

**TOWN OF WELLESLEY**



**WARRANT  
for the  
ANNUAL TOWN MEETING**

ELECTION – March 1, 2011  
BUSINESS MEETING – March 28, 2011

PLANNING BOARD PUBLIC HEARING (WARRANT ARTICLES)  
February 7, 2011, 7:30 P.M. at Town Hall

ADVISORY COMMITTEE PUBLIC HEARING (WARRANT ARTICLES)  
February 9, 2011, 7:00 P.M. at Town Hall

Commonwealth of Massachusetts  
Norfolk, ss.

To Terrence M. Cunningham, Chief of Police of the Town of Wellesley, in said County.

**GREETINGS:**

In the name of the Commonwealth aforesaid, you are hereby required to notify the qualified voters of said Town of Wellesley to meet in their respective voting places on March 1, 2011:

The voters of Precinct A, in Katherine Lee Bates School, 116 Elmwood Road;

The voters of Precinct B, in Isaac Sprague School, 401 School Street;

The voters of Precinct C, in Ernest F. Upham School, 35 Wynnewood Street;

The voters of Precinct D, in Otho L. Schofield School, 27 Cedar Street;

The voters of Precinct E, in Joseph E. Fiske School, 45 Hastings Street;

The voters of Precinct F, in Dana Hall School Shipley Center, 142 Grove Street;

The voters of Precinct G, in Wellesley Free Library, 530 Washington Street;

at 7:00 A.M., at which time the polls in said precincts will be opened and remain open continuously until 8:00 P.M. of said day when they will be closed, during which time aforesaid qualified voters of said Town may bring in their ballots to the Election Officers, duly appointed and sworn for said precincts of said Town of Wellesley, in said meetings so assembled for the following:

To cast their votes in the Town Election for the election of candidates for the following offices:

| <u>OFFICE</u>                  | <u>VACANCIES</u> | <u>TERM</u> |
|--------------------------------|------------------|-------------|
| Board of Assessors             | One              | Three Years |
| Board of Health                | One              | Three Years |
| Board of Public Works          | One              | Three Years |
| Board of Selectmen             | Two              | Three Years |
| Moderator                      | One              | One Year    |
| Natural Resources Commission   | Two              | Three Years |
| Planning Board                 | One              | Five Years  |
| Recreation Commission          | One              | Three Years |
| School Committee               | Two              | Three Years |
| Trustees of the Wellesley Free | Two              | Three Years |
| Wellesley Housing Authority    | One              | Five Years  |

and for **TOWN MEETING MEMBERS**, under the provision of Chapter 202 of the Acts of 1932, as amended.

You are further required to notify the qualified Town Meeting Members of said Town of Wellesley to meet in the

**WELLESLEY MIDDLE SCHOOL AUDITORIUM  
Monday, March 28, 2011**

at 7:30 P.M. at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with Chapter 202 of the Acts of 1932, as amended and subject to referendum provided thereby.

**ARTICLE 1.** To choose a Moderator to preside over said meeting.

**(Board of Selectmen)**

**ARTICLE 2.** To receive reports of town officers, boards and committees, including the Annual Town Report, the Report to this Town Meeting of the Advisory Committee, and the Report of the Community Preservation Committee, and discharge presently authorized special committees; or take any other action relative thereto.

**(Board of Selectmen)**

**ARTICLE 3.** 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.

**(Board of Selectmen)**

#### **APPROPRIATIONS – OPERATING AND OUTLAY**

**ARTICLE 4.** 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.

**(Human Resources Board)**

**ARTICLE 5.** 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.

**(Human Resources Board)**

**ARTICLE 6.** To see if the Town will vote to amend ARTICLE 31 of the Town Bylaws by making changes in to 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 length of service payment (longevity) for non-union employees; or take any other action relative thereto.

**(Human Resources Board)**

**ARTICLE 7.** 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 2010 Annual Town Meeting; or take any other action relative thereto.

**(Board of Selectmen)**

**ARTICLE 8.** 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 (m), 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 2012 Tax Rate;

or take any other action relative thereto.

**(Board of Selectmen)**

**ARTICLE 9.** 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.

**(Board of Selectmen)**

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

**(Board of Selectmen)**

**ARTICLE 11.** 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.

**(Municipal Light Board)**

**ARTICLE 12.** 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.

**(Board of Public Works)**

**ARTICLE 13.** 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.

**(Board of Public Works)**

**ARTICLE 14.** 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 including a new revolving fund for Wetlands Consultant fees; or take any other action relative thereto.

**(Board of Selectmen)**

**ARTICLE 15.** To see if the Town will vote pursuant to Chapter 40, Sections 5A and/or 5B to appropriate to the Town's reserve fund and/or to create a special purpose municipal stabilization fund for the purpose of reserving money to pay any unanticipated costs of the Wellesley Public Schools for Special Tuition and Transportation; to raise and appropriate, or otherwise provide, including transfer from available funds, a sum of money for the purpose; or take any other action relative thereto.

**(Board of Selectmen)**

#### **APPROPRIATIONS – SPECIAL CAPITAL PROJECTS**

**ARTICLE 16.** To act on the report of the Community Preservation Committee on the fiscal year 2012 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; and further, to see if the Town will vote to authorize the Fuller Brook Park Coordinating Committee to implement the next phase of the Fuller Brook Restoration Project including the responsibility to receive and expend appropriations for the same; or take any other action relative thereto.

**(Community Preservation Committee)**

**ARTICLE 17.** To see what sum of money the Town will raise and appropriate, or otherwise provide, to implement the next phase of the Fuller Brook Park Preservation Master Plan, the first phase of which was approved under Motion 1 of Article 21 of the Warrant for the 2010 Annual Town Meeting; 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.

**(Natural Resources Commission)**

**ARTICLE 18.** 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 16 of the Warrant for the 2010 Annual Town Meeting, for architectural, engineering and/or other services for plans and specifications for the reconstruction of the interior flooring of the Central Street Fire Station (Station Number 1), 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.

**(Board of Selectmen)**

**ARTICLE 19.** To see what sum of money the Town will raise and appropriate, or otherwise provide, for engineering services, for plans and specifications, for construction, reconstruction, remodeling, rehabilitation and/or modernization of a new DPW office facility; 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.

**(Board of Public Works)**

**ARTICLE 20.** To see what sum of money the Town will raise and appropriate, or otherwise provide, 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.

**(Board of Public Works)**

**ARTICLE 21.** To see what sum of money the Town will raise and appropriate, or otherwise provide, for engineering services, for plans and specifications, for construction, reconstruction, remodeling, rehabilitation and/or modernization of a new maintenance and restroom facility at Hunnewell Field; 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.

**(Board of Public Works)**

**ARTICLE 22.** To see what sum of money the Town will raise and appropriate, or otherwise provide, for street, sidewalk and/or drainage construction, rehabilitation and/or reconstruction on Kingsbury 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.

**(Board of Public Works)**

**ARTICLE 23.** To see what sum of money Town will raise and appropriate, or otherwise provide, for design, engineering, consultation, and permitting services, construction and/or equipment related to improvement, replacement and repairs to the heating, ventilation and air conditioning (HVAC) systems at the Wellesley Town Hall; 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.

**(Board of Selectmen)**

**ARTICLE 24.** To see if the Town will vote to instruct the Board of Selectmen to proceed diligently and in due course to complete all necessary permitting and present back to this Town Meeting a funding proposal for the construction of a stand-alone senior center at 496 Washington Street; or take any other action relative thereto.

**(Council on Aging)**

**ARTICLE 25.** To see if the Town will vote to accept an easement granted to the Town for sidewalk purposes at 8 Rockland Street (aka 420 Linden Street) as shown on a sketch entitled "Rockland Street Bridge Concept Wellesley, MA" dated June 19, 2009, and to raise and appropriate, or otherwise provide, a sum of money in exchange for said easement and for sidewalk design and construction; 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.

**(Board of Selectmen)**

**ARTICLE 26.** To see what sum of money the Town will raise and appropriate, or otherwise provide, for capital costs, including maintenance of capital assets, at the library branches; 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.

**(Board of Selectmen & Library Trustees)**

**ARTICLE 27.** To see what sum of money the Town will raise and appropriate, or otherwise provide, for a layout, design and the construction of the pathway proposed for the town owned strip of land abutting 27 Washington Street, to connect Washington Street and the new pedestrian bridge over the Charles River; 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.

**(Board of Selectmen)**

## **AUTHORIZATIONS**

**ARTICLE 28.** 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.

**(Board of Public Works)**

**ARTICLE 29.** To see what sum of money the Town will raise and appropriate, or otherwise provide, to the Board of Public Works for water and/or sewer line rehabilitation; and for any equipment or services connected 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.

**(Board of Public Works)**

**ARTICLE 30.** To see if the Town will vote to designate Brookside Road as a scenic road, pursuant to Chapter 40, Section 15C of the Massachusetts General Laws; or take any other action relative thereto.

**(Planning Board)**

**ARTICLE 31.** To see if the Town will vote to accept the proffered gift of a land-locked parcel of land to the rear of 27 Kenilworth Road; to assign jurisdiction over the same; and to authorize its future use; or take any other action relative thereto.

**(Board of Selectmen)**

**ARTICLE 32.** To see if the Town will vote to accept an easement granted to the Town for sidewalk purposes at the intersection of State Street and Washington Street at no cost to the Town; and to approve the grant of license to Gravestar for physical improvements on abutting aqueduct parcel to facilitate public access to Reidy Field; or take any other action relative thereto.

**(Board of Selectmen)**

### **AMEND ZONING BYLAW**

**ARTICLE 33.** To see if the Town will vote to amend the Zoning Map by extending the current Business Zone to include the portion of the Cochituate Aqueduct known as lot 98-3 or 8 State Street owned by the Town of Wellesley and leased to Gravestar Inc.; or take any other action relative thereto.

**(Board of Selectmen)**

**ARTICLE 34.** To see if the Town will vote to amend the Zoning Bylaw to create a Tree Protection and Preservation Bylaw which establishes regulations regarding the preservation and replacement of trees over a specific caliper located on private property within the setbacks, and to establish a Tree Bank to be administered by the Department of Public Works – Park and Tree Division; or take any other action relative thereto.

**(Planning Board)**

**ARTICLE 35.** To see if the Town will vote to amend the Zoning Bylaw SECTION XIVB. FLOOD PLAIN OR WATERSHED PROTECTION DISTRICTS., 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.

**(Planning Board)**

**ARTICLE 36.** To see if the Town will vote to amend the Zoning Map by establishing two new Historic District Overlays to be located at (a) 38 Lowell Road, to be known as the Tufts House Historic District and (b) at 377 Weston Road, to be known as the Methodist Meeting House Historic District; or take any other action relative thereto.

**(Historical Commission and Planning Board)**

**ARTICLE 37.** To see if the Town will vote to amend SECTION III. SINGLE RESIDENCE A., to establish a special permit provision for temporary or occasional outdoor sales of farm produce or natural products located within a parking area; or take any other action relative thereto.

**(Planning Board)**

#### **AMEND TOWN BYLAW**

**ARTICLE 38.** To see if the Town will vote to adopt the Stretch Energy Code, so called, by amending the Town Bylaws to incorporate the provisions set forth in 780 CMR Appendix 115.AA, including any future amendments or modifications; or take any other action relative thereto.

**(Sustainable Energy Committee)**

**ARTICLE 39.** To see if the Town will vote to amend the Town Bylaws where necessary in order to conform to the statutory changes in the Open Meeting Law, G.L. c. 30A, §§ 18 et seq., a list of changes being proposed on file in the office of the Board of Selectmen; or take any other action relative thereto.

**(Board of Selectmen)**

#### **CITIZENS PETITIONS**

**ARTICLE 40.** To see if the Town will vote to request that the Board of Assessors examine whether the Wellesley Country Club duly qualifies as a charitable corporation for purposes of tax assessments, and further to see if the Town will vote to raise and appropriate, or otherwise provide, a sum of money for expert appraisers and other consultants to assist the Board of Assessors in executing the foregoing charge; or take any other action relative thereto.

**(Citizens' Petition)**

## GENERAL

**ARTICLE 41.** 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.

**(Board of Selectmen)**

**ARTICLE 42.** 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.

**(Board of Selectmen)**

**ARTICLE 43.** 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, 2010; or take any other action relative thereto.

**(Board of Selectmen)**

**ARTICLE 44.** 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.

**(Board of Selectmen)**

**ARTICLE 45.** 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.

**(Board of Selectmen)**

**ARTICLE 46.** 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.

**(Board of Selectmen)**