

CONDENSED TOWN RECORDS



ANNUAL TOWN ELECTION
May 9, 2015

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 9, 2015, 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	769
Precincts 3 & 4	594
Total	1,363

The results of the election were as follows:

	Precincts 1 & 2	Precincts 3 & 4	Grand Total
Moderator - One Year (vote for 1)			
Thomas S. Crane	605	447	1,052
Blanks	152	128	280
Write-Ins:			
Harvey Boshart	1	11	12
Scattering	11	8	19
Total	769	594	1,363
Selectman - Three Years (vote for 1)			
Christopher E. Houston	354	301	655
David O. Mendelsohn	68	31	99
Alex Selvig	332	239	571
Blanks	13	23	36
Write-Ins:			
Scattering	2	0	2
Total	769	594	1,363
Assessor - Three Years (vote for 2)			
Gary C. Koger	539	413	952
Phyllis R. Kominz	529	410	939
Blanks	461	363	824
Write-Ins:			
Scattering	9	2	11
Total	1,538	1,188	2,726
School Committee - Three Years (vote for 2)			
John E. Henry	557	417	974
Tymothy S. MacLeod	192	155	347
Teresa L. Young	124	96	220
Blanks	227	179	403
Write-Ins:			
Alex Cobb	412	320	732
Teresa Liu	16	18	34
Scattering	10	6	16
Total	1,538	1,188	2,726

Recreation Commission - Three Years (vote for 2)			
Michelle R. Callanan	545	428	973
Franz Loeber	525	421	946
Blanks	443	330	773
Write-Ins:			
Scattering	12	9	21
Peter Keating	8	0	8
Xinsheng Zhu	5	0	5
Total	1,538	1,188	2,725
Recreation Commission - Two Years (vote for 1)			
Blanks	716	553	1,269
Write-Ins:			
Scattering	35	25	60
Peter Keating	5	7	12
Xinsheng Zhu	13	9	22
Total	769	594	1,363
Planning Board - Five Years (vote for 1)			
David O. Mendelsohn	245	232	477
Anthony A. Flynn	379	228	607
Blanks	141	132	273
Write-Ins:			
Scattering	4	2	6
Total	769	594	1,363
Library Trustees - Three Years (vote for 2)			
Joel A. Angiolillo	553	422	975
Denise Mosher	580	462	1,042
Blanks	395	301	696
Write-Ins:			
Scattering	10	3	13
Total	1,538	1,188	2,726
Board of Health - Three Years (vote for 1)			
Peter K. Taylor	567	439	1,006
Blanks	200	155	355
Write-Ins:			
Scattering	2	0	2
Total	769	594	1,363
Commissioner of Trust Funds (for 3 years)(vote for 1)			
Thomas E. Bator	565	433	998
Blanks	198	161	359
Write-Ins:			
Scattering	6	0	6
Total	769	594	1,363

Measurers of Lumber - One Year (vote for not more than three)			
James K. Barry	530	384	914
Robin Peakes Coutts	508	380	888
Cameron Gregory Peters	508	394	902
Blanks	742	620	1,362
Write-Ins:			
Scattering	19	4	23
Total	2,307	1,782	4,089
Question No. 1 - Proposition 2 1/2 Debt Exclusion			
Yes	480	378	858
No	208	143	351
Blanks	81	73	154
Total	769	594	1,363

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) Field School; (2) DPW Drainage Improvement Projects; and (3) Case Campus Master Plan?

Yes: 858 No: 351

**ANNUAL TOWN MEETING
MAY 11, 2015**

Pursuant to a Warrant, duly served, Thomas Crane, the Moderator, called the Annual Town Meeting to order at 7:15 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. A Majority vote was taken on the procedural changes to the Town Meeting format.

ARTICLE 1: Deborah M. Davenport, Town Clerk, read the results of the May 9, 2015, Annual Town Election, of which the results appear in the report of the Town Election above.

Mr. Douglas Gillespie expressed gratitude to retiring elected and volunteer officers of the Town of Weston.

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	Edward H. Coburn	2012
PLANNING BOARD	David O. Mendelsohn	2002
RECREATION COMMISSION	Allison Payne Jones Elvekrog Richard Hall Alison Slater	2012 2014 2012
SCHOOL COMMITTEE	Richard A. Manley, Jr. Rosemary B. Tomaso	2006 2012
COMMITTEE MEMBERS APPOINTED BY THE BOARD OF SELECTMEN		
<i>Committee</i>	<i>Officer</i>	<i>Served Since</i>
AFFORDABLE HOUSING TRUST	Edward H. Coburn	2011
AGRICULTURAL COMMISSION	David Hutcheson	2011
CABLE ADVISORY COMMITTEE	George Capalbo	2010
CONSERVATION COMMISSION	Christopher Babayan Brian Donahue	2013 2001
COUNCIL ON AGING	Linda McCabe John McCahan Robin J. Strickman	2009 2006 2006
HOUSING PARTNERSHIP	William Kelsey	2009
JOSIAH SMITH TAVERN / OLD LIBRARY WORKING GROUP	Edward H. Coburn James Jensen Amanda Rapp Catheline van den Branden	2013 2013 2013 2014
RECYCLING & SOLID WASTE COMMITTEE	Donald Stewart Mary Wong	2014 2014
TRAFFIC & SIDEWALK COMMITTEE	John Detore	2009
TREE ADVISORY GROUP	Amy Corcoran Ruth Leiby	2011 2004
WESTON CULTURAL COUNCIL	Alisa Taylor-Kapoor Laura Lamere Marna Kennedy Stan Mark Godoff	2012 2012 2012 2014
ZONING BOARD OF APPEALS	Gary Wolf	2008

OFFICERS AND COMMITTEE MEMBERS APPOINTED BY THE MODERATOR

<i>Committee</i>	<i>Officer</i>	<i>Served Since</i>
FINANCE COMMITTEE	Alexander Cobb	2013
	Christopher Houston	2012
	Matthew Rosenthal	2008
	Valerie Shey	2009
JOSIAH SMITH TAVERN CORPORATION	John B. Deary, Jr.	2013
	J. Thomas Sellendorff	2013
MEMORIAL DAY COMMITTEE	Glenn Cardozo, Jr.	2014
	Margaret Caso	2014
	Beverly Dillaway	1997

ARTICLE 2: AMEND FISCAL YEAR 2015 OPERATING BUDGET

Mr. Edward Coburn moved to amend the following line items in the Fiscal Year 2015 Operating Budget adopted under Article 5 of the 2014 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	1,052,900	800,000
Unemployment Compensation	100,000	130,000	30,000
Insurance, Workers’ Compensation	210,000	180,000	(30,000)

And as funding therefor, that \$800,000 be transferred from available funds (free cash).

The motion was approved by unanimous vote

ARTICLE 3: (Motion 1) APPROPRIATE THE FISCAL YEAR 2016 OPERATING BUDGET

Mr. Gillespie moved that the several sums of money recommended by the Board of Selectmen for the Fiscal Year beginning July 1, 2015, in accordance with Section 5 of Article II of the General Bylaws, as amended, and set forth in pages 8-10 of the report entitled, “Fiscal Year 2016 Recommended Operating Budget,” be raised and appropriated for their respective purposes as set forth on said pages, and that the Town transfer the following sums to meet, in part, appropriations made at this Town Meeting:

- a. \$3,200,000 from the Free Cash Account;
- b. \$10,000 from the “Accrued Income, Well Litigation Settlement” account;
- c. \$35,000 from the Cemetery Trust Fund;
- d. \$600,000 from Overlay Surplus; and
- e. \$6,000 from the Josiah Smith Tavern Trust Fund;

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 2016.

Mr. David Harmon of Summer Street asked what would be the true cost of a Deputy Fire Chief. Mr. Coburn said the number in the budget is the full cost and the Fire Department is the only department without a second in command, plus the service calls and number of inspections has increased.

FISCAL YEAR 2016 RECOMMENDED OPERATING BUDGET

TITLE OF ACCOUNTS		Expended	Expended	Appropriated	Appropriated	Recommended
		Fiscal Year 2013	Fiscal Year 2014	Fiscal Year 2014	Fiscal Year 2015	Fiscal Year 2016*
UNCLASSIFIED						
Insurance	Insurance, Workers' Compensation	218,749	164,933	220,000	210,000	210,000
	Public Safety - Injured on Duty+	13,163	13,614	20,000	20,000	20,000
	Unemployment Compensation	61,971	63,589	100,000	100,000	100,000
	Insurance-Property & Liability	286,541	281,093	350,000	370,000	364,000
	Uninsured Losses+	10,873	16,033	-	-	15,000
	subtotal	591,297	539,263	690,000	700,000	709,000
Fringe Benefits	Ins.-Group Health/Life, Medicare	9,424,177	9,630,086	9,868,593	9,872,696	10,534,802
	Contributory Retirement-Middlesex	3,648,094	3,876,083	3,876,306	4,139,155	4,270,242
	Compensated Absence Fund+	49,107	99,671	110,000	120,000	130,000
	subtotal	13,121,378	13,605,840	13,854,899	14,131,851	14,935,044
Street Lighting		45,585	33,915	44,000	44,000	-
Reserve Fund	(see Appendix 2 for list of transfers)	-	-	540,000	565,000	574,000
Debt Service (non-excluded)	Principal & Interest	56,350	39,401	46,968	38,121	36,817
TOTAL UNCLASSIFIED		13,814,611	14,218,419	15,175,867	15,478,972	16,254,861
GENERAL GOVERNMENT						
Town Manager's Office	Salaries	416,932	428,370	438,483	431,907	441,140
	Expenses	72,372	74,272	82,575	70,005	73,295
	Consulting & Professional Services+	60,870	54,704	55,000	40,000	57,050
	Fiber Optic Network Improvements+	90,997	16,381	-	-	-
	Document Management System+	-	-	-	-	50,000
	subtotal	641,171	573,727	576,058	541,912	621,485
Cost of Living & Merit Pay	Transfer Account	11,640	25,785	71,920	82,191	107,091
Legal	Expenses	104,746	121,958	190,000	190,000	190,000
Facilities Maintenance	Salaries	58,903	59,557	64,330	65,206	67,533
	Expenses	88,477	90,446	110,850	111,550	110,850
	Town Hall Equipment+	4,153	6,952	3,000	3,000	3,000
	subtotal	151,533	156,955	178,180	179,756	181,383
Town Clerk & Registrars of Voters	Salaries	154,954	140,006	149,980	163,292	161,558
	Expenses	37,120	32,140	35,535	35,635	56,415
	subtotal	192,074	172,146	185,515	198,927	217,973
Information Systems	Salaries	234,514	254,935	258,743	268,725	285,619
	Expenses	194,090	201,501	245,700	266,000	276,500
	Computer Hardware & Maintenance+	71,848	123,010	162,000	80,000	90,500
	Telephone Consultant (Town-Wide)+	-	800	-	-	-
	subtotal	500,452	580,246	666,443	614,725	652,619
Weston Veterans Memorial Educational Fund Committee	Expenses	1,600	2,100	2,100	2,600	2,600
Senior Service Program	Salaries	14,600	13,130	15,000	17,000	15,000
Veterans Tax Work-Off Prog.	Salaries	-	-	-	10,000	10,000
Weston Media Center Grant*	Expenses	-	110,000	110,000	110,000	-
TOTAL GENERAL GOVERNMENT		1,617,817	1,756,047	1,995,216	1,947,111	1,998,151
FACILITIES TOWN-WIDE	Salaries	260,083	268,149	273,580	278,067	349,450
	Expenses	546,189	625,681	594,675	669,675	699,600
	Facilities Improvements-Town-wide+	350,211	497,143	439,898	821,893	484,988
TOTAL FACILITIES TOWN-WIDE		1,156,483	1,390,974	1,308,153	1,769,635	1,534,038

TITLE OF ACCOUNTS		Expended Fiscal Year 2013	Expended Fiscal Year 2014	Appropriated Fiscal Year 2014	Appropriated Fiscal Year 2015	Recommended Fiscal Year 2016*
FINANCE						
Finance Committee	Expenses	285	289	400	400	400
Finance	Salaries-Elected Officials	400	300	500	-	-
	Salaries	649,685	639,591	669,420	688,541	703,539
	Expenses	106,199	113,527	138,025	136,765	134,965
	subtotal	756,283	753,418	807,945	825,306	838,504
TOTAL FINANCE		756,569	753,708	808,345	825,706	838,904
LAND USE, PLANNING & INSPECTIONAL SERVICES						
	Salaries	496,906	511,482	527,754	541,229	535,313
	Expenses	140,773	194,263	194,680	163,475	183,740
TOTAL LAND USE , PLANNING & INSPECTIONAL SERVICES		637,679	705,745	722,434	704,704	719,053
PUBLIC SAFETY						
Police	Salaries	2,575,835	2,622,042	2,678,088	2,658,394	2,709,847
	Expenses	257,083	273,071	299,264	289,600	298,100
	Equipment and Apparatus+	134,314	86,971	91,000	120,000	140,000
	subtotal	2,967,232	2,982,084	3,068,352	3,067,994	3,147,947
Fire	Salaries	2,716,310	2,689,459	2,819,005	2,867,594	3,030,249
	Expenses	255,099	313,412	303,670	303,670	297,170
	Hydrant Service	42,615	42,930	44,000	44,000	44,000
	Emergency Management+	169	4,864	2,000	2,000	2,000
	Equipment and Apparatus+	82,064	693,721	695,000	320,000	345,000
	subtotal	3,096,258	3,744,386	3,863,675	3,537,264	3,718,419
Animal Control Officer	Salaries	20,222	18,883	20,485	20,841	21,204
	Expenses	7,111	4,411	7,300	6,300	7,300
	subtotal	27,333	23,294	27,785	27,141	28,504
TOTAL PUBLIC SAFETY		6,090,823	6,749,765	6,959,812	6,632,399	6,894,870
EDUCATION						
School Department	Salaries	28,943,132	30,553,387	29,870,019	30,906,887	32,246,404
	Instructional, Maint. & Other Exps.	4,960,125	5,097,684	5,519,596	5,733,697	5,992,900
	1 Ton Truck +	-	142	-	-	-
	Arsenic Testing+	150,359	-	-	-	-
	subtotal	34,053,616	35,651,214	35,389,615	36,640,584	38,239,304
Minuteman Regional Voc. Technical School District	Assessment	81,925	104,311	104,311	110,127	91,498
TOTAL EDUCATION		34,135,541	35,755,525	35,493,926	36,750,711	38,330,802

TITLE OF ACCOUNTS		Expended	Expended	Appropriated	Appropriated	Recommended
		Fiscal Year 2013	Fiscal Year 2014	Fiscal Year 2014	Fiscal Year 2015	Fiscal Year 2016*
PUBLIC WORKS	Salaries	1,711,546	1,802,340	1,872,953	1,872,293	1,916,585
	Expenses	1,034,569	1,117,054	1,197,170	1,201,470	1,179,020
	Snow and Ice Control	542,900	710,275	252,900	252,900	252,900
Continuing Balance Accts.	Construction of Public Ways+	243,730	294,482	300,000	300,000	400,000
	Departmental Equipment +	82,985	224,282	235,000	182,000	240,000
	Construction of Sidewalks+	133,843	138,012	120,000	120,000	110,000
	Stone Retaining Wall Repairs+	13,195	-	10,000	10,000	10,000
	Access to 40 Acre Field+	-	149	-	-	-
	Guard Rail Rehabilitation Program+	50,000	51,500	50,000	50,000	50,000
	Boston Post Road-Rt 20 Traffic Study+	30,000	-	-	-	-
	HS/MS Traffic Study +	30,000	-	-	-	-
	Transfer Station Bridge Replacement +	33,545	576,649	110,000	-	-
	Monitoring Groundwater - Landfill+	21,525	21,825	21,675	21,675	25,500
	Roundabout at Case Corner+	33,870	705	-	-	-
	Wellesley/Brown Traffic Study+	16,436	830	75,000	-	-
	Traffic & Sidewalk Committee+	-	18,242	-	15,000	15,000
	Pedestrian Crossing Signals Project+	-	-	-	50,000	14,200
	Kendal Green Parking+	-	-	25,000	-	-
	Easements for Wellesley/South Inters.+	-	-	10,000	-	-
	Parks & Cemeteries Improvements+	-	45,000	-	8,700	10,140
	subtotal Cont Bal Accounts	689,128	1,371,676	956,675	757,375	874,840
TOTAL PUBLIC WORKS		3,978,143	5,001,346	4,279,698	4,084,038	4,223,345
HEALTH & HUMAN SERVICES						
Board of Health	Salaries	226,832	232,362	231,192	237,124	247,731
	Expenses	7,062	7,091	7,800	7,800	7,800
	Mental Health Services	25,000	25,000	25,000	25,000	25,000
	subtotal	258,893	264,453	263,992	269,924	280,531
Mosquito Control, E. Middlesex Project	Expenses	36,938	37,677	37,677	37,802	38,558
Council on Aging	Salaries	253,786	268,725	285,122	295,738	289,063
	Expenses	30,296	31,538	31,600	31,600	34,600
	subtotal	284,083	300,263	316,722	327,338	323,663
Veterans' Services	Expenses	58,379	68,835	73,044	76,107	78,096
TOTAL HEALTH & HUMAN SERVICES		638,293	671,228	691,435	711,171	720,848
PUBLIC LIBRARY						
Libraries	Salaries	948,634	965,018	1,012,053	1,037,213	1,058,919
	Expenses	122,415	120,111	152,759	152,759	155,759
	Library Materials	68,200	68,199	68,200	68,200	75,000
	Minuteman Library Network	39,214	40,935	41,217	40,100	40,050
TOTAL PUBLIC LIBRARY		1,178,462	1,194,263	1,274,229	1,298,272	1,329,728
TOTAL OPERATING BUDGET APPROPRIATIONS		64,004,420	68,197,019	68,709,115	70,202,719	72,844,600
DEBT SERVICE (EXCLUDED)		6,747,256	7,713,930	7,646,500	7,220,241	7,926,753
GRAND TOTAL BUDGET APPROPRIATIONS		70,751,676	75,910,949	76,355,615	77,422,960	80,771,353

*FY16 Recommended Operating Budget does not include amounts to be appropriated under separate articles, such as Weston Media Center Grant, Enterprise Fund budgets, Stabilization Fund, OPEB Trust Fund (Articles 4-6, 12,15,16).

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

The motion was approved by majority vote

ARTICLE 3: (Motion 2) APPROPRIATE THE FISCAL YEAR 2016 OPERATING BUDGET

Mr. Gillespie moved that the Town transfer \$250,000 from the Well Litigation Settlement Account to meet, in part, appropriations made at this Town Meeting.

The motion was approved by unanimous vote

ARTICLE 3: (Motion 3) APPROPRIATE THE FISCAL YEAR 2016 OPERATING BUDGET

Mr. Gillespie moved that five persons be appointed by the Moderator to serve as a Memorial Day Committee in 2016 with authority to expend funds for the 2016 Memorial Day observance from the World War Trust Fund for this purpose.

The motion was approved by unanimous vote

ARTICLE 4: APPROPRIATE FOR WESTON MEDIA CENTER, INC.

Mr. Edwin Smith moved to raise and appropriate or transfer from available funds \$110,000 as a grant to Weston Media Center, Inc., to provide continued support for PEG (Public Educational and Government) television programming on local cable channels; said sum to be expended by the Town Manager pursuant to a grant agreement between the Town Manager and the Weston Media Center, Inc., on such terms and conditions as the Town Manager deems appropriate.

The motion was approved by majority vote

ARTICLES 5-17: CONSENT AGENDA

Mr. Gillespie moved that the Town approve Articles 5 through 17 as printed in the warrant, with the additional detail as set forth below:

- \$250,000 to be raised and appropriated to the Stabilization Fund under Article 5
- \$1,606,925 to be raised and appropriated to the OPEB Fund under Article 6
- an income eligibility limit of \$70,000 to be established under Article 9
- \$3,147,134 to be appropriated from water receipts and \$200,000 from Water Enterprise fund retained earnings under Article 12
- \$105,000 to be appropriated to be raised by borrowing for Paine's Hill Water Tank Improvements under Article 13
- \$212,000 to be appropriated to be raised by borrowing for Water Main Rehabilitation under Article 14
- \$1,050,018 from departmental receipts, \$479,150 to be raised from the tax levy, and \$68,000 from Recreation Enterprise Fund Retained Earnings under Article 15
- \$1,009,324 to be appropriated from rental receipts and \$250,000 from Brook School Apartments Enterprise fund retained earnings under Article 16
- \$300,000 to be appropriated to be raised by borrowing for Drainage Improvements under Article 17

The Moderator read the titles of the articles as follows:

ARTICLE 5: APPROPRIATE TO STABILIZATION FUND

To raise and appropriate \$250,000 to the Stabilization Fund, as provided under M.G.L. Chapter 40, section 5B, as amended, to be used for any lawful purpose.

ARTICLE 6: APPROPRIATE TO OPEB TRUST FUND

To raise and appropriate \$1,606,925 to the Other Post Employment Benefits Trust Fund for costs of post employment benefits.

ARTICLE 7: CONTINUE DEPARTMENTAL REVOLVNG FUNDS

That the Town continue revolving funds for certain Town departments pursuant to the provisions of M.G.L. Chapter 44, section 53E½ for the fiscal year beginning July 1, 2015:

Revolving Fund	Authority to Spend	Revenue Source	Use of Fund	Fiscal 2016 Budget
Recreation Skating Programs	Recreation Director	Program Fees	Program Costs	\$40,000
Historic Marker	Historical Commission	Program Fees	Costs Related to Purchase of Historic Markers	\$1,500
Josiah Smith Tavern	Town Manager	Rental Fees from Women's Community League	Building Repairs and Maintenance (Improvements)	\$30,000
Council on Aging Special Programs	Council on Aging Director	Program Fees	Program Expenses	\$30,000
Town Building Rentals	Town Manager	Rental Fees Town Hall	Utilities, Cleaning, Building Monitor	\$6,000
Board of Health	Health Director	Insurance Reimbursement for Flu Clinics and Fees for Public Health Initiatives	Public Health Education, Outreach, Health Initiatives, Emergency Preparedness	\$20,000
Affordable Housing Monitoring	Town Manager	Fees from Original Sale and Resale of Affordable Homes	Monitoring Costs, including Salaries and Benefits	\$40,000
Fiske Law Office	Town Manager	Rental Fees	Building Repairs and Maintenance including Salaries and Benefits	\$55,000
Planning Board	Planning Board	Application Fees	Expenses Related to Action on Applications	\$75,000

ARTICLE 8: ACCEPT CHATER 90 ROAD IMPROVEMENT FUNDS

That the Town authorize the Board of Selectmen to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town Ways and authorize the expenditure of any sums of money that may be received for the fiscal year commencing July 1, 2015 from the Massachusetts Department of Transportation.

ARTICLE 9: APPROVE PROPERTY TAX DEFERRAL INCOME LIMITS

That the Town establish a fiscal year 2016 income eligibility limit of \$70,000 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.

ARTICLE 10: ACCEPT GENERAL LAWS CHAPTER 59, SECTION 5C½: ((INCREASE IN PROPERTY TAX EXEMPTION LIMITS)

To accept the provisions of Section 5C½ of the Massachusetts General Laws, inserted by Section 14 of Chapter 62 of the Acts of 2014, which provides for an additional real estate exemption for taxpayers who qualify for property tax exemptions under M.G.L. Chapter 59, §5, as provided by law, and further, to provide that the additional exemption amount shall be up to 100 percent for each eligible exemption, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2015.

ARTICLE 11: ACCEPT M.G.L. CHAPTER 200A, SECTION 9A REGARDING ABANDONED FUNDS

To accept the provisions of Section 9A of Chapter 200A of the Massachusetts General Laws allowing there to be an alternative simplified procedure for disposing of abandoned funds (often referred to as unclaimed checks or “tailings”) held by the Town.

ARTICLE 12: APPROPRIATE THE FISCAL YEAR 2016 WATER ENTERPRISE BUDGET

That the Town appropriate \$3,347,134, allocated by line item as shown below, to operate the Water Division of the Department of Public Works during fiscal year 2016, under the provisions of M.G.L. Chapter 44, section 53F½; and that said \$3,347,134 be funded as follows: \$3,147,134 from water receipts and \$200,000 from Water Enterprise fund retained earnings.

	Expended Fiscal 2013	Expended Fiscal 2014	Appropriated Fiscal 2015	Recommended Fiscal 2016
Salaries	\$ 270,874	\$ 271,658	\$ 284,122	\$ 290,947
Expenses	205,988	227,890	229,280	234,280
MWRA Assessment/ Water Purchases	1,707,564	1,923,712	2,028,827	2,240,675
Debt Service (non-exempt)	437,492	454,368	454,299	516,232
Capital Outlay	23,955	52,170	7,500	65,000
Total	\$ 2,645,873	\$ 2,929,798	\$ 3,004,028	\$ 3,347,134

ARTICLE 13: APPROPRIATE FOR PAINE’S HILL WATER TANK IMPROVEMENTS

That the Town appropriate \$105,000 to pay costs of improving the equipment at the Paine’s Hill water tank, and all incidental costs related thereto, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under authority of M.G.L. Chapter 44, Section 8, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes.

ARTICLE 14: APPROPRIATE FOR WATER MAIN REHABILITATION

That the Town appropriate \$212,000 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 costs related thereto, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under authority of M.G.L. Chapter 44, Section 8, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes.

ARTICLE 15: APPROPRIATE THE FISCAL YEAR 2016 RECREATION ENTERPRISE BUDGET

That the Town appropriate \$1,597,168, allocated by line item as shown below, to operate the Recreation Department during fiscal year 2016, under the provisions of M.G.L. Chapter 44, Section 53F½; and that said \$1,597,168 be funded as follows: \$1,050,018 from departmental receipts, \$479,150 to be raised from the tax levy, and \$68,000 from Recreation Enterprise Fund Retained Earnings.

	Expended Fiscal 2013	Expended Fiscal 2014	Appropriated Fiscal 2015	Recommended Fiscal 2016
Salaries	\$ 960,140	\$ 1,065,702	\$ 1,052,746	\$ 1,093,018
Expenses	426,922	406,925	450,300	427,900
Community Center	62,726	75,450	74,200	76,250
Emergency Generator+	0	0	0	0
Total	\$ 1,449,787	\$ 1,673,077	\$ 1,577,246	\$ 1,597,168

ARTICLE 16: APPROPRIATE THE FISCAL YEAR 2016 BROOK SCHOOL APARTMENTS ENTERPRISE BUDGET

To appropriate \$1,259,324, allocated by line item as shown below, to operate the Brook School Apartments during fiscal year 2016, under the provisions of Chapter 76 of the Acts of 2009; and that said \$1,259,324 be funded as follows: \$1,009,324 from rental receipts and \$250,000 from Brook School Apartments Enterprise Fund retained earnings.

	Expended Fiscal 2013	Expended Fiscal 2014	Appropriated Fiscal 2015	Recommended Fiscal 2016
Salaries	\$ 151,540	\$ 166,494	\$ 173,287	\$ 179,545
Expenses	300,586	364,600	355,200	369,000
Repairs and Replacements+	114,514	116,254	123,230	130,623
Payment in Lieu of Taxes	20,652	21,168	21,697	22,239
Capital Improvements+	20,509	200,000	100,000	250,000
Debt Service	251,877	245,439	334,472	307,917
Total	\$ 859,679	\$ 1,113,955	\$ 1,107,886	\$ 1,259,324

ARTICLE 17: APPROPRIATE FOR DEPARTMENT OF PUBLIC WORKS- DRAINAGE IMPROVEMENTS

That the Town appropriate \$300,000 to pay costs of the construction or reconstruction of surface drains and all incidental costs related thereto, 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 that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes.

The consent agenda was approved by two-thirds majority vote as declared by the Moderator

ARTICLE 18 (Motion 1): APPROPRIATE FOR CASE CAMPUS MASTER PLAN

Mr. Michael Harrity moved that the Town appropriate \$1,350,000 to pay costs to design and construct, resurface or alter the configuration of roadways, walkways and parking areas on the Case Campus, generally located on either side of Alphabet Lane and within the boundaries of School Street and Wellesley Street, and all incidental costs related thereto, to be spent under the authority of M.G.L. Chapter 44, section 7, or any othe enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes.

Ms. Elly Pendergast of Wellesley Street and member of the Recreation Commission spoke against the article saying more time is needed from all stakeholders to provide input into the design.

Ms. Melissa Galton of Ridgeway Road and chair of the Board of the Council on Aging spoke in favor of the article so that her board can continue discussing the design with the Case Campus Master Plan Committee.

Mr. Henry Stone of Wellesley Street and member of the Historical Commission spoke against the article saying that the commission had not been given the opportunity to review a completed design plan.

Mr. Harrity, selectmen representative on the Case Campus Master Plan committee, clarified points on where pavement was planned to be placed and removed, as well as landscaping plans not being completed yet because of ongoing survey and tree work being conducted. He finished by saying that input would be sought and carefully considered.

Mr. Roy Chatalbash of Jones Road and member of the Planning Board and the Case Campus Master Plan Committee spoke against the article saying the Planning Board has only reviewed plans on a conceptual level and not at the level of detail the Planning Board requires.

Ms. Nancy Fleming of Meadowbrook Road spoke against the article because the proposed roadway would kill two historical estate trees near the Case House and the new proposed parking areas would not be safe. Ms. Fleming asked for an amendment to eliminate the area of existing paving from package 4A proposal. Upon discussion, Mr. Edward Heller, chair of the Case Campus Master Plan Committee, said it was clear that more time was needed for the other aspects of Package 4A but asked that the paving of the gravel and grass parking lots continue due to its pressing need. Mr. Heller proposed an alternative motion, as follows:

AMENDED ARTICLE 18 (Motion 1A): APPROPRIATE FOR CASE CAMPUS MASTER PLAN

Mr. Heller moved that the Town appropriate \$275,000 to pay costs to resurface only the Case Estates parking lot located on the Case Campus, generally located on the south side of Alphabet Lane and within the boundaries of School Street and Wellesley Street, and all incidental costs related thereto, to be spent under the direction of the Town Manager, the money so appropriated to be borrowed under the authority of M.G.L. Chapter 44, Section 7, of any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

Various speakers rose to debate the merits of paving the two lots.

Mr. Glenn Brewster of Oxbow Road moved to call the question. The motion carried.

The motion to amend motion 1 to motion 1A passed by a majority vote

**The motion FAILED to receive two-thirds majority
Standing count - Yes: 179; No: 103**

ARTICLE 18 (Motion 2): APPROPRIATE FOR CASE CAMPUS MASTER PLAN

Mr. Harrity moved that the Town appropriate \$50,000 to design the inner and outer pedestrian walkways and accompanying tree plantings on the Case Campus, and as funding therefor transfer said sum from the Unallocated allocation of the Community Preservation Fund.

The motion was approved by a majority vote

ARTICLE 19: PROPOSAL FOR FUNDING THE COST OF DESIGN AND CONSTRUCTION OF A SPORTS PRACTICE WALL AT THE HIGH SCHOOL ADJACENT TO THE TURF FIELD AND BASEBALL FIELD (SUBMITTED BY CITIZENS' PETITION)

Mr. Henry Suominen moved to raise and appropriate \$75,000 to design and construct a Sports Practice Wall at the High School, and further to authorize the School Committee to accept and expend any gift or gifts of funds for such purposes.

Ms. Danielle Black of Colchester Road and Chair of the School Committee said her Committee has worked with Mr. Suominen and his petition and the motion reflects this agreement.

Mr. Franz Loeber of Tamarack Road asked from where the funds were coming. Mr. Harrity said from general funds and any additional funds would be raised privately. Mr. Loeber questioned the high cost for the wall.

Mr. Peter Hill of Wellesley Street moved to call the question. The motion carried.

The motion was approved by a majority vote

ARTICLE 20: AMEND GENERAL BY-LAWS - ARTICLE XV - CONSERVATION LAND

Ms. Lori Bent moved to amend the By-laws of the Town of Weston, by deleting the current Article XV and replacing it as follows:

**ARTICLE XV
CONSERVATION LAND**

SECTION 1. The following restrictions shall be applicable to Town land under the care and management of the Conservation Commission (herein referred to as Conservation Land).

- A. The following activities are prohibited on Conservation Land, unless otherwise permitted in Section 1B:
 - i) Using paintball guns;
 - ii) Swimming;
 - iii) Cutting, breaking, removing, defacing, defiling, or ill-using any building, structure, fence, or sign;
 - iv) Cutting, removing, defacing, or otherwise damaging trees, shrubs, flowers, fungus, grass, or other flora;
 - v) Drinking alcoholic beverages;
 - vi) Disturbing the peace; and
 - vii) Depositing litter, yard waste, garbage, brush, excavated fill or any hazardous waste.

- B. The following activities are prohibited on Conservation Land without a written Use Permit from the Weston Conservation Commission:
 - i) Conducting organized group events or activities;
 - ii) Starting fires;
 - iii) Camping overnight;
 - iv) Operating cars, trucks, motorbikes, snowmobiles, or power tools; and
 - v) Collecting or removing mushrooms, plants, or wood.
 - vi) Cutting or removing trees for firewood or lumber, or tapping trees for their sap.

- C. The following activities are prohibited on Conservation Land except as expressly permitted in Weston's Bow Hunting Regulations, promulgated by the Conservation Commission, as they may exist from time to time:
 - i) Hunting or trapping;
 - ii) Carrying firearms; and
 - iii) Willfully disturbing or endangering wildlife.

SECTION 2. The Conservation Commission shall hereby be authorized to adopt rules and regulations governing the use of land and waters under its control, which rules and regulations shall address matters including but not limited to the procedure for application and issuance of a Use Permit under Article XV,

Section 1(B), which process shall ensure that Conservation Land can be appropriately protected and that such a permit shall not be unreasonably withheld. It is further recognized that dog walking on Conservation Land is regulated by the provisions of Article XX of the By-Laws of the Town of Weston. Notwithstanding any provision of this section to the contrary, however, the Conservation Commission shall continue to have and exercise all authority granted to said Conservation Commission in accordance with the provisions of G.L. c.40, §8C.

SECTION 3. Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the Town may utilize the non-criminal disposition procedure set forth in M.G.L. Ch. 40, §21D and Article V of the By-Laws of the Town of Weston, in which case any police officer of the Town of Weston, the Conservation Commission, the Conservation Administrator, and such other persons as are authorized by the Commission shall be the enforcing person. If non-criminal disposition is used, the following fine schedule shall be applicable for any violation of this By-Law, or any regulation, order or permit issued hereunder and each day a violation exists shall constitute a separate violation:

- A. First violation: warning
- B. Second violation: \$100
- C. Third violation: \$200
- D. Fourth and subsequent violations: \$300

Mr. Peter Williams of Glen Road raised concern that the language was overly broad, particularly with Section 1B, subsection i “Conducting organized group events or activities” and moved to amend the motion to strike Section 1B, subsection i from the main motion. Ms. Bent clarified that there are large organized events that take place on conservation land and her commission is requesting that these events are made known ahead of time due to public safety concerns, but ultimately the commission encourages group activities.

The amendment failed to carry.

Mr. Keith Johnson of Pond Brook Circle moved to amend Section 1, Part C, subsection ii “Carrying firearms” to read “discharging a firearm” stating that it is a right to carry firearms.

The amendment failed to carry.

Mr. Kenneth Newberg moved to amend Section 1, Part A, subsection iv by striking “Cutting, removing, defacing, or otherwise damaging trees, shrubs, flowers, fungus, grass, or other flora” from the main motion and replacing it with “Cutting, removing, defacing, or otherwise damaging trees and shrubs.” Ms. Bent clarified the intent of the language is to protect natural resources and to prohibit active destruction of flora. She continued to say that this is how the protection of conservation land and national park land is typically handled. Mr. Newberg said that words matter and he feels the whole by-law should be redrafted, instead and asked to withdraw his amendment.

The Moderator said the amendment is on the floor and needed to be voted upon. The amendment failed to carry.

Mr. George Berbeco of Bullard Road moved to call the question. The motion carried.

The motion was approved by a majority vote

**Mr. Gillespie moved to adjourn the Annual Town Meeting until 7:00 p.m. Wednesday, May 13th.
Seconded and passed. Town Meeting adjourned at 10:30 p.m.**

ADJOURNED ANNUAL TOWN MEETING
Wednesday, May 13, 2015

Pursuant to a Warrant, duly served, Thomas Crane, the Moderator, called the Adjourned Annual Town Meeting to order at 7:05 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.

ARTICLE 21: AMEND GENERAL BY-LAWS, ARTICLE XXVI - DEMOLITION DELAY

Ms. Phyllis Halpern moved to amend the By-laws of the Town of Weston, Article XXVI, by replacing the words "six months" in the section entitled Procedure, numbers VII, VIII, IX. ii) and in the section entitled Responsibilities of the Owner, with the words "twelve months,"

Ms. Caroline Balz of Wellesley Street spoke against the article, saying that it gives the Historical Commission too broad authority without the appropriate checks and balances.

Mr. Harvey Boshart of Dean Road spoke against the article saying the proposed by-law change has not been properly vetted or discussed thoroughly. He felt the change could potentially place an undue hardship on homeowners who are interested in preservation, but may get discouraged through the process and decide to wait out the delay before demolition.

The motion was approved by a majority vote

ARTICLE 22: AMEND ZONING BY-LAW - SECTION VI.A. - CLARIFY/LIMIT LOT CLEARING

Mr. Alfred Aydelott moved to amend Section VI. DIMENSIONAL AND OTHER REQUIREMENTS, A. GENERAL, of the Zoning By-law of the Town of Weston by adding the following proposed subsection:

"5. No site alteration work which requires or will require a storm water permit or any zoning or other land development permit or approval shall be performed on any property until such permit or approval is obtained, including any one of the following:

- a. Approval by the Planning Board of a site plan where such approval is or will be required under the provisions of this Zoning By-law
- b. Issuance of a permit by the Storm Water Permitting Authority where such permit is required by the Storm Water By-law, Article XXVII of the By-laws of the Town of Weston.
- c. Issuance of a permit for building, demolition, or any other permit required by the Massachusetts Building Code or this Zoning By-law.

Site alteration work can be performed and is permitted once any of the above permits or approvals has been obtained by the property owner or if any of the following exceptions apply:

Exceptions:

1. Site alteration work or clearing which does not require a storm water permit, or site plan approval by the Planning Board, or any building permits.
2. Soil testing.
3. Routine landscape maintenance including thinning of forest, trees and vegetation.
4. Removal of nuisance or invasive species vegetation such as bittersweet, poison ivy, etc.
5. Removal of any 'prohibited plantings' as identified by the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs, Department of Agricultural Resources.
6. Removal of trees or limbs which pose a threat of property damage or threat to public safety.

7. Removal of any dead or dying trees or vegetation.
8. Any utility work both underground and overhead, including work done in maintaining, testing, inspecting or repairing existing underground services, utilities, septic systems and other structures.
9. Any work to provide access onto a property for any existing by-right use of the property.
10. Any work done on recorded easements, the purpose of which is limited to vehicular access, pedestrian access, utility service, or viewscape maintenance, provided that previous vegetation clearing in such easements has occurred within the preceding five years, and that the proposed work shall be limited to that essential for the purpose intended.
11. Properties in Chapter 61 status such as agricultural or forestry.
12. Work done in conjunction with construction, alteration or repair of a septic system pursuant to a septic permit from the Board of Health.
13. Removal of or planting of trees or vegetation which dangerously obstructs the view of traffic by operators of vehicles at street or driveway curves or intersections or otherwise constitutes a hazard to public safety.

If any provision of this section is violated by a property owner, then no building permit may be issued for any new or replacement dwelling for up to 9 months following the violation. All other fines or remedies to which the Town is entitled may also be imposed at the Town's discretion."

Mr. Robert Nolan of Boston Post Road asked for clarification on the civil fines and penalties. Mr. Aydelott reviewed the non-criminal disposition provision from Article V, Section 1 and 2 of the Zoning By-laws and said it would apply to this by-law, if adopted. Mr. Nolan asked for the record to reflect the provision. Town Counsel, Ms. Lauren Goldberg, said the section applies generally to the Zoning By-laws of the Town of Weston, including this if approved. Mr. Nolan moved to amend the motion to strike the last sentence "All other fines or remedies to which the Town is entitled may also be imposed at the Town's discretion." Ms. Goldberg clarified that the non-criminal disposition by-law applies to all by-laws and striking the language from this particular by-law would have no impact. Mr. Nolan withdrew his amendment.

The Moderator reminded Town Meeting that the amendment is on the floor and must be voted upon. The amended motion failed to carry.

Ms. Elizabeth Munro of Rolling Lane stating that the by-law's penalty was not strict enough to deter lot clearing moved to amend the motion to strike the second to last sentence "If any provision of this section is violated by a property owner, then no building permit may be issued for any new or replacement dwelling for up to 9 months following the violation" and replace with "If any provision of this section is violated by a property owner, then no building permit may be issued for any new or replacement dwelling for up to four years following the violation." After conferring with Town Counsel, the Moderator said that such an amendment is outside the scope and he could not accept the amendment; however the amendment could strike the language "for up to" so the sentence would read "If any provision of this section is violated by a property owner, then no building permit may be issued for any new or replacement dwelling for 9 months following the violation." Mr. Aydelott said the Planning Board agrees to the amendment.

The motion to amend the motion carried. The second to last sentence shall read as "If any provision of this section is violated by a property owner, then no building permit may be issued for any new or replacement dwelling for 9 months following the violation."

The motion was approved by a two-thirds majority vote

ARTICLE 23: AMEND ZONING BY-LAW – SECTION IV.B.7. ADD A PARCEL TO RENEWABLE ENERGY OVERLAY DISTRICT

Mr. Harrity moved to amend the Zoning By-law of the Town of Weston, Section IV.B.7. by adding a third parcel: Map #18, Parcel #28-10.

The motion was approved by a unanimous vote

ARTICLE 24: APPROVE TAX AGREEMENT FOR SOLAR PANELS ON LANDFILL

Mr. Harrity moved to vote in accordance with Massachusetts General Laws Chapter 59, Section 38H or any other enabling authority to authorize the Board of Selectmen to enter into a structured tax agreement with Church Street Solar LLC, its affiliate or assignee, for a term of 20 years, pursuant to which the Town will be paid a sum of money per year based on values representing the future full and fair cash value of the property upon such terms and conditions as the Board of Selectmen deems appropriate in connection with the construction and operation of a solar renewable energy generation facility installed or to be installed on property owned by the Town known as the closed landfill property, located off Church Street and shown as Assessors Map 23, Parcel 35 and Map 18, Parcel 28-10 and to authorize the Town Manager and other Town officials as may be appropriate to take such other actions as are deemed necessary to implement such agreements and effectuate the purposes of this article.

The motion was approved by a unanimous vote

ARTICLE 25: AUTHORIZE LONG TERM LEASE OF “40 ACRE FIELD”

Mr. Coburn moved to authorize the Board of Selectmen to enter into a lease agreement for purposes consistent with its current uses for a term not to exceed thirty (30) years, and upon such terms and conditions as it deems appropriate, in accordance with M.G.L. Ch. 30B, Section 16, on all or a portion of the land held for municipal purposes located at 90 Wellesley Street; shown as Assessors Map 33, Parcel 5; and described in a deed recorded with the Middlesex South Registry of Deeds as Book 16775, Page 411, comprising 35.66 acres.

In Mr. Coburn’s explanation of the article, he stated that the Board of Selectmen has appointed a Housing Production Plan Steering Committee to review potential sites for the development of affordable housing, including areas of 40 Acre Field, and this investigation will be occurring during the remaining time on the existing three-year lease with Land’s Sake Inc.

Mr. George Berbeco of Bullard Road asked if the motion can be amended to indicate the agreement with Land’s Sake Inc. Mr. Harrity said the Town cannot name a tenant.

Mr. John Sallay of Wellesley Street moved to amend the first line of the main motion to add after the word “agreement” and before the words “for a term” the following: “for the purposes consistent with its current uses” in order to ensure that the land in its entirety would be used solely for agricultural use. Town Counsel Ms. Lauren Goldberg said the proposed amended language would operate as a restriction on the executive authority of the Board of Selectmen to craft the Request For Proposals for a tenant in its attempt to limit the use of the land. Ms. Goldberg continued to explain that the article as written was done specifically so that there is flexibility to allow for additional municipal use, if needed and per the authority of the Selectmen, or to lease a portion of the land. Mr. Sallay explained the purpose of the wording is to make sure that the 30 year lease is consistent with the current use and is intended to restrict the Board of Selectmen’s authority without a vote of Town Meeting.

Mr. Hugh Jones chairman of the Housing Partnership spoke against the amendment stating that he has had conversations with Land’s Sake where the idea of coexisting affordable housing was well received

and that it is common to have dual use in other towns. Mr. Jones continued to explain that the amendment would prohibit the Town from working with Land's Sake Inc. on finding common ground.

Mr. Coburn said the amendment would have no impact as the Selectmen's intent is to continue to use the land as it is currently.

Mr. John Fiske of French Road asked if the amendment is necessary because the explanation of the article is very clear in stating the Selectmen are seeking a long term agreement to continue agricultural and educational use of the land. The Moderator said the Selectmen agreed that the amendment did not affect the original motion.

The amended motion failed to carry.

Mr. George Berbeco asked to amend the motion. While he was writing his suggested amendment, the Moderator took a comment from the floor on Article 25 as written in the warrant.

Mr. Zachary Sadek of Stony Brook Road moved to call the question. The motion carried.

The motion was approved by a majority vote

Mr. Neil Levitt of Church Street made a point of order and requested a legal reading from Town Counsel with regard to the legality of the Moderator's decision to proceed with the main question while an amendment was being drafted. The Moderator said Mr. Levitt could make a motion to reconsider Article 25. Mr. Levitt declined.

ARTICLE 26: AUTHORIZE TRANSFER OF MUNICIPAL PURPOSES LAND TO THE CONSERVATION COMMISSION

Mr. George Bates moved that the Town authorize the transfer from the Board of Selectmen for general municipal purposes to the Conservation Commission for conservation purposes, the following parcels of land:

- One parcel known as 0 Deer Path Lane and shown as Assessors Map 43, Lot 42-90, and described in a deed recorded with the Middlesex South Registry of Deeds as Book 842, Page 76, comprising approximately 0.3 acres;
- One parcel known as 0 Church Street and shown as Assessors Map 18, lot 13 and described in a deed recorded with the Middlesex South Registry of Deeds as Book 5750, Page 23 and Book 6088, Page 507, comprising approximately 0.81 acres;

and to authorize the Conservation Commission to record notice of such action at the Middlesex South Registry of Deeds.

Mr. Coburn explained that the land in question was not suitable for building due to significant wetlands.

Mr. Bates explained that the Church Street lot is wetlands, but Deer Path Lane was not, and further that there was a third parcel, 0 Terrace Street, that is in the warrant but removed from the motion because it had the potential to be developed.

Mr. Jim Polando of Merriam Street and chair of the Housing Production Plan Steering Committee said it was his understanding that this article would be passed over so that his committee could review the potential of the three parcels before it is given over to conservation use forever. He asked that the article be defeated.

The motion was approved by two-thirds majority vote as declared by the Moderator

ARTICLE 27: APPROPRIATE FOR FISCAL YEAR 2016 COMMUNITY PRESERVATION COMMITTEE OPERATING BUDGET

Mr. Stephen Ober moved that the Town hear and act on the report of the Community Preservation Committee on the Fiscal Year 2016 Community Preservation budget and appropriate or reserve the following amounts from the Community Preservation Fund as set forth below.

Appropriations from fiscal year 2016 estimated annual revenues –
\$117,000 for Community Preservation Committee administrative expenses

Reservations from fiscal 2016 estimated annual revenues –
\$432,000 for the acquisition, creation and preservation of open space including land for recreational use;

\$262,000 for the acquisition, preservation, rehabilitation and restoration of historic resources; and

\$262,000 for the creation, preservation and support of community housing

Appropriations for Debt Service Payments –
\$235,017 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; and

\$432,675 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.

The motion was approved by a majority vote

ARTICLE 28: APPROPRIATE FOR OPEN SPACE - CHARLES RIVER INVASIVE SPECIES REMOVAL

Ms. Bent moved that the Town transfer \$10,000 from the Unallocated allocation of the Community Preservation Fund for open space purposes under the Community Preservation Program to preserve a section of the Charles River in Weston by removing invasive weeds, including all related incidental costs; to be spent under the direction of the Town Manager.

The motion was approved by a unanimous vote

ARTICLE 29: APPROPRIATE FOR LAND FOR RECREATIONAL USE - COMMUNITY GARDENS REHABILITATION AND EXPANSION

Mr. Bates moved that the Town transfer \$15,000 from the Unallocated allocation of the Community Preservation Fund for land for recreational use under the Community Preservation Program for the rehabilitation and expansion of the Community Gardens, located at 0 Merriam Street, Assessors Map 17, Parcel 96, for recreational purposes, and all incidental costs related thereto; to be spent under the direction of the Town Manager.

Ms. Isabella Jancourtz of Gun Club Lane moved to amend Article 29 to require that a path at least four (4) feet wide be included on the border between the existing Community Gardens and the new row of garden plots for which this appropriation is sought.

Mr. Bates said the amendment is good but not necessary and the pathways can be done with the amount that is being requested.

The amended motion failed to carry.

The motion was approved by a majority vote

ARTICLE 30: APPROPRIATE FOR LAND FOR RECREATIONAL USE - DICKSON RIDING RINGS FENCE RESTORATION

Mr. Joseph Berman moved to appropriate \$25,000 for land for recreational use under the Community Preservation Program for the restoration of the Ruth B. Dickson Memorial Riding Rings fences, located at 0 Concord Road, Assessors Map 16, Parcel 3, for recreational purposes, and all incidental costs related thereto; to be spent under the direction of the Town Manager, and as funding therefor, to transfer from the Unallocated allocation of the Community Preservation Fund.

The motion was approved by a majority vote

ARTICLE 31: APPROPRIATE FOR HISTORIC RESOURCES - 20 YOUNG ROAD

Mr. Stephen Wagner moved that the Town transfer \$255,000 from the Historic Resources allocation of the Community Preservation Fund to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise for historic resource purposes under the Community Preservation Program the fee or other interests in land and structures, which may be a historic preservation restriction, on all or a portion of the property previously known as 20 Young Road, as may have been modified pursuant to an Approval Not Required plan dated January 26, 2015, which contained 3.67 acres, more or less, in the Town of Weston, Massachusetts, and more fully described in a deed recorded in the Middlesex South Registry of Deeds in Book 64603, Page 47, dated December 3, 2014, said restriction to be held, managed and controlled by the Historical Commission and/or Board of Selectmen.

The motion was approved by a majority vote

ARTICLE 32: APPROPRIATE FOR COMMUNITY HOUSING - REGIONAL HOUSING OFFICE & HOUSING STAFF SUPPORT

Mr. Coburn moved that the Town that the Town transfer \$16,347 from the Community Housing allocation of the Community Preservation Fund 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.

The motion was approved by a majority vote

A motion to dissolve the Adjourned Annual Town Meeting was made, seconded and adopted at 9:55 p.m.

**SPECIAL TOWN MEETING
November 30, 2015**

Pursuant to a Warrant, duly served, Thomas Crane, the Moderator, called the Special 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 welcomed visitors and outlined the change in procedures to be followed. A Majority vote was taken on the procedural changes to the Town Meeting format. The Moderator appointed tellers and the Town Clerk swore them to their duties.

ARTICLE 1: AMEND FISCAL YEAR 2016 OPERATING BUDGET

Mr. Douglas Gillespie moved to amend the following line items in the Fiscal Year 2016 Operating Budget adopted under Article 3 of the 2015 Annual Town Meeting, by raising and appropriating additional sums and reducing amounts as follows:

	<u>Changing From</u>	<u>Changing To</u>	<u>Difference</u>
Insurance-Unemployment Compensation	\$100,000	\$130,000	\$30,000
Land Use, Planning & Inspectional			
Services - Expenses	183,740	215,949	32,209
School Department - Salaries	32,246,404	32,152,529	(93,875)

The motion was approved by a unanimous vote

ARTICLE 2: INCREASE REQUIRED SIGNATURES FOR CITIZENS' PETITIONS SUBMITTED WITH RESPECT TO ANNUAL TOWN MEETINGS FROM 10 TO 100 (SUBMITTED BY CITIZENS' PETITION)

Mr. Harvey Boshart moved to authorize the Board of Selectmen to petition the General Court for special legislation to increase from 10 to 100 the number of signatures necessary to place an article on the warrant by petition for an Annual Town Meeting, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to such bill, unless the Board of Selectmen approves amendments to the bill prior to 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 Town of Weston Town Meeting

Section 1. Notwithstanding the provisions of section 10 of chapter 39 of the General Laws or of any other general or special law to the contrary, the board of selectmen of the town of Weston shall insert in the warrant for an annual town meeting all subjects the insertion of which shall be requested of it in writing by 100 registered voters of the town.

Section 2. This act shall take effect upon passage."

Town Counsel Ms. Lauren Goldberg explained what a Special Act of State Legislation entails with regard to a matter coming back to the town for the annual election ballot approval.

Ms. Isabella Jancourtz moved to amend the main motion to require a simple majority ballot vote at a Town of Weston election to accept any special legislation of the General Court relative to Article 2.

Mr. Michael Harrity member of the Board of Selectmen says the Selectmen take no position on the article itself and secondly has no objection to the amendment.

Mr. Boshart spoke against the amendment saying that it suggests something is wrong with Town Meeting.

The amended motion passes by a majority vote.

**The motion FAILED by a majority vote
Standing Vote Count - YES: 130; NO: 142**

ARTICLE 3: APPROPRIATE ADDITIONAL FUNDING FOR LAMSON PLAYGROUND

Mr. Matthew Schulman moved to raise and appropriate \$25,000 for the completion of a playground at Lamson Park, Town House Road, including the purchase and installation of new playground equipment, and all incidental costs related thereto; to be spent under the direction of the Town Manager.

Mr. Christopher Houston explained to Town Meeting that the playground concept design that was presented to the 2014 Annual Town Meeting turned out to not be feasible and the design that is currently being reviewed by the Recreation Commission is different, and so, the vote this evening will serve to gauge how the Town views the new design. A no vote would mean that a new design would be developed and yes vote would mean that the Recreation Commission would move forward with the current design plans.

Mr. Henry Stone of Wellesley Street and member of the Historical Commission spoke against the article stating that it is not consistent with the open space of Town Green and surrounding historic areas.

Mr. Alfred Aydelott of Crescent Street and member of the Planning Board spoke against the article due to several site logistics and drastic reduction of the open space within Lamson Park.

Ms. Patricia Siek of Merriam Street and a member of the Daughters of the Revolution said no playground should be built on the historic land where Weston's military men mustered during the Revolution.

Mr. Alex Selvig of Ash Street spoke in favor of the article stating that a playground is needed in the Town Center, and the design that is currently being considered has an additional \$65,000 in privately raised funds.

Ms. Elly Pendergast of Wellesley Street and member of the Recreation Commission spoke against the article saying that the playground should be moved to the newly acquired Case Estates in order to accommodate the larger design.

Mr. Zachary Berk of Boston Post Road spoke in favor of the article saying that the current design is not much larger than the concept that was presented in 2014.

Mr. Eric Rosenthal of Lincoln Street spoke to the history of the land with respect to how residents care for it and the future of the Town, and said that the Town's future should be interpreted by the history but not bound by it.

Ms. Betsy Flanagan of Windsor Way said that playgrounds are vital for the community and in particular for the Town Center, but more so, the current playground design is an opportunity for a broader age-span of children to play in one space, which is helpful to families with multiple children.

Mr. Peter Hill of Wellesley Street moved to call the question. The motion carries.

The motion FAILED by a majority vote

ARTICLE 4: APPROPRIATE FOR COMMUNITY HOUSING - ANALYSIS OF POTENTIAL ADDITIONAL HOUSING AT BROOK SCHOOL APARTMENTS AND ON PRIVATE PROPERTY

Mr. Michael Harrity moved that Article 4 be passed over and so disposed of.

The motion was approved by a majority vote

ARTICLE 5: APPROPRIATE FOR COMMUNITY HOUSING - ANALYSIS OF POTENTIAL ADDITIONAL HOUSING ON OTHER MUNICIPAL PROPERTY

Mr. Harrity moved that Article 5 be passed over and so disposed of.

The motion was approved by a majority vote

ARTICLE 6: APPROPRIATE FOR THE INVESTIGATION OF IMPROVEMENTS TO WESTON'S HISTORIC TOWN CENTER

Mr. Harrity moved to appropriate \$105,000 to investigate physical improvements to Weston's historic 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 all related incidental costs; to be spent under the direction of the Town Manager; the money so appropriated to be raised through taxation and by transferring \$45,000 from the Unallocated allocation of the Community Preservation Fund.

The motion was approved by a majority vote

ARTICLE 7: APPROPRIATE FOR LAND FOR RECREATIONAL USE -WALKWAY ON WINTER STREET

Mr. Andrew Keehn moved that the Town transfer \$250,000 from the Unallocated allocation of the Community Preservation Fund for the creation of a walkway on Winter Street and the completion of a walkway on Brown Street for land for recreational use under the Community Preservation Program for the creation of a walkway on Winter Street for recreational purposes, including all related incidental costs; to be spent under the direction of the Town Manager, 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.

Mr. Keith Johnson of Pond Brook Circle and member of the Finance Committee spoke against the article because to costs do not support the benefits.

Ms. Nina Danforth of Wellesley Street spoke against the article because there is no clear plan in place and a better cost analysis needs to take place.

Mr. Gary Farmer of Weston Road in Wellesley and a member of the Board of Winter Gardens Homeowners Association spoke in favor of the article stating that the development is landlocked and has about 15-20 school children who would be served by the sidewalk.

Mr. Franz Loeber of Tamarack Road moved to call the question. The motion carries.

**The motion FAILED by a majority vote
Standing Vote Count - YES: 65; NO: 67**

ARTICLE 8: AMEND REGIONAL AGREEMENT TO ALLOW THE TOWN OF WAYLAND TO WITHDRAW FROM THE MINUTEMAN REGIONAL SCHOOL DISTRICT

Mr. Douglas Gillespie moved to accept and approve the "Amendment to Minuteman Regional Agreement regarding the Withdrawal of the Town of Wayland from the Minuteman Regional School District" which was approved by the Minuteman Regional School Committee on July 7, 2015 and which has been submitted to the Board of Selectmen consistent with the current Minuteman Regional Agreement.

The motion was approved by a majority vote

ARTICLE 9: AUTHORIZE REVOLVING FUND - SOLAR ARRAY REVENUE

Mr. Harrity moved to establish a revolving fund for revenue received from solar arrays on Town property, pursuant to the provisions of M.G.L. Chapter 44, §53E½ for the purpose indicated below:

Revolving Fund	Authority to Spend	Revenue Source	Use of Fund	FY16 Budget
Solar Array Revenue	Town Manager	Payments to the Town for the generation of solar energy from solar arrays on Town property	Electricity expenses	\$200,000

The motion was approved by unanimous vote

ARTICLE 10: AMEND GENERAL BY-LAWS - ARTICLE XVII - COUNCIL ON AGING

Ms. Melissa Galton moved to amend Article XVII of the General By-laws of the Town of Weston by deleting the word "concurrent" in the third sentence and inserting in place thereof, the word "consecutive."

The motion was approved by unanimous vote

A motion to dissolve the Special Town Meeting was made, seconded and adopted at 10:11 p.m.