

2007 ANNUAL TOWN MEETING

Commonwealth of Massachusetts

Middlesex, ss.

To any Constable in the Town of Weston, Greetings:

In the name of The Commonwealth you are hereby required to notify and warn the voters of said Town, qualified to vote in elections and Town affairs, to meet in the auditorium of the Town Hall in said Town, on Saturday, the fifth day of May, 2007, at 8:00 o'clock A.M. to act on Article 1 and Question 1 of this warrant for which polls will be open from 8:00 o'clock A.M. until 6:00 o'clock P.M. in said auditorium; and to meet in the auditorium of the Senior High School in said Town, and also in the gymnasium of the Senior High School if the number of voters in attendance shall exceed the capacity of the auditorium, on Monday, the seventh day of May, 2007 at 7:45 o'clock P.M. to act upon the remaining articles of this warrant.

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

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

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

BALLOT QUESTION NO. 1: PROPOSITION 2½ DEBT EXCLUSION

Shall the Town of Weston be allowed to exempt from the provisions of Proposition two and one-half, so called, the amount 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) High School/Middle School Wastewater Treatment Facility; (2) Country & Woodland Schools; (3) DPW Equipment Replacement; (4) Drainage Improvements; (5) Town Green Sidewalk Reconstruction; (6) Police Information Systems Upgrade; (7) Fire Ladder Truck Replacement; (8) School Technology Equipment; (9) School Bus Replacement; and (10) High School Bleacher Replacement?

Yes_____ No_____

SUMMARY

State law provides for an exemption from the limits of Proposition two and one-half of those amounts required to pay for the debt service for bonds approved by the voters. Question 1 would exempt the debt service for the bonds that will be issued for a project previously approved at the May 2004 Annual Town Meeting, additional funds appropriated for the Country and Woodland Schools at the November 2006 Special Town Meeting and other projects to be considered at the May 2007 Annual Town Meeting:

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Project previously approved by Annual Town Meeting, 2004

- 1. High School/Middle School Wastewater Treatment Facility \$150,000

Project previously approved by Special Town Meeting, November 8, 2006

- 2. Country & Woodland Schools 700,000

Projects to be considered by Town Meeting, 2007

- 3. DPW Equipment Replacement (Article 14) 265,000
- 4. Drainage Improvements (Article 15) 200,000
- 5. Town Green Sidewalk Reconstruction (Article 16) 125,000
- 6. Police Information Systems Upgrade (Article 17) 175,000
- 7. Fire Ladder Truck Replacement (Article 18) 700,000
- 8. School Technology Equipment (Article 19) 145,000
- 9. School Bus Replacements (Article 20) 300,000
- 10. High School Bleacher Replacement (Article 21) 335,000

Total \$3,095,000

It should be noted that items 3-10 have not yet been approved by Town Meeting. Separate articles will appear in the Annual Town Meeting Warrant to appropriate the funds and authorize borrowing for each purpose. A two-thirds vote of Town Meeting in favor is required for approval. This ballot question is only to exempt the debt service from the limits of Proposition two and one-half, should these items be approved by Town Meeting.

The debt service for these projects will be approximately \$47,706 in fiscal year 2008, \$408,888 in fiscal year 2009, then decreasing each year over the following 10-year period. This Proposition two and one-half debt exemption shall be deemed approved if a majority of the persons voting thereon vote "yes."

FINANCE/BUDGET ARTICLES

ARTICLE 2: APPROPRIATE THE FISCAL YEAR 2008 OPERATING BUDGET

To raise and appropriate and transfer from available funds such sums of money as may be necessary to defray the costs of government and other Town charges for the fiscal year beginning July 1, 2007, and to fix the salaries and compensation of elected officials of the Town on an annual basis for the said period.

Article 2 Explanation: *The recommended fiscal year 2008 operating budget can be found on pages 6-9. It is anticipated that the following available funds will be transferred to fund a portion of the operating budget:*

- 1. Undesignated Fund Balance (free cash) \$2,000,000
- 2. Accrued Income-Well Litigation Settlement 110,000
- 3. Well Litigation Settlement Account (principal) 250,000
- 4. Cemetery Trust Fund 35,000
- 5. Overlay Surplus 195,000
- 6. Josiah Smith Tavern Trust Fund 7,000

The Finance Committee unanimously supports adoption of this Article.

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ARTICLE 3: APPROPRIATE THE FISCAL YEAR 2008 WATER ENTERPRISE BUDGET

To raise and appropriate and transfer from available funds the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2008, under the provisions of M.G.L. Chapter 44, section 53F½:

	Expended <u>FY05</u>	Expended <u>FY06</u>	Appropriated <u>FY07</u>	Recommended <u>FY08</u>
Salaries	185,478	207,957	249,824	249,496
Expenses	218,390	225,997	225,047	228,280
MWRA Assessment/ Water Purchases	1,013,701	1,270,751	1,424,145	1,300,000
Debt Service (non-exempt)	41,571	75,796	92,473	103,189
Capital Outlay	<u>155,543</u>	<u>17,605</u>	<u>20,500</u>	<u>7,500</u>
Total	\$1,614,683	\$1,798,106	\$2,011,989	\$1,888,465

Article 3 Explanation: The decrease in the MWRA Assessment is due to less water having been used during calendar year 2006. Debt service includes amounts required for three new projects proposed at this town meeting under articles 22, 23, and 24. The operating expenses for the Water Division are entirely funded by water fee revenue.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 4: APPROPRIATE THE FISCAL YEAR 2008 RECREATION ENTERPRISE BUDGET

To raise and appropriate and transfer from available funds the following sums of money to operate the Recreation Department during fiscal year 2008, under the provisions of M.G.L. Chapter 44, section 53F½:

	Expended <u>FY05</u>	Expended <u>FY06</u>	Appropriated <u>FY07</u>	Recommended <u>FY08</u>
Salaries	662,924	685,767	788,669	991,020
Expenses	454,570	473,417	514,482	358,050
Community Center	<u>68,661</u>	<u>80,999</u>	<u>91,316</u>	<u>96,950</u>
Total	\$1,186,155	\$1,240,183	\$1,394,467	\$1,446,020

Article 4 Explanation: Program fees cover approximately 70 percent of the salaries and expenses for this department. The shift between expenses and salaries reflects a change in the categorization of most part-time Recreation staff from independent contractors to employees. The primary budget increases include: \$6,000 for credit card fees; \$5,000 for Memorial Pool maintenance and repairs; \$10,400 for a Memorial Pool manager during the summer; \$6,684 for adult programs; and \$5,000 for repairs, maintenance, and contract services for the Community Center.

The Finance Committee unanimously supports adoption of this Article.

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**ARTICLE 5: APPROPRIATE THE FISCAL YEAR 2008
BROOK SCHOOL APARTMENTS ENTERPRISE BUDGET**

To raise and appropriate and transfer from available funds the following sums of money to operate the Brook School Apartments during fiscal year 2008, under the provisions of M.G.L. Chapter 44, section 53F½:

	Appropriated	Recommended
	<u>FY07</u>	<u>FY08</u>
Salaries	129,641	138,965
Expenses	322,886	329,332
Repairs and Replacements	79,568	81,955
Payment in Lieu of Taxes	17,808	18,253
Debt Service	<u>269,721</u>	<u>252,607</u>
Total	\$819,624	\$821,112

Article 5 Explanation: Fiscal year 2008 is the second year that the Brook School Apartments has operated as an enterprise. Funding for the operation of the Brook School Apartments comes from rental income and the Community Preservation Fund, which is covering the cost of the debt service for construction of thirteen affordable units completed as part of the expansion project in 2004.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 6: APPROPRIATE TO STABILIZATION FUND

To raise and appropriate a sum of money to the Stabilization Fund, as provided under M.G.L. Chapter 40, section 5B, as amended, to be used for any lawful purpose, capital budget program or purpose for which the Town may borrow; or take any other action relative thereto.

Article 6 Explanation: A stabilization fund is a type of reserve fund. The Board of Selectmen has adopted a comprehensive financial reserve policy for the Town. This policy calls for establishing a Stabilization Fund of \$2,000,000 by fiscal year 2013. This Stabilization Fund will be used for catastrophic or emergency events or when certain revenue sources are below prior year levels, which typically occurs during a recession. Currently the Town has approximately \$512,000 in its Stabilization Fund. An appropriation of \$250,000 is anticipated. A copy of the Town's reserve policy can be found on the Town's website, www.weston.org. A two-thirds vote of Town Meeting is required to appropriate both to and from the Stabilization Fund.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 7: APPROPRIATE TO POST EMPLOYMENT BENEFITS STABILIZATION FUND

To raise and appropriate a sum of money to the Stabilization Fund, as provided under M.G.L. Chapter 40, section 5B, as amended, to be used for post employment benefits; or take any other action relative thereto.

Article 7 Explanation: A stabilization fund is a type of reserve fund. The Board of Selectmen has adopted a comprehensive financial reserve policy for the Town. This policy calls for establishing a Post Employment Benefits Stabilization Fund to fund the unfunded post employment benefits (i.e., health insurance) for which employees, under State law, are eligible at retirement. The policy calls for conducting an actuarial study to determine the magnitude of this liability. The study is expected to be completed in 2007. Until that study is complete, however, the plan calls for increasing this appropriation by \$10,000 annually. An appropriation of \$30,000 is anticipated. A copy of the Town's reserve policy can be found on the Town's website, www.weston.org. A two-thirds vote of Town Meeting is required to appropriate both to and from the Stabilization Fund.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 8: CONTINUE DEPARTMENTAL REVOLVING FUNDS

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To 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, 2007:

Revolving Fund	Authority to Spend	Revenue Source	Use of Fund	FY08 Budget
Recreation Skating Programs	Recreation Director	Program Fees	Program Costs	\$50,000
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)	\$10,000
Council on Aging Special Programs	Council on Aging Director	Program Fees	Program Expenses	\$25,000
Town Building Rentals	Town Manager	Rental Fees, Town Hall, Former Library, Josiah Smith Tavern	Utilities, Cleaning, Building Monitor	\$6,000
Board of Health	Health Director	Insurance Reimbursement, Flu Clinics	Vaccine and Medical Supplies, Nurse Salary, Public Health Education and Outreach	\$6,000
Affordable Housing Monitoring	Town Manager	Fees from Original Sale and Resale of Affordable Homes	Monitoring Costs, including Salaries and Benefits	\$26,000

Article 8 Explanation: A Revolving Fund established under the provisions of M.G.L. Chapter 44, section 53E½ must be authorized annually by vote of the Town Meeting. The Fund is credited with only the departmental receipts received in connection with the programs supported by such Revolving Fund, and expenditures may be made from the Revolving Fund without further appropriation. All of the Revolving Funds listed above were previously authorized by Town Meeting. Please see Appendix 4 for a report on these Revolving Funds.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 9: ACCEPT CHAPTER 90 ROAD IMPROVEMENT FUNDS

To authorize the Board of Selectmen to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town Ways and to authorize the expenditure of such sums of money as may be received for the fiscal year commencing July 1, 2007 provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department.

Article 9 Explanation: State law requires that Town Meeting approve the use of funds received from the State for road construction purposes including engineering or addressing traffic improvements. In fiscal year 2008, it is anticipated that the Town will receive approximately \$355,911 from the State for this purpose.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 10: APPROVE PROPERTY TAX DEFERRAL INCOME LIMITS

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To establish fiscal year 2008 income eligibility limits under Chapter 421 of the Acts of 2004, An Act Authorizing the Town of Weston to Regulate Certain Property Tax Exemption Eligibility Requirements for the Elderly; or take any other action relative thereto.

Article 10 Explanation: In 2004, Weston obtained special legislation to change the eligibility criteria for the property tax deferral program, allowing the Board of Selectmen to set the interest rate for residents over 60 who defer their property taxes. For fiscal year 2008, the rate has been set at 4.5 percent in Weston. This legislation also allows the Board of Selectmen, with Town Meeting approval, to establish the income eligibility limit for this program each year. The Board of Selectmen is recommending that the income limit be increased from \$60,000 to \$70,000 for fiscal year 2008. Ratification of this amount is required by Town Meeting.

The Finance Committee unanimously supports adoption of this Article.

CAPITAL IMPROVEMENT BUDGET ARTICLES

**ARTICLE 11: APPROPRIATE FROM BROOK SCHOOL APARTMENTS
STABILIZATION FUND**

To appropriate a sum of money from the Brook School Apartments Stabilization Fund, as provided under M.G.L. Chapter 40, section 5B, as amended, to be used for exterior repairs to the Brook School Apartments; or take any other action relative thereto.

Article 11 Explanation: In fiscal year 2006, prior to the establishment of an enterprise fund, there was a surplus of revenues over expenditures for the Brook School Apartments. That surplus, amounting to \$86,200, was appropriated to a stabilization fund to be used for future capital repairs and improvements. It is proposed that the full amount be appropriated for exterior repairs to the Brook School Apartments, including replacement and repair of gutters and exterior painting. A two-thirds vote of Town Meeting is required to appropriate from the Stabilization Fund.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 12: APPROPRIATE FOR CAPITAL PROJECTS

To appropriate the following sums of money from the tax levy:

Purpose	Amount	Expend Under Direction of:
A. Police Dispatch Area Improvements	\$38,000	Town Manager
B. Police Radio Receivers and Repeater	\$118,000	Town Manager
C. School Equipment	\$49,500	School Committee
D. School – 1 Ton Truck	\$35,000	School Committee
E. Telephone Consultant (Town-Wide)	\$20,000	Town Manager
F. Replace Police Chief's Vehicle	\$29,000	Town Manager

Article 12 Explanation:

- A. **Police Dispatch Area Improvements - \$38,000:** The current dispatch area is in violation of CORI standards, which require that private information not be seen by the public. In addition, new Enhanced 9-1-1 phone systems to be provided by the state will not fit completely into the current dispatch console. Improvements to be made will address these issues as well as ergonomics for the dispatchers and expanded space needed for radio equipment, policy manuals, and storage.

- B. **Police Radio Receivers and Repeater - \$118,000:** The Federal Communications Commission is requiring all public safety agencies to move from the wide band radio spectrum of 25 MHz to the

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narrow band of 12.5 MHz to make more space on the public safety spectrum. As a result, replacement of two police radio receivers and one radio repeater is needed. This request includes \$47,000 for equipment and \$71,000 to extend the Town's fiber optic network to 3 radio sites to eliminate the use of the Verizon copper wire system, which is unreliable and outdated.

- C. **School Equipment - \$49,500:** This request is for the replacement of the chairs at the Amy Potter Center for \$22,500 and science lab tables and chairs at the Middle School for \$27,000. The Science Lab equipment was not replaced as part of the renovation project.
- D. **School 1 Ton Truck - \$35,000:** This is to replace a 1985 truck currently used by the School Buildings and Grounds department. The truck is in need of extensive repairs and no longer passes inspection.
- E. **Telephone Consultant (Town-wide) - \$20,000:** IT staff are investigating the possibility of Voice Over Internet Protocol (VOIP) phone service for all municipal and school buildings, using the Town's new fiber optic network. This request is to hire a consultant to assist in the planning for this project.
- F. **Police Chief's Vehicle - \$29,000:** The vehicle currently driven by the Chief is a 1996 Ford Crown Victoria Sedan, with over 110,000 miles. The purchase of a Ford Explorer, with 4-wheel drive, is proposed, in order to allow the Chief to respond more easily in emergency situations, such as snowstorms.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 13: APPROPRIATE FOR FEASIBILITY STUDY FOR RENOVATIONS TO POLICE STATION

To appropriate a sum of money from the tax levy for the cost of architectural services for plans and specifications for repairs and improvements to the Police Station, to be spent under the direction of the Town Manager, or take any other action relative thereto.

Article 13 Explanation: This study will provide a comprehensive evaluation of the Police Station in order to prioritize and plan for needed repairs and improvements in the future. The estimated cost of this study is \$30,000. The Permanent Building Committee, which is currently in the process of planning for the design and construction of a new DPW facility, has requested information about the future needs of the Police Department, since the two buildings share the same site.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 14: APPROPRIATE FOR DEPARTMENT OF PUBLIC WORKS EQUIPMENT REPLACEMENT

To appropriate a sum of money for the cost of departmental equipment for the Department of Public Works 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 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; or take any other action relative thereto.

Article 14 Explanation: This involves the purchase of the following items: 1) dump truck with sander and plow – to be used for winter operations, spring clean-up and construction duties; 2) 17,500 GVW dump

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truck with plow – to be used in all seasons for winter operations, drainage maintenance, vegetation control, and highway operations; and 3) self contained leaf vacuum trailer and collector. The estimated request for this article is \$265,000. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 15: APPROPRIATE FOR DRAINAGE IMPROVEMENTS

To appropriate a sum of money for 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 to authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue bonds or notes; or take any other action relative thereto.

Article 15 Explanation: This request is part of the ongoing program to correct drainage problems in town. Future projects on the high priority list include Church Street, Sunset Road, Warren Avenue, Westerly Road, Ledgewood Road, Shady Hill Road, Pond Brook Circle, Glen Road, and North Avenue at Viles Street. These funds will also be used for a variety of public/private partnerships whereby both the Town and property owner contribute to resolve deficient drainage systems which are on both public ways and private property. The estimated request for this article is \$200,000. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 16: APPROPRIATE FOR TOWN GREEN SIDEWALK RECONSTRUCTION

To appropriate a sum of money for the construction or reconstruction of the sidewalk around the Town Green, 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 to authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue bonds or notes; or take any other action relative thereto.

Article 16 Explanation: The sidewalk around the Town Green has been in considerable disrepair for many years, with many sections that are hazardous to pedestrians due to tree root growth and uneven surfaces. This project would provide a standard six-foot width sidewalk with AAB regulation handicapped ramps to bring this walkway into compliance. In addition, the sidewalk in front of the shopping area on the north side of Boston Post Road would be included in this project. The estimated cost is \$125,000. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 17: APPROPRIATE FOR POLICE INFORMATION SYSTEMS UPGRADE

To appropriate a sum of money for the purchase and installation of computer hardware, software and other costs related to the implementation of a Police information system, 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; or take any other action relative thereto.

Article 17 Explanation: The Police Department is currently using a records management software package that was installed in 1994. The current vendor, which was once the predominant software provider in the State, has lost many customers and offered little in the way of upgrades. New software is needed to enhance the Department's productivity and provide needed interfaces between police cruiser laptops and

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the police station, as well as with the Registry of Motor Vehicles. The estimated cost is \$175,000. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 18: APPROPRIATE FOR FIRE LADDER TRUCK REPLACEMENT

To appropriate a sum of money for the cost of departmental equipment for the Fire Department 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 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; or take any other action relative thereto.

Article 18 Explanation: The current ladder truck was purchased in 1977 and underwent a major rehabilitation in 1988. It was originally scheduled for replacement in fiscal year 2010. It remains in working order, however, it has significant rust and cracks to the steel body. Both the mechanic and the independent certifying agency recommend replacement as soon as possible. In addition, with the size of the homes being built now in Weston and the extent of landscaping that surrounds the homes, the current ladder barely provides adequate service. The estimated cost is \$700,000. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 19: APPROPRIATE FOR SCHOOL TECHNOLOGY EQUIPMENT

To appropriate a sum of money for the purchase of computer hardware and other data processing equipment, to be spent under the direction of the School Committee, 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; or take any other action relative thereto.

Article 19 Explanation: This request for \$145,000 is for the ongoing replacement of computer hardware, software and peripherals for the School Department and the infrastructure to support technology at the schools. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 20: APPROPRIATE FOR SCHOOL BUS REPLACEMENTS

To appropriate a sum of money for the cost of departmental equipment and all incidental costs related thereto, to be spent under the direction of the School Committee, the money so appropriated to be raised by borrowing under 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; or take any other action relative thereto.

Article 20 Explanation: While the School Department considered alternatives for providing transportation services, it stopped buying new buses, because there was a possibility that the buses would be outsourced. Now that there has been a decision to keep the operation in house, there is a need to replace five school buses. The estimated cost is \$300,000. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 21: APPROPRIATE FOR HIGH SCHOOL BLEACHER REPLACEMENT

To appropriate a sum of money for the cost of departmental equipment, and other incidental costs related thereto, to be spent under the direction of the School Committee, the money so appropriated to be raised by

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borrowing under 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; or take any other action relative thereto.

Article 21 Explanation: This Article is for the replacement of the bleachers and press box at Proctor Field. The bleachers at the High School football field are 45 years old and in need of replacement. The estimated cost is \$335,000. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 22: APPROPRIATE FOR DOUBLET HILL WATER STORAGE TANK PAINTING

To appropriate a sum of money for the cost of rehabilitation of water departmental equipment, 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 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; or take any other action relative thereto.

Article 22 Explanation: This water tank is an 850,000-gallon capacity riveted steel water storage system that is in need of extensive interior and exterior painting. The tank was built in 1931 and was last painted in 1992. When it was cleaned and inspected in June 2006, the inspection report noted significant rust and peeling paint on the interior and exterior surfaces. The painting of the interior of the tank will ensure a safe potable water storage area while the water awaits transmission throughout the water system. Painting of the outside of the tank will ensure structural integrity. The estimated cost of this project is \$250,000. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 23: APPROPRIATE FOR WATER MAIN REHABILITATION PROGRAM

To appropriate a sum of money for the cost 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 the authority of M.G.L. Chapter 44, section 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; or take any other action relative thereto.

Article 23 Explanation: The purpose of this program is to replace old, unlined cast iron water mains and other piping that is made from asbestos transite. These different types of water main are as old as 1923 and are a source of water quality complaints and potential violations of drinking water standards. The only way to address the concerns of these aged pipes is to replace or reline them. The FY08 request is to replace 625 linear feet of unlined cast iron main in Ash Street, which was installed in 1923. The estimated cost of this project is \$100,000. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 24: APPROPRIATE FOR WELLESLEY STREET WATER PUMP STATION IMPROVEMENT DESIGN

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To appropriate a sum of money for the cost of engineering services for plans and specifications for improvements to the Wellesley Street Water Pump Station, 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 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; or take any other action relative thereto.

Article 24 Explanation: This pump station is 40 years old, and the mechanical components of this facility are in need of modernization. The water booster pumps have lost efficiency and performance and are in need of replacement. New pump and motor assemblies will result in a 25% reduction in energy consumption (estimated at \$13,000 annually). The installation of a stand-alone diesel generator will reduce overtime costs by eliminating the use of manpower to respond to electrical power outages. This request is for design of the improvements. It is estimated that the actual work will cost \$360,000. The estimated cost of this project is \$43,500. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 25: RESCIND BOND AUTHORIZATION

To rescind all or a part of certain authorizations to borrow funds, which were approved in a prior year, where the purpose of the borrowing has been completed and/or it was unnecessary to borrow the amount approved:

Article 7	October 11, 2000 Special Town Meeting – Affordable Housing	\$120,000
Article 25	May 12, 2003 Annual Town Meeting – School Vehicles	\$9,000

Article 25 Explanation: The above noted projects have been completed. It is necessary for Town Meeting to rescind the balance of the bond authorizations so that they can be removed from the Town's financial records.

The Finance Committee unanimously supports adoption of this Article.

CITIZENS' PETITION

**ARTICLE 26: CITIZENS' PETITION: APPROVE HOME RULE PETITION:
SALE OF WINE IN THE TOWN OF WESTON**

To petition the General Court for a special act providing that legislation be adopted as set forth below; and further, to authorize the General Court to make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen 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 AUTHORIZING THE TOWN OF WESTON TO GRANT A SINGLE LICENSE FOR THE SALE OF WINE AT FOOD STORES.

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the Board of Selectmen as the licensing authority of the Town of Weston shall be authorized to issue a single license for the sale of Wine Only at Food Stores, not to be drunk on the premises. For purposes of this section, "Food Store" shall mean a grocery store or supermarket which sells at retail, food for consumption off the seller's premises either alone or in combination with grocery items or other non-durable items typically found in a grocery store, provided such items are sold to individuals for their own personal, family, or household use; provided further, that such food store must carry fresh and processed meat, poultry, dairy products, eggs, fresh fruit and produce, baked goods and baking ingredients, canned goods, and dessert items. Notwithstanding the foregoing, a convenience store or specialty store shall not be considered a "Food Store" for purposes of this section. Provided further that the Board of Selectmen as licensing authority shall

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have the discretion to determine whether a license applicant is a "Food Store" or a convenience or specialty store. The Board of Selectmen shall be guided in its determination by factors such as the volume of sales, actual or proposed, and the extent and range of merchandise offered for sale. The holder of such a license may sell wine alone or in combination with any other item or items offered for sale.

The provisions of law applicable to the issuance, renewal, suspension, and termination of licenses issued pursuant to section 15 of Chapter 138 of the Massachusetts General Laws and the regulation of license holders pursuant to said section 15 shall apply to the wine only at food store license authorized hereunder and to the holder of such license. All other provisions of said chapter 138 shall also be applicable to the issuance of the license and to the holder thereof, except as otherwise expressly provided herein. The amount of any initial or renewal fee for such a license shall be determined by the local licensing authority issuing or renewing that license.

SECTION 2. Notwithstanding Section 11 of chapter 138 of the Massachusetts General Laws as to the time and manner of voting on the question, this act shall be submitted for its acceptance to the qualified voters of the town of Weston at an annual election following the effective date of this act in the form of the following question:

"Shall an act passed by the General Court in the year 2007, entitled 'An Act Authorizing the Town of Weston to Grant a Single License for the Sale of Wine at Food Stores,' be accepted?"

Below the ballot question shall appear a fair and concise summary of the ballot question prepared by town counsel and approved by the Board of Selectmen.

If a majority of the votes cast in answer to the question is in the affirmative, this act shall immediately take effect in the Town of Weston, but not otherwise.

SECTION 3. This act shall take effect upon passage.

Article 26 Explanation (provided by proponents): This proposed law would allow the Board of Selectmen to issue a single license to a food store to sell wine in addition to the food items sold in the supermarket. The proposed law defines a Food Store as traditional grocery store or supermarket and specifically excludes convenience and specialty stores. This law provides for the sale of wine only and does not include beer or spirits.

Allowing the sale of wine at food stores provides Weston residents with a convenience they are seeking. Consumers want the convenience to be able to shop for their complete meal and all the accompaniments when shopping at the food store and with the increases in wine consumption this is a natural addition. In November 2006, the registered voters in the Town of Weston voted in favor of a similar State-wide initiative.

If the Town Meeting approves this Article, it will then go to the Legislature and Governor for approval. Following this approval, the Act would then be placed on a Town ballot for consideration by the voters of Weston. Voter approval is necessary before the Board of Selectmen could issue the license. The Board of Selectmen would also have the authority to establish rules and regulations regarding requirements to issue the license.

The Finance Committee takes no position on this Article.

COMMUNITY PRESERVATION ACT ARTICLES

**ARTICLE 27: APPROPRIATE FOR FISCAL YEAR 2008
 COMMUNITY PRESERVATION COMMITTEE OPERATING BUDGET**

To hear and act on the report of the Community Preservation Committee on the fiscal year 2008 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 2008; and further, to reserve for future appropriation the amounts as recommended by the Community Preservation Committee: a sum of money for the acquisition, creation and preservation of open space, excluding land for recreational use; a sum of money for acquisition, preservation, rehabilitation and restoration of historic resources; and a sum of money for the acquisition, creation, preservation and support of community housing; and further, to appropriate from the Community Preservation Fund a sum of money for payment of debt service on Community Preservation projects previously approved by Town Meeting, all as recommended by the Community Preservation Committee, or take any other action relative thereto.

Article 27 Explanation: The Community Preservation property tax surcharge will raise over \$1,488,000 in fiscal year 2008, which is expected to be matched, in whole or in part, by the State. By law, a minimum of ten percent of Community Preservation funds must be used in each of three categories: open space, historic resources and community housing.

The administrative expense budget is estimated to be \$75,000 and is funded from the Community Preservation Fund. The administrative expense budget covers the cost of a part-time staff person for the Committee and Committee expenses.

The appropriation for debt service includes \$307,500 for the final payment for the Sunday Woods land purchase, \$305,049 for Brook School Apartments, and \$638,938 for Case Estates.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 28: APPROPRIATE FOR OPEN SPACE – FIELD PRESERVATION

To appropriate a sum of money for the preservation of open space under the Community Preservation Program, to be used for the preservation of several fields under the jurisdiction of the Conservation Commission, and as funding therefor, to transfer from the Community Preservation Fund; or take any other action relative thereto.

Article 28 Explanation: About three dozen Town fields are maintained by the Weston Conservation Commission and the Weston Forest & Trail Association. These fields are small, ranging from less than an acre to a little more than five acres, and amount to less than 100 acres in total. They contribute ecological and aesthetic diversity and a sense of rural charm to Weston. Many are visible from the road, while others belong to several of our most attractive open lands. Over many years, the edges have grown in and islands of brush and trees have formed and expanded within them. Stone walls that once marked the borders are no longer visible and, in many cases, make it difficult to see into the field from the road. \$20,000 from the Community Preservation Fund is requested in this Article to continue the process of preserving fields in high priority areas. This generally requires work to cut them back to their appropriate boundaries--either stone walls or mature trees marking an old fencerow or woodlot edge. The dense fringe of brush and small trees, too large and thick to be mowed with a brush hog, would be removed using chainsaws, chippers, or other large equipment. Islands of brush and small trees would also be cleared. Large and distinctive trees would remain, with the lower branches pruned to allow closer mowing by the tractor. Once cleared, the fields would be maintained by annual mowing without further funding from the CPA fund. The Conservation Commission will determine the highest priority fields to be restored. This is the fourth year that funds have been requested for this purpose.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 29: APPROPRIATE FOR OPEN SPACE – PRESERVATION OF RECREATION AREAS

To appropriate a sum of money for open space purposes under the Community Preservation Program, to preserve existing recreation areas and create land for recreational use on property under the jurisdiction of the Board of Selectmen and School Committee; said sum to be spent under the direction of the Town Manager, and as funding therefor, to transfer from the Community Preservation Fund; or take any other action relative thereto.

Article 29 Explanation: *The Recreation Master Plan Steering Committee has requested an appropriation of \$1,000,000 for preservation of multiple natural turf playing fields and their surroundings located at the High School, College Pond, Cherrybrook Road and others. The preservation work will include but not be limited to aeration, top dressing, re-seeding, over-seeding, sod, irrigation, drainage, fencing, and landscaping. In addition, the funds will be spent for preservation of tennis court and outdoor basketball/sports courts at various locations, including the High School, Middle School, College Pond, Cherrybrook Road, and Brook School Apartments. Private funds have been raised to support the installation of synthetic turf fields at Alphabet Lane and Field #14 at the High School, as well as much of the work to improve the fields at College Pond. This work is included in the Fields Master Plan that was approved by the Board of Selectmen and School Committee in October 2005. The Master Plan has a scope of over 32 fields that will be improved over the next several years. This appropriation will be offset by approximately \$100,000 not used for the construction of the multi-purpose field at the Middle School, which will be returned to the Community Preservation Fund.*

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 30: APPROPRIATE FOR HISTORIC RESOURCES – FISKE LAW OFFICE

To appropriate an additional sum of money for historic resource purposes under the Community Preservation Program, to be used for the rehabilitation and restoration of the Isaac Fiske Law Office, located at 598 Boston Post Road; said sum to be spent under the direction of the Town Manager, and as funding therefor, to raise and appropriate, transfer from available funds, and/or transfer from the Community Preservation Fund; or take any other action relative thereto.

Article 30 Explanation: *This project entails restoration and rehabilitation of the Town-owned 1805 Fiske Law Office to make it viable for leasing by the Town as commercial office space. The work includes exterior repairs, renovation of the back “L” including window repair or replacement, raising, strengthening and restructuring the roof, rewiring replacing the building mechanicals, and construction of a new septic system. All work will be subject to a preservation restriction on the historic features of the building. \$260,000 was previously appropriated for this project. The estimated additional cost is \$28,000.*

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 31: APPROPRIATE FOR HISTORIC RESOURCES – MELONE HOMESTEAD

To appropriate an additional sum of money for historic resource purposes under the Community Preservation Program, to be used for the rehabilitation and restoration of the Melone Homestead, located at 27 Crescent Street; said sum to be spent under the direction of the Town Manager, and as funding therefor, to raise and appropriate, transfer from available funds, and/or transfer from the Community Preservation Fund; or take any other action relative thereto.

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Article 31 Explanation: This project entails structural stabilization of the Melone Homestead, including electrical, heating and plumbing system improvements, lead paint removal, addition of an upstairs bathroom and dormer, and other repairs to make use of this property as a housing unit for conservation-related employees and to provide facilities for the use of Town conservation organizations. \$240,000 was previously appropriated for this project. The estimated additional cost is \$85,000.

The Finance Committee unanimously supports adoption of this Article.

**ARTICLE 32: APPROPRIATE FOR HISTORIC RESOURCES –
JOSIAH SMITH TAVERN & OLD LIBRARY FEASIBILITY STUDY**

To appropriate a sum of money for historic resource purposes under the Community Preservation Program, for the cost of architectural services for plans and specifications for the preservation, restoration, and re-use of the Josiah Smith Tavern and Old Library buildings, to be spent under the direction of the Town Manager, or take any other action relative thereto.

Article 32 Explanation: The purpose of this feasibility study is to develop a plan for re-use of these two historic buildings located on Weston's Town Green, which have been underutilized for a number of years. The Josiah Smith Tavern Committee has recommended that the Josiah Smith Tavern be developed as a restaurant, and that the Clothing Exchange and other functions of the Women's Community League, which currently leases the Josiah Smith Tavern Barn, be moved to the Old Library. In addition, the Old Library is proposed to be used to house historical archives and has been mentioned as a possible future home to the cable television local access studio. The Josiah Smith Tavern is subject to a preservation restriction held by Historic New England. The Board of Selectmen has added members to the existing Josiah Smith Tavern Committee in order to move this project forward and has included the re-use of the Old Library building in the scope of the Committee's work. The estimated cost of this study is \$35,000.

The Finance Committee unanimously supports adoption of this Article.

**ARTICLE 33: APPROPRIATE FOR HISTORIC RESOURCES –
EVALUATION OF OLD LIBRARY - ARCHIVES**

To appropriate a sum of money for historic resource purposes under the Community Preservation Program, to be used to evaluate the Old Library for adaptive re-use as a centralized Town archives facility; said sum to be spent under the direction of the Town Manager, and as funding therefor, to raise and appropriate, transfer from available funds, and/or transfer from the Community Preservation Fund; or take any other action relative thereto.

Article 33 Explanation: The Historical Archives Committee recommends that a repository for Town archives be established in the Old Library's lower level, where original plans included a fireproof records storage room. An evaluation by an archivist of this space for adaptive reuse is the next logical step toward that goal. This work will be coordinated with the feasibility study being proposed under Article 32 for the re-use of the Josiah Smith Tavern and Old Library. The estimated cost of this evaluation is \$2,500.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 34: APPROPRIATE FOR HISTORIC RESOURCES – CASE ESTATES BUILDINGS

To appropriate from the Community Preservation Fund a sum of money to be used by the Board of Selectmen to: (1) acquire historic preservation restrictions meeting the requirements of M.G.L. c.184, §§ 31-33 on the structures located on the properties at 131 Wellesley Street in the Town of Weston, Massachusetts shown as Assessors Map 32, Lot 22-60, containing 1.38 acres, more or less, and more fully described in a deed recorded in the Middlesex South Registry of Deeds in Book 31721, Page 396; and 133 Wellesley Street in the Town of Weston, Massachusetts shown as Assessors Map 32, Lot 22-1, containing 35.32 acres, more or less, and more fully described in a deed recorded in the Middlesex South Registry of

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Deeds in Book 8674, Page 412, in the event that the Board of Selectmen conveys the fee interests in said parcels, said restrictions to be held, managed and controlled by the Historical Commission and/or Board of Selectmen, and further, to authorize the Board of Selectmen to acquire said restrictions; or, (2) in the event the Board of Selectmen chooses to retain the fee interest in the parcels described above, pay for the management of historic preservation restrictions on the structures identified above, and authorize the Board of Selectmen to convey historic preservation restrictions on said structures meeting the requirements of M. G.L. c.184, §§ 31-33 to the Commonwealth or a nonprofit, charitable corporation or foundation, or take any action relative thereto.

Article 34 Explanation: When the Town purchases the Case Estates land, a decision will have to be made about what to do with the three buildings. The Case Estates Building Advisory Committee has been appointed to make a recommendation on future uses of the buildings. It is the intent of the Board of Selectmen that regardless of whether the buildings are kept by the Town or sold, historic preservation restrictions should be placed on all three buildings in order to preserve their exterior appearance and any significant interior features. The restrictions, to be administered by the Historical Commission, would be registered with the property deed and would be binding on all future owners. The estimated cost of these restrictions is \$740,000.

The Finance Committee unanimously supports adoption of this Article.

**ARTICLE 35: APPROPRIATE FOR COMMUNITY HOUSING –
AFFORDABLE HOUSING CONSULTANT**

To appropriate a sum of money for community housing purposes under the Community Preservation Program, to support community housing by retaining an affordable housing consultant to assist the Town in developing and proposing strategies to create affordable and moderate housing; said sum to be spent under the direction of the Town Manager, and as funding therefor, to raise and appropriate, transfer from available funds, and/or transfer from the Community Preservation Fund; or take any other action relative thereto.

Article 35 Explanation: This article requests an appropriation of \$25,000 to hire an affordable housing consultant to work with the Town to explore and develop strategies to create affordable and moderate housing, such as an affordable housing trust, zoning mechanisms, and an affordable housing plan, which would result in a wider variety of housing options in Weston. This amount supplements \$20,000 previously appropriated for this purpose.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 36: APPROPRIATE FOR COMMUNITY HOUSING – HOUSING STAFF ASSISTANCE

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

Article 36 Explanation: This request for \$10,000 is to pay for hours worked by two part-time employees on community housing-related issues on an "as needed" basis. Both positions are primarily responsible for other duties but have agreed to work extra hours when necessary to provide staff assistance to the Housing Needs Committee, conduct housing lotteries, and provide ongoing monitoring of affordable and moderate housing units.

The Finance Committee unanimously supports adoption of this Article.

STATE LAW ACCEPTANCE AND OTHER

**ARTICLE 37: ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986:
(INCREASE IN PROPERTY TAX EXEMPTION LIMITS)**

To accept, for fiscal year 2008, the provisions of section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the Massachusetts General Laws relative to real estate property tax exemptions and to approve an increase in the amount of 100 percent for each eligible exemption.

Article 37 Explanation: Acceptance of this statute permits the Town to grant an additional property tax exemption to certain taxpayers who are surviving spouses, parents of veterans who died in wartime service, blind persons and those who qualify for an exemption under any one the following clauses of section 5 of Chapter 59 of the Massachusetts General Laws:

 Clauses 17, 17C, 17D, 22, 22A, 22B, 22C, 22E, 37, 37A, 41, 41B, 41C, 42, or 43.

Town Meeting approval of the additional exemption, as well as application for the exemption by the taxpayer, must be made annually. The Board of Selectmen has recommended that the amount of the exemption be increased by 100 percent, the maximum amount over the standard amount provided by this State law. This increase in the exemption was first approved by Town Meeting in 2002.

The Finance Committee unanimously supports adoption of this Article.

ARTICLE 38: AMEND THE ICE SCHOLARSHIP AWARD

To amend the vote under Article 29 of the Annual Town Meeting, May 9, 1990, which established the ICE Award in honor of Peter J. Foley by renaming the award to the Peter J. Foley ICE Award and changing the description of the award by inserting the following underlined text and deleting the strike-through text as follows:

1. The purpose of the Award is to exemplify the philosophy of Coach Peter J. Foley by recognizing involvement, commitment and effort in athletics. The award recognizes students who have been able to grow as athletes during their four years in high school by exhibiting consistent involvement, commitment and effort.
2. The Award is to be presented to one boy and one girl in the high school senior class selected by a committee composed of the High School Principal, Athletic Director, ~~and~~ Head of the Guidance Department and one Weston Booster representative from nominees proposed by coaches of varsity sports. The Coach of each varsity sport shall nominate to such committee as candidates for the Award a boy or girl, or a boy and a girl if the sport is co-ed, from among the participants in such varsity sport.
3. Each recipient of the Award shall receive a plaque evidencing the Award, the cost of which shall be paid from the income of the fund, and one-half of the remainder of the annual income earned to March first on the trust fund to be used to further their education.
4. All gifts and donations received into the Award are to be placed in trust with the Commissioners of Trust Funds of the Town who shall invest and reinvest the same in accordance with law.

Article 38 Explanation: In 1989 a group of interested residents requested the creation of a scholarship award in Athletic Director Pete Foley's name. Although the residents requested to name the award for Pete Foley, it was decided that it would not be appropriate to name a scholarship after an existing staff member. With Pete Foley's upcoming retirement, the Weston Booster's organization has requested that the existing scholarship (ICE Award) language be modified. The proposed changes include renaming the award to the Peter J. Foley ICE Award and including a member of the Weston Boosters on the selection committee. This change has been approved by the School Committee.

The Finance Committee takes no position on this Article.

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

Hereof fail not to make due return of this warrant with your doings thereon to the Selectmen at the time and place of said meeting.

Given under our hands April 10, 2007.

Steven L. Charlip
Douglas P. Gillespie
Michael H. Harrity
Selectmen of the Town of Weston