



Friday Night Mail Index 01/20/17

Agenda	1
BOS Calendar.....	3
Agenda Background	5
Motions	9
Weekly Report	11

Agenda Items

#1 HHU Referendum Options	13
#3 Meeting Minutes	17, 23
#3 Memo from Chief Cunningham re appointments	27
#3 Appointment of Keeper of the Lock Up	29
#3 Winter Maintenance Appropriation request.....	31, 35
#4 Recommendation for Appointment.....	39
#5 Parking on Dover Road.....	67
#6 Parking Space Removal Washington Street.....	71
#4 Memo re Recommendation for Appointment	39
#8 Street Acceptance Policy	45
#8 Granite Street Acceptance.....	49
#10 Annual Town Meeting Warrant	75
#11 Town-Wide Financial Plan	119

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF SELECTMEN

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

MARJORIE R. FREIMAN, CHAIR
ELLEN F. GIBBS, VICE CHAIR
DAVID L. MURPHY, SECRETARY
BARBARA D. SEARLE
JACK MORGAN

FACSIMILE: (781) 239-1043
TELEPHONE: (781) 431-1019 x2201
WWW.WELLESLEYMA.GOV
BLYTHE ROBINSON
EXECUTIVE DIRECTOR OF GENERAL GOVERNMENT

**SELECTMEN'S MEETING
TENTATIVE AGENDA**

Juliani Room, Town Hall

6:30 P.M. Tuesday, January 24, 2017

1. 6:30 Joint Meeting with the School Committee to discuss HHU
2. 7:30 Citizen Speak
3. 7:35 Executive Director's Update
 - Minutes
 - Appointment of Special Police Officers
 - Supplemental Snow and Ice Appropriation
4. 7:45 Appointment of two new Wellesley Police Patrolman
5. 8:00 Parking Restriction – Dover Road (Washington Street to 29 Dover Road)
6. 8:10 Parking Space Removal – 258 Washington Street 40 feet East
7. 8:20 Parking Restriction or Removal – West of Cliff Road
8. 8:30 Granite Street – Street Acceptance Petition, classification of road type
9. 8:45 Discuss modifications to Town Bylaw Article 14. Permanent Building Committee
10. 9:10 Review Annual Town Meeting Warrant
11. 9:20 Review Town-Wide Financial Plan
12. 9:35 Old/New Business

Next Meeting Dates: Monday, January 30th
Monday, February 6th
Monday, February 13th

1/19/2017

Black regular agenda items

Board of Selectmen Calendar – FY17

Date	Selectmen Meeting Items	Other Meeting Items
1/25 Wednesday		UP- Precinct Meeting (E,F,H) Great Hall (7-9)
1/30 Monday	Meeting David Himmelberger on Trash Citizen Petition Discuss Demo Delay	Terry Cunningham Reception Great Hall (4-6)
2/6 Monday	Meeting Hearing CV Regulation modification Brook/Benvenue – Discuss Financing and Plan Brook/Amherst- Discuss Financing and Plan Wayfinding - Planning	
2/13 Monday	Meeting Energy Update – Allan Hebert Follow	
2/20 Monday	Town Hall Closed	
2/27 Monday	Meeting	
3/6 Monday	Meeting	
3/7 Tuesday	Town Election	
3/13 Monday	No Meeting – Wellesley Club Town Affairs	
3/14 Tuesday	Meeting	
3/20 Monday	Meeting	
3/27 Monday	ANNUAL TOWN MEETING BEGINS	
3/28 Tuesday	Annual Town Meeting	
4/3 Monday	Annual Town Meeting	
4/4 Tuesday	Annual Town Meeting	
4/12 Wednesday	Annual Town Meeting	

1/19/2017

Black regular agenda items

<i>Date</i>	<i>Selectmen Meeting Items</i>	<i>Other Meeting Items</i>
<i>4/17 Monday</i>	<i>Town Hall Closed – Patriots Day</i>	
<i>4/24 Monday</i>	<i>Annual Town Meeting</i>	
<i>4/25 Tuesday</i>	<i>Annual Town Meeting</i>	

Notes

Quarterly updates

- *Traffic Committee (Deputy Chief Pilecki)*
- *Facilities Maintenance (Joe McDonough)*

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF SELECTMEN

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

MARJORIE R. FREIMAN, CHAIRMAN
 ELLEN F. GIBBS, VICE CHAIRMAN
 DAVID L. MURPHY, SECRETARY
 BARBARA D. SEARLE
 JACK MORGAN

FACSIMILE: (781) 239-1043
 TELEPHONE: (781) 431-1019 x2201
WELLESLEYMA.GOV

BLYTHE C. ROBINSON
 EXECUTIVE DIRECTOR OF GENERAL GOVERNMENT

MEMORANDUM

DATE: January 20, 2017
 TO: Board of Selectmen
 FROM: Blythe Robinson, Executive Director
 SUBJECT: January 24, 2017 - Agenda Background

Below Please find background on each of the items presented for the meeting on Tuesday, January 24th. Please note that the meeting will begin at 6:30 PM to allow sufficient time to discuss the HHU project with the School Committee.

1. Joint Meeting with the School Committee - HHU Project
 At the Board's request this joint meeting has been scheduled to facilitate a conversation regarding the process after the Master Planning Committee makes a decision on the project and then the School Committee formulates its recommendation on HHU. The major discussion items include the desire to hold a referendum vote, and the legality for which the Town can hold such a vote. Discussing this matter in advance of the HHU MPC recommendation for a two or three school solution may be helpful for residents to understand next steps in the process.
2. Citizen Speak
3. Executive Director's Report
 Included in your packet is a short weekly report for items that may be of interest to you from the past week. Also included are a request from the DPW for additional winter maintenance funds, and the minutes from the past two meetings for your approval
 - Minutes - the minutes of the January 9th and 17th meetings are included for approval.
 - Appointment of Special Police Officers - Included in your packet is a memo from Chief Cunningham to appoint both Special Police Officers and Permanent Special Police Officers. The Chief's memo outlines the difference between these two types of positions, and the persons he is asking the Board to appoint. I recommend that the Board vote favorably on this request.

- Supplemental Snow and Ice Appropriation - The agenda packet includes a memo from DPW Director Pakstis requesting an additional \$200,000 to cover costs already incurred this winter and expenses anticipated with several months of winter ahead of us. Being new to the Town I posed several questions to DPW about the details of their request, I have included the request and responses in your packet. Based upon these I recommend that the Board approve their request to deficit spend the FY 17 appropriation by this amount. As you know, the actual transfer of funds will come in Article #7 at Town Meeting.

Related to this request is a change in the law as to how these requests are handled. The Municipal Modernization Act revised G.L. c 44, § 31D so that approval is no longer required by both the Selectmen and the Advisory Committee. A copy of the law is in your packet and as you will note, the approval to exceed the appropriation can be approved by the Chief Administrative Officer in a Town. I have discussed this with Town Counsel who recommends that the Board designate the Executive Director to act in this capacity going forward. I concur with that recommendation and have drafted the attached motion to that effect, with your approval.

4. Appointment of two new Wellesley Police Patrolmen
Chief Cunningham will be bringing forward two candidates for appointment as full time police officers. Included with your agenda packet is a memo from Chief Cunningham recommending that the Board approve his recommendation to appoint Mark DeBernardi and Zachary Keenan as Police Patrolmen for the Town of Wellesley, subject to several conditions that are outlined in the motion. These restrictions, pre-screening, physical, physical ability test and successful completion of the Police academy are standard requirements for new hires to this position.
5. Parking Restriction – Dover Road (Washington Street to 29 Dover Road)
Included in the packet is a request from Wellesley College to impose a parking restriction on Dover Road from where it intersects Washington Street to #29 Dover Road. The purpose of this request is keep vehicles from parking on the grass area adjacent to Dover Road along Nehoiden golf course. The traffic committee recommendation is to approve the traffic regulation amendment.
6. Parking Space Removal – 258 Washington Street 40 feet East
Included in the packet is a request from a citizen whose wife was involved in a pedestrian accident at this location to remove parking that begins at 258 Washington Street extending 40 feet to the east. This would remove 2 on-street metered parking spaces. The purpose of this request is increase visibility at the crosswalk on Washington Street near the service Road to Route 9. The traffic committee recommendation is to approve the traffic regulation amendment.
7. Parking Restriction or Removal – West of Cliff Road
Included in the packet is a request from Jack/Barbara remove the 7:30-8:30a.m. parking restriction for 2 on-street spaces in front of Hills Post Office/Café Nero. The purpose of this request is prohibit parking time at all times to improve traffic flow. The traffic committee recommendation is to approve the traffic regulation amendment.
8. Granite Street – Street Acceptance Petition, classification of road type
The property owners of this street approached the Town last fall asking that this private way become an accepted public way of the Town. The Staff received the estimate for the work required in April 2016. Included in your packet is a memo from DPW outlining their review of the street condition and what would be required for the street to be brought up to the Town's standards for acceptance (a copy of the street acceptance policy is also included for your information). As you will note from Mr. Bruno's review, the preliminary anticipated cost to bring the street up to standard is over \$255,000 which would require the

town to absorb 75% of the cost or over \$191,000. As you know, there is an article on the ATM warrant for this item, however funding has not been included in the budget to cover the Town's portion, and adding it to our current budget gap would increase that amount to over \$2 million at present. Staff is requesting the Board to discuss this topic and whether it should stay on the warrant for this town meeting.

9. **Discuss modifications to Town Bylaw Article 14. Permanent Building Committee**
At the Board's request, Joe McDonough from FMD will be in attendance at the meeting to discuss with the Board the general bylaw change proposed by the Permanent Building Committee to increase the dollar threshold for which projects are their responsibility from \$100,000 to \$500,000 as is outlined in Article #38 on the warrant. Included in your packet is an email from Joe suggesting other changes that ought to be considered to the bylaw in order to alleviate conflicts in the future as to who has jurisdiction over a project.
10. **Review Annual Town Meeting Warrant**
Included in the packet is the most recent version of the warrant. Changes since last week's draft include clarifications to several articles as a result of bond counsel's review. As it is the Board's intent to have the warrant executed prior to the public hearing by the Advisory Committee on February 1st, it is recommended that the Board approve the warrant at this meeting.
11. **Review Town-wide Financial Plan**
At the Board's request, a copy of the Town-wide Financial Plan presentation is included in your packet from last year's annual town meeting. I would like to review this with you at the meeting to understand what changes you would like to see in this year's presentation so staff can begin working on those, and share a new draft with you for further discussion.
12. **Old/New Business**

Other Documents:

The Board will find documents the staff is not seeking action on, but is for informational purposes only. Please find the following:

-

MOTIONS:

Minutes:

Move to approve the minutes of the Board of Selectmen meetings January 9, 2017 and January 17, 2017.

Appointment of Special Police Officers:

Move that the Board appoint the following persons as special police officers for a term to expire on June 30, 2017:

- Terrence O'Connor
- Richard Weaver

Move that the Board appoint the following persons as permanent special police officers for a term to expire on June 20, 2017:

- Robert O. Yeagle
- Louis A. Messina
- Alex R. Lukianov
- Charles H. Lawry
- Jack I. London
- Michael T. Burke
- Michael MacDonald

Winter Maintenance:

Move that the Board approve the request from Public Works for a supplemental authorization to the FY 17 winter maintenance appropriation in the amount of \$200,00.

Move that from this point forward that the Executive Director be authorized to approve such requests on the Board's behalf.

Police Officer Appointments:

Move that the Board appoint Mark DeBernardi and Zachary Keenan as Police Officers to the Wellesley Police Department contingent upon the successful completion of the pre-screening process which includes a physical evaluation, psychological evaluation and physical abilities test as well as the successful completion of the police academy and subsequent one-year probationary period.

Dover Road

MOVE to amend the Town of Wellesley Traffic Regulations by adding to Schedule I – No Parking

Dover Road, south side, from Washington Street 600 feet to the property line of 29 Dover Road.

258 Washington Street

MOVE to amend the Town of Wellesley Traffic Regulations by adding to Schedule I - No Parking Washington Street, south side, from the driveway of 258 Washington Street to a point 40 feet east.

Washington Street west of Cliff

MOVE to amend the Town of Wellesley Traffic Regulations by adding to Schedule I - No Parking Washington Street, north side, a point 180' west of Cliff Road to a point 220' west of Cliff Road.

Town Warrant

Move to approve the Warrant for the March 27, 2017 Annual Town Meeting.

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF SELECTMEN

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

MARJORIE R. FREIMAN, CHAIRMAN
 ELLEN F. GIBBS, VICE CHAIRMAN
 DAVID L. MURPHY, SECRETARY
 BARBARA D. SEARLE
 JACK MORGAN

FACSIMILE: (781) 239-1043
 TELEPHONE: (781) 431-1019 x2201
WELLESLEYMA.GOV
 BLYTHE C. ROBINSON
 EXECUTIVE DIRECTOR OF GENERAL GOVERNMENT

MEMORANDUM

DATE: January 20, 2017
 TO: Board of Selectmen
 FROM: Blythe C. Robinson, Executive Director *BCR*
 SUBJECT: Weekly Report

Below are various activities of our office and various departments that I would like to bring to your attention.

- We received good news from the MSBA that they have signed off on the High School Project Audit and the final figure is 37,314,683! This means that the residual available to the Town is just over \$2.1 million, which is \$96,000 more than we initially expected. The increase is due to a close review of the FF&E costs and advocating that the Town receive this as well.
- Please note that the FY 17/18 budget remains in deficit at this point by just over \$1.8 million. As we discussed last week, an important factor to balancing the budget is all boards and departments meeting the guidelines set out in the fall. We understand that the Advisory Committee is planning to hold their public hearing on the budget on February 1st and we may not have reached a balanced budget by that date.
- A coordination meeting was held this week between the developer of 900 Worcester Street and staff to discuss the various aspects of the process related to the permitting process. A good dialogue ensued and there do not seem to be any major roadblocks to what is being proposed. The developer intends to have information to the Town this week so that the particulars of the lease can be reviewed next week.
- I had a very positive meeting this week with Mary Beth Martello, staff to the Sustainable Energy Committee. It is clear that she along with the Committee have made good strides towards submitting the Town's application to become a "Green Community" this fall, and we strategized on what else needs to be done to meet that deadline. We will keep you up to date on how that is going.
- I have reached out to both Tom Ulfelder and Beth Sullivan Woods regarding their candidacy for the open positions of Selectmen. Both have asked that we provide the FNM to them delivered by the Police which we will be starting this week. I've offered to meet with them to answer any questions they might have about our office as we move towards the election on March 7th.

- The Parking Passport system is seeing activity. Terry reports that almost 200 transactions have been processed, and we expect that to increase as the rest of the stickers are deployed and people become more aware of it.
- Meghan attended the Unified Plan precinct meeting on Wednesday night at Hardy School. She tells me that it was fairly well attended with about 50 persons present. The next two precinct meetings are on January 24th and 25th.
- Human Resources has made an offer to a prospective employee to fill one of the Building Inspector positions in the building department. As you know they have been short staffed for some period. We hope to be bringing that appointment to you in the coming weeks for approval.
- Various staff persons including myself will be at the Massachusetts Municipal Association annual meeting in Boston on Friday and Saturday. It is always a good learning experience, and hopefully the Lieutenant Governor will include some early advice on local aid for communities as we work on finalizing our budget.

Miyares and Harrington LLP

A private law firm in the public interest

J. Raymond Miyares
 Thomas J. Harrington
 Christopher H. Heep
 Donna M. Brewer
 Jennie M. Merrill

Rebekah Lacey
 Ivria Glass Fried
 Eric Reustle
 Blake M. Mensing

January 19, 2017

Town of Wellesley Board of Selectmen
 525 Washington Street
 3rd Floor
 Wellesley, MA 02482

Town of Wellesley School Committee
 40 Kingsbury Street
 Lower Level
 Wellesley, MA 02481

Re: Hardy, Hunnewell, Upham; Referendum Options

Dear Members of the Board of Selectmen and School Committee:

As you are aware, the Town of Wellesley is currently in the process of evaluating the Town's school facilities in light of its current school enrollment and projected future needs. As a part of this process, various options are being discussed related to the Hardy, Hunnewell and Upham schools. Due to the impact that any decision will on the Town's students and their families, members of the Selectmen and School Committee have expressed interest in receiving direction from the Town's voters regarding preferred outcomes with respect to the proposed Master Plan.

I have been asked to provide a summary of the Town's options for the Selectmen and School Committee to consider at a joint meeting. As discussed below, the best option at this time appears to be a referendum question pursuant to Section 9 of the Town's governing act, Chapter 202 of the Acts 1932, as amended.

I. Ballot Question Options

State law provides for a number of different types of ballot questions. As is relevant here, three (3) of those options could be used to submit a question to the Town's voters: (1) a nonbinding advisory question pursuant to *M.G.L. c.53, §18A*; (2) a debt exclusion question pursuant to *M.G.L. c.59, §21C(k)*; or, (3) a referendum on a Town Meeting action pursuant to Section 9 of Chapter 202 of the Acts of 1932, as amended.

Pursuant to *M.G.L. c.53, §18A*, a nonbinding advisory question may be placed on the ballot for a regular municipal election by the Board of Selectmen, Town Meeting or a

Miyares and Harrington LLP

Hardy, Hunnewell, Upham; Referendum Options
Page 2 of 3

citizens' petition. This type of ballot question has an advantage over the other options in that the language of the question is not prescribed by statute, giving the Town greater flexibility to craft a question that addresses the issue directly. Due to timing considerations¹ and a strong desire to solicit Town Meeting's input on the form of such a ballot question, however, the earliest election on which such a question could be presented is the March 2018 Annual Town Election. It is my understanding that the Selectmen and School Committee would prefer to receive direction from the Town's voters sooner than March of 2018.

Pursuant to *M.G.L. c.59, §21C(k)*, Town Meeting may seek voter approval to assess taxes in excess of the Town's annual levy limit for the payment of principal and interest on bonds, notes or certificates of indebtedness. In theory, a question authorizing borrowing for projects related to the schools could be presented to Town Meeting for the purpose of providing the voters with a question that would gauge interest in pursuing a specific proposal. At this time, however, discussions of options for the Hardy, Hunnewell and Upham schools are in preliminary stages and a borrowing question would be premature due to the lack of a specific purpose for which a borrowing would be proposed.

Finally, pursuant to Section 9 of Chapter 202 of the Acts of 1932, as amended, a vote taken by Town Meeting that, among other things, authorizes the expenditure of one hundred thousand dollars or more for the acquisition of land, or for the construction, alteration or enlargement of any building, may be presented to the Town's voters for ratification. As such, a question could be formulated authorizing the expenditure of funds for some action related to the number of schools with the understanding that the question would be presented to the Town's voters. This appears to be the best option for presenting a question to the voters at a Special Town Election to be held soon after Annual Town Meeting.

II. Referendum Process

Section 9 provides that any of the acts of Town Meeting listed therein shall not become effective until seven (7) days after the dissolution of Town Meeting. If, during that time, a petition signed by not less than five (5) percent of the Town's registered voters is filed with the Town Clerk asking that the question be submitted to the Town's voters, Town Meeting's act is suspended. The Town Clerk is required to submit any such petition to the Registrars, who must certify the number of registered voters who signed the petition within five (5) days of receipt. If the Registrars determine that a sufficient number of registered

¹ A nonbinding advisory question must be submitted to the Registrars at least thirty-five (35) days prior to a regular Town election. Regular Town elections include the Annual Town Election and may include biennial Statewide elections. Because there is no Statewide election this year and Town Meeting occurs less than thirty-five days before the Annual Town Election, a question cannot be put before the voters this year.

Miyares and Harrington LLP

Hardy, Hunnewell, Upham; Referendum Options
Page 3 of 3

voters signed the petitions, the Selectmen must call a Special Town Election not less than twenty-eight (28) days, nor more than forty-five (45) days, after such certification.

All referendum questions under Section 9 must be phrased in the following form:

"Shall the town vote to approve the action of the representative town meeting whereby it was voted (brief description of the substance of the vote)?"

In order to nullify Town Meeting's action, at least twenty (20) percent of all registered voters in the Town must vote in the negative on the referendum and a majority of those who vote on the referendum must vote in the negative.

Feel free to contact me with any questions.

Sincerely,



Thomas J. Harrington

Board of Selectmen Meeting: January 9, 2017
Present: Murphy, Freiman, Gibbs, Searle, Morgan
Also Present: Larsen, Robinson, Jop, Connolly
Minutes Approved:

Warrants Approved: #2017-023 in the amount of \$6,054,643.51, #2017-024 in the amount of 2,380,922.17, #2017-025 in the amount of \$5,671,890.07, #2017-026 in the amount of 858,212.91

Meeting Called to Order: 6:30pm

Announcements: Ms. Freiman introduced the new Executive Director and noted that tomorrow would be Mr. Larsen's last day.

1. Citizen Speak

None

2. FY18 Budget Update

Sheryl Strother, Finance Director, joined the Board. Ms. Strother briefly reviewed the first roll up of the budget submissions. She noted at this time there is a \$1.8 million deficit. The Board wanted to hold off discussing a possible override until they heard more on healthcare and have a discussion with other departments regarding guidelines.

3. Municipal Light Plant (MLP) LED Street Light Program

Dick Joyce, MLP Director, Debra Healy, Assistant Director, and Dave Donohue and Regina LaRoque joined the Board. Mr. Donohue briefly reviewed the history of street lighting in Wellesley as well as costs, potential savings and installation of converting to LED street lights. He reviewed funding sources and discussed an implementation plan. The Board was supportive of this project. Ms. Gibbs congratulated the MLP on their 2017 United States Green Power Community designation by the EPA. Ms. Searle thanked the MLP for all they do during the holidays in regards to putting up holiday lights/decorations.

4. World of Wellesley (WOW) Diversity Program

Ms. Gibbs introduced the diversity discussion and introduced the panelists. Susan Karon, Engagement Manger from Temple Beth Elohim, Steve Xia, Wellesley Resident, Bobo Musikavanhu, Wellesley High School Student, Tendai Musikavanhu, Wellesley Resident, Dr. Robbin Chapman, Wellesley College Provost, Chief of Police Terrence Cunningham, Michelle Chalmers, President of WOW and Dr. Jaime Chisum, Principal of Wellesley High School. To begin Ms. Gibbs posed a question to the panel: In your experience how has Wellesley changed or improved being a welcoming or inclusive town and/or how have you been involved in promoting these efforts? Where do you believe there is still work to be done to promote unity? Each of the panelists responded. The panelists as well as the members of the audience

discussed the issue of diversity in Wellesley and shared their thoughts on how relations can be improved and how to continue the discussion.

Betsy Komjathy from Friends of Wellesley METCO, approached the panel. Ms. Komjathy suggested that a theme for this year's parade could be a welcoming Wellesley theme or a celebration of 50 years of METCO.

Student President of Diversity Club at Wellesley High School approached the panel. She asked Ms. Chalmers what are the plans to make the World of Wellesley Board of Directors more diverse. Ms. Chalmers responded that she needs help making the community more aware of the World of Wellesley.

Odessa Sanchez, Wellesley resident and Wellesley High School Cheerleading Coach approached the panel. Ms. Sanchez discussed ideas for making a more inclusive Wellesley. She discussed the groundbreaking achievement in the Wellesley High School Cheerleading squad as well as the limitations of athletes in the high school.

A Wellesley resident, approached the panel. She noted that she was very inspired by Bobo's message and she does not feel that an end to racism is inevitable. She said she works in a school system and if everybody feels valued they treat each other with respect.

Brooks Goddard approached the panel. He noted that this discussion will continue February 9 at the High School.

A student reporter from Wellesley High School questioned whether the panelists felt the most recent acts of racism were isolated incidents and what the underlying cause might be, as she had heard differently from students who had experienced racism.

An audience member described the need to find a mechanism to get people to speak up about racism as it can be a shameful experience in life to an individual who has experienced it.

Jenna Jordahl, Wellesley resident, approached the panel. Ms. Jordahl noted that the discussion on athletics as a way to bring people together is heartening. She discussed her experiences around special education and diversity.

Ms. Chalmers briefly reviewed some of the upcoming events from WOW as well as a new initiative called Wellesley Welcomes.

5. Executive Director's Update

Gifts

Upon a motion made by Mr. Murphy and seconded by Ms. Gibbs the Board voted (5-0) to accept the gifts as outlined in the December 1, 2016 memo from Gayle Thieme in the amount of \$20 to the COA Bus and \$25 to the COA Volunteer Drivers Program.

One Day Special License

Upon a motion made by Mr. Murphy and seconded by Ms. Gibbs the Board voted (5-0) to approve the Babson one day licenses for January 26, 2017 at the Park Manor West, Innovation Center for the baseball hot stove dinner; February 25, 2017 at the Knight Auditorium for the Babson Black Affinity Conference Gala and Award Ceremony; and May 5, 2017 at the Knight Auditorium for the Babson Athletics Senior Awards Banquet.

6. Common Victualler and Alcohol License Renewals

Ms. Jop noted that common victualler and alcohol licenses are approved on a one-year basis and need to be reapproved every year. Mr. Morgan expressed that while all of the licenses should be reapproved he would like to have a discussion about Café Nero and some of the issues with parking and traffic. Ms. Jop noted that staff would have a sit down to discuss the concerns further.

Upon a motion made by Mr. Murphy and seconded by Ms. Gibbs the Board voted (5-0) to approve the 2017 Common Victualler and Alcohol Licenses under the same terms and conditions as previously approved.

7. MMA Resolutions

Ms. Jop briefly explained the first resolution. Ms. Freiman noted that Ms. Gibbs would be voting on the Board's behalf.

Ms. Robinson briefly reviewed the MIIA's search process for new members.

Upon a motion made by Mr. Murphy and seconded by Ms. Gibbs the Board voted (5-0) to support the two proposed resolutions to be considered at the MMA Annual Business Meeting on January 21, 2017.

8. Review and Sign Draft Warrant

Tom Harrington, Town Counsel, joined the Board. Mr. Connolly briefly discussed current changes to the Warrant. The Board reviewed the draft Warrant for Annual Town Meeting (ATM), including possible changes.

9. Old/New Business

Mr. Larsen briefly updated the Board on where the Town stands on the North 40 landfill issue.

Mr. Connolly updated the Board on the new Pay-By-Phone option which will go live this week in town.

10. Executive Session to discuss lease of real property – 900 Worcester Street

The Board was polled all aye to go into executive session to discuss real property at 900 Worcester Street.

The Board of Selectmen Meeting went into Executive Session at 10:00pm

The Board of Selectmen Meeting was adjourned at 0:00pm

Documents Presented

- LED Light program

Board of Selectmen Meeting: January 17, 2017
Present: Murphy, Freiman, Gibbs, Searle, Morgan
Also Present: Robinson, Jop
Minutes Approved:

Meeting Called to Order: 6:30pm

Announcements: Ms. Freiman welcomed the new Executive Director. She thanked Deputy Director, Terrance Connolly for his work on the Passport Parking System and briefly reviewed how the new system works. Ms. Freiman also thanked the World of Wellesley for hosting the Martin Luther King Breakfast this past Monday.

1. Joint Meeting with Planning Board to Appoint New Member

Members of the Planning Board, Deborah Carpenter, Catherine Johnson, Harriet Warshaw, and candidate for appointment James L. Roberti, joined the Board.

Upon a motion made by Mr. Murphy and seconded by Ms. Gibbs the Board voted (5-0) to convene a joint meeting between the Board of Selectmen and the Planning Board.

The joint meeting voted unanimously to elect Marjorie Freiman as Chair of the joint meeting.

The joint meeting voted unanimously to elect Deb Carpenter as secretary of the joint meeting.

Ms. Carpenter noted that longtime member Jean Conroy had submitted her resignation. She thanked Ms. Conroy for her service to the Town. Ms. Carpenter recommended Jim Roberti, current associate member, to fill Ms. Conroy's spot until the time of the next Annual Town election. Mr. Roberti briefly introduced himself and reviewed his background.

Ms. Carpenter noted that the Planning Board will be actively soliciting resumes for anyone wishing to fill the associate member vacancy.

The joint meeting voted unanimously to appoint Mr. James L. Roberti to the Planning Board as a full member until the next town election scheduled for March 7, 2017.

The joint meeting voted unanimously to dissolve the joint meeting of the Board of Selectmen and the Planning Board.

2. Citizen Speak

None

3. Executive Director's Update

Ms. Robinson briefly undated the Board on a new format in their Friday Night Mail packets. She reviewed the set Town Meeting Dates and noted that at this time the budget is still out of balance.

Gifts

Upon a motion made by Mr. Murphy and seconded by Ms. Gibbs the Board voted (5-0) to approve donations to the Council on Aging in the following amounts:

- \$200 to the Volunteers Drivers Program
- \$290 to the General Gift Account
- \$10 to the COA Bus Fund
- \$728 to the Senior Lunch Program
- \$300 in Holiday Gifts
- \$60 in Gift Cards for Raffle Prizes
- \$1058 worth of medical equipment including: : blood pressure monitors, canes, raised toilet seats, transport chairs for Wellesley Seniors

Acceptance of Gifts to the Fire Department

The Fire Department received a gift in the amount of \$100 from Abbott Wellesley Hills Learning Center.

Upon a motion made by Mr. Murphy and seconded by Ms. Gibbs the Board voted (5-0) to approve donations to the Fire Department in the following amount of \$100.

Minutes

Upon a motion made by Mr. Murphy and seconded by Ms. Gibbs the Board voted (5-0) to approve the minutes of the Board of Selectmen for December 5, 2016 and December 12, 2016.

4. Modification to Hours of Operation and Display Area for Roche Bros. Beer and Wine License.

Roche Brother's representatives, Jim Sperber, Kevin O'Brien, and David Ordway joined the Board. Mr. Sperber requested changes to the current layout of their beer and wine display, and requested as permission to add an additional five display areas. Mr. O'Brien reviewed how the displays would be set up. Mr. Sperber requested an extension of the hours for 15 minutes past closing time as well as increasing their beer and wine storage area.

Upon a motion made by Mr. Murphy and seconded by Ms. Gibbs the Board voted (5-0) to approve the modification in hours for Roche Brothers to extend the closing time from 10:00 pm to 10:15 pm and to approve the revised display area map of the premises including the storage area.

5. **Review and Sign Draft Warrant**

Ms. Jop noted that the Board had before them a modified version of the Warrant, which has been reviewed by Town Counsel. Ms. Jop briefly reviewed the changes. The Board discussed the changes and decided they wanted a few minor changes made before signing the Warrant.

6. **Discuss Proposed Delay Demolition Bylaw with Historical Commission**

Members of the Historical Commission Arvid von Taube, Grant Brown, Josh Dorin and Robert Carly joined the Board. Mr. Carly noted that he was appearing in a citizen capacity as he would not be able to remain for the duration of the meeting. He made comments to the Board of Selectmen asking them to support the Demolition Delay Bylaw. Mr. von Taube reviewed the progress made in regards to the Demolition Bylaw since they last brought this proposal to the Board. He discussed where they are today as well as the key mechanics of the bylaw. He also discussed the need for a staff person and proposed a non-benefited part time employee and discussed how this position would be funded. The Board of Selectmen had a lengthy discussion with the Historical Commission regarding the potential bylaw.

A Parker Road resident approached the Board. He noted that the root of the problem here is about consumption and that it is unfair to seniors who cannot stay here or young families who are unable to move here because of the teardowns and large rebuilds.

7. **Discussion Strategies to Discuss Recreational Marijuana**

Chief of Police, Terrance Cunningham and Tom Harrington, Town Counsel joined the Board. Chief Cunningham noted that in reviewing the vote from October, the Town of Wellesley had the highest NO votes than any other town in the Commonwealth. He further noted that in looking at the ballot questions there is an opportunity for the Town through a town-wide vote or a bylaw to prohibit recreational marijuana facilities in the town. Attorney Harrington noted that the state had passed a bill in January which pushes out the timeline in which the state has to act. He noted that there is currently an article in the Warrant that would impose a moratorium on marijuana facilities in Wellesley. He discussed a possible way to address this issue, and proposed that the Town have a ballot question to authorize the adoption of a bylaw prohibiting the sale of marijuana. The Board noted that they would continue the conversation further and decide what process they would like to take and appropriate timing for a possible ballot question.

Stephanie Hubbard approached the Board. She urged the Board to proceed cautiously with this law. She noted that she has had experience with this law while living in Colorado and offered to get together a group to oppose this law.

8. **Review Draft Lower Falls Parking Garage Request for Information (RFI)**

Ms. Jop briefly reviewed a meeting this summer in which two property owners came to the Board and proposed adding a parking garage to the Lower Falls. She noted that they agreed they would do a Request for Information to garner some ideas on how this could potentially

happen. She discussed how she drafted this RFI. The Board was supportive of distributing this document to gain some new ideas.

Lisa Olney of 15 Windsor Road approached the Board. Ms. Olney noted that putting up a big parking garage structure in the middle of the historic Lower Falls is not in keeping with the character of the town. She also noted that it seems odd to commit to building a large structure when the need for parking may become obsolete.

Laura Fragasso of 166 Oakland Street approached the Board. Ms. Fragasso cautioned that there is elderly disabled housing that abuts this location and she feels that this would be unhealthy as far as pollutants. She also noted that this would go against plans to beautify this area.

9. Old/New Business

Ms. Jop reminded viewers that the Unified Plan Steering Committee will be hosting precinct meetings and reviewed the dates.

The Board of Selectmen Meeting went into Executive Session at 8:52pm

Documents Presented

- Demolition Delay Bylaw



TOWN OF WELLESLEY

WELLESLEY, MA 02482
Telephone 781-235-1212

POLICE DEPARTMENT

TERRENCE M. CUNNINGHAM
Chief of Police

MEMORANDUM

TO: HONORABLE BOARD OF SELECTMEN

FROM: TERRENCE M. CUNNINGHAM
CHIEF OF POLICE

CC: BLYTHE ROBINSON, EXECUTIVE DIRECTOR

SUBJECT: APPOINTMENT OF SPECIAL POLICE OFFICERS

DATE: JANUARY 13, 2017

Ladies and Gentleman:

The intent of this memo is to recommend special police officers for annual appointment by the Board of Selectmen. As you know, special police officers fall into three general categories. The category "Special Police Officers" includes retired police officers. The retired officers volunteer their time at such events as the Boston Marathon, and the parade and fireworks held on Wellesley Weekend. They are also available to work private details when sufficient numbers of regular officers are not available. The candidates for special police powers are:

Terrence O'Connor
Richard Weaver

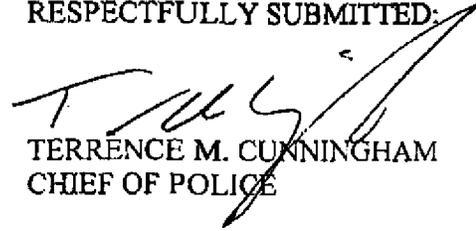
The category of "Permanent Special Police Officer" refers to the members of the Wellesley Special Police. The Special Police, formed by the Massachusetts legislature in 1946, consists of volunteers who augment the resources of the Wellesley Police Department. Members volunteer at the Boston Marathon, at the parade and fireworks held on Wellesley Weekend, and assist regular officers as needed. Like the retired officers, the Wellesley Special Police are available to work private details when the regular officers are not available. The candidates for special police powers in this category are:

Robert O. Yeagle
Louis A. Messina
Alex R. Lukianov
Charles H. Lawry

Jack I. London
Michael T. Burke
Michael MacDonald

Thank you for your assistance with the matter.

RESPECTFULLY SUBMITTED:



TERRENCE M. CUNNINGHAM
CHIEF OF POLICE

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF SELECTMEN

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

MARJORIE R. FREIMAN, CHAIR
ELLEN F. GIBBS, VICE CHAIR
DAVID L. MURPHY, SECRETARY
BARBARA D. SEARLE
JACK MORGAN

FACSIMILE: (781) 239-1043
TELEPHONE: (781) 431-1019 x2201
WWW.WELLESLEYMA.GOV

BLYTHE C. ROBONSON
EXECUTIVE DIRECTOR OF GENERAL GOVERNMENT

DATE: January 18, 2017
TO: Board of Selectmen
FROM: Sandy Hobson
SUBJECT: Appointment of Keeper of the Lock Up

Per a request from Chief Cunningham with regard to his retirement it is necessary for the Board to appoint Deputy Chief Jack Pilecki as the new Keeper of the Lock-Up. This appointment will fill Chief Cunningham's unexpired term to be effective February 6, 2017. This is an annual appointment for a one year term from June 30th to July 1st.

Attached is some information regarding the position of Keeper of the Lock-Up.

Sec. 19-102. - Keeper of the lockup—Appointment; acceptance; oath; term.

The mayor shall annually, by a writing recorded with the city clerk, appoint a keeper of the lockup, who shall have the care and custody thereof and of persons committed thereto. Said appointee shall accept the appointment within three (3) days after notice thereof, shall be sworn and shall hold office for one year unless sooner removed.

(Code 1963, § 1-1501)

Prior to the Wellesley Police Station being built at 485 Washington Street, the Town Hall was used to as a "lockup" for prisoners in the basement. You can still see where the old cells were at the Town Hall. The Chief of Police was designated as the "Keeper of the Lockup" each year as one of the duties. Today, the Board of Selectmen still appoint the Chief of Police as "Keeper of the Lockup" on an annual basis.



Prisoners at the Town Hall were checked on by the officer assigned to a walking beat in Wellesley Square on an hourly basis. There was a police call box outside the basement door at the rear, which the officer would ring during each cell check.

TOWN OF WELLESLEY



MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS

20 MUNICIPAL WAY • WELLESLEY, MA 02481-4925

MICHAEL P. PAKSTIS
DIRECTOR

TELEPHONE (781) 235-7600
FACSIMILE (781) 237-1936

January 17, 2017

Marjorie Freiman, Chair
Board of Selectmen
525 Washington Street
Wellesley, MA 02482

RE: FY2017 Winter Maintenance Appropriation

Dear Marjorie:

I respectfully request that the Board of Selectmen authorize a \$200,000 supplemental authorization for the FY17 Winter Maintenance Appropriation. The winter budget has been depleted following the responses required this past week and the subsequent need to replenish our salt supply for potential future responses.

With many weeks of cold weather still to come, we expect that we will incur additional expenditures for snow and ice removal during the balance of this fiscal year. For your information, we have attached a report of the winter related expenditures and also a summary of all winter response events to date.

Under the provisions of Massachusetts General Law Chapter 44, Section 31D, a town may incur liability and make expenditures in excess of available appropriations for snow and ice removal, provided that such expenditures are approved by the Selectmen and the Advisory Committee.

The statute also requires that, in order to make use of the provisions of MGL 44:31D, the current year winter maintenance appropriation must equal or exceed the prior year's appropriation. We are in compliance with this requirement as \$348,703 was originally appropriated in FY16 and the same amount appropriated again in FY17.

I therefore request that the Board of Selectmen, at its earliest opportunity, authorize the expenditure of \$200,000 in additional funds for the purpose of snow and ice removal.

Further, if this request meets with the approval of your Board, would you submit the Selectmen's authorization to the Advisory Committee for its approval? Thank you for your assistance. Please let me know if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Pakstis". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael Pakstis
DPW Director

Attachments

Cc: Blythe Robinson, Executive Director
Frank Pinto, Advisory Committee Chair
Board of Public Works

**FY 17 Winter Maintenance Budget
Through Payroll of Week Ending January 10, 2017
and including an estimate through January 17, 2017**

Sources of Funds

FY17 Appropriation	\$	348,703.00
Supplimental Authorization		
Available Funds	\$	348,703.00

Uses of Funds

Uses of Funds - Paid to Date

Personal Services	\$	65,866.61
Vehicle Maint & Fuel	\$	81,244.60
Contractor Services	\$	9,239.94
Salt/Sand	\$	60,981.22
Other Supplies	\$	493.72
Paid to Date	\$	217,826.09

Uses of Funds - Services Provided But Not Yet Paid

Personal Services	\$	8,781.00
Vehicle Maint & Fuel	\$	39,550.00
Contractor Services	\$	15,001.65
Salt/Sand	\$	76,018.78
Other Supplies	\$	7,500.00
Not Yet Invoiced	\$	146,851.43

Total Committed to Date \$ **364,677.52**

Projected Balance Remaining \$ **(15,974.52)**

Requested Additional Funds 1/17/2017 \$ **200,000.00**

Projected Revised Balance \$ **184,025.48**

**Town of Wellesley DPW
FY2017 Winter Response Events**

Storm #	Date	Response			Accum.	Duration	Conditions
		Salt/Sand	Plow & Treat	Removal			
1	12/5/2016	x			0.63	5.0	Icing
2	12/11/2016	x			0.00	4.0	Thaw/Freeze
3	12/17/2016	x			1.25	5.5	Snow/Rain
4	12/29/2016	x			4.50	3.0	Light Snow
5	1/4/2017	x			3.38	4.0	Light Snow
6	1/6/2017		x		7.50	21.0	Freezing Rain/Snow
7a	1/7/2016	x			0.00	4.0	Thaw/Freeze
7b	1/7/2016		x		5.85	18.0	Snow
TOTALS / COUNT		6	2	0	28.11	64.50	

Robinson, Blythe

)) **From:** Cohen, David
Sent: Thursday, January 19, 2017 9:09 AM
To: Robinson, Blythe
Cc: Pakstis, Mike; Strother, Sheryl; Cusack, Christopher
Subject: FW: Winter Maintenance Deficit

Blythe,

Thanks for the heads up on the potential changes to the approval process.

Answers to your questions are below in red. Take a look and let me know if you have any follow-up questions or comments.

Dave

David A. Cohen
Assistant Director
Wellesley Department of Public Works
(781)235-7600 x3360

))
From: Robinson, Blythe
Sent: Wednesday, January 18, 2017 12:50 PM
To: Cohen, David <dcohen@wellesleyma.gov>; Jop, Meghan <mjop@wellesleyma.gov>
Cc: Strother, Sheryl <sstrother@wellesleyma.gov>; Pakstis, Mike <mpakstis@wellesleyma.gov>; Cusack, Christopher <ccusack@wellesleyma.gov>; Frank Pinto <fpinto@wellesleyma.gov>
Subject: RE: Winter Maintenance Deficit

Dave,

Thank you for sending over this request.

I wanted to point out that the municipal modernization act changed the process for approval of such expenditures, it now needs only to go to the "chief administrative officer", not both the BOS and Advisory Committee. Having said that Town Counsel suggests that I take it to the BOS and ask them to designate me to take care of such requests going forward. That could be helpful in the event there is a delay between meetings.

I did mention to Mike at another meeting this AM that I do have some questions so that I can fully understand how you guys operate, and be able to answer any questions the BOS puts to me. So thank you in advance for helping me with the following:

1. Is personal services just overtime for the seven events or does it include any straight time of regular employees? The personal services includes overtime for Highway, Park, and RDF staff. It also includes both straight time and overtime for Water & Sewer employees and for temporary seasonal labor (the temp amount is less than \$600 so far this year).

2. Would you please break down in more detail the vehicle maintenance and fuel? I'm sure there are costs to getting plow trucks/sanders ready to go out on the road for winter but I'd like to understand what that generally costs each year. Also, is there a mechanism to define what fuel gets charged to normal operations and what to snow/ice? The vehicle maintenance and fuel charges are only for the units that we consider part of our 'winter fleet'. That includes the salters, sidewalk plows, and winter attachments such as plow blades, snow blowers, and sander/salter units. These units are considered to be 'owned' by Winter Maintenance. Vehicles that are otherwise owned by the divisions are paid for by those divisions with the exception for any winter attachments.

Fuel charged to winter maintenance is only for the 'winter fleet', though in the past we have also looked to winter maintenance for some fuel reimbursements when we knew that most of our operation was engaged in storm response for a lengthy and defined period of time (for example a storm response that lasts all weekend). This year, so far, it is only actual fuel billed by the winter fleet. The December fuel bills were not included in the budget summary I sent you and it looks like there is another \$2500 or so that will be paid for by Winter when those bills are processed.

For your reference, here are the total Winter Maintenance cost for vehicle repairs over the past 4 years:

FY13	\$308K
FY14	\$286K
FY15	\$414K
FY16	\$264K

We typically spend around \$100K getting equipment ready for winter, though this number tends to vary with the severity of the previous winter and we do sometimes wind up fixing major issues in subsequent years. The reason for this is that once the Marathon preparation and construction season get underway, the winter equipment just becomes less of a priority. We strive to close out all known repairs before the end of the fiscal year, but this proves to be an ongoing challenge for us, especially with folks trying to use up vacation time before June 30.

3. What contractor services do we use? I thought I understood that the Town did all its own work and didn't contract anything out. Am I mistaken? We have historically used contractors to some degree although the past couple years have been difficult obtaining reliable contractors. Our contractors are typically used on parking lots so that their activities are fairly well defined and easy to observe. This year we have two contractors: Yerardi Snow Plowing and J&J Landscape. We also have looked to hire seasonal on-call operators but have had limited success finding reliable candidates.
4. Salt/sand – Mike mentioned we have a new shed – did we need to fill it this year or is what we've spent so far for what we used? The total equates to over 2,200 tons at \$50/ton. We started this season with approximately 2,200 tons, have used 1,100 tons so far this year, and have received 2,000 tons in deliveries so we now have about 3,100 tons on hand. Contract price is \$59/ton.

I'm sure you know this like the back of your hand, I'm looking forward to understanding it as well!

We have to put the BOS book together tomorrow so if you can let me know by then great, otherwise we'll share with the BOS when you can get it to us.

Regards,
Blythe

Blythe C. Robinson
Executive Director- General Government
Town of Wellesley

Part I ADMINISTRATION OF THE GOVERNMENT

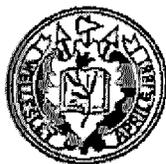
Title VII CITIES, TOWNS AND DISTRICTS

Chapter 44 MUNICIPAL FINANCE

Section 31D SNOW AND ICE REMOVAL; EMERGENCY
EXPENDITURES; REPORTING REQUIREMENTS

[First paragraph effective until November 7, 2016. For text effective November 7, 2016, see below.]

Section 31D. Any city or town may incur liability and make expenditures in any fiscal year in excess of available appropriations for snow and ice removal, provided that such expenditures are approved by the town manager and the finance or advisory committee in a town having a town manager, by the selectmen and the finance or advisory committee in any other town, by the city manager and the city council in a city having a city manager or by the mayor and city council in any other city; provided, however, that the appropriation for such purposes in said fiscal year equaled or exceeded the appropriation for said



TOWN OF WELLESLEY

WELLESLEY, MA 02482
Telephone 781-235-1212

POLICE DEPARTMENT

TERRENCE M. CUNNINGHAM
Chief of Police

MEMORANDUM

TO: THE HONORABLE BOARD OF SELECTMEN
FROM: TERRENCE M. CUNNINGHAM
CHIEF OF POLICE
SUBJECT: RECOMMENDATION FOR APPOINTMENT
DATE: JANUARY 18, 2017

Ladies and gentlemen:

As the Board is aware, the Wellesley Police Department currently has two vacant police officer positions. As a result of the department's screening process, it is my recommendation that the Board of Selectmen, in their capacity as the appointing authority for police officers for the Town of Wellesley, take the following action:

Mark A. DeBernardi

Recommended for Appointment

Mr. DeBernardi grew up in the town of Waltham. Mr. DeBernardi has been employed by two pool companies as a service technician and as a delivery driver throughout high school and college. Several of the accounts he serviced were in the town of Wellesley which has allowed him to meet several residents and become geographically familiar with the town. He enlisted in the United State Marine Corps reserves in May of 2014 and is currently assigned to the 1st Battalion 25th Regiment Headquarters and Service company at Fort Devens in Massachusetts. He currently holds the rank of Lance Corporal as a Maintenance Management Specialist. His supervisors and coworkers speak very highly of him and have indicated that he is a great role model, detail oriented and treats everyone in a fair manner. Mr. DeBernardi's family indicated he is level headed and has a very logical way of approaching problems as well as a calming personality that would serve him well as a police officer.

Mr. DeBernardi completed his Bachelor of Arts degree in Criminal Justice at Bridgewater State University in December of 2016. He was able to complete his degree while being enlisted in the Marine Corps reserves.

It is without reservation that I recommend Mark A. DeBernardi for appointment to the Wellesley Police Department.

Please see attached resume.

Zachary J. Keenan

Recommended for Appointment

Mr. Kennan grew up in the town of Hanover in a law enforcement family. He is extremely community service oriented and has volunteered as construction team leader for Mission Possible in the Dominican Republic, a volleyball coach for the Special Olympics of Massachusetts and a student teacher. He is currently employed by the University of Massachusetts, Boston as a patrol officer. Mr. Keenan is a graduate of the full time Municipal Police Training Committee's recruit officer course, where he was voted class president.

Prior to becoming a police officer at UMass, Boston he was employed as a corrections officer at the Norfolk County Sheriffs Department and a Life Skills Instructor at Cardinal Cushing Centers teaching intellectually disabled students. Mr. Keenan has a passion for working with persons with intellectually disabilities and those suffering from mental illness.

Mr. Keenan has a Bachelor's degree in Administration of Justice with a minor in Psychology from Salve Regina University. While attending college he was the founder and president of the Salve Regina University Rugby Club. Zachary is described as bright, compassionate and someone who possesses the ability to de-escalate situations. Those who know him have indicated he works well under pressure and has a very calming personality. He possesses excellent communications skills and has vast experience in dealing with the public through his current and previous employment.

It is without reservation that I recommend Zachary J. Keenan for appointment to the Wellesley Police Department.

Please see attached resume

The Wellesley Police Department uses an intensive recruitment and screening strategy, and these candidates have been thoroughly investigated and repeatedly interviewed. They are outstanding individuals and I enthusiastically recommend them for appointment.

RESPECTFULLY SUBMITTED,



TERRENCE M. CUNNINGHAM
CHIEF OF POLICE

Mark DeBernardi
50 Wimbledon Circle
Waltham, MA 02451
(617)-930-6275
mdebernardi8@gmail.com

Work Experience:

2014 - 2016 - SweetWater Pool Service, Waltham MA - 617-969-7665
Pool Service Technician - Responsible for maintaining and repairing residential and commercial pool systems. Interacted frequently with clients to advise them of pool status and necessary maintenance.

2012 - 2014 - Quest Cleaners, Waltham MA - 781-466-6662
Delivery Driver - duties included preparing and delivering commercial dry cleaning orders for large hotels, mostly in Boston proper. Dependable, timely delivery and professional interaction with hotel staff were required.

2011 - Puraqua Pool Service, Waltham MA
Pool Service Apprentice - trained to assist on scheduled maintenance and repair of residential and commercial pool systems in Metro West area.

2010 - Shattuck Ace Hardware, Arlington MA
Cashier and Customer Service - assisted customers in hardware and houseware selections and payment.

Internships:

Spring 2016 - Massachusetts Department of State Police
D-4 Middleboro Barracks (DHQ)

Education:

2012 - Present: Bridgewater State University, Criminal Justice major
Anticipated graduation Fall 2016

2008 - 2012: Waltham High School - Diploma earned June 2012

Military Experience:

2015 - Present: United States Marine Corps - Completed basic training at Parris Island August 7, 2015. Currently serving reserve contract with 1st Battalion 25th Marine Regiment at Fort Devens, Devens MA
MOS 0411 - Logistics

References available upon request.

Zachary J. Keenan
 25 Dorchester Street Apt. 2
 South Boston, Massachusetts 02127
 Phone: 781-856-1785
 zkeenan27@gmail.com

Career Objectives

To obtain a position with the Wellesley Police Department, thereby allowing me to serve the citizens of the community, while utilizing my police academy training and strong interpersonal communication skills.

Education

Salve Regina University Bachelor of Arts Major: Administration of Justice; Minor: Psychology Major G.P.A.: 3.49/4.0	Newport, RI Year of Graduation: 2011
---	---

University College of Cork Study Abroad Experience	Cork, Ireland Spring 2010
--	-------------------------------------

Boston College High School	Dorchester, MA 2003-2007
-----------------------------------	------------------------------------

Work Experience

University of Massachusetts, Boston <i>Police Officer, Patrolman</i>	Dorchester, MA August 2016- Present
<ul style="list-style-type: none"> ❖ Enforcing the criminal and motor vehicle laws and regulations of the Commonwealth of Massachusetts ❖ Ensuring the safety and security of the faculty and students enrolled in UMASS Boston ❖ Responding to criminal, medical, and other public safety related calls for service 	

Norfolk County Sheriffs Department <i>Deputy Sheriff; Transportation Officer</i>	Dedham, MA 2013-July 2016
<ul style="list-style-type: none"> ❖ Enforcing the laws and regulations of the Commonwealth of Massachusetts ❖ Protecting the citizens of Norfolk County by ensuring the Care, Custody, and Control of the inmates housed in the Dedham House of Correction ❖ Responding to medical emergencies and violent altercations inside the facility ❖ Transporting inmates safely to and from courts and hospitals located all across Massachusetts 	

Cardinal Cushing Centers <i>Life Skills Instructor; Support Team Counselor; Teaching Assistant</i>	Hanover, MA 2007-2013
<ul style="list-style-type: none"> ❖ Taught intellectually disabled students the necessary skills needed to become fully integrated members of society - included behavior management, hygiene, social and communal skills ❖ Responded to crisis situations in order to provide needed support and counsel for students 	

Certifications

- ❖ Graduate of the full time Randolph Municipal Police Training Committee (MPTC) Recruit Officer Course
 - Class President
- ❖ Graduate of the Municipal Police Training Committee Reserve Intermittent Officer Training Program
- ❖ Correctional Officer Training Academy (COTA)
- ❖ Crisis Prevention Intervention (CPI) through the Crisis Prevention Institute- includes de-escalation and restraint techniques

Volunteer Outreach/Project Management

Middletown High School

Student Teacher

**Volunteer
2011**

- ❖ Taught English as a Second Language to Arabic and Japanese students

Volunteer for Special Olympics Massachusetts

Volleyball Coach/unified player

**Volunteer
2004-2010**

- ❖ Coached the intellectually disabled in volleyball, provided support as unified player
- ❖ Participated in weekly practices leading up to Special Olympics

Mission Possible, Dominican Republic

Construction Team Leader

**Volunteer
2004-2009**

- ❖ Directed the construction of a hospital, several houses, and a church
- ❖ Constructed and delivered water purifiers to several bateys
- ❖ Helped distribute food, clothing, and medication to several bateys

Athletic Achievements

Salve Regina University Rugby

Founder; Club President

2007-2010

- ❖ Rugby Division III Champions 2009, 2011
- ❖ Competed in Two National Tournaments

Town of Wellesley Street Acceptance Policy

Background

For these purposes, an unaccepted street can be defined as a street for which there is no record of public acceptance by the Town of Wellesley, Town of Needham (for streets accepted prior to the 1881), Norfolk County, Commonwealth of Massachusetts, or other valid governmental authority. The Town of Wellesley has approximately 12 miles of unaccepted streets, which represents approximately 9% of the total mileage of streets in the Town. Responsibility for the maintenance of these streets and related municipal infrastructure (e.g., water and sewer lines lying beneath the street) rests with the abutters, unless governed by an easement to the Town. The Town Bylaws provide a mechanism for temporary minor repairs to unaccepted streets (Article 29 - Section 10). On occasion, the Town has upgraded infrastructure on unaccepted streets, typically as a byproduct of larger infrastructure improvement projects, and/or with the benefit of an easement.

In order for a street to be accepted, the street must be laid out (i.e., resulting in a layout plan) by the Board of Selectmen, acting as road commissioners. The layout plan must be filed with the Town Clerk, and not less than seven days thereafter, must be accepted by Town Meeting (M.G.L. – Chapter 82, Section 23). In practice, layout plans are prepared by a licensed engineer, and approved by the Board of Selectmen. Layout plans for new subdivisions are prepared by the developer, and reviewed by the Town Engineer. Layout plans for existing streets are prepared by the Town Engineer.

In 1994, the Planning Board promulgated *Rules And Regulations Governing Upgrading Of Inadequate Ways in conjunction with applications for certain building permits in Wellesley, Massachusetts*. These rules and regulations govern the review and administration of applications to upgrade inadequate ways in connection with the application for certain building permits, and the related need to satisfy the frontage requirements of the Town's Zoning Bylaws.

Town Meeting articles relating to street acceptances have historically been sponsored by the Board of Selectmen. The Board has proposed Town Meeting articles in response to a written request by abutters or a developer. The Town's past practice has generally been to assess a betterment to abutters based on the cost of the wearing course of asphalt, with the Town absorbing all other costs, including the cost of water and sewer, drainage, and roadway base infrastructure improvements. Streets constructed by developers under the Planning Board's Subdivision Rules and Regulations are not subject to betterment assessments upon their acceptance by the Town.

Policy guidelines

Given the number of unaccepted streets in Wellesley and the potential cost of upgrading them in connection with their acceptance, the Board of Selectmen recognizes the need for guidelines for evaluating which street acceptances it recommends to Town Meeting. Part

of this evaluation includes assessing affordability within the context of the Town-Wide Financial Plan. To this end, the Board of Selectmen has established a process for categorizing street acceptance requests into the following three types:

- Type 1 – New subdivisions
- Type 2 – Private ways with a significant level of public usage
- Type 3 – Private ways with an insignificant level of public usage

The Town's financial guidelines with regard to each type is detailed below.

Type 1 - New subdivisions

- Developer's responsibility to design, engineer and construct the street according to the Town's standards, as promulgated by the Planning Board and Town Engineer.
- No cost to the Town.
- Acceptance process is greatly simplified, given that such streets are constructed according to Town standards, at no cost to the Town.

Type 2 - Private ways with a significant level of public usage

- Applies to private ways that are regularly used by the general public, i.e., people who are not immediate abutters, because they provide a connection to public ways, other neighborhoods, public places, etc.
- Town Engineer responsible for preparing an initial review sufficient to obtain a cost estimate, including estimated betterment assessments for each abutter.
- Town to assume 75% of cost inclusive of engineering cost; remaining 25% of cost to be assessed to abutters.
- Acceptance and timing of acceptance contingent on public safety concerns (e.g., fire safety); abutters support for the acceptance; potential for private way to be constructed according to minimum Town standards; and affordability, as determined by the Board of Selectmen in the context of the Town-Wide Financial Plan.

Type 3 - Private ways with an insignificant level of public usage

- Applies to private ways that are primarily used by immediate abutters.
- Town Engineer responsible for preparing an initial review sufficient to obtain a cost estimate, including estimated betterment assessments for each abutter.
- Residents responsible for all other costs, including additional engineering costs.
- Acceptance and timing contingent on same criteria as with Type 2.

General requirements (applies to all of the above Types)

- All street layout plans will provide for a minimum roadway width of 18 feet, and otherwise comply with standards established by the Planning Board and the Board of Public Works.

- Petitions for street acceptances to be considered at Annual Town Meeting should be submitted to the Selectmen's office not later than the preceding September 1st.
- Petitions must be signed by 75% of the abutters.
- Unless otherwise determined by the Board of Selectmen, the cost of betterments is assessed on a "unit" basis, i.e., each abutter is assessed a share of the total cost of the betterment, without regard to the size of the abutter's property, or length of frontage.
- Copies of the preliminary cost and betterment estimates will be sent to each abutter, at which time the Selectmen's office will reconfirm that 75% of the abutters continue to support the proposed acceptance. (The Board will not make a motion at Town Meeting unless this level of support is confirmed.)
- In instances where a property owner has provided surety to cover the cost of work necessary to satisfy the frontage requirements for improvements on an unaccepted street as defined in the Zoning Bylaws, it is not intended that the owner will be relieved of this obligation as a result of the acceptance of the relevant street. (See Planning Board's Rules And Regulations Governing Upgrading Of Inadequate Ways.)
- All street acceptances are contingent on the availability of sufficient Town funds.
- All petitions for street acceptance are to be referred to the Planning Board for a recommendation (see M.G.L. - Chapter 41, Section 81I).

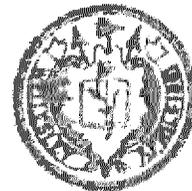
Approved 1/16/2007
Wellesley Board of Selectmen

Katherine L. Babson Jr Owen H. Dugan
Katherine L. Babson Jr. Owen H. Dugan

Harriet S. Warshaw David Himmelberger
Harriet S. Warshaw David Himmelberger

Vincent Juliani Jr.
Vincent Juliani Jr.

Town of Wellesley
Department of Public Works
Engineering Division



Gerard F. Bruno, Senior Civil Engineer

TO: David J. Hickey, Jr., PE

DATE: April 11, 2016

SUBJECT: Granite Street - Street Acceptance

This report is in response to a request to change a private road to a public street and represents the Department of Public Works (DPW) assessment of roadway performance and cost estimates to correct them.

Per your request, on February 22, 2016, a representative of the Wellesley Engineering Division visited Granite Street and reviewed the onsite roadway conditions for the purpose of gathering information for street acceptance. The comments and general information are summarized below.

Background

The entire length of Granite Street is an unaccepted way. The way is approximately 700 feet long and 40 feet wide which lies between Crown Ridge Road on the east and Sunset Road on the west. Summit Road intersects Granite Street midway from the south. All intersecting streets listed above are accepted ways except for Sunset Road. Granite Street abuts the boundary lines of 14 parcels. Six of these parcels are corner lots with boundaries bordering another street at the street intersections.

The length of the roadway is paved with bituminous concrete. The average pavement width is 22 feet. The roadway pavement between Sunset Road and Crown Ridge Road is in poor condition with alligator cracking, rutting, potholes and utility cuts throughout. However there is an 88 foot section of pavement in front of 20 Granite Street which seems to be in good condition due to a recent overlay. The roadway does not have a crown nor is there any curbing on either side except for some curbing near the Crown Ridge Road intersection. To determine the subsurface conditions and the thickness of the existing pavement, borings will need to be performed at predetermined locations along the roadway.

There are two catch basins on Granite Street which are located near the Crown Ridge Road intersection. There are no other drainage structures on the road. The high point of the road is located in front of 8 Granite Street. Surface water flowing eastward from 8 Granite Street will flow approximately 450 feet towards the existing catch basins near the Crown Ridge Road intersection. The surface water from Summit Road is also collected by this eastward flow. Surface water flowing westward from 8 Granite Street will flow approximately 185 feet towards the Sunset Road intersection, then shift northward and flow approximately 275 feet towards the catch basin on Maurice Road. The two catch basins near the Crown Ridge Road intersection are barrel block and are in fair condition. The condition of the concrete drainage pipes are unknown and will require inspection in order to evaluate their conditions.

Memo to David Hickey, Jr., PE
April 11, 2016
Page 2

There are four large trees with diameters ranging between 16, 18, 24 & 36 inches in the tree lawn area near the edge of the roadway. These trees are located between 4 & 9 Granite Street. There are also 3 utility poles that are also close to the edge of the roadway. These obstacles may interfere with the proposed widening of the roadway.

There is an existing 2 foot high by 3 foot wide fieldstone wall in front of 24 Granite Street. The wall is approximately 63 feet long and is located within 2-3 feet from the edge of the roadway. This wall will be encroaching the public way if Granite Street becomes an accepted way. There is no sidewalk on Granite Street.

According to the Town's Street Acceptance Policy, Granite Street is considered a Type 2 category street with a significant level of public usage.

DPW Assessment

The DPW feels that for Granite Street to be accepted as a public way, the roadway pavement must be reconstructed and widened to a width of 24 feet. The method of road reconstruction will depend on the depth of gravel in the roadway, which will be based on test pits not yet conducted. We have conservatively assumed that to improve the road pavement, the full depth reclamation costs was factored in.

Widening the roadway may require removing 3 to 4 large trees and shrubs abutting the sides of the road and 2 to 3 utility poles may need to be relocated. It is possible to avoid these obstacles by reducing the road width to 22 or 23 feet. Removing or relocating these obstacles can be determined during the design stages. These costs were factored into the estimate. In addition, the fieldstone wall in front of 24 Granite Street will require removal & relocation off the public way. The cost of this wall was factored into the estimates.

The roadway should be graded to a proper slope with a uniform crown to direct stormwater runoff towards the gutters. Changes in the roadway grade will require the existing driveway aprons to be reconstructed. In addition, the existing sewer manhole castings and gate boxes will require height adjustments.

Bituminous concrete curbing should be installed to help direct the stormwater into the catch basins. Two new catch basins and a drain manhole should be installed near the Summit Road intersection. This drainage system shall include two additional drain manholes at the "change in direction" and connected with the Crown Ridge Road drainage system.

A five foot wide bituminous concrete sidewalk with no tree lawn shall be constructed on the southern side of Granite Street. The sidewalk shall include five cement concrete ADA wheel chair ramps at the intersections with other rights of way. Granite curbing is proposed only at the rounding for the wheelchair ramps. In addition, crosswalk markings will be required at Summit Road and Crown Ridge Road intersections.

Memo to David Hickey, Jr., PE
April 11, 2016
Page 3

The DPW has estimated the preliminary cost of this work at \$255,227.76. Town shall absorb 75% of the total preliminary cost which is \$191,420.82. The abutters absorb 25% of the total preliminary cost which is \$63,806.94. The method of determining the percentages were base on a type 2-way. A spread sheet showing the items is included in our preliminary estimates.

Should you have any questions regarding this memo and the information presented, please feel free to email me at: gbruno@wellesleyma.gov

Gerard F. Bruno, EIT, SIT



Senior Civil Engineer

Enclosures

Cc: Douglas R. Stewart, PE, PLS

Town of Wellesley
Department of Public Works
Engineering Division

TOWN ENGINEER'S PRELIMINARY PROJECT COST ESTIMATE

Project Title Preliminary Cost Estimate for Granite Street Street Acceptance
DATE: April 12, 2016

ITEM NO.	DESCRIPTION	UNIT	QUANTITIES BID ESTIMATE	UNIT PRICE	ESTIMATED COST
	Roadside Tree Protection	EACH	3	\$185.00	\$555.00
	Unclassified Excavation (Existing Bit Curbing, Driveways, Stone Wall and Existing Topsoil for Sidewalk Placement and Drainage)	C.Y.	124	\$21.60	\$2,678.40
	Class A Rock Excavation	C.Y.	1	\$74.00	\$74.00
	Class B Rock Excavation	C.Y.	1	\$150.00	\$150.00
	Bituminous Top Course (1 1/2")	TON	168	\$71.95	\$12,067.60
	Bituminous Binder Course (2 1/2")	TON	308	\$71.95	\$22,160.60
	Full Depth Reclamation (12")	S.Y.	1989	\$10.30	\$20,486.70
	Bituminous Cape Cod Berm	L.F.	1113	\$6.27	\$6,978.51
	Granite Curbing VAA (Straight)	L.F.	33	\$35.80	\$1,181.40
	Granite Curbing VAA (Curve)	L.F.	19	\$40.50	\$769.50
	Bituminous Top & Binder Course (3" for Sidewalk)	TON	51	\$71.95	\$3,669.45
	Cement Concrete Wheel Chair Ramp (WCR)	S.Y.	32	\$118.50	\$3,792.00
	Detectable Warning Panels for WCR	S.F.	48	\$33.00	\$1,584.00
	Gravel Borrow (Sidewalk Subbase, WCR & Drain Pipe)	C.Y.	198	\$40.00	\$7,920.00
	Fine Grading And Compacting	S.Y.	1988	\$4.00	\$7,952.00
	Structure Adjusted (5 SMH & 2 CB)	EACH	7	\$285.00	\$1,995.00
	Catch Basin (2 New CB, 6' Deep)	V.L.F.	12	\$510.00	\$6,120.00
	Drain Manhole (3 New DMH, 5' Deep)	V.L.F.	15	\$510.00	\$7,650.00
	12" HDPE Drain Pipe	L.F.	255	\$63.00	\$16,065.00
	Crushed Stone (HDPE Bedding)	TON	119	\$26.00	\$2,938.00
	Gate Box Adjusted (WG & GG)	EACH	6	\$115.00	\$690.00
	Service Box Adjusted (WG & GG)	EACH	7	\$115.00	\$805.00

Town of Wellesley
 Department of Public Works
 Engineering Division



TOWN ENGINEER'S PRELIMINARY PROJECT COST ESTIMATE

Project Title Preliminary Cost Estimate for Granita Street Street Acceptance
 DATE: April 11, 2016

ITEM NO.	UNIT	QUANTITIES BID ESTIMATE	UNIT PRICE	ESTIMATED COST
Drain Manhole Frame & Cover	EACH	3	\$580.00	\$1,740.00
Catch Basin Frame & Grate	EACH	2	\$580.00	\$1,160.00
Sawcut	L.F.	692	\$2.28	\$1,577.76
Hot Mix Asphalt Joint Sealant	L.F.	336	\$1.95	\$655.20
Erosion Control	LUMP SUM	1	\$1,000.00	\$1,000.00
Silt Stack	EACH	2	\$115.00	\$230.00
Hot Mix Asphalt Driveway	TON	41	\$150.00	\$6,150.00
Mobilization	LUMP SUM	1	\$5,000.00	\$5,000.00
Loaming And Seeding Tree Lawns	S.Y.	465	\$5.74	\$2,669.10
Safety Signage For Construction Operations	S.F.	54	\$17.30	\$934.20
Portable Barricade Type II And III	EACH	6	\$150.00	\$900.00
ReflectORIZED Drums or Cones	DRUM DAY	2400	\$0.43	\$1,032.00
Twelve (12") Inch ReflectORIZED White Line (Thermoplastic)	L.F.	217	\$1.95	\$423.15
Miscellaneous Signs Remove and Reset	EACH	3	\$160.00	\$480.00
Calcium Chloride	LB	3064	\$0.76	\$2,328.64
Large Tree Removal (16"-24")	EACH	2	\$940.00	\$1,880.00
Large Tree Removal (24"-36")	EACH	1	\$1,730.00	\$1,730.00
Clearing & Grubbing (Removal of Shrubs at Edge of Roadway)	LUMP SUM	1	\$1,000.00	\$1,000.00
Relocate Utility Poles	EACH	3	\$3,000.00	\$9,000.00
Stone Wall Remove & Reset, Dry	L.F.	61	\$230.00	\$14,030.00
Trench Excavation "A" for Relocating Stone Wall	C.Y.	32	\$55.00	\$1,760.00
Police Details	SHIFTS	100	\$202.00	\$20,200.00



Town of Wellesley
 Department of Public Works
 Engineering Division

TOWN ENGINEER'S PRELIMINARY PROJECT COST ESTIMATE

Project Title Preliminary Cost Estimate for Granite Street Street Acceptance
 DATE: April 11, 2016

ITEM NO.	UNIT	QUANTITIES BID ESTIMATE	UNIT PRICE	ESTIMATED COST
		SUBTOTAL		\$204,182.21
		Engineering		
		10%	\$20,418.22	
		Contingency		
		15%	\$30,627.33	
		Engineering + Contingency		\$51,045.55
		TOTAL ESTIMATED COST		\$255,227.76

**GRANITE STREET
BETTERMENTS LIST**



MAP-BLOCK LOT	OWNER	MAILING ADDRESS	CITY	STATE	ZIP	PROPERTY LOCATION	ZONING	LOT SIZE (SQ. FT.)	NO. ABUTTING STREETS	BETTERMENT ASSESSED (%)	BETTERMENT COST (\$)
149-59	Scott A Lainer & Vanessa PFC Bhang	31 Sunset Road	Wellesley	MA	02482	31 Sunset Road	10	7567	2	50%	\$2,900.32
149-61	Robert J Payne & Nancy A Howe	25 Sunset Road	Wellesley	MA	02482	25 Sunset Road	10	7500	2	50%	\$2,900.32
149-60	Minyue Zhai	3 Granite Street	Wellesley	MA	02482	3 Granite Street	10	8902	1	100%	\$5,800.63
148-3	Patrick J. & Amy S Paladino	4 Granite Street	Wellesley	MA	02482	4 Granite Street	10	9180	1	100%	\$5,800.63
148-4	Charles D Harris & Emily C Shanahan	8 Granite Street	Wellesley	MA	02482	8 Granite Street	10	7284	1	100%	\$5,800.63
148-2	James K & Anne L Jacobs	9 Granite Street	Wellesley	MA	02482	9 Granite Street	10	9887	1	100%	\$5,800.63
148-5	David Lee & Joanna L Kaplan	12 Granite Street	Wellesley	MA	02482	12 Granite Street	10	8198	1	100%	\$5,800.63
148-6	Charlotta K Sanner	16 Granite Street	Wellesley	MA	02482	16 Granite Street	10	20480	1	100%	\$5,800.63
135-5	John H Gallagher III	47 Summit Road	Wellesley	MA	02482	47 Summit Road	10	12229	2	50%	\$2,900.32
148-1	Patrick & Nathalie DeFontrouvelle	50 Summit Road	Wellesley	MA	02482	50 Summit Road	10	8520	2	50%	\$2,900.32
148-7	Charles C Curran III & Laura Kresch Curran	20 Granite Street	Wellesley	MA	02482	20 Granite Street	10	13980	1	100%	\$5,800.63
148-8	Alexander & Allison Baker	24 Granite Street	Wellesley	MA	02482	24 Granite Street	10	12825	1	100%	\$5,800.63
135-4	Thomas David Reid Ford & Philippa Anne Ford	25 Granite Street	Wellesley	MA	02482	25 Granite Street	10	13340	2	50%	\$2,900.32
135-7	Cosmos Group LLC	11 Center Drive	Natick	MA	01780	40 Crown Ridge Rd	10	13399	2	50%	\$2,900.32

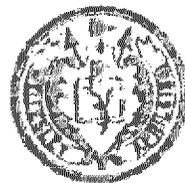
TOTAL COST = \$255,227.76
 TOWN COST (75%) = \$191,420.82
 ABUTTER COST (25%) = \$63,806.94

CHECK = \$63,806.94

4/11/2016



Granite Street Photos



Easterly direction view: Granite Street at the Sunset Road intersection. Pavement deterioration is shown throughout the pavement.

Photo date: January 28, 2016

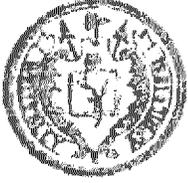


Granite Street Photos



Easterly direction view: In front of 4 Granite Street. The 36" diameter oak tree on the upper left may need to be removed if the roadway is widened to 24 feet. Alligator cracking on the roadway pavement is a sign of severe fatigue cracking which indicates that the gravel subbase is failing.

Photo date: January 28, 2016



Granite Street Photos

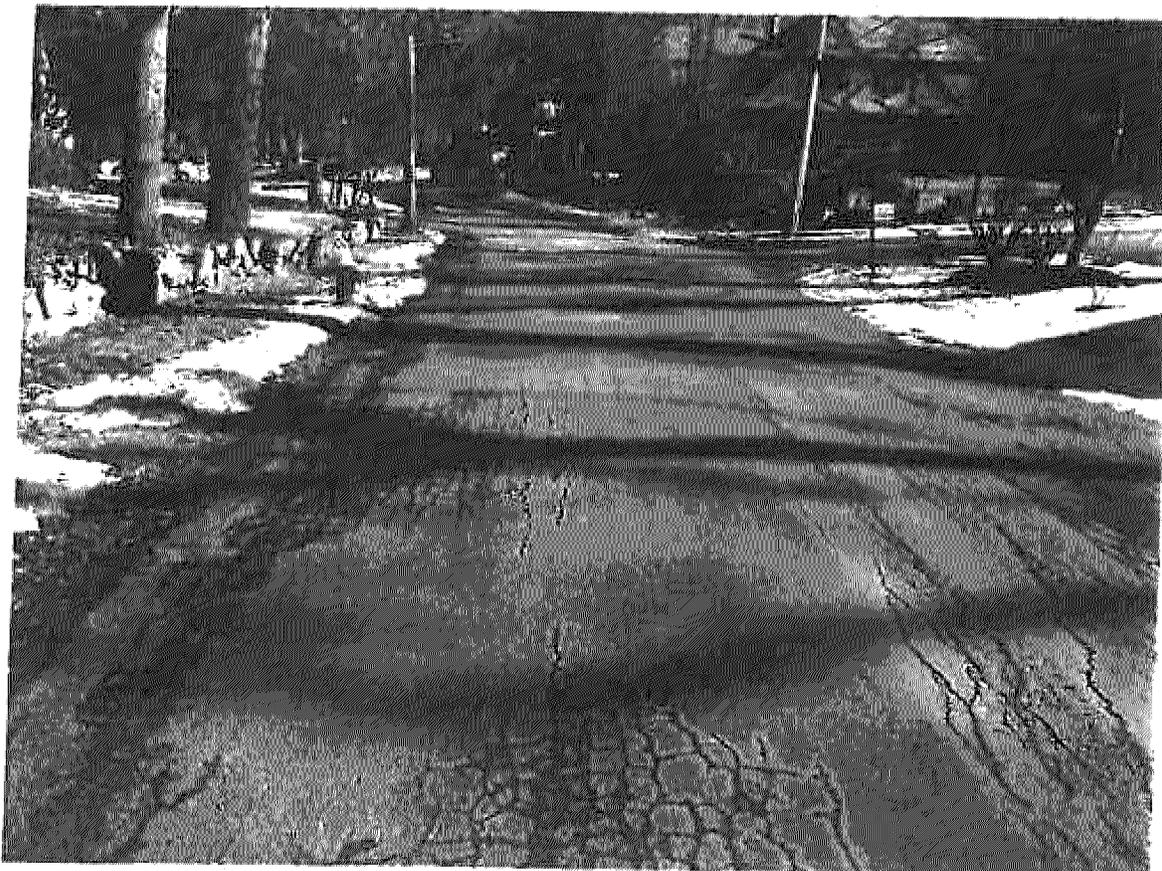
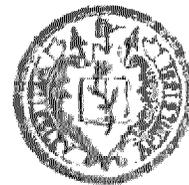


Easterly direction view: In front of 8 Granite Street. The 18" diameter maple tree on the upper left and the 24" diameter oak tree on the upper right may need to be removed if the roadway is widened to 24 feet. In addition, the utility pole on the right may need to be removed and relocated. Alligator cracking on the roadway pavement is a sign of severe fatigue cracking which indicates that the gravel subbase is failing.

Photo date: January 28, 2016



Granite Street Photos

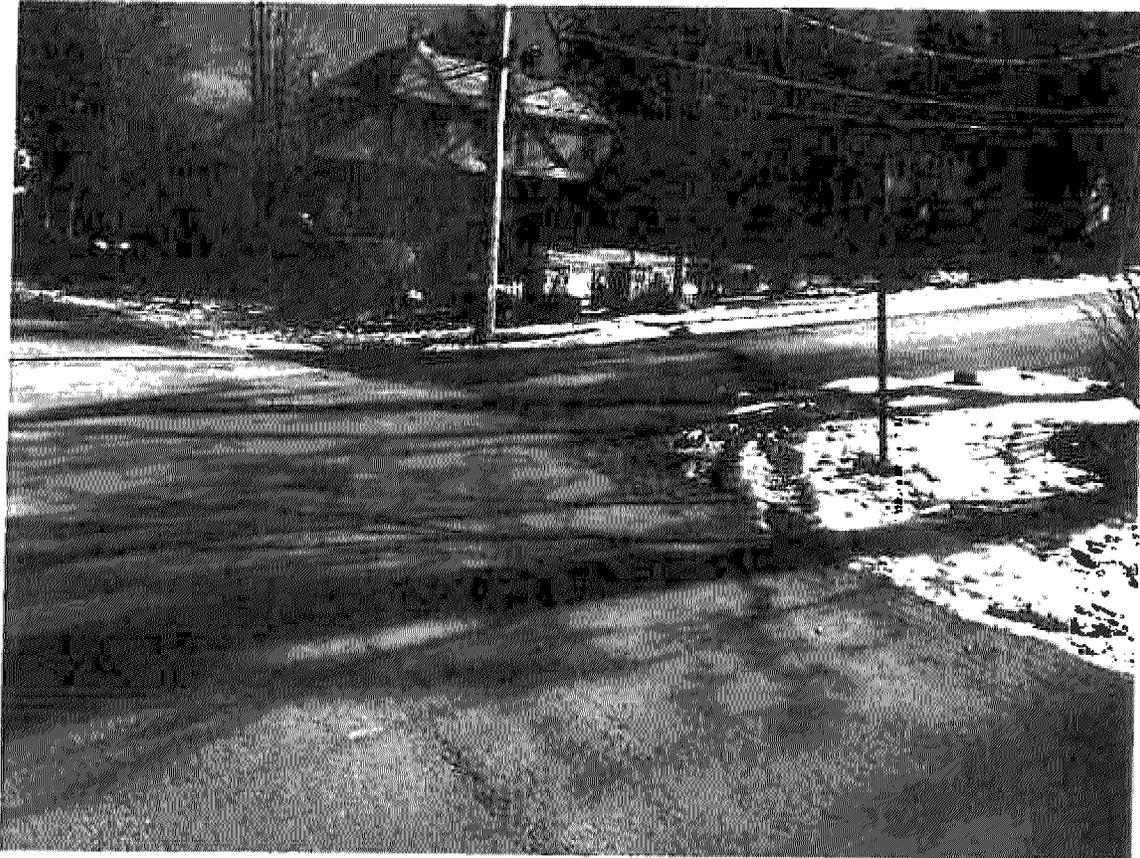


Easterly direction view: In front of 16 Granite Street. Alligator cracking on the roadway pavement is a sign of severe fatigue cracking which indicates that the gravel subbase is failing. Some longitudinal cracking is shown on the right.

Photo date: January 28, 2016

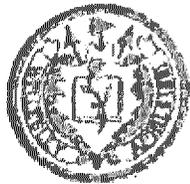


Granite Street Photos

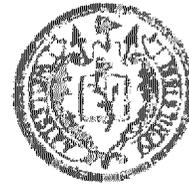


Easterly direction view: At Summit Road Intersection. Severe cracking can be seen along the edge of the pavement in the shoulder area near the street sign. There is a possibility that the subbase has failed and cannot support the weight of the vehicles. Tire markings can be seen in the grass area which indicates vehicles are taking tight turns. Summit Road was paved on September, 2015.

Photo date: January 28, 2016



Granite Street Photos



Easterly direction view: In front of 20 Granite Street. This is a full width pavement overlay due to the town requirements for a new house construction. The overlay is approximately 24 feet wide by 88 feet long.

Photo date: January 28, 2016

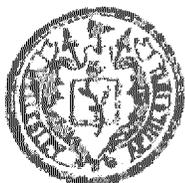


Granite Street Photos

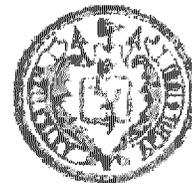


Easterly direction view: In front of 24 Granite Street. Alligator cracking on the roadway pavement is a sign of severe fatigue cracking which indicates that the gravel subbase is failing. The field stone wall on the left is 3 feet wide by 63 feet long and at knee wall height. The face of the wall is within 2-3 feet from the edge of the roadway and will be considered in the public way if Granite Street is accepted. Removal and relocation of the wall off the public way will be required.

Photo date: January 28, 2016



Granite Street Photos



Easterly direction view: Near the Crown Ridge Road intersection. Alligator cracking on the roadway pavement is a sign of severe fatigue cracking which indicates that the gravel subbase is failing. There are two existing catch basins nearby (one can be seen in the upper right near the stop sign) which drain the surface water into the Crown Ridge Road drainage system. Crown Ridge Road was chip sealed on September, 2015.

Photo date: January 28, 2016

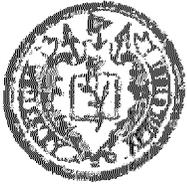


Granite Street Photos



Westerly direction view: Near 3 Granite Street looking towards Sunset Road. Deep potholes have formed since January, 2016.

Photo date: April 7, 2016

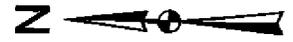


Granite Street Photos

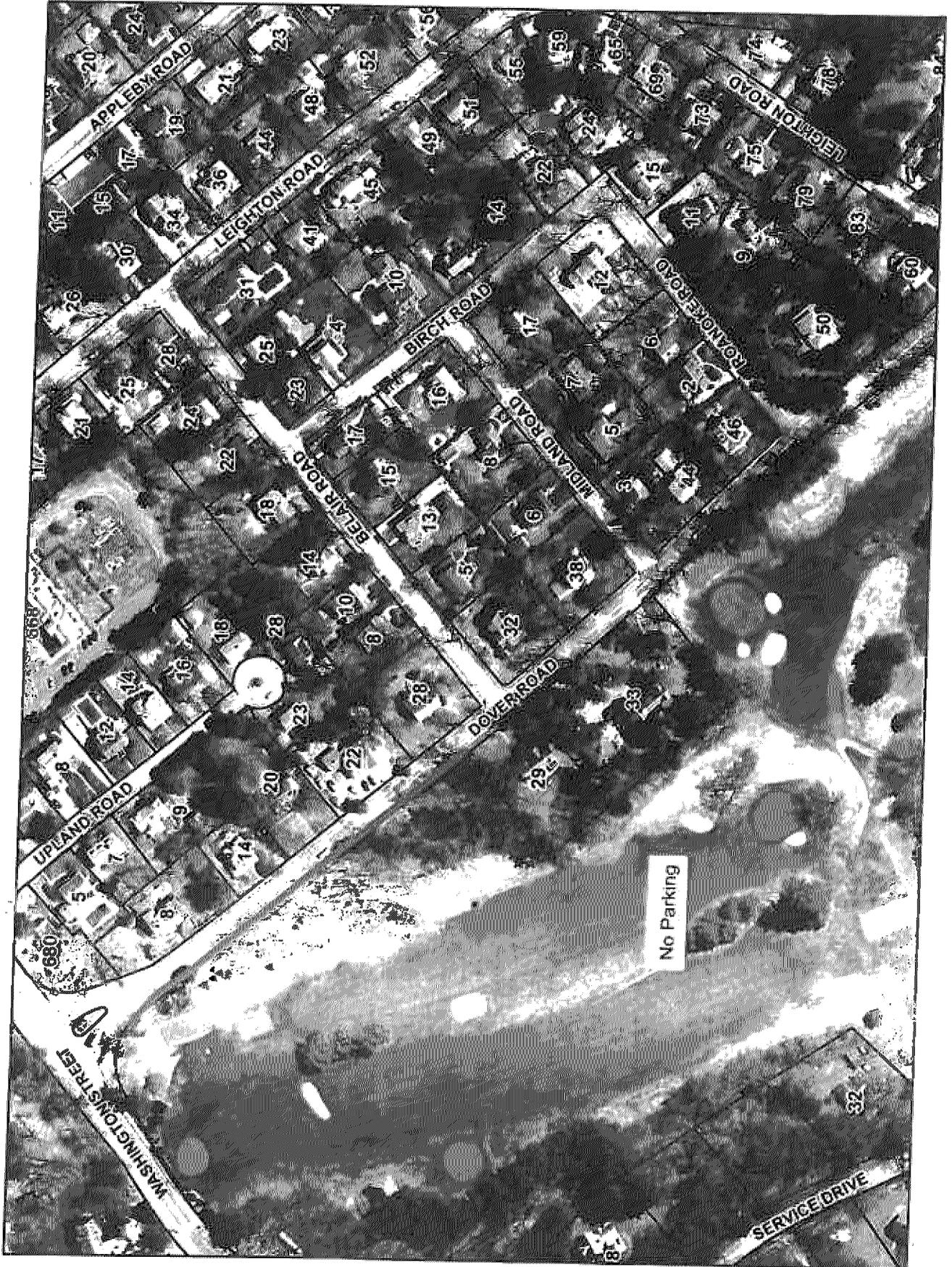


Westerly direction view: Near 8 Granite Street looking towards Sunset Road. Deep potholes have formed since January, 2016.

Photo date: April 7, 2016



Proposed No Parking Dover Road



Jop, Meghan

From: Marianne Cooley <mcooley@wellesley.edu>
Sent: Monday, November 14, 2016 11:06 AM
To: Michael Zehner; Jop, Meghan
Subject: Parking on Dover Road

Dear Michael and Meghan,

Having driven in this morning past five cars parked on the golf course side of Dover Road (three at the corner of Roanoke and two down near the big white house), I am wondering about other options.

In theory, I think that Hans and Meghan indicated that perhaps one of the conditions of a permit could be that the 9 feet of berm needs to be restored (to the College's satisfaction) at the completion of the construction project. There is currently grass near the Roanoke corner, but if it continues to be used as a parking lot, we will lose it.

The grass at the Washington end of the street is already lost to the construction completed at that end. There was a thought that some seed or spray grass might be put down, but that did not happen this fall.

Sending letters had some impact. Briefly. But never at the corner of Roanoke where the new construction project is occurring. And they are coming back more regularly at the white house.

Do we consider asking that it be posted for no parking?

Thank you,
Marianne

--

Marianne Brons Cooley '81
Secretary of the Board and Assistant Vice President
WELLESLEY COLLEGE
Tel 781.283.
3344



 The
Wellesley
Effect

Jop, Meghan

From: Marianne Cooley <mcooley@wellesley.edu>
Sent: Tuesday, October 11, 2016 8:01 AM
To: Larsen, Hans; Jop, Meghan
Subject: 46 Dover Road/41 Dover?

Good morning Hans and Meghan,

Thank you for sending the letter to abutters.

As I drove past the corner of Dover and Roanoke, there were trucks parked on our berm again this morning for the second time since last week. Today, there were 7 trucks in the vicinity of that house - two in the driveway, two on our berm (which is not destroyed at this moment), and three on Roanoke.

If there is any way someone can encourage the owner/contractor to park on the side street rather than ruining another chunk of grass, we would really appreciate it.

Should I be directing these queries to Traffic or to Police?

Many thanks!
Marianne

--
Marianne Brons Cooley '81
Secretary of the Board and Assistant Vice President
WELLESLEY COLLEGE
Tel 781.283.
3344



Jan 20, 2017

70/130



September 28, 2016

Meghan C. Jop, AICP
Deputy Director
Town of Wellesley
525 Washington Street
Wellesley, MA 2481

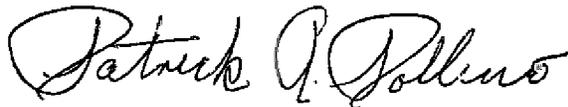
Dear Ms. Jop:

It's been nearly a year since my wife, Patricia Lynne Pollino, was struck by a car while in the crosswalk at the intersection of Washington Street and the entrance road to Route 9 East and nearly died from the injuries suffered in that terrible accident. Yet, the Town of Wellesley has done nothing since then to alert drivers that there is a pedestrian crosswalk at this dangerous intersection.

There are no pedestrian signs or flashing lights at the intersection to warn drivers to slow down. Absent visible warning signs, drivers traveling east are not aware of the crosswalk until they are virtually upon it. What's more, there are two on-street parking spaces just before the crosswalk that can impede one's view when cars are parked there.

I suggest that it is incumbent upon the Town to address this matter before another accident such as the one involving my wife happens again. We do not wish to have another family suffer what we've had to endure because appropriate steps were not taken.

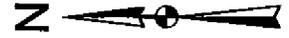
Sincerely yours,



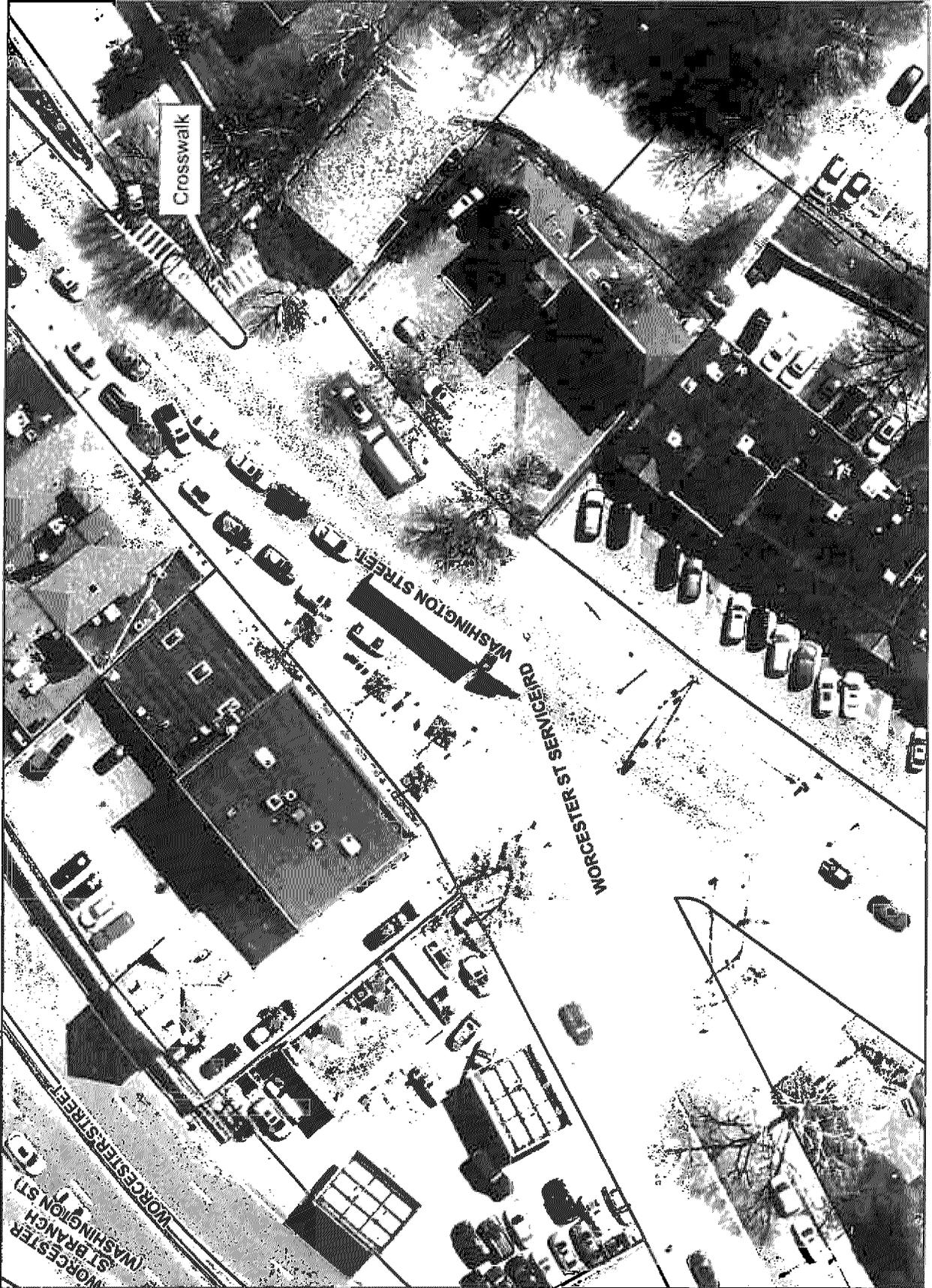
Patrick A. Pollino
48 Woodlawn Avenue
Wellesley Hills

781-237-7276

Patrick.Pollino@verizon.net

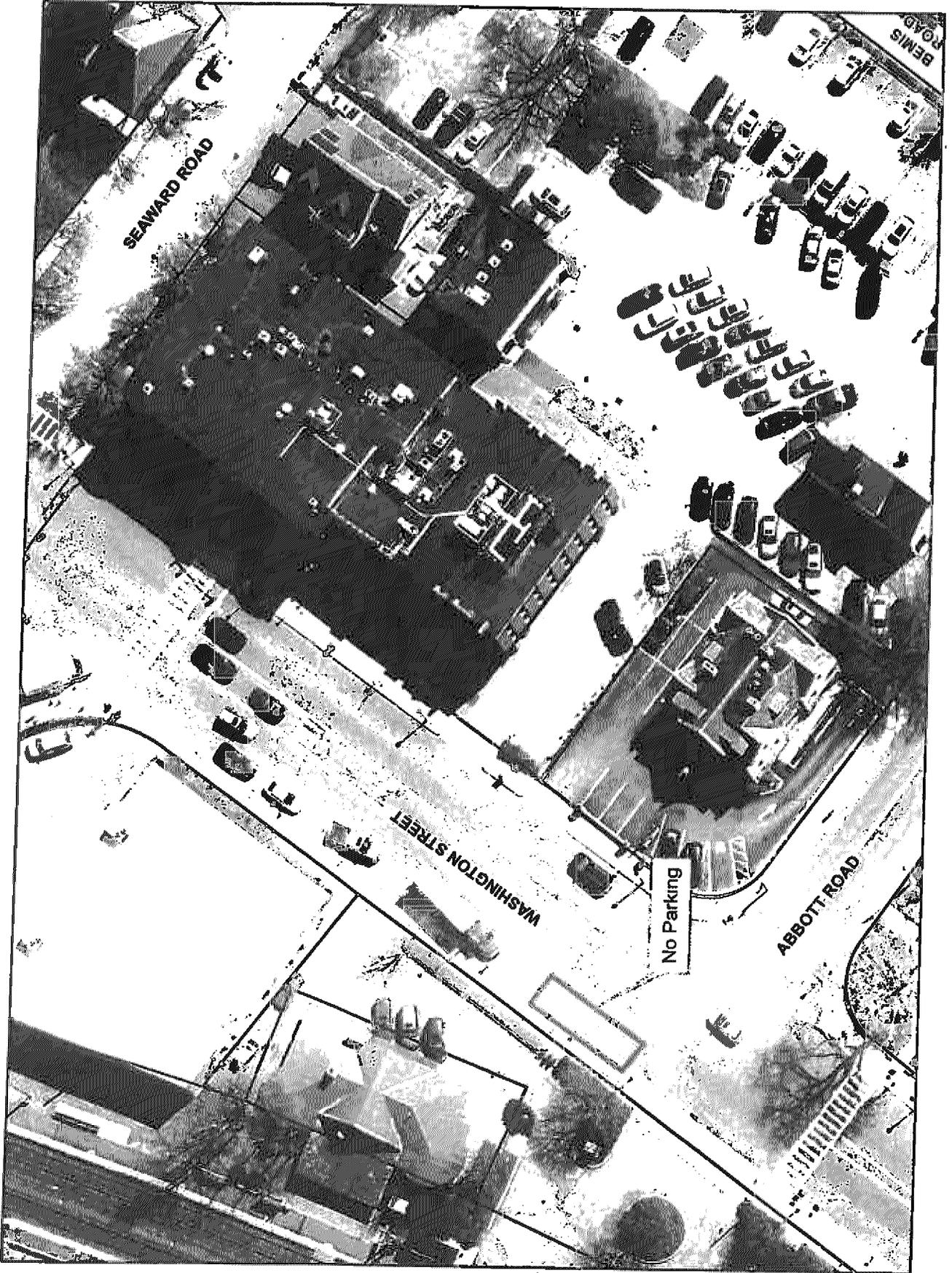


Proposed No Parking Washington Street - Wellesley Hills





Proposed No Parking Washington Street - Wellesley Hills Post Office



2017 Annual Town Meeting Warrant Articles

	Description	Sponsor	Motions Expected
1	Choose Moderator & Receive Reports	BOS	
2	Town-Wide Financial Plan & Five Year Capital Budget Program	BOS	
	Appropriations - Operating and Outlay		
3	Consent Agenda - Simply Majority vs 2/3	BOS	
4	Amend Job Classification Plan	HR	
5	Amend Salary Plan - Pay Schedule (including union contract settlements)	HR	
6	Set Salary of Elected Official	BOS	
7	FY17 Budget Supplemental Appropriations	BOS	
8	Omnibus Budget and Capital (FY18)	BOS	
9	Special Injury Leave Indemnity Fund	BOS	
10	Special Education Reserve Fund	BOS	
11	Authorize one or more new Revolving Funds*	BOS	
	* New Equipment Replacement Revolving Fund		
	* Copier Fund Library		
12	Water Program	BPW	
12	Sewer Program	BPW	
14	Electric Program	WMLP	
	Appropriations - Special Capital Projects		
15	LED Streetlight Project	WMLP	
16	Community Preservation Fund Appropriations	GPC	
17	Design Funds - Town Hall Envelope Restoration Project	BOS	
18	School Security Project Construction (2 Projects- Need funds FY17)	SCH	
19	Reconstruction of Cliff Road	BPW	
20	Fire Station Floor	BOS	
21	Hunnewell Field Maintenance/Restroom Facility Project	BPW	
	Street Acceptance		
	Granite Street	BOS	
	Authorizations		
23	Senior Center - Appropriation of Available Funds, Rescinding of Debt Associated with Tolles Parsons Project, Naming Tolles Parsons Center	COA/BOS	
24	Accept/Abandon Easements	BPW	
25	900 Worcester Street Lease and related zoning changes	BOS	
26	Fourth Amendment to Linden Square Development Agreement	BOS	
27	Transfer Inclusionary Zoning Funds to WHDC (978 Worcester & 576 Washington)	BOS	
28	Property Acquisitions at WHS and Schofield School	BOS	
29	OPEB - Amend Special Legislation - Ch. 88 of the Acts of 2004	BOS	
	Amend Zoning Bylaw		
30	Recreational Marijuana	BOS	
31	As of Right Solar Zoning (Green Communities)	SEC	
32	Large House Review TLAG Definition Amendments	PB	
33	Educational District Amendments	PB	
34	Rezoning of NRC Properties - Phase 2	PB	
35	Amendment of Conservation Districts Bylaw	PB	
36	Zoning Map Corrections	PB	
37	Outdoor Lighting Bylaw	PB	
	Amend Town/General Bylaws		
38	Article 14 - Permanent Building Committee / 14.9	PBC	
39	Article 46C - Historic Preservation Demolition Review	HC	
40	Historic Preservation Demolition Review administration	HC	
	Citizen Petitions		
41	Amend TBL Outdoor Trash Placement	Citizen	
42	Amend ZBL - Prevent Mansionization	Citizen	
	General		
	Rescind or Transfer Debt; Appropriate Premiums	BOS	
	Indemnify Town Employees/Officials	BOS	
45	Expenses Incurred Prior to July 1, 2016	BOS	
46	Settle Claims	BOS	
47	Disposal of Property	BOS	
48	Appoint Fire Engineers	BOS	

* Consent Agenda

v10

ARTICLE 22. To see if the Town will vote to accept as a public way (with betterments) the following street as laid out by the Board of Selectmen: Granite Street; to raise and appropriate money, transfer from available funds, or borrow a sum of money therefor, to be expended under the direction of the Board of Selectmen, for the cost of engineering services, for preparation of plans and specifications, and for reconstruction, for the reconstruction of Granite Street, or take any other action in relation thereto.

(Board of Selectmen)

AUTHORIZATIONS

ARTICLE 23. To see if the Town will vote to approve the following actions related to the construction of the senior center:

- (1) To transfer from the Board of Selectmen Gift Account to the Permanent Building Committee all gifts received by the Town for use at the Senior Center;
- (2) To transfer available funds to reduce previously authorized borrowing under Article 24, Motion 1 of the Warrant for the 2016 Annual Town Meeting;
- (3) To name the senior center "Tolles Parsons Center" in accordance with Article 5.5 of the Town Bylaws Naming of Public Assets.;

or take any other action in relation thereto.

(Council on Aging)

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; the proposed list being available for inspection in the Town Clerk's office; or take any other action in relation thereto.

(Board of Public Works)

ARTICLE 25. To see if the Town will vote to:

- (1) authorize the Board of Selectmen to enter into one or more leases of certain parcels of town-owned land located at 900 Worcester Street for the purposes of constructing a recreational facility on such terms and conditions, including dollar amounts, as said Board deems to be in the Town's interest; and
- (2) amend the Zoning Bylaw by adding a new section, Commercial Recreation Overlay District, for the same parcel of land, or take any other action in relation thereto.
- (3) amend the Zoning Map of the Town of Wellesley, Massachusetts by overlaying the new Commercial Recreation Overlay District on the parcel located at 900 Worcester Street (Assessor's Parcel ID# 192-10) totaling approximately 341,802 square feet, or take any other action in relation thereto.

V10

All Other Uses	30	1.0
*The maximum footcandles allowable at all property lines, including property lines along a public or private street or way.		

- 4. Prohibited: Luminaires shall be prohibited from being mounted to or otherwise attached to any trees or similar vegetation.

G. SPECIAL PERMITS

- 1. Major Construction Projects, Minor Construction Projects, and Signs: In the case of such projects which incorporate one more outdoor luminaires not meeting the requirements of paragraph F., General Regulations, the Zoning Board of Appeals may grant a Special Permit, per Section XXV, Special Permit Granting Authority.
- 2. Large House Review: In the case of such projects which incorporate one more outdoor luminaires not meeting the requirements of paragraph F., General Regulations, the Planning Board may grant a Special Permit, per Section XXV, Special Permit Granting Authority, in conjunction with the consideration of an application under Section XVID, Large House Review.
- 3. Standards: In addition to those standards specified in Section XXV, Special Permit Granting Authority, in considering the issuance of a Special Permit from the requirements of this Section, the applicable Special Permit Granting Authority shall make a finding that one or more of the following conditions are met:
 - a. The proposed lighting is necessary to enhance public safety;
 - b. The proposed lighting enhances community character or does not negatively impact community character; or
 - c. The proposed lighting does not establish conditions which involve unacceptable light trespass, glare, sky glow, or compromise the privacy of abutting property owners.

or take any action relative thereto.

(Planning Board)

Formatted: Right

AMEND TOWN BYLAW

ARTICLE 28. To see if the Town will vote to amend the Town Bylaws Article 14
Permanent Building Committee by amending its definition of "project"; by amending the
bylaw to allow proposing boards to prepare designs and supervise construction subject
to Permanent Building Committee approval or where the estimated project cost is less

Formatted: Justified, Indent: First line: 0.5"

v10

than \$500,000; to establish procedures for providing copies of Design Review Board submissions to the Permanent Building Committee, and for providing record drawings and specifications to the Facilities Maintenance Department and the proposing board, as applicable; and to make any additional ministerial changes to the bylaw for consistency with the revisions noted herein, or take any other action relative thereto

(Permanent Building Committee)

Formatted: Justified

ARTICLE 38. To see if the Town will vote to amend the Town Bylaws Article 4 Permanent Building Committee, Section 14.9, Supervision of Project Construction, section (c) to read as follows:

Subject to clause (a) above, any proposing board at its discretion may elect to super-seede the construction of any other project involving any one building and estimated to cost less than \$500,000.

The proposed bylaw amendments to be available for inspection in the Town Clerk's office; or take any other action in relation thereto.

(Permanent Building Committee)

ARTICLE 39. To see if the Town will vote to amend the Town Bylaws by adopting a new Article 46C, Historic Preservation Demolition Review, in order to allow the Historical Commission to review certain eligible buildings prior to their demolition and, after public hearing, to potentially impose a 12-month delay on the demolition thereof, as follows:

Historic Preservation Demolition Review

A. PURPOSE

This Article is adopted by the Town to assure the preservation and enhancement of the Town of Wellesley's historical and cultural heritage by preserving, rehabilitating or restoring whenever possible, buildings that have distinctive architectural features or historical associations that contribute to the historic fabric of the Town.

B. DEFINITIONS

For the purposes of this Article, the following words and phrases have the definitions set forth next to them:

"Application": An application to the Commission for a Demolition review determination of a Building in accordance with the provisions of this Article that shall include the following information supplied by the Owner: (i) the name of each Owner (including of the underlying property, if different from the Owner of the Building), (ii) the address of the Building, (iii) an indication whether the Owner is seeking a full or partial Demolition, (iv) the earliest date that the Owner believes the Building, or any part thereof, was constructed, and (v), if the Owner is seeking a partial Demolition, non-certified plans and drawings showing such proposed partial Demolition.

"Article": This Article 46C of the Town Bylaws.

"Building": Any combination of materials forming a shelter for persons, animals or property located in the Town of Wellesley that is larger than 100 square feet.

"Change of Control": As defined in Section D(6)(c).

"Commission": The Wellesley Historical Commission.

"Commission Staff": The person(s) regularly providing staff services for the Commission who the Commission has designated to perform tasks for the purposes of this Article and

v10

In addition, and without limiting the generality of the foregoing or the following, it is contemplated that amendments to any of the foregoing Sections of the Bylaw may require concurrent revisions to one or more of the following sections: SECTION IA, DEFINITIONS, SECTION XVIA, PROJECT APPROVAL, SECTION XVII, PRE-EXISTING NON-CONFORMING USES, STRUCTURES AND LOTS, SECTION XXII, DESIGN REVIEW, SECTION XXIIB, SWIMMING POOLS, SECTION XXIID, RETAINING WALLS, and SECTION XXIV, PERMIT GRANTING AUTHORITY and any other relevant or impacted Sections of the Zoning Bylaw as it may be necessary or advisable to be amend in connection the proposed amendments contemplated by the foregoing, or as a result thereof.

(Citizen Petition)

GENERAL

ARTICLE 43. To see if the Town will vote to rescind ~~any~~ authorized and unissued loans, including these identified in the list available for inspection at the office of the Town Clerk, to authorize the transfer of unused proceeds from previously issued loans to one or more eligible appropriations, to amend existing borrowing authorizations on unissued debt authorized prior to November 7, 2016, 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.

(Board of Selectmen)

ARTICLE 44. 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, all damages and expenses, including legal fees and costs, if any, in an amount not to exceed \$1,000,000, 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 that constitutes a violation of the civil rights of any person under any federal or state law, if such employee or official, at the time of such intentional tort or such act or omission, was acting within the scope of his official duties or employment, and to raise and appropriate, transfer from available funds, or borrow a sum of money therefor, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 45. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for expenses incurred by Town Departments prior to July 1, 2016, or to take any other action in relation thereto.

(Board of Selectmen)

V10

TOWN OF WELLESLEY



**WARRANT
for the
ANNUAL TOWN MEETING**

**ELECTION – March 7, 2017
BUSINESS MEETING – March 27, 2017**

**ADVISORY COMMITTEE PUBLIC HEARING (WARRANT ARTICLES)
February 01, 2017, 7:00 P.M. at Town Hall**

**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, 2017:

- 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:

V10

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	Four Years
Moderator	One	One Year
Natural Resources Commission	Two	Three Years
Planning Board	One	Five Years
	One	One Year
Recreation Commission	One	Three Years
School Committee	Two	Three Years
Trustees of the Wellesley Free Library	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, 2017**

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:

V10

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

(Board of Selectmen)

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

(Board of Selectmen)

APPROPRIATIONS – OPERATING AND OUTLAY

ARTICLE 3. To see if the Town will vote to take action 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.

(Board of Selectmen)

ARTICLE 4. To see if the Town will vote to amend ARTICLE 31 of the Town Bylaws by making changes to the appendix to the Classification and Salary Plans established under Sections 31.1 and 31.6 respectively, which constitutes part of said Bylaws, relating to 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 Town 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.

(Board of Selectmen)

V10

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 2016 Annual Town Meeting, or to take any other action in relation thereto.

(Board of Selectmen)

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 the several 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 2018 Tax Rate, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 9. To see if the Town will vote to accept the provisions of Section 111F of Chapter 41 of the Massachusetts General Laws, as amended by Section 60 of Chapter 218 of the Acts of 2016, and to establish a Special Injury Leave Indemnity fund for the payment of injury leave compensation and medical bills, and to transfer funds from the Special Purpose Municipal Stabilization Fund for Injured on Duty to the Special Injury Leave Indemnity Fund, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 10. To see if the Town will vote to accept the provisions of Section 13E of Chapter 40 of the Massachusetts General Laws, added by Section 24 of Chapter 218 of the Acts of 2016, authorizing the School Department to establish a reserve fund to be utilized in upcoming fiscal years 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.

(Board of Selectmen)

V10

ARTICLE 11. To see if the Town will vote to amend the Town Bylaw by adopting a new Article for the purpose of establishing revolving funds in accordance with Section 53E1/2 of Chapter 44 of the Massachusetts General Laws, as amended by Section 86 of Chapter 218 of the Acts of 2016, and to set the limit on the total amount that may be spent from each revolving fund for Fiscal Year 2018, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 12. 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 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 Sewer 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 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 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 the LED Streetlights Project, or to take any other action in relation thereto.

(Municipal Light Board)

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 2018 Community Preservation Budget, to appropriate or reserve for future appropriation, from FY 2018 Community 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, 2017, to make debt service

V10

payments, and to undertake community preservation projects as recommended by the Community Preservation Committee, or to take any other action in relation thereto.

(Community Preservation Committee)

ARTICLE 17. 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 planning and design funds for the town hall exterior restoration project; or take any other action in relation thereto.

(Board of Selectmen)

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 Permanent Building Committee, for construction, reconstruction, remodeling, rehabilitation or modernization of School District buildings, structures and land area including any necessary site work, and for any other services in connection therewith, to enhance security throughout the Wellesley Public School District; or to take any other action in relation thereto.

(School Committee)

ARTICLE 19. To see if the Town will vote to raise and appropriate, transfer from available funds, or accept gifts, or borrow a sum of money, to be expended under the direction of the Facilities Maintenance Department for the preservation, construction, reconstruction and/or rehabilitation of the Fire Station Floor; or take any other action in relation thereto.

(Board of Selectmen)

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 Board of Public Works, for the purpose of street, sidewalk and/or drainage construction, rehabilitation and/or reconstruction of Cliff Road; or take any other action in relation thereto.

(Board of Public Works)

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 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; or take any other action in relation thereto.

(Board of Public Works)

STREET ACCEPTANCE

V10

ARTICLE 22. To see if the Town will vote to accept as a public way (with betterments) the following street as laid out by the Board of Selectmen: Granite Street; to raise and appropriate money, transfer from available funds, or borrow a sum of money therefor, to be expended under the direction of the Board of Selectmen, for the cost of engineering services, for preparation of plans and specifications, and for reconstruction, of Granite Street, or take any other action in relation thereto.

(Board of Selectmen)

AUTHORIZATIONS

ARTICLE 23. To see if the Town will vote to approve the following actions related to the construction of the senior center:

- (1) To transfer from the Board of Selectmen Gift Account to the Permanent Building Committee all gifts received by the Town for use at the Senior Center;
- (2) To transfer available funds to reduce previously authorized borrowing under Article 24, Motion 1 of the Warrant for the 2016 Annual Town Meeting;
- (3) To name the senior center "Tolles Parsons Center" in accordance with Article 5.5 of the Town Bylaws Naming of Public Assets;

or take any other action in relation thereto.

(Council on Aging)

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; the proposed list being available for inspection in the Town Clerk's office; or take any other action in relation thereto.

(Board of Public Works)

ARTICLE 25. To see if the Town will vote to:

- (1) authorize the Board of Selectmen to enter into one or more leases of certain parcels of town-owned land located at 900 Worcester Street for the purposes of constructing a recreational facility on such terms and conditions, including dollar amounts, as said Board deems to be in the Town's interest; and
- (2) amend the Zoning Bylaw by adding a new section, Commercial Recreation Overlay District, for the same parcel of land, or take any other action in relation thereto.
- (3) amend the Zoning Map of the Town of Wellesley, Massachusetts by overlaying the new Commercial Recreation Overlay District on the parcel located at 900 Worcester Street (Assessor's Parcel ID# 192-10) totaling approximately 341,802 square feet, or take any other action in relation thereto.

V10

(Board of Selectmen)

ARTICLE 26. 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, as amended, relative to the addition of two restaurants provided that the two such new restaurants shall not exceed 6,000 square feet of floor area in the aggregate; or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 27. To see if the Town will vote to transfer to the Wellesley Housing Development Corporation the following sums of money totaling \$280,184.50:

1. \$99,560.00 now held by the Town pursuant to the actions of the Planning Board, on July 22, 2013, and deposited by Wellesley Grove, LLC, the developer of 576 Washington Street (former Wellesley Inn) for the purposes of satisfying obligations to provide fractional units of affordable housing as part of the development as per Section XVIB. Inclusionary Zoning, of the Zoning Bylaw, and
2. \$180,624.50 now held by the Town pursuant to the actions of the Planning Board on September 27, 2010, deposited by Appian Corp. and Wellesley Place, LLC., the developers of 978 Worcester Street (former Wellesley Motor Inn) for the purposes of satisfying obligations to provide fractional units of affordable housing as part of the development as per Section XVIB. Inclusionary Zoning, of the Zoning Bylaw;

or to take any action in relation thereto.

(Board of Selectmen)

ARTICLE 28: To see if the Town will vote to acquire by purchase, gift or eminent domain, the following parcels of land on the high school grounds (parcels 1 and 2) and the Schofield school grounds (parcel 3):

Parcel 1, a rectangular lot of about 8,000 sq. ft. situated along the southwesterly boundary of a town-owned parcel of land abutting Seaver Street (sometimes known as the "Selectmen's Parcel"), shown as Lot 166 on an August 13, 1853 plan by Swan and Straw, recorded at the Norfolk County Registry of Deeds Plan Book 222 Page 1, the last known owner of record of which is the Babson Building Co. by deed dated December 7, 1921 and recorded in Book 1504, Page 256; said parcel being currently assessed as Lot 88-66 with owner "unknown" (for historical reference, said parcel was prepared for taking by eminent domain under Article 36 of the warrant for the 1938 Annual Town Meeting, but no action was taken);

Parcel 2, a triangular lot of about 2,770 sq. ft. situated completely within the boundaries of the Wellesley High School land; the last known owner of which is believed to have been

V10

Margaret J. Rollins, as referenced by Land Court Plan #5809A1, filed in 1916; said parcel being currently assessed as a part of Lot 76-11, the Wellesley High School land;

Parcel 3, a rectangular lot of about 34,350 sq. ft. situated along the northwesterly boundary of the Schofield School land; said parcel being comprised of portions of Lots 7+8 as shown on a July, 1905 plan by Arthur P. French recorded at the Norfolk County Registry of Deeds as Plan Book 61, Plan 2905; the last known owner of said parcel being Frank Curry, who died on March 2, 1934; said parcel being currently assessed as Lot 28-82 with owner "unknown";

And to transfer the care, custody and control of said parcels to the School Committee; or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 29. To see if the Town will vote to authorize the Board of Selectmen to petition the Legislature for a special act amending Chapter 88 of the Acts of 2004, authorizing the Town to establish a Group Insurance Liability Trust; to authorize the Contributory Retirement Board to execute a trust agreement establishing an Other Post-Employments Benefits ("OPEB") Trust for the benefit of the Town's retired employees and the eligible surviving spouses or dependents of deceased employees; and to authorize the Contributory Retirement Board to transfer all funds and assets from the Group Insurance Liability Trust Fund to the OPEB Trust, or take any other action in relation thereto.

(Board of Selectmen)

AMEND ZONING BYLAW

ARTICLE 30. To see if the Town will vote to amend the Zoning Bylaw by adopting new Section XXIIIE. Temporary Moratorium on Marijuana Establishments, to read as follows:

A. Purpose. By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, manufacture, processing, distribution, sale, possession, testing and use of marijuana. The law provides that it is effective on December 15, 2016, and that a new state agency, the Cannabis Control Commission (CCC), is required to issue regulations regarding implementation by September 15, 2017.

The regulation of such Marijuana Establishments raises novel and complex legal, planning, and public safety issues. The Town needs time to consider and address these issues, as well as the potential impact of the forthcoming Cannabis Control Commission regulations, by means of a comprehensive planning process to consider amending the Zoning Bylaw to regulate Marijuana Establishments. The temporary moratorium provided in Section XXIIIE. is intended to allow sufficient time for the Town to engage in such a planning process and to adopt suitable

V10

Zoning Bylaw provisions in a manner consistent with sound land-use planning objectives.

B. Definition. As used in Section 5.6.6, the term "Marijuana Establishment" shall mean a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other type of marijuana-related business, subject to regulation under Chapter 94G of the Massachusetts General Laws; provided, however, that a Registered Marijuana Dispensary shall not be deemed to be a Marijuana Establishment.

C. Temporary Moratorium. For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures as a Marijuana Establishment. The moratorium shall be in effect through August 31, 2018, unless extended, continued, or modified as a subsequent Town Meeting. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of Marijuana Establishments and other related land uses and structures, consider the Cannabis Control Commission regulations regarding Marijuana Establishments when they are issued, and shall consider adopting new provisions of the Zoning Bylaw governing the location, operation and effects of Marijuana Establishments for consideration by the 2018 Annual Town Meeting.

or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 31. To see if the Town will vote to amend the Zoning Bylaw and Zoning Map to allow for the installation of large-scale ground-mounted solar photovoltaic installations within the Town of Wellesley by amending Section IA. Definitions and by adding a new Section XIVH. Large Scale Solar Overlay District to read substantially as follows:

1. Amend Section IA, Definitions, of the Zoning Bylaw by adding the following term and definition:

Large-Scale Ground-Mounted Solar Photovoltaic Installation - A solar photovoltaic system that is structurally mounted on the ground (i.e. not roof-mounted) and has a minimum output of electric power production in Direct Current (i.e. Rated Nameplate Capacity) of 250 kW DC.

2. Amend the Zoning Bylaw by adding the following new Section XIVH:

SECTION XIVH. LARGE-SCALE SOLAR OVERLAY DISTRICT

A. Purpose

The purpose of this bylaw is to establish an overlay zoning district which allows for the creation of Large-Scale Ground-Mounted Solar Photovoltaic Installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize

V10

impacts on scenic, natural and historic resources, and to provide adequate financial assurance for the eventual decommissioning of such installations.

B. Applicability

The district shall be shown on the Zoning Map of the Town of Wellesley, Massachusetts and shall be considered as overlaying other existing zoning districts. This overlay zoning district shall not prohibit the development of uses or property consistent with the applicable underlying/base zoning district.

C. Use Regulations

In the Large-Scale Solar Overlay District, the following specified uses may be allowed, as prescribed; such uses may be allowed in conjunction with other uses of the property:

1. Permitted Uses

a. Large-Scale Ground-Mounted Solar Photovoltaic Installation; such use shall be subject to the following requirements:

i. **Setback/Yard Requirements:**

Front yard: The front yard depth shall be at least 10 feet; provided, however, that where the lot abuts a lot located in the Conservation District or Single Residence District zoning district, the front yard shall not be less than 50 feet.

Side yard: Each side yard shall have a depth at least 15 feet; provided, however, that where the lot abuts a lot located in the Conservation District or Single Residence District zoning district, the side yard shall not be less than 50 feet.

Rear yard: The rear yard depth shall be at least 25 feet; provided, however, that where the lot abuts a lot located in the Conservation District or Single Residence District zoning district, the rear yard shall not be less than 50 feet.

ii. **Accessory Structures:**

All appurtenant structures to large-scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

V10

iii. **Lighting:**

Lighting of solar photovoltaic installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

iv. **Signage:**

Signs on large-scale ground-mounted solar photovoltaic installations shall comply with Section XXIIA, Signs, of the Zoning Bylaw, as required. At a minimum, signage shall be required identifying the owner of the facility and providing a 24-hour emergency contact phone number.

v. **Utility Connections:**

All utility connections from the solar photovoltaic installation must be placed underground. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

vi. **Emergency Services:**

The large scale solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the local fire chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

vii. **Land Clearing, Soil Erosion and Habitat Impacts:**

Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and bylaws.

viii. **Monitoring and Maintenance:**

The large-scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and

V10

integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

ix. **Abandonment or Decommissioning**

Any large-scale ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Zoning Board of Appeals by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

1. Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
3. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Site Plan Review Authority may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

D. **Project Approval**

For the purposes of Section XVIA, Project Approval, the construction of a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be considered to be a Major Construction Project, and therefore subject to Site Plan Review as specified in Section XVIA. Further, all material modifications to a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall require approval by the Zoning Board of Appeals.

In addition to other requirements, applications for Site Plan Review for a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall meet the following requirements; the Zoning Board of Appeals may waive any of these requirements as it deems appropriate:

1. **General:** All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.
2. **Required Documents:** Pursuant to the site plan review process, the project proponent shall provide the following documents:

V10

- a. A site plan showing:
 - i. Property lines and physical features, including roads, for the project site;
 - ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
 - iii. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures
 - iv. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
 - v. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
 - vi. Name, address, and contact information for proposed system installer;
 - vii. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any; and
 - viii. The name, contact information and signature of any agents representing the project proponent.
- b. Documentation of actual or prospective access and control of the project sufficient to allow for construction and operation of the proposed solar photovoltaic installation.
- c. An operation and maintenance plan, which shall include measures for maintaining safe access to the installation, stormwater controls, as well as general procedures for operational maintenance of the installation.
- d. Proof of liability insurance.
- e. A public outreach plan, including a project development timeline, which indicates how the project proponent will inform abutters and the community.
- f. For interconnected customer-owned generators, evidence that the Wellesley Municipal Light Plant has been informed of the owner or operator's intent to install the facility; off-grid systems are exempt from this requirement.

V10

and by amending the Zoning Map of the Town of Wellesley, Massachusetts by overlaying the new Large-Scale Solar Overlay District on the parcel of land located at the Route 9 and 128 Cloverleaf on Worcester Street (Assessor's Parcel ID# 4-6) totaling approximately 235,028 square feet;

or take any other action in relation thereto.

(Sustainable Energy Committee)

ARTICLE 32: To see if the Town will vote to amend Section XVID, Large House Review, of the Zoning Bylaw to modify the definition of Total Living Area plus Garage Space ("TLAG") and to remove an exemption under subsection C., as follows. These amendments to be effective as of July 1, 2017:

- **By amending Section XVID.B., Definitions, by deleting the definition of Total Living Area plus Garage Space in its entirety, and replacing it with the following:**

Total Living Area plus Garage Space - This term includes:

- (i) The sum of the floor area(s) of the above-grade floors, including portions of attics, in structures used as one-family dwellings and detached accessory structures related to such use on a lot, measured from the exterior face of the exterior walls;
- (ii) Floor area(s) of portions of attic(s) with an interior roofline height of 5 ft. or greater;

Figure 1. Attic TLAG Illustration – Gable Roof

V10

Gable Roof Illustration

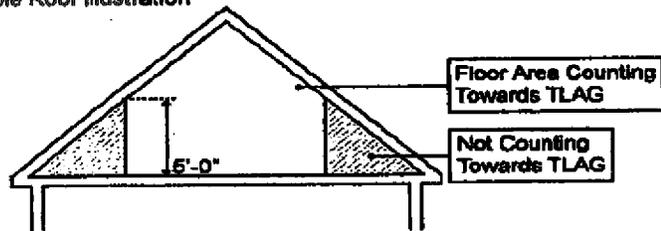


Figure 1: Gable Section

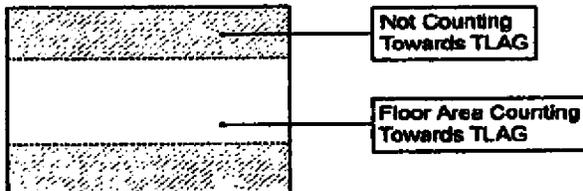


Figure 2: Gable Roof Attic Plan

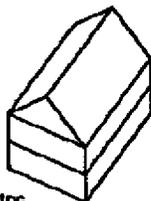


Figure 3: Gable Isometric

Figure 2. Attic TLAG Illustration – Hip Roof

Hip Roof Illustration

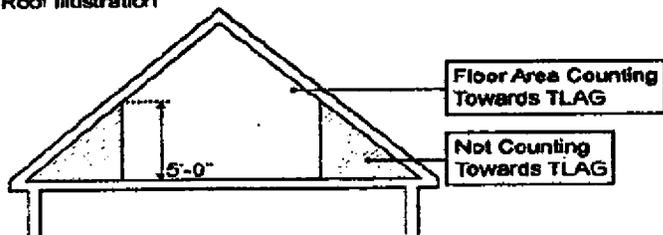


Figure 1: Hip Roof Section

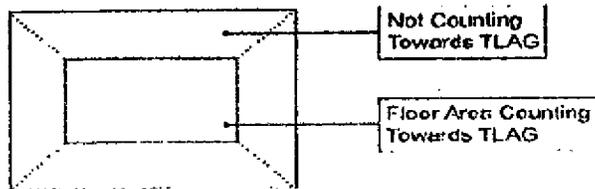


Figure 2: Hip Roof Attic Plan

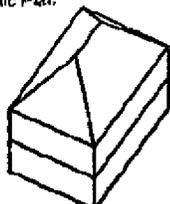


Figure 3: Hip Roof Isometric

V10

- (iii) Floor area of garage and storage space, whether as part of a one-family dwelling or in detached accessory structures; and
- (iv) Basement area multiplied by a fraction, the numerator of which is the external above ground surface of basement walls and the denominator of which is the total surface (both above and below ground) of external basement walls, provided that if such fraction is less than .25, then the basement areas shall not be included.

Calculations shall be determined in accordance with the Rules and Regulations adopted by the Planning Board.

- **By deleting item 3. from Section XVID.C., *Applicability*, renumbering existing item 4. as new item 3. to account for said deletion, and placing a semicolon at the end of items 1. in place of the existing comma, and “; and” at the end of item 2. in place of the existing period.**

or take any other action relative thereto.

(Planning Board)

ARTICLE 33: To see if the Town will vote to amend Section VII, Educational Districts, of the Zoning Bylaw to alter those uses allowed in the Educational Districts, Educational Districts A, and Educational Districts B, as follows:

- **By deleting items 1. through 4. from Section VII.A., and inserting in their place the following:**

1. Permitted Uses

- a. Educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic, or by a religious sect or denomination, or by a non-profit educational corporation, including, but not limited to, classrooms, libraries, auditoriums, educational buildings, dormitories, recreational and sports fields and facilities, and other such accessory uses as are customary
- b. One-Family Dwellings, Two-Family Dwellings, Town Houses, and Multi-Family Dwellings for the housing of faculty, staff and/or employees of the educational institution and such accessory uses as are customary; provided, however, that Town Houses shall conform in all respects, with the exception of off-street parking, to the provisions of SECTION IIIA. TOWN HOUSE DISTRICTS, A., 2., and Multi-Family Dwellings shall conform in all respects, with the exception of off-street parking, to the provisions of SECTION VIA. LIMITED APARTMENT DISTRICTS A., 3.

- c. Religious purposes;

V10

- d. Child Care Facility (defined to mean a "day care center" or a "school age child care program," as those terms are defined in Section 9 of Chapter 28A M.G.L.) as stipulated in Section II, Single Residence Districts, A.3A., a thru h.; and
- e. Club, except a club the chief activity of which is a service customarily carried on as a business.

2. Uses Requiring a Special Permit

The following additional uses may be allowed if a special permit is obtained as hereinafter provided in Section XXV, Special Permit Granting Authority:

- a. Public or semi-public institution of a philanthropic, charitable, or religious character;
- b. Municipally owned or operated public parking lot or other public use;
- c. Off-street parking as a non-accessory use, as stipulated in Section II, Single Residence Districts, A.8., j., (i). thru (v);
- d. Use by the Town of a building, structure or land for its Municipal Light Plant or its Water Works Plant; and
- e. Such accessory uses as are customary in connection with any of the above uses and which are incidental to such uses.

or take any other action relative thereto.

(Planning Board)

ARTICLE 34: To see if the Town will vote to amend the Zoning Map of the Town of Wellesley, Massachusetts by rezoning the following properties, as follows:

- a. To rezone the parcel located at 5 Grove Street and commonly known as Post Office Park (Assessor's Parcel ID# 123-86), totaling approximately 11,826 square feet, from the Wellesley Square Commercial District to the Conservation District;
- b. To rezone the parcel located at the intersection of Washington Street and Central Street and commonly known as Flag Pole Park (assessor's Parcel ID# 124-84), totaling approximately 7,902 square feet, from the Single Residence District and 10,000 Square Foot Area Regulations District to the Conservation District;
- c. To rezone the parcel located at the intersection of Grove Street, Central Street, and Railroad Avenue and commonly known as Central Park (Assessor's Parcel ID# 124-98), totaling approximately 16,052 square feet, from the Wellesley Square Commercial District to the Conservation District;

V10

- d. To rezone the parcel located at the end of Fisher Avenue and commonly known as McKinnon Playground (Assessor's Parcel ID# 171-12), totaling approximately 3.91 acres, from the Single Residence District and 10,000 Square Foot Area Regulation District to the Conservation District;
- e. To rezone the parcel located at 340 R Weston Road and commonly known as Overbrook Reservation (Assessor's Parcel ID# 181-106), totaling approximately 10.29 acres, from the Single Residence District and 10,000 Square Foot Area Regulation District to the Conservation District;
- f. To rezone the parcel located at 50 Thomas Road and commonly known as Perrin Park (Assessor's Parcel ID# 191-76), totaling approximately 5.68 acres, from the Single Residence District and 10,000 Square Foot Area Regulation District to the Conservation District;
- g. To rezone the parcel located at 929 Worcester Street and commonly known as Baird Marsh (Assessor's Parcel ID# 192-19), totaling approximately 5.29 acres, from the Single Residence District and 10,000 Square Foot Area Regulation District to the Conservation District;
- h. To rezone the parcel located at 15 Upson Road and commonly known as Caspe Memorial (Assessor's Parcel ID# 198-6), totaling approximately 7,886 square feet, from the Single Residence District and 10,000 Square Foot Area Regulation District to the Conservation District;
- i. To rezone the parcel located along High Ledge Avenue and Overbrook Drive and commonly known as Overbrook Park East (Assessor's Parcel ID# 203-85), totaling approximately 31,135 square feet, from the Single Residence District and 10,000 Square Foot Area Regulation District to the Conservation District;
- j. To rezone the parcel located at 80 Overlook Drive and commonly known as Overbrook Park West (Assessor's Parcel ID# 204-18), totaling approximately 18,171 square feet, from the Single Residence District and 10,000 Square Foot Area Regulation District to the Conservation District;
- k. To rezone the parcel located at the intersection of Cedar Street and Charles Street commonly known as Ouellet Playground (Assessor's Parcel ID# 21-65), totaling approximately 1.06 acres, from the Single Residence District and 10,000 Square Foot Area Regulation District to the Conservation District;
- l. To rezone the parcel located at 5 Madison Road and commonly known as the Rosemary Town Forest Trailhead (Assessor's Parcel ID# 23-3), totaling approximately 5,033 square feet, from the Single Residence District and 15,000 Square Foot Area Regulation District to the Conservation District;
- m. To rezone the parcel located along Hillside Road and commonly known as Indian Springs Park East (Assessor's Parcel ID# 52-40), totaling approximately 3.82 acres, from the Single Residence District and 15,000 Square Foot Area Regulation District to the Conservation District;

V10

- n. To rezone the parcel located along Croton Street and commonly known as Indian Springs Park West (Assessor's Parcel ID# 62-4), totaling approximately 1.43 acres, from the Single Residence District and 15,000 Square Foot Area Regulation District to the Conservation District;
- o. To rezone the parcel located at 40 Colburn Road and commonly known as Brown Park (Assessor's Parcel ID# 73-52), totaling approximately 2.95 acres, from the Single Residence District and 20,000 Square Foot Area Regulation District to the Conservation District;
- p. To rezone the parcel located at 35 Laurel Avenue and commonly known as Shaw Common (Assessor's Parcel ID# 75-37), totaling approximately 20,670 square feet, from the Single Residence District and 10,000 Square Foot Area Regulation District to the Conservation District;
- q. To rezone the parcel located at the intersection of Great Plain Avenue and Brook Street and commonly known as Fuller Brook Land (Assessor's Parcel ID# 78-17), totaling approximately 5.45 acres, from the Single Residence District and 20,000 Square Foot Area Regulation District to the Conservation District;

or take any other action relative thereto.

(Planning Board and Natural Resources Commission)

ARTICLE 35: To see if the Town will vote to amend Section XIVC, Conservation Districts, of the Zoning Bylaw as follows:

- By changing the title of the District and Section from "Section XIVC. *Conservation Districts.*" to "Section XIVC. *Parks, Recreation, and Conservation Districts.*"
- By deleting Section XIVC.A. and Section XIVC.B in their entirety and inserting in their place the following:

A. Purpose and Intent

The Parks, Recreation, and Conservation district is intended to encompass land devoted to parks, recreation, and conservation uses, and closely related uses.

B. Use Regulations

Within the Parks, Recreation, and Conservation district, no land and/or structure shall be used for any purpose except as follows. Any use not specifically designated as a permitted use or as a use allowed by a special permit or with Town Meeting approval, shall be prohibited:

1. Permitted Uses

V10

- a. Conservation of soil, water, plants and wildlife, including wildlife management shelters;
- b. Outdoor passive and active recreation, including play and sporting areas, nature study, boating, fishing, foot bridges, plank walks, foot paths and bicycle paths. Play areas may include playgrounds and play structures; sporting areas may include goals, fences, dugouts, and other similar structures commonly associated with outdoor sports;
- c. Dams and other water control devices, including temporary alteration of the water level for agricultural, emergency or maintenance purposes, or for the propagation of fish;
- d. Forestry, grazing, farming, nurseries, truck gardening and harvesting of crops, and non-residential buildings or structures used only in conjunction with harvesting or storage of crops raised on the premises; and
- e. Lawns, flower or vegetable gardens.

2. Uses Requiring a Special Permit

The following additional uses may be allowed if a special permit is obtained as hereinafter provided in Section XXV, Special Permit Granting Authority:

- a. Driveways and parking areas, as defined by Section XXI, Off-Street Parking;
- b. Dams, excavations, or changes in watercourses to create ponds, pools for swimming, fishing, wildlife or other recreational or agricultural uses, scenic features, or for drainage improvements; and
- c. Municipal and public uses other than permitted park, recreation, and conservation uses.

C. Project Approval

The provisions of Section XVIA, Project Approval, shall apply to properties and uses in the Parks, Recreation, and Conservation Districts.

or take any action relative thereto.

(Planning Board)

V10

ARTICLE 36: To see if the Town will vote to amend the Zoning Map of the Town of Wellesley, Massachusetts by rezoning the following properties, as follows:

To rezone the following properties, or parts thereof, from the Zoning Districts erroneously designated when the Town adopted the current digital Zoning Map to the Zoning Districts last designated by Town Meeting, as specified:

- a. To rezone the parcel located at 119 Crest Road (Assessor's Parcel ID# 123-4), totaling approximately 7,705 square feet, from the General Residence District and Single Residence District and 10,000 Square Foot Area Regulation District, an error depicted on the current Zoning Map, to the Single Residence District and 10,000 Square Foot Area Regulation District in its entirety, in accordance with the last prior action of Town Meeting with respect to the zoning of this parcel;
- b. To rezone the parcel located at 402 Washington Street (Assessor's Parcel ID# 86-3), totaling approximately 6,810 square feet, from the General Residence District and Business District, an error depicted on the current Zoning Map, to the Business District in its entirety, in accordance with the last prior action of Town Meeting with respect to the zoning of this parcel;
- c. To rezone seven (7) parcels, or portions thereof, along Eaton Court (Assessor's Parcel ID# 64-29, 64-30, 64-31, 64-32, 64-33, 64-34, 64-35), the area to be rezoned totaling approximately 19,417 square feet, from the Single Residence District and 20,000 Square Foot Area Regulation District, an error depicted on the current Zoning Map, to the Single Residence District and 10,000 Square Foot Area Regulation District, in accordance with the last prior action of Town Meeting with respect to the zoning of these parcels;
- d. To rezone a portion of the parcel located at 888-892 Worcester Street (Assessor's Parcel ID# 182-40), the area to be rezoned totaling approximately 22,438 square feet, from the Administrative and Professional District, an error depicted on the current zoning map, to the Single Residence District and 10,000 Square Foot Area Regulation District, in accordance with the last prior action of Town Meeting with respect to the underlying zoning of this area; this change would not affect the parcel's location in the Water Supply Protection District overlay district; and
- e. To rezone the parcel located at 15 Weston Road (Assessor's Parcel ID# 124-46), the area to be rezoned totaling approximately 6,106 square feet, from the Town House District, an error depicted on the current zoning map, to the Single Residence District and 10,000 Square Foot Area Regulation District, in accordance with the last prior action of Town Meeting with respect to the underlying zoning of this area; this change would not affect the parcel's location in the Historic District overlay district.

To rezone the following properties, so as to formally adopt and accept certain inadvertent errors associated with the switch to the current digital Zoning Map, as specified:

V10

- f. To rezone a portion of the parcel located at 1 Westgate (Assessor's Parcel ID# 156-21), the area to be rezoned totaling approximately 9,963 square feet, to the Conservation District, as shown on the current Zoning Map, notwithstanding that the last prior action of Town Meeting with respect to the underlying zoning of this area had placed it in the Single Residence District and 20,000 Square Foot Area Regulation District; this change would not affect the parcel's location in the Water Supply Protection District overlay district;
- g. To rezone two (2) parcels located along White Oak Road (Assessor's Parcel ID# 94-17-A, 94-17), the area to be rezoned totaling approximately 47,996 square feet, to the Single Residence District and 20,000 Square Foot Area Regulation District, as shown on the current Zoning Map, notwithstanding that the last prior action of Town Meeting with respect to the underlying zoning of this area had placed it in the Conservation District;
- h. To rezone three (3) parcels along Falmouth Road and Yarmouth Road (Assessor's Parcel ID# 144-17, 145-49, 145-31), the area of parcels to be rezoned totaling approximately 97,459 square feet, to the Single Residence District and 30,000 Square Foot Area Regulation District in their entirety, as shown on the current Zoning Map, notwithstanding that the last prior action of Town Meeting with respect to the underlying zoning of these parcels had placed them in the Single Residence District and 20,000 Square Foot Area Regulation District and 30,000 Square Foot Area Regulation District; this change would not affect the parcel's location in the Water Supply Protection District overlay district;
- i. To rezone two (2) parcels along Falmouth Road and Yarmouth Road (Assessor's Parcel ID# 145-47, 145-32), the area of the parcels to be rezoned totaling approximately 55,602 square feet, to the Single Residence District and 20,000 Square Foot Area Regulation District in their entirety, as shown on the current Zoning Map, notwithstanding that the last prior action of Town Meeting with respect to the underlying zoning of these parcels had placed them in the Single Residence District and 20,000 Square Foot Area Regulation District and 30,000 Square Foot Area Regulation District; this change would not affect the parcel's location in the Water Supply Protection District overlay district; and
- j. To rezone two (2) parcels on Washington Street and Schaller Street (Assessor's Parcel ID# 177-13, 177-5) and a portion of a parcel on Schaller Street (Assessor's Parcel ID# 177-14), the area to be rezoned totaling approximately 56,036 square feet, to the Single Residence District and 40,000 Square Foot Area Regulation District, as shown on the current Zoning Map, notwithstanding that the last prior action of Town Meeting had placed these parcels, or portions thereof, in the Single Residence District and 15,000 Square Foot Area Regulation District and 40,000 Square Foot Area Regulation District.

To rezone the following properties from Zoning Districts as erroneously shown on the current Zoning Map and/or Zoning Districts as previously intended by the Town to Zoning Districts as specified:

V10

- k. To rezone three (3) parcels located along Schaller Street (Assessor's Parcel ID# 177-4, 177-4-A, 177-16), the area of the parcels to be rezoned totaling approximately 56,094 square feet, from the Single Residence District and 40,000 Square Foot Area Regulation District, an error depicted on the current Zoning Map, to the Single Residence District and 15,000 Square Foot Area Regulation District in their entirety, a change that is more consistent with the previous intent of Town Meeting;

or take any action relative thereto.

(Planning Board)

ARTICLE 37: To amend the Zoning Bylaw by adding a new section, Section XvIG, Outdoor Lighting, to regulate the installation and use of outdoor lighting in association with certain projects.

To see if the Town will vote to amend the Zoning Bylaw by adopting new Section XvIG, Outdoor Lighting, to regulate the installation and use of outdoor lighting in association with certain projects, as follows. This amendment to be effective as of July 1, 2017:

SECTION XvIG. OUTDOOR LIGHTING

A. TITLE

The Section shall hereafter be known and cited as the "Town of Wellesley Outdoor Lighting Bylaw" or "Outdoor Lighting Bylaw."

B. PURPOSE AND INTENT

The purpose of this Section is to enhance public safety by providing for adequate and appropriate outdoor lighting, protect community character, promote energy conservation, protect against light trespass and glare, protect the privacy of residents, and minimize sky glow.

C. DEFINITIONS

Cutoff Angle - The angle formed by a line drawn from the direction of the direct light rays at the light source with respect to the vertical, beyond which no direct light is emitted.

Direct Light - Light emitted from the lamp, off the reflector or reflector diffuser or through the refractor or diffuser lens, of a luminaire.

Fixture - The assembly that houses a lamp or lamps and which may include a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor, lens, or diffuser lens.

V10

Footcandle - A quantitative unit measuring the amount of light cast onto a given point, measured as one lumen per square foot.

Fully Shielded Luminaire - A lamp and fixture assembly designed with a cutoff angle of 90 degrees or less so that no direct light is emitted above a horizontal plane.

Glare - Light emitted from a luminaire with an intensity great enough to produce annoyance, discomfort, or a reduction in a viewer's ability to see.

Height of Luminaire - The vertical distance from the finished grade of the ground directly below to the lowest direct-light-emitting part of the luminaire.

Lamp - The component of a luminaire that produces the actual light.

Light Trespass - The shining of direct light produced by a luminaire beyond the boundaries of the lot or parcel on which it is located.

Lumen - A measure of light energy generated by a light source. One foot candle is one lumen per square foot. For the purposes of this Section, the lumen output shall be the initial lumen output of a lamp, as rated by the manufacturer.

Luminaire - A complete lighting system, including a lamp or lamps and a fixture.

Sky Glow - Brightening of the night sky

D. APPLICABILITY

The provisions of this Section shall apply to the following project types which include the proposed installation of one or more outdoor luminaires for exterior lighting:

1. Major Construction Project and Minor Construction Projects, as defined by Section XVIA, Project Approval;
2. The construction of new single family dwellings or alterations of single family dwellings which require Large House Review, as required by Section XVID, Large House Review; and
3. Design Review and/or Special Permit applications for externally illuminated signs, as required and defined by Section XXIIA, Signs.

Where these regulations are more specific and/or more restrictive with respect to lighting associated with an applicable project type for which other standards may exist within the Zoning Bylaw, the regulations contained in this Section shall take precedence.

E. ADMINISTRATION

V10

For the project types subject to the provisions of this Section, the following information shall be submitted, except to the extent as such information may be waived by the Design Review Board, Planning Board, or Zoning Board of Appeals, as applicable:

1. Information identifying the location, orientation, height, and type of outdoor luminaires to be installed;
2. The luminaire manufacturer's specification data, including lumen output and photometric data showing cutoff angles;
3. Information identifying the type of lamp, such as light emitting diode ("LED"), metal halide, compact fluorescent, high pressure sodium, and the associated Color Rendering Index (CRI) of the lamp;
4. A photometric plan showing the intensity of illumination expressed in foot-candles at ground level within the interior of the property and at the property boundaries; and
5. Sufficient evidence to confirm that all proposed outdoor luminaires and lighting conditions comply with subsection F., General Regulations, of this Section.

F. GENERAL REGULATIONS

All exterior luminaires and/or the outdoor lighting conditions associated with the project types subject to the provisions of this Section, shall comply with the following regulations, unless otherwise specified:

1. **Wall-Mounted Fixtures:** Luminaires attached to the exterior of a building or structure shall be mounted no higher than fifteen (15) feet above grade and shall be fully shielded.
2. **Ground-Mounted Fixtures:** Luminaires mounted on the ground, including on poles, shall have a height no greater than ten (10) feet when associated with a single family use, and a height no greater than twenty (20) feet when associated with all other uses; such luminaires shall be fully shielded.
3. **Lighting Levels and Light Trespass Limitations:** Exterior lighting shall not exceed the following levels on the ground or exceed the light trespass limits specified:

TABLE XVIG.1, LIGHTING LEVELS AND LIGHT TRESPASS LIMITATIONS		
Use	Maximum Footcandles	Maximum Light Trespass*
Single Family Residential Uses	5	0.5

V10

All Other Uses	30	1.0
*The maximum footcandles allowable at all property lines, including property lines along a public or private street or way.		

- 4. Prohibited: Luminaires shall be prohibited from being mounted to or otherwise attached to any trees or similar vegetation.

G. SPECIAL PERMITS

- 1. Major Construction Projects, Minor Construction Projects, and Signs: In the case of such projects which incorporate one more outdoor luminaires not meeting the requirements of paragraph F., General Regulations, the Zoning Board of Appeals may grant a Special Permit, per Section XXV, Special Permit Granting Authority.
- 2. Large House Review: In the case of such projects which incorporate one more outdoor luminaires not meeting the requirements of paragraph F., General Regulations, the Planning Board may grant a Special Permit, per Section XXV, Special Permit Granting Authority, in conjunction with the consideration of an application under Section XVID, Large House Review.
- 3. Standards: In addition to those standards specified in Section XXV, Special Permit Granting Authority, in considering the issuance of a Special Permit from the requirements of this Section, the applicable Special Permit Granting Authority shall make a finding that one or more of the following conditions are met:
 - a. The proposed lighting is necessary to enhance public safety;
 - b. The proposed lighting enhances community character or does not negatively impact community character; or
 - c. The proposed lighting does not establish conditions which involve unacceptable light trespass, glare, sky glow, or compromise the privacy of abutting property owners.

or take any action relative thereto.

(Planning Board)

AMEND TOWN BYLAW

ARTICLE 38. To see if the Town will vote to amend the Town Bylaws Article 14 Permanent Building Committee by amending its definition of "project"; by amending the bylaw to allow proposing boards to prepare designs and supervise construction subject to Permanent Building Committee approval or where the estimated project cost is less

V10

than \$500,000; to establish procedures for providing copies of Design Review Board submissions to the Permanent Building Committee, and for providing record drawings and specifications to the Facilities Maintenance Department and the proposing board, as applicable; and to make any additional ministerial changes to the bylaw for consistency with the revisions noted herein; or take any other action relative thereto

(Permanent Building Committee)

ARTICLE 39. To see if the Town will vote to amend the Town Bylaws by adopting a new Article 46C, Historic Preservation Demolition Review, in order to allow the Historical Commission to review certain eligible buildings prior to their demolition and, after public hearing, to potentially impose a 12-month delay on the demolition thereof, as follows:

Historic Preservation Demolition Review

A. PURPOSE

This Article is adopted by the Town to assure the preservation and enhancement of the Town of Wellesley's historical and cultural heritage by preserving, rehabilitating or restoring whenever possible, buildings that have distinctive architectural features or historical associations that contribute to the historic fabric of the Town.

B. DEFINITIONS

For the purposes of this Article, the following words and phrases have the definitions set forth next to them:

"Application": An application to the Commission for a Demolition review determination of a Building in accordance with the provisions of this Article that shall include the following information supplied by the Owner: (i) the name of each Owner (including of the underlying property, if different from the Owner of the Building), (ii) the address of the Building, (iii) an indication whether the Owner is seeking a full or partial Demolition, (iv) the earliest date that the Owner believes the Building, or any part thereof, was constructed, and (v), if the Owner is seeking a partial Demolition, non-certified plans and drawings showing such proposed partial Demolition.

"Article": This Article 46C of the Town Bylaws.

"Building": Any combination of materials forming a shelter for persons, animals or property located in the Town of Wellesley that is larger than 100 square feet.

"Change of Control": As defined in Section D(6)(c).

"Commission": The Wellesley Historical Commission.

"Commission Staff": The person(s) regularly providing staff services for the Commission who the Commission has designated to perform tasks for the purposes of this Article and who shall be located in Town Hall. All communication with the Commission shall, unless otherwise specified in writing by the Commission, be done through the Commission Staff.

"Delay Period": As defined in Section D(3)(b).

"Demolition" or "Demolish(ed)": With respect to a Building regardless of whether another Building is constructed within the original footprint of such Building, the (i) pulling down, razing or destruction of the entire Building or (ii) the removal or envelopment of 50% or more of the existing exterior structure of the Building as determined in Section D(2), provided that, any non-structural changes to the siding or roofing of a Building shall not constitute a Demolition for purposes of this Article.

"Demolition Permit": Any permit issued by the Inspector of Buildings that is required by the State Building Code and which authorizes the Demolition of a Building (excluding

V10

interior Demolition) regardless of whether such permit is called a demolition permit, alteration permit, building permit, etc.

"Effective Date": July 1, 2017.

"Eligibility Notice": As defined in Section D(2).

"Eligible Building": Any Building that requires a Demolition Permit in order to be Demolished that was built, in whole or in part, prior to December 31, 1949. Notwithstanding the foregoing, accessory Buildings are not considered Eligible Buildings for purposes of this Article.

The determination of what constitutes a Building's date of construction shall be made by the Commission Staff using any combination of records generally available to the public, including but not limited to, Board of Assessor's records (e.g., property record cards), Building Department records (e.g., building permits), applicable Registry of Deeds (e.g., deeds), and the Wellesley Townsman archives.

"Inspector of Buildings": The Town of Wellesley's Inspector of Buildings.

"Owner": With respect to a Building that is the subject of this Article, the owner(s) of record, determined to be the last grantee(s) of record on file with the applicable Registry of Deeds.

"Preferably Preserved": A Building should be preferably preserved if it is an Eligible Building, the Demolition of which that is proposed in the Application would be detrimental to the historical or architectural heritage of the Town because such Building is (i) importantly associated with one or more historic persons or events, or with the architectural, cultural, political, economic or social history of the Town, the Commonwealth of Massachusetts or the United States of America, (ii) historically or architecturally important by reason of period, style, method of building construction or association with a particular architect or builder, either by itself or in the context of a group of Buildings, or (iii) located within one hundred fifty (150) feet of the boundary line of any federal or local historic district and contextually similar to the Buildings located in the adjacent federal or local historic district.

"Preservation Determination": As defined in Section D(3)(b).

"Public Hearing": As defined in Section D(4).

"Submission Date": As defined in Section D(1).

"Waiver Hearing": As defined in Section D(4)(a).

C. APPLICABILITY AND INTERPRETATION

(1) **Applicability**. Commencing on the Effective Date, no Demolition Permit for an Eligible Building shall be issued by the Inspector of Buildings without first complying with the provisions of this Article. After complying with the provisions of this Article, any request to the Inspector of Buildings for a Demolition Permit shall, along with all other documents required by the Inspector of Buildings, be accompanied by the Eligibility Notice and/or the Preservation Determination.

(2) **Damage and Reconstruction**. Subject to Section G, this Article does not apply to the reconstruction of a Building that was damaged or destroyed by fire, storm, or other disaster, provided that (a) such damage or destruction is not caused by the owner or his agents or representatives' negligence or willful misconduct, including but not limited to, with respect to securing the Building, and (b) such reconstruction is commenced within two (2) years from the date of the damage or destruction and is conducted at a commercially reasonable pace. This exception shall be limited to reconstruction of only that portion of the Building damaged by such catastrophic event. Time incurred in

V10

resolving an appeal or other court action or insurance claim shall not be counted as part of the two year limit.

(3) Validity of Commission's Determination. A Preservation Determination shall remain valid, if Preferably Preserved, for two years after the expiration of the Delay Period, or if not Preferably Preserved, for two years after the Preservation Determination. While valid, the Inspector of Buildings may act upon a request for a Demolition Permit without regard to the provisions of this Article.

D. PROCEDURE

(1) Application. An Owner seeking to Demolish a Building shall first file an Application with the Commission Staff. The Commission Staff will date stamp the Application (the "**Submission Date**") and provide the Owner with a stamped acknowledgement copy of the first page of the Application.

(2) Determination if an Eligible Building

a. Determination. Within fifteen (15) days after the Submission Date, the Commission Staff shall make a determination as to whether the Building is or is not an Eligible Building and shall send written notice of such determination to the Owner (the "**Eligibility Notice**").

b. Appeal. The determination made in the Eligibility Notice may be appealed by the Owner to the Commission by filing a written notice of appeal with the Commission within twenty (20) days after the date of the Eligibility Notice. The Owner shall include all relevant reasons and documentation supporting its appeal. The Commission shall schedule a Public Hearing for a date not later than forty-five (45) days after the Commission's receipt of the notice of appeal. Within fifteen (15) days following the conclusion of such hearing, the Commission shall provide written notice of its determination to the Owner.

(3) Determination if Preferably Preserved

a. Documentation Requirements. Upon the Owner's receipt of the Eligibility Notice that indicates that the Building is an Eligible Building and the exhaustion of the appeal process provided for in Section D(2)(b) above, the Owner shall provide the Commission with the following additional information:

i. in the case of a partial Demolition, plans showing the use or development of the site after such Demolition, if known, and a statement identifying all zoning variances and/or special permits which may be required in order to implement the proposed use or development, if known; and

ii. in the case of any Demolition, photographs of all existing façade elevations of the Building.

b. Hearing and Determination. Within forty-five (45) days following the Commission's receipt of the documentation required pursuant to Section D(3)(a) above,

V10

the Commission shall hold a Public Hearing and make a determination as to whether or not the Building should be Preferably Preserved (the "**Preservation Determination**"). If the Commission determines that the Building should be Preferably Preserved, then no Demolition Permit with respect to such Building shall be issued until twelve (12) months after the date of the Preservation Determination (the "**Delay Period**"), provided that, the length of the Delay Period may be reduced pursuant to Section D(5) below. If the Owner does not provide to the Commission all documentation required by Section D(3)(a) above within ninety (90) days of (i) the Owner's receipt of the Eligibility Notice or (ii) if the Owner has elected to appeal pursuant to Section D(2)(b) above, the conclusion of any appeal period, then the Application shall be automatically withdrawn.

c. Continuances. The Commission and the Owner may mutually agree to continue any hearing at which the Commission is to make the Preservation Determination. Any such continuances shall automatically extend the time for the Commission to make the Preservation Determination and all associated dates that fall thereafter.

d. Notice of Preservation Determination. Within fifteen (15) days of making the Preservation Determination, the Commission shall send written notice of such determination to the Owner.

e. Appeal. The determination made in the Preservation Notice may be appealed by the Owner to any court of competent jurisdiction in the Commonwealth of Massachusetts.

(4) Reduction in Length of Delay Period (Waiver Process)

a. Earlier Issuance. After a Delay Period has been imposed, an Owner may apply to the Commission for a reduction of the Delay Period. Within forty-five (45) days following the Commission's receipt of such request, the Commission shall schedule a Public Hearing and make a determination as to whether or not to reduce or modify the Delay Period (the "**Waiver Hearing**"). At the Waiver Hearing, the Commission may consider whether the Owner has:

i. made a bona fide, reasonable and unsuccessful effort to locate a purchaser for the Building who is willing to preserve, rehabilitate or restore the Building; or

ii. agreed to accept a Demolition Permit on specified conditions approved by the Commission. If the specified conditions involve approved plans and elevations, then no Demolition Permit shall be issued by the Inspector of Buildings unless the Owner provides to the Inspector of Buildings a complete set of plans and elevation drawings which have been signed and stamped by the Commission.

b. Moratorium; Notice. Any matters to be discussed at the Waiver Hearing may not be raised or discussed at the earlier Public Hearing during which the Preservation Determination is made. The Waiver Hearing shall remain open until closed by the Commission. Within fifteen (15) days after the Commission has closed the Waiver Hearing, the Commission shall provide to the Owner written notice of its determination or

V10

a summary of the Owner and the Commission's agreed-upon plans with respect to the Delay Period and the Building.

(5) Hearing Notice Requirements. Public notice of all Commission hearings conducted in accordance with this Article (each, a "Public Hearing") shall provide the date, place and time of the Public Hearing and the address of the Building. With respect to each such notice, the Commission shall, at least fourteen (14) days prior to the date of the Public Hearing, (i) advertise once in a newspaper of general local circulation, (ii) post it with the Town Clerk and (iii) send it by regular United States Postal Service mail to the Owner and to the owners of all abutting properties of the Building. The Commission may also send such notice to other property owners deemed by the Commission to be materially affected by the Application.

(6) Transferability

a. Requirement to Submit New Application. Once a Building is deemed Preferably Preserved, if, prior to the expiration of the Delay Period, ownership (whether of record, legal, beneficial or otherwise) in the Building or underlying property is transferred, directly or indirectly, in whole or in part, by the Owner to any other person, irrespective of whether the Owner retains any ownership interest therein or rights thereto, the transferee must submit a new Application pursuant to the procedures of this Article. During the period that such new Application is under review by the Commission, the existing Delay Period shall remain in effect. If the Commission determines that the Building is Preferably Preserved, a new Delay Period shall be implemented for the full twelve (12) months, commencing on the date that the Commission makes such new Preservation Determination; the previously-existing Delay Period shall thereafter immediately terminate.

b. Owner. For purposes of Section D(6)(a) above, a transfer shall be deemed to occur upon a Change of Control of the Owner. "Change of Control" means, regardless of the form thereof, consummation of (i) the dissolution or liquidation of the Owner, (ii) the sale of all or substantially all of the assets of the Owner on a consolidated basis, (iii) a merger, reorganization or consolidation in which the outstanding equity interests of the Owner are converted into or exchanged for securities of the successor entity and the holders of the Owner's outstanding voting power immediately prior to such transaction do not own a majority of the outstanding voting power of the successor entity immediately upon completion of such transaction, (iv) the sale or other transfer of all or a majority of the outstanding equity or beneficial interests (or such other amount necessary to control the Owner) of the Owner or (v) any other transaction in which the holders of the Owner's outstanding voting power immediately prior to such transaction do not hold at least a majority of the outstanding voting power (or such other amount necessary to control the Owner) of the Owner or the successor entity immediately upon completion of the transaction.

E. EMERGENCY DEMOLITION

If the Inspector of Buildings determines that a Building poses an imminent threat to public health and safety and that immediate Demolition of the Building is warranted, the Inspector of Buildings may issue a Demolition Permit without requiring compliance with the provisions of this Article. Whenever the Inspector of Buildings issues a Demolition

V10

Permit under the provisions of this Section E, it shall prepare and file with the Commission a written report describing the Demolition of the Building and the basis of its decision to issue such Demolition Permit.

F. NON-COMPLIANCE

Anyone who effects, or begins to effect, a Demolition of an Eligible Building without first complying fully with the provisions of this Article shall be subject to a fine of not more than three hundred dollars (\$300.00) for each day in violation of this Article.

In addition, unless a Demolition Permit issued in accordance with this Article is obtained and unless the Demolition Permit is fully complied with, including full compliance with plans and elevation drawings signed and stamped by the Commission, the Inspector of Buildings may elect, and the Commission may request the Inspector of Buildings to, (1) issue a stop work order halting all work on the Building unless and until the Commission notifies the Inspector of Buildings in writing that the Owner has appeared before the Commission to address such non-compliance, and the Commission has accepted the Owner's plans to remediate such non-compliance; (2) refuse to issue any certificates of occupancy, temporary or final, until any non-compliance has been remediated; and/or (3) refuse to issue any permit required by the State Building Code pertaining to any property on which an Eligible Building has been Demolished, or such Demolition was commenced, for a period of two (2) years from the date of such Demolition, provided that this provision shall not prevent the Inspector of Buildings from issuing any permit required to insure the safety of persons and property. The Inspector of Buildings shall give prompt written notice to the Commission of any action taken or refused to be taken pursuant to this Section F. Notwithstanding the first two paragraphs of this Section F, upon a determination by the Commission that reuse of the property in accordance with building plans prepared by the Owner and submitted to the Commission (and all other relevant Town boards and departments) will substantially benefit the Town, the neighborhood in which the Building is situated, and will provide compensation for the loss of the historic elements of the Building either through reconstruction of the lost historic elements or significant enhancement of the remaining historic elements of the Building or the surrounding neighborhood, the Commission may waive the fine, in whole or in part, and/or the Inspector of Buildings' ban on issuance of any permits as provided for in this Section F, in order to allow for the construction or reconstruction of a Building or architectural elements as approved by the Commission. An Owner receiving such a waiver of the fine and/or ban shall execute a binding agreement with the Commission enforceable against all of the Owner's heirs, assigns and successors in interest to insure that any reuse of site undertaken during the two-year ban shall be implemented in accordance with the plans, terms and conditions approved by the Commission. Any reuse of the site undertaken during the two-year ban which fails to comply with the terms of the Commission's approval granted under this Section F shall also permit reinstatement of the fine for non-compliance with this Article.

G. SECURING BUILDINGS

(1) Rebuttable Presumption. If a Building has been determined by the Commission Staff (or Commission on appeal) to be (a) an Eligible Building and is subsequently destroyed (in whole or in part) by fire or other cause before a Preservation Determination is made, or (b) Preferably Preserved and is subsequently destroyed (in whole or in part) by fire or other cause before the expiration of the Delay Period, then in each such case a rebuttable presumption shall arise that the Owner voluntarily Demolished the Building without complying with the provisions of this Article.

V10

(2) Non-Issuance of Permits. If the rebuttable presumption has arisen, the Inspector of Buildings shall not issue any permit required under the State Building Code pertaining to the Building, with respect to Section G(1)(a) above, for a period of two (2) years from the date of such destruction, and with respect to Section G(1)(b) above, until the end of the Delay Period.

(3) Exceptions. Notwithstanding anything to the contrary in this Section G, the Inspector of Buildings may issue any permit required under the State Building Code pertaining to the Building (a) as may be necessary to secure public safety or health or (b) if the Owner has provided satisfactory evidence to the Inspector of Buildings that such Owner took reasonable steps to secure the Building against fire or other loss or that the cause of the destruction was not otherwise due to the Owner's negligence or willful misconduct.

H. BUILDINGS LOCATED IN LOCAL HISTORIC DISTRICTS

The provisions of this Article shall not apply to any Building located in a local historic district established pursuant to M.G.L. C. 40C and subject to regulation by the local historic district commission under the provision of Section XIVD of the Zoning Bylaws.

I. SEVERABILITY

In case any section, paragraph, or part of this Article is declared invalid or unconstitutional by any court of competent jurisdiction, every other section, paragraph, or part of this Article shall continue in full force and effect.

J. ENFORCEMENT

The Commission is authorized to institute any and all actions and proceedings, in law or in equity, in any court of competent jurisdiction, as it deems necessary and appropriate to obtain compliance with the requirements of this Article.

K. FEES

Any Owner whose Application is subject to this Article shall pay such fees as shall be determined by the Commission.

L. RULES AND REGULATIONS

The Commission may promulgate or amend Rules and Regulations ("Rules") which pertain to this Article, and shall file a copy of the Rules in the office of the Town Clerk. The adoption or amendment of Rules shall be after a Public Hearing to receive comments on the proposed or amended Rules.

; or to take any other action in relation thereto.

(Historical Commission)

ARTICLE 40: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to allow the Planning Department to hire a 0.5 FTE part-time staff person, without benefits, to allow the Department to assist the Historical Commission in administering Article 46C, Historic Preservation Demolition Review, of the Town Bylaws; or to take any other action in relation thereto.

(Historical Commission)

CITIZEN PETITIONS

V10

ARTICLE 41. To see if the Town will vote to amend its By-laws to prohibit the placement out doors of trash and trash receptacles visible from any public or private way unless the trash or trash receptacles are located within 3 feet of the property owner's building or garage, and further that The trash and trash receptacles are removed from view from all public and private ways within 30 hours after first being placed outside. The foregoing regulated activity shall not apply to construction trash or debris resulting from construction for which a building has issued and is in force, nor for dumpsters containing 10 or more cubic yards capacity so long as the dumpsters are not on site for more than 30 days. Any person violating this bylaw shall be liable to the Town in the amount of \$50.00 for the first violation and \$100 for each subsequent violation.

(Citizen Petition)

ARTICLE 42. To see if the Town will vote to amend the Zoning Bylaws of the Town of Wellesley, Massachusetts (hereinafter referred to as "Zoning Bylaw") to make changes thereto to minimize or reduce the impact of so-called "mansionization" of the Town due to large numbers of "tear-downs," whereby existing single family dwellings are torn down and replaced with much larger homes, often times out of character with the surrounding dwellings and neighborhood, by a mixture of one or more revisions to, among other provisions of the Zoning Bylaw, the Ratio of Building to Lot Area as provided in SECTION XVIII, AREA REGULATIONS, the Minimum Frontage, Minimum Front Yard Width, Minimum Front Yard Depth, Minimum Side Yard Width and Minimum Rear Yard Depth, all as provided in SECTION XIX, YARD REGULATIONS, the Height limitations as provided in SECTION XX, HEIGHTS OF BUILDINGS OR STRUCTURES, and various provisions of SECTION XVII, LARGE HOUSE REVIEW.

In addition, and without limiting the generality of the foregoing or the following, it is contemplated that amendments to any of the foregoing Sections of the Bylaw may require concurrent revisions to one or more of the following sections: SECTION IA, DEFINITIONS, SECTION XVII, PROJECT APPROVAL, SECTION XVIII, PRE-EXISTING NON-CONFORMING USES, STRUCTURES AND LOTS, SECTION XXII, DESIGN REVIEW, SECTION XXIII, SWIMMING POOLS, SECTION XXIV, RETAINING WALLS, and SECTION XXV, PERMIT GRANTING AUTHORITY and any other relevant or impacted Sections of the Zoning Bylaw as it may be necessary or advisable to be amend in connection the proposed amendments contemplated by the foregoing, or as a result thereof.

(Citizen Petition)

GENERAL

ARTICLE 43. To see if the Town will vote to rescind authorized and unissued loans, identified in the list available for inspection at the office of the Town Clerk, to authorize the transfer of unused proceeds from previously issued loans to one or more eligible appropriations, to amend existing borrowing authorizations on unissued debt authorized

V10

prior to November 7, 2016, 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.

(Board of Selectmen)

ARTICLE 44. 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, all damages and expenses, including legal fees and costs, if any, in an amount not to exceed \$1,000,000, 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 that constitutes a violation of the civil rights of any person under any federal or state law, if such employee or official, at the time of such intentional tort or such act or omission, was acting within the scope of his official duties or employment, and to raise and appropriate, transfer from available funds, or borrow a sum of money therefor, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 45. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for expenses incurred by Town Departments prior to July 1, 2016, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 46. 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 Selectmen, 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.

(Board of Selectmen)

ARTICLE 47. To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to dispose of tangible Town property having a value in excess of \$10,000, on such terms as it may deem advisable, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 48. To see if the Town will vote to authorize the Board of Selectmen to appoint one or more of its members as a fire engineer, or to take any other action in relation thereto.

(Board of Selectmen)

V10

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 17th of January 2017.

Marjorie R. Freiman, Chairman

Ellen F. Gibbs, Vice-Chair

David L. Murphy, Secretary

Barbara D. Searle

Jack Morgan

A true copy, _____
Attest: Constable, Town of Wellesley

V10

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

Wellesley, MA January ____, 2017

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.

Constable, Town of Wellesley



**Town-Wide Financial Plan for 2016 Annual Town Meeting
Submitted by the Board of Selectmen**

March 7, 2016

Dear Town Meeting Members:

We are pleased to submit this report on the Town-Wide Financial Plan (TWFP). This report provides summary financial information for the current fiscal year (FY16), the proposed budget for FY17, and projected financial information for the years FY18-20.

Overview

The Board of Selectmen, working with other Town officials, has developed a balanced-budget proposal for the next fiscal year (FY17, or the year beginning July 1, 2016). This proposal assumes modest levels of revenue and spending growth. Spending growth is approximately in line with prior TWFP projections and the budget guidelines issued last fall. Budget reductions approved by the School Committee earlier this month reduced the growth in the School Department's operating budget to 4.25%. The School Committee contributed further to the balancing of the budget by deferring some technology-related cash capital spending until FY18. The total growth in other departmental budgets is 2.6%.

The amount of reserves used to balance the budget (\$2.5 million) is consistent with previous projections, and despite this usage, the Town will see continued reserve growth. Additional savings arising from the Town's health insurance initiatives is the most significant contributor to the reserve growth.

At the time of this writing, negotiations are ongoing with a number of the Town's unions, including the Teachers, the Town's largest collective bargaining unit. The results from these negotiations may further impact the proposed FY17 budget and we will provide an update on this matter at Town Meeting.

Looking forward, we are projecting deficits in the range of \$4.0-4.2 million in each of the next three fiscal years (FY18-20). The projected FY18 deficit is primarily attributable to a \$2.4 million increase in cash capital spending, which in turn is largely due to the School Department's technology-related capital deferred from FY17. We are investigating opportunities to smooth fluctuations in cash capital spending between years, and our process for setting budget guidelines needs to better encompass cash capital spending, at least for those departments that have high, recurring levels of such spending.

Town Meeting will also be asked to appropriate funds for a number of debt-funded projects. The most significant of these projects is the Tolles Parsons Center, which will also be subject to a town-wide debt exclusion ballot question, to be considered at a special election in May. The other debt-funded projects are to be funded with inside-the-levy borrowing. Despite this

additional borrowing, the Town's total debt service is projected to decline by \$830,000, as a result of the Town's conservative debt amortization approach.

Longer-term, we are continuing to monitor the scope, cost and timing of the work related to the renovation and/or replacement of the Hardy, Hunnewell and Upham elementary schools (also referred to as "HHU"). As with the Tolles Parsons Center, we are expecting the funding for the HHU project(s) to be subject to a debt exclusion, and our preliminary projections suggest the peak median tax bill impact of this work could approach \$680 per year. No significant appropriation request related to HHU is anticipated for the upcoming Town Meeting, and it is highly unlikely that this project(s) will materially impact tax bills until FY20 at the earliest. It is also important to note that the impact of HHU debt service on property tax bills will be offset by ongoing declines in the level of debt service related to prior projects.

Absent any significant changes in projected spending, it is likely that a Proposition 2½ override will be required in FY18. Growth in the School budget, health insurance costs and cash capital remain the biggest drivers of cost growth. The School budget is nearly twice the size of all of the other departmental budgets combined, and it is projected to continue growing at twice the annual rate.

Lastly, we do not believe there will be a negative financial impact related to staffing changes arising from a transition to a Selectmen – Town Manager form of government. Pending the outcome of the related ballot question to be considered at the March 15th election, and the subsequent implementation of the new form of government, we believe it is premature to incorporate any related changes in the FY17 budget.

Key Financial Planning Issues

Each year, the Selectmen and their staff update the TWFP with input from all of the Town's departments, Boards and Committees. As part of this process, the Selectmen are particularly mindful of the need to:

- Pay the full cost of the Town's current operations
- Proactively address emerging issues
- Protect the Town against material risks
- Preserve the Town's assets
- Plan for the long-term

As in prior years, the key issues impacting the Town's financial planning include:

- Growth in personnel costs
- Employee benefit costs
- Facilities and other capital needs

A short discussion of each of these items follows.

Growth in personnel costs

The largest recurring item in the year-over-year growth of the Town budget is the cost of wage increases for existing employees. The vast majority of Town employees are unionized, and their annual wage increases are the subject of collective bargaining. At the time of this writing,

Town officials are negotiating successor collective bargaining agreements with a number of the Town's unions. The following table summarizes the status of the Town's largest union contracts:

Union	Employees	Settled Through	FY17 Increase
Teachers	519	6/30/16	In negotiations
DPW Production	77	6/30/17	2% + 0.5% mid year
School Secretaries	34	6/30/16	In negotiations
School Custodians	44	6/30/17	0%
Library Association	45	6/30/16	In negotiations
Firefighters	53	6/30/17	2% + 0.5% midyear
Police Patrolmen	31	6/30/16	In negotiations

In addition to the general wage increases noted above, the union contracts also provide for "step" increases for teachers and other employees who have not yet reached the top step, and "lane" increases for teachers as they achieve additional academic degrees. The Teachers contract provides for 16 steps and the value of each step increase is approximately 4.2%. The DPW Production, Police Patrolmen and Firefighters contracts provide for 4-6 steps, and an average step increase of 5.3-5.6%. Thus, it is not unusual for employees who have not reached the top step to receive total annual wage increases in the range of 7-8%.

Each year the cost of step increases is partially offset by savings resulting from the retirement or termination of employees who are replaced by new employees at a lower step level. Thus, in departments with steps, the changing composition of the work force has an effect on the budget over time. In the case of the School Department, the average experience level of teachers has increased over the past ten years. In addition, the number of steps in the Teachers contract has increased, so even the most experienced teachers have received step increases in some years. These factors have contributed to the greater growth of the School budget in comparison to other departments' budgets.

The conclusion of bargaining with respect to the open union contracts may necessitate further budget adjustments. No provision for the potential cost of the non-School union settlements has been included in the current balanced budget proposal, as these settlements will require Town Meeting approval.

Employee benefit costs

Employee benefit costs total \$26.3 million in FY17 (17% of the Town's total budget) and during the past 10 years this has been the fastest growing component of the overall Town budget. The principal components of this cost are:

- Health insurance premium costs for active and retired employees - \$14.3 million
- Pension plan contribution - \$6.4 million
- Other Post-Employment Benefits (OPEB) funding - \$3 million

The Town procures health insurance for active employees and retirees through the West Suburban Health Group (WSHG), a consortium of 10 towns and 3 educational entities. Health insurance is a mandatory subject of collective bargaining, so the Town cannot unilaterally make plan design changes.

The Municipal Health Insurance Reform legislation passed by the State in 2011 established a process by which municipalities could transition active employees and retirees to the Group Insurance Commission (GIC), without the need for traditional collective bargaining. By transitioning to the GIC, municipalities can take advantage of that entity's market leverage, greater flexibility (the GIC can make plan design changes without the burden of collective bargaining) and lower premium rates. The towns of Westwood and Ashland (prior WSHG members) elected to make this transition effective July 1, 2015, and other towns including Lexington, Weston and Sudbury have previously transitioned to the GIC.

Prior to the 2015 Annual Town Meeting, the Selectmen negotiated an agreement with all of the Town's unions, under the terms of which the Town's percentage contribution toward the cost of the plans offered by Fallon Health was increased to 80% and the Town's contribution toward the more expensive plans offered by Blue Cross Blue Shield, Harvard Pilgrim and Tufts was reduced to 71%. In addition, the Town introduced an "opt-out" option for employees, whereby an employee receives a cash payment in exchange for withdrawing from the Town's health insurance plans (some employees have the flexibility to enroll in their spouse's health insurance plan). In exchange for these plan changes, the Town agreed not to transition to the GIC for the 3 year term of the agreement, i.e., through June 30, 2018.

As a result of the 2015 agreement, the Town initially recognized \$2 million of health insurance budget savings in the FY16 budget. Given the high number of employees who either migrated to the Fallon plans, or opted-out of the Town's health insurance plans, the Town has recognized a greater level of savings. These additional savings have offset the cost impact of the FY17 premium rate increases.

The Board will continue to monitor health insurance cost trends and work with the other members of the WSHG to control health insurance costs, while meeting our obligations to our employees and retirees.

The Town maintains a defined benefit pension plan for retired employees other than teachers (teachers participate in a similar plan operated by the State). The benefits provided by the plan are identical to those offered by other cities and towns in Massachusetts. Municipal employees in Massachusetts are not eligible for Social Security as a result of their employment with a municipality. Thus, the pension benefit is provided in lieu of a retirement allowance under Social Security. Unlike a defined benefit pension plan in the private sector, municipal employees contribute toward the cost of their pension. Any municipal employee hired after 1996 is required to contribute 9% of pay plus 2% of pay over \$30,000. Employee contributions to the Town of Wellesley's pension plan during calendar 2015 totaled \$3.2 million. These contributions are in addition to the Town's contribution, which is expected to be \$6.4 million in FY17. During the years FY97-FY09 when the pension liability was fully funded, the Town made no contributions to the pension plan (employee contributions continued during this period).

The Town is also obligated to subsidize a portion of the health insurance premiums for retirees. Eligible retirees are required to enroll in Medicare and the Town pays 50% of the cost of a Medicare supplement plan and 50% of the Medicare Part B premium. This obligation is the basis for the Town's Other Post-Employment Benefits (OPEB) liability.

The following table summarizes the Town's unfunded liabilities related to pension and OPEB, based on employee service to-date:

<i>Valuation Date</i>	<u>Pension</u>	<u>OPEB</u>
	<i>1/1/2015</i>	<i>6/30/2014</i>
Accrued Liability	\$ 207,928,237	\$ 111,075,197
Actuarial Value of Assets	152,955,923	32,806,387
Unfunded Liability	54,972,314	78,268,810
MV of Assets at 12/31/15	\$ 152,484,227	\$ 42,689,288

The actuarial funding schedule for the pension plan, which is intended to fully fund the plan by 2030, calls for a \$.2 million increase in pension funding in FY17 (exclusive of enterprise funds). The latest actuarial valuation of the pension plan performed as of January 1, 2015 reflected an investment return assumption of 6.75%, which is more conservative than the 7% assumption used in the previous valuation. Despite this more conservative assumption, the Town's unfunded pension liability continues to decline, consistent with the funding schedule.

A new actuarial valuation of the OPEB liability will be performed as of July 1, 2016. The actuarial funding schedule for the OPEB liability, which is intended to fully fund this liability by 2037, requires the Town to contribute \$3 million each year, in addition to the increasing pay-as-you-go costs (i.e., the premium subsidies for current retirees). The \$3 million additional contribution is funded by a combination of inside the levy funds and a Proposition 2½ funding exclusion. In anticipation of the expiration of the funding exclusion on June 30, 2017, the Town has been increasing the level of inside the levy funding, and reducing the funding exclusion by a similar amount, as seen in the following table:

	<u>OPEB Funding</u>			
	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>
Inside the levy	\$ 1,200,000	\$ 1,800,000	\$ 2,400,000	\$ 3,000,000
Exclusion	1,800,000	1,200,000	600,000	-
	<u>\$ 3,000,000</u>	<u>\$ 3,000,000</u>	<u>\$ 3,000,000</u>	<u>\$ 3,000,000</u>

While this funding transition will put pressure on the Town budget, the annual reductions in the amount of the exclusion are reducing the total tax rate.

Unlike many other communities, Wellesley is fully funding the ARC (Annual Required Contribution), as defined in the Government Accounting Standards Board pronouncements related to OPEB. As a result, the Town is allowed to discount the unfunded OPEB liability using an assumed market rate of return, whereas communities that are not funding the ARC are required to use a risk-free rate of return. As new accounting rules applicable to municipalities take effect, which will require municipalities to report pension and OPEB liabilities on their balance sheet, Wellesley's proactive funding approach will favorably distinguish our community.

Facilities and other capital needs

At the upcoming 2016 Annual Town Meeting, appropriations will be requested for the following capital projects:

- Hunnewell Field Restrooms - \$300,000 (Article 18)

- High School Stadium - \$1,057,000 (tax impact portion) (Article 20)
- Park & Highway Garage roof replacement - \$700,000 (Article 21)
- Police Station roof and other building envelope repairs - \$2 million (Article 23)
- Tolles Parsons Center - \$6.7 million (Article 24)
- Route 9 / Kingsbury Street intersection reconfiguration - \$700,000 (Article 26)

The cost amounts shown for the above projects are detailed estimates. With the exception of the Rte 9 / Kingsbury St. intersection work, bids for all of the projects are currently being solicited and the final appropriation amounts will be presented at Town Meeting.

As further background regarding the Rte 9 / Kingsbury St. intersection project, the Massachusetts Department of Transportation (MassDOT) is planning to resurface the entire length of Route 9 in Wellesley in 2017. Reconfiguration of this intersection, to eliminate the eastbound and westbound turnarounds and install a full traffic signal system, has been a high priority public safety issue for the Town for a number of years. Following a series of discussions between Town and MassDOT officials on this and other roadway issues, MassDOT has agreed to reconfigure the intersection as part of their resurfacing project, subject to the Town's willingness to fund this piece of the project. The Town is currently vetting the proposed new design for the intersection, and this vetting will include meetings with neighbors and other interested parties. MassDOT currently estimates the Town's portion of the cost to be \$633,000 and we are requesting an appropriation of \$700,000 to provide a small contingency.

The Tolles Parsons, Police Station and Park & Highway Garage Roof projects will be managed by the PBC, whereas the High School Stadium and Hunnewell Field Restrooms projects will be managed by the DPW. The appropriation for the Tolles Parsons Center will be subject to a town-wide debt exclusion question. All of the other projects will be funded with inside the levy borrowing.

The situation with respect to other facilities needs is summarized as follows:

- School security upgrades – The planning for these upgrades is continuing and it is currently expected that an appropriation for construction funds will be requested at either a fall 2016 Special Town Meeting or at the 2017 Annual Town Meeting. Pending further clarity regarding the scope and cost of this work, we are carrying an estimate of \$2,455,000.
- Renovation/replacement of Hardy, Hunnewell and Upham elementary schools - Multiple Statements of Interest (SOI's) have been filed with the Massachusetts School Building Authority (MSBA) with respect to these schools, but to-date, the Town has not received a favorable response. At some future date, Town officials may elect to begin addressing the needs of these schools without MSBA support. For purposes of the TWFP, we are projecting the total cost of this work to be approximately \$96 million, to be incurred during the period FY18-22.
- Middle School Infrastructure (\$7.3 million) - A recent study of the Middle School identified the need to replace significant portions of the HVAC secondary distribution

system. In addition, a number of classroom doors and certain cabinetry need to be replaced, and portions of the brick masonry need to be re-pointed.

Further details regarding these and other capital projects are detailed in the Five Year Capital Budget Program attached as Exhibit C.

FY17 Budget

The proposed FY17 budget request is summarized in the following table (more complete versions of the FY17 Sources & Uses are presented in Exhibit I and Appendix B, which appears later in this book):

	<u>FY16</u> <u>Budget</u>	<u>FY17</u> <u>Request</u>	<u>\$</u> <u>Incl/(Dec)</u>	<u>%</u> <u>Incl/(Dec)</u>
Sources of Funds				
Taxes	\$ 113,458,735	\$ 117,895,203	\$ 4,436,468	3.9%
State Aid	9,201,364	9,386,000	184,636	2.0%
Local Revenue	10,908,415	11,205,000	296,585	2.7%
Free Cash (balance)	2,624,169	2,498,871	(125,298)	-4.8%
Free Cash other	132,000	-		
Other Sources	987,971	1,056,874	68,903	7.0%
CPA Funds	891,950	1,615,400	723,450	81.1%
CPA to offset debt	580,000	548,944	(31,056)	-5.4%
Exempt Debt	12,803,348	12,374,727	(428,621)	-3.3%
Capital Exclusion	1,200,000	600,000	(600,000)	-50.0%
Total Sources	\$ 152,787,952	\$ 157,181,020	\$ 4,393,068	2.9%
Uses of Funds				
School	\$ 66,689,159	\$ 69,524,634	\$ 2,835,475	4.3%
Facilities Maintenance	6,901,668	7,059,340	157,672	2.3%
Other Town Departments	27,445,278	28,181,940	736,662	2.7%
Employee Benefits	26,133,432	26,304,938	171,506	0.7%
Cash Capital	4,501,752	5,167,179	665,427	14.8%
Debt Service (inside Levy)	3,970,125	4,274,282	304,157	7.7%
Other Uses	3,763,190	3,745,036	(18,154)	-0.5%
Exempt Debt	13,383,348	12,923,671	(459,677)	-3.4%
Total Uses	\$ 152,787,952	\$ 157,181,020	\$ 4,393,068	2.9%
Surplus/(Deficit)	\$ 0	\$ (0)		

Sources of Funds: The 3.9% increase in Taxes reflects the allowed growth in the levy limit (2.5%) and \$1.6 million of new growth. The 2% increase in State Aid reflects the ongoing concern regarding the State's fiscal situation. The 2.7% increase in Local Revenue reflects increases in licensing and permitting fees, and parking fines. The large increase in Other Sources is largely attributable to increases in utilization of CPA (Community Preservation Act) funds. The decrease in Exclusions & Exemptions reflects a further reduction in the OPEB funding exclusion and a decrease in excluded debt service arising from the Town's practice of amortizing most debt on a "level principal" basis.

Uses of Funds: The 4.3% increase in the School budget reflects the cost of contractual step, lane and cost of living increases and higher special education costs. The 2.6% increase in Other Town Departments is consistent with the wage increases levels recommended by the Human Resources Board. The 14.8% increase in cash capital is largely attributable to increased road resurfacing funds within the DPW budget and a further increase in Facilities Maintenance capital.

The Town is also anticipating appropriation requests to fund the following items using Free Cash:

- Supplemental FY16 appropriations (Article 7)
 - \$250,000 for current year snow and ice removal costs
 - \$75,000 for legal costs associated with the work of the Town Government Study Committee and the planned transition to a Selectmen – Town Manager form of government
- \$91,950 appropriation to the Special Purpose Stabilization Fund for injured-on-duty medical costs incurred by Police and Fire Department personnel (Article 9)
- \$200,000 for further study of traffic and enrollment issues related to the replacement and/or renovation of the Hardy, Hunnewell and Upham elementary schools (Article 22)

Reserves

Mindful of the need to maintain sufficient financial reserves to support the Town’s favorable AAA bond rating, we continue to carefully monitor the level of revenues and expenses versus budget, and the resulting impact on reserve levels.

Of particular concern are the balances in the Town’s Stabilization Fund (a separate reserve fund) and the balance of Free Cash. Under Massachusetts Department of Revenue (DOR) rules, these are the reserve balances specifically available for appropriation by Town Meeting for any lawful purpose. Appropriations from the Stabilization Fund require a two-thirds vote by Town Meeting, whereas appropriations from Free Cash require a majority vote. The total of Stabilization Fund balances as of June 30, 2015 was \$3.5 million and we do not anticipate any requests for appropriations from this fund. The level of Free Cash, as certified by the DOR, was \$8.8 million as of July 1, 2015.

The following chart summarizes the changes in Free Cash for the years FY11-15:

<i>Free Cash</i>	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>	<u>FY14</u>	<u>FY15</u>
<i>Beginning of year</i>	\$ 9,471,751	\$ 8,439,070	\$ 10,499,623	\$ 10,950,782	\$ 10,336,925
<i>Uses</i>	(3,715,184)	(3,112,757)	(3,630,881)	(3,987,715)	(4,867,591)
<i>Net Free Cash generated</i>	2,682,503	5,173,310	4,082,040	3,373,858	3,362,166
<i>End of year</i>	\$ 8,439,070	\$ 10,499,623	\$ 10,950,782	\$ 10,336,925	\$ 8,831,500

Free Cash is “generated” by revenues in excess of budget, budget “turn-back” (amounts budgeted but not spent), and other timing differences. The Town’s ability to generate Free Cash has enabled the rebuilding of the Town’s financial reserves, and funded a number of operating and capital investments, as reflected in the “Uses” quantified above. The potential for

generating additional Free Cash in FY16 is an important factor in our evaluation of the proposed use of these reserves to help balance the FY17 budget.

The following chart summarizes an initial projection of the Town's reserve balances at June 30, 2016:

	<u>Amount</u>
Reserves as of 6/30/2015	
Free Cash	\$ 8,831,500
Stabilization fund	3,170,851
Injured-on-duty Stabilization Fund	292,471
	<u>\$ 12,294,822</u>
Sources and (Uses) of Reserves in FY16	
Supplemental FY16 appropriations (Article 7)	
- TGSC legal costs	(75,000)
- Snow & ice removal	(250,000)
Balance FY17 budget (Article 8)	(2,498,871)
Injured-on-duty Stabilization Fund (Article 9)	(91,950)
HHU study (Article 22)	(200,000)
Estimated FY16 reserve growth	2,600,000
	<u>\$ 11,779,001</u>
FY16 Revenue	\$ 136,414,988
% of Revenue	8.63%

(Note: Amounts appropriated from Free Cash serve to reduce the Free Cash balance during the year of appropriation vs. the year of the related expenditure.)

The Town's Financial Reserves Policy calls for the sum of the balances in the Stabilization Fund and Free Cash to be maintained in the range of 8-12% of budgeted operating revenues. Reserves in excess of 8% but less than 12% may be used to stabilize tax rates, meet anticipated capital needs, and to avoid or defer an override.

Based on the above projection, Wellesley's reserves at June 30, 2016 would remain slightly above 8%. The estimated FY16 reserve growth is largely attributable to the Town's conservative budgeting and greater than anticipated savings from recent health insurance initiatives. It is also important to note that the Town's financial position is reinforced by the Town's proactive approach to funding the pension and OPEB liabilities.

Looking Ahead to FY18-20

For purposes of projecting the Town's Sources and Uses of funds for the years FY18-20, we have used the following annual growth rate assumptions:

- Levy growth 2.5% plus \$1.6 million of new growth
- State aid & local revenue 2%
- Use of Free Cash \$2.5 million/year
- School budget 5.0%

- Other Town departments. 2.5%
- Pension Per approved funding schedule
- Health insurance 5%
- Other employee benefits 2.5%

Given the relative size of the School budget, the assumption regarding the growth in School spending has the greatest impact.

Based on these assumptions and assuming no overrides, we are projecting deficits in the range of \$4.0-4.2 million in each of the years' FY18-20. Further details regarding these projections are provided in Exhibit II. We will continue to refine these projections over the next few weeks and provide an update at Town Meeting. The projected deficits underscore the need for further planning to better balance service expectations against taxpayers' willingness to pay. They also provide a clear context for the ongoing collective bargaining with several of the Town's large unions. Reducing or eliminating these deficits without an override would require some combination of lower rates of spending growth and/or further growth in revenues.

The following table is a roll-forward projection of the median tax bill (i.e., the tax bill for a home valued at \$991,000) for the period FY16 – FY20:

	Median Tax Bill				
	FY16	FY17	FY18	FY19	FY20
Prior year median tax bill	\$ 11,098	\$ 11,723	\$ 11,919	\$ 12,424	\$ 12,820
Levy growth	277	293	298	311	320
Override	-	-	276	-	-
Schofield/Fiske	121	45	(3)	(4)	(4)
Middle School Windows	18	26	(1)	(1)	(1)
North 40	133	(0)	(0)	(0)	(0)
Tolles-Parsons Center	-	9	46	(1)	(1)
Hardy/Hunnewell/Upham	-	-	-	82	329
Middle School Infrastructure	-	-	-	69	(2)
Other debt exclusions	(34)	(122)	(56)	(59)	(26)
OPEB funding exclusion	(55)	(55)	(55)	-	-
Other	165				
Current year median tax bill	\$ 11,723	\$ 11,919	\$ 12,424	\$ 12,820	\$ 13,435
% Increase	5.6%	1.7%	4.2%	3.2%	4.8%

For discussion purposes, we have included a \$3 million Proposition 2½ override in FY18 to help reduce the projected deficits. No decisions have been made regarding such an override, and further planning work and discussions need to be held in the coming months on this issue.

This Town-Wide Financial Plan is a continual work-in-progress and we will provide further updates on these matters at Town Meeting.

We would like to express our sincere appreciation to all of the Town boards and their respective staffs for their cooperation in working with us to create a plan that will ensure the continued financial health of our community.

Sincerely yours,



David L. Murphy, Chair
Marjorie R. Freiman, Vice Chair
Ellen F. Gibbs, Secretary
Jack Morgan
Barbara D. Searle

Exhibits:

- I - FY17 Summary Sources & Uses of Funds
- II - Projected Sources & Uses of Funds

Appendices appearing later in this book:

- B - FY17 Detail Sources & Uses of Funds
- C - Five Year Capital Budget Program

