



# THE ADVISORY LETTER

Advisory Committee—Special Town Meeting

TOWN OF WELLESLEY  
Advisory Committee  
Town Hall, 525 Washington Street  
Wellesley, Massachusetts 02482

## Term Ends 2010

Peter Cory, Chair  
Judith Donnelly, Secretary  
Stephen Sykes  
Katherine Macdonald, Vice Chair  
Marc Taylor

## Term Ends 2011

Rick Hill  
Barbara McMahon  
Caren Parker  
Steven Simons  
Jason Whittet

## Term Ends 2012

Virginia Ferko  
Jack Haley  
Maura Murphy  
Richard Page  
Derek Redgate

To the Citizens of the Town of Wellesley,

October 23, 2009

A Special Town Meeting will convene on Monday, November 16, 2009, at 7:30 pm, to consider Articles proposed by the Board of Selectmen and the Planning Board. All residents are welcome to attend the meeting in person, or follow the proceedings on Wellesley Cable TV (Comcast Channel 9, Verizon Channel 39). This letter presents the Advisory Committee's overall perspective on the key features of these Articles. The more comprehensive Advisory Committee's Report to Town Meeting members will be posted to the Advisory section of the Town website. In addition, if any further recommendations are made by Advisory between publication of this letter and the opening of the Special Town Meeting, a notice will be sent to Town Meeting members by e-mail, and the new recommendations will also be posted to the Advisory website.

None of the Articles before this year's Special Town Meeting are expected to include motions to appropriate funds. Nonetheless, Advisory would like to take this opportunity to briefly update Town residents on the budget outlook for the balance of FY10, and for FY11. Many residents may already know that the Town entered FY10 with revenues projected to be more than \$1 million lower than what had been anticipated at the time that the FY10 budget appropriations were approved by the 2009 Annual Town meeting. This is due primarily to late-announced cuts in the State's funding of the Quinn Bill (which provides a salary increment to police officers with college degrees) and, especially, in the Circuit Breaker Reimbursement (CBR) formula for out-of-district special education tuitions. While most of the already-identified FY10 revenue shortfall will likely be offset by federal and state stimulus funds, based on recent state tax collection data there is growing concern that additional, emergency "9C" cuts in state aid may be forthcoming for FY10.

With little hope for a meaningful recovery in the State's fiscal position or a corresponding rebound in state aid any time soon, and with no guidance from the State on the CBR formula for FY11, Advisory issued FY11 operating budget guidelines to Boards, Committees, and Departments that were among the lowest in decades: 1) a 1% increase for all non-School Departments; 2) a 1% increase for the School Department, excluding the Special Tuition & Transportation category of its budget; and 3) a "contingent" \$750,000 increase for out-of-district special education tuitions within the Special Tuition & Transportation category of the budget - bringing the total school budget increase to 2.25%. In issuing these guidelines, Advisory endeavored to cover the rising cost of employee benefits (viewed broadly to include health insurance, Other Post Employment Benefits or "OPEB" funding, contributions to the Town's Pension Plan, etc.) and avoid an operating override, while recognizing that there may also be a need to draw, in a limited way, on the Town's cash reserves. The Advisory Guidelines letter is posted on the Advisory section of the Town's website, and we would urge all residents to take this opportunity to read this document if they have not already done so.

The Advisory Committee wishes to express its appreciation to the dedicated Town employees, elected and appointed officials, and concerned citizens who devote so much time, energy, and expertise to the Town's affairs.

Sincerely,

Peter Cory, Chair, Advisory Committee

## The 2009 Fall Special Town Meeting

There are nine substantive Articles on the Warrant for the 2009 Special Town Meeting that are grouped below according to the sponsoring Board (e.g., the Board of Selectmen, the Planning Board). At the time this letter and the Advisory Committee's Report to Special Town Meeting goes to print, Advisory has sufficient information to vote its recommendations on five of these Articles.

### **Article 3 – Local Option Meals Excise**

This Article, which proposes adoption of the so-called Local Option Meals Excise, provided the initial impetus for the Board of Selectmen to call the Special Town Meeting. State law recently changed to allow municipalities to impose an "add-on" excise of 0.75% to the existing 6.25% state meals tax. Local tax revenues would be collected by the State and returned to the Town; if approved by Special Town Meeting, collection of the tax would begin on January 1, 2010. Revenue collections on an annualized basis are projected by the State Department of Revenue (DOR) to be approximately \$355,000. Advisory supports this measure, which would increase and diversify the Town's revenue base and provide some help to the Town in meeting current budget challenges.

### **Article 4 – Amend Article 8 of 2009 ATM – MGL c. 29, Sect. 9C Reductions**

As noted above, the Commonwealth's tax collections thus far in FY10 are continuing to fall significantly short of projections, and there is a possibility of emergency cuts in local aid to municipalities by the Governor under the authority of Section 9C of MGL Ch. 29. In the event that sizeable cuts *are* announced by the Governor prior to Special Town Meeting, the Town may find it necessary to revisit the FY10 appropriations authorized by the 2009 Annual Town Meeting. Although not expected, if a motion containing emergency fiscal measures for FY10 is offered by the Board of Selectmen under this "place-holder" Article, Advisory will make its recommendation at Special Town Meeting.

### **Article 7 – Cochituate Aqueduct Leases**

This Article relates to lease renewals for portions of the Cochituate Aqueduct property (which is owned by the Town) to local businesses and other entities. At the time this letter goes to print, negotiations are ongoing with one or more lease-holders.

### **Article 8 – Sidewalk Easement – 219 Washington Street**

This Article proposes that the Town accept an easement being granted by the Wellesley Friendly Aid Association on a narrow parcel of property at 219 Washington Street to enable construction of a new sidewalk. The new sidewalk, set further back from the roadway at the north-west corner of the busy Routes 9 & 16 intersection, would improve pedestrian safety. The construction activity (and the associated funding) would be the responsibility of MassHighway, not the Town.

### **Article 9 – Land Acquisition – Cartwright and Greenbough**

This Article proposes acceptance of a small strip of land on Cartwright Road that was deeded to the Town over two decades ago. Advisory supports this measure.

### **Article 10 – Accept Amendments – Tax Benefit – MGL c. 59, Sect. 5K**

This Article revisits the increase in the Senior Property Tax Work-Off benefit from \$750 to \$1,000 previously approved at the 2009 Annual Town Meeting. Town Meeting authorized the Board of Selectmen to seek a special legislative dispensation authorizing this increase. Subsequently, the Massachusetts legislature adopted general legislation authorizing the increase, and the Town now needs to accept this amendment in order to implement the added benefit. Advisory supports this proposal.

## **The 2009 Fall Special Town Meeting**

*Continued*

### **Article 11 – Glen Grove Apartments**

The property in question is a rental apartment complex on Grove Street that is comprised of 125 HUD-subsidized affordable senior rental units. The current owner is negotiating the sale of the property, and the Board of Selectmen and the Wellesley Housing Authority are proposing to waive their Right of First Refusal to purchase it. The Board of Selectmen is working to ensure that contractual safeguards adequately preserve both the property's status as senior affordable housing and the Town's Right of First Refusal in any future transactions. Several details are still pending, and Advisory will bring its recommendation to Special Town Meeting.

### ***Planning Board:***

#### **Article 5 – Retaining Walls**

This Article represents a new approach to the issue of regulating the construction of retaining walls, under the Zoning Bylaws. Currently the Town has very limited authority to regulate retaining walls, although Articles proposing additional regulation have been brought to Town Meeting on several occasions in the past. The Planning Board's current proposal incorporates increasing levels of rigor to the review and permitting process, depending on the height of the proposed walls. Walls less than four feet in height are exempted from permitting, and the Article also provides relief for designs of terraced combinations of retaining walls where the spacing between the walls meets certain thresholds. Also covered is the positioning of retaining walls relative to property setbacks. Advisory supports this proposal.

#### **Article 6 – Amend Definition of “Trailer or Vehicle Signs”**

This Article amends the Zoning Bylaws to permit regulation of certain types of signs not currently covered in the Bylaws. Vehicles with signage that are parked at a location that is not related to the vehicle's normal business activity (nor is the owner or lessee's primary residence), but are instead “used merely or mainly for advertising purposes” will be classified as “moving signs” which are prohibited in the Town. Although Advisory supports the basic objectives of the Article, it does not support this proposal as currently written.



# THE ADVISORY LETTER

Advisory Committee—Special Town Meeting

ADVISORY COMMITTEE  
TOWN HALL  
525 Washington Street  
Wellesley, Massachusetts 02482

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## Helpful Information

*For the Special Town Meeting*

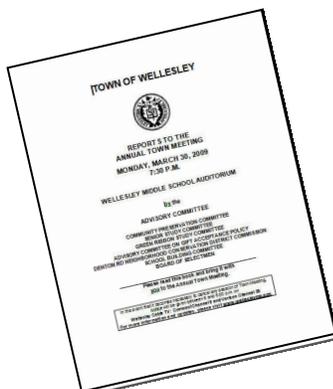
### Special Town Meeting:

**November 16, 2009, 7:30 p.m.**  
**Wellesley Middle School Auditorium**  
November 17th and 18th have also been scheduled, if needed

### Advisory Report to the Special Town Meeting

The Report is available to residents in several ways:

Online at  
[www.wellesley.ma.gov/pages/wellesley\\_ma\\_advisory/report](http://www.wellesley.ma.gov/pages/wellesley_ma_advisory/report)  
At the Town Clerk's office and the Main Library



## Articles at a Glance

*For Consideration at the Special Town Meeting*

*Local Option Meals Excise — Article 3*

*Amend Article 8 of 2009 ATM – Article 4*

*Retaining Walls – Article 5*

*Amend Definition of Trailer and Vehicle Signs – Article 6*

*Aqueduct Leases — Article 7*

*Sidewalk Easement, 219 Washington Street — Article 8*

*Land Acquisition, Cartwright and Greenbough Roads - Article 9*

*Accept Amendments, Tax Benefit, MGL c.59,5K — Article 10*

*Glen Grove Apartments — Article 11*