

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

To the Constables of the Town of Winchester,

GREETING:

In the name of the Commonwealth of Massachusetts you are required to notify and warn the inhabitants of the Town of Winchester to meet at the Winchester High School Auditorium, 80 Skillings Road in said Town on

MONDAY, APRIL 24, 2023 at 6:30 p.m.

for the Spring Annual Town Meeting, at which time and place the following articles are to be acted upon and determined exclusively by representative Town Meeting Members in accordance with the Winchester Home Rule Charter.

ARTICLE 1. To hear and act upon the reports of the Town Officers, Boards, Committees, including the Finance Committee; or take any other action in relation thereto.

(Select Board)

ARTICLE 2. To see if the Town, acting under Article 2, Section 2.5 (c) of the Winchester Home Rule Charter, and upon the recommendations of the Committee on Rules pursuant to Chapter 2, Section 4.4.3 of the Code of Bylaws of the Town of Winchester, will vote to declare vacant the seats of certain Town Meeting Members for failure to attend one half or more of the total number of sessions of the Winchester Town Meeting held during the previous 12 month period, Spring 2022 and Fall 2022; or take any other action in relation thereto.

(Committee on Rules)

ARTICLE 3. To see if the Town will vote to hear and act on the report of the Planning Board and place the report on file, or take any other action in relation thereto.

(Planning Board)

ARTICLE 4. To see if the Town will vote to amend Table 4.1.1 of the Winchester Zoning Bylaw (Table of Dimensional Requirements) by changing the Minimum Lot Width (in feet) for District RDA from 120 to 100; or take any other action in relation thereto.

(Planning Board)

ARTICLE 5. To see if the Town will vote to amend §3.5.5 of the Winchester Zoning Bylaws (Nonconforming Single and Duplex Residential Structures) as follows (added text shown in ***bold italics***); or take any other action in relation thereto

Nonconforming single and duplex residential structures may be reconstructed, extended, altered, or structurally changed upon a determination by the Building Commissioner that such proposed reconstruction, extension, alteration, or change does not increase the nonconforming nature of said structure ***or add new nonconformities***. The following circumstances shall not be deemed to increase the nonconforming nature of said structure:

1. A reconstruction, extension, alteration or change to a structure which complies with all current setback, yard, building coverage, and building height requirements but is located on a lot with insufficient area, where the reconstruction, extension, alteration or change will also comply with all of said current requirements.
2. A reconstruction, extension, alteration or change to a structure which complies with all current setback, yard, building coverage, and building height requirements but is located on a lot with insufficient frontage, where the reconstruction, extension, alteration or change will also comply with all of said current requirements.
3. A reconstruction, extension, alteration or change to a structure which encroaches upon one (1) or more required yard or setback areas, where the reconstruction, extension, alteration or change will comply with all current setback, yard, building coverage and building height requirements.

In any other case, the Board of Appeals may, by special permit, allow such reconstruction, extension, alteration, or change; *or the addition of new nonconformities* where it determines that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood. (FTM Art. 4, 11/4/2019; FTM Art. 7, 11/6/2017.)

(Planning Board)

ARTICLE 6. To see if the Town will vote to transfer from Free Cash, or other available funds, a sum of money to pay bills incurred in prior fiscal years; or take any other action in relation thereto.

(Town Manager)

ARTICLE 7. To see if the Town will vote to transfer from Water and Sewer Retained Earnings or other available funds a sum of money to supplement or reduce appropriations previously voted for the Fiscal Year 2023 budget; or take any other action in relation thereto.

(Finance Committee)

ARTICLE 8. To see if the Town will vote to transfer from Free Cash, or other available funds, a sum of money to supplement or reduce appropriations previously voted for Fiscal Year 2023 Budgets; or take any other action in relation thereto.

(Town Manager/Finance Committee)

ARTICLE 9. To see if the Town will vote to appropriate a sum of money from the PEG Access and Cable Related Fund to pay for PEG access service programming, monitoring the cable operator's compliance with the franchise agreement and preparing for renewal of the cable franchise license including any associated expert and legal services; or take any other action in relation thereto.

(Town Manager)

ARTICLE 10. To see if the Town will vote to appropriate a sum of money from the Parking Meter Fund to the Wedgemere Parking Account #0396912 and the Town Center Parking Account #0396942 to pay for parking meter equipment and all related costs, maintenance of parking lots, and other costs associated with the collection and enforcement of parking ticket revenues at the Wedgemere and Downtown parking lots; or take any other action in relation thereto.

(Town Manager)

ARTICLE 11. To see if the Town will vote to hear and act on the report of the Capital Planning Committee regarding the proposed Capital Plan for FY24 and place the report on file, or take any other action in relation thereto.

(Capital Planning Committee)

ARTICLE 12. To see if the Town will vote to transfer a sum of money from unexpended capital accounts associated with complete projects to the Capital Stabilization Fund or Building Stabilization Fund established under Chapter 69 of the Acts of 2002; or take any other action in relation thereto.

(Capital Planning Committee)

ARTICLE 13. To see if the Town will vote to appropriate a sum of money to pay costs of the Lake Street Bridge Replacement Project, consisting of the replacement of the bridge, including the costs of design, engineering, demolition of the existing bridge, site work, new foundations, substructures, superstructure, bridge rails, roadway pavement, sidewalks, landscaping, and temporary and permanent utility relocation, and all other costs incidental or related thereto, which appropriation shall be in addition to the \$2,100,000 previously appropriated for the Lake Street Bridge Replacement Project pursuant to the vote of the Town passed November 7, 2019 under Article 13 at the 2019 Fall Town Meeting, as amended by the vote of the Town passed November 14, 2022 under Article 9 at the 2022 Fall Town Meeting; to

determine whether this appropriation shall be funded from unexpended bond proceeds, available funds, borrowing or otherwise; or to take any other action relative thereto.

(Capital Planning Committee)

ARTICLE 14. To see if the Town will vote to appropriate a sum of money for engineering services for traffic improvements associated with the Lynch Elementary School Project and in the surrounding neighborhoods; and to determine whether this appropriation shall be raised from borrowing, or available funds; or take any other action in relation thereto.

(Select Board/Capital Planning Committee)

ARTICLE 15. To see if the Town will vote to appropriate a sum of money for Flood Mitigation Project Maintenance related to vegetation management, wetland and tree/vegetation tagging, and permitting including engineering services, construction and all other costs incidental and related thereto; to determine whether this appropriation shall be from Free Cash or other available funds; or take any other action in relation thereto.

(Town Manager)

ARTICLE 16. To see if the Town will vote to transfer from Free Cash, or other available funds, a sum of money to supplement the Eversource account 0397252 for the purpose of engineering and other consulting services regarding the location and construction of Eversource electronic transmission lines in Winchester; or take any other action in relation thereto.

(Select Board)

ARTICLE 17. To see if the Town will vote to transfer from Free Cash, or other available funds, a sum of money to supplement the Traffic Calming account 0398882 for the implementation of one or more traffic calming measures to mitigate existing traffic and pedestrian impacts caused by the Eversource 345kV project as agreed to in a memoranda of understanding between Eversource and the Town; or take any other action in relation thereto.

(Town Manager)

ARTICLE 18. To see if the Town will vote to amend the water and sewer rates currently in effect in accordance with Chapter 7, Section 3 of the Code of By-Laws; or take any other action in relation thereto.

(Select Board)

ARTICLE 19. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to defray the expenses of the Town for the fiscal year beginning July 1, 2023, vote to fix the salary and compensation of all elective officers of the Town as provided in Massachusetts General Laws Chapter 41, Section 108, and to appropriate funds into the Capital and Building Stabilization Funds; or take any other action in relation thereto.

(Finance Committee)

ARTICLE 20. To see if the Town will vote to transfer from retained earnings or available funds a sum of money to defray the expenses of the Water and Sewer Enterprise Fund of the Department of Public Works for the fiscal year beginning July 1, 2023, and to appropriate and transfer retained earnings into the Water and Sewer Enterprise Account; or take any other action in relation thereto.

(Finance Committee)

ARTICLE 21. To see if the Town will vote to transfer from retained earnings or available funds, a sum of money to defray the expenses of the Recreation Department for the fiscal year beginning July 1, 2023, and to appropriate and transfer retained earnings into the Recreation Enterprise Account; or take any other action in relation thereto.

(Finance Committee)

ARTICLE 22. To see if the Town will vote to raise and appropriate a sum of money to the Building Stabilization Fund established under Chapter 69 of the Acts of 2002; or take any other action in relation thereto.

(Finance Committee)

ARTICLE 23. To see if the Town will vote to fix the maximum amount that may be spent during the fiscal year beginning July 1, 2023 for the revolving funds established pursuant to Chapter 6, Section 6 of the Code of Bylaws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½; or take any other action in relation thereto.

(Finance Committee)

ARTICLE 24. To see if the Town will vote to authorize the Treasurer, with the approval of the Town Manager and the Select Board, to borrow money from time to time in anticipation of revenue for the fiscal year beginning July 1, 2023 in accordance with Massachusetts General Laws Chapter 44, Section 4, and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with Massachusetts General Laws Chapter 44, Section 17; or take any other action in relation thereto.

(Town Manager)

ARTICLE 25. To see if the Town will vote to raise and appropriate a sum of money to be used with such sum as may be made available from Massachusetts Department of Transportation for maintenance, repair, alteration, relocation or other improvements of Town ways, and to authorize the Select Board to acquire by purchase, gift, eminent domain or otherwise, any necessary easements or other interests in land therefor, and for the payment of damages and expenses in connection therewith, as well as to authorize the transfer and use for said purposes of any unused balances; or take any other action in relation thereto.

(Select Board)

ARTICLE 26. To see if the Town will vote to hear and act on the report of the Personnel Board and take any action in connection with recommendations as to wages and salaries, working conditions, new or revised rates of wages and salaries, changes, additions, adjustments or revisions of wages and salaries and in classifications and definitions, and in amending, revising and adding to the Personnel Policy Guide as well as in other matters thereto related; and to raise and appropriate money for any adjustments or revisions of wages and salaries of employees subject and not subject to collective bargaining agreements or in any job classifications, and to provide for salary or wage adjustments not otherwise provided for, said monies to be expended by the departments affected; determine in what manner the monies shall be raised by taxation or otherwise; or take any other action in relation thereto.

(Personnel Board)

ARTICLE 27. To see if the Town will vote to authorize and direct the Board of Assessors to take any sum of money from available funds to reduce the tax levy for Fiscal Year 2024, and to transfer funds to or from the Stabilization Fund; or take any other action in relation thereto.

(Town Manager)

ARTICLE 28. To see if the Town will vote to hear or accept committee reports, dissolve old committees, authorize new committees; or take any other action in relation thereto.

(Select Board)

And you are hereby directed to serve this warrant by mailing a printed copy thereof, by you attested, to every occupied dwelling house in said Town and by posting on the Town bulletin board at least ten days before the holding of said meeting.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk before the day of said meeting.

Given under our hands and seals March 27, 2023.

RICHARD M MUCCI, CHAIR
ANTHEA BRADY, VICE CHAIR
MICHAEL BETTENCOURT
JOHN FALLON
MICHELLE PRIOR

Select Board
Town of Winchester

A true copy:
ATTEST:
Jeffrey Woolf, Constable

draft