

TOWN OF WELLESLEY



**WARRANT
for the
ANNUAL TOWN MEETING**

**ADVISORY COMMITTEE PUBLIC HEARING (WARRANT ARTICLES)
February 9, 2023**

Commonwealth of Massachusetts
Norfolk, ss.

To any Constable of the Town of Wellesley in the County of Norfolk,

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 7, 2023:

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 Katharine Lee Bates School, 116 Elmwood Road;

The voters of Precinct D, in Warren Building, 90 Washington Street;

The voters of Precinct E, in Warren Building, 90 Washington Street;

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

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

The voters of Precinct H, in Tolles Parsons Center, 500 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. on 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:

RECEIVED
TOWN CLERK'S OFFICE
2023 JAN 27 AM 11:54

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> |
|--|------------------|-------------|
| Select Board | Two | Three Years |
| Board of Assessors | One | Three Years |
| Board of Health | One | Three Years |
| Wellesley Housing Authority | One | One Year |
| Moderator | One | One Year |
| Natural Resources Commission | Two | Three Years |
| Trustees of the Wellesley Free Library | Two | Three Years |
| Planning Board | One | Five Years |
| Board of Public Works | One | Three Years |
| Recreation Commission | One | Three Years |
| School Committee | Two | Three Years |

and for **TOWN MEETING MEMBERS**, under the provisions 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
50 Kingsbury Street
Monday, March 27, 2023**

at 7:00 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 as provided therein:

ARTICLE 1. To receive and act on the 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 to discharge presently authorized special committees, or to take any other action in relation thereto.

(Select Board)

ARTICLE 2. To receive the Reports of the Select Board on the Town-Wide Financial Plan and Five-Year Capital Budget Program in accordance with Sections 19.5.2 and 19.16 of the General Bylaws, or to take any other action in relation thereto.

(Select Board)

APPROPRIATIONS – OPERATING AND OUTLAY

ARTICLE 3. To see if the Town will vote to act on certain articles set forth in this warrant by a single vote, pursuant to a consent agenda, or to take any other action in relation thereto.

(Select Board)

ARTICLE 4. To see if the Town will vote to amend Article 31 of the General Bylaws by making changes to the Classification and Salary Plans, appearing in the Appendix to the General Bylaws, established under Sections 31.1 and 31.6, respectively, and which constitutes part of said Bylaws, relating to the establishment of new classifications, reclassifications of current positions, and the deletion of classifications, or to take any other action in relation thereto.

(Human Resources Board)

ARTICLE 5. To see if the Town will vote to amend Article 31 of the General Bylaws by making changes to Schedule A, entitled "Job Classifications by Groups," and Schedule B, entitled "Salary Plan – Pay Schedule," copies of which are available for inspection at the Human Resources Department, and to authorize the Town to raise and appropriate, transfer from available funds, or borrow a sum of money for the purposes of complying with said Schedule B, as so amended, or to take any other action in relation thereto.

(Human Resources Board)

ARTICLE 6. To see if the Town will vote to fix the salary and compensation of the Town Clerk, as provided by Section 108 of Chapter 41 of the General Laws, or to take any other action in relation thereto.

(Select Board)

ARTICLE 7. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to supplement or reduce appropriations approved by the 2022 Annual Town Meeting, or to take any other action in relation thereto.

(Select Board)

ARTICLE 8. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the following:

- 1) The operation and expenses of certain Town departments, including capital outlay, maturing debt and interest, and the provision of a Reserve Fund;
- 2) Extraordinary maintenance, special capital projects and other capital outlay items for the several Town departments;

- 3) 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,

and further 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 2023 Tax Rate, or to take any other action in relation thereto.

(Select Board)

ARTICLE 9. To see if the Town will vote pursuant to Section 53E1/2 of Chapter 44 of the Massachusetts General Laws, as amended by Section 86 of Chapter 218 of the Acts of 2016, to set the limit on the total amount that may be spent from each revolving fund for Fiscal Year 2024 as follows:

- a. Street Opening Maintenance Fund: \$225,000.00
- b. DPW Field Use Fund: \$200,000.00
- c. Turf Field Fund: \$150,000.00
- d. Tree Bank Fund: \$75,000.00
- e. Baler, Compactors, and other RDF Equipment Repair Fund: \$50,000.00
- f. Council on Aging Social and Cultural Programs Fund: \$140,000.00
- g. Teen Center Program Revenues Fund: \$50,000.00
- h. Library Room Rental Fund: \$35,000.00
- i. Lost/Damaged Library Materials Replacement Fund: \$20,000.00
- j. Brookside Community Gardens Fund: \$4,000.00
- k. Weston Road Gardens Fund: \$10,000.00
- l. Library Copier Fees Fund: \$20,000.00
- m. Cultural Council Revenues Fund: \$6,500.00

or to take any other action in relation thereto.

(Select Board)

RECEIVED
TOWN CLERK'S OFFICE
WILMINGTON, MA
2023 JAN 27 AM 11:55

ARTICLE 10. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to the Special Injury Leave Indemnity Fund established under Article 9 of the 2017 Annual Town Meeting, or to take any other action in relation thereto.

(Select Board)

ARTICLE 11. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to the Special Education Reserve Fund established by the vote taken under Article 10 at the 2017 Annual Town Meeting to pay, without further appropriation, for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation, or to take any other action in relation thereto.

(Select Board)

ARTICLE 12. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to the Baler Stabilization Fund established by the vote taken under Article 10 at the 2016 Annual Town Meeting for replacement of the Recycling and Disposal Facility (RDF) Baler, RDF Compactors, and other RDF equipment, or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 13. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money, to be expended under the direction of the Board of Public Works for the purposes of operating and managing the Water Program, or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 14. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money, to be expended under the direction of the Board of Public Works for the purposes of operating and managing the Sewer Program, or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 15. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended under the direction of the Municipal Light Board for purposes of operating and managing the Municipal Light Plant, or to take any other action in relation thereto.

(Municipal Light Board)

APPROPRIATIONS – SPECIAL CAPITAL PROJECTS

ARTICLE 16. To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2024 Community Preservation Budget, to appropriate or reserve for future appropriation, from FY 2024 Community

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02156
2023 JAN 27 AM 11:55

Preservation Fund annual revenues and reserves, sums of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for the Fiscal Year beginning July 1, 2023, to make debt service payments, and to undertake community preservation projects as recommended by the Community Preservation Committee, and which recommendations may involve the transfer or borrowing of funds and expenditures, or to take any other action in relation thereto.

(Community Preservation Committee)

ARTICLE 17. To see if the Town will vote to appropriate \$100,000.00 (ONE HUNDRED THOUSAND DOLLARS) from certified free cash to be expended under the direction of Diversity, Equity, & Inclusion ("DEI") Task Force for an Equity Audit and to adopt an Anti-Racism and Anti-Bias Resolution, to read as follows:

Anti-Racism and Anti-Bias Resolution

WHEREAS the United States of America, of which the Commonwealth of Massachusetts and the Town of Wellesley are part, was founded upon the self-evident truths that all humans are created equal, and endowed by their creator with inalienable rights; and

WHEREAS the United States of America, including Massachusetts and the Town of Wellesley, have made great strides in treating its citizens equally and respectfully upholding undeniable rights; and

WHEREAS history has shown that despite its clear foundational principles and progress, the United States, including Massachusetts and the Town of Wellesley, have, at the same time, perpetuated unequal treatment of people due to their race, skin color, religion, national origin, ethnicity, sex, gender, gender identity/expression, class, socio-economic status, sexual orientation, disability; and

WHEREAS the racial, ethnic, gender, sexual orientation, class and disability disparities which persist across a broad spectrum of social measures, including wealth, health, education, housing, and public safety are detrimental to all members of a community; and

WHEREAS the people of the Town of Wellesley repudiate discrimination on the basis of characteristics such as race, skin color, religion, national origin, ethnicity, sex, gender, gender identity/expression, class, socio-economic status, sexual orientation, disability, or any other factors; and

WHEREAS the Town's 2019 Unified Plan names diversity as a key value in the Town and recommends that the Town "[e]stablish, implement and support ongoing initiatives to maintain Wellesley as a community that welcomes a diversity of people and households"; and

2023 JAN 27 AM 11:55

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02156

WHEREAS the Wellesley Select Board has issued a Statement on Anti-Racism and Anti-Bias and the Wellesley School Committee has issued an Anti-Racism Resolution;

WHEREAS the people of the Town of Wellesley reaffirm their commitment to ensure that all people in Wellesley will receive and can expect to receive fair and equitable treatment from the Town's government, institutions and community members, by working to dismantle discrimination and bias and improve and make available opportunities to everyone;

NOW THEREFORE be it RESOLVED and AFFIRMED, that the Town of Wellesley, acting by its Annual Town Meeting duly assembled, endorses and adopts the following statement for the guidance of all affiliated with its government in any capacity, as well as supports the baseline work to move forward with these commitments:

- We commit to working with our constituents, institutions, organizations, businesses, employees, and stakeholders to create a more welcoming and more inclusive Town of Wellesley.
- We commit to improving representation, participation, and opportunities available to people of color and other underrepresented groups, as well as to dismantling institutional racism and bias.
- As a Town, we will respond to stop intolerance or hate based on race, skin color, religion, national origin, ethnicity, sex, gender, gender identity/expression, class, socio-economic status, sexual orientation, disability, or any other like characteristic.
- We will acknowledge, address, and repudiate any and all expressions of hate, prejudice, and discrimination, including all forms and expressions of exclusion, bigotry, intolerance, and bullying toward any individual or group.
- We will also work to transform institutions, policies, procedures, and the workforce to reflect and honor the diversity of the community.

In order to ensure that diversity, equity, and inclusion are keystone practices within Town operations and the community as a whole, Town Meeting will support the DEI Task Force with \$100,000.00 to hire a consulting firm to conduct an Equity Audit for the Town of Wellesley. The Audit will develop a baseline to assess whether and how institutional racism and unconscious bias influence the policies and practices of the Town of Wellesley and then in collaboration with residents and stakeholders inside and outside of Town government develop a framework for racial equity to guide the Town's policies and practices going forward. Informed by the Audit and inspired by the framework for racial equity, departments, boards, and committees will develop plans to operationalize the changes necessary to meet the goals of a racially equitable Wellesley. As part of the Audit, the DEI Task Force will assist the consultant in data collection and

participate in interviews of staff and other stakeholders and in other ways as needed.

Or to take any other action in relation thereto.

(Select Board)

ARTICLE 18. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended under the direction of the Board of Public Works, for engineering designs, bid documents, construction, reconstruction, rehabilitation, and repair of Weston Road, including street, sidewalk and/or drainage repairs and improvements, including all costs incidental and related thereto; and for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 19. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended under the direction of the Permanent Building Committee to supplement funds for the design, construction, equipping, and furnishing of a new replacement facility for the existing John D. Hardy Elementary School Project located at 293 Weston Road, inclusive of all building and mechanical systems and associated site work improvements and the payment of all costs incidental or related thereto, as approved under Article 3 of the October 25, 2021 Special Town Meeting; or to take any other action in relation thereto.

(Permanent Building Committee/School Committee)

ARTICLE 20. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended under the direction of the Permanent Building Committee, for engineering designs, bid documents, and bidding support for the construction, reconstruction, replacement, and retrofitting of HVAC equipment and fixtures at the Warren Building, located at 90 Washington Street, including all costs incidental and related thereto; for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, or to take any other action in relation thereto.

(Permanent Building Committee/Select Board)

ARTICLE 21. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended under the direction of the Select Board, for the purchase of a fire truck and equipment associated therewith and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the

approval of the Select Board, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, or to take any other action in relation thereto.

AUTHORIZATIONS

ARTICLE 22. To see if the Town will authorize the Contributory Retirement Board to increase the maximum base on which the cost-of-living increase is calculated for retirees and beneficiaries of the Wellesley Contributory Retirement System by \$1,000.00 (ONE THOUSAND DOLLARS) each July 1 for the next 3 years resulting in a base change from \$18,000.00 (EIGHTEEN THOUSAND DOLLARS) to \$19,000.00 (NINETEEN THOUSAND DOLLARS) effective July 1, 2023, from \$19,000.00 (NINETEEN THOUSAND DOLLARS) to \$20,000.00 (TWENTY THOUSAND DOLLARS) effective July 1, 2024, and from \$20,000.00 (TWENTY THOUSAND DOLLARS) to \$21,000.00 (TWENTY ONE THOUSAND DOLLARS) effective July 1, 2025, or take any other action in relation thereto.

(RETIREMENT BOARD)

ARTICLE 23. To see if the Town will vote to transfer \$18,000.00 (EIGHTEEN THOUSAND DOLLARS) from Employee Benefits, Group Insurance 914 to pay an outstanding Fiscal Year 2022 bill for health insurance consulting services provided by Group Insurance Concepts, Inc. or to take any other action in relation thereto.

(Select Board)

ARTICLE 24. To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation authorizing the use of Community Preservation Act funds for certain community housing projects, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

An Act facilitating the appropriation and expenditure of community preservation funds for community housing purposes in the town of Wellesley.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of section 5 of chapter 44B of the Massachusetts General Laws, the town of Wellesley, upon recommendation of its community preservation committee, is hereby authorized to appropriate and expend community preservation funds to the Wellesley Housing Authority ("WHA"), an independent body politic and corporate established pursuant to chapter 121B of the Massachusetts General Laws, for the following purposes:

(a) the rehabilitation or restoration of community housing, including community housing that was not acquired or created pursuant to chapter 44B of the Massachusetts General Laws; and

(b) any other purpose enumerated in section 5 of said chapter 44B of the Massachusetts General Laws; provided, however, that the town may not appropriate or expend any funds previously designated for community housing under section 6 of said chapter 44B of the Massachusetts General Laws for the rehabilitation or restoration of community housing that was not acquired or created pursuant to chapter 44B of the Massachusetts General Laws.

SECTION 2. The town of Wellesley, acting by and through its community preservation committee, shall execute a grant agreement with the Wellesley Housing Authority concurrent with any appropriation and expenditure of funds under this Act to ensure that all community preservation funds are expended appropriately.

SECTION 3. This Act shall take effect upon its passage.

Or to take any other action in relation thereto.

(Community Preservation Committee)

ARTICLE 25. To see if the Town will vote to grant, accept, or abandon one or more drainage easements; and authorize the Select Board to grant, accept, or abandon grease trap easements located within the Business, Business A, Lower Falls Village Commercial, or the Wellesley Square Commercial Districts, on such terms and conditions as it deems necessary, or to take any other action in relation thereto.

(Board of Public Works/Select Board)

ARTICLE 26. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended under the direction of the Board of Public Works for water and/or sewer line rehabilitation, and for any equipment or services connected therewith, or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 27. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended under the direction of the Board of Public Works, for the cost for water system improvements including design, construction, engineering, procurement, permitting, inspection, and contract administration for the installation of additional water treatment for the Rosemary and Longfellow Treatment Plants, and for any other equipment or services connected therewith; or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 28. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended under the direction of the Board of Public Works, for the cost for water system improvements including design, construction, engineering, procurement, permitting, inspection, and contract administration for additional connections to the Massachusetts Water Resources Authority water supply, and for any other equipment or services connected therewith; or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 29. To see if the Town will vote to (1) accept the provisions of Massachusetts General Laws Chapter 44, Section 53F ½ establishing an Enterprise Fund for a Stormwater Utility commencing on July 1, 2023; and (2) raise and appropriate, transfer from available funds, or borrow a sum of money, to be expended under the direction of the Board of Public Works for the purposes of operating and managing the Stormwater Utility Enterprise Fund; or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 30. To see if the Town will vote to appropriate \$310,226.00 (THREE HUNDRED TEN THOUSAND TWO HUNDRED TWENTY SIX DOLLARS) or any other sum of money for the purposes of:

- (1) At the Washington Street Community Center, 487-513 Washington Street- Renovating and improving certain areas of the building to ensure compliance with the American with Disabilities Act (ADA), including restrooms, the kitchen, the laundry room, entry doors, and the lounge area; and
- (2) At the River Street Apartment complex, 41 River Street- Converting 2% of the housing units to be hearing and visually impaired units, replacing kitchen fans located in the attic, upgrading fire panels, and renovating and improving certain areas of the building to ensure compliance with the ADA, including restrooms, the kitchen, and the community room;

said sum to be expended under the direction of the Wellesley Housing Authority; or to take any other action in relation thereto.

(Select Board)

ARTICLE 31. To see if the Town will vote, pursuant to the provisions of Massachusetts General Law c.59, §5, cl.45, to authorize the Select Board and the Board of Assessors to negotiate and execute, without the need for further legislative action, an agreement for payments in lieu-of-taxes ("PILOT"), with BESS, LLC (or its affiliates, successors, or assigns) for a battery storage system to be located on a 4.04 acre parcel (more or less) at 4-8 Municipal Way currently shown on Wellesley Assessor's Map 64, Lot 44 upon such terms and conditions as the Select Board and the

Board of Assessors shall deem to be in the best interest of the Town; or to take any other action relating thereto.

(Municipal Light Board)

ARTICLE 32. To see if the Town will vote to add, modify, or delete certain personnel policies and procedures for Town employees not covered by collective bargaining agreements, or authorize the Human Resources Board to do the same, in accordance with Article 30.10 of the Town Bylaws Personnel Policies Nonunion Employees, or to take any other action in relation thereto.

(Human Resources Board)

ARTICLE 33. To see if the Town will vote to appropriate the sum of money received from the Commonwealth Transportation Infrastructure Fund ("Fund") pursuant to St. 2016, c. 187, § 8(c)(i) for calendar year 2020 and 2021 to address the impact of transportation network services on municipal roads, bridges, and other transportation network services in the Town including the complete streets program established in Section 1 of Chapter 90I of the General Laws and other programs that support alternative modes of transportation, or to take any other action in relation thereto.

(Select Board)

ARTICLE 34. To see if the Town will vote to extend the term of office for the Town Moderator from one year to three years by striking the phrase "one year" from Article 9.2 of the Town's General Bylaws and inserting, in place thereof, the phrase "three years"; or to take any other action in relation thereto.

(Moderator)

ARTICLE 35. To see if the Town will vote to authorize the Select Board to petition the General Court for Special Legislation to amend Chapter 202 of the Acts of 1932, as amended, as follows: (1) extend the term of office of the Town Moderator, (2) incorporate the phrase "Select Board", (3) utilize gender neutral terminology, (4) revise the distribution process for Town Meeting materials, (5) amend the timetable for reevaluation of precinct boundaries, (6) establish terms of service for Town Meeting Members when moving to a new precinct, and (7) amend such other provisions of the Act as deemed necessary; or to take any other action in relation thereto.

(Moderator/Town Clerk)

ARTICLE 36. To see if the Town will vote to adopt the Municipal Opt-in Specialized Code, so called, by accepting the provisions of 225 CMR 22, Appendix RC and 225 CMR 23, Appendix CC, with such acceptance to take effect on January 1, 2024; or to take any other action in relation thereto.

(Climate Action Committee/Select Board)

AMEND GENERAL BYLAW

ARTICLE 37. To see if the Town will vote to amend the General Bylaws to authorize the Police Chief and the Board of Fire Engineers to enter 3-year employment contracts with the Deputy Police Chief and Assistant Fire Chief, respectively, as follows:

(1) Insert a new Article 21.5, which shall read as follows:

21.5 Deputy Police Chief. The Police Chief may appoint a Deputy Police Chief and, pursuant to G.L. c.40, §4, enter into an employment contract with the Deputy Police Chief provided such contract is (a) for a term not to exceed three years, and (b) subject to annual appropriation by Town Meeting.

(2) Insert a new Article 22.6, which shall read as follows:

21.6 Assistant Fire Chief. The Board of Fire Engineers may appoint an Assistant Fire Chief and, pursuant to G.L. c.40, §4, enter into an employment contract with the Assistant Fire Chief provided such contract is (a) for a term not to exceed three years, and (b) subject to annual appropriation by Town Meeting.

Or to take any other action in relation thereto.

(Select Board)

ARTICLE 38. To see if the Town will vote to amend Article 19.47 Disposal of Town Property of the General Bylaws to increase the valuation of tangible Town property requiring Town Meeting action by striking from Article 19.47.c the number 10,000 and inserting, in place thereof, the number 50,000, so that said Article reads as follows:

c. Provide that no property belonging to the Municipal Light Plant having a value in excess of \$30,000, no other tangible Town property having a value in excess of \$50,000, and no real property shall be disposed of without Town Meeting approval.

Or to take any other action in relation thereto.

(Select Board)

ARTICLE 39. To see if the Town will vote to amend the Town's General Bylaw to establish a monetary penalty for individuals who violate the Wetlands Protection Bylaw as follows:

(1) Amend the fifth and sixth paragraphs of Article 44.10 by deleting the language in strikethrough and adding the language in bold:

Whoever violates any provision of this bylaw, regulations hereunder, or permits issued hereunder, shall be punished by a fine of ~~not more than~~

\$300. Each day or portion thereof during which a violation continues shall constitute a separate offense, and each provision of the bylaw, regulations, or permit violated shall constitute a separate offense.

As an alternative to criminal prosecution in a specific case, the Committee may issue citations **in the amount of \$300 per offense** under the non-criminal disposition procedure set forth in G.L. c.40 §21D, as amended, which has been adopted by the Town in Article 52.

(2) Insert a new Article 52.B.1.h. as follows:

h. Wetlands Protection (Article 44)

[1] Enforcement agents: Wetlands Protection Committee and Wetlands Protection Agent.

[2] Fine schedule: first and subsequent offenses, three hundred dollars (\$300).

Or to take any other action in relation thereto

(Wetlands Protection Committee)

ARTICLE 40. To see if the Town will vote to amend the Town's General Bylaw Article 47.4.b to increase the fees for licensing dogs by amending the first and second items in the fee schedule by deleting the language in strikethrough and adding the language in bold as follows:

- | | |
|---------------------------------------|-----------------------------|
| 1) Males and Females: | \$20 \$25 |
| 2) Neutered Males and Spayed Females: | \$12 \$15 |

Or to take any other action in relation thereto.

(Select Board)

AMEND ZONING BYLAW

ARTICLE 41. To see if the Town will vote to amend the Zoning Bylaw by amending Section 3.6 Smart Growth Overlay Districts and 3.6.1 Wellesley Park Smart Growth Overlay District to allow for modifications in 3.6.K.1 Housing and Housing Affordability to allow for variation in affordability, and to allow for greater residential density and the removal of hotels as a permitted use, by:

1. Striking Section 3.6.1.C.1.j, which reads "j. Hotels", in its entirety, and renumbering the remaining sections accordingly;
2. Striking Section 3.6.1.C.2.g, which reads "g. Hotels", in its entirety;

3. Amending Section 3.6.1.D.1. by deleting the language in strikethrough and adding the language in bold:

1. Density

Development of the following uses within the Wellesley Park Overlay District shall be limited, as follows:

- a. Multi-Family Dwellings: no more than **eight hundred fifty** ~~six hundred (850 600)~~ total Dwelling Units or twenty (20) units per acre based on the entire area of the District, whichever is greater;
- b. Small-Scale Retail Establishments: not to exceed a total of 19,500 gross square feet; **and**
- c. Offices and Office-High Tech: not to exceed a total of 700,000 gross square Feet.; **and**
- ~~d. Hotels: not to exceed a total of 175 rooms.~~

Or to take any other action in relation thereto.

(Select Board)

ARTICLE 42. To see if the Town will vote to amend the Zoning Map to add 125 Oakland Street (Assessor's Parcel ID 46-1), totaling approximately 612,453 square feet in area, to the Residential Incentive Overlay District; or to take any other action in relation thereto.

(Planning Board)

CITIZEN PETITION

ARTICLE 43. That the Town vote to direct the Moderator to appoint a committee to conduct an independent, comprehensive, analysis of all costs and benefits of additional night time sports or other outdoor night events on public lands in Wellesley, including but not limited to the effects of artificial light, noise, amplified sound, and parking and traffic on neighborhoods, human health, and the environment, as well as alternative option analysis and alignment with Wellesley's Unified and Climate Action plans; and that while this analysis is ongoing, there will be a moratorium on any installation of field and court lights on public land; or take any other action relative thereto.

(Citizen Petition)

GENERAL

ARTICLE 44. To see if the Town will vote to rescind authorized and unissued loans, to authorize the transfer of unused proceeds from previously issued loans to one or more eligible appropriations, and/or to amend existing borrowing authorizations on unissued debt in order to allow the use of premiums for project costs and to reduce the amount of the borrowing so authorized in accordance with Section 20 of Chapter 44 of the Massachusetts General Laws, as amended by Section 67 of Chapter 218 of the Acts of 2016, or to take any other action in relation thereto.

(Select Board)

ARTICLE 45. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money, to be expended under the direction of the Select Board, for the purpose of paying expenses related to the settlement of claims, actions, and proceedings against the Town, or to take any other action in relation thereto.

(Select Board)

ARTICLE 46. To see if the Town will vote to authorize the Select Board, on behalf of the Town, to dispose of tangible Town property having a value in excess of \$10,000.00 (TEN THOUSAND DOLLARS), on such terms as it may deem advisable, or to take any other action in relation thereto.

(Select Board)

ARTICLE 47. To see if the Town will vote to authorize the Select Board to appoint one or more of its members as a fire engineer, or to take any other action in relation thereto.

(Select Board)


Town Clerk's Office
Middlebury, MA 02445


2023 JAN 27 AM 11:55


And you are directed to serve this warrant by posting attested copies in not less than two conspicuous places in the Town, i.e., the Town Hall and Police Station, 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.

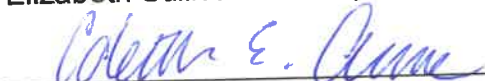
Hereof fail not and make due return of this warrant and your doings thereon unto the Town Clerk at or before the time of holding said meeting.

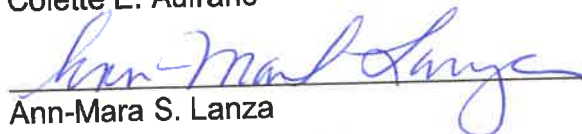
Given under our hands this 24 of January 2023.


Lise M. Olney, Chair


Thomas H. Ulfelder, Vice Chair


Elizabeth Sullivan Woods, Secretary


Colette E. Aufranc


Ann-Mara S. Lanza

A true copy, 
Attest: Constable, Town of Wellesley

2023 JAN 27 AM 11:53

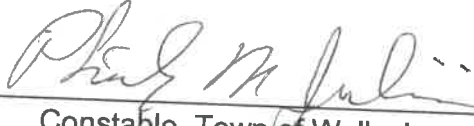
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02459

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

Wellesley, MA January 27, 2023

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 Police Station, and causing the warrant and said request to be posted to the Town of Wellesley website.



Constable, Town of Wellesley

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02401
2023 JAN 27 AM 11:55