

2019 ANNUAL TOWN MEETING

Commonwealth of Massachusetts
Middlesex, ss.

To any Constable in the Town of Weston, Greetings:

In the name of The Commonwealth you are hereby required to notify and warn the voters of said Town, qualified to vote in elections and Town affairs, to meet in the auditorium of the Town Hall at 11 Town House Road in said Town, on Saturday, the fourth day of May, 2019, at 8:00 o'clock A.M. to act on Article 1 of this warrant for which polls will be open from 8:00 o'clock A.M. until 6:00 o'clock P.M. in said auditorium; and to meet in the auditorium of the High School at 444 Wellesley Street in said Town, and also in the gymnasium of the High School if the number of voters in attendance shall exceed the capacity of the auditorium, on Monday, the sixth day of May, 2019 at 7:00 o'clock P.M. to act upon the remaining articles of this warrant.

ARTICLE 1: TO BRING IN THEIR VOTES FOR THE FOLLOWING TOWN OFFICERS AND QUESTION TO BE VOTED ON ONE BALLOT

	<u>For a term of</u>
A Moderator	One Year
One Selectman	Three Years
One Assessor	Three Years
Two Members of the School Committee	Three Years
Two Members of the Recreation Commission	Three Years
One Member of the Planning Board	Five Years
Two Library Trustees	Three Years
One Member of the Board of Health	Three Years
One Commissioner of Trust Funds	One Year
One Commissioner of Trust Funds	Three Years
Three Measurers of Lumber	One Year

And to give their vote, Yes or No, on the following questions:

BALLOT QUESTION NO. 1: PROPOSITION 2½ DEBT EXCLUSION

Shall the Town of Weston be allowed to exempt from the provisions of Proposition two and one-half, so called, the amounts required to pay for the bond(s) issued in order to design, engineer, construct and equip the following, including all costs incidental and related thereto: (1) DPW-Drainage Improvements; (2) South Side Drainage Improvements; (3) Cherry Brook Culverts; (4) Radio System Upgrades; (5) Case House Renovations; and (6) Town Center Improvement Project?

Yes _____ No _____

SUMMARY

State law provides for an exemption from the limits of Proposition two and one-half of those amounts required to pay for the debt service for bonds approved by the voters. Question 1 would exempt the debt service for the bonds that will be issued in part for projects to be considered at the May 2019 Annual Town Meeting:

Projects to be considered by May 2019 Annual Town Meeting:

1. DPW-Drainage Improvements (Article 14)	\$300,000
2. South Side Drainage Improvements (Article 15)	334,740
3. Cherry Brook Culverts (Article 16)	465,900
4. Fire Department Radio System Upgrades (Article 17)	<u>760,000</u>
Total	\$1,860,640

Separate articles appear in the Annual Town Meeting Warrant to appropriate the funds and authorize borrowing for each purpose. A two-thirds vote of Town Meeting in favor is required for approval. This ballot question is only to exempt the debt service from the limits of Proposition 2½, should these items be approved by Town Meeting.

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The debt service for the projects to be considered at May 2019 Annual Town Meeting is estimated to be \$62,122 in fiscal year 2021, \$339,369 in fiscal year 2022, then decreasing each year until the bond reaches maturity. This Proposition two and one-half debt exclusion shall be approved if a majority of the persons voting thereon vote "yes."

This ballot question also seeks to exclude the debt authorized for the renovations of the Case House passed at the Special Town Meeting on November 27, 2018 (Vote passed 218-34) and the Town Center Project passed at the Special Town Meeting on March 18, 2019 (Vote passed 285-103) including the burying of the utilities and all associated costs (Vote passed 349-56).

The Finance Committee voted unanimously to take no position on this Article.

ANNUAL OPERATING BUDGET

ARTICLE 2: APPROPRIATE THE FISCAL YEAR 2020 OPERATING BUDGET

To raise and appropriate and transfer from available funds such sums of money as may be necessary to defray the costs of government and other Town charges for the fiscal year beginning July 1, 2019; or take any other action relative thereto.

Article 2 Explanation: The recommended fiscal year 2020 operating budget can be found on pages 11-13. The following available funds will be transferred to fund a portion of the operating budget:

1. Undesignated Fund Balance (free cash)	\$3,000,000
2. Overlay Surplus	256,000
3. Well Litigation Settlement Account (principal)	125,000
4. Accrued Income-Well Litigation Settlement	7,500
5. Cemetery Trust Fund	60,000
6. Josiah Smith Tavern Trust Fund	6,000
7. Debt Exclusion Premium Reserve	123,119
8. MSBA School Construction Reimbursement	665,535
Total	\$4,243,154

The Finance Committee voted unanimously to support this Article.

CONSENT AGENDA (ARTICLES 3-19 & ARTICLE 25)

ARTICLE 3: AMEND FISCAL YEAR 2019 OPERATING BUDGET

To amend the following line items in the Fiscal Year 2019 Operating Budget adopted under Article 2 of the 2018 Annual Town Meeting, by reducing line items and appropriating additional funds to other line items as follows:

	<u>Changing From</u>	<u>Changing To</u>	<u>Difference</u>
Public Works – Snow and Ice Control	\$252,900	\$652,900	\$400,000
Public Works - Expenses	1,214,197	1,235,197	21,000

And as funding therefor, that \$421,000 be transferred from available funds (free cash); or take any other action relative thereto.

Article 3 Explanation: This article provides funding for the unanticipated additional costs of snow and ice removal, and consulting services for the implementation of the stormwater management program in FY19.

The Finance Committee voted unanimously to support this Article.

ARTICLE 4: APPROPRIATE RETAINED EARNINGS FOR THE WATER ENTERPRISE FUND

To amend the Fiscal Year 2019 Water Enterprise budget adopted under Article 10 of the 2018 Annual Town Meeting by transferring from retained earnings the additional sum of \$75,000 to operate the Water Division of the Department of Public Works during fiscal year 2019; or take any other action relative thereto.

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Article 4 Explanation: In addition to the amount received from water use fees, an additional \$75,000 is needed from retained earnings to fully fund the Water Enterprise Fund due to a potential shortfall in projected revenue this fiscal year. Water Retained Earnings certified as of July 1, 2018 were \$108,371.

The Finance Committee voted unanimously to support this Article.

ARTICLE 5: APPROPRIATE TO OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST FUND

To raise and appropriate or transfer from available funds a sum of money to the Other Post Employment Benefits (OPEB) Trust Fund, to be used to pay the costs of post employment benefits; or take any other action relative thereto.

Article 5 Explanation: This article allows the Town to continue to fund its future liability for other post employment benefits (retiree health insurance) for Town of Weston retirees, which amounts to approximately \$50.2 million if fully pre-funded and \$65 million if funded on a partially pre-funded basis. Currently, the Town has approximately \$18.2 million in this Trust Fund. An appropriation of \$2,214,656, which includes the amount recommended by an actuarial study plus \$15,000 for three proposed new positions, is anticipated.

The Finance Committee voted by majority to support this Article.

ARTICLE 6: DEPARTMENTAL REVOLVING FUNDS – AMEND GENERAL BY-LAWS AND AUTHORIZE SPENDING LIMITS

To, consistent with the provisions of G.L. c.44, §53E ½, amend Article XXXIV of the By-laws of the Town of Weston, Departmental Revolving Funds, by:

Deleting from the list of revolving funds in Section 5 the row for the Recreation Skating Program, and the text and table appearing in said Section following the list of revolving funds;

Amending the Board of Health Revolving Fund in the list of revolving funds in Section 5, with the text to be added shown in bold, italic text and text to be deleted shown in strikethrough, as follows:

Program or Purpose	Representative or Board Authorized to Spend	Revenue Source	Use of Fund
Board of Health	Health Director	<i>Insurance Reimbursement for Flu Clinics and Fees for Public Health Initiatives & Filing</i>	<i>Program Costs and Operations Including Staffing</i>

And, further, to set the Fiscal Year 2020 spending limit for the Board of Health revolving fund at \$40,000 and the Weston Arts and Innovation Center at \$350,000, with such expenditure limit to be applicable for each fiscal year until such time as Town Meeting votes, prior to July 1 for the ensuing fiscal year, to revise the same; provided, however, that in accordance with state law, the Board of Selectmen, with the approval of the Finance Committee, increase the limit for that fiscal year only; or take any other action relative thereto.

Article 6 Explanation: This article amends the Departmental Revolving Fund bylaw to eliminate the Recreation Skating Fund Revolving Fund along with some unnecessary text and revises the purposes for which the Board of Health Revolving Fund may be used to include staff assistance. The article also sets the Board of Health Revolving Fund expenditure limit at \$40,000 instead of \$20,000, and the Weston Innovation and Arts Center at \$350,000 instead of \$300,000. No other changes are proposed to revolving fund annual expenditure limits, and we voted last year under Article 6 that the expenditure limits established thereunder would be applicable from fiscal year to fiscal year until Town Meeting voted, prior to the start of the next fiscal year, to amend the established limit. Please see Appendix 4 for a report on these Revolving Funds.

The Finance Committee voted unanimously to support this Article.

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ARTICLE 7: ACCEPT CHAPTER 90 ROAD IMPROVEMENT FUNDS

To authorize the Board of Selectmen to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town Ways and to authorize the expenditure of such sums of money as may be received for the fiscal year commencing July 1, 2019 provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Department of Transportation; or take any other action relative thereto.

Article 7 Explanation: Massachusetts law requires that Town Meeting approve the use of funds received from the Commonwealth for road construction purposes, including engineering or addressing traffic improvements. In fiscal year 2019, the Town was allotted \$571,557 from the Commonwealth for this purpose; in fiscal year 2020, the amount is expected to be \$476,298.

The Finance Committee voted unanimously to support this Article.

ARTICLE 8: APPROVE PROPERTY TAX DEFERRAL INCOME LIMITS

To establish Fiscal Year 2020 income eligibility limits under Chapter 421 of the Acts of 2004, An Act Authorizing the Town of Weston to Regulate Certain Property Tax Exemption Eligibility Requirements for the Elderly; or take any other action relative thereto.

Article 8 Explanation: Several years ago, Weston obtained special legislation to change the eligibility criteria for the property tax deferral program, allowing the Board of Selectmen to set the interest rate for residents over 60 who defer their property taxes. For fiscal year 2020, the rate remains set at 4%. This legislation also allows the Board of Selectmen, with Town Meeting approval, to establish the income eligibility limit for this program each year. The Board of Selectmen is recommending that the income limit be increased to \$86,240 for fiscal year 2020, which is the limit for a two-person household at 100% of the area median income and is also the limit for moderate income housing funded by the Community Preservation Act. Ratification of this amount is required by Town Meeting.

The Finance Committee voted unanimously to support this Article.

ARTICLE 9: APPROPRIATE FISCAL YEAR 2020 WATER ENTERPRISE BUDGET

To raise and appropriate and transfer from receipts and retained earnings the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2020, under the provisions of M.G.L. Chapter 44, section 53F½:

	Expended FY17	Expended FY18	Appropriated FY19	Recommended FY20
Salaries	\$277,255	\$295,427	\$297,358	\$302,692
Expenses	220,118	181,711	229,280	231,155
MWRA Assessment/Water Purchases	2,451,430	2,824,894	2,547,457	2,687,000
Debt Service (non-exempt)	540,082	537,947	531,097	552,409
Capital Outlay+	<u>38,417</u>	<u>94,159</u>	<u>124,850</u>	<u>67,500</u>
Total	\$3,527,302	\$3,934,138	\$3,730,042	\$3,840,756

Or take any other action relative thereto.

Article 9 Explanation: Debt service includes amounts for previously approved projects and the water main rehabilitation project to be considered under Article 10. The operating expenses for the Water Division are entirely funded by water fee revenue.

The Finance Committee voted unanimously to support this Article.

ARTICLE 10: APPROPRIATE FOR WATER MAIN REHABILITATION

To appropriate a sum of money to pay costs of laying and relaying water mains of not less than six inches but less than sixteen inches in diameter, and all incidental and related costs, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority of G.L. C.44, §8, or any other enabling authority, and to authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue bonds or notes for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

Article 10 Explanation: This request is part of an ongoing program to replace old cast iron and asbestos transite cement water mains. This material is no longer used to construct water mains. This appropriation is to replace 1,778 linear feet of transite water main in Chiltern Road that was installed in 1962. The design for this project will be completed by the DPW's engineering division. The amount to be requested under this article is \$207,000, to be funded by borrowing. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee voted unanimously to support this Article.

ARTICLE 11: APPROPRIATE FOR WATER DISTRIBUTION MASTER PLAN (REMOVAL OF LEAD LINKS)

To appropriate a sum of money to pay costs for the removal of lead links in the Weston Water Distribution System, and all incidental and related costs, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority of G.L. c.44, §8, or any other enabling authority, and to authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue bonds or notes for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

Article 11 Explanation: This request is part of an ongoing program to remove the 62 remaining lead links. The Department has methodically been removing these lead links prior to roadway reconstruction for the last several years. This program will allow the Town to hire a contractor for the completion of this project. The amount to be requested under this article is \$160,000, to be funded by borrowing. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee voted unanimously to support this Article.

ARTICLE 12: APPROPRIATE FISCAL YEAR 2020 RECREATION ENTERPRISE BUDGET

To raise and appropriate and transfer from receipts and retained earnings the following sums of money to operate the Recreation Department during Fiscal Year 2020, under the provisions of M.G.L. Chapter 44, section 53F½:

	Expended FY17	Expended FY18	Appropriated FY19	Recommended FY20
Salaries	\$1,068,809	\$1,137,615	\$1,204,153	\$1,264,221
Expenses	441,689	487,357	487,850	555,355
Community Center	77,666	74,689	78,850	78,550
Capital Outlay+	421,766	171,809	--	--
Total	\$2,009,930	\$1,871,470	\$1,770,853	\$1,898,126

Or take any other action relative thereto.

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Article 12 Explanation: Program fees cover approximately 70% of the salaries and expenses for this department; the remaining 30% is funded by property taxes. In addition, there will be a contribution of \$30,000 from the Council on Aging budget to the Recreation Enterprise fund to support the cost of operating the Community Center, in which the Council on Aging is housed. This article is also increased this year by the movement of the skating rink program, previously covered as a Revolving Fund (see Article 6).

The Finance Committee voted unanimously to support this Article.

ARTICLE 13: APPROPRIATE FISCAL YEAR 2020 BROOK SCHOOL APARTMENTS ENTERPRISE BUDGET

To raise and appropriate and transfer from receipts and retained earnings the following sums of money to operate the Brook School Apartments during Fiscal Year 2020, under the provisions of Chapter 76 of the Acts of 2009 and M.G.L. Chapter 44, section 53F½:

	Expended FY17	Expended FY18	Appropriated FY19	Recommended FY20
Salaries	\$178,032	\$184,024	\$201,116	\$189,437
Expenses	332,882	309,598	419,250	385,250
Payments in Lieu of Taxes	22,795	23,365	23,949	24,548
Debt Service	282,283	273,773	265,133	256,569
Repairs & Replacements+	130,266	64,502	155,574	164,908
Capital Improvements+	332,824	15,412	140,000	100,000
Total	\$1,279,082	\$870,674	\$1,205,022	\$1,120,712

Or take any other action relative thereto.

Article 13 Explanation: Funding for the operation of the Brook School Apartments comes from rental income and the Community Preservation Fund, which is covering the cost of the debt service for construction of thirteen affordable units completed as part of the expansion project in 2004.

The Finance Committee voted unanimously to support this Article.

CAPITAL IMPROVEMENT BUDGET (ARTICLES 14-17)

ARTICLE 14: APPROPRIATE FOR DRAINAGE IMPROVEMENTS

To appropriate a sum of money for the construction or reconstruction of surface drains and all incidental and related costs, including the acquisition by gift, purchase and eminent domain of such temporary or permanent easements as may be necessary for this project, and to authorize appropriate Town officials to acquire such interests, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority of G.L. c. 44, §7, or any other enabling authority, and to authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue bonds or notes for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

Article 14 Explanation: This request is part of the ongoing program to replace, upgrade or install new storm drainage lines and structures to improve substandard drainage systems in town. Important future projects include, but are not limited to a location on Pinecroft Road. Public/private partnerships are funded from this program and help to resolve deficient drainage systems affecting runoff from public ways through private property. Drainage funds are also used for street drainage repairs for the road paving program. The amount to be requested under this article is \$300,000. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee voted unanimously to support this Article.

ARTICLE 15: APPROPRIATE FOR SOUTH SIDE DRAINAGE IMPROVEMENTS

To appropriate a sum of money for the construction or reconstruction of surface drains for the so-called 'South Side Drainage Improvement Project' and all incidental and related costs, including the acquisition by gift, purchase and eminent domain of such temporary or permanent easements as may be necessary for this project, and to authorize appropriate Town officials to acquire such interests, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority of G.L. c. 44, §7, or any other enabling authority, and to authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue bonds or notes for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

Article 15 Explanation: This request is part of the ongoing South Side Drainage Improvement project to install new drainage infrastructure on Pond Brook Circle, and in easements associated with drainage from the watershed in the Ledgewood and Shady Hill neighborhoods. The amount to be requested under this article is \$334,740. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee voted unanimously to support this Article.

ARTICLE 16: APPROPRIATE FOR CHERRY BROOK CULVERT IMPROVEMENTS

To appropriate a sum of money for the construction or reconstruction of culverts in the Cherry Brook neighborhood and all incidental and related costs, including the acquisition by gift, purchase and eminent domain of such temporary or permanent easements as may be necessary for this project, and to authorize appropriate Town officials to acquire such interests, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority of G.L. c. 44, §7, or any other enabling authority, and to authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue bonds or notes for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

Article 16 Explanation: This request is made as a result of a study of the culverts along Cherry Brook from Warren Avenue to Conant Road. Several improvements are to be made under this project including the replacement of the culverts at Warren Avenue, Concord Road, the spillway and dam at College Pond, and Merriam Street. These improvements will result in better flood protection, lower likelihood of ongoing beaver dam and other clogging issues and enhanced wildlife passage. The amount to be requested under this article is \$465,900, which is for construction of the Merriam Street culvert plus design and permitting of the remaining improvements listed above. It is anticipated that an additional \$1.36M will be requested for FY21 to construct the remaining improvements. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee voted unanimously to support this Article.

ARTICLE 17: APPROPRIATE FOR RADIO SYSTEM UPGRADES

To appropriate a sum of money for the upgrades to the Town's radio system used by Weston Town & School Departments and all incidental and related costs, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority of G.L. c. 44, §7, or any other enabling authority, and to authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue bonds or notes for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

Article 17 Explanation: This request is to fund necessary improvements/upgrades to the Town's radio system. This project seeks to replace repeaters & transmitters in Town and upgrade existing radio sites to give the Town approximately 98% radio coverage in Town. This system will accommodate the radio needs of the

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Fire Department, Police Department, Department of Public Works & School Department. The amount to be requested under this article is \$760,000. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee voted unanimously to support this Article.

ARTICLE 18: RESCIND BOND AUTHORIZATION

To rescind all or a part of a certain authorization to borrow funds, which was approved in a prior year, where the purpose of the borrowing has been completed and/or it was unnecessary to borrow the amount approved, or take any other action relative thereto:

Article 1 November 8, 2006 Special Town Meeting – Case Estates Purchase \$6,065,000

Article 18 Explanation: The above noted authorizations are no longer needed. It is necessary for Town Meeting to rescind the balance of the bond authorization so it can be removed from the Town’s financial records.

The Finance Committee voted unanimously to support this Article.

ARTICLE 19: CREATE PUBLIC ACCESS FUND & ACCEPT G.L. c.44, §53F ¾

To see if the Town will vote to accept the provisions of G.L. c.44, §53F ¾ for the purposes of establishing a PEG and Cable Related Fund to receive cable related franchise fees; and, further, to appropriate from available funds a sum of money to the newly established fund, and/or for FY2020 cable-related purposes, as a grant or otherwise, including, but not limited to: (i) support of public, educational or governmental access cable television services; (ii) monitoring compliance of the cable operator with the franchise agreement; or (iii) preparation for renewal of the franchise license; or take any other action relative thereto.

Article 19 Explanation: Recently the Commonwealth established rules governing the method by which cable franchise fees are used to support public access operations in the state. This article follows guidance from the Commonwealth by accepting a provision of the law designed for this purpose and transfers to the account franchise fees collected by the Town and intended for public access operations.

The Finance Committee voted unanimously to support this Article.

ARTICLE 20: AUTHORIZE CONVEYANCE OF 0 HOBBS BROOK ROAD

To authorize the Board of Selectmen to transfer a parcel of land known as 0 Hobbs Brook Road, being Assessor’s Map 19, Lot 72, consisting of 1.08 acres, more or less, from the Town Collector for purposes of sale at auction or other purpose for which said land is currently held, to the Board of Selectmen, for the purpose of conveyance, on such terms and conditions as the Board of Selectmen shall deem appropriate, including the acceptance of other land in exchange therefor, and to authorize the Board of Selectmen to accept such other land in consideration or partial consideration for said property, and to enter into such agreements and execute such instruments to effectuate the transaction subject of this vote; or take any other action relative thereto.

Article 20 Explanation: This unimproved parcel of land was acquired by the Town via tax lien foreclosure on November 16, 1936 and apparently its ownership was long forgotten. The land lies south of the railroad tracks so it is inaccessible from Hobbs Brook Road and its legal access rights off the roadway to Weston’s Transfer Station is uncertain. The land is surrounded by property operated by Granite Brook Materials and the parcel is currently assessed for \$119,500. At its April 9, 2019 meeting the Board of Selectmen is expected to formally declare the land to be “Excess Property.” An RFP has been issued seeking a buyer who would offer at least \$150,000 for the land “As Is,” and offer at least the same acreage of land to the Town in exchange. If the Annual Town Meeting approves this article, responses to the Town’s request will be due on May 17.

The Finance Committee voted unanimously to support this Article.

ARTICLE 21: AUTHORIZE AMENDMENT OF THE JOSIAH SMITH TAVERN RESTRICTION WITH HISTORIC NEW ENGLAND

To authorize the Board of Selectmen to amend the restriction between the Town and Historic New England (f/k/a Society for the Preservation of New England Antiquities) governing the Josiah Smith Tavern, as set forth in a Quitclaim Deed, dated June 29, 1983, recorded with the Middlesex South Registry of Deeds in Book 15086, Page 81, to both preserve the architectural integrity of the building and allow adaptive reuse projects for the residents and the public, now and in the future, on such terms and conditions as the Board of Selectmen shall deem to be in the best interests of the Town, and to enter into such agreements and execute such instruments to effectuate the purpose of this vote; or take any other action relative thereto.

Article 21 Explanation: The Josiah Smith Tavern property is subject to a recorded historical preservation restriction held by Historic New England (f/k/a Society for the Preservation of New England Antiquities). In its current form, the restriction would not permit the Town's contemplated adaptive reuse of the property, as described in connection with prior Town Meeting votes to fund the design process that is underway. The current restriction also includes some provisions and ambiguities that need to be updated and clarified. The Board of Selectmen and Historic New England have had productive conversations about amending the restriction in a manner that would respect the property's historical integrity and importance, the Town's vested interest in the property as a prominent element of its Town Center, and various practical considerations. This Article would authorize the Board of Selectmen to amend the restriction now and from time to time, to preserve the property's integrity and allow adaptive reuse, in the Town's best interests.

The Finance Committee voted by majority to support this Article.

COMMUNITY PRESERVATION ACT (ARTICLES 22-25)

ARTICLE 22: APPROPRIATE FOR FISCAL YEAR 2020 COMMUNITY PRESERVATION COMMITTEE OPERATING BUDGET

To hear and act on the report of the Community Preservation Committee on the Fiscal Year 2020 Community Preservation budget and to appropriate from the Community Preservation Fund a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for fiscal year 2020; and further, to reserve for future appropriation for purposes consistent with the Community Preservation Act the amounts as recommended by the Community Preservation Committee for open space, including land for recreational use, historic resources and affordable housing; and further, to appropriate from the Community Preservation Fund a sum of money for payment of debt service on Community Preservation projects previously approved by Town Meeting, all as recommended by the Community Preservation Committee, or take any other action relative thereto.

Article 22 Explanation: The Community Preservation property tax surcharge will raise more than \$2,200,000 in fiscal year 2020, which is expected to be matched, in part, by the State. By law, a minimum of 10% of Community Preservation funds raised by the surcharge and as matching funds from the state must be spent or set aside for future spending in each of three categories: open space, which recent legislation has defined to include land for recreational use; historic resources; and community housing. The remaining 70% of available funds may be allocated to any one or a combination of the three categories, all as specified in G.L. c.44B, §5(b)(2), as most recently amended.

The administrative expense budget, limited by law to no more than 5% of annual Community Preservation Fund revenues, is estimated to be \$123,000 and is funded from the Community Preservation Fund. Any administrative funds remaining unused at the end of the fiscal year are returned to the Unallocated allocation of the Community Preservation Fund. The administrative expense budget covers the cost of a part-time staff person for the Committee and Committee expenses such as appraisal fees, legal fees, and advertising for public hearings.

The appropriation for debt service includes \$5,610 for Brook School Apartments, \$386,138 for the Weston Art and Innovation Center, and \$352,596 for Case Estates.

The Finance Committee voted unanimously to support this Article.

ARTICLE 23: APPROPRIATE FOR LAND FOR RECREATIONAL USE – WALKWAY ON ASH STREET AND THROUGH CASE ESTATES

To appropriate a sum of money for land for recreational use under the Community Preservation Program for the design of a walkway on Ash Street and the construction of a walkway through Case Estates for recreational purposes, including all related incidental costs; to be spent under the direction of the Town Manager, and as funding therefor, to transfer said sum from the Unallocated allocation of the Community Preservation Fund; and, further, to authorize the Board of Selectmen to acquire, by purchase, gift or eminent domain, fee or easement interests as may be required to create said walkway or foot path, or take any other action relative thereto.

Article 23 Explanation: Walkways and sidewalks provide safe recreational opportunities and connections to open space, land for recreational use and recreational facilities. Studies have shown that there exists a positive relationship between the existence of walkways and the use of the same for recreational activities as well as the general health benefits of activities such as walking and running. Funds requested under this article would be spent to complete the design of a walkway on Ash Street and to construct a walkway across Parcels 2 and 9 of Case Estates which would connect to the planned Legacy Trail and eventually to the planned Ash Street walkway and to the Ash Street Reservoir. CPA funds in the amount of \$30,000 for the conceptual design and \$75,000 for the final design of the Ash St. walkway, a priority identified in the Traffic & Sidewalk Committee's 2010 Master Plan, were appropriated at the November 2016 and May 2018 Town Meetings, respectively. The amount to be requested under this article is \$359,200.

The Finance Committee voted by majority to not support this article.

ARTICLE 24: APPROPRIATE FOR OPEN SPACE - ACQUISITION OF LAND SURROUNDING 500 WELLESLEY STREET

To appropriate a sum of money for open space purposes under the Community Preservation Program to acquire by purchase, gift, or otherwise the fee or other interests in 13.35 acres, more or less, of the 15.54 acres located at 500 Wellesley St. shown in Assessors Map 56, Block 1 and Assessors Map 56, Block 1, Lot 71 and more fully described in a purchase and sale agreement dated February 26, 2019 between Nicholas W. Danforth and the Town of Weston which identifies a portion of the land described in a deed recorded with the Middlesex South District Registry of Deeds in Book 65925, Page 501 and all incidental and related costs, and to authorize the Board of Selectmen to acquire said property; and as funding therefor, to borrow a sum of money pursuant to G.L. c.44B, §11 or G.L. c.44, §§7 or 8 or any other general or special law for said acquisition, and to authorize the Town Treasurer with the approval of the Board of Selectmen to issue any bonds or notes that may be necessary for that purpose; and further to authorize the Board of Selectmen to convey in perpetuity a deed restriction which meets the requirements of M.G.L. c.184, §§ 31-33 and which may run to a nonprofit, charitable corporation or foundation with the right to enforce the restriction; that any premium received upon the sale of bonds or notes approved by this vote, less any premium applied to the payment of costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44 §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

Article 24 Explanation: Weston's Conservation Commission ("WCC") seeks to permanently protect approximately 13 acres of a 15.54 acre parcel located at 500 Wellesley St., otherwise known as Wellington Farm, which was identified in both the 1996 and 2017 Open Space and Recreation Plans as a priority property for protection. The parcel contains several active agricultural fields which are leased annually to Waltham Fields Community Farm; forested and wetland habitats comprise the remaining areas. A trail along the eastern property boundary connects this land with open space to the north and west managed by the Massachusetts Water Resources Authority ("MWRA") and WCC, respectively. The property owner has agreed to place a historic preservation restriction on the farmhouse, part of which dates to 1760 and which abuts the property to be purchased, and the proposed acquisition will protect the viewscape of this historic homestead. In addition

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to CPA funds, WCC intends to use money remaining in the MWRA Mitigation Fund, which was created as part of a land swap and taking for the MWRA covered storage tank project, to pay a portion of the property's \$3,375,000 purchase price.

The amount to be requested under this article is \$2,517,300.

The Finance Committee voted unanimously to support this Article.

ARTICLE 25: APPROPRIATE FOR COMMUNITY HOUSING – REGIONAL HOUSING SERVICES OFFICE & HOUSING TRUST STAFF SUPPORT

To appropriate a sum of money for community housing purposes under the Community Preservation Program in order to provide funds needed to participate in a regional housing services office and for staff assistance for the acquisition, creation, preservation, and support of community housing; to be spent under the direction of the Town Manager, and as funding therefor, to transfer said sum from the Community Housing allocation of the Community Preservation Fund; or take any other action relative thereto.

Article 25 Explanation: Weston collaborates with the Towns of Acton, Bedford, Burlington, Concord, Lexington, and Sudbury to provide a regional housing services office ("RHSO"), which is currently housed in Concord. Professional staff with expertise in affordable housing offer a variety of services related to lottery, monitoring, administration of the subsidized housing inventory, and consultation on specific projects. In addition, staff support is provided through the RHSO for the Weston Affordable Housing Trust. The amount to be requested under this article is \$29,000.

The Finance Committee voted unanimously to support this Article.

And you are to serve the warrant by posting attested copies thereof at the Town Hall, the Police Station, the Public Library, the Transfer Station and on the kiosk at the front of the Weston High School on Wellesley Street by the gymnasium, seven days at least before the time appointed for said meeting.

Hereof fail not to make due return of this warrant with your doings thereon to the Selectmen at the time and place of said meeting. Given under our hands March 26, 2019.

Harvey R. Boshart
Douglas P. Gillespie
Christopher E. Houston
Selectmen of the Town of Weston

Have questions on Town Meeting procedure or what Town Meeting is?
Visit www.weston.org/TownMeeting for details or
Ask the Moderator: Town Meeting Orientation at 6:30 to 6:45 p.m.

Remember to allow enough time to check-in and
to receive your exclusive use voting handset before the start of Town Meeting

www.weston.org/TownMeeting