

Section 8:
Condensed Town Records

**SPECIAL TOWN MEETING
March 18, 2019**

Pursuant to a Warrant, duly served, Moderator Thomas Crane called the Special Town Meeting to order at 7:09 p.m. in the auditorium of the Weston High School. The Moderator declared a quorum present and proceeded with the reading of the Warrant and the Return of Service.

The Moderator welcomed visitors and outlined the change in procedures to be followed, which included speaking times, consent agenda and the use of handheld electronic voting devices to record and tally votes. The vote counts per article are included below.

ARTICLE 1: APPROPRIATE FOR TOWN CENTER IMPROVEMENTS - MASTER PLAN

Mr. Harvey Boshart moved to acquire by purchase, gift or eminent domain, permanent or temporary easements in, on and under portions of certain parcels of land for the Town Center improvements project, generally located along Boston Post Road between Linwood Avenue and School Street, along Church Street between Boston Post Road and Town House Road, and along Town House Road, and further to appropriate \$10,900,000 to pay construction costs for physical improvements to the Town Center, generally located along Boston Post Road between Linwood Avenue and School Street, along Church Street between Boston Post Road and Town House Road, and along Town House Road, including reconstruction and repaving of the roadway and improvements required for handicapped accessibility as well as improvements to streetscape design matters such as reduction of pavement, increased green space, improved pedestrian safety and aesthetics, and more organized parking, and all other 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 M.G.L. Chapter 44, Section 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; provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder accordance with M.G.L. Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and, further, authorize the Board of Selectmen to execute documents, enter into agreements and take any and all actions needed to effectuate the vote taken hereunder.

Electronic Tally - Yes: 285 No: 103 Abstain: 1

The motion was approved by a two-thirds majority vote

ARTICLE 2: APPROPRIATE FOR TOWN CENTER IMPROVEMENTS - BURY UTILITIES

Mr. Boshart moved to acquire by purchase, gift or eminent domain, permanent or temporary easements in, on and under portions of certain parcels of land for the Town Center improvements project, generally located along Boston Post Road between Linwood Avenue and School Street, along Church Street between Boston Post Road and Town House Road, and along Town House Road, to enable the Town to bury the utility wires and other infrastructure, and specifically for the purpose of installing, laying, burying, operating, maintaining, repairing, replacing, relocating and abandoning in place utilities, including without limitation, conduits, lines and wires and all appurtenances related thereto, and for the construction and reconstruction of driveways, sidewalks and stairs, paving, curbing, grading, erosion control, landscaping, slopes of excavation and/or embankment, tree protection, tree and shrub removal, fence replacement and sign relocation and other related purposes, which parcels are listed on a sheet entitled "Easement Plan of Land " and approximately shown on plans entitled "Weston Town Center Improvement Project," dated February 19, 2019, prepared by Nitsch Engineering, as said plans may be

amended from time to time, which sheet and plans are on file with the Town Clerk, and land within 100 feet of said parcels; to transfer the care, custody, and control of a portion or portions of the Town-owned property or properties shown on the aforesaid plans from the board or officer having custody for the purposes for which such properties are currently held to the Board of Selectmen for such purposes and for the purposes outlined herein; and, further, to appropriate \$7,190,000 to bury the utility wires and other infrastructure, and all other 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 M.G.L. Chapter 44, Section 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; provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder in accordance with M.G.L. Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and, further, to authorize the Board of Selectmen to execute documents, enter into agreements and take any and all actions needed to effectuate the vote taken hereunder.

Electronic Tally - Yes: 349 No: 56 Abstain: 0

The motion was approved by two-thirds majority vote

A motion to dissolve was made, seconded and adopted. Special Town Meeting dissolved at 8:34 p.m.

**ANNUAL TOWN ELECTION
May 4, 2019**

Pursuant to a Warrant duly served, the Annual Town Election was called to order in the Town Hall Auditorium by Warden Susan Banghart at 8:00 a.m. on May 4, 2019, for the election of Town Officers. Ms. Banghart swore the election officers to the faithful performance of their duties.

Total ballot cast were as follows:

Precincts 1 & 2	520
<u>Precincts 3 & 4</u>	<u>514</u>
Total	1,034

The results of the election were as follows:

	Precincts 1 & 2	Precincts 3 & 4	Grand Total
Moderator - One Year (vote for 1)			
Douglas P. Gillespie	260	225	485
Blanks	64	80	144
Write-Ins: Larry Rand	183	200	383
Scattering	13	1	14
Total	520	514	1,034
Selectman - Three Years (vote for 1)			
Laurie A. Bent	403	390	793
Blanks	103	114	217
Scattering	14	10	24
Total	520	514	1,034

Assessor - Three Years (vote for 1)			
Paul Leonard Zorfass	396	373	769
Blanks	123	137	260
Scattering	1	4	5
Total	520	514	1,034

School Committee - Three Years (vote for 2)			
Alexandra Balfe Campbell	193	160	353
Anita M. Raman	313	333	646
Rachel Clark Stewart	280	328	608
Blanks	247	204	451
Scattering	7	3	10
Total	1,040	1,028	2,068

Recreation Commission - Three Years (vote for 2)			
Julie Johnstone	378	355	733
Trevor W. MacDonald	365	346	711
Blanks	293	322	615
Scattering	4	5	9
Total	1,040	1,028	2,068

Planning Board - Five Years (vote for 1)			
Alicia M. Primer	393	353	746
Blanks	118	149	267
Scattering	9	12	21
Total	520	514	1,037

Library Trustees - Three Years (vote for 2)			
Linda Kent Delaney	379	363	742
Emily L. Hutcheson	397	374	771
Blanks	260	286	546
Scattering	4	5	9
Total	1,040	1,028	2,068

Board of Health - Three Years (vote for 1)			
Laura Lee Azzam	373	357	730
Blanks	147	154	301
Scattering	0	3	3
Total	520	514	1,034

Commissioner of Trust Funds - (for 3 years) (vote for 1)			
Andrew Bernard Van Ogtrop	381	370	751
Blanks	136	138	274
Scattering	3	6	9
Total	520	514	1,034

Commissioner of Trust Funds (for 1 year to fill a vacancy) (vote for 1)			
Robert Carroll Trumbull	390	366	756
Blanks	130	144	274
Scattering	0	4	4
Total	520	514	1,034
Measurers of Lumber - One Year (vote for not more than three)			
Aidan Llewellyn Fleming	361	329	690
Edward E. Heller, Jr	361	316	677
Doris Atwood Sullivan	364	334	698
Blanks	470	558	1,028
Scattering	4	5	9
Total	1,560	1,542	3,102
Question No. 1 - Proposition 2 1/2 Debt Exclusion			
Yes	298	253	551
No	215	243	458
Blanks	7	18	25
Total	520	514	1,034

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: 551 No: 458

**ANNUAL TOWN MEETING
MAY 6, 2019**

Pursuant to a Warrant, duly served, Thomas Crane, the Moderator, called the Annual Town Meeting to order at 7:10 p.m. in the auditorium of the Weston High School. The Moderator declared a quorum present and proceeded with the reading of the Warrant and the Return of Service. The Moderator appointed tellers and the Town Clerk swore them to their duties.

The Moderator welcomed visitors and outlined the change in procedures to be followed, which included speaking times, the use of a consent agenda, and the use of handheld electronic voting devices to record and tally votes. The vote counts per article are included below. The Moderator requested a motion to approve Town Meeting procedures, which was approved.

ARTICLE 1: The results of the May 4, 2019 Annual Town Election, of which the results appear in the report of the Town Election above were displayed on the screen in the auditorium.

RECOGNITION OF SERVICE

Following is a list of persons who have left or are leaving office whose service to the Town is greatly appreciated and should be duly recognized.

ELECTED BY THE VOTERS		
<i>Office</i>	<i>Elected Officer</i>	<i>Served Since</i>
BOARD OF SELECTMEN	Douglas P. Gillespie	1998
SCHOOL COMMITTEE	Edward E. Heller Sanjay Saini	2004 2008
PLANNING BOARD	Alfred L. Aydelott	1997
MODERATOR	Thomas Crane	2013
RECREATION COMMISSION	Matthew Schulman Victoria A. Whalen	2014 2004
BOARD OF LIBRARY TRUSTEES	Doris A. Sullivan	2013
COMMISSIONER OF TRUST FUNDS	Janell Phillips Anne Morgan	2007 2017
MEASURERS OF LUMBER	Richard Murray Peter Perrin	2018 2018

COMMITTEE MEMBERS APPOINTED BY THE BOARD OF SELECTMEN		
<i>Committee</i>	<i>Officer</i>	<i>Served Since</i>
AFFORDABLE HOUSING TRUST	Geraldine Scoll, Associate Member	2017
AGRICULTURAL COMMISSION	Julie Hyde	2006
CONSERVATION COMMISSION	Roberta Lamb	2011
HISTORICAL COMMISSION	Marissa Morra Adrienne Giske, Associate Member	2004 2008
REGISTRARS OF VOTERS	Richard Hersum	2012
SOLAR PHOTOVOLTAIC PANEL EXPLORATORY COMMITTEE	Arthur M. Coates Wendell B. Colson Nina Danforth Kevin F. Fitzgerald Donald Stewart	2012 2012 2013 2012 2012
TRAFFIC & SIDEWALK COMMITTEE	Michael Natan Clint Schuckel	2016 2009

TOWN MANAGER SCREENING COMMITTEE	Jeri Cooper Ann Leibowitz Richard Manley Stephen Ober Thomas Palmer	2018 2018 2018 2018 2018
TREE ADVISORY GROUP	Cynthia Chapra	2013
TRUSTEES OF THE MERRIAM FUND	Rev. Thomas Wintle Sheila Bridges	2005 2017
WESTON CULTURAL COUNCIL	Emily Fishkin Tricia Liu Rebekah Gardiner	2016 2015 2016

OFFICERS AND COMMITTEE MEMBERS APPOINTED BY THE MODERATOR

<i>Committee</i>	<i>Officer</i>	<i>Served Since</i>
FINANCE COMMITTEE	Gabrielle Clemens Keith Johnson	2015 2013
MEMORIAL DAY COMMITTEE	William Harley	2016

COMMITTEE MEMBERS APPOINTED BY THE SELECTMEN AND SCHOOL COMMITTEE

<i>Committee</i>	<i>Officer</i>	<i>Served Since</i>
PERMANENT BUILDING COMMITTEE	Josef J.D. Gazzola	2006

ARTICLE 2 (Motion 1): APPROPRIATE THE FISCAL YEAR 2020 OPERATING BUDGET

Mr. Gillespie moved that the several sums of money recommended by the Board of Selectmen for the Fiscal Year beginning July 1, 2019, in accordance with Section 5 of Article II of the General By-laws, as amended, as set forth in the handout entitled, "Fiscal Year 2020 Recommended Operating Budget", be raised and appropriated for the respective purposes as set forth therein, and that the Town transfer the following sums to meet, in part, appropriations made at this Town Meeting:

- a. \$3,000,000 from the Undesignated Fund Balance (Free Cash);
- b. \$256,000 from Overlay Surplus;
- c. \$7,500 from the "Accrued Income, Well Litigation Settlement" account;
- d. \$60,000 from the Cemetery Trust Fund;
- e. \$6,000 from the Josiah Smith Tavern Trust Fund;
- f. \$123,119 from the Debt Exclusion Premium Reserve; and
- g. \$665,535 from MSBA School Construction Reimbursement.

and that the Board of Assessors be authorized to use such available funds to meet appropriations in their computation of the tax rate for fiscal year 2020.

Electronic Tally - Yes: 183 No: 40 Abstain: 1

The motion was approved by a majority vote

FISCAL YEAR 2020 RECOMMENDED OPERATING BUDGET

TITLE OF ACCOUNTS		Expended Fiscal Year 2017	Expended Fiscal Year 2018	Appropriated Fiscal Year 2019	Recommended Fiscal Year 2020*
UNCLASSIFIED					
Insurance	Insurance, Workers' Compensation	213,908	309,202	320,000	327,950
	Public Safety - Injured on Duty+	41,914	12,376	20,000	20,000
	Unemployment Compensation	32,077	36,172	120,000	71,384
	Insurance-Property & Liability	334,673	347,285	398,100	405,244
	Uninsured Losses+	1,491	2,000	-	-
	subtotal	624,063	707,035	858,100	824,578
Fringe Benefits	Insurance-Group Health/Life, Medicare	10,512,944	10,519,255	10,852,098	11,129,750
	Contributory Retirement-Middlesex	4,557,886	4,792,481	5,114,630	5,287,887
	Compensated Absence Fund+	158,369	47,021	220,000	240,000
	subtotal	15,229,199	15,358,757	16,186,728	16,657,637
Reserve Fund	(see Appendix 2 for list of transfers)	-	-	586,587	611,910
Debt Service (non-excluded)	Principal & Interest	26,918	22,702	30,860	29,460
TOTAL UNCLASSIFIED		15,880,179	16,088,494	17,662,275	18,123,585
GENERAL GOVERNMENT					
Town Manager's Office	Salaries	450,762	481,228	496,958	504,925
	Expenses	53,332	80,815	133,940	135,865
	Consulting & Professional Services+	23,857	121,077	80,000	80,000
	Town Center Improvement+	69,856	-	-	-
	subtotal	597,806	683,119	710,898	720,790
Merit Pay	Transfer Account	41,081	131,474	150,292	484,841
Legal	Expenses	164,715	214,602	180,000	183,000
Facilities Maintenance	Salaries	63,034	64,219	70,615	71,695
	Expenses	75,558	66,949	98,025	98,025
	Town Hall Equipment+	1,285	1,789	3,000	3,000
	subtotal	139,878	132,957	171,640	172,720
Town Clerk & Registrars of Voters	Salaries	171,178	153,214	198,211	191,689
	Expenses	26,153	30,434	33,895	32,695
	subtotal	197,331	183,648	232,106	224,384
Information Systems	Salaries	287,563	296,814	305,877	397,070
	Expenses	246,162	295,348	350,000	377,000
	Computer Hardware & Maintenance+	140,410	98,074	93,500	89,000
	subtotal	674,136	690,236	749,377	863,070
Weston Veterans Memorial Educational Fund Committee	Expenses	2,494	2,625	2,850	2,850
Weston Service Program	Salaries	8,585	8,674	14,300	15,600
Weston Media Center Grant	Expenses	110,000	110,000	40,000	-
TOTAL GENERAL GOVERNMENT		1,936,025	2,157,335	2,251,463	2,667,255

TITLE OF ACCOUNTS		Expended Fiscal Year 2017	Expended Fiscal Year 2018	Appropriated Fiscal Year 2019	Recommended Fiscal Year 2020*
FACILITIES TOWN-WIDE					
	Salaries	328,064	370,497	495,163	513,760
	Expenses	676,563	871,964	866,780	877,140
	Facilities Improvements-Town-wide+	354,125	398,083	566,781	600,788
	Equipment Replacement+	106,598	212,189	46,000	52,000
TOTAL FACILITIES TOWN-WIDE		1,465,350	1,852,732	1,974,724	2,043,688
FINANCE					
Finance Committee	Expenses	204	210	7,750	7,750
Finance	Salaries	698,547	710,217	737,359	756,812
	Expenses	126,225	130,968	142,465	139,615
	subtotal	824,772	841,185	879,824	896,427
TOTAL FINANCE		824,976	841,395	887,574	904,177
LAND USE, PLANNING & INSPECTIONAL SERVICES					
	Salaries	540,367	579,408	600,484	643,044
	Expenses	173,203	204,806	198,560	189,290
TOTAL LAND USE , PLANNING & INSPECTIONAL SERVICES		713,570	784,214	799,044	832,334
PUBLIC SAFETY					
Police/ Animal Control	Salaries	3,284,716	3,290,572	3,362,548	3,347,558
	Expenses	281,716	292,096	323,350	329,750
	Equipment and Apparatus+	136,088	141,719	150,000	156,819
	subtotal	3,702,520	3,724,387	3,835,898	3,834,127
Fire	Salaries	2,670,667	2,807,560	3,130,649	3,176,986
	Expenses	269,401	306,420	323,470	349,446
	Hydrant Service	42,930	42,930	44,000	44,000
	Emergency Management+	3,800	938	2,000	2,000
	Equipment and Apparatus+	186,431	129,875	20,000	20,000
	subtotal	3,173,229	3,287,723	3,520,119	3,592,432
TOTAL PUBLIC SAFETY		6,875,749	7,012,110	7,356,017	7,426,559
EDUCATION					
School Department	Salaries	32,360,707	33,234,482	34,061,069	35,888,565
	Instructional, Maint. & Other Expenses	5,377,059	4,969,882	6,038,399	5,552,826
	subtotal	37,737,766	38,204,364	40,099,468	41,441,391
Minuteman Regional Voc. Technical School District	Assessment	122,810	61,948	104,820	100,000
TOTAL EDUCATION		37,860,576	38,266,312	40,204,288	41,541,391

TITLE OF ACCOUNTS		Expended Fiscal Year 2017	Expended Fiscal Year 2018	Appropriated Fiscal Year 2019	Recommended Fiscal Year 2020*
PUBLIC WORKS					
	Salaries	1,844,727	2,036,315	2,080,661	2,253,500
	Expenses	1,111,686	1,214,796	1,214,197	1,319,647
	Snow and Ice Control	691,592	784,665	252,900	252,900
Continuing Balance Accts.	Construction of Public Ways+	435,439	1,366,245	1,250,000	1,750,000
	Departmental Equipment +	-	50,912	255,000	416,000
	Reconstruction/Maintenance of Sidewalks+	350,917	79,478	165,000	250,000
	Stone Retaining Wall Repairs+	37,918	15,355	10,000	10,000
	Guard Rail Rehabilitation Program+	-	78,477	50,000	50,000
	Monitoring Groundwater - Landfill+	26,575	8,075	25,500	25,500
	Traffic & Sidewalk Committee+	25,638	15,628	25,000	25,000
	Pedestrian Crossing Signals Project+	-	9,995	-	-
	Kendal Green Parking+	-	817	-	-
	Easements+	-	10,000	-	-
	Parks & Cemeteries Improvements+	11,327	-	-	-
	subtotal Cont Bal Accounts	887,815	1,634,982	1,780,500	2,526,500
TOTAL PUBLIC WORKS		4,535,821	5,670,758	5,328,258	6,352,547
HEALTH & HUMAN SERVICES					
Board of Health	Salaries	249,143	258,029	274,518	273,398
	Expenses	6,909	7,037	7,800	7,800
	Mental Health Services	25,000	25,000	25,000	25,000
	subtotal	281,052	290,066	307,318	306,198
Mosquito Control, E. Middlesex Project	Expenses	41,718	42,761	43,693	43,872
Council on Aging	Salaries	290,072	301,759	347,252	359,543
	Expenses	36,325	34,486	47,750	45,850
	Contrib. to Community Center Maintenance	30,000	30,000	30,000	30,000
	subtotal	356,397	366,245	425,002	435,393
Veterans' Services	Expenses	34,761	27,513	47,829	48,503
TOTAL HEALTH & HUMAN SERVICES		713,928	726,585	823,842	833,966
PUBLIC LIBRARY					
Libraries	Salaries	1,046,084	1,078,692	1,153,188	1,185,109
	Expenses	125,481	120,583	143,162	143,162
	Library Materials	75,000	75,000	80,000	80,000
	Minuteman Library Network	39,045	42,096	42,500	40,310
TOTAL PUBLIC LIBRARY		1,285,611	1,316,371	1,418,850	1,448,581
TOTAL OPERATING BUDGET APPROPRIATIONS		72,091,786	74,716,307	78,706,335	82,174,083
DEBT SERVICE (EXCLUDED)**		9,068,321	8,976,159	8,741,482	9,624,481
GRAND TOTAL BUDGET APPROPRIATIONS		81,160,107	83,692,466	87,447,817	91,798,564

*FY20 Recommended Operating Budget does not include amounts to be appropriated under separate articles, such as Enterprise Fund budgets & OPEB Trust Fund.

NOTE: Accounts indicated by + are continuing appropriations that carry balances forward to the next fiscal year.

ARTICLE 2 (Motion 2): APPROPRIATE THE FISCAL YEAR 2020 OPERATING BUDGET

Mr. Gillespie moved that the Town transfer \$125,000 from the Well Litigation Settlement Account to meet, in part, appropriations made at this Town Meeting.

Electronic Tally - Yes: 212 No: 15 Abstain: 1

The motion was approved by a two-thirds majority vote

ARTICLES 3 - 16 and 25: CONSENT AGENDA

Mr. Gillespie moved that the Town approve Articles 3 through 16 and Article 25 as printed below. Mr. Gillespie read the title of each article to hear motions from voters to pull articles out of the consent agenda. None were received.

Electronic Tally - Yes: 210 No: 19 Abstain: 4

The motion was approved by a two-thirds majority vote

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).

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.

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

To raise and appropriate \$2,214,656 to the Other Post Employment Benefits Trust Fund for costs of post employment benefits.

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
<i>Board of Health</i>	<i>Health Director</i>	<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.

ARTICLE 7: ACCEPT CHAPTER 90 ROAD IMPROVEMENTS FUNDS

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.

ARTICLE 8: APPROVE PROPERTY TAX DEFERRAL INCOME LIMITS

To establish a fiscal year 2020 income eligibility limit of \$86,240 pursuant to 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.

ARTICLE 9: APPROPRIATE THE FISCAL YEAR 2019 WTER ENTERPRISE BUDGET

To raise appropriate from Water Receipts the sum of \$3,840,756, allocated by line item as shown in the column entitled, "Recommend FY20" as set forth in the warrant, under the provisions of M.G.L. Chapter 44, Section 53F½, to operate the Water Division of the Department of Public Works for fiscal year 2020.

	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+	38,417	94,159	124,850	67,500
Total	\$3,527,302	\$3,934,138	\$3,730,042	\$3,840,756

ARTICLE 10: APPROPRIATE FOR WATER MAIN REHABILITATION

To appropriate \$207,000 therefor; and to meet this appropriation \$9,003 shall be transferred from Receipts Reserved for Appropriation- Capital Projects; and the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$197,997.

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

To appropriate \$160,000 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.

ARTICLE 12: APPROPRIATE THE FISCAL YEAR 2020 RECREATION ENTERPRISE BUDGET

To appropriate \$1,898,126, allocated by line item in the column entitled, "Recommended FY20" as printed in the warrant, to operate the Recreation Department during fiscal year 2020, under the provisions of M.G.L. Chapter 44, Section 53F½; and that said \$1,898,126 be funded as follows: \$1,257,688 to be raised from departmental receipts, \$80,000 to be transferred from retained earnings, and \$560,438 to be raised from the tax levy.

	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

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

To appropriate \$1,120,712, allocated by line item as shown in the column "Recommended FY20" as printed in the warrant, to operate the Brook School Apartments during Fiscal Year 2020, under the provisions of Chapter 76 of the Acts of 2009; and that said \$1,120,712 be funded as follows: \$1,020,712 from Brook School rental and other receipts and \$100,000 from Brook School Apartments Enterprise Fund retained earnings.

	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

ARTICLE 14: APPROPRIATE FOR DEPARTMENT OF PUBLIC WORKS - DRAINAGE IMPROVEMENTS

To appropriate \$300,000 therefor; and to meet this appropriation \$87,879 shall be transferred from Receipts Reserved for Appropriation- Capital Projects; and the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$212,121; 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.

ARTICLE 15: APPROPRIATE FOR SOUTH SIDE DRAINAGE IMPROVEMENTS

To appropriate \$334,740 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.

ARTICLE 16: APPROPRIATE FOR CHERRY BROOK CULVERT IMPROVEMENTS

To appropriate \$465,900 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.

ARTICLE 17: APPROPRIATE FOR RADIO SYSTEM UPGRADES

To appropriate \$760,000 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.

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 19: CREATE PUBLIC ACCESS FUND & ACCEPT G.L. c. 44, §53F 3/4

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 \$39,596.89 as a grant for Fiscal year 2020 cable-related purposes and authorize the Board of Selectmen to enter into a grant agreement for such purposes on such terms and conditions as it deems appropriate 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.

ARTICLE 25: APPROPRIATE FOR COMMUNITY HOUSING - REGIONAL HOUSING OFFICE AND HOUSING STAFF SUPPORT

To appropriate \$29,000 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 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.

- End consent agenda -

ARTICLE 20: AUTHORIZE CONVEYANCE OF 0 HOBBS BROOK ROAD

Passed over by Unanimous Vote.

The motion was passed over

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

Mr. Christopher Houston moved 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.

Electronic Tally - Yes: 214 No: 19 Abstain: 1

The motion was approved by a majority vote

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

Mr. Stephen Ober moved that the Town 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

Appropriations from FY2020 estimated annual revenues -

- \$123,000 for Community Preservation Committee administrative expenses

Reservations from FY2020 estimated annual revenues -

- \$353,000 for the acquisition, creation and preservation of open space including land for

- recreational use;
- \$386,000 for the acquisition, preservation, rehabilitation and restoration of historic resources; and
- \$264,000 for the creation, preservation and support of community housing

Appropriations for Debt Service Payments –

- \$5,610 from the Community Housing Reserve for the expansion of the Brook School Apartments, as approved under Article 19 of the May 2004 Annual Town Meeting;
- \$386,138 from the Historic Resources Reserve to preserve, rehabilitate, restore the Old Library as the Weston Art and Innovation Center, as approved under Article 1 of the November 28, 2017 Special Town Meeting; and
- \$352,596 from the Open Space Reserve for the purchase of the Case Estates land, as approved under Article 1 of the November 8, 2006 Special Town Meeting.

No electronic tally taken

The motion was approved by a majority vote

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

Ms. Laurie Bent moved to appropriate \$359,200 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.

Ms. Reitano of the Finance Committee spoke against the article citing a lack of a plan for the overall area and other projects being in the queue for Community Preservation Act funds. Ms. Lori Hess of the Tree Advisory Group also spoke against the article citing tree canopy damage to accommodate the walkway and root damage from the stormwater system that will need to be installed. Mr. Andy Miller of Ash Street spoke in favor of the article because of the pedestrian connectivity that would be available from the reservoir to the overlook on the Case Estates.

Electronic Tally - Yes: 117 No: 104 Abstain: 2

The motion approved by majority vote.

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

Mr. Bent moved that the Town authorize the Board of Selectmen to accept a historical preservation restriction on the portion of the property to be retained by the property owner and further 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 move that the Town appropriate \$3,395,000 therefor; and to meet this appropriation the total principal balance and interest thereon in the Land Conservation Trust (the "Trust") as of July 1, 2019, which sum is \$890,840 as of May 6, 2019 shall be transferred; and \$24,635 shall be transferred from Receipts Reserved for Appropriation - Capital Projects; and the Treasurer with the approval of the Board of Selectmen is authorized to borrow up to \$2,479,525; provided however that the amount authorized to be borrowed is reduced by the interest accrued in Trust as of July 1, 2019 and transferred under this vote.

Electronic Tally - Yes: 206 No: 4 Abstain: 1

The motion approved by two-thirds majority vote declared

**A motion to dissolve Annual Town Meeting was made and seconded.
Annual Town Meeting dissolved at 9:20 p.m.**

**SPECIAL TOWN MEETING
December 3, 2019**

Pursuant to a Warrant, duly served, Mr. Douglas Gillespie, the Moderator, called the Annual Town Meeting to order at 7:02 p.m. in the auditorium of the Weston High School. The Moderator declared a quorum present and proceeded with the reading of the Warrant and the Return of Service. The Moderator appointed tellers and the Town Clerk swore them to their duties.

The Moderator welcomed visitors and outlined the change in procedures to be followed, which included speaking times, a consent agenda, and the use of handheld electronic voting devices to record and tally votes. The vote counts per article are included below. Mr. Gillespie also requested voters approve Mr. Ripley Hastings as Acting Moderator during articles 9 and 10, saying he would be recusing himself from the proceedings at that time. The Moderator requested a motion to approve Town Meeting procedures and the adoption of an Acting Moderator, which were approved.

ARTICLES 1-6: CONSENT AGENDA

Mr. Harvey Boshart moved that the Town approve Articles 1 through 6 as printed below. Mr. Boshart read the title of each article to hear motions from the voters wanting to pull articles out of the consent agenda. Articles 1 and 5 were requested by at least 10 voters to be pulled from the consent agenda.

**Voice vote for Article 2, 3, 4 and 6 was taken.
The Consent Agenda was approved by unanimous vote**

ARTICLE 2: APPROPRIATE FOR HISTORIC SURVEYS - HISTORICAL COMMISSION

To appropriate the sum of \$15,000 for the documentation and survey of the historical properties in Weston under a contract with a qualified individual or firm, and all incidental and related costs, to be

spent under the direction of the Town Manager, the money so appropriated to come from certified Free Cash.

ARTICLE 3: APPROPRIATE FOR EMERGENCY MENTAL HEALTH RESPONSE - POLICE DEPARTMENT

To appropriate the sum of \$40,000 for mental health professional services through a joint agreement between the Weston & Wellesley Police Departments, and all incidental and related costs, to be spent under the direction of the Town Manager, the money so appropriated to come from certified Free Cash.

ARTICLE 4: APPROPRIATE FOR WATER TANK STUDY

To appropriate the sum of \$65,000 to pay costs of studying options for water tank alternatives, refurbishment or replacement, and all incidental and related costs, to be spent under the direction of the Town Manager, the money so appropriated to come from certified Free Cash.

ARTICLE 6: PETITION FOR SPECIAL LEGISLATION: DETAIL OFFICERS

To see if the Town will vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth below, to allow retired police officers to work police details; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition: or take any other action relative thereto.

AN ACT RELATIVE TO THE APPOINTMENT OF RETIRED POLICE OFFICERS AS SPECIAL POLICE OFFICERS IN THE TOWN OF WESTON.

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

SECTION 1. The Town Manager of the Town of Weston may appoint, at the recommendation of the Chief of Police and as the Chief of Police deems necessary, retired police officers as special police officers for the purpose of performing police details or any police duties arising therefrom or during the course of police detail work, whether or not related to the detail work. Such retired police officers must have been regular full-time police officers who voluntarily retired based upon superannuation. The special police officers shall be subject to the same maximum age restriction as applied to regular police officers under chapter 32 of General Laws. Such special police officers must prior to their appointment pass a medical examination by a physician chosen by the Town, to determine that they are capable of performing the essential duties of a special police officer, the cost of which shall be borne by the special police officers and shall provide certification to the town that they are covered by personal health insurance.

SECTION 2. Special police officers appointed under this act shall not be subject to chapter 31 of the General Laws, section 99A of chapter 41 of the General Laws, or chapter 150E of the General Laws. Special police officers appointed under this act shall be subject to chapter 151A of the General Laws.

SECTION 3. Special police officers appointed under this act shall, when performing the duties under section 1, have the same power to make arrests and to perform other police functions as do regular police officers of the Town of Weston.

SECTION 4. Special police officers shall be appointed for an indefinite term to serve at the pleasure of the Town Manager, subject to removal by the Town Manager at any time with a 14-day written notice.

SECTION 5. Special police officers appointed under this act shall be subject to the rules and regulations, policies and procedures and requirements of the Police Department and the Chief of Police of the Town of Weston, including restrictions on the type of detail assignments, requirements

regarding medical examinations to determine continuing capability to perform the duties of a special police officer, requirements for training, requirements for firearms qualifications and licensing, and requirements regarding uniforms and equipment. Compliance with all requirements will be at no cost to the Town of Weston. Special police officers appointed under this act shall not be subject to section 96B of chapter 41 of the General Laws.

SECTION 6. Special police officers appointed under this act shall be sworn before the town clerk of the Town of Weston who shall keep a record of all such appointments.

SECTION 7. Special police officers appointed under this act shall be subject to sections 100 and 111F of chapter 41 of the General Laws. The amount payable under said section 111F of said chapter 41 shall be calculated by averaging the amount earned over the prior 52 weeks as a special police officer working police details, or averaged over such lesser period of time for any officer designated as a special police officer less than 52 weeks prior to the incapacity. In no event shall payment under said section 111F of said chapter 41 exceed, in any calendar year, the limitation on earning contained in paragraph (b) of section 91 of chapter 32 of the General Laws. Payment under said section 111F of said chapter 41 shall terminate either when a physician designated by the Town determines that the disability no longer exists or when a special police officer reaches the age of 65. In the event the age limitation applicable to regular police officers serving a town is increased from 65 years of age, the termination of benefits under said section 111F of said chapter 41, as provided here in to special police officers, shall terminate at such a higher age limit, but in no event shall the benefits extend beyond the age of 70 for any special police officer. Special police officers appointed under this act shall not be subject to section 85H or 85H1/2 of said chapter 32, nor eligible for any benefits pursuant thereto.

SECTION 8. Appointment as a special police officer under this act shall entitle any individual appointed as such to assignment to any detail. Special police officers shall be paid the detail rate applicable to regular full-time officers but shall not be entitled to any other town benefits.

SECTION 9. Retired police officers, serving as special police officers under this act, shall be subject to the limitations on hours worked and on payments to retired town employees under paragraph (b) of section 91 of chapter 32 of the General Laws.

SECTION 10. This act shall take effect upon its passage.

- End Consent Agenda -

ARTICLE 1: APPROPRIATE FOR WATER LINE IMPROVEMENTS - FIRE DEPARTMENT

Mr. Boshart moved to appropriate the sum of \$75,000 for the upgrade of water line service to the Main Fire Station, and all incidental and related costs, to be spent under the direction of the Town Manager, the money so appropriated to come from certified Free Cash.

The Chair of the Finance Committee, Lisa Reitano, spoke against the article, saying the money should come from the Town Center Improvement Project's appropriation. Mr. Boshart pointed out that work on the water line service is an improvement to a municipal facility and not related to the Town Center Project; however, it would be convenient and ultimately less expensive to do the needed work during the Town Center construction. The Chair of the Permanent Building Committee, James Polando, disagreed with Mr. Boshart's assertion and said the work is associated with the Town Center project.

Electronic Tally - Yes: 112 No: 182 Abstain: 3

The motion failed to carry majority vote.

**ARTICLE 5: APPROPRIATE FOR LAND FOR RECREATIONAL USE -
RAIL TRAIL PLANT BUFFER: PHASE TWO**

Mr. Paul Penfield moved to appropriate the sum of \$43,000 for land for recreational use under the Community Preservation Program to pay for the purchase and installation of plantings along the Mass. Central Rail Trail in Weston, 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.

Ms. Reitano spoke against the article claiming the landscaping that was installed previously died due to lack of attention and there is no plan outlined to ensure there is upkeep with the installation from this appropriation. Mr. Penfield detailed the maintenance to keep the landscape viable.

Electronic Tally - Yes: 204 No: 109 Abstain: 1

The motion passed by majority vote.

ARTICLE 7: AMEND GENERAL BY-LAWS - SELECT BOARD

Ms. Laurie Bent moved to amend the General By-laws to change the title of the "Board of Selectmen" to the "Select Board" by:

(a) inserting a new sentence prior to the existing text of Article II, Section 1, as follows:

The Board of Selectmen of the Town of Weston shall be referred to as the Select Board of the Town of Weston; provided, however, that regardless of such nomenclature, said board shall constitute a board of selectmen for purposes of the General Laws and of any special law applicable to the Town.

(b) and further, in each instance in which they appear, to replace the words "Board of Selectmen" or "Selectmen" with the words "Select Board" and the word "Selectman" with "Select Board Member," all as on file with the Town Clerk.

Electronic Tally - Yes: 295 No: 41 Abstain: 1

The motion was approved by a majority vote

ARTICLE 8: AMEND ZONING BY-LAWS: APPLICABILITY TO LOTS ON SCENIC ROADS

Ms. Leslie Glynn moved to amend the Town's Zoning By-law by amending those portions of Section V, "USE REGULATIONS. B. SINGLE FAMILY RESIDENCE DISTRICTS (A, B, C and D)" as shown below with text to be inserted shown in **bold underline**:

1. By-Right Uses

a. Unless located on a lot which bounds a Scenic Road as defined in Section II, single family detached dwelling containing one housekeeping unit only, together with accessory buildings not containing a housekeeping unit. The number of such dwellings with such accessory buildings on any one lot shall not exceed the number which can be located thereon in conformity to Section VI, Subsection F.2., "Numbers and Location of Dwellings on One Lot"; **For purposes of this Section, a lot shall be considered to bound a Scenic road if any portion of the lot either directly abuts a Scenic Road or is separated from a Scenic Road by a parcel or parcels of land, created after July 13, 2019, that contain less than the required lot area or frontage for a buildable lot within the applicable zoning district and were not created through a Flexible Subdivision Special Permit;**

2. By-Right Uses Allowed With Site Plan Approval

b. New or replacement single family dwelling, together with accessory buildings not containing a housekeeping unit, in conformity with Section VI.F.2., which is constructed pursuant to a building permit issued on or after October 29, 1998, and which is located on a lot bounding on a Scenic Road as defined in Section II. **For purposes of this Section, a lot shall be considered to bound a Scenic road if any portion of the lot either directly abuts a Scenic Road or is separated from a Scenic Road by a parcel or parcels of land, created after July 13, 2019 that contain less than the required lot area or frontage for a buildable lot within the applicable zoning district and were not created through a Flexible Subdivision Special Permit.**

Electronic Tally - Yes: 311 No: 37 Abstain: 1

The motion was approved by two-thirds majority vote

ARTICLE 9: AMEND ZONING BY-LAWS: TRANSIT-ORIENTED SENIOR DEVELOPMENT (SUBMITTED BY CITIZENS' PETITION)

Mr. Jerome Haber moved to add new provisions to the Zoning By-law to create a "Transit-Oriented Senior Development.

Both articles 9 and 10 were discussed at the same time. The articles were developed by abutters to mitigate a hostile 40B development that would create 10 homeownership houses on just under 3 acres of land on Merriam Street. This proposed article would reduce the number of houses to eight and they would be restricted as elderly housing. Voters were split during the debate, largely due to the Planning Board being unanimously against the proposal vs. voters sympathizing with neighbors who had worked hard to develop this solution. Ultimately, voters did not care for the lack of affordable housing and the seeming spot zoning this would create.

Electronic Tally - Yes: 216 No: 149 Abstain: 5

The motion failed to carry a required two-thirds majority vote

ARTICLE 10: TRANSIT-ORIENTED SENIOR DEVELOPMENT MERRIAM / HALLETT HILL (SUBMITTED BY CITIZENS' PETITION)

Passed over by Unanimous Vote

The motion was passed over

ARTICLE 11: APPROPRIATE FOR HISTORIC RESOURCES - JOSIAH SMITH TAVERN CONSTRUCTION FUNDS

Mr. Steve Ober moved to appropriate an additional \$12,483,622 for historic resources purposes under the Community Preservation Program to pay the costs to preserve, rehabilitate, and restore the historic Josiah Smith Tavern building, located at 358 Boston Post Road, in a manner suitable for use as a restaurant and space to house local non-profit organizations, including all related incidental costs; to be spent under the direction of the Town Manager, and as funding therefor, to transfer \$7,800,000 from the Unallocated allocation of the Community Preservation Fund and to borrow the sum of \$4,683,622 pursuant to G.L. c.44B, §11 or G.L. c.44, §§7 or 8 or any other general or special law, for a term of not less than 10 years, and to authorize the Town Treasurer with the approval of the Board of Selectmen to issue any bonds or notes of the Town therefor; and, further 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.

Electronic Tally - Yes: 323 No: 42 Abstain: 0

The motion was passed by a two-thirds majority vote

ARTICLE 12: COMMUNITY CHOICE AGGREGATION

Mr. David Ayer moved to authorize the Board of Selectmen to initiate the process of seeking to aggregate energy, whether independently or in joint action with other municipalities, and contract for electric supply for Weston residents as authorized by M.G.L. 164, Section 134, and through what is known as Community Choice Aggregation (CCA), decrease greenhouse gas emissions from the generation of electricity for Weston residents by pursuing an amount of Class I designated renewable energy higher than is required by the Massachusetts Renewable Portfolio Standard (RPS), and further to authorize the Town Manager to establish, and/or appoint representatives for a taskforce to oversee such independent or joint action, or take any other action relative thereto.

Electronic Tally - Yes: 212 No: 6 Abstain: 0

The motion was passed by a majority vote

ARTICLE 12: AMEND GENERAL BY-LAWS: CIVIL FINGERPRINTING

Mr. Harvey Boshart moved to amend the Town's General By-laws by inserting Section XXXVIII as follows:

SECTION XXXVIII: CIVIL FINGERPRINTING

1. Purpose and Scope

This By-law authorizes the Police Department to conduct state and national fingerprint based criminal history checks for individuals applying for specific licenses in Town to enhance public safety, as authorized by Massachusetts General Laws Chapter 6, Section 172B½. To carry out the criminal history checks authorized by this by-law, the Police Department shall be authorized to use state and Federal Bureau of Investigation ("FBI") records, provided, however, that such records shall not be disseminated to unauthorized entities and shall be maintained and disclosed in accordance with all applicable law. The by-law further authorizes the Board of Selectmen, in consultation with the Chief of Police, to promulgate regulations to implement this by-law, which may include, but shall not be limited to establishment of submission deadlines, procedures for making recommendations to the licensing authority or making a licensing as a result of the criminal history check, procedures for assessing, correcting or amending any such record, criteria for fitness determinations, security of information obtained and penalties for failure to comply with this by-law.

2. Criminal History Check Authorization

The Police Department shall, as authorized by Massachusetts General Laws Chapter 6, Section 172, conduct State and Federal Fingerprint Based Criminal History checks for individuals and entities applying for the following licenses:

- Solicitors and Peddling or other Door-to-Door Salespeople, including manager of the business entity (Police Department-Licensing Authority);
- Alcoholic Beverage License, including manager of the business entity (Board of Selectmen - Licensing Authority);
- Dealer of Second-Hand Articles, including manager of the business entity (Board of Selectmen -

- Licensing Authority);
- Pawn, Old Metal and Junk Dealers, including manager of the business entity (Board of Selectmen - Licensing Authority) and; and
- Hackney Drivers, including manager of the business entity (Board of Selectmen - Licensing Authority)

At the time of fingerprinting, the Police Department shall notify the individual being fingerprinted that the fingerprints will be used to check the individual's criminal history records and obtain the individual's consent.

After the applicant completes a consent form, provides their fingerprints and the appropriate fee, the Police Department shall transmit the fingerprints it has obtained pursuant to this by-law to the Identification Section of the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Services ("DCJIS"), and/or the FBI or the successors of such agencies as may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks for the license applicants specified in this by-law.

The Town authorizes the Massachusetts State Police, the DCIS and the FBI and their successors, as may be applicable, to conduct fingerprint-based state and national criminal record background checks, including of FBI records, consistent with this by-law. The Town authorizes the Police Department to receive and utilize State and FBI records in connection with such background checks, consistent with this by-law and its implementation regulations. In accordance with its implementation regulations, the Police Department shall communicate the results of fingerprint-based criminal record background checks to the appropriate governmental licensing authority within the Town.

3. Use of Criminal Record by Licensing Authorities

Licensing authorities of the Town shall utilize the results of fingerprint-based criminal record background checks for the sole purpose of determining the suitability of the subjects of the checks in connection with the license applications specified in this by-law. A Town licensing authority may deny an application for a license on the basis of the results of a fingerprint-based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed licensed activity. The licensing authority shall consider all applicable laws, regulations and Town policies bearing on an applicant's suitability in making this determination.

Licensing authorities of the Town are hereby authorized to deny an application for any license specified herein and in the implementing regulations, including renewals and transfers of said licenses, from any person who is determined unfit for the license due to information obtained pursuant to this by-law. Factors that shall be considered in making a determination of fitness shall include, but not be limited to, whether the record subject has been convicted of, or is under pending indictment for a crime, that bears upon the subject's ability or fitness to serve in that capacity, including any felony or a misdemeanor that involved force or threat of force, possession of a controlled substance, or sex-related offense.

4. Fees

The fee charged by the Police Department for the purpose of conducting fingerprint-based criminal record background checks shall be one hundred dollars (\$100) for each fingerprinting and criminal history check. A portion of the fee, as specified in Massachusetts General Laws Chapter 6, Section 172B 1/2, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee may be retained by the Town for costs associated with the administration of the fingerprinting system.

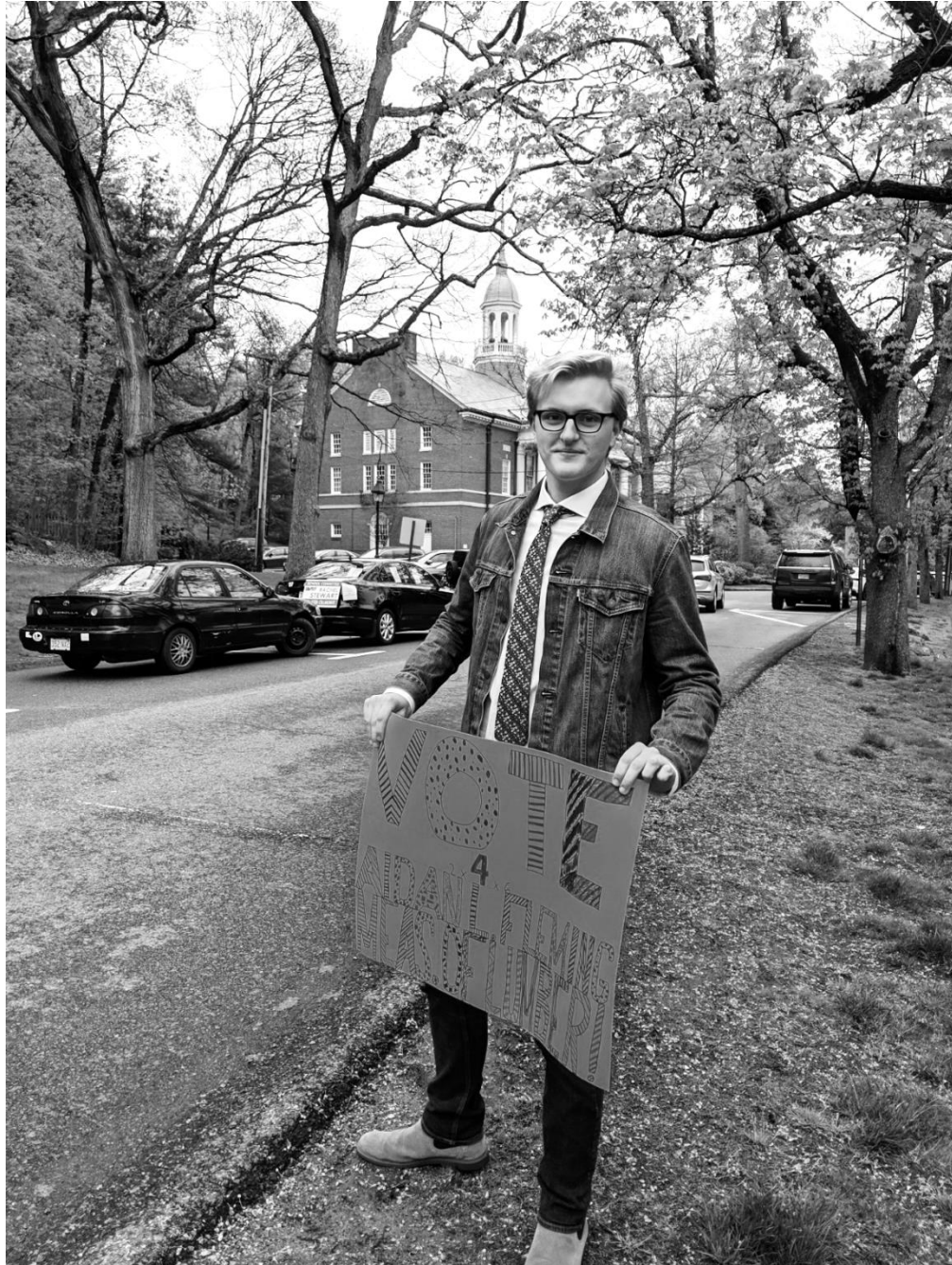
5. Effective Date

This by-law shall take effect after compliance with all requirements of Massachusetts General Laws Chapter 6, Section 172B ½ and Massachusetts General Laws Chapter 40, Section 32 have been met.

Electronic Tally - Yes: 149 No: 20 Abstain: 3

The motion was passed by a majority vote

A motion to dissolve was made, seconded and adopted.
Special Town Meeting dissolved at 9:30 p.m.



This year's election brought interest from the Town's newly-minted voters, including one who decided to run for an elected office making him Weston's youngest elected official