

TOWN OF WAYLAND

WARRANT

With Report of the Finance Committee



2009 ANNUAL TOWN MEETING

**Monday, April 13, 2009 7:30 P.M.
Wayland High School Field House**

SPECIAL TOWN MEETING

**Wednesday, April 15, 2009 7:30 P.M.
Wayland High School Field House**



ANNUAL TOWN ELECTION

Tuesday, April 7, 2009

**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

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: Assistant 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, 8:30 a.m. to 7:00 p.m.
Tuesday to Thursday, 8:30 a.m. to 4:00 p.m.
Friday, 8:30 a.m. to 12:30 p.m.

Individuals who need auxiliary aids for effective communication in programs and services of Wayland are invited to make their needs and preferences known to the ADA Compliance Coordinator. A minimum of fourteen days' notice is required.

Note: A limited number of assistive listening devices are available for Town residents with hearing impairment. Please present your ID to the Assistant Town Clerk at the check-in table to obtain a device.

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



TOWN OF WAYLAND

2009 ANNUAL AND SPECIAL TOWN MEETING WARRANT

With Report of the Finance Committee

TABLE OF CONTENTS

About Town Meeting	1
Report of the Finance Committee (Including Tables and Five-Year Capital Plan)	3
Notice: Election and Annual Town Meeting	17
Volunteer to Serve Your Town	123

ANNUAL TOWN MEETING ARTICLES

1. Resolution to Endorse the Work of the Wayland Charitable Committee	18
2. Recognize Citizens and Employees for Extensive Service to the Town	19
3. Hear Reports	19
4. Choose Town Officers	19
5. Current Year Transfers	20
6. FY 2010 Omnibus Budget	21
7. Feasibility/Schematic Design Services for Wayland High School	30
8. Wayland Sudbury Septage Treatment Facility Budget	32
9. Wastewater Management District Budget	34
10. Personnel By-laws and Wage and Classification Plan	36
11. Increase Demand Charge for Delinquent Taxes	37
12. Accept Law Increasing Real Estate Tax Exemption Amounts	38
13. Amend Section 19-8 of the Code of the Town of Wayland to Set Deadline for Filing Applications for Local Circuit Breaker Program	38
14. Set Aside Community Preservation Funds for Later Spending	39
15. Compensation for Town Clerk	40
16. Pay Previous Fiscal Year Unpaid Bills	40
17. Sell or Trade Vehicles and Equipment	41
18. Accept Gifts of Land	41
19. Resolution to Incorporate Full List and Measure in Capital Plan	42
20. Amend Article II, Chapter 1 of Town By-law re: Non-criminal Disposition of Violations	43
21. Authorize Town Clerk to Edit By-law Paragraph Numbering	44
22. Change Date That Elected Town Officials Take Office	44
23. Change the Range of Dates for the Annual Town Meeting	45
24. Change Deadline for the Submission of Annual Town Meeting Warrant Articles ...	46
25. Make Certain Town Officials Ex-Officio Town Meeting Members	47
26. Establish Water Department Enterprise Fund	48
27. Accept York Road as a Town Way	51

28. Amendment Town Code Section 198 – Establish Cochituate Village Overlay District	52
29. Sell Town-owned Land on Dudley Road	60
30. Acquire 41 River Road Open Space Land Amend Section 19-8 of the Code of the Town of Wayland	61
31. Resolution for Fair and Equitable Transfer Station Sticker Fees	62
32. Amend Town Code to Increase Fine for Tobacco Violations	64
33. Amend Town Code to Establish Fines for Improper Dumping of Solid Waste at the Town Landfill/Transfer Station	65

SPECIAL TOWN MEETING ARTICLES

1. Approval of a Stabilization Fund by the Minuteman Regional Vocation Technical School District	66
2. Amend Town Code Chapter 198, Section 23 – Mixed Use Overlay District	67
3. Acquire and Dispose of Wastewater Treatment Plant Site	69
4. Accept Law Allowing Historic District Commission Members to Miss One Session of Adjudicatory Hearings	71
5. Authorize Town to Indemnify Massachusetts School Building Authority	72
6. Cochituate Architectural Preservation District By-Law	73

APPENDICES

Appendix A. The Moderator's Rules and Regulations Governing Wayland's Town Meetings	81
Appendix B. Hear Reports	89
Appendix C. Choose Town Officers	100
Appendix D. Development of DPW and Facilities Budgets	101
Appendix E. Personnel By-Laws and Wage and Classification Plan	102
Appendix F. Massachusetts General Laws Chapter 60, Section 15	108
Appendix G. Code of the Town of Wayland, Chapter 36, Section 1	109
Appendix H. Code of the Town of Wayland, Chapter 36, Section 3	109
Appendix I. Map of York Road Taking	110
Appendix J. Map of Dudley Road	111
Appendix K. Map of 41 River Road	112
Appendix L. Map of Wastewater Treatment Facility Land Swap	113
Appendix M. Proposed Cochituate Preservation District (Map, List of Properties in Proposed District, Town Counsel Legal Opinion)	114

ADJOURNED MEETINGS

It is anticipated that if adjourned meetings are necessary to complete action on these warrants, they will be held on the following dates at 7:30 p.m., subject to Town Meeting approval:

April 15	- Wednesday
April 16	- Thursday

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 Monday, March 30, 2009, at 8:00 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 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; i.e., 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 deal. 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 (Appendix A). Copies of the pamphlet, "The Moderator's Handbook for Wayland Town Meetings," are available at the Selectmen's Office in the Wayland Town Building, the Wayland Public Library, or by calling (508) 358-3621.

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.

RULES OF CONDUCT FOR POLLING PLACES

The Moderator has determined that the Field House at Wayland High School and all other venues that may be used to conduct Wayland's town meetings are polling places within the meaning of Massachusetts General Laws Chapter 54, Section 65, because, among other things, the voters in town meeting assembled elect a number of town officers there each year.

Accordingly, no person shall be allowed to collect signatures upon petitions, referendum petitions or nomination papers nor may any person post, exhibit, circulate or distribute any poster, card, placard, handbill, broadside, picture, graphic, circular or other document intended to inform and/or influence the action of any voter within one hundred fifty feet of any such polling place including the interior of such polling place.

For further information, please see the "The Moderator's Rules and Regulations Governing Wayland's Town Meetings" on page 81 of this warrant.

NO SMOKING NOTICE

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

REPORT OF THE FINANCE COMMITTEE

To the Residents of Wayland:

The Finance Committee is pleased to present the Report of the Finance Committee and the FY2010 operating and capital budget recommendations. Wayland, like most other communities in Massachusetts, continues to feel the impact of the economic recession while confronting financial challenges caused primarily by decreasing aid from the State, lower growth in the local tax base, increasing utility costs, and continually escalating employee related costs.

The Finance Committee is able to submit a balanced FY2010 budget because of continued fiscal restraint and the use of free cash. The FY2010 budget includes for the first time, the new consolidated DPW organization structure which includes the Water department as a general operating budget department. In addition, we have reduced annual operating expenses through continuing to implement significant cost saving measures such as;

- new health care programs for both current employees and retirees,
- a consolidated department of public works,
- consolidation of schools due to changes in enrollment and synergies among town and school business functions.

During the current fiscal year we were able to absorb a mid-year reduction in our state aid allocation of about \$109,000 through the implementation of a flexible hiring freeze and discretionary spending controls.

To finance the capital portion of the budget, we are requesting a Proposition 2 ½ debt exclusion vote for \$1.806 million in town and school projects which we are pleased to announce is financed at *no additional cost to the taxpayer*. This report will highlight the operating and capital budgets and further detail the challenges of balancing the operating budget under the demanding general economic conditions and other budget constraints.

This report will also describe the Finance Committee's role as defined in the Code of the Town of Wayland as well as our mission statement and financial strategy. Additionally, it details the budget process, reviews revenues and expenses for the upcoming fiscal year (FY2010) and presents a 5-year capital plan. FY2010 non-operating budget expenses, capital requests and changes to free cash reserves are also depicted. The report concludes with a discussion of future budgetary concerns.

THE COMMITTEE

The Wayland Finance Committee is comprised of seven residents who are appointed by the Board of Selectmen. The members' three year terms are staggered which has allowed for a mix of new and more experienced members. Meetings are normally convened on Monday evenings with prior notice posted on the Town Building bulletin board and web site. Our meetings are open to the public and include a public comment period; residents wishing to offer public comment or to observe are welcome. Meeting minutes and other working documents and public presentations are available at 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 and present the Omnibus Budget (the Town's operating and capital budget), which appears as an article in the Annual Town Meeting Warrant. The Committee is also responsible for review and comment 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

The Finance Committee's strategy is to recommend the following: 1) maintenance of quality Town services supplied by an efficient workforce, 2) continued infrastructure investment via a capital spending plan, and 3) preservation of Free Cash.

BUDGET PROCESS

Work on the proposed budget for FY2010 began in August, 2008. After reviewing various budget scenarios based on probable revenue and expense changes and the economic challenges facing the town in the upcoming fiscal year, the Finance Committee issued FY2010 Budget Guidelines on September 23, 2008. Departments and boards were instructed to compile a budget that assumed:

- salary accounts adjusted for settled contract step and lane changes,
- all non salary accounts remain the same as FY2009 except for utility accounts which were increased by approximately 6% for FY2010.

As all collective bargaining agreements are in place through June 30, 2010, all salaries and wages are fully negotiated with the respective employee unions. Steps and lanes are budgeted at levels based upon these settled contracts.

A budget guideline forum was held October 14, 2008. At this forum, the Finance Committee reviewed town finances and answered questions. Municipal and School budgets were due November 19, 2008.

In January, the committee met with boards, departments, and commissions to discuss specific budget requests. All participants were reminded that the capital budget was limited and that capital items may need to be included in a debt exclusion request.

In early February, the Finance Committee deliberated and voted a draft budget. This draft budget was presented at a public forum on February 2, 2009.

Subsequently, the Finance Committee approved the recommended operating budget (5 in favor and 1 opposed) that appears in this warrant. The recommended capital budget was approved unanimously (6-0) with the understanding that a debt exclusion would be required. The Finance Committee reviewed the debt exclusion request with the Board of Selectmen on February 9, 2009. On February 23, 2009 the Board of Selectmen voted unanimously (5-0) to put the debt exclusion override on the ballot for the April 7, 2009 town election. The Finance Committee and the Selectmen held a public debt exclusion forum on March 9, 2009.

SUMMARY OF THE FY2010 OPERATING BUDGET

Total revenue in FY2010 is estimated to be \$65.2 million. Expenses total \$66.6 million. The result is a budget deficit of \$1.4 million. This operating deficit is being funded by \$1.1 million from free cash reserves and approximately \$.3 million in ambulance receipts.

To understand the deficit, it is important to analyze the changes in revenues and expenses between FY2009 and FY2010:

Table 1: Revenue Changes

<u>Description</u>	<u>Projected FY2009</u>	<u>Projected FY2010</u>	<u>Difference</u>	<u>% change</u>
State Revenues	\$5,129,702	\$4,769,938	-\$359,764	-7.01%
Local Receipts	3,435,000	3,667,194	232,194	6.76%
Water Receipts	2,874,465	3,202,671	328,206	11.42%
Free Cash	0	1,100,000	1,100,000	100.00%
Real Estate Taxes:				
Tax Levy	47,908,099	49,710,791	1,802,692	3.76%
Allowance for 2.5%	1,150,815	1,243,648	92,833	8.07%
Debt Exclusion	2,026,126	2,233,529	207,403	10.24%
New Tax Levy Growth	666,503	375,000	-291,503	-43.74%
Total Real Estate taxes	51,751,543	53,562,968	1,811,425	3.50%
Total revenues before misc receipts	\$ 60,316,245	\$ 63,100,100	\$ 2,783,855	4.62%

1. Revenue between FY2009 and FY2010 as shown in Table 1 is increasing by \$2.8 million. Sources of revenue and changes from FY2009 are as follows:

- Under Proposition 2½, the tax increase is limited to 2½% of the overall tax levy. For FY2010, this represents approximately \$1.2 million.
- State aid revenue is estimated to decrease by \$350,000 or about 7% from FY2009 levels. Next fiscal year, state aid will comprise about 7.5% of our total revenue. Since only a small percentage of Wayland's budget is funded by state aid, the recent proposed cuts included in the preliminary state budget have had less impact here than in many communities. The final state aid amounts for FY2010 will not be known until the final state aid allocations are made in July.
- Local receipts, primarily excise taxes and fees charged for use of certain town services are expected to increase by \$200,000.
- Water receipts are shown in this table for the first time. With the implementation of the new DPW, water revenues and expenses will show in the DPW budget rather than in a separate Water Department budget. Water expenses of an equal amount are included in the DPW line item of Table 2.
- New growth, the tax on new and upgraded properties, is estimated to generate \$375,000 of new revenue, down from over \$600,000 in FY2009. This lower revenue number anticipates a reduction in new home construction and renovation activity related to the economic downturn.

- Additional taxes approved in support of previously approved debt exclusions will increase by \$200,000 in FY2010.
- Free cash of \$1.1 million is being used to balance the budget. See Table 4 for more detail on free cash.

Table 2: Total Expense Changes:

	BUDGET FY2009	BUDGET FY2010	INC / (DEC)	%
Total	\$ 58,991,773	\$ 62,098,411	\$ 3,106,638	5.3%

2. Operating expenses (as shown in Table 2) and non-operating expenses between FY2009 and FY2010 are increasing by \$3.2 million. Significant items include:
- Negotiated wage and step increases of \$1 million. As noted above all labor contracts are settled through June, 2010. These increases were partially offset by a reduction in head count due to declining enrollment.
 - School expenditures increased by \$700,000 including special education (SPED) costs of \$550,000 and repairs/maintenance costs of \$150,000.
 - DPW expenses for the water department increased by about \$300,000 (to be absorbed by higher water rates) and transfer station costs increased by \$100,000 related to the trash hauling contract
 - Health care costs are expected to increase by \$570,000. This increase is required to fund higher insurance costs (for active and retired employees). In the past several years, Wayland has implemented health care initiatives that are beginning to realize annual savings in employee and retiree health care costs. To date these initiatives have saved Wayland taxpayers over \$1.0 million.
 - Pension costs are increasing by \$170,000. Pension expense represents the cost to provide pensions to Town employees; it does not include teachers whose pension is covered by the state. The pension charge is Wayland’s FY2010 assessment from PRIM, the State and Town’s pension administrator. The increase in contribution is lower than in the last few years due to improved investment returns and better fund management last year.
 - Utility costs are estimated to increase by \$220,000 required for escalating gasoline, diesel, heat, and electric rates.
 - State and county charges are expected to increase by \$100,000.

FY2010 OMNIBUS BUDGET

The Omnibus Budget lists various Town operating expenses, unclassified expenditures such as employee health insurance, and debt and interest. The budget also includes requests for capital expenditures.

OPERATING EXPENSES

The FY2010 Omnibus Budget article proposes operating expenses of \$62,098,411. This represents an increase of \$3,106,638 or 5% from FY2010. For the first time, this includes the water department as it will be part of the newly implemented DPW.

NON-OPERATING BUDGET EXPENSES

The Town is responsible for funding State and County assessments (\$260,000), real estate abatements (\$1,100,000) and Town employee retirement pensions (\$3,000,000). Miscellaneous non-operating

budget charges are expected to equal \$175,000. The Finance Committee estimates that these non-operating budget expenses will total \$4,500,000.

The Omnibus Budget expenses plus the non-operating budget expenses total \$66,643,424.

CAPITAL REQUESTS

Capital requests for FY2010 total \$3,141,000, comprised of \$2,415,000 within the capital budget and \$726,000 for the high school building design in a separate warrant article. If approved at Town Meeting, we will need to borrow to fund these purchases. Borrowing monies is prudent because it spreads the cost of buying the asset (debt service) over its useful life. The Finance Committee's 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 Finance Committee's webpage in the Capital Improvement Plan "CIP" folder.

Capital expenditures are generally funded in three manners:

- 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 have no impact on the tax rate and 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 result in no change in the tax rate and 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.

The Finance Committee's recommendation for FY2010 capital items is (itemized numbers relate to the listing of expenditure requests in the budget):

Cash capital items (\$270,000): #1), \$30,000 for town computer hardware equipment; #4), \$30,000 for communication equipment for the police and fire departments; #6), \$25,000 for software to be used in the ambulance; #8), \$35,000 for a trash compactor for the DPW; #10), \$60,000 for a generator for the Water department; #11), \$60,000 for vehicles for the Water department; #15), \$30,000 for a school maintenance vehicle.

Non-exempt capital items (\$1,065,000): #7), \$65,000 for a 1 ton dump truck for the DPW; #8), \$130,000 for equipment for the DPW including truck washing equipment (\$50,000), a skip loader (\$30,000), paint machine/bunker rake for playing fields (\$25,000) and tractor attachments (\$25,000); #13), \$40,000 for park equipment; #12), \$280,000 for well system upgrades and drainage improvements for the Water department (debt will be repaid through water rates); #16), \$550,000 for school technology equipment including network infrastructure upgrades, computer replacements, teacher laptop initiative and the 21st century classroom program.

Exempt capital items (\$1,080,000): #1), \$200,000 for a Full List and Measure for the Assessor's department; #3), \$495,000 in town wide building repairs including the library, fire station 2, public safety building, town building, conservation storage shed and the DPW garage; #5), \$210,000 for a new ambulance and \$30,000 for start-up equipment for the advanced life support program; #9)

\$25,000 for playing field renovations; #14), \$120,000 for building repairs across the school district.

The Finance Committee has requested that six of these items totaling \$1,806,000 be voted at the ballot as debt exclusions: #1) Assessors Full List and Measure, #3) building repairs for multiple town facilities, #5) new ambulance and start-up advanced life support equipment, #9) playing fields renovations, #14) school building repairs. These five capital items will be voted as part of the Omnibus Budget article. The sixth debt exclusion item, High School Design Feasibility (\$726,000 is the gross amount; however, the net amount to be funded under the Town's agreement with the MSBA will be no more than \$315,600). This debt exclusion item will be presented at town meeting in a separate warrant article, #7.

The Finance Committee unanimously recommends (7-0) approval of the FY2010 capital budget.

Normally, a debt exclusion increases the amount of property tax revenue a community may raise for a limited period of time in order to fund these specific projects. However, in FY2010, the debt exclusion will be "tax-neutral" meaning that the approved increase in borrowing to fund the exempt capital items listed above is equal to or less than the debt exclusion borrowings that are maturing. Borrowings for the remaining capital requests will be funded through the normal operating budget.

FREE CASH

Table 4 depicts free cash allocated to close prior year budget deficits. For FY2010 the operating budget will be balanced using \$1.1 million of free cash.

Table 4: Free Cash Allocated To Annual Revenue

Fiscal Year	Free Utilized	Cash
FY2004	\$2,400,000	
FY2005	\$1,869,000	
FY2006	\$ 300,000	
FY2007	\$ 0	
FY2008	\$ 0	
FY2009	\$ 0	
FY2010	\$1,100,000	

The town's free cash balance was certified at \$6.185 million at the start of FY2009. This gives us a reserve equaling approximately 10 % of our operating expenses. The Finance Committee is committed to maintaining the Town's Free Cash Reserves at recommended levels over the next few years. Moody's Investor Services latest review (January 2009) reaffirmed our credit rating of Aaa and continues to recommend reserves of 5-10% or greater.

Given conservative budgeting of anticipated revenues, some unanticipated unexpended expenses and contributions to free cash, Wayland's free cash balance has grown over the last four years. The Finance Committee anticipated using cash to balance the FY2010 budget to minimize the tax increase for residents. After using the \$1.1 million of free cash, our balance will still be within the upper range recommended by the bond rating agencies.

5-YEAR CAPITAL PLAN

Capital planning is part of the overall financial plan for the Town of Wayland that the Finance Committee prepares each year as specified by the Code of the Town of Wayland. 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". The CIP establishes new policies and procedures for capital planning and debt management and focuses attention on community objectives and fiscal capacity, coordinates both the capital and the operating budgets, facilitates communication and planning between departments and boards to reduce duplication and keeps the public informed about future capital needs. The FY2010 capital budget was the first one prepared using CIP; some refinements will be made as we continue to improve this program.

The accompanying five year capital plan in this warrant is the starting point for capital expenditures to be considered in future years. Capital requests are summarized by department, board or commission. Capital items beyond next fiscal year for FY2011 through FY2014 have not been formally presented by departments or approved by the Finance Committee and are presented for planning purposes only. Significant facility projects listed on the 5-year plan include funds to build a new high school, a DPW garage, and a library.

LONG RANGE PLANNING

Wayland, like other towns across the Commonwealth, has grappled with state aid reductions, healthcare and pension expense increases and steadily rising heat, transportation and other utility costs. While Wayland has fared better than other towns, these economic issues continue to challenge our financial situation. The Finance Committee has continued to spend considerable time and effort researching and supporting implementation of actions needed to help balance the budget. Those actions include:

- Implementing changes in health care programs for current employees and retirees,
- Establishing a combined DPW department,
- Institute administrative efficiencies including consolidating support functions across municipal and school departments,
- Reconfiguration of elementary and middle school structures relative to declining enrollment.

We have also been focused on planning for major long-term facility projects by closely monitoring current capital budget requests, adhering to our debt management policy and ensuring that we maintain our Aaa credit rating.

The Ad Hoc Budget Advisory Committee has been reconvened and is studying financial initiatives including;

- Regionalization of certain town and school programs,
- Energy saving programs including "green" alternatives,
- Additional synergies between school and town operations

The Finance Committee is committed to achieving these actions, and we encourage Committees, Departments and residents to also support these ongoing efforts.

FINANCIAL TRENDS

As we have reported during the budget planning process, Town finances are sound, but we are challenged by general economic conditions causing reductions in state funding, declining new tax growth and continuing escalations in employee benefit and utility costs. The free cash reserves that have been built up during the past four years put us in a strong reserve position; using \$1.1 million in cash to balance the FY2010 is a planned financial decision.

For FY2010, on average, property taxes will increase approximately \$308, or 2.8% per household based upon an average house value of \$648,000. A strong school system, semi-rural character, willingness to support overrides, and the proximity of access to Boston are all given as factors that make Wayland highly desirable despite a slowing real estate market.

The general downward economic trend is expected to persist in the near future; this will likely require both service level cuts and the use of reserves to avoid regular operational overrides. Our earliest projections show that the FY2011 budget will be difficult to balance with many variables (fluctuating state aid, new collective bargaining contracts, planned workflow consolidations; savings from initiatives already implemented) impacting both revenues and expenses. We will continue to explore a number of measures to present a balanced budget in FY 11 including continued expense reduction initiatives, identifying additional sources of revenue and the possible use of cash reserves. We will need the understanding and cooperation of all residents as we make and implement these challenging budget decisions.

Once again in 2009, Wayland is one of a small number of towns (12) in the Commonwealth of Massachusetts that earned an Aaa bond rating in from Moody's Investors Service. This rating, Moody's highest, reflects the Town's conservative budgeting and strong financial operating results, management, policies and underlying demographic and economic factors.

CONCLUSIONS

The Finance Committee voted (5-1) to recommend the FY2010 operating budget and (6-0) to recommend the capital budget. In general, Wayland's revenues, expenses and real estate tax burden compare favorably to peer towns, and this is an area that the Finance Committee continues to monitor on a regular basis. The Finance Committee believes it is in the best interest of the citizens to support the FY2010 budget and the debt exclusion 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.

Once again, Wayland faces a challenging financial year in FY2010 and in future years with the constraints within our budget. The Finance Committee will continue to use all diligence in preparing future budgets that will balance the demand for services against the ability of residents with a broad range of financial situations to afford these services.

Respectfully submitted,

Sam H. Peper, Chair

Richard M. Stack, Vice Chair

John Bladon

David J. Gutschenritter

Cherry C. Karlson

Bob Lentz

Susan W. Pope

TOWN OF WAYLAND FIVE YEAR CAPITAL PLAN

	2010	2011	2012	2013	2014	Year 1 - 5 Total
ASSESSOR						
Building Repairs						0
Equipment	200,000					200,000
Vehicle						0
Land/Improvements						0
Subtotal	200,000	0	0	0	0	200,000
INFORMATION TECHNOLOGY						
Building Repairs						0
Equipment	30,000	35,000	35,000	35,000	35,000	170,000
Vehicle						0
Land/Improvements						0
Subtotal	30,000	35,000	35,000	35,000	35,000	170,000
CONSERVATION						
Building Repairs	0					0
Equipment			40,000			40,000
Vehicle					35,000	35,000
Land/Improvements						0
Subtotal	0	0	40,000	0	35,000	75,000
TOWN SURVEYOR						
Building Repairs						0
Equipment						0
Vehicle						0
Land/Improvements						0
Subtotal	0	0	0	0	0	0
FACILITIES						
Building Repairs	495,000	605,000	610,000	450,000	1,555,000	3,715,000
Equipment						0
Vehicle						0
Land/Improvements						0
Subtotal	495,000	605,000	610,000	450,000	1,555,000	3,715,000
POLICE						
Building Repairs						0
Equipment		30,000	35,000			65,000
Vehicle						0
Land/Improvements						0
Subtotal	0	30,000	35,000	0	0	65,000
JCC						
Building Repairs	0				0	0
Equipment	30,000	30,000		35,000	75,000	170,000
Vehicle						0
Land/Improvements						0
Subtotal	30,000	30,000	0	35,000	75,000	170,000

FIRE							
Building Repairs							0
Equipment	25,000	45,000			30,000		100,000
Vehicle	240,000		35,000	40,000			315,000
Land/Improvements							0
Infrastructure							0
Subtotal	265,000	45,000	35,000	40,000	30,000		415,000
BUILDING & ZONING							
Building Repairs							0
Equipment							0
Vehicle							0
Land/Improvements							0
Subtotal	0	0	0	0	0		0
DPW							
New Building/Major Renovations		2,115,000	16,635,000				18,750,000
Building Repairs			0	0	0	0	0
Equipment	165,000	260,000	210,000	305,000	240,000		1,180,000
Vehicle	65,000	250,000	65,000	60,000	155,000		595,000
Land/Improvements	25,000	2,590,000	550,000	200,000	150,000		3,515,000
Infrastructure							0
Subtotal	255,000	5,215,000	17,460,000	565,000	545,000		24,040,000
BOARD OF HEALTH							
Building Repairs							0
Equipment							0
Vehicle							0
Land/Improvements							0
Subtotal	0	0	0	0	0		0
COUNCIL ON AGING							
Building Repairs							0
Equipment							0
Vehicle							0
Land/Improvements							0
Subtotal	0	0	0	0	0		0
LIBRARY							
New Building/Major Renovations			1,800,000	16,200,000			18,000,000
Building Repairs	0	0		0			0
Equipment		25,000					25,000
Vehicle							0
Land/Improvements							0
Subtotal	0	25,000	1,800,000	16,200,000		0	18,025,000
POOL							
Building Repairs	0	0					0
Equipment							0
Vehicle							0
Land/Improvements							0
Subtotal	0	0	0	0	0		0
RECREATION							
New Building/Major Renovations							0
Building Repairs	0	0	0	0	0		0

2009 Annual and Special Town Meeting Warrant

Wayland, Massachusetts

Equipment	40,000	210,000	60,000	50,000	50,000	410,000
Vehicle						0
Land/Improvements						0
Subtotal	40,000	210,000	60,000	50,000	50,000	410,000

SCHOOL

		**				
New Building/Major Renovations	726,000	68,400,000				69,126,000
Building Repairs	120,000	750,000	1,680,000	2,855,000	5,365,000	10,770,000
Equipment	550,000	750,000	700,000	750,000	700,000	3,450,000
Vehicle	30,000		50,000			80,000
Land/Improvements						0
Subtotal	1,426,000	69,900,000	2,430,000	3,605,000	6,065,000	83,426,000

** TOTAL COST - APPROX 40% REIMBURSEMENT

WATER

New Building/Major Renovations						0
Building Repairs						0
Equipment	60,000					60,000
Vehicle	60,000	60,000	60,000	60,000	60,000	300,000
Land/Improvements						0
Infrastructure	280,000	880,000	970,000	630,000	1,190,000	3,950,000
Subtotal	400,000	940,000	1,030,000	690,000	1,250,000	4,310,000

WASTEWATER

New Building/Major Renovations	400,000					400,000
Building Repairs						0
Equipment						0
Vehicle						0
Land/Improvements						0
Infrastructure						0
Subtotal	400,000	0	0	0	0	400,000

SUMMARY BY DEPARTMENT

ASSESSOR	200,000	0	0	0	0	200,000
INFORMATION TECHNOLOGY	30,000	35,000	35,000	35,000	35,000	170,000
CONSERVATION	0	0	40,000	0	35,000	75,000
TOWN SURVEYOR	0	0	0	0	0	0
FACILITIES	495,000	605,000	610,000	450,000	1,555,000	3,715,000
POLICE	0	30,000	35,000	0	0	65,000
JCC	30,000	30,000	0	35,000	75,000	170,000
FIRE	265,000	45,000	35,000	40,000	30,000	415,000
BUILDING & ZONING	0	0	0	0	0	0
DPW	255,000	5,215,000	17,460,000	565,000	545,000	24,040,000
BOH	0	0	0	0	0	0
COA	0	0	0	0	0	0
LIBRARY	0	25,000	1,800,000	16,200,000	0	18,025,000
POOL	0	0	0	0	0	0
RECREATION	40,000	210,000	60,000	50,000	50,000	410,000
sub-total	1,315,000	6,195,000	20,075,000	17,375,000	2,325,000	47,285,000
SCHOOL	1,426,000	69,900,000	2,430,000	3,605,000	6,065,000	83,426,000
TOTAL G/F DEPARTMENTS	2,741,000	76,095,000	22,505,000	20,980,000	8,390,000	130,711,000

NON-DEPARTMENTAL						
WATER	400,000	940,000	1,030,000	690,000	1,250,000	4,310,000
WASTEWATER	400,000	0	0	0	0	400,000
TOTAL NON-G/F						
DEPARTMENTS	800,000	940,000	1,030,000	690,000	1,250,000	4,710,000
GRAND TOTAL	3,541,000	77,035,000	23,535,000	21,670,000	9,640,000	135,421,000

SUMMARY BY TYPE

NEW BUILDING /MAJOR						
RENOVATIONS	1,126,000	70,515,000	18,435,000	16,200,000	0	106,276,000
BUILDING REPAIRS	615,000	1,355,000	2,290,000	3,305,000	6,920,000	14,485,000
EQUIPMENT	1,100,000	1,385,000	1,080,000	1,175,000	1,130,000	5,870,000
VEHICLE	395,000	310,000	210,000	160,000	250,000	1,325,000
LAND/IMPROVEMENTS	25,000	2,590,000	550,000	200,000	150,000	3,515,000
INFRASTRUCTURE	280,000	880,000	970,000	630,000	1,190,000	3,950,000
TOTAL ALL DEPTS BY TYPE	3,541,000	77,035,000	23,535,000	21,670,000	9,640,000	135,421,000

SUMMARY BY TYPE- EXCLUDES WATER/WASTEWATER

NEW BUILDING/ MAJOR						
RENOVATIONS	726,000	70,515,000	18,435,000	16,200,000	0	105,876,000
BUILDING REPAIRS	615,000	1,355,000	2,290,000	3,305,000	6,920,000	14,485,000
EQUIPMENT	1,040,000	1,385,000	1,080,000	1,175,000	1,130,000	5,810,000
VEHICLE	335,000	250,000	150,000	100,000	190,000	1,025,000
LAND/IMPROVEMENTS	25,000	2,590,000	550,000	200,000	150,000	3,515,000
INFRASTRUCTURE	0	0	0	0	0	0
TOTAL ALL DEPTS BY TYPE	2,741,000	76,095,000	22,505,000	20,980,000	8,390,000	130,711,000
WATER/WASTEWATER	800,000	940,000	1,030,000	690,000	1,250,000	4,710,000

TABLE NO. 1 - WAYLAND INCOME AND EXPENSE STATEMENT					
	FISCAL 2006	FISCAL 2007	FISCAL 2008	FISCAL 2009	FISCAL 2010
BUDGET	48,936,453	50,749,477	53,144,960	56,117,307	62,098,411
ARTICLES	4,756,101	13,663,559	8,802,239	15,121,939	5,150,316
TOTAL TOWN EXPENSE	53,692,554	64,413,036	61,947,199	71,239,246	67,248,727
OVERLAY	387,629	493,014	623,553	1,039,311	1,075,000
NET REC FROM STATE	(1,585,690)	(1,712,692)	(2,052,157)	(2,044,382)	(1,449,925)
LOCAL RECEIPTS	(4,020,000)	(2,814,000)	(3,640,001)	(3,435,001)	(3,667,194)
OTHER SOURCES: FREE					
CASH BORROWINGS, ETC.	(6,339,274)	(14,298,299)	(9,097,947)	(15,047,633)	(9,643,640)
TO BE RAISED BY TAXATION	42,135,219	46,081,059	47,780,647	51,751,541	53,562,968

AVERAGE TAX BILL WILL INCREASE BY APPROXIMATELY 2.8% IN FY 10

TABLE NO. 2 - HISTORICAL BUDGET SUMMARY					
FISCAL YR	SCHOOL	TOWN	TOTAL	INCREASE	%
FY 2010 **	\$31,111,713	\$30,986,698	\$62,098,411	3,106,638	5.3%
FY 2009	30,091,713	28,900,060	58,991,773	5,846,812	11.0%
FY 2008	28,722,212	24,422,749	53,144,961	2,395,484	4.7%
FY 2007	28,407,893	22,341,584	50,749,477	1,813,024	3.7%
FY 2006	27,379,743	21,556,710	48,936,453	2,420,683	5.2%
FY 2005	26,067,251	20,448,519	46,515,770	1,337,108	3.0%
FY 2004	25,650,251	19,528,411	45,178,662	2,058,038	4.8%
FY 2003	24,599,201	18,521,423	43,120,624	2,739,700	6.8%
FY 2002	22,937,619	17,443,305	40,380,924	2,791,636	7.4%
FY 2001	20,898,995	16,690,293	37,589,288	3,408,838	10.0%

** INCLUDES WATER FUND

TABLE NO. 3					
TOWN REVENUES	FY 06	FY 07	FY 08	FY 09	FY 10
TAX LEVY	42,135,219	46,081,059	47,780,649	51,751,543	53,562,968
STATE AID	4,572,626	4,480,843	4,822,824	5,129,702	4,769,938
LOCAL RECEIPTS	4,020,000	2,814,000	3,640,000	3,435,000	3,667,194
AVAILABLE FUNDS	1,367,980	1,312,176	510,736	250,694	340,653
TOTAL	52,095,825	54,688,078	56,754,209	60,566,939	62,340,753

TABLE NO. 4 (General Fund Only)					
% OF BUDGET BY DEPARTMENT	FY 06	FY 07	FY 08	FY 09	FY 10
GENERAL GOVERNMENT	5.3%	5.5%	5.8%	5.8%	4.9%
PUBLIC SAFETY	9.5%	10.0%	9.6%	9.3%	9.4%
SCHOOLS	55.9%	55.9%	54.1%	53.6%	52.8%
REG VOC SCHOOL	0.4%	0.4%	0.7%	0.8%	0.8%
DPW	3.4%	3.4%	3.6%	3.6%	4.7%
HEALTH	1.2%	1.2%	1.2%	1.1%	1.1%
LIBRARY	1.7%	1.9%	1.8%	1.7%	1.6%
RECREATION	2.8%	1.5%	1.4%	1.4%	0.1%
DEBT & INTEREST	7.5%	7.2%	7.2%	7.3%	7.3%
UNCLASSIFIED	12.3%	12.8%	14.5%	15.4%	15.3%
FACILITIES					2.0%

TABLE NO. 5 (General Fund Only) - DEPARTMENTAL INCREASES				
	BUDGET FY 09	BUDGET FY 10	INCREASE	% INCREASE
GENERAL GOVERNMENT	3,246,063	2,865,074	(380,989)	-11.7%
PUBLIC SAFETY	5,224,963	5,558,819	333,856	6.4%
SCHOOLS	30,091,713	31,111,713	1,020,000	3.4%
REGIONAL VOC SCH	450,000	500,000	50,000	11.1%
DPW	2,667,632	2,742,248	74,616	2.8%
HEALTH	606,445	651,598	45,153	7.4%
LIBRARY	971,313	944,306	(27,007)	-2.8%
RECREATION	133,900	55,900	(78,000)	-58.3%
DEBT & INTEREST	4,086,279	4,306,298	220,019	5.4%
UNCLASSIFIED	8,639,000	9,011,000	372,000	4.3%
FACILITIES		1,148,784	1,148,784	100.0%
TOTAL	56,117,308	58,895,740	2,778,432	5.0%

COMMONWEALTH OF MASSACHUSETTS

*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 7, 2009, 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

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, one Library Trustee, and two Park & Recreation Commissioners* for three years; and

One Library Trustee for one year; and

Two Road Commissioners for a term to expire on June 30, 2009*, and one Water Commissioner for a term to expire on June 30, 2009*.

* Pursuant to Section 8(a) of Chapter 347 of the Acts of 2008, the Park and Recreation Commission will become the Recreation Commission and the Board of Road Commissioners and Board of Water Commissioners shall be abolished on July 1, 2009 or such later date that the initial Board of Public Works files written notice of its first empanelment with the Town Clerk pursuant to Section 4(a) of said chapter and the members of the Park and Recreation Commission in office on June 30, 2009 shall continue in office as members of the Recreation Commission for the same terms.

As well as such other Town Officers as may be necessary and to vote "Yes" or "No" upon the following question:

QUESTION NO. 1: "Shall the Town of Wayland be allowed to exempt from the provision of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to finance feasibility, schematic design and related services to rehabilitate the Wayland High School?"

QUESTION NO. 2: "Shall the Town of Wayland be allowed to exempt from the provision of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to (i) repair municipal and school buildings and athletic fields; (ii) pay for appraisal services relative to a physical inspection and measurement of taxable real property; and, (iii) purchase an ambulance and advanced life support equipment?"

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

MONDAY, APRIL 13, 2009, AT 7:30 P.M.

to act on the following Articles:

ARTICLE 1: RESOLUTION TO ENDORSE THE WORK OF THE WAYLAND CHARITABLE COMMITTEE

Proposed by: Board of Selectmen

WHEREAS, the Wayland Charitable Committee was established in 1997; and,

WHEREAS, the Wayland Charitable Committee provides short-term, emergency assistance for utilities, food, rent, clothing, medicine and medical services, and special transportation connected to those needs, to people who have lived in Wayland for at least one year; and,

WHEREAS, the work of the Wayland Charitable Committee was originally funded through a bequest from Suzanne A. Leavitt and is now supplemented by gifts from Wayland residents, community organizations and local businesses; and,

WHEREAS, the Wayland Charitable Committee provided \$35,418 in the past fiscal year in short-term financial help to Wayland residents.

NOW, THEREFORE, BE IT RESOLVED that this Town Meeting encourage Wayland residents and businesses to contribute generously to this fund, recognizing the growing needs of our fellow citizens during the current downward economic cycle.

FINANCE COMMITTEE COMMENTS: Over the last 11 years, the Wayland Charitable Committee (WCC) has distributed approximately \$200,000 to approximately 120 Wayland residents who are in financial need. This has been possible thanks to a fund created from a generous bequest by former resident Suzanne Leavitt, as well as private contributions. Although Ms. Leavitt died in Florida in the early 1990s, she found Wayland's needier residents worthy of a bequest in her will.

The WCC provides short term financial support to Wayland residents who have an immediate need to pay utility bills, rent, food, clothing or medical bills. Payments are made directly to vendors. There are no administrative costs and all funds directly benefit Wayland neighbors. Applicants must have lived in Wayland for at least one year.

The WCC is one of 10 trusts in the community administered by the Commissioners of Trust Funds.

ARGUMENTS IN FAVOR: During 2008, the WCC provided \$31,000 of assistance to 37 families. Beginning last year with the increase in fuel costs and compounded now by the economic crisis, the need in Wayland has been growing. Last spring, due to rising utility costs, the committee almost ran out of funds. Fortunately, Wayland residents responded to an appeal, and the committee received enough donations to get through the fiscal year.

This resolution gives public thanks to a team of special volunteers and also to the many financial contributors who are supporting fellow Wayland families and friends in their time of crisis.

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

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

QUANTUM OF VOTE: Majority.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 2: RECOGNIZE CITIZENS AND EMPLOYEES FOR EXTENSIVE SERVICE TO THE TOWN

Proposed by: Board of Selectmen

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

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: 5-0.

QUANTUM OF VOTE: Majority.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 3: HEAR REPORTS

Proposed by: Board of Selectmen

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

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: 5-0.

QUANTUM OF VOTE: Majority.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 4: 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. (See Appendix C)

FINANCE COMMITTEE COMMENTS: This is a standard article that permits the Town to fill various positions.

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

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 41, Section 1.

See Appendix C. For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 5: CURRENT YEAR TRANSFERS

Proposed by: Finance Committee

Estimated Cost: \$440,000

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 2009		
	PURPOSE	AMOUNT
1	SNOW REMOVAL	\$340,000
2	TOWN COUNSEL	\$100,000
TOTAL CURRENT YEAR TRANSFERS		\$440,000
FUNDING SOURCES:		
	UNRESERVED FUND BALANCE	\$440,000

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 (340,000): This request covers snow removal overages for the fiscal year.

Town Counsel (100,000): This amount is needed primarily to cover litigation related to the public safety building and wastewater plant permit appeal.

RECOMMENDATION: Finance Committee unanimously recommends approval. Vote: 7-0.

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 Michael DiPietro, Finance Director, at (508) 358-3611, or email mdipietro@wayland.ma.us.

ARTICLE 6: FY 2010 OMNIBUS BUDGET

Proposed by: Finance Committee

To determine what sum of money the Town will appropriate for the operation and expenses of the Town, including capital expenditures for equipment, improvements, or other purposes, and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS:

ARGUMENTS IN FAVOR: This budget reflects the cost of operating the Town in an efficient manner in order to deliver services to the residents of Wayland.

ARGUMENTS OPPOSED: Some residents might consider the budget excessive, while other residents might believe that insufficient funds have been budgeted to perform all desired services.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 5-1 for the operating budget; 6-0 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.

MOTION UNDER ARTICLE 6:

- 1) “That the report of the Finance Committee respecting the Fiscal Year 2010 Budget be accepted; and that each and every numbered item set forth in the Finance Committee’s Budget for Fiscal Year 2010 be voted, granted and appropriated as an expenditure for the several purposes and uses set forth in said budget establishing a total budget of \$62,098,411. 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, \$57,455,087. shall be raised by taxation, \$340,000 . shall be provided by transfer from Ambulance Receipts, \$653. shall be provided by transfer from Premium on Bonds Account, \$1,100,000 shall be provided by transfer from unreserved fund balance, \$2,702,671 shall be raised by water revenues, \$500,000 shall be transferred from water surplus.”
- 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, 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 Adolescent Services and Staff be under the jurisdiction of the Youth Advisory Committee which shall report to the Town on the activities of the Director of Youth and Adolescent Services and Staff at the Annual Town Meeting. The

Director of Youth and Adolescent Services and Staff will receive administrative support from the School Department;”

“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 2010 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 \$825,000;” and

“That the Town continue for Fiscal Year 2010 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.”

For more information about this article, contact Michael DiPietro, Finance Director, at (508) 358-3611, email mdipietro@wayland.ma.us, or Sam Peper, Chair, Finance Committee, at email shpeper@gmail.com.

FISCAL YEAR 2010 BUDGET		EXPENDED FY 2008	APPROPRIATED FY 2009	REQUESTED FY 2010
SELECTMEN				
	PURCHASE OF SERVICES	\$21,387	\$21,200	\$24,500
	SUPPLIES	\$6,879	\$12,800	\$12,800
1	TOTAL EXPENSES	\$28,266	\$34,000	\$37,300
	TOTAL SELECTMEN	\$28,266	\$34,000	\$37,300
TOWN OFFICE				
	SALARIES	\$324,625	\$314,800	\$356,500
2	TOTAL PERSONNEL SERVICES	\$324,625	\$314,800	\$356,500
	PURCHASE OF SERVICES	\$13,640	\$17,000	\$17,000
	SUPPLIES	\$53,646	\$58,800	\$58,800
3	TOTAL EXPENSES	\$67,286	\$75,800	\$75,800
	TOTAL TOWN OFFICE	\$391,911	\$390,600	\$432,300
PERSONNEL BOARD				
	SALARIES	\$1,386	\$6,750	\$6,750
4	TOTAL PERSONNEL SERVICES	\$1,386	\$6,750	\$6,750
	PURCHASE OF SERVICES	\$9,746	\$10,000	\$10,000
5	TOTAL EXPENSES	\$9,746	\$10,000	\$10,000
	TOTAL PERSONNEL BOARD	\$11,132	\$16,750	\$16,750
FINANCE COMMITTEE				
	PURCHASE OF SERVICES	\$0	\$0	\$0
6	TOTAL EXPENSES	\$0	\$0	\$0
	TOTAL FINANCE COMMITTEE	\$0	\$0	\$0
FINANCE				
	SALARIES	\$221,218	\$270,450	\$297,222
7	TOTAL PERSONNEL SERVICES	\$221,218	\$270,450	\$297,222
	PURCHASE OF SERVICES	\$24,934	\$30,000	\$31,400
	SUPPLIES	\$2,997	\$5,000	\$5,000
8	TOTAL EXPENSES	\$27,931	\$35,000	\$36,400
	TOTAL FINANCE	\$249,149	\$305,450	\$333,622
ASSESSOR				
	SALARIES	\$184,133	\$184,831	\$203,904
9	TOTAL PERSONNEL SERVICES	\$184,133	\$184,831	\$203,904
	PURCHASE OF SERVICES	\$87,398	\$125,020	\$125,020
	SUPPLIES	\$1,310	\$1,500	\$1,500
10	TOTAL EXPENSES	\$88,708	\$126,520	\$126,520
	TOTAL ASSESSOR	\$272,841	\$311,351	\$330,424
TREASURER				
	SALARIES	\$185,777	\$196,520	\$202,300
11	TOTAL PERSONNEL SERVICES	\$185,777	\$196,520	\$202,300
	PURCHASE OF SERVICES	\$31,329	\$36,730	\$37,230
	SUPPLIES	\$1,550	\$1,700	\$1,700
12	TOTAL EXPENSES	\$32,879	\$38,430	\$38,930
	TOTAL TREASURER	\$218,656	\$234,950	\$241,230

FISCAL YEAR 2010 BUDGET		EXPENDED	APPROPRIATED	REQUESTED
		FY 2008	FY 2009	FY 2010
TOWN COUNSEL				
	PURCHASE OF SERVICES	\$324,772	\$200,000	\$225,000
	SUPPLIES	\$2,536	\$2,500	\$3,000
13	TOTAL EXPENSES	\$327,308	\$202,500	\$228,000
	TOTAL TOWN COUNSEL	\$327,308	\$202,500	\$228,000
INFORMATION TECHNOLOGY				
	SALARIES	\$75,095	\$74,366	\$80,746
14	TOTAL PERSONNEL SERVICES	\$75,095	\$74,366	\$80,746
	PURCHASE OF SERVICES	\$91,868	\$109,500	\$110,500
	SUPPLIES	\$29,459	\$32,500	\$32,500
15	TOTAL EXPENSES	\$121,327	\$142,000	\$143,000
	TOTAL INFORMATION TECHNOLOGY	\$196,422	\$216,366	\$223,746
TOWN CLERK				
	SALARIES	\$109,615	\$109,059	\$114,744
16	TOTAL PERSONNEL SERVICES	\$109,615	\$109,059	\$114,744
	PURCHASE OF SERVICES	\$5,423	\$11,155	\$11,755
	SUPPLIES	\$1,607	\$1,600	\$1,600
17	TOTAL EXPENSES	\$7,030	\$12,755	\$13,355
	TOTAL TOWN CLERK	\$116,645	\$121,814	\$128,099
ELECTIONS				
	SALARIES	\$21,732	\$27,100	\$11,700
	TOTAL PERSONNEL SERVICES	\$21,732	\$27,100	\$11,700
	PURCHASE OF SERVICES	\$0	\$800	\$1,000
	SUPPLIES	\$8,464	\$12,500	\$12,500
	TOTAL EXPENSES	\$8,464	\$13,300	\$13,500
18	TOTAL ELECTIONS	\$30,196	\$40,400	\$25,200
REGISTRAR				
	SALARIES	\$275	\$275	\$275
19	TOTAL PERSONNEL SERVICES	\$275	\$275	\$275
	PURCHASE OF SERVICES	\$3,415	\$3,900	\$4,500
20	TOTAL EXPENSES	\$3,415	\$3,900	\$4,500
	TOTAL REGISTRAR	\$3,690	\$4,175	\$4,775
CONSERVATION				
	SALARIES	\$103,421	\$109,580	\$121,608
21	TOTAL PERSONNEL SERVICES	\$103,421	\$109,580	\$121,608
	PURCHASE OF SERVICES	\$15,107	\$12,500	\$12,500
	SUPPLIES	\$9,230	\$9,600	\$9,600
22	TOTAL EXPENSES	\$24,337	\$22,100	\$22,100
	TOTAL CONSERVATION	\$127,758	\$131,680	\$143,708
PLANNING				
	SALARIES	\$105,616	\$103,653	\$113,534
23	TOTAL PERSONNEL SERVICES	\$105,616	\$103,653	\$113,534

FISCAL YEAR 2010 BUDGET		EXPENDED FY 2008	APPROPRIATED FY 2009	REQUESTED FY 2010
	PURCHASE OF SERVICES	\$2,139	\$4,000	\$4,000
	SUPPLIES	\$1,823	\$2,000	\$2,000
24	TOTAL EXPENSES	\$3,962	\$6,000	\$6,000
	TOTAL PLANNING	\$109,578	\$109,653	\$119,534
	SURVEYOR			
	SALARIES	\$133,359	\$133,791	\$145,806
25	TOTAL PERSONNEL SERVICES	\$133,359	\$133,791	\$145,806
	PURCHASE OF SERVICES	\$10,104	\$11,800	\$11,800
	SUPPLIES	\$4,113	\$5,150	\$5,150
26	TOTAL EXPENSES	\$14,217	\$16,950	\$16,950
	TOTAL SURVEYOR	\$147,576	\$150,741	\$162,756
	FACILITIES			
	SALARIES	\$159,552	\$197,325	\$270,504
27	TOTAL PERSONNEL SERVICES	\$159,552	\$197,325	\$270,504
	PURCHASE OF SERVICES	\$29,439	\$35,150	\$135,100
	UTILITIES	\$253,702	\$292,000	\$718,980
	SUPPLIES	\$9,543	\$16,000	\$24,200
28	TOTAL EXPENSES	\$292,684	\$343,150	\$878,280
	TOTAL FACILITIES	\$452,236	\$540,475	\$1,148,784
	HISTORICAL COMMISSION			
	PURCHASE OF SERVICES	\$149	\$200	\$200
29	TOTAL EXPENSES	\$149	\$200	\$200
	TOTAL HISTORICAL COMMISSION	\$149	\$200	\$200
	SURFACE WATER QUALITY COMMISSION			
	PURCHASE OF SERVICES	\$62,733	\$40,000	\$40,000
30	TOTAL EXPENSES	\$62,733	\$40,000	\$40,000
	TOTAL SURFACE WATER QUALITY COMM	\$62,733	\$40,000	\$40,000
	HISTORIC DISTRICT COMMISSION			
	PURCHASE OF SERVICES	\$0	\$275	\$275
31	TOTAL EXPENSES	\$0	\$275	\$275
	TOTAL HISTORIC DISTRICT COMMISSION	\$0	\$275	\$275
	PUBLIC CEREMONIES			
	PURCHASE OF SERVICES	\$1,201	\$2,500	\$2,500
32	TOTAL EXPENSES	\$1,201	\$2,500	\$2,500
	TOTAL PUBLIC CEREMONIES	\$1,201	\$2,500	\$2,500
	POLICE			
	SALARIES	\$1,915,837	\$2,012,500	\$2,123,500
33	TOTAL PERSONNEL SERVICES	\$1,915,837	\$2,012,500	\$2,123,500
	PURCHASE OF SERVICES	\$109,398	\$112,850	\$116,300
	SUPPLIES	\$159,726	\$171,300	\$184,200
34	TOTAL EXPENSES	\$269,124	\$284,150	\$300,500
	TOTAL POLICE	\$2,184,961	\$2,296,650	\$2,424,000

FISCAL YEAR 2010 BUDGET		EXPENDED FY 2008	APPROPRIATED FY 2009	REQUESTED FY 2010
JOINT COMMUNICATIONS				
	SALARIES	\$442,271	\$436,300	\$476,100
35	TOTAL PERSONNEL SERVICES	\$442,271	\$436,300	\$476,100
	PURCHASE OF SERVICES	\$53,242	\$39,700	\$15,100
	UTILITIES	\$128,378	\$138,500	\$12,500
	SUPPLIES	\$6,278	\$9,800	\$8,300
36	TOTAL EXPENSES	\$187,898	\$188,000	\$35,900
	TOTAL JOINT COMMUNICATIONS	\$630,169	\$624,300	\$512,000
EMERGENCY MANAGEMENT				
	PURCHASE OF SERVICES	\$8,229	\$14,800	\$14,800
	SUPPLIES	\$817	\$10,000	\$10,000
37	TOTAL EXPENSES	\$9,046	\$24,800	\$24,800
	TOTAL EMERGENCY MANAGEMENT	\$9,046	\$24,800	\$24,800
DOG OFFICER				
	PURCHASE OF SERVICES	\$19,356	\$20,000	\$21,000
	SUPPLIES	\$2,011	\$3,000	\$3,000
38	TOTAL EXPENSES	\$21,367	\$23,000	\$24,000
	TOTAL DOG OFFICER	\$21,367	\$23,000	\$24,000
FIRE				
	SALARIES	\$1,842,315	\$1,806,642	\$2,084,913
39	TOTAL PERSONNEL SERVICES	\$1,842,315	\$1,806,642	\$2,084,913
	PURCHASE OF SERVICES	\$28,371	\$28,700	\$65,700
	SUPPLIES	\$88,418	\$96,000	\$104,000
40	TOTAL EXPENSES	\$116,789	\$124,700	\$169,700
	TOTAL FIRE	\$1,959,104	\$1,931,342	\$2,254,613
COCHITUATE BLDG-STATION 2				
	PURCHASE OF SERVICES	\$7,033	\$9,000	\$0
	UTILITIES	\$12,939	\$18,200	\$0
	SUPPLIES	\$868	\$2,000	\$0
41	TOTAL EXPENSES	\$20,840	\$29,200	\$0
	TOTAL COCHITUATE BLDG-STATION 2	\$20,840	\$29,200	\$0
BUILDING & ZONING				
	SALARIES	\$262,945	\$273,961	\$297,246
42	TOTAL PERSONNEL SERVICES	\$262,945	\$273,961	\$297,246
	PURCHASE OF SERVICES	\$8,210	\$14,160	\$14,160
	SUPPLIES	\$6,076	\$7,550	\$8,000
43	TOTAL EXPENSES	\$14,286	\$21,710	\$22,160
	TOTAL BUILDING & ZONING	\$277,231	\$295,671	\$319,406
	TOTAL PUBLIC SAFETY	\$5,102,718	\$5,224,963	\$5,558,819
44	SCHOOLS	\$28,913,584	\$30,091,713	\$31,111,713
45	REGIONAL VOCATIONAL SCHOOLS	\$394,092	\$450,000	\$500,000

FISCAL YEAR 2010 BUDGET		EXPENDED FY 2008	APPROPRIATED FY 2009	REQUESTED FY 2010
DPW				
	SALARIES	\$2,132,594	\$2,369,543	\$2,451,815
	TOTAL PERSONNEL SERVICES	\$2,132,594	\$2,369,543	\$2,451,815
	PURCHASE OF SERVICES	\$997,468	\$1,025,931	\$1,297,400
	UTILITIES	\$307,663	\$370,100	\$335,000
	SUPPLIES	\$720,009	\$624,320	\$716,700
	DEBT	\$535,628	\$1,152,203	\$1,144,004
	TOTAL EXPENSES	\$2,560,767	\$3,172,554	\$3,493,104
46	TOTAL DPW	\$4,693,360	\$5,542,097	\$5,944,919
BOARD OF HEALTH				
	SALARIES	\$464,578	\$478,090	\$523,368
47	TOTAL PERSONNEL SERVICES	\$464,578	\$478,090	\$523,368
	PURCHASE OF SERVICES	\$126,714	\$114,605	\$113,980
	SUPPLIES	\$6,943	\$13,750	\$14,250
48	TOTAL EXPENSES	\$133,658	\$128,355	\$128,230
	TOTAL BOARD OF HEALTH	\$598,236	\$606,445	\$651,598
VETERANS SERVICES				
	SALARIES	\$3,556	\$3,600	\$3,850
49	TOTAL PERSONNEL SERVICES	\$3,556	\$3,600	\$3,850
	PURCHASE OF SERVICES	\$6,292	\$6,500	\$7,500
	SUPPLIES	\$5,915	\$6,000	\$6,000
50	TOTAL EXPENSES	\$12,207	\$12,500	\$13,500
	TOTAL VETERANS SERVICES	\$15,763	\$16,100	\$17,350
COUNCIL ON AGING				
	SALARIES	\$131,893	\$148,014	\$158,738
51	TOTAL PERSONNEL SERVICES	\$131,893	\$148,014	\$158,738
	PURCHASE OF SERVICES	\$79,563	\$65,900	\$65,900
	SUPPLIES	\$6,334	\$7,300	\$7,300
52	TOTAL EXPENSES	\$85,897	\$73,200	\$73,200
	TOTAL COUNCIL ON AGING	\$217,790	\$221,214	\$231,938
YOUTH SERVICES				
	SALARIES	\$134,192	\$150,044	\$140,542
53	TOTAL PERSONNEL SERVICES	\$134,192	\$150,044	\$140,542
	PURCHASE OF SERVICES	\$1,920	\$3,850	\$3,850
	SUPPLIES	\$2,878	\$975	\$975
54	TOTAL EXPENSES	\$4,798	\$4,825	\$4,825
	TOTAL YOUTH SERVICES	\$138,990	\$154,869	\$145,367
LIBRARY				
	SALARIES	\$698,341	\$704,123	\$718,376
55	TOTAL PERSONNEL SERVICES	\$698,341	\$704,123	\$718,376

FISCAL YEAR 2010 BUDGET		EXPENDED	APPROPRIATED	REQUESTED
		FY 2008	FY 2009	FY 2010
	PURCHASE OF SERVICES	\$45,626	\$51,200	\$44,430
	UTILITIES	\$35,782	\$45,490	\$0
	SUPPLIES	\$172,481	\$170,500	\$181,500
56	TOTAL EXPENSES	\$253,890	\$267,190	\$225,930
	TOTAL LIBRARY	\$952,231	\$971,313	\$944,306
	POOL			
	SALARIES	\$17,843	\$36,900	\$36,900
	TOTAL PERSONNEL SERVICES	\$17,843	\$36,900	\$36,900
	PURCHASE OF SERVICES	\$11,382	\$10,500	\$0
	UTILITIES	\$48,030	\$64,000	\$0
	SUPPLIES	\$9,330	\$22,500	\$19,000
57	TOTAL EXPENSES	\$68,742	\$97,000	\$19,000
	TOTAL POOL	\$86,585	\$133,900	\$55,900
	DEBT AND INTEREST			
	DEBT SERVICE	\$3,805,966	\$4,086,279	\$4,306,298
58	TOTAL EXPENSES	\$3,805,966	\$4,086,279	\$4,306,298
	TOTAL DEBT AND INTEREST	\$3,805,966	\$4,086,279	\$4,306,298
	UNCLASSIFIED			
	INSURANCE GENERAL	\$530,671	\$610,000	\$670,000
	INSURANCE 32B	\$5,608,059	\$6,575,000	\$7,145,000
	MEDICARE	\$449,970	\$540,000	\$580,000
	UNEMPLOYMENT	\$45,060	\$70,000	\$80,000
	NON CONTRIBUTORY RETIREMENT	\$16,401	\$17,000	\$18,000
	POLICE/FIRE DISABILITY	\$10,086	\$10,000	\$15,000
	RESERVE FOR SAL ADJUSTMENTS	\$0	\$415,000	\$75,000
	OCCUPATIONAL HEALTH NURSE	\$4,942	\$5,000	\$8,000
	EMPLOYEE ASSISTANCE PROGRAM	\$1,054	\$5,000	\$5,000
	TOWN MEETING	\$13,731	\$32,000	\$40,000
	STREET LIGHTING	\$108,859	\$155,000	\$160,000
	RESERVE FUND	\$0	\$205,000	\$215,000
59	TOTAL UNCLASSIFIED	\$6,788,833	\$8,639,000	\$9,011,000
GRAND TOTAL BUDGET		\$54,455,592	\$58,991,773	\$62,098,411

NOTE: The Facilities budget (lines 27 and 28 in this chart) for FY10 reflects the transfer of utilities and certain purchased services and supplies related to building costs from Library, Pool, Joint Communications (Public Safety Building), Cochituate Building – Station #2, and former Highway, Parks, and Water Departments to Facilities (formerly Town Building). The FY08 expended and FY09 Appropriated columns do not reflect this transfer and therefore, are not readily comparable with FY10 Requested column. Please see Appendix D for a list of line items transferred from individual departments to the consolidated facilities budget.

The DPW budget (line 46) reflects the consolidation of the former Highway, Parks, Landfill, and Water department budgets into a single budget. Because of this consolidation, FY08 expended and FY09 appropriated amounts for the individual departments are shown as DPW. Because of the movement of certain accounts related to building and facility expenses have been transferred to the facilities budget and the new costs associated with opening the Baldwin Pond Water Treatment facility, the three columns are not readily comparable. Please see Appendix D for a chart depicting the proposed budgets for the individual departments and the consolidated DPW budget (with Water expenses separated from General Fund expenditures).

WATER DEPT	\$1,982,035	\$2,874,465	\$3,202,671
NET GENERAL FUND	\$52,473,557	\$56,117,308	\$58,895,740

CAPITAL BUDGET		RECOMMENDED	
<u>ASSESSOR</u>			
1	FULL LIST & MEASURE	E	200,000
<u>INFORMATION TECHNOLOGY</u>			
2	COMPUTER EQUIPMENT	C	30,000
<u>FACILITIES</u>			
3	BUILDING REPAIRS	E	495,000
<u>JCC</u>			
4	REPEATER EQUIPMENT	C	30,000
<u>FIRE DEPARTMENT</u>			
5	AMBULANCE & ALS EQUIPMENT	E	240,000
6	SOFTWARE-AMBULANCE	C	25,000
<u>DPW</u>			
7	1 TON DUMP TRUCK W/PLOW	B	65,000
	COMPACTOR (TRANSFER STATION)	C	35,000
	TRUCK WASHING EQUIPMENT	B	50,000
	SKID-LOADER	B	30,000
	PAINT MACHINE/BUNKER RAKE	B	25,000
	TRACTOR ATTACHMENTS	B	25,000
8	TOTAL EQUIPMENT		\$165,000
9	FIELD RENOVATIONS	E	\$25,000
<u>DPW-WATER</u>			
10	GENERATOR	WC	60,000
11	VEHICLES	WC	60,000
	HH WET WELL UPGRADES	WB	150,000
	DRAINAGE IMPROVEMENTS	WB	130,000
12	TOTAL SYSTEM UPGRADES		280,000
<u>RECREATION</u>			
13	BASKETBALL HOOPS/SUPPORTS	B	40,000
<u>SCHOOL DEPARTMENT</u>			
14	BUILDING REPAIRS	E	120,000
15	MAINTENANCE VEHICLE	C	30,000
16	TECHNOLOGY	B	550,000
GRAND TOTAL			2,415,000
<u>SUMMARY</u>			
B =	BORROW		785,000
E =	DEBT EXEMPT ITEMS - BORROW		1,080,000
C =	CASH CAPITAL		150,000
WB =	WATER BORROWING		280,000
WC =	WATER CASH CAPITAL		120,000
			2,415,000
		GENERAL FUND	2,015,000
		WATER	400,000
			2,415,000

ARTICLE 7: FEASIBILITY/SCHEMATIC DESIGN SERVICES FOR WAYLAND HIGH SCHOOL

Proposed by: School Committee

Estimated Cost: \$726,000

To determine whether Town will vote to appropriate a sum of money to be expended under the direction of the High School Building Committee for the purpose of funding schematic architectural, program management, and other services associated with conducting a feasibility study to determine a solution to the deficiencies outlined in the Statement of Interest submitted to the Massachusetts School Building Authority (MSBA) for the Wayland High School for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority (MSBA); 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. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

FINANCE COMMITTEE COMMENTS: The School Committee requests these funds to continue its efforts to modernize and expand Wayland High School. The funding is for professional services to complete the Feasibility Study/Schematic Design phase of the project, as defined by the Massachusetts School Building Authority (MSBA), the agency that oversees school construction grants. The net cost of this article to Wayland will not exceed \$315,600.

Wayland has been told by the MSBA to plan for 40% reimbursement on the Feasibility Study/Schematic Design. The Wayland School Committee has submitted this warrant article for additional funds to complete the Feasibility Study/Schematic Design phase estimated to cost \$1,026,000. Wayland voters approved \$300,000 at the 2007 Annual Town Meeting in anticipation of being selected by the MSBA to proceed.

The balance of \$726,000 is included in this 2009 ATM warrant. The town is required to authorize the full amount, but the cost to the town will be no more than \$315,600 after reimbursement. ***After MSBA reimbursement, the Town of Wayland's total expenditure for feasibility and schematic design will be \$615,600 (or 60% of \$1,026,000). Because Wayland already appropriated \$300,000 in 2007, the actual funding request under this 2009 ATM warrant article is the net amount of \$315,600.***

Wayland High School, 50 years old, is now inadequate in three areas: its physical condition has deteriorated, it is unable to support contemporary educational programs, and it cannot accommodate current and predicted enrollment. Its last renovation was 20 years ago.

A 2002 study concluded it was time for a major overhaul, and recommended a design project for modernization and expansion. However, in 2003 the state suspended its school construction reimbursement program and placed a moratorium on new grants. In 2003, a second study confirmed the need to proceed, and the School Committee formed a High School Building Committee. The Town allocated \$355,000 and a conceptual design project was completed in December 2004. A January 2005 vote to proceed with detailed design did not pass.

In October 2005, the NEASC Accreditation Committee identified major facility-related issues at Wayland High School needing immediate attention. It has required school officials to submit Special Progress Reports on actions taken to address these concerns. Other regulatory agencies, including the Department of Environmental Protection and the Mass. Division of Occupational Safety, have cited numerous facility problems at the school, including health and safety issues.

In the fall of 2005, the MSBA issued new regulations and procedures for state reimbursement. In August 2006, Wayland expanded the HSBC and submitted a Statement of Interest and other documents to the MSBA. In April 2007, the Town allocated \$300,000 to continue working with the MSBA to define a reimbursable project that would meet the educational need. (Only a small amount of these funds has been spent to date.) At that time, the HSBC believed this would be enough funding to update the 2004 conceptual design project to meet the new standards and to establish a project cost.

Since then, the MSBA has continued to define its grant process and release new procedures. Wayland completed the preliminary tasks and is now approved to proceed with the next phase, Feasibility Study and Schematic Design. The MSBA has outlined the tasks, steps and deliverables for this phase and has issued draft contracts for towns, architects and owner's project managers. The HSBC conducted a selection process according to the procedures and chose HMFH Architects to continue as the architect, and KVA Associates as the owner's project manager.

Under the new MSBA process, schematic design tasks are now part of the Feasibility Study phase. The architect will prepare a series of rough plans, known as schematics, which show the general arrangement of rooms and of the building on the site. Models and/or illustrations are prepared to help visualize the project as necessary. This was not known when the first \$300,000 was allocated. The additional funding requested in this article will allow the construction professionals to complete the additional tasks and deliverables the state requires in this phase.

The MSBA defined a funding formula for the Feasibility Study based on their standard factors, and requires towns to set aside this amount before proceeding. They have confirmed that Wayland will receive 40% reimbursement for the Feasibility Study phase, on a pay-as-you-go basis. Using their formula, Wayland must now approve \$726,000 for this phase of the project. With the \$300,000 already allocated, and the \$410,400 the state will pay, the additional net cost to Wayland will not exceed \$315,600. The HSBC will not expend these additional funds until the MSBA has committed to the reimbursement, by executing a Feasibility Study Agreement with Wayland.

The Feasibility Study phase includes tasks such as studying the site and the existing buildings, developing an educational program specification, and arriving at a target enrollment figure for design. The MSBA has approved an enrollment figure of 900 students. The HSBC believes that much of the work done in the prior conceptual design project will be useful during this phase. If the MSBA agrees during the project, that will further reduce the cost to Wayland because they will reimburse part of that project as well.

Development of the educational specification is now underway, using the funds previously allocated. With the target enrollment and the educational specification in hand, the construction professionals will then develop and analyze four scenarios for Wayland High School: minimal code upgrade (or "stop gap"), renovation plus new construction, mostly new construction with a single building, and mostly new construction with multiple buildings. Working with the MSBA, Wayland will select an alternative, obtain their approval, and will proceed with design schematics sufficiently detailed for a firm cost estimate.

At the end of this Feasibility Study/Schematic Design phase, Wayland and the MSBA will execute a Project Scope and Budget Agreement that will define the project, the construction cost and the state reimbursement. Wayland voters will then have 120 days to approve that project at the polls and at Town Meeting, probably in the fall of 2009 or later.

ARGUMENTS IN FAVOR: Numerous study groups and several regulatory agencies have all agreed that Wayland High School needs to be modernized and expanded to address the deteriorating and inadequate facilities. Failure to proceed could result in a loss of accreditation and problems with other agencies, would further compromise the quality of the educational program at Wayland High School, and would risk the health and safety of students and staff.

The MSBA has confirmed that Wayland is eligible for 40% reimbursement for this project. Since Wayland must ultimately address these facility issues anyway, this reimbursement is critical for reducing the burden on Wayland taxpayers, and the town should make every effort to maximize it. Wayland is on a short list of districts that are this far along in the MSBA pipeline. While the MSBA has funds to disburse now, they have announced their funding stream is likely to be greatly reduced in the next five years. If this article is not approved, Wayland will not be able to proceed with the MSBA process and will lose its place in the pipeline. Funds might not be available if we come back later with a project. This would also be true if any federal stimulus funds are made available for school construction or renovation.

ARGUMENTS OPPOSED: Wayland cannot afford to proceed with an expensive construction project right now, regardless of state reimbursement. Accreditation and regulatory consequences will not be immediate. The Town should perform maintenance only until the economic climate improves.

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 Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 8: WAYLAND/SUDBURY SEPTAGE TREATMENT FACILITY BUDGET

Proposed by: Septage Committee

Estimated Cost: \$766,308

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

WAYLAND/SUDBURY SEPTAGE TREATMENT FACILITY BUDGET FY 2010

	Expended FY2008	Appropriated FY2009	Requested FY2010
OPERATING BUDGET:			
SALARIES	\$49,202	\$50,430	\$50,704
TOTAL PERSONNEL SERVICES	\$49,202	\$50,430	\$50,704
PURCHASE OF SERVICES	\$563,994	\$593,936	\$507,266
UTILITIES	\$69,235	\$68,600	\$84,605
SUPPLIES	\$30,052	\$176,500	\$123,733
DEBT SERVICE	\$0	\$0	\$0
TOTAL EXPENSES	\$663,281	\$839,036	\$715,604
1 TOTAL SEPTAGE DEPARTMENT	\$712,483	\$889,466	\$766,308

FINANCE COMMITTEE COMMENTS: This article provides funds for the annual operation of the Wayland/Sudbury Septage Treatment Facility.

Beginning in FY09, the Septage Committee worked closely with the Boards of Selectmen and Finance Directors of both Wayland and Sudbury to manage the facility to business plan and to operate within budget. Both boards had stressed that the Facility manage revenues to be greater than expenses, replenish retained earnings and not borrow until financial viability was proven. These steps were taken to control financial exposure to both towns and to continue to provide local septage service. The Septage Committee has met these expectations and controlled the expenses of the facility. They have taken the facility from a loss in FY2007 to an anticipated profit in FY2009 and FY2010.

All accounts have now been audited through FY2007. Unaudited FY2008 results are discussed below.

Significant plant operating improvements are ongoing to meet the DEP's mandated enhanced discharge limits. The cost of engineering, design and implementation of design improvements has been paid from operating income generated by the facility in FY2008 and FY2009.

The FY2010 budget shows reduced expenses from the prior year, mainly in Purchase of Services (sludge disposal, equipment repair, and professional services). It also assumes continued operation of the facility at current flow levels. The Septage Committee is pursuing increased permitted levels of flow, but has budgeted conservatively.

FY2008 Results (Unaudited Financial results): The Facility received revenues of \$727,543 from various sources on a cash basis in FY2008. This represents an increase in receipts compared to FY2007. FY2008 expenditures were \$697,895. This represents a decrease in expenditures from FY2007, and results in the first positive operating income surplus (cash and accrual basis) in the last five budget years. A summary of the FY2008 results and a comparison to FY2007 is presented below:

Operating Results	FY2007	FY2008	Variance
Receipts	\$ 618,064	\$ 727,543	\$ 109,479
Expenditures	<u>\$(791,638)</u>	<u>\$(697,895)</u>	<u>\$ 93,743</u>
Surplus/(deficit)	\$(173,574)	\$ 29,648	\$ 203,222

Accounts Receivable: Hauler receivables totaled \$127,795 at the end of FY2008. This represents a decrease of \$58,239 as compared to FY2007.

Debt Service: There was no debt outstanding at FY2008 year end.

Retained Earnings/Cash Balance: Uncommitted retained earnings were \$191,890 as of June 30, 2008. Separately, there are \$127,795 in receivables and \$17,725 in accounts payable. In addition, the facility had an estimated cash balance of \$227,340 at the end of FY2008. No retained earnings were used during FY2008.

FY2009: Through December 31, 2008, operating results remain positive. Flow volumes are up 22% over the same period of the previous year and hauler receivables remain controlled at \$137,506 with just over 10% greater than 60 days. There is no plan to use retained earnings this year.

ARGUMENTS IN FAVOR: This article provides adequate funds to operate the Facility. The Facility operates as an enterprise fund with no subsidy from the General Fund.

Significant improvements have been made to control financial risk and improve the Facility’s financial performance.

The facility represents valuable local infrastructure for community-controlled, cost effective means to treat residential septage waste of both Wayland and Sudbury in an environmentally responsible manner. Of equal importance, this infrastructure provides our towns with the long-term capability to utilize and maintain residential septic systems. The Septage Committee believes there are cost advantages reflected in the rates charged residents of Wayland and Sudbury.

ARGUMENTS OPPOSED: Successful operation of the Facility requires revenue levels dependent on continued use by local haulers and operation near capacity.

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, Sections 7 and 8.

For more information about this article, contact Mike DiPietro, Finance Director, at mdipietro@wayland.ma.us or (508) 358-3611, or contact Tom Abdella, Septage Committee chair, at (508) 788-0955 or tomabdella@comcast.net.

ARTICLE 9: WASTEWATER MANAGEMENT DISTRICT COMMISSION BUDGET

Proposed by: Wastewater Management District Commission

Estimated Cost: \$267,445

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

WASTEWATER MANAGEMENT DISTRICT COMMISSION BUDGET FY 2010

	Expended FY 2008	Appropriated FY 2009	Requested FY 2010
Purchase of Services	\$ 159,748	\$ 175,531	\$ 188,115
Capital	12,770	102,900	0
Debt Service	29,167	29,577	79,330
1 Total Expenses	\$ 201,685	\$ 308,008	\$ 267,445
Anticipated Revenue	\$ 226,856	\$ 231,025	\$ 267,445
Retained Earnings	0	76,983	0
Total Revenue	\$ 226,856	\$ 308,008	\$ 267,445
2 Capital – Plant Supplemental		Borrow	\$400,000

FINANCE COMMITTEE COMMENTS: This article describes both the operating and capital budgets for the Wastewater Management District Commission (WWMDC). Although presented as one article, at Annual Town Meeting the two components will be treated separately for voting purposes. This is because the operating portion of the budget must receive a simple majority to pass, while the capital component must receive a 2/3 majority.

Operating Budget. The operating budget continues the funding for the WWMDC, which owns and operates a wastewater treatment facility located at the proposed Wayland Town Center site. Nearby Route 20 businesses, residents, and the Public Safety Building are users. The Town Building and the library are potential users. Although the facility is currently underutilized, a substantial portion of the facility's capacity is reserved for use by future Wayland Town Center residences and businesses. According to the enabling 1996 ATM article and subsequent legislation when the facility was transferred from Raytheon to the WWMDC, the expenses of the current system, including debt payment for all borrowing, are to be borne by revenues from the users and by charges for betterments. While the WWMDC anticipates an increase in user fees in FY 2010, overall operating performance has improved. This is evidenced by the fact that retained earnings will not be used in FY 2010.

Capital Budget. In FY 2009 the Town approved \$5.2 million as an appropriation for the upgrade and construction of a new wastewater treatment plant (WWTP). The new WWTP is needed to replace the 46-year-old current facility, to process the anticipated flows from the new Town Center development, and to treat wastewater at the stringent levels outlined in the new permit. To fund the new WWTP, the WWMDC will use a combination of retained earnings, new betterments, and borrowing. According to the agreement between the Town and the Town Center developer, Twenty Wayland, 70% of the WWTP cost (less the \$175k gift from the developers and any amount of retained earnings used) will be borne by Twenty Wayland. The balance of all costs will be borne by the other users.

WWMDC has engaged the engineering firm of Tighe & Bond which is currently at the 75% design phase. The engineer estimates that the cost to design and construct the new WWTP is \$5.3M, plus the site modifications for new power lines (\$70k), an auxiliary generator (\$70k), a temporary access road (\$30k), and a new outfall to the river (\$130k). This will require increasing the borrowing limit by \$400,000, from \$5.2M to \$5.6M. The WWMDC is exploring feasible options that would help realize cost savings. Design will continue through the winter and spring, with a contract scheduled to be negotiated for a summer 2009 construction start. The WWMDC will assess the state of development of the Town Center project before construction begins on the WWTP.

ARGUMENTS IN FAVOR: This article provides sufficient funds for the operation of the facility at present, and also for required capital borrowings to support the future Wayland Town Center daily design flow obligations and revenue streams. Value and use of residential and business properties in the Town Center would be negatively impacted if this article is not approved. Users of the WWTP could realize an increase in property values as a result of the facility.

ARGUMENTS OPPOSED: Timing and build-out of Town Center businesses could impact the timing of expected revenue streams needed to cover debt and increasing expenses. In the absence of additional users, rates will have to be raised. There is a pending appeal of the permit for the WWTP that has not been resolved as of March 12, 2009.

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

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, Sections 7 and 8.

For more information about this article, contact Michael DiPietro, Finance Director, at (508) 358-3611, e-mail mdipietro@wayland.ma.us or David Schofield, chairman of the WWMD, at dschof@verizon.net.

ARTICLE 10: PERSONNEL BY-LAWS AND WAGE AND CLASSIFICATION PLAN

Proposed 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 (Appendix E) 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 Town By-laws related to Personnel this year.

The Wage and Classification Plan allows for systematic wage increases for non-union employees based on employee longevity and provides for a reasonable wage growth. The Wage Classification Tables, as included in this warrant, incorporate the salary increases for all employees as of July 1, 2008 and the proposed salary increases for July 1, 2009 for non-union employees (approximately 20 individuals out of ~600+ municipal and school employees) and those union employees in bargaining units with the executed labor contracts. Traditionally, union positions are included for informational purposes only.

The wage adjustment for FY 2010 is an increase of 2.5% with an additional increase of 0.5% for health insurance mitigation for most regular positions. Part time positions scheduled less than 20 hours per week and seasonal positions will not receive the additional 0.5%.

The Personnel Board voted 5-0 in favor of this article.

ARGUMENTS IN FAVOR: The Wage and Classification Plan allows for systematic wage increases for non-union employees based on employee longevity and provide for a reasonable wage growth given current economic conditions. Changes to the union schedules are required to reflect new salary levels that result from executed union contracts.

ARGUMENTS OPPOSED: Some would say that the salary increases are in excess of what the town can afford.

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

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

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

ARTICLE 11: INCREASE DEMAND CHARGE FOR DELINQUENT TAXES

Proposed by: Board of Selectmen

To determine whether the Town will vote to charge for each written demand issued by the Town Treasurer-Collector a fee of \$30.00 or such greater amount as authorized by state law to be added to and collected as part of the tax, as authorized by Massachusetts General Laws Chapter 60, Section 15, effective July 1, 2009.

FINANCE COMMITTEE COMMENTS: Passage of this article allows the Town Treasurer-Collector to raise the fee for each written demand of delinquent taxes from \$5 to \$30. It would also allow this rate to automatically change in the future as the State increases the amount as authorized by MGL Chapter 60, section 15. MA DOR has determined that town meeting approval is needed because it is not a license fee or charge for services; it is a statutory penalty. Also, the MA DOR requires that the demand fee be the same for all types of taxes (meaning that the town may not differentiate on excise vs. real estate tax demand charges).

Prior to issuing a demand charge, the Treasurer-Collector issues a bill for taxes due. A demand notice is sent after 30 days of non-payment on excise and water bills and after May 1st for non-payment of all real estate tax billings. Only one demand notice is sent and only one demand charge is incurred; then, the account is sent to collection (excise, water) or to tax title collection (real estate). Surrounding towns have demand charges that range from \$5 to \$30; many towns at the \$5 level have also suggested increases for their own town meetings this spring.

ARGUMENTS IN FAVOR: The present \$5 fee has not been increased since 1989 and increasing it to \$30 brings it to the level allowed by the State. While the present penalty may cover the cost (personnel, overhead, materials, printing and mailing) of processing a written demand for delinquent taxes, increasing the penalty may encourage residents to pay on a more timely basis and better supports the costs incurred by the Town.

The cost to create and send a demand notice is the same regardless of the amount of tax past due. In fairness, the cost of collection and processing should be borne by the individual delinquent taxpayer and not paid by the Town (and therefore all taxpayers).

Further, residents have a basic responsibility to pay their taxes on time. Payment plans are available to taxpayers and creating a plan will avoid the demand charge.

In the future, the demand charge will stay at levels permitted by the State. This will reduce the time needed at Town Meeting to approve fee changes which are primarily housekeeping in nature.

ARGUMENTS OPPOSED: The penalty is applied to all delinquent taxes, both property and excise, and is applied regardless of the amount of delinquency. It could be argued that the Town is adding additional burden to the delinquent taxpayers, and it could add a \$30 penalty to a taxpayer with a small outstanding tax. Also, the demand charge may not be sufficient reason for the taxpayer to pay late taxes.

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

QUANTUM OF VOTE: Majority.

See M.G.L. Chapter 60, Section 15, at Appendix F. For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 12: ACCEPT LAW INCREASING REAL ESTATE TAX EXEMPTION AMOUNTS

Proposed by: Board of Selectmen and Board of Assessors

To determine whether the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and allow an additional exemption of up to one hundred percent for Fiscal Year 2010.

FINANCE COMMITTEE COMMENTS: This is an annual article that provides for tax exemptions to assist elderly, disabled veterans, and other fixed-income residents. With passage of this article at the Annual Town Meeting, certain residents may avail themselves for exemptions in the following amounts: \$350 for widow/widower; \$875 for the blind; \$1,000 for the elderly; and \$800 for disabled veterans. The title of this article refers to "Increasing Real estate Tax Exemption Amounts" because the exemptions listed above are double the amounts in the state statute. The exemption will not result in any taxpayer paying less than the taxes paid in the preceding fiscal year. In FY08, 144 taxpayers were granted exemptions for a total of \$ 151,943.30 in tax relief.

ARGUMENTS IN FAVOR: This article adds minimal tax burden to each taxpayer and provides needed support to the elderly and certain residents coping with increasing burden of paying property taxes on fixed incomes.

ARGUMENTS OPPOSED: In order to allow exemptions for eligible residents, other taxpayers must pay slightly higher 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 Bruce Cummings, Board of Assessors, at (508) 650-3944.

ARTICLE 13: AMEND SECTION 19-8 OF THE CODE OF THE TOWN OF WAYLAND TO SET DEADLINE FOR FILING APPLICATIONS FOR LOCAL CIRCUIT BREAKER PROGRAM

Proposed by: Board of Assessors

To determine whether the Town will vote to amend the Code of the Town of Wayland by adding the following new paragraph to Section 19-8 of the Code of the Town of Wayland:

- G. Local Circuit Breaker Program. Applications for senior tax relief under the Town Circuit Breaker program must be filed with the office of the Board of Assessors no later than December 31 of the year in which the original tax filing was due.

FINANCE COMMITTEE COMMENTS: The Wayland Circuit Breaker match allows eligible taxpayers to file for a town abatement on property taxes. No deadline currently exists for filing for the program. This article would establish an annual filing deadline which is 8 ½ months after income taxes must be filed. The state has a similar circuit breaker program which allows a 3 year "look back" period; the Town is not obligated to set the same date as the state.

ARGUMENTS IN FAVOR: It is logical and consistent to have a filing deadline for all programs. The deadline would also allow the Town Finance Director to better estimate the Circuit Breaker abatement amount.

ARGUMENTS OPPOSED: Some senior taxpayers may have difficulty filing for the abatement by the date required.

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

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 by-law amendment is consistent with federal and Massachusetts law.

For more information about this article, contact Bruce Cummings, Board of Assessors, at (508) 650-3944.

ARTICLE 14: SET ASIDE COMMUNITY PRESERVATION FUNDS FOR LATER SPENDING

Proposed by: Community Preservation Committee

Estimated Cost: \$235,000

To determine whether the Town will vote to

- a.) set aside for later spending annual revenues in the Community Preservation Fund for open space, but not including land for recreational use, for historic resources, and for community housing; and determine the amounts of such revenues to be set aside for later spending for said purposes; and
- b.) appropriate \$25,000 for administrative expenses.

FINANCE COMMITTEE COMMENTS: The Community Preservation Fund, authorized by Town vote in 2001, is funded by a 1.5 percent addition to the real estate tax. The Fund is administered by the Community Preservation Committee, which identifies and evaluates projects as appropriate and brings them to the Town's notice. No funds can be spent without Town meeting approval.

Each year, as required by state law, we vote to set aside funds in each of the following categories: open space (not including for recreational purposes), historic resources, and community housing.

ARGUMENTS IN FAVOR: The set aside of \$70,000 for each of the three categories listed above is required by state law. Future town meeting action is required to expend these funds for a specific project.

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

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.

ARTICLE 15: 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 pursuant to Massachusetts General Laws Chapter 41, Section 108, to be effective July 1, 2009, which salary and compensation is printed below.

The proposed wage increase is the same percentage (+2.5 %, +0.5% health insurance adjustment) as proposed for non-union employees.

SALARY SCHEDULE – TOWN CLERK

	<u>FY 2009</u>	<u>FY 2010</u>
Town Clerk	\$ 64,179	\$ 66,112

FINANCE COMMITTEE COMMENTS: This is a standard article that permits the Town to pay the Town Clerk. The salary of the Town Clerk does not fall within the Personnel Wage and Salary Classification Plan, because it is an elected position. As a result, Town Meeting must approve pay increases for the Town Clerk. Appointed Department Heads enjoy benefits not available to elected officials, such as automatic step increases, merit increases that recognize performance, and cost of living adjustments. The only course of action for the Town Clerk is to place an article in the Warrant and a line item in the budget (the article sets the salary, the budget appropriates the monies) calling for a salary increase.

ARGUMENTS IN FAVOR: The salary proposed reflects a fair compensation for work performed.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any arguments in opposition.

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, Human Resources Director/Assistant Town Administrator, at (508) 358-3623, or email jsenchyshyn@wayland.ma.us.

ARTICLE 16: PAY PREVIOUS FISCAL YEAR UNPAID BILLS*Proposed by: Board of Selectmen**Estimated Cost: Unknown*

To determine whether the Town will vote to:

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

FINANCE COMMITTEE COMMENTS: Occasionally, bills are not paid at the end of a fiscal year for a number of reasons, including late submission. At the printing of the warrant, there were no known unpaid bills.

ARGUMENTS IN FAVOR: This is a bill for services that the Town has received, and it should be paid.

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

RECOMMENDATION: The Finance Committee defers recommendation until Annual Town Meeting.

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

For more information about this article, contact Michael DiPietro, Finance Director, at (508) 358-3611, or email mdipietro@wayland.ma.us.

ARTICLE 17: SELL OR TRADE VEHICLES AND EQUIPMENT

Proposed by: Board of Selectmen

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

<u>Department</u>	<u>Vehicle/Equipment</u>	<u>Year</u>
Highway	Dyna Hot Box	2002

FINANCE COMMITTEE COMMENTS: This standard article allows the Town to sell used vehicles or other personal property.

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: 5-0.

QUANTUM OF VOTE: Majority.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or fturkington@wayland.ma.us.

ARTICLE 18: 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. At the time of the printing of the Warrant, there were no known gifts of land.

ARGUMENTS IN FAVOR: Acquisition of land by the Town gives the Town more control over the use of such land.

ARGUMENTS OPPOSED: Land given to the Town may result in a slight loss of taxable real estate.

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

QUANTUM OF VOTE: Majority.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or fturkington@wayland.ma.us.

ARTICLE 19: RESOLUTION TO INCORPORATE FULL LIST AND MEASURE IN CAPITAL PLAN

Proposed by: Petitioners

To determine whether the Town will vote to endorse the following Resolution:

WHEREAS April 2008 town meeting approved the expenditure of \$40,000 for an independent consultant to evaluate the state of assessments and the efficiency of the office, and

WHEREAS the town's consultant has found serious issues with the consistency of Wayland property assessments,

Be it therefore resolved that Town Meeting supports incorporating in Wayland's Capital Plan the fund to plan for and conduct knowledgeable inspection of all real properties in FY10-FY13 as recommended by the consultant.

PETITIONERS' COMMENTS: The resolution for \$200,000 for a list and measure effort in Wayland is designed to help address the shortcomings of data accuracy in assessment records. Accurate records of homes are even more important with the new methodology introduced by Vision Appraisal last year. Also, property attributes are often lacking. The state requires inspections of all homes within a 9-year time span. By compressing the timeframe for inspection, more properties can be viewed on a comparable basis, thereby providing equity in the review process.

The town's consultant on assessment has recommended a list and measure effort be done during the next few years. This funding will help make that happen.

This expenditure has been recommended by the Board of Assessors and approved by the Finance Committee for inclusion in the capital budget. The resolution is presented to voters in case approval is needed by town meeting.

FINANCE COMMITTEE COMMENTS: This is a petitioners' article that requests Town Meeting adopt the resolution that the sum of \$200,000 for a Full List and Measure be included in the Capital Budget. A full list and measure is a study and analysis that the Assessors would oversee and provides the basis for real estate assessments. As a Town Meeting Resolution this is not binding.

The April 2008 Town Meeting approved the Selectmen sponsored expenditure of \$40,000 for an independent consultant to study the state of assessments and the efficiency of the Assessors office. As a result of that study, the Assessors have requested that a Full List and Measure be undertaken. This request has been supported by the Finance Committee and the amount of \$200,000 has been included in the 2010 Capital Budget and will be subject to a Town Meeting vote prior to the moving of this motion. It is expected that this item will be approved and as a result, there is no need for this article.

ARGUMENTS IN FAVOR: The consultant's study of the assessment process and the efficiency of the Assessors' office concluded that there are a number of deficiencies in the assessment process. One of the suggestions made by the consultant is that a Full List and Measure be undertaken to establish

that properties are properly surveyed and appraised in a consistent manner across the town. This study should provide the credibility and overcome many of the objections some residents have about their property assessed values.

This expenditure will be borrowed and the annual cost will be \$20,000 plus interest. The Massachusetts Department of Revenue requires each Town to undertake a full assessment study every 9 years. As a result, this expenditure is essentially just accelerating the timing of when the assessors would have originally initiated this study.

ARGUMENTS OPPOSED: Given the current economic conditions and financial challenges facing the town this expenditure may be deemed too expensive and shouldn't be incurred at this time. There is no guarantee that the study will satisfy residents who believe their property values are not assessed correctly relative to comparable homes. Also, the success of a full list and measure requires residents granting inspectors access to their homes. If the town continues to experience a low entry rate, then the full list and measure might not provide the necessary input to improve the data for improved assessment accuracy.

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

QUANTUM OF VOTE: Majority.

For more information, contact Molly Upton at (508) 651-7610, or mollyupton@yahoo.com.

**ARTICLE 20: AMEND ARTICLE II, CHAPTER 1 OF TOWN BY-LAW RE:
NON-CRIMINAL DISPOSITION OF VIOLATIONS**

Proposed by: Board of Selectmen for the Town Clerk

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 1, Article II, Section 1-2 (Noncriminal disposition of violations; enforcement) by changing the designation of Paragraph "J" to "K".

FINANCE COMMITTEE COMMENTS: This is a minor change to the Town Code to ensure paragraph lettering is sequential.

ARGUMENTS IN FAVOR: Re-lettering this paragraph makes it consistent with all other paragraphs in the Town Code.

ARGUMENTS OPPOSED: None noted.

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

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 by-law amendment is consistent with federal and Massachusetts law.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 21: AUTHORIZE TOWN CLERK TO EDIT BY-LAW PARAGRAPH NUMBERING

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend the Code of the Town of Wayland by adding the following new section to Article I thereof and by renumbering §1-1 (General penalty) as §2-1 and §1-2 (Noncriminal disposition of violations; enforcement) as §2-2:

§1-1. Editing.

The Town Clerk, after consultation with Town Counsel, may make nonsubstantive editorial revisions to the Town Code to insure consistent and appropriate sequencing of numbering of sections, subsections, paragraphs and subparagraphs, provided that all such editorial revisions shall be referenced by a footnote which describes the revision and the reason therefore.

FINANCE COMMITTEE COMMENTS: Minor edits of this type to the Town Code occur occasionally and are administrative in nature. They do not affect the substance and intent of the code.

ARGUMENTS IN FAVOR: It is unnecessary for such matters to require the attention of citizens at Town Meeting.

ARGUMENTS OPPOSED: Some citizens may wish to see and vote on any and all edits to the code at Town Meeting, regardless of how minor.

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

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 by-law amendment is consistent with federal and Massachusetts law.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 22: CHANGE DATE THAT ELECTED TOWN OFFICIALS TAKE OFFICE

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to adopt a special act establishing the date that Town officials elected at the annual town election take office as the date of adjournment of the annual town meeting immediately following said election.

FINANCE COMMITTEE COMMENTS: Wayland traditionally holds its town elections on a Tuesday before Town Meeting convenes and successful candidates assume office immediately. This means that board members may be new to their positions for annual town meeting.

Passage of this article instructs the Board of Selectmen to petition the legislature to set the date of elected officials taking office as the conclusion of annual town meeting. This will result in a smooth transition for newly elected or appointed members to begin their service to the town in an orderly time frame. This allows existing members to finish their work for Town Meeting with an unhurried and orderly transition for incoming members.

ARGUMENTS IN FAVOR: This will provide a smooth, orderly transition for Board and/or Commission members to begin their service to 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 Constitution Amendment Article 2, Section 8(1).

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 23: CHANGE THE RANGE OF DATES FOR THE ANNUAL TOWN MEETING

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 36, by striking from the first sentence of §36-1 thereof the words “in April” and inserting in place thereof the words “between April 1 and May 15 inclusive”.

FINANCE COMMITTEE COMMENTS: This change will expand by 15 days the time period during which the Annual Town Meeting (ATM) can begin. In those years when all of the following occur during April, Good Friday/Easter, Passover, Patriot’s Day, and school spring recess, the ability to schedule ATM can be problematic. It is important to the Town that when sensitive topics like Proposition 2 ½ overrides and the High School building project are up for discussion and vote at ATM, there be sufficient time to prepare and have a fulsome discussion. Allowing for a later ATM date also gives more time for the Town to react to changing financial conditions while preparing its annual budget.

This article should also be thought of in the context of Article # 24, Change Deadline for the Submission of Annual Town Meeting Warrant Articles. Moving both deadlines back should minimize the need to conduct a Special Town Meeting within the ATM to deal with issues that missed the earlier December 15 cutoff date.

ARGUMENTS IN FAVOR: Additional flexibility in scheduling ATM will allow the Town to schedule ATM at a time when there is the greatest possibility of having the most participation and allows more time to prepare for the meeting. Thorough preparation and maximum participation are critical to making ATM successful.

ARGUMENTS OPPOSED: Some would say that allowing extra time doesn’t necessarily mean that a better result will occur and that the process already takes too long as it is.

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

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 by-law amendment is consistent with federal and Massachusetts law.

See Town Code Chapter 36, Section 1, at Appendix G. For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 24: CHANGE DEADLINE FOR THE SUBMISSION OF ANNUAL TOWN MEETING WARRANT ARTICLES

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 36, by striking from the first paragraph of §36-3 thereof the word “December” in all places that it appears and inserting in place thereof “January”.

FINANCE COMMITTEE COMMENTS: Currently, articles that miss the December 15th deadline have three alternatives; 1) wait until the next Annual Town Meeting, 2) wait until a Special Town Meeting is held in the fall, or 3) be put forth for consideration at a Special Town Meeting within the Annual Town Meeting (ATM) in the spring. Extending the deadline for submission of Articles to ATM until January 15th will reduce the need to consider the three alternatives listed above.

This article should also be thought of in the context of Article # 23 Change the Range of Dates for the Annual Town Meeting. Approving this article and not approving Article # 23 will shorten the time available to evaluate and fully vet articles submitted to ATM.

ARGUMENTS IN FAVOR: This article, in concert with Article 23, will improve the efficiency of ATM by including as much business as practically possible in the regular ATM. It allows for an appropriate amount of time to fully vet all articles being submitted to ATM.

ARGUMENTS OPPOSED: Moving the deadline to January 15th may still not allow enough time to fully vet all articles prior to their inclusion in the ATM warrant. Some would say that the current process has worked well enough over the years and doesn't need to be changed.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 4-2.

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 by-law amendment is consistent with federal and Massachusetts law.

See Town Code Chapter 36, Section 3, at Appendix H. For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 25: MAKE CERTAIN TOWN OFFICIALS EX-OFFICIO TOWN MEETING MEMBERS

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend Chapter 36 of the Code of the Town of Wayland by adding thereto the following new section:

§36-18. Attendance and Participation of Non-resident Town Officials.

Notwithstanding their place of residence or voter registration status, the Town Administrator, Assistant Town Administrator, Police Chief, Fire Chief, Finance Director, Director of Public Works and Superintendent of Schools shall have the same rights as registered voters of the Town to attend and participate in all town meetings, except for the right to vote at such meetings. Said Town officials shall not be considered in determining the presence of a quorum at town meetings. In the event that any of said Town officials becomes a registered voter of the Town, s/he shall have all of the rights of registered voters of the Town at town meetings.

FINANCE COMMITTEE COMMENTS: This article proposes to amend Wayland's by-laws by giving certain staff positions the same rights as Wayland voters to attend and participate in all town meetings, except for the right to vote. The seven positions which would be allowed to participate are the Town Administrator, Assistant Town Administrator, Police Chief, Fire Chief, Finance Director, Director of Public Works, and Superintendent of Schools.

This article was proposed to reduce the amount of time dedicated to administrative protocol at the start of each Town Meeting. Now, the moderator typically asks the Town Meeting attendees to vote to allow these staff positions to sit amongst the residents on the floor of Town Meeting and to allow them to participate. A vote is required at each town meeting for this to occur.

This article will allow the vote to occur now, will change the by-law and will eliminate the necessity of voting at each Town Meeting.

ARGUMENTS IN FAVOR: Passage of this article will streamline the Town Meeting process without deviating from what has become a perfunctory vote at each Town Meeting. Making Town Meeting more efficient has long been a goal of many residents and committees. Town meeting attendees and town boards benefit from having staff attend town meeting. Staff members are frequently needed to clarify information or to answer questions. The seven positions identified in this article cover the primary budget areas for the entire town.

Having staff members available to answer questions will provide better access to information for Town Meeting attendees.

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

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

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 by-law amendment is consistent with federal and Massachusetts law.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 26: ESTABLISH WATER DEPARTMENT ENTERPRISE FUND

Proposed by: Petitioners

To determine whether the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 53F1/2 to establish an enterprise fund for the Water Department and its operation, maintenance and improvement of the water supply system of the Town, effective July 1, 2009.

PETITIONERS' COMMENTS: This Article seeks to establish an Enterprise Fund for Wayland's Water System by adopting M.G.L. Chap. 44, Sec. 53F ½. An Enterprise Fund will establish a separate and distinct accounting mechanism for this vital municipal service and will assure that user fees paid to the Water Department for water services are specifically earmarked to support those services. This is the ONLY way to ensure that all water revenues can only be used for water purposes.

Our water service is too important to subsidize other town operations while leaving insufficient funds available to maintain the water system. Alarming, surplus water revenues can presently be used to fund town operating budget deficits or reduce Proposition 2 ½ override amounts.

All Massachusetts communities with Aaa bond ratings have Water Enterprise Funds or an equivalent, except Wayland. All peer towns with public works departments have Water Enterprise Funds or an equivalent, except Wayland.

FINANCE COMMITTEE COMMENTS: This article, if adopted, would create an enterprise fund for the Water Department. The Water Department has operated as a separately accounted and reported fund within the Town's budget, although never formally voted as an enterprise fund. At its heart, establishing an enterprise fund is an accounting and financial decision. It does not directly impact the delivery of water or service of the water system nor grant additional powers to the entity providing the service.

MGL 44, section 53F ½ was enacted in 1986 allowing towns to create enterprise funds. Wayland has two such funds: one for Wastewater operations, one for Septage operations. The purpose of the statute was to give towns the flexibility to account separately for all financial activities associated with a service. By definition, an enterprise fund establishes a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for those services.

There are three generally recognized reasons to establish an enterprise fund: to demonstrate the total cost of service, to provide useful management information, and to retain investment income and surplus.

- Demonstrate total cost of service: the Town's new accounting system, MUNIS, can segregate, track and report the total cost of water operations service. This was more difficult to do under our previous accounting system and was one reason we purchased MUNIS.
- Provide useful management information: similarly, MUNIS can now provide the management tools to combine the revenues and costs of providing water
- Retain investment income and surplus: unlike other town services, any surplus would remain in the enterprise fund and not be eligible for inclusion in the reserve balances for general fund use. Today, water reserves of approximately \$1,000,000 are counted toward the town's available cash balance for calculating our bond rating. Investment income on those funds also falls to the Town's general fund.

Water revenues and expenses are accounted for separately even though the operations will be combined with like functions within the Department of Public Works (DPW) as of July 1, 2009.

The petitioners state in their comments above: “All Massachusetts communities with Aaa bond ratings have Water Enterprise Funds or an equivalent, except Wayland.” There are 12 communities rated Aaa by Moody’s. Of those, Wayland and Newton do not have water enterprise funds. Instead, they have the equivalent; funds (revenues and expenses) which are accounted for separately. Eight of the communities have enterprise funds; two obtain their water from private companies or wells and do not run enterprise funds nor their equivalents.

An enterprise fund does not need to be self-supporting. It may be subsidized by funds from the general fund, but may not contribute to them.

Wayland’s water department was established by state vote and ratified by town meeting vote in April 1878. This allowed the Town to supply water and to fix and collect rents for the use of said water. As early as 1946, a consultant’s report stated, “rates...should be adequate to finance additions to the system required by normal growth and by replacement of obsolete components.” It was not anticipated that water rates would be set to subsidize other town operations. An enterprise fund does not include responsibility for setting water rates. Rate setting is still done by the governing board, and, as now, rates should support water service and projects.

The idea of an enterprise fund was brought before town meeting voters in April 2005 and in November 2007; both times it failed to pass. At the April 2005 meeting, the town meeting attendants voted to use \$500,000 of water reserves to fund the FY2006 budget in a Proposition 2 ½ override year. These funds paid approximately 5 years worth of medical, pension and accounting expenses not previously collected by the water rates; since 2005, we have included these in the Water Department budget. In effect, using those funds directly reduced the override amount, and, therefore, the tax impact to residents.

At the November 2007 town meeting, the town meeting attendants approved a resolution stating “that it is the desire and intent of the Town that all Water Department revenues shall be henceforth used for water purposes only.” The Finance Committee supported the resolution and spoke for it at town meeting. The resolution maintained budget flexibility and provided continued stability for the town. The resolution provided a compromise – it provided the protection sought by the Water Commissioners and maintained the financial flexibility important to the Finance Committee.

If Town Meeting votes to establish an enterprise fund, it must remain in place for at least three years before being reconsidered or terminated by another Town Meeting vote.

The Board of Water Commissioners voted 2-0 to support this article.

ARGUMENTS IN FAVOR: It is thought that keeping water revenues separate in an enterprise fund will eliminate any potential for a DPW department head to raise water rates to fund other DPW activities. Any increased revenues from higher water rates would be held in the enterprise fund and could not legally be used to fund other DPW operations.

Surplus water revenues could not be used to fund town operating budget deficits or to reduce Proposition 2 ½ override amounts, thus protecting water revenues for use on only water related activities.

Moody’s Investment Service prefers the use of an enterprise fund for fee based municipal services (in this case, water) to provide transparency of accounting and to ensure that the Town’s general fund is

not being used to subsidize the revenues from water rates. Also, if the revenues generate surplus income they can be used toward capital projects to support the water operations.

In preparing for the town meeting article in April 2005, a representative of the Massachusetts Department of Environmental Protection stated that the "Department of Environmental Protection encourages all municipal water departments to establish a dedicated enterprise fund and replacement account for the accrual, management and disbursement of water user fees and charges exclusively for the purposes relating to the operation, maintenance and replacement of the Water System. As to maintain positive cash flow and adequate capital to replace equipment, an emergency cash reserve should be held sufficient to replace the most expensive piece of equipment in the system and be able to support the system for one (1) year's operation and maintenance cost."

If the Town wants to create an enterprise fund, this may be the time to proceed as the Town's free cash levels are higher than a few years ago.

ARGUMENTS OPPOSED: There continues to be one primary reason for opposing establishment of a water enterprise fund: Water department surplus reserves or "free cash" are included in the Town's free reserves now, and with an enterprise fund they cannot be used in calculating reserves available to the Town's general fund.

Creating a water enterprise fund will remove approximately \$1,000,000 from available cash resources. Moody's Investment Services, a bond-rating agency, has regularly commented positively on Wayland's financial flexibility from funds held outside of the general fund (January 2009). Given that the Town will soon be considering some of the largest capital projects in our history (high school, library, highway/DPW garage, and funding the majority of the water treatment plant), we should conserve reserves in an attempt to maintain our good bond rating.

Financial flexibility is lost when the water reserves are held within an enterprise fund. The Finance Committee does not believe that the potential cost of losing financial flexibility is worth the benefit of creating an enterprise fund – particularly when the Water department already operates as an enterprise fund in name and practice.

MUNIS, the Town's accounting system, already provides the segregated account reporting to show the true cost of providing water services. This was cumbersome to do with the Town's previous accounting system; MUNIS allows for greater transparency in the budget review process.

Even with an enterprise fund, capital borrowings are done under the Town's name and the Town remains legally responsible for all debt payments.

There is less budget transparency in voting an enterprise fund. The town meeting votes one bottom line number and has no line item budget control.

To offset the impact of removing water department reserves, Town free cash may have to increase which in future budgets might require reduced expenditures or higher revenues.

Interest income on Water reserves and capital funds of approximately \$75,000 this year is counted in the Town's FY09 revenue estimates. Going forward, the interest income is expected to be closer to \$20,000 annually. Creating an enterprise fund eliminates this revenue source and directly increases our anticipated FY10 budget shortfall.

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

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 44, Section 53F1/2.

For more information about this article, contact Patricia Abramson at (508) 358-2138 or pabramson@bentley.edu.

ARTICLE 27: ACCEPT YORK ROAD AS A TOWN WAY

Proposed by: Board of Selectmen

Estimated Cost: \$16.00

To determine whether the Town will vote to:

- a.) accept as a Town way the portion of York Road as laid out by the Board of Road Commissioners;
- b.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain or otherwise, the fee or any lesser interest in the land in Wayland, Massachusetts comprising the portion of York Road lying between Oxbow Road and easterly end of the portion of York Road previously accepted by the Town shown as “York Road” on a plan entitled “Definitive Subdivision Plan of James Estates on York Road n Wayland, MA” (Sheets 1 through 4), dated April 4, 1988, revised December 16, 1988, prepared by BSC Group-Norwell, Inc. and recorded with the Middlesex South Registry of Deeds in as Plan No. 130 of 1989, for roadway purposes;
- c.) appropriate \$16.00 to be expended by the Board of Selectmen for the acquisition of said land; and
- d.) 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.

FINANCE COMMITTEE COMMENTS: The Board of Selectmen, on behalf of the residents of York Road, would like the Town to accept York Road as a Town way.

The road was built to the proper specifications and at the February 3, 2000 meeting of the Planning Board, the Planning Board released the remaining 10% retainer, essentially certifying that the subdivision was complete and in accordance with the Board’s Subdivision Rules and Regulations. At this point, the next step was for the Developer to go to the Board of Road Commissioners (“BoRC”) to begin the process of accepting the road as a Town way. This was never done.

In the ensuing years, certain catch basins began to deteriorate and are now in need of repair. Since the road is not a Town way, state law prohibits the town from fixing the road (catch basins) because it is private property.

There are two alternatives to resolve this situation, 1) have the residents repair (or cause to have repaired) the catch basins and then submit the road for acceptance, or 2) have the Town accept the road “as is” and then the Town will repair the catch basins. It is estimated that the cost to repair the catch basins is not more than \$3,000.

This article is proposing the second alternative.

The BoRC voted 5-0 to oppose the acceptance of York Road as a Town way until the road is brought up to acceptable standards and goes through the established process to be accepted as a Town way.

In addition to York Road, there are over 20 other roads in subdivisions that are pending acceptance by either the Planning Board or BoRC.

ARGUMENTS IN FAVOR: York Road was always intended to be a town road. It was built to the proper specifications and at the time the road was completed, it met the applicable standards to be accepted as a town road. It is unfortunate that there was breakdown in the process, and the road was never submitted for acceptance. Had the process been followed, the Town would currently own the road and would be repairing the catch basins in the normal course of its work. The estimated cost of the repairs is minimal.

ARGUMENTS OPPOSED: Not following the established process and accepting a road in need of repair, regardless of the cost, sets a dangerous precedent that could cost the town significant amounts of money in the future.

RECOMMENDATION: The Finance Committee voted 6-0 to defer its recommendation to the Annual Town Meeting.

QUANTUM OF VOTE: a.) Majority – see Massachusetts General Laws Chapter 82, Section 23.
b.), c.) and d.) Two-thirds – see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Section 7.

See Map at Appendix I. For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 28: AMEND TOWN CODE SECTION 198 – ESTABLISH COCHITUATE VILLAGE OVERLAY DISTRICT

Proposed by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-law of the Town, by making the following three amendments:

1.) Inserting in Section 198-302 thereof the following new subsection 198-302.1.7:

302.1.7. A Cochituate Village Overlay District which includes all of the land located to the south of a line defined as follows: the southerly boundary of the Commonwealth of Massachusetts Pressure Aqueduct, as shown in the Atlas of the Town of Wayland, Massachusetts, 2008, on Plates 48 and 49, from its easternmost end traversing said boundary westerly to its intersection with the Aquifer Protection District boundary, thence the Aquifer Protection District boundary, as shown on the map referenced in ~ 198-302.1.4. herein, southerly and westerly to where it intersects with the center line of the right-of-way of Old Connecticut Path, thence southwesterly along said line to the Wayland town line. Said Plates 48 and 49 of the Atlas of the Town of Wayland, Massachusetts, 2008, are hereby made a part of the Zoning Map of the Town of Wayland and are available at the office of the Town Clerk for public inspection.

2.) Adding thereto the following new article:

ARTICLE 24**Cochituate Village Overlay District****§198-2401. Purpose.**

2401.1: The Cochituate Village Overlay District (CVOD) provides for increased densities of development suitable for the traditional village environment. Development in the district shall promote the continuation of higher density residential, commercial, and business uses while providing a pedestrian orientated environment. This Article contains standards for permitted and special permit uses, densities of development, landscaping, fences/ hedges, parking, and performance standards. The CVOD is established for the accomplishment of the following purposes:

2401.1.1. To promote the economic health and stability of the Cochituate business area by encouraging attractive development and economic investment in the Cochituate Village.

2401.1.2. To provide additional planning guidance for projects located in the CVOD, including enhancing the coordination of the project with the historical, cultural, environmental and natural features of the development site.

2401.1.3. To encourage mixed-use development, including but not limited to offices, retail shops, and multi-family housing.

2401.1.4. To permit and encourage the development of parks and open spaces, including but not limited to plazas and pedestrian paths, which would be available for use by the general public.

2401.1.5. To provide information to the town and its citizens regarding the potential impacts of a proposed development.

2401.1.6. To enable the Special Permit granting Authority (SPGA) to require adherence to "Site Development and Use Plans" in the granting of a special permit.

2401.1.7. To encourage architectural compatibility with other buildings within the CVOD.

2401.1.8. To promote pedestrian safety such as utilizing where appropriate on-street parking in order to buffer pedestrians from moving traffic.

§198-2402. Applicability.

2402.1. The CVOD shall be construed as an overlay district. All requirements of the underlying zoning districts shall remain in full force and effect, except where the requirements of the CVOD are in conflict; in such cases, the requirements of the CVOD shall supersede the underlying zoning provisions.

§198-2403. Permitted Uses.

2403.1. The intent of the Cochituate Village Overlay district is to permit a variety of uses within the village area of Cochituate. Within the CVOD, permitted uses are determined by the underlying zoning; see Table of Permitted Principal Uses by Districts in accordance with §198-802.1.

2403.2. Dwelling units over office, restaurants, retail, and service uses shall be allowed with the issuance of a special permit in the areas of the CVOD where Business A and B Districts are the underlying zoning district.

§198-2404. Use Restrictions.

2404.1. The following uses shall require a special permit from the Planning Board pursuant to §198-203 herein and shall require site plan approval as set forth in Article 6 herein:

2404.1.2. The development of more than 5,000 square feet of gross floor area of nonresidential space, regardless of use.

2404.1.3. Alteration, expansion or change to the exterior of any existing nonresidential building, structure, or use that will result in the development of more than 5,000 gross square feet of new space, regardless of use.

§198-2405. Exemptions.

2405.1. The following uses are specifically exempt from this Article 24.

2405.1.1. Uses exempted by MGL c. 40A, § 3.

2405.1.2. The construction of a single family dwelling, or the enlargement, restoration or reconstruction of a single family dwelling in existence as of the effective date of this Article 24.

2405.1.3. Affordable dwelling units as set forth in MGL c. 40B.

2405.1.4. Development projects that voluntarily agree to a minimum fifty percent (50%) permanent reduction in density below the permitted under zoning and feasible given the environmental conditions of the tract.

§198-2406. Design Standards. The following standards are intended to provide guidance pertaining to dimensional requirements, parking, pedestrian accommodations, landscaping, architectural styles, and lighting.

2406.1. Dimensional Requirements for structures and accessory structures are contained in the Table of Dimensional Requirements in accordance with §198-702.1. The Planning Board as the Special Permit Granting Authority may waive front yard requirements for residential buildings provided structure conforms to the average setback of adjacent/ neighborhood setbacks and for property zoned Business, may with the issuance of a special permit allow front and side yard setbacks not less than 15 feet.

2406.2. Off-Street Parking.

2406.2.1. For any new building (whether developed on vacant land or upon demolition of an existing structure), off-street parking spaces shall be provided in accordance with the specifications in this section in any district within the village whenever any new use is established or existing use is enlarged. Parking should be located to the side or rear of the

property. The Planning Board encourages the use of shared parking for adjacent compatible uses and will allow for a special permit to reduce parking requirements if such options are available or proposed for development. Public on and off-street parking in lieu of on-site parking may be utilized to fulfill parking requirements when provided for this purpose within a distance appropriate to the proposed use but not exceeding 300 feet, upon approval of the Planning Board in the CVOD. Except for these foregoing provisions, the off-street parking provisions of §198-506 shall apply.

2406.3. Landscaping.

2406.3.1. Landscaping required in the CVOD under these Regulations is to be installed and maintained in front, side and rear yards, and to take the form of shade trees, deciduous shrubs, evergreens and well kept grassed areas. Minimum requirements are as follows:

2406.3.1.1. Where any land use in non-residential districts abuts land in any residential district, a strip of land, at least ten feet in width shall be maintained with landscape in the front, side and rear yards unless waived by the Planning Board;

2406.3.1.2. Landscaping should take into consideration utility, sewer, and water lines;

2406.3.1.3. For non-residential properties, a strip of land at least ten feet in width shall be maintained as a landscape in the front, side and rear yards, unless waived by the Planning Board.

2406.4. Building Design.

2406.4.1. Buildings shall be of a design reflective of the existing architectural details within the CVOD in terms of scale, massing, roof shape, spacing and exterior materials. Alternative designs may be allowed provided the Special Permit Granting Authority finds the alternative design is consistent with this Article.

2406.4.2. Building facades shall have a vertical orientation, meaning either that the building shall actually have a greater height than width, or that the facades and rooflines of the building are designed to reduce the massing and bulk so that it appears as a group of smaller masses with distinct vertical orientation.

2406.4.3. Building facades shall be articulated, to achieve a human scale and interest. The use of different textures, shadow lines, detailing and contrasting shapes is required. Not more than 50 feet of a building front shall be in the same vertical plane.

2406.4.4. The building facades shall be faced with materials used in historic New England architecture. Alternative materials may be used on the building front facade(s) provided that the Special Permit granting Authority finds the materials to be consistent with this Article.

§198-2407. Special Permit Criteria.

2407.1. In addition to the standards and criteria set forth in §198-203 herein, the Planning Board shall consider, in assessing an application for a special permit in the CVOD, the impact of the proposed development on the following:

2407.1.1. Pedestrian and vehicular traffic

2407.1.2. The natural environment, including noise, smoke, glare, vibration, water or air pollution, sedimentation and any other noxious or objectionable effects.

2407.1.3. Municipal service, including water, sewer, drainage, schools, parks and transportation.

2407.1.4. Neighborhood character, including building design, architecture and visual aesthetics.

§198-2408. Special Permit Decisions.

2408.1. The Planning Board may grant a special permit upon a determination, after consideration of all of the factors set forth in §198-203 and §198-2407 herein, that the proposed development will not adversely impact the CVOD.

And

3.) Adding said Cochituate Village Overlay District to the Zoning Map referenced in Article 3 thereof.

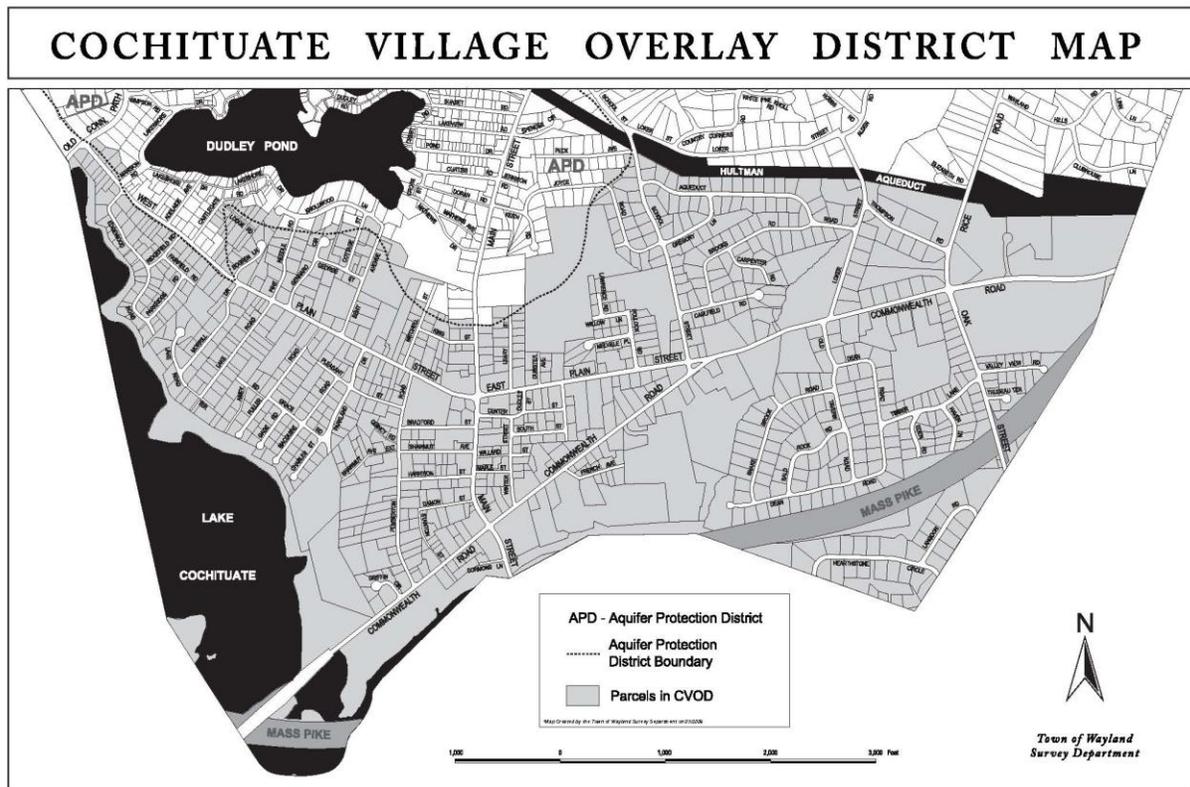
PLANNING BOARD REPORT: Pursuant to Massachusetts General Laws Chapter 40A, Section 5, on February 3, 2009, the Planning Board held a Public Hearing on a proposed amendment to the Town's Zoning By-laws that would add a new Article 24 to Chapter 198 of the Code of the Town of Wayland. The proposed amendment would encourage denser residential, commercial and business development while maintaining a pedestrian friendly, traditional village environment.

The proposed amendment, referred to as the "Cochituate Village Overlay District" (CVOD), creates a framework for an overlay district to be placed on top of existing zoning districts and can override the underlying zoning, in so far as it relates to "uses" which are permitted within the underlying zoning district. Zoning for Flood Plain and Aquifer Protection Districts remain in force. (See Cochituate Village Overlay District map)

Following is a synopsis of statements made by the public, key elements of the CVOD By-Law, comments and the recommendation of the Planning Board.

Public Comments: The following is a brief summary of comments that were received from the public during public meetings and hearings.

Pros of the Zoning Proposal: Some residents have expressed their concern regarding new development projects proposed by national corporations that feature generic stylized architecture to identify and reinforce the chain's brand. There is a concern that such architecture undermines the traditional village ambiance of Cochituate. Residents would like to see the Town have more control over how new commercial projects fit into the neighborhood and are supportive of a Zoning By-Law that would give both the Planning Board and developers more guidance regarding compatible architecture and creating a more pedestrian-friendly village atmosphere in Cochituate, which is one of the few commercial districts in Wayland and one that the Master Plan has identified as being appropriate for commercial development.



Cons of the Zoning Proposal: The additional special permitting process could add to the cost of developing a project in the CVOD and could potentially discourage businesses from developing commercial property in Cochituate, which is one of the few commercial districts in Wayland and one which the Master Plan identified as being appropriate for commercial development.

Key Elements of the CVOD Zoning By-Law

Purpose: The key objectives of the CVOD Zoning By-Law is fourfold:

1. Encourage mixed-use development in Cochituate that is pedestrian friendly and architecturally compatible with existing buildings, and which would create a viable and vibrant Cochituate business area.
2. Encourage the development of parks and open space to create public spaces where residents and visitors can come together
3. Provide additional planning guidance for projects located in the CVOD, and include the historical, cultural, environment, and nature features of the site when evaluating the site for development. To enable the Special Permit granting Authority (SPGA) to require adherence to “Site Development and Use Plans” in the granting of a special permit.
4. Keep the town informed of potential impacts of projects.

Review Process: The underlying zoning dictates the permitted uses, unless there is a conflict in which case the permitted uses are determined by the requirements of the CVOD and shall supersede the zoning provisions.

Special permits and site plan approval as set forth in Article 6 of the Town’s Zoning By-Laws will be required for the development of more than 5,000 square feet of gross floor area of nonresidential space

regardless of use and the alteration to the exterior of any existing non-residential building, structure or use that will result in the development of more than 5,000 square feet of gross floor area of new space. In addition to the standards and criteria set forth in §198-203, the Planning Board shall consider, in assessing an application for a special permit in the CVOD, the impact of the proposed development on pedestrian and vehicular traffic, the natural environment, municipal services and neighborhood character.

Key Performance Standards: The CVOD provides design standards intended to provide guidance pertaining to dimensional requirements, parking, pedestrian accommodations, landscaping, architectural styles, and lighting. For example, for property zoned commercial, front and side yard setbacks requirements of 15 feet may be waived with a special permit to bring buildings closer to the street and off-street parking should be located to the side or rear of the building to create a more pedestrian friendly, village atmosphere. Buildings shall be of a design reflective of the existing architectural details within the CVOD in terms of scale, massing, roof shape, spacing and exterior materials.

PLANNING BOARD COMMENTS: The Planning Board supports the CVOD because of the strong sentiment demonstrated by the residents of the community that their neighborhood be preserved as a pedestrian friendly neighborhood. The CVOD Bylaw would encourage new commercial projects to be developed in a manner that would encourage a pedestrian-friendly village environment and architectural compatibility with nearby buildings within the CVOD. In addition, the CVOD Bylaw would provide additional planning guidance for projects located in the CVOD, including enhancing the coordination of the project with the historical, cultural, environmental and natural features of the development site.

Planning Board Recommendation: On February 17, 2009, the Planning Board voted to recommend approval of Article 29 by a vote of 3 to 0.

FINANCE COMMITTEE COMMENTS: The Cochituate Village Overlay District (CVOD) is being created to encourage mixed-use development in Cochituate while still maintaining a pedestrian friendly business area that is architecturally compatible with existing buildings.

While Wayland does have zoning and planning by-laws governing development and construction within the CVOD, this article will provide additional planning guidance for projects located in the CVOD, and include the historical, cultural, environmental, and natural features of the site when evaluating the site for development. In addition, the Special Permit Granting Authority (SPGA) will require adherence to "Site Development and Use Plans" in the granting of a special permit and will keep the town informed of potential impacts of projects.

The CVOD will also encourage the development and creation of parks and public spaces where residents and visitors can come together.

Special permits and site plan approval as set forth in Article 6 of the Town's Zoning By-Laws will be required:

- for the development of more than 5,000 square feet of gross floor area of nonresidential space regardless of use
- and for the alteration to the exterior of any existing non-residential building, structure or use that will result in the development of more than 5,000 square feet of gross floor area of new space.

The CVOD provides design standards intended to provide guidance pertaining to dimensional requirements, parking, pedestrian accommodations, landscaping, architectural styles, and lighting. For example, for property zoned commercial, front and side yard setbacks requirements of 15 feet may be waived with a special permit to bring buildings closer to the street and off-street parking should be located to the side or rear of the building to create a more pedestrian friendly, village atmosphere. Buildings shall be of a design reflective of the existing architectural details within the CVOD in terms of scale, massing, roof shape, spacing and exterior materials.

In addition to the standards and criteria set forth in §198-203, the Planning Board shall consider, in assessing an application for a special permit in the CVOD, the impact of the proposed development on pedestrian and vehicular traffic, the natural environment, municipal services and neighborhood character. The underlying zoning dictates the permitted uses, unless there is a conflict in which case the permitted uses are determined by the requirements of the CVOD and shall supersede the zoning provisions.

ARGUMENTS IN FAVOR: Some residents have expressed displeasure with recent development projects proposed by national corporations that incorporate generic stylized architecture to identify and reinforce the chain's brand. There is a feeling that such architecture undermines the traditional village ambiance of Cochituate.

Residents would like to see the Town have more control over how new commercial projects fit into the neighborhood and are supportive of a Zoning By-Law that would give both the Planning Board and developers guidance on building placement and architecture design.

The Cochituate Village Overlay District (CVOD) Zoning By-Law will encourage development projects that are compatible with other nearby buildings within the CVOD and with the historical, cultural, environmental and natural features of the development site. The CVOD would also create a more pedestrian-friendly village atmosphere in Cochituate, which is one of the few commercial districts in Wayland and one that the Master Plan has identified as being appropriate for commercial development.

On February 17, 2009, the Planning Board voted to recommend approval by a vote of 3 to 0.

ARGUMENTS OPPOSED: The additional special permitting process could add to the cost of developing a project in the CVOD and could potentially discourage businesses from developing commercial property in Cochituate, which is one of the few commercial districts in Wayland and one which the Master Plan identified as being appropriate for commercial development.

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 by-law amendment is consistent with federal and Massachusetts law.

For more information about this article, contact William Steinberg, Chair, Planning Board, at (508) 358-9553.

ARTICLE 29: SELL TOWN-OWNED LAND ON DUDLEY ROAD

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 Town-owned land on Dudley Road in Wayland, Massachusetts shown as (i) Parcel A on a plan entitled "Plan of Land in Wayland, Mass. Showing Proposed Land Transfer for Water Line Purposes" dated December 14, 1967, prepared by the Wayland Engineering Department and recorded with the Middlesex South Registry of Deeds as Plan No. 151 of 1969; and (ii) Lot 258 on Land Court Plan No. 4027C filed in the Land Registration Office at said Registry of Deeds from the Board of Selectmen for general municipal purposes to the Board of Selectmen for the purpose of conveying, selling or otherwise disposing of said parcels of land; and
- (b) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to convey, sell or otherwise dispose of the following parcels of land, subject to such conditions, restrictions and limitations as the Selectmen deem appropriate.

FINANCE COMMITTEE COMMENTS: The owners of 43 Dudley Road are in the process of selling their home. They have encountered two problems which can be resolved by action by the Town. In 1936, the Town began the tax title foreclosure process relative to one of several small lots that comprises this property. This process was never completed. The recorded documents reflecting the Town's actions remain as a cloud on the title to this property. Approving this article will resolve this issue releasing the Town's tax title interest.

An inspection revealed that the existing cesspool must be replaced. The new system requires more land area than the old system. The logical place for some of the components of the new system is on an abutting parcel of surplus Town-owned land (approximately 1,500 sq. ft.) that used to be part of Dudley Road before its relocation in the mid-1960's.

The owners have agreed to pay all costs incurred by the Town in connection with this article and the sale of the Town-owned land. The land will be sold at its fair market value as determined by an appraisal.

In order to resolve these issues and sell the land Town Meeting must first (a) authorize the Board of Selectmen to transfer the land from the Board of Selectmen (held for general municipal purposes) to the Board of Selectmen (for the purposes of selling). Then in (b), the town authorizes the Board of Selectmen to sell the land. Both steps are required to enact the transfer/sale.

ARGUMENTS IN FAVOR: The tax title foreclosure was for the non payment of taxes and it has since been resolved that all taxes are current. As a result the Town should have withdrawn its foreclosure process. This article is helping resolve an outstanding issue at this property which the Town should have resolved years ago.

The land in question is a small parcel (approximately 1,500 sq. ft) adjacent to 43 Dudley Road on one side and Dudley Road on the other. The land has minimal value, cannot be sold as a standalone lot and serves no municipal purpose.

All costs incurred by the town to resolve this matter will be borne by the owner of 43 Dudley Road.

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

RECOMMENDATION: The Finance Committee recommends approval. Vote: 5 to 0.

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

See Map at Appendix J. For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 30: ACQUIRE 41 RIVER ROAD OPEN SPACE LAND

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 acquire by purchase, gift, eminent domain or otherwise, the fee or any lesser interest in the parcel of land located on River Road known and numbered as 41 River Road, Wayland, Massachusetts, containing thirteen acres, more or less, as described in deed dated October 24, 2007 and recorded with the Middlesex South Registry of Deeds in Book 50265, Page 16, for open space purposes, provided that no acquisition of said parcel of land for more than \$1.00 shall be consummated unless additional funds have been appropriated by a subsequent vote of town meeting.
- b.) appropriate \$1.00 to be expended by the Board of Selectmen for the acquisition of said parcel 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.

FINANCE COMMITTEE COMMENTS: On October 24, 2007, the property at 41 River Road was sold. Approximately 12 acres of this 13 acre parcel are subject to a Chapter 61B tax lien. (See map at Appendix J).

Chapter 61B is a state program that is designed to encourage the preservation of open space and promote recreational uses. It offers significant local tax benefits to property owners willing to make a long term commitment to preserving land in an undeveloped condition or for use for outdoor activities. To qualify, the parcel must consist of at least 5 contiguous acres of land under the same ownership. In addition, the land must be maintained in a substantially natural, wild or open condition permitting the preservation of wildlife and natural resources. The owner must file an application with the Board of Assessors by October 1st of the year before the start of the fiscal year for which taxation as classified land is sought. Once the initial application is approved, the Assessors record a statement at the Registry of Deeds indicating that the land has been classified as recreational land under Chapter 61B. That statement constitutes a lien on the land.

Towns have an option to purchase Chapter 61B parcels whenever owners plan to sell or convert parcels to residential, commercial or industrial use. Although the Seller notified the Town of the impending transaction in October, 2007, the Seller sold the land prior to the expiration of the 120-day purchase option during which the Town later gave notice of its exercise of the option to purchase. The town is currently in litigation with the landowner relative to its rights to acquire the land under

Chapter 61B. By filing litigation, Wayland has preserved its right to purchase the portion of 41 River Road that is subject to the Chapter 61B tax lien.

Through this article, the Town is seeking authorization to acquire the open space portion of the land through other means (purchase, eminent domain, gift or otherwise) as well. Where the Town's ability to consummate an acquisition of the land is subject to a subsequent town meeting funding vote, approval of this article does not commit the Town to acquire the land or expend unappropriated funds.

ARGUMENTS IN FAVOR: The 41 River Road Chapter 61B land is on the Conservation Commission's open space acquisition list. The land abuts the U.S. Fish and Wildlife property along the Sudbury River floodplain. Acquisition of this parcel would further Town and Federal efforts to preserve land near or abutting the Sudbury River.

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

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

QUANTUM OF VOTE: Two thirds – see Massachusetts General Laws Chapter 40, Section 14.

See Map at Appendix K. For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or email fturkington@wayland.ma.us.

ARTICLE 31: RESOLUTION FOR FAIR AND EQUITABLE TRANSFER STATION STICKER FEES

Proposed by: Petitioners

To determine whether the Town will vote to endorse the following Resolution:

WHEREAS the Wayland Transfer Station accepts solid waste for off-site disposal from residential users, the Schools, Library, Housing Authority, and Town Facilities,

WHEREAS solid waste disposal is recognized as an important municipal service,

WHEREAS Wayland's facility continues to be a popular and valued community resource,

WHEREAS Wayland's commitment to recycling remains strong,

WHEREAS the Board of Health has voted to adopt "pay as you throw," and

WHEREAS the Board of Health is committed to maintaining the transfer facility's services in a fiscally responsible manner, with all users paying their fair share,

Be it therefore resolved that Town Meeting supports a fair, equitable, affordable and sustainable sticker fee schedule that covers overall operating costs of the facility less the annual landfill capping cost allocation.

PETITIONERS' COMMENTS: This resolution is petitioned by Wayland residents in support of the Board of Health's quest to achieve a fair, equitable, transparent & sustainable FY10 residential sticker fee for the Town's landfill/transfer station. The wording of the resolution mirrors in part a 12/12/08

Memo the Board of Health sent to the Selectmen and the Finance Committee that expressed a common sense philosophy that all facility users should pay their fair share of the costs, including all town departments. The goal is to establish a residential sticker fee, including implementing green incentives such as “pay as you throw” and home composting, that will be sustainable and equitable and to attract back hundreds of former Wayland residential customers who chose not to purchase the 31% higher-priced FY09 residential sticker. Petitioners still await a clear analysis of requested public record information to understand that this goal is achievable.

FINANCE COMMITTEE COMMENTS: The purpose of this resolution is to show support for the Board of Health in its endeavor to develop and implement a fair and equitable sticker fee schedule for the Wayland Transfer Station.

It has always been the position of the Finance Committee that the Landfill, and now the Transfer Station, be financially breakeven operations. Now that the landfill is closed and no longer in use, it is not possible to go back and charge the users of the landfill for the capping fee (\$50,000/year). The capping fee is required by agreement with the DEP. Wayland is required to set aside \$50,000 each year toward the ultimate capping of the landfill and ongoing monitoring of the site.

The Finance Committee has been in discussions with the Board of Health on this issue throughout the budget process. We will continue to work with the Board of Health to arrive at a fair and equitable sticker fee that covers all of the relevant costs associated with the Transfer Station. The Finance Committee is generally in agreement that as a Transfer Station, it should no longer pay the capping fees; however, other costs such as health care costs and debt service for new capital items should be covered by sticker fees. Currently, the capping fee is included, while employee benefits for Transfer Station employees and debt service for capital items are not included. It is ultimately the Board of Health’s responsibility to set the sticker fees for FY 2010.

It is the Finance Committee’s position that the user fees (sticker fees and PAYT bag fees) should cover the cost of running the Transfer Station operations.

A resolution is not binding. It is meant to reflect the opinion or sense of Town Meeting.

ARGUMENTS IN FAVOR: Basic fairness argues that all users of the Transfer Station should pay a fee that covers the costs of operating the Transfer Station and is commensurate with their usage. While there are various methodologies to determine what the fee should be, the one chosen should be publicly known, easy to understand, and deemed fair by the various users.

Since the capping fee is not a Transfer Station expense, but rather a Landfill expense, it should not be included in the sticker fee. However, a true reflection of operating costs would include employee benefits and debt service for transfer station items in the sticker fee. Maintaining a sticker fee that is reasonable will generate the most revenue possible and have the greatest probability of operating the Transfer Station at break even financially.

ARGUMENTS OPPOSED: There is no perfect solution to allocating the capping fee because the landfill is closed and there is no way to charge landfill users the capping fee. The methodology that comes closest is one where all users of the Transfer Station (including Town operations that use the Transfer Station) share the expense of the capping fee since that universe of users is closest to the universe of prior users of the Landfill. It is incumbent on the Transfer Station to operate in a manner that provides a competitive, cost effective service to the residents and Town of Wayland.

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

QUANTUM OF VOTE: Majority.

For more information, contact Linda Segal at (508) 655-0724 or email lmlsegal@comcast.net.

ARTICLE 32: AMEND TOWN CODE TO INCREASE FINE FOR TOBACCO VIOLATIONS

Proposed by: Board of Health

To determine whether the Town will vote to amend Chapter 1, Article II, §1-2 E. (1) of the Code of the Town of Wayland as follows:

[Key to revisions: underlining = additions; ~~striketrough~~ = deletions]

(d) Sales to minors in any 12-month period: Three hundred dollars for each offense.

~~[1] One hundred dollars for the first offense.~~

~~[2] Two hundred dollars for the second offense.~~

~~[3] Three hundred dollars for any third or subsequent offense.~~

FINANCE COMMITTEE COMMENTS: Passage of this article will allow the Board of Health to increase the fine to establishments for selling tobacco products to minors. It has been over 10 years since these fines were increased. This increase would be consistent with similar fines in surrounding towns. The Board of Health voted unanimously to support this article. This article also has the support of the Chief of Police.

ARGUMENTS IN FAVOR: Fines are considered an effective method of minimizing tobacco sales to minors and encouraging age verification while simultaneously increasing income to the town.

This is an effective deterrent for convenience stores and other retail stores that might sell tobacco products to minors under 18. This would encourage these establishments to check identification prior to selling tobacco products and would also be in compliance with police checks.

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

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

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 by-law amendment is consistent with federal and Massachusetts law.

For more information about this article, contact Steve Calichman, Director of Public Health, at (508) 358-3617, or email scalichman@wayland.ma.us.

ARTICLE 33: AMEND TOWN CODE TO ESTABLISH FINES FOR IMPROPER DUMPING OF SOLID WASTE AT THE TOWN LANDFILL/ TRANSFER STATION

Proposed by: Board of Health

To determine whether the Town will vote to amend Chapter 1, Article II, §1-2 of the Code of the Town of Wayland by adding thereto the following new paragraph:

L. Rules and Regulations of the Board of Health or the Board of Public Works for the illegal or improper dumping of solid waste at the Town Landfill-Transfer Station.

(1) Penalty:

- (a) Fifty dollars for the first offense.
- (b) One hundred dollars for the second offense.
- (c) Two hundred dollars and revocation of Transfer Station privilege for any third or subsequent offense.

(2) Enforcing persons: Board of Health, its staff or other officials designated by the Board of Health as its agent(s) or the Board of Public Works, the Director of Public Works or his designee(s).

FINANCE COMMITTEE COMMENTS: The Board of Health, as current town board responsible for the Landfill (the new DPW Commission will take responsibility as of July 1, 2009) approved the establishment of fines for unlawful dumping of solid waste at the Town Landfill/Transfer Station. Because this is the establishment of fines, Town Meeting must approve this article to make the fines enforceable. The DEP publishes a list of acceptable waste ban material, which is handed out with the purchase of Landfill stickers. Any dumping of material not permitted by the DEP will be subject to the fines.

ARGUMENTS IN FAVOR: In the past, the landfill used the “honor” system and employee monitoring to ensure that no illegal dumping was occurring at the landfill. With the change to a transfer station and changes in the number of employees on duty at the landfill, the Board of Health believes that fines must be implemented to ensure compliance with DEP and Town Regulations. The fines are escalating and after three violations the offender may have his permit revoked.

ARGUMENTS OPPOSED: It could be argued that the fines are not required and that the “honor” system has been effective. Also, the fines may be deemed too high, although these fines are consistent with other Board of Health and Town fines.

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

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 by-law amendment is consistent with federal and Massachusetts law.

For more information about this article, contact Steve Calichman, Director of Public Health, at (508) 358-3617, or email scalichman@wayland.ma.us.

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Town of Wayland

***** WARRANT *****

for the

SPECIAL TOWN MEETING

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

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

WEDNESDAY, APRIL 15, 2009, AT 7:30 P.M.

Or as soon thereafter as the Article then under discussion in the Annual Meeting is disposed of, then and there to act on the following Articles:

ARTICLE 1: APPROVAL OF A STABILIZATION FUND BY THE MINUTEMAN REGIONAL VOCATION TECHNICAL SCHOOL DISTRICT

Proposed by: Board of Selectmen

To determine whether the Town will vote to approve the establishment of a stabilization fund by the Minuteman Regional Vocational Technical School District, beginning July 1, 2009, under Massachusetts General Laws Chapter 71 Section 16G ½.

FINANCE COMMITTEE COMMENTS: The state requires all towns to provide vocational training to its students. Since Wayland High School does not offer this kind of training, it instead sends students to Minuteman along with those of sixteen other Massachusetts towns.

Minuteman sets its own budget. Each of the sixteen member towns is assessed a portion of Minuteman’s budgetary costs based on a regional agreement and the number of students attending. Minuteman’s budget is finalized after Wayland’s budget is set.

The Minuteman facility is old and in need of repairs, especially to its roof. Accordingly, Minuteman’s School Committee voted on January 6, 2009 to request the establishment of a stabilization fund for repairs or other emergencies. No funds are being requested at this time. A majority of member towns through passage of their respective warrant articles is needed to approve this measure. If approved, the Minuteman School Committee will determine when and how much funding is needed during its

budgeting process and charge each town its appropriate portion. As of the printing of this warrant none of the other fifteen member towns had voted on their respective articles.

ARGUMENTS IN FAVOR: Wayland has sent students to Minuteman for a number of years and should bear its fair share of needed repairs to the facility under the regional agreement.

ARGUMENTS OPPOSED: The town and its citizens are already under a severe financial strain. The article lacks specifics as to timing and amount of capital requests. It would place an unknown financial burden on the town. Funding for improvements to building and facilities is better accomplished through a bond issue. A stabilization fund should not be used for building repairs.

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

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 71, Section 16G½ .

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or fturkington@wayland.ma.us.

ARTICLE 2: AMEND TOWN CODE CHAPTER 198, SECTION 23 – MIXED USE OVERLAY DISTRICT

Proposed by: Planning Board

To determine whether the Town will vote to amend Article 23 of Chapter 198 (Zoning) of the Code of the Town of Wayland by making the following deletions therefrom (indicated in ~~striketrough~~ ~~lettering~~) and insertions therein (indicated in underlined lettering).

Table A: Mixed-Use Overlay District Table of Uses:

1. In the “Key to symbols,” make the following insertion:

“MSP = Allowed by mixed-use project master special permit. In the case of any use item and/or designation “MSP” for any use item, that is added by amendment to this Table A after the issuance of a mixed-use project master special permit, such use item shall conclusively be deemed allowed by such previously issued mixed-use project master special permit.

And

2. Under the heading “Retail Uses” and immediately following the line item for “Shop of artist or craftsperson” and before the line item “Retail sales in a building with more than 60,000 square feet of gross floor area”, make the following insertion:

Pharmacy or drug store without drive-up windowMSP
Pharmacy or drug store with drive-up window - maximum one such pharmacy or drugstore MSP

PLANNING BOARD REPORT: Pursuant to Massachusetts General Laws Chapter 40A, Section 5, the Planning Board held a Public hearing on proposed amendments to the Town’s Zoning By-Laws that would amend Article 23 – Mixed Use Overlay District of Chapter 198 of the Code of the Town of Wayland. The proposed amendment would expand the Pharmacy uses to include a drive-up window for a maximum of one pharmacy or drug store.

Currently, drive-up windows are allowed only for bank branches within the Mixed Use Overlay District (MUOD). The proposed amendment will permit the inclusion of one drive-up window as a permitted use for a single pharmacy or drug store. Any design incorporating a drive-up window for a pharmacy will still require site plan approval by the Planning Board.

The amendment consists of two changes which both apply to Table A, Mixed-Use Overlay District Table of Uses. The first change amends the table Key definition of MSP to add language that which makes clear that any change to the table that adds a new use requiring MSP (Master Special Permit) approval will be treated as if it were included in the MUOD MSP which was issued January 17, 2008. In other words, a separate Master Special Permit will not be required for any use added to the table and designated as MSP.

The second change adds two line items to the Retail Uses section of the table. The first insertion allows a Pharmacy or drug store without a drive-up window and the second allows a Pharmacy or drug store with a drive-up window subject to a maximum of one such pharmacy or drug store. Two insertions are required to allow a single pharmacy with a drive-up window as well as pharmacies without drive-up windows.

PUBLIC COMMENT: None

ARGUMENTS IN FAVOR: A pharmacy or drugstore could be a key component of the MUOD and provide an important service to the residents of Wayland. National pharmacy and drugstores generally require a drive-up window as a key business program component.

The Town will benefit from a drive-up window because of the convenience the window offers to residents such as the elderly, residents who may be ill and cannot or do not want to walk into the store for medication, and parents who find it inconvenient to park their car while picking up medication. If approved, the Planning Board retains control of the permitting process including a detailed site plan review which includes architectural, landscape and other design elements. The Developer, the Planning Board, and the public will have extensive discussions regarding the suitability of the design.

ARGUMENTS OPPOSED: The Mixed Use Overlay District should not be changed to allow drive-up windows because it will discourage people from getting out their cars and walking, and the aesthetics of a building with a drive-up window are not in keeping with the MUOD's original intent of a traditional New England Village.

PLANNING BOARD RECOMMENDATION: The Planning Board voted to recommend approval by a vote of 3 to 0.

FINANCE COMMITTEE COMMENTS: This zoning article amends the allowed uses under the Master Special Permit for the Mixed-Use Overlay District approved for the Town Center area at town meeting in May 2006. The Planning Board issued the Master Special Permit (MSP) in January 2008.

The first segment of this article states that amendments to Table A will be allowable under the previously issued MSP. The second segment specifies that a pharmacy without a drive-up window is allowed and that a maximum of one pharmacy or drug store with a drive-up window is allowed.

Currently, a pharmacy with a drive-up window is not an allowed use under the zoning for Town Center. Passage of this article allows the Planning Board and the developer to go through the permitting process including a detailed site plan review. This zoning change is needed before the

developer can work through the details of siting, design and traffic flow with the Planning Board. The applicant is still required to obtain all necessary permits as required under the current zoning.

The Planning Board held their hearing on February 3, 2009, and their report is found in this warrant. Further, the Planning Board voted 3-0 to support this article.

ARGUMENTS IN FAVOR: A pharmacy or drugstore could be a key component of the Town Center and provide a service to the residents of Wayland. Many national pharmacies and drugstores require a drive through lane as a key business program component. Therefore, the drive through lane could result in better tenant options, with excellent credit, to sign a lease at the Town Center. This will help ensure the long term vitality of the project and maximize tax revenues. Smaller pharmacies that may not desire a drive through lane generally do not have the credit to ensure long-term sustainability.

If passed, the Planning Board retains control of the permitting process including a detailed architectural and site plan review. The Planning Board, the developer and the public will still have extensive discussions regarding the suitability of the design.

The planned first phase of the Town Center project is to complete the commercial development, which includes the retail and office components of the project. Allowing this zoning change could help in the success of the retail leasing program.

ARGUMENTS OPPOSED: Some may say that the originally approved Overlay District should not be changed or that the allowed uses in the commercial component should not be amended. There is also a concern that the aesthetics of a building with a drive-up window are not as pleasing as a building without a drive-up window.

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

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 by-law amendment is consistent with federal and Massachusetts law.

For more information about this article, contact William Steinberg, Chair, Planning Board, at (508) 358-9553.

ARTICLE 3: ACQUIRE AND DISPOSE OF WASTEWATER TREATMENT PLANT SITE

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 acquire by purchase, gift, eminent domain or otherwise, the fee or any lesser interest in the parcel of land located off Boston Post Road, Wayland, Massachusetts, containing 28,625 square feet, more or less, and shown as “Future Municipal WWTP Parcel” on a plan entitled “Wayland Town Center 400 Boston Post Road Wayland, Massachusetts”, dated June 2, 2008, prepared by R.J O’Connell & Associates, Inc., which parcel of land is a part of Lot A on Land Court Plan 17983A, for municipal wastewater purposes, a copy of which plan is on file in the Office of the Town Clerk;

- b.) appropriate \$1.00 to be expended by the Board of Selectmen for the acquisition of said parcel of land;
- 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;
- d.) authorize the Wastewater Management District Commission, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of the parcel of Town-owned land off Boston Post Road in Wayland, Massachusetts, containing 19,071 square feet, more or less, and shown as Parcel A on a plan entitled "Plan of Easements in Wayland Massachusetts," dated April, 1999, prepared by Richard F. Kaminski and Associates, Inc., recorded with the Middlesex South Registry of Deeds as Plan No. 1206 of 1999 to the Board of Selectmen for the purpose of conveying, selling or otherwise disposing of said parcel of land; and
- e.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to convey, sell or otherwise dispose of the parcel of land described in Paragraph d.) above, subject to such conditions, restrictions and limitations as the Selectmen deem appropriate.

FINANCE COMMITTEE COMMENTS: This article pertains to the Town Center parcel and specifically to the land swap for the location of the new wastewater treatment plant that is explained in the Development Agreement dated March 28, 2006 (section D, 9). The Development Agreement was approved at town meeting in April 2006 and appeared in full in that warrant. Section D, item 9 states that ownership of the land under the new plant shall be conveyed to the town, under custody of the Wastewater Management District Commission (WWMDC), immediately before construction of the new plant begins and, simultaneously, Wayland will convey ownership of the land under the current plant to the Developer.

This article does not request the land exchange; the exchange was approved by town meeting in April 2006. This article provides the mechanism for completing the process.

The developer has identified the land to be used for the new plant and it is explained in a.) above as a parcel of 28,625 square feet. The Town will convey to the Developer the land described in d.) above which is a parcel of 19,071 square feet.

The town's wastewater treatment plant design contractor has completed 90% of the design of the new plant using the land identified by the Developer. Construction is planned to start in August 2009 and is dependent upon successful passage of this article at town meeting.

The multiple sections of the article a-e (above) are to handle the various legal and procedural steps in the process of transferring land:

- a.) Allows the Board of Selectmen to acquire the new site as defined for municipal wastewater purposes
- b.) Gives permission to appropriate \$1.00 to be expended by the Board of Selectmen for the acquisition
- c.) Determines the source of funding
- d.) Authorizes the WWMDC to transfer the current parcel as defined to the Board of Selectmen for disposition, and
- e.) Authorizes the Board of Selectmen to convey the current site to the developer.

At annual town meeting in 2008, the town approved an appropriation for the upgrade and construction of a new wastewater treatment plant to replace the current 46 year old facility. Completing this land transfer makes construction possible.

ARGUMENTS IN FAVOR: Passage of this article completes one segment of the STM Article 2 in April 2006 to create a town center district. The Development Agreement intended for and outlined the transfer of land in order to construct a new treatment plant. Without passage of this article, construction of the new wastewater facility cannot begin.

The existing facility is 46 years old and in need of repair. This article provides land for a new facility as approved at annual town meeting in 2008.

The land swap allows the new plant to be built while the existing plant continues to operate. Without the land swap, the town would incur more costs trying to build a new plant in the same location as the existing plant.

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

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

QUANTUM OF VOTE: a.), b.) and c.) Two-thirds – see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Section 7.

d.) Two-thirds – see Massachusetts General Laws Chapter 40, Section 15A.

e.) Majority – see Massachusetts General Laws Chapter 40, Section 3.

See Map at Appendix L. For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or fturkington@wayland.ma.us.

ARTICLE 4: ACCEPT LAW ALLOWING HISTORIC DISTRICT COMMISSION MEMBERS TO MISS ONE SESSION OF ADJUDICATORY HEARINGS

Proposed by: Board of Selectmen

To determine whether the Town will vote to accept the provisions of Massachusetts General Laws Chapter 39, Section 23D for all types of adjudicatory hearings held by the Historic District Commission.

FINANCE COMMITTEE COMMENTS: This article allows the Historic District Commission members to miss one session of adjudicatory hearings and still vote on the matter. A similar article was approved by the November 2006 Special Town Meeting to accept this law for the Board of Appeals, Board of Health, Conservation Commission and Planning Board. At that time the Historic District Commission did not ask to be included in the article.

As background, adjudicatory hearings, held by local boards, are those concerning land use questions, jobs, licenses and permits. Citizens must have proper notice, have the right to be heard, to be accompanied by an attorney, and the decisions of local boards can be appealed to state agencies and / or to the courts. In August 2006 the State modified Chapter 39 adding Section 23D stating that a “member would not be disqualified from voting on a matter solely due to that member’s absence from

no more than a single session of the hearing at which testimony or other evidence is received. Before such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede the applicable quorum requirements.” Prior to that date, the rule was that a board member cannot vote on a matter before the board if the member missed any sessions of the hearing concerning the matter.

ARGUMENTS IN FAVOR: Adoption of this law would allow for faster disposition of matters important to the Town, its citizens and other parties. It would save time and effort on the part of the board, which may have been required to reschedule hearings and votes to compensate for the absence of one member.

ARGUMENTS OPPOSED: Although a video or audio recording may convey the nuances of a hearing, a written transcript may not. Also, certification that one has examined such evidence is not the equivalent to the members attendance at an important meeting, nor is it really proof that the evidence has been given the weight it was accorded at the meeting itself.

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

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 39, Section 23D(a).

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or fturkington@wayland.ma.us.

ARTICLE 5: AUTHORIZE TOWN TO INDEMNIFY MASSACHUSETTS SCHOOL BUILDING AUTHORITY

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the School Committee to enter into a feasibility study agreement with the Massachusetts School Building Authority (MSBA) relative to school building construction and renovation projects, which agreement 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 agreement.

FINANCE COMMITTEE COMMENTS: For many years, the Town of Wayland, through its High School Building Committee, has been working to obtain state funding for the modernization and expansion of Wayland High School.

In the fall of 2005, the Massachusetts State Building Authority (MSBA) issued new regulations and procedures for state aid for school construction projects. Wayland submitted a Statement of Interest in 2006, and in 2007, the MSBA invited Wayland to proceed with a Feasibility Study, the next step in their new process.

Since then, the MSBA has continued to define its grant process and release new procedures, including a draft of its standard Feasibility Study Agreement. This is a contract, executed between the MSBA and the applying town, which spells out the tasks, steps and deliverables to be completed during this project phase. It also defines the amount the MSBA will reimburse the town for the Feasibility Study. The MSBA has told Wayland to expect 40% reimbursement.

All Massachusetts towns seeking state funding will be required to sign this standard contract. The contract includes a provision requiring the town to indemnify the MSBA for any losses resulting from the Feasibility Study project.

Legal counsel has advised that a vote at Town Meeting is required to authorize the School Committee and the Board of Selectmen to enter into this agreement with the MSBA.

ARGUMENTS IN FAVOR: Without this authorization, Wayland cannot execute the Feasibility Study Agreement and therefore cannot receive state aid for the Feasibility Study or for any construction project.

All towns in Massachusetts are required to sign the standard agreement with this same provision.

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

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

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 4.

For more information about this article, contact Fred Turkington, Town Administrator, at (508) 358-3620, or fturkington@wayland.ma.us.

ARTICLE 6: COCHITUATE ARCHITECTURAL PRESERVATION DISTRICT BY-LAW

Proposed by: Petitioners

To determine whether the Town will vote to establish the following Cochituate Architectural Preservation District By-law:

Cochituate Architectural Preservation District By-law

The Town of Wayland hereby establishes the Cochituate Architectural Preservation District, to be administered by the Cochituate Architectural Preservation District Commission.

I. PURPOSE

This by-law is enacted for the purpose of preserving and protecting groups of buildings and their settings that are architecturally and historically distinctive which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of Cochituate Village in Wayland, Massachusetts and to limit the detrimental effect of additions, demolitions and new construction on the character of the town. Through this by-law, additions, demolition and new construction may be reviewed for compatibility with the existing buildings, setting and neighborhood character. This by-law seeks to encourage the protection of the built environment through binding and non-binding regulatory review. This by-law promotes the public welfare by making the town a more attractive and desirable place in which to live and work.

II. DEFINITIONS

As used in this By-law the following terms shall have the following meaning:

ADDITION

A change to a building that includes modification of stories, height or floor area that is a change in square footage of at least thirty percent (30%).

ADVISORY REVIEW An Application review procedure that provides non-binding recommendations to the applicant.

ALTERATION, TO ALTER

A major change to a building or part thereof, or a site or part thereof, including: removal, new construction, reconstruction, demolition, addition, and other similar activities that make significant changes to a building or site.

APPLICATION

The complete project document(s) and supporting material(s) to be submitted by an applicant desiring to obtain a Certificate to Alter or a Certificate to Modify. A complete Application shall include all information reasonably deemed necessary by the Commission to enable it to make a determination. No substantive changes may be made to applicant's project document(s) and supporting material(s) once a Certificate to Alter has been issued. The Commission shall have the right to withdraw a Certificate to Alter in the event that substantive changes are made to the applicant's project document(s) and supporting material(s) subsequent to the Commission's review of the Application.

BUILDING

A combination of materials forming a shelter for persons, animals or property,

CERTIFICATE TO ALTER A document issued by the Cochituate Architectural Preservation District Commission that is necessary in order to obtain a building (or demolition) permit.

CERTIFICATE TO MODIFY A non-binding document issued by the Cochituate Architectural Preservation District Commission for Minor Modifications.

COMMISSION

The Cochituate Architectural Preservation District Commission.

COMPATIBLE

A project that meets the guidelines of the Cochituate Architectural Preservation District Commission.

DISTRICT

The Cochituate Architectural Preservation District as established in this by-law.

GUIDELINES The Cochituate Architectural Preservation District shall protect the overall character of the neighborhood by regulating the addition to, or demolition of, significant buildings and by making sure new construction respects the scale, massing, setback and materials of the historic structures and character of Cochituate Village.

MINOR MODIFICATION

A minor change to a building or part thereof, or a site or part thereof, that is eligible for advisory, non-binding review.

III. DISTRICT

The Cochituate Architectural Preservation District shall encompass the area shown on the map titled, "Cochituate Architectural Preservation District," which is appended to this by-law.

IV. ARCHITECTURAL PRESERVATION DISTRICT COMMISSION

The Cochituate Architectural Preservation District shall be overseen by a Commission consisting of five members, to be appointed by the Board of Selectmen, two members initially to be appointed for one year, two for two years, and one for three years, and each successive appointment to be made for three years.

The Board of Selectmen may appoint up to five alternate members to the Cochituate Architectural Preservation District. Said alternate members shall initially be appointed for terms of one, two and three years, and for three-year terms thereafter. In the case of absence, inability to act, or recusal from action due to a conflict of interest, his or her place shall be taken by an alternate member designated by the Chairperson, if available, otherwise by the Vice-Chairperson if available, otherwise by a majority vote of the members and alternate members of the Commission present.

The Commission shall include, if possible, member(s) of the local historical commission; resident(s) of the district; an architect or building contractor; and persons with an interest in and knowledge of local history and/or architecture. Members and alternates of the Cochituate Architectural Preservation District shall demonstrate interest in and concern for improvement, conservation and enhancement of the district.

Each member and alternate member shall continue to serve in office after the expiration date of his or her term until a successor is duly appointed.

Meetings of the Commission shall be held at the call of the Chairperson, at the request of two members and in such other manner as the Commission shall determine in its Rules and Regulations. Three members of the Commission shall constitute a quorum.

V. ARCHITECTURAL PRESERVATION DISTRICT COMMISSION POWERS AND DUTIES

The Commission shall exercise its powers in administering and regulating the Alteration of buildings within the Cochituate Architectural Preservation District as set forth under the procedures and criteria established in this by-law.

The Commission, after a public hearing duly posted and advertised at least 14 days in advance in a conspicuous place in Town Hall, may adopt, and from time to time amend, reasonable Rules and Regulations not inconsistent with the provisions of this by-law or set forth such forms and procedures as it deems desirable and necessary for the regulation of its affairs and the conduct of its business, including requirements for the contents and form of Applications for certificates, hearing procedures, and other matters. The Commission shall file a copy of any such Rules and Regulations with the office of the Town Clerk.

The Commission, after a public hearing duly posted and advertised at least 14 days in advance in a conspicuous place in Town Hall shall establish design review guidelines or may from time to time amend the guidelines that set forth the Alterations suitable for the issuance of a Certificate to Alter. The Commission should consider compatibility of Alterations with the general design, arrangement,

texture, materials and stylistic features of buildings in the surrounding area and the size, scale, massing, materials, and location of additions and new construction relative to the surrounding area. No such guidelines shall limit the right of an applicant for a Certificate to Alter to present any designs to the Commission for approval.

The Commission shall at the beginning of each year hold an organizational meeting and elect a Chairperson, a Vice Chairperson and Secretary, and file notice of such election with the office of the Town Clerk. The Commission shall keep a permanent record of its regulations, transactions, decisions and determinations, and of the vote of each member participating therein. The Commission shall undertake educational efforts to explain to the public and property owners the merits and functions of the Cochituate Architectural Preservation District.

VI. ALTERATION PROHIBITED WITHOUT A CERTIFICATE

Except as this By-law provides, no building or site within the Cochituate Architectural Preservation District shall be Altered unless the Commission shall first have issued a Certificate to Alter.

VII. ALTERATIONS EXCLUDED FROM COMMISSION REVIEW

It shall be the responsibility of the Commission, or its delegate to determine whether an Alteration is exempt from review. The Commission or its delegate shall have seven days to make this determination.

The following projects are excluded from Commission review.

- Projects not requiring a building (or demolition) permit.
- Structures when not defined as buildings or parts of buildings
- Temporary buildings subject to time limits and size limits by the Architectural Preservation District Commission.
- Interior Alterations
- Storm windows and doors, screen windows and doors.
- Removal, replacement or installation of gutters and downspouts.
- Removal, replacement or installation of window and door shutters.
- Accessory buildings of less than 150 square feet of floor area.
- Removal of substitute siding.
- Alterations not visible from a public way.
- Ordinary maintenance and repair of architectural features that match the existing conditions including materials, design and dimensions.
- Reconstruction, substantially similar in exterior design, of a building, damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

VIII. PROCEDURES FOR THE REVIEW OF MINOR MODIFICATIONS

The following Minor Modifications are eligible for advisory review by the Commission or its delegate thereof:

- Accessibility Improvements including ramps, rails, walkways and mechanical equipment associated with exterior architectural barriers subject to the extent possible under MGL 40A and other applicable state or federal laws.
- Substitute siding
- Removal of architectural trim

- Replacement of Windows and Doors

In reviewing the Application for a Minor Modification, the Commission or its delegate will consider the proposed Minor Modification in relation to design guidelines adopted by the Commission and will comment on whether the proposed Minor Modifications are compatible with the design guidelines. A Certificate to Modify will be issued and will include recommendations when appropriate of how such Minor Modifications may be compatible with the design guidelines.

Within thirty days after the filing of an Application for a Minor Modification, or within such further time as the applicant may allow in writing, the Commission or its delegate shall issue its Certificate to Modify, as determined at a public meeting. Decisions for Minor Modifications are non-binding and do not require a public hearing.

IX. PROCEDURES FOR THE REVIEW OF MAJOR ALTERATIONS

The following major Alterations require the submittal of an Application for a regulatory review by the Commission. The decision of the Commission shall be binding on the applicant.

- Demolition of a building or part of a building.
- New construction including buildings and additions that increase the square footage of the building by thirty (30) percent or more.

Within forty five days of the submittal of an Application for a major Alteration, the Commission shall hold a public hearing on the Application. At least seven days before said public hearing, public notice shall be given by posting in a conspicuous place in Town Hall. Such notice shall identify the time, place and purpose of the public hearing, At least seven days before said public hearing, a copy of said public notice shall be mailed to the applicant, to the owners of all adjoining properties and of other properties deemed by the Commission to be materially affected thereby all as they appear on the most recent applicable tax list.

Following the public hearing, the Commission shall determine whether the proposed Alteration is compatible with the design guidelines and the purpose of this by-law. If the Commission determines that the Alteration is compatible, the Commission shall issue a Certificate to Alter. The concurring vote of a majority of the membership shall be required to issue a Certificate to Alter.

If the Commission cannot determine that the Alteration is compatible, the Commission shall decline to issue the Certificate to Alter. The Commission shall provide the applicant with the reasoning for their disapproval including how the Alteration does not meet the design guidelines or the purpose of this by-law.

X. PROCEDURES FOR ISSUANCE AND FILING OF CERTIFICATES

Each Certificate issued by the Commission shall be dated and signed by its chairperson or such other person designated by the Commission to sign such Certificates on its behalf. The Commission shall send a copy of its Certificates and disapprovals to the applicant and shall file a copy of its Certificates and disapprovals with the office of the Town Clerk and the Building Commissioner. The date of issuance of a Certificate or disapproval shall be the date of the filing of a copy of such Certificate or disapproval with the office of the Town Clerk.

For Minor Modifications as described in Section VIII requiring a non-binding Certificate to Modify, if the Commission should fail to make a determination within thirty days after the filing of a complete

Application for a Certificate to Modify and the holding of such public meetings as the Commission may deem necessary, or within such further time as the applicant may allow in writing, the Commission shall thereupon issue a Certificate to Modify due to failure to act.

For major Alterations as described in Section IX requiring a binding Certificate to Alter, if the Commission should fail to make a determination within sixty days after the filing of a complete Application for a Certificate to Alter and the holding of such public hearings as the Commission may deem necessary, or within such further time as the applicant may allow in writing, the Commission shall thereupon issue a Certificate to Alter due to failure to act.

XI. ENFORCEMENT AND PENALTIES

The Cochituate Architectural Preservation District Commission is specifically authorized to institute any and all actions, proceedings in law and in equity, as it deems necessary and appropriate to obtain compliance with the requirements of this by-law or to prevent a threatened violation thereof.

The Commission may designate the Building Commissioner to act on its behalf and to enforce this By-law under the direction of the Commission.

Any owner of a building subject to this by-law that alters a building without first obtaining a Certificate to Alter in accordance with the provisions of this by-law shall be subject to a daily fine of not more than Three Hundred Dollars. Each day the violation exists shall constitute a separate offense until the Alteration is corrected, the addition is removed or a faithful restoration of the demolished building is completed or unless otherwise agreed to by the Commission. If a violation of this by-law remains outstanding, no building permit on the premises shall be issued until the violation is corrected or unless otherwise agreed to by the Commission.

XII. APPEAL PROCEDURE

Any applicant or person aggrieved by a determination of the Cochituate Architectural Preservation District Commission may appeal as provided for in the Massachusetts General Laws.

XIII. VALIDITY AND SEPARABILITY

The provisions of this By-law shall be deemed to be separable. If any of its provisions, sections, subsections, sentences or clauses shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this By-law shall continue to be in full force and effect.

APPENDICES

The location and boundaries of the Cochituate Architectural Preservation District are defined and shown on the Cochituate Architectural Preservation District Map(s) of the Town of Wayland (Appendix M), which are a part of this By-law. In the event that there is any variation between the attached written definition of the District and the area of the District defined by the map attached to this By-law, the area of the map attached to this By-law will control.

**COCHITUATE ARCHITECTURAL PRESERVATION DISTRICT
DEFINITION AND MAPS**

The Cochituate Architectural Preservation District shall be defined by the maps attached to this By-law (Appendix M) and shall be defined by the following boundaries: on the southwestern edge, the District shall extend along Commonwealth Road to include Griffin Circle. On the southern edge, the District shall extend to include Cormans Lane on the west side of Main Street and the property at 19 Main Street on the east side of Main Street. On the southeastern edge, the District shall extend to include the properties along Commonwealth Road up to, but not including French Street and 214 Commonwealth Road. On the eastern edge, the District shall include properties on Main Street and shall extend east on East Plain Street up to, but not including, Hill Street on the south side of East Plain Street and 62 East Plain Street on the north side of East Plain Street. The District shall include Dudley Street and the property at 22 Centre Street. The District shall include Dunster Avenue and Leary Street and shall extend north on Main Street to include the properties at 183 and 186 Main Street. On the western edge, the District shall include Pemberton Road and shall extend west on West Plain Street up to, but not including, Fuller Road on the south side of West Plain Street, and up to, but not including, Bent Avenue on the north side of West Plain Street. The District shall include Pemberton Road, Stanton Street, Damon Street, Harrison Street, Shawmut Avenue, and Bradford Street. On the northwestern edge, the District shall include Mitchell Street and King Street.

In the event that there is any variation between the District defined above and the area defined by the map attached to this By-law, the map attached to this By-law will control.

FINANCE COMMITTEE COMMENTS: Massachusetts General Law 40C enables cities and towns to establish create, administer, and regulate historic districts. This article, while proposing the creation of an “Architectural District” is similar in guidance and intent to establishment of a historic district under Massachusetts General Law Chapter 40C – Historic Districts. MGL 40C details a comprehensive process for the establishment of historic district commissions and districts. Prior to creation of any district and under MGL 40C, the Wayland Board of Selectman must appoint an historic study committee. The study committee:

- Investigates the buildings, structures, sites, and areas of historical or archeological significance within the community and prepares a report of its findings;
- Transmits the report to the Massachusetts Historical Commission and the municipal planning board for recommendation and review;
- Within 60 days after transmittal, holds a public hearing on the proposed district, with due notice provided at least 14 days in advance and with written notice to all property owners within the proposed district; and
- Prepares a final report with its recommendations, a map of the proposed district, and a draft of the local ordinance or by-law, and submits same to town meeting. Wayland may establish an historic district by ordinance or by-law adopted by a two-thirds vote of town meeting.

The Finance Committee is not aware of any formal historical review of the affected properties covered under this article (see addendum for map and listing of covered properties). It is our understanding that a Cochituate Architectural Preservation Study Committee has not been created by the Board of Selectman and there have been no public hearings regarding enactment of this bylaw. In addition, the Planning Board has not received copies of a report as recommended by MGL Chapter 40C. A random solicitation of affected homeowners confirms that there has been no written notice to homeowners or commercial property owners regarding this bylaw.

ARGUMENTS IN FAVOR: The Cochituate Architectural Preservation District (CAPD) Bylaw has the purpose of preserving and protecting groups of buildings and their settings that are architecturally and historically distinctive and which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of Cochituate Village in Wayland, Massachusetts.

Through the CAPD bylaw, additions, demolition and new construction within the boundaries of the District may be reviewed for compatibility with the existing buildings, setting and neighborhood character. The bylaw will provide opportunity to limit any detrimental effects of additions and new construction that are out of scale with the neighborhood as well as prevent demolition of historically significant buildings. At the same time, the CAPD bylaw is much less restrictive than a local historic district, and District residents can maintain their homes affordably and in the style of their choosing.

The CAPD bylaw promotes the public welfare by making the town a more attractive and desirable place in which to live and work. The CAPD article has the support of the Wayland Historical Commission and the Wayland Historical District Commission.

ARGUMENTS OPPOSED: The proposed Cochituate Architectural Preservation District Bylaw has not followed due process for study and public review. A Cochituate District Study Commission was not created as recommended by MGL 40C. Commercial and residential property owners affected by this proposed bylaw have not been notified in writing to participate in any public hearings. The printing of this warrant may serve as first notice to many residents of this proposed bylaw.

While many of the homes covered under this bylaw date to the late 1800's, 30% of the properties covered under this by-law were built after 1940 and would not be considered historic. Almost one half of the homes within this district have building assessment values less than \$200,000. If this by-law passes, over 200 residential and commercial properties will be subject to rules and regulations which could create financial burdens prohibiting future home renovations or commercial building usage.

Wayland already has a Planning Board and a Zoning Board of Appeals that regulate renovation and construction. A third regulatory board overseeing construction and renovation is not needed. These boards provide enough architectural, historical and neighborhood protection for the town.

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

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 by-law amendment is consistent with federal and Massachusetts law. See Town Counsel's analysis of legal issues at Appendix M.

See Map and list of properties included in proposed district at Appendix M. For more information about this article, contact Rebecca Butler at (508) 653-5638 or waylandbutlers@gmail.com .

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 on the Town's signboards, at the Town Building, the Library at Wayland Center, the Cochituate Fire Station or the Cochituate Post Office and the Happy Hollow School. 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 upon each article 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 By-Laws of the Town and these rules and regulations.

B. 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.

C. 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 By-laws 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 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 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. 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 voice 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, or in opposition to, the main motion under an article, must so notify the Moderator and complete the same within ten minutes, or less, and yield the floor. A light will warn you to conclude your remarks and yield the floor during the following minute.
- b. All other persons who wish to address the Town Meeting shall, when recognized, complete their remarks in three minutes, or less, and yield the floor. The same one minute warning light will be turned on when you have used up the first two minutes.
- c. 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.
- d. 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. 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.

4. 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 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 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.
5. 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.
6. 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.

7. Upon the expiration of sixty 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 minutes. The aforesaid sixty minute limit does not apply to debate under the omnibus budget article.

8. 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, "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.

9. 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.

10. If an article of the Warrant has once been acted upon and disposed of, a motion to return to the article may be made at any time if the person offering the motion discloses significant new information to the Meeting concerning said article, which had not been disclosed or made available to the Meeting when the motion under that article was debated; provided, however, that debate and action on said motion shall be deferred until all other articles shall have been disposed of and shall occur in the numerical order of each such article. In any event, a motion to reconsider is debatable, may not be amended and requires a TWO-THIRDS vote, unless it shall have been made before the article has been disposed of; in which event it requires a vote equal to the quantum of the vote that was required to pass the motion under the article to be reconsidered. If such motion carries, the Moderator will ask whether there is a new motion under the article to be 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. The Moderator will then 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.

2. If the Moderator is still in doubt, or if seven or more voters have immediately questioned his declaration of such vote, 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 their portion of the vote from the Procedural Microphone. When all of the tellers have reported, the Moderator will declare the vote and his declaration is final.

3. In the event that the law requires a vote of TWO-THIRDS or more to carry a motion, 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.

4. 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."

5. In the event that there is a large number of voters in the hall *and the Town Clerk shall have provided ballots and ballot counting machines (ballot machines) for the occasion*, the Moderator may designate one or more such machines to receive "yes" votes and a number of machines to receive "no" votes and arrange to have them placed near the "pro" and "con" microphones respectively. The Moderator will then announce the color of the ballot that will be cast upon the main motion and direct the attention of the voters to the location of the pro and con machines. The voters will then rise and proceed row-by-row to the machine of their choice. A Teller will stamp the back of each voter's hand upon arrival at the ballot machine and hand him or her a ballot, which the voter will then deposit in the ballot machine. In order to assure the security of all ballots:

- a. No one will be allowed to vote without a ballot, which bears the color announced by the Moderator.
- b. No one will be permitted to cast a ballot if his or her hand does not bear the stamp of a Teller.

During the course of the aforesaid proceedings, the Moderator may ask for the consent of the meeting (a two-thirds [2/3] vote is required) to proceed to consideration of another Article. When he is ready to declare the vote, the Moderator will ask for the consent of the meeting to return to the Article (a 2/3 vote is required) under which the ballot shall have been taken.

When all of the ballots shall have been cast, the Tellers will extract from each ballot machine the tape that shows the number of votes cast in favor and the number of votes cast in opposition to the motion and hand the same to the Moderator. The Moderator will declare the vote upon disposition of the Article then under debate. The declaration of the Moderator is final."

6. 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 announce the color of the ballot that will be cast upon the main motion and 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 which bears the color announced by the Moderator.
- 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 [2/3] 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 2/3 vote is required) under which the secret ballot has been taken.

7. In the event that a majority shall have voted that the vote on a particular motion shall be by secret ballot and the Town Clerk shall have provided ballots and ballot counting machines (*ballot machines*) for the occasion, the Moderator may, in the alternative, ask the Tellers to come forward and take their places at the ballot counting machines (ballot machines), which shall have been placed in voting booths by the Town Clerk at the front of the hall behind the Moderator. The Moderator will then announce the color of the ballot that will be cast upon the main motion and direct the attention of each section of voters to their respective ballot machine. The voters will then rise and proceed row-by-row to their respective machine. A Teller will stamp the back of each voter's hand upon arrival at the ballot machine and hand him or her a ballot, which the voter will then mark in the privacy of the voting booth and deposit in the ballot machine. In order to assure the security of all secret ballots:

- a. No one will be allowed to vote without a ballot, which bears the color announced by the Moderator.
- b. No one will be permitted to cast a ballot if his or her hand does not bear the stamp of a Teller.

During the course of the aforesaid proceedings, the Moderator may ask for the consent of the meeting (a two-thirds [2/3] vote is required) to proceed to consideration of another Article. When he is ready to declare the vote, the Moderator will ask for the consent of the meeting to return to the Article (a 2/3 vote is required) under which the ballot shall have been taken.

When all of the ballots shall have been cast, the Tellers will extract from each ballot machine the tape that shows the number of votes cast in favor and the number of votes cast in

opposition to the motion and hand the same to the Moderator. The Moderator will declare the vote upon disposition of the Article then under debate. The declaration of the Moderator is final.”

E. Adjournment

1. 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.

2. 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 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

The Moderator has determined that the Field House at Wayland High School and all other venues that may be used to conduct Wayland’s town meetings are polling places within the meaning of G.L. c. 54, sec. 65 because, among other things, the voters in town meeting assembled elect a number of town officers there each year.

Accordingly, no person shall be allowed to collect signatures upon petitions, referendum petitions or nomination papers nor may any person post, exhibit, circulate or distribute any poster, card, placard, handbill, broadside, picture, graphic, circular or other document intended to inform and/or influence the action of any voter within one hundred fifty feet of the Field House including the interior thereof.

Residents of the Town of Wayland may, nevertheless, 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 tonight to do the Town’s business.

C. Peter R. Gossels, Moderator
February 5, 2009

APPENDIX B: HEAR REPORTS

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.

CPA Revenue – Since the adoption of the CPA in 2001 through fiscal 2007, Wayland has received \$3,827,270 from the residential property tax surcharge, including interest, and \$2,789,028 in matching State Trust Fund distributions, for a total revenue of \$6,616,298. The funds collected are known as the Community Preservation Fund and are held and administered by the Town’s Treasurer.

Town approved appropriations from the Community Preservation Fund are as follows:

<u>Project</u>	<u>Amount</u>	<u>Year Approved</u>
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
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 Rd 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 Rte 30 and Plain Rd.	\$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
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
The rehabilitation and preservation of the Town-owned former railroad freight house located at 1 Concord Road next to the Town Library.	\$50,000	2009
TOTAL	\$3,824,750	

REPORT OF THE ELECTRONIC COMMUNICATIONS COMMITTEE

I. Summary of Recommendations

1. That the Town adopt and enforce a Communications Policy and Best Practices to be used by all Town Boards, Committees and Departments (BCDs) in maintaining their website sections and electronically communicating timely information with residents.
2. That the Town replace the current outdated Town website with a new one to cost no more than \$10,000 initially (with an ongoing cost of about \$5,000 per year). That the new Town website a) project Wayland's vibrant identity to potential new residents and businesses, b) support improved communication functions between the Town, residents and local businesses, c) make site updating simpler, and d) be a flexible platform for future enhancements.
3. That the Town create a Communications Center as a part of the new Town website that is used by the Town to proactively communicate with residents and in turn enable residents to communicate with Town Boards, Committees and Departments.
4. That the Town create a new Technology Committee to develop integrated technology strategies and initiatives for the Town, with focus on reducing costs and extending capabilities. The Technology Committee should be comprised of representation from the Electronic Communications Committee and other technology advisory bodies within the Town, Schools and WayCAM.

II. Charter:

Pursuant to a request made at Annual Town Meeting (April 2008), the Town created and tasked the Wayland Electronic Communications Committee (ECC) with "recommending improvements to the Town's ability to communicate with its citizens, useful, accessible, and timely information via electronic media. In particular, the committee shall examine the utility of the Town's website, contrasting it with the best features of websites in other towns."

Because technology alone is never the full answer, ECC also took as its charter to recommend internal Town processes necessary to support timely, useful communications, and broadened our discussion beyond the town website to consider all the electronic ways in which the Town does and could communicate with residents.

III. Objectives

The electronic communications solution for the Town should support four main objectives:

1. It should offer transparent and timely access to citizens on the workings and results of the boards,

committees and departments.

2. It should be efficient and user friendly.
3. The solution should adapt to the Town's evolving needs.
4. There should be a clear communication policy and accountability for its implementation.

IV. Research Conducted

To develop the recommendations, the ECC conducted the following research:

1. Reviewed articles on best municipal websites and desirable characteristics as defined by Common Cause.
2. Compared 'best-practices' municipal (towns similar in size to Wayland) websites with our own Town website.
3. Conducted a resident survey (196 responses) to gauge opinions of current Town communication practices and interest in some new services; followed up with an in-depth Focus Group.
4. Interviewed administrators from towns with 'best-practices' to get feedback on their Website vendors.
5. Interviewed key Town employees, members of Town boards and committees, and WayCAM about their communication capabilities and needs.
6. Interviewed municipal website solutions vendors and obtained proposals.

V. Findings

1. The general consensus is that the current Wayland Town website is a negative for Wayland.
 - a. A number of BCDs are to be lauded for their communications practices and efforts but the majority of them provide insufficient documentation and communications, and all could benefit from better tools
 - b. The website projects a poor image of Wayland to prospective residents and businesses.
 - c. The website is not user-friendly and has: broken links, missing search boxes and missing or outdated information.
 - d. The website is difficult to maintain and uses out-of-date technology. At least four different applications are used by BCDs
 - e. Communications are not consistent and do not use well-established services such as email subscriptions: users, today, want to get email updates on topics of interest automatically sent to them.
2. The communications and website publishing practices are inconsistent with no apparent policy or accountability.
3. In our survey we found that Wayland Residents feel that communications from Town officials is inadequate:
 - a. Residents want to receive regular updates about key issues facing the Town.
 - b. Residents want a way to suggest improvements and that the suggestions they make are responded to.
4. That WayCAM's content would be more valuable to residents if it could be accessed on demand from the Town website.
5. Town employees feel they don't have enough time to do more and that they are doing their best. They also believe they are prevented by Town and State laws and regulations from adopting new web technologies such as online collaboration tools and electronic document processing.
6. During our fact finding we found there is a lack of a coordinated "technology strategy" for the Town which integrates the needs of Town departments, the schools, WayCAM and other town-related organizations.

VI. Detailed Recommendations

The Town should adopt and enforce a clear Communications Policy that addresses the use of electronic communications and also maintain a set of Best Practices that guide their implementation by all BCDs:

1. All BCDs should post their agendas in advance of meetings and the meeting minutes within 2 weeks

thereafter (or the day after their subsequent meeting, whichever comes first). Both minutes and agendas should be archived to remain retrievable in the future.

2. BCDs should provide news summaries of their meetings in addition to detailed agendas and minutes.
3. The Town Administrator should write a regular newsletter informing residents and businesses about the news and upcoming meetings and events that he feels would be of interest to them.
4. When possible, meeting packets should be included in advance and/or archived historically.
5. Residents should be allowed to submit questions electronically, in advance of meetings (and in the future, real-time), and their questions should be dealt with in the same manner they would have been if they were raised in-person at the meeting.

The current Town website should be replaced, and a Communications Center should be established within the new website.

The Town “home page” should provide efficient navigation of the site as well as highlight meeting schedules, the Town bulletin, and an effective site-wide (and section specific) search tool. Further it should:

6. Portray Wayland in ways that will attract new residents, businesses and visitors.
7. Implement a common look and feel across the entire site.
8. Implement a Communications Center within the website
 - a. Residents should be able to enroll and subscribe to mailing lists in the areas they are interested in and specifying how they receive updates. For example: real-time, by RSS or in daily or weekly email digests.
 - b. The Center should also be a place where residents can submit comments and feedback which will be acted on or responded to by the appropriate representative.
9. Improve the usability of the Town Calendar of Meetings and Events

Each BCD should have a section on the new Town website that includes as a minimum:

10. A description of the committee.
11. A list of members.
12. The answers to frequently asked questions.
13. A meeting schedule with agendas and information packets if used.
14. A contact form through which citizens can make comments and ask questions.
15. An archive of approved minutes and agendas.
16. A news blog summarizing meetings and other information that the BCD feels would be of interest to citizens.

Other recommendations include:

17. There should be online access to more detailed budget information (with background detail), including operating statistics, financial statement audits and posting of the Town’s fiscal goals.
18. The Town should periodically survey residents and local businesses about key Town issues, as well as the effectiveness of the site, and collect feedback and suggestions for improvement and report the results online.
19. While the Town does offer limited online payment (e.g., property taxes, Park and Recreation programs) they are disparate systems and could be improved. Ultimately, these should be replaced with a uniform payment system covering all taxes and fees and revenues the Town collects and that is simple and intuitive and offers additional features such as automatic payments.
20. All forms available at Town Building should be available as online .pdf forms that can be filled out before they are printed and submitted.
21. Town By-laws should be reviewed for possible changes that would enable the new Town website to make available and distribute electronic documents. This would save on mailing expenses - for example laws could be amended to enable emailing of the Town Warrant to residents, allow permits and applications to be submitted electronically, etc.
22. WayCAM broadcasts should be made available on-demand via links on the new Town website or

embedded in the new website.

Recommendations for future functionality:

1. Electronic application completion and submission (if current laws requiring in-person submission are changed) , which, we believe would result in substantial savings.
2. Online inspection scheduling
3. Electronic voting (requires changes in current Massachusetts laws)

VII. Implementation

1. The Town should allocate funds and retain an outside vendor to build a new Town website.
 - a. The ECC believes that the cost of a Web site will be less than \$10,000 to develop and implement and that the annual operating costs should be less than \$5,000/year. (This estimate does not include the time that will be needed by Town employees nor does it anticipate the savings on subscriptions and application software license and maintenance relating to the current site.)
2. The Town should create a Communications Policy and develop and maintain a set of “best practices”:
 - a. All major BCDs will have at least one member trained to perform maintenance to the new Town website including a backup plan with members of other BCDs.
 - b. The Town Administer should be responsible for monitoring compliance with the Communications Policy and ensure that the performance of all BCDs is reported at least monthly.
3. The ECC should oversee implementation in conjunction with a website implementation team (see (d) below)
 - a. That the ECC continue to guide implementation of the new Town website and on completion, that its continued existence should be subject to the consensus of the Board of Selectmen.
 - b. The Selectmen should have oversight of the ECC
 - c. The ECC should meet approximately monthly and on an as-needed basis until initial implementation of the new Town website is complete, then once/quarter at a minimum and on an as-needed basis. This will ensure there is one group with continuing oversight for the broader context (both technology issues and non-technology issues) of communications in the Town.
 - d. That the vendor and Town Administration assemble an implementation team comprised of Town Employees and the vendor, and that this team be accountable jointly to the ECC and the Town Administrator.
4. That to guide future development of the Town website and to better embrace and benefit from emerging technologies by the Town in other areas, that a new Technology Committee should be created that comprises representation from all technology-related advisory bodies of the Town, Schools and WayCAM, as well as from the Electronic Communications Committee. At least one member of the Technology Committee should be a member of the ECC.
 - a. That representation on this Committee should be set by the Selectmen, the School Board and WayCAM and that it should also include key department head representatives of their respective IT departments. Specific care should be made to ensure the makeup of the committee contains not only hands-on technical skills, but also business skills in the areas of IT project management and grant writing.
 - b. That this Committee would coordinate the future development of the way the Town implements technology for extending capabilities and reducing costs.
 - c. That this Committee consider but not be limited to the following areas: Websites, Email & Calendaring, Videocasting, Voice Services, Emergency systems, Consolidated Network Backbone, Disaster Recovery, GIS, Public WiFi, Electronic Voting, Hardware Replacement Strategy, Information Security, Electronic Archiving

This Executive Summary of our report contains a subset of our findings. To view the complete ECC report and backup material please see the complete final report (available after April 1) at <http://www.mywayland.org>.

REPORT OF THE HIGH SCHOOL BUILDING COMMITTEE

This update describes the work of the High School Building Committee (HSBC) during the past year, since the Annual Town Meeting on April 10, 2008. It also reviews the steps taken with the Massachusetts School Building Authority (MSBA) since the lifting of the moratorium on state funding in 2007.

The work of the HSBC in prior years is summarized in the Report of the HSBC published in the January 2005 Special Town Meeting Warrant. It and the more extensive 2004 Preliminary Design Report are both available on the HSBC web site: (www.waylandschoolcommittee.org/whs/hsbc/index.htm) and at the Wayland Public Library.

Over the past year, the HSBC met 13 times for a total of 65 meetings since January 2004. These most recent meetings focused on the required steps leading to the Feasibility Study/Schematic Design phase defined by the MSBA. Specifically, the HSBC:

- conducted an Owner's Project Manager search and selected KV Associates
- worked with the MSBA on revising the Owner's Project Manager's contract
- presented enrollment information to the MSBA and came to agreement on an enrollment design number of 900 students for Wayland High School
- presented HMFH Architects to the MSBA as Wayland's selected designer
- conducted an educational planning exercise with Dr. Frank Locker
- submitted a warrant article for funding the Feasibility Study/Schematic Design with direction from MSBA to plan for 40% reimbursement for this phase

Massachusetts School Building Authority (MSBA) – MSBA regulations define a five-phase process, with guidelines that clearly define the components, their sizes, and their characteristics for which the state will provide reimbursement.. The state and local community will work together at every step of the new process. The five phases are: identify the problem, validate the problem, evaluate potential solutions, confirm a solution, and implement the agreed upon solution.

Identify the Problem (Statement of Interest) – The Wayland School Committee and Board of Selectmen submitted a Statement of Interest (SOI) to the Massachusetts School Building Authority in August, 2006. The SOI was the first step in the application process for state funding. Communities were asked to document deficiencies under eight statutory criteria: health and safety, existing severe overcrowding, loss of accreditation, prevention of future severe overcrowding, energy conservation and decreased energy costs, short term enrollment growth, replacement of obsolete buildings, and transition from court ordered racial balance districts to walk-to districts. Wayland documented deficiencies in seven of the eight statutory criteria.

Validate the Problem - The MSBA visited Wayland High School three times during 2007.

Enrollment Site Visit and Review – In June, 2007, MSBA consultants toured Wayland High School to see firsthand the conditions of overcrowding. They were shown many spaces that have been converted from a previous use, such as a staff dining room converted to a student cafeteria annex, reference centers converted to classrooms, a furnace room converted to a health classroom, and TEC (The Education Collaborative) space converted to classrooms. They were also shown many significantly undersized classrooms, science labs, modular science building, auditorium, and locker rooms relative to current MSBA standards.

Facilities and Maintenance Assessment – In June, 2007, Joseph Buckley, P.E., Chief Engineer for the

MSBA, and ten other architects and engineers came to Wayland to begin a three day study of all five schools as part of the Facilities and Maintenance Assessment. Wayland was one of 18 towns in a pilot program for the assessment.

Senior Site Review – In August, 2007, Enrique Zuniga, Director of Quality Assurance for MSBA, Joseph Miele, Senior Architect from STV, and Donald Corrie, Director of Design from STV visited Wayland High School for the Senior Site Review. The MSBA engaged STV to provide an additional, independent analysis of the assessments done by MSBA.

Evaluate Potential Solutions - The Massachusetts School Building Authority (MSBA) at its Board of Directors meeting in November, 2007, invited Wayland High School to move forward to the Feasibility Study phase of applying for state funding. There are currently 19 districts working on Feasibility/Schematics or Design Development.

The MSBA has defined a rolling capital pipeline of \$2.5 billion spread over five years. The MSBA will introduce projects into this pipeline as they are deemed ready. A recent presentation by MSBA Executive Director, Katherine Craven, confirmed the commitment of \$2.5 billion with a guaranteed funding floor through 2009. The fall-off in sales tax revenue associated with the current recession will significantly affect funds available beyond 2009. The MSBA will work with towns to agree on fiscally responsible facilities.

In February 2008, the MSBA laid out the next steps for Wayland as follows:

1. Submit the Initial Compliance Certification (submitted in February, 2008)
2. Form a School Building Committee (submitted paperwork in March, 2008)
3. Complete an enrollment questionnaire (completed in April, 2008)
4. Complete an enrollment projection working with the MSBA consultant (completed in January, 2009; MSBA and Wayland agreed on a design enrollment of 900)
5. Procure an Owner's Project Manager subject to approval by the MSBA (KVA approved by MSBA in January, 2009)
6. Procure a Feasibility Designer through the MSBA's Designer Selection Panel (awaiting MSBA approval to continue with HMFH; expect approval in March, 2009)
7. Execute a Feasibility Study Agreement with the MSBA detailing scope, schedule, milestones and cost-sharing parameters of the Feasibility Study/Schematic Design (expecting to sign agreement after April, 2009 Annual Town Meeting)
8. Execute Project Scope and Budget Agreement including schedule, price, and MSBA participation (projected for Fall 2009)
9. Conduct a local vote on project (projected for November, 2009)
10. Execute Project Funding Agreement (projected for November, 2009)

Feasibility Study/Schematic Design

Wayland has been told by the MSBA to plan for 40% reimbursement on the Feasibility Study/Schematic Design. The Wayland School Committee has submitted a warrant article for additional funds to complete the Feasibility Study/Schematic Design phase estimated to cost no more than \$1,026,000. Wayland voters approved \$300,000 at the 2007 Annual Town Meeting in anticipation of being selected by the MSBA to proceed. The balance of \$726,000 is included in this 2009 ATM warrant. The town is required to authorize the full amount, but the cost to the town will be no more than \$315,600 after reimbursement. (Town portion is 60% of \$1,026,000 or \$615,600. Town has already appropriated \$300,000. Balance is \$315,600.)

The first steps of the Feasibility Study have begun. The Wayland School Committee engaged educational facilities planner, Dr. Frank Locker, to work with approximately 60 Wayland citizens of all ages, and teachers, administrators, and staff to plan for the future of Wayland High School. This three-month-long effort resulted in an updated educational specification as required by the MSBA. The revised ed spec, enrollment design number, MSBA regulations, and updated cost estimates will all be considered in analyzing options for modernizing Wayland High School. The HSBC and MSBA will look at a variety of renovation and new construction options and come to agreement on the appropriate path.

Next Steps –The MSBA will define the scope of a reimbursable project by considering enrollment, square footage per student, and allowable cost per square foot.

It is the intention of the HSBC to generate a plan for Wayland High School that will be widely supported by the taxpayers of Wayland. Building on the consensus that something needs to be done to improve the high school facility, the HSBC will work closely with the MSBA to secure state funding and with the taxpayers of Wayland to agree on a project.

Respectfully submitted,
Lea T. Anderson, HSBC Chairman

High School Building Committee Members

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REPORT OF THE NIKE SITE REUSE ADVISORY COMMITTEE

The nine-member Nike Site Reuse Advisory Committee was formed in November 2004 to advise the Board of Selectmen on the reuse of the former Nike missile site, located on Oxbow Road.

Over the past 4 ½ years, the NSRAC has had oversight responsibility for the Town's acquisition and subsequent planning for the use of Lot 1A, also know as the "Park Land", which is approximately 10.71 acres and which was acquired for conservation and passive and active recreation and Lot 2A, also known as the "Housing Land", which is approximately 2.75 acres and which was acquired in connection with the proposed development of 16 units of community housing. The current site plan includes a 50' naturally vegetated buffer around the entire property (both the Park and Housing Land) and a wheelchair accessible trail which is currently in the planning stages.

At the 2008 ATM, the Town approved the expenditure of an additional \$250,000 of Community Preservation Act funds to complete certain work associated with the Park Land, including the demolition, environmental remediation and filling of the former missile silos; the loaming and seeding of the Park Land; the planting of trees around the Park Land and trail; the removal of the existing fence around both the Park and Housing Land; the planning and construction of the wheelchair accessible trail and parking area; and the design and purchase of a permanent sign to be placed at the entrance to the Park Land.

Over the past year, a number of important milestones were achieved including (i) the completion of construction of the 16 units of community housing (on time and on budget); (ii) a successful lottery was held in order to determine which qualified applicants would be given the opportunity to buy one of the housing units; and the completion of the demolition, remediation and filling of the former missile silos. The issuance of certificates of

occupancy, actual property closings and move-ins by the new residents are expected to be completed by April or May 2009.

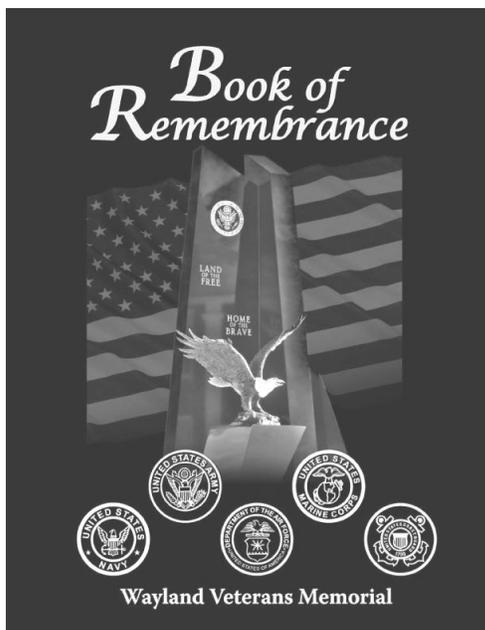
The total cost of the work related to the missile silos was approximately \$139,000 which was approximately \$39,000 higher than the estimate provided at last year's Town Meeting. The excess costs were attributable to the removal of hydraulic fluid found in the missile silos and asbestos conduit that was discovered while demolishing and filling the former missile silos. There is approximately \$125,000 of unexpended funds available to complete the balance of the work noted above. The NSRAC has applied for and is awaiting word on a grant that would provide additional funding for the development of the wheelchair accessible trail, but the committee believes it will have sufficient funds to complete the remaining tasks whether or not the grant is approved.

The NSRAC would like to thank the neighbors of the former Nike site for their patience and understanding during the housing construction and silo demolition. The committee is hopeful that the remaining work at the site can be completed prior to the end of the year.

The NSRAC information is updated regularly at
<http://www.wayland.ma.us/planning/nike/NikeSite.htm>.

Committee Membership: Gretchen Schuler, Chair
 Paul Abramson, Brian Boggia, Michael Gitten, Brian O'Herlihy, Connie Pitt, Rebecca Regan, Michael Staiti (one vacancy).

REPORT OF THE VETERANS MEMORIAL COMMITTEE



The Book of Remembrance has been selected by the Library of Congress for addition to the Library's General Collection and assigned an LCCN number. It is available for purchase at the Town Clerk's Office in the Wayland Town Building.

In 2008 the Veterans Committee worked closely with the Public Ceremonies Committee to hold ceremonies at the Veterans Memorial and worked with the Veterans Agent to create a veterans exhibit at the Wayland Library for the month of November. This library exhibit showed the close ties of our citizen soldiers with the Wayland Community throughout history and was highly acclaimed by from the viewers. It also displayed the photos of the three annual Freedom Prize winners and the titles of their essays.

In addition, the second annual Freedom Prize was awarded to Erica Van Sciver, Wayland High School, at the Lakeview cemetery on Memorial Day. In spite of the recession, sufficient funding exists for another student award on Memorial Day this year, 2009. We encourage our citizens to purchase the Book of Remembrance because 100% of its tax deductible revenue goes into the High School Freedom fund for this annual award. Copies are available at the Town Clerk's Office. (Hurry, there are only 100 copies left of the original 550 published last April.)

In addition to the 100 stories from/about local veterans from the American Revolution to Baghdad and Afghanistan, the Book of Remembrance has several other chapters of interest for Wayland residents: the Home Front tells the reader about what our citizens did to support our troops during wartime, the Shared Values chapter tells what were the philosophical, spiritual, and

moral relationships between our military and our citizens during times of war and conflict. Still other chapters recognize the Veterans Memorial Dedication Ceremony on July 3, 2005, The Journey to the Veterans Memorial, a roadmap for other American communities to build veterans memorials, and an explanation of the Objectives of the Freedom Prize, including the names and titles of the winners and finalist's essays for the Freedom Prize for the past two years.

Finally, the book contains the names of those who paid the ultimate sacrifice for our freedom, those who served from Wayland in various wars, those who rest peacefully in Wayland's cemeteries, and the names of donors and those veterans whom they have chosen to honor.

Also during this past year we worked with the Massachusetts Historical Commission to add our new Veterans Memorial, text and photo, to the official state archives. Feedback from those who saw the document said that the Wayland Veterans Memorial is one of the most beautiful Memorials in the State.

If the readers of this report have not yet seen the Veterans Memorial we encourage you to visit it this spring when the garden is in full bloom. It is called a "Celebration of Freedom" and is situated on the left alongside the entrance to the front of the Town Building.

Finally, we teamed up with Spread the Bread, Adopt a Platoon, and several area businesses and restaurants to prepare over 100 "Valentine Care" packages for our troops in Iraq and Afghanistan. Some of the sites are so remote that those packages had to be dropped by helicopter. Our troops really appreciated both the care packages and the thought that they are remembered by the folks back home for their service and sacrifices.

REPORT OF THE YOUTH ADVISORY COMMITTEE

The Youth Advisory Committee oversees Wayland Youth & Family Services, a counseling and prevention program serving Wayland students and their families. WYFS provides five basic services to youth, families, and the community: 1) counseling, 2) community education and prevention, 3) consultation, 4) information and referral, and 5) crisis intervention (after hours coverage is provided by Psychiatric Emergency Services in Framingham).

Counseling is the primary focus of the program. It is a confidential service provided free of charge to Wayland students and their families, at school, at home, or in our office in the Town Building. Services include individual therapy, family therapy, parent consultations, group counseling in the schools, outreach to students and parents, and participation in school meetings. We also provide substance abuse evaluations and outpatient counseling for adolescents. Issues often include communication problems and family conflicts, stress management, substance abuse, helping children cope with parental separation and divorce, illness and death. We also can help with issues of depression, suicide, anxiety, eating disorders, concerns about sexuality, physical or sexual abuse, and peer relationships.

In collaboration with the Wayland Police Department and Wayland High School, we offer the Diversion Program for students who are apprehended using substances or participating in other illegal activities. This is intended as a therapeutic alternative to court involvement. The program includes a psychological assessment and substance abuse evaluation, a psycho-educational group or individual counseling, and a requirement to do community service. In the past year, 21 students participated in the Diversion Program.

Community Education and Prevention are our second priority. A number of our projects are aimed at substance abuse prevention. We participate in the Wayland Substance Abuse Prevention Coalition, which brings together school staff, parents, and concerned members of the community. Our staff has been a primary resource in facilitating Parent Coffees, which bring together groups of parents of peers to learn about the connections between adolescent neurological development, substance abuse related decision making, and what parents can do to prepare and protect their children. One of our priorities is facilitate the connection of parents to parents for mutual support in keeping our teenagers safe and healthy. To this end, we also offer groups organized around

issues of interest to parents. This year, in collaboration with retired guidance counselor Virginia Buckley, we have facilitated a group for parents of seniors to address the transition that families experience during their senior's last year in high school. We also provided programming for high school students on Depression Awareness Day, and offered classes in stress management during Winter Week and as part of the freshman health curriculum.

Community Service has been an important focus in supporting healthy personal and social development. We sponsor the Annual Community Service Awards Ceremony, which honors adults and high school students who have made significant contributions through their volunteer community service. We also provide a very popular and active Summer Community Service Program for high school students. Last summer 34 students participated.

Parent education is another focus of our community work. The Friends of WYFS, a volunteer parent committee, collaborates with the PTO's to provide speakers and programs for parents. This year we offered a series of lectures and workshops focused on stress and stress management, ranging from the impact of excessive stress on neurobiological development to practical ways that families can balance demands and help their members manage stress.

The past year has seen changes in staff. In February of 2008, Director Paul Neustadt, MSW, retired after 17 years of service and long time Assistant Director Lynn Dowd, Psy.D., took on the role of Director. In addition, staff member Sharon Harrington, LMHC, departed in September of 2009, and Dossie Kahn, Psy.D joined the staff as Assistant Director. Muriel Sypek continues to provide administrative support to the department on a part time basis.

**APPENDIX C
CHOOSE TOWN OFFICERS**

As Trustees of the Allen Fund:

Sema Faigen
Benjamin W. Johnson III
Michael B. Patterson

As Fence Viewers:

The Selectmen

As Field Drivers:

The Constables

As Measurers of Wood and Bark:

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

As Surveyors of Lumber:

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

**APPENDIX D
DEVELOPMENT OF DPW AND FACILITIES BUDGETS**

DPW / RECREATION FY10 BUDGET COMPARISONS

BUDGETS ARE COMPARED TO INDIVIDUAL DEPARTMENT REQUESTS PRIOR TO DPW CONSOLIDATED BUDGET SUBMISSION

Division	Highway FY 10 Request	Snow FY 10 Request	Trnsfer St FY 10 Request	Parks FY 10 Request	Water FY 10 Request	Recreation FY 10 Request	Total FY 10 Request	DPW Budget FY 10	Recreation Budget FY 10	Total DPW/ Recreation Budget FY 10	Total DPW/ Recreation Savings FY 10
Personnel Services Sub-Total	826,521	100,000	175,764	523,968	820,642	266,945	2,713,840	2,298,815	299,176	2,597,991	115,849
Purchase of Services	291,700	85,000	400,900	70,300	436,000	460,000	1,743,900	1,283,400	460,000	1,743,400	500
Utilities	0	0	0	0	269,000	0	269,000	269,000	0	269,000	0
Supplies	80,200	135,000	74,500	111,500	309,000	0	710,200	673,700	25,000	698,700	11,500
Sub-Total	371,900	220,000	475,400	181,800	1,014,000	460,000	2,723,100	2,226,100	485,000	2,711,100	12,000
Debt Sub-Total	0	0	0	0	461,419	0	461,419	461,419	0	461,419	0
Total	1,198,421	320,000	651,164	705,768	2,296,061	726,945	5,898,359	4,986,334	784,176	5,770,510	127,849

The above chart reflects the individual departmental budget requests prior to the development of a consolidated budget. For purposes of an accurate comparison, the Recreation Department has been included. Utility costs and selected supply costs have been removed from the individual department budget requests and are shown in the Facilities Department budget.

The above chart identifies the DPW and the Recreation Departments' FY 10 budgets. When the combined budgets are compared to the total request in the chart to the left, the projected consolidated savings are shown.

Projected DPW/Recreation Consolidated Savings:

- 105,571 Personnel re-organization
- 10,278 Overtime reduction
- 500 Purchases of Services
- 4,000 Uniforms
- 2,500 Small Equipment Purchases
- 5,000 Transfer Station Expenses

127,849 Total Projected Savings

FACILITIES BUDGET FY10

DIVISION	TOWN BUILDING FY10	JCC	STATION TWO	HIGHWAY	LANDFILL	LIBRARY	PARKS	POOL	FACILITIES SUMMARY FY10
SALARIES	205,299	15,400	0	0	10,000	39,805	0	0	270,504
TOTAL PERSONNEL SERVICES	205,299	15,400	0	0	10,000	39,805	0	0	270,504
PURCHASE OF SERVICES	42,600	27,100	9,500	16,400	7,500	12,000	6,500	13,500	135,100
UTILITIES	322,000	142,300	20,200	75,000	31,600	55,580	8,300	64,000	718,980
SUPPLIES	17,000	1,500	1,000	1,200	500	1,000	1,500	500	24,200
TOTAL EXPENSES	381,600	170,900	30,700	92,600	39,600	68,580	16,300	78,000	878,280
TOTAL FACILITIES	586,899	186,300	30,700	92,600	49,600	108,385	16,300	78,000	1,148,784

APPENDIX E
PERSONNEL BY-LAWS AND WAGE AND CLASSIFICATION PLAN

It has been the goal of the Town to effect health insurance changes in the current cycle of contract negotiations. In exchange for increases in contribution rates and the introduction of a new set of health insurance plans which became effective on July 1, 2008, benefits eligible employees in union affiliated positions, and benefits eligible employees in non-union positions, will receive an additional 0.5% in consideration for health insurance changes. The method of application of the 0.5% adjustment under the union contracts varies based upon the negotiation of each individual union contract. Corresponding wage schedules with health insurance adjustments are identified with an asterisk (*). This is the last wage period in which health insurance adjustments will occur.

NON-UNION WAGE SCALE, N SCHEDULE

Effective 7/1/09 (2.5% Adjustment + 0.5% Health Insurance Adjustment) *

Grade	1	2	3	4	5
N-1	33,489	34,495	35,530	36,597	37,692
N-2	36,442	37,534	38,661	39,821	41,016
N-3 *	36,807	37,910	39,048	40,220	41,427
N-4 *	40,052	41,252	42,490	43,763	45,078
N-5 *	43,975	45,295	46,653	48,052	49,495
N-6 *	48,285	49,734	51,226	52,762	54,345
N-7 *	53,017	54,608	56,245	57,933	59,671
N-8 *	58,213	59,960	61,757	63,611	65,518
N-9 *	62,590	64,212	65,893	67,748	69,782
N-10 *	70,183	72,288	74,456	76,690	79,456
N-11 *	77,059	79,371	81,753	84,205	86,730
N-12 *	80,835	83,260	85,785	88,335	90,981
N-13 *	84,611	87,148	89,763	92,456	95,231
N-14 *	92,903	95,690	98,561	101,518	104,563
N-15 *					

Grade	6	7	8	9	10
N-1	38,823	39,989	41,188	42,423	43,697
N-2	42,245	43,512	44,818	46,163	47,548
N-3 *	42,669	43,949	45,267	46,625	48,024
N-4 *	46,430	47,386	49,257	50,734	52,257
N-5 *	50,979	52,231	54,084	55,706	57,378
N-6 *	55,411	57,655	59,385	61,166	63,001
N-7 *	61,461	63,305	65,203	67,161	69,174
N-8 *	67,485	69,508	71,595	73,741	75,954
N-9 *	71,875	74,030	76,251	78,515	80,837
N-10 *	80,962	83,801	86,998	88,506	91,570
N-11 *	89,332	92,012	94,774	97,615	100,546
N-12 *	93,710	96,521	100,003	102,398	105,628
N-13 *	98,088	101,030	105,232	107,181	110,709
N-14 *	107,701	110,931	113,779	117,686	121,219
N-15 *					135,000

N-1	Secretary, Fire – PT	N-9	Police Lieutenant
N-1	Sr Clerk, Health – PT		
N-1	Sr Clerk, Public Buildings – PT	N-10	Library Director
N-2	Administrative Asst – Y/S PT	N-11	Public Buildings Director
N-3	Outreach Coordinator	N-12	DPW Director
N-3	Administrative Asst – Police		
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-5	Exec Asst to Town Administrator	N-14	Police Chief
N-8	Recreation Director	N-15	Town Administrator

GROUP: NON-UNION – BUILDING INSPECTORS
Effective: July 1, 2009 (2.5% Adjustment)

STEP	1	2	3	4	5
	21.07	22.13	23.23	24.39	25.63
Gas & Plumbing Inspector (PT)					
Wiring Inspector (PT)					

GROUP: NON-UNION SUBSTITUTE NURSES
Effective: July 1, 2009 (2.5% Adjustment)

Hourly
26.53

GROUP: NON UNION - PUBLIC SAFETY
Effective: July 1, 2009 (2.5% Adjustment)

	Annually	Per Day	Hourly	NON-UNION - TOWN POOL Effective: July 1, 2007
Traffic Supervisors	7378			
Traffic Supervisor Substitute	--	42.28		
Special Police Matrons	--		18.80	Hourly
Call Firefighters	--		18.80	
Call Firefighter Coordinator	--		20.05	Pool Lifeguard 10.00
Police Custodian (PT)	--		15.00	
Police Intern	--		9.73	

GROUP: NON-UNION - ON-CALL DISPATCHERS
Effective: July 1, 2009 (2.5% Adjustment)

	Year 1	Year 2	Year 3	Year 4
On-call Dispatcher	17.74	18.56	19.38	20.20

GROUP: NON-UNION - HOURLY LIBRARY CLERKS
Effective: July 1, 2009 (2.5% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	14.22	14.54	14.87	15.18	15.47	15.79	16.09	16.38	16.70	17.02	17.30	17.62	17.95	18.25	18.55

GROUP: NON-UNION - HOURLY LIBRARY PART-TIME WEEKEND PROFESSIONALS
Effective: July 1, 2009 (2.5% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10	11	12
	22.40	22.92	23.22	23.62	24.03	24.43	24.86	25.25	25.68	26.07	26.48	26.88

GROUP: NON-UNION - LIBRARY PAGES
Effective: July 1, 2009 (2.5% Adjustment)

Step	Year 1	Year 2	Year 3
	8.43	8.95	9.44

GROUP: NON-UNION - VETERANS' AGENT
Effective: July 1, 2009 (2.5% Adjustment)

Annual
Veterans' Agent 3,755

GROUP: NON-UNION SEASONAL – MISCELLANEOUS
Effective: May 1, 2005 (No wage adjustment)

	Year 1	Year 2	Year 3	Year 4
Seasonal Laborer	12.01	12.61	13.21	--
Landfill Clerk	12.14			

GROUP: NON-UNION – SEASONAL – MISCELLANEOUS

Effective: May 1, 2006 (No wage adjustment)

	Year 1	Year 2	Year 3	Year 4
Beach Director	18.00	18.54	19.10	19.67
Beach Supervisor	12.75	13.13	13.53	13.93
Beach Head Lifeguard/ Water Safety Instructor	11.50	11.85	12.20	12.57
Senior Lifeguard	10.50	10.82	11.14	11.47
Substitute Lifeguard	10.00			
Jr Lifeguard/Swim Aide/Gateguard	9.00	9.27	9.55	9.83
Snack Bar Supervisor	10.50	10.82	11.14	11.47
Snack Bar I	9.50	9.79	10.08	10.38
Snack Bar II	8.50	8.76	9.02	9.29

GROUP: NON-UNION – SEASONAL – SUMMER DAY PROGRAMS

Effective: May 1, 2006 (No wage adjustment)

	Year 1	Year 2	Year 3	Year 4
Program Coordinator	18.00	18.54	19.10	19.67
Program Director	15.00	15.45	15.91	16.39
Assistant Director/Lead Teacher	13.00	13.39	13.79	14.21
Assistant Teacher	12.00	12.36	12.73	13.11
Sr Counselor	11.00	11.33	11.67	12.02
Counselor	9.50	9.79	10.08	10.38
Substitute Counselor	9.00			
Junior Counselor	8.00	8.24	8.49	8.74

GROUP: LIBRARY GROUP: LIBRARY

Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) *

Step	1	2	3	4	5	6	7	8	9	10
L-1 *	34,389	35,421	36,485	37,579	38,706	39,867	41,062	42,295	43,563	44,871
L-2 *	37,139	38,254	39,401	40,584	41,800	43,054	44,347	45,676	47,047	48,458
L-3 *	40,112	41,316	42,555	43,833	45,146	46,502	47,896	49,334	50,814	52,338
L-4 *	43,321	44,620	45,959	47,338	48,758	50,220	51,727	53,279	54,878	56,524
L-5 *	46,786	48,189	49,635	51,124	52,658	54,238	55,865	57,540	59,267	61,044
L-6 *	50,528	52,045	53,606	55,214	56,870	58,577	60,333	62,144	64,008	65,928
L-7 *	54,572	56,209	57,896	59,633	61,421	63,264	65,162	67,116	69,129	71,203
LC *	32,948	34,173	35,393	36,687	38,037	39,804				

- | | | |
|---------------------------------------|---|----------------------------|
| L-1 - Library Assistant - Circulation | L-4 - Bibliographic Services Librarian | L-4 - Reference Librarian |
| L-1 - Library Assistant – Children’s | L-4 - Library Administrative Assistant | L-5 - Children’s Librarian |
| L-2 - Library Associate - Periodicals | L-4 - Computer Specialist/Ref Librarian | L-7 - Assistant Director |
| L-3 - Assistant Children’s Librarian | L-4 - Head of Circulation | LC - Custodian |

GROUP: AFSCME

Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) *

Step	1	2	3	4	5	6	7	8	9	10
G-1 *	33,971	34,991	36,041	37,122	38,235	39,383	40,564	41,781	43,034	45,207
G-2 *	36,687	37,787	38,922	40,089	41,293	42,531	43,807	45,121	46,475	48,821
G-3 *	39,626	40,812	42,036	43,298	44,598	45,935	47,312	48,732	50,196	52,729
G-4 *	42,793	44,078	45,399	46,762	48,165	49,610	51,097	52,632	54,210	56,947
G-5 *	46,215	47,603	49,030	50,502	52,016	53,576	55,184	56,844	58,545	61,499
G-6 *	49,915	51,413	52,954	54,543	56,181	57,866	59,600	61,388	63,231	66,423
G-7 *	54,565	56,201	57,888	59,625	61,413	63,256	65,154	67,108	69,121	72,609
G-7A *	57,021	58,732	60,494	62,309	64,178	66,104	68,087	70,129	72,233	75,878
G-8 *	59,479	61,262	63,100	64,993	66,943	68,952	71,020	73,151	75,345	79,149
G-9 *	64,830	66,777	68,778	70,843	73,816	75,156	77,412	79,734	82,125	86,271
G-10 *	70,667	72,786	74,970	77,218	79,535	81,921	84,379	86,911	89,518	94,036
G-15 *	41,650	44,066	45,279	46,679	48,044	50,618	52,067	53,558	55,096	58,982

- G-1 – Pool Supervisor
- G-4 – Administrative Assessor
- G-5 – Assistant Youth Director
- G-5 – Sanitarian/Health Agent
- G-6 – Local Building Inspector
- G-6 – Accountant
- G-6 – Recreation Program Director
- G-6 – Solid Waste Facility Supt
- G-7 – Council on Aging Director
- G-7 – GIS Analyst
- G-7A – Public Health Nurse
- G-8 – IT Manager
- G-8 – Youth & Family Serv Director
- G-8 – Conservation Administrator
- G-8 – Town Planner
- G-8 – Town Surveyor
- G-9 – Assistant Assessor
- G-9 – Building Commissioner
- G-9 – Treasurer/Collector
- G-9 – Health Director
- G-15 – Community Health Nurse

GROUP: SEIU

Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) *

Step	1	2	3	4	5	6	7	8	9	10
C-10 *	29,756	30,648	31,569	32,515	33,490	34,495	35,529	36,595	37,694	39,409
C-12 *	32,137	33,102	34,093	35,117	36,170	37,254	38,372	39,524	40,709	42,563
C-13 *	33,432	34,435	35,469	36,532	37,629	38,758	39,919	41,118	42,352	44,278
C-14 *	34,778	35,823	36,897	38,004	39,143	40,317	41,528	42,774	44,057	46,061
C-15 *	36,121	37,204	38,321	39,471	40,654	41,874	43,131	44,425	45,757	47,840
CD *	33,587	37,469	39,123	40,776	42,432	44,086	46,428			

- C-12 – Senior Clerk
- C-13 – Principal Clerk
- C-14 – Department Assistant
- C-15 – Town Clerk, Assistant
- C-15 – Finance Assistant, Treasurer/Collector
- C-15 – Finance Assistant, Accounting
- C-15 – Finance Assistant, Benefits
- C-15 – Finance Assistant, Payroll
- CD - JCC Dispatcher

GROUP: TEAMSTERS - WATER

Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) *

Title	Grade	Step 1	Step 2	Step 3	Step 4
Water Craftsman 1	WC1 *	40,269	41,979	43,440	45,809
Water Craftsman 2	WC2 *	46,664	48,195	50,196	52,797
Water Craftsman 2 /Equip. Operator	WC3 *	47,246	48,778	50,779	53,379
Working Foreman	WC4 *	51,285	53,727	56,008	59,038
General Foreman	WC5 *	53,743	56,314	58,883	62,206

GROUP: TEAMSTERS - HIGHWAY**Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) ***

Title	Grade	Step 1	Step 2	Step 3	Step 4
No Positions	H-5 *	19.22	19.79	20.46	21.06
Medium Equipment Operator	H-6 *	19.79	20.46	21.06	21.85
Heavy Equipment Operator	H-7 *	20.46	21.06	21.85	22.48
Special Equipment Oper / Grader Oper	H-8 *	21.06	21.85	22.48	23.29
No Positions	H-9 *	21.85	22.48	23.29	24.06
Working Foreman	H-10 *	22.48	23.29	24.06	24.84
Mechanic /Welder	H-10 *				
Master Mechanic/Fleet Maint.	H-11 *	23.28	24.06	24.85	25.71
Mech Oper; Asst Ch Oper	H-11 *				
General Foreman	H-12 *	24.95	25.78	26.58	28.13

GROUP: TEAMSTERS - PARK AND RECREATION**Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) ***

Title	Grade	Step 1	Step 2	Step 3	Step 4
Groundskeeper 1	P&R - 1 *	16.65	18.48	19.06	20.26
Groundskeeper 2	P&R - 2 *	17.16	19.06	19.75	20.92
Groundskeeper 3	P&R - 3 *	20.39	20.99	21.75	23.04
Working Foreman	P&R - 4 *	21.75	22.45	23.35	24.60
Master Mechanic	P&R - 6 *	23.35	23.98	24.80	26.31
General Foreman	P&R - 7 *	24.95	25.78	26.58	28.13

GROUP: FIRE**Effective July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) ***

Title	Grade	Step 1	Step 2	Step 3	Step 4
Deputy/EMT	F-6E *				74,647
Captain/EMT	F-5E *	61,087	63,126	65,253	67,462
Lieutenant/EMT	F-4E *	57,414	59,215	61,163	63,224
Elec./Mech./EMT	F-3E *	54,468	56,121	58,160	60,119
Prevention Inspector/EMT	F-2E *	52,829	54,545	57,322	58,174
Firefighter/EMT	F-1E *	49,488	51,128	52,828	54,585

GROUP: POLICE**Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) ***

Title	Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Patrolman	P-1 *	35,111	46,815	49,156	51,613	54,194	55,115
Sergeant	P-2 *	58,103	61,008	64,058	67,261	N/A	N/A

<p>APPENDIX F</p> <p>The General Laws of Massachusetts</p>
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PART I. ADMINISTRATION OF THE GOVERNMENT
TITLE IX. TAXATION

CHAPTER 60. COLLECTION OF LOCAL TAXES

FEES

Chapter 60: Section 15. Fees of collector

Section 15. The following interest, charges and fees, and no other, when accrued, shall severally be added to the amount of the tax and collected as a part thereof:--

1. For interest, as provided by law;
[Clause 2 of first paragraph effective until July 1, 2008. For text effective July 1, 2008, see below.]
2. For each written demand provided for by law, five dollars;
[Clause 2 of first paragraph as amended by 2008, 182, Sec. 15 effective July 1, 2008. See 2008, 182, Sec. 121. For text effective until July 1, 2008, see above.]
2. For each written demand provided for by law, not more than \$30;
3. For preparing advertisement of sale or taking, \$10 for each parcel of real estate included in the advertisement and the necessary legal fees for search of title;
4. For advertisement of sale or taking in newspaper, the cost thereof;
5. For posting notices of sale or taking, \$5 for each parcel or real estate included in the notice;
6. For affidavit, \$10 for each parcel of land included therein;
7. For recording affidavit, the cost thereof;
8. For preparing deed or instrument of taking, \$10;
9. For the issuance and delivery of a warrant to an officer, \$10;
10. For notice by mail or other means to the delinquent that warrant to collect has been issued, \$12;
11. For exhibiting a warrant to collect or delivering a copy thereof to the delinquent or his representative or leaving it at his last and usual place of abode or of business, and without distraint or arrest, \$17.
12. For distraining goods of the delinquent, \$10 and the necessary cost thereof;
13. For the custody and safekeeping of the distrained goods of the delinquent, the cost thereof, for a period not exceeding seven days, together with the expense of parking, storage, labor and towing or teaming, and other necessary expenses;
14. For selling goods distrained, the cost thereof;
15. For arresting the body, the necessary costs of the arresting officer and the cost of the travel, at the rate of \$.30 per mile, from the office of the collector to the place where the arrest is made;
16. For custody of the body arrested, if payment of the delinquent tax is not made forthwith, \$10, and in addition thereto travel at the rate of \$.30 per mile from the place of arrest to the jail or, if payment is made before commitment to jail, for the distance from the place where the arrest is made to the place where payment is made;
17. For service of demand and notice under section fifty-three, if served in the manner required by law for the service of subpoenas on witnesses in civil cases, the cost thereof, but not more than \$40;
18. For the mailing of each written demand or notice by registered mail, the cost thereof.
19. For the recording of the instrument of taking under section 54, the cost thereof.

The collector shall account to the town treasurer for all interest, charges and fees collected by him; but the town shall reimburse or credit him for all expenses incurred by him hereunder, including all lawful charges and fees paid or credited by him for collecting taxes.

The collector may, in his discretion, waive such interest, charges and fees when the total amount thereof is \$15 or less.

APPENDIX G
The Code of the Town of Wayland

CHAPTER 36 SECTION 1

[Adopted 3-12-1973 ATM by Art. 14 as Art. 1 of the 1973 Bylaws]

§ 36-1 Town meeting and election.

[Amended 3-11-1974 ATM by Art. 11; 5-1-1991 STM by Art. 3; 5-12-2004 ATM by Art. 34]

The annual Town meeting shall commence on a day in April ordered by the Selectmen. The election of Town officers and the determination of all matters placed on the official ballot at such election shall take place within seven days, but no fewer than two days, before the annual Town meeting. In addition to the warrant required by MGL c. 39, § 9A, the Selectmen shall cause notice of the time and place(s) of each annual and special Town meeting and each annual and special election (1) to be published in a newspaper of general circulation in Wayland no later than the date fixed by them for the closing of the warrant pursuant to § 36-3 below and (2) to be posted on the Town sign boards. Such notice shall be posted on the Town sign boards commencing at least two weeks prior to the election and Town meeting and shall remain posted until the election is held and Town meeting is concluded.

APPENDIX H
The Code of the Town of Wayland

CHAPTER 36 SECTION 3

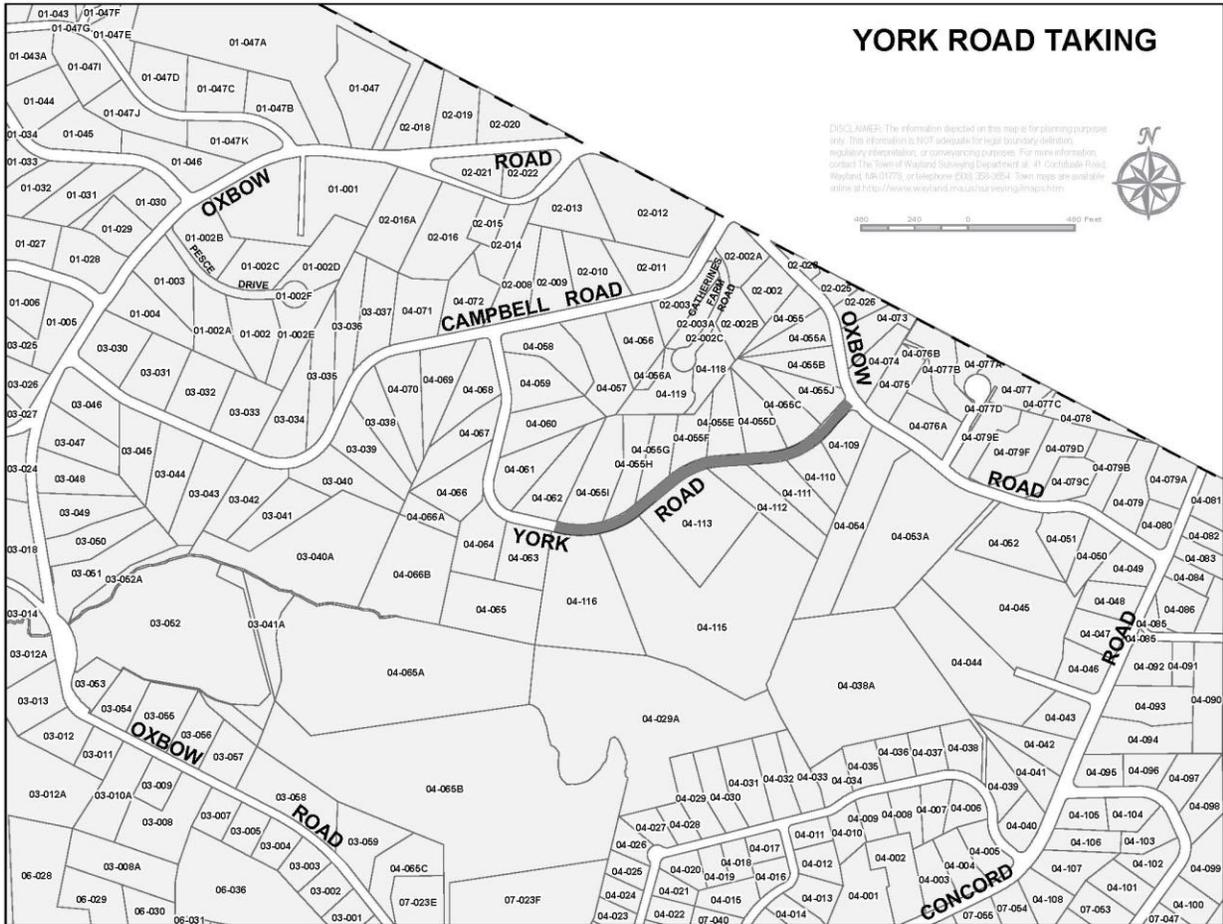
Submission of warrant articles.

[Amended 5-6-1982 ATM by Art. 33; 5-7-1997 ATM by Art. 47; 5-7-1997 ATM by Art. 48]

All articles for insertion in the warrant for the annual Town meeting must be presented in writing to the Board of Selectmen in accordance with law on or before December 15 or such earlier time as may be fixed by the Board of Selectmen, and all such articles for special Town meetings must be so presented on or before the date fixed by the Selectmen for closing of the warrant for such meeting. In the event that December 15 is a Saturday, Sunday or legal holiday, all articles for insertion in the annual Town meeting warrant must be so presented by 4:30 p.m. on the next weekday following December 15 that the Wayland Town Building is open. The warrant for any special Town meeting shall remain open for at least seven days after it is called by the Board of Selectmen. Within 48 hours after calling any Town meeting, the Selectmen shall post notice of the warrant closing date at the locations specified in § 36-2 above.

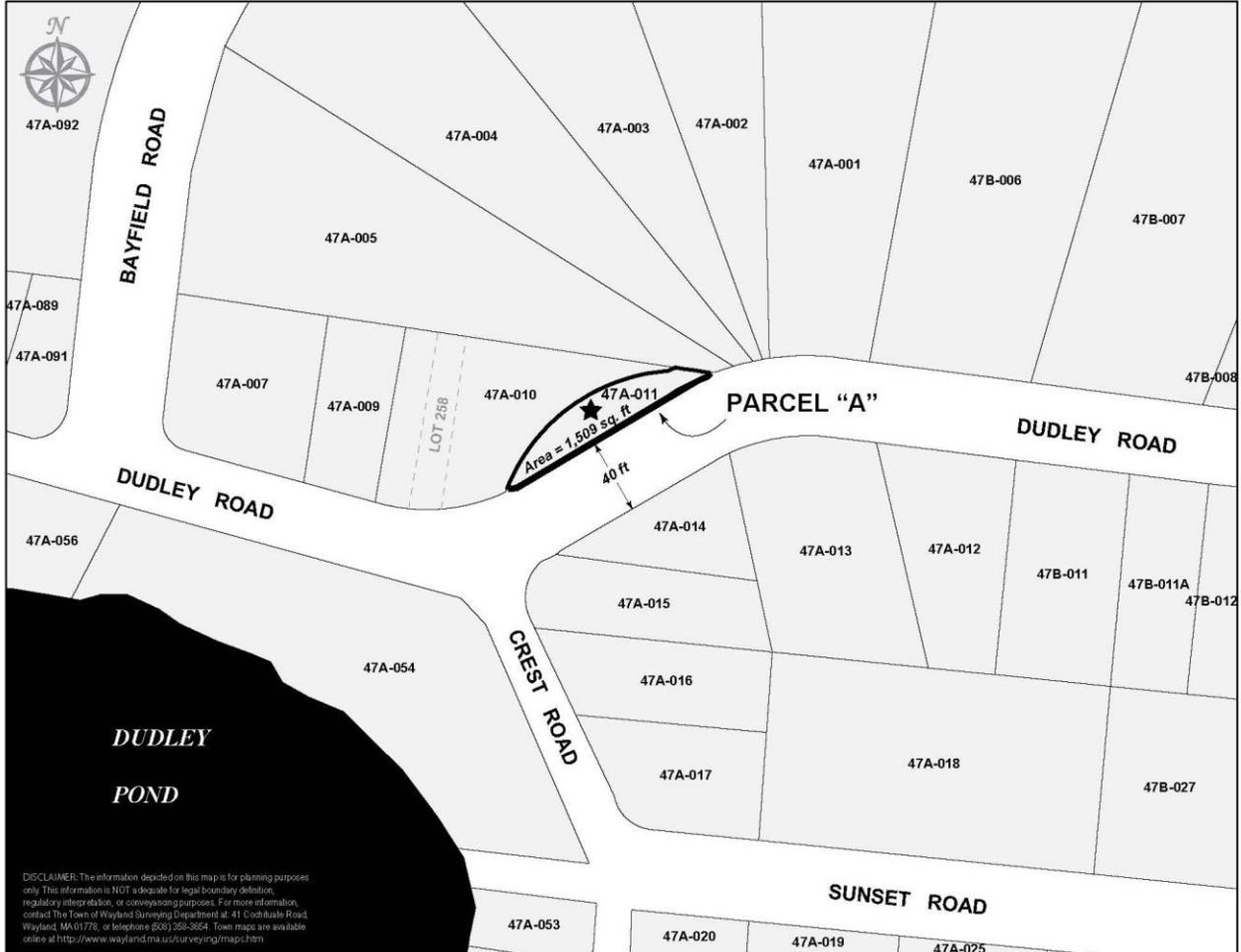
- A. However, after an article for insertion in the warrant has been duly presented to the Board of Selectmen by registered voters in accordance with law, said article may be amended or withdrawn by a majority, but not fewer than 10, of said registered voters after the warrant closing date.
- B. Town Counsel shall be accessible to registered voters for consultation on presenting articles for insertion in the warrant or on making motions or amendments from the floor of Town meeting. Town Counsel shall be available for consultation at reasonable times in accordance with guidelines promulgated by the Board of Selectmen. **[Added 5-14-1998 by Art. 59]**
- C. No article, other than one submitted by the Moderator, Town Clerk, or the requisite number of petitioners, shall be inserted in the warrant for any Town meeting unless so voted by a board, commission, committee, or other governmental body of the Town of Wayland by 4:30 p.m. on the date fixed by the Board of Selectmen for closing of the warrant for such meeting. **[Added 4-3-2003 ATM by Art. 33; amended 5-10-2004 STM by Art. 11]**

APPENDIX I
Map of York Road



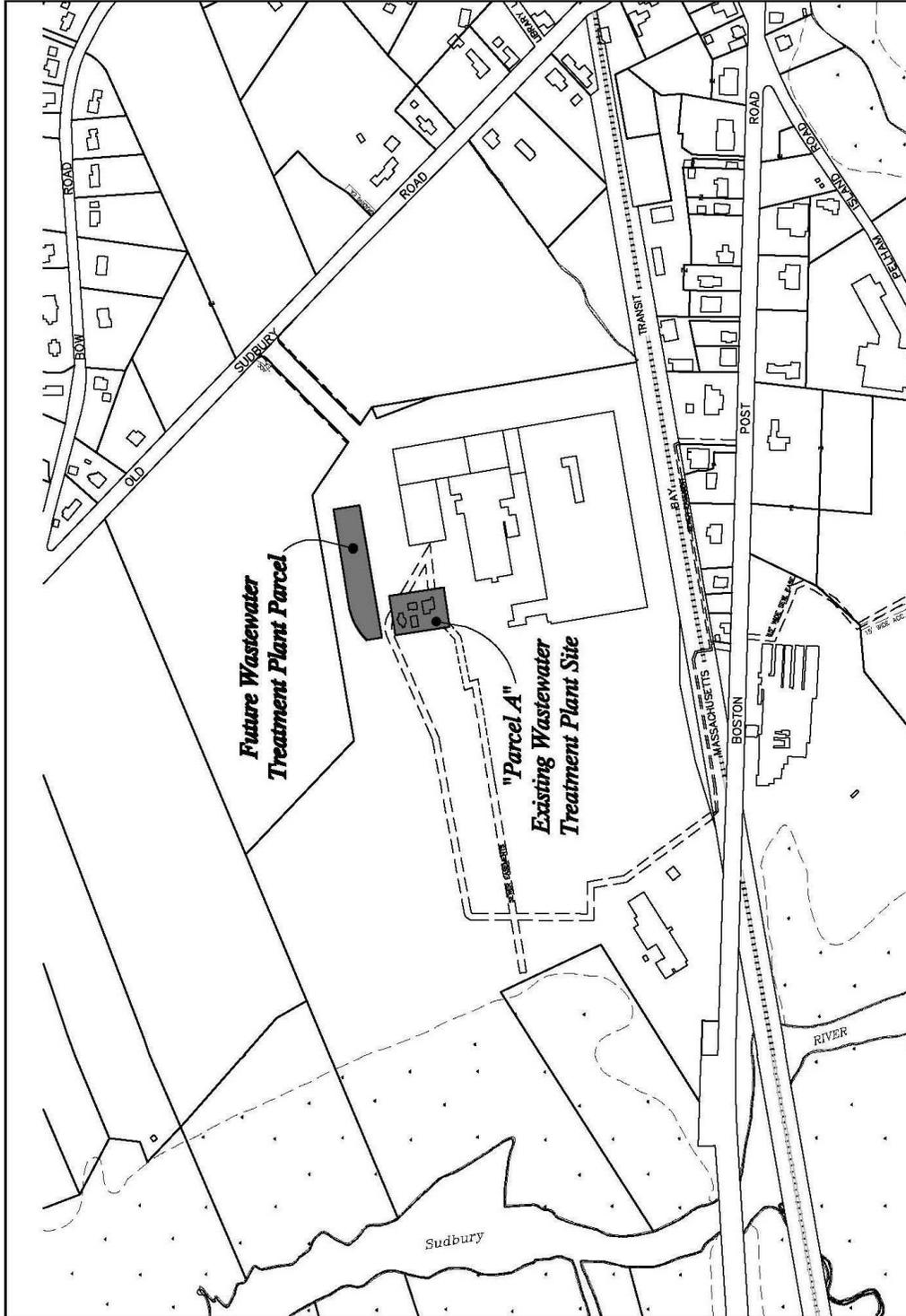
APPENDIX J
Map of Dudley Road

43 DUDLEY ROAD



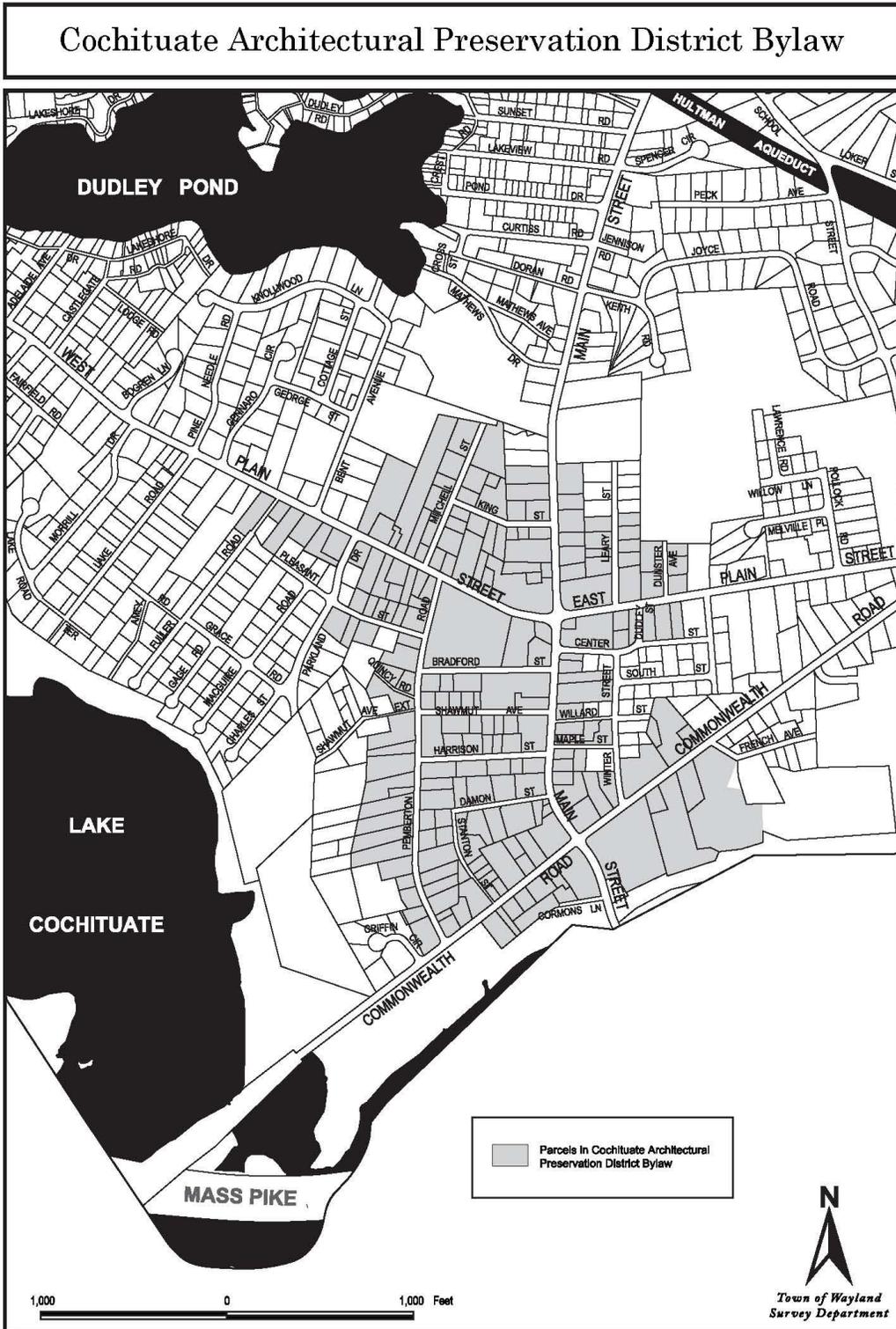
DISCLAIMER: The information depicted on this map is for planning purposes only. This information is NOT a substitute for legal boundary delineation, regulatory interpretations, or engineering purposes. For more information, contact The Town of Wayland Surveying Department at: 41 Cochituate Road, Wayland, MA 01778, or telephone (508) 355-3654. Town maps are available online at <http://www.wayland.ma.us/surveying/maps.htm>

APPENDIX L
MAP OF WASTEWATER TREATMENT PLAN LAND SWAP



Wastewater Treatment Plant Land Swap ~ Article 3

APPENDIX M: MAP AND LIST OF PROPERTIES IN PROPOSED COCHITUATE PRESERVATION DISTRICT



FY2009 Assessment Information for Properties in Proposed Cochituate Architectural Protection District

MAP	LOT	STREET # PROPERTY	ACRES	FY09 BLDG ASSMNT	FY09 LAND ASSMNT	FY09 TOTAL ASSMNT	STYLE	Avg. Year Built
51A	69	3 BENT AVE	0.47	\$ 326,000	\$ 266,000	\$ 592,000	Colonial	1987
51B	33A	15 BRADFORD ST	0.59	\$ 306,600	\$ 279,900	\$ 586,500	Colonial	1997
51C	27	30 BRADFORD ST	0.57	\$ 266,400	\$ 278,300	\$ 544,700	Apartments	1875
51C	28	34 BRADFORD ST	0.28	\$ 204,600	\$ 220,100	\$ 424,700	Conventional	1851
51C	29	36 BRADFORD ST	0.35	\$ 134,600	\$ 236,300	\$ 370,900	Colonial	1850
51C	29	36 BRADFORD ST	0.35	\$ 134,600	\$ 236,300	\$ 370,900	Colonial	1850
51C	29	36 BRADFORD ST	0.35	\$ 134,600	\$ 236,300	\$ 370,900	Colonial	1850
51C	29	36 BRADFORD ST	0.35	\$ 134,600	\$ 236,300	\$ 370,900	Colonial	1850
51B	70	22 CENTER ST	0.28	\$ 160,400	\$ 221,500	\$ 381,900	Cape Cod	1963
55	2	92 COMMONWEALTH RD	0	\$ 750,100	\$ -	\$ 750,100	Condominium	1987
55	3	100 COMMONWEALTH RD	0.65	\$ 300,200	\$ 258,800	\$ 559,000	Conventional	1870
55	13	106 COMMONWEALTH RD	0.29	\$ 219,600	\$ 201,100	\$ 420,700	Conventional	1870
55	14	110 COMMONWEALTH RD	0.36	\$ 246,700	\$ 213,900	\$ 460,600	Conventional	1850
55	33	117 COMMONWEALTH RD	0.61	\$ 160,500	\$ 254,500	\$ 415,000	Conventional	1870
55	15	118 COMMONWEALTH RD	0.68	\$ 265,200	\$ 262,000	\$ 527,200	Conventional	1870
55	32	119 COMMONWEALTH RD	0.22	\$ 284,000	\$ 187,300	\$ 471,300	Colonial	1990
55	20	120 COMMONWEALTH RD	0.15	\$ 214,700	\$ 170,600	\$ 385,300	Conventional	1885
55	31	123 COMMONWEALTH RD	0.27	\$ 181,000	\$ 196,800	\$ 377,800	Conventional	1850
55	21	124 COMMONWEALTH RD	0.16	\$ 133,200	\$ 173,200	\$ 306,400	Cape Cod	1800
55	30	127 COMMONWEALTH RD	0.29	\$ 185,600	\$ 199,800	\$ 385,400	Conventional	1850
55	22	128 COMMONWEALTH RD	1	\$ 391,700	\$ 283,800	\$ 675,500	Colonial	1862
55	29	131 COMMONWEALTH RD	0.47	\$ 250,400	\$ 240,100	\$ 490,500	Two Family	1870
55	23	132 COMMONWEALTH RD	0.25	\$ 182,500	\$ 258,700	\$ 441,200	Cape Cod	1920
55	28	135 COMMONWEALTH RD	0.25	\$ 187,200	\$ 193,300	\$ 380,500	Conventional	1878
55	28	135 COMMONWEALTH RD	0.25	\$ 187,200	\$ 193,300	\$ 380,500	Conventional	1878
51D	26	136 COMMONWEALTH RD	0.5	\$ 200,300	\$ 242,900	\$ 443,200	Two Family	1849
51D	71	178 COMMONWEALTH RD	0.65	\$ 423,300	\$ 215,200	\$ 638,500	Conventional	1870
51D	20	185 COMMONWEALTH RD	0.37	\$ 203,400	\$ 300,000	\$ 503,400	Res/Com	1880
51D	19	193 COMMONWEALTH RD	2.92	\$ -	\$ 458,506	\$ 458,506	Land	
51D	79	196 COMMONWEALTH RD	0.28	\$ 41,500	\$ 187,800	\$ 229,300	Conventional	1930
51D	18	197 COMMONWEALTH RD	0.79	\$ 130,900	\$ 270,000	\$ 400,900	Cape Cod	1820
51D	81	200 COMMONWEALTH RD	1.53	\$ 203,400	\$ 309,600	\$ 513,000	Two Family	1875
51D	83	204 COMMONWEALTH RD	0.34	\$ 76,000	\$ 209,300	\$ 285,300	Ranch	1946
55	25	11 CORMANS LN	0.62	\$ 312,200	\$ 283,300	\$ 595,500	Conventional	1870
51D	31	8 DAMON ST	0.2	\$ 196,100	\$ 201,100	\$ 397,200	Two Family	1950
51D	32	16 DAMON ST	0.85	\$ 479,000	\$ 304,600	\$ 783,600	Conventional	1865
51C	3	17 DAMON ST	0.59	\$ 215,000	\$ 280,200	\$ 495,200	Two Family	1880
51C	1	22 DAMON ST	0.53	\$ 226,900	\$ 273,100	\$ 500,000	Colonial	1968
51C	4	23 DAMON ST	0.69	\$ 113,500	\$ 292,000	\$ 405,500	Ranch	1958
51C	2	26 DAMON ST	0.59	\$ 158,600	\$ 279,800	\$ 438,400	Ranch	1951
51C	5	29 DAMON ST	0.39	\$ 107,300	\$ 246,700	\$ 354,000	Ranch	1953
51B	57	9 DUNSTER AVE	0.35	\$ 220,200	\$ 235,500	\$ 455,700	Apartments	1880
51B	56	13 DUNSTER AVE	0.24	\$ 162,500	\$ 212,200	\$ 374,700	Conventional	1860
51B	71	15 EAST PLAIN ST	1.38	\$ 704,900	\$ 704,300	\$ 1,409,200	Store	1960
51B	69	29 EAST PLAIN ST	0.29	\$ 174,300	\$ 199,800	\$ 374,100	Bungalow	1920
51B	68	37 EAST PLAIN ST	0.26	\$ 134,800	\$ 195,500	\$ 330,300	Bungalow	1920
51B	54	38 EAST PLAIN ST	0.68	\$ 193,300	\$ 262,100	\$ 455,400	Conventional	1870
51B	67	43 EAST PLAIN ST	0.41	\$ 166,400	\$ 226,100	\$ 392,500	Cape Cod	1948
51B	55	44 EAST PLAIN ST	0.56	\$ 249,800	\$ 249,100	\$ 498,900	Conventional	1820
51B	66	45 EAST PLAIN ST	0.57	\$ 286,000	\$ 250,600	\$ 536,600	Conventional	1924
51B	65	49 EAST PLAIN ST	0.42	\$ 173,700	\$ 228,700	\$ 402,400	Cape Cod	1958
51B	58	50 EAST PLAIN ST	0.34	\$ 131,000	\$ 209,800	\$ 340,800	Two Family	1820
51C	16	9 HARRISON ST	0.37	\$ 238,700	\$ 240,200	\$ 478,900	Two Family	1870
51C	15	13 HARRISON ST	0.18	\$ 187,000	\$ 195,900	\$ 382,900	Conventional	1895
51C	10	14 HARRISON ST	0.35	\$ 285,000	\$ 235,800	\$ 520,800	Conventional	1900

FY2009 Assessment Information for Properties in Proposed Cochituate Architectural Protection District									
MAP	LOT	STREET # PROPERTY		ACRES	FY09 BLDG ASSMNT	FY09 LAND ASSMNT	FY09 TOTAL ASSMNT	STYLE	Avg. Year Built
51C	14	15	HARRISON ST	0.18	\$ 209,700	\$ 196,100	\$ 405,800	Two Family	1895
51C	13	19	HARRISON ST	0.41	\$ 149,700	\$ 252,700	\$ 402,400	Raised Ranch	1960
51C	11	20	HARRISON ST	0.45	\$ 69,400	\$ 262,500	\$ 331,900	Conventional	1870
51C	12	21	HARRISON ST	0.41	\$ 162,300	\$ 252,700	\$ 415,000	Split-Level	1963
51B	77	8	KING ST	0.13	\$ 96,400	\$ 183,000	\$ 279,400	Conventional	1890
51B	79	9	KING ST	0.37	\$ 75,500	\$ 240,900	\$ 316,400	Cape Cod	1890
51B	78	12	KING ST	0.13	\$ 119,200	\$ 184,800	\$ 304,000	Conventional	1900
51A	85	13	KING ST	0.82	\$ 109,100	\$ 302,400	\$ 411,500	Two Family	1900
51A	86	14	KING ST	0.34	\$ 156,700	\$ 234,000	\$ 390,700	Conventional	1880
51A	87A	16	KING ST	0	\$ 288,800	\$ -	\$ 288,800	Condominium	1990
51A	87B	16	KING ST	0	\$ 289,900	\$ -	\$ 289,900	Condominium	1990
51A	88	20	KING ST	0.35	\$ 108,800	\$ 236,300	\$ 345,100	Conventional	1900
51A	84	21	KING ST	0.28	\$ 169,100	\$ 220,100	\$ 389,200	Raised Ranch	1973
51B	37	16	LEARY ST	0.47	\$ 144,400	\$ 266,300	\$ 410,700	Conventional	1890
51B	52	17	LEARY ST	0.3	\$ 129,200	\$ 224,400	\$ 353,600	Conventional	1850
51B	38	20	LEARY ST	0.21	\$ 237,000	\$ 206,100	\$ 443,100	Conventional	1915
51B	51	21	LEARY ST	0.26	\$ 199,200	\$ 288,700	\$ 487,900	Conventional	1890
51B	39	24	LEARY ST	0.42	\$ 170,200	\$ 253,800	\$ 424,000	Cape Cod	1952
51B	50	25	LEARY ST	0.3	\$ 79,200	\$ 224,400	\$ 303,600	Ranch	1956
51B	40	28	LEARY ST	0.39	\$ 111,900	\$ 246,400	\$ 358,300	Ranch	1953
51B	49	29	LEARY ST	0.29	\$ 145,600	\$ 222,000	\$ 367,600	Two Family	1875
51D	21	35	MAIN ST	4.93	\$ 2,913,500	\$ 2,409,700	\$ 5,323,200	Store	1968
51D	24	44	MAIN ST	1.32	\$ 1,353,400	\$ 576,100	\$ 1,929,500	Shop Center	1997
51D	70	57	MAIN ST	0.7	\$ 333,800	\$ 512,200	\$ 846,000	Auto Sales R	1955
51D	29	68	MAIN ST	1.02	\$ 613,500	\$ 454,800	\$ 1,068,300	Store	1975
51D	69	71	MAIN ST	0.8	\$ -	\$ 351,400	\$ 351,400	Land	
51D	30	74	MAIN ST	0.09	\$ 224,000	\$ 128,700	\$ 352,700	Off/Apt	1850
51D	30A	76	MAIN ST	0.05	\$ 128,100	\$ 69,300	\$ 197,400	Off/Apt	1850
51D	33	80	MAIN ST	0.68	\$ 1,333,700	\$ 330,600	\$ 1,664,300	Other	1800
51D	68	81	MAIN ST	0.25	\$ -	\$ 258,500	\$ 258,500	Land	
51D	67	85	MAIN ST	0.25	\$ -	\$ 258,500	\$ 258,500	Land	
51D	34	86	MAIN ST	0.33	\$ 192,400	\$ 208,000	\$ 400,400	Conventional	1868
51D	66	89	MAIN ST	0.2	\$ -	\$ 18,200	\$ 18,200	Land	
51D	63	93	MAIN ST	0.35	\$ 301,600	\$ 210,900	\$ 512,500	Conventional	1873
51D	63	93	MAIN ST	0.35	\$ 301,600	\$ 210,900	\$ 512,500	Conventional	1873
51D	63	93	MAIN ST	0.35	\$ 301,600	\$ 210,900	\$ 512,500	Conventional	1873
51D	63	93	MAIN ST	0.35	\$ 301,600	\$ 210,900	\$ 512,500	Conventional	1873
51D	35	96	MAIN ST	0.98	\$ 675,100	\$ 282,800	\$ 957,900	Conventional	1850
51D	38	100	MAIN ST	0.42	\$ 293,300	\$ 228,200	\$ 521,500	Conventional	1890
51D	42	101	MAIN ST	1.07	\$ 1,021,700	\$ 373,000	\$ 1,394,700	Churches	1968
51D	38A	106	MAIN ST	3.25	\$ 1,726,100	\$ 1,677,400	\$ 3,403,500	Apartments	1910
51D	40	111	MAIN ST	0.27	\$ 354,500	\$ 241,300	\$ 595,800	Apartments	1850
51D	39	115	MAIN ST	0.15	\$ 76,200	\$ 157,500	\$ 233,700	Store	1930
51B	31B	116	MAIN ST	0.58	\$ 477,000	\$ 376,600	\$ 853,600	Store	1930
51B	32	130	MAIN ST	0.28	\$ 306,300	\$ 399,300	\$ 705,600	Serv Sta 2-b	1959
51B	72	133	MAIN ST	0.14	\$ 341,700	\$ 231,200	\$ 572,900	Off/Apt	1920
51B	73	150	MAIN ST	2.09	\$ 908,200	\$ 877,900	\$ 1,786,100	Restaurant	1960
51B	90	155	MAIN ST	0.4	\$ 300,100	\$ 224,600	\$ 524,700	Colonial	1997
51B	74	160	MAIN ST	0.19	\$ 86,900	\$ 179,300	\$ 266,200	Cape Cod	1920
51B	89	163	MAIN ST	0.47	\$ 311,500	\$ 239,500	\$ 551,000	Three Family	1890
51B	75	166	MAIN ST	1	\$ 190,200	\$ 283,800	\$ 474,000	Conventional	1900
51B	88	167	MAIN ST	0.33	\$ 287,700	\$ 207,800	\$ 495,500	Colonial	1940
51B	76	170	MAIN ST	0.25	\$ 219,400	\$ 193,300	\$ 412,700	Conventional	1885
51B	87	171	MAIN ST	0.56	\$ 150,300	\$ 249,200	\$ 399,500	Conventional	1900
51B	80	174	MAIN ST	0.49	\$ 230,300	\$ 241,600	\$ 471,900	Three Family	1890

FY2009 Assessment Information for Properties in Proposed Cochituate Architectural Protection District									
MAP	LOT	STREET # PROPERTY		ACRES	FY09 BLDG ASSMNT	FY09 LAND ASSMNT	FY09 TOTAL ASSMNT	STYLE	Avg. Year Built
51B	86	177	MAIN ST	0.38	\$ 281,500	\$ 219,000	\$ 500,500	Colonial	1947
51B	81	182	MAIN ST	0.67	\$ 248,800	\$ 261,100	\$ 509,900	Two Family	1875
51B	85	183	MAIN ST	0.76	\$ 124,300	\$ 267,600	\$ 391,900	Cape Cod	1946
51B	82	186	MAIN ST	0.72	\$ 254,100	\$ 265,100	\$ 519,200	Two Family	1875
51D	65	7	MAPLE ST	0.28	\$ 214,600	\$ 220,000	\$ 434,600	Two Family	1862
51A	82	0	MITCHELL ST	1.31	\$ -	\$ 418,800	\$ 418,800	Land	
51A	91	9	MITCHELL ST	0.47	\$ 121,400	\$ 266,300	\$ 387,700	Conventional	1870
51A	77	10	MITCHELL ST	0.31	\$ 212,200	\$ 227,400	\$ 439,600	Cape Cod	1948
51A	90	13	MITCHELL ST	0.25	\$ 131,800	\$ 213,300	\$ 345,100	Conventional	1890
51A	89	15	MITCHELL ST	0.21	\$ 159,700	\$ 204,000	\$ 363,700	Conventional	1890
51A	78	20	MITCHELL ST	0.52	\$ 221,300	\$ 271,700	\$ 493,000	Two Family	1929
51A	79	24	MITCHELL ST	0.26	\$ 212,900	\$ 215,900	\$ 428,800	Three Family	1890
51A	83	25	MITCHELL ST	0.47	\$ 158,300	\$ 266,500	\$ 424,800	Two Family	1890
51A	80	26	MITCHELL ST	0.52	\$ 309,900	\$ 271,700	\$ 581,600	Conventional	1900
47C	14	36	MITCHELL ST	0.78	\$ 263,800	\$ 386,800	\$ 650,600	Ranch	1992
51A	7	2	PARKLAND DR	0.38	\$ 316,700	\$ 243,900	\$ 560,600	Colonial	1952
55	12	7	PEMBERTON RD	0.12	\$ 88,700	\$ 181,200	\$ 269,900	Conventional	1900
55	11	9	PEMBERTON RD	0.52	\$ 146,000	\$ 271,700	\$ 417,700	Conventional	1870
55	4	10	PEMBERTON RD	0.26	\$ 322,700	\$ 217,200	\$ 539,900	Colonial	1870
55	5	14	PEMBERTON RD	0.34	\$ 150,900	\$ 221,300	\$ 372,200	Cape Cod	1780
55	10	15	PEMBERTON RD	0.4	\$ 373,600	\$ 248,900	\$ 622,500	Contemporary	2007
55	9	17	PEMBERTON RD	0.48	\$ 559,000	\$ 267,200	\$ 826,200	Colonial	1998
55	6	18	PEMBERTON RD	0.23	\$ 113,500	\$ 210,200	\$ 323,700	Ranch	1951
55	8	21	PEMBERTON RD	0.69	\$ 585,000	\$ 292,200	\$ 877,200	Colonial	1993
55	7	22	PEMBERTON RD	0.59	\$ 117,900	\$ 280,100	\$ 398,000	Ranch	1947
51C	36	26	PEMBERTON RD	1	\$ 256,600	\$ 315,200	\$ 571,800	Conventional	1850
51C	35	29	PEMBERTON RD	0.33	\$ 91,400	\$ 231,600	\$ 323,000	Conventional	1870
51C	37	32	PEMBERTON RD	0.71	\$ 126,200	\$ 293,700	\$ 419,900	Conventional	1895
51C	34	33	PEMBERTON RD	0.33	\$ 116,200	\$ 231,600	\$ 347,800	Cape Cod	1940
51C	38	36	PEMBERTON RD	0.8	\$ 420,100	\$ 300,700	\$ 720,800	Conventional	1900
51C	33	37	PEMBERTON RD	0.63	\$ 287,000	\$ 285,200	\$ 572,200	Conventional	1830
51C	39	40	PEMBERTON RD	0.8	\$ 340,500	\$ 300,700	\$ 641,200	Conventional	1870
51C	40	42	PEMBERTON RD	0.18	\$ 105,100	\$ 198,000	\$ 303,100	Conventional	1860
51C	32	43	PEMBERTON RD	0.36	\$ 142,600	\$ 239,000	\$ 381,600	Two Family	1860
51C	41	44	PEMBERTON RD	0.82	\$ 223,500	\$ 302,300	\$ 525,800	Three Family	1820
51C	31	47	PEMBERTON RD	0.52	\$ 353,800	\$ 272,100	\$ 625,900	Conventional	1880
51C	41A	48	PEMBERTON RD	1.04	\$ 613,800	\$ 318,000	\$ 931,800	Colonial	2007
51C	30A	51	PEMBERTON RD	0.83	\$ 190,700	\$ 302,700	\$ 493,400	Conventional	1870
51C	42	52	PEMBERTON RD	0.41	\$ 173,100	\$ 252,600	\$ 425,700	Conventional	1830
51C	43	56	PEMBERTON RD	1.1	\$ 364,100	\$ 414,900	\$ 779,000	Off/Apt	1930
51C	56	70	PEMBERTON RD	0.33	\$ 193,300	\$ 231,400	\$ 424,700	Conventional	1870
51C	57	76	PEMBERTON RD	0.73	\$ 169,200	\$ 295,200	\$ 464,400	Conventional	1870
51A	17	78	PEMBERTON RD	0.25	\$ 163,000	\$ 214,300	\$ 377,300	Two Family	1890
51A	16	90	PEMBERTON RD	0.21	\$ 175,400	\$ 204,900	\$ 380,300	Conventional	1914
51A	15	5	PLEASANT ST	0.52	\$ 115,700	\$ 271,700	\$ 387,400	Colonial	1920
51A	14	7	PLEASANT ST	0.2	\$ 125,600	\$ 201,800	\$ 327,400	Conventional	1870
51A	13	11	PLEASANT ST	0.2	\$ 118,200	\$ 201,800	\$ 320,000	Conventional	1870
51A	12	13	PLEASANT ST	0.2	\$ 170,500	\$ 202,200	\$ 372,700	Conventional	1885
51A	11	15	PLEASANT ST	0.2	\$ 88,300	\$ 202,200	\$ 290,500	Conventional	1870
51A	19	16	PLEASANT ST	0.41	\$ 321,000	\$ 252,100	\$ 573,100	Conventional	1870
51A	20	18	PLEASANT ST	0.29	\$ 163,500	\$ 221,900	\$ 385,400	Two Family	1873
51A	10	19	PLEASANT ST	0.32	\$ 314,900	\$ 228,900	\$ 543,800	Conventional	1880
51A	21	22	PLEASANT ST	0.55	\$ 161,900	\$ 276,100	\$ 438,000	Conventional	1855
51C	55	9	QUINCY RD	1.25	\$ 202,100	\$ 331,900	\$ 534,000	Two Family	1916
51D	37	12	SHAWMUT AVE	0.24	\$ 240,500	\$ 212,400	\$ 452,900	Two Family	1867

FY2009 Assessment Information for Properties in Proposed Cochituate Architectural Protection District									
MAP	LOT	STREET # PROPERTY		ACRES	FY09 BLDG ASSMNT	FY09 LAND ASSMNT	FY09 TOTAL ASSMNT	STYLE	Avg. Year Built
51C	17	14	SHAWMUT AVE	0.17	\$ 196,700	\$ 193,200	\$ 389,900	Two Family	1870
51C	18	18	SHAWMUT AVE	0.22	\$ 165,400	\$ 208,800	\$ 374,200	Two Family	1870
51C	19	20	SHAWMUT AVE	0.21	\$ 178,400	\$ 205,400	\$ 383,800	Two Family	1890
51C	25	21	SHAWMUT AVE	0.12	\$ 200,100	\$ 181,400	\$ 381,500	Bungalow	1920
51C	24	23	SHAWMUT AVE	0.21	\$ 181,300	\$ 204,700	\$ 386,000	Conventional	1875
51C	23	25	SHAWMUT AVE	0.21	\$ 218,900	\$ 204,800	\$ 423,700	Three Family	1875
51C	22	29	SHAWMUT AVE	0.25	\$ 154,200	\$ 214,200	\$ 368,400	Raised Ranch	1968
51C	21	31	SHAWMUT AVE	0.25	\$ 114,400	\$ 214,600	\$ 329,000	Cape Cod	1950
55	19	5	STANTON ST	0.16	\$ 159,900	\$ 191,400	\$ 351,300	Conventional	1880
55	18	7	STANTON ST	0.13	\$ 94,800	\$ 183,000	\$ 277,800	Conventional	1850
55	17	11	STANTON ST	0.18	\$ 179,500	\$ 196,200	\$ 375,700	Two Family	1850
55	16	12	STANTON ST	0.17	\$ 99,300	\$ 194,400	\$ 293,700	Conventional	1875
51C	6	13	STANTON ST	0.84	\$ 301,500	\$ 303,800	\$ 605,300	Conventional	1879
51C	8	22	STANTON ST	0.3	\$ 205,700	\$ 225,400	\$ 431,100	Cape Cod	1956
51A	1A	0	WEST PLAIN ST	4.6	\$ -	\$ 458,506	\$ 458,506	Land	
51A	96	39	WEST PLAIN ST	0.29	\$ 129,400	\$ 262,300	\$ 391,700	Store	1920
51A	95	45	WEST PLAIN ST	0.32	\$ 244,000	\$ 206,000	\$ 450,000	Two Family	1850
51A	94	53	WEST PLAIN ST	1	\$ 310,100	\$ 283,800	\$ 593,900	Two Family	1870
51A	93	57	WEST PLAIN ST	0.24	\$ 140,600	\$ 191,200	\$ 331,800	Conventional	1905
51A	1	60	WEST PLAIN ST	0.25	\$ 142,800	\$ 193,800	\$ 336,600	Conventional	1930
51A	92	61	WEST PLAIN ST	0.24	\$ 253,300	\$ 191,200	\$ 444,500	Conventional	1885
51A	2	62	WEST PLAIN ST	0.26	\$ 296,800	\$ 194,000	\$ 490,800	Two Family	1887
51A	76	65	WEST PLAIN ST	0.22	\$ 249,800	\$ 186,600	\$ 436,400	Two Family	1890
51A	3	66	WEST PLAIN ST	0.31	\$ 158,100	\$ 204,100	\$ 362,200	Two Family	1890
51A	75	67	WEST PLAIN ST	0.49	\$ 205,800	\$ 242,100	\$ 447,900	Conventional	1873
51A	74	69	WEST PLAIN ST	2.7	\$ 167,500	\$ 339,200	\$ 506,700	Colonial	1925
51A	4	70	WEST PLAIN ST	0.41	\$ 217,300	\$ 226,600	\$ 443,900	Conventional	1870
51A	5	72	WEST PLAIN ST	0.46	\$ 166,500	\$ 238,600	\$ 405,100	Ranch	2002
51A	73	73	WEST PLAIN ST	0.15	\$ 69,300	\$ 169,300	\$ 238,600	Bungalow	1911
51A	6	76	WEST PLAIN ST	0.65	\$ 160,500	\$ 258,600	\$ 419,100	Conventional	1870
51A	72	77	WEST PLAIN ST	0.5	\$ 231,300	\$ 242,800	\$ 474,100	Colonial	1870
51A	71	81	WEST PLAIN ST	2.1	\$ 146,800	\$ 324,200	\$ 471,000	Conventional	1860
51A	70	85	WEST PLAIN ST	0.59	\$ 158,200	\$ 252,500	\$ 410,700	Conventional	1860
51A	39	86	WEST PLAIN ST	0.53	\$ 401,900	\$ 246,400	\$ 648,300	Conventional	1902
51A	40	90	WEST PLAIN ST	0.58	\$ 230,000	\$ 251,200	\$ 481,200	Colonial	1948
51A	41	94	WEST PLAIN ST	0.58	\$ 207,600	\$ 250,700	\$ 458,300	Conventional	1890
51A	42	100	WEST PLAIN ST	0.73	\$ 253,800	\$ 265,700	\$ 519,500	Bungalow	1925
51A	43	102	WEST PLAIN ST	0.28	\$ 99,800	\$ 198,000	\$ 297,800	Bungalow	1927
51A	56	108	WEST PLAIN ST	0.69	\$ 232,200	\$ 262,800	\$ 495,000	Bungalow	1924
51D	43	6	WILLARD ST	0.31	\$ 1,008,800	\$ 293,100	\$ 1,301,900	Churches	1968



TOWN OF WAYLAND MASSACHUSETTS

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-7701
FAX: (508) 358-3627

March 12, 2009

Frederic E. Turkington, Jr.
Town Administrator
Wayland Town Building
41 Cochituate Road
Wayland, MA 01778

RE: Proposed Cochituate Architectural Preservation District
By-Law - Article 6 of April 15, 2009 Special Town Meeting
Warrant

Dear Fred:

As you are aware, Section 36-5, Paragraph C of the Town Code requires that "[e]very article appearing in the warrant for every Town meeting that proposes to amend the Code of the Town of Wayland shall be accompanied therein by a printed statement prepared by Town Counsel as to whether the proposed amendment is repugnant to Massachusetts or federal law and, if so, in what manner." In the April 15, 2009 Special Town Meeting Warrant, I have opined that the above-referenced proposed by-law amendment is consistent with Massachusetts and federal law. My opinion is based primarily on the Attorney General's Office's decisions approving substantially similar by-laws recently adopted in the Towns of Lincoln and North Andover, Massachusetts. There is no other authority relative to the validity of such by-laws. However, I have reservations about whether the legally required procedure has been followed for the establishment the proposed Cochituate Architectural Preservation District ("CAPD").

In my opinion, the nature and effect of the proposed CAPD by-law is that of an historic district by-law. By comparing the Town's Historic District By-Law, Chapter 196 of the Town Code, with the proposed CAPD by-law, it is apparent that the proposed by-law is the functional equivalent of an historic district by-law. The stated purpose of the CAPD by-law is (among other things) "preserving and protecting groups of buildings and their settings that are architecturally and historically distinctive which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of Cochituate Village". As in an historic district, an applicant must obtain a certificate from a Selectmen-appointed commission prior to making certain exterior

alterations to buildings located in the district. The proposed by-law is substantially similar to an historic district by-law in many other ways.

When a court of law reviews a local by-law to determine whether the legally required procedures were followed for adoption, its analysis is based on the nature and effect of the by-law rather than type or name of the by-law. See, Rayco Investment Corp. v. Board of Selectmen of Raynham, 368 Mass. 385 (1975). In the Rayco case, the Supreme Judicial Court ruled that a general by-law which limited the number of licenses which could be issued for trailer parks was invalid on the grounds that the by-law was, in effect, a zoning by-law and the legally required procedures for adopting a zoning by-law were not followed. By citing this case, I do not suggest that the proposed CAPD by-law is, in effect, a zoning by-law since the CAPD by-law regulates the appearance of buildings rather than the use of land and buildings and dimensional aspects of lots and land-structure relationships.

The legally required procedure for the establishment an historic district is set forth in Massachusetts General Laws Chapter 40C and is summarized in the enclosed flow chart prepared by the Massachusetts Historical Commission. Except for the preparation and submission of a warrant article to town meeting, none of the required steps for establishing an historic district have been followed relative to the proposed CAPD by-law. The required quantum of vote to adopt an historic district map and by-law is two-thirds. The CAPD by-law has been proposed as a non historic district general by-law. The required quantum of vote to adopt a non historic district general by-law is a simple majority.

The issue of whether the similar by-laws adopted Lincoln and North Andover, Massachusetts, were, in effect, historic district by-laws was not raised or addressed in the Attorney General's decisions approving them. I raise and discuss the issue in this letter so that the Town may be aware of it when considering the proposed CAPD by-law.

If you have any questions about this matter, do not hesitate to contact me.

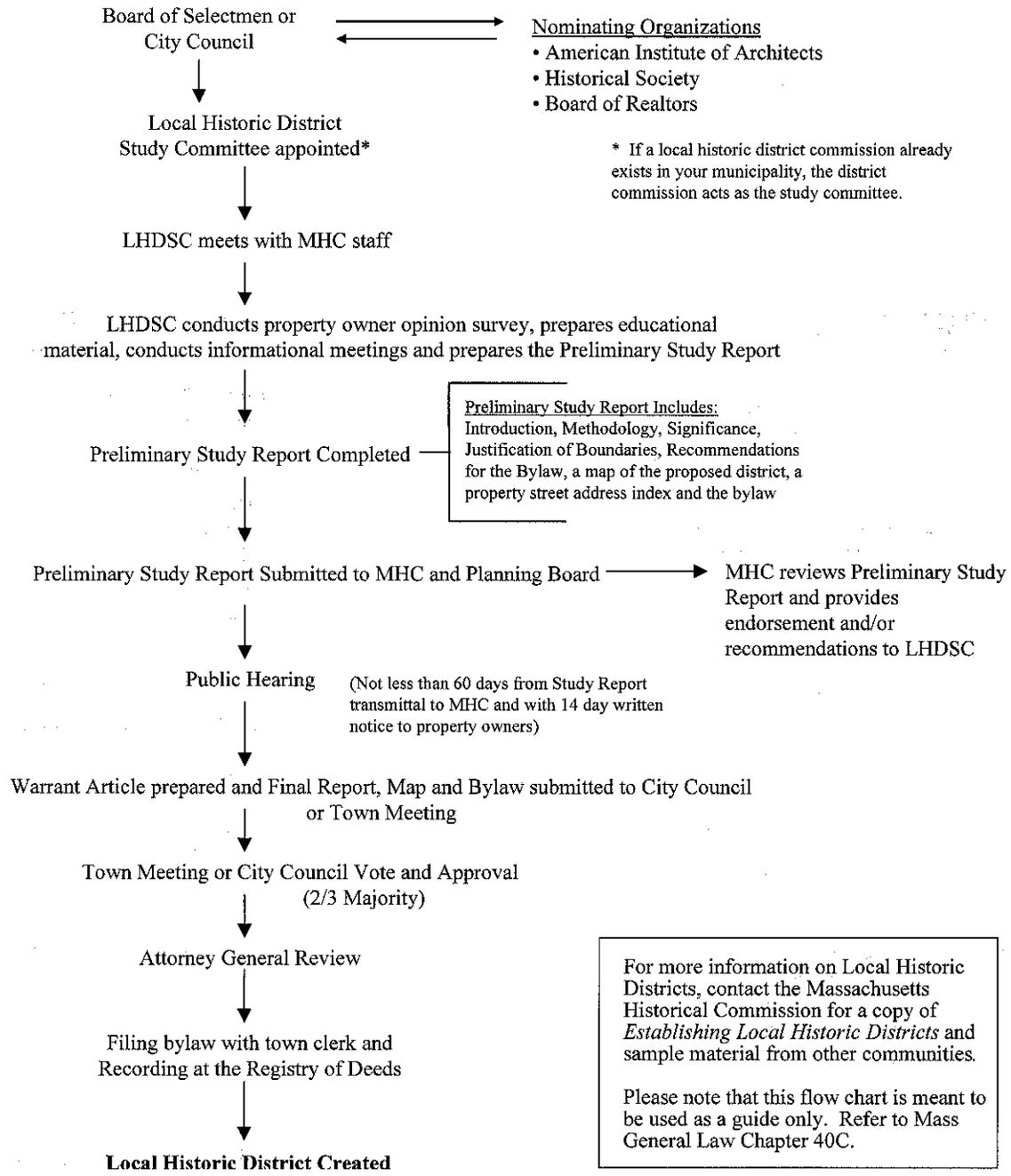
Sincerely yours,

Mark J. Lanza

Mark J. Lanza
Town Counsel

MJL/ms

Establishing a Local Historic District Flow Chart





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 and Special Town Meeting.

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before March 24, 2009.

Given under our hands and seals this 23rd day of March, 2009.

Steven J. Correia
Douglas J. Leard
Joseph F. Nolan, Vice Chair
Michael L. Tichnor, Chair
William D. Whitney

Selectmen of the Town of Wayland

John Bladon
David J. Gutschenritter
Cherry C. Karlson
Robert L. Lentz
Sam H. Peper, Chair
Susan W. Pope
Richard M. Stack, Vice Chair

Finance Committee

TOWN BOARD VACANCIES

APPOINTED COMMISSIONS/COMMITTEES	TO BE APPOINTED	TERM
CABLE TV ADVISORY BOARD	1 Vacancy	Fill a Term to Expire June 30, 2009
CABLE TV ADVISORY BOARD <i>(Non-voting High School Member)</i>	1 Vacancy	Fill a Term to Expire June 30, 2009
HISTORIC DISTRICT COMMISSION ALTERNATE MEMBER	1 Vacancy	Fill a Term to Expire June 30, 2009
HISTORIC DISTRICT COMMISSION ALTERNATE MEMBER	1 Vacancy	Fill a Term to Expire June 30, 2010
HOUSING PARTNERSHIP <i>(Appointed by Board of Selectmen, representing Conservation Commission)</i>	1 Vacancy	Fill a Term to Expire June 30, 2011
MASTER PLAN ADVISORY STUDY COMMITTEE <i>(Appointed by the Historic Commission)</i>	1 Vacancy	
NIKE SITE REUSE ADVISORY COMMITTEE	1 Vacancy	Fill a Term to Expire June 30, 2009
WASTEWATER MANAGEMENT DISTRICT COMMISSION	1 Vacancy	Fill a Term to Expire June 30, 2011
YOUTH ADVISORY COMMITTEE <i>(Appointed by School Committee)</i>	1 Vacancy	Fill a Term to Expire June 30, 2011
ZONING BOARD OF APPEALS (Alternate)	1 Vacancy	Fill a Term to Expire June 30, 2010

Anyone interested in filling the above openings may obtain further information from the Town Administrator's Office.

VOLUNTEER TO SERVE YOUR TOWN

Vacancies on Town boards, committees and commissions occur from time to time. Most positions are appointed by the Board of Selectmen (see I).

Elected positions are usually filled at the annual April election, but if openings occur mid-term, they are filled by appointment until the next annual election. Registered voters, please indicate your interest in order of preference (see II):

I. Appointed boards, committees and commissions:

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | Cable TV | <input type="checkbox"/> | Personnel |
| <input type="checkbox"/> | Community Preservation | <input type="checkbox"/> | Public Ceremonies |
| <input type="checkbox"/> | Conservation | <input type="checkbox"/> | Public Works (until April 2010 Election) |
| <input type="checkbox"/> | Council on Aging | <input type="checkbox"/> | Senior Tax Relief |
| <input type="checkbox"/> | Cultural Council | <input type="checkbox"/> | Septage Committee |
| <input type="checkbox"/> | Finance | <input type="checkbox"/> | Surface Water Quality |
| <input type="checkbox"/> | Historical | <input type="checkbox"/> | Taxation Aid |
| <input type="checkbox"/> | Historic District | <input type="checkbox"/> | Wastewater Management |
| <input type="checkbox"/> | Housing Partnership | <input type="checkbox"/> | Wayland/Sudbury Septage |
| <input type="checkbox"/> | Local Access Corporation | <input type="checkbox"/> | Youth Advisory |
| <input type="checkbox"/> | MetroWest Open Space | <input type="checkbox"/> | Zoning Board of Appeals |
| <input type="checkbox"/> | Nike Site Reuse Advisory | | |

II. Elected boards, committees and commissions:

- | | | | |
|--------------------------|-------------------|--------------------------|---|
| <input type="checkbox"/> | Assessors | <input type="checkbox"/> | Park and Recreation (through June 30, 2009) |
| <input type="checkbox"/> | Health | <input type="checkbox"/> | Road Commission (through June 30, 2009) |
| <input type="checkbox"/> | Housing Authority | <input type="checkbox"/> | Selectmen |
| <input type="checkbox"/> | Library Trustees | <input type="checkbox"/> | Trust Funds |
| <input type="checkbox"/> | Planning | <input type="checkbox"/> | Water (through June 30, 2009) |
| <input type="checkbox"/> | School | | |

NAME: _____ ADDRESS: _____

HOME TEL: _____ WORK TEL: _____

Applications of interest will be kept on file for one year. You will be contacted as relevant vacancies occur.

Return this completed form to:

Town Administrator
Town of Wayland
41 Cochituate Road
Wayland MA 01778

**PLACE
STAMP
HERE**

**Board of Selectmen
Town of Wayland
41 Cochituate Road
Wayland MA 01778**