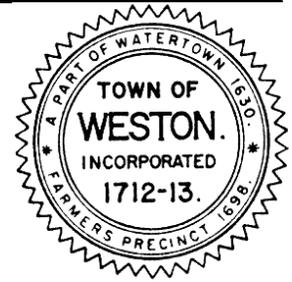

WARRANT FOR SPECIAL TOWN MEETING September 13, 2022



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 High School Auditorium at 444 Wellesley Street in said Town on Tuesday, the thirteenth day of September 2022, at 7:00 o'clock p.m., to act upon the following articles:

CONSENT AGENDA Articles 1-5

ARTICLE 1: **AMEND GENERAL BYLAWS TO ALLOW FOR PROCUREMENTS UNDER G.L. c.30B FOR GREATER THAN THREE YEARS**

To amend the Town's Bylaws by inserting the following new bylaw to authorize leases, lease purchase agreements and contracts to be for periods of up to 10 (ten) years, the text of which by-law is set forth below and enumerated accordingly, or take any other action relative thereto.

Town of Weston General Bylaws

ARTICLE XXXIX
AUTHORIZATION FOR PROCUREMENT AGREEMENTS GREATER THAN THREE YEARS

SECTION 1: The Town Manager is hereby authorized to enter into contracts under the provisions of G.L. c.30B for terms of up to 10 (ten) years, unless such longer time is authorized by law or vote of Town Meeting.

Article 1 Explanation: The Town purchases and leases various equipment and buildings and many times there is a financial benefit to the Town for entering into agreements for longer than the three years that Massachusetts General Law allows. Note that lease purchase agreements must also be approved by a 2/3 vote at a Town Meeting. Passing this article will give the Town greater flexibility to secure the best and most appropriate deal for the Town. A majority vote of Town Meeting is required for approval of this article.

ARTICLE 2: **ACCEPTANCE OF A SIDEWALK EASEMENT AT 11 BEECH ROAD**

To acquire, for public way purposes, including, without limitation, for public sidewalk purposes, by gift, two (2) easements on property located at 11 Beech Road, shown on a plan entitled "Record of Survey Plot Plan of Land in Weston, Mass.," including Detail "A" and Detail "B," said plan dated April 14, 2022, prepared by RealMapInfo LLC, a copy of which is on file with the Town Clerk, and being a portion of the premises described in a deed recorded with the Middlesex South District of the Land Court as Document No. 1917052 filed with Certificate of Title 279671, on such terms and conditions as the Select Board deems in the best interest of the Town, and to authorize the Select Board to execute any and all documents to carry out the purposes of this article, or take any other action relative thereto.

Article 2 Explanation: It has been determined that there is a sidewalk encroachment at the property at 11 Beech Road. Attorneys for the Town and property owner have been working together to create a recordable sidewalk easement to address this encroachment. A majority vote of Town Meeting is required for this article.

ARTICLE 3: EASEMENT TO EVERSOURCE AT LAND'S SAKE FARM (90 WELLESLEY STREET)

To authorize the Select Board to grant and convey to NSTAR Electric Company d/b/a Eversource Energy, permanent utility easements on a portion or portions of the Town-owned property known as 90 Wellesley Street, Weston, described in a deed recorded with the Middlesex South District Registry of Deeds in Book 16775, Page 411, currently subject to a lease to Land's Sake Farm, on such terms and conditions as the Select Board deems appropriate, which portion or portions of the Town-owned property are approximately shown on the plan entitled "WO# 6819014 282-H10 Land's Sake Farm 90 Wellesley Street, Weston, MA," dated December 15, 2021, said plan on file with the Town Clerk, and further to authorize the Select Board to enter into such agreements and execute such documents and instruments as may be necessary or convenient to effectuate the purposes of this article; or take any other action relative thereto.

Article 3 Explanation: The Town is seeking to bring electrical service to the property commonly known as Land's Sake Farm at 90 Wellesley Street. This article will authorize the Select Board to execute said documents to establish an easement for this permanent service. An easement document is on file at the Town Clerk's office showing the limits of the easement. A majority vote of Town Meeting is required for approval of this article.

ARTICLE 4: DISPOSITION OF PROPERTY AT 0 PARK ROAD

To transfer the care, custody and control of the Town-owned parcel of land, containing 0.92 acres, more or less, located at 0 Park Road, identified by the Assessors as Parcel 053_002_000 and acquired by the Town by a deed recorded with the Middlesex South District Registry of Deeds in Book 11516, Page 380, said property shown on a sketch plan on file with the Town Clerk, from the Select Board or other board or officer having custody thereof for the purpose for which said parcel is currently held to the Select Board for general municipal purposes and for the purposes of conveyance, and to authorize the Select Board to convey such parcel on such terms and conditions and for such consideration as the Select Board deems in the best interests of the Town, which may be land as hereinafter described; and, further, to authorize the Select Board to acquire, in consideration for the Town-owned parcel, the fee to or any other interests in land contiguous to another Town-owned parcel of land located at 0 Riverside Road, identified by the Assessors as Parcel 053_021_000 for general municipal purposes, and to authorize the Select Board to enter into all agreements and execute any and all instruments on behalf of the Town as may be necessary or convenient to effectuate the foregoing; or take any other action relative thereto.

Article 4 explanation: The intent of this article is to allow the Town to dispose of a 0.92 acre parcel of land on Park Road. The parcel is unbuildable under the current zoning as it does not meet the minimum lot size nor does it have enough depth to create a buildable area within the required setbacks. The property currently serves as a buffer to the biotech campus under construction on Riverside Road. The property would be sold with the stipulation that the buffer be maintained and so effectively transfer the responsibility of maintaining the buffer to the new owner. The Town hopes, in consideration for this parcel, to acquire additional land to add to the Town owned parcel at the end of Park Road and create a usable parcel for Town purposes. A 2/3rds vote of Town Meeting is required for approval of this article.

ARTICLE 5: APPROPRIATE RETAINED EARNINGS FROM THE RECREATION ENTERPRISE FUND

To transfer a sum of money from the Recreation Enterprise Fund retained earnings for the purchase and upgrading of furniture and other amenities, consistent with and in support of recreational use at Memorial Pool, to be spent under the direction of the Town Manager; or take any other action relative thereto.

Article 5 Explanation: This article appropriates funds to the Recreation Department Enterprise Fund from retained earnings to be used for upgrading recreational amenities related to the Memorial Pool Rehabilitation proposal in Article 6 that are not eligible for funding through the Community Preservation Program. Examples of equipment purchased with these funds include replacing and/or improving upon the inventory of chairs and picnic tables available at the pool. Consideration will also be given to adding other amenities such as lawn games and/or outdoor table tennis equipment. The amount requested under this article is not to exceed \$75,000. A majority vote of Town Meeting is required for approval of this article.

ARTICLE 6: APPROPRIATE FOR RECREATIONAL USE – MEMORIAL POOL REHABILITATION

To appropriate a sum of money for land for recreational purposes under the Community Preservation Program to rehabilitate Memorial Pool, 6 Alphabet Lane, Weston, including all incidental and related costs, to make it more functional for its recreational use; to be spent under the direction of the Town Manager, and as funding therefor, to borrow a sum of money pursuant to G.L. c.44B, §11 and G.L. c.44, §7, and authorize the Treasurer, with the approval of the Select Board, to issue notes and bonds of the Town therefor; and/or transfer said sum or portion thereof from the Unallocated allocation of the Community Preservation Fund or otherwise; or take any other action relative thereto.

Article 6 Explanation: Memorial Pool (the “Pool”), maintained by the Town of Weston Recreation Department, has been a popular swimming pool since the 1970’s. The Town’s 2020 Recreation Master Plan (“RMP”) identified Pool improvements as a priority; the Pool’s filtration system, installed in 1993, has reached the end of its useful life, and as part of the RMP, residents recommended adding amenities to the Pool. A feasibility study was completed in FY20 using \$2,800 in CPA administrative funds. Design was completed in Spring and summer 2022 which includes: filter replacement, a new water play area (also known as a “Splash Pad”), water slide, additional water play feature near the current mushroom, re-configured sandbox, new entry building to include an expanded concession facility for more food offerings, expanded reception area for more efficient membership and guest experience, two new accessible family/gender neutral bathrooms, new outdoor shower stations, an accessible pathway to the existing bath house, lifeguard building addition for first-aid treatment area and managers office, permanent accessible stairs to the deep end of the pool, and other minor facility upgrades. The amount to be requested under this article is \$3,300,000. A 2/3rds vote of Town Meeting is required for approval of this article.

ARTICLE 7: APPROPRIATE FOR RECREATIONAL USE – PICKLEBALL COURT DESIGN FEES

To appropriate a sum of money for open space preservation purposes under the Community Preservation Program in order to fund costs of engineering and architectural services for plans and specifications for the design and construction of new Pickleball courts, including all incidental costs related thereto, to be spent under the direction of the Town Manager, and as funding therefor, to transfer said sum from the Open Space allocation of the Community Preservation Fund; or take any other action relative thereto.

Article 7 Explanation: This article proposes funding for the planning and design of six pickleball courts. The design and construction of pickleball courts was identified as a high-priority project in the Recreation Master Plan Steering Committee’s (RMPSC) new 10-year Master Plan, which was unanimously adopted in 2020. Strong demand for temporary pickleball courts on existing tennis courts evidenced this need. The RMPSC is a standing committee charged by the Select Board with updating and publishing a new Master Plan every ten years. This committee includes elected representatives from the Recreation Commission and the School Committee, as well as youth sports representatives, town and school staff and At-Large members appointed by the Select Board. Weston residents will have the opportunity to evaluate the design and potential costs of this project before construction funds are requested. The current Master Plan can be found here: www.westonma.gov/RecMasterPlan. The amount to be requested under this article is \$85,000. A majority vote of Town Meeting is required for approval of this article.

ARTICLE 8: CREATE SCHOOL SPECIAL EDUCATION RESERVE FUND

To accept the provisions of Chapter 40, Section 13E of the General Laws to establish a School Special Education Reserve Fund for the general purposes of supporting the fluctuating cost of out of district Special Education; such fund shall be used without further appropriation, and only after approval by the School Committee and the Select Board, for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation, all as provided for by law; provided further that the balance in the reserve fund shall not exceed 2 per cent of the annual net school spending amount established for the School District, or take any other action relative thereto.

Article 8 Explanation: This warrant article creates a School Special Education Reserve Fund to be jointly overseen by the School Committee and the Select Board. The use of funds placed into this account is restricted to cover the costs of unanticipated or unplanned special education including expensive out-of-district tuition and transportation.

Weston Public Schools are required by law to pay for out-of-district tuition and transportation if our local schools cannot provide the required specialized education. These costs can be significant and can come about quickly due to changing needs or the arrival of a new student. Accurate forecasting of these costs cannot be done in the regular budgetary cycle. Having this emergency reserve fund will enable more accurate budgeting based on known and reasonably foreseeable costs, knowing that emergency funding is available for significant unforeseen changes in out-of-district expenses. The creation of this fund will not remove Special Education funding from the regular School budget. It will allow more accurate budgeting and eliminate the need to request more funds based on uncertain, but legally mandated costs. Any amount distributed from the fund must be approved by majority votes of both the School Committee and Select Board at their respective public meetings. No funds are being appropriated or transferred by this warrant article. A majority vote of Town Meeting is required for approval of this article.

And you are to serve the warrant by posting attested copies thereof at the Town Hall, the Police Station, the Public Library, the Transfer Station and on the kiosk at the front of the Weston High School on Wellesley Street by the gymnasium, fourteen 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 Select Board at the time and place of said meeting.

Given under our hands July 26, 2022.

Christopher E. Houston
Laurie Bent
Harvey R. Boshart

Select Board of the Town of Weston

**LAST DAY TO REGISTER TO VOTE FOR TOWN MEETING IS
SATURDAY, SEPTEMBER 3RD 9:00 A.M. - 5:00 P.M.**

Register online or in person (in the Town Clerk's Office at Town Hall). Voters must be registered in Weston. See www.weston.org/Voting for additional information.

Save the dates:

Annual Town Caucus – March 6, 2023 – 7:00 p.m. At the Caucus, prospective candidates for the various town elective offices are nominated to be placed on the ballot for the Annual Town Election, held in May each year. The two candidates for each open position who receives the largest number of votes at the caucus are designated "Caucus Nominees" on the Town Election ballot. Each caucus nominee must receive a minimum of 8 percent of the votes cast that evening.

Annual Town Election – May 6, 2023 The election of Town Officers and the Proposition 2 ½ Debt Exclusion vote will be held at the Town Hall Auditorium for all four precincts. Only registered voters of Weston may vote in the Town Election. Visit the Town's website at www.westonma.gov/TownElection for the list of candidates a description of the duties of each office, and the ballot question. Contact the office of the Town Clerk at (781) 786-5010 for information if you cannot vote in person on May 6.

Annual Town Meeting – May 8, 2023 – 7:00 p.m. Town Meeting is Weston's legislative body of government where all spending decisions for the budget and various projects are made. Town Meeting is typically held at the High School.