

Town of Winchester

Fall Annual Town Meeting 2014



Preliminary Motions

MOVED AND SECONDED that the following preliminary motions be voted as one:

1. That Richard C. Howard, Town Manager; Stacie Ward, Comptroller; Wade M. Welch, Town Counsel; and Mark J. Twogood, Assistant Town Manager, who are not Town Meeting Members, be permitted to sit at the front of the auditorium with the Board of Selectmen during all sessions of this Town Meeting.
2. That all members of the Finance Committee and their secretary, whether Town Meeting Members or not, be permitted to sit together at the front of the auditorium during all sessions of this Town Meeting.
3. That the Town Clerk or her designee or the Assistant Town Clerk be permitted to occupy a desk on the platform during all sessions of this Town Meeting.
4. That the Moderator be authorized to permit members of various town boards, commissions, committees, department heads, and petitioners of special articles to sit at the front of the auditorium during consideration of appropriate articles.
5. That unless it be otherwise ordered, all adjourned sessions of this Town Meeting shall be held on successive Monday and Thursday evenings at 7:30 P.M. in the McCall Middle School Auditorium, until the work of this Town Meeting is completed.
6. That action on all motions involving appropriations shall be contingent upon compliance with the provisions of Massachusetts General Laws Chapter 59, Section 21C, a law known as the
7. 2-1/2 Tax Limitation.
8. That cable television coverage shall be permitted at all sessions of this Town Meeting.

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ARTICLE 1

To hear and act upon the reports of the Town Officers and the Finance Committee, or take any other action in relation thereto.

(Board of Selectmen)

MOTION:

MOVED AND SECONDED, that the reports of Town Officers and Finance Committee be received and filed.

Majority vote required

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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 By-Laws 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 Fiscal Year 2014, or take any other action in relation thereto.

(Committee on Rules)

Materials to be sent under separate cover

Majority vote required for passage

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ARTICLE 3

To see if the Town will vote to rename the “Winchester Commission on Disabilities Issues”, as established by vote of Spring Annual Town Meeting on April 22, 1996, as the “Winchester Disability Access Commission”, or take any other action in relation thereto.

(Commission on Disabilities Issues)

MOTION:

MOVED AND SECONDED that the Town rename the Winchester Commission on Disabilities Issues, as established by vote at Town Meeting on April 22, 1996, as the Winchester Disability Access Commission.

ARTICLE 3 BACKGROUND:

At the 1996 Spring Annual Town Meeting, in accordance with Section 8J of Chapter 40 of the Massachusetts General Laws, the Town voted to establish the Winchester Commission on Disabilities Issues. The Committee has, for the past several years, informally adopted the name Winchester Disability Access Commission. The Commission has requested Town Meeting formally change the name to the Winchester Disability Access Commission.

Majority vote required for passage

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ARTICLE 4

To hear and act on the report of the Capital Planning Committee regarding the proposed Capital Plan for FY2016 and place the report on file, or take any other action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED that the Capital Planning Committee Report for FY2016 be received placed on file.

Capital Planning Committee Report to be provided under separate cover

Majority vote required for passage

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ARTICLE 5

To see if the Town will vote to appropriate a sum of money from unexpended capital accounts, which projects are complete, to the Cemetery Permanent Care Fund, the Capital Stabilization Fund and/or the Building Stabilization Fund established under Chapter 69 of the Acts of 2002, or take any other action in relation thereto.

(Capital Planning Committee)

MOTION #1:

MOVED AND SECONDED that the Town appropriate a sum of \$11,406.55 from surpluses in previously appropriated cemetery capital projects to the Cemetery Permanent Care Fund as follows:

Account Number	Project	Balance
396732	Cemetery Trees	\$5,225.00
396852	Cemetery Dell	\$1,511.55
396192	Cemetery	\$4,670.00

MOTION #2:

MOVED AND SECONDED that the Town appropriate a sum of \$31,194.25 from surpluses previously appropriated capital accounts to the Building Stabilization Fund as follows:

Account Number	Project	Balance
393772	Lynch School Roof	\$19,660.00
395912	WHS/Lynch Fire Alarm	\$4,473.95
396402	Lynch School Roof	\$160.00
396542	VO Feasibility Study	\$6,900.30

MOTION #3:

MOVED AND SECONDED that the Town appropriate a sum of \$850.00 from surpluses from previously appropriated capital accounts to the Capital Stabilization Fund as follows:

Account Number	Project	Balance
396412	Mystic School Repair	\$850.00

ARTICLE 5 BACKGROUND:

This Article will allow for the transfer of funds from unexpended Capital accounts back to the original funding source.

2/3 vote required for passage for Stabilization Funds

Majority vote required for passage for Cemetery Permanent Care Fund

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ARTICLE 6

To see if the Town will vote to raise and appropriate funds to prepare an update to the 2006-2007 Winchester Public Schools Master Plan, said appropriation shall be raised by a transfer from free cash or any other available funds, or take any other action in relation thereto.

(Capital Planning Committee/Board of Selectmen/School Committee)

MOTION:

MOVED AND SECONDED that \$45,000 be appropriated from free cash to prepare an update to the 2006-2007 Winchester Public Schools Master Plan; said appropriation to be expended under the direction of the Town Manager and the School Committee.

ARTICLE 6 BACKGROUND:

The purpose of the [Facilities] Master Plan Update is to revise the outdated 2006-2007 plan and report on the current conditions, constraints, and capacities of the Winchester Public School properties (including Mystic School, Parkhurst School, and Carriage House). The Update will include a safety and security assessment of the district's five (5) elementary schools and middle school as well as a review of WPS athletics fields space needs, availability, options, and costs, and to provide recommendations to meet future program requirements. The Master Plan Update will comply with Massachusetts School Building Authority regulations and guidelines and consider both short-and long-term needs in the context of recently completed redistricting and Winchester's updated historic enrollment trends and projected growth.

Majority vote required for passage

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ARTICLE 7

To see if the Town will vote to appropriate a sum of money for remodeling, reconstructing and making extraordinary repairs to the exterior of the Town's Public Safety Building, including planning, design, and all other costs related thereto; to determine whether this appropriation shall be raised by borrowing, transfer of unexpended bond proceeds, transfer from the Building Stabilization Fund or otherwise; or take any other action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED that \$442,021.93 is appropriated for remodeling, reconstructing and making extraordinary repairs to the exterior of the Town's Public Safety Building, including planning, design, and all other costs related thereto; that this appropriation shall be raised by transferring the amounts of unexpended bond proceeds as set forth below, for which the projects are complete and for which no liability remains; that the Town Manager is authorized to have oversight of said project; and that in accordance with Section 4-2 of the Winchester Home Rule Charter, the Town Manager shall have the authority to enter into contracts and approve payments with respect to said project.

<u>Project</u>	<u>Town Meeting Vote</u>	<u>Amount</u>
School Repairs	02/11/99 (Art. 2)	\$295,859.65
Conveyor Belt	11/06/2008 (Art. 14)	\$40,841.08
Lynch School Bathrooms	11/08/2012 (Art. 9)	\$50,836.09
McCall School Gas Conversion	05/06/2013 (Art. 12)	<u>\$54,485.11</u>
	Total:	\$442,021.93

ARTICLE 7 BACKGROUND:

DPW is requesting \$442,021.93 for the final phase of the Public Safety Building Renovations. This phase includes a complete repointing of the exterior masonry. In the past partial repointing has occurred but never a complete job which is required to end current and prevent future water penetration into the building.

2/3 vote required for passage

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ARTICLE 8

To see if the Town will vote to appropriate a sum of money for planning, design, engineering and construction of drainage improvements in the Wildwood Street, Thornton Road, New Meadows Road and Cambridge Street area; including planning, design, and all other costs related thereto; to determine whether this appropriation shall be raised by borrowing, transfer of unexpended bond proceeds or otherwise; or take any other action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED that \$256,633.50 is appropriated for planning, design, engineering and construction of drainage improvements in the Wildwood Street, Thornton Road, New Meadows Road and Cambridge Street area, including planning, design, and all other costs related thereto; that this appropriation shall be raised by transferring the amounts of unexpended bond proceeds as set forth below, for which the projects are complete and for which no liability remains; that the Town Manager is authorized to have oversight of said project; and that in accordance with Section 4-2 of the Winchester Home Rule Charter, the Town Manager shall have the authority to enter into contracts and approve payments with respect to said project.

<u>Project</u>	<u>Town Meeting Vote</u>	<u>Amount</u>
Manchester Drainage Improvements	11/05/2009 (Art. 13)	\$255,035.35
Johnson Road Sewer Improvements	11/05/2009 (Art. 15)	<u>\$1,598.15</u>
	Total:	\$256,633.50

ARTICLE 8 BACKGROUND:

During periods of heavy, intense rainfall the Town of Winchester has historically experienced street flooding along portions of Wildwood Street west of Cambridge Street and in the Thornton Road and New Meadows Road neighborhood. In 2013, the Town initiated a preliminary study with the engineering consulting firm Weston & Sampson to review the drainage system in this area and identify problem areas. The study was expanded this summer following several heavy rainstorms that caused severe street flooding and private property damage. Funding is requested to complete the final design, permitting, and construction of improvements to the drainage system identified as part of this study.

The construction costs are unknown at this time and additional funds may be required. In this appropriation is an amount of approximately \$50,000 for investigation and design and an amount of

\$200,000 for construction which allows the Town to move forward without delay if there are specific improvements that could provide immediate relief to the residents in that area who have experienced recently major losses. The project includes topographic and utility survey, geotechnical borings, development of design alternatives, preparation of plans and specifications, and bid and award services, as well as the construction of drainage improvements.

2/3 vote required for passage

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ARTICLE 9

To see if the Town will vote to appropriate a sum of money from the Cemetery Permanent Care Fund for the construction of a Columbarium Niche, including planning, design, and all other costs incidental and related thereto, or take any other action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED that \$121,000 be appropriated from the Cemetery Permanent Care Fund for the construction of a Columbarium Niche Wall, including planning, design, and all other costs incidental and related thereto.

ARTICLE 9 BACKGROUND:

The DPW is requesting \$121,000 for the construction of a Granite Columbarium Wall to be located in the Dell Area of the Wildwood Cemetery. The Columbarium Wall will have 72 double niches which will be able to hold 144 cremains.

There is an understanding with the Commissioners of Trust Funds that this appropriation of \$121,000, in addition to the account closeouts represents two years of Cemetery Permanent Care funds and no additional transfers will be made in FY2016 or FY2017 for capital projects.

Closeouts	\$11,000
FY2016 Capital Allocation	\$55,000
FY2017 Capital Allocation	\$55,000
FY2016 Capital Total	\$121,000

Majority vote required for passage

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ARTICLE 10

To see if the Town will vote to appropriate a sum of money for improvements to the gatehouse structure and replacement of the low level outlet at the South Reservoir Dam, including all costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing, transfer of unexpended bond proceeds or otherwise; or take any other action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED that \$1,300,000 is appropriated for improvements to the gatehouse structure and replacement of the low level outlet at the South Reservoir Dam, including all costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$1,300,000 under Chapter 44 of the General Laws or any other enabling authority; that the Town Manager is authorized to have oversight of said project; and that in accordance with Section 4-2 of the Winchester Home Rule Charter the Town Manager shall have the authority to enter into contracts and approve payments with respect to said project

ARTICLE 10 BACKGROUND:

The Town of Winchester owns and operates three municipal reservoirs – the North, Middle, and South Reservoirs – which were constructed in the mid-1870's. Depending on the time of year, these reservoirs supply drinking water for between one and two-thirds of the Town's population. The primary raw water intake for the Water Treatment Plant is located on the South Reservoir. The earthen embankment dam retaining the South Reservoir is registered as a HIGH Hazard Potential structure. Dam Safety Regulations require that a "low level outlet" be provided for emptying or lowering the impounded water in case of an emergency, for inspection or maintenance, or for releasing water to meet downstream flow requirements for HIGH hazard dams. The existing low level outlet is located at the gatehouse on the South Reservoir, both of which are original to the reservoir construction. The operational capacity of the existing outlet is unknown.

Over the past several years, the Town has been working with its consultant Weston & Sampson to investigate the condition of the existing low level outlet and gatehouse. Funding was secured at Spring 2013 Town Meeting to complete the final design and permitting for rehabilitation of the low level outlet structure. Funding in the amount of \$1.3 million is requested to provide construction and construction engineering services related to rehabilitation of the existing gatehouse, low level outlet, and primary spillway at the South Reservoir Dam. Once completed, these improvements will provide greater operational control over the water levels in the South Reservoir, increase flexibility in using the Reservoir for flood control purposes, and will bring the dam into compliance with current Dam Safety Regulations.

2/3 vote required for passage

Town of Winchester
Fall Annual Town Meeting



ARTICLE 11

To see if the Town will vote to appropriate a sum of money for the reconstruction of the Mt. Vernon Street Bridge for the purpose of flood mitigation, including the construction of an additional culvert, including planning, design and all other costs incidental and related thereto; to determine whether this appropriation shall be raised by borrowing, transfer of unexpended bond proceeds, transfer from Capital Stabilization Fund or otherwise; or take any other action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED that \$500,000 be appropriated from the Capital Stabilization Fund established under Chapter 69 of the Acts of 2002, for the reconstruction of the Mt. Vernon Street Bridge for the purpose of flood mitigation, including the construction of an additional culvert, including planning, design and all other costs incidental and related thereto.

ARTICLE 11 BACKGROUND:

Since 1996, the Town of Winchester has experienced numerous devastating floods along the Aberjona River corridor which have imperiled public safety, disrupted businesses and schools, and led to significant economic losses. These events (October 1996, June 1998, March 2001, April 2004, May 2006, and March 2010) have created economic losses totaling more than \$25 million.

In 1999, Winchester funded a flood study that resulted in a suite of recommended flood improvement projects. In June 2002, the Town submitted its first Massachusetts Environmental Policy Act (MEPA) filing. After a lengthy process, the Secretary of Energy and Environmental Affairs (EEA) issued a certificate in April 2010 allowing the detailed design and permitting process for the respective projects of the Aberjona River Flood Mitigation Program (FMP) to begin.

The proposed project, Project 4, is a component of the overall Aberjona River FMP and entails the construction of an additional culvert that conveys the flow of the Aberjona River underneath the Mount Vernon Street bridge. The new culvert, which will be aligned parallel to the existing easternmost culvert, has been designed to increase flow capacity and improve the flow of the Aberjona River during significant stormwater events. Additional site work includes the restoration of the relocated banks both upstream and downstream of the bridge, installation of several stormwater management features intended to improve water quality within the river, and replacement of the current concrete parapet with a steel picket type rail consistent with the original historic nature of the bridge. The Town received a \$2.5M grant from the State which will be used to fund the Scalley Dam improvements as well as a significant portion of the culvert at Mt Vernon Street. The total project cost is \$1.8 million.

2/3 vote required for passage

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ARTICLE 12

To see if the Town will vote to appropriate a sum of money for water main lining in the Ware Road and North Border Road area and for town-wide lead neck removal, including all design, engineering and other costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Resources Authority or otherwise; or take any other action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED that \$500,000 is appropriated for water main lining in the Ware Road and North Border Road area and for town-wide lead neck removal, including all design, engineering and other costs incidental or related thereto; and that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Resources Authority (“MWRA”) and in connection therewith to enter into a loan agreement and financial assistance agreement with the Authority and to accept any grants for the project from the MWRA, provided that the amount of the authorized borrowing shall be reduced by the amount of any such grants received from the MWRA; that the Town Manager is authorized to have oversight of said project; and that in accordance with Section 4-2 of the Winchester Home Rule Charter, the Town Manager shall have the authority to enter into contracts and approve payments with respect to said project.

ARTICLE 12 BACKGROUND:

The Department of Public Works (DPW) is requesting \$500,000 to be used to clean and line approximately 1800 feet of Town-owned water main in the Ware Road/North Border Road area. The water mains in this area were found to be unlined following several complaints from residents regarding dirty water. The remainder of the money will be used to replace lead connections on house services around Town.

2/3 vote required for passage

Town of Winchester
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ARTICLE 13

To see if the Town will vote to appropriate a sum of money for sewer improvements in the Stowell Road and Marshall Road areas, including all design, engineering and other costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Resources Authority or otherwise; or take any other action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED that \$276,000 is appropriated for sewer improvements in the Stowell Road and Marshall Road areas, including all design, engineering and other costs incidental or related thereto; and that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Resources Authority (“MWRA”) and in connection therewith to enter into a loan agreement and financial assistance agreement with the Authority and to accept any grants for the project from the MWRA, provided that the amount of the authorized borrowing shall be reduced by the amount of any such grants received from the MWRA; that the Town Manager is authorized to have oversight of said project; and that in accordance with Section 4-2 of the Winchester Home Rule Charter, the Town Manager shall have the authority to enter into contracts and approve payments with respect to said project.

ARTICLE 13 BACKGROUND:

The Department of Public Works (DPW) is requesting \$276,000 to complete repairs to the sewer main and sewer manholes on Stowell and Marshall Roads. Broken pipes, roots, and pipe sags in these areas contribute to regular sewer surcharging, private property damage, and increased maintenance needs to maintain sewer flows through the system. The improvements will repair system deficiencies and extend the useful life of the sewer system. The funding request includes construction and construction engineering services.

2/3 vote required for passage

Town of Winchester
Annual Fall Town Meeting



ARTICLE 14

To see if the Town will vote to appropriate a sum of money for sewer system investigation and evaluation services related to approximately 120,000 linear feet of sewer in the Meters #1, #2, and #6 sewer drainage areas, generally located east of Arlington Street and Amberwood Drive, north of Everett Avenue and Myopia Road, south of the Woburn city line, and west of Fletcher Street. Investigation and evaluation services will also be provided in sewers tributary to Leslie Road, Lawson Road, Skyline Drive, Dothan Street, Henry Street, Locke Street, Dunster Lane, and Hutchinson Road, including all costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Resources Authority or otherwise; or take any other action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED that \$395,000 is appropriated for sewer system investigation and evaluation related to approximately 120,000 linear feet of sewer in the Meters #1, #2, and #6 sewer drainage areas, generally located east of Arlington Street and Amberwood Drive, north of Everett Avenue and Myopia Road, south of the Woburn city line, and west of Fletcher Street, and for investigation and evaluation services in sewers tributary to Leslie Road, Lawson Road, Skyline Drive, Dothan Street, Henry Street, Locke Street, Dunster Lane, and Hutchinson Road, including all costs incidental or related thereto; and that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Resources Authority (“MWRA”) and in connection therewith to enter into a loan agreement and financial assistance agreement with the Authority and to accept any grants for the project from the MWRA, provided that the amount of the authorized borrowing shall be reduced by the amount of any such grants received from the MWRA; that the Town Manager is authorized to have oversight of said project; and that in accordance with Section 4-2 of the Winchester Home Rule Charter, the Town Manager shall have the authority to enter into contracts and approve payments with respect to said project.

ARTICLE 14 BACKGROUND:

The Town is currently in the process of implementing a multi-year plan to investigate and remove sources of infiltration and inflow (I/I) from the Town’s sewer system. As part of this program, the Department of Public Works (DPW) is requesting \$395,000 to perform investigation and evaluation services related to approximately 120,000 linear feet of sewer mains in the Meter #1, 2, and 6 sewer drainage areas. These areas are generally located east of Arlington Street and Amberwood Drive, north of Everett Avenue and Myopia Road, south of the Woburn city line, and west of Fletcher Street. Additional investigation and evaluation services will be provided in sewers tributary to Leslie Road and Lawson Road. The objective of the project is to assess the condition of the existing sewer infrastructure and provide recommendations to rehabilitate any deficiencies.

2/3 vote required for passage

Town of Winchester
Fall Annual Town Meeting



ARTICLE 15

To see if the Town will vote to increase the FY2015 Water Sewer Enterprise Fund appropriations for the MWRA Assessment adjustment, to increase the Chapter 110 transfer, and to decrease the use of Water Sewer Retained Earnings, or take any other action in relation thereto.

(Town Manager)

MOTION #1:

MOVED AND SECONDED that the Water & Sewer Enterprise Fund appropriation be increased by \$25,424 by increasing Other Expenses by \$25,424.

MOTION #2:

MOVED AND SECONDED that the final Water & Sewer Enterprise Fund appropriation for FY2015 is \$8,370,302 of which Personal Service is \$1,149,474, Other Expenses is \$7,220,828 and further that \$1,189,639 appropriated in the General Fund at the Spring 2014 Town Meeting for indirect costs is allocated to the Water and Sewer Enterprise Fund.

MOTION #3:

MOVED AND SECONDED that the Water & Sewer Enterprise Fund appropriation be funded as follows: \$5,035,461 from Water and Sewer receipts; \$228,841 from Water & Sewer retained earnings and \$4,295,639 from the property tax levy in accordance with Chapter 110 of the Acts of 1993.

ARTICLE 15 BACKGROUND:

Water and Sewer Enterprise expenses have changed due to a decrease in the MWRA O&M assessment (\$47,857), an increase in the MWRA debt assessment (\$59,934) and a net increase in debt service interest on bond anticipation notes (BANS) due on July 1, 2014 as well as interest on bonds issued in July 2014 due January 1, 2015 (net increase \$13,347). The amounts were unknown and estimated at the time of the 2014 Spring Town Meeting when the FY15 budget was voted. Because the Town includes a portion of Water and Sewer debt (86.45%) in the Tax Levy, the increase in the MWRA debt assessment plus the net increase in interest on bonds/BANS results in an increase in the Chapter 110 amount of \$63,351. The revised budget includes appropriated Retained Earnings, which has decreased by \$37,927.

	Fall TM Request	Spring TM Voted Budget	Difference	Comment
Expenditures				
Personal Services	\$1,149,474	\$1,149,474	-	
Other Expenses	\$7,220,828	\$7,195,404	\$25,424	\$47,857 decrease in MWRA operating assessment and \$59,934 increase in MWRA debt assessment (see below). Also an increase in the debt related to interest on 7/1/14 GOB.
Equipment	-	-	-	
Total	\$8,370,302	\$8,344,878	\$25,424	
Indirect Costs	\$1,189,639	\$1,189,639	-	
Total Expenditures	\$9,559,941	\$9,534,517	\$25,424	Net increase in the Water Sewer Enterprise Fund appropriation
Revenues				
Water and Sewer receipts	\$5,035,461	\$5,035,461	-	
Retained Earnings	\$228,841	\$266,768	(\$37,927)	Decrease in the use of Retained Earnings
Chapter 110 Tax Levy	\$4,295,639	\$4,232,288	\$63,351	Increase is 86.45% of the increase in the MWRA debt assessment and debt interest on 7/1/14 GOB
Total Revenues	\$9,559,941	\$9,534,517	\$25,424	Net increase in the Water/Sewer Enterprise Fund estimated revenues

MWRA Assessment Changes:			
	Fall TM Request	Spring TM Vote	Difference
Water Operating	522,711	551,030	(28,319)
Sewer Operating	1,141,738	1,161,276	(19,538)
Total MWRA Operating	1,664,449	1,712,306	(47,857)
Water Capital	730,689	754,103	(23,414)
Sewer Capital	2,725,994	2,642,646	83,348
Total MWRA Capital	3,456,683	3,396,749	59,934
Total MWRA Assessment	5,121,132	5,109,055	12,077

Majority vote required for passage

Town of Winchester
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ARTICLE 16

To see if the Town will vote to raise and appropriate, or transfer from the Parking Meter Fund or other available funds, a sum of money for the maintenance of the parking meters, maintenance of the parking lot and other costs associated with the collection and enforcement of parking ticket revenues, including lease payments to the Massachusetts Department of Conservation & Recreation at the Wedgemere Lot, and other Town Center lots, or take any other action in relation thereto.

(Town Manager)

MOTION:

MOVED AND SECONDED, that \$60,000 be appropriated from the Parking Meter Fund to the Wedgemere Parking Article Assessment Account #0396912 to pay for expenses associated with the operation of the Wedgemere Commuter Station Parking Lot.

ARTICLE 16 BACKGROUND:

Since October 2013, the Town, in agreement with the Commonwealth's Department of Conservation and Recreation, has operated the parking lot at this location. The agreement calls for expenses associated with this operation to be paid out of revenue derived from the operation of the lot, and the net revenue to be divided between the DCR (66.66%) and the Town (33.34%). This \$60,000 transfer from parking revenues is expected to cover expenses and net revenue distribution to DCR for FY2015. The Comptroller will provide a detailed revenue/expense analysis.

Majority vote required for passage

Town of Winchester
Fall Annual Town Meeting



ARTICLE 17

To see if the Town will raise and appropriate or transfer from available funds a sum of money to be transferred to the Workers Compensation Reserve Fund established in accordance with Mass General Law Chapter 40 Section 13c to pay future workers compensation claims, or take any other action in relation thereto.

(Town Comptroller)

MOTION:

MOVED AND SECONDED that the Town vote to raise and appropriate \$145,000 to be transferred to the Workers Compensation Reserve Fund established in accordance with Mass General Law Chapter 40 Section 13c to pay future workers compensation claims.

ARTICLE 17 BACKGROUND:

It is anticipated that the Town will be compensated, in part, for Worker's Compensation benefits, paid to a former employee who was injured while on duty. The injury was a result of a third party's negligent motor vehicle operation. These funds would come into the Town as one-time revenue.

Settlement of the Worker's Compensation claim was paid for out of the Worker's Compensation Fund and substantially depleted the Fund. This motion seeks to replenish the Fund with proceeds from the Town's claim against the third party. In the event that the matter is not fully settled prior to Town Meeting, the article will be proposed to be indefinitely postponed until the settlement is finalized.

Majority vote required for passage

Town of Winchester
Fall Annual Town Meeting



ARTICLE 18

To see if the Town will appropriate a sum of money for the necessary repairs of the Fernway retaining wall to be performed with the authorization of the Board of Selectmen pursuant to Chapter 16 of the Code of By-Laws and to determine whether these funds shall be raised by borrowing or otherwise, or take any other action in relation thereto.

(Board of Selectmen)

MOTION:

MOVED AND SECONDED, that that \$250,000 is appropriated for the necessary repairs of the Fernway retaining wall, such repairs to be performed with the authorization of the Board of Selectmen pursuant to Chapter 16 of the Code of By-Laws; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$250,000 under Chapter 44 of the General Laws or any other enabling authority; that the Town Manager is authorized to have oversight of said project; and that in accordance with Section 4-2 of the Winchester Home Rule Charter the Town Manager shall have the authority to enter into contracts and approve payments with respect to said project; and further that the Board of Selectmen shall assess betterments for such repairs in accordance with said Chapter 16 of the Code of By-laws and take any other action necessary to carry out the project.

ARTICLE 18 BACKGROUND:

On March 30, 2014, a large portion of the stone wall along Cambridge Street (Route 3) that supports Fernway collapsed, sending portions of the wall into the travel lane of Route 3. The wall failed during a rain storm that dropped over three-inches of rain in the area. The Town hired a surveyor to survey the location of the wall, which showed that it was located within the right-of-way for Fernway, a private road, and therefore not owned either by the Town of Winchester or MassDOT, who has control of Route 3. Immediately following the collapse, a structural engineer retained by the Town evaluated the wall and the condition of the roadway above. They determined that the portion of Fernway at its intersection with Cambridge Street should be closed indefinitely until permanent repairs could be made.

Over the past several months, the Town has had several meetings with the residents to discuss options for repair of the wall by either the residents of Fernway and Fernway Terrace, or by the Town through a betterment process in accordance with Chapter 16 of Winchester's Code of By-Laws "Temporary Repair of Private Ways". At a public hearing held on Wednesday, October 15, 2014, the Board of Selectmen accepted management's recommendation to repair the wall according to the structural engineer's preliminary design. However, the Board also instructed management to work with the neighborhood to

determine if the private owners can agree to perform the work on their own. It is expected that the private owners will inform the Town no later than the beginning of February, 2015 of their intention to repair or to request that the Town move forward with the betterment project.

Through this article, the Town is requesting funding to upfront the cost of the design, construction, and construction administration fees associated with the wall repairs, if needed. If borrowed and expended, these costs will then be recouped through a betterment assessment, as determined by the Board of Selectmen in accordance with the Chapter 16 of the Code of By-Laws. If the work is performed by the private owners, this proposed borrowing will be cancelled.

2/3 vote required for passage

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ARTICLE 19

To see if the Town will vote to raise and appropriate, or transfer from available funds, including Free Cash, sums of money to supplement or reduce appropriations in the budget article and other articles that were voted at the Spring 2014 Town Meeting, or take any action in relation thereto.

(Finance Committee)

MOTION #1:

MOVED AND SECONDED that the Town vote to increase the amount that was appropriated for Personal Services in the Treasurer's Department (#1350) Budget for Fiscal Year 2015 by \$5,182.00.

MOTION #2:

MOVED AND SECONDED that the Town vote to increase the amount that was appropriated for Personal Services in the Data Processing Department (#1530) Budget for Fiscal Year 2015 by \$1,085.00.

MOTION 3:

MOVED AND SECONDED that the Town increase the Fiscal Year 2015 budget appropriation for Interest on Debt Account 7120 by \$44,031.25.

MOTION 4:

MOVED AND SECONDED that the Town reclassify the funding source for the Fiscal Year 2015 appropriation of \$16,250.00 for the interest on the Winchester High School Feasibility Study BAN from the Building Stabilization Fund to funding through taxation as a debt exclusion in the Interest on Debt Account 7120.

ARTICLE 19, MOTION 1 BACKGROUND:

This request is for additional funding as necessitated by the payment of an out-of-grade salary to cover an unanticipated medical leave and a salary adjustment at the end of Fiscal Year 2014 and subsequent to the 2014 Spring Town Meeting approval of this budget.

ARTICLE 19, MOTION # 2 BACKGROUND:

This request is for additional funding for Account 1530 Data Processing, Personal Services to cover salary adjustments and a \$600.00 travel stipend that was granted at the end of Fiscal Year 2014 and subsequent to the 2014 Spring Town Meeting approval of this budget.

ARTICLE 19, MOTION #3 BACKGROUND:

Subsequent to the 2014 Spring Town Meeting, bonds were issued in July 2014 for the Vinson Owen School and the Winchester High School (Increases of \$29,735.00 and \$14,296.25, respectively). These bonds account for the increase, to be funded through taxation as a debt exclusion on the Fiscal Year 2015 Recap.

ARTICLE 19, MOTION #4 BACKGROUND:

The Winchester High School Feasibility Study BAN interest previously was funded by the Building Stabilization Fund. This Motion is requesting a reclassification of the funding source. Since the override for the high school project passed, this debt is now considered exempt from Proposition 2 ½. This reclassification will fund the interest payment through taxation as a debt exclusion.

Majority vote required for passage

Town of Winchester
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ARTICLE 20

To see if the Town will vote to raise and appropriate, or transfer from available funds, including Free Cash, \$16,500 to the Reserve Fund, or take any other action in relation thereto.

(Finance Committee)

MOTION:

MOVED AND SECONDED that the Town vote to appropriate the sum of \$16,500.00 to Account 9430 Reserve Fund.

ARTICLE 20 BACKGROUND:

Vanasse Hangen Brustlin (VHB) is providing Licensed Site Professional (LSP) services to the Town of Winchester to fulfill requirements of the Massachusetts Contingency Plan triggered by the presence of Oil and/or Hazardous Materials (OHM) at Skillings Field. The Town is required to perform certain data collection, testing and reporting tasks prior to a November, 2014 deadline and also to meet certain bidding deadlines for the high school to allow coordination of that work with the culvert project and environmental remediation required at the site.

The initial testing and risk assessment on the site are complete. The test results identified certain risks requiring either an engineered barrier or excavation and removal of soil. The Massachusetts Department of Environmental Protection recommended that the Town of Winchester conduct additional testing to refine the limit of contamination. This additional work was not contemplated in the Fiscal Year 2015 Environmental Remediation Budget.

On August 14, 2014 the Town made a request to the Finance Committee to transfer \$30,000.00 from the Reserve Fund (Account 9430) to the Environmental Remediation Services Account 0194602. On August 18, 2014, after reviewing the materials relating to this additional testing, and meeting with Meg White, the Finance Committee voted to fund \$16,500.00 of the \$30,000.00 request, with the comment that the remaining funds should be procured from the EFPBC. The EFPBC subsequently funded the remaining \$13,500.00 with funds from the High School Project.

By the end of Fiscal Year 2014, the Finance Committee received requests for transfers from the Reserve Fund Account 9430 that almost exhausted the Fund; the majority of the requests were used to cover the overrun in the Snow & Ice budget due to numerous snow events during the year. Reserve Fund transfer requests typically are presented to the Finance Committee as the Fiscal Year draws to a close in June, for

one-time, unforeseen expenses and for overruns in the Snow and Ice Budget as that gets depleted. While individual budgets can be managed, given the unpredictable nature of winter weather, and the costs associated with snow and ice removal, the Finance Committee wants to have a full Reserve Fund available for winter emergencies, and for other unexpected expenses that would require the flexibility of funding from the Reserve Fund.

Majority vote required for passage

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ARTICLE 21

To see if the Town will vote to transfer from Free Cash a sum of money in the amount of \$15,000 for the editorial, legal analysis, codification, annual maintenance and digitization (eCode360) of the various bylaws, regulations and charter of the Town of Winchester. The scope of the project will include the review and analysis of five significant documents of the Town of Winchester: the Home Rule Charter, Code of Bylaws, Town's Rules and Regulations Governing the Subdivision of Land, the Zoning Bylaws and the Zoning Map, or take any other action in relation thereto.

(Town Manager/Town Clerk)

MOTION:

MOVED AND SECONDED that the sum of \$15,000 be appropriated from Free Cash to Account #1210, Town Manager's Department Other Expenses, to fund the cost of a revision and re-codification project, said appropriation to be expended under the direction of the Town Manager.

ARTICLE 21 BACKGROUND:

Town staff has identified the need to review and recodify, and digitize when applicable, the major policy documents governing Town organization and authority, including the Town's By-Laws, Codes, Charter and Subdivision Regulations. Additionally, the Town is approaching the time required by Charter provision, Article 7-9, for a committee to report back to Town Meeting on any such recommendations. The purpose of this article and motion is to provide funding in order that staff, in conjunction with the Committee on Government Regulations and Town Counsel, can begin the work identifying an appropriate consultant to accomplish these tasks and compile the corresponding report to Town Meeting.

Majority vote required for passage

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ARTICLE 22

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)

Personnel Board Report to be provided under separate cover

Majority vote required for passage

Town of Winchester
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ARTICLE 23

To see if the Town of Winchester will vote to delete Section 9.4.3 of the Zoning Bylaw of the Town of Winchester Massachusetts and replace in its entirety the following:

Special permit applications shall be governed by the rules and regulations of the special permit granting authority. Whenever an application for a special permit is filed with a special permit granting authority, the applicant shall file eighteen (18) paper copies (and an electronic copy) of the submission at the Building Department. Within five (5) working days of the filing of the completed application with said authority, copies of the application, accompanying site plan, and other documentation shall be forwarded by the ZBA clerk to the Planning Board, Board of Health, Town Engineer, Conservation Commission, Building Commissioner, Director of Public Works, Police Chief, Fire Chief, The Design Review Committee and Historical Commission for their consideration, review, and report, or take any other action in relation thereto.

(Planning Board)

MOTION:

MOVED AND SECONDED that the Town amend the Zoning Bylaw of the Town of Winchester Massachusetts by:

Deleting Section 9.4.3 and replace in its entirety the following:

Special permit applications shall be governed by the rules and regulations of the special permit granting authority. Whenever an application for a special permit is filed with a special permit granting authority, the applicant shall file eighteen (18) paper copies (and an electronic copy) of the submission at the Building Department. Within five (5) working days of the filing of the completed application with said authority, copies of the application, accompanying site plan, and other documentation shall be forwarded by the Board of Appeals clerk to the Planning Board, Board of Health, Town Engineer, Conservation Commission, Building Commissioner, Director of Public Works, Police Chief, Fire Chief, The Design Review Committee and Historical Commission for their consideration, review, and report.

ARTICLE 23 BACKGROUND:

Digitizing the submission packets for Special Permit requests is necessary for project tracking and would alleviate unnecessary work for petitioners and town staff when dealing with the dissemination of revised plans. Currently, all boards and committees involved with the special permit process receive updated

paper copies for each petition; however, if a revised plan doesn't concern a specific board or committee, an electronic version of the plan can be distributed instead.

The correct number of paper copies which reflects all the boards and committees that review the petitions is outlined in the zoning change. Although the Design Review Committee (DRC) is charged with reviewing many of the special permit requests, the DRC is not mentioned in the current version of the zoning code and should be corrected. This bylaw change is aimed at reflecting the current state of the special permit process and also looks to the future to digitize as much of the planning process as possible.

Changes to the existing bylaw are **bolded**

Special permit applications shall be governed by the rules and regulations of the special permit granting authority. Whenever an application for a special permit is filed with a special permit granting authority, the applicant shall file **eighteen (18) paper copies (and an electronic copy) of the submission at the Building Department**. Within five (5) working days of the filing of the completed application with said authority, copies of the application, accompanying site plan, and other documentation **shall be forwarded by the Board of Appeals clerk** to the Planning Board, Board of Health, Town Engineer, Conservation Commission, Building Commissioner, Director of Public Works, Police Chief, Fire Chief, **The Design Review Committee** and Historical Commission for their consideration, review, and report.

2/3 vote required for passage

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ARTICLE 24

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

(Board of Selectmen)

Majority vote required for passage

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ARTICLE 25

To see if the Town will vote to take appropriate action to comply with provisions of M.G.L. Chapter 59, Section 21c, a law known as "2 ½ Tax Limitation", or take any other action in relation thereto.

(Town Manager)

Majority vote required for passage