

**TOWN OF WELLESLEY**



**WARRANT  
for the  
ANNUAL TOWN MEETING**

**ELECTION – March 13, 2012  
BUSINESS MEETING – March 26, 2012**

**PLANNING BOARD PUBLIC HEARING (WARRANT ARTICLES)  
February 6, 2012, 7:30 P.M. at Town Hall**

**ADVISORY COMMITTEE PUBLIC HEARING (WARRANT ARTICLES)  
February 8, 2012, 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 13, 2012:

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 Isaac Sprague School at 401 School 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	Two	Three Years
School Committee	Two	Three Years
Town Clerk	One	Three Years
Trustees of the Wellesley Free Library	Two	Three 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 26, 2012**

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 the Report of the Ad hoc Facilities Maintenance 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)**

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

**ARTICLE 3.** 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 4.** 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 5.** 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.

**(Human Resources Board)**

**ARTICLE 6.** 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.

**(Facilities Committee)**

**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 2011 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 (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.

**(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 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 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; or take any other action relative thereto.

**(Board of Selectmen)**

## **APPROPRIATIONS – SPECIAL CAPITAL PROJECTS**

**ARTICLE 15.** 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.

**(Board of Selectmen)**

**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 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.

**(Board of Selectmen)**

**ARTICLE 17.** 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.

**(Board of Selectmen)**

**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 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.

**(Board of Public Works)**

**ARTICLE 19.** 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.

**(Board of Public Works)**

**ARTICLE 20.** 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.

**(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 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.

**(Board of Public Works)**

**ARTICLE 22.** 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.

**(Community Preservation Committee)**

**ARTICLE 23.** 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.

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

#### **AUTHORIZATIONS**

**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 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.

**(Board of Public Works)**

**ARTICLE 26.** 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.

**(Board of Selectmen)**

**ARTICLE 27.** 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.

**(Board of Selectmen)**

#### **AMEND ZONING BYLAW**

**ARTICLE 28.** 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.

**(Planning Board)**

**ARTICLE 29.** 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.

**(Planning Board)**

## AMEND TOWN BYLAW

**ARTICLE 30.** 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.

(Encroachment Committee)

## CITIZEN PETITIONS

**ARTICLE 31.** 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.

(Citizen Petition)

## GENERAL

**ARTICLE 32.** 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 33.** 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 34.** 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.

(Board of Selectmen)

**ARTICLE 35.** 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 36.** 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)**

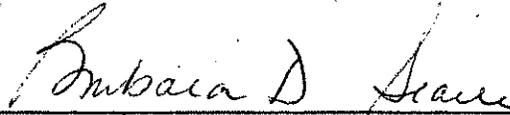
**ARTICLE 37.** To see if the Town will authorize the Board of Selectmen to appoint one or more of their number as fire engineer; or take any other action relative thereto.

**(Board of Selectmen)**

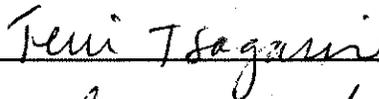
And you are directed to serve this Warrant by posting attested copies in not less than two conspicuous places in the Town and by causing this warrant to be posted to the Town of Wellesley website (www.wellesleyma.gov) at least seven days before the date on which the meeting is to be held.

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.

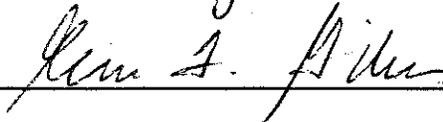
Given under our hands this 24<sup>th</sup> of January 2012.



Barbara D. Searle, Chairman



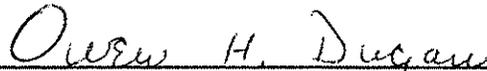
Terri Tsagaris



Ellen F. Gibbs

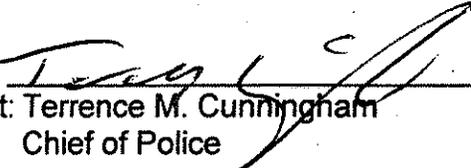


Katherine L. Babson, Jr.



Owen H. Dugan

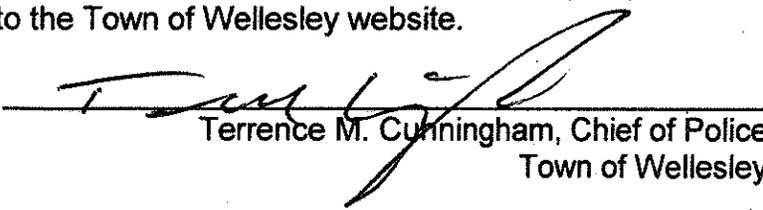
A true copy,

  
Attest: Terrence M. Cunningham  
Chief of Police

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss. Wellesley, MA January 27, 2012

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, Chief of Police  
Town of Wellesley

