

**TOWN OF WELLESLEY**



CLERK'S OFFICE  
WELLESLEY MA 02482

2014 JAN 29 P 3:19

**COPY**

**WARRANT  
for the  
ANNUAL TOWN MEETING**

**ELECTION – March 4, 2014  
BUSINESS MEETING – March 31, 2014**

**ADVISORY COMMITTEE PUBLIC HEARING (WARRANT ARTICLES)  
January 29, 2014, 7:00 P.M. at Town Hall**

**PLANNING BOARD PUBLIC HEARING (WARRANT ARTICLES)  
February 24, 2014, 7:30 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 4, 2014:

The voters of Precinct A, in Katharine 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;

The voters of Precinct H, in Wellesley High School, 50 Rice 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
Housing Authority	One One	Five Years Four Years
Trustees of Wellesley Free Library	Two	Three Years
Moderator	One	One Year
Natural Resources Commission	Two One	Three Years Two Years
Planning Board	One One	Five Years Three Years
Recreation Commission	One One	Three Years One Year
School Committee	Two	Three Years

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

And the following question:

“Shall an act passed by the general court in the year 2014, entitled ‘An Act authorizing the town of Wellesley to place a question on the town election ballot authorizing the town to grant 6 licenses for the sale of wines and malt beverages not to be drunk on the premises’, be accepted?”

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 WELLESLEY MA 02452  
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You are further required to notify the qualified Town Meeting Members of said Town of Wellesley to meet in the

**Katherine L. Babson, Jr. Auditorium  
Wellesley High School  
Monday, March 31, 2014**

2014 JAN 29 11:19 AM  
TOWN CLERK'S OFFICE  
WELLESLEY MASS

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 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 discharge presently authorized special committees; or take any other action relative thereto.

**(Board of Selectmen)**

**ARTICLE 2.** 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)**

**ARTICLE 3.** To see if the Town will vote to take action on certain articles in this warrant by a single vote, pursuant to a consent agenda; 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 what action the Town will take to fix the salary and compensation of the Town Clerk as provided by Section 108 of Chapter 41 of the General Laws, as amended; or take any other action relative thereto.

**(Board of Selectmen)**

**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 2013 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 Section 21c (g) of Chapter 59 of the General Laws, 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 2015 Tax Rate; or take any other action relative thereto.

**(Board of Selectmen)**

**ARTICLE 9.** 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.

**(Board of Selectmen)**

**ARTICLE 10.** 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)**

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**ARTICLE 11.** 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 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 Sewer Program; or take any other action relative thereto.

**(Board of Public Works)**

**ARTICLE 13.** 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.

**(Board of Selectmen)**

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

**ARTICLE 14.** To act on the report of the Community Preservation Committee on the fiscal year 2015 community preservation budget and, pursuant to the provisions of Chapter 44B of the General Laws, 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.

**(Community Preservation Committee)**

**ARTICLE 15.** To see what sum of money the Town will raise and appropriate, or otherwise provide, for engineering, construction, project management, construction inspection, environmental monitoring and/or other services for the Fourth and Final Phase (the construction phase) of the Fuller Brook Park Preservation Project; 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 including Community Preservation Act Funds; to determine the number and composition of members of the Committee and its charge in said Final Phase; or take any other action relative thereto.

**(Fuller Brook Park Coordinating Committee)**

**ARTICLE 16.** To see what sum of money the Town will raise and appropriate, or otherwise provide, for architectural, engineering, and/or other services, for construction, reconstruction, remodeling, rehabilitation, additions and/or modernization to several Schools and other Town buildings, including Middle School, Sprague School, Hunnewell School, district-wide security, Warren Building, Police Station, and Fire Station #2; to

determine whether such sum shall be raised by taxation, through borrowing and/or by transfer from available funds including Community Preservation Funds; or take any other action relative thereto.

**(Board of Selectmen / School Committee)**

**ARTICLE 17.** To see what sum of money the Town will raise and appropriate, or otherwise provide, for architectural, engineering, and/or other services, for construction, reconstruction, remodeling, rehabilitation, additions and/or modernization for replacing windows in the Middle School and possibly other improvements; 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.

**(School Committee)**

**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 2 of the Warrant for the June 13, 2012 Special Town Meeting, to complete the acquisition of real property located at 900-910 Worcester Street; to determine whether such sum shall be raised by taxation, through borrowing and/or by transfer from available funds including Community Preservation Funds; to further amend the Purchase and Sale Agreement approved by previous town meeting vote in connection therewith; or take any other action relative thereto.

**(Board of Selectmen)**

**ARTICLE 19.** To see if the Town will vote to acquire by purchase, eminent domain, or otherwise, the real property commonly known and referred to as 494 Washington Street, for the purpose of expanding the usable space of adjacent Town-owned property located at 496 Washington Street; to raise and appropriate, or otherwise provide, a sum of money for said purpose and to determine whether such sum shall be raised by taxation, borrowing and/or by transfer from available funds; said property being further identified as follows: 494 Washington Street: Parcel No. 17 on Assessor's Map No. 111, now or formerly owned by Charles C. Crevo et al, see deed recorded in Norfolk Registry of Deeds Book 19857, Page 418; or take any other action relative thereto.

**(Board of Selectmen)**

**ARTICLE 20.** To see what sum of money the Town will raise and appropriate, or otherwise provide, to the Board of Public Works, for the cost for engineering services, for preparation of plans and specifications, for construction, reconstruction, remodeling, rehabilitation and/or modernization of the Hunnewell Field Maintenance/Restroom 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 21.** To see what sum of money the Town will raise and appropriate, or otherwise provide, to the Board of Public Works, for the cost for engineering services, for preparation of plans and specifications, for construction, reconstruction, remodeling, rehabilitation and/or modernization of the roof of the Department of Public Works Park/Highway Garage; 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 architectural, engineering and/or other services for preparation of plans and specifications for renovation of the Hills Branch Library (210 Washington Street), including without limitation the second chimney, (reconstruction of the first having been authorized by vote under Motion 1 of Article 20 of the Warrant for the 2013 Annual Town Meeting) 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 including Community Preservation Funds; or take any other action relative thereto.

(Board of Library Trustees/Board of Selectmen)

**ARTICLE 23.** To see what sum of money the Town will raise and appropriate, or otherwise provide, for the purchase of fire apparatus 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.

(Board of Selectmen)

**ARTICLE 24.** 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 25.** 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 sums 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 26.** To see if the Town will vote pursuant to G.L. c. 40, §15A to authorize the transfer of jurisdiction of the now vacant MLP/DPW building at 2 Municipal Way, which the MLP/DPW have deemed no longer useful for their purposes, to the Board of Selectmen for the purpose of razing the same, and appropriate a sum of money therefor and/or accept the MLP's offer to pay for the same; to maintain the

Selectmen's jurisdiction over the land (& building) to be held as a general town asset and/or determine a proper reuse of the building, and the town board under whose jurisdiction the future use of the building is decided; to vote a transfer of jurisdiction if necessary as shall be determined; to appropriate a sum of money for determining the future use or reuse of the building and for maintaining the building pending its demolition and/or determination of future use or reuse; or take any other action relative thereto.

**(Municipal Light Board/Board of Selectmen)**

**ARTICLE 27.** To see if the Town will vote to transfer to the Wellesley Housing Development Corporation the sum of \$180,275.00, now held by the Town pursuant to the action of the Planning Board, on July 16, 2012, to call the performance bond deposited by Wellesley Realty Associates, the developer, for 978 Worcester Street, to secure its obligation to provide a fractional unit of assisted (affordable) housing as part of the development; or take any action relative thereto.

**(Board of Selectmen)**

**ARTICLE 28.** To see if the Town will authorize the Board of Selectmen and the Wellesley Free Library Trustees to enter into a lease pursuant to M.G.L. c. 40, Section 3 with Wellesley Media Corporation for space in one or more Wellesley Free Library buildings, such space to be designated by the Library Trustees; the receipts from said lease to be deposited into the general fund of the Town or otherwise as Town Meeting may direct; to authorize the Board of Selectmen and the Wellesley Free Library Trustees to determine such other terms and conditions in said Lease as they shall determine to be in the Town's interest, and to appropriate a sum of money for these purposes or take any other action relative thereto.

**(Board of Library Trustees)**

**ARTICLE 29.** To see if the Town will (a) vote to accept Section 5N of c. 59 of the General Laws, thereby authorizing the Board of Selectmen to establish a program allowing veterans (as defined) to volunteer to provide services in exchange for a reduction in the veteran's property tax obligations, computed by using not more than the current minimum wage, provided the reduction shall not exceed \$1,000 in any given tax year; and further, (b) vote to allow an approved representative to provide such services on behalf of a veteran physically unable to provide them, and further, (c) vote to allow the maximum reduction to be based on 125 volunteer service hours rather than \$1,000 in any given tax year; or take any action relative thereto.

**(Board of Selectmen)**

**ARTICLE 30.** To see if the Town will authorize the establishment of a 9 member committee to be appointed by the Moderator to be known as the "2014 Town Government Study Committee"; that the Committee be directed to study the existing structure of town government to confirm it is still best suited to the Town's current needs; to review and make recommendations on matters such as the number, composition, and role of elected and appointed boards and committees, the role and

authority of the Executive Director of General Government Services, the potential consolidation and centralization of departmental functions and responsibilities, the number of Town Meeting Members, the timing of Annual Town Meeting and town elections, and any other topic related to town government that the Committee deems appropriate; that the Committee consider approaches for implementation of changes, including amendments to Town bylaws and/or the establishment of a charter commission; that the Committee hold public hearings; that the Committee make a report to the 2015 Annual Town Meeting; and to see what sum of money the Town will appropriate for such Committee; or take any other action relative thereto

**(Board of Selectmen)**

**ARTICLE 31.** To see if the Town will vote to authorize the Municipal Light Plant to enter into one or more leases of town-owned land under the jurisdiction of the Municipal Light Plant; on such terms and conditions, including dollar amounts, as said Board deems to be in the Town's interest; or take any other action relative thereto.

**(Municipal Light Board)**

**ARTICLE 32.** To see if the Town will vote further authority as may be deemed necessary or expedient to further the town's acquisition of the most westerly portion of the Cochituate Aqueduct, and once acquired to deed out to Bike Realty LLC an 11,000 sq. ft. parcel, as authorized by votes under Article 27 and Article 22 of the Warrants for the 2001 and 2013 Annual Town Meetings respectively; to appropriate a sum of money for these purposes; 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 establishing two (2) new Historic District Overlays to be located at 26 Elmwood Road (Parcel ID 181-75) to be known as the Sylvia Plath House Historic District and 126 Woodlawn Avenue (Parcel ID 72-20) to be known as the Fiske House Historic District; or take any other action relative thereto.

**(Historical Commission and Planning Board)**

**ARTICLE 34.** To see if the Town will vote to amend the Zoning Bylaw to define and/or regulate the location, use, acquisition, commercial and home cultivation, processing, transfer, transport, sale, distribution, and/or dispensing of medical marijuana and to define and regulate Registered Marijuana Dispensaries in the Town as authorized under 105 CMR 725: Implementation of an Act for the Humanitarian Medical Use of Marijuana; or to make any similar or other changes to the Zoning Bylaw which would have the same or substantially the same purpose; or take any other action relative thereto.

**(Board of Selectmen and Planning Board)**

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## AMEND TOWN BYLAW

**ARTICLE 35.** To see if the Town will vote to amend the Town Bylaws ARTICLE 19. BOARD OF SELECTMEN to authorize the Board of Selectmen to act as the Special Permit Granting Authority, as authorized under MGL. C. 40A, to hear and decide special permit applications relative to Registered Marijuana Dispensaries and/or medical marijuana; or to make any similar changes to the Town Bylaw which would have the same or substantially the same purpose; or take any other action relative thereto.

(Board of Selectmen)

**ARTICLE 36.** To see if the Town will vote to amend Town Bylaws Article 49. POLICE REGULATIONS to regulate the location, use, acquisition, commercial and home cultivation, processing, transfer, transport, sale, distribution, dispensing, and licensing of medical marijuana and Registered Marijuana Dispensaries in the Town as authorized under 105 CMR 725: Implementation of an act for the Humanitarian Medical Use of Marijuana; or take any other action relative thereto.

(Board of Selectmen)

**ARTICLE 37.** To see if the Town will vote to adopt proposed new sustainable energy goals pursuant to ARTICLE 12. SUSTAINABLE ENERGY COMMITTEE, Section 12.3 General Duties.; or to take any other action relative thereto.

(Sustainable Energy Committee)

## CITIZEN PETITION

**ARTICLE 38.** To see if the Town will vote to allow the reuse of the former Municipal Light Plant building located at 2 Municipal Way for the purpose of a nonprofit community art center that nurtures art and artists in the community; to provide opportunity to artists through lease of affordable studio spaces and the ability to coordinate art-based endeavors for the community at large; or take any other action relative thereto.

(Citizen Petition)

## GENERAL

**ARTICLE 39.** 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 40.** 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 41.** 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, 2013; or take any other action relative thereto.

**(Board of Selectmen)**

**ARTICLE 42.** 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 43.** 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 44.** 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)**

And you are directed to serve this Warrant by posting attested copies in not less than two conspicuous places in the Town and by causing this warrant to be posted to the Town of Wellesley website (www.wellesleyma.gov) at least seven days before the date on which the meeting is to be held.

Hereof fail not and make due return of this Warrant and your doings thereon unto the Town Clerk at or before the time of holding said meeting.

Given under our hands this 28<sup>th</sup> of January 2014.

Terri Tsagaris  
Terri Tsagaris, Chairman

Barbara D. Searle  
Barbara D. Searle

Ellen F. Gibbs  
Ellen F. Gibbs

Katherine L. Babson, Jr.  
Katherine L. Babson, Jr.

Donald S. McCauley  
Donald S. McCauley

A true copy,

Terrence M. Cunningham  
Attest: Terrence M. Cunningham  
Chief of Police

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss. Wellesley, MA January 29, 2014

I have this date caused the within warrant to be served by posting two copies in two conspicuous places in the Town, i.e., the Town Hall and Wellesley Square, and causing the warrant to be posted to the Town of Wellesley website.

Terrence M. Cunningham  
Terrence M. Cunningham, Chief of Police  
Town of Wellesley