,350,000.00
Subtotal	1,075,000.00	1,240,000.00	865,000.00	575,000.00	1,575,000.00	5,330,000.00
WASTEWATER FUND						
Equipment						
Vehicle						
Land / Improvements						
Building Renovations						
Other						
Subtotal						
<b>SUBTOTAL ENTERPRISE FUNDS</b>						
	1,075,000.00	1,240,000.00	865,000.00	575,000.00	1,575,000.00	5,330,000.00
<b>SUBTOTAL ALL FUNDS</b>						
	7,650,226.00	9,242,810.00	22,770,000.00	17,486,955.00	4,816,057.00	62,116,048.00

SUMMARY BY DEPARTMENT

	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	Year 1-5 Totals
<i>GENERAL FUND:</i>						
ASSESSORS						
INFORMATION TECHNOLOGY	50,000.00	75,000.00				125,000.00
CONSERVATION	30,000.00	800,000.00	595,000.00	700,000.00	500,000.00	2,775,000.00
TOWN SURVEYOR						
FACILITIES	3,067,826.00	3,070,000.00	14,955,000.00	14,401,955.00		35,494,781.00
POLICE			30,000.00			30,000.00
JCC		75,000.00				75,000.00
FIRE	150,000.00	103,000.00	1,035,000.00	395,000.00	60,000.00	1,743,000.00
BUILDING & ZONING						
DPW	1,135,000.00	860,000.00	985,000.00	850,000.00	850,000.00	4,680,000.00
BOARD OF HEALTH						
COUNCIL ON AGING						
LIBRARY						
RECREATION	75,000.00	1,210,000.00	1,595,000.00	225,000.00	1,761,057.00	4,866,057.00
Sub-total	4,507,826.00	6,193,000.00	19,195,000.00	16,571,955.00	3,171,057.00	49,788,838.00
<i>SCHOOL:</i>	2,067,400.00	1,809,810.00	2,710,000.00	340,000.00	70,000.00	6,997,210.00
Total General Fund	6,575,226.00	8,002,810.00	21,905,000.00	16,911,955.00	3,241,057.00	56,786,048.00
<i>ENTERPRISE FUNDS</i>						
WATER FUND	1,075,000.00	1,240,000.00	865,000.00	575,000.00	1,575,000.00	5,330,000.00
WASTEWATER FUND	-	-	-	-	-	-
Sub-total	1,075,000.00	1,240,000.00	865,000.00	575,000.00	1,575,000.00	5,330,000.00
Grand total	7,650,226.00	9,242,810.00	22,770,000.00	17,486,955.00	4,816,057.00	62,116,048.00
<b>Summary by Type</b>						
New Building/ Major		1,200,000.00	14,500,000.00	14,401,955.00		30,101,955.00
Building Repairs	5,985,226.00	3,459,810.00	1,760,000.00	120,000.00		11,325,036.00
Equipment	580,000.00	863,000.00	1,345,000.00	620,000.00	1,620,000.00	5,028,000.00
Vehicle	200,000.00	195,000.00	1,110,000.00	470,000.00	135,000.00	2,110,000.00
Land / Improvement	310,000.00	2,050,000.00	3,155,000.00	875,000.00	2,261,057.00	8,651,057.00
Infrastructure	675,000.00	1,400,000.00	900,000.00	1,000,000.00	800,000.00	4,775,000.00
Other	50,000.00	75,000.00				125,000.00
Total All Dept by Type	7,800,226.00	9,242,810.00	22,770,000.00	17,486,955.00	4,816,057.00	62,116,048.00

	FISCAL 2010	FISCAL 2011	FISCAL 2012	FISCAL 2013	FISCAL 2014	FISCAL 2015
BUDGET	62,019,837	66,029,337	71,261,997	65,827,351	67,975,062	70,303,159
ARTICLES	5,150,316	3,475,000	4,175,000	564,000	629,180	319,180
TOTAL TOWN EXPENSE	67,170,153	69,504,337	75,436,997	66,391,351	68,604,242	70,622,339
OVERLAY	1,106,754	1,676,989	1,206,448	973,000	614,726	950,000
NET REC FROM STATE	(1,419,895)	(4,199,174)	(4,139,522)	(3,973,000)	(4,235,149)	(4,235,149)
LOCAL RECEIPTS	(3,505,000)	(3,325,000)	(4,150,000)	(4,175,000)	(4,180,404)	(4,180,404)
OTHER SOURCES: FREE CASH, BORROWINGS, ETC.	(9,643,640)	(7,529,139)	(12,839,723)	(7,199,000)	(6,214,577)	(3,305,830)
TO BE RAISED BY TAXATION	53,708,371	(13,376,324)	55,514,200	52,017,351	54,588,838	59,850,956

FISCAL YR	SCHOOL	TOWN	TOTAL	INCREASE	%
FY 2015	35,433,047.00	34,870,112.00	70,303,159.00	2,328,096.00	3.42%
FY 2014	33,397,005.00	34,578,058.00	67,975,063.00	2,147,712.00	3.26%
FY 2013	32,576,704.00	33,250,647.00	65,827,351.00	(1,430,105.00)	-2.13%
FY 2012	31,096,713.00	36,160,743.00	67,257,456.00	8,036,850.00	13.57%
FY 2011	30,596,713.00	28,623,893.00	59,220,606.00	403,440.00	0.69%
FY 2010	31,111,713.00	27,705,453.00	58,817,166.00	2,699,858.00	4.81%
FY 2009	30,091,713.00	26,025,595.00	56,117,308.00	2,972,347.00	5.59%
FY 2008	28,722,212.00	24,422,749.00	53,144,961.00	2,395,484.00	4.72%
FY 2007	28,407,893.00	22,341,584.00	50,749,477.00	1,813,024.00	3.70%
FY 2006	27,379,743.00	21,556,710.00	48,936,453.00	2,420,683.00	5.20%
FY 2005	26,067,251.00	20,448,519.00	46,515,770.00	1,337,108.00	2.96%
FY 2004	25,650,251.00	19,528,411.00	45,178,662.00	2,058,038.00	4.80%

TABLE NO. 3 - TOWN REVENUES (GF)	FY 09	FY 10	FY 11	FY 12	FY13	FY14	FY15
TAX LEVY	51,751	53,708	56,128	55,514	52,017	54,589	59,855
STATE AID	5,129	4,666	4,486	4,448	4,175	4,260	4,260
LOCAL RECEIPTS							
MOTOR VEHICLE	1,700	1,600	1,670	1,975	2,010	2,045	2,045
OTHER /MEAL TAXES		80	100	150	150	170	170
PENALTIES & INTEREST	100	200	180	140	150	215	215
PAYMENT IN LIEU OF TAXES	40	35	30	30	30	25	25
DEPARTMENTAL FEES	700	900	750	850	825	535	535
LICENSE & PERMITS	450	400	400	725	725	1,000	1,000
SPECIAL ASSESSMENTS	10	10	5	5	5	10	10
FINES & FORFEITURES	50	40	40	50	55	80	80
INTEREST INCOME	185	90	150	225	225	95	95
MSBA REIMBURSEMENT				0	0	5	5
LOCAL RECEIPTS SUB-TOTAL	3,235	3,355	3,325	4,150	4,175	4,180	4,180
OTHER AVAILABLE FUNDS	250	1,440	610	4,985	7,199	6,214	3,302
TOTAL	60,365	63,169	64,549	69,097	67,566	69,243	71,597

TABLE NO. 4 (General Fund Departmental Budget)							
% OF BUDGET BY DEPARTMENT	FY 09	FY 10	FY 11	FY 12	FY 13	FY 14	FY15
GENERAL GOVERNMENT	5.80%	4.90%	4.60%	4.40%	5.10%	4.90%	4.76%
PUBLIC SAFETY	9.30%	9.50%	8.80%	8.20%	8.30%	8.20%	7.98%
SCHOOLS	53.63%	52.80%	49.10%	46.20%	49.50%	49.10%	50.44%
REG VOC SCHOOL	0.80%	0.70%	0.60%	0.40%	0.40%	0.30%	0.28%
DPW	3.60%	4.70%	4.30%	3.50%	3.60%	3.50%	3.32%
HEALTH	1.10%	1.10%	1.10%	1.00%	1.10%	1.10%	1.10%
LIBRARY	1.70%	1.60%	1.50%	1.40%	1.50%	1.50%	1.40%
RECREATION	1.40%	0.10%	0.00%	0.50%	0.50%	0.50%	0.46%
DEBT & INTEREST	7.30%	7.30%	8.00%	11.60%	11.70%	10.80%	11.09%
RETIREMENT			5.00%	5.10%	4.80%	5.20%	5.32%
UNCLASSIFIED	15.40%	15.30%	15.00%	15.80%	11.80%	13.30%	12.20%
FACILITIES		2.00%	2.00%	1.80%	1.70%	1.60%	1.59%

TABLE NO. 5 (General Fund Only) DEPARTMENTAL INCREASES				
	BUDGET FY 14	BUDGET FY 15	\$ INCREASE	% INCREASE
GENERAL GOVERNMENT	2,116,610	2,226,392	109,782	5.19%
PUBLIC SAFETY	5,553,169	5,605,735	52,566	0.95%
SCHOOLS	33,397,005	35,433,047	2,036,042	6.10%
REGIONAL VOC SCH	212,427	199,833	(12,594)	-5.93%
DPW	1,928,192	1,884,286	(43,906)	-2.28%
HEALTH	772,585	774,459	1,874	0.24%
LIBRARY	1,000,378	983,300	(17,078)	-1.71%
RECREATION	314,456	320,364	5,908	1.88%
DEBT & INTEREST	7,348,947	7,789,058	440,111	5.99%
RETIREMENT	3,507,480	3,740,468	232,988	6.64%
UNCLASSIFIED	9,122,859	8,579,710	(543,149)	-5.95%
FACILITIES	1,093,706	1,120,309	26,603	2.43%
<b>TOTAL</b>	<b>66,367,814</b>	<b>68,656,961</b>	<b>2,289,147</b>	<b>3.45%</b>



**COMMONWEALTH OF MASSACHUSETTS**

To the Residents of Wayland:

*Middlesex, ss.*

*Town of Wayland*

**\* \* \* WARRANT \* \* \***

To any of the Constables of the Town of Wayland, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Wayland who shall be qualified to vote in accordance with the provisions of Massachusetts General Laws, Chapter 51, Section 1, to come to their respective polling places (Precincts 1 and 4 in the Gymnasium of the Town Building and Precincts 2 and 3 in the Gymnasium of the Middle School) on:

**TUESDAY, APRIL 1, 2014, BETWEEN 7:00 A.M. and 8:00 P.M.**

to vote for the following Town officers by ballot for the following terms of office:

One member of the Planning Board, one associate member of the Planning Board and one member of the Housing Authority for five years; and

Town Moderator, two members of the Board of Assessors, two members of the Board of Selectmen, two members of the School Committee, two members of the Board of Health, one Commissioner of Trust Funds, two Library Trustees, one member of the Board of Public Works, and one Recreation Commissioner for three years; and

Town Clerk, and one Commissioner of Trust Funds, for two years (to fill unexpired terms); and

And to vote in a Special Town Election for the following Town officer by ballot for the following terms of office:

One member of the Board of Selectmen for one year (to fill an unexpired term).

You are also required to notify all such residents of Wayland to meet in the High School Field House on

**THURSDAY, APRIL 3, 2014, AT 7:30 P.M.**

to act on the following Articles:

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

*Sponsored by: Board of Selectmen*

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

1. To recognize citizens who have served in a volunteer capacity on elected and/or appointed boards, committees, and commissions for a minimum of 25 years (service need not be consecutive);
2. To recognize employees who have retired since the previous Annual Town Meeting or intend to retire prior to June 30, 2014, subject to a minimum of 20 years of service; and
3. To request Town Meeting observe a moment of silence in memory of elected or appointed volunteers, employees with at least 10 years of service, or an employee while in service to the Town without regard to tenure who shall have passed away since the adjournment of the 2013 Annual Town Meeting.

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

Linda Segal	Zoning Board of Appeals Associate	2003-Present
	Wellhead Protection Committee	2007-2011
	Board of Selectmen	2000-2003
	Zoning Board of Appeals Associate	1993-2001

The following town and school employees have retired since the 2013 Annual Town Meeting and have served the Town for over 20 years:

Kevin Ahern	40 Years	Park Department
Ronald Rokes	34 Years	Fire Department
Kathleen Siracusa	25 years	Board of Health/Office of the Town Clerk

The following volunteers have passed away since the 2013 Annual Town Meeting:

Walter Jabs	June 9, 2013	Council on Aging (1993-1997)
		Growth Policy Committee (1997-2000)
		Personnel Board (1997-2005)

The following town and school employees and retirees served the Town and have passed away since the 2013 Annual Town Meeting:

Helen Coggins	1979-2002	Building Department.
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**FINANCE COMMITTEE COMMENTS:** This is a standard article that allows recognition and commendation of certain citizens and employees.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**QUANTUM OF VOTE:** Majority.

*For more information about this article, contact Robert Mercier, Interim Town Administrator, at (508) 358-3620, or email [rmercier@wayland.ma.us](mailto:rmercier@wayland.ma.us).*

**ARTICLE 2: PAY PREVIOUS FISCAL YEAR UNPAID BILLS**

*Proposed by: Board of Selectmen*

*Estimated Cost: \$9,567.65*

To determine whether the Town will vote to:

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

Fiscal 2013 liabilities to be paid using Fiscal 2014 appropriations;

1) Murphy, Hesse, Toomey & Lehane, LLP	\$7,585.25	School Budget
2) Glazer Football	\$349.00	School Budget
3) Electronic Recyclers	\$894.06	DPW
4) NCS Copier	\$357.28	Facilities
5) NCS Copier	\$382.06	Facilities

**FINANCE COMMITTEE COMMENTS:** Occasionally, bills are not paid at the end of a fiscal year for a number of reasons, including late submission. The unpaid bills from Fiscal Year 2013 are summarized in the article.

**ARGUMENTS IN FAVOR:** This is a standard Article that allows the Town to pay bills for the previous fiscal year.

**ARGUMENTS OPPOSED:** There are no apparent arguments against this Article.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**QUANTUM OF VOTE:** Four-fifths – see Massachusetts General Laws Chapter 44, Section 64.

*For more information about this article, contact Brian Keveny, Finance Director, at (508) 358-3611, or email [bkeveny@wayland.ma.us](mailto:bkeveny@wayland.ma.us).*

**ARTICLE 3: CURRENT YEAR TRANSFERS**

*Proposed by: Finance Committee*

*Estimated Cost: \$543,848.00*

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 2014		
	PURPOSE:	AMOUNT
1	SNOW REMOVAL	\$ 200,000
2	CHILDRENS WAY/FOOD SERVICE REVENUE	218,848
3	TOWN ADMINISTRATOR SALARY	110,000
4	FINANCE DEPARTMENT EXPENSES	15,000

TOTAL CURRENT YEAR TRANSFERS		\$ 543,848
FUNDING SOURCES:		
1	UNRESERVED FUND BALANCE	\$ 200,000
2	UNRESERVED FUND BALANCE	218,848
3	FY14 RESERVE FOR SALARY ADJUSTMENT	110,000
4	FINANCE DEPARTMENT SALARY	15,000
TOTAL		\$ 543,848

**FINANCE COMMITTEE COMMENTS:** This article authorizes the expenditure of funds for the current fiscal year, which were not foreseen in the current budget. These transfers are required for the following reasons:

Snow Removal (\$200,000): This request covers snow removal overages for the fiscal year. The funding source for this item is Unreserved Fund Balance (free cash).

Children's Way & Food Service Revenue (\$218,848): This request covers a temporary shortfall that existed in the Children's Way and Food Service revolving accounts at the time of the 2013 Annual Town Meeting, when Town Meeting made appropriations from these Funds to offset employee benefits paid by the Town on behalf of employees of Children's Way and the Food Service Department. As part of the 2013 tax recapitulation process, the Department of Revenue, the Finance Committee, and the Board of Selectmen all agreed a current year transfer at 2014 Annual Town Meeting would be appropriate. The funding source for this item is Unreserved Fund Balance (free cash).

Town Administrator Salary (\$110,000): This request covers the overruns in the Town Administrator salary line item attributable to the decision by the Board of Selectmen to terminate without cause the former Town Administrator. The former Town Administrator has been paid his salary since his termination in August 2013 pursuant to the terms of his employment contract. The Board of Selectmen voted to increase the salary of the Assistant Town Administrator, appointed an Interim Town Administrator, and engaged Municipal Resources Inc. to conduct a search for a new Town Administrator. These three unbudgeted salary expenses will cause the Town Administrator salary line item to overrun without a current year transfer. The funding source for this item is FY14 reserve for salary adjustment line item.

Finance Department Expenses (\$15,000): An employee in the Finance Department resigned in FY14, and the Finance Department has engaged a temporary employment firm to provide temporary staff to perform the duties the former employee performed. This request merely would take unspent funds from the Finance Department salary line item and transfer them to the Finance Department expense line item.

**ARGUMENTS IN FAVOR:** These expenses were not reasonably anticipated when forecasting the FY2013 budget and they represent binding obligations of the Town.

**ARGUMENTS OPPOSED:** The Finance Committee is not aware of any.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40, Section 5 and

Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

*For more information about this article, contact Brian Keveny, Finance Director, at (508) 358-3611, or email [bkeveny@wayland.ma.us](mailto:bkeveny@wayland.ma.us).*

## ARTICLE 4: OPEB FUNDING

*Proposed by: Board of Selectmen*

*Estimated cost: \$285,425.00*

To determine whether the Town will vote to:

- a) authorize the transfer of \$594,833.00 from the following enterprise and revolving funds to the General Fund:
- |   |            |
|---|------------|
| 1) Food Service                           | \$ 25,000  |
| 2) Before & After School Extension (BASE) | \$ 282,437 |
| 3) Children's Way                         | \$ 25,000  |
| 4) Full Day Kindergarten                  | \$ 45,308  |
| 5) Water                                  | \$ 141,183 |
| 6) Transfer Station                       | \$ 15,181  |
| 7) Recreation                             | \$ 60,724  |
- b) appropriate an aggregate amount of \$36,330.79 to be deposited in the Town's Other Post-Employment Benefits Trust Fund. The source of the funding shall be from the following enterprise and revolving funds:
- |                          |             |
|--------------------------|-------------|
| 1) Food Service          | \$ 8,947.54 |
| 2) BASE                  | \$ 9,059.56 |
| 3) Children's Way        | \$ 8,859.86 |
| 4) Full Day Kindergarten | \$ 2,498.69 |
| 5) Water                 | \$ 4,529.78 |
| 6) Transfer Station      | \$ 487.07   |
| 7) Recreation            | \$ 1,948.29 |
- c) appropriate \$249,094.21 to be deposited in the Town's Other Post-Employment Benefits Trust Fund 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 or otherwise;

**FINANCE COMMITTEE COMMENTS:** The purpose of this warrant article is to comply with the change in the Town Bylaws adopted at the October, 2012 Special Town Meeting. The Town voted "In order for funds to be made available by the Town for contribution to the Other Postemployment Benefits Trust Fund ("OPEB Trust Fund"), such funds must be appropriated by Town Meeting pursuant to a specific Town Meeting warrant article other than the omnibus budget article." This article proposes that the Town appropriate and fund a \$285,425.00 contribution for FY 2015 to the OPEB Trust Fund (hereinafter referred to as the OPEB Investment Account).

This article has three motions in it. The first motion (paragraph "a" above) authorizes the transfer of monies from certain enterprise/revolving funds to the General Fund. For five of the funds listed (BASE, Full Day Kindergarten, Water, Transfer Station and Recreation) the amounts represent a good faith estimate of the amount of money each of the five funds would have contributed during the years 2008 through 2012 had the amounts contributed to the OPEB investment account been appropriately allocated to each of the funds during that time. For two of the funds (Food Service and Children's

Way) the amounts listed are good faith estimates of the amounts that each of these two funds can transfer based on their current financial condition. The full amount for Food Service and Children's Way that should be transferred over time are estimated to be \$278,880 and \$276,148, respectively. These two funds do not have sufficient financial resources to transfer the full amount that is due at this time. Each of Food Service and Children's Way will transfer \$25,000 in FY2015 to the General Fund to cover a portion of the full amount owed.

The second motion (paragraph "b" above) appropriates the amounts listed from each of the funds to the OPEB investment account. These amounts are the pro rata share for each of the listed funds of the total recommended OPEB appropriation based on the number of retirement-eligible active employees as of FY 2013.

The third motion (paragraph "c" above) appropriates the balance of the total OPEB recommended appropriation of \$285,425.00.

### **OPEB Introduction**

The Town of Wayland, like virtually all municipalities in Massachusetts, offers its retirees both pensions and health insurance benefits. These health insurance benefits fall into a category known as "Other Post-Employment Benefits" or OPEB. In simple terms, the OPEB benefits accrue for current active employees and are then paid to them during their retirement many years in the future. As such, money for these benefits are generally set aside now and allowed to accumulate over multiple decades as the future benefit accrues. All such benefit accruals are subject to a number of rules, assumptions and accounting practices that hold considerable sway on the estimated present value of the OPEB obligations.

In recent years, Wayland's OPEB benefits have come under increasing scrutiny from Wayland citizens. Last year a special OPEB Advisory Committee was created by the Board of Selectmen in order to study the OPEB benefits and related issues in depth. Below is a summary of the Committee's findings and recommendations. A more complete presentation of the Committee's work can be found in the OPEB Committee Report at the end of this Warrant (Appendix M).

### **Calculating the Cost**

In order to estimate today what OPEB benefits are going to cost in the future, certain assumptions are used. With any estimate based on a given set of assumptions, the end result is dependent on the reasonableness of the assumptions. Municipal accountants have officially sanctioned one set of assumptions described in Statement 45 of the Government Accounting Standards Board (GASB). These rules are known as GASB 45. Wayland, along with most other cities and towns, is required to calculate its OPEB obligations according to GASB 45 rules once every two years and disclose certain parts of the calculations in a Note to the Town's financial statements. The Segal Company, an actuarial firm experienced in this area that the Town of Wayland has hired, has performed the OPEB valuations according to the GASB 45 assumptions since 2007. Their most recent valuation was prepared as of December 31, 2012 and is known as the "Segal Report" and can be found on the Town's website.

As noted above, GASB 45 specifies a set of assumptions to use in the actuarial analysis. The OPEB Committee carefully examined these assumptions and found that the GASB 45 assumptions had the effect of consistently overstating Wayland's OPEB benefit obligations, by as much as 35 to 50% when compared to actual historical OPEB benefit payments. These overstated projections of OPEB benefits happened in as little as six months into the future.

The OPEB Committee focused on improving the accuracy of two key assumptions; current health care premium costs and the estimate of near term health care inflation. The details of the changes in these two assumptions are included in the OPEB Committee Report summarizing the Committee's work.

These changes have also been described in detail in various recent public presentations. Substituting the OPEB Committee's assumptions for the GASB 45 assumptions brought the near-term OPEB projections more accurately to within 15% of the actual costs for projection time spans of up to two years.

The OPEB Committee has labeled these new alternative assumptions the "Premium Based" assumptions because they are based on the health insurance premiums that Wayland has actually paid over the last 8 years. The Town's future OPEB liability in 2038 is estimated to be \$103 million using the GASB 45 assumptions. Using the Premium Based assumptions, the OPEB liability is estimated to be \$79 million in 2038. Similarly, the Town's annual contribution to fund our future OPEB obligation using GASB 45 assumptions is approximately \$700,000 per year versus approximately \$300,000 per year using the Premium Based assumptions. The OPEB Committee's analysis suggests that the estimated annual required funding based on the Premium Based assumptions is more in line with the Town's projected OPEB payments than the estimated annual required funding based on GASB 45 rules.

### **Funding OPEB Obligations**

As reported in last year's Warrant Article and posted on the Town's website, the Town made a series of contributions from the General Fund to the OPEB account from FY 2008 through FY 2012 totaling about \$10,000,000. Until FY 2014, no contributions were made by the Town's various fee-based revolving and Enterprise Funds. All of the Town's fee-based programs are designed to be self-supporting on a full-cost basis, including their OPEB obligations. There are about 50 such fee-based programs in town. The seven largest fee-based programs, taken together, have approximately 75 full time equivalent employees that are eligible for OPEB, or about 13% of the total number of OPEB-eligible employees in the Town. The motions in this article will have each of these fee-based programs contribute on an equal per capita basis to the same level that the Town contributes for the balance of the Town's employees.

In addition, the OPEB Committee has not yet been able to quantify contribution amounts from the Town's smaller fee-based programs, nor has the OPEB Committee verified the proper calculations of these fee-based programs for the pay-as-you go OPEB expenses. As a result, the Committee expects that future OPEB Funding warrant articles will bring all the fee-based programs in line on a per capita basis.

The OPEB Committee voted 5-0 to support this article

The Board of Selectmen has not taken a position on this article at the time the Warrant was printed.

The School Committee voted 4-0 to support the intent of the article and the amounts listed in a-1, a-2, a-3, a-4, and b-1, b-2, b-3, and b-4.

The Personnel Board voted 3-0 to support this article.

**ARGUMENTS IN FAVOR:** Arguments for funding in FY2015 include:

1. Fairness to employees, retirees and future taxpayers: Wayland first voted to provide OPEB in 1968, and these benefits have been an integral part of the total compensation package provided to our pension-eligible employees ever since. To not fund the OPEB Investment Account in FY2015 at all while continuing to promise OPEB to today's employees effectively pushes the cost of today's OPEB onto tomorrow's taxpayers, which is at once unfair and fiscally irresponsible.
2. Responsible Investment Management: the Town can reduce the impact of OPEB on Wayland taxpayers by making regular contributions to the OPEB Investment Account that are then invested in a fiscally prudent manner over time. The investment returns will reduce the level of OPEB contributions by the Town from levels that it would otherwise have had to contribute had it not contributed the money today and benefited from estimated investment returns over time.

Arguments for transferring monies from the listed Enterprise and Revolving funds in FY2015 include:

1. Fairness to current taxpayers: The Enterprise & Revolving funds are designed to be completely self-financing from user fees without taxpayer support, and they have a number of employees who qualify for OPEB. Prior to FY 2014, these funds had not contributed to the OPEB Investment Account. The first motion of this article seeks to remedy this situation.

Arguments for funding to the Premium Based estimate of \$285,425 instead of the GASB 45 estimate of \$718,381 called for in the 2012 Segal Company actuarial valuation report include:

1. More Accurate: A careful examination of the GASB 45 projection reveals that it calls for funding that exceeds the anticipated cash cost of OPEB health insurance premiums, as billed to Wayland by the West Suburban Health Group for our current health plans. The lower level is a more accurate projection.
2. Permissible: It is permissible for Wayland to fund at this lower level under current GASB accounting rules, so long as the Town explains its rationale. The funding strategy will be fully described in the Notes to Wayland's financial statements. The OPEB liability will still be shown under GASB 45 assumptions on Wayland's financial statements, but it is an "off balance sheet" liability under current GASB accounting rules.
3. Maintains AAA bond rating: There has not been any negative impact to Wayland's AAA bond rating from Wayland's funding plans to date. Wayland's current OPEB Investment Account balance of approximately \$11.5 million as of December 31, 2013 is proportionally among the highest in Massachusetts and will remain so with the additional contribution proposed in this article.

**ARGUMENTS OPPOSED:** Arguments for not funding the OPEB Investment Account at all in FY2015:

1. Overfunding: Wayland has been overly aggressive in funding OPEB, especially in FY2008 to FY2012. This is reflected in the Net OPEB Asset of \$4.1M in the Segal 2012 report. The Town can well afford to entirely skip its OPEB Investment Account contribution in FY2015. The Town could even draw down a portion of the approximately \$11.5M in the OPEB fund to make some or all of the approximately \$1.5 million FY 2015 OPEB "pay as you go" payments to current retirees.



2. There are other steps the Town could take to further reduce the scope of its promises of future OPEB by raising the minimum retirement age closer to the Medicare eligibility age of 65, increasing the required years of service, reducing the town's portion of OPEB cost-sharing, and finding lower cost health insurance options, among other steps, the OPEB Investment Account will need much less additional funding.

Arguments for not transferring monies from the listed funds to the General Fund

1. Some of these funds will have difficulty in immediately passing the cost of OPEB along to their customers in the form of higher user fees in FY2015, and need more time to make this transition.
2. The General Fund is in a better position to fund these obligations.

Arguments for funding the OPEB account at the higher GASB 45 level of \$718,381 in FY2015

1. Wayland has the means to fund at this higher level now and in future years, which may allow the Town to eliminate the unfunded OPEB liability even sooner than 2038.
2. Wayland will have an even better chance of maintaining its top bond rating by funding at the GASB 45 level.
3. Wayland will be better situated if GASB decides in the future to mandate the funding of OPEB according to GASB 45 assumptions.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B.

*For more information about this article, contact Robert Mercier, Interim Town Administrator, at (508) 358-3620, or email [rmercier@wayland.ma.us](mailto:rmercier@wayland.ma.us). See OPEB Report at Appendix M.*

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## **ARTICLE 5: FUND YOUTH SUBSTANCE ABUSE PREVENTION**

*Proposed by: Petitioners*

*Estimated Cost: \$88,400*

To determine whether the Town will vote to appropriate \$88,400 to be expended by the Wayland Youth and Family Services Department in fiscal year 2015 for youth substance abuse prevention programs; and to determine whether said appropriation shall be provided by taxation, transfer from available funds, transfer from funds appropriated for another purpose, or otherwise.

**PETITIONERS COMMENTS:** Since 2005, Wayland's youth substance abuse prevention has been coordinated by WaylandCares, a community coalition including the Wayland Public Schools, the Police Department, Wayland Youth and Family Services (WY&FS), the Health Department, clergy, parents, students, volunteers, and paid professional prevention staff. Coalition staff provides leadership, coordination, strategies, and training for all those doing prevention work in Wayland. They also provide community-wide programming, to change the environment in which substance abuse occurs and reduce youth access and availability. Funding was provided by a federal grant that expired this year.

This article would expand the capacity of WY&FS to provide environmental interventions in addition to individual and family interventions. Research shows a comprehensive, community-wide approach is most effective. The funds would add a prevention specialist, increase administrative support hours,

and expand the responsibilities of the director and assistant director. The budget also includes funds for training, conferences, and community-wide prevention programming.

**FINANCE COMMITTEE COMMENTS:** This article appropriates funds for youth substance abuse prevention programs under the direction of Wayland Youth and Family Services.

Wayland first hired prevention professionals in 2005 under a Metrowest Health Foundation grant. In 2008, Wayland obtained a six-year federal Drug Free Communities Support (DFC) Program grant. The DFC program objective was to strengthen coalitions and build capacity for prevention work. From there, communities were expected to provide an increasing local prevention funding. As the grant neared its end in the spring of 2012, based on a recommendation of a Sustainability Review Committee appointed by the Board of Selectmen (BoS), funding for WaylandCares staff and programs was proposed as a standalone department in the Omnibus budget for FY2014. However Town Meeting voted to delete the funding, and directed the BoS to develop another proposal. The DFC grant expired last fall and a renewal application was unsuccessful.

The Board of Selectmen appointed a second Review Committee after 2013 Town Meeting; this committee was unable to develop a proposal for this year. However, the Review Committee did reach a consensus that the work of WaylandCares has value, and that Wayland Youth and Family Services (WY&FS) would be the best departmental home for it. Former members from both committees volunteered to work with WY&FS and the Youth Advisory Committee to complete a proposal and bring this article to Town Meeting.

The Youth Advisory Committee, which oversees the WY&FS department, voted 4-0 on January 10, 2014 to support WY&FS collaboration with the petitioners on this proposal. It was reviewed with Dr. Lynn Dowd, WY&FS Director; Dr. Dossie Kahn, WY&FS Assistant Director; and Betsy Meindl, former WaylandCares Program Coordinator. The YAC voted 4-1 on February 7, 2014 to support this article. The WaylandCares Executive committee voted 5-0-1 on February 10, 2014 to support this article. The proposal was also presented to staff and the Personnel Board, which has not yet taken action, to ensure that the background concepts are compliant with Town operations, personnel policies and practices. Any and all personnel transactions are subject to review and approval by the Personnel Board.

The salary for the new Prevention Specialist has been budgeted at \$36,000. Benefits have been budgeted at \$20,300. Other staff adjustments in the department have been budgeted at \$18,500. Details will be negotiated after funding approval, as there is a collective bargaining agreement involved. The salary budget also includes a stipend for a youth advisor at Wayland High School.

The funding request breaks down as follows:

Salaries	\$59,500
Fringe Benefits	20,300
Training/Travel	4,300
Supplies	300
Contract Personnel	2,000
Other	<u>2,000</u>
TOTAL BUDGET	<u>\$88,400</u>

Additional grant money may be available, especially if the Town demonstrates its commitment to sustaining WaylandCares by funding this request. WaylandCares plans to re-apply for the DFC grant.

If the grant were awarded, this appropriation would be reduced by an estimated \$24,300 and additional programming would be possible.

With passage of this article, WY&FS will assume the leadership of and responsibility for WaylandCares, and will coordinate a comprehensive prevention effort by professionals and volunteers across town and school departments. These programs include:

- Social norms marketing and social media campaigns
- Parent education and discussion groups
- Training for other departments and in the community
- Student education, coordination with curriculum initiatives, and student leadership programs
- Coordination with law enforcement on best practices for prevention
- Diversion programs for first offenders
- Participation in state and national organizations for best practices and strategies
- Establishing and changing local laws, policies and procedures, such as zoning and licensing regulations and enforcement

**ARGUMENTS IN FAVOR:** Paid professionals will provide the community with the expertise and coordination needed to ensure that Wayland's programs are based on evidence and best practices. Town volunteers may not have the time, education or information to deliver the same results. Other communities whose coalitions weren't funded have been unable to sustain their environmental and community-wide programs as volunteer-only organizations. Private fundraising efforts are unlikely to generate sufficient funds to support paid professionals.

Both the Sustainability and Review Committees agreed that WaylandCares has value to the community. Youth substance abuse causes traffic accidents and crime. It is a public safety problem that increases costs for law enforcement, health care providers and the public schools. In Wayland, 38% of high school seniors report using alcohol in the past 30 days, and 18% used marijuana. (Source: the 2012 Metrowest Adolescent Health Survey, a nationally accepted and proven metric, locally administered and independently processed.)

Since hiring prevention professionals, WaylandCares has reduced Wayland's usage rates significantly below nearby towns that did not use this prevention approach. In 2006 Wayland's rates were close to the Metrowest average of 24 nearby towns. From 2006 to 2012, Wayland's rates dropped 30% for 30-day alcohol usage and a 36% for marijuana usage. The Metrowest average was a 21% drop in alcohol usage, and a 6% increase in marijuana usage for the same time period. In 2012, our adjacent communities (Weston, Wellesley, Natick and Lincoln-Sudbury) had rates 14-61% higher for alcohol usage and 38-103% higher for marijuana usage.

Youth substance abuse is a public safety problem that affects the entire community. It causes traffic accidents and higher crime rates. It increases costs and burdens our police and fire departments, our schools, and our health care professionals. Prevention is the most-cost effective approach to the problem, and studies have shown the savings per dollar spent can be substantial.

Other departments in Wayland involved in more direct prevention and intervention work will also benefit from support from WaylandCares in the form of training and education, coordination, and program strategies and implementation. WaylandCares can help to identify, research and implement new initiatives, and evaluate the effect of existing programs. With this support, we will have potentially even lower youth substance abuse rates, and a healthier and safer community.

Wayland may receive additional grant money if the Town demonstrates its commitment to sustaining WaylandCares by funding this request. For example, if the DFC grant application is successful this year the cost to the town of the proposed funding would be reduced by \$24,300.

**ARGUMENTS OPPOSED:** Wayland should not use additional taxpayer funds to support substance abuse prevention. The Town of Wayland can use its existing resources to continue whatever work is being done on substance abuse. Funds for this program are not necessary.

Substance abuse is not a big enough problem in Wayland and therefore, we do not need to continue this program.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 3-2-1.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B.

*For more information about this article, contact lead petitioner Dianne Bladon, at 508-358-0068, or email [dehbladon@gmail.com](mailto:dehbladon@gmail.com)*

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## **ARTICLE 6: FY 2015 OMNIBUS BUDGET**

*Sponsored 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.

**FINANCE COMMITTEE COMMENTS:** Please see the Finance Committee Report on page 4 of this Warrant.

**ARGUMENTS IN FAVOR:** This budget reflects the cost of operating the Town in an efficient manner in order to maintain delivery of current levels of service to the residents of Wayland.

**ARGUMENTS OPPOSED:** Some residents believe that this growth in Town spending and the resulting tax increases are unsustainable. Some have communicated that they feel the level of services should be reduced. Other residents might believe that insufficient funds have been budgeted to perform all desired services.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 7 – 0 for the operating budget; 7 – 0 for the capital budget.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7 and 8.

**MOTIONS UNDER ARTICLE 6:**

- 1) “That the report of the Finance Committee respecting the Fiscal Year 2015 Budget be accepted; and that each and every numbered item set forth in the Finance Committee’s Budget for Fiscal Year 2015 be voted, granted and appropriated as an expenditure for the several purposes and uses set forth in said budget establishing a total budget of \$74,429,620, 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, \$66,997,329 shall be raised by taxation, \$360,000 shall be provided by transfer from Ambulance receipts, \$101,583 shall be provided by transfer from Premium on Bonds Account, \$1,179,247 shall be provided by transfer from other funds, \$665,000 shall be provided by transfer from Overlay Surplus, \$1,000,000 shall be provided by transfer from Unreserved Fund Balance, \$3,432,054 shall be provided from Water revenue, \$39,502 shall be provided from Septage Retained Earnings, and \$654,905 shall be provided from Wastewater revenues.
  
- 2) 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 6 at the Annual Town Meeting, as follows:
  - “That the Town Administrator be charged with responsibility for (1) the operation, maintenance, and administration of the Wayland Town Building, the Public Safety Building, the DPW Garage, the Baldwin Pond Water Treatment Plant, and the Cochituate 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 Director of Youth and Family 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 Family Services and Staff at the Annual Town Meeting;”
  - “That property tax abatements granted to eligible senior citizens under Section 80 and 81 of Chapter 127 of the Acts of 1999 be funded by transfer from the overlay account;”
  - “That the Town continue for Fiscal Year 2015 the Transfer Station revolving fund by vote of the 2011 Annual Town Meeting pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws by the Board of Public Works for transfer station programs and activities, to be funded by user fees and recycling receipts collected; and that the amount to be expended not to exceed the sum of \$500,000;” and
  - “That the Town continue for Fiscal Year 2015 the revolving fund established by vote of the 2006 Annual Town Meeting pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws by the Recreation Commission for recreation programs and activities, to be funded by user fees collected; and that the amount to be expended not to exceed the sum of \$450,000;” and
  - “That the Town continue for Fiscal Year 2015 the revolving fund established by vote of the 1994 Annual Town Meeting pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws for use by the Council on Aging for education, cultural and entertainment programs and purposes, to be funded by receipts from said programs; and that the amount to be expended not exceed the sum of \$50,000.”
  
- 3) “That each and every numbered item set forth in the Finance Committee’s capital budget of Fiscal Year 2015 listed on pages 42-43 in the total amount of \$3,717,400 be appropriated for equipment

and vehicle acquisitions and projects for the listed departments, each of which shall be a separate appropriation, and, of the total sum so appropriated, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$2,917,400, pursuant to the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8, \$160,000 shall be raised from taxation, \$415,000 shall be provided by transfer from Unreserved Fund Balance, \$75,000 shall be provided from water surplus, and \$0 shall be provided from Water revenues, and \$150,000 shall be provided from Ambulance receipts, provided that the debt services costs related to the improvements to the Transfer Station and Recycling Center Facility shall be funded by transfer to the General Fund from fees paid for the use of said facility.

- 4) “That the Town :
- a.) appropriate the amount of \$1,100,000 Dollars for the purpose of paying costs of repairs to the Claypit Hill School, 40 Adams Lane, Wayland, Massachusetts, 01778, including the payment of all costs incidental or related thereto (the “Project”), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the Town has applied for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of the Permanent Municipal Building Committee. To meet this appropriation the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority. The Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA’s Board of Directors votes to invite the Town to collaborate with the MSBA on this proposed repair project, any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town of Wayland; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2½); and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of Wayland and the MSBA.
  - b.) to meet said appropriation, authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$1,100,000 under Massachusetts General Laws Chapter 44, or any other enabling authority;
  - c.) authorize the School Committee to enter into all necessary and appropriate agreements for the repairs to the Claypit Hill School, including but not limited to a project funding agreement and a project scope and budget agreement with the MSBA, which agreements with the MSBA may include a provision requiring the Town to indemnify the MSBA for losses associated with the Town’s performance of its obligations and exercise of its rights under such agreements.
- 5) appropriate \$2,822,826 to be expended by Permanent Municipal Building Committee for the turnkey design installation, commissioning and performance assurance for specific energy infrastructure and efficiency projects in municipal and school buildings, including mechanical upgrades involving heating, air conditioning systems, motors/drives, lighting upgrades and lighting controls, energy management systems and controls, and building envelope and weatherization upgrades; to provide for said appropriation, authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$2,822,826 under Massachusetts General

Laws Chapter 44, or any other enabling authority; and authorize the Board of Selectmen to enter into an energy savings performance contract in an amount not to exceed \$2,822,826 in accordance with the Massachusetts General Laws Chapter 25A for a term of up to (20) twenty years for such purposes, under which the energy savings resulting from the installed energy conservation projects will be guaranteed for the term of the contract as required by Massachusetts General Laws Chapter 25A.

*For more information about this article, contact Tom Greenaway, Chair, Finance Committee, at [thomas.greenaway@gmail.com](mailto:thomas.greenaway@gmail.com).*

FISCAL YEAR 2015 BUDGET		EXPENDED	EXPENDED	APPROVED	REQUESTED
		FY 2012	FY 2013	FY 2014	FY 2015
<b>SELECTMEN</b>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
	PURCHASE OF SERVICES	\$20,314	\$19,992	\$27,000	\$24,000
	SUPPLIES	\$2,036	\$3,910	\$6,000	\$6,000
1	TOTAL EXPENSES	\$22,350	\$23,902	\$33,000	\$30,000
	TOTAL SELECTMEN	\$22,350	\$23,902	\$33,000	\$30,000
<b>TOWN OFFICE</b>					
	<i>Total FTEs</i>	4.00	4.00	4.50	5.00
2	PERSONNEL SERVICES	\$372,450	\$375,012	\$406,424	\$466,664
	PURCHASE OF SERVICES	\$3,490	\$8,240	\$10,000	\$10,000
	SUPPLIES	\$59,999	\$56,397	\$71,500	\$69,500
3	TOTAL EXPENSES	\$63,489	\$64,637	\$81,500	\$79,500
	TOTAL TOWN OFFICE	\$435,939	\$439,649	\$487,924	\$546,164
<b>PERSONNEL BOARD</b>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
4	PERSONNEL SERVICES	\$0	\$0	\$6,750	\$6,750
	PURCHASE OF SERVICES	\$6,528	\$5,268	\$10,000	\$10,000
5	TOTAL EXPENSES	\$6,528	\$5,268	\$10,000	\$10,000
	TOTAL PERSONNEL BOARD	\$6,528	\$5,268	\$16,750	\$16,750
<b>FINANCE</b>					
	<i>Total FTEs</i>	4.43	4.43	4.43	4.54
6	PERSONNEL SERVICES	\$294,070	\$268,198	\$301,880	\$315,161
	PURCHASE OF SERVICES	\$42,705	\$38,553	\$48,700	\$48,700
	SUPPLIES	\$2,050	\$1,573	\$3,000	\$3,000
7	TOTAL EXPENSES	\$44,755	\$40,126	\$51,700	\$51,700
	TOTAL FINANCE	\$338,825	\$308,324	\$353,580	\$366,861
<b>ASSESSOR</b>					
	<i>Total FTEs</i>	4.00	4.00	4.00	4.00
8	PERSONNEL SERVICES	\$200,579	\$224,238	\$238,510	\$243,090
	PURCHASE OF SERVICES	\$98,406	\$43,736	\$77,450	\$74,800
	SUPPLIES	\$2,625	\$2,931	\$3,000	\$3,000
9	TOTAL EXPENSES	\$101,031	\$46,667	\$80,450	\$77,800
	TOTAL ASSESSOR	\$301,610	\$270,905	\$318,960	\$320,890
<b>TREASURER</b>					
	<i>Total FTEs</i>	3.26	3.26	3.26	3.26
10	PERSONNEL SERVICES	\$190,791	\$189,881	\$199,368	\$196,650
	PURCHASE OF SERVICES	\$25,534	\$26,164	\$30,250	\$30,400
	SUPPLIES	\$221	\$111	\$500	\$500
11	TOTAL EXPENSES	\$25,755	\$26,275	\$30,750	\$30,900
	TOTAL TREASURER	\$216,546	\$216,156	\$230,118	\$227,550
<b>TOWN COUNSEL</b>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
	PURCHASE OF SERVICES	\$120,936	\$146,621	\$170,000	\$190,000
	SUPPLIES	\$979	\$5,842	\$5,000	
12	TOTAL EXPENSES	\$121,915	\$152,463	\$175,000	\$190,000
	TOTAL TOWN COUNSEL	\$121,915	\$152,463	\$175,000	\$190,000
<b>INFORMATION TECHNOLOGY</b>					
	<i>Total FTEs</i>	1.00	1.00	1.00	1.00
13	PERSONNEL SERVICES	\$83,083	\$82,197	\$83,842	\$83,842
	PURCHASE OF SERVICES	\$122,692	\$199,949	\$149,883	\$178,484



	SUPPLIES	\$20,501	\$27,869	\$62,001	\$43,000
14	TOTAL EXPENSES	\$143,193	\$227,818	\$211,884	\$221,484
	TOTAL INFORMATION TECHNOLOGY	\$226,276	\$310,015	\$295,726	\$305,326
	<b>TOWN CLERK</b>				
	<i>Total FTEs</i>	<i>2.00</i>	<i>2.00</i>	<i>2.00</i>	<i>2.00</i>
15	PERSONNEL SERVICES	\$120,301	\$130,151	\$120,023	\$121,988
	PURCHASE OF SERVICES	\$6,841	\$4,961	\$10,215	\$10,215
	SUPPLIES	\$1,504	\$1,332	\$1,400	\$1,400
16	TOTAL EXPENSES	\$8,345	\$6,293	\$11,615	\$11,615
	TOTAL TOWN CLERK	\$128,646	\$136,444	\$131,638	\$133,603
	<b>ELECTIONS</b>				
	<i>Total FTEs</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>
17	PERSONNEL SERVICES	\$14,863	\$32,238	\$13,564	\$24,328
	PURCHASE OF SERVICES	\$73	\$1,239	\$900	\$900
	SUPPLIES	\$13,028	\$9,340	\$5,400	\$9,970
18	TOTAL EXPENSES	\$13,101	\$10,579	\$6,300	\$10,870
	TOTAL ELECTIONS	\$27,964	\$42,817	\$19,864	\$35,198
	<b>REGISTRAR</b>				
	<i>Total FTEs</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>
19	PERSONNEL SERVICES	\$275	\$925	\$275	\$275
	PURCHASE OF SERVICES	\$2,143	\$3,744	\$4,000	\$4,000
20	TOTAL EXPENSES	\$2,143	\$3,744	\$4,000	\$4,000
	TOTAL REGISTRAR	\$2,418	\$4,669	\$4,275	\$4,275
	<b>CONSERVATION</b>				
	<i>Total FTEs</i>	<i>1.71</i>	<i>1.83</i>	<i>1.83</i>	<i>1.83</i>
21	PERSONNEL SERVICES	\$123,400	\$129,552	\$142,026	\$140,444
	PURCHASE OF SERVICES	\$5,902	\$9,511	\$12,500	\$22,500
	SUPPLIES	\$10,041	\$7,578	\$7,400	\$7,400
22	TOTAL EXPENSES	\$15,943	\$17,089	\$19,900	\$29,900
	TOTAL CONSERVATION	\$139,343	\$146,641	\$161,926	\$170,344
	<b>PLANNING</b>				
	<i>Total FTEs</i>	<i>1.40</i>	<i>1.40</i>	<i>1.40</i>	<i>1.40</i>
23	PERSONNEL SERVICES	\$112,081	\$101,375	\$105,990	\$105,990
	PURCHASE OF SERVICES	\$0	\$0	\$3,000	\$3,000
	SUPPLIES	\$3,280	\$3,505	\$1,500	\$1,500
24	TOTAL EXPENSES	\$3,280	\$3,505	\$4,500	\$4,500
	TOTAL PLANNING	\$115,361	\$104,880	\$110,490	\$110,490
	<b>SURVEYOR</b>				
	<i>Total FTEs</i>	<i>2.00</i>	<i>2.00</i>	<i>2.00</i>	<i>2.00</i>
25	PERSONNEL SERVICES	\$158,454	\$157,625	\$160,778	\$160,778
	PURCHASE OF SERVICES	\$10,647	\$10,361	\$12,800	\$22,800
	SUPPLIES	\$4,630	\$5,788	\$4,150	\$4,150
26	TOTAL EXPENSES	\$15,277	\$16,149	\$16,950	\$26,950
	TOTAL SURVEYOR	\$173,731	\$173,774	\$177,728	\$187,728
	<b>FACILITIES</b>				
	<i>Total FTEs</i>	<i>3.54</i>	<i>3.54</i>	<i>3.54</i>	<i>3.54</i>
27	PERSONNEL SERVICES	\$276,936	\$251,293	\$272,106	\$273,192
28	PURCHASE OF SERVICES	\$222,156	\$202,928	\$239,600	\$240,952
	Contract Services	\$65,014	\$63,619	\$81,600	\$65,102
	Repairs & Other Expenses	\$157,142	\$105,373	\$158,000	\$175,850
29	UTILITIES	\$457,554	\$582,087	\$543,500	\$567,665
30	SUPPLIES	\$18,097	\$36,262	\$38,500	\$38,500

	TOTAL FACILITIES	\$974,743	\$1,072,570	\$1,093,706	\$1,120,309
	MISC COMMITTEES				
	<i>Historic Commission, Surface Water Quality Commission, Historic District Commission, Public Ceremonies Committee, 375th Celebration Anniversary Commemoration Committee</i>				
	<i>Total FTEs</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>
	PURCHASE OF SERVICES	\$31,983	\$76,482	\$49,775	\$49,775
31	TOTAL EXPENSES	\$31,983	\$76,482	\$49,775	\$49,775
	TOTAL MISC COMMITTEES	\$31,983	\$76,482	\$49,775	\$49,775
	<b>POLICE</b>				
	<i>Total FTEs</i>	<i>24.33</i>	<i>24.33</i>	<i>25.33</i>	<i>25.59</i>
32	PERSONNEL SERVICES	\$2,047,435	\$2,041,981	\$2,181,252	\$2,196,125
	PURCHASE OF SERVICES	\$110,960	\$136,235	\$125,350	\$135,950
	SUPPLIES	\$191,156	\$184,296	\$199,000	\$199,000
33	TOTAL EXPENSES	\$302,116	\$320,531	\$324,350	\$334,950
	TOTAL POLICE	\$2,349,551	\$2,362,512	\$2,505,602	\$2,531,075
	<b>JOINT COMMUNICATIONS</b>				
	<i>Total FTEs</i>	<i>8.00</i>	<i>8.00</i>	<i>8.00</i>	<i>8.00</i>
34	PERSONNEL SERVICES	\$452,550	\$448,558	\$473,001	\$472,650
	PURCHASE OF SERVICES	\$17,187	\$17,599	\$16,600	\$11,600
	UTILITIES	\$18,605	\$13,870	\$20,000	\$10,000
	SUPPLIES	\$3,563	\$8,353	\$5,500	\$5,500
35	TOTAL EXPENSES	\$39,355	\$39,822	\$42,100	\$27,100
	TOTAL JOINT COMMUNICATIONS	\$491,905	\$488,380	\$515,101	\$499,750
	<b>EMERGENCY MANAGEMENT</b>				
	<i>Total FTEs</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>
	PURCHASE OF SERVICES	\$15,477	\$16,079	\$16,000	\$16,000
	SUPPLIES	\$4,511	\$6,730	\$7,000	\$7,000
36	TOTAL EXPENSES	\$19,988	\$22,809	\$23,000	\$23,000
	TOTAL EMERGENCY MANAGEMENT	\$19,988	\$22,809	\$23,000	\$23,000
	<b>DOG OFFICER</b>				
	<i>Total FTEs</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>
	PURCHASE OF SERVICES	\$18,628	\$22,544	\$21,500	\$21,500
	SUPPLIES	\$0	\$0	\$1	\$1
37	TOTAL EXPENSES	\$18,628	\$22,544	\$21,501	\$21,501
	TOTAL DOG OFFICER	\$18,628	\$22,544	\$21,501	\$21,501
	<b>FIRE &amp; ALS</b>				
	<i>Total FTEs</i>	<i>28.87</i>	<i>28.87</i>	<i>28.87</i>	<i>27.87</i>
38	PERSONNEL SERVICES	\$2,170,056	\$2,193,795	\$2,271,520	\$2,311,164
	PURCHASE OF SERVICES	\$82,390	\$81,308	\$104,445	\$55,500
	SUPPLIES	\$122,772	\$104,316	\$112,000	\$163,745
39	TOTAL EXPENSES	\$205,162	\$185,624	\$216,445	\$219,245
	TOTAL FIRE	\$2,375,218	\$2,379,419	\$2,487,965	\$2,530,409
	<b>BUILDING &amp; ZONING</b>				
	<i>Total FTEs</i>	<i>4.89</i>	<i>4.63</i>	<i>4.63</i>	<i>4.63</i>
40	PERSONNEL SERVICES	\$276,608	\$242,198	\$281,054	\$285,317
	PURCHASE OF SERVICES	\$10,832	\$10,462	\$14,000	\$14,000
	SUPPLIES	\$8,333	\$2,438	\$501	\$501
41	TOTAL EXPENSES	\$19,165	\$12,900	\$14,501	\$14,501
	TOTAL BUILDING & ZONING	\$295,773	\$255,098	\$295,555	\$299,818

<b>SCHOOLS</b>					
	<i>Total FTEs</i>	367.26	374.42	374.64	392.35
42	TOTAL SCHOOLS	\$30,921,330	\$32,521,598	\$33,397,005	\$35,433,047
<b>REGIONAL VOCATIONAL SCHOOLS</b>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
43	TOTAL REGIONAL VOC SCHOOLS	\$309,585	\$257,220	\$212,427	\$199,833
<b>DPW</b>					
	<i>Total FTEs</i>	27.57	28.37	28.37	29.41
44	PERSONNEL SERVICES	0	1,307,397	1,333,691	1,339,786
<b>HIGHWAY</b>					
	<i>PERSONNEL SERVICES</i>		\$929,176	\$930,496	\$936,591
45	PURCHASE SERVICES	\$182,762	\$474,419	\$256,700	\$206,700
46	SUPPLIES	\$62,087	\$54,512	\$74,800	\$74,800
<b>PARK AND CEMETERY</b>					
	<i>PERSONNEL SERVICES</i>		\$378,221	\$403,195	\$403,195
47	PURCHASE SERVICES	\$132,334	\$120,556	\$100,500	\$100,500
48	SUPPLIES	\$103,632	\$92,243	\$97,500	\$97,500
<b>LANDFILL</b>					
49	PURCHASE SERVICES	\$81,599	\$52,167	\$65,000	\$65,000
	TOTAL DPW	\$562,414	\$2,101,294	\$1,928,191	\$1,884,286
<b>SNOW</b>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
50	PERSONNEL SERVICES	\$66,812	\$188,254	\$125,000	\$125,000
	PURCHASE OF SERVICES	\$82,862	\$182,738	\$110,000	\$110,000
	SUPPLIES	\$145,263	\$240,668	\$215,000	\$215,000
51	TOTAL EXPENSES	\$228,125	\$423,406	\$325,000	\$325,000
	TOTAL SNOW	\$294,937	\$611,660	\$450,000	\$450,000
<b>BOARD OF HEALTH</b>					
	<i>Total FTEs</i>	9.15	9.15	9.15	9.29
52	PERSONNEL SERVICES	\$554,893	\$568,742	\$589,213	\$597,418
	PURCHASE OF SERVICES	\$147,650	\$137,030	\$169,832	\$163,500
	SUPPLIES	\$3,556	\$12,803	\$13,540	\$13,541
53	TOTAL EXPENSES	\$151,206	\$149,833	\$183,372	\$177,041
	TOTAL BOARD OF HEALTH	\$706,099	\$718,575	\$772,585	\$774,459
<b>VETERANS SERVICES</b>					
	<i>Total FTEs</i>	0.11	0.00	0.00	0.00
54	PERSONNEL SERVICES	\$3,824	\$567	\$0	\$0
	PURCHASE OF SERVICES	\$0	\$20,461	\$24,000	\$35,200
	SUPPLIES	\$2,868	\$2,559	\$6,000	\$6,000
55	TOTAL EXPENSES	\$2,868	\$23,020	\$30,000	\$41,200
	TOTAL VETERANS SERVICES	\$6,692	\$23,587	\$30,000	\$41,200
<b>COUNCIL ON AGING</b>					
	<i>Total FTEs</i>	2.86	2.83	2.83	2.83
56	PERSONNEL SERVICES	\$171,269	\$160,505	\$165,940	\$167,388
	PURCHASE OF SERVICES	\$37,539	\$39,199	\$45,700	\$46,700
	SUPPLIES	\$3,204	\$7,886	\$9,800	\$8,800
57	TOTAL EXPENSES	\$40,743	\$47,085	\$55,500	\$55,500
	TOTAL COUNCIL ON AGING	\$212,012	\$207,590	\$221,440	\$222,888
<b>YOUTH SERVICES</b>					
	<i>Total FTEs</i>	2.11	2.11	2.11	2.17
58	PERSONNEL SERVICES	\$151,012	\$153,348	\$156,285	\$159,653

	PURCHASE OF SERVICES	\$1,022	\$2,604	\$2,850	\$2,850
	SUPPLIES	\$1,969	\$1,043	\$975	\$1,225
59	TOTAL EXPENSES	\$2,991	\$3,647	\$3,825	\$4,075
	TOTAL YOUTH SERVICES	\$154,003	\$156,995	\$160,110	\$163,728
	<b>LIBRARY</b>				
	<i>Total FTEs</i>	<i>14.71</i>	<i>14.74</i>	<i>14.74</i>	<i>14.74</i>
60	PERSONNEL SERVICES	\$740,193	\$736,148	\$772,518	\$765,000
	PURCHASE OF SERVICES	\$34,678	\$45,286	\$47,300	\$45,700
	SUPPLIES	\$177,968	\$180,934	\$180,560	\$172,600
61	TOTAL EXPENSES	\$212,646	\$226,220	\$227,860	\$218,300
	TOTAL LIBRARY	\$952,839	\$962,368	\$1,000,378	\$983,300
	<b>RECREATION</b>				
	<i>Total FTEs</i>	<i>2.33</i>	<i>2.33</i>	<i>1.83</i>	<i>2.11</i>
	PERSONNEL SERVICES	\$334,293	\$315,997	\$314,456	\$320,364
	SUPPLIES	\$25,000	\$25,000	\$0	\$0
62	TOTAL EXPENSES	\$359,293	\$340,997	\$314,456	\$320,364
	TOTAL RECREATION	\$359,293	\$340,997	\$314,456	\$320,364
	<b>DEBT AND INTEREST</b>				
	<i>Total FTEs</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	
63	TOTAL DEBT AND INTEREST	\$7,730,470	\$7,637,937	\$7,348,946	\$7,789,058
	<b>RETIREMENT</b>				
	<i>Total FTEs</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	
	PURCHASE OF SERVICES	\$3,420,633	\$3,171,056	\$3,507,480	\$3,740,468
64	TOTAL RETIREMENT	\$3,420,633	\$3,171,056	\$3,507,480	\$3,740,468
	<b>UNCLASSIFIED</b>				
	<i>Total FTEs</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	<i>\$0</i>
	HEALTH & LIFE INSURANCE				
	Employee Health Insurance (439)	\$3,879,467	\$4,903,351	\$4,328,589	\$4,662,231
	Retiree Health Insurance (429)	\$1,494,207		\$1,632,909	\$1,455,479
	Employee HRA Accounts (439)	\$395,910		\$322,000	\$0
	Health Insurance Incentive Waiver (44)	\$108,127		\$125,000	\$150,000
	Employee & Retiree Life Insurance (667)	\$14,450		\$16,000	\$17,000
	Other Expenses	\$69,390		\$53,361	\$55,000
	<i>Paranthetical enrollment represent FY 14 estimates</i>				
65	TOTAL HEALTH/LIFE INSURANCE	\$6,652,028	\$4,903,351	\$6,477,859	\$6,339,710
	OTHER INSURANCE				
66	PROPERTY, CASUALTY & LIABILITY INSURANCE	\$611,296	\$518,680	\$615,000	\$615,000
67	MEDICARE TAX - 1.45%	\$522,797	\$545,170	\$560,000	\$560,000
68	UNEMPLOYMENT COMPENSATION	\$103,175	\$32,578	\$125,000	\$125,000
69	NON CONTRIBUTORY RETIREMENT	\$17,450	\$17,870	\$19,000	\$19,000
70	POLICE/FIRE DISABILITY	\$4,022	\$5,972	\$15,000	\$15,000
71	OCCUPATIONAL HEALTH	\$5,018	\$4,361	\$8,000	\$8,000
	TOTAL OTHER INSURANCE	\$1,263,758	\$1,124,631	\$1,342,000	\$1,342,000
72	SICK LEAVE BUYBACK	--	--	\$53,000	\$53,000
73	RESERVE FOR SALARY SETTLEMENT	\$0	\$0	\$705,000	\$300,000
74	TOWN MEETING	\$107,654	\$78,294	\$90,000	\$90,000
75	STREET LIGHTING	\$116,514	\$141,999	\$130,000	\$130,000
76	RESERVE FUND	\$0	\$0	\$325,000	\$325,000
	TOTAL UNCLASSIFIED	\$8,139,954	\$6,248,275	\$9,122,859	\$8,579,710
	<b>TOTAL GENERAL FUND BUDGET</b>	<b>\$62,585,502</b>	<b>\$63,974,873</b>	<b>\$67,975,061</b>	<b>\$70,303,157</b>

<b>WATER FUND</b>					
	<i>Total FTEs</i>	<i>9.80</i>	<i>9.00</i>	<i>9.00</i>	<i>8.00</i>
	SALARIES	\$943,638	\$1,025,675	\$702,974	\$713,880
	PURCHASE OF SERVICES	\$424,658	\$445,000	\$450,117	\$450,117
	UTILITIES	\$266,561	\$335,000	\$335,000	\$363,271
	SUPPLIES	\$519,694	\$470,000	\$470,000	\$470,000
	OTHER FINANCING USES	\$0	\$0	\$406,019	\$348,583
	DEBT SERVICE	\$1,214,511	\$1,224,659	\$1,191,990	\$1,086,203
78	TOTAL WATER DEPARTMENT	\$3,369,062	\$3,500,334	\$3,556,100	\$3,432,054
<b>SEPTAGE FUND</b>					
	<i>Total FTEs</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	
	SALARIES - RETIREE CHARGES	\$30,233	\$32,807	\$33,205	\$39,502
	PURCHASE OF SERVICES	\$0	\$0		
78	TOTAL SEPTAGE DEPARTMENT	\$30,233	\$32,807	\$33,205	\$39,502
<b>WASTEWATER MGMT DISTRICT COMM</b>					
	<i>Total FTEs</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	
	PURCHASE OF SERVICES	\$73,844	\$168,000	\$222,625	\$145,725
	UTILITIES	\$0	\$0	\$0	\$57,400
	SUPPLIES	\$0	\$15,000	\$10,000	\$0
	DEBT SERVICE	\$486,919	\$452,160	\$455,255	\$451,780
80	TOTAL WASTEWATER MGMT COMM	\$560,763	\$635,160	\$687,880	\$654,905
	<i>Grand Total FTEs</i>	<i>529.33</i>	<i>536.24</i>	<i>537.46</i>	<i>555.56</i>
<b>TOTAL ENTERPRISE FUNDS</b>		<b>\$3,960,058</b>	<b>\$4,168,301</b>	<b>\$4,277,185</b>	<b>\$4,126,461</b>
<b>GRAND TOTAL OMNIBUS BUDGET</b>		<b>\$66,545,560</b>	<b>\$68,143,174</b>	<b>\$72,252,246</b>	<b>\$74,429,618</b>

CAPITAL BUDGET- FISCAL 2015		FUNDING SOURCE	RECOMMENDED
<u>INFORMATION TECHNOLOGY</u>			
1	DOCUMENT MANAGEMENT	C	50,000.00
<u>CONSERVATION</u>			
2	CONSERVATION LAND	B	30,000.00
<u>FACILITIES</u>			
3	TOWN BUILDING REPAIRS	B	70,000.00
4	TOWN BUILDING WINDOWS	B	100,000.00
5	PUBLIC SAFETY PHONE SYSTEM	C	35,000.00
6	STATION 2 TIGHT TANK	B	40,000.00
7	TOWN WIDE ENERGY UPGRADES	B	2,813,920.00
<u>FIRE</u>			
8	BRUSH TRUCK UPGRADE	AR	125,000.00
9	BOAT, TRAILER AND MOTOR	AR	25,000.00
<u>DPW</u>			
10	ROAD CONSTRUCTON	B	250,000.00
11	CEMETERY EXPANSION	B	200,000.00
12	PARKLAND / CHARLES	B	75,000.00
13	CULVERT REPAIRS	B	100,000.00
14	TRANSFER STATION UPGRADE	B	50,000.00
15	BOBCAT	B	60,000.00
16	H-16 DUMP TRUCK	B	200,000.00
17	H-19 DUMP TRUCK	B	200,000.00
<u>RECREATION</u>			
18	FIELD IMPROVEMENTS	C	75,000.00
<u>SCHOOL</u>			
19	CLAYPIT-FURNITURE	B	35,000.00
20	HAPPY HOLLOW FURNITURE	B	35,000.00
21	MIDDLE SCHOOL FURNITURE	B	25,000.00
	TOTAL FURNITURE REPLACEMENT		95,000.00
22	CLAYPIT-FLOOR TILE REPLACEMENT	B	36,000.00
23	CLAYPIT-DOORS & WINDOWS	B	1,100,000.00
24	HAPPY HOLLOW ART ROOM	B	20,000.00
25	HAPPY HOLLOW FLOOR TILE REPLACEMENT	B	110,000.00
26	MIDDLE SCHOOL SECURITY IMPROVEMENT	FC	65,000.00
27	MIDDLE SCHOOL WINDOW REPLACEMENT	FC	250,000.00
28	MIDDLE SCHOOL AIR CONDITIONING UPGRADE	B	70,000.00
29	LOKER SECURITY IMPROVEMENT	FC	45,000.00
30	LOKER KITCHEN / CAFÉ RENOVATION	B	211,400.00
	TOTAL SCHOOL RENOVATIONS		1,907,400.00
31	LOKER PLAYGROUND REPLACEMENT	FC	55,000.00
<u>DPW-WATER ENTERPRISE</u>			
32	PUMP STATION UPGRADE	B	1,000,000.00
33	VEHICLES	WC	75,000.00
	TOTAL CAPITAL BUDGETS		7,631,320.00

SUMMARY OF FUNDING SOURCES		
BORROW ( NON EXEMPT)	B	6,831,320.00
CASH CAPITAL	C	160,000.00
FREE CASH	FC	415,000.00
AMBULANCE FUND	AR	150,000.00
WATER CAPITAL	WC	75,000.00
		7,631,320.00
TOTAL FUNDING SOURCES		7,631,320.00

<b>1. Budget: Information Technology - \$50,000</b>	
<b>Title: Document Management</b>	<b>Project Advocate(s): IT Department, Public Buildings Director, Town Administrator's Office</b>
<b>Description:</b> This is the second year of a multi-year project originally from the BDMP report of 2010. These funds will be used digitize, record, store and retrieve Town records.	
<b>Justification:</b> Originally identified in the BDMP report of 2010 for implementation of the Information Technology Strategic Plan. The plan can be viewed at: <a href="http://www.wayland.ma.us/Pages/WaylandMA_IT/it.pdf">http://www.wayland.ma.us/Pages/WaylandMA_IT/it.pdf</a> . To better manage paper driven operations and deal with storage and retrieval issues, this project will cover Town operations on a department by department basis.	
<b>Relationship to General Plan:</b> Maintenance and enhancement of technology services and infrastructure. Next step in the multi-year implementation of the IT Strategic Plan.	
<b>History:</b> This project allows the Town to ensure document preservation and provide prompt and reliable access and recall of current and past documents as required for use by authorized personnel and community members. It also leverages technology to improve Town technology operations.	
<b>Schedule:</b> FY2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Cash Capital	<b>Request:</b> \$50,000

<b>2. Budget: Conservation Commission: - \$30,000</b>	
<b>Title: Conservation Land/Parking Lot Repairs</b>	<b>Project Advocate(s): Chair, Conservation Commission, Conservation Administrator</b>
<b>Description:</b> Improve drainage issues and implement repairs to existing parking lot at Heard Pond.	
<b>Justification:</b> Localized flooding that may be attributed to a buried drain line necessitates cleanout and/or upgrading of the drain, as well as re-grading to maintain access to the parking area.	
<b>Relationship to General Plan:</b> Improvement to area is required to maintain access and minimize ongoing maintenance.	
<b>History:</b> This item was not previously identified in the Capital Plan. However, ongoing maintenance of the area is time consuming and costly so repair work is recommended.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> No
<b>Source of Funds:</b> Borrowing	<b>Request:</b> \$30,000

<b>3. Budget: Facilities - \$70,000</b>	
<b>Title: Town Building Repairs</b>	<b>Project Advocate(s): Public Buildings Director, Facilities, Town Administrator's Office</b>
<b>Description:</b> Repairs to existing wooden sills, trim and gutters. Painting of the exterior of the building.	
<b>Justification:</b> Multiple areas of rotted wood have developed and these need to be replaced.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in the Town's assets.	
<b>History:</b> Exterior painting was last done in the fall of 2007.	
<b>Schedule:</b> Summer/Fall 2014	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Borrowing	<b>Request:</b> \$70,000

<b>4. Budget: Facilities - \$100,000</b>	
<b>Title: Town Building Windows</b>	<b>Project Advocate(s): Public Buildings Director, Facilities, Town Administrator's Office</b>
<b>Description:</b> Replace all wooden windows. Design and install triple glazed window system in Town Building.	
<b>Justification:</b> Many windows have broken seals and do not operate properly. There should be some energy savings from the new window systems.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in the Town's assets.	
<b>History:</b> Requests for improvements to Town Building have been made for the past several years to make improvements that are overdue.	
<b>Schedule:</b> Design in 2015; Installation in 2016	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Borrowing	<b>Request:</b> \$100,000

<b>5. Budget: Facilities - \$35,000</b>	
<b>Title: Public Safety Phone System</b>	<b>Project Advocate(s): Public Safety (JCC); Public Buildings Director, Facilities Department; Chair, Board of Selectmen</b>
<b>Description:</b> Replace the telephone system for the Public Safety Building.	
<b>Justification:</b> This budget year the phone system, which is original to the building, will be 12 years old. This request is to provide for the normal replacement of technology in communication systems based on the age of the equipment.	
<b>Relationship to General Plan:</b> Maintenance and enhancement of technology services and infrastructure.	
<b>Schedule:</b> FY2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Cash Capital	<b>Request:</b> \$35,000



<b>6. Budget: Facilities - \$40,000</b>	
<b>Title: Station #2 Tight Tank</b>	<b>Project Advocate(s): Public Buildings Director</b>
<b>Description:</b> Design and installation of a new tight tank to handle waste-water from the building floor drains.	
<b>Justification:</b> This work needs to be done in order to comply with the Board of Health's new floor drain requirements.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in the Town's assets and maintain buildings in compliance with laws.	
<b>History:</b> A new need brought about due to a change in Board of Health regulations.	
<b>Schedule:</b> 2014/2015 – to be coordinated with septic work at the property that was previously funded.	<b>In the 5 Year Capital Plan?</b> No
<b>Source of Funds:</b> Borrowing	<b>Request:</b> \$40,000

<b>7. Budget: Facilities - \$2,822,826</b>	
<b>Title: Townwide Energy Savings Service Contract</b>	<b>Project Advocate(s): Public Buildings Director, Facilities; Energy Initiatives Advisory Committee, Chair</b>
<b>Description:</b> Townwide program to upgrade and replace electrical, mechanical and control equipment to improve the Town's energy consumption while also replacing outdated equipment and systems.	
<b>Justification:</b> This project will decrease energy costs incurred by the Town on an annual basis. Those savings will be used, along with a partial guaranty from a third party contractor, Ameresco, to pay most of the debt service costs to be incurred in conjunction with this work. The Town could not afford to undertake such a broad upgrade to these systems if it were not through this energy program, which is mandated by the Commonwealth.	
<b>Relationship to General Plan:</b> Maintenance of the Town's assets.	
<b>History:</b> The Town's Energy Committee has been working with the Facilities Director for the past three years to put this project together. The Town voted to become a "Green" community at Town Meeting a few years ago and this is one of several initiatives that has been brought to the Town via this program.	
<b>Schedule:</b> Commencing in 2014; 2 <sup>nd</sup> phase is expected to incorporate the Town Building in 2015.	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Borrowing – a portion of the debt service cost will be paid from energy savings and a portion could be paid via energy savings guarantees from the third party contractor, Ameresco.	<b>Request:</b> \$2,822,826

<b>8. Budget: Fire Department - \$125,000</b>	
<b>Title: Brush Truck Upgrade</b>	<b>Project Advocate(s): Fire Department Chief</b>
<b>Description:</b> Rather than purchasing two completely new cabs, this is to purchase one new cab and chassis and swap and remount the bodies of the two vehicles in order to have the same two types of vehicles, with the same functionality, but upgraded to increase reliability and limit repair and maintenance costs. Project includes potential trade-in of one 1997 cab and chassis which may modestly reduce the total cost of the project.	
<b>Justification:</b> This plan will result in the upgrade of two vehicles by re-purposing vehicle bodies and requiring only the purchase of one new cab/chassis, thereby minimizing financial impact.	
<b>Relationship to General Plan:</b> Ongoing replacement of vehicles based on age and condition.	
<b>History:</b> Last year's CIP planned for re-purposing these vehicles at this time.	
<b>Schedule:</b> FY2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Ambulance Receipts	<b>Request:</b> \$125,000

<b>9. Budget: Fire Department - \$25,000</b>	
<b>Title:</b> Rescue Boat, Trailer and Motor	<b>Project Advocate(s):</b> Fire Department Chief
<b>Description:</b> This project allows the purchase of one new rescue boat, designed specifically for that purpose that will replace one or two boats that we currently utilize, that were not designed for rescue	
<b>Justification:</b> Two small boats currently utilized were not designed for rescue. One boat, an inflatable boat requires adjustments to inflation pressure depending on water or outside temperature and is not a practical solution.	
<b>Relationship to General Plan:</b> Replacement of boats based on need for a boat with improved stability, safety, maneuverability, greater reliability, and to free up storage space at the station.	
<b>History:</b> Last year's CIP planned for this to occur at this time.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Ambulance Receipts	<b>Request:</b> \$25,000

<b>10. Budget: Department of Public Works - \$250,000</b>	
<b>Title:</b> Road Construction	<b>Project Advocate(s):</b> Public Works Director and Board of Public Works Chair
<b>Description:</b> This is a continuation of a road improvement program in the Town. The projects to be undertaken in FY 2015 are Rte 30 West, Old Sudbury Road and several side roads.	
<b>Justification:</b> This is part of a multi-year plan for the DPW. It is being undertaken in conjunction with water main projects and takes into account drainage and pavement conditions. This is an annual program, and in conjunction with State Chapter 90 funding, the DPW and BoPW intend to maintain Wayland's roads in a safe and operable condition.	
<b>Relationship to General Plan:</b> Maintenance of the Town's assets and of safety requirements.	
<b>History:</b> This is part of an ongoing capital improvement plan.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Borrowing	<b>Request:</b> \$250,000

<b>11. Budget: Department of Public Works - \$200,000</b>	
<b>Title:</b> Cemetery Expansion	<b>Project Advocate(s):</b> Public Works Director and Board of Public Works Chair
<b>Description:</b> This project will increase the number of available plots in North Cemetery by approximately 1,000.	
<b>Justification:</b> Increasing the number of cemetery plots will: a) generate approximately \$800,000 of revenue from the sale of plots (offset by cemetery upkeep costs); and b) provide resting places for residents of the Town (an increasing need).	
<b>Relationship to General Plan:</b> Provides a service in demand by residents at a cost that is reimbursed over time by the sale of plots.	
<b>History:</b> In FY 2013, residents funded \$50,000 for a hydrologic study to determine whether there might be any contamination from the graves on the Baldwin Pond Wells and it was determined that this is not a concern. At that time, residents also approved funding of \$20,000 to determine that no archaeological site is being disturbed. Results of that study are forthcoming at the time that this was written.	
<b>Schedule:</b> FY 2015 through FY 2017	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Borrowing	<b>Request:</b> \$200,000

<b>12. Budget: Department of Public Works - \$75,000</b>	
<b>Title: Parkland and Charles Traffic Calming</b>	<b>Project Advocate(s): Public Works Director and Board of Public Works Chair</b>
<b>Description:</b> For safety reasons, extend the sidewalk, construct a traffic island and install a speed bump at the intersection of Parkland and Charles Streets.	
<b>Justification:</b> There have been safety concerns raised by residents at this area where there is significant pedestrian traffic when the beach is in use.	
<b>Relationship to General Plan:</b> Maintain traffic and pedestrian safety in Wayland.	
<b>History:</b> The Board of Public Works conducted a traffic calming hearing for this intersection in order to determine the need for these improvements.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> No
<b>Source of Funds:</b> Borrowing	<b>Request:</b> \$75,000

<b>13. Budget: Department of Public Works - \$100,000</b>	
<b>Title: Culvert Repairs on Pinebrook Road and Pelham Island Road</b>	<b>Project Advocate(s): Public Works Director and Board of Public Works Chair</b>
<b>Description:</b> The culverts in these two locations have failed and need to be repaired.	
<b>Justification:</b> These two culverts need immediate attention. The Pinebrook culvert has collapsed on the downstream side and despite a temporary fix, it requires a permanent solution. The culvert at the Town Hall/Pelham Island Road site will fail in the next flood. It has an undersized and dilapidated pipe.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in the Town's infrastructure.	
<b>History:</b> This is a new problem that has occurred and needs immediate attention.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> No
<b>Source of Funds:</b> Borrowing	<b>Request:</b> \$100,000

<b>14. Budget: DPW Transfer Station Upgrade - \$50,000</b>	
<b>Title: Transfer Station Safety Upgrade</b>	<b>Project Advocate(s): Public Works Director and Board of Public Works Chair</b>
<b>Description:</b> This project will replace pads and wall on the south side of the transfer station.	
<b>Justification:</b> The pads and walls are structurally unsound and pose a safety hazard.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in the Town's infrastructure.	
<b>History:</b> The repair project began last year on the north side and the bulk of the budgeted funds were spent as appropriated. The condition of the pads and walls were so poor on the north side that there was insufficient funding to complete the project on the south side. The north side was completed but the remainder of the project (south side) remains incomplete. The south side repairs are anticipated to be completed with these funds.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Borrowing	<b>Request:</b> \$50,000

<b>15. Budget: Department of Public Works - \$60,000</b>	
<b>Title: Bobcat</b>	<b>Project Advocate(s): Public Works Director and Board of Public Works Chair</b>
<b>Description:</b> Scheduled replacement of Bobcat, per long-term plan within DPW.	
<b>Justification:</b> This is a heavy-duty piece of equipment that has experienced significant wear and tear. Two other bobcats were replaced with less-expensive whacker tractors, but the department still requires the heavier duty bobcat. The estimated salvage value of the old equipment is \$1,000, and upon sale, the funds shall be returned to the General Fund.	
<b>Relationship to General Plan:</b> Scheduled replacement of Town equipment.	
<b>History:</b> The DPW has a complete schedule of vehicle replacements, and this is consistent with that schedule.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Borrowing	<b>Request:</b> \$60,000

<b>16. Budget: Department of Public Works - \$200,000</b>	
<b>Title: Replace H-16 Truck</b>	<b>Project Advocate(s): Public Works Director and Board of Public Works Chair</b>
<b>Description:</b> The scheduled replacement for vehicle H-16; a full-size dump truck with a snow and ice package.	
<b>Justification:</b> The vehicle being replaced is a 1993 dump truck that is in very poor condition. The salvage value is expected to be less than \$1,000 and any funds from the sale of the existing equipment will be returned to the General Fund.	
<b>Relationship to General Plan:</b> Scheduled replacement of Town equipment.	
<b>History:</b> The DPW has a complete schedule of vehicle replacements, and this is consistent with that schedule.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Borrowing	<b>Request:</b> \$200,000

<b>17. Budget: Department of Public Works - \$200,000</b>	
<b>Title: Replace H-19 Dump Truck</b>	<b>Project Advocate(s): Public Works Director and Board of Public Works Chair</b>
<b>Description:</b> The scheduled replacement for vehicle H-19; a full size dump truck with snow and ice package.	
<b>Justification:</b> This is the replacement of a 1999 dump truck that is in very poor condition (it has died). The salvage value is expected to be less than \$1,000, and upon sale, the funds shall be returned to the General Fund.	
<b>Relationship to General Plan:</b> Scheduled replacement of Town equipment.	
<b>History:</b> The DPW has a complete schedule of vehicle replacements, and this is consistent with that schedule.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Borrowing	<b>Request:</b> \$200,000

<b>18. Budget: Recreation - \$75,000</b>	
<b>Title: Field Improvements</b>	<b>Project Advocate(s): Chair, Recreation Commission, Recreation Director</b>
<b>Description:</b> To provide funding for ongoing repair and update of recreation facilities in Wayland. Projects are planned to upgrade dug outs at Wayland High School and Cochituate Field, add sod to the goal mouth and center circle areas to improve the turf at Alpine and Town Building Fields, replace up to 6 soccer goals, 4 lacrosse goals and 4 tennis nets as needed, upgrade the benches and player area at Alpine Field and other work that becomes necessary throughout the year based on usage.	
<b>Justification:</b> This work is needed to keep certain of our recreation facilities compliant with various governmental regulations including ADA and to maintain the infrastructure and equipment of our fields.	
<b>Relationship to General Plan:</b> Included in the long-range capital plan to meet annual capital maintenance needs.	
<b>History:</b> This is an annual request. It is part of the ongoing repair and renovation program for recreation facilities in Wayland.	
<b>Schedule:</b> FY2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Cash Capital	<b>Request:</b> \$75,000

<b>19. Budget: School Department - \$35,000</b>	
<b>Title: Claypit Hill - Furniture Replacement</b>	<b>Project Advocate(s): Chair, School Committee, Public Buildings Director, Facilities Dept.</b>
<b>Description:</b> This is the third year request of a 5-year plan to replace classroom furniture throughout the school. This request would replace the furniture in 6 classrooms with new student and teacher desks and chairs, bookshelves or files. The furniture would be similar to existing furniture but would be ergonomically correct and appropriate for current use.	
<b>Justification:</b> Classroom furniture has a useful life of 15-20 years. The current furniture is 20-25 years old and is beginning to breakdown.	
<b>Relationship to General Plan:</b> Regular replacement of equipment.	
<b>History:</b>	
<b>Schedule:</b> FY2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Non-Exempt Debt	<b>Request:</b> \$35,000

<b>20. Budget: School Department - \$35,000</b>	
<b>Title: Happy Hollow - Furniture Replacement</b>	<b>Project Advocate(s): Chair, School Committee, Public Buildings Director, Facilities Department</b>
<b>Description:</b> This is the third year request of a 5-year plan to replace classroom furniture throughout the school. This request would replace the furniture in 6 classrooms with new student and teacher desks and chairs, bookshelves or files. The furniture would be similar to existing furniture but would be ergonomically correct and appropriate for current use.	
<b>Justification:</b> Classroom furniture has a useful life of 15-20 years. The current furniture is 20-25 years old and is beginning to breakdown.	
<b>Relationship to General Plan:</b> Regular replacement of equipment.	
<b>Schedule:</b> FY2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Non-Exempt Debt	<b>Request:</b> \$35,000

<b>21. Budget: School Department - \$25,000</b>	
<b>Title: Middle School - Furniture Replacement</b>	<b>Project Advocate(s): Chair, School Committee, Public Buildings Director, Facilities Department</b>
<b>Description:</b> This is a request to fund replacement of the current, 22 year-old cafeteria tables. This is the first year of a two-year program to replace all of the cafeteria furniture. During the first year, 16 cafeteria tables will be replaced with similar tables but more ergonomically correct and appropriate for current use. In years 3-5 at the Middle School, we propose to mirror the classroom and lab furniture replacement program in place for the elementary schools.	
<b>Justification:</b> The current tables are in need of repair. Replacement parts have recently become difficult to obtain. In addition, the locking parts on the current tables have become more difficult to operate over time.	
<b>Relationship to General Plan:</b> Regular replacement of equipment.	
<b>Schedule:</b> FY2015	<b>In the 5 Year Capital Plan?</b> No
<b>Source of Funds:</b> Non-Exempt Debt	<b>Request:</b> \$25,000

<b>22. Budget: School Department - \$36,000</b>	
<b>Title: Claypit Hill - Tile Replacement</b>	<b>Project Advocate(s): Chair, School Committee, Public Buildings Director, Facilities Department</b>
<b>Description:</b> The current request is the final year of a multi-year request for Claypit Hill and would remove approximately 4,500 sq ft (the 5 remaining classrooms) of asbestos containing floor tile (ACM) and replace with vinyl-containing floor tile (VCT).	
<b>Justification:</b> Final year of a multi-year project to remove potential exposure to failing asbestos floor tiles, which will improve the health and safety of students and staff. Over the last few years, 22 classrooms, support spaces and a portion of the corridor around the Library have been re-tiled. These are the last 5 classrooms to be done and are original to the construction dates of the building. Summer student programs will be at the Middle School this year allowing work to be done at Claypit Hill. Health issues associated with the current floor tile revolve around the asbestos content in the tile installed prior to 1983. As the tile wears out and breaks down, it can emit particles into the air, which is a health and safety issue. The new material has a 30-year life expectancy versus carpet that has a useful life of 10-12 years in a school setting. The VCT also requires less maintenance.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in school facilities. Attention to health and safety of students and staff.	
<b>History:</b> This item did not appear on the five-year capital plan for FY15 because it was expected to be completed with the FY14 request. However, this past summer's project uncovered four layers of tile that need to be removed as compared to the estimated two layers. As a result, last year's funding was not sufficient to re-tile all remaining classrooms. This project has been priced assuming four layers of tile. This is not an immediate health or safety risk.	
<b>Schedule:</b> FY2015	<b>In the 5 Year Capital Plan?</b> No
<b>Source of Funds:</b> Non-Exempt Debt	<b>Request:</b> \$36,000

<b>23. Budget: School Department - \$1,110,000</b>	
<b>Title:</b> Claypit Hill Window and Door Replacement	<b>Project Advocate(s):</b> Chair, School Committee, Public Buildings Director, Facilities Department
<b>Description:</b> Replacement of all exterior, single glazed windows and doors (approximately 9600 sq ft of window area and 36 doors), which are original to the construction of the building. The main building was constructed in 1957 with additions in 1962 and 1974 with the modular classrooms installed in 1999.	
<b>Justification:</b> Currently, certain doors and windows do not seal properly allowing colder air to flow into the building, driving up energy use. In addition, some of the frames are rotted or rusted beyond repair. The new doors and windows will improve the building envelope, extend the useful life of the building and help to control the increase in energy costs. Also, the modular doors and windows were constructed with a lower quality material than the main building.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in school facilities.	
<b>History:</b> The School Committee recommends this project be contingent on Massachusetts School Building Authority (MSBA) funding. A Statement of Interest (SOI) was submitted to MSBA in February 2014 with a decision expected in late spring. Reimbursement rates are at 36% for this type of project if approved. The Town needs to authorize the full project cost and, if approved, will only need to borrow the net amount.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Non-Exempt Debt and MSBA	<b>Request:</b> \$1,110,000

<b>24. Budget: School Department - \$20,000</b>	
<b>Title:</b> Happy Hollow Renovation to Art Room, Cafeteria and Adjoining Spaces	<b>Project Advocate(s):</b> Chair, School Committee, Public Buildings Director, Facilities Department
<b>Description:</b> Design money for providing correctly sized space for the school population in the cafeteria and art areas, based on the schematic design developed by TBA Associates and to include a nurse's office in this area. Currently, each function has a separate room along the southern corridor of the building. The art room would relocate to an available classroom and the cafeteria would expand to include the former art room area. The staff lounge/copy center would be reconfigured into a more workable space and would include space for a nurse's office. It is estimated that additional funding of \$180,000 will be requested in FY16 to do the work.	
<b>Justification:</b> There is a need to expand the size of the cafeteria and art room. This project can only be accomplished if another space becomes available through the reconfiguration of the elementary schools. This change would improve the flow in the building and provide space for the programs and needs of the population.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in facilities.	
<b>History:</b> This request is needed to meet the needs of the K-5 elementary school reconfiguration. The project was not on the 5-year capital plan as it was not known if or when the elementary schools would be reconfigured. Also, \$85,000 was appropriated at ATM 2013 to renovate the nurse's office. However, the work could not be completed this past summer since it was determined that there was insufficient space to complete the project given the initial architectural estimate. Therefore, the current funds requested represent the additional cost of completing this project over and above the funds previously appropriated.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> No
<b>Source of Funds:</b> Non-Exempt Debt	<b>Request:</b> \$20,000

<b>25. Budget: School Department - \$110,000</b>	
<b>Title:</b> Happy Hollow – Tile Replacement	<b>Project Advocate(s):</b> Chair, School Committee, Public Buildings Director, Facilities Department
<b>Description:</b> This project is the first year of a multi-year request to remove approximately 16,300 sq ft (classrooms and corridors) of asbestos containing floor tile (ACM) and replace with vinyl-containing floor tile (VCT).	
<b>Justification:</b> With the exception of the tile replaced over the last couple of years in the main corridor and the corridor leading to the cafeteria, the tile is original to the construction dates of the building. Summer student programs will be at the Middle School this year allowing work to be done at Happy Hollow. Health issues associated with the current floor tile revolve around the asbestos content in the tile installed prior to 1983. As the tile wears out and breaks down, it can emit particles into the air, which is a health and safety issue. The new material has a 30-year life expectancy versus carpet that has a useful life of 10-12 years in a school setting. The VCT also requires less maintenance.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in school facilities. Attention to health and safety of students and staff.	
<b>History:</b> This is not an immediate health or safety risk.	
<b>Schedule:</b> FY2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Non-Exempt Debt	<b>Request:</b> \$110,000

<b>26. Budget: School Department - \$65,000</b>	
<b>Title:</b> Middle School – Security Improvements	<b>Project Advocate(s):</b> Chair, School Committee, Public Buildings Director, Facilities Department
<b>Description:</b> Replace all interior door hardware (approximately 161 doors) and install a new keying system for the exterior doors (approximately 10 doors) at the Middle School.	
<b>Justification:</b> The new door hardware and keying system will provide a more secure environment to protect the students and staff at the Middle School. The current lock system is key based. The hardware and the key lock system are original to the construction of the building, originally constructed in 1972 with additions and renovations in 2002. The new door hardware would be levers, making the doors handicap accessible. The new keying system will be based on providing staff picture ID cards that double as a building access (key card) card for the exterior doors of the building.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in school facilities and improved security.	
<b>History:</b> Over the last several years and more recently after the Newtown tragedy, the Facilities Director along with the Superintendent, Building Principals and Public Safety Department Heads developed a strategy for improving the security monitoring and access at all the school buildings. Replacement of interior door hardware and installation of a new keying system has been completed at The Children’s Way, Claypit Hill and Happy Hollow using revolving fund balances and FY2009 capital funds.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> No
<b>Source of Funds:</b> Free Cash	<b>Request:</b> \$65,000



<b>27. Budget: School Department - \$250,000</b>	
<b>Title: Middle School Window Replacement</b>	<b>Project Advocate(s): Chair, School Committee, Public Buildings Director, Facilities Department t.</b>
<b>Description:</b> Replace 43-year-old single glazed windows (60 windows each 4' x 5') located under the sloping portion of the roof, facing east, with energy efficient, triple glazed windows. Reconfigure the system to raise the sill height to at least 30" above the foundation to prevent melting snow from entering the building.	
<b>Justification:</b> Issues involving these windows were uncovered during the Middle School roof project this past summer when there was considerable rainfall over a short period of time. The windows are in fair condition because at times snow covers a portion of the windows given the low sill height, causing a breakdown of the window seal which results in leaking, water damage to the carpeting and potential mold concerns. New efficient windows will help to control the increase in energy costs and increase comfort.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in school facilities.	
<b>History:</b> The project was identified this summer so has not appeared on the previous 5-year capital plan.	
<b>Schedule:</b> FY2015	<b>In the 5 Year Capital Plan?</b> No
<b>Source of Funds:</b> Free Cash	<b>Request:</b> \$250,000

<b>28. Budget: School Department - \$70,000</b>	
<b>Title: Middle School A/C Improvements</b>	<b>Project Advocate(s): Chair, School Committee, Public Buildings Director, Facilities Department</b>
<b>Description:</b> This project replaces 10 split system A/C roof units that service the art and music areas and impacts approximately 50% of the building. There are two different types of systems – three large roof top units (RTUs) that service the large spaces (Cafeteria, Library, Theater) and smaller, split systems that service the classroom areas. The current units were last replaced in 2001.	
<b>Justification:</b> Newer units will maintain proper indoor air quality for the students and staff. The units are used for about 8 months of the year and it is required by code to circulate the air. The newer units will also be more efficient and quieter, which will help to control the increase in energy costs and increase comfort.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in school facilities.	
<b>Schedule:</b> FY2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Non-Exempt Debt	<b>Request:</b> \$70,000

<b>29. Budget: School Department - \$45,000</b>	
<b>Title:</b> Loker – Security Improvement	<b>Project Advocate(s):</b> Chair, School Committee, Public Buildings Director, Facilities Department
<b>Description:</b> Replace all interior door hardware (approximately 77 doors) and install a new keying system for the exterior doors (approximately 27 doors) at Loker.	
<b>Justification:</b> The new door hardware and keying system will provide a more secure environment to protect the students and staff at Loker. The current lock system is key based and the hardware and the key lock system are original to the construction of the building. The new door hardware would be levers, making the doors handicap accessible. The new keying system will be based on providing staff picture ID cards that double as a building access (key card) card for the exterior doors of the building.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in school facilities and improved security.	
<b>History:</b> Over the last several years and more recently after the Newtown tragedy, the Facilities Director along with the Superintendent, Building Principals and Public Safety Department Heads developed a strategy for improving the security monitoring and access at all the school buildings. Replacement of interior door hardware and installation of a new keying system has been completed at The Children’s Way, Claypit Hill and Happy Hollow using revolving fund balances and FY2009 capital funds. The Finance Committee asked for this project to be completed in FY15, so it did not appear on earlier 5-year capital plans.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> No
<b>Source of Funds:</b> Free Cash	<b>Request:</b> \$45,000

<b>30. Budget: School Department - \$211,400</b>	
<b>Title:</b> Loker Kitchen/Cafeteria Renovation	<b>Project Advocate(s):</b> Chair, School Committee, Public Buildings Director, Facilities Department
<b>Description:</b> This request is to renovate the current kitchen, teachers’ room and hallway to create a working kitchen space and serving line. The teachers’ room would be relocated to another space within the building.	
<b>Justification:</b> There is a need to configure the kitchen into a fully functional kitchen space and serving line if the school expands to include more grades than just Kindergarten. The current configuration serves only 75-100 Kindergarten students who stay for lunch. The proposed configuration will be able to serve 450-550 students. The current space only allows for a small cooking space, which was used when Loker was a K-5 school, but is not comparable to the space provided at the other two elementary schools.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in school facilities.	
<b>History:</b> This project is needed to meet the needs of the K-5 elementary school reconfiguration. The project was not on the 5-year capital plan as it was not known if or when the elementary schools would be reconfigured.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> No
<b>Source of Funds:</b> Non-Exempt Debt	<b>Request:</b> \$211,400

<b>31. Budget: School Department - \$55,000</b>	
<b>Title:</b> Loker Playground Equipment	<b>Project Advocate(s):</b> Chair, School Committee, Public Buildings Director, Facilities Department
<b>Description:</b> Replace worn and damaged play structure with an age appropriate unit that meets current playground safety guidelines. The cost is based on a written estimate provided by a local distributor. The replacement would take place during the summer of 2014.	
<b>Justification:</b> The current structure is more than 20 years old and the expected life of this type of equipment is 12-15 years. The identified pieces of equipment are broken and need to be repaired/replaced. The cost to repair these pieces of equipment is approximately \$14,000-\$16,000. As they present a safety risk, children are not allowed to play on the entire structure at this time. This request for funding is to replace the entire structure.	
<b>Relationship to General Plan:</b> Ongoing maintenance and investment in facilities and improved safety.	
<b>History:</b> At the most recent inspection (September 2013) by the Parks Superintendent, the equipment was not in good condition and the play structure was closed. The project had not been on the 5-year capital plan before that.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> No
<b>Source of Funds:</b> Free Cash	<b>Request:</b> \$55,000

<b>32. Budget: Department of Public Works, Water - \$1,000,000</b>	
<b>Title:</b> Pump Station Upgrades	<b>Project Advocate(s):</b> Chair, Board of Public Works, Public Works Director
<b>Description:</b> Upgrade the electrical systems in the pump houses to meet required electrical codes and update the water pump station. This year's project will focus on the Happy Hollow pump station, constructing a new chemical feed building which will be connected to three new wells further from the wetlands and river.	
<b>Justification:</b> The Happy Hollow wells provide 40% of the town's water. The current pump station is in very poor shape. The DEP cited the town in 2010 for not having the new chemical feed safety equipment, and has mandated that we upgrade all of our pump stations with chemical feed safety controls. The new equipment is being installed to help eliminate the possibility of contaminating the water system, and this work requires significant electrical work which must meet current electrical codes.	
<b>Relationship to General Plan:</b> Included in the long-range capital plan to maintain infrastructure and equipment.	
<b>History:</b> This is the continuation of a multiyear project to upgrade all the pump stations to meet DEP standards.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Water Enterprise Fund/ Borrowing	<b>Request:</b> \$1,000,000

<b>33. Budget: Department of Public Works, Water - \$75,000</b>	
<b>Title: Vehicle Replacement – Ford 350</b>	<b>Project Advocate(s): Chair, Board of Public Works, Public Works Director</b>
<b>Description:</b> Replace vehicle #W-2, a 2003 Ford F350 truck that is currently in poor condition.	
<b>Justification:</b> This is part of the ongoing vehicle management program for the DPW/Water Department. Generally speaking, the Water Department will replace one vehicle every year based on the remaining useful life of the vehicles in the department.	
<b>Relationship to General Plan:</b> Included in the long-range capital plan to allow for maintenance and replacement of equipment, replacing one vehicle per year for 10 years.	
<b>History:</b> This is part of an ongoing vehicle management program.	
<b>Schedule:</b> FY 2015	<b>In the 5 Year Capital Plan?</b> Yes
<b>Source of Funds:</b> Water Capital	<b>Request:</b> \$75,000

**ARTICLE 7: COMPENSATION FOR TOWN CLERK***Proposed by: Board of Selectmen*

To determine whether the Town will vote to fix the salary and compensation of the elected Town Clerk, to be effective July 1, 2014, which salary and compensation is printed below.

**SALARY SCHEDULE – TOWN CLERK**

	<u>FY 2014</u>	<u>FY 2015</u>
Town Clerk	\$69,811.00	\$68,100.00

**FINANCE COMMITTEE COMMENTS:** This is a standard article that permits the Town to set the salary of the Town Clerk. Because the Town Clerk is an elected position, the salary of the Town Clerk does not fall within the Personnel Wage and Salary Classification Plan and Town Meeting must approve the salary of this position (the article sets the salary, the budget appropriates the monies). This process treats the Town Clerk in a manner comparable to other appointed Department Heads which may enjoy benefits not available to elected officials, such as automatic step increases, merit increases that recognize performance, and cost of living adjustments.

The Town of Wayland will elect a new Town Clerk this year. The Board of Selectmen, after careful consideration of all relevant factors, voted 4-0 to recommend that the Town Clerk's salary be set at \$68,100.00 for FY 2015.

**ARGUMENTS IN FAVOR:** The proposed salary reflects a fair compensation for the work performed considering all relevant factors. It also takes into account that the Town Clerk will be newly elected this year.

**ARGUMENTS OPPOSED:** Some would say that given current economic conditions, the Town can attract qualified candidates to seek the position at a lower salary.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 5-0

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 41, Section 108.

*For more information about this article, contact John Senchyshyn, Acting Town Administrator/Human Resources Director, at (508) 358-3623, or email [jsenchyshyn@wayland.ma.us](mailto:jsenchyshyn@wayland.ma.us).*

**ARTICLE 8: PERSONNEL BYLAW AND WAGE & CLASSIFICATION PLAN***Sponsored by: Personnel Board*

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan previously adopted by the Town.

**FINANCE COMMITTEE COMMENTS:** This Article is requesting Town Meeting to approve changes to the Wage and Classification Plan as presented. This article only impacts non-union employees of the town. There are no amendments to the language of the Town Bylaw or changes to associated benefits related to Personnel this year.

The Wage and Classification Plan allows for periodic wage increases for non-union employees based on employee longevity and provides for reasonable wage growth over time. The Wage Classification Tables, as included in this warrant, reflect a 1.0% increase for all non-union employees as of July 1, 2014.

For informational purposes only, those union employees in bargaining units with negotiated labor contracts have their wage tables listed as well. No Town contracts for FY 2015 have been settled as of March 3, 2014.

The Personnel Board voted 3-0 in favor of this article.

**ARGUMENTS IN FAVOR:** The Wage and Classification Plan allows for periodic wage increases for non-union employees based on employee longevity and provides for reasonable wage growth over time depending on economic conditions. Changes to the union schedules are required to reflect new salary levels that result from executed union contracts and are provided for informational purposes only.

**ARGUMENTS OPPOSED:** Some would say that salary growth should be lower based on current economic conditions.

**RECOMMENDATION:** The Finance Committee recommends approval Vote: 5-0

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 41, Section 108A.

**CONSISTENCY WITH LAW:** It is the opinion of Town Counsel that the foregoing bylaw amendments are consistent with federal and Massachusetts law.

*See Personnel Wage and Salary Classification Plan at Appendix C. For more information about this article, contact John Senchyshyn, Assistant Town Administrator/Human Resources Director, at (508) 358-3623, or email [jsenchyshyn@wayland.ma.us](mailto:jsenchyshyn@wayland.ma.us).*

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## **ARTICLE 9: TRANSFER AND RESTRICT USE OF CERTAIN TOWN-OWNED LAND IN "DUDLEY WOODS" FOR RECREATIONAL PURPOSES**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to:

- a.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of the parcels of land on Doran Road, Curtis Road, Pond Drive and Cross Street in Wayland, Massachusetts, being part of the area known as "Dudley Woods" and shown as Parcels 47A-037D, 47B-055H, 47B-055G, 47B-055F, 47B-055E, 47B-055D, 47B-055E, 47B-055B, 47A-027A, 47A-026, 47B-056D, 47B-056B, 47C-002 and 47C-001 on the plan entitled "Plan of Land in Wayland, Massachusetts Prepared for Doran Road-Dudley Pond Comprehensive Feasibility Study" dated September 30, 2010, prepared by the Town of Wayland, Town Surveyors Office which parcels of land are shown in Appendix D, to the Recreation Commission for passive recreation purposes, provided that (i) the transfer of said Parcels 47B055E, 47B-55D, 47B-055C, 47B-055B shall not be consummated unless \$51,339 has been appropriated under Article 11 of the Warrant for the 2014 Annual Town Meeting; and (ii) the

Recreation Commission shall permit the construction, installation, operation, repair and replacement of a subsurface community wastewater disposal system under said parcels of land and adjacent parcels of land, as long as said system does not interfere with such recreational use of the land.

- b.) rescind the votes of the 1975 Annual Town Meeting under Article 27 and the vote of the January 19, 1977 Special Town Meeting under Article 2 authorizing the Board of Selectmen to convey said land to the Wayland Housing Authority to construct elderly congregate housing.

**FINANCE COMMITTEE COMMENTS:** There are four articles pertaining to Dudley Woods, the two housing articles 10 and 12, this article and the Rocky Point article 11. Passage of this article asks Town Meeting to approve the following four actions:

1. Transfer the parcel known as Dudley Woods to the Recreation Commission for passive recreation use.
2. Make transfer of four lots of this parcel contingent upon Town Meeting approval to establish and fund a Municipal Affordable Housing Trust under Articles 10 and 12.
3. Instruct the Recreation Commission to permit the construction, installation, operation and repair of a sub-surface community wastewater system, provided this system does not interfere with the passive recreation use of this land.
4. Rescind two prior Town Meeting votes authorizing the BoS to convey this land to the Wayland Housing Authority (WHA) for the purposes of constructing senior housing.

In 2011, the BoS established the Dudley Area Advisory Committee (DAAC) to study how this land would be best used. After more than two years of study, the DAAC generated its report and recommendations. The DAAC voted 7-2 that this land be transferred to the Recreation Commission for passive use such as hiking, jogging, gardening and bird watching with limited parking and a possible Distribution Wastewater Treatment Facility (DWTF). To see the full DAAC report go to: [http://www.wayland.ma.us/Pages/WaylandMA\\_BComm/Dudley/index](http://www.wayland.ma.us/Pages/WaylandMA_BComm/Dudley/index).

This article will authorize the immediate transfer of all but four parcels of this land to the Recreation Commission for passive recreation. Transfer of the remaining parcels which will also be used for passive recreation is contingent upon passage of Article 10, which funds a Municipal Affordable Housing Trust.

Transfer of these remaining parcels is also contingent upon the Recreation Commission permitting the construction, installation, operation, repair and replacement of a subsurface community wastewater disposal such as a Distributed Wastewater Treatment Facility (DWTF) on this land as the DAAC unanimously recommended provided this system does not interfere with passive recreation.

Finally, this article also proposes to rescind the votes of the 1975 Annual Town Meeting (ATM) under Article 27 and the vote of the January 19, 1977 Special Town Meeting under Article 2 when the Town voted to convey this land to the Wayland Housing Authority to construct elderly congregate housing.

No action was taken to act on those prior votes and at the 2010 ATM, this land was discussed under Article 15 which proposed to move the bulk of this parcel to the Conservation Commission while reserving some parcels for possible septic system use. The motion did not pass.

For the Town to transfer this land, the custodial board, the Board of Selectmen (BoS), must vote the land surplus and the Town must authorize the BoS to transfer the care, custody, management and control of these parcels to the Recreation Commission for the purpose of passive recreation.

A map of this parcel can be found in Appendix D.

**ARGUMENTS IN FAVOR:** With the current ownership of this parcel divided between the Department of Public Works (DPW), Board of Selectmen (BoS) and the Recreation Commission there is no one single steward to manage all of Dudley Woods.

Transferring the parcels currently under the control of the BoS to the Recreation Commission will enable the Recreation Commission to develop the passive recreation trails as suggested in the July 2013 Tighe and Bond engineering study.

Limited but adequate parking will ensure that these woods can be accessed and enjoyed by all for passive recreation, including access to Rocky Point.

The remaining four parcels of this land will only be transferred to the Recreation Commission provided monies are appropriated for a Municipal Affordable Housing Trust. The approach taken in this article protects Dudley Woods while also providing funding for the Town's affordable housing goals. It will increase the amount of affordable housing in Wayland while not increasing the development footprint in this neighborhood.

Some would argue designating this parcel for passive recreation will limit nutrients reaching the pond. The Town spends between \$15,000 to \$45,000 annually to manage invasive weeds in Dudley Pond. Reducing nutrients is key to controlling costs of long-term weed management.

This article supports the unanimous DAAC recommendation that a feasibility study should be initiated to evaluate the technical and cost feasibility of constructing a community wastewater disposal system.

**ARGUMENTS OPPOSED:** Some might argue transferring this entire parcel to the Recreation Commission at this time is premature. While the DAAC recommended passive recreational use for this land, the DAAC voted 5-4 to also support affordable housing in some form on this land, if the Town is not able to purchase three units in the vicinity of this parcel.

If no units are identified for affordable housing use, designating one acre of this parcel would increase Wayland's affordable housing inventory by a maximum of 4 units. If developed for housing, some would argue there will be no detrimental effects on the water quality of the pond or conservation goals if these housing units were built with a satisfactory innovative septic handling system.

Some would argue density around Dudley Pond would not increase as the proposed cluster housing of affordable units would be sited close to Route 27 on approximately one acre of this parcel. The remainder of the parcel would be designated as passive recreation.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 5-0.

**QUANTUM OF VOTE:** a.) Two-thirds – see Massachusetts General Laws Chapter 40, Section 15A  
b.) Majority



*For more information about this article, contact Robert Mercier, Interim Town Administrator, at (508) 358-3620, or email [rmercier@wayland.ma.us](mailto:rmercier@wayland.ma.us). See map at Appendix D.*

## **ARTICLE 10: FUND AFFORDABLE HOUSING**

*Proposed by: Board of Selectmen*

*Estimated Cost: \$51,339*

To determine whether the Town will vote to appropriate a sum of money for the acquisition, development, or creation of community housing; and to determine whether such appropriation shall be provided by taxation, transfer from available funds, transfer from funds already appropriated for another purpose, by borrowing or otherwise.

**FINANCE COMMITTEE COMMENTS:** Passage of this article will fund the housing Trust (the Trust) created under Article 12 for the creation and preservation of affordable housing efforts. Passage of Article 9 is contingent on these two Articles being approved.

For background information on the Trust, please see the Finance Committee Comments on Article 12.

MGL Chapter 44, §55C allows municipalities to establish a trust for the creation and preservation of affordable housing that benefits low and moderate-income households. Over 60 communities in Massachusetts have adopted this section of the MGL.

On February 27, 2014, the Finance Committee voted 5-0 to approve an appropriation of \$1780 from free cash to fund the trust and to indicate our commitment to affordable housing. At that time, it was uncertain if any of the other funding sources would be available before the Warrant went to print. While this is a nominal amount, the Finance Committee anticipated that the Board of Selectman (BoS) and Town would pursue the additional funding sources explained below.

There are three other funding sources that have been discussed. All would require future action of Town committees and/or Town Meeting appropriation.

- Community Preservation Act monies that have been allocated for housing could be transferred to the Trust. This requires a vote of the Community Preservation Committee and a vote of Town Meeting.
- The Town anticipates receiving over \$500,000 in affordable housing funds from the development of the River Trail condominiums at Town Center. Article 3, November STM 2009 amended the zoning code to reduce the number of affordable units required under the Mixed Used Overlay District (MUOD), which governs the Town Center development. In consideration of this change, the developer agreed to make a payment to Wayland's Municipal Affordable Housing Trust. The minimum amount is \$6,105 per unit and \$537,240 aggregate donation. The River Trail development is planned for 42 units and has completed the permitting process. The first payments are anticipated this fall and the BoS voted 4-0 on March 3, 2014 to allocate at least \$350,000 of this receivable to the Housing Trust.
- A housing fund (within the Town's revolving fund) holds approximately \$51,339. On March 3, 2014, the BoS voted 4-0 to appropriate these funds for the Municipal Affordable Housing Trust. An appropriation at Town Meeting is necessary to complete this funding and is the purpose of this article.

**ARGUMENTS IN FAVOR:** The appropriation under this article provides seed money for the Trust and demonstrates the Town's commitment to affordable housing. There are future sources of funds to supplement this first appropriation.

Funding the Trust is one of the contingencies for the transfer of certain parcels of land under the Dudley Woods article (#9) at this Town meeting.

Delaying other funding gives time for the Board of Selectmen to appoint the 7 trustees and for the relevant committees to discuss the potential transfer of funds.

Funding the trust, however nominally, shows Wayland's commitment to affordable housing.

**ARGUMENTS OPPOSED:** Some would say that the trustees should not have control of these funds and that a nominal amount does not demonstrate the Town's commitment to affordable housing.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 5-0.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

*For more information about this article, contact Robert Mercier, Interim Town Administrator, at (508) 358-3620, or email rmercier@wayland.ma.us.*

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## **ARTICLE 11: TRANSFER "ROCKY POINT" PARCEL FROM BOARD OF PUBLIC WORKS TO CONSERVATION COMMISSION**

*Proposed by: Board of Public Works*

To see if the Town will vote to authorize the Board of Public Works, with the approval of Town Counsel as to form, to transfer the care, custody, management and control to the Conservation Commission for conservation and passive recreation purposes, a parcel of land having an area of 29,984 square feet, acquired pursuant to a vote of the Town on March 11, 1968, shown as Parcel 47C-006 on the Town's Assessors Map and as "Rupbert F. Doyle, 0.8 +/- Acres" on a plan entitled "Plan of Land in Wayland, Mass. Compiled From Plans and Deeds Sept. 20, 1967 Scale 1" – 100' Wayland Engineering Department," and recorded in Book 11628, Page 219 at the Middlesex Registry of Deeds, or take any action relative thereto.

**FINANCE COMMITTEE COMMENTS:** It should be noted that this article is related in part to several other warrant articles stemming from the work of the Dudley Area Advisory Committee (DAAC). This article requests conveyance of the Rocky Point land from the Town's Board of Public Works to the Conservation Commission. This land is listed on the Open Space Plan.

On November 22, 2010, the Board of Selectmen voted to establish a temporary advisory committee to be known as the Dudley Area Advisory Committee (DAAC) to assist the Board with studying the disposition of and make recommendations on the use of Town-owned land located on Doran Road, Pond Drive, Cross Street, and Curtis Road as described in Article 7 of the November 16, 2010 Special Town Meeting Warrant and shown on the plan entitled "Plan of Land in Wayland, Massachusetts Prepared for the Doran Road~Dudley Pond Comprehensive Feasibility Study" dated September 30, 2010, prepared by the Town of Wayland, Town Surveyors Office.

The DAAC has been comprised of nine (9) voting members, eight (8) members selected from various committees and organizations, and the chairperson, appointed by the Board of Selectmen. On April 30, 2012, the Board of Selectmen voted to extend the duration and appointments of members to May 31, 2013.

The committee was requested to

- Oversee expenditure of funds appropriated by Town Meeting for the purpose of studying the feasibility of disposition and use of the Town-owned parcels for open space preservation, passive recreation use, septic treatment for any new structures on the land or for adjacent properties, pond management, and construction of affordable housing.
- Review findings from feasibility studies to determine extent of the five potential disposition and uses of the Town-owned parcels.
- Make a recommendation to the Board of Selectmen on the best use or combination of uses of the municipal land, and in what proportion, said recommendation to take into account impacts on Dudley Pond and the surrounding watershed, public access to the pond, public health considerations, and community preferences for disposition or use of the property.
- Evaluate wastewater management alternatives.

As part of the DAAC's findings, it voted 9-0 to recommend that the Rocky Point parcel of land be conveyed from the Board of Public Works to the Conservation Commission. The Board of Public Works authorized this transfer in a vote of 3-0-1 on December 30, 2013; the abstainer believed the parcel should be declared surplus without further designation and that the ultimate conveyance decision be with the Board of Selectmen and Town Meeting. The Conservation Commission voted in favor of this on January 9, 2014 in a 6-0 vote.

The Conservation Commission consequently recommended to the BoS that passive uses be permitted such as swimming, hand-carried boat launching, hiking, photography, and picnicking in small groups without fires. Overnight use and motorized vehicles were not recommended uses for this land. The Conservation Commission also recommended that parking be provided for two cars at Rocky Point and 4-6 additional car parking at a location that provides access to the recommended and proposed trails on Recreation land. In addition, current physical barriers present at the site are to be removed and trails will be constructed in accordance with the illustrations in the Tighe & Bond report (available on the DAAC website), effectively joining this land to the nearby Dudley Brook Conservation area.

A map of this land is shown in Appendix E.

**ARGUMENTS IN FAVOR:** Public access to the Pond and the surrounding land will be improved with passage of this article and this land is on the Open Space Plan.

Use of this land as open space will have no adverse impact on Dudley Pond.

Using the land for passive recreation under the Conservation would prevent increasing the density of use.

**ARGUMENTS OPPOSED:** By using this land as open space, we will lose out on potential tax revenues.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 5-0

**QUANTUM OF VOTE:** Two-thirds – see Massachusetts General Laws Chapter 40, Section 15A.

*For more information about this article, contact Mike Lowery, Board of Public Works, at lowery.mike@gmail.com. See Map at Appendix E.*

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## **ARTICLE 12: MUNICIPAL AFFORDABLE HOUSING TRUST FUND**

*Proposed by: Planning Board*

To determine whether the Town will vote to:

- a.) accept the provisions of Massachusetts General Laws Chapter 44, Section 55C to establish a trust to be known as the Municipal Affordable Housing Trust Fund; and
- b.) amend the Code of the Town of Wayland by adding thereto the following new Chapter:

### **Chapter 77**

#### **Municipal Affordable Housing Trust Fund**

**§77-1. Establishment; purpose.** There shall be a trust to be known as the Municipal Affordable Housing Trust Fund, referred to in this Chapter as the Trust. The purpose of the Trust is to provide for the creation and preservation of affordable housing in the Town of Wayland for the benefit of low and moderate income households.

**§77-2. Board of Trustees; appointment; terms.** The Trust shall be governed by a board consisting of seven trustees (the Board). At least one trustee shall be a member of the Board of Selectmen. In making appointments to fill the remaining positions, the Board of Selectmen shall give preference to the following: (i) a member of the Wayland Housing Authority; (ii) a member of the Planning Board; (iii) a member of the Housing Partnership; (iv) a real estate law specialist licensed to practice law in the Commonwealth of Massachusetts; and (v) two residents. The Trustees shall be appointed by the Board of Selectmen and shall serve for terms of two years beginning on July 1<sup>st</sup> and expiring on June 30<sup>th</sup>, except as hereinafter provided. The initial terms of four of the Trustees shall be for one year and three of the Trustees shall be for two years. The Board of Selectmen shall strive for geographical diversity for the benefit of the entire Town. Thereafter, the terms of all Trustees shall be for two years, except for Trustees who are appointed to fill the unexpired term of a Trustee whose position has become vacant before the end of the term. There shall be no limit on the number of terms served by an individual.

**§77-3. Powers; authority;** The Board shall have the powers set forth herein for the Trust which is on file in the Office of the Town Clerk, and the following powers, all of which shall be carried out as fiduciaries through the exercise of due diligence and prudence and in furtherance of the purposes of Massachusetts General Laws Chapter 44, Section 55C:

- (a) to accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the Trust in connection with any by-law or any general or special law or any other source, including money from said chapter 44B, except that transfers of Town-owned real property to the Trust shall be approved by a two-thirds supermajority vote of a town meeting pursuant to Massachusetts General Laws Chapter 40, Section 15A;
- (b) to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;

- (c) to sell, lease, exchange, transfer or purchase real property. The purchase and/or development of more than two dwellings must be approved jointly by the Board of Selectman and Planning Board.
- (d) to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Board engages for the accomplishment of the purposes of the Trust;
- (e) to employ advisors and agents, such as accountants, appraisers and lawyers as the Board deems necessary;
- (f) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Board deems advisable;
- (g) to apportion receipts and charges between incomes and principal as the Board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;
- (h) to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;
- (i) to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Board may deem proper and to pay, out of trust property, such portion of expenses and compensation of such committee as the Board may deem necessary and appropriate;
- (j) to carry property for accounting purposes other than acquisition date values;
- (k) to borrow money on such terms and conditions and from such sources as the Board deems advisable, to mortgage and pledge trust assets as collateral, except that (i) the Board shall not mortgage or pledge as security an amount greater than the total current assets of the Trust, unless such greater amount is approved by the Board of Selectmen and by the Planning Board by a majority vote and (ii) no money borrowed and no debt issued by the Board shall be an obligation of the Town of Wayland.
- (l) to make distributions or divisions of principal in kind;
- (m) to comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the Board may deem appropriate;
- (n) to manage or improve existing real property; and to abandon any property which the Board determined not to be worth retaining;
- (o) to hold all or part of the Trust property uninvested for such purposes and for such time as the Board may deem appropriate; and
- (p) to extend the time for payment of any obligation to the Trust.

**PLANNING BOARD COMMENTS:** The Planning Board, at their meeting on March 4, 2014, voted 4-0 to support this article.

**FINANCE COMMITTEE COMMENTS:** Passage of this article will create a housing Trust (the Trust) for the creation and preservation of affordable housing efforts. The language of the Trust specifies how funds and property are to be managed and expended. Article 10 provides initial funding for the Trust. Passage of Article 9 is contingent on these two Articles being approved.

A similar Article was proposed at Special Town Meeting (STM) in November 2009 as Article 4, but was passed over.

The Planning Board discussed the Trust at their hearing completed on February 11, 2014 and worked collaboratively with the members of the Wayland Housing Partnership, Wayland Housing Authority (WHA), Board of Selectmen (BoS) and interested residents to create the proposed Trust document.

The Housing Partnership is a town committee with members representing the Selectmen, clergy association, Planning Board, School Committee, and the Conservation Commission. All appointments are made by the Board of Selectmen. The role of the Housing Partnership is to help implement the town's affordable housing goals and policies through negotiations with private developers and by working with the community to lead and support efforts to meet the affordable housing needs of Wayland.

The Housing Authority is a department of the Town with an elected board charged with providing, maintaining, administering and advocating for housing for low and moderate income people in Wayland. They also work to foster the development of affordable housing in Wayland.

MGL Chapter 44, §55C allows municipalities to establish a trust for the creation and preservation of affordable housing that benefits low and moderate-income households. Over 60 communities in Massachusetts have adopted this section of the MGL. Under this law, Wayland's Trust would be a separate legal entity and not be part of the Town government.

The trustees (7)

- will be appointed by the BoS and they shall strive for geographic diversity among appointments
- will include one Selectman as required by MA law
- will have the remaining positions filled with preference given to a member of the WHA, the Planning Board, the Housing Partnership, a real estate law specialist and two residents, and
- shall serve for a two year term with no limit on the number of terms served

The Trust can purchase and sell real and personal property and execute all documents related to such transactions. However, if it desires to purchase more than two units at a time, the purchase and development must be approved by the Planning Board and the BoS. The Trust is allowed to borrow up to an amount equal to the total current assets of the Trust, unless a greater amount is approved by the BoS and the Planning Board. The debt is not considered an obligation of the Town of Wayland.

Also, even though not part of the Town, several provisions of municipal law that apply to Town boards apply to the Trust, such as the Open Meeting Law and that Town Meeting is responsible for establishing or dissolving the Trust. The Trust may use Town functions for handling many of the administrative functions of the Trust. For example, the Treasurer could manage the funds, although they must be segregated from Town funds or the Town Accountant may provide accounting services to the Trust, although the Trust must have its own set of books and be separately audited as an independent entity.

The trustees have the ability to make decisions about the use of funds without requesting Town Meeting approval. For example, if a property becomes available, the Trustees, acting on their own, could acquire the property. Any expenditure can only be done in accordance with the objectives of the Trust, which is for the development and maintenance of affordable housing in Wayland.

By establishing the Trust, there is a mechanism for future gifts to be made directly to a single entity. Community Preservation Act monies that have been allocated for housing could be transferred to the Trust (upon vote of the committee and Town meeting). Also, the Town anticipates receiving over \$500,000 in affordable housing funds from the development of the River Trail condominiums at Town Center.

Article 3, November STM 2009 amended the zoning code to reduce the number of affordable units required under the Mixed Used Overlay District (MUOD), which governs the Town Center development. In consideration of this change, the developer agreed to make a payment to Wayland's Municipal Affordable Housing Trust. The minimum amount is \$6,105 per unit and \$537,240 aggregate donation. The River Trail development is planned for 42 units and has completed the permitting process. The first payments are anticipated this fall.

The Planning Board voted 4-0 to support this article. The Wayland Housing Authority voted 3-0 to support this article, and the Housing Partnership voted 8-0 to support this article.

**ARGUMENTS IN FAVOR:** Establishing the Trust provides a mechanism for the management and expenditure of the donations made by the Town Center developer and ensures that the funds are used for creation of additional affordable housing.

The Town anticipates receiving gift funds from the developer of the River Trail condos and needs to establish a Municipal Affordable Housing Trust to receive those funds. The Town should start to receive those funds in the fall of 2014.

Establishing the Trust under MGL Chapter 44, §55C sets up a separate entity outside the Town's structure and allows the trustees to act independently of Town Meeting. This gives the Trust maximum flexibility to take advantage of acquisition decisions as they arise without waiting for Town Meeting.

Creating the trust provides a central fund for the development of all affordable housing in Wayland and gives a vehicle for future donations. Currently there are a number of different accounts that have been created over the years, which could be consolidated into the Trust. Also, monies set aside by the Community Preservation Committee could be contributed to the Trust with Town meeting vote.

**ARGUMENTS OPPOSED:** The Trust would be a separate entity and not part of the Town's governance. As such, decisions to acquire properties and the use of funds are at the discretion of the trustees and outside the control of the Town.

The trustees are appointed by the Selectmen and one Selectman must be a trustee. Although required by law, it could be argued that this gives too much authority to the Selectmen.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**QUANTUM OF VOTE:** a.) Majority – see Massachusetts General Laws Chapter 44, Section 55C.  
b.) Majority – see Massachusetts General Laws Chapter 40, Section 21.

**CONSISTENCY WITH LAW:** It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

*For more information about this article, contact Sarkis Sarkisian, Town Planner, at (508) 358-3778, or email [ssarkisian@wayland.ma.us](mailto:ssarkisian@wayland.ma.us).*

## **ARTICLE 13: POSTED SPEED LIMIT OR ROAD LINE CHANGE LIMITATION**

*Proposed by: Petitioners*

Amend the code of the Town of Wayland by adding to Chapter 158 thereof, the following new article:

Chapter 158 Article VIII: Posted speed limit or road line change procedure

Prior to the change of posted speed limits on town ways or the change of road line marking on town ways, a properly noticed public hearing on the proposed change must be held by the Board of Selectmen.

- A. In the case of a town way, which has an associated special speed regulation as defined by MGL c. 90 § 18, the Board of Selectmen, have the authority, without the need for specific state approval or without the need for a state approved traffic study to permit the posting of either the speed limit defined by the special speed regulation or the state mandated default speed limit specified in MGL c. 90 § 17.
- B. The Board of Selectmen have the sole authority for the town to determine whether a town way meets the “thickly settled” (average less than 200 feet between dwellings houses) definition from MGL c. 90 § 1. This determination establishes the state mandated default speed limit as specified in MGL c. 90 § 17.
- C. A change, with a duration not exceeding four months, is not subject to the requirement of this article.
- D. In addition to the requirements of MGL c. 30A, §§ 18-25, a properly noticed hearing must have notice of said hearing, giving the time, place and general subject matter, sufficient for identification, placed in a newspaper of general circulation in the Town once in each of two successive weeks with the first publication being not less than 14 days before the hearing. In addition, a copy of the notice shall be mailed not less than 14 days before the hearing to owners of property abutting the section of the town way affected by the proposed change or abutting any town way within one-half mile by town way of the proposed change or to any other abutter deemed by the Board of Selectmen to be affected by the change

**PETITIONERS COMMENTS:** The petitioners declined to submit comments.

**FINANCE COMMITTEE COMMENTS:** Petitioners are asking for notice to be given to affected residents before posted speed limits are changed or road line markings are changed. Affected residents are those on the affected road or on any roads which end at the affected road.

This article arose based on petitioners’ experience with the posted speed limit on Stonebridge Road. The speed limit on the Framingham end of Stonebridge Road was correctly posted at 35 MPH without notice to residents. Neighbors thought the speed limit was 30MH. In order for the Wayland Police Department (WPD) to effectively enforce the speed limit using radar enforcement, the road must be posted with speed limit signs. The signs were erected to place the road in compliance with the long standing State issued Special Speed Regulation that governs the speed limit on Stonebridge Road. There was not a change in the allowable speed limit.

This article does not intend to place limits on what the Town can eventually do in regard to posted speed limits or road line changes. However, it does require the Town take certain new steps before it



makes such changes. The article also makes explicit exceptions for cases where the Town does not have the ability to notify the residents before making the changes. In this case, the Town can go through the approval process after the fact. However, in this case, if the Town cannot get the proper approval from the appropriate Town boards, then the Town, not the residents, would incur the responsibility for doing what is needed to mitigate the effects of this unapproved change.

Speed limits are not under the jurisdiction of the Town. According to the MA Department of Transportation (MassDOT) website,

Chapter 90, Section 18 of the MGL requires posted speed limits to be established through the issuance of special speed regulations. On municipal roadways, the municipality, usually in conjunction with MassDOT, collects data for the engineering study needed to establish a speed regulation. The MassDOT Traffic Engineering section reviews this data and prepares a speed regulation for approval by the MassDOT Highway Division and the Registry of Motor Vehicles. Speed regulations for municipal roadways must also be approved by the municipality.

The Board of Selectmen (BoS) are the Traffic Commissioners of the Town as established in Chapter 68 §1 of the Town Bylaws.

There shall be a Traffic Commission consisting of the Selectmen, duly elected and serving as such, which shall have all the duties and responsibilities conferred upon Traffic Commissions by the General Laws, and especially including the authority conferred upon such Commissions by MGL c. 90, §§ 18 and 18A, and upon towns by MGL c. 40, § 22, ...

Generally, residents first bring their concerns with speed limits or speeding to the Chief of Police.

- After discussion to determine the time of day and volume of the problem, the WPD checks the speed limits on the street and make sure the road is posted in accordance with regulation.
- On some occasions WPD finds that signs are missing or improperly posted. (This has occurred on Old Connecticut Path and Stonebridge Road.)
- WPD contacts the DPW to have the roads posted in accordance with the Special Speed Regulation because any speeding citations issued would be invalid if the road was improperly posted.
- WPD then assigns speed enforcement patrols to the area in question for several weeks in an effort to alter driver behavior to comply with the speed limit.
- Other options discussed with residents are to file a Traffic Calming Request with the Board of Public Works (BoPW).
- If the road does not have a Special Speed Regulation, the WPD does traffic counts and a speed zoning study, which could lead to a request to the BoS to solicit a new speed regulation from the State. (This has occurred on Draper Road, Glen Road, Pinebrook Road, Bow Road and Millbrook Road in recent years.)
- In some cases, residents ask for a “Slow Children” sign to be installed on their street. Usually this request is reviewed and decided by the BoS.

Any application to the State for a change to an existing Special Speed Regulation or the request for new one is made by the BoS. The proposal is an agenda item and discussed and decided in open public session.

As noted above, traffic calming measures fall to the BoPW.

The Board of Public Works instituted a Traffic Calming Policy in 2011 and has a Traffic Calming Request Form in place to work with neighborhoods and residents. Most of the petitions have been

related to speeding. Information and the request form can be found on the Department of Public Works (DPW) website.

BoS are the “Traffic Commissioners” for the Town of Wayland. They are responsible for signage, lines, parking regulations and similar activities. The budget for implementation is actually with the Chief of Police rather than the DPW Director.

Petitioners also want notice given to affected residents before road line changes are made (new lines). They do not intend for this to apply to maintenance or repainting of the existing lines.

The DPW is responsible for all line painting in town; however, the WPD pays for line painting through the line item, Line painting, street signs and traffic studies. The WPD reminds the DPW when lines need to be repainted.

**ARGUMENTS IN FAVOR:** Residents would be aware of and have the opportunity to be more involved in the process of changing speed limits or changing the road lines throughout Town. Petitioners hope to improve the process for resident involvement.

This article is to give residents more say into changes to roads in their neighborhoods. The article is intended to assure people that they will not leave home on a road without any lines painted on it and return to find a road with a double yellow line painted down the middle. The article is intended to assure people they will not leave home with one speed limit posted on the road they live on and return to find a new speed limit posted on the road.

The requirement for public notice and public hearing are the mechanism used by this article to assure the residents are aware of a change before it happens. The petitioners believe it is much easier to disagree with a potential change, rather than work to overturn a change which has already happened.

Residents will be aware in advance of road lines that are changing and this type of change does not happened to any other residents of the town like it did on Stonebridge Road.

There is a well-established procedure for cutting down shade trees along public roadways or trees on Scenic Roads. This article simply extends the notice and hearing mechanism applied to tree cutting to the change of posted speed limit or changes in the road line markings.

Given that changes to road line markings and posted speed limits are much less common than tree cutting along public roadways, the petitioners feel the Town should be able to easily adapt to this new requirement.

**ARGUMENTS OPPOSED:** The authority to change speed limits resides with the State rather than the Town. Therefore the Town should not be held to give notice and find a mitigating plan that is agreeable to the affected residents.

The Town has working mechanisms in place to deal with speeding complaints and changes to speed limits. Additional requirements and a change to the bylaw are not necessary.

All changes to speed limits are discussed and decided by the BoS in open session. The process is already transparent.

The Scenic Road and Shade Tree Hearing process is mandated by state law and provides the public, Planning Board, and BoPW an opportunity to discuss and take action on a primarily aesthetic / landscape quality issue. The proposed article would extend the same process to a review of activities that are public safety and engineering driven. Speed limits and road line markings guidelines are technical in nature and are implemented using best engineering practices tempered by experienced judgment of what is appropriate for a particular location.

Public safety should be the prime consideration in making such decisions rather than political or aesthetic reasons. In addition this new requirement would slow down implementation of public safety related activity and add cost (management, secretarial, newspaper charges, etc).

While well intentioned, the bylaw section as written is confusing. Petitioners should refine the wording and process to better achieve their goals before Town Meeting reviews the article.

The appeal process is confusing and may not be legal. Compliance may be complicated. For example,

- There is no DPW Commission as named in the article.
- The form of notice to be given to affected residents is not defined.
- The language as stated is that approval is by the DPW Commission and/or the BoS without stating which one.
- Notification of affected residents could be burdensome on the Town if the affected road is a major roadway such as Rte. 20, Rte. 30, Rte. 27 or Rte. 126 and notice needs to be given to residents of all roadways ending in those roads.
- The Town already has a mechanism in place to deal with traffic calming measures.
- It is not clear if the DPW's general maintenance of road lines (repainting) would now need to give notice to residents.
- Mitigation is not defined or limited in scope or expense.
- Identifying all road line changes since May 2012 is onerous.

Perhaps another way to achieve the goals of this article in a lower cost manner would be to have the Town post anticipated changes on a quarterly basis on the Town website, and have a verifiable comments mechanism for citizen feedback so BoS is aware of neighborhood concerns.

**RECOMMENDATION:** The Finance Committee recommends against approval. Vote: 0-5.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40, Section 21.

**CONSISTENCY WITH LAW:** It is the opinion of Town Counsel that the foregoing bylaw amendment is not consistent with Massachusetts law in that it would make the Board of Selectmen the sole authority for permitting special speed regulations regarding town ways and determining whether an area on a town way is thickly settled. Approval of special speed regulations for town ways by the Massachusetts Department of Transportation (“Mass. DOT”) and the Registrar of Motor Vehicles (“RMV”) is required by Massachusetts General Laws Chapter 90, Section 18. Permitting the posting of speed limits established by such regulations without joint Mass. DOT and RMV approval would be inconsistent with this state law. The term “thickly settled” as it relates to a residential area on a town way is defined in the Massachusetts General Laws Chapter 90, Section 1 as “the territory contiguous to any way where the dwelling houses are situated at such distances as will average less than two hundred feet between them for a distance of a quarter of a mile or over.” Whether such an area is thickly settled is determined solely by applying this definition and not by a decision of a municipal board.

*For more information about this article, contact lead petitioner at [duane.wayland4wayland@gmail.com](mailto:duane.wayland4wayland@gmail.com).*

**ARTICLE 14: REPOST FRAMINGHAM END OF STONEBRIDGE ROAD**

*Proposed by: Petitioners*

Town meeting requests that the Board of Selectmen use their authority as the Traffic Commissioners of the Town to do the following:

- A) Remove of the 35 MPH speed limit signs posted, in August 2013, on the Framingham side of Stonebridge Rd, and replace them with the original 30 MPH signs which were in place for perhaps the last 20 years (ie don't post the special speed resolution for this section of Stonebridge Rd).
- B) The total number of speed limit signs on this section of Stonebridge Rd will remain unchanged from the current configuration, but now they will be for the original 30 MPH instead of the new 35 MPH.
- C) Direct the town police to enforce the 30 MPH zone (30 MPH will now be the legal speed limit of the thickly settled section of this part of Stonebridge Rd)
- D) Direct the town police to publish a plan to the neighborhood on the expected frequency of enforcement, and to send to the residents a weekly log of the number of citations given.
- E) The reasons for this request are as follows:
  - 1. The reposting the Framingham end of Stonebridge Rd at a higher speed limit reduced the safety of this part of the Stonebridge Rd and puts our children and pets in greater danger
  - 2. The original 30 MPH speed limit had been in effect for many years (perhaps >20), and the reposting was not necessary or required by state law. The previous 30 MPH limit was just as legally enforceable as the newly posted 35 MPH.
  - 3. Just reposting to 30 MPH is now not sufficient. Extra effort is required to change the behavior of the drivers who have become accustomed to the new 35 MPH posting over the last 6 months.
  - 4. Most of the traffic on Stonebridge is pass-thru traffic from Framingham/Sudbury, so one needs to convince these drivers that speeding in Wayland is not a good idea.
  - 5. We are all residents of the same Town. Although this reposting just directly affects Stonebridge Rd and the neighborhoods around it, we as a town should be able to say together that the reposting of a higher speed limit on Stonebridge Rd was not dealt with appropriately and we want it fixed.

**PETITIONERS COMMENTS:** The petitioners declined to submit comments.

**FINANCE COMMITTEE COMMENTS:** The lead petitioner informed the Finance Committee on February 23, 2014 that this article would be withdrawn. This had not been completed by the time the Warrant went to print.

**RECOMMENDATION:** The Finance Committee defers a recommendation until Town Meeting.  
Vote: 5-0.

**QUANTUM OF VOTE:** Majority.

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## **ARTICLE 15: AMEND ZONING BYLAW CHAPTER 198: RIVERS EDGE HOUSING OVERLAY ZONING DISTRICT**

*Proposed by: Board of Selectmen and Planning Board*

To determine whether the Town will vote to amend Chapter 198 of the Code of the Town of Wayland, the Zoning Bylaw of the Town, by adding thereto the following new article:

### **ARTICLE 25 River's Edge Housing Overlay District**

#### **§ 198-2501. Purposes and Intent.**

2501.1 The purpose of this article is to increase the supply of housing in the Town of Wayland that is available to and affordable by low-income and moderate-income households which might otherwise have difficulty in finding housing in Wayland, and to ensure that such housing is affordable over the long term and provided in accordance with the Wayland Master Plan and the Town's Affordable Housing Production Plan.

2501.2 It is intended that the affordable dwelling units authorized under the provisions of this article be considered as affordable housing units which shall be included in the Town's inventory of subsidized housing units established and administered by the Commonwealth of Massachusetts Executive Office of Housing and Economic Development, Department of Housing and Community Development (DHCD), or its successor.

#### **§ 198-2502. Overlay District.**

2502.1 The River's Edge Housing Overlay District ("REHOD") is an overlay district superimposed on the underlying zoning district on the parcels of land on Boston Post Road in Wayland, Massachusetts Plate 22 of the Atlas of the Town of Wayland, Massachusetts, 2002, numbered as Parcels 22-3, 22-6 and 22-7. All uses permitted by right or by special permit in underlying zoning districts shall be similarly permitted in the REHOD, subject to the further provisions of this Article 25. Where the REHOD authorizes uses not otherwise allowed in the underlying district, the provisions of the REHOD shall control. Nothing herein shall be construed to supersede the provisions of other overlay districts applicable to land or structures within the REHOD, except as set forth herein. The REHOD shall not supersede the requirements of the Wireless Communications Overlay District as set forth in Article 15 of the Zoning Bylaw of the Town.

#### **§ 198-2503. Administration.**

2503.1 The Planning Board shall be the site plan approval authority (SPA) under this article.

2503.2 The Planning Board shall adopt, maintain and file with the Town Clerk a set of regulations that contains the necessary policies, definitions, fee structures, procedures, and requirements to implement the provisions of this article.

#### **§ 198-2504. Permitted Uses.**

2504.1 The uses set forth below, individually or in combination, are permitted, as of right, in the REHOD, subject to site plan approval issued by the Planning Board pursuant to Article 6 of this Zoning Bylaw for the initial development of the REHOD:

2504.1.1 Multi-Family Affordable and Market-Rate Housing Dwelling Units.

2504.1.2 Structures and uses accessory to the uses set forth in §198-2504.1 above, located (with the exception of covered parking areas) within the same building, including but not limited to the following: beauty and barber salons; recreational, physical fitness and therapy services; library; bank automated teller machine without drive-throughs or drive-up facilities; management offices; adult day health facility; assisted living residences not exceeding twenty-five percent (25%) of the total number of age-restricted dwelling units in the REHOD; and covered parking areas. In addition, food service, including a café or diner primarily for residents but as may also be open to the public for this limited use only.

2504.2 After initial development of the REHOD, any subsequent redevelopment of more than 25% of the existing buildout shall require a special permit issued by the Planning Board.

**§ 198-2505. Dimensional Requirements and Aggregate Limits.**

2505.1 Minimum building setback from the REHOD perimeter boundary shall be 50 feet. If lots within the REHOD are subdivided, the minimum setback from internal property lines shall be 15 feet, with the exception that buildings may be linked at internal property lines via covered walkways.

2505.2 Maximum building height of any building or portion thereof located less than 100 feet from a public way Boston Post Road / Route 20 shall not exceed 35 feet in height. Maximum building height shall not exceed 45 feet for the remainder of the site, with the exception that the maximum height for the northwest quadrant of the site shall be 58 feet in height for this quadrant only. Height shall be as defined in § 198-701.1.2. Height shall be measured from the average grade of the land immediately adjacent to the building to the highest point of the roof, except for buildings on the northern edge of the REHOD where average grade shall be determined by the grade of the land immediately adjacent to the three sides of the building which do not face north, to reduce grading on the north-facing sides near wetlands, and to encourage underground parking in these areas. On these north facing facades only, not more than 6 feet of a parking level may be exposed and allow natural ventilation as long as this façade area is screened and buffered with landscape.

2505.3 Maximum building size. No building shall exceed 150,000 square feet of gross floor area.

2505.4 Maximum number of dwelling units. There shall be no more than 190 dwelling units. All dwelling units shall be studio, one bedroom or two bedroom units, with the sole exception that not more than three (3) of the affordable non-age-restricted units may be three (3) bedroom units. No unit shall have more than three bedrooms.

**§ 198-2506. Performance Standards**

2506.1 Landscaping.

2506.1.1. Landscaping within the REHOD shall be designed to promote the establishment, protection and enhancement of the natural landscape; ensure the appropriate use of plant materials; preserve natural tree cover; and promote inclusion of new tree plantings in order to reduce visual blight, noise and glare, prevent soil erosion, reduce stormwater runoff, increase groundwater discharge, create shade, and reduce solar overheating.

2506.1.2. The applicant shall prepare a landscaping plan showing that the housing development will meet these standards and the standards set forth in § 198-606.

2506.2. Screening and buffer requirements.

2506.2.1 Screening and buffering should create visual barriers between features of the housing development from public streets and abutting properties. Such features shall include dumpsters and trash handling areas, mechanical equipment at ground level or on rooftop, service entrances and utility facilities for building operation, loading docks and spaces, aboveground backflow preventers, and other components of the development as may be reasonably determined by the Planning Board to require screening and buffering.

2506.3. Parking Standards.

2506.3.1 Parking spaces shall be provided at a minimum of 1.25 parking spaces per dwelling unit and maximum of 15 parking spaces for any accessory café or diner in addition to said dwelling unit parking spaces. If over 50% of the total number of dwelling units are age restricted as set forth in §198-2506.6 below, parking may be provided at a minimum of 0.50 parking spaces per age-restricted dwelling unit.

2506.3.2. Any large surface parking areas shall be separated, whether by buildings, landscape features, or both. At least ten percent (10%) of the interior of the parking areas shall be maintained with landscaping, including trees, in landscape islands.

2506.3.3. Small parking areas shall be designed to include sidewalks at the perimeter to promote safe pedestrian passage; larger areas may incorporate interior pedestrian corridors delineated by paving materials, plantings and/or bollards.

2506.4. Lighting Standards.

2506.4.1. The exterior lighting design within the housing development should accommodate public safety and welfare, and protect the night sky from unnecessary ambient light. Any lighting plan submitted for the development shall, at a minimum, include the following:

2506.4.1.1. All lighting installations shall be designed to achieve no greater than the minimum luminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA).

2506.4.1.2. To prevent glare on off-site locations, all outdoor lighting fixtures shall be full cutoff. Where necessary to prevent light trespass or glare, accessories such as hoods and shields shall be used on lighting fixtures. 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.

2506.4.1.3. Security lighting shall be shielded and directed at a downward angle.

2506.4.2. The applicant must submit a lighting study showing that the housing development will meet these standards and the applicable standards set forth in § 198-606.

2506.5. Affordable units.

2506.5.1. In lieu of the requirements set forth in Article 22 of the Town's Zoning Bylaw (the "Inclusion of Affordable Housing" bylaw), the following standards shall apply in the REHOD. A minimum of twenty-five (25%) of the dwelling units shall be affordable units. The term "affordable unit" shall mean a "low or moderate income housing" dwelling unit as that term is used in M.G.L. Chapter 40B, §20-23 and associated regulations, which shall be restricted in perpetuity for rental or ownership by a household earning less no greater than 80% of area median family income, and priced to conform with the standards of DHCD for rental or ownership units set forth in DHCD's guidelines and regulations, as amended from time to time, in order that such affordable units shall be included in the DHCD Subsidized Housing Inventory for the Town under M.G.L. Chapter 40B, §20-23. Affordable units shall be subject to the following conditions:

2506.5.1.1. All affordable units shall be affordable in perpetuity. A deed rider or other suitable restriction shall assure be required to ensure compliance with this condition. The restriction shall be structured to survive any and all sales, transfers or foreclosures.

2506.5.1.2. In the event that an affordable unit or the project in part or whole is proposed for sale, the continuing enforcement of the restriction through subsequent resales shall be the subject of a monitoring agreement and in accordance with the provisions of §198-2207 § **198-2207.3** and **198-2207.6** of Article 22 of this Zoning Bylaw.

2506.5.1.3. The restriction and the monitoring agreement shall be drafted in compliance with DHCD's Local Initiative Program guidelines and regulation, as amended from time to time, and guidelines promulgated thereunder, unless another low or moderate income housing subsidy program is applicable, which conforms to M.G.L. Chapter 40B, §20-23. The restriction and the monitoring agreement shall be subject to review and approval by the Planning Board and approved as to form by Town Counsel to ensure compliance with this section, and shall be executed and recorded prior to the issuance of the first building permit for any dwelling unit in the development.

2506.5.1.4. The affordable units shall conform to the DHCD standards for inclusion in the DHCD Subsidized Housing Inventory for the Town. Any assisted living units as allowed under 2504.1.2 above shall conform to DHCD standards for inclusion as rental units (either as market or affordable) in the DHCD Subsidized Housing Inventory for the Town.

2506.5.1.5. A right of first refusal in accordance with § **198-2207.7** of this Zoning Bylaw shall be granted to the Town or its designee for a period not less than 120 days after receipt of notice thereof.

2506.5.1.6. The affordable units must satisfy the design and construction standards of the Local Initiative Program, as set forth in DHCD's guidelines and regulations, as amended from time to time, with regard to indistinguishability from any market-rate units. The range of affordable units must be representative of the overall market-rate units in terms of unit mix, size and location, except for the unique three bedroom units described above. It is the intent of this Article 25 that the affordable units shall be eligible for inclusion in the DHCD Subsidized Housing Inventory for the Town as Local Initiative Program units, unless another low or moderate income housing subsidy program is applicable, which conforms to M.G.L. Chapter 40B, §20-23.

2506.5.1.7. The affordable units must be constructed and occupancy permits obtained at the rate of not less than one affordable unit for every three market-rate units.



2506.5.1.8. In computing the number of required affordable units, any fraction of a unit shall be rounded up, and the result shall be the number of affordable units to be built within the development.

2506.6 Age restricted units.

2506.6.1 A minimum of twenty-five percent (25%) of all dwelling units shall be age restricted to a minimum of at least one occupant aged 55 or over.

2506.7. Efficiency of design.

2506.7.1. Every effort shall be made to design buildings and use materials and construction techniques to optimize daylight in building interiors, natural ventilation, and energy efficiency; to minimize exposure to and consumption of toxics and nonrenewable resources; and to incorporate appropriate "green" design techniques.

2506.8. Utilities.

2506.8.1. To the greatest extent practicable, electric, telephone, cable TV, and other utilities on the site shall be placed underground.

**§ 198-2507. Peer Review.**

2507.1. The Planning Board, at the expense of the applicant and pursuant to M.G.L. c. 44, § 53G, may engage qualified peer reviewers, including, but not limited to, traffic engineers, civil engineers, landscape architects, architects, wetlands scientists, lighting technicians, and attorneys, to review all site plan review applications.

**§ 198-2508. Inapplicability of Certain Other Regulations.**

2508.1. Where this article specifies some standard or makes some other requirement contrary to a requirement set forth elsewhere in the Town's Zoning Bylaw, the provisions of this article, as may be amended from time to time, shall govern. The provisions of this article shall not supersede the requirements of the Wireless Communications Overlay District as set forth in Article 15 of the Zoning Bylaw of the Town.

**PLANNING BOARD COMMENTS:** This article requests that Town Meeting amend the Zoning By-Laws to add a new overlay district on the existing municipal service district. This new district will only apply to the following town-owned parcels as shown on the plan: 22-006, 22-007, 490 and 482. This overlay district is required for the proposed development which is not possible under the existing zoning.

The Planning Board sees this project as a unique opportunity to build attractive, housing for which there is clear market demand, while at the same time controlling future 40b development. The project also meets Commonwealth goals, including Smart Growth principles transforming abandoned municipal industrial property into attractive affordable housing.

The Planning Board commends the Economic Development Committee for its diligent work on this project. First, well over two years of research and market data determined the best and highest use for

redeveloping and optimizing this abandoned Town-owned parcel. Additionally, for the thoroughness of its approach in vetting the proposed development and concerns cited last spring. The Economic Development Committee has met with Boards, Committees and interest groups in Town to address concerns to height, age-restriction, density, form and the impacts to the Wireless Communication District. Design Guidelines will ensure the final project is consistent with the Town's guidelines and that all structures are in context and scale with the character of the zone.

This is truly a unique parcel of land with an equally unique proposal in terms of the number of planning challenges it solves. This project (1) provides much needed low- and moderate income housing, (2) enhances and defines the westerly entrance to the Town along Boston Post Road (Route 20) and (3) is consistent with redevelopment objectives of the Commonwealth of Massachusetts.

The Planning Board voted unanimously in favor of this article: Vote: 3 - 0.

**FINANCE COMMITTEE COMMENTS:** This proposal is to approve a zoning overlay district to define the scope and nature of a potential River's Edge development at 484-490 Boston Post Road, at and including the former Wayland/Sudbury Septage Facility site, for development of affordable and market-rate rental housing units. This article is related to the next Article in this Warrant, which allows conveyance of the land parcels and the two should be reviewed together.

**INTRODUCTION:** This is a lengthy article, due to the long proposed bylaw (above) and because the Economic Development Committee ("EDC") has done a thorough job of investigating this project. This introduction highlights where the project is today, for a brief overview. The narrative beyond delves into the primary topics important to this project, and the wide range of benefits that it has the potential to bring to the Town of Wayland, for those who desire further information.

Similar articles were voted on at Annual Town Meeting in April 2013. Votes on both articles garnered majority support but did not pass based on the required 2/3 majority: the conveyance article had 239 in favor (64.5%) and 129 in opposition, and was defeated by 7 votes. The zoning article, which followed, with fewer voters in attendance, had 197 in favor (62%), 123 opposed.

EDC reviewed concerns raised at and subsequent to Annual Town Meeting in 2013. In response, they have proposed herein a number of material changes in order to allay many of those concerns:

**Height and Density.** One of the primary concerns voiced was that the height and density of the proposed buildings were out of character with Wayland precedent. In response, the maximum building height has been reduced over the majority of the site – particularly closest to public ways.

Four stories are now allowed only at the northwest (back) quadrant of the site, furthest from Route 20, in the lowest portion of the site behind the Septage Facility hill. For the entire remainder of the site, the prior four story height has been reduced to three stories; and the three story height within the first 100' from Route 20 has been reduced to two stories. Overall density of the project, as a result, has been reduced by approximately 20%.

**Age Restriction.** A second material change from the article in April 2013 is that this article reduces the minimum percentage of units intended for senior occupants (at least one occupant aged 55 or older) from 2/3 of the units down to a minimum of 25%.

Reasons for this change include: a) market research suggests that by allowing a wider market (i.e. not limiting housing to seniors), the Town may increase the sale value of the land; and b) some residents

voiced concerns with this location as an ideal one for housing seniors. It should be noted for the record that the River's Edge site was never used as a landfill in the past, which was one of the concerns voiced on Town Meeting floor; however, some attendees were also concerned with low quality or too-high density of housing for seniors at this location.

Reducing the minimum age-restriction allows for a wider range of potential bids, from 25% age-restricted all the way up to 100%, to be considered by the Town, in all their respects. This will help ensure quality of construction, housing and community for residents in any project selected.

**Number of Units.** The 20% reduction in density logically leads to a reduction in units from the original 216 down to approximately 170. However, a wider range of potential bids, from 25% to 100% age-restricted, leads to a potential range of 150-190 units (since non-age-restricted units are typically larger, and age-restricted units are typically smaller). A 25% age-restricted project would be expected at about 150-160 units, while 100% age-restricted would be about 170-190. Since the zoning addresses *maximum* unit count, the number of dwelling units has been reduced from the 216 proposed in 2013 down to 190 in the zoning above, to accommodate the 150-190 range.

**Protect the Rights of the Town in the Future.** A concern was raised after 2013 Spring Town Meeting for adequate controls if and when the site is redeveloped in the future. The zoning has been revised to provide that after the initial development, any subsequent redevelopment of more than 25% of the then existing build-out will require a Special Permit issued by the Planning Board. This will provide the Town with control over this property in perpetuity.

With these changes, the River's Edge project has been adapted to be responsive to concerns, and to make the project more widely acceptable and appealing for a broader consensus of Wayland residents. By modifying the article to reduce density and shape the project closer to Wayland precedent, the revenues and affordable housing counts are modestly lower; however the project still has a tremendously positive benefit to the Town in terms of revenue and multiple housing benefits.

The benefits to Wayland of the proposed housing project include:

- **Revenue:** New revenue for Wayland in the form of estimated proceeds of \$3 to \$5 million from sale of the land, plus net new annual tax revenues estimated at \$300,000 per year that the development would produce in perpetuity. This project provides more potential revenue to the Town, now and going forward, than any other project of which the Finance Committee is aware, which makes it a significantly positive project to offset future property tax increases.
- **Major Progress toward 10% Housing Affordability:** By designating the project as rental, and 25% as affordable, then ALL the units count toward Wayland's affordable housing count, which will increase Wayland's current 5.5% affordability up to 8.5% to 9.2%, depending on the final number of units to be built (150-190). This improves affordable housing options for Wayland residents, and significantly reduces Wayland's gap it needs to fill to reach 10% affordability and stop the risk of 40B projects (where any developer can bypass local zoning and approvals to build high-density housing if a town's affordable housing count is below 10%).
- **Senior and Market Rate Housing:** River's Edge would provide sorely needed rental housing options for: (a) Wayland's seniors who may need or want to live in market rate independent senior rental housing that currently does not exist in Wayland; and (b) other residents and potential residents who would like to stay or live in Wayland but who cannot afford or commit to home ownership.
- **Help preserve our Semi-Rural Character:** With proactive, smart-growth planning Wayland can accommodate affordable and market rate housing in a green, environmentally efficient footprint, at a

fitting location close to Wayland Center. This protects hundreds of acres, open space and vistas elsewhere in Wayland, which would otherwise be affected to meet our affordable housing requirements in future years, to help to keep Wayland's semi-rural character intact. For Background and Informational Materials & Project Planning, please see EDC's webpage.

### **PROPOSED PROJECT IMPACTS AND DISCUSSIONS**

As part of the due diligence and planning for the project, the EDC analyzed a wide range of impacts of the proposed project including tax revenues/cost benefit analyses; traffic; environmental; potential storm water, wastewater and environmental impacts and mitigation; historic artifacts; wireless district impacts and other conditions unique to the site, including termination of the Wayland Sudbury Septage Agreement and the potential outcome of any transfer station access road appeal. The major topics of discussion are summarized below. For further information, please see EDC's webpage.

### **FINANCIAL BENEFITS ANALYSIS**

The project is estimated to generate **\$3 to \$5 million** in land sale proceeds for the Town of Wayland. Projects with more age-restricted units would be expected to result in bids in the lower end of the range; projects with fewer age-restricted units would be expected at the higher end. This estimate has been substantiated by market comparables and confirmed by a professional financial peer review.

In terms of tax revenues, it was essential to study the possible revenues and costs to the Town from the project, to confirm the overall net benefit before recommending any disposition of the land. Connery Associates, a municipal tax specialist, completed this analysis in 2013. Revenues were projected to be in a \$690,000 range for 216 units in its 2013 study; revenues with the revised 150-190 units would be expected in a \$500,000 to \$525,000 range.

Independent review of these figures by Edward H. Marchant in 2014 recommended a more conservative \$400,000 to \$450,000 range, with the lower end recommended for more age-restricted units and the higher end, for less age-restricted units, based on typical market averages.

Costs to the Town due to the project are based primarily on fire/life safety and education costs, since roads and utilities infrastructure are already in place or will be assumed by the developer. Relatively few families with schoolchildren are projected at River's Edge, since all units are one and two-bedroom units (with the sole exception that up to three of the affordable, non-age-restricted units will be allowed as three bedroom units). Total service and education costs are projected to be approximately \$66,000 - \$170,000 per year to the Town, with the differential based primarily on the number of schoolchildren.

When higher revenues (generated by fewer age-restricted units) are naturally paired with the higher costs (fewer age-restricted units lead to more schoolchildren), and the lower revenues (more seniors) are paired with the lower costs (naturally fewer kids), the net gain to Wayland on an annual basis is generally similar, estimated at approximately **\$300,000 per year net new revenues** in perpetuity to the Town of Wayland.

Given this positive net gain to the Town every year once the project is built, the proposed development is very favorable on a fiscal impact basis. For perspective, if this new tax revenue stream were used to offset bond financing payments for the high school or the new DPW, it would cover \$4-5 million of our debt at either one of the facilities, a significant offset of these cost burdens for the Wayland taxpayer.

*For further detail please see the River's Edge website at [http://www.wayland.ma.us/Pages/WaylandMA\\_BComm/Econ/RiversEdge](http://www.wayland.ma.us/Pages/WaylandMA_BComm/Econ/RiversEdge)*



### WIRELESS DISTRICT IMPACTS

A primary concern raised at Spring 2013 Town Meeting was the impact that River's Edge might have on the Wireless Communications Overlay District (WCOD) located on Route 20. By WCOD requirements, no new cell towers may be installed within 900 feet of a residential property line. Since River's Edge is located in the center of the district, the concern was that if River's Edge and its 900' perimeter were no longer available for cell tower locations, then the district might be effectively voided and no longer viable for cell carriers, which would leave central Wayland vulnerable to cell towers in other locations.

EDC studied this question with IDK Communications and its wireless-specialty counsel in 2013-2014. IDK completed an engineering review of the district, and confirmed that viable areas still remain in multiple areas in the district, even if River's Edge were to be built, therefore the district remains effective.

It is important to note that much of the existing 71-acre district, as expansive as it may initially appear, is limited by wetlands, riverfront, capped landfills (no structures may be built upon capped landfills) and existing residential homes along River Road. By law, locations for potential cell towers must be commercially and economically feasible in order for a Town to insist that wireless carriers use them.

As a result, as it stands today, effectively there are four areas available for cell tower placement within the current WCOD: 1) the Transfer Station, 2) west of the Transfer Station and at the edge of the landfill adjacent to Longfellow Club, 3) the River's Edge site, and 4) the high-voltage power lines along the abandoned railroad tracks south of Route 20. If River's Edge were to proceed, then 3 of these 4 locations remain viable; in addition they are at the four points furthest east, west, north and effectively south within the district, so it does not substantially diminish the potential reach of the district.

*For further detail please see the River's Edge website at [http://www.wayland.ma.us/Pages/WaylandMA\\_BComm/Econ/RiversEdge](http://www.wayland.ma.us/Pages/WaylandMA_BComm/Econ/RiversEdge)*

### SEMI-RURAL CHARACTER

While at first it may seem counterintuitive that a multi-story rental project protects Wayland's semi-rural character, this goal is one at the very core of the project. Until Wayland fulfills its 10% affordable housing requirement, then every part of Wayland and its semi-rural character is and will continue to be subject to unfriendly 40B projects (as some neighborhoods have already found).

To provide perspective, Wayland currently needs 216 units to reach 10% affordability. Typically 40B projects in Wayland are *condominiums*, since they are more profitable; but with condos, only the affordable units count toward Wayland's 10% threshold. For example, 16 units were recently built at Post Road Village on Route 20, but only the 4 affordables count. Since Wayland needs 216 units overall, this would mean adding *fifty-four (54) more Post Road Village-size 40B projects* before we fulfill our 10% threshold, which would gradually but dramatically change our semi-rural landscape over time.

Or, alternatively, Wayland has had only one other proposed *rental* 40B project, at the former Katherine Barton nursing home on Route 30 in Cochituate (which has yet to be built, but has been approved). As rentals, all 56 of the units count toward our 10%. But if Wayland needs 216 units to reach its 10%, this equates to *4 more Katherine-Barton-scale projects*. Larger rental projects such as these are often significantly out of scale with their immediate neighbors -- and as Damon Farms/Cochituate neighbors have learned, nothing can be done to stop or adapt them.

Whether large or small, future 40B projects will affect our semi-rural character as open fields, woods and vistas will disappear. If we are serious about protecting our semi-rural character, we must be proactive to

secure Wayland's future and make meaningful strides toward achieving our 10% requirement.

### TRAFFIC

A primary concern for any project at this Route 20 site is traffic, given the heavy backups in the morning and evening during rush hours along Wayland's stretch of Route 20. Senior housing was seen as one way to help mitigate traffic impacts: seniors are the least likely to be traveling at rush hour.

Now that the project may be as low as 25% age-restricted, traffic impacts are somewhat higher -- but they still represent a relatively small increase to the overall traffic on Route 20, for minimal level of service changes in our roadways, if at all. The March 2013 traffic study analyzed the prior 216-unit project both with 75% age restriction, and no age restriction, for comparison, with only modestly different results.

The subsequent reduction down to 150-190 units only serves to further reduce the minimal traffic impacts as outlined in the traffic study.

It is important to note that with nearby Town Center and surrounding businesses, many everyday needs are now provided within ½ -1 mile of this site: two grocery stores, three banks, library, pharmacy, doctors/dentists, post office, Town Building/Senior Center and so forth. While this is an attractive marketing attribute for future residents, for all other Wayland residents it helps to contain and focus the natural amount of traffic for this project to a relatively small area, instead of burdening the entire network of Town side and main roads.

### ENVIRONMENTAL

As one of its first tasks, EDC and its consultants performed an environmental review of the site to ensure that any environmental issues were understood, and mitigation was manageable and reasonable for a professional developer to undertake.

For a specific review, please see the Environmental Executive Summary [http://www.wayland.ma.us/Pages/WaylandMA\\_BComm/Econ/RiversEdge](http://www.wayland.ma.us/Pages/WaylandMA_BComm/Econ/RiversEdge) for a description of the results of the Phase I and Partial Phase II investigations of the site. Issues have been identified and quantified, to provide better than typical detail for a potential buyer. Developers who are of the size necessary to build a project like River's Edge are sophisticated and will have extensive experience remediating sites. Actual developers who reviewed the River's Edge site were comfortable with the remediation efforts that they would be required to undertake, as well as the presence of the capped landfill next door; the environmental issues did not sway their strong interest in the site.

[Development near capped landfills has been completed in recent years in Massachusetts, for example the Jordan's Furniture retail complex in Reading located directly adjacent to Reading's capped landfill, and The Highlands at Dearborn, a 300+ unit rental apartment complex next to Peabody's capped landfill.]

It was suggested on Town Meeting floor last year that the Town should, at its own up-front cost and delay, clean up the site in its entirety prior to offering the site for sale, in order to secure the highest land value for the Town. However, given that it costs municipalities significantly more than private developers to complete public work, and given that a private developer could perform the work during its own natural pre-construction site-work activities (which would minimize moving dirt piles multiple times), it is much more cost effective to convey the land to a developer and have them complete the work.

In addition, a Town-sponsored clean-up would require approval of up-front funds at Town Meeting, where at that juncture there would be no guarantee of a buyer at the end of the process. And overall, the process would easily take 2-3 years or more, first to secure funds via annual town meeting and budgets, and then to complete and close out the entire process with DEP prior to any offering. The Town would lose years of tax

revenues while waiting for the cleanup to be completed, and could potentially miss the current strong apartment development market. Therefore, it is unlikely that any potential increase in value would outweigh the costs and risks of Town undertaking the work itself.

#### HISTORIC ARTIFACTS REVIEW

Given the history and increased awareness of the potential presence of Native American artifacts in the Sudbury riverfront area, the Wayland Historical Commission was consulted early on in 2012. The site was toured and reviewed by the Commission, and they confirmed that there are no sensitive artifacts within the proposed site area. *See the Wayland Historic letter posted on EDC's webpage.*

#### SCHOOL BUSES

The Town currently uses the Septage Facility lot for parking its school buses, which were moved there while the new High School was under construction in recent years. With the new configuration of the High School and water resource issues, the buses will not be moved back, so the Town has a continued need for bus parking. If River's Edge were to proceed, then the buses would need to be relocated,.

The current three-year bus service contract expires as of the end of the 2013-2014 academic year, and is currently being bid for the next 3-year term. Bidders have been asked to provide alternate(s) for off-site parking if necessary (e.g. if River's Edge were to proceed), so that pricing will be available for the Town to review both external and internal options to minimize any costs of transition.

#### EMERGENCY ACCESS

The Wayland Fire Department reviewed the River's Edge site and program in 2013, and it has been confirmed that existing fire equipment is adequate to service a 4-story height building.

#### WAYLAND/SUDBURY SEPTAGE FACILITY AGREEMENT

The Septage Facility on site was decommissioned in 2009. The Town of Wayland owns the land, which is roughly half of the subject site, and Wayland and Sudbury jointly own the improvements. An intra-town agreement for the Septage Facility is due to expire in 2017, at which time the Towns must jointly share the costs of demolishing the facility. Initial discussions with Sudbury occurred prior to last year's Town Meeting to effect an early termination of this agreement if River's Edge were to proceed.

Whatever consideration Sudbury requires to terminate this agreement early shall be borne entirely by the Buyer; any payment shall be contingent upon the sale of the property only, and Wayland shall endeavor to minimize these costs while allowing the project to move forward. Any and all costs of demolition will be assumed by the Buyer, likely at a significantly lower cost than could have been obtained by Wayland/Sudbury as municipalities, thereby creating savings for both towns.

#### SUDBURY CELL TOWER PROXIMITY

Some have suggested that Wayland should not allow residential at River's Edge due to proximity to the Sudbury cell tower, due to possible health concerns.

There are no federal or state guidelines as to minimum required distance from cell towers (in fact the Federal Telecommunications Act specifically disallows such standards as exclusionary zoning). FCC and state laws mandate that signal strengths must be kept within maximum allowable health thresholds, which are calculated based on type and number of antennae, orientation and distance away.



IDK Communications confirms that signal strength from cell towers drops precipitously with distance from the tower (more than exponentially), so that the exposure risk range typically only extends the first 5-10 feet from the tower, and at the height of the antenna itself, not at the tower base. Since the Sudbury tower is 85' from the property line, and any structure at River's Edge must be set back 50' from the property line, then at a minimum any structure is 135' feet from the tower, and any potential exposure would be a very small percentage of the allowable level.

If some people have heightened concerns about cell tower signals, they may choose not to live at River's Edge, and that is their choice. However, many people do choose to live within close proximity to cell towers – one need only drive along Routes 128 or 93, Mass Pike or even Route 20 and notice the cell towers atop many buildings – not to mention millions of people living in downtown urban areas where cell towers are prevalent in great numbers (one source estimates for sake of argument that 90% of all city residents live within 100' of a cell tower, the number may vary but clearly it is a high percentage).

Therefore, proximity to the cell tower is thought to be an issue for some, but not all potential residents of the Property, and signals at our extended distance away from the Sudbury tower (always greater than 135') will be a small fraction of any regulatory safety standards.

#### TRANSFER STATION ACCESS ROAD APPEAL

The Board of Public Works (BoPW) must vote to declare its land surplus, and to date it has voted in support of a future transfer of these parcels to be used for River's Edge housing, voting 3-1 on January 14, 2014 in favor, as long as the parcels are not otherwise needed for BoPW use.

This is the same condition as was placed on the BoPW vote last year, since the new DPW facility was not approved yet, and concerns were raised at 2013 Town Meeting about the uncertainty. At Fall Town Meeting 2013, the DPW facility was approved on River Road, thereby eliminating any possibility that the River's Edge site would be needed as an alternative.

As of early 2014, the only remaining uncertainty facing the BoPW is the outcome of a pending citizens' appeal to Massachusetts DEP, protesting the existence of the transfer station access road, built approximately 40 years ago. If this appeal were to be successful, the road would need to be removed and the transfer station would need to be moved or shut down. River's Edge could be a possible site to relocate the transfer station, in addition to other sites in Wayland. Some BoPW members have opined that relocating the transfer station to any location would be cost-prohibitive and the Town would most likely turn to full curbside pickup since transfer station users would not support the added costs.

Even if a decision were made to relocate the transfer station, locating at River's Edge would make the cost of moving even more prohibitive, as the Town would lose all River's Edge financial benefits on top of the physical cost of the move, making River's Edge much less attractive than other locations.

As a result of both of these factors, it is very unlikely that the River's Edge site would be needed for transfer station uses.

#### COMMUNITY OUTREACH

EDC has worked for almost 3 years studying, reviewing and planning, and has been presenting its findings and drafts along the way to many interested committees and groups within Wayland, including Community Preservation Committee, Council on Aging, Board of Public Works, Historical Commission, Conservation Commission, Housing Authority, Housing Partnership, Rail Trail, Planning Board, Design Review Board, Finance Committee, Sudbury Valley Trustees and Sudbury River Watershed, and Board of Selectmen. All

have been helpful in providing information and helping to shape the planning for the site. Over 100 meetings have been held or attended to date regarding the River's Edge project.

#### **BUDGET UPDATE**

At Spring 2012 Town Meeting, \$360,000 was approved to analyze and plan for River's Edge. To date through February 2014, approximately \$125,000 has been incurred, well below budget, and with sufficient funds remaining to cover any further legal and closing costs if the Town votes to proceed with the land disposition.

#### **NEXT STEPS**

Based upon all the planning and due diligence, EDC recommends that the Town of Wayland approve these two articles and proceed with land disposition.

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

- A currently vacant, non-revenue generating site would become a significant revenue producing property for the Town of Wayland. Financial benefits to the Town from land sale proceeds are estimated in the range of \$3 to \$5 million. The annual projected net new revenue from property taxes is approximately \$300,000 per year, in perpetuity.
- There is currently no other identifiable site in the Town that can provide such a significant economic benefit. If this property continues to be used for municipal uses in the future, there would be no revenue generated by it to offset Wayland resident property taxes.
- The project would provide both affordable and market-rate rental housing for Wayland residents of all ages – for long-time Wayland residents to be able to remain in Wayland as they downsize in later years, or for younger residents who either cannot afford home ownership in Wayland or who choose to live in Wayland as renters (renting has become a significantly larger part of the US housing stock in recent years). All types of rental housing are in short supply in Wayland.
- By 2015, over half of Wayland's households will be over 55. It is being reported more and more often in the media that many aging Boomers may face a retirement crisis, without pensions to rely on and with the lowest savings rates versus prior generations. It is the responsible thing to do as a Town to look ahead and create rental housing which is affordable for retirees, whether designated as age-restricted or not, to provide a better range of housing options for our seniors.
- By designating the project as rental, and 25% as affordable, then all the units count toward Wayland's affordable housing count, which would substantially increase Wayland's current 5.5% affordability percentage to 8.5% to 9.2%, depending on the final number of units. This widens the affordable housing options for Wayland residents, and significantly reduces the gap Wayland needs to fill to reach 10%, to stop the risk of unfriendly 40B projects in the future.
- River's Edge is one of the single most important steps that we can make as a community to protect our semi-rural character across our entire Town. It is good practice and good planning to use our resources wisely, to be efficient in our land use for now and for the future, and use smart growth to focus development where it makes sense.
- Traffic impacts are minimized with direct Route 20 access, and since most everyday needs of supermarkets, banks, services and restaurants are just a half-mile away in Wayland Center.
- Deed restrictions and zoning will allow the Town to control the scope and use of the land, and Design Guidelines will help ensure a project that is consistent with the character of our community and that meets the needs of the Town.
- The project would enhance the western entrance to Wayland along Route 20.

- The project has now been reduced in scale by 20% so that the prior four story height which was a concern to some is now limited solely to the back quadrant of the site, behind the Septage Facility hill. All other four-story areas have been reduced to three stories, and prior three stories closest to Route 20 has been dropped to two stories, to help make the project palatable to more Waylanders.
- The project would make the most of its site and surroundings, which for years have been encumbered with an active adjacent landfill, the Septage Facility and dirt piles. Now that the landfill is capped and the Septage Facility is decommissioned, for the first time in decades this riverfront site can be re-envisioned into an active, attractive part of the community, a natural extension of Town Center and Wayland Center on the opposite shore of the Sudbury River.
- Housing at this location provides Wayland's residents with a new cost-effective-living community with on-site amenities, as well as proximity to the Sudbury River, Town Center and future Wayland Bike Path (which could be used as a walking path and for access to the Town Center) for an attractive community setting.
- There are no residential or commercial abutters to the planned development; therefore existing residents are not impacted by a more dense use being developed in their neighborhood.
- The Wireless Communication Overlay District remains viable even with the introduction of River's Edge residential.
- The proximity to the Sudbury cell tower is not a market hindrance. Based on distance between the tower and any River's Edge residential (minimum 135' away), any signals at River's Edge will be a small fraction of allowable regulatory health thresholds.
- The transfer station access road appeal is still pending, however, even if it were successful, it is unlikely that the River's Edge site would be used, if at all, for any relocated transfer station.
- The market for multi-family rental housing remains strong and River's Edge is well poised to take advantage of the current market conditions. If the vote is successful, the RFP would be issued in Summer 2014 and bids to be received in by Fall/Winter 2014, which would be well-timed to tap into the strength of the market.

**ARGUMENTS OPPOSED:**

- By selling the land, the Town would lose the ability to use the site for community-based uses such as playing fields, transfer station or other municipal uses.
- Some residents argue that River's Edge might render the Wireless Communications Overlay District useless, and therefore expose the middle zone of the Town to new cell towers.
- The project would be constructed within 900 feet of the existing cell tower in Sudbury and some consider this a health risk to residents of River's Edge.
- It was suggested to the Board of Public Works that a better use for this site is a Town owned and operated crematorium.
- The reduced density of 150-190 units and the maximum height of 3-4 stories is still not in character with the Town of Wayland's semi-rural identity.
- While the zoning and deed restrictions are binding, the design guidelines are just guidelines and are not enforceable by the Town.
- The location and size of the proposed development will create a large isolated community of seniors and low-income residents on the edge of Wayland.
- The location adjacent to the Sudbury landfill presents common landfill issues of gas and leachate emissions, which will require diligence by a developer and may impact the value of the development.

- This site is currently utilized for Wayland school bus parking. Upon development of the site, the buses would need to be either relocated to an alternative site in Wayland, or parked outside of the Town, at a yet undetermined cost to the Town.
- It has been proposed that Wayland should clean up the site environmentally at its own expense before marketing the site to third parties, in order to maximize the value. It is argued that the potential increase in value is greater than any risks of “missing the market”, of significantly higher costs to self-perform the work as a municipality, and of lost years of tax revenues as the new housing is delayed being added to our tax rolls.
- It has also been proposed that Wayland should enter into a 99-year ground lease for the land in lieu of selling it, to maintain the long-term value for the Town. This is recommended despite the risks of lower land sale proceeds up front; of potentially lower land tax revenues for 99 years since the Town owns the land, not the builder; of the Town continuing to own any current or future environmental and/or wastewater liabilities which could remain with the land; and/or of the Town having the ongoing obligation as property owner of potentially cleaning up after any failed developer during, or at the end of, the lease term.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 5-1.

**QUANTUM OF VOTE:** Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

**CONSISTENCY WITH LAW:** It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

*For more information about this article, contact waylandedc@comcast.net. See Map at Appendix F.*

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## **ARTICLE 16: TRANSFER AND DISPOSE OF SEPTAGE FACILITY LAND AND ADJACENT TOWN-OWNED LAND ON BOSTON POST ROAD**

*Proposed by: Board of Selectmen and Economic Development Committee*

To determine whether the Town will vote to:

- authorize the Board of Public Works, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of the three parcels of Town-owned land on Boston Post Road, Wayland, Massachusetts (i) known and numbered 490 Boston Post Road, Wayland, Massachusetts, containing 7.63 acres, more or less, as described in an order of taking dated January 11, 1971 and recorded with the Middlesex South Registry of Deeds in Book 11943, Page 420; (ii) containing 4.5 acres and shown as Lot A on a plan entitled “Plan of Land in Wayland, Mass. Showing Land Owned by William W. and Mary P. Lord” dated February 28, 1978, prepared by the Wayland Engineering Department and recorded with said Registry of Deeds as Plan Number 482 of 1978; and (iii) containing 1.0 acre, more or less, and described in an order of taking dated November 15, 1965 and recorded with said Registry of Deeds in Book 11003, Page 389, to the Board of Selectmen for purpose of conveying, selling, leasing or otherwise disposing of said parcels of land for affordable housing purposes; except for so much of said one (1) acre lot which lies within the Wayland Landfill Access Road as shown on Appendix F in the Warrant; and
- authorize the Board of Selectmen, with the approval of Town Counsel as to form, to convey, sell, lease or otherwise dispose of said parcels of land for affordable housing and market rate housing and accessory uses and structure purposes and, in connection therewith, to execute all necessary

and appropriate documents, provided that 1.) any housing development constructed on said parcels of land shall: (i) comply with the Town's Zoning Bylaw, (ii) be for rental dwelling units only; and (iii) be in general conformance with the spirit and intent of the River's Edge Housing Project Design Guidelines; and 2.) prior to disposing of said parcels of land, the Board of Selectmen shall solicit and receive a recommendation(s) from a nine-member advisory committee appointed by the Selectmen comprised of one Selectman, one member of the Finance Committee, one member of the Board of Public Works, one member of the Wayland Housing Partnership or the Wayland Housing Authority, one member of the Planning Board or Design Review Board, one member of the Council on Aging, one member of the Economic Development Committee and two citizens of the Town whose terms shall expire upon the disposition of said land by sale or lease or otherwise.

**FINANCE COMMITTEE COMMENTS:** Passage of this article will allow the Town to sell three parcels of land for housing and affordable housing purposes. The prior Town Meeting article, Article 15: Amend Zoning By-law Chapter 198: River's Edge Housing Overlay District, proposes zoning changes to allow for housing and affordable housing to be constructed on this land. The two articles are interrelated and the Finance Committee Comments are similar.

In addition, another related article, Article 17: Appropriate Funds To Improve The Transfer Station Access Road Across Conservation Land contained in this Warrant proposes improvements to the land set forth in a) (ii) above, in the form of environmental improvements to the wetlands and wildlife habitats and upgrades to the road, and that parcel would be treated as set forth therein. Note that this Article is based on prior discussions for the Transfer Station Access Road only, and is not dependent nor based upon the River's Edge proposal.

For more details on the proposed River's Edge zoning and planning, please see Article 15.

For the Town to sell this land, three steps are necessary.

1. The land-owner, the Board of Public Works (BoPW), must vote the land surplus.
2. The Town must authorize the BoPW to transfer the care, custody, management and control of the three parcels to the Board of Selectmen (BoS) for the purpose of conveying, selling, leasing or otherwise disposing of said parcels for affordable housing purposes.
3. The Town must authorized the BoS to convey, sell, lease or otherwise dispose of said parcels for affordable housing purposes and to allow the BoS to execute all necessary documents.

As a result of the review, due diligence and planning efforts outlined below, the EDC recommends the Town approve this article to move forward with conveyance of the land and allow for completion of the River's Edge project. (EDC voted 5-0 on January 9, 2014 on this warrant article and the related Article 15.

The Board of Public Works has expressed a conditional willingness to transfer these parcels to be used as housing and affordable housing as outlined by River's Edge, voting 3-1 on January 14, 2014 in favor of the concept, as long as the parcels are not otherwise needed for Board of Public Works use. This is the same condition as was placed on the BPW vote last year, since at that time the new DPW facility had not been approved yet. At Fall Town Meeting 2013, the DPW facility was approved, which released any possibility that the River's Edge site would be needed for this purpose.

As of early 2014, the only remaining uncertainty facing the Board of Public Works is the outcome of a pending citizens' appeal to Massachusetts DEP, protesting the existence of the transfer station access road built approximately 40 years ago. If this appeal were to be successful, as logic goes, the transfer station would need to be moved, and the River's Edge site may need to be considered.

It is unclear that the cost of moving the transfer station would be cost effective, resulting in Wayland finally going to curb-side service only (which is the last natural step now that our landfill is capped, since single-stream curbside pickup is more green, more energy efficient and more labor efficient, in terms of reducing resident trips and reducing unnecessary trash handling and trucking). Selecting River's Edge as a new transfer station location would only make the cost of moving it even more cost-prohibitive, as the Town would lose all the River's Edge financial benefits on top of the physical cost of the move. Therefore the utility of River's Edge as an alternative transfer station site is remote.

Full information on the River's Edge project is contained in Article 15.

If this Article 16 and Article 15 are approved, then the Board of Selectmen shall designate a selection committee, made up of representatives from relevant Town boards, departments and committees as well as local citizens, to review bids received and advise the Board of Selectmen on the best bid for the Town of Wayland. Conveyance of the land by the Board of Selectmen shall be for construction of rental housing only, shall be in accordance with the River's Edge Housing Overlay District zoning, and shall be for a project in general accordance with the spirit and intent of the qualitative River's Edge Design Guidelines.

**ARGUMENTS IN FAVOR:** See Arguments in Favor for the preceding Article 15 to this Warrant.

**ARGUMENTS OPPOSED:** See Arguments Opposed for the preceding Article 15 to the Warrant.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 5-1.

**QUANTUM OF VOTE:** a.) Two-thirds – see Massachusetts General Laws Chapter 40, Section 15A.  
b.) Majority – see Massachusetts General Laws Chapter 40, Section 3.

*For more information about this article, contact waylandedc@comcast.net.*

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## **ARTICLE 17: APPROPRIATE FUNDS TO IMPROVE THE TRANSFER STATION ACCESS ROAD ACROSS CONSERVATION LAND**

*Proposed by: Board of Public Works, Conservation Commission*

*Estimated Cost: \$800,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Public Works to rehabilitate access way connecting Route 20 to the existing Solid Waste Transfer Station; 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 under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise, provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitation on taxes imposed by Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 and ½, so called).

This project will resurface the existing roadway and make environmental improvements to increase the site's ability to hold flood waters, create wetland resource areas, improve habitat by creating wildlife crossings, and restore the Sandy Hill Area of the site.

All Activities are described and authorized under the Order of Conditions DEP322-808 and Wayland Chapter 194 Permit issued by the Wayland Conservation Commission on October 17, 2013. No

activity will take place until all appeals have been satisfied and a superseding Order of Conditions is issued by the Massachusetts Department of Environmental Protection.

This area is shown on the map in Appendix G.

**FINANCE COMMITTEE COMMENTS:** This article asks Town Meeting to appropriate funds for improvements to the access road from Boston Post Road (Rte 20) to the Solid Waste Transfer Station (former landfill) and, while it is not the primary reason for proposing this article, the road may in the future serve as an alternate means of ingress and egress for the Department of Public Works Garage which has been approved by Town Meeting for development at the northwestern portion of the current road.

**History** – In 1978, Town Meeting authorized the Board of Selectmen to acquire Lot A and Lot B of the co-called “Lord Property” on and off Boston Post Road, west of the Sudbury River, for refuse disposal, highway, or conservation purposes, with a proviso that the Town transfer the care, management, and control of Lot B to the Conservation Commission for conservation purposes, including outdoor recreation, when the Board of Selectmen has determined that Lot B:

shall no longer be required for other municipal purposes; namely, (a) that those portions of Lot B used for access to the Town’s sanitary landfill shall be so transferred when no longer required for that purpose; (b) that those portions of Lot B used for removal of sand and gravel shall be so transferred at the conclusion of the sand and gravel removal operation; and (c) that those portions of Lot B not required for either of the purposes cited above shall be so transferred at the earliest appropriate date.

The Board of Selectmen took the property by eminent domain for refuse disposal, highway and conservation purposes in 1978. To date, the Board of Selectmen has not determined that access to the sanitary landfill is no longer required. In the opinion of Town Counsel, unless and until the Board of Selectmen makes the determination that Lot B is no longer needed for the other municipal purposes specified in the proviso quoted above, the Landfill Access Roadway leading from Boston Post Road to the transfer station and capped Sanitary Landfill are available for use by the Town.

At annual Town Meeting in April 2013, the Town voted to amend its vote under Article 19 of the Warrant for the 1978 Annual Town Meeting by voting that such access way shall continue to be so held by the Board of Public Works for as long as the land accessible by it is used for public works purposes by the Town.

In accord with its responsibilities to administer the state Wetlands Protection Act, after the Town Meeting vote in 1978 the Conservation Commission held hearings and issued an Order of Conditions allowing the construction of the road with the condition that it be removed after the landfill was closed.

In October 2013 a group of 10 Wayland residents filed an administrative appeal to the Massachusetts Department of Environmental Protection (“DEP”) requesting that the DEP require the Town of Wayland to implement the 1978 Order of Conditions and dismantle the road, allowing the area to return to its original condition as an important wetland and wildlife habitat area for the Sudbury River. A ruling from the DEP with regard to this appeal is pending.

**Sponsoring Boards and Purpose of Article** – The boards sponsoring this article have complementary

reasons for recommending it to the residents of the Town. The Board of Public Works has a desire to upgrade the quality of the road in order to maintain its functionality for use by the Solitary Waste Transfer Station (car and truck traffic) and with the potential that this might be a future point of access for the Department of Public Works building that is being developed just to the northwest of the Transfer Station and which currently is to be accessed from River Road. The Board of Public Works voted in favor of this article at its meeting on December 30, 2013 by a vote of 4-0.

The Conservation Commission voted in 2013 to support the transfer of the roadway on the Lord Property to the care and custody of the Board of Public Works, provided: that the additional land shown on the map is transferred to the care and custody of the Conservation Commission, that floodplain mitigation is provided for flood storage lost when the road was built in 1978, and that wetlands lost when the road was built in 1978 are replicated on a ratio of 1.5 to 1.0 for previously filled wetlands. In addition, to the extent possible, fragmentation of wildlife habitat will be minimized. The funding proposed herein would provide for the floodplain, wetlands and wildlife mitigation deemed as required by the Conservation Commission. On January 9, 2014, the Conservation Commission voted in favor of this article by a vote of 6 to 0.

As part of that vote, the Conservation Commission noted in their minutes that if the Town does not vote to undertake the mitigation work provided herein, then the permanent use of the road, as contemplated by the Town Meeting vote in April 2013, could not continue.

The Finance Committee has discussed the potential for a phased approach to this project in order to spread the cost across two or three fiscal years, beginning in fiscal year 2015.

**ARGUMENTS IN FAVOR:**

- The funding of these improvements is consistent with Article 9, approved at Town Meeting in April 2013, which anticipated that the Board of Public Works and the Conservation Commission would undertake them.
- The environmental improvements will allow the Town to achieve compliance with concerns about the road that were noted when the road was initially constructed and again in 2013 when the Town voted to continue its operation.
- These improvements will mitigate environmental damage that may have been done to the wetlands and to various species living in this habitat since the road was constructed.
- These road improvements allow the Solid Waste Transfer Station to remain open in this location, thereby continuing this fee-based service for residents.
- These road improvements may allow the access to the new DPW building to be directly from Route 20, which was the preferred access point for that facility.

**ARGUMENTS OPPOSED:**

- The environmental mitigation proposed herein is not adequate to fully restore the wildlife habitat and wetlands value of the original river marsh, which can only be accomplished by removing the road.
- If the cost of these improvements is greater than the cost of removing the road, which appears to be the alternative to making the improvements, then one might argue that such additional costs do



not justify the ongoing operation of the Transfer Station (no cost estimates for removing the road are available at this time).

**RECOMMENDATION:** The Finance Committee recommends against approval 0 - 6.  
The Finance Committee is supportive of the funding of this article once the administrative appeal to the DEP has been settled and it is then apparent that the Town can continue to utilize this road with the mitigation and improvements contemplated herein.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

*For more information about this article, contact Mike Lowery, Board of Public Works at lowery.mike@gmail.com. See Appendix G for a map of this site.*

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## **ARTICLE 18: ACCEPT LAW INCREASING REAL ESTATE TAX EXEMPTION AMOUNTS**

*Sponsored by: Board of Selectmen*

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 2015.

**FINANCE COMMITTEE COMMENTS:** With the passage of this article at each Annual Town Meeting, certain residents may avail themselves of exemptions in the following amounts:

- \$350 for widows or widowers,
- \$875 for the blind,
- \$1,000 for those age 65 and over, and
- \$800 to \$2,000 for disabled veterans.

The title of this Article refers to “Increased Real Estate Tax Exemption Amounts” because the exemptions listed above are twice the amounts permitted in the statute referenced in the motion. In FY2013, 66 taxpayers were granted exemptions for a total amount of \$55,910.65. This amount represents twice the statutory exemptions granted and does not include the Circuit Breaker Match, the CPA exemptions or the senior tax deferrals.

The Board of Assessors is no longer a co-sponsor on this Article as they administer the Town’s tax policy and should not be seen as endorsing any specific tax policies related to its administrative duties.

**ARGUMENTS IN FAVOR:** This Article adds minimal tax burden to each taxpayer and provides needed support those age 65 and over and certain other residents coping with the burden of paying property taxes on fixed incomes.

**ARGUMENTS OPPOSED:** To allow the exemptions to eligible residents, the remaining taxpayers must pay slightly more in property taxes.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 5-0.

**QUANTUM OF VOTE:** Majority – See Section 4 of Chapter 73 of the Acts of 1986.

*For more information about this article, contact Robert Mercier, Interim Town Administrator, at (508) 358-3620, email [rmercier@wayland.ma.us](mailto:rmercier@wayland.ma.us).*

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## **ARTICLE 19: SET ASIDE COMMUNITY PRESERVATION FUNDS FOR LATER SPENDING**

*Proposed by: Community Preservation Committee*

To determine whether the Town will vote to set aside for later spending \$60,000.00 on open space, but not including land for recreational use, \$60,000.00 for historic resources, and \$60,000.00 for community housing pursuant to Massachusetts General Laws Chapter 44B, Section 6.

**FINANCE COMMITTEE COMMENTS:** The Community Preservation Act (CPA) was signed into law by the State of Massachusetts on September 14, 2000 and became effective 90 days later on December 13, 2000. The Town of Wayland approved adoption of the CPA and a CPA surcharge in the amount of 1.5% of annual tax payments during the April 2001 Annual Town Meeting.

The CPA enables communities to levy a property tax surcharge on real property for the purpose of creating a community preservation fund and qualifying for state matching funds. This property tax surcharge is calculated and based upon a homeowner's tax payments and not upon assessed valuation. The CPA also establishes a Community Preservation Committee (CPC) that makes recommendations on how the money shall be spent. Town Meeting may appropriate amounts in the Community Preservation Fund for purposes and amounts not greater than amounts recommended by the CPC.

Each fiscal year, upon recommendation of the CPC, Wayland must set aside for future spending, the following share of annual Community Preservation Fund revenues:

- 1) 10% for open space
- 2) 10% for historic resources
- 3) 10% for community housing

Once these allocations are met, the CPC recommends how the remaining 70% of annual CPA revenues are to be divided among the three purposes including recreational usage within the statutory definition of open space. Recreational purposes may include land for active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and non-commercial youth and adult sports, and the use of land as a park, playground or athletic field. Refer to Appendix M to review the Community Preservation Committee report.

This article would approve the specific set aside of \$180,000 of the unreserved portion of Wayland CPA funds for housing, open space and historic preservation.

**ARGUMENTS IN FAVOR:** This \$180,000 set aside will ensure that the Town continues to balance the needs of housing, open space and historic preservation in the spirit for which the Community Preservation Act was enacted.

**ARGUMENTS OPPOSED:** None. This set-aside amount is required under Massachusetts General Laws Chapter 44B, Section 6.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 5-0.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 44B, Section 6.

*For more information about this article, contact Jerome Heller, Chairman of the Community Preservation Committee, at heller.j@comcast.net. See the Community Preservation Committee report at Appendix M.*

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**ARTICLE 20: APPROPRIATE FUNDS FOR INSTALLATION OF FIRE PREVENTION SPRINKLER SYSTEM AT COCHITUATE APARTMENTS, 106 MAIN STREET**

*Proposed by: Community Preservation Committee*

*Estimated Cost: \$500,000*

To determine whether the Town will vote to:

- a.) appropriate a sum of money to be applied by the Wayland Housing Authority toward a fire prevention sprinkler system in the 1910 Cochituate School, now known as the Cochituate Apartments, 106 Main Street; and
- b.) determine whether said appropriation shall be provided by taxation, transfer from un-appropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise, provided not more than \$500,000 of the funds so appropriated shall be transferred from the Community Preservation Fund's Community Housing, Historic Preservation and Uncommitted Funds.

**FINANCE COMMITTEE COMMENTS:** This article appropriates money for funding a fire sprinkler system at Cochituate Village Apartments (CVA). The Community Preservation Committee (CPC) has approved \$500,000 for this project. That funding will be as follows: \$100,000 from the Community Housing fund and \$400,000 from the Uncommitted Fund of the Community Preservation Fund.

Other than the \$500,000 voted by the CPC, no other funds have been appropriated for this project nor has a funding source been identified for the balance of the project cost.

This project has been contemplated for some time. Initial research and estimates were obtained in 2007. The total project cost was unknown at the time the Warrant went to press but an initial project estimate is \$1,100,000. Updated estimates are being finalized and will need to include the cost to increase the water volume at CVA.

Passage of this article will authorize the Wayland Housing Authority (WHS) to install an automatic fire sprinkler system at Cochituate Apartments. Located at 106 Main Street, the CVA building is a three story brick and wood structure originally built in 1910 as a public school. The building was renovated in 1983 with funds provided by the Department of Housing and Urban Development (HUD) to provide 55 apartments for housing seniors capable of independent living.

These renovations were completed to provide its occupants with safe and affordable living accommodations. While current building and fire codes would mandate that the building be equipped with a fire sprinkler system, that protection was not required in 1983 and none was installed.

The building houses both seniors and people with disabilities. The Fire Chief has expressed concerns about the difficulty of effectively evacuating the building in the event of a fire because several

residents would need evacuation assistance. Statistics have shown that 90% of all fires in properties with sprinklers are contained with just one sprinkler head, eliminating the need to evacuate the entire building.

In addition to these safety concerns, CVA is housed in a historic building which could be unnecessarily damaged by excessive water in the event of a fire. One sprinkler head discharges about 25 gallons of water per minute while one firefighter with a fire hose and nozzle would discharge up to 250 gallons of water per minute. Sprinklers that activate in the early stages of a fire apply water quickly, limiting fire spread and smoke damage to the building.

The Wayland Housing Authority voted 4-0-1 in favor of this article.

The Community Preservation Committee voted 6-0 in favor of this article with the expectation that the Town would fund the balance of the project.

Current CPA Fund balances as of January 31, 2014 are: total balance of \$9,505,601 with \$3,816,428 of Uncommitted Funds, \$1,993,548 reserved for open space, \$721,177 reserved for historic resources and \$100,001 reserved for community housing. In addition, previously committed expenses, but not yet paid, totaled \$2,874,447.

See the Community Preservation Committee report at Appendix M.

**ARGUMENTS IN FAVOR:** CVA residents deserve both affordable and safe housing. If this facility were built or significantly renovated today, or had a change in occupancy use, a fire sprinkler system would be required.

CVA is housed in a historic building that will be further protected by installing a sprinkler system. Because CVA is a historic building, that provides community housing, the CPC is willing to contribute up to \$500,000 of the cost of this fire prevention project.

If a sprinkler system is installed, the Town might enjoy slightly lower insurance premiums.

**ARGUMENTS OPPOSED:** While this is a worthwhile project, more work is needed before it should be considered by Town Meeting. Planning and design are not complete for this project and it is likely that the cost will exceed the current \$1.1 million estimate.

The Cochituate Village water system will need to be upgraded to provide enough water volume to allow the sprinklers to work properly. To accomplish this, the Department of Public Works (DPW) has indicated the Bradford Street water main would need to be replaced. These costs are not considered in this article, nor is the work on the DPW Water Department's 5-year Capital Plan.

This project entered the Capital Improvement Process (CIP) late and at the request of the Finance Committee. Given that a complete estimate of the work was not available before the Warrant went to press and that a feasibility study needs to be completed, it is premature to fund the whole project. Residents should be aware of the total cost and scope of the work before appropriating funds.

**RECOMMENDATION:** The Finance Committee recommends against approval. Vote: 0-5.

The Finance Committee is very supportive of this project conceptually. However, to move forward, a more comprehensive estimate is needed.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

*For more information about this article, contact Jerome Heller, Chairman of the Community Preservation Committee, at hellerj@comcast.net. See the Community Preservation Committee report at Appendix M.*

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**ARTICLE 21: APPROPRIATE FUNDS FOR PRESERVATION MANAGEMENT PLAN FOR NORTH CEMETERY**

*Proposed by: Community Preservation Committee*

*Estimated Cost: \$15,000*

To determine whether the Town will vote to:

- a.) appropriate a sum of money to be expended by the Wayland Historical Commission to prepare a Preservation Management Plan including archaeological investigation, historical research and stone assessment of part of the North Cemetery on Old Sudbury Road; and
- b.) determine whether said appropriation shall be provided by taxation, transfer from un-appropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise, provided not more than \$15,000 of the funds so appropriated shall be transferred from the Community Preservation Fund's Historic Preservation Fund.

**FINANCE COMMITTEE COMMENTS:** At ATM in 2003, \$65,000 was approved at ATM for the maintenance and preservation of 18<sup>th</sup> century tombstones at the Old North Cemetery. Funds are requested at this time to prepare a Preservation Management Plan for the remaining sections of the cemetery where there are primarily 19<sup>th</sup> century tombstones. The proposed work includes research, stone and landscape assessment and reports, as well as a ground penetrating radar survey, and final reports. The total estimated cost of this project is \$28,500, of which the DPW has committed to funding amounts in excess of the proposed \$15,000 (funding from the CPC), up to a maximum of \$20,000. Expected funding from the DPW is roughly \$13,500 using funds that were allocated during 2012 ATM.

The North Cemetery in particular, contains a variety of unique historically and culturally significant headstones providing a visual record of the town from 1643, when the First Meetinghouse was constructed here, through the present day. The town's original settlers are interred there, along with a significant number of Revolutionary War and War of 1812 veterans.

The scope of the preservation work includes damage assessment and a restoration plan as well as historical research of old records and documents. There will also be ground penetrating radar conducted at the site to determine the location of the first meeting house, the possible presence of stockades, and to determine if the site historically referred to as the Native American burial site is actually a burial site. The overall work will increase our knowledge and understanding of the site and guide us in continued restoration and preservation efforts.

For more information, refer to Appendix M for the Report of the Community Preservation Committee.

The CPC voted to support this project on January 7, 2014. Vote: 6-0-0.

The Historical Commission voted at their meeting of March 5, 2014, to support this article with a vote of 5-0.

**ARGUMENTS IN FAVOR:** These resources must be protected and preserved now rather than later as the more they deteriorate the more difficult it is to preserve them. And once historic resources are lost they are lost forever. Technological advancements provide communities with many more ways in which to understand and verify stories about the past. A management plan will help to guide work at the North Cemetery for many years to come.

Funding of this project would come from the Community Preservation Act funds, which have already been collected by the Town. The CPA mandates that at least 10% of receipts be earmarked for historic preservation initiatives, 10% for open space, and 10% for affordable housing.

A favorable vote by Town Meeting will not increase the Town's tax rate; CPA funds to be used for this initiative have already been collected.

**ARGUMENTS OPPOSED:** Although the law requires at least 10% of collected CPA funds to be allocated to historic preservation initiatives, Wayland's CPC can elect to retain annual funding for the benefit of a future historic preservation initiative.

There may be other more pressing historic preservation initiatives that will require further funding.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 5-0.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

*For more information about this article, contact Jerome Heller, Chairman of the Community Preservation Committee, at hellerj@comcast.net. See the Community Preservation Committee report at Appendix M.*

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## **ARTICLE 22: APPROPRIATE FUNDS FOR PURCHASE OF FORTY ACRE DRIVE LOTS**

*Proposed by: Community Preservation Committee, Conservation Commission*

*Estimated Cost: \$150,000*

To determine whether the Town will vote to:

- a.) appropriate a sum of money to acquire, for conservation purposes, the fee or any lesser interest in all or part of three parcels of land located on Forty Acres Drive, Wayland Massachusetts, containing in the aggregate 3.21 acres, more or less, and shown as Lots 29-010, 29-011, 29-012 in the Town of Wayland Assessors' Atlas;
- b.) 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 said parcels of land; and
- c.) determine whether said appropriation shall be provided by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or

otherwise, provided not more than \$150,000 of the funds so appropriated shall be transferred from the Community Preservation Fund's Open Space Fund and Uncommitted Fund.

**FINANCE COMMITTEE COMMENTS:** As of the date of the printing of this warrant, no information regarding this potential transaction was available.

**RECOMMENDATION:** The Finance Committee recommends against approval. Vote 0-7.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

*For more information about this article, contact Jerome Heller, Chairman of the Community Preservation Committee, at hellerj@comcast.net. See the Community Preservation Committee report at Appendix M.*

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## **ARTICLE 23: APPROPRIATE FUNDS FOR RESTORATION WORK AT FIRST PARISH CHURCH**

*Proposed by: Community Preservation Committee*

*Estimated Cost: \$150,000*

To determine whether the Town will vote to:

- a.) appropriate a sum of money to be expended by the First Parish Church for restoration work of 1815 carriage sheds and 1814-1815 meeting house; and
- b.) determine whether said appropriation shall be provided by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise, provided not more than \$150,000 of the funds so appropriated shall be transferred from the Community Preservation Fund's Historic Preservation Fund.

**FINANCE COMMITTEE COMMENTS:** Passage of this article will use Community Preservation funds to complete restoration work on the First Parish Church. The project will include restoration work affecting the historic meetinghouse building and original carriage sheds as well as the steeple interior for insect prevention by historic preservation contractors. No work is contemplated on any of the modern additions on the site.

The First Parish Church, constructed in meetinghouse form with Federal-style elaboration in 1814-15, is an iconic structure and the center piece of Wayland's historic town center. It and the companion twelve-bay horse sheds, built in 1815, are important historically and architecturally particularly because there are so few sheds that remain today built at the same time as the meetinghouse. The simplicity of design is an important feature of the twelve-bay horse sheds. Both structures are listed in the National Register of Historic Places and in the State Register of Historic Places. Both buildings were built following votes of Town Meeting using town funds and both have survived in their near original form. In the 1850s the congregation of the First Parish made alterations to the interior of the meetinghouse by adding a floor and situating the sanctuary upstairs with the vestry down. The proposed work includes:

### Carriage Sheds

Stabilization and restoration of carriage sheds, including a new wood shingled roof on west slope and asphalt on rear, inspection, and repair of building sills as needed given that the 200-year-old beams

show signs of rot and insect infestation. Building beams, cross members, sheathing, and roof members will be inspected and repaired as needed. Repaired exterior surfaces will be prepared for paint, primed and painted.

Stabilization and Restoration of Meetinghouse:

Restoration of all windows except those restored during steeple restoration. This includes removing and hand building new windows. In addition, each window opening/frame must be inspected and repaired. All windows must be re-glazed/puttied, primed, & painted prior to reinstallation. There are eight triple-height Sanctuary windows, nine vestry windows, four narthex windows and one Palladian-style window in the front façade. Additionally, there will be exterior repairs to eaves, belfry, splashboards, cornerboards, window sills & trim, repairs to the slate roof to stop leaks into the sanctuary, installation of soffit vents and insulation to the sanctuary attic to stop condensation in sanctuary ceiling, and restoration or replacement of the hand-forged hinge strap on front door given that extensive rust is present.

Preservative Boracare Treatment for Sheds and Steeple Interior: These areas are open to the weather and exposed to possible insect infestation all year. Evidence of boring insects is present. Application will stop any active infestation of major pests and reduce damage.

Work on this project will commence in early Summer and continue through the Summer of 2014; it is estimated to take approximately four months to complete.

For more information refer to the Community Preservation Committee Report in Appendix M.

The CPC voted in favor of the project on January 7, 2014 in a 6-0-0 vote.

The Historical Commission voted in favor of this project on July 22, 2013 in a 4-0-0 vote.

**ARGUMENTS IN FAVOR:** Preservation of these historic buildings is important because they are integral to the history of our town, embody the history of town government and religious practices until the separation of church and state in 1833, and highly visible at a main cross roads – the focal point of our historic town center. Preservation of these buildings is an ongoing project as long as they are standing and preservation of 200 year old buildings is a costly endeavor. Viewing these buildings for their architectural beauty as well as historical significance is a privilege for all passersby; hence their preservation is an asset to the community as a whole.

Funding for this project will be provided by funds that currently exist in the Town's Historic Preservation Fund of the Community Preservation Fund.

Wayland has previously funded work at other privately-owned historic buildings with Town funds. CPA funds are permitted by law to be spent on non-town owned properties. Other CPA funded projects throughout the state have included 194 CPA-funded projects of religious properties that are non-town owned in 69 CPA communities including Acton, Holliston, Lincoln, among others. There are hundreds of other CPA funded projects that are for non-town owned buildings such as historical society buildings, private homes with money secured by a preservation restriction, among others. Wayland Town Meeting recently funded restoration work at the Vokes Theatre which is also a privately owned property.

The Town would continue to provide governance over the property's future use if the property were to change owners after the work is completed, ensuring continued support of this investment. Because



the building is located within the town's Historic District, the existing restrictions over the buildings would apply to a new owner in that they would not be able to demolish or change their exterior without prior approval of the local Historic District Commission (HDC).

This work will benefit all residents – not just those who use the property for religious reasons. Residents have access to the building upon request and this work will enable everyone to continue to enjoy the architectural beauty of this property. The First Parish offers public access, and access aside from its regular use. The contemplated repairs are to the exterior of the buildings. Viewing these buildings for their architectural beauty as well as historical significance is a privilege for all passersby; hence their preservation is an asset to the community as a whole.

**ARGUMENTS OPPOSED:** The Town should not fund work on a private enterprise; i.e., non town-owned property.

The town would not get its funds back in the event the property changes ownership.

Town funds are being used for a building in which residents don't have free access to use of the buildings.

Town funds are being used to support a religious property which is against our country's founding premise of separation between church and state.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 5-0-1.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

*For more information about this article, contact Jerome Heller, Chairman of the Community Preservation Committee, at hellerj@comcast.net. See the Community Preservation Committee report at Appendix M.*

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## **ARTICLE 24: RESCIND AUTHORIZED BUT UNISSUED DEBT**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to rescind the borrowing authorized at the May 2004 Annual Town Meeting that is no longer necessary because the project funded by the borrowing has been completed.

**FINANCE COMMITTEE COMMENTS:** The purpose of this article is to rescind borrowing authorization that is no longer necessary because the relevant project(s) have either been completed, are no longer being considered or been inactive for a long time. Passage of this article will rescind the borrowing authority authorized at the 2004 Special Town Meeting for constructing a sewer line to the Library. It does not prevent the Town from funding a similar capital item in the future.

In 2004, the town authorized \$11,950 to design and construct a sewer connection between the town building and the library. The project was completed under budget.

**ARGUMENTS IN FAVOR:** Approval of this article will remove the Town's ability to borrow for this item since it is no longer necessary. This action will add \$150.00 to the Town's existing borrowing capacity.

**ARGUMENTS OPPOSED:** The Finance Committee is unaware of any.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote 7-0.

**QUANTUM OF VOTE:** Majority.

*For more information about this article, contact Robert Mercier, Interim Town Administrator, at (508) 358-3620, or email [rmercier@wayland.ma.us](mailto:rmercier@wayland.ma.us).*

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## **ARTICLE 25: ABANDON OLD WASTEWATER TREATMENT PLANT OUTFALL PIPE EASEMENT**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to:

- a.) authorize the Wastewater Management District Commission, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of sewer easement shown as “EASEMENT TO BE ABANDONED” on the unrecorded and unregistered plan entitled “Compiled Plan of Easements in Wayland, Massachusetts Decentralized Wastewater Collection System Town Center Project” dated August 15, 2011, prepared by the Town of Wayland Town Surveyor’s Office, a copy of which plan is on file in the Office of the Town Clerk to the Board of Selectmen for the purpose of abandoning and releasing said easement; and
- b.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to abandon and release said sewer easement to the underlying landowner.

**FINANCE COMMITTEE COMMENTS:** Passage of this article will result in removing the easement on the land on which the previous Wastewater Treatment Plant’s outfall pipe was located. The new Wastewater Treatment Plant has a new outfall pipe in a new location with a new easement. The old outfall pipe has been removed and this easement is no longer needed.

An outfall pipe is the discharge point of a treated waste stream in this case from the Wastewater plant into the Sudbury River. These outfalls are placed under regulation with DEP and local review. Passage of this motion will release the easement on the land on which the old Wastewater plant’s outfall pipe was located. A map is shown in Appendix I. This outfall pipe was removed as part of the Wastewater Treatment Plant project.

The development of Town Center and the supporting Wastewater Treatment Plant are governed by three documents executed between Wayland and the developer: the original Memorandum of Agreement dated March 28, 2006, Amendment #1 to said Agreement dated October 20, 2009 and a Land Exchange Agreement dated October 19, 2011.

As part of the development of the new Wastewater Treatment plant, both the Town and the developer committed to decommissioning the old plant and releasing the easements on both the land on which the old plant was sited and the related outfall pipe. Specifically, the Town voted under Article 3, Acquire and Dispose of Wastewater Treatment Plant Site at STM April 2009 to sell or convey this land and acknowledged that the new plant required a new outfall pipe within a new easement.

However, at that time, the location of the new outfall pipe and easement were not definitively determined. Thus, the 2009 STM article did not address the outfall pipe easements (old and new).

The Land Exchange Agreement clarifies that Wayland's decommissioning, demolition and removal of the existing plant and outfall pipe will involve abandoning the easement within which the pipe is located. Specifically, it states Wayland will under Section 2 (iii) abandon the Existing Outfall Pipe Easement. Further, under section 4, WWMDc shall (vi) abandon and release to the Developer all rights, title, and interest in the Existing Outfall Pipe Easement.

For the Town to release or convey the easement, three steps are necessary.

1. The WWMDc must declare the easement surplus and transfer it to the Board of Selectmen (BoS) for disposition or conveyance.
2. The Town must authorize the WWMDc to transfer the care, custody, management and control of the easement to the BoS for the purpose of conveying or otherwise disposing of said easement.
3. The Town must authorize the BoS to execute the release of said easement and to allow the BoS to execute all necessary documents.

**ARGUMENTS IN FAVOR:** Passage of this article allows the Town to complete its obligation to release the easement under the old outfall pipe location.

This easement is no longer needed – the outfall pipe has been removed and a new outfall pipe has been located on different land covered by a new easement.

**ARGUMENTS OPPOSED:** No one offered opposition to this article at the Finance Committee ATM article hearing in January 2014, and the boards involved are not aware of any arguments opposed.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 5-0.

**QUANTUM OF VOTE:** Two-thirds – see Massachusetts General Laws Chapter 40, Sections 15 and 15A. For more information about this article, contact Robert Mercier, Interim Town Administrator, at (508) 358-3620, or email [rmercier@wayland.ma.us](mailto:rmercier@wayland.ma.us). See map at Appendix I.

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## **ARTICLE 26: AMENDMENT TO TOWN BYLAW SECTION 91-5D (3) – CONDUCT OF DOGS IN TOWN CEMETERIES**

*Proposed by: Board of Public Works*

To determine whether the Town will vote to amend Chapter 91, § 91-5, Paragraph D. (3) of the Town Code making the following revision thereto:

[Kay to revision: underlining = added text]

### **§ 91-5. Conduct of dogs.**

D. Running at large. When not on the private property of its keeper, or on private property with the express permission of that property's owner, a dog must be on a leash or under effective voice control. To be under effective voice control, the dog must be within the keeper's sight and the keeper must be

carrying a leash and dog must refrain from illegal activities.

[ . . . ]

3. Cemeteries: Dogs are not allowed except under specified circumstances: Dogs are not allowed in any Town owned cemetery, except that a dog may attend the funeral of a member of its keeper's family and may accompany family members to visit the grave site of a deceased family member. Service dogs assisting the handicapped are allowed at any time. If allowed, the dog must be kept on a six-foot or shorter leash. The dog may not urinate or defecate on grave sites or gravestones.

Persons allowing or bringing dogs into Town-owned cemeteries other than as service dogs, or to attend the funeral of a member of its keeper's family or accompanying family members to visit a grave site shall be subject to a fine not to exceed \$100.00.

**FINANCE COMMITTEE COMMENTS:** This article proposes to amend the current By-law by adding a new paragraph (underlined above). The current bylaw states that dogs are not allowed in cemeteries except under specified circumstances. Service dogs are allowed in Town owned cemeteries at any time. The only other exceptions allow a dog to attend the funeral of a keeper and/or to visit the grave of a deceased family member provided it is on a leash and accompanied by a family member. The leash must be six feet or shorter.

Presently, dog owners are walking their dogs through Town owned cemeteries and in some cases allowing the dogs to run free. Oftentimes, the dogs urinate and defecate on the grave sites and gravestones. Even if a dog walker picks up after the dog, defecating and urinating on gravesites is not only unsightly, it is disrespectful. In addition, it creates additional work for the Department of Public Works (DPW).

Passage of this article will allow the Town to issue a fine of up to \$100 each time a violation occurs. The purpose of this article is not to issue fines, but to eliminate an unsavory practice.

Town owned cemeteries are under the jurisdiction of the DPW for planning and maintenance purposes.

**ARGUMENTS IN FAVOR:** Ensuring unauthorized dogs are not allowed in Town owned cemeteries shows respect for the grave sites, gravestones and families. It will also eliminate the need for extra upkeep necessitated by dogs being in cemeteries.

**ARGUMENTS OPPOSED:** Some may argue a cemetery is a great open space and dogs should be allowed to run free.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote 6-0-1.

**QUANTUM OF VOTE:** See Massachusetts General Laws Chapter 40, Section 21.

**CONSISTENCY WITH LAW:** It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

*For more information about this article, contact Mike Lowery, Board of Public Works at [lowery.mike@gmail.com](mailto:lowery.mike@gmail.com).*

## ARTICLE 27: RESTORE AUTHORITY TO EMPLOY TOWN COUNSEL TO THE BOARD OF SELECTMEN

*Proposed by: Petitioners*

To determine whether the Town will vote to amend the Codes of the Town of Wayland by (a) deleting in its entirety Section 60.2.3(c) of Chapter 60 and (b) revising Section 58-1 of Chapter 58 to read “The Board of Selectmen shall have full authority as agents of the Town to employ counsel to commence, prosecute and defend suits in the name of the Town, unless otherwise especially ordered by vote of the Town.”

**PETITIONERS’ COMMENTS:** It is standard practice in municipal government (and in corporate governance) for the chief legal officer to report directly to the chief executive officer – the Board of Selectmen in Massachusetts towns. Section 58-1 of our bylaws gives the Selectmen sole authority to pursue and defend lawsuits in the name of the Town. However, when the Town Administrator Bylaw was adopted in 2004, the responsibility for hiring, firing and managing legal counsel was transferred from the Selectmen and vested in the Town Administrator. This split is highly dysfunctional and has led to unfortunate consequences. The Selectmen’s traditional role in managing the Town’s legal affairs has been drastically weakened. Passage of this article would restore the Selectmen’s ability to select and retain counsel, manage the Town’s legal affairs, and control the course of costly litigation. The Selectmen may still delegate day-to-day oversight of counsel to the Town Administrator.

**FINANCE COMMITTEE COMMENTS:** This article proposes to make two changes to the Town Bylaws relating to the Town Administrator. The article proposes to delete one subsection of the Town Code and to amend another.

Section 60.2.3(c) of the Town Code, which petitioners propose to delete, currently provides that the Town Administrator may:

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;

Section 58-1 of the Town Code, which petitioners propose to amend by inserting the three words underlined below, currently provides:

The Board of Selectmen shall have full authority as agents of the Town to employ counsel to commence, prosecute and defend suits in the name of the Town, unless otherwise especially ordered by a vote of the Town.

From 1957 to 2004, the Executive Secretary was the Town’s most senior employee. This changed after 2004 Annual Town Meeting. Article 11 increased the responsibilities and accountability of the Town’s Executive Secretary and changed the position’s title to Town Administrator. Town Meeting created the Town Administrator position spurred in part by a 1999 report that suggested that Wayland’s then-decentralized government “was negatively impacting day-to-day administration of the Town, limiting accountability and misplacing authority.” As the Finance Committee noted at the time, the Town Administrator was expected to act as the Chief Operating Officer of Wayland.

Among other things, the Town Administrator assumed the Selectmen’s historical authority to hire (subject to ratification by the Board of Selectmen) the Police Chief, Fire Chief, Finance Director, the

Human Resources Director, and Town Counsel, and to evaluate, discipline and remove the same Town officials without ratification by the Board of Selectmen.

Section 60.2.1 of the Town Code, which petitioners do not propose to amend, provides:

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.

At the time the Warrant went to print, the Selectmen had not taken a position on this article, as is their custom.

**ARGUMENTS IN FAVOR:** The influential position of Town Counsel should report to the Town's chief executive officer, paralleling the practice followed by virtually all corporate and governmental organizations. This will ensure that the position receives oversight from the Town's highest management body (Board of Selectmen) rather than from the chief administrative employee (Town Administrator).

**ARGUMENTS OPPOSED:** Passage of this article would undo a part of the carefully considered work of Town Meeting when it created the Town Administrator position in 2004, which formalized a degree of separation of powers between the Board of Selectmen and many town officials, including Town Counsel.

Passage of this article would create an asymmetry between the Selectmen's relationship with current Town Counsel, on the one hand, and Police Chief, Fire Chief, Finance Director, Human Resources Director, and Department of Public Works Director. Under the current code all of these Town officials may be removed, without cause, by the Town Administrator.

Passage of this article may cause Town Counsel to tailor legal advice based on political considerations.

The Town Administrator is responsible for overseeing, coordinating, and making recommendations that may impact multiple Town boards and committees regarding Town legal activities, so Town Counsel should be accountable to the Town Administrator.

While this proposal is worth studying, the timing is not right.

**FINANCE COMMITTEE RECOMMENDATION:** The Finance Committee recommends against approval. Vote: 1-4-2.

**QUANTUM OF VOTE:** See Massachusetts General Laws Chapter 40, Section 21.

**CONSISTENCY WITH LAW:** It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

*The text of the Town Code is in Appendix J.*

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## **ARTICLE 28: ACCEPT PROVISIONS OF M.G.L. 71 SECTION 37M**

*Proposed by: Petitioners*

To determine whether the Town will vote to accept the provisions of M.G.L. Chapter 71, Section 37M so that it may consolidate town and school administrative functions and authorize the consolidation of financial, personnel, information technology, and maintenance functions.

And that Town Meeting pass any vote or take any action relative thereto.

**PETITIONERS' COMMENTS:** M.G.L. c.71, Sec. 37M is an enabling statute. Once accepted at an Annual Town Meeting, public schools and the Town can share specific administrative functions that both the School Committee and voters approve.

See <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71/Section37M>.

Wayland already shares a Facilities Department with its Director reporting to both the Town Administrator and the Superintendent of Schools. Wayland's IT function is being coordinated by the School's IT Director with Town-side and School IT administrative staff operating as a consolidated department. Town-side and School payroll and benefits administration are under the Town Finance Department. However, Town Meeting has not yet voted to accept the provisions of this statute. Acceptance presents opportunities for additional efficiencies, improved services, cost savings, and greater financial transparency. The School Committee must vote to support all consolidations. And, any voted consolidations can be reversed, at any time, by a majority vote of either the School Committee or Town Meeting.

**FINANCE COMMITTEE COMMENTS:** This article has two parts:

- Accepts state statute M.G.L. c. 71 §37M which allows the School Committee to consolidate administrative functions with the Town. The text of the law is in Appendix K.
- Authorizes the consolidation of Town and School financial, personnel, Information Technology (IT) and facilities functions.

For the first part, if Town meeting adopts the statute, Town and School administrative functions such as maintenance, IT, finance or payroll can be combined only by a majority vote of both the School Committee and Town Meeting. The votes can be in sequence or simultaneous. Further, any consolidation can be reversed at any time by a majority vote of either the School Committee or ATM.

The Petitioners believe the Town needs to accept this statute to effect consolidations.

Town Counsel has opined that adopting the statute is legal and there are no legal issues around that part of the motion. However, he further stated the petitioners' comments are not accurate when they say we need to adopt this statute because we have combined functions. To date, no Town and School functions have been consolidated. All of the functions combined to date have a dual reporting line to the Town and to the Schools. We have informal, partially joined functions. All continue to have both a Town and School budget.

For the second part, if Town meeting authorizes the consolidation of the four functions, then only the School Committee vote is necessary to finalize a consolidation. For those functions that have been combined to date, each was reviewed and studied for impact on workflow, personnel, and potential for

workflow and/or cost efficiencies. Each proposal to combine a function was reviewed and approved by both the Board of Selectmen and the School Committee prior to implementation.

No work has been done to review the efficacy or appropriateness of consolidating finance and personnel functions.

The School Committee states that over the past few years, a number of Town and School functions have been combined to achieve operational efficiencies while maintaining dual reporting lines. Areas with common operations include payroll, benefits administration, Facilities, and IT. All these arrangements have a joint reporting mechanism. Without formal mergers or consolidations, the Town is enjoying efficiencies from these arrangements.

**ARGUMENTS IN FAVOR:** A vote to adopt MGL71, §37M provides the Town the flexibility to merge or consolidate Town and School functions.

The IT and Facilities departments are functionally, although not legally, combined and approval of this article completes that process.

Some would expect these mergers or consolidations would generate additional efficiencies and cost savings.

Should any consolidations effected be considered in the future to not be beneficial, they can be reversed at any time by a majority vote of either the School Committee or Town Meeting.

**ARGUMENTS OPPOSED:** The Town does not need to adopt this state statute to sanction the joint/sharing working relationships currently in place between the Town and the School Committee.

Efficiencies are already being achieved with the existing combined functions.

Consolidation of the financial and personnel functions are premature. No board has discussed the workflow or staff impacts of consolidating either or both of these functions.

**RECOMMENDATION:** The Finance Committee motion to recommend did not pass. Vote 3-3-1.

**QUANTUM OF VOTE:** Majority - see Massachusetts General Laws Chapter 71, Section 37M.

*For more information about this article, contact lead petitioner Anette Lewis at (508) 358-4973.*

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## **ARTICLE 29: WITHDRAW FROM MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote rescind its acceptance of Massachusetts General Laws Chapter 71, Sections 16 through 16I inclusive to establish a regional vocational technical school district with the Towns of Arlington, Belmont, Concord and Lexington, and such of the Towns of Acton, Boxborough, Carlisle, Lincoln, Sudbury, Stow and Weston, which voted to accept said sections, and the construction, maintenance and operation of a regional school by said district in accordance with a proposed agreement filed with the Board of Selectmen and to take all other actions necessary to withdraw from said district.



**FINANCE COMMITTEE COMMENTS:** Wayland is one of 16 school districts belonging to the Minuteman Regional Vocation School, (Minuteman) which was established in 1971 in accordance with MGL Chapter 71, Section 14(B).

This article contemplates the Town withdrawing from Minuteman.

At the time the Warrant went to print, the Finance Committee had not completed its article research or comments. They will be posted online on the Town's website when completed and available at Annual Town Meeting.

**FINANCE COMMITTEE RECOMMENDATION:** The Finance Committee defers a recommendation until Town Meeting. Vote: 7-0.

**QUANTUM OF VOTE:** Majority - see Massachusetts General Laws Chapter 71, Section 15.

### **ARTICLE 30: AMENDMENTS TO THE DISTRICT AGREEMENT OF THE MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT**

*Proposed by: Board of Selectmen*

To determine if the Town will vote, consistent with Section VII of the existing "Agreement With Respect to the Establishment of a Technical and Vocational Regional School District" for the Minuteman Regional Vocational School District, to accept the amendments to said Agreement which have been initiated and approved by a majority of the Regional School Committee and which have been submitted to the Board of Selectmen of each member town prior to its vote on this article.

**FINANCE COMMITTEE COMMENTS:** The Minuteman School Committee requested this article be included in the 16 member towns' Town Meetings. The article contemplates an amendment to the district agreements of the Minuteman Regional Vocational School District (Minuteman).

At the time the Warrant went to print, the Finance Committee had not completed its article comments. They will be posted online on the Town's website when completed and available at Annual Town Meeting.

**FINANCE COMMITTEE RECOMMENDATION:** The Finance Committee defers a recommendation until Town Meeting. Vote: 7-0.

**QUANTUM OF VOTE:** Majority.

### **ARTICLE 31: SPECIMEN TREE OVERLAY PROTECTION DISTRICT (STOP)**

*Proposed by: Planning Board*

To determine if the Town will vote to amend the Chapter 198 of the Code of the Town of Wayland, the Town's Zoning Bylaw, by adding thereto the following new Article:

#### **"ARTICLE 26**

#### **Specimen Tree Overlay Protection District (STOP)**

§198-2601. Purposes: The purpose of the bylaw is to:

2601.1 Protect the health, safety and property of the residents of the Town Wayland by regulating tree cutting and preserving existing trees and vegetation, minimizing fragmentation of wildlife habitat and loss of vegetation in the south western part of the Great Meadows National Wildlife Refuge corridor;

2601.2 Limit land clearing and alteration of natural topography;

2601.3 Protect specimen trees and significant forest communities from damage or removal;

2601.4 Provide additional protection for the Great Meadows National Wildlife Refuge corridor.

§198-2602. Definitions: In this bylaw, the following words have the meanings indicated:

Applicant - Any person proposing to engage in or engaged in any non-exempt clearing of trees or understory vegetation within the (STOP).

Best Management Practices (BMPs) - A structural, nonstructural, or managerial technique recognized to be the most effective and practical means to prevent and reduce nonpoint source pollutants. BMPs should be compatible with the productive use of the resource to which they are applied, and should be cost-effective.

Caliper - American Association of Nurserymen standard for measurement of trunk size of nursery stock. Caliper of the trunk shall be taken 6" above the ground up to and including 4" caliper trees, and 12" above the ground for larger sizes.

Certified arborist - A professional who possesses the technical competence through experience and related training to provide for or supervise the maintenance of trees and other woody plants in the residential, commercial, and public landscape.

Clearing - Removal or causing to be removed, through either direct or indirect actions, trees, shrubs and/or topsoil from a site, or any material change in the use or appearance of the land. Actions considered to be clearing include, but are not limited to: causing irreversible damage to roots or trunks; destroying the structural integrity of vegetation; and/or any filling, excavation, grading, or trenching in the root area of a tree which has the potential to cause irreversible damage.

Dripline - An area encircling the base of a tree which is delineated by a vertical line extending from the outer limit of a tree's branch tips down to the ground.

Diameter/diameter-breast-height (dbh) - The diameter of any tree trunk, measured at 4.5 feet above existing grade.

Essential Root Zone - An area located on the ground between the tree trunk and 10 feet beyond the dripline of a tree which is required for protection of a tree's root system.

Filling - The act of transporting or placing (by any manner or mechanism) material from, to, or on any soil surface or natural vegetation.

Grading - Any excavating, filling, clearing, or the creation of impervious surface, or any combination thereof, which alters the existing surface of the land.

Hazardous tree - A tree with a structural defect or disease, or which impedes safe sight distance or traffic flow, or otherwise currently poses a imminent threat to life or property.

Invasive species – species that is not native to the ecosystem under consideration whose introduction causes or is likely to cause economic or environmental harm or harm to human health.

Landscape architect - A person licensed by the Commonwealth of Massachusetts to engage in the practice of landscape architecture.

Protected tree/vegetation - A tree or area of understory vegetation identified on an approved landscape plan to be retained and protected during construction.

Specimen tree - A native, introduced or naturalized tree which is important because of its impact on community character, its significance in the historic/cultural landscape or its value in enhancing the effects of wildlife habitat. Any tree with a dbh of 6" or larger is eligible to be considered a specimen tree. Trees that have a small height at maturity or are slow growing, such as flowering dogwood or American holly with a dbh of 4" or larger are eligible to be considered specimen trees. No tree of an invasive species shall be considered to be a specimen tree for the purposes of this bylaw.

Significant forest community - Unfragmented forests including forest types that provide habitat for rare species, unusual ecological processes, highly diverse forest communities, rare forest types, and those forest types which maintain connections between similar or different habitat patches.

Understory vegetation - Small trees, shrubs, and groundcover plants, growing beneath and shaded by the canopy of trees.

§198-2603. Applicability: No more than 5 specimen trees per lot, per year, may be removed from the (STOP) overlay district, without first obtaining Site Plan Approval from the Planning Board.

§198-2604. Review and Decision: Upon receipt of a completed application and required plans as described in Section 2506.0 below, the Planning Board shall transmit one copy each to the Conservation Commission, Building Inspector, and Department of Public Works. Within 10 days of receipt of completed application/plans, these agencies or their designated representative may submit recommendations to the Planning Board. The Planning Board shall act on applications according to the procedure specified in G.L. c. 40A,09.

§198-2605. Exemptions: The provisions of this bylaw shall not apply to the following activities:

§198-2605.1 Removal of hazardous or invasive trees, as defined herein;

2605.2 Routine maintenance of vegetation and removal of dead or diseased limbs and/or trees necessary to maintain the health of cultivated plants, to contain noxious weeds and/or vines in accordance with a Department of Environmental Management (DEM) - approved Forest Management Plan, or to remedy a potential fire or health hazard or imminent threat to public safety;

2605.3 Work conducted in accordance with a valid earth removal or land disturbance permit issued by the Town of Wayland.

2605.4 Agricultural activities in existence at the time a bylaw is adopted, work conducted in accordance with an approved Natural Resource Conservation Service Agricultural Plan or agricultural uses on parcels of land of more than five acres as specified in MGL c. 40A Section 3.

2605.5 Construction of roadways and associated infrastructure for subdivisions approved in accordance with the Town Subdivision Rules and Regulations.

2605.6 Construction of, or provisions for, a septic system, leach field and/or reserve area in accordance with any determination or decision made by the Wayland Board of Health.

2605.7 Construction of, or provisions for a new single family dwelling, addition, and/or accessory structure approved in accordance with the Town of Wayland Zoning Bylaw and Town of Wayland Building Department.

§198-2606. Application Requirements: Unless determined otherwise by the Planning Board the following submittals are required at the time of application:

2606.1 The survey of existing vegetation shall include the following information:

2606.1.1 Size, species and height of trees, noting specimen trees and/or forest communities;

2606.1.2 Location of any rare and endangered species as mapped by Massachusetts Natural Heritage.

2606.1.3 Submission of a plan at a scale of 1" = 40' indicating the limit of work or the extent of the areas to be disturbed. The plan, pictures or accompanying narrative shall document the species and quantities of specimen trees and/or other vegetation to be removed or relocated within the project area.

2606.1.4 Construction schedule which describes the timing of vegetation removal, transplanting or replacement in relation to other construction activities.

§198-2607. Review Standards:

2607.1 Preserve specimen trees and preserve open space:

2607.2 Sites shall be evaluated in such a way as to avoid impacts to rare and endangered species and wildlife habitat on a site, and to maintain contiguous forested areas.

2607.3 In the design of a development, priority shall be given to retention of existing stands of trees, trees at site perimeter, contiguous vegetation with adjacent sites (particularly existing sites protected through conservation restrictions), and specimen trees.

2607.4 Understory vegetation beneath the dripline of preserved trees shall also be retained in an undisturbed state. During clearing and/or construction activities, all vegetation to be retained shall be surrounded by temporary protective fencing or other measures before any clearing or grading occurs, and maintained until all construction work is completed and the site is cleaned up. Barriers

shall be large enough to encompass the essential root zone of all vegetation to be protected. All vegetation within the protective fencing shall be retained in an undisturbed state.

2607.5 Other efforts to minimize the clearing and grading on a site associated with construction activities shall be employed, such as parking of construction vehicles, offices/trailers, stockpiling of equipment/materials, etc. in areas already planned for permanent structures. Topsoil shall not be stockpiled in areas of protected trees, wetlands, and/or their vegetated buffers.

2607.6 Finished grades should be limited to no greater than a 2:1 slope, while preserving, matching, or blending with the natural contours and undulations of the land to the greatest extent possible.

#### §198-2608 Tree replacement

2608.1 A replacement tree shall be of the same or similar species or such other species as deemed advisable by the Tree Warden and the Planning Board. A replacement tree shall have a minimum caliper size of 3 ½ inches.

2608.2 A Specimen tree shall be planted on the same lot from which the tree was removed or at a location determined by the tree warden and the Planning Board.

2608.3 In the event that a tree of the same or equivalent size is measured in the dbh inches cannot be planted, then multiple smaller replacement trees may be planted provided that, wherever practicable, as determined by the tree warden and the Planning Board, the total dbh of the replacement trees shall, when added together, equal the total dbh of the specimen tree that has been removed.

§198-2609 Required Security: The Planning Board may require a performance guarantee in a form acceptable to the town to cover the costs associated with compliance with this bylaw under Site Plan Review.

2609.1 The required performance guarantee in the amount of 150% of the cost of site restoration shall be posted prior to the issuance of a Site Plan Review Permit for the proposed project.

#### §198-2610. Monitoring and Inspections:

2610.1 Prior to commencement of construction, the applicant, land owner, contractor and construction crew, town engineer or zoning enforcement officer, Tree Warden and site engineer shall conduct a meeting to review the proposed construction phasing and number and timing of site inspections.

2610.2 Initial site inspection of erosion and sedimentation controls and placement of tree protection measures shall occur after installation of barriers around preserved areas and construction of all structural erosion and sedimentation controls, but before any clearing or grading has begun.”

**FINANCE COMMITTEE COMMENTS:** This proposed bylaw creates an overlay district in the Oak Hill neighborhood and is the result of a working committee. Petitioners first brought this topic to the Town’s attention in an article presented at the October 2012 Special Town Meeting, Article 1 to revise the bylaw. There was insufficient time for proper review before Town Meeting, and the motion was amended to refer the topic to a temporary study committee (Tree Cutting and Land Clearing Temporary Study Committee) comprised of members of the Planning Board, other relevant committees and town officials. The amended motion passed.

The issue was revisited at the April 2013 Annual Town Meeting with petitioners' Article 19 to revise the bylaw. At that time the Planning Board determined that Town Bylaw Chapter 193 provided enough protection for specimen trees and they voted not to recommend the article. The motion was amended to extend the temporary study committee to 2014 Annual Town Meeting and the amended motion passed.

The proposed bylaw considered in this article is the result of that committee's work.

The Planning Board has determined that By-Law 193 does not provide sufficient protection of Wayland's mature specimen trees, and more defined regulations for the removal of more than five (5) trees were required by entity with an easement right-of-way. This article provides further protection through the zoning bylaw by defining "specimen trees," and also provides exemptions for Wayland property owners to avoid any undue regulatory burden in caring for their own property.

While the STOP area originally included the Great Meadows National Wildlife Refuge, it has been reduced to include only the Oak Hill neighborhood. A map of the proposed overlay can be found in Appendix L.

Any cutting of more than 5 trees would require site approval by the Planning Board.

Abutters would receive proper advance notice of any proposed clear-cutting, and have the opportunity to comment in a public hearing before any approval to cut was granted.

**ARGUMENTS IN FAVOR:** One of Wayland's most valued features is the semi-rural nature of our environs, comprised of thousands of mature trees, many 40 years old and older. This mature growth not only adds to the Town's visual beauty, it also adds value to both residential and commercial property. This bylaw will protect the mature growth trees.

This article helps preserve both a property's visual beauty and value for Wayland property owners.

**ARGUMENTS OPPOSED:** This article adds another unnecessary process and procedure for property owners and utility companies.

This article applies only to one defined residential district in Wayland and breaks the town into "spot zones." According to comments made to the Town Planner, it should apply to the entire Town.

Passage of this article may not accomplish what it is designed to do – the Town may not be able to force NSTAR and others to abide by this new bylaw.

Trees six (6) inches in diameter are not very big trees and are not large enough to be considered "specimen." The article should apply only to larger trees.

**RECOMMENDATION:** The Finance Committee recommends against approval. Vote: 0-4-1.

**QUANTUM OF VOTE:** Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

**CONSISTENCY WITH LAW:** It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

*For more information about this article, contact Sarkis Sarkisian, Town Planner, at (508) 358-3778, or email [ssarkisian@wayland.ma.us](mailto:ssarkisian@wayland.ma.us). See map at Appendix L.*

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## **ARTICLE 32: LANDSCAPING IN PARKING AREAS ZONING BYLAW**

*Proposed by: Planning Board*

To determine whether the Town will vote to amend Chapter 198 of the Code of the Town of Wayland, the Town's Zoning Bylaw, by deleting §198-506.8.1 in its entirety and replacing with the following new §198-506.8.1:

“506.8. Landscaping in parking areas.

506.8.1. A continuous 10' landscape strip shall be provided for parking lots which are accessory to non-residential uses within or immediately adjacent to residential districts. This strip shall be adequately landscaped and maintained with natural and living materials so as to form an effective year round screen from adjacent residential properties in said residential districts. The Special Permit Granting Authority or the Site Plan Approval Authority may also require a tight fence.”

**PLANNING BOARD COMMENTS:** This amendment makes for clearer and more consistent language and provides proper guidance to zoning bodies, town departments and developers with regards to business district parking lots that abuts residential land. The current Zoning Bylaw does not have a minimum standard, and the proposed 10' buffer in this amendment would provide room for proper plant material and fencing as may be required by the Special Permit Granting Authority and the Site Plan Approval Authority. Planning Board believes this standard will improve sound, screening and safety concerns of residential districts that are adjacent to commercial districts.

The Planning Board voted unanimously in favor of this article: Vote: 3 - 0.

**FINANCE COMMITTEE COMMENTS:** Passage of this article replaces a section of the bylaw addressing parking lot landscaping requirements. Under the current scenario, the only minimum landscaping requirement in effect is in 506.8.2, which requires that:

For all off-street parking facilities that are not enclosed within a building or structure, 10% of the parking facility shall be landscaped. For the purpose of § 198-506, “parking facilities” shall mean the total area of all parking spaces, including handicapped spaces.

The updated language requires that new parking lot construction adjacent to residential property have a 10' landscape strip and adequate landscaping providing sight and sound buffering. Existing properties are grandfathered, and are not required to comply.

**ARGUMENTS IN FAVOR:** This article provides residents living adjacent to commercial parking lots additional protection from noise and visual disturbance, without lowering other minimum landscaping requirements.

As landscaping costs are provided by the developer, passage of this article provides abutters with an additional layer of sight and sound insulation at no cost to them or to the Town.

**ARGUMENTS OPPOSED:** This article adds another cost to commercial development in town and may discourage some growth in the commercial real estate tax base.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 5-0.

**QUANTUM OF VOTE:** Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

**CONSISTENCY WITH LAW:** It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

*For more information about this article, contact Sarkis Sarkisian, Town Planner, at (508) 358-3778, or email ssarkisian@wayland.ma.us.*

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**ARTICLE 33: SIDEWALK CONSTRUCTION IN ROADSIDE, BUSINESS DISTRICTS A AND B, LIGHT MANUFACTURING AND LIMITED COMMERCIAL OF THE ZONING BYLAW**

*Proposed by: Planning Board*

To determine whether the Town will vote to amend Chapter 198 of the Code of the Town of Wayland, the Town's Zoning Bylaw, by deleting the text, but not the subsection or paragraph number, of each of §198-1002.1.7, §198-1106.1, §198-1302.1 and §198-1406.8, respectively, in its entirety and replacing each of them with the following new paragraph, respectively:

“In the event of the construction, reconstruction or substantial alteration of any premises that are used or intended to be used, in whole or in part, for any industry, trade, manufacturing or commercial purposes, a pedestrian sidewalk shall be constructed as a part of such construction, reconstruction or substantial alteration, such sidewalk to be a minimum of five feet in width along the perimeter and within the entire public right of way of the lot. The sidewalk shall be constructed of concrete and have at least six inches in height of raised granite curbing. Preference shall be to maintain a 4' wide buffer between sidewalk and granite curbing. The Special Permit Granting Authority and the Site Plan Approval Authority shall determine the sidewalk's final location and materials. The sidewalk location shall join in a reasonable manner existing or potential sidewalks on or adjacent to abutting land. Pedestrian walkways shall also be required and integrated to the maximum extent possible, into the interior and/or perimeter landscaping of the parking lots.”

**Text of deleted subsection and paragraphs for informational purposes only.**

1002.1.7. In the event of the construction, reconstruction or substantial alteration of any premises that are used or intended to be used, in whole or in part, for any industry, trade, manufacturing or commercial purposes, a paved pedestrian sidewalk shall be constructed as a part of such construction, reconstruction or substantial alteration, such sidewalk to be no less than five feet in width and set back no less than four feet from the street lot line and to be constructed the full width of the lot, except where driveways exist, and separated from the remainder of the lot with a four-foot strip to be maintained as a landscaped area. The sidewalk location shall be such as to join in a reasonable manner existing or potential sidewalks on abutting land. [Amended 5-5-1999 STM by Art. 11]

§ 198-1106. Curbs and sidewalks

[Amended 4-28-1975 ATM by Art. 26; 4-28-1986 ATM by Art. 27]

1106.1. In both Business Districts A and B, in the event of the construction, reconstruction or substantial alteration of any premises that are used, or intended to be used, in whole or in part, for any industry, trade, manufacturing or commercial purpose, there shall be constructed as part of such construction, reconstruction or substantial alteration a raised granite curb at least six inches in height



along the edge of the street, except at approved driveway openings, and a paved pedestrian sidewalk no less than five feet in width set back no less than four feet from the street lot line and covering the entire width of the lot, except where driveways exist, the sidewalk to be separated from the remainder of the lot with a strip four feet wide in which shall be maintained in good condition suitable evergreen shrubs or other landscaping approved by the ZBA. The strip between the sidewalk and the street shall be maintained in good condition as a grass area. The sidewalk location shall be such as to join in a reasonable manner existing or potential sidewalks on abutting land.

1302.1. In the event of the construction, reconstruction or substantial alteration of any premises that are used or intended to be used, in whole or part, for any industry, trade, manufacturing or commercial purposes, a paved pedestrian sidewalk shall be constructed as a part of such construction, reconstruction or substantial alteration, such sidewalk to be no less than five feet in width and set back no less than four feet from the street property line and to be constructed the full width of the lot, except where driveways exist, and separated from the remainder of the lot with a four-foot strip to be maintained as a landscaped area. The sidewalk location shall be such as to join in a reasonable manner existing or potential sidewalks on abutting land. [Amended 5-5-1999 STM by Art. 11]

1406.8. In the event of the construction, reconstruction or substantial alteration on any site that is used or intended to be used, in whole or in part, for the purpose allowed under this article, paved pedestrian sidewalks shall be constructed as a part of such construction, reconstruction or substantial alteration. Such sidewalks shall be no less than five feet in width, shall be set back no less than four feet from street lot lines and shall be separated from the remainder of the site by a four-foot landscaped strip. Sidewalks shall reasonably join existing sidewalks or shall be capable of reasonably joining potential sidewalks, internally and on abutting land. [Amended 5-5-1999 STM by Art. 11]

**PLANNING BOARD COMMENTS:** This amendment is intended to make the Bylaw more consistent and to clarify the construction standards of sidewalks in Commercial areas in the Town of Wayland. This amendment clarifies the manner in which sidewalk design and construction should be performed when commercial property is being developed and/or redeveloped in these districts. The amendment also allows the permitting authorities flexibility to consider specific design elements on a case by case basis to respond to attributes of a specific site, including safety, history, abutting sidewalks, and other design elements.

The Planning Board voted unanimously in favor of this article: Vote: 3 - 0.

**PLANNING BOARD ARGUMENTS IN FAVOR:** Consistent and well-written Zoning Bylaws will provide a solid foundation for regulatory decisions and a clearer set of rules for applicants.

**FINANCE COMMITTEE COMMENTS:** This amendment is intended to make the By-law more consistent and to clarify the construction of sidewalks in Commercial areas within the Town of Wayland. It gives control of sidewalk design and/or placement to the Special Permit Granting Authority and the Site Plan Approval Authority. This amendment also clarifies the manner in which sidewalk design and construction should be provided when commercial property is being developed and redeveloped. It also allows the Zoning Board and the Planning Board to consider design standards on a case-by-case basis in response to the attributes of a specific site. Finally, it makes the by-law a standard one for various zones within the Town.

The Planning Board specifically cited two recent cases that highlighted the need to clarify the authority of the Site Plan Approval Authority to have the ability to determine the location of sidewalks, based upon well-defined and consistent standards. One was the development of the former

Lee's Farm Stand property on Rte 20 and the other was the proposed development of the corner of West Plain Road and Main Street (former Finnerty's site). In both cases, clarification of the sidewalk bylaw would have improved the site plan approval processes.

Pursuant to Massachusetts General Laws Chapter 40A, Section 5, the Planning Board held a public hearing to discuss the proposed amendments to the Town's Zoning By-Laws on February 4, 2014 and continued said hearing to February 10, 2014 and February 11, 2014 when the hearing was closed. The Planning Board voted unanimously in favor of this article: Vote: 3 - 0.

**ARGUMENTS IN FAVOR:** Consistent and well-written Zoning Bylaws will provide a solid foundation for regulatory decisions and a clearer set of rules for applicants.

**ARGUMENTS OPPOSED:** There are no apparent arguments in opposition to this proposed change to the by-law.

**RECOMMENDATION:** The Finance Committee recommends approval: Vote: 7 - 0.

**QUANTUM OF VOTE:** Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

**CONSISTENCY WITH LAW:** It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

*For more information about this article, contact Sarkis Sarkisian, Town Planner, at (508) 358-3778, or email [ssarkisian@wayland.ma.us](mailto:ssarkisian@wayland.ma.us).*

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## **ARTICLE 34: SIGN ZONING BYLAW**

*Proposed by: Planning Board*

To determine whether the Town will vote to amend Chapter 198 of the Code of the Town of Wayland, the Town's Zoning Bylaw, by adding to §198-501 thereof, Signs and exterior lighting, the following new subsection:

“501.1.1. Alteration, Repair and Replacement of On-Premise Signs. Except for copy changes on signs with changeable letter panels, no sign shall be reconstructed, extended, changed structurally or in content or replaced except in accordance with this Article.”

**PLANNING BOARD COMMENTS:** The purpose of this Article is to eliminate non-conforming signs throughout Wayland's business districts. Under the revision, business owners will still be allowed to make routine maintenance to existing signs, but will require anyone desiring structural or design modifications to submit new sign specifications to the Wayland Design Review Board established in 2012. The Planning Board is working with the Design Review Advisory Board to create incentives to eliminate old non-conforming signs such as:

A bonus in the size of a new signs as an incentive to remove nonconforming signs by a specified date;

A Building and permitting fee waiver for early removal of non-conforming signs.

The Planning Board voted unanimously in favor of this article: Vote: 3 - 0.

**FINANCE COMMITTEE COMMENTS:** The purpose of this Article is to require and encourage sign owners to eliminate non-conforming signs under certain circumstances. A non-conforming sign is one that does not conform to the zoning guidelines for signage, which could be in the form of items such as: size; lighting; size of lettering; materials; etc. The new regulatory requirement will prohibit any modifications to non-conforming signs or its message, allowing only routine maintenance. The Planning Board is working with the Design Review Advisory Board to create incentives to eliminate old non-conforming signs such as:

- A bonus in the size of a new signs as an incentive to remove nonconforming signs by a specified date;
- A Building and permitting fee waiver for early removal of non-conforming signs.

Pursuant to Massachusetts General Laws Chapter 40A, Section 5, the Planning Board held a public hearing to discuss the proposed amendments to the Town's Zoning By-Laws on February 4, 2014 and continued said hearing to February 10, 2014 and February 11, 2014 when the hearing was closed. The Planning Board voted unanimously in favor of this article: Vote: 3 – 0.

**ARGUMENTS IN FAVOR:**

- Provides the Town with an opportunity for non-conforming signs to be modified to conforming signs in certain circumstances;
- Improve the visual appeal of properties by encouraging signs to be modified from non-conforming to conforming.

**ARGUMENTS OPPOSED:**

- Some property owners might argue that this change will place an unfair burden on them when they are working to maintain or upgrade existing signs, even if they are non-conforming, which might lead to signs that are in disrepair and are unsightly.

**FINANCE COMMITTEE RECOMMENDATION:** The Finance Committee recommends approval. Vote: 5 - 1.

**QUANTUM OF VOTE:** Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

**CONSISTENCY WITH LAW:** It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with federal and Massachusetts law.

*For more information about this article, contact Sarkis Sarkisian, Town Planner, at (508) 358-3778, or email [ssarkisian@wayland.ma.us](mailto:ssarkisian@wayland.ma.us).*

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## ARTICLE 35: 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.

As Trustees of the Allen Fund:	Lois M. Toombs 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:	Susan W. Pope Jean B. Pratt Harry F. Sweitzer

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

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

The Allen Fund was established in 1854 through a gift from Miss Debby Allen and Mrs. Nabby (Allen) Draper. The permanent fund was intended for “beneficent objects.” Although the Allen Fund was virtually depleted by 1990 it has recently grown so that it can now provide annual gifts. (Information taken from Town Report.) As of June 30, 2012 the balance in the Allen Fund was \$5,985.38 with \$400.00 having been disbursed during the last fiscal year. The trustees are responsible for overseeing the fund. The trust provides that the trustee shall be selected annually by vote of the annual town meeting; it also provides that in case no board of trustees is selected, the Selectmen shall be the Trustees of the Allen Fund. At a future Town meeting, citizens could vote to amend the trust document to provide that the Commissioners of Trust Funds serve as Trustees of the Allen Fund without annual vote.

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

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

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

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

If town meeting declines to elect the Fence Viewers, Field Drivers and Measurers of Wood and Bark, the Selectmen would make the appointment at the next regular meeting. The Selectmen would serve as the Trustees of the Allen Fund until the 2013 Annual Town Meeting. However, a home rule petition is required to make the position of Surveyors of Lumber appointive by the BOS and given the obsolete nature of the position it may be easier not to fill it if that is the desire of town meeting.

**ARGUMENTS IN FAVOR:** Choosing town officers allows the Town to conduct its normal business.

**ARGUMENTS OPPOSED:** Some feel that this article is outdated and also takes too much time to decide at Town Meeting. They suggest that the authority to appoint be deferred to the Board of Selectmen where allowed. (Note: deferral is not within the scope of the article this year.)

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 41, Section 1, Chapter 94, Section 296 and Chapter 96, Section 7.

*For more information about this article, contact Robert Mercier, Interim Town Administrator, at (508) 358-3620, or email rmercier@wayland.ma.us.*

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## ARTICLE 36: 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.

Department	Vehicle/Equipment	Year
Fire	Ford F-350 Cab and Chassis	1997
Public Works	Volvo Dump Truck	1999
Public Works	Bobcat	1992
Public Works	Ford E-350	1999
Public Works	Ford F-350	2001
Public Works	Ford F-350	2002

**FINANCE COMMITTEE COMMENTS:** This standard article allows the Town to sell used vehicles or other personal property. Items are being sold due to mileage and/or condition and a replacement vehicle is part of the FY2015 capital budget to be approved under Article 7.

**ARGUMENTS IN FAVOR:** The selling of used property contributes to the Town's general fund.

**ARGUMENTS OPPOSED:** The Finance Committee is not aware of any.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**QUANTUM OF VOTE:** Majority.

*For more information about this article, contact Robert Mercier, Interim Town Administrator, at (508) 358-3620, or email [rmercier@wayland.ma.us](mailto:rmercier@wayland.ma.us).*

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## **ARTICLE 37: 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.

**FINANCE COMMITTEE COMMENTS:** This standard article allows the Town to accept gifts of land. If gifts of land are made in time for consideration at Annual Town Meeting, a map of each parcel will be provided either in the warrant article or at Annual Town Meeting.

**ARGUMENTS IN FAVOR:** Acquisition of land by the Town gives the Town more control over the use of such gifted land.

**ARGUMENTS OPPOSED:** Accepting gifts of land reduces the amount of property subject to real estate taxation.

**RECOMMENDATION:** The Finance Committee defers action on this article until Annual Town Meeting. Vote: 5-0.

**QUANTUM OF VOTE:** Majority.

*For more information about this article, contact Robert Mercier, Interim Town Administrator at 508-358-3620, or email [rmercier@wayland.ma.us](mailto:rmercier@wayland.ma.us)*

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## **ARTICLE 38: HEAR REPORTS**

*Sponsored 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.

**FINANCE COMMITTEE COMMENTS:** This is a standard article that allows reports commissioned by the Town to be heard.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0.

**QUANTUM OF VOTE:** Majority.

*For more information about this article, contact Robert Mercier, Interim Town Administrator, at (508) 358-3620, or email [rmercier@wayland.ma.us](mailto:rmercier@wayland.ma.us). See Reports at Appendix M.*

## APPENDIX A

### THE MODERATOR'S RULES AND REGULATIONS GOVERNING WAYLAND'S TOWN MEETINGS

The following information may help you to participate fully in Wayland's town meetings, which have been held each year since 1639:

#### I. THE WARRANT

This booklet, which includes the Warrant for Wayland's Town Meeting, was compiled by the Selectmen and served upon all residents by mail and by posting in accordance with applicable provisions of the Code of the Town of Wayland. It contains the agenda of the subjects to be acted upon (articles), including the omnibus budget proposed (if this is an annual meeting), the report and recommendations of the Finance Committee, and additional information concerning the finances and administration of the Town to help us formulate our votes.

No action of this Town Meeting will be valid unless it shall have been taken under an article set forth in the Warrant.

Each article will be considered in the order in which it appears on the Warrant, unless the meeting shall have voted to do otherwise by a TWO-THIRDS vote.

#### II. THE VOTERS

A. All residents of Wayland, who have been duly registered as voters, are urged to attend, participate, debate and vote at all annual and special town meetings subject to laws of the Commonwealth of Massachusetts, the Bylaws of the Town and these rules and regulations.

B. The Town Administrator, Assistant Town Administrator, Police Chief, Fire Chief, Finance Director, Director of Public Works, and Superintendent of Schools, shall have the right to attend and sit on the floor of town meetings, but they shall not be considered in determining the presence of a quorum unless they are registered voters of the Town.

C. All other persons, including members of the press, may attend and observe Wayland's town meetings so long as they remain seated in the special section reserved for non-residents, unless the Moderator shall have authorized them to sit among the registered voters. And see paragraph IV.B.3 below.

D. A registered voter may bring his or her child(ren) to sit among the voters so long as the child(ren) sit(s) quietly beside his or her parent at all times.

#### III. THE MODERATOR

The Moderator is elected by ballot for a three year term at the annual election of town officers to preside at all Town meetings during his or her term of office and is authorized by state law to regulate the proceedings, decide all questions of order and make public declaration of all votes, subject to the Bylaws that Wayland has enacted to regulate the proceedings of town meetings. All rulings of the Moderator are final.

#### IV. THE MEETING

##### A. The Call to Order

1. The Moderator will call each session of town meeting to order at 7:30 p.m., or as soon thereafter as the Town Clerk has determined that a quorum of one hundred (100) registered voters has been checked into the hall.

2. The Moderator will announce the number of each article about to be considered and invite a motion thereunder; the Moderator will omit the reading of the articles, unless a MAJORITY of the meeting shall vote otherwise.

B. To Address the Town Meeting

1. No person may address a town meeting until and unless he or she shall have been recognized by the Moderator. All persons shall, at the request of the Moderator, be silent.

2. All persons, who wish to be recognized, shall approach one of the three microphones placed at the front of the room, which most closely reflects the purpose for which they seek recognition:

- a. The Procedural Microphone (in the middle) will be available to those who have been recognized by the Moderator and wish to offer:
  - 1) The main motion under the article being considered and a presentation in support thereof;
  - 2) The principal presentation in opposition to the main motion. See paragraph IV.C.2.a, below;
  - 3) An amendment to a main motion;
  - 4) A question seeking information concerning the motion or other matter then under discussion, or guidance from the Moderator as to procedure, including a point of order;
  - 5) An answer to a question seeking information; and
  - 6) A point of order or procedural motion, such as:
    - a) a motion to terminate debate;
    - b) a motion challenging the Moderator's declaration of a vote;
    - c) a motion questioning the presence of a quorum; and
    - d) a motion to adjourn.
- b. The "Pro" Microphone will be available to those persons recognized by the Moderator who wish to speak in support of a motion on the floor.
- c. The "Con" Microphone will be available to those persons recognized by the Moderator who wish to speak in opposition to a motion on the floor.

The Moderator will normally recognize those persons, who are standing behind or seated near each microphone in a single file, in the order of their entry into that file, alternating between the Pro and the Con mikes; but reserves the right to recognize any person at any time, including a person who has not approached a mike, a person who is handicapped or a person who has risen to a point of order. Any person whose remarks are not consistent with the purpose of the microphone that he has been permitted to use, shall yield the floor upon request of the Moderator.



3. The Town Administrator, Assistant Town Administrator, Police Chief, Fire Chief, Finance Director, Director of Public Works and Superintendent of Schools have the right to answer questions, but they do not have the right to vote unless they are registered voters of the Town.

4. If a person, who has not registered to vote, seeks permission to address the meeting, the Moderator will ask whether there are any objections. If there are any, he will immediately call for a vote. If the majority shall vote to hear the non-resident, the Moderator will give him/her the floor.

C. The Debate

1. When you have been recognized by the Moderator, address the Chair as follows: "Mr. Moderator, I am (Name) of (Street Address)." Then proceed as follows:
  - a. "I move that . . .";
  - b. "May I ask you . . ."; or  
"May I ask through you (then state the question which you want a board, official, or previous speaker to answer);
  - c. "I rise to a point of order"; or
2. Once you have been recognized, you may offer any motion, amendment, argument, comment, suggestion or question relevant to the article then under consideration, unless the Moderator shall have authorized debate or invited comments upon subjects not listed in the Warrant; but
  - a. Any person who wishes to offer the principal presentation in support of the main motion under an article, must so notify the Moderator prior to that article being called and complete the same within ten (10) minutes, or less, and yield the floor. A light will warn you to conclude your remarks and yield the floor during the final minute.
  - b. Any person wishing to offer a presentation in opposition to the main motion under an article must so notify the Moderator prior to that article being called and complete the same within the time used by the proponent, or within three (3) minutes, whichever is longer, and yield the floor. The same one (1) minute warning light will warn you to conclude your remarks. The Moderator may divide the time if more than one person indicates a desire to make a presentation in opposition.
  - c. All other persons who wish to address the Town Meeting shall, when recognized, complete their remarks in three (3) minutes, or less, and yield the floor. The same one (1) minute warning light will be turned on when you have used up the first two (2) minutes.
  - d. You may be interrupted only by a question of privilege, a point of order, a request that you speak more distinctly or by the Moderator.
  - e. When you have completed your motion, question, or remarks, you relinquish your claim to the floor; and you must yield the floor upon request of the Moderator.
3. Abbreviated Presentation Procedure. With notice to and leave of the Moderator any person making a main motion under an article may present that motion under the Abbreviated Presentation Procedure. Under this procedure:

- a. The motion must be presented in or be substantially consistent with the words of the Article as printed in the Warrant, and without making further presentation in support of that article. The Moderator may allow minor or editorial variation from the words of the Article as printed in the Warrant.
- b. The Moderator will ask if anyone wishes to speak in opposition to the motion or if anyone has a question regarding the motion.
- c. Should there be a question, the questioner will be permitted to state his or her question and the presenter of the motion will be permitted to answer that question.
- d. Should any individual state that he or she is opposed to the motion, or if the Moderator determines that the questions are of significant depth or importance, the presentation and debate will continue in the normal course as set forth in these Rules.

4. If you have a question concerning the legality or propriety of the proceedings, you may approach the Procedural Microphone and address the Moderator without waiting to be recognized, saying: "Mr. Moderator, I rise to a point of order." When you have been recognized, you must state the reason for your point, which may include that a motion is beyond the scope of the article under consideration, that the person who has the floor is not addressing the merits of the motion or that a quorum is not present. The Moderator will then rule on the point and his ruling is final.

5. If you wish to offer a motion within the scope of the article under consideration, follow the procedure outlined under paragraph IV. B. and C., above.

- a. If your motion is the main motion, you must then declare that it is identical word-for-word with the substantive portion of the article printed in the warrant which is then under consideration, or describe all of the substantive differences in wording between the article and the motion; otherwise the Moderator will permit no debate or action upon your motion.
- b. If you plan to offer a main motion that contains more than twenty-five (25) words and differs significantly from the article printed in the Warrant, you must first print and distribute a copy thereof to those attending the session of town meeting at which said motion is presented.
- c. No motion or amendment of a motion that exceeds ten (10) words in length will be accepted, unless it shall have been offered to the Moderator in writing.
- d. A motion that is not identical word-for-word with the substantive portion of the article printed in the warrant then under consideration will not be accepted, unless the Moderator shall determine that said motion is within the scope of the article; i.e., that it does not change the substantial character of the proposal described in that article or would not further restrict, if passed, the liberties of the residents of Wayland than the proposal set forth in the article.
- e. The Moderator will accept no motion proposing a layout, taking, purchase, sale, lease or rezoning of land, unless the article under which the motion is offered contains a running description of the land in question, a description by metes and bounds or a reference to a plan suitable for recording that is available for public inspection at the office of the Town Clerk, the Town Surveyor, the Planning Board or another place to which the public has access during normal business hours.

- f. The Moderator will accept no motion to appropriate and/or expend a sum of money, which exceeds the estimated cost set forth in the article then under consideration by fifteen (15%) percent, except for motions under the omnibus budget article and motions under a supplementary budget article that contemplates the appropriation of additional money for the current fiscal year to augment moneys previously appropriated and proposes to fund such appropriations by transfer from unappropriated funds, funds appropriated for another purpose or from funds received by the Town as grants or gifts.
- g. The Moderator may rule on your motion, even if no one has risen to challenge that motion by way of a point of order.

6. You will not be recognized to speak on the merits of a motion if you have already spoken three times on its merits, but you may be recognized to answer a question put by another or to raise a procedural issue with respect to that motion.

7. Wayland's practice with respect to some common subsidiary motions is generally as follows:

- a. You may amend a motion by moving to add and/or delete words to and/or from the main motion or by substituting a new motion therefor; but the Moderator permits no more than two amendments to a main motion *at a time*. A motion to amend is debatable and requires only a MAJORITY vote, even though the main motion may require a TWO-THIRDS vote.
- b. You may move to refer a matter for further study, if your motion identifies the official or committee who shall conduct such study, how it shall report, when and to whom. In the event that you wish to establish a new committee for this purpose, the motion must specify the number of members who shall serve and who shall appoint them. A motion to refer is debatable and may be amended and requires a MAJORITY vote.
- c. You may move to advance or postpone consideration of an article listed in the Warrant. Such a motion is debatable, may be amended and requires a TWO-THIRDS vote.
- d. You may move to lay an article on the table ("table"). Such a motion is NOT debatable or amendable and requires a TWO-THIRDS vote. A motion to remove such article from the table is also NOT debatable or amendable and requires a TWO-THIRDS vote.
- e. You may ask the Meeting to take no action under an article by moving "that the article be passed over." Such a motion may be deemed a substitute for the main motion, is debatable, may not be amended, requires a MAJORITY vote and serves to dispose of the article under consideration.

8. Upon the expiration of sixty (60) minutes after the main motion under any article shall have been seconded, the Moderator will terminate debate thereon, unless the Town Meeting shall have voted to extend the time available for further debate. The time needed to count the vote(s) upon the motion(s) under the article will not be included in the sixty (60) minutes. The aforesaid sixty (60) minute limit does not apply to debate under the omnibus budget article.

9. Although the Moderator has absolute authority to regulate the proceedings at town meetings, debate under a motion can be terminated by a TWO-THIRDS vote of the Town Meeting. Therefore, if you believe that debate under a motion has gone on long enough, approach the Procedural Microphone, and, when you have been recognized, make a motion to terminate debate (move the previous

question). If your motion receives a second, the Moderator will ask if anyone, who has not spoken to the motion under consideration, wishes to be recognized. If no one expresses such a wish by raising his or her hand, the Moderator will immediately terminate debate and take a vote upon your motion without permitting any amendment or debate; but if one or more persons, who have not spoken to said motion, raise their hand, the Moderator may, but need not, defer the termination of debate for a reasonable time to permit both sides of the issue to be heard. If a motion to terminate debate carries by a TWO-THIRDS vote, the Moderator will put the previous motion under consideration to a vote without further debate; but if said motion does not carry by a TWO-THIRDS vote, the Moderator will permit debate to continue.

10. If an article of the Warrant has been acted upon and disposed of, a motion to reconsider the article may be made at any time by citing significant new information concerning said article that had not been disclosed or made available to the Meeting when the motion under that article was debated. If the Moderator determines that the information cited is both significant and previously undisclosed to the Meeting, debate and action on said motion to reconsider shall occur after all other articles have been disposed of. In the event that more than one article has been moved for reconsideration, then each article will be dealt with in the order in which it appeared in the Warrant. A motion for reconsideration may not be amended, can be debated, and requires a TWO-THIRDS vote to carry. If a motion for reconsideration carries, then the Moderator will ask for a new motion under the article that is being reconsidered.

#### D. The Vote

Before calling for a vote, the Moderator will usually repeat the motion under consideration (as the same may have been amended), unless it is substantially identical to the article:

1. In the event that electronic handset voting equipment shall have been made available for use by voters at any Annual or Special Town Meeting, all votes shall be taken by secret ballot using such equipment, unless the Moderator shall decide otherwise for reasons he/she shall state publicly. When calling for an electronic vote, the Moderator will ask voters to press the number "1" if they wish to register an "aye" or the number "2" if they wish to vote "no". In the event that a voter wishes to abstain, he or she may (but need not) press "3". Voters may change their mind as many times as they wish, but the last vote recorded upon the expiration of thirty seconds will count. Any voter who believes that his or her keypad is not functioning properly or is failing to record his or her vote accurately should proceed to the designated help desk. If a vote is in progress, the voter should raise his or her hand; if seen by the Moderator, the Moderator will dispatch help desk staff to examine the handset for any defect. If it is determined by help desk staff that the handset is defective, the voter will be offered a paper ballot and pen to record his or her vote on that question and will be provided with another handset for the next vote. Such paper vote shall be promptly relayed by help desk staff to the Moderator.

- a. If a voter cannot use the electronic handset offered by the Checkers, he or she will be provided with a colored piece of paper or cardboard and directed to sit in a special section reserved for those who will not be using an electronic handset to vote. Whenever the Moderator shall call for a vote, tellers will provide a ballot to each voter in the special section(s), who has such a colored paper or cardboard, collect those ballots within thirty seconds and deliver them to the Moderator, who will add the total of the ballots to the vote received electronically and declare the vote on the motion before the meeting.
- b. Each person receiving a handset must retain and use only that handset until turned in at the Help Desk, given to a Teller or turned in at the end of the session. No person may lend or give that handset to another person, nor may any person vote with a handset originally given to another.

Voters with handsets may retain them if they wish to leave the room for any reason, but they must hand their handset to an exit attendant if they plan to leave the building.

2. In the event that electronic voting is for any reason not to be employed, the Moderator will first ask all those in favor to say, "Aye". He will then invite those opposed to say, "No". If the Moderator is in doubt as to whether the motion has carried, he or she may call for another voice vote; or may ask those in favor to stand, before he asks those opposed to stand. Sometimes, the Moderator will reverse this procedure before declaring the vote.

3. If the Moderator is still in doubt, or if seven (7) or more voters shall immediately question a voice or an uncounted vote taken by non-electronic means, he will call for the tellers to help him take a standing counted vote – two tellers for each section of the hall so that they may check each other's results. The Moderator will then repeat the motion and say, "All those in favor will rise and remain standing until counted." When the count has been completed, the Moderator will ask those who are opposed to stand and be counted. As soon as each team of tellers has agreed upon the count in their section, they will be asked to report the number of voters they have counted from the Procedural Microphone. When all of the tellers have reported, the Moderator will declare the vote and his declaration of the vote is final, unless clear and convincing evidence shall have been submitted to the Moderator that fraud, errors by of one or more tellers or some other irregularity has infected the accuracy of the vote count just completed; in which event the Moderator will repeat the standing counted vote procedure outlined above.

4. If a vote taken by electronic means is questioned by seven (7) or more voters, the Moderator will audit the vote by choosing a set of voters to come forward and present their handsets in turn to the Town Clerk, who will compare the vote shown on each handset with the vote received by the Electronic Voting System for that handset. If the correlation is less than fully accurate, the Moderator shall discard the electronic vote and call for a standing counted non-electronic vote under the previously set out procedures."

5. In the event that the law requires a vote of TWO-THIRDS or more to carry a motion acted on by non-electronic means the Moderator will normally ask whether there is unanimous support for the motion; but if there is not such support, he will take a standing counted vote. If the Moderator shall have perceived that more than TWO-THIRDS of the voters voted in the affirmative the Moderator may by hand vote determine that the TWO-THIRDS majority was met.

6. If a TWO-THIRDS vote is required to carry a subsidiary or procedural motion, such as a motion to terminate debate ("move the previous question"), the Moderator need not take a count, even though the voice vote upon such motion was not unanimous, if the Moderator shall have perceived that more than TWO-THIRDS of the voters voted in the affirmative. The Moderator shall then declare that such motion has carried and the Clerk shall record such declaration together with a note that there was "a scattering of nos."

7. In the event that a majority shall have voted that the vote on a particular motion shall be by secret ballot, the Moderator will ask the Tellers to come forward and take their places at the ballot boxes that will be placed at the front of the Hall by the Town Clerk. The Moderator will then direct the attention of each section of voters to their respective ballot box. The voters will then rise and proceed row-by-row to their box, tear their ballots into two parts, deposit one half in the box, the other half in the discard box and return to their seat. In order to assure the security of all secret ballots:

- a. No one will be allowed to vote without a ballot.
- b. No one will be permitted to cast a ballot until he or she shall have discarded the other half of the ballot into the discard box in the custody of the Teller.
- c. No one will be permitted to leave the hall until after the meeting has adjourned, unless he or she shall have turned all of the ballots that have not actually been used during a vote to the Checkers at the door.

When all of the ballots shall have been cast, the Tellers will open the ballot boxes and count the ballots at the tables situated at the front of the Hall in front of the podium.

The Moderator will then ask for the consent of the meeting (a TWO-THIRDS vote is required) to proceed to consideration of another Article. When the Tellers have completed their count, they shall report their count to the Moderator, the Moderator will declare the vote upon disposition of the Article then under debate. The declaration of the Moderator is final.

The Moderator will then ask for the consent of the meeting to return to the Article (a TWO-THIRDS vote is required) under which the secret ballot has been taken and if there is no other business under that article, will declare that article disposed of.

E. Adjournment

1. If you wish to adjourn a session of the Town Meeting before all of the articles have been disposed of, you must specify the date and time when the Meeting shall resume. Such motion may be made at any time, is debatable, may be amended and requires a MAJORITY vote, provided, however, that the Moderator will permit no such motion if it shall be offered after debate shall have been terminated upon a pending motion until the final declaration of the vote taken upon the motion then under consideration.

2. Each session of a Town Meeting shall be adjourned by the Moderator (a) at 10:30 p.m., or as soon thereafter as the Meeting has disposed of the article then under consideration or postponed action thereunder, or (b) voted to adjourn at a different time.

3. No motion to dissolve the Town Meeting (to adjourn *sine die*) is in order until every article shall have been duly considered, acted upon and declared as disposed of.

V. QUESTIONS

In the event that you have a question concerning the conduct of the meeting, you need further information to cast your vote, or the status of any motion being considered, you are invited to approach the Procedural Microphone and to address your question to the Moderator as soon as you have been recognized.

VI. MISCELLANEOUS RULES

Residents of the Town of Wayland may, with the prior permission of the Moderator, place and/or post documents intended and designed to inform and influence the action of voters at town meetings on the tables and wooden walls located behind and on either side of the tables occupied by the checkers at the entrance of the Field House and each other venue where town meetings are conducted, so long as said documents are germane to any of the articles set forth in the warrant.

The Selectmen, the Chief of Police and the Chief of the Fire Department and other town officers and employees may also be permitted by the Moderator to post and place documents pertaining to the safety of the public in the aforesaid locations.

Thank you for joining us to do the Town's business.

Dennis J. Berry, Moderator

**APPENDIX B: Finance Committee Note on Wastewater**

We generally do not discuss in detail our several enterprise fund budgets, but we make an exception this year for Wastewater, because the Wastewater enterprise fund fell into a large cash deficit this year. We are not asking Town Meeting to take any extraordinary action with respect to this situation. In fact, the proposed Wastewater appropriation contained in the Omnibus budget is in line with past years. Nevertheless, given the cash deficit in the fund, its operating difficulties, and the implications for taxpayers, we feel obliged to report to Town Meeting on the status and outlook for Wastewater.

Generally, an enterprise fund gives communities the flexibility to account separately for all financial activities associated with a given municipal service. When a town adopts an enterprise fund, it establishes a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for goods or services. Revenues and expenses of the service are segregated into a fund with financial statements separate from all other governmental activities.

The Wayland Wastewater Management District Commission (WWMDC) was created by a Special Act of the state legislature. The WWMDC oversees the operation and maintenance of the waste water treatment plant (WWTP) and system, which accepts and treats waste water from businesses, residents, and town facilities in the center of Wayland. The WWMDC has maintained the finances of the WWTP and its long-term viability, including its replacement due to old age, to meet more stringent DEP and EPA guidelines, and to provide for increased flow due to the Town Center project. Currently 75 users are members of the WWMD. All users share in the cost of operating the system and paying debt service according to formulas consistent with the legislation that created the WWMD and adopted by the WWMDC.

The WWMDC is authorized to be constituted as a three-member volunteer board, whose members are appointed by the Board of Selectmen for three-year terms. The WWMDC currently has only two members, one of whom is serving beyond his term in order to help out the Town, the WWMDC, and its sole other member. No-one has volunteered to serve in the third appointed position, and thus the Selectmen have not appointed a new member to the WWMDC since 2011.

Stated most simply, the WWMDC proposes an expense budget each year, the Finance Committee recommends a budget to Town Meeting, Town Meeting votes a budget, and then ratepayers should be billed their *pro rata* share of the annual expenses to fund the approved budget.<sup>1</sup> In the case of WWMDC, ratepayers should pay user fees based on a combination of their usage and the wastewater design capacity allocated to that user.

This theoretically straightforward calculation has been complicated in the case of the WWMDC. In 2011, the developer of Town Center sued the Town and the WWMDC. The lawsuit claimed that the WWMDC had breached its promise to deliver a certain amount of wastewater capacity to the developer of Town Center, and the developer claimed damages for that breach. In 2013, after a jury trial, the developer of Town Center won a jury verdict and resulting judgment against the Town and the WWMDC. The Town and the WWMDC took a timely appeal from that judgment, and the appeal is pending.

In the meantime, the WWMDC had difficulty establishing the *pro rata* capacity share of each user, given the uncertainty surrounding the capacity of the plant allocated to the developer of Town Center. Since Town Center is by far the largest user of the WWTP, the resulting uncertainty affected all users. During 2013, quarterly billing was suspended due to the WWMDC's inability to calculate proper bills. The WWMDC believed that retained earnings were sufficient to cover the temporary cash shortfall attributable to the suspension of the billing.

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<sup>1</sup> For the sake of simplicity, we do not consider betterments, the other way the WWMDC may charge users for the cost of capital projects, in this discussion. We note, however, that a planned betterments process is likely to generate problems in the future unless current approaches and WWMDC operations change.

The WWMDC did not issue timely bills in FY 2013 or FY 2014. Not surprisingly, ratepayers did not volunteer to send in payments, either. The WWTP kept operating and incurring expenses, as it must, and as prudent under the circumstances. To be clear, all the WWMDC's expenses were authorized by Town Meeting, and WWMDC has never spent more than its appropriation from Town Meeting.

As a matter of simple cash flows resulting from its failure to issue timely bills, however, the WWMDC exhausted its retained earnings. With the February 2014 debt service payment, the Wastewater enterprise fund threw itself into a \$225,000 cash deficit position. The WWMDC is in the process of catching up with its past billings. Even if all ratepayers paid 100 percent of their bills (which we consider to be an unreasonable assumption), the WWMDC would likely still be in a net cash deficit position at year end.

In general, municipal boards and departments, including the WWMDC, cannot spend cash they do not have. In February 2014, the WWMDC and the Board of Selectmen asked the Finance Committee to make a transfer from the Finance Committee's reserve fund to eliminate the cash deficit and allow the WWMDC to continue to operate, but the Finance Committee declined the requests. Instead, the Finance Director, the Interim Town Administrator, the WWMDC, and the Board of Selectmen obtained temporary authorization from the Massachusetts Department of Revenue to continue to deficit spend throughout the current fiscal year.

The Town will be held responsible by the Department of Revenue for any remaining deficit in the Wastewater fund at the end of the fiscal year. The WWMDC is now aggressively billing for prior periods (which is causing understandable collateral disputes with users). At the same time, the Selectmen are working to end the litigation with the developer of Town Center. These two efforts may reduce or eliminate the deficit in the Wastewater fund.

At this time, the Finance Committee can give Town Meeting no assurances as to whether the wastewater enterprise fund deficit will be eliminated by the end of the fiscal year or not. In fact, the deficit may grow larger. In the end, the Town—and ultimately Wayland taxpayers—will be held responsible to fund any remaining deficit in wastewater retained earnings, either indirectly through a Finance Committee reserve fund transfer in June 2014, or directly as part of the tax rate recapitulation process in December 2014. We note that the Town may require that any amounts paid from the General Fund to cover a deficit in retained earnings be reimbursed over time by the Wastewater Fund.

In our view, given the Town's ultimate responsibility for these matters, the Town should provide sufficient resources to the WWMDC—including by either expanding the current membership through the appointment process, or by absorbing its operations into another Town department—to allow it to properly function as a viable enterprise fund. It is simply asking too much to ask two volunteer board members—one whose term expired last July—to solve this problem on their own. While we generally agree that enterprise funds should operate as separate financial units, in this case, we think it is both proper and prudent for the Town to change its approach.



**APPENDIX B: LIST OF TOWN POSITIONS (FTE's) AND PERSONNEL  
BYLAWS AND WAGE AND CLASSIFICATION PLAN**

FULL TIME EQUIVALENTS (FTEs) - BY DEPARTMENT

	ACTUAL FTEs FY 12	ACTUAL FTEs FY 13	ACTUAL FTEs FY 14	PROPOSED FTEs FY 15
<b>LAND USE</b>				
<u>Building &amp; Zoning</u>				
Building Commissioner	1.00	1.00	1.00	1.00
Local Building Inspector	1.00	1.00	1.00	1.00
Gas & Plumbing Inspector	0.43	0.52	0.52	0.52
Wiring Inspector	0.86	0.51	0.51	0.51
Department Assistant	1.60	1.60	1.60	1.60
Department Total	4.89	4.63	4.63	4.63
<u>Conservation</u>				
Conservation Administrator	1.00	1.00	1.00	1.00
Department Assistant	0.71	0.83	0.83	0.83
Department Total	1.71	1.83	1.83	1.83
<u>Planning</u>				
Planning Director	1.00	1.00	1.00	1.00
Department Assistant	0.40	0.40	0.40	0.40
Department Total	1.40	1.40	1.40	1.40
<u>Survey</u>				
Surveyor	1.00	1.00	1.00	1.00
GIS Analyst	1.00	1.00	1.00	1.00
Department Total	2.00	2.00	2.00	2.00
<b>FINANCE</b>				
<u>Assessing Office</u>				
Assessing Director	1.00	1.00	1.00	1.00
Assistant Assessor	1.00	1.00	1.00	1.00
Administrative Assessor	1.00	1.00	1.00	1.00
Department Assistant	1.00	1.00	1.00	1.00
Assessing Clerk				
Department Total	4.00	4.00	4.00	4.00
<u>Finance Office</u>				
Finance Director	1.00	1.00	1.00	1.00
Accountant	1.00	1.00	1.00	1.00
Finance Assistant	2.43	2.43	2.43	2.54
Department Total	4.43	4.43	4.43	4.54
<u>Treasurer/Collector</u>				
Treasurer/Collector	1.00	1.00	1.00	1.00
Finance Assistant	1.00	1.00	1.00	1.00
Department Assistant	1.26	1.26	1.26	1.26
Department Total	3.26	3.26	3.26	3.26
<b>ADMINISTRATION</b>				
<u>Council on Aging</u>				
COA Director	1.00	1.00	1.00	1.00
Outreach Coordinator	0.86	0.83	0.83	0.83

Department Assistant	1.00	2.86	1.00	2.83	1.00	2.83	1.00	2.83
<u>Information Technology</u>								
IT Manager	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
<u>Public Buildings</u>								
Public Buildings Director	1.00		1.00		1.00		1.00	
Police Custodian	0.54		0.54		0.54		0.54	
Town Building Custodians	2.00		2.00		2.00		2.00	
Department Total		3.54		3.54		3.54		3.54
<u>Public Health</u>								
Public Health Director	1.00		1.00		1.00		1.00	
Sanitarian/Health Agent	1.00		1.00		1.00		1.00	
Public Health Nurse	0.86		0.86		0.86		0.86	
Community Health Nurse	4.86		4.86		4.86		5.00	
Department Assistant	1.00		1.20		1.20		1.00	
Sr Clerk	0.43		0.23		0.23		0.43	
Department Total		9.15		9.15		9.15		9.29
<u>Recreation</u>								
Recreation Director	0.57		0.57		0.57		0.57	
Recreation Program Adm	1.00		1.00		1.00		1.00	
Recreation Program Coor	0.50		0.50					
Recreation Assistant	0.26		0.26		0.26		0.54	
Department Total		2.33		2.33		1.83		2.11
<u>Selectmen's Office</u>								
Town Administrator	1.00		1.00		1.00		1.00	
Asst Town Adm/HR Director	1.00		1.00		1.00		1.00	
Financial/Research Analyst					0.50		1.00	
Exec Asst to TA	1.00		1.00		1.00		1.00	
HR Asst	1.00		1.00		1.00		1.00	
Department Total		4.00		4.00		4.50		5.00
<u>Town Clerk</u>								
Town Clerk	1.00		1.00		1.00		1.00	
Asst Town Clerk	1.00		1.00		1.00		1.00	
Department Total		2.00		2.00		2.00		2.00
<u>Veteran's Agent</u>								
Veteran's Agent	0.11		0.00		0.00		0.00	
Department Total		0.11		0.00		0.00		0.00
<u>Youth &amp; Family Services</u>								
Y & F Services Director	1.00		1.00		1.00		1.00	
Assistant Youth Director	1.00		1.00		1.00		1.00	
Administrative Assistant	0.11		0.11		0.11		0.17	
Department Total		2.11		2.11		2.11		2.17
<b>DPW</b>								
<u>Administration</u>								
DPW Director	1.00		1.00		1.00		1.00	

Administrative Coordinator				1.00	
Department Assistant	2.80	2.80	2.80	1.80	
Sr Clerk	0.71	0.71	0.71	0.71	
<u>Highway/Parks/Transfer Station</u>					
Highway/TS Superintendent	1.00	1.00	1.00	1.00	
Park Superintendent	1.00	1.00	1.00	1.00	
Senior Foreman	1.00	1.00	1.00	1.00	
Transfer Station Foreman/Supt	1.00	1.00	1.00	1.00	
Working Foreman	2.00	2.00	2.00	2.00	
HEO	3.86	3.86	3.86	3.90	
MEO	6.00	5.00	4.00	4.00	
Sr Grounds Worker		1.00	1.00	1.00	
Grounds Worker	1.00	1.00	1.00	3.00	
Maintenance Worker	5.00	5.00	6.00	4.00	
<u>Mechanics</u>					
Lead Mechanic	1.00	1.00	1.00	1.00	
Maintenance Mech/Welder	1.00	1.00	1.00	1.00	
Mechanic/Welder	1.00	1.00	1.00	1.00	
<u>Water</u>					
Water Superintendent	1.00	1.00	1.00	1.00	
WTP Manager	1.00	1.00	1.00	1.00	
Water Foreman	1.00	1.00	1.00	1.00	
Water Worker 3	1.00	1.00	2.00	2.00	
Water Worker 2	3.00	3.00	1.00	2.00	
Water Worker 1	1.00	1.00	2.00	1.00	
Department Total		37.37	37.37	37.37	37.41
<b>LIBRARY</b>					
Library Director	1.00	1.00	1.00	1.00	
Assistant Library Director	1.00	1.00	1.00	1.00	
Head of Circulation	1.00	1.00	1.00	1.00	
Bibliographic Serv Librarian	1.00	1.00	1.00	1.00	
Children's Librarian	1.00	1.00	1.00	1.00	
Assistant Children's Librarian	1.00	1.00	1.00	1.00	
Reference Librarian	0.77	0.77	0.77	0.77	
Comp Spec/Ref Librarian	0.69	0.71	0.71	0.71	
Library Assistant	1.76	1.77	1.77	1.77	
Library Associate	0.89	0.89	0.89	0.89	
Library Administrative Asst	1.00	1.00	1.00	1.00	
Library Custodian	1.00	1.00	1.00	1.00	
Part-Time Weekend	2.60	2.60	2.60	2.60	
Department Total		14.71	14.74	14.74	14.74
<b>PUBLIC SAFETY</b>					
<u>Fire</u>					
Fire Chief	1.00	1.00	1.00	1.00	
Deputy Chief	1.00	1.00	1.00	1.00	
Captain	3.00	3.00	3.00	3.00	
Lieutenant	4.00	4.00	4.00	4.00	

Inspector	1.00	1.00	1.00	1.00	1.00	1.00
Electrician	1.00	1.00	1.00	1.00	1.00	1.00
Mechanic	1.00	1.00	1.00	1.00	1.00	1.00
Firefighter/EMT	11.00	10.00	7.00	5.00		
Firefighter/Paramedic	2.00	3.00	6.00	9.00		
Paramedic - Per Diem	3.33	3.33	3.33	1.33		
Secretary	0.54	0.54	0.54	0.54		
Department Total		28.87	28.87	28.87		27.87
<u>Police</u>						
Police Chief	1.00	1.00	1.00	1.00		1.00
Police Lieutenant	1.00	1.00	1.00	1.00		1.00
Administrative Sgt	1.00	1.00	1.00	1.00		1.00
Detective Sgt	1.00	1.00	1.00	1.00		1.00
Investigator	2.00	2.00	2.00	2.00		2.00
Sgt	4.00	4.00	4.00	4.00		4.00
Community Services Officer	1.00	1.00	1.00	1.00		1.00
Youth Officer	1.00	1.00	1.00	1.00		1.00
Patrolman	10.00	10.00	11.00	11.00		11.00
Administrative Asst	1.00	1.00	1.00	1.00		1.00
Traffic Supervisors	1.33	1.33	1.33	1.59		1.59
Department Total		24.33	24.33	25.33		25.59
<u>JCC</u>						
JCC Dispatcher	8.00	8.00	8.00	8.00		8.00
		8.00	8.00	8.00		8.00
<b>TOTAL TOWN FTEs</b>		<b>162.07</b>	<b>161.82</b>	<b>162.82</b>		<b>163.21</b>
<b>SCHOOLS</b>						
Total School FTEs	367.26	374.42	374.64	392.35		
		<b>367.26</b>	<b>374.42</b>	<b>374.64</b>		<b>392.35</b>
<b>TOTAL TOWN AND SCHOOL FTEs</b>		<b>529.33</b>	<b>536.24</b>	<b>537.46</b>		<b>555.56</b>

FY 15 FTE counts include the Loker reconfiguration

FTE counts exclude seasonals, temporaries, call FFs and other non-regular positions.

Supplemental information regarding School staffing is available on line at:  
[http://www.wayland.k12.ma.us/administration/superintendent/district\\_budget](http://www.wayland.k12.ma.us/administration/superintendent/district_budget)

**NON-UNION WAGE SCALE, N SCHEDULE**  
 Effective July 1, 2014 (1.0% Adjustment)

Grade	1	2	3	4	5
N-1	35,717	36,789	37,893	39,031	40,199
N-2	38,867	40,030	41,232	42,468	43,744
N-3	39,255	40,431	41,644	42,896	44,183
N-4	42,716	43,997	45,317	46,674	48,076
N-5	46,900	48,308	49,757	51,248	52,788
N-6	51,497	53,042	54,633	56,271	57,959
N-7	56,544	58,241	59,986	61,787	63,641
N-8	62,085	63,947	65,865	67,842	69,876
N-9	72,514	74,394	76,341	78,490	80,846
N-10	74,851	77,096	79,409	81,791	84,741
N-11	82,186	84,650	87,191	89,805	92,499
N-12	86,212	88,798	91,491	94,210	97,033
N-13	90,238	92,943	95,735	98,606	101,566
N-14	99,083	102,054	105,118	108,270	111,518
N-15*					

Grade	6	7	8	9	10
N-1	41,405	42,649	43,928	45,244	46,603
N-2	45,056	46,406	47,799	49,234	50,712
N-3	45,510	46,874	48,276	49,725	51,217
N-4	49,517	50,537	52,534	54,108	55,733
N-5	54,370	55,705	57,682	59,411	61,195
N-6	59,096	61,491	63,335	65,234	67,191
N-7	65,550	67,515	69,540	71,629	73,775
N-8	71,974	74,131	76,357	78,646	81,007
N-9	83,271	85,767	88,342	90,964	93,654
N-10	86,347	89,375	92,785	94,393	97,661
N-11	95,274	98,132	101,078	104,108	107,234
N-12	99,943	102,940	106,655	109,209	112,653
N-13	104,613	107,750	112,231	114,310	118,072
N-14	114,864	118,309	121,347	125,515	129,282
N-15					*

- |     |                                 |      |  |
|-----|---------------------------------|------|--|
| N-1 | Secretary, Fire – PT            | N-6  | Financial/Research Analyst                       |
| N-1 | Sr Clerk, Health – PT           | N-8  | Recreation Director                              |
| N-1 | Asst Rec Program Coord – PT     | N-9  | Police Lieutenant                                |
| N-2 | Administrative Asst Y/S –PT     | N-10 | Library Director                                 |
| N-3 | Outreach Coordinator            | N-11 | Public Buildings Director                        |
| N-3 | Administrative Asst – Police    | N-12 | DPW Director                                     |
| N-3 | Computer Technician             | N-13 | Asst Town Administrator/Human Resources Director |
| N-3 | Human Resources Assistant       | N-13 | Finance Director/Town Accountant                 |
| N-3 | Recreation Program Asst – PT    | N-13 | Fire Chief                                       |
| N-3 | WWMDC Account Specialist        | N-14 | Police Chief                                     |
| N-5 | Exec Asst to Town Administrator | N-15 | * Town Administrator –Pending New Hire           |

**GROUP: NON-UNION – BUILDING INSPECTORS**  
 Effective: July 1, 2014 (1.0% Adjustment)

STEP	1	2	3	4	5	Hourly
	22.47	23.60	24.78	26.02	27.34	28.30
Gas & Plumbing Inspector (PT)						
Wiring Inspector (PT)						

**GROUP: NON-UNION SUBSTITUTE NURSES**  
 Effective: July 1, 2014 (1.0% Adjustment)

**GROUP: NON UNION - PUBLIC SAFETY**  
 Effective: July 1, 2014 (1.0% Adjustment)

	Annually	Per Day	Hourly
Traffic Supervisors	7,869	--	--
Traffic Supervisor Substitute	--	45.10	--
Special Police Matrons	--	--	20.05
Call Firefighters	--	--	20.05
Call Firefighter Coordinator	--	--	21.39
Paramedic	--	--	20.80
Police Custodian (PT)	--	--	16.00
Police Intern	--	--	10.38

**GROUP: NON-UNION - ON-CALL DISPATCHERS**  
 Effective: July 1, 2014 (1.0% Adjustment)

	Year 1	Year 2	Year 3	Year 4
On-call Dispatcher	18.92	19.80	20.66	21.53

**GROUP: NON-UNION - HOURLY LIBRARY CLERKS**

Effective: July 1, 2014 (1.0% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	15.16	15.51	15.87	16.18	16.49	16.85	17.16	17.46	17.82	18.15	18.45	18.81	19.14	19.46	19.79

**GROUP: NON-UNION - HOURLY LIBRARY PART-TIME WEEKEND PROFESSIONALS**

Effective: July 1, 2014 (1.0% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10	11	12
	23.89	24.43	24.77	25.20	25.63	26.06	26.51	26.93	27.39	27.81	28.24	28.67

**GROUP: NON-UNION - LIBRARY PAGES**

Effective: July 1, 2014 (1.0% Adjustment)

Step	Year 1	Year 2	Year 3
	8.98	9.55	10.07

**GROUP: NON-UNION SEASONAL – MISCELLANEOUS**

Effective: July 1, 2014 (1.0% Adjustment)

	Year 1	Year 2	Year 3
Seasonal Laborer	12.43	13.06	13.68
Landfill Clerk	12.56		

**GROUP: NON-UNION – SEASONAL – MISCELLANEOUS**

Effective: July 1, 2014 (No Adjustment)

	Year 1	Year 2	Year 3	Year 4
Beach Director	18.45	19.00	19.58	20.16
Asst. Beach Director	15.38	15.84	16.31	16.80
Beach Head Lifeguard/ Water Safety Instructor	11.79	--	--	--
Senior Lifeguard	10.76	--	--	--
Substitute Lifeguard	10.25	--	--	--
Jr Lifeguard/Swim Aide/Gate Guard	9.23	--	--	--
Snack Bar Supervisor	10.76	11.09	11.42	11.76
Snack Bar I	9.74	--	--	--
Snack Bar II	8.71	--	--	--

**GROUP: NON-UNION – SEASONAL – SUMMER DAY PROGRAMS**

Effective: July 1, 2014 (No Adjustment)

	Year 1	Year 2	Year 3	Year 4
Program Coordinator	18.45	19.00	19.58	20.16
Spec./Asst. Coordinator	15.38	15.84	16.31	16.80
Lead Teacher	13.33	--	--	--
Assistant Teacher	12.30	--	--	--
Sr Counselor	11.28	--	--	--
Counselor	9.74	--	--	--
Substitute Counselor	9.23	--	--	--
Junior Counselor	8.20	--	--	--

**GROUP: LIBRARY**

Effective: July 1, 2014 ((Pending Contract Negotiations)

Step	1	2	3	4	5	6	7	8	9	10
L-1	36,313	37,403	38,527	39,682	40,872	42,098	43,360	44,662	46,001	47,382
L-2	39,217	40,395	41,605	42,855	44,139	45,463	46,828	48,232	49,680	51,170
L-3	42,357	43,628	44,936	46,285	47,672	49,104	50,576	52,094	53,657	55,266
L-4	45,745	47,116	48,530	49,987	51,486	53,030	54,621	56,260.	57,949	59,687
L-5	49,404	50,885	52,412	53,985	55,605	57,273	58,991	60,760	62,583	64,460
L-6	53,355	54,957	56,605	58,303	60,052	61,855	63,709	65,621	67,590	69,617
L-7	57,625	59,354	61,135	62,970	64,858	66,804	68,808	70,871	72,997	75,187
LC	34,791	36,085	37,373	38,740	40,165	42,031				

- L-1 - Library Assistant - Circulation
- L-1 - Library Assistant – Children’s
- L-2 - Library Associate - Periodicals
- L-3 - Assistant Children’s Librarian

- L-4 - Bibliographic Services Librarian
- L-4 - Library Administrative Assistant
- L-4 - Computer Specialist/Ref Librarian
- L-4 - Head of Circulation

- L-4 - Reference Librarian
- L-5 - Children’s Librarian
- L-7 - Assistant Director
- LC - Custodian

**GROUP: SEIU**

Effective: July 1, 2014(Pending Contract Negotiations)

Step	1	2	3	4	5	6	7	8	9	10
C-10	31,421	32,363	33,335	34,334	35,628	36,689	37,781	38,907	40,067	41,878
C-12	33,935	34,954	36,001	37,082	38,458	39,603	40,783	42,000	43,251	45,209
C-13	35,303	36,362	37,454	38,576	39,998	41,191	42,417	43,683	44,986	47,020
C-14	36,724	37,827	38,962	40,131	41,597	42,837	44,116	45,432	46,786	48,903
C-15	38,142	39,286	40,465	41,680	43,193	44,481	45,809	47,175	48,582	50,781
CD	35,466	39,566	41,312	43,058	44,806	46,553	49,026			

C-12	Senior Clerk	C-15	Finance Assistant, Accounting
C-13	Principal Clerk	C-15	Finance Assistant, Benefits
C-14	Department Assistant	C-15	Finance Assistant, Payroll
C-15	Assistant Town Clerk	CD	JCC Dispatcher
C-15	Finance Assistant, Treasurer/Collector		

**GROUP: AFSCME**

Effective: July 1, 2014(Pending Contract Negotiations)

Step	1	2	3	4	5	6	7	8	9	10
G-1	36,136	37,213	38,322	39,463	40,639	41,851	43,098	44,383	45,706	48,000
G-2	39,004	40,165	41,364	42,596	43,867	45,175	46,522	47,910	49,339	51,817
G-3	42,107	43,359	44,652	45,985	47,357	48,769	50,223	51,723	53,269	55,943
G-4	45,451	46,808	48,203	49,643	51,124	52,650	54,220	55,841	57,508	60,397
G-5	49,065	50,530	52,037	53,592	55,191	56,838	58,536	60,289	62,085	65,204
G-6	52,972	54,554	56,181	57,859	59,589	61,368	63,199	65,087	67,033	70,404
G-7	57,882	59,610	61,391	63,225	65,113	67,059	69,064	71,127	73,253	76,936
G-7A	60,212	62,018	63,879	65,796	67,769	69,802	71,897	74,053	76,275	80,123
G-7B	60,476	62,282	64,143	66,059	68,033	70,067	72,161	74,317	76,539	80,388
G-8	63,071	64,954	66,895	68,894	70,953	73,074	75,258	77,508	79,825	83,842
G-9	68,722	70,778	72,891	75,071	78,211	79,626	82,008	84,459	86,984	91,362
G-10	74,621	76,859	79,165	81,539	83,985	86,505	89,100	91,774	94,527	99,298
G-15	43,980	46,532	47,813	49,291	50,733	53,451	54,981	56,555	58,179	62,282

G-3 – Admin Assessor	G-6 – Rec Program Adm	G-8 – Conservation Adm	G-9 – Assessing Dir
G-5 – Assistant Assessor	G-6 – Water Treat Plant Mgr	G-8 – DPW Hwy/TS Supt	G-9 – Building Comm
G-5 – Assistant Youth Dir	G-7 – COA Director	G-8 – IT Manager	G-9 – DPW Water Supt
G-5 – Sanitarian/Health Ag	G-7 – GIS Analyst	G-8 – Town Planner	G-9 – Health Director
G-6 – Accountant	G-7A - Public Health Nurse	G-8 – Town Surveyor	G-9 – Treasurer/Coll
G-6 – Local Building Insp	G-7B – DPW Parks Supt	G-8 – Y&F Services Dir	G-15 – Comm Health Nurse



**GROUP: TEAMSTERS - DPW**  
**Effective: July 1, 2014(Pending Contract Negotiations)**

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
D1	--	--	--	--	--	--
D2	17.58	18.22	18.87	19.54	20.25	21.39
D3	18.12	18.78	19.45	20.15	20.87	22.09
D4	18.92	19.60	20.31	21.03	21.80	23.07
D5	19.36	20.06	20.79	21.52	22.30	23.74
D6	--	--	--	--	--	--
D7	21.98	22.77	23.57	24.42	25.31	26.80
D8	22.36	23.16	24.00	24.87	25.76	27.31
D9	22.77	23.57	24.42	25.31	26.21	27.77
D10	--	--	--	--	--	--
D11	24.57	25.45	26.36	27.30	28.28	29.97

D-2	Maintenance Worker	D-5	Water Worker 1	D-8	Maintenance Mech/Welder
D-3	Grounds Worker	D-7	Highway Working Foreman	D-9	Lead Mechanic/Welder
D-4	Medium Equipment Operator	D-7	Mechanic/Welder	D-9	Sr Foreman
D-5	Heavy Equipment Operator	D-7	Parks Working Foreman	D-9	Water Worker 3
D-5	Sr Grounds Worker	D-7	Water Worker 2	D-11	Water Working Foreman

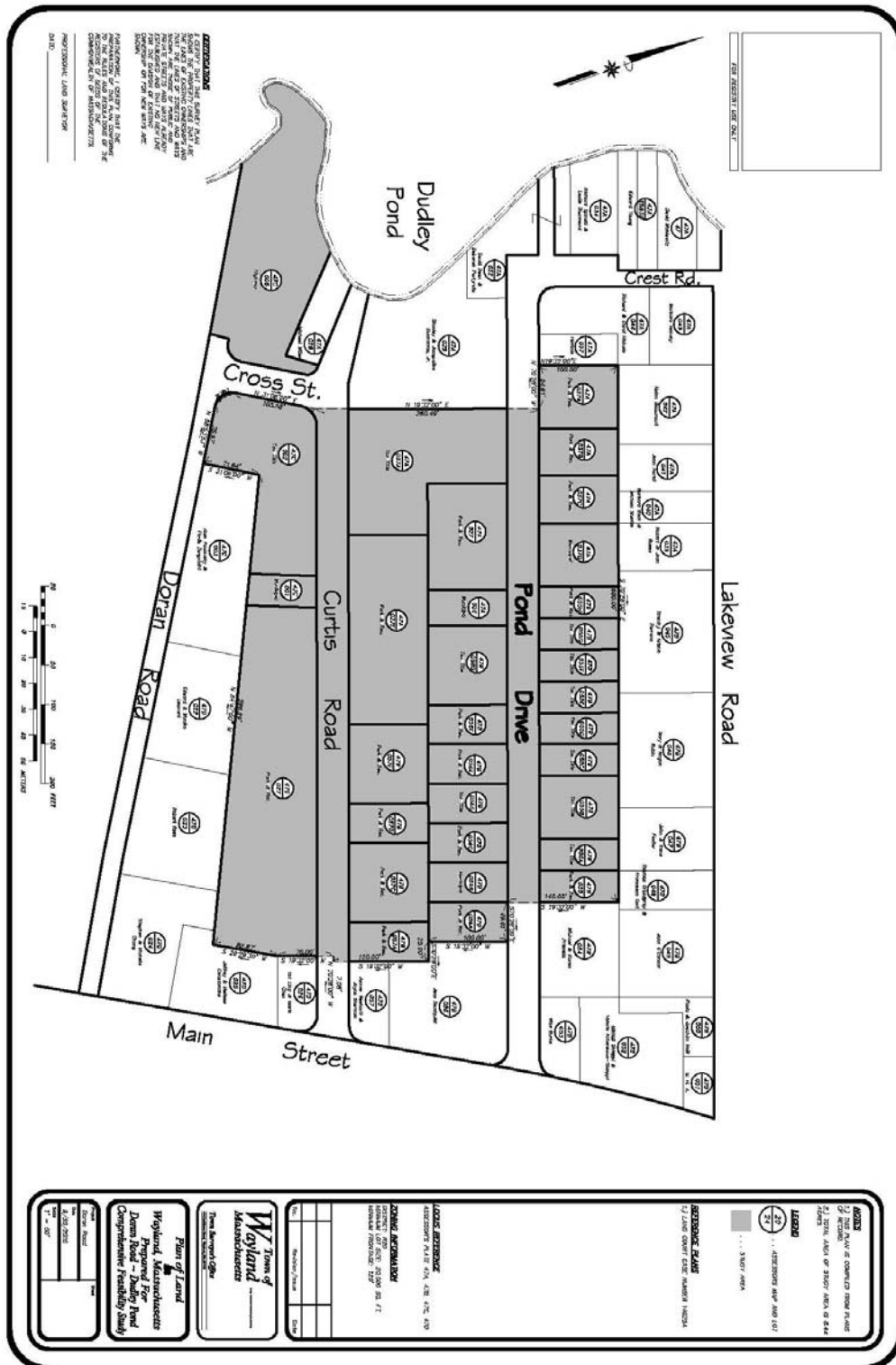
**GROUP: FIRE**  
**Effective: July 1, 2014 (Pending Contract Negotiations)**

Title		Step 1	Step 2	Step 3	Step 4
Deputy	F-6E				78,676
Captain	F-5E	66,311	68,343	70,541	72,735
Lieutenant	F-4E	60,835	62,700	64,717	66,850
FF/Elec/Mech/Insp	F-3E	57,786	59,497	61,608	63,636
Firefighter/EMT	F-1E	52,630	54,328	56,088	57,907

**GROUP: POLICE**  
**Effective: July 1, 2014(Pending Contract Negotiations)**

Title	Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Patrolman	P-1	37,076	49,434	51,907	54,501	57,226	58,251
Sergeant	P-2	61,354	64,422	67,642	71,078	N/A	N/A

**APPENDIX D: Dudley Woods, Article 9**



APPENDIX E: Rocky Point Transfer, Article 11

Middlesex Registry of Deeds, So. D.  
CAMBRIDGE, MASS.

Plan Number 10 of 1969  
 Rec'd JAN 8 1969 at 8:31 a.m.  
 With TAKING Doc. No. 5  
TOWN OF WAYLAND

Recorded, Book 11628 Page 219  
 Attest: *[Signature]* REGISTER

DUDLEY POND

Ernest E. & Janice L. Valliere

Rupert F. Doyle  
0.8± Acres

David E. & Janice M. Lane

Vincent J. & Marie L. Galluzzo

CROSS ST.

DORAN ROAD

APPROVAL UNDER THE SUBDIVISION  
 CONTROL LAW NOT REQUIRED  
 WAYLAND PLANNING BOARD

PLAN OF LAND  
 IN WAYLAND, MASS.

DATE: March 28, 1968 COMPILED FROM PLANS AND DEEDS  
Sept 20, 1967 SEPT. 20, 1967 SCALE 1" = 100'  
 WAYLAND ENGINEERING DEPARTMENT

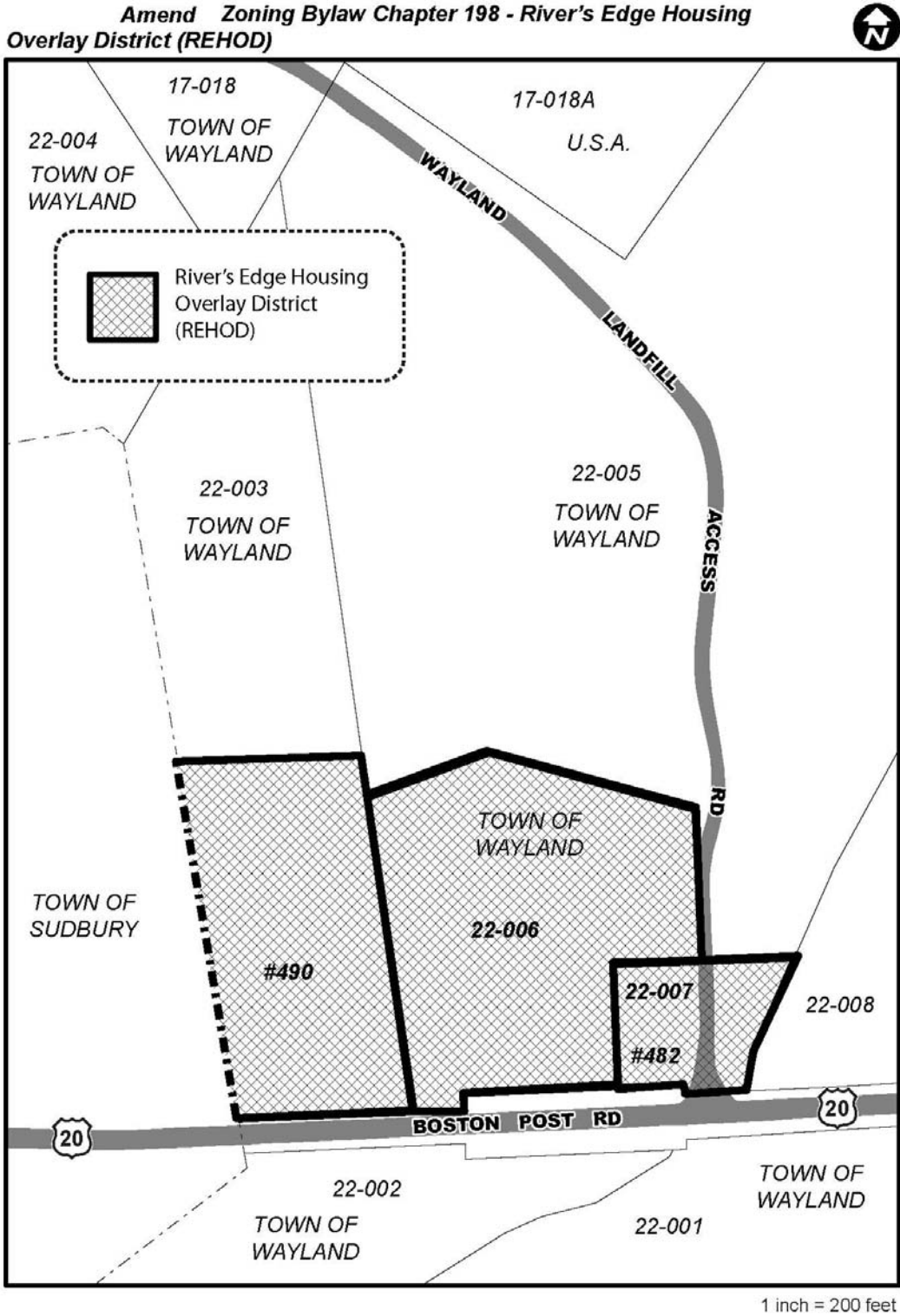
*[Signatures: Robert J. Charock, William H. Morgan, J. H. Sullivan]*

SEAL: COMMONWEALTH OF MASSACHUSETTS  
 LEWIS L. DOWNER, JR.  
 17900  
 REGISTERED  
 LAND SURVEYOR

FEE 3.00  
 BY NL

# 10

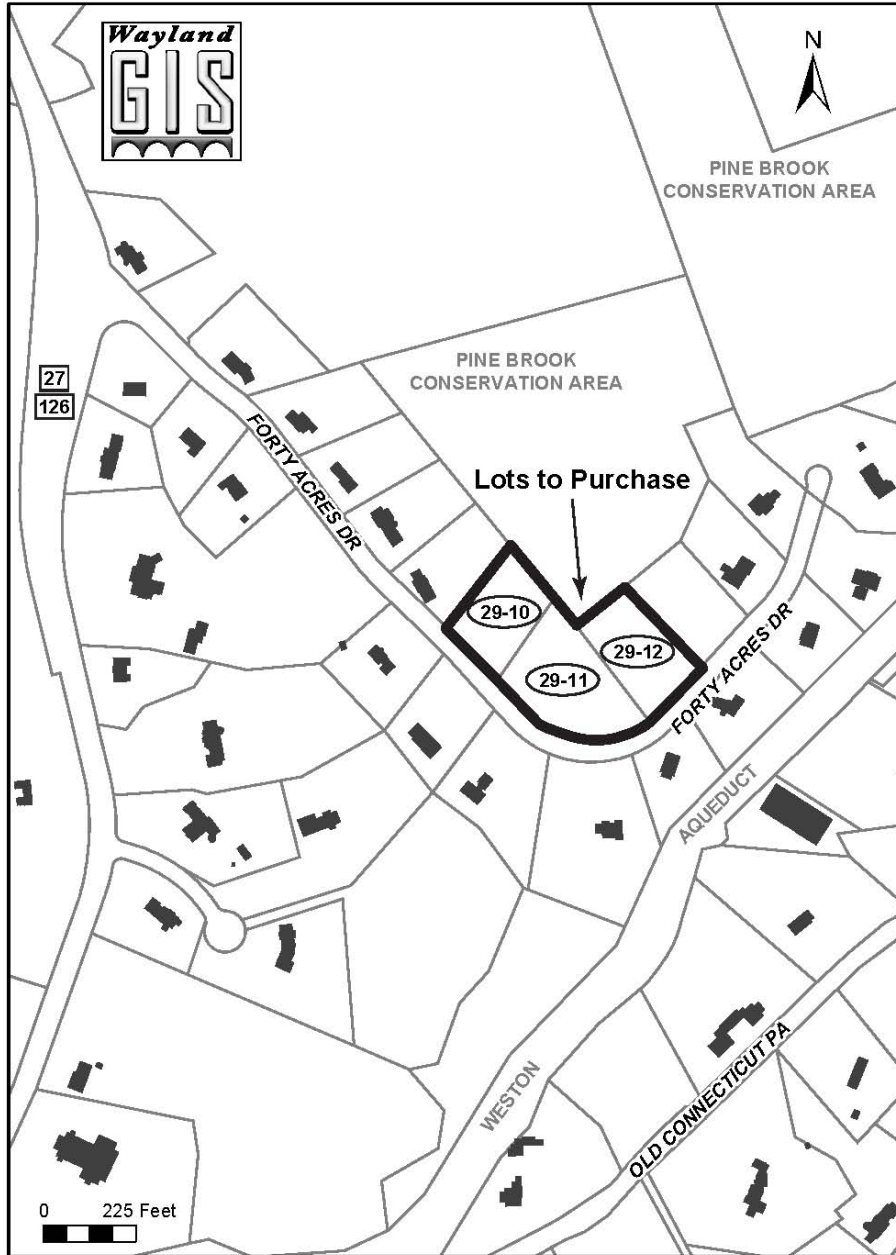
**APPENDIX F: Rivers Edge Project, Articles 15-16**





**APPENDIX H: FORTY ACRES DRIVE, Article 22**

***Appropriate Funds for Purchase of Forty Acre Drive Lots***





**APPENDIX J: Town Code Chapter 58-1 and 60.2.3, Article 27****Chapter 58-1: Commencement, Prosecution and Defense of Suits**

[Amended 5-3-2004 ATM by Art. 11]

The Board of Selectmen shall have full authority as agents of the Town to commence, prosecute and defend suits in the name of the Town, unless otherwise especially ordered by a vote of the Town.

**Chapter 60: Town Administrator**

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

- (a) Appoint, on the basis of merit and fitness alone, without the ratification by the Board of Selectmen, and evaluate, discipline or, for cause, remove, without the ratification of the Board of Selectmen:
  - 1) An Information Technology Director;
  - 2) A Town Surveyor or a Town Engineer;
  - 3) All other administrative and clerical employees in the Offices of the Board of Selectmen and the Town Administrator; and
  - 4) Such other Town officers, department heads and employees under the jurisdiction of the Board of Selectmen, except for members of appointed boards or committees, as authorized by order of the Board of Selectmen, bylaw or state law; and
- (b) Appoint, on the basis of merit and fitness alone, subject to ratification by a majority vote of the full membership of the Board of Selectmen then serving, and, evaluate, discipline and, for cause, remove, without the ratification of the Board of Selectmen, a Human Resource Director;
- (c) 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.



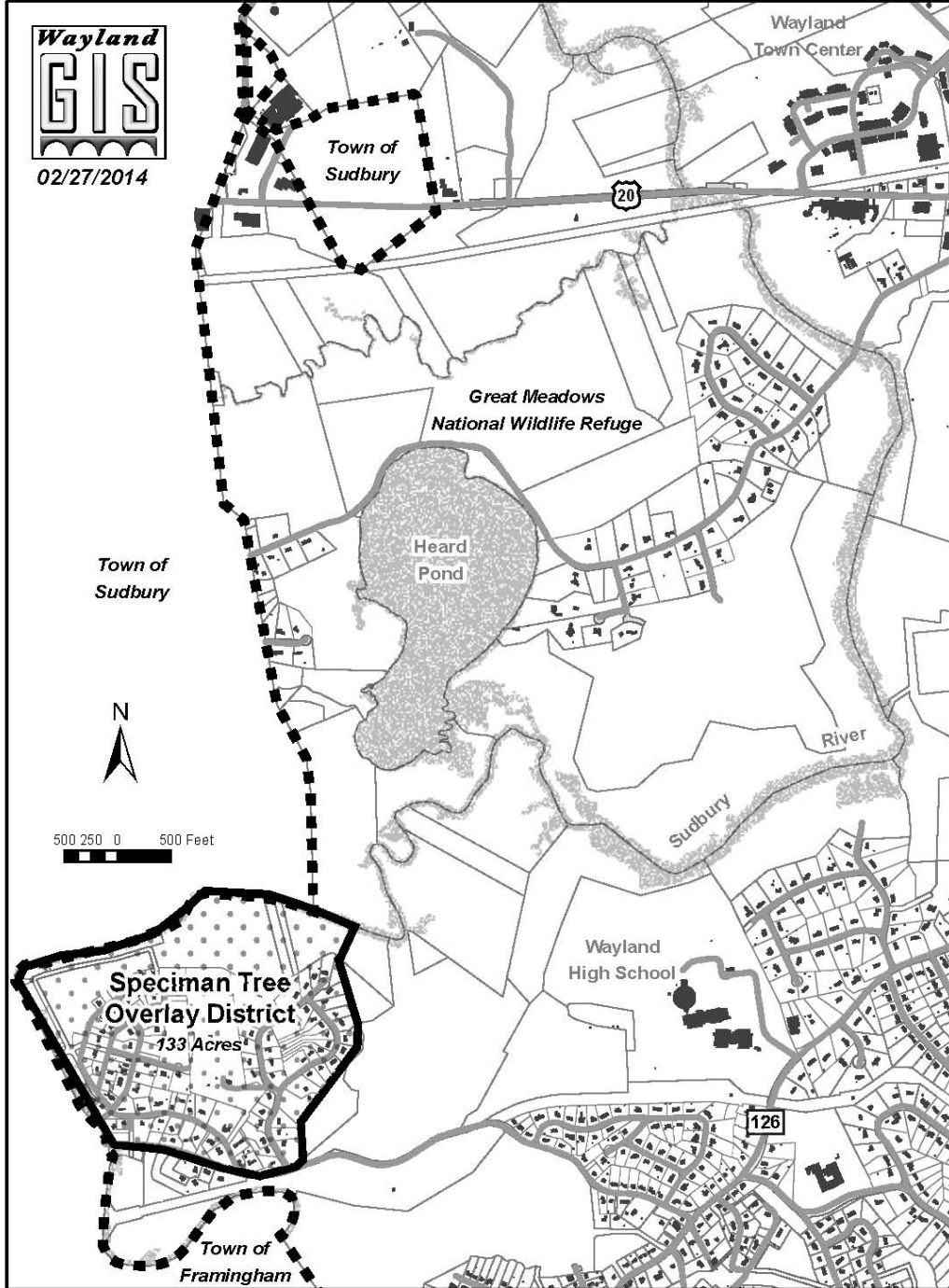
**APPENDIX K: M.G.L. Chapter 71, Section 37M, Article 28****MASSACHUSETTS GENERAL LAWS****PART I ADMINISTRATION OF THE GOVERNMENT****TITLE XII EDUCATION****CHAPTER 71 PUBLIC SCHOOLS****Section 37M Consolidation of administrative functions with city or town**

Section 37M. (a) Notwithstanding the provisions of chapter forty-one or chapter seventy-one or any other special or general law to the contrary, any city or town which accepts the provisions of this section may consolidate administrative functions, including but not limited to financial, personnel, and maintenance functions, of the school committee with those of the city or town; provided, however, that such consolidation may occur only upon a majority vote of both the school committee and in a city, the city council, with approval of the mayor required by law or in a town, the annual town meeting or in a town with no town meeting, the town council.

(b) Notwithstanding any general or special law to the contrary, a decision to consolidate functions pursuant to paragraph (a) of this section may be revoked by a majority vote of either the school committee of the city or town, or the city or town, or both as such vote is described in said paragraph (a).

**APPENDIX L: Specimen Tree Overlay Protection District, Article 31**

***Speciman Tree Overlay Protection District (STOP)***



**APPENDIX M: HEAR REPORTS**

**REPORT OF THE BOARD OF ASSESSORS**

In accordance with section 19-8 of the Code of the Town of Wayland, a report for the Board of Assessors covering the last twelve months (proceeding March 1, 2013) is hereby submitted.

The Board submits the following:

1. Annual Report of calendar year 2013 property transfers.
  - 178 Single Family parcels
  - 44 Condominium parcels
  - 3 Multi Family parcels
  - 2 Land parcels
  - 2 Commercial parcels
  - 202 Family Title Transfers or Non-valid transfers

The data reported above is in the process of being validated and may be modified.

2. The following numbers have been reported related to abatement applications and Appellate Tax Board cases:
  - a. The Board of Assessors logged in 35 real estate and 4 personal property applications, by the February 1, 2014 deadline.
  - b. As of March 1, 2014, 7 real estate abatements had been granted for FY' 14.
  - c. The average value of an abatement granted in FY' 13 was \$1,789.08
  - d. There were 6 filings with the Appellate Tax Board (ATB) in FY' 13; 3 of which are for telecommunication accounts; all are pending hearings dates with the ATB
  - e. The following is a listing of cases and the decisions issued by the ATB since the last report of March 1, 2013.

Fiscal Year	Location	Assessed Value	ATB Decision
2012	12 Ellie Lane	\$1,850,000	Denied
2012	9 Snake Brook Rd	\$647,400	Denied
2012	59 Old Sudbury Rd	\$469,200	Partially Granted for Exempt use of Land (\$812.38 in taxes)

3. The following data verification visits were extracted from the computer assisted mass appraisal database:

**Total Property Visits: 3/1/13-2/28/14 3515**

**Building Permits:**

Interior and Exterior	27
Exterior Only	116
Interior Only	45
Refusals	11
<b>Total</b>	<b>199</b>

**Cyclical:**

Interior and Exterior	500
Exterior Only	1019
Interior Only	413
Callbacks	955
Refusals	195
<b>Total</b>	<b>3082</b>

**Abatements:**

Interior and Exterior	10
<b>Total</b>	<b>12</b>

**Quality Control:**

Interior and Exterior	7
Exterior Only	7
Interior Only	8
<b>Total</b>	<b>22</b>

**Sales:**

Interior and Exterior	72
Exterior Only	59
Interior Only	31
Refusals	18
<b>Total</b>	<b>180</b>

**Informal Hearings:**

Interior and Exterior	20
<b>Total</b>	<b>20</b>

Please note that some of the data verification visits addressed several requirements in one visit, such as a property requiring a building permit visit may also have required a sales visit. One visit would have met both obligations of data verification. An exterior data verification visit represents a visit to the property by a representative of the Assessing Department. The representative measures and verifies the exterior components of the property and leaves a door hanger requesting that the property owner contact the office to schedule an appointment for an interior data verification visit.

The Board members are Susan Rufo, Chair; Jayson Brodie, Vice Chair; Molly Upton; Zachariah Ventress and David Hill.

**2013 Arms Length Sales Report \***

Sale Date	Map	Lot	Address	LUC	Sale Price	Sale Date	Map	Lot	Address	LUC	Sale Price
1/7/13	51D	10	24 FRENCH AVE	101	380,000	4/22/13	45	074B	21 HILLSIDE DR	102	336,538
1/7/13	37	24	37 OAK HILL RD	101	475,000	4/22/13	51D	90	236 COMMONWEALTH	101	351,000
1/11/13	49	1	55 RICE RD	101	775,000	4/23/13	43A	53	32 RICE SPRING LN	101	552,000
1/11/13	4	74	33 OXBOW RD	101	440,000	4/25/13	46D	86	160 WEST PLAIN ST	101	581,800
1/18/13	7	057J	267 CONCORD RD	101	760,000	4/29/13	45	115B	40 CUTTING CROSS	102	620,000
1/18/13	23	155	15 RIVER ROCK WAY	102	629,000	4/30/13	42D	139	30 PILGRIM PATH	101	576,000
1/18/13	18	85	57 CONCORD RD	101	385,000	4/30/13	24	092A	183 BOSTON POST RD	101	1,090,000
1/23/13	29	37	74 OLD CONN PATH	101	2,100,000	5/2/13	43A	37	34 MAIDEN LN	101	570,000
1/24/13	23	153	9 RIVER ROCK WAY	102	759,500	5/3/13	51D	6	211 COMMONWEALTH	101	390,000
1/31/13	43A	21	291 OLD CONN PATH	101	570,770	5/3/13	46D	113	20 EDGEWOOD RD	101	718,000
1/31/13	45	093D	22 PICKWICK WAY	102	462,500	5/7/13	43D	4	260 COCHITUATE RD	101	568,000
1/31/13	29	043A	53 FORTY ACRES DR	101	1,262,500	5/8/13	47B	32	10 SUNSET RD	101	299,000
2/12/13	23	29	286 BOSTON POST	340	689,888	5/13/13	43A	14	0 CEDAR CREST RD	131	175,000
2/22/13	42B	1	307 OLD CONN PATH	101	339,000	5/13/13	18	17	18 GLEZEN LN	101	760,000
2/22/13	51C	11	20 HARRISON ST	101	790,000	5/13/13	16	54	25 HIGHLAND CIR	101	830,000
2/25/13	18	91	37 CONCORD RD	101	681,500	5/15/13	42D	2	357 OLD CONN PATH	101	306,000
2/28/13	52	69	22 SNAKE BROOK RD	101	525,000	5/17/13	20	37	23 COOLIDGE RD	101	844,000
3/4/13	42D	132	15 WOODLAND RD	101	320,000	5/17/13	47B	65	279 MAIN ST	101	681,000
3/7/13	23	156	17 RIVER ROCK WAY	102	749,000	5/20/13	46B	002B	6 ALICE DR	101	1,050,000
3/12/13	42D	41	56 WOODLAND RD	101	650,000	5/22/13	51B	34	11 HAMMOND RD	101	550,000
3/13/13	42D	98	18 HAWTHORNE RD	101	342,000	5/22/13	10	27	68 SEDGEMEADOW RD	101	675,000
3/14/13	23	157	19 RIVER ROCK WAY	102	710,982	5/22/13	29	29	2 CART PATH	101	855,000
3/14/13	52	12	6 HAVEN LN	101	445,000	5/24/13	29	041O	19 WADSWORTH LN	102	635,000
3/15/13	23	97	30 COCHITUATE RD	101	555,000	5/24/13	46D	74	4 BOGREN LN	101	555,000
3/20/13	52	144	9 OAK ST	101	396,000	5/28/13	37	9	29 HIGHGATE RD	101	612,050
3/21/13	6	31	53 SHERMAN BRDG	101	520,000	5/29/13	38	121	39 RICE SPRING LN	101	527,600
3/26/13	29	041N	19 WADSWORTH LN	102	635,000	5/29/13	39	36	24 FOX MEADOW LN	101	1,233,000
3/26/13	14	029A	1 PHEASANT RUN	101	1,496,516	5/30/13	47B	50	6 LAKEVIEW RD	101	261,000
3/27/13	45	102B	7 GLEN OAK DR	102	750,000	5/31/13	18	8	86 OLD SUDBURY RD	101	505,000
3/28/13	29	041H	19 WADSWORTH LN	102	715,000	6/2/13	43A	48	49 PEQUOT RD	101	550,000
3/29/13	45	083D	87 HILLSIDE DR	102	489,000	6/5/13	45	050C	16 STEEPLTREE	102	430,000
3/29/13	7	24	19 SHERMAN BRDG	101	1,011,100	6/7/13	25	65	22 WHITE RD	101	565,000
4/1/13	42D	39	26 PINERIDGE RD	101	315,000	6/10/13	39	17	7 DEER RUN	101	1,090,000
4/4/13	50	7	3 GAGE RD	101	260,300	6/10/13	29	6	12 FORTY ACRES DR	101	852,000
4/10/13	45	093E	24 PICKWICK WAY	102	570,000	6/13/13	23	66	20 CONCORD RD	101	575,000
4/12/13	46D	37	7 ADELAIDE AVE	101	421,000	6/17/13	45	088C	131 HILLSIDE DR	102	570,000
4/12/13	33	023D	6 GREEN WAY	102	285,500	6/18/13	4	96	4 MARSHALL TER	101	640,000
4/12/13	29	041G	17 WADSWORTH LN	102	711,250	6/18/13	49	56	31 RICE RD	101	1,085,000
4/16/13	45	085A	99 HILLSIDE DR	102	448,000	6/19/13	52	209C	17 CAULFIELD RD	101	728,000
4/17/13	25	106	156 PLAIN RD	101	955,000	6/20/13	23	162	18 RIVER ROCK WAY	102	679,950

\*2013 Arms Length Sales are in the process of being validated and may be modified

LUC= Land Use Code (101-Single Family, 102-Residential Condominium, 104-Two Family, 106-Vacant Lot with an outbuilding, 109-Two Dwellings on 1 Lot, 130-Vacant Land)

Sale Date	Map	Lot	Address	LUC	Sale Price	Sale Date	Map	Lot	Address	LUC	Sale Price
6/24/13	11	076D	29 HAZELBROOK LN	101	1,100,000	8/7/13	19	54	15 THREE PONDS RD	101	875,000
6/25/13	24	19	7 BENNETT RD	101	699,000	8/8/13	42D	17	9 WALLACE RD	101	373,000
6/25/13	38	11	197 OLD CONN PATH	101	622,000	8/9/13	52	96	17 OLD TAVERN RD	101	678,500
6/25/13	40	071C	1703 BAYBERRY LN	102	613,000	8/9/13	24	140	42 PLAIN RD	101	602,500
6/26/13	25	56	21 WHITE RD	101	706,000	8/9/13	11	70	5 FOLSOMS POND RD	101	1,150,000
6/27/13	7	53	23 MARSHALL TER	101	705,000	8/9/13	19	68	70 CLAYPIT HILL RD	101	893,250
6/27/13	40	054B	8 STEEPLTREE	102	423,500	8/9/13	50	42	5 LAKE RD TER	101	695,000
6/27/13	12	14	48 HIGHLAND CIR	101	1,220,000	8/12/13	27	16	171 PELHAM ISLAND RD	101	720,000
6/28/13	12	37	229 GLEZEN LN	101	840,000	8/12/13	15	41	51 THREE PONDS RD	101	775,000
6/28/13	42B	48	11 HOLBROOK RD	101	538,000	8/12/13	52	180	13 POLLOCK RD	101	385,000
6/30/13	44	1	141 WOODRIDGE RD	101	600,000	8/14/13	53	22	27 OAK ST	101	470,000
7/1/13	43A	49	1 JUNIPER LN	101	535,000	8/14/13	35	030I	237 RICE RD	101	1,245,000
7/1/13	43B	20	7 GOODMAN LN	101	522,500	8/15/13	52	212	374 COMMONWEALTH	101	680,000
7/1/13	15	48	6 SEARS RD	101	785,000	8/15/13	10	38	30 SEDGEMEADOW RD	101	625,000
7/2/13	25	050A	22 LUNDY LN	101	999,000	8/15/13	18	023I	5 SADDLE LN	101	1,985,000
7/3/13	43D	33	1 PEQUOT RD	101	669,000	8/15/13	36C	11	39 OAK HILL RD	101	567,500
7/3/13	39	32	25 SHAW DR	101	768,000	8/16/13	36C	4	6 MEADOW VIEW RD	101	539,000
7/9/13	24	37	7 MORSE RD	101	619,600	8/16/13	45	046B	4 INDIAN DAWN	102	370,000
7/11/13	27	7	25 JEFFREY RD	101	554,000	8/18/13	30	54	18 PINEBROOK RD	101	1,032,500
7/12/13	39	12	15 FOX MEADOW LN	101	733,400	8/19/13	51B	63	84 EAST PLAIN ST	101	696,500
7/15/13	48	18	31 CNTRY CORNERS	101	860,000	8/19/13	14	47	76 GLEZEN LN	101	475,000
7/15/13	25	85	173 PLAIN RD	109	1,010,000	8/19/13	43A	19	301 OLD CONN PATH	101	552,000
7/16/13	40	32	4 FOX HOLLOW	102	433,775	8/19/13	35	005B	9 ASTRA	102	331,000
7/16/13	29	041E	11 WADSWORTH LN	102	685,000	8/20/13	38	28	5 COLE RD	101	770,000
7/18/13	46D	6	209 WEST PLAIN ST	101	422,500	8/21/13	51D	8	14 FRENCH AVE	101	405,000
7/22/13	51C	1	22 DAMON ST	101	597,000	8/22/13	42B	57	26 HIGHGATE RD	101	528,550
7/22/13	40	036B	4 ESSEX	102	435,000	8/22/13	25	90	151 PLAIN RD	101	799,000
7/22/13	33	7	3 GREEN WAY	102	910,000	8/23/13	38	158	11 CHARENA RD	101	535,000
7/24/13	53	032C	214 WILLOWBROOK	102	590,000	8/26/13	40	045A	8 CHRISTINA	102	410,000
7/25/13	44	46	9 BARNEY HILL RD	101	1,150,000	8/27/13	45	042A	16 INDIAN DAWN	102	495,000
7/25/13	4	089A	10 SUMMER LN	101	1,500,000	8/28/13	23	113	221 BOSTON POST RD	101	950,000
7/26/13	46D	63	6 LODGE RD	101	521,580	8/29/13	25	45	5 LUNDY LN	101	582,000
7/28/13	20	16	1 WILDWOOD RD	130	432,000	8/29/13	51D	77	13 WINTER ST	101	346,400
7/30/13	23	65	10 CONCORD RD	101	675,000	8/29/13	4	31	28 RED BARN RD	101	527,500
7/30/13	42D	93	15 EMERSON RD	101	482,000	8/30/13	38	108	21 OLD FARM RD	101	686,000
7/30/13	53	2	20 OAK ST	101	399,900	8/30/13	18	9	88 OLD SUDBURY RD	101	507,000
7/31/13	47C	18	51 BENT AVE	101	527,000	8/30/13	18	9	88 OLD SUDBURY RD	101	507,000
7/31/13	43C	9	20 PARK LN	101	585,000	8/30/13	11	4	156 CONCORD RD	101	510,000
7/31/13	10	67	8 WAYSIDE RD	101	782,500	8/30/13	51B	40	28 LEARY ST	101	387,000
7/31/13	45	081A	69 HILLSIDE DR	102	600,000	8/30/13	45	045D	6 INDIAN DAWN	102	409,000
7/31/13	16	4	54 SEARS RD	101	1,162,500	8/30/13	52	162	275 COMMONWEALTH	101	850,000
7/31/13	25	70	21 SYLVAN WAY	101	640,000	9/4/13	24	40	168 BOSTON POST	101	545,000
7/31/13	46D	31	223 LAKESHORE DR	101	540,000	9/6/13	50	77	20 PARKRIDGE RD	101	715,975
7/31/13	29	36	78 OLD CONN PATH	101	1,110,000	9/8/13	40	070D	1604 WISTERIA WAY	102	698,500
8/1/13	25	11	34 RICH VALLEY RD	101	750,000	9/8/13	53	029C	202 WILLOWBROOK	102	595,000
8/1/13	47B	70	163 SCHOOL ST	109	979,000	9/10/13	38	118H	261 OLD CONN PATH	101	714,000
8/2/13	14	34	61 GLEZEN LN	101	612,000	9/10/13	47A	2	28 BAYFIELD RD	101	295,000
8/2/13	16	66	8 WEBSTER LN	101	1,285,000	9/11/13	23	164	14 RIVER ROCK WAY	102	654,750
8/6/13	48	154	10 GREGORY LN	101	630,000	9/13/13	16	57	29 OLD WESTON RD	101	1,166,000

\*2013 Arms Length Sales are in the process of being validated and may be modified

LUC= Land Use Code (101-Single Family, 102-Residential Condominium, 104-Two Family, 106-Vacant Lot with an outbuilding, 109-Two Dwellings on 1 Lot, 130-Vacant Land)

Sale Date	Map	Lot	Address	LUC	Sale Price	Sale Date	Map	Lot	Address	LUC	Sale Price
9/15/13	1	25	15 GROVE ST	101	690,000	11/8/13	11	66	4 FOLSOMS POND RD	101	2,000,000
9/16/13	42D	36	35 PILGRIM PATH	101	551,450	11/15/13	4	60	8 YORK RD	101	594,000
9/20/13	47B	20	282 MAIN ST	101	325,000	11/18/13	36C	61	26 OVERLOOK RD	101	850,000
9/20/13	46D	97	9 PARKRIDGE RD	101	315,000	11/19/13	47B	30	20 SUNSET RD	101	460,000
9/25/13	45	098D	7 PICKWICK WAY	102	480,000	11/22/13	15	54	6 SQUIRREL HILL RD	101	1,025,000
9/26/13	39	24	8 BRIDLE PATH	101	1,110,000	11/26/13	11	64	142 GLEZEN LN	101	800,000
9/30/13	24	95	209 BOSTON POST	101	425,000	11/26/13	43D	9	280 COCHITUATE RD	101	555,000
9/30/13	33	023S	6 GREEN WAY	102	315,000	11/26/13	40	023B	513 HAYFIELD LN	102	850,000
9/30/13	51B	11	2 MELVILLE PL	101	280,000	11/27/13	1	31	10 HAMPSHIRE RD	101	792,500
10/1/13	43C	54	11 WAMPUM PATH	101	480,000	11/27/13	40	4	132 RICE RD	101	360,000
10/7/13	43A	54	30 RICE SPRING LN	101	617,000	12/2/13	45	58	1 STEEPLETREE	102	420,800
10/16/13	24	128	22 PLAIN RD	101	999,900	12/5/13	7	36	7 RED BARN RD	101	575,000
10/17/13	56	1	24 LANGDON RD	101	680,000	12/5/13	45	071B	14 HILLSIDE DR	102	480,900
10/18/13	51D	13	21 FRENCH AVE	104	465,500	12/11/13	8	5	59 LINCOLN RD	101	930,000
10/21/13	42D	104	64 SYCAMORE RD	101	404,000	12/12/13	23	45	25 COCHITUATE RD	322	189,000
10/28/13	45	045C	7 INDIAN DAWN	102	398,000	12/12/13	24	162	25 GLEN RD	101	412,500
10/30/13	46B	65	2 BEECH RD	101	260,000	12/13/13	51C	65	10 CHARLES ST	101	542,500
10/31/13	25	110	14 BIGELOW RD	101	840,000	12/17/13	18	84	63 CONCORD RD	101	385,000
10/31/13	38	176	222 OLD CONN PATH	101	654,700	12/18/13	56	016A	100 PINE ST	101	900,000
10/31/13	47B	44	21 LAKEVIEW RD	101	419,000	12/18/13	55	002H	7 GRIFFIN CIR	101	553,000
11/1/13	38	64	8 OLD FARM CIR	101	660,000	12/19/13	18	28	75 OLD SUDBURY RD	101	1,550,000
11/1/13	23	128	25 HASTINGS WAY	102	629,000	12/19/13	34	33	22 SHAW DR	101	800,000
11/1/13	39	031B	26 SHAW DR	101	480,000	12/23/13	24	31	176 BOSTON POST RD	101	480,000
11/4/13	53	036A	310 WILLOWBROOK DR	102	610,000	12/23/13	39	21	7 BRIDLE PATH	101	857,500
11/5/13	4	23	12 RED BARN RD	101	769,000	12/31/13	40	072C	1803 WISTERIA WAY	102	617,000
11/7/13	11	090B	6 DYLAN'S CR	101	1,215,697						

\*2013 Arms Length Sales are in the process of being validated and may be modified

LUC= Land Use Code (101-Single Family, 102-Residential Condominium, 104-Two Family, 106-Vacant Lot with an outbuilding, 109-Two Dwellings on 1 Lot, 130-Vacant Land)

## REPORT OF THE COMMUNITY PRESERVATION COMMITTEE

The provisions of the Community Preservation Act (CPA) were adopted at the Annual Town Meeting in 2001. The Community Preservation Committee was formed at that time and its responsibilities are to identify and evaluate potential community preservation projects and, if appropriate, submit project recommendations in the form of articles at town meeting. The CPA requires that the projects focus on open space, historic preservation, and community housing. Funds can also be used for the acquisition, creation or preservation of land for recreational purposes. The Committee currently consists of nine members, one each from the Planning Board, Historical Commission, Recreation Commission, Conservation Commission, Housing Commission, Department of Public Works, and three members appointed by the Board of Selectmen.

**CPA Revenue** – Since the adoption of the CPA in 2001 through fiscal 2014, Wayland has received \$7,735,566 from the residential property tax surcharge, including interest, and \$4,288,769 in matching State Trust Fund distributions, for a total revenue of \$12,024,336. The funds collected are known as the Community Preservation Fund and are held and administered by the Town’s Treasurer. Below is the list of the amounts approved at Town Meeting and the balances remaining.

<b>Project</b>	<b>Amount</b>	<b>Year Approved</b>	<b>Unexpended Balance</b>
Repair of Town's historic gravestones	\$65,000	2003	
Study to create railroad interpretive site	\$15,000	2003	
Environmental testing at former Nike site	\$35,000	2003	
Repair/Restore historic markers	\$5,000	2004	\$4,000
Acquire 2.75 acres at Nike site for affordable housing and to provide funds for demolition and site preparation	\$500,000	2004	
Site preparation and demolition on remaining 11 acres of open space at Nike site	\$100,000	2004	
Administrative costs of CPC – expended \$3800 for appraisal of Moon property on Reservoir Road	\$10,000	2004	
Set aside funds for acquiring open space in the future	\$600,000	2004	
Acquire Gilbert land on Brackett Road for conservation purposes	\$100,000	2005	
Architectural, engineering and site planning at Nike site	\$40,000	2006	
Community gardens at landfill and the intersection of Route 30 and Plain Road	\$8,750	2006	
Artificial turf at the high school athletic field	\$300,000	2006	
Weed management techniques, aerial scanning and nutrient analysis at great ponds	\$75,000	2006	\$5,000
Acquisition of seven acres of land on Reservoir Road subject to a perpetual conservation restriction to be held by Sudbury Valley Trustees, Inc.	\$211,000	2007	
Set aside funds for acquiring open space in the future	\$900,000	2008	
Fund an additional portion of costs related to construction of community housing units on the Nike site	\$560,000	2008	
Provide funds for the remaining work necessary to make the passive and active recreation land at former Nike site available for public use	\$250,000	2008	\$78,309
The rehabilitation and preservation of the Town-owned former railroad freight house located at 1 Concord Road next to the Town Library	\$50,000	2008	
Administrative costs of the CPC to be expended for appraisals, association dues, and similar expenditures	\$25,000	2009	
Provide funds for an assessment of the preservation and conservation needs of the Town's historical collections	\$10,000	2009	

Provide funds for the purpose of engaging an engineering firm to evaluate the environmental and engineering related to a proposed Wayland Rail Trail	\$25,000	2010	\$21,600
Provide funds for renovations to the Vokes Theatre	\$6,000	2010	\$600
Provide funds for the purpose of engaging a land planner and appraiser for the purpose of determining the value of Mainstone Farm and a proposed conservation restriction on a portion of such land	\$40,000	2010	\$750
Provide funds for professional services to study the feasibility of the disposition and use of the town-owned parcels in the Dudley area	\$35,000	2010	
Provide funds for the purpose of authorizing the Historical Commission to engage a firm to preserve and digitize selected Wayland historic documents held in the Town's vault	\$160,000	2011	
Provide funds for pre-permitting and due diligence testing of Town owned land on Boston Post Road	\$90,000	2012	\$72,638
Provide funds for site development for an affordable housing project on Stonebridge Road.	\$356,000	2012	\$170,459
Improve memorial and monuments	\$5,000.00	2012	
Study and design athletic fields at Loker Conservation and Recreation Area	\$92,000	2013	\$89,708
Administrative costs of the CPC to be expended for appraisals, association dues, and similar expenditures	\$25,000	2013	\$22,656
Provide funds to purchase conservation restriction on Lincoln Road Fields	\$2,400,000	2013	\$2,400,000
<b>TOTAL</b>	<b>\$7,097,750</b>		

## REPORT OF THE HIGH SCHOOL BUILDING COMMITTEE

This report describes the work of the High School Building Committee (HSBC) during the past year since the Annual Town Meeting (ATM) of April 2013. The HSBC is pleased to report that the project was completed on schedule and under budget. The total project cost of \$68.2 million is \$2.6 million under the original budget of \$70.8 million voted at the November 2009 Special Town Meeting (STM). The Massachusetts School Building Authority (MSBA) completed its audit in July 2013. The MSBA final grant amount was \$22.4 million and represents 40% of eligible reimbursable expenses for the Wayland High School Project.

### Summary

<u>Amounts Voted at November 2009 STM</u>		<u>Actual Results as of April 2014 ATM</u>	
Total approved budget	\$70.8 million	Total project cost	\$68.2 million
MSBA proposed grant up to	\$25.0 million	MSBA actual grant	\$22.4 million
Wayland budgeted share	\$45.8 million	Wayland actual share	\$45.8 million





**Wayland High School site aerial photo taken on November 24, 2012 shows the new buildings and renovated Field House and new parking lots.**

The HSBC was disbanded on September 30, 2013 nearly ten years after its first meeting in January 2004. Since last year's Annual Town Meeting, the HSBC met five times for a total of 146 regular meetings since January 2004. The last five meetings focused on working with the project professionals from HMFH Architects, KV Associates (Owner's Project Manager), and Shawmut Design and Construction Company (Construction Manager) in a variety of areas. Specifically, the HSBC and project team:

- Reviewed/approved invoices and change orders
- Prepared for project closeout regarding "as built" drawings, warranties, attic stock, operating manuals, training, commissioning, closeout permits, and punch list items
- Conducted reconciliation of expenditure reporting through MUNIS and KVA
- Submitted information to the MSBA for the final audit and negotiated the final grant amount
- Continued addressing post-occupancy work including work under warranty, remedy for Field House snow slide, lightning protection, outfalls, drainage near South Building, security cameras, auditorium lighting, signage, roadway striping, landscaping, etc.

### **Project Description**

The project, designed for 900 students, is composed of the South Building, a new 103,000-squarefoot building with classrooms, science labs, library/media center, and lecture hall and the North Building, a new 53,000-squarefoot building with dining commons, administration, guidance, music and art classrooms, fitness room, and auditorium. The existing Field House (40,000 square feet) renovation included new roof, locker rooms, elevator, and upgrades for plumbing, electrical, heating, ventilation, and seismic systems. The new buildings were constructed on the old parking lots. New parking lots were constructed on the site of the old buildings. There is a new wastewater treatment plant (WWTP) on the north side of the campus.

The HSBC set a very aggressive schedule in order to minimize costs and disruption. The project team met its goals by opening the renovated Field House in time for the start of school in September 2011 and opening the

new classroom building and arts/admin building on January 3, 2012. Demolition of the old buildings, construction of the parking lots and walkways, and landscaping was ongoing through the summer of 2012. The project was essentially completed in August 2012 with a ribbon cutting. Work since the ribbon cutting addressed post-occupancy adjustments, warranty related issues, commissioning, project closeout details, and the final audit with the Massachusetts School Building Authority (MSBA).

### **Conclusion**

The High School Building Committee was committed to managing a high quality project that was on schedule and within budget. Work on this project was a team effort that included Wayland's taxpayers, Town Boards and Departments, the Wayland School Committee, School administration, faculty, staff, students and their families, neighbors, the Massachusetts School Building Authority, and our design, project management, and construction professionals.

We are very grateful for the support of the community for the Wayland High School project over these many years.

Respectfully submitted,

Lea T. Anderson, HSBC Chairman (retired)

High School Building Committee Members (retired)

Lea Anderson	David Lash
Dianne Bladon	Joe Lewin
Brian Chase	Cindy Lombardo
Jim Howard	Eric Sheffels
Fred Knight	Jennifer Steel

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## **REPORT OF THE OPEB ADVISORY COMMITTEE**

This report provides some background on the subject of Other Post-Employment Benefits ("OPEB") and describes the work of the OPEB Advisory Committee since its creation in June 2013.

### **OPEB Summary**

The focus on OPEB began in Wayland several years ago and gathered steam last spring with the appointment of the OPEB Advisory Committee. The focus on OPEB has resulted in significant positive financial impact on the Town's taxpayers. As a quick summary, the OPEB Investment Account under professional management has now produced about \$1.6 million in investment returns in the past 20 months. The investment return prior to Wayland's focus on OPEB was nearly zero. The Warrant Article being presented at the 2014 Annual Town Meeting includes a motion to transfer approximately \$600,000 from the various fee-based enterprise funds to the general fund. Another \$500,000 in parity transfers will be forthcoming from fee-based programs over time. A Medicare plan cost saving of \$141,000 per year has been realized beginning January 2014. Adding it all together comes to over \$2.8 million. Not all of the savings have been realized as cash in hand, but some of the cost savings recur annually in the future.

In addition, the town's annual contribution to its OPEB Investment Account has been more than cut in half, saving approximately \$430,000 in FY2015 by more accurately estimating the future OPEB expense and liability. As a result of the reduced liability, the Committee now recommends a long-term funding strategy that will grow the OPEB Investment Account to approximately \$79 million rather than \$103 million, saving the Town nearly \$24 million through 2038. It is our hope that, by continuing our work, additional cost savings will further reduce the annual contribution that the Town will need to make, but there is a considerable amount of work to be done to reach that goal.

**OPEB in Wayland**

OPEB generally means any benefits other than pensions provided to retirees and paid for by their former employers. Typically these benefits might include health, life, dental, disability or other insurances. In Wayland's particular case, OPEB is almost entirely about providing health insurance to its retirees.

Wayland has been providing health insurance benefits to its retirees for decades. Based on the OPEB Committee's historical research, the Town formally voted in the town election of March 1968 to pay for at least half of health insurance premiums for retirees. Subsequent votes by Wayland voters have extended these benefits to surviving spouses and dependents.

**GASB's Role in OPEB Accounting**

GASB stands for the Governmental Accounting Standards Board, the organization which defines generally accepted accounting principles used by all state and local governments in the United States in preparing their financial statements. Standard accounting principles allow citizens, banks, investment analysts, rating agencies, bondholders and other stakeholders to know that municipal financial statements are consistently prepared from town to town according to GASB rules. GASB has defined accounting standards since 1984 by issuing "Statements" on various topics. GASB Statement 45, or "GASB 45" for short, was issued in June 2004 and prescribes very specific actuarial and accounting rules in how to estimate, recognize and report OPEB expenses and liabilities for state and local governments of all sizes.

GASB 45 now requires state and local governments to report an explicit estimate of OPEB liability in their financial statements as well as their progress toward funding the liability. Previously nearly all state and local governments had been promising OPEB to their employees for decades but hadn't been saving for it or even estimating it. Instead, the governments have simply been paying for OPEB on a "pay as you go" basis. The financial concern is that state and local governments have built up large accrued but unfunded OPEB liabilities that will be difficult or impossible to pay as today's employees retire and begin to receive OPEB. GASB's intent in compelling disclosure is to avoid governmental bankruptcies such as that of the City of Detroit. Since the time GASB 45 was issued and implemented, OPEB expense is now accrued each year and each government must disclose how much they are contributing toward their unfunded OPEB liability. GASB 45 recommends a 30 year amortization schedule to fund the accrued liability. Significantly, GASB 45 does not currently mandate that state and local governments actually adopt any particular funding schedule for OPEB. GASB 45 also does not currently require that the OPEB liability be shown directly on a government's balance sheet. Instead the OPEB liability is described in the notes to the financial statements along with certain required supplementary information. GASB's stance on these two points may change in the future.

Wayland's independent auditor Melanson Heath & Company audits Wayland's annual financial statements according to GASB rules, including GASB 45, and their opinion letter attests to this fact. Their unqualified opinion on the overall fairness and accuracy of Wayland's financial statements is essential to Wayland maintaining its favorable rating from rating agencies such as Moody Investor Service, which recently affirmed its Aaa credit rating for Wayland.

**Segal Company's Role in Estimating Wayland's OPEB**

Given Wayland's number of employees and retirees, GASB 45 requires Wayland to use an actuarial firm to perform the OPEB valuation, which must be updated at least once every two years. Segal Company, an actuarial firm with much experience in municipal OPEB valuations, has conducted Wayland's valuations for 2007, 2008, 2010 and 2012. All of these valuations are available on the Town's website.

The actuarial estimation of OPEB is quite complex, estimating what future health insurance will cost for current employees, even though the health benefits won't be paid for years or for decades. To determine this estimate, the actuary needs to make assumptions and statistical judgments about:

1. How likely it is that each active employee will stay employed by Wayland long enough to become eligible for OPEB

2. After employees work long enough to become eligible for OPEB, how soon will they choose to retire, given our pension plans
3. How long current and future retirees will live after they begin receiving OPEB
4. How likely it is that they are married in retirement, and how long their surviving spouse will live
5. Using an estimate of healthcare cost inflation, how much will health insurance cost decades in the future for Wayland’s 14 non-Medicare plans and 6 Medicare plans that retirees may choose.
6. What kind of investment return Wayland will achieve on the money deposited in its OPEB Investment Account.

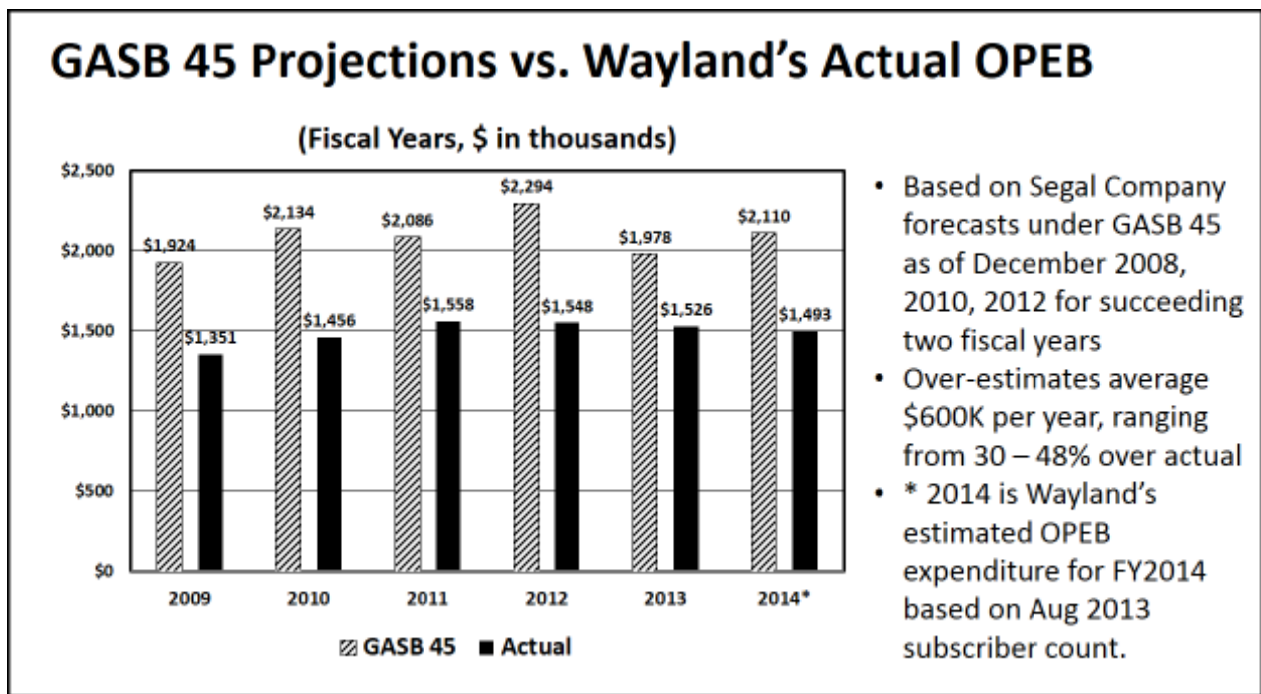
**Wayland’s OPEB Appropriation Process and OPEB Advisory Committee**

Following the controversy over excess contributions to the OPEB Investment Account made without sufficient oversight and review by voters, the October 2012 Special Town Meeting adopted a Town By-Law that requires Town Meeting to explicitly appropriate Wayland’s OPEB contributions each year. In addition, in June 2013 the Board of Selectmen created the OPEB Advisory Committee. The charge of the Committee is to restore the public’s faith that the Town is properly funding retiree health insurance and that the OPEB Investment Account is being managed appropriately. The Committee is also to develop a plan for containing the current and long-term costs of OPEB. To ensure a wide diversity of views, the Committee of five includes representatives from the Finance Committee and Personnel Board (David Gutschenritter and Maryanne Peabody, respectively) as well as three Members at Large (Kent George, Clifford Lewis and Jay Sherry).

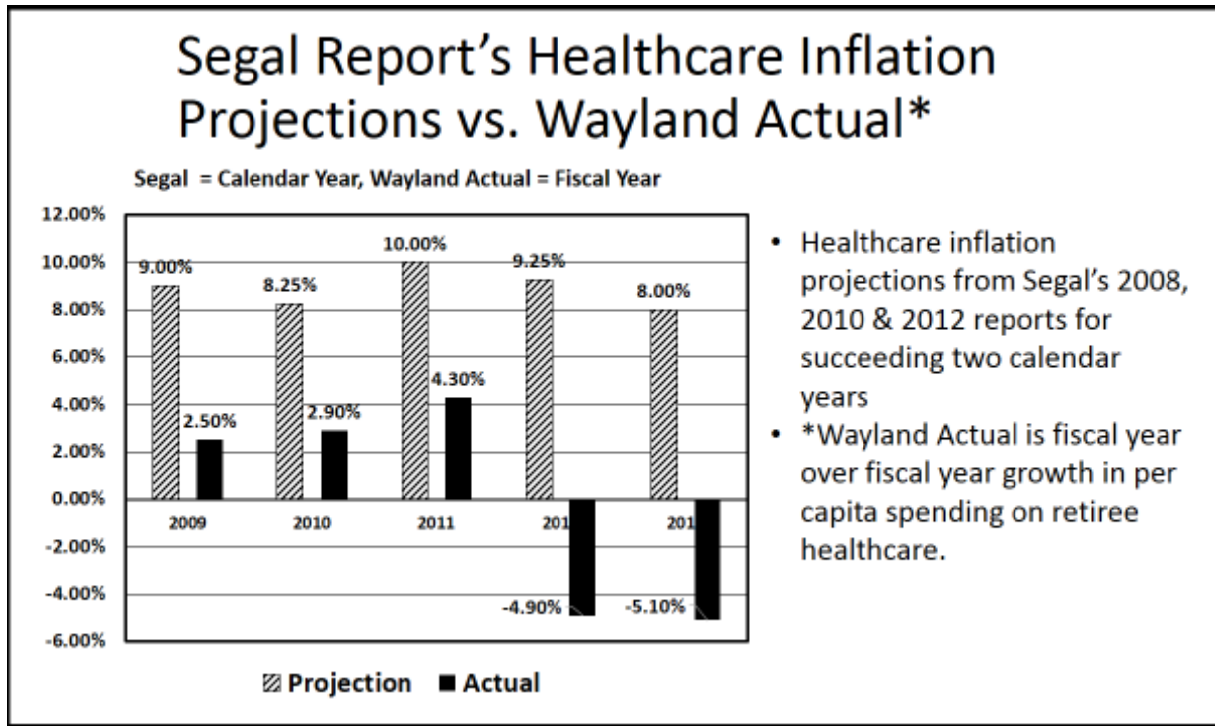
The Committee has met more than twenty times in open session since its formation. It reported its recommendations to the Board of Selectmen in mid-December 2013, shared its results with the Finance Committee and School Committee in early January 2014 and has scheduled a Public Information Session for March 11 2014. Among the Committee’s key findings and recommendations:

**Wayland Should Base Its OPEB Investment Account Contributions on Premium-Based OPEB Projections**

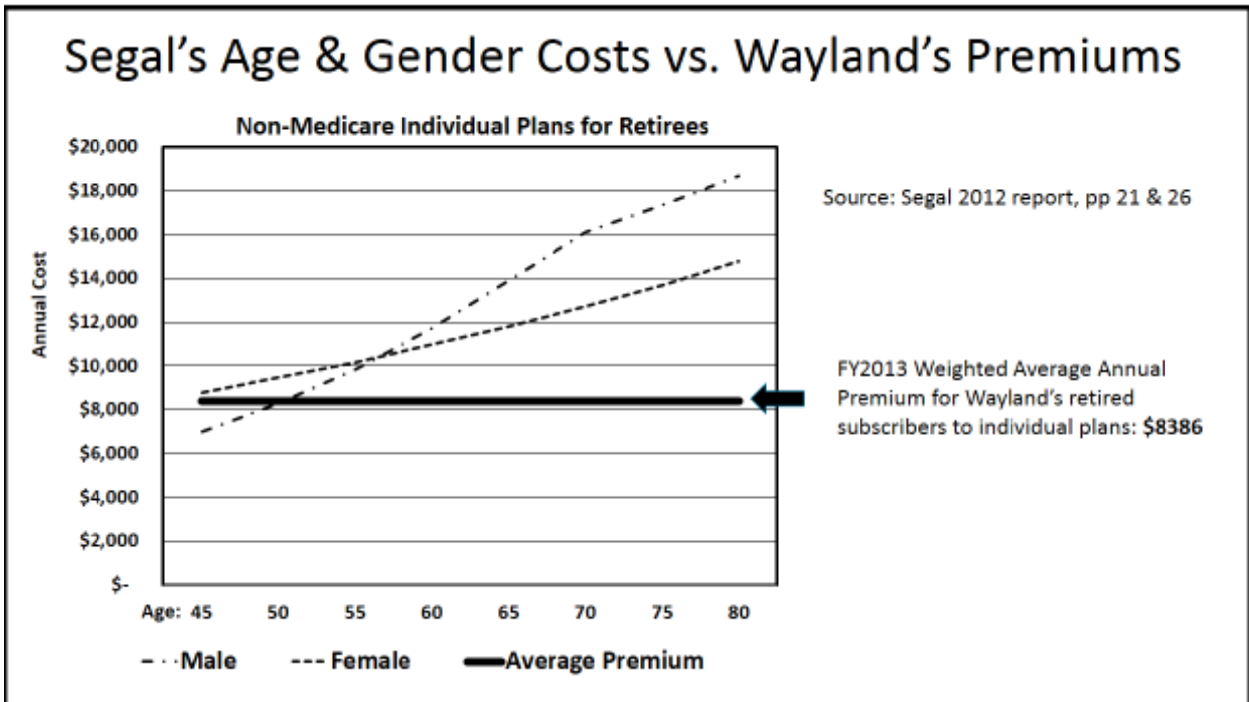
The Committee’s analysis of the last six years indicates that all past GASB 45 estimates of Wayland’s OPEB payments are too high compared to Wayland’s actual experience:



The Committee’s analysis also shows that past healthcare Inflation projections are consistently too high compared to Wayland’s actual experience:

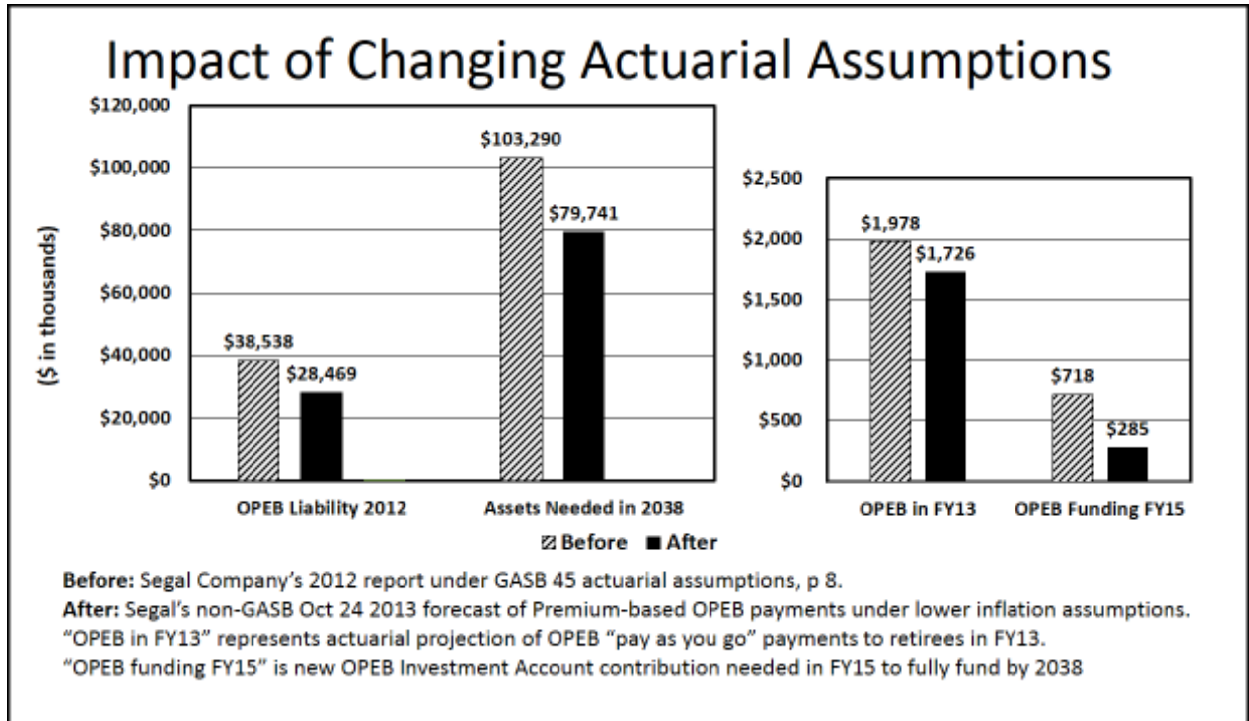


The Committee’s detailed review of Statement 45 of GASB revealed that Wayland’s actuary is required to create an actuarial estimate of what the age- and gender-adjusted healthcare claims costs would be, rather than using the net premiums actually paid by Wayland to West Suburban Health Group. The actual premiums paid by Wayland don’t differentiate between age and gender. The premiums only vary for individual vs. family, and Medicare vs. non-Medicare plans for each of the four insurers:



The Committee believes that this subtle technical requirement of GASB 45 accounts for much of the 40% over-estimate of GASB 45 projections vs. the reality of what Wayland actually pays for OPEB.

The Committee requested in October 2013 that Segal Company re-run its OPEB projection using the starting point of Wayland's actual premiums paid in 2013, and with a more modest near-term inflation assumption of 4% - 5% rather than 8% - 5%. We insisted that the unfunded OPEB liability still be reduced to zero by 2038, consistent with the funding target date we first established back in 2008. We also used the same assumption of a 7% annual return on OPEB Investment Account assets. The results were dramatically smaller than the GASB 45 projection:



On the basis of this premium-based OPEB projection, the Committee recommends that Wayland make its OPEB Investment Account contribution of \$285,425 for FY2015 shown in the OPEB Article in this 2014 Warrant. Note that while the Committee endorses this lower premium-based funding level, higher GASB 45 projections must still be disclosed in Wayland's financial statements.

**Enterprise & Revolving Funds Should Make Catch-Up Contributions to OPEB for Parity and Equity**

The Town of Wayland has a considerable number of fee-based programs, generally known as "Enterprise Funds" or "Revolving Funds". The intent of these fee-based programs is that they are user supported as opposed to being supported by the general taxpayer. All the costs of the fee-based programs are to be borne by the program users. There are seven major fee-based programs that have employees who are OPEB-eligible. The Wayland Water Department is an example. All users of water in Wayland pay fees to the Water Department Enterprise Fund based on water consumption. The water fees must cover the costs of running the water department including all costs for its approximately nine employees. Full Day Kindergarten and The Children's Way are similar fee-based programs, supported by user fees.

None of the fee-based programs have a means of directly providing their employees with OPEB. Instead, OPEB is provided by the Town, and to date the Town's taxpayers have contributed the lion's share of OPEB. Based on the proportion of their OPEB-eligible employees, the fee-based programs should have contributed approximately \$1.2 million to the OPEB Investment Account for FY2008 to FY2014, but instead have contributed approximately \$98,000.

The proposed OPEB article in this Warrant makes considerable progress in correcting this imbalance by transferring approximately \$600,000 from fee-based programs back to free cash this year, returning money to taxpayers.

Fortunately, five of the seven major fee-based programs have sufficient balances to be able to match the Town's per capita OPEB contributions this year. However, the Food Services program and The Children's Way program do not have a sufficient balance. For the Food Services and The Children's Way programs, the OPEB Committee and the School Committee have agreed that each program will contribute an amount each year that will cover their current year OPEB contribution plus an additional transfer of \$25,000 per year until such time as the per capita contribution matches what has been made to date by the Town on behalf of its employees.

**Wayland Should Look to Implement Additional OPEB Cost Reductions**

Beginning January 2014, the Town is realizing a cost reduction of \$141,000 per year in the cost of its Medicare plans. The Committee believes further cost reductions are possible.

It is the intent of the OPEB committee to explore with the Selectmen and the Personnel Board other cost reduction ideas going forward. Areas to explore include additional new health plan options and changes to contribution rates over time. The Committee believes that the Town would need to establish a transition plan to protect current retirees in and those near retirement as well as a hardship review board for those in financial need. There is pending legislation submitted by Governor Patrick in the State House that could affect OPEB for towns and municipalities.

**OPEB Investment Account Returns Are Critical**

Meeting Wayland's long-term investment return target of 7% per year is essential to holding down the size of future contributions made by general taxpayers and fee-based programs to the OPEB Investment Account. This is a key driver of how Wayland funds its OPEB liability by 2038. A 7% return means each dollar invested produces \$5.80 in 26 years. If the investment return falls short of 7%, the value falls dramatically. For example, at 5%, the value of one dollar becomes only \$3.56 and at 3%, the value becomes only \$2.16. Shortfalls in investment return must be made up by taxpayer and program contributions if we are to fund our OPEB liability by 2038.

Since April 2012, two investment management firms, Rockland Trust Company and Bartholomew & Company, have each been managing about half of the OPEB Investment Account. In January 2014 the Committee met with each of the firms' personnel to review their progress. The firms have been able to produce a combined annualized return of about 8.5%, which is extremely important to achieving our goals. Each dollar invested at 8.5% for 26 years produces a value of \$8.30.

The Committee was very disappointed to learn that the OPEB Investment Account had produced little or no return from May 2008 through April 2012, as it was held in what amounts to a bank savings account. The forgone benefit to the Town has been calculated to be about \$3 million. There is no way to get the \$3 million back, but we are very pleased to report that the Investment Account has grown by over \$1.5 million under proper investment management. The OPEB Investment Account balance was approximately \$11.5 million on December 31, 2013.

The Committee believes it is possible to meet or exceed the investment return target going forward. Working with Wayland's Treasurer, we will formulate a revised investment policy for our investment managers for 2014 and beyond. We are well aware that there are a number of outstanding investment professionals who live in Wayland. If you are in this category, we would be most appreciative if you would be willing to help with a modest contribution of your time. Great investment management will make the biggest difference in the OPEB Investment Account and produce the greatest benefit to the Town.

**Other Recommendations**

Much has been accomplished in the eight months since the OPEB Advisory Committee began its work, but there is a lot more to do. Following Town Meeting, we intend to get on with the balance of the agenda which includes:

- 1) **Explore setting up a true OPEB Investment Trust.** We will determine if the current legal structure is adequate and sufficient for our OPEB Investment Account, or if there is a better legal structure. There are pros and cons associated with having a formal trust agreement, with trustees and defined beneficiaries. There may be a benefit to town employees of further protecting OPEB Investment Account assets from Wayland's creditors. Offsetting this benefit are the complexity and cost of setting up, administering and auditing the trust. We are beginning to explore both sides of the equation.
- 2) **Explore further OPEB contributions from the smaller fee-based town programs.** The proposed Warrant Article only addresses the seven largest fee-based programs in town. There are 40 or so



smaller programs, all of which have some sort of compensation expense. We have not examined appropriate OPEB contributions from these smaller programs.

- 3) **Potential OPEB Cost Recovery from Other Municipalities.** The Committee believes that there may be several current and future Wayland retirees some of whose creditable service was earned by other municipalities. The law permits pro rata recovery of OPEB expense based on the proportion of creditable service earned per town. Example: an employee works 10 years in Sudbury, followed by 10 years in Wayland and then retires with 20 years of creditable service. Currently, Wayland pays for 100% of the retiree’s OPEB but could recover 50% from Sudbury. This would go against Wayland if the facts were reversed.

The Town of Wayland is not making a final irrevocable decision in 2014 on a project as large and complicated as OPEB. We will be revisiting our actuarial projections thirteen more times by 2038 as we make progress toward full funding, and we will make at least that many mid-course corrections in our OPEB funding decisions as our investment returns and cost savings are realized.

The OPEB Advisory Committee recommends that the Town continue its ongoing long-term management and attention to the OPEB challenge in future years.

Respectfully submitted,

Clifford Lewis, CFA, OPEB Advisory Committee Chairman

This Report was unanimously approved by OPEB Advisory Committee Members on March 4, 2014:

<i>Name</i>	<i>Telephone</i>	<i>Email Address</i>
Kent George	508-740-8997	kentgsr63@gmail.com
David Gutschenritter	508-651-0589	djgutschenritter@statestreet.com
Clifford Lewis	508-358-4973	cliffordlewis66@gmail.com
Maryanne Peabody	508-651-7071	peabody@stybelpeabody.com
Jay Sherry	508-308-3422	sherry.jay@gmail.com

*Disclosure: Jay Sherry’s wife is a teacher at Wayland High School. If and when she retires from Wayland, she and Jay will receive OPEB, thus a potential conflict of interest exists. This potential conflict was made known to the Board of Selectmen and other Committee members in June 2013 and the requisite disclosure form is on file with the Town Clerk.*

## REPORT OF THE YOUTH ADVISORY COMMITTEE

The Youth Advisory Committee oversees the Youth and Family Services Department, otherwise known as Wayland Youth and Family Services (WYFS). This board is comprised of appointees from the School Committee, the Board of Selectmen, the Board of Health, the Clergy Association, and the Police Department.

Five categories of services are provided by the department: counseling; consultation; community education and prevention; information and referral; and crisis intervention. After hours emergency coverage is provided by Psychiatric Emergency Services in Framingham.

Confidential counseling services for children and their families are provided free of charge to Wayland children and their families. They are seen at home, at school, or in our office in the Town Building. Issues may include typical problems encountered in daily living as families grow and change, such as communication problems, family conflict, stress management, depression and anxiety, suicidality, and coping with divorce, illness, and death. In addition, we offer evaluation and treatment for substance abuse. In collaboration with the Wayland Police and the High School, our Diversion Program offers a constructive alternative to court involvement for

youth who are apprehended for non-violent illegal activities. We maintain an on-site presence at the high school to increase access for students and faculty.

Our staff is available on an informal basis to provide consultation on issues related to the development and psychological wellbeing of children, teenagers, and families. Parents, school personnel, and others in our community who have ongoing contact with youth are invited to call.

Prevention and community education initiatives typically focus on topics related to developmental processes and mental and physical well-being of children and families. In collaboration with Friends of WYFS, WaylandCares, Parent/Teacher Organizations, and other Town departments, we provide lectures, workshops, and other informative events each year. We also lead discussion groups for parents, offering support and information to address challenges in parenting at each stage of development. Conversations That Count are another parent offering, and center on providing up-to-date information and facilitated discussion on topics selected by the parent group.

In recent years, providing opportunities for community service has become an important part of our mission to support healthy development in Wayland youth. Each spring, we work with the High School to put on the annual High School Community Service Awards evening, where this past year we recognized 23 high school students for significant service over the previous twelve months. They served in 51 sites/activities for a total of 1753 hours. Also honored was Wendy Price, for her many contributions over the years to the Wayland Public School community, and the wider community, as well. As in past years, our department offered an 8 week Summer Community Service Program, led this year by Jennifer Parra. This year 35 high school students volunteered, sometimes several times per week, at their choice of 18 sites/activities.



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

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before March 18, 2014.

Given under our hands and seals this 17<sup>th</sup> day of March, 2014.

Anthony V. Boschetto, Vice Chair  
Edward J. Collins  
Steven J. Correia  
Joseph F. Nolan  
**Selectmen of the Town of Wayland**

Thomas Greenaway, Chair  
Nancy Funkhouser, Vice Chair  
David J. Gutschenritter  
Cherry C. Karlson  
Carol B. Martin  
William Steinberg  
Gil Wolin  
**Finance Committee of the Town of Wayland**