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TOWN CLERK'S RECORD
OF THE 132nd ANNUAL TOWN MEETING

March 26, 2012
Wellesley Middle School

March 27, 2012

In pursuance of a Warrant dated January 24, 2012, the duly elected Town Meeting Members proceeded as follows:

The Moderator, Margaret Ann Metzger, called the 132nd Annual Town Meeting to order at 7:35 P.M. The Moderator declared a quorum present.

Rev. Sara Asher of the Unitarian Universalist Society of Wellesley Hills offered the invocation.

Representatives of the Wellesley Veterans' Council presented the colors to the meeting.

The Middle School Jazz Band, under the direction of Mr. Henry Platt, played the "Star Spangled Banner".

Barbara Searle, Chairman of the Board of Selectmen, led the meeting in a salute to the flag.

The Moderator informed the Town Meeting Members that the General Laws require that all members be sworn to the faithful performance of their duties. Kathleen F. Nagle, Town Clerk, administered the oath to all 240 Town Meeting Members elected at the March 13, 2012 Annual Town Election.

The Town Clerk, Kathleen F. Nagle, read the Officer's Return of the Service of the Warrant.

The meeting was held under the provisions of Chapter 202 of the Acts of 1932 as amended. The checklist of Town Meeting Members showed there were 214 members present. Only 121 were needed for a quorum.

The duly elected Town Meeting Members were segregated from the other voters of the Town by occupying the front section of the auditorium, and were in the charge of a detail of police. Entrance to the enclosure was through one door, and each Town Meeting Member was checked from the official list of members before being admitted to the enclosure.

Several elected and appointed town officers and staff, and guests of Town Meeting were seated within this area by permission of the Moderator, but did not vote. Each such non-member was issued an identifying badge.

The following tellers were appointed by the Moderator to assist in counting a standing vote or a ballot vote: Head Teller, Dona Kemp, assisted by Alissa Keene, Frank Hays, Nancy Galligan, Eric DeLacoste, Ruth Klink and Rusty Kellogg.

The Moderator expressed appreciation to the attendance checkers for the Annual Town Meeting: Paul Carter, Ralph Bailey, Phil Rolph and June Nacey.

The Sophomore Class of Wellesley High School will provide refreshments at the breaks.

The Moderator announced the dates of the Town Meeting: March 26, 27, April 2, 3, and April 9, 10 as needed. If additional sessions are required there will be no meetings the week of April 16 and resume if needed April 23, and 24.

The Moderator explained the rules and regulations of the Town Meeting and the power and duties of the Moderator in connection with the conduct of the meeting.

The Moderator stated that to her knowledge no motions would be offered under Articles 10, 15,16, 20, 23, 26, 27, 32, 33, 34, 35, 36.

The Moderator informed the meeting that unless objections were raised, the meeting would dispense with the reading of the Warrant. No objections were raised and the meeting proceeded.

ARTICLE 1. Choose Moderator To choose a Moderator to preside over said meeting and to receive reports of town officers, boards and committees, including the Annual Town Report, the Report to this Town Meeting of the Advisory Committee, the Report of the Community Preservation Committee, and the Report of the Ad hoc Facilities Maintenance Committee, and discharge presently authorized special committees; or take any other action relative thereto.

Moderator Margaret Metzger, elected at the March 13, 2012 Annual Town Election presided over the meeting.

The following Committee Reports were filed with the Town Clerk: Advisory Committee Report and Supplements, Community Preservation Committee, Planning Board, Sustainable Energy Committee, Ad Hoc Facilities Maintenance Committee, Ad Hoc Encroachment Committee.

ARTICLE 2. Receive Reports To receive the Reports of the Board of Selectmen on the Five Year Capital Budget Program and Town-Wide Financial Plan pursuant to Town Bylaw Sections 19.5.2 and 19.16; or take any other action relative thereto.

Barbara Searle, Precinct A, Chairman of the Board of Selectmen, introduced the Town Wide Financial Plan (TBL 19.5.2) and the Five-Year Capital Budget Program (TBL 19.16).

Ms. Searle acknowledged the professional services rendered by town department employees across departments on a daily basis and particularly outstanding response to weather related emergencies by Police, Fire, DPW, MLP and others during 2011-2012.

Hans Larsen, Executive Director General Government Services presented the Town Wide Financial Plan.

- He reported that FY12 sources and use of funds is consistent with appropriations voted at the 2011 Annual Town Meeting.
- He reported that the proposed FY13 budget is balanced by the use of free cash.
- He reported that assumptions for the next 4 years project significant deficits between expected revenue and expenditures.
- He reported that holding all departmental budgets level for FY14 and making assumptions for other expenses would still project a deficit.
- He invited Town Meeting comment on the Town Wide Financial Plan and assumptions and detailed the plan for departmental collaboration and discussion during the budget building phase for FY14.

Virginia Ferko, Precinct F, Chair of the Advisory Committee, presented the Advisory Committee comments on the Financial Plan.

Town Meeting engaged in discussion of the Financial Plan and

VOTED, unanimously, that this Town Meeting hereby acknowledges presentation of the town –Wide Financial Plan and the Five Year Capital Budget Program pursuant to Section 19.16.2 and 19.5.2 respectively, of the Town Bylaws.

ARTICLE 3. Amend Job Classification Plan. To see if the Town will vote to amend ARTICLE 31 of the Town Bylaws by making changes in Schedule A entitled “Job Classifications by Groups” which constitutes part of said Bylaws; or take any other action relative thereto.

Susan Hurwitz, Precinct B, Chairman of the Human Resources Board, offered the following motion, which was

VOTED, unanimously, that the Classification Plan established at the 1950 Annual Town Meeting as amended, be further amended as recommended by the Human Resources Board by striking Schedule A, “Job Classification by Groups” and inserting a new Schedule A as follows:

Reclassifications

| <u>Classification</u> | <u>Department</u> | <u>From Job Group</u> <u>To Job Group</u> |
|----------------------------------------|-------------------|----------------------------------------------|
| Senior Customer Service Representative | MLP | 38 to 48 |
| Communications Clerk/Receptionist | MLP | 34 to 44 |
| Administrative Records Clerk | MLP | 33 to 43 |
| Accounting Clerk | Treasurer | 46 to 47 |

Title Changes

| <u>From Title</u> | <u>To Title</u> | <u>Department</u> | <u>Job Group</u> |
|-----------------------------------------------|------------------------------|-------------------|------------------|
| Health Communications and Services Specialist | Community Health Coordinator | Health | 53 |

Reclassifications and Title Changes

| <u>From Title and Job Group</u> | <u>Department</u> | <u>To Title and Job Group</u> |
|--------------------------------------|-------------------|------------------------------------|
| Assistant Director for Technology 59 | Library | Information Technology Director 58 |
| Conservation Administrator 52 | NRC | Assistant NRC Director 54 |
| Administrative Assistant 48 | Health | Office Administrator 49 |

**SCHEDULE A
JOB CLASSIFICATIONS BY GROUPS**

Part I – Positions not covered by collective bargaining agreements

| | |
|---------------------------------------------------|-----|
| GROUP 69 | |
| Executive Director of General Government Services | SEL |
| GROUP 66 | |
| DPW Director | DPW |
| Finance Director | DFS |
| GROUP 64 | |
| Director of Facilities and Grounds | FAC |
| GROUP 63 | |
| Chief of Police | POL |
| Treasurer/Collector | TRS |
| GROUP 62 | |
| Fire Chief | FIR |
| Human Resources Director | HR |
| Library Director | LIB |
| Programs Manager/Assistant Director | DPW |
| Superintendent, Park & Highway | DPW |
| Town Engineer | DPW |
| GROUP 61 | |
| Assistant Director of General Government Services | SEL |
| Deputy Chief of Police | POL |

| | |
|--------------------------------------------------------|------|
| NIS Director | NIS |
| Superintendent, RDF | DPW |
| Superintendent, Water and Sewer Division | DPW |
| GROUP 60 | |
| Assistant Director of Facilities and Grounds | FAC |
| Chief Assessor | ASR |
| Deputy Chief of Fire Protection | FIR |
| Deputy Fire Chief | FIR |
| Director of Public Health | HLTH |
| Director of Recreation | REC |
| Planning Director | PLN |
| Senior Deputy Director | SEL |
| GROUP 59 | |
| Assistant Director for Library Services | LIB |
| Assistant Superintendent, Water and Sewer Division | DPW |
| Assistant Town Engineer | DPW |
| Facilities Maintenance Administrator | FAC |
| GROUP 58 | |
| Assistant NIS Director | NIS |
| Assistant Superintendent, Highway Division | DPW |
| Assistant Superintendent, Park and Tree Division | DPW |
| Deputy Director | SEL |
| Information Technology Director | LIB |
| Inspector of Buildings | BLDG |
| Senior Civil Engineer | DPW |
| Senior Management Analyst | DPW |
| GROUP 57 | |
| Assistant Director | REC |
| Assistant Director/Health | HLTH |
| Assistant Planning Director | PLAN |
| Deputy Assistant Director, General Government Services | SEL |
| Director of Natural Resources | NRC |
| GIS Manager | NIS |
| Network Manager/Webmaster | NIS |
| Technical Operations Manager | NIS |
| Water and Sewer Systems Engineer | DPW |
| Youth Director | YC |
| GROUP 56 | |
| Applications and Database Manager | DPW |
| Assistant Town Accountant | DFS |
| Civil Engineer | DPW |
| Director of Senior Services | COA |
| Finance and Budget Analyst | DFS |
| Landscape Planner | DPW |
| Management Analyst | DPW |
| GROUP 55 | |
| Environmental Health Specialist | HLTH |
| GIS Administrator | NIS |
| Local Building Inspector | BLDG |
| Program Administrator | REC |
| Senior Engineer | DPW |
| Senior Human Resources Generalist | HR |
| GROUP 54 | |
| Assistant NRC Director | NRC |
| Assistant Treasurer/Collector | TRS |
| Director of Veterans' Services | VET |
| Horticulturist, Park and Tree Division | DPW |
| Human Resources Generalist | HR |

| | |
|------------------------------------------------|------|
| Inspector of Wires | BLDG |
| Plumbing and Gas Inspector | BLDG |
| Projects Administrator | PBC |
| Public Health Nurse Supervisor | HLTH |
| GROUP 53 | |
| Analyst/Programmer | NIS |
| Environmental Education Coordinator | NRC |
| Health and Social Services Administrator | COA |
| Community Health Coordinator | HLTH |
| Planner | PLN |
| Public Health Nurse | HLTH |
| Safety Coordinator | DPW |
| GROUP 52 | |
| GIS Analyst | DPW |
| Parking Clerk | SEL |
| RDF Business Manager | DPW |
| GROUP 51 | |
| Administrative Assistant | FAC |
| Assistant Administrator | ASR |
| Assistant Town Clerk | TC |
| Executive Secretary, Director, DPW | DPW |
| Executive Secretary, Zoning Board of Appeals | ZBA |
| Microcomputer Coordinator | NIS |
| Sealer of Weights and Measures | SEL |
| GROUP 50 | |
| Animal Control Officer/Inspector of Animals | POL |
| GROUP 49 | |
| Accountant B | DFS |
| Administrative Secretary | SEL |
| Assessor Technician | ASR |
| Elections and Registration Administrator | TC |
| Office Administrator | HLTH |
| Office Administrator, Water and Sewer Division | DPW |
| GROUP 48 | |
| Head Maintenance Custodian, Town Hall | FAC |
| Office Administrator | LIB |
| Office Assistant, Building | BLDG |
| Personnel Administrative Assistant | HR |
| Projects Assistant | PBC |
| Senior Accounting Assistant | DPW |
| Senior Customer Service Representative | MLP |
| Senior Office Assistant | DPW |
| GROUP 47 | |
| Accounting Assistant | POL |
| Accounting Clerk, Treasurer/Collector | TRS |
| Administrative Assistant | FIR |
| Administrative Assistant | POL |
| Office Assistant, Engineering Division | DPW |
| Office Assistant, Management Division | DPW |
| Office Assistant, Municipal Light Plant | MLP |
| Office Assistant, Park and Highway Divisions | DPW |
| Office Assistant, RDF | DPW |
| Office Assistant, Water and Sewer Division | DPW |
| Secretary, Recreation | REC |
| Senior Secretary, Selectmen | SEL |
| Voter Registration Clerk | TC |
| GROUP 46 | |

| | |
|-----------------------------------|------|
| Office Assistant | SEL |
| Office Assistant/Records Clerk | POL |
| GROUP 45 | |
| Secretary, Assessor's | ASR |
| Secretary, Director's Office | DPW |
| Secretary, NRC | NRC |
| Secretary/Technical Assistant | PLAN |
| GROUP 44 | |
| Clerk | TC |
| Communications Clerk/Receptionist | MLP |
| Custodian | FAC |
| Program and Office Assistant | COA |
| Secretary, Building | BLDG |
| Secretary II | REC |
| Seniors Activities Coordinator | COA |
| GROUP 43 | |
| Administrative Records Clerk | MLP |
| GROUP 42 | |
| Office Clerk | HLTH |
| GROUP 41 | |
| Night Watchman, Highway Division | DPW |
| GROUP T19 | |
| Automotive Mechanic | FIR |
| Carpenter/Painter | FAC |
| Electrician | FAC |

Part II – Positions covered by collective bargaining agreements

| | |
|--------------------------------------------------|-----|
| GROUP S55 | |
| Fleet Maintenance Supervisor | DPW |
| GROUP S54 | |
| Customer Services Supervisor | MLP |
| General Foreman, All Divisions | DPW |
| Overhead Line Foreman | MLP |
| Supervisor of Accounting | MLP |
| Supervisor, RDF | DPW |
| Underground Line Foreman | MLP |
| GROUP S53 | |
| Coordinator, MLP | MLP |
| Signal Alarm Foreman | MLP |
| GROUP S50 | |
| Collections Representative | MLP |
| GROUP 22 | |
| Crew Leader | MLP |
| GROUP 21 | |
| Electrician A | MLP |
| Lead Cablesplicer | MLP |
| Lead Lineman | MLP |
| GROUP 20 | |
| Automotive Mechanic Foreman A | DPW |
| Cablesplicer, 1st Class | MLP |
| Chief Substation Operator, Municipal Light Plant | MLP |

| | |
|---------------------------------------------------|-----|
| Construction Craftsman, Highway Division | DPW |
| Construction Foreman/MLP | MLP |
| Engineer A | DPW |
| Foreman A - All Divisions | DPW |
| Foreman A - Athletic Fields | DPW |
| Foreman A – Automotive Mechanic | DPW |
| Foreman A – Highway | DPW |
| Foreman A – Park Construction | DPW |
| Foreman A – Tree Care | DPW |
| Horticultural Technician | DPW |
| Lineman, 1st Class | MLP |
| Senior Welder | DPW |
| GROUP 19 | |
| Lead Tree Climber, Park and Tree Division | DPW |
| Meter and Sign Repair Person, Highway Division | DPW |
| Meter/Backflow Prevention Device Coordinator | DPW |
| GROUP 18 | |
| Engineering Technician | MLP |
| Fleet Maintenance Mechanic | DPW |
| Foreman B - All Divisions | DPW |
| Groundskeeping Foreman, Park and Tree Division | DPW |
| Highway Craftsman | DPW |
| Lead Baler | DPW |
| Park Construction Craftsman | DPW |
| Primary Water Treatment Plant Operator | DPW |
| Welder | DPW |
| GROUP 17 | |
| Apprentice Lineworker/Stockkeeper | MLP |
| Cablesplicer, 2nd Class | MLP |
| Construction Equipment Operator | DPW |
| Lineman, 2nd Class | MLP |
| Meter/Backflow Prevention Device Technician | DPW |
| Park Facilities Technician | DPW |
| Park Technical Services Craftsman | DPW |
| Power Shovel Operator, Water and Sewer Division | DPW |
| Stockkeeper, Automotive, Highway Division | DPW |
| Substation Operator, Municipal Light Plant | MLP |
| Tractor Trailer Operator | DPW |
| Tree Climber, Park and Tree Division | DPW |
| GROUP 16 | |
| Fleet Maintenance Shop Assistant | DPW |
| General Mechanic A, Water and Sewer Division | DPW |
| Groundskeeper, Park and Tree Division | DPW |
| Head Custodian | DPW |
| Heavy Equipment Operator, Highway Division | DPW |
| Secondary Water Treatment Plant Operator | DPW |
| Stockkeeper, Municipal Light Plant | MLP |
| Transfer Haul Equip. Operator, RDF | DPW |
| GROUP 15 | |
| Industrial Equipment Operator, RDF | DPW |
| Medium Equipment Operator, Highway Division | DPW |
| Medium Equipment Operator, Park and Tree Division | DPW |
| Stockkeeper, Water and Sewer Division | DPW |
| Truck Driver A/Laborer, Water and Sewer Division | DPW |
| GROUP 14 | |
| Building Maintenance Person, Highway Division | DPW |
| Cablesplicer Helper, Municipal Light Plant | MLP |
| Custodian | DPW |
| Groundman, Municipal Light Plant | MLP |

| | |
|------------------------------------------------------|-----|
| GROUP 13 | |
| Park Maintenance Worker | DPW |
| Permit Verifier/Trash Collector, RDF | DPW |
| GROUP 12 | |
| Light Equipment Operator, Park and Highway Divisions | DPW |
| GROUP 11 | |
| Laborer - All Divisions | DPW |
| GROUP L17 | |
| Public Services Coordinator | LIB |
| GROUP L16 | |
| Children's Services Supervisor | LIB |
| Reference Services Supervisor | LIB |
| Technical Services Supervisor | LIB |
| GROUP L15 | |
| Branch Libraries Supervisor | LIB |
| Interlibrary Loan Supervisor | LIB |
| GROUP L14 | |
| Reference Librarian | LIB |
| GROUP L9 | |
| Circulation Supervisor | LIB |
| Facilities Supervisor | FAC |
| GROUP L6 | |
| Acquisitions Specialist | LIB |
| Assistant Circulation Supervisor | LIB |
| Bookkeeper | LIB |
| Cataloging Assistant | LIB |
| GROUP L4 | |
| Technology Assistant | LIB |
| GROUP L3 | |
| Circulation Assistant | LIB |
| Library Assistant | LIB |
| Preservation Assistant | LIB |
| GROUP L1 | |
| Helper | LIB |
| GROUP C4 | |
| Custodian | LIB |
| GROUP P40 | |
| Lieutenant | POL |
| GROUP P30 | |
| Sergeant | POL |
| GROUP P20 | |
| Detective | POL |
| Prosecuting Officer | POL |
| Safety Officer | POL |
| GROUP P18 | |
| Police Officer – EMT | POL |
| GROUP P15 | |

Police Officer – Special POL

GROUP P10
Police Officer POL

GROUP F40
Captain FIR
Captain, Special Services FIR

GROUP F30
Lieutenant FIR

GROUP F10
Firefighter FIR

GENERAL GROUP: This group includes all part-time seasonal, casual, special and other jobs or positions not otherwise classified above, whose job titles shall be as shown on the personnel records of the Human Resources Board.

The rates of pay, as shown in the personnel records of the Human Resources Board, shall continue in effect until otherwise adjusted by the Human Resources Board or by amendment of the Plan.

At 9:00pm the Moderator declared a recess. The meeting reconvened at 9:20 pm.

Terri Tsagaris, Precinct D, member Board of Selectmen, offered the following motion which was

VOTED, unanimously by voice vote, that when this Annual Town Meeting adjourns, it does so until Tuesday, March 27, 2012, at 7:30 p.m. in this same hall.

ARTICLE 4. Amend Salary Plan. To see if the Town will vote to amend ARTICLE 31 of the Town Bylaws by making changes in Schedule B entitled “Salary Plan – Pay Schedule” established under Section 31.6 which constitutes part of said Bylaws; to raise and appropriate, or otherwise provide, money therefor; or take any other action relative thereto.

MOTION 1. Susan Hurwitz, Precinct B, Chairman of the Human Resources Board, offered the following motion, which was

VOTED, by declared voice vote, that the Salary Plan as established at the 1950 Annual Town Meeting as amended, be further amended effective July 1, 2012, as recommended by the Human Resources Board, by striking the existing pay schedule for the non-bargaining unit, non-management personnel (Job Groups 40-49) and inserting the new schedule as follows:

SCHEDULE B
SALARY PLAN – PAY SCHEDULES
Rates effective as indicated as of July 1, 2012
Hourly rates – reflects 2% increase over FY12

| Job Group | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
|-----------|--------|--------|--------|--------|--------|--------|
| 49 | 21.60 | 22.57 | 23.59 | 24.66 | 25.77 | 26.92 |
| 48 | 20.75 | 21.68 | 22.65 | 23.66 | 24.74 | 25.84 |
| 47 | 19.90 | 20.79 | 21.73 | 22.72 | 23.73 | 24.79 |
| 46 | 19.07 | 19.93 | 20.82 | 21.77 | 22.75 | 23.77 |
| 45 | 18.18 | 19.00 | 19.86 | 20.75 | 21.68 | 22.65 |
| 44 | 17.33 | 18.12 | 18.93 | 19.79 | 20.67 | 21.60 |
| 43 | 16.47 | 17.22 | 17.99 | 18.80 | 19.64 | 20.53 |
| 42 | 15.62 | 16.32 | 17.05 | 17.83 | 18.63 | 19.47 |
| 41 | 14.91 | 15.60 | 16.30 | 17.02 | 17.79 | 18.57 |

Hourly rates – reflects 2% over FY121

Trade positions – non-union

| Job Group | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
|-----------|--------|--------|--------|--------|--------|--------|
| T19 | 24.78 | 26.01 | 27.32 | 28.68 | 30.12 | 31.62 |

MOTION 2, Susan Hurwitz, Precinct B, chairman of the Human Resources Board offered the following motion , which was

VOTED, by declared voice vote, That the Salary Plan as established at the 1950 Annual Town Meeting as amended, be further amended effective July 1, 2012, as recommended by the Human Resources Board, by striking the existing pay schedule for the Merit Pay Plan (Job Groups 50-69) and inserting the new schedule as follows:

**SCHEDULE B
SALARY PLAN – PAY SCHEDULES**

Salary rates effective as indicated as of July 1, 2012
Reflects 2.0% increase over FY 12 ranges at midpoint

| Job Group | Minimum | Midpoint | Maximum |
|-----------|---------|----------|---------|
| 69 | 119,630 | 152,400 | 185,170 |
| 68 | 110,920 | 141,300 | 171,680 |
| 67 | 102,760 | 130,900 | 159,040 |
| 66 | 95,140 | 121,200 | 147,260 |
| 65 | 88,160 | 112,300 | 136,440 |
| 64 | 82,270 | 104,800 | 127,330 |
| 63 | 76,850 | 97,900 | 118,700 |
| 62 | 71,980 | 91,700 | 111,190 |
| 61 | 67,350 | 85,800 | 104,030 |
| 60 | 63,360 | 80,200 | 97,040 |
| 59 | 59,010 | 74,700 | 90,390 |
| 58 | 55,380 | 70,100 | 84,820 |
| 57 | 51,990 | 65,400 | 78,810 |
| 56 | 48,650 | 61,200 | 73,750 |
| 55 | 45,390 | 57,100 | 68,810 |
| 54 | 43,460 | 54,500 | 65,540 |
| 53 | 41,390 | 51,900 | 62,410 |
| 52 | 39,320 | 49,300 | 59,280 |
| 51 | 37,520 | 46,900 | 56,280 |
| 50 | 35,840 | 44,800 | 53,760 |

Network and Information Systems

| Job Group | Minimum | Midpoint | Maximum |
|-----------|---------|----------|---------|
| 61 | 76,230 | 96,800 | 117,130 |
| 60 | 71,650 | 90,700 | 109,750 |
| 59 | 66,990 | 84,800 | 102,610 |
| 58 | 62,330 | 78,900 | 95,470 |
| 57 | 58,670 | 73,800 | 88,930 |
| 56 | 55,010 | 69,200 | 83,390 |
| 55 | 52,230 | 65,700 | 79,170 |
| 54 | 49,920 | 62,600 | 75,280 |
| 53 | 47,610 | 59,700 | 71,790 |
| 52 | 45,220 | 56,700 | 68,180 |

51 43,360 54,200 65,040

MOTION 3, Susan Hurwitz, Precinct B, chairman of the Human Resources Board offered the following motion, which was

VOTED, by declared voice vote, that the sum of \$150,000 be appropriated to the Human Resources Board for the purpose of granting salary increases to employees in Job Groups 50 and above in the classification plan

ARTICLE 5. Amend Salary Plan (Benefits) To see if the Town will vote to amend ARTICLE 31 of the Town Bylaws by making changes in the appendix to the Classification and Salary Plans established under Sections 31.1 and 31.6 respectively, which constitutes part of said Bylaws, relating to vacation benefits for employees in Job Groups 40-49; or take any other action relative thereto.

Susan Hurwitz, Precinct B, chairman of the Human Resources Board offered the following motion, which was

VOTED, by declared voice vote, that Section II E(1), Vacations with Pay, of the Salary Plan established under Article 31.6 of the Town By-laws be amended by deleting (1) the line “Employees in Job Groups 40 through 49”; (2) the chart that follows said line, and (3) the line “Employees in Job Groups 50 and above:”, so that the section as amended shall read as follows with a single vacation benefit chart for all non-union employees:

1. The following annual vacations with pay shall be granted to all permanent employees, who are on the payroll July 1 and who complete the following period of full-time continuous employment during the vacation year (July 1 through June 30):

| <u>Service Period</u> | <u>Vacation</u> |
|--------------------------|----------------------------|
| six months | one week |
| one year anniversary | remaining annual crediting |
| one yr. anniv.-June 30th | prorated (see E.1a) |
| July 1st to year three | two weeks |
| three years | three weeks |
| ten years | four weeks |
| twenty years | five weeks |

ARTICLE 6. Establish Facilities Maintenance Department To see if the Town will vote to:

- a) establish a new department to be responsible for the maintenance of town owned buildings and grounds;
- b) amend the Town Bylaws to establish such a department, a copy of the currently proposed bylaw being on file in the offices of the Town Clerk;
- c) direct, pursuant to Section 68 of Chapter 71 of the General Laws, that the general charge and superintendence of school buildings become the responsibility of such a department;
- d) create, pursuant to Chapter 40, Section 5B of the General Laws, a special purpose municipal stabilization fund for the purpose of reserving money to pay for facilities capital maintenance; to raise and appropriate, or otherwise provide, including transfer from available funds, a sum of money for said fund;

or take any other action relative thereto.

MOTION 1. Heather Sawitsky, Precinct H, Member of the Ad Hoc Facilities Maintenance Committee, offered the following motion. Tom Goemaat, Chair of the Ad Hoc Facilities Maintenance Committee, presented the details of the plan for a consolidated town wide

department for facilities maintenance. Hans Larsen, Executive Director, presented the financial plan for the proposed department.

VOTED, by declared voice vote, *contingent* upon the appropriation of funds for the Facilities Maintenance Department as set forth in Article 8 of the 2012 Annual Town Meeting, the Town hereby directs that, effective July 1, 2012, the maintenance, custodial services and capital planning for all Town-owned buildings (including school buildings pursuant to G.L. c. 71, §68, and library buildings and all other buildings except those Town-owned buildings under the jurisdiction of the Municipal Light Plant and the Board of Public Works including those occupied by the Water and Sewer Departments) be under the general charge and superintendence of a new Town department, hereby established and named the Facilities Maintenance Department to be headed by a Director of Facilities Maintenance; and

The Town hereby further directs that, effective July 1, 2013, the maintenance, custodial services and capital planning for all Town-owned buildings under the jurisdiction of the Board of Public Works (except those buildings or portions of buildings occupied by the Water and Sewer Departments) be under the general charge and superintendence of the Facilities Maintenance Department.

MOTION 2. Heather Sawitsky, Precinct H, offered the following motion which was

VOTED, by declared voice vote, *contingent* upon the appropriation of funds for the Facilities Maintenance Department as set forth in Article 8 of the 2012 Annual Town Meeting, to amend the Town Bylaws as follows:

(a) By adding a completely new Article 24 (said Article number currently being held in reserve), to read as follows:

Article 24. FACILITIES MAINTENANCE DEPARTMENT

24.1. Facilities Maintenance Department. The Town shall have a Facilities Maintenance Department .

24.2. General Duties. The Facilities Maintenance Department shall be responsible for the maintenance, custodial services and capital planning for all Town-owned buildings including school buildings pursuant to G.L. c. 71, §68, and library buildings and all other buildings, except those buildings or portions thereof under the jurisdiction of the Municipal Light Plant, or occupied by the Water, and Sewer Departments).

24.3. Director of Facilities Maintenance. The Facilities Maintenance Department shall be headed by a Director of Facilities Maintenance, who shall be appointed by the Executive Director with the Selectmen's approval and who, subject to the Executive Director's approval, shall appoint such staff as are deemed necessary to fulfill the Department's duties.

24.4. Budget. The Facilities Maintenance Director shall prepare an annual budget which will be subject to approval by the Selectmen. The Selectmen shall be responsible for presenting the budget to the Advisory Committee and for presenting the motion for the budget appropriation to Town Meeting.

24.5. Annual Report. The Director of Facilities Maintenance shall report annually to the Executive Director, in whatever manner and form the Executive Director finds would be helpful, on the status of all Town-owned buildings under the Director's supervision as of the end of the fiscal year, building by building, including the work performed during the year, together with recommendations for future action, and the expected costs to maintain said buildings to the appropriate standard.

(b) By amending Article 19. BOARD OF SELECTMEN, Section 19.33. Staff. By striking the words "the Facilities Maintenance Administrator" in the first sentence and replacing said words with "Facilities Maintenance Director" so that the first sentence shall read:

The Executive Director shall appoint the Finance Director, the Facilities Maintenance Director and the Network and Information Systems Director, such appointments to be subject to the approval of the Selectmen

(c) By amending Article 38. SCHOOL COMMITTEE, by striking Section 38.3. General Duties. and substituting the following:

38.3. General Duties. The Committee shall have the powers and duties of school committees under the General Laws, particularly Chapter 71, other than the general charge and superintendence of the schoolhouses, which shall be the responsibility of the Facilities Maintenance Department.

The Moderator noted the hour of 11:20 pm and suggested an adjournment. The motion carried unanimously. The Meeting adjourned to March 27, 2012.

Attest:

Kathleen F. Nagle
Town Clerk

CERTIFICATE OF NOTICE
OF ADJOURNED ANNUAL TOWN MEETING



March 27, 2012
Wellesley, MA

I hereby certify that notice that the Town Meeting would adjourn from March 26, 2012 to March 27, 2012 at 7:30 p.m. at the Wellesley Middle School was posted on the screen in the Hall during the recess of the meeting on March 26, 2012 and was voted unanimously by the Town Meeting. That said adjournment was announced by the Moderator at the close of the meeting of March 26, 2012 and a notice was posted on the town website (www.wellesleyma.gov) and in the Town Hall at the office of the Town Clerk on March 27, 2012.

Attest:

Kathleen F. Nagle
Town Clerk

TOWN CLERK'S RECORD
OF ADJOURNED SESSION OF 2012 ANNUAL TOWN MEETING



March 27, 2012
Wellesley Middle School

March 28, 2012

The second session of the 2012 Annual Town meeting, adjourned from March 26, 2012 was held this evening at the Wellesley Middle School Auditorium, 50 Kingsbury Street. The Moderator, Margaret Ann Metzger, called the meeting to order at 7:35 P.M. The Moderator declared a quorum present.

The meeting was held under the provisions of Chapter 202 of the Acts of 1932 as amended. The checklist of Town Meeting Members showed there were 212 members present. Only 121 were needed for a quorum.

The duly elected Town Meeting Members were segregated from the other voters of the Town by occupying the front section of the hall, and were in the charge of a detail of police. Entrance to the enclosure was through one door, and each Town Meeting Member was checked from the official list of members before being admitted to the enclosure.

Several elected and appointed town officers and staff, and guests of Town Meeting were seated within this area by permission of the Moderator, but did not vote. Each such non-member was issued an identifying badge.

The following tellers were appointed by the Moderator to assist in counting a standing vote or a ballot vote: Head Teller, Dona Kemp, assisted by Alissa Keene, Frank Hays, Roberta Francis, Eric DeLacoste, Nancy Galligan and Rusty Kellogg

ARTICLE 7. Supplemental Appropriation – Unemployment Compensation
To see what sums of money the Town will raise and appropriate, or otherwise provide, including transfer from available funds, or borrowing, to supplement or reduce appropriations previously approved by the 2011 Annual Town Meeting; or take any other action relative thereto.

Barbara Searle, Precinct A, Chairman Board of Selectmen offered the following motion which was

VOTED, by declared voice vote, that the sum of \$200,000 be appropriated for Unemployment costs, said sum to be taken from Free Cash, as certified as of July 1, 2011, and added to the amount appropriated to the Board of Selectmen – 913 Unemployment Motion 1 of Article 8 of the Warrant for the 2011 Annual Town Meeting.

ARTICLE 8. MLP Payment/Omnibus Operating and Capital Budget To see what sums of money the Town will raise and appropriate, or otherwise provide, including transfer from available funds, or borrowing, for the following:

- a) for the operation of the several Town departments, including capital outlay, maturing debt and interest, and to provide for a Reserve Fund;
- b) for extraordinary maintenance, special capital projects and other capital outlay items for the several Town departments;
- c) for such purposes as may be voted contingent upon passage by the voters of referendum questions as authorized by the General Laws Chapter 59, Section 21c (g), as amended;

and among other resources to meet said appropriations, to authorize the Board of Assessors to use any monies paid to the Town from the Wellesley Municipal Light Plant as an estimated receipt when computing the Fiscal Year 2013 Tax Rate;

or take any other action relative thereto.

MOTION 1 MLP Payment Barbara Searle, Precinct A, Chair of the Board of Selectmen offered the following motion which was

VOTED, unanimously, that the Town authorizes the Board of Assessors to use \$1,000,000 paid to the Town from the Municipal Light Plant as an estimated receipt when computing the fiscal year 2013 tax rate.

MOTION 2 Operating and Capital Budget. Barbara Searle, Precinct A, Chair of the Board of Selectmen moved the Omnibus Budget motion for Operating and Capital appropriations for the several departments. Ms. Searle spoke in support of the General Government sections of the motion. Suzi Littlefield, Chair of the School Committee spoke in support of the School Department section of the motion.

At 9:00 pm the Moderator declared a recess. The meeting reconvened at 9:24 pm.

Terri Tsagaris, Precinct D, Board of Selectmen, offered the following motion which was

VOTED, unanimously by voice vote, that when this Annual Town Meeting adjourns, it does so until Monday, April 2, 2012, at 7:30 p.m. in this same hall.

The motion was projected on the screen.

William Charlton, Chair of the Board of Public Works, spoke in support of the Public Works section of the motion. Ann Howley, Chair of the Library Trustees, spoke in support of the Library section of the motion. Virginia Ferko, Chair of the Advisory Committee, gave the report and recommendation of the Advisory Committee.

The Moderator then entertained questions and discussion for each section of Article 8, Motion 1. After discussion it was

VOTED, by declared voice vote: (page intentionally partially blank)

ARTICLE 8, MOTION 2

That the following sums of money be appropriated to the Town boards and officials and for the purposes as hereinafter set forth:

| Funding Item | Personal Services | Expenses | Total Operations |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------|-----------------------------|
| GENERAL GOVERNMENT | | | |
| To the Board of Selectmen for General Government; \$1,757,845 for Personal Services and \$1,626,403 for Expenses. And it is recommended that the sums be allocated as follows: | | | |
| Board of Selectmen - Administration | | | |
| 122 Executive Director's Office | 402,331 | 30,250 | 432,581 |
| 126 Sustainable Energy | 18,960 | 6,000 | 24,960 |
| 199 Central Administrative Services | 0 | 23,500 | 23,500 |
| 133 Finance Department | 346,875 | 9,125 | 356,000 |
| 155 Network & Information Systems | 445,368 | 214,127 | 659,495 |
| 145 Treasurer & Collector | 256,414 | 122,150 | 378,564 |
| 195 Town Report | 0 | 4,000 | 4,000 |
| Board of Selectmen - Human Services | | | |
| 541 Council on Aging | 169,530 | 134,318 | 303,848 |
| 183 Fair Housing Committee | 0 | 200 | 200 |
| 543 Veterans' Services | 0 | 85,818 | 85,818 |
| 542 Youth Commission | 71,147 | 17,190 | 88,337 |
| Board of Selectmen - Other Services | | | |
| 180 Housing Development Corporation | 0 | 3,500 | 3,500 |
| 691 Historical Commission | 0 | 750 | 750 |
| 690 Historical District Commission | 0 | 250 | 250 |
| 693 Memorial Day | 0 | 2,500 | 2,500 |
| 692 Celebrations Committee | 0 | 4,700 | 4,700 |
| 176 Zoning Board of Appeals | 47,220 | 7,115 | 54,335 |
| Board of Selectmen - Shared Services | | | |
| 151 Law | 0 | 272,360 | 272,360 |
| 945 Risk Management | 0 | 407,000 | 407,000 |
| 135 Audit Committee | 0 | 56,250 | 56,250 |
| 458 Street Lighting | 0 | 225,300 | 225,300 |
| Subtotal - Board of Selectmen - General Government | 1,757,845 | 1,626,403 | 3,384,248 |
| Other General Government | | | |
| To the following Town boards and officials: | | | |
| 161 Town Clerk/Election & Registration | 249,002 | 50,300 | 299,302 |
| 141 Board of Assessors | 242,717 | 81,950 | 324,667 |
| 175 Planning Board | 211,092 | 42,600 | 253,692 |
| 185 Permanent Building Committee | 12,641 | 6,450 | 19,091 |
| 152 Human Resources Board | 265,359 | 19,650 | 285,009 |
| 131 Advisory Committee | 8,782 | 14,000 | 22,782 |
| 132 Advisory Committee - Reserve Fund | 0 | 175,000 | 175,000 |
| Subtotal - Other General Government | 989,593 | 389,950 | 1,379,543 |
| GENERAL GOVERNMENT TOTAL | 2,747,438 | 2,016,353 | 4,763,791 |

| Funding Item | Personal Services | Expenses | Total Operations |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------|-----------------------------|
| <u>FACILITIES MAINTENANCE - BOARD OF SELECTMEN</u> | | | |
| To the Board of Selectmen for Facilities Maintenance, \$3,276,988 for Personal Services and \$2,923,685 or Expenses. And it is recommended that the sums be allocated as follows: | | | |
| 192 Facilities Maintenance | 3,276,988 | 2,923,685 | 6,200,673 |
| FACILITIES MAINTENANCE TOTAL - BOARD OF SELECTMEN | 3,276,988 | 2,923,685 | 6,200,673 |
| <u>PUBLIC SAFETY - BOARD OF SELECTMEN</u> | | | |
| To the Board of Selectmen for Public Safety, \$9,726,856 for Personal Services and \$912,062 for Expenses. And it is recommended that the sums be allocated as follows: | | | |
| 210 Police Department | 4,663,783 | 619,903 | 5,283,686 |
| 299 Special School Police | 98,998 | 2,897 | 101,895 |
| 220 Fire Department | 4,449,186 | 260,112 | 4,709,298 |
| 241 Building Department | 408,645 | 26,350 | 434,995 |
| 230 Emergency Medical Services | 0 | 0 | 0 |
| 244 Sealer of Weights & Measures | 15,660 | 2,800 | 18,460 |
| 492 Radio Master Box | 90,584 | 0 | 90,584 |
| PUBLIC SAFETY TOTAL - BOARD OF SELECTMEN | 9,726,856 | 912,062 | 10,638,918 |
| <u>PUBLIC WORKS</u> | | | |
| To the Board of Public Works, \$3,891,609 for Personal Services and \$2,516,438 for Expenses. And it is recommended that the sums be allocated as follows: | | | |
| 410 Engineering | 467,190 | 79,788 | 546,978 |
| 420 Highway | 994,154 | 446,202 | 1,440,356 |
| 454 Fleet Maintenance | 130,942 | 56,462 | 187,404 |
| 430 Park | 1,040,997 | 271,477 | 1,312,474 |
| 440 Recycling & Disposal | 933,723 | 1,260,893 | 2,194,616 |
| 450 Management | 324,603 | 52,913 | 377,516 |
| 456 Winter Maintenance | 0 | 348,703 | 348,703 |
| PUBLIC WORKS TOTAL | 3,891,609 | 2,516,438 | 6,408,047 |
| Provided that the cash on hand in the RDF Baler and Compactors Major Repairs and Replacement Fund on June 30, 2012 be appropriated to the Board of Public Works for major repairs and replacement of the baler and the trash compactors and their attachments at the Recycling and Disposal Facility (major repair being defined as repairs or scheduled maintenance costing more than \$5,000); and that expenditures from this fund may be made by the Board of Public Works for major repairs, but expenditures for equipment replacement shall be subject to Town Meeting Appropriation. | | | |
| <u>WELLESLEY FREE LIBRARY</u> | | | |
| To the Trustees of the Wellesley Free Library: | | | |
| 610 Library Trustees | 1,570,946 | 429,998 | 2,000,944 |
| 620 Regional Services (Non-Tax Impact) | 157,889 | 112,111 | 270,000 |
| LIBRARY TOTAL | 1,728,835 | 542,109 | 2,270,944 |
| <u>RECREATION</u> | | | |
| To the Recreation Commission: | | | |
| 630 Recreation Commission | 273,692 | 23,800 | 297,492 |
| RECREATION TOTAL | 273,692 | 23,800 | 297,492 |
| <u>HEALTH</u> | | | |
| To the Board of Health: | | | |
| 510 Board of Health | 336,135 | 66,838 | 402,973 |
| 523 Mental Health Services | 0 | 213,555 | 213,555 |
| HEALTH TOTAL | 336,135 | 280,393 | 616,528 |

| Funding Item | Personal Services | Expenses | Total Operations |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------|-----------------------------|
| <u>NATURAL RESOURCES</u> | | | |
| To the Natural Resources Commission: | | | |
| 171 Natural Resources Commission | 178,554 | 18,625 | 197,179 |
| 172 Morses Pond | 0 | 160,370 | 160,370 |
| NATURAL RESOURCES TOTAL | 178,554 | 178,995 | 357,549 |
| NON-SCHOOL TOTAL | 22,160,107 | 9,393,835 | 31,553,942 |
| <u>WELLESLEY PUBLIC SCHOOLS</u> | | | |
| To the School Committee, \$51,006,508 in the aggregate for Personal Services and \$7,108,615 for Expenses. And it is recommended that the sum be allocated as follows: | | | |
| 320 Instruction | 44,138,715 | 1,458,511 | 45,597,226 |
| 330 Administration | 891,418 | 147,700 | 1,039,118 |
| 340 Operations | 683,241 | 322,900 | 1,006,141 |
| 360 Special Tuition/Transportation/Inclusion | 5,293,134 | 5,179,504 | 10,472,638 |
| Subtotal | 51,006,508 | 7,108,615 | 58,115,123 |
| SCHOOL TOTAL | 51,006,508 | 7,108,615 | 58,115,123 |
| <u>EMPLOYEE BENEFITS</u> | | | |
| To the following Town boards and officials for the purposes indicated: | | | |
| 914 Board of Selectmen - Group Insurance | 0 | 15,436,184 | 15,436,184 |
| 919 Board of Selectmen - Other Post Empl. Benefits Liability Fund | 0 | 3,000,000 | 3,000,000 |
| 910 Board of Selectmen - Retirement Contribution | 0 | 3,209,844 | 3,209,844 |
| 912 Board of Selectmen - Workers' Compensation | 0 | 360,584 | 360,584 |
| 913 Board of Selectmen - Unemployment Compensation | 0 | 250,000 | 250,000 |
| 950 Board of Selectmen - Compensated Absences | 0 | 90,000 | 90,000 |
| 911 Contributory Retirement Board - Non-Contributory Pensions | 0 | 30,905 | 30,905 |
| EMPLOYEE BENEFITS TOTAL | 0 | 22,377,517 | 22,377,517 |
| And further, that the balance on hand in the Workers' Compensation fund on June 30, 2012 and any interest earnings of the program, are appropriated for expenses related to the Workers' Compensation Program of the Town for Fiscal Year 2013. | | | |
| ALL PERSONAL SERVICES & EXPENSES | 73,166,615 | 38,879,967 | 112,046,582 |

| Funding Item | Personal Services | Expenses | Total Operations |
|---------------------------------------------------------------------------------|----------------------|-------------------|-----------------------|
| CAPITAL & DEBT | | | |
| To the following Town boards and officials for the purposes indicated: | | | |
| <i>Departmental Cash Capital</i> | | | |
| 400 Board of Public Works - Capital | 0 | 1,322,500 | 1,322,500 |
| 300 School Committee - Capital | 0 | 962,554 | 962,554 |
| 122 Board of Selectmen - Capital | 0 | 231,936 | 231,936 |
| 192 Facilities Maintenance - Capital | 0 | 893,583 | 893,583 |
| 610 Library Trustees - Capital | 0 | 40,500 | 40,500 |
| 171 Natural Resources Commission - Capital | 0 | 75,000 | 75,000 |
| Subtotal - Cash Capital | 0 | 3,526,073 | 3,526,073 |
| To the Town Treasurer and Collector for: | | | |
| 700 Current Inside Levy Debt Service - Issued | 0 | 2,903,335 | 2,903,335 |
| 700 New Debt Service - Inside Levy | 0 | 205,800 | 205,800 |
| 700 Current Outside Levy Debt Service -Issued | 0 | 10,613,569 | 10,613,569 |
| 700 New Outside Levy Debt Service - Unissued | 0 | 444,971 | 444,971 |
| Subtotal - Maturing Debt & Interest | 0 | 14,167,675 | 14,167,675 |
| CAPITAL & DEBT TOTAL | 0 | 17,693,748 | 17,693,748 |
| RECEIPTS RESERVED FOR APPROPRIATION | | | |
| To the Board of Selectmen, to be taken from the Parking Meter Receipts Account: | | | |
| 293 Traffic & Parking Operations | 229,014 | 604,850 | 833,864 |
| RECEIPTS RESERVED TOTAL | 229,014 | 604,850 | 833,864 |
| TOTAL APPROPRIATIONS - ARTICLE 8, MOTION 2 | | | \$ 130,574,194 |

And to help meet said appropriations, transfer the sum of \$2,837,757 from Free Cash.

The Moderator declared that the contingency required by the motions in Article 6 Motions 1 and 2 had been satisfied by the vote under Article 8. Therefore Article 6 Motions 1 and 2 are declared as final actions and now closed.

ARTICLE 9. Salary of Town Clerk To see what action the Town will take to fix the salary and compensation of the Town Clerk as provided by the General Laws Chapter 41, Section 108, as amended; or take any other action relative thereto.

Terri Tsagaris, Precinct D, Board of Selectmen offered the following motion which was

VOTED, by declared voice vote, that the annual (52 week) salary of the Town Clerk be fixed at the amount of \$78,478 effective July 1, 2012.

ARTICLE 10. Stabilization Fund To see what sum of money the Town will raise and appropriate, or otherwise provide, for the town’s Stabilization Funds pursuant to the provisions of Section 5B of Chapter 40 of the General Laws, as amended; or take any other action relative thereto.

No motion offered.

ARTICLE 11. Municipal Light Plant To see what sum of money the Town will raise and appropriate, or otherwise provide, including transfer from available funds, to the Municipal Light Board for the Municipal Light Plant; or take any other action relative thereto.

Paul Criswell, Precinct H, Municipal Light Board, offered the following motion, Thomas Peisch, Precinct D, Chair of the Municipal Light Board spoke in support of the motion which was

VOTED, unanimously, that the Municipal Light Plant be authorized to expend the following sums:

Operating Budget*

| | |
|-------------------------------------|---------------------|
| Operating Salaries | \$989,577 |
| Materials and Services | 902,559 |
| Health Insurance | 267,644 |
| FICA - Medicare | 11,375 |
| Contribution to Employee Retirement | 145,645 |
| Purchase Power | 20,830,000 |
| Transmission | <u>3,990,000</u> |
| Sub Total | \$27,136,800 |

Capital Outlays

| | |
|-------------------------------------|------------------|
| Salaries | 765,620 |
| Services/Materials | 3,436,306 |
| Vehicles | 159,702 |
| Insurance | 230,014 |
| FICA – Medicare | 8,800 |
| Contribution to Employee Retirement | <u>111,722</u> |
| Sub Total | 4,712,164 |

Payments That Benefit The Town**

| | |
|------------------------------------------|------------------|
| Payment in Lieu of Taxes | 1,000,000 |
| Holiday Lights, Banners and Civic Events | 40,000 |
| Fiber Optic Network for Town | <u>56,000</u> |
| Total Benefits to Town | 1,096,000 |

Emergency Contingencies **750,000**

Total Fiscal Year 2013 Budget Request **\$33,694,964**

Said sum to be raised by Municipal Light Plant revenues and retained earnings.

* Excludes depreciation expense in the amount of \$2,771,000.

** Town benefits do not include electric rate subsidization for Municipal Buildings (\$230,000); Streetlights (\$80,000) and Network and Information Support fees (\$130,000).

ARTICLE 12. Water Program To see what sum of money the Town will raise and appropriate, or otherwise provide, including transfer from available funds, to the Board of Public Works for the Water Program; or take any other action relative thereto.

Paul Criswell, Precinct H, Board of Public Works, offered the following motion, William Charlton, Precinct H, Chair of the Board of Public Works spoke in support of the motion which was

VOTED, unanimously, that the sum of \$7,363,285 be appropriated to the Water Enterprise Fund, to be expended as follows:

| | |
|-----------------------------------------------|-------------|
| Salaries | \$1,615,584 |
| Expenses (incl. interest, and all non-op exp) | 3,000,184 |
| OPEB (Other Post-Employment Benefits) | 73,983 |
| Depreciation | 899,500 |

| | |
|-------------------------------|----------------|
| Capital Outlay | 733,000 |
| Debt | 725,653 |
| Emergency Reserve | <u>315,381</u> |
| Total Authorized Use of Funds | \$7,363,285 |

And that \$7,363,285 be raised as follows:

| | |
|------------------------|---------------|
| Department Receipts | \$6,256,194 |
| Depreciation | 1,010,500 |
| Retained Earnings | <u>96,591</u> |
| Total Sources of Funds | \$7,363,285 |

ARTICLE 13. Sewer Program To see what sum of money the Town will raise and appropriate, or otherwise provide, including transfer from available funds, to the Board of Public Works for the Sewer Program; or take any other action relative thereto.

Paul Criswell, Precinct H, Board of Public Works, offered the following motion, which was

VOTED, unanimously, that the sum of \$8,446,796 be appropriated for the Sewer Enterprise Fund, to be expended as follows:

| | |
|-----------------------------------------------|----------------|
| Salaries | \$ 762,269 |
| Expenses (incl. interest, and all non-op exp) | 5,820,722 |
| OPEB (Other Post-Employment Benefits) | 31,707 |
| Depreciation | 390,000 |
| Capital Outlay | 625,000 |
| Debt | 347,746 |
| Emergency Reserve | <u>469,352</u> |
| Total Authorized Use of Funds | \$8,446,796 |

And that \$8,446,796 be raised as follows:

| | |
|------------------------|----------------|
| Department Receipts | \$7,628,866 |
| Depreciation | 400,000 |
| Retained Earnings | <u>417,930</u> |
| Total Sources of Funds | \$8,446,796 |

ARTICLE 14. Revolving Funds To see if the Town will vote pursuant to Section 53E½ of Chapter 44 of the General Laws, as amended, to authorize/reauthorize the establishment of one or more revolving fund(s) for the purpose of funding the activities of certain departments of the Town; or take any other action relative thereto.

Ellen Gibbs, Precinct A, Board of Selectmen, offered the following motion, which was

VOTED, unanimously, that the Town vote to renew and/or establish revolving funds, pursuant to Section 53E ½ of Chapter 44 of the General Laws, as amended, for the following purposes:

Street Opening Maintenance, said funds to be expended under the direction of the Department of Public Works, annual expenditures not to exceed \$200,000;

DPW Field Use, said funds to be expended under the direction of the Department of Public Works, annual expenditures not to exceed \$200,000;

Turf Field Fund, said funds to be expended under the direction of the Department of Public Works, annual expenditures not to exceed \$25,000;

Tree Bank, said funds to be expended under the direction of the Department of Public Works, annual expenditures not to exceed \$75,000;

Council on Aging Bus Fund, said funds to be expended under the direction of the Council on Aging Department, annual expenditures not to exceed \$110,000;

Council on Aging Social and Cultural Programs, said funds to be expended under the direction of the Council on Aging Department, annual expenditures not to exceed \$45,000;

Building Department Document Fees, said funds to be expended under the direction of the Building Department, annual expenditures not to exceed \$50,000;

Teen Center Program Revenues, said funds to be expended under the direction of the Recreation Department, annual expenditures not to exceed \$35,000;

Recreation Summertime Revenues, said funds to be expended under the direction of the Recreation Department, annual expenditures not to exceed \$35,000;

Recreation Scholarship Revenues, said funds to be expended under the direction of the Recreation Department, annual expenditures not to exceed \$35,000;

Library room rental, said funds to be expended under the direction of the Library Department, annual expenditures not to exceed \$20,000;

Branch Library Maintenance, said funds to be expended under the direction of the Library Department, annual expenditures not to exceed \$8,000;

Brookside Community Gardens, said funds to be expended under the direction of the Natural Resources Department, annual expenditures not to exceed \$5,000.

ARTICLE 15. Rockland Street Bridge To see what sum of money the Town will raise and appropriate, or otherwise provide, for pedestrian safety improvements related to the reconstruction of the Rockland Street Bridge; to determine whether such sum shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

No Motion offered.

ARTICLE 16. Warren Building To see what sum of money the Town will raise and appropriate, or otherwise provide, for architectural, engineering and/or other services for plans and specifications for the reconstruction of the interior flooring and other renovations of the Warren Building (90 Washington Street), and for the construction, reconstruction, remodeling, rehabilitation and/or modernization of the same; and for other services in connection therewith; to determine whether such sum shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

No Motion Offered.

ARTICLE 17. Fire Ladder Truck To see what sum of money the Town will raise and appropriate or otherwise provide, for the purchase of a fire ladder truck and related equipment; to determine whether such sum shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

Ellen Gibbs, Precinct A, Board of Selectmen, offered the following motion which was

VOTED, unanimously, 2/3 required, that the sum of \$855,000 is appropriated to pay costs of purchasing and equipping a fire ladder truck, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. The amount authorized to be borrowed by this vote shall be reduced to the extent of any grants, gifts or other contributions received by the Town from Wellesley College and/or Babson College to defray the costs of this purchase.

The Moderator noted the hour of 10:55 pm and suggested an adjournment. The motion carried unanimously. The Meeting adjourned to April 2, 2012.

Attest:

Kathleen F. Nagle
Town Clerk

CERTIFICATE OF NOTICE
OF ADJOURNED ANNUAL TOWN MEETING



March 28, 2012
Wellesley, MA

I hereby certify that notice that the Town Meeting would adjourn from March 27, 2012 to April 2, 2012 at 7:30 p.m. at the Wellesley Middle School was posted on the screen in the Hall during the recess of the meeting on March 27, 2012 and was voted unanimously by the Town Meeting. That said adjournment was announced by the Moderator at the close of the meeting of March 27, 2012 and a notice was posted on the town website (www.wellesleyma.gov) and in the Town Hall at the office of the Town Clerk on March 28, 2012.

Attest:

Kathleen F. Nagle
Town Clerk

TOWN CLERK'S RECORD
OF ADJOURNED SESSION OF 2012 ANNUAL TOWN MEETING



April 2, 2012
Wellesley Middle School

April 3, 2012

The third session of the 2012 Annual Town meeting, adjourned from March 28, 2012 was held on April 2, 2012 at the Wellesley Middle School Auditorium, 50 Kingsbury Street. The Moderator, Margaret Ann Metzger, called the meeting to order at 7:40 P.M. The Moderator declared a quorum present.

The meeting was held under the provisions of Chapter 202 of the Acts of 1932 as amended. The checklist of Town Meeting Members showed there were 222 members present. Only 121 were needed for a quorum.

The duly elected Town Meeting Members were segregated from the other voters of the Town by occupying the front section of the hall, and were in the charge of a detail of police. Entrance to the enclosure was through one door, and each Town Meeting Member was checked from the official list of members before being admitted to the enclosure.

Several elected and appointed town officers and staff, and guests of Town Meeting were seated within this area by permission of the Moderator, but did not vote. Each such non-member was issued an identifying badge.

The following tellers were appointed by the Moderator to assist in counting a standing vote or a ballot vote: Head Teller, Jackie Hatch, assisted by Alissa Keene, Rusty Kellogg, Nancy Galligan, Stanley Brooks, Corinne Monahan, and Eric DeLacoste.

ARTICLE 18. Recycled Materials Loading Structure To see what sum of money the Town will raise and appropriate, or otherwise provide, in addition to the amount appropriated under motion 1 of Article 20 of the Warrant for the 2011 Annual Town Meeting, to the Board of Public Works for engineering services, for plans and specifications, for construction, reconstruction, remodeling, rehabilitation and/or modernization of a new DPW recycled materials loading structure; to determine whether such sum shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

Paul Criswell, Precinct H, Board of Public Works offered the following motion, which was

VOTED, by declared voice vote, 2/3 required, that the sum of \$220,000 be appropriated to the Board of Public Works, in addition to the amount appropriated (\$400,000) under the Motion 1 of Article 20 of the Warrant for the 2011 Annual Town Meeting, for the cost of engineering services, for plans and specifications, for construction, reconstruction, remodeling, rehabilitation and/or modernization of a new DPW recycled materials loading structure; that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$220,000 under Massachusetts General Laws, Chapter 44 or any other enabling authority; and that the Board of Public Works is authorized to take all action necessary to carry out this project.

ARTICLE 19. Park/Highway Building HVAC To see what sum of money the Town will raise and appropriate, or otherwise provide, for the cost of engineering design services, including preparation of bid documents, for construction, reconstruction, remodeling, rehabilitation and/or modernization of the HVAC systems of the Department of Public Works Park/Highway Building; to determine whether such sum shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

Paul Criswell, Precinct H, Board of Public Works offered the following motion, which was

VOTED, by declared voice vote, that the sum of \$75,000 be appropriated to the Permanent Building Committee for the cost of engineering design services, including preparation of bid documents, for construction, reconstruction, remodeling, rehabilitation and/or modernization of the heating, ventilation and air conditioning (HVAC) systems of the Department of Public Works Park/Highway Garages; said sum to be taken from Free Cash, as certified as of June 30, 2011; and that said sum shall be available upon this motion becoming final following dissolution of this Town Meeting; and that the Permanent Building Committee is authorized to take all action necessary to carry out this project.

ARTICLE 20. Wales Street Bridge To see what sum of money the Town will raise and appropriate, or otherwise provide, to the Board of Public Works, for street, sidewalk and/or drainage construction, rehabilitation and/or reconstruction of the Wales Street Bridge; to determine whether such sum shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

No Motion Offered.

ARTICLE 21. Bacon Street Reconstruction To see what sum of money the Town will raise and appropriate, or otherwise provide, to the Board of Public Works, for street, sidewalk and/or drainage construction, rehabilitation and/or reconstruction of Bacon Street; to determine whether such sum shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

Paul Criswell, Precinct H, Board of Public Works offered the following motion, William Charlton, Chair of the Board of Public Works spoke in support of the motion, which was

VOTED, unanimously, 2/3 required, that the sum of \$480,000 be appropriated to the Board of Public Works for the cost of engineering services, construction, reconstruction, resurfacing, or rehabilitation, drainage, curbing, sidewalks, and their appurtenances on Bacon Street as determined by the Board of Public Works to be necessary;

And, that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$480,000 under Chapter 44 of the General Laws, or any other enabling authority.

And that the Board of Public Works is authorized to take all action necessary to carry out this project.

ARTICLE 22. Community Preservation Committee appropriations To act on the report of the Community Preservation Committee on the fiscal year 2013 community preservation budget and, pursuant to the provisions of General Laws Chapter 44B, to appropriate or reserve for later appropriation monies from Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the year; or take any other action relative thereto.

MOTION 1. Theodore F. Parker, Precinct C, Chair of the Community Preservation Committee, offered the following motion which was

VOTED, unanimously, that :

I. That the amount of \$60,766 be appropriated to the Community Preservation Committee to be expended for any permissible administrative purpose under the

Community Preservation Act, said appropriation to be funded entirely from unreserved balances on hand in the Community Preservation Fund;

And

II. That the following respective amounts from the annual Community Preservation Fund revenues received for fiscal year 2012 be reserved for the following community preservation categories:

| | |
|-----------------------------------|------------|
| Open Space (excluding Recreation) | \$ 124,890 |
| Historic Resources | \$ 124,890 |
| Community Housing | \$ 124,890 |

and in the case of the Open Space Reserve and Historic Reserve categories, such reserved amounts shall be for future appropriation, and in the case of the Community Housing Reserve category, such reserved amount shall be made available to fund Community Housing appropriations authorized by this Town Meeting.

MOTION 2 . Theodore F. Parker, Precinct C, Chair of the Community Preservation Committee, offered the following motion which was

VOTED, by declared voice vote, that \$330,000 be appropriated to the Wellesley Housing Development Corporation, for the acquisition, creation, rehabilitation and support of community housing, said appropriation to be funded \$124,890 from balances on hand in the Community Preservation Fund Community Housing Reserve and \$205,110 from balances on hand in the undesignated Community Preservation Fund.

ARTICLE 23. Hills Branch Library Renovation To see what sum of money the Town will raise and appropriate, or otherwise provide, for architectural, engineering and/or other services for plans and specifications for exterior renovations of the Hills Branch Library (210 Washington Street), and for the construction, reconstruction, remodeling, rehabilitation and/or modernization of the same; and for other services in connection therewith; to determine whether such sum shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

No Motion Offered.

ARTICLE 24. Easements To see if the Town will vote to grant, accept and/or abandon one or more easements, including but not limited to utility and drainage easements, at one or more locations in the Town; or take any other action relative thereto.

Paul Criswell, Precinct H, Board of Public Works, offered the following motion, William Charlton, Chair of the Board of Public Works spoke in support of the motion, which was

VOTED, unanimously, 2/3 required, that the Town hereby accepts, and abandons, as the case may be, the electric and other utility, roadway and vault easements identified on the document entitled “Easements for 2012 Annual Town Meeting Article 24”, dated March 23, 2012, a copy of said document being on file in the Office of the Town Clerk.

Paul Criswell rose to a point of personal privilege and asked leave of the moderator to offer a resolution in appreciation of the years of service to the Town of Wellesley by William Charlton, who will shortly be moving from Wellesley.

Whereas, William E Charlton has served the Town of Wellesley for many years, and has held the following positions:

| | |
|----------------------------------|-------------|
| Town Meeting Member | 2002 – 2012 |
| Member of the Advisory Committee | 1997 – 2000 |
| Chair of the Advisory Committee | 2000 |

| | |
|---------------------------------------------------------|------------------------------|
| Human Resources Board | 2000 – 2002 |
| Board of Public Works | 2002 – 2012 |
| Chair of the Board of Public Works | FY 2004, 2006, 2009 and 2012 |
| Board of the Municipal Light Plant | 2002 – 2012 |
| Chair of the Board of the Municipal Light Plant | FY 2011 |
| Liaison to the Playing Fields Task Force | |
| Liaison to the Fuller Brook Coordinating Committee; and | |

Whereas, Mr. Charlton will be moving from the Town of Wellesley at or near the conclusion of this Town Meeting, and the Town will be poorer for his departure;

Therefore, be it enacted and resolved by this Town Meeting, that the Town of Wellesley recognizes the efforts and accomplishments of Mr. Charlton, expresses its appreciation for his years of service and wishes him and his wife well in their new home in a neighboring town.

The Town Meeting stood in appreciation of Mr. Charlton’s service to the town.

ARTICLE 25. Wellfield Rehabilitation at Morses Pond To see what sum of money the Town will raise and appropriate, or otherwise provide, to the Board of Public Works for water wellfield rehabilitation; and for any equipment or services connected therewith; to determine whether such sums shall be raised by taxation, through borrowing and/or by transfer from available funds; or take any other action relative thereto.

Paul Criswell, Precinct H, Board of Public works offered the following motion. David A T Donohue, member of the Board of Public Works spoke in support of the motion, which was

VOTED, unanimously, 2/3 required, that the sum of \$1,600,000 be appropriated to the Board of Public Works for the cost of engineering services, construction, reconstruction, and rehabilitation of wells, pumps and their appurtenances at the Morses Pond wellfield and pumping station as determined by the Board of Public Works to be necessary;

That to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,600,000 under Chapter 44 of the General Laws, or any other enabling authority;

That the Board of Public Works is authorized to take all action necessary to carry out this project, and that said sum shall be available upon this motion becoming final following dissolution of this Town Meeting.

ARTICLE 26. Special Legislation – Cochituate Aqueduct To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing said Board to negotiate leases of certain parcels of town-owned land within the Cochituate Aqueduct; and/or to renew existing leases, on such terms and conditions, including dollar amounts, as said Board deems to be in the Town’s interest, notwithstanding public bidding procurement laws which are ill-suited to the circumstances; or take any other action relative thereto.

No motion offered.

ARTICLE 27. Linden Square Development Agreement Amendment To see if the Town will vote to approve amendments, as recommended by the Board of Selectmen, to the Development Agreement for Linden Square dated June 3, 2005 between the Town of Wellesley and Lindwell SC, Inc., Lindwell OP, Inc., and Lindwell Realty Trust, authorized by Town Meeting on June 13, 2005 relative to the continued use and operation of the VW parcel (as defined in the Development Agreement) as a car dealership and repair facility; or take any other action relative thereto.

No motion offered.

ARTICLE 28. Amend Zoning Bylaw – Flood Plain To see if the Town will vote to amend the Zoning Bylaw SECTION XIVB. FLOOD PLAIN OR WATERSHED PROTECTION DISTRICTS. and Zoning Map, to meet the new requirements of the Federal Emergency Management Agency (FEMA) and to ensure compliance with the requirements of the National Flood Insurance Program; or take any other action relative thereto.

MOTION 1. Mark Synnott, Precinct F, Planning Board offered the following motion. Stephanie Wasser, Chair, Planning Board spoke in support of the motion which was

VOTED, by declared voice vote, 2/3 required, that the Zoning Bylaw SECTION XIVB. FLOOD PLAIN OR WATERSHED PROTECTION DISTRICTS be amended, effective July 17, 2012, to meet the requirements of the Federal Emergency Management Agency (FEMA) in order to comply with the requirements of the National Flood Insurance Program;

by striking the entire subsections “Part A. PURPOSES” and inserting a new subsection “A. PURPOSES” to read as follows:

- A. **PURPOSES:** The purposes of Flood Plain Districts or Watershed Protection Districts are to:
1. Ensure public safety through reducing the threats to life and personal injury;
 2. Eliminate new hazards to emergency response officials;
 3. Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;
 4. Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
 5. Reduce damage to public and private property resulting from flooding waters by providing that land subject to seasonal or periodic flooding shall not be used for residence or for other purposes when such use will endanger the health or safety of occupants;
 6. Assure the continuation of the natural flow pattern of water courses necessary to provide adequate and safe floodwater storage capacity to protect persons and property against the hazards of flood inundation; and
 7. Protect, preserve, and maintain the water table and water recharge areas so as to preserve present and potential water supplies.

and by striking the word “Part” before B. DEFINITIONS:, striking the definition of “Overbank Areas” and the definition for “100 Year Flood Elevation”; by striking from the definition of Flood Plain District “ the words “100 year flood elevation” and replacing with “Special Flood Hazard Area”; in the definition of Flood by replacing the word “overbank” with “Floodway”; by inserting the following new 6 definitions:

Development - Any manmade change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Federal Emergency Management Agency (FEMA) - An agency of the United States Federal Government that administers the National Flood Insurance Program. FEMA provides a nationwide flood hazard area mapping study program for communities as well as regulatory standards for development in the flood hazard areas.

Flood Insurance Rate Map (FIRM) – An official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study Report (FIS Report) - A report which examines, evaluates, and determines flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation.

Special Flood Hazard Area - The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year as identified on the FIRM Map as Zone A and AE.

and by alphabetizing the section so the subsection will read as follows:

- B. DEFINITIONS: For the purposes of this Section the following terms shall be defined as follows:

Development - Any manmade change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Federal Emergency Management Agency (FEMA) - An agency of the United States Federal Government that administers the National Flood Insurance Program. FEMA provides a nationwide flood hazard area mapping study program for communities as well as regulatory standards for development in the flood hazard areas.

Flood - A temporary rise in river, stream or brook flow that results in its water overtopping its banks and inundating Floodway areas adjacent to the channel.

Flood Insurance Rate Map (FIRM) - An official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study Report (FIS Report) - A report which examines, evaluates, and determines flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

Flood Plain District - An area subject to danger of periodic flooding, the limits of which are determined by the Special Flood Hazard Area.

Floodwater Storage Capacity - The quantity of water which can be held within the flood plain of a wetland.

Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation.

Natural River Channel - A water course with a definite bed and banks to confine and conduct the average flow.

Special Flood Hazard Area - The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year as identified on the FIRM Map as Zone A and AE.

Watershed Protection District - An area bordering a brook, stream or other water body, the limits of which are determined by a horizontal distance.

Water Recharge Area - An area with a ground water exchange capacity to retain flood water during the occurrence of a flood.

Water Table – The natural level of water, either above or below ground.

and by striking the entire subsection “Part C. APPLICABILITY” to separate the provisions for Flood Plain and Watershed Protection Districts by adding a new subsection C. FLOOD PLAIN DISTRICT and a new subsection D. WATERSHED PROTECTION to read as follows:

C. FLOOD PLAIN DISTRICT

1. District Boundaries and Base Flood Elevation Data

- a. The Flood Plain District is herein established as an overlay district. The District includes all Special Flood Hazard Areas within the Town of Wellesley as shown on the Norfolk County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Norfolk County FIRM that are wholly or partially within the Town of Wellesley are panel numbers 25021C0004E, 25021C0008E, 25021C0009E, 25021C0012E, 25021C0014E, 25021C0016E, 25021C0017E, 25021C0018E, 25021C0028E, and 25021C0036E . The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM dated July 17, 2012 and further defined by Norfolk County Flood Insurance Study (FIS) report dated July 17, 2012 are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Inspector of Buildings, and Wetlands Protection Committee.
- b. Base Flood Elevation Data. In Zones A and AE, along watercourses that have not had a regulatory Floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2. Notification of Watercourse Alteration

- a. In a riverine situation, the Planning Director shall notify the following of any alteration or relocation of a watercourse:
 - (1) Abutting communities
 - (2) The National Flood Insurance Program State Coordinator
 - (3) The National Flood Insurance Program, Regional Program Specialist

D. WATERSHED PROTECTION DISTRICT

1. District Boundaries

2. The Watershed Protection District is herein established as an overlay district.

and by renumbering “Part D. EXEMPTION” to “E. EXEMPTION” and by striking “G.L” preceding Chapter 131, Section 40, and by adding “of the Massachusetts General Laws” after Chapter 131, Section 40 so the paragraph will read as follows:

E. EXEMPTION

To further protect persons and property now subject to flooding, all residential, commercial, industrial, and business buildings existing in Flood Plain or Watershed Protection Districts may be repaired, rebuilt, modified or flood-proofed in a manner which would not increase ground coverage, and any building or structure for which either a building permit was issued, or a notice of intent

under Chapter 131, Section 40 of the Massachusetts General Laws, was filed, prior to March 20, 1974, may be constructed and built in accordance with plans as lawfully approved and thereafter may be repaired, rebuilt, modified or flood-proofed in a manner which would not increase ground coverage.

and by renumbering “Part E. REGULATIONS AND RESTRICTIONS:” to “F. REGULATIONS AND RESTRICTIONS”, and by adding the word “General” to precede the word “Restrictions” in paragraph 1., and by adding the letter “a” to the first paragraph, and by striking the words “Part D.” and replacing with “E. EXEMPTION” after the words “In Flood Plain or Watershed Protection Districts, except as provided in” from the first line of the first paragraph, and be adding two new paragraphs lettered “b.” and “c.” after the first paragraph “a” to read :

- b. All development in the Flood Plain or Watershed Protection District, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and the following:
 - (1) Sections of the Massachusetts State Building Code (780 CMR) which address floodplain and coastal high hazard areas;
 - (2) Wetlands Protection Regulations, Department of Environmental Protection (310 CMR 10.00);
 - (3) Inland Wetlands Restriction, Department of Environmental Protection (310 CMR 13.00); and
 - (4) Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, Department of Environmental Protection (310 CMR 15, Title 5).
- c. The portion of any lot delineated as being within a Flood Plain or Watershed Protection District may be used to meet the area and yard requirements for the district in which the remainder of the lot is situated.

and by adding at the end of 2. Permitted Uses: a., the words “such as” after “a. Use of any woodland, grassland, wetland, or agricultural use of land or water, not requiring filling or excavating shall be permitted” , and by striking the “,” after the word “permitted” at the end of 2. Permitted Uses, a., and by adding the following 4 subcategories to “a. Use of any woodland, grassland, wetland, or agricultural use of land or water, not requiring filling or excavating shall be permitted such as:”

- (1.) Farming, grazing, and horticulture;
- (2.) Forestry and nursery uses;
- (3.) Conservation of water, plants, wildlife; and
- (4.) Wildlife management areas, foot, bicycle, and/or horse paths.

so the new subsection F. REGULATIONS AND RESTRICTIONS will read as follows:

F. REGULATIONS AND RESTRICTIONS:

1. General Restrictions

- a. In Flood Plain or Watershed Protection Districts, except as provided in E. EXEMPTION., above, and except as provided in Paragraph 2, Permitted Uses, below, no new building or structure shall be constructed or used in whole or in part, and no existing building or structure lying wholly within a designated Flood Plain or Watershed Protection District shall be altered, enlarged,

reconstructed or used in a manner which would increase ground coverage within the Flood Plain or Watershed Protection District; no dumping of trash, rubbish, garbage, junk or other waste materials shall be permitted; no filling, dumping, excavating, removal or transfer of gravel, sand, loam, or other material which will restrict flood water flow or reduce the flood water storage capacity shall be permitted, except the surfacing or resurfacing of any existing parking area.

- b. All development in the Flood Plain or Watershed Protection District, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and the following:
 - (1) Sections of the Massachusetts State Building Code (780 CMR) which address floodplain and coastal high hazard areas;
 - (2) Wetlands Protection Regulations, Department of Environmental Protection (310 CMR 10.00);
 - (3) Inland Wetlands Restriction, Department of Environmental Protection (310 CMR 13.00); and
 - (4) Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, Department of Environmental Protection (310 CMR 15, Title 5).
- c. The portion of any lot delineated as being within a Flood Plain or Watershed Protection District may be used to meet the area and yard requirements for the district in which the remainder of the lot is situated.

2. Permitted Uses

- a. Use of any woodland, grassland, wetland, or agricultural use of land or water, not requiring filling or excavating shall be permitted such as:
 - (1) Farming, grazing, and horticulture;
 - (2) Forestry and nursery uses;
 - (3) Conservation of water, plants, wildlife; and
 - (4) Wildlife management areas, foot, bicycle, and/or horse paths.
- b. The Special Permit Granting Authority may give permission, as hereinafter provided in SECTION XXV. and subject to the provisions of Paragraph 3. below, for the following uses within Flood Plain or Watershed Protection Districts:
 - (1) Any use, otherwise permitted by the underlying zoning district within which the land is situated, subject to the provisions of Paragraph 3, below;
 - (2) Construction, operation and maintenance of dams and other water control devices including temporary alteration of the water level for emergency purposes;
 - (3) Bridges and like structures permitting passages between lands of the same owner, provided that such bridges and structures shall be constructed, maintained and used at the expense and risk of such owner;
 - (4) Driveways and walkways ancillary to uses otherwise permitted by this Section;

- (5) Recreation, including golf courses, municipal, county or state parks (but not an amusement park), boating, fishing or any non-commercial open air recreation use;
- (6) Structures ancillary to farms, truck gardens, nurseries, orchards, tree farms and golf courses.

3. PROJECT APPROVAL

The provisions of SECTION XVIA. PROJECT APPROVAL. shall apply.

Plans submitted in accordance with SECTION XVIA. PROJECT APPROVAL. shall make adequate provision for:

- a. The protection, preservation and maintenance of the water table and water recharge areas;
- b. The preservation of the natural river channel plus sufficient width of overbank areas for the passage of flood flows;
- c. The retention of existing floodwater storage capacity;
- d. The design of proposed construction in a manner which ensures anchoring to prevent flotation, collapse and/or excessive movement of structures; and
- e. The design of public utilities including sewer, water, gas and electrical systems in a manner which will minimize or eliminate flood damage.

MOTION 2. Mark Synnott, Precinct F, Planning Board offered the following motion. Stephanie Wasser, Chair, Planning Board spoke in support of the motion which was

VOTED, unanimously, 2/3 required, that the Zoning Map be amended, effective July 17, 2012, by establishing a Special Flood Hazard Area within the Town of Wellesley consisting of those areas designated as Zone A and Zone AE as shown on the Norfolk County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency for the administration of the National Flood Insurance Program, as part of the Flood Plain Overlay District. The map panels of the Norfolk Country FIRM that are wholly or partially within the Town of Wellesley are panel numbers 25021C0004E, 25021C0008E, 25021C0009E, 25021C0012E, 25021C0014E, 25021C0016E, 25021C0017E, 25021C0018E, 25021C0028E, and 25021C0036E dated as of July 17, 2012 a copy of which is on file at office of the Town Clerk and the Planning Board office.

The Moderator declared a brief recess at 9:00 pm. The Meeting resumed at 9:15 pm.

ARTICLE 29. Amend Zoning Bylaw – PSI post development costs To see if the Town will vote to amend the Zoning Bylaw SECTION XVIA. PROJECT APPROVAL. to amend the language pertaining to fees and expenses payable by an applicant; or take any other action relative thereto.

Mark Synnott, Precinct F, Planning Board offered the following motion. Stephanie Wasser, Chair, Planning Board spoke in support of the motion which was

VOTED, by declared voice vote, 2/3 required, That the Zoning Bylaw SECTION XVIA. PROJECT APPROVAL., 3. Special Permit for Projects of Significant Impact, h., be amended to clarify an applicant’s responsibility to pay for post-development peer review costs by striking from the first line in the second paragraph “, funded by the Applicant,” and by changing the word “in” before “the discretion of the Planning Board” to “at”, and by adding to the end of the second paragraph the following: “Should post development traffic counts, review

of plans, mitigation proposals or any other peer review or related professional services be required, the Applicant shall bear the cost thereof.”, so the paragraph would read as follows:

Post development traffic counts may be required at the discretion of the Planning Board, at reasonable intervals over a period not to exceed twelve (12) months, and commencing no sooner than three months after commencement of Project operation. The purpose of this monitoring is to review the accuracy of PSI traffic projections. If at least two consecutive traffic counts no less than six months apart reflect that site-related daily traffic is more than 10 percent (10%) above the projected volume, then the Applicant shall undertake an evaluation to identify any specific circumstances requiring further action or mitigation. Should post development traffic counts, review of plans, mitigation proposals or any other peer review or related professional services be required, the Applicant shall bear the cost thereof.

ARTICLE 30. Municipal Charges Lien To see if the Town will vote to impose a municipal charges lien on real property located within the Town to secure reimbursement to the Town for its expenses incurred in correcting any particular encroachment onto town-owned land, as authorized by G.L. c. 40, §58; to amend the Town Bylaws **ARTICLE 49. POLICE REGULATIONS**, for said purpose if necessary; or take any other action relative thereto.

MOTION 1. Ursula King, Precinct A, Ad Hoc Encroachment Committee, offered the following motion.

The moderator called for a voice vote and declared the motion failed. Seven members rose to challenge the moderator’s call of the vote. A standing counted vote was conducted and the motion was,

VOTED, by standing counted vote, 112 yes, 96 no, to impose a municipal charges lien on real property located within the Town to secure reimbursement to the Town for its expenses incurred, properly chargeable to the property owner, in correcting any particular encroachment onto town-owned land, as authorized by G.L. c. 40, Section 58.

MOTION 2. Ursula King, Precinct A, Ad Hoc Encroachment Committee, offered the following motion, which was

VOTED, by declared voice vote, to amend the Town bylaws, Article 19. BOARD OF SELECTMEN, by renumbering Section 19.21 General Provisions. to Section 19.22, and adding a new Section 19.21 to read as follows:

Section 19.21. Municipal Charges Lien. No municipal charges lien to secure reimbursement to the Town for its expenses incurred, properly chargeable to the property owner, in correcting any particular encroachment onto town-owned land, authorized by G.L. c. 40, Section 58 and vote of the 2012 Annual Town Meeting on April 2, 2012, acting under Article 30 of the Warrant for said meeting, shall be imposed without the Selectmen’s approval following the giving of due notice to the person to be charged and an opportunity to be heard.

ARTICLE 31. Regulate Gasoline Powered Blowers To see if the Town will vote to amend the Town Bylaws **ARTICLE 49. POLICE REGULATIONS**, to restrict the commercial use of gasoline powered, motorized portable machines that blow leaves, dirt, and other debris off sidewalks, driveways, lawns, or other horizontal surfaces; a copy of the current draft of the proposed bylaw being proposed on file in the office of the Town Clerk; or take any other action relative thereto.

William Mone, Precinct E, Town Meeting member offered the following citizen’s petition motion. Sarah Preston, proponent of the motion spoke in support of the motion which was

To amend the Town bylaws, Article 49. Police Regulations, by renumbering Section 49.34 Penalty for Violation. to Section 49.35, and adding a new Section 49.34 to read as follows:

49.34 Restrictions on Certain Commercial Activity. No person shall undertake or perform any outdoor commercial activity involving the use of gasoline powered, motorized portable machines whose primary purpose is to blow leaves, dirt, and other debris off sidewalks, driveways, lawns, or other surfaces, on any private property in the Town being used for residential purposes as defined in the Zoning Bylaws.

The motion **LOST** by declared voice vote.

ARTICLE 32. Unused Loan Authorizations To see what action the Town will take on the authorized and unissued loans including those identified in the list of same on file in the offices of the Board of Selectmen and Town Clerk; to authorize the transfer of unused proceeds from previously issued loans to one or more eligible appropriations; or take any other action relative thereto.

No motion offered.

ARTICLE 33. Indemnify Town Employees To see if the Town will vote, as authorized by Section 9 of Chapter 258 of the General Laws, to indemnify Town Board members, officers, officials and employees from personal financial loss and expenses, including legal fees and costs, if any, in an amount not to exceed one million dollars, arising out of any claim, action, award, compromise, settlement or judgment by reason of an intentional tort, or by reason of any act or omission which constitutes a violation of the civil rights of any person under any federal or state law, if such employee or official is acting within the scope of his official duties or employment; and to raise and appropriate or otherwise provide money therefor; or take any other action relative thereto.

No motion offered.

ARTICLE 34. Prior Year Expenses To see what sum of money the Town will raise and appropriate, or otherwise provide, for expenses incurred by Town departments prior to July 1, 2011; or take any other action relative thereto.

No motion offered.

ARTICLE 35. Settle Claims To see what sum of money the Town will authorize the Board of Selectmen to pay in settlement of claims, actions and proceedings against the Town; to raise and appropriate or otherwise provide monies therefor; or take any other action relative thereto.

No motion offered.

ARTICLE 36. Dispose of Property To see what action the Town will take to authorize the disposal of tangible Town property having a value in excess of \$10,000; or take any other action relative thereto.

No motion offered.

ARTICLE 37. Appoint Fire Engineers To see if the Town will authorize the Board of Selectmen to appoint one or more of their number as fire engineer; or take any other action relative thereto.

Terri Tsagaris, Precinct D, Board of Selectmen offered the following motion which was

VOTED, unanimously, that the Town authorize the Selectmen to appoint one or more of their number as fire engineers.

The Moderator commended the Advisory Committee and Ad Hoc Committees for outstanding work done to prepare for this Town Meeting.

Barbara Searle, Precinct A, Chair of the Board of Selectmen offered a motion to dissolve which was

VOTED, unanimously, that this Annual Town Meeting be and hereby is dissolved.

The Meeting dissolved at 11:05 pm.

ATTEST:

Kathleen F. Nagle
Town Clerk