

**ANNUAL TOWN ELECTION
May 6, 2017**

Pursuant to a Warrant duly served, the Annual Town Election was called to order in the Town Hall Auditorium by Warden Susan Banghart at 8:00 a.m. on May 6, 2017, for the election of Town Officers. Ms. Banghart swore the election officers to the faithful performance of their duties.

Total ballot cast were as follows:

Precincts 1 & 2	580
Precincts 3 & 4	447
Total	1,027

The results of the election were as follows:

	Precincts 1 & 2	Precincts 3 & 4	Grand Total
Moderator - One Year (vote for 1)			
Thomas S. Crane	430	335	765
Blanks	133	100	233
Write-Ins: Harvey R. Boshart, Jr.	7	6	16
Scattering	10	6	16
Total	580	447	1,027
Selectman - Three Years (vote for 1)			
Harvey R. Boshart, Jr.	434	341	775
Blanks	133	95	228
Scattering	13	11	24
Total	580	447	1,027
Assessor - Three Years (vote for 2)			
Tamilyn M. Levin	375	287	662
John W. Hennessey	380	285	665
Blanks	400	321	721
Scattering	5	1	6
Total	1,160	894	2,054
School Committee - Three Years (vote for 1)			
Danielle Black	367	283	650
Tricia C. Liu	180	137	317
Blanks	28	23	51
Scattering	5	4	9
Total	580	447	1,027
Recreation Commission - Three Years (vote for 3)			
Elly Draper Pendergast	411	316	727
Xinsheng Zhu	362	286	648
Eric Scott Rosenthal	357	277	634
Blanks	604	460	1,064
Scattering	6	2	8
Total	1,740	1,341	3,081

Planning Board - Five Years (vote for 1)			
Stephen R. Oppenheimer	390	305	695
Blanks	181	132	313
Scattering	9	10	19
Total	580	447	1,027
Library Trustees - Three Years (vote for 2)			
Joseph W. Mullin	399	311	710
Julie D. Panagakos	401	313	714
Blanks	358	270	628
Scattering	2	0	2
Total	1,160	894	2,054
Board of Health - Three Years (vote for 1)			
David R. Kominz	406	320	726
Blanks	156	121	277
Write-Ins: James Liu	15	5	20
Scattering	3	1	4
Total	580	447	1,027
Commissioner of Trust Funds (for 3 years)(vote for 1)			
Anne M. Morgan	406	317	723
Blanks	171	130	301
Scattering	3	0	3
Total	580	447	1,027
Measurers of Lumber - One Year (vote for not more than three)			
James K. Barry	374	286	660
Sandra L. Kendall	368	281	649
Michael J. Nurczynski	344	276	620
Blanks	644	491	1,135
Scattering	10	7	17
Total	1,740	1,341	3,081
Question No. 1 - Proposition 2 1/2 Debt Exclusion			
Yes	461	351	812
No	108	87	195
Blanks	11	9	20
Total	580	447	1,027
Question No. 2 - Prohibit Marijuana Establishments in Weston			
Yes	424	329	753
No	150	110	260
Blanks	6	8	14
Total	580	447	1,027

BALLOT QUESTION NO. 1: PROPOSITION 2½ DEBT EXCLUSION

Shall the Town of Weston be allowed to exempt from the provisions of Proposition two and one-half, so called, the amounts required to pay for the bond(s) issued in order to design, engineer, construct and equip the following, including all costs incidental and related thereto: (1) Town Center Improvements-Level Service, Master Plan and Bury Utilities; (2) DPW Drainage Improvements; (3) South Side Drainage Project; (4) Proctor Field and Track Construction; (5) High School Field 1 Renovation; and (6) Case Campus Master Plan?

Yes: 812 No: 195 Blanks: 20

BALLOT QUESTION NO. 2: PROHIBIT MARIJUANA ESTABLISHMENTS IN WESTON

Shall this Town prohibit the operation of all types of marijuana establishments as defined in G.L. c. 94G, Section 1, including marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers or any other type of licensed marijuana related businesses, within the Town of Weston?

Yes: 753 No: 260 Blanks: 14

**ANNUAL TOWN MEETING
MAY 8, 2017**

Pursuant to a Warrant, duly served, Thomas Crane, the Moderator, called the Annual Town Meeting to order at 7:10 p.m. in the auditorium of the Weston High School. The Moderator declared a quorum present and proceeded with the reading of the Warrant and the Return of Service. The Moderator appointed tellers and the Town Clerk swore them to their duties.

The Moderator welcomed visitors and outlined the meeting procedures to be followed, including speaking times and the use of a consent agenda. The Moderator also asked voters to approve his request to appoint Ms. Jean Thurston as Temporary Moderator for Article 22. The motion was approved by majority vote.

ARTICLE 1: Town Clerk Deborah M. Davenport read the results of the May 7, 2016 Annual Town Election, of which the results appear in the report of the Town Election above.

Mr. Douglas Gillespie expressed gratitude to retiring elected and volunteer officers of the Town of Weston. Following is a list of persons who have left or are leaving office whose service to the Town is greatly appreciated and should be duly recognized.

Recognition of Service

Following is a list of persons who have left or are leaving office whose service to the Town is greatly appreciated and should be duly recognized.

ELECTED BY THE VOTERS		
<i>Office</i>	<i>Elected Officer</i>	<i>Served Since</i>
BOARD OF ASSESSORS	Alan Orth	2003
BOARD OF SELECTMEN	Michael H. Harrity	2005

COMMISSIONER OF TRUST FUNDS	Charles M. Ganson	1975
MEASURERS OF LUMBER	Robin Peakes Coutts Cameron Peters	2012 2015

COMMITTEE MEMBERS APPOINTED BY THE BOARD OF SELECTMEN

<i>Committee</i>	<i>Officer</i>	<i>Served Since</i>
AFFORDABLE HOUSING TRUST	Elizabeth Valenta	2014
COMMUNITY PRESERVATION COMMITTEE	Andrew Keehn	2012
COUNCIL ON AGING	Donald Goldstein Alicia Sargent	2008 2013
HOUSING PARTNERSHIP	Hugh Jones Priscilla Dickson Shirley Dolins Anthony Flynn Jack Heine Stephen Melius Kenneth Newberg Thalia Price Geraldine Scoll	2009 2009 2009 2015 2015 2009 2015 2009 2016
SOLAR PHOTOVOLTAIC PANELS EXPLORATORY COMMITTEE	Michael Kelley	2012
TRAFFIC AND SIDEWALK COMMITTEE	Peter Hill	2009
TRUSTEES OF THE MERRIAM FUND	Linda Perrin	2005
WESTON CULTURAL COUNCIL	Cheryl Alpert Diane Sherlock	2012 2014
MWRTA ADVISORY BOARD REPRESENTATIVE	Toni Wolf Betsey Brew Boyd	2008 2016
ZONING BOARD OF APPEALS	Connie K. Gutierrez	2009

OFFICERS AND COMMITTEE MEMBERS APPOINTED BY THE MODERATOR

<i>Committee</i>	<i>Officer</i>	<i>Served Since</i>
MEMORIAL DAY COMMITTEE	Margaret Caso Harvey Boshart Donald Bumpus	2014 2015 2012

COMMITTEE MEMBERS APPOINTED BY THE SELECTMEN AND SCHOOL COMMITTEE

<i>Committee</i>	<i>Officer</i>	<i>Served Since</i>
CASE CAMPUS MASTER PLAN COMMITTEE	Edward Heller	2012
	Roy Chatalbash	2012
	John DeTore	2012
	Vida Goldstein	2012
	Barbara Landy	2013
	Elly Pendergast	2012
	Alicia Primer	2012
	Henry Reeder	2012
	Doris Sullivan	2012
	James Mannix	2012
	Denise Mosher	2012
Clint Schuckel	2012	
Tom Selldorff	2012	

ARTICLE 2 (Motion 1): APPROPRIATE THE FISCAL YEAR 2018 OPERATING BUDGET

Mr. Gillespie moved that the several sums of money recommended by the Board of Selectmen for the Fiscal Year beginning July 1, 2017, in accordance with Section 5 of Article II of the General Bylaws, as amended, and set forth on the following page the report entitled, "Fiscal Year 2018 Recommended Operating Budget," be raised and appropriated for their respective purposes as set forth on said pages, and that the Town transfer the following sums to meet, in part, appropriations made at this Town Meeting:

- a. \$2,300,000 from the Free Cash Account;
- b. \$300,000 from Overlay Surplus;
- c. \$7,500 from the "Accrued Income, Well Litigation Settlement" account;
- d. \$35,000 from the Cemetery Trust Fund;
- e. \$6,000 from the Josiah Smith Tavern Trust Fund;

and that the Board of Assessors be authorized to use such available funds to meet appropriations in their computation of the tax rate for fiscal year 2018.

The motion was approved by a majority vote

ARTICLE 2 (Motion 2): APPROPRIATE THE FISCAL YEAR 2018 OPERATING BUDGET

Mr. Gillespie moved that the Town transfer \$125,000 from the Well Litigation Settlement Account to meet, in part, appropriations made at this Town Meeting.

The motion was approved by a unanimous vote

FISCAL YEAR 2018 RECOMMENDED OPERATING BUDGET

TITLE OF ACCOUNTS		Expended Fiscal Year 2015	Expended Fiscal Year 2016	Appropriated Fiscal Year 2017	Recommended Fiscal Year 2018*
UNCLASSIFIED					
Insurance	Insurance, Workers' Compensation	173,751	188,210	231,000	250,000
	Public Safety - Injured on Duty+	36,810	10,631	20,000	20,000
	Unemployment Compensation	92,011	115,745	130,000	120,000
	Insurance-Property & Liability	320,231	350,288	381,000	385,000
	Uninsured Losses+	12,880	1,338	15,000	-
	subtotal	635,684	666,212	777,000	775,000
Fringe Benefits	Insurance-Group Health/Life, Medicare	9,832,523	10,367,341	10,896,278	11,509,385
	Contributory Retirement-Middlesex	4,139,155	4,270,242	4,557,886	4,792,481
	Compensated Absence Fund+	112,103	131,711	140,000	150,000
	subtotal	14,083,782	14,769,294	15,594,164	16,451,866
Reserve Fund	(see Appendix 2 for list of transfers)	283,083	-	595,000	606,900
Debt Svc (non-excluded)	Principal & Interest	29,064	31,401	33,720	32,280
TOTAL UNCLASSIFIED		15,031,613	15,466,908	16,999,884	17,866,046
GENERAL GOVERNMENT					
Town Manager's Office	Salaries	417,326	442,470	454,249	467,661
	Expenses	53,797	52,815	75,555	123,410
	Consulting & Professional Services+	63,933	28,061	40,000	40,000
	subtotal	535,056	523,346	569,804	631,071
Merit Pay	Transfer Account	69,073	107,091	128,936	290,175
Legal	Expenses	134,022	132,898	180,000	170,000
Facilities Maintenance	Salaries	60,324	62,983	68,434	68,173
	Expenses	92,630	82,376	97,175	96,025
	Town Hall Equipment+	1,181	909	3,000	3,000
	subtotal	154,135	146,268	168,609	167,198
Town Clerk & Registrars of Voters	Salaries	147,505	158,272	181,441	163,633
	Expenses	30,351	51,901	39,755	30,535
	subtotal	177,856	210,173	221,196	194,168
Information Systems	Salaries	249,652	277,443	283,456	288,949
	Expenses	227,545	251,981	286,700	303,700
	Computer Hardware & Maintenance+	62,407	108,800	98,250	98,300
	subtotal	539,603	638,224	668,406	690,949
Weston Vet. Mem. Ed. Fund Comm.	Expenses	2,162	2,536	2,850	2,850
Sr & Vet Svc Programs	Salaries	12,520	10,490	25,000	22,000
Weston Media Ctr Grant	Expenses	110,000	110,000	-	-
TOTAL GENERAL GOVERNMENT		1,734,426	1,881,026	1,964,801	2,168,411
FACILITIES TOWN-WIDE	Salaries	279,846	314,434	362,250	362,749
	Expenses	677,987	688,970	735,900	853,580
	Facilities Improvements-Town-wide+	944,936	683,901	509,237	534,699
	Equipment Replacement	-	-	108,000	228,000
TOTAL FACILITIES TOWN-WIDE		1,902,769	1,687,305	1,715,387	1,979,028

TITLE OF ACCOUNTS		Expended Fiscal Year 2015	Expended Fiscal Year 2016	Appropriated Fiscal Year 2017	Recommended Fiscal Year 2018*
FINANCE					
Finance Committee	Expenses	254	204	400	400
Finance	Salaries-Elected Officials	-	-	-	-
	Salaries	648,301	700,184	711,449	771,725
	Expenses	125,794	124,455	147,315	142,215
	subtotal	774,095	824,639	858,764	913,940
TOTAL FINANCE		774,349	824,843	859,164	914,340
LAND USE, PLANNING & INSPECTIONAL SERVICES					
	Salaries	539,957	539,938	573,097	574,154
	Expenses	157,180	215,284	179,003	206,720
TOTAL LAND USE , PLANNING & INSPECTIONAL SERVICES		697,137	755,222	752,100	780,874
PUBLIC SAFETY					
Police	Salaries	2,758,812	2,753,511	2,883,094	3,151,697
	Expenses	275,839	271,100	334,290	330,840
	Equipment and Apparatus+	124,425	138,664	130,000	150,000
	subtotal	3,159,076	3,163,276	3,347,384	3,632,537
Fire	Salaries	2,879,565	2,904,090	2,854,118	2,873,734
	Expenses	303,670	268,587	313,270	314,470
	Hydrant Service	42,930	42,930	44,000	44,000
	Emergency Management+	5,161	-	2,000	2,000
	Equipment - Chief's Vehicle+	4,122	398	-	-
	Equipment - Fire Radios+	-	-	-	-
	Equipment - Fire Pumper+	5,660	-	-	-
	Equipment - Air Packs+	232,485	66	-	-
	Equipment and Apparatus+	26,910	310,063	135,000	130,000
	subtotal	3,500,504	3,526,134	3,348,388	3,364,204
Animal Control Officer	Salaries	20,602	20,978	21,520	22,020
	Expenses	5,920	4,919	6,300	6,500
	subtotal	26,522	25,897	27,820	28,520
TOTAL PUBLIC SAFETY		6,686,102	6,715,306	6,723,592	7,025,261
EDUCATION					
School Department	Salaries	31,703,744	30,478,583	32,465,815	33,409,760
	Instructional, Maint. & Other Expenses	5,209,441	6,688,305	6,280,826	5,964,842
	Practice Wall+	-	-	-	-
	subtotal	36,913,185	37,166,887	38,746,641	39,374,602
Minuteman Regional Voc. Technical School District	Assessment	110,127	91,498	122,810	137,284
TOTAL EDUCATION		37,023,312	37,258,385	38,869,451	39,511,886
PUBLIC WORKS					
	Salaries	1,841,345	1,817,975	1,928,880	2,023,597
	Expenses	1,170,412	1,037,101	1,204,020	1,207,020
	Snow and Ice Control	1,134,900	448,422	252,900	252,900
Continuing Balance Accts.	Construction of Public Ways+	51,236	111,963	650,000	750,000
	Departmental Equipment +	297,221	158,092	245,000	245,000
	Reconstruction/Maintenance of Sidewalks+	30,395	40,533	110,000	120,000
	Construction of Sidewalks+	-	-	-	-
	Stone Retaining Wall Repairs+	-	9,132	10,000	10,000
	Access to 40 Acre Field+	-	-	-	-
	Guard Rail Rehabilitation Program+	50,000	-	50,000	50,000
	Town Center Planning+	-	-	-	-
	Transfer Station Bridge Replacement +	-	-	-	-
	Monitoring Groundwater - Landfill+	14,570	30,825	25,500	25,500
	Roundabout at Case Corner+	-	-	-	-
	Wellesley/Brown Traffic Study+	-	-	-	-
	Traffic & Sidewalk Committee+	72,240	13,209	15,000	15,000

TITLE OF ACCOUNTS		Expended Fiscal Year 2015	Expended Fiscal Year 2016	Appropriated Fiscal Year 2017	Recommended Fiscal Year 2018*
	Pedestrian Crossing Signals Project+	-	-	-	-
	Parks & Cemeteries Improvements+	8,633	12,715	11,500	0
	subtotal Cont Bal Accounts	524,295	376,469	1,117,000	1,215,500
TOTAL PUBLIC WORKS		4,670,952	3,679,966	4,502,800	4,699,017
HEALTH & HUMAN SERVICES					
Board of Health	Salaries	239,808	245,384	250,293	254,522
	Expenses	7,789	7,363	7,800	22,800
	Mental Health Services	25,000	25,000	25,000	25,000
	subtotal	272,597	277,747	283,093	302,322
Mosquito Control, E. Middlesex Project	Expenses	37,802	38,558	41,718	42,761
Council on Aging	Salaries	272,390	278,179	312,233	320,806
	Expenses	31,400	34,589	36,325	36,325
	Contrib. to Community Center Maintenance	-	-	30,000	30,000
	subtotal	303,790	312,768	378,558	387,131
Veterans' Services	Expenses	73,107	63,096	77,761	77,300
TOTAL HEALTH & HUMAN SERVICES		687,296	692,169	781,130	809,514
PUBLIC LIBRARY					
Libraries	Salaries	979,221	1,020,474	1,086,630	1,098,571
	Expenses	116,930	144,086	155,759	155,759
	Library Materials	68,200	74,999	75,000	75,000
	Minuteman Library Network	40,027	40,021	40,520	42,096
TOTAL PUBLIC LIBRARY		1,204,378	1,279,580	1,357,909	1,371,426
TOTAL OPERATING BUDGET APPROPRIATIONS		70,412,334	70,240,711	74,526,218	77,125,803
DEBT SERVICE (EXCLUDED)		7,055,821	7,926,753	8,197,436	8,976,159
GRAND TOTAL BUDGET APPROPRIATIONS		77,468,155	78,167,464	82,723,654	86,101,962

*FY18 Recommended Operating Budget does not include amounts to be appropriated under separate articles, such as Enterprise Fund budgets, OPEB Trust Fund

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

ARTICLES 3 – 16: CONSENT AGENDA

Mr. Gillespie moved that the Town approve Articles 3 through 16 as printed below. Mr. Gillespie read the title of each article to hear motions from voters to pull articles out of the consent agenda. None were received.

ARTICLE 3: AMEND FISCAL YEAR 2017 OPERATING BUDGET

To amend the following line items in the Fiscal Year 2017 Operating Budget adopted under Article 2 of the 2016 Annual Town Meeting, by reducing line items and appropriating additional funds to other line items as follows:

	<u>Changing From</u>	<u>Changing To</u>	<u>Difference</u>
Public Works – Snow and Ice Control	\$252,900	\$692,900	\$440,000

And as funding therefor, that \$440,000 be transferred from available funds (free cash).

ARTICLE 4: APPROPRIATE FOR WESTON MEDIA CENTER INC.

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

ARTICLE 5: APPROPRIATE TO OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST FUND

To raise and appropriate or transfer from available funds \$1,736,480 to the Other Post Employment Benefits (OPEB) Trust Fund, to be used to pay the costs of post employment benefits.

ARTICLE 6: DEPARTMENTAL REVOLVING FUNDS - AMEND GENERAL BY-LAWS AND AUTHORIZE SPENDING LIMITS

To amend the By-laws of the Town of Weston by adding a new Article XXXIV as follows:

Article XXXIV. Departmental Revolving Funds

Section 1. Purpose. This by-law, pursuant to General Laws Chapter 44, § 53E½, establishes and authorizes revolving funds for use by certain town departments, boards, committees, and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities

Section 2. Expenditure Limitations. Each entity authorized below to expend a revolving fund may incur liabilities against and spend monies from such revolving fund without appropriation subject to the following limitations:

- A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
- B. No liability shall be incurred in excess of the available balance of the fund.
- C. The total amount spent during a fiscal year shall not exceed the amount authorized by Town Meeting, or any increase therein as may be authorized by the Board of Selectmen and Finance Committee in accordance with G.L. Chapter 44, § 53E½.

Section 3. Interest. Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the General Fund.

Section 4. Procedures and Reports. Except as provided in General Laws Chapter 44, § 53E½ and this by-law, all applicable state and local laws and regulations that govern the receipt, custody, expenditure and payment of town funds shall apply to the use of revolving funds established and authorized by this by-law.

Section 5. Authorized Revolving Funds.

Program or Purpose	Representative or Board Authorized to Spend	Revenue Source	Use of Fund
Recreation Skating Programs	Recreation Director	Program Fees	Program Costs
Historic Marker	Historical Commission	Program Fees	Costs Related to Purchase of Historic Markers
Council on Aging Special Programs	Council on Aging Director	Program Fees	Program Expenses
Town Building Rentals	Town Manager	Rental Fees Town Hall	Utilities, Cleaning, Building Monitor
Board of Health	Health Director	Insurance Reimbursement for Flu Clinics and Fees for Public Health Initiatives	Public Health Education, Outreach, Health Initiatives, Emergency Preparedness
Fiske Law Office	Town Manager	Rental Fees	Building Repairs and Maintenance including Salaries and Benefits
Planning Board	Planning Board	Application Fees	Expenses Related to Action on Applications
Melone House	Conservation Commission	Rental Fees	Building Repairs and Maintenance including Salaries and Benefits
Solar Array Revenue	Town Manager	Payments to the Town for the generation of solar energy from solar arrays on Town property	Electricity expenses

And to set fiscal year spending limits for such revolving funds as follows:

Program or Purpose	FY2018 Spending Limit
Recreation Skating Programs	\$40,000
Historic Marker	\$1,500
Council on Aging Special Programs	\$50,000
Town Building Rentals	\$6,000
Board of Health	\$20,000
Fiske Law Office	\$55,000
Melone House	\$15,000
Solar Array Revenue	\$700,000

And to transfer the balance remaining in the Affordable Housing Monitoring Revolving Fund, which fund will not be reauthorized for fiscal 2018, to the Affordable Housing Trust;

And to transfer the balance remaining in the Josiah Smith Tavern Revolving Fund, which fund will not be reauthorized for fiscal 2018, to the Josiah Smith Tavern Trust Fund – Income Account.

ARTICLE 7: RESCIND BOND AUTHORIZATION

To rescind all or a part of a certain authorization to borrow funds, which was approved in a prior year, where the purpose of the borrowing has been completed and/or it was unnecessary to borrow the amount approved, or take any other action relative thereto:

Article 3	October 20, 1997 Special Town Meeting – Sewage Treatment	\$30,000
Article 11	May 9, 2011 Annual Town Meeting - Middle School Roof	\$162,668
Article 12	May 9, 2011 Annual Town Meeting - High School Boiler	\$297,600

ARTICLE 8: AMEND GENERAL BY-LAWS – DENIAL OF LICENSES FOR NON-PAYMENT OF CERTAIN MUNICIPAL CHARGES

To amend Article II, Section 13.1 of the Town by-laws by inserting the underlined text and deleting the strikethrough text as follows:

SECTION 13.1 The town collector...shall annually, and may periodically, furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges ~~for not less than a twelve (12) month period~~, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board.

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 authorize the expenditure of any sums of money that may be received for the fiscal year commencing July 1, 2017 from the Massachusetts Department of Transportation.

ARTICLE 10: APPROVE PROPERTY TAX DEFERRAL INCOME LIMITS

To establish fiscal year 2018 income eligibility limits of \$75,000 under Chapter 421 of the Acts of 2004, An Act Authorizing the Town of Weston to Regulate Certain Property Tax Exemption Eligibility Requirements for the Elderly.

ARTICLE 11: APPROPRIATE THE FISCAL YEAR 2018 WATER ENTERPRISE BUDGET

To raise and appropriate and transfer from receipts and retained earnings the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2018, under the provisions of M.G.L. Chapter 44, section 53F½:

	Expended FY15	Expended FY16	Appropriated FY17	Recommended FY18
Salaries	\$257,464	\$265,614	\$279,162	\$289,926
Expenses	236,515	227,315	234,280	231,155
MWRA Assessment/ Water Purchases	2,025,205	2,247,535	2,491,600	2,867,800
Debt Service (non-exempt)	444,649	526,613	540,848	552,084
Capital Outlay	28,584	81,330	65,000	67,500
Total	\$2,990,462	\$3,348,407	\$3,610,890	\$4,008,465

ARTICLE 12: APPROPRIATE FOR WATER MAIN REHABILITATION

To appropriate a sum of \$271,000 to pay costs of laying and relaying water mains of not less than six inches but less than sixteen inches in diameter, and all incidental costs related thereto, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under 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 for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

ARTICLE 13: APPROPRIATE THE FISCAL YEAR 2018 RECREATION ENTERPRISE BUDGET

To appropriate \$1,721,921, allocated by line item as shown below, to operate the Recreation Department during fiscal year 2018, under the provisions of M.G.L. Chapter 44, Section 53F½; and that said \$1,721,921 be funded as follows: \$1,119,615 from departmental receipts, \$92,000 to be transferred from Recreation Enterprise fund retained earnings and \$510,306 to be raised from the tax levy.

	Expended FY15	Expended FY16	Appropriated FY17	Recommended FY18
Salaries	\$1,001,088	\$983,334	\$1,129,368	\$1,171,732
Expenses	439,200	452,133	441,400	468,139
Community Center	73,864	70,094	81,750	82,050
Total	\$1,514,152	\$1,505,561	\$1,652,518	\$1,721,921

ARTICLE 14: APPROPRIATE THE FISCAL YEAR 2018 BROOK SCHOOL APARTMENTS ENTERPRISE BUDGET

To appropriate \$1,115,671, allocated by line item as shown below, to operate the Brook School Apartments during fiscal year 2018, under the provisions of Chapter 76 of the Acts of 2009; and that said \$1,115,671 be funded as follows: \$1,015,671 from Brook School rental and other receipts and \$100,000 from Brook School Apartments Enterprise Fund retained earnings.

	Expended FY15	Expended FY16	Appropriated FY17	Recommended FY18
Salaries	\$169,359	\$165,223	\$180,314	\$192,585
Expenses	295,271	336,308	385,300	379,180
Repairs and Replacements+	123,230	130,623	138,460	146,768
Payment in Lieu of Taxes	21,697	22,239	22,795	23,365
Capital Improvements+	309,162	290,963	100,000	100,000
Debt Service	334,472	307,917	282,283	273,773
Total	\$1,253,191	\$1,253,273	\$1,109,152	\$1,115,671

ARTICLE 15: APPROPRIATE FOR DRAINAGE IMPROVEMENTS

To appropriate the sum of \$300,000 for the construction or reconstruction of surface drains and all incidental costs related thereto, including the acquisition by gift, purchase and eminent domain of such temporary or permanent easements as may be necessary for this project, and to authorize appropriate Town officials to acquire such interests, 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 for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

ARTICLE 16: APPROPRIATE FOR SOUTH SIDE DRAINAGE PROJECT

To appropriate the sum of \$500,000 for the construction or reconstruction of surface drains and all incidental costs related thereto, including the acquisition by gift, purchase or eminent domain of such temporary or permanent easements as may be necessary for this project, and to authorize appropriate Town officials to acquire such interests, 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 for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

The consent agenda was approved by a unanimous vote.

ARTICLE 17: APPROPRIATE FOR PROCTOR FIELD AND TRACK RECONSTRUCTION

Mr. Alex Cobb moved to appropriate the sum of \$4,140,000 to pay costs for the reconstruction of Proctor Field and related facilities, 444 Wellesley Street, including but not limited to reconstruction of the track, installation of an infilled synthetic turf system, replacement of sports lighting system, and construction of a new bathroom and concessions building, as well as 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 for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

Mr. John Benedict of Pond Brook Circle spoke in favor of the project saying the project has been well thought through and updating the facilities should be viewed as a safety consideration for the users and not only for aesthetics.

Mr. Saad Dinno of Cherry Brook Road and of the Weston Soccer Club spoke in favor of the project, citing safety of the users and the maintenance of all fields being essential. He also spoke to the necessity for bathroom facilities and the need for proper lighting of the field, especially for contact sports.

Mr. Andrew Van Ogtrop of Driftwood Lane and President of Weston Youth Lacrosse spoke to the necessity to have an additional artificial turf field to balance the needs of all the youth sports programs that use the fields in addition to the school sports teams. He also said the Weston Youth Lacrosse board voted to donate \$8,000 to the project.

Mr. Bruce Pastor of Pine Summit Circle spoke in favor of the restoration of Pastor Park and Proctor Field. Pastor Park was built and dedicated to the Weston High School in 1988 in memory of Andrew Pastor, a graduating senior who was killed in an automobile accident shortly before graduation.

The motion was approved by a two-thirds majority vote.

ARTICLE 18: APPROPRIATE FOR HIGH SCHOOL FIELD 1 RENOVATION

Mr. Cobb moved to appropriate the sum of \$500,000 to pay costs for the renovation of High School Field 1, 444 Wellesley Street, 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 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 for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

The motion was approved by a two-thirds majority vote.

ARTICLE 19: APPROPRIATE FOR CASE CAMPUS MASTER PLAN

Mr. Michael Harrity moved to appropriate the sum of \$1,310,000 to pay costs to design and reconstruct, resurface or alter the configuration of roadways, walkways and parking areas on the Case Campus, generally located on either side of Alphabet Lane and within the boundaries of School Street and Wellesley Street, and all incidental costs related thereto, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority 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 for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

Mr. Clint Schuckel of Pembroke Road and vice-chair of the Traffic and Sidewalk Committee moved to amend Article 1, as follows: to eliminate funding for the parking lot on the West Side of Alphabet Lane, to eliminate funding for the Case House connector, and to include within this funding work related to traffic calming for the library driveway. The proposed amendment would reduce the project cost by \$160,000 and ask the Town to appropriate \$1,150,000. Mr. Schuckel cited an independent parking study not supporting the need for additional parking, that overflow parking for school events could be placed elsewhere on the campus, and that the timing of other projects on the campus takes precedence as reasons for the elimination.

Ms. Alicia Primer of Church Street and member of the Historical Commission said plans for the Case House have not been decided and certain elements of the proposed plan, as Mr. Harrity outlined, should not be decided until the Case House plans are settled.

Mr. Harrity said the parking lot on the west side of Alphabet Lane is needed by patrons of the Council on Aging and for visitors to the Field School, and further that the lot is accessible for the future Legacy Trail on the Case Estates. Mr. Harrity continued to ask why the Traffic and Sidewalk Committee did not raise this concern with the Board of Library Trustees so it could be discussed further before Town Meeting. He also mentioned that paving the lot now would provide savings to the Town and the Permanent Building Committee has considered this plan for future restoration of the Case House.

Ms. Elly Pendergast of Wellesley Street and a member of the Recreation Commission spoke in favor of the amendment, agreeing with Mr. Schuckel that the Case House connection should be eliminated because it is a very busy area.

Ms. Denise Mosher of Wellesley Street and a member of the Board of Library Trustees said her board discussed and approves the amendment, and further, reserves the right to comment on the traffic-calming design.

Ms. Meghan Balbale of Juniper Road asked whether the original article or the amended article would address the traffic backing up in the area during school pickup. The Moderator said the original article would address the traffic flow, but the amended article would eliminate the option. Mr. Schuckel said he did not think the original article would address the traffic issue either and would like to work with the School Department to find a solution.

The motion on the amendment was approved by a majority vote

Mr. Christopher Houston explained that the Case Campus Master Plan Steering Committee was a very large working committee that held many meetings and arrived at many compromises. The project as proposed demonstrated the spirit of compromise.

Mr. Alex Selvig of Ash Street said it appears as though there are several questions remaining from different boards and committees and perhaps more time is needed.

The amended motion was approved by a two-thirds majority vote

YES: 222 NO: 94

ARTICLE 20: APPROPRIATE FOR WIRELESS WATER METER READING SYSTEM

Mr. Harrity moved to appropriate the sum of \$860,000 to pay costs of implementing a wireless water meter reading system, including purchase and installation of water meters and water departmental equipment, including 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 for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

Ms. Erika Saunders of Ellis Road spoke against the article arguing that she would rather not pay to know that people who use more water can find out that they are using more water.

Mr. William Liew of Winthrop Circle spoke against the article saying from an engineering perspective it made sense, but from an entrepreneurial perspective, he did not see why residents should be funding a business.

The motion was approved by a two-thirds majority vote

YES: 189 NO: 79

ARTICLE 21: APPROPRIATE FOR TOWN CENTER IMPROVEMENTS - BURY UTILITIES

Mr. Harrity moved to appropriate the sum of \$456,000 to pay costs of engineering and landscape architectural services to construct physical improvements to the Town Center, generally located along Boston Post Road between Linwood Avenue and School Street, along Church Street between Boston Post Road and Town House Road, and along Town House Road, including burying of the utility wires and other infrastructure, 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 for this purpose; provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to

the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder accordance with M.G.L. Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Mr. Richard DeVito of Brook Road spoke against the expense of the appropriation and said the utility companies should be paying for this piece of the project and not the Town.

Mr. Neil Levitt of Church Street and a member of the Town Center Planning Committee said from a historical perspective, the last time the Town Center was addressed was over 100 years ago and it should be looked at as a whole and not piecemeal. He continued to say the costs need to be known before asking the utility companies to pay for this piece of the project.

Several other residents spoke against the article questioning why it was brought back to Town Meeting after it was voted down the first time and that burying the utility lines is an extravagant expense when the Town does not have a capital plan in place.

Mr. Harvey Boshart of Dean Road said burying the utilities is a benefit vs. value question; however, moving forward with burying the utilities would still provide a benefit to residents because it would make Weston more desirable.

Mr. Alan Orth of Warren Lane said citizens of Weston have worked hard to preserve the pastoral character of the town and burying the utilities would maintain that character.

Ms. Pam Fox of Boston Post Road reminded voters that Weston looks the way it does because of the vision of residents from 100 years ago and this project would be our generation's chance to pay it forward to the next generation.

Mr. Lee McCanne of North Avenue called the question, which was seconded and passed by two-thirds majority.

The motion was approved by two-thirds majority vote

The Moderator stepped down and temporary Moderator Jean Thurston stepped in for the following article.

ARTICLE 22: AMEND ARTICLE I OF GENERAL BY-LAWS - ALLOWING ELECTRONIC HAND-HELD DEVICES FOR VOTING AT TOWN MEETINGS

Mr. Houston moved to amend Article 1, Section 9 of the Town By-laws concerning Town Meeting voting procedures by deleting it in its entirety and replacing it with the following:

A. Voting Procedures. All votes on all motions, unless otherwise mandated by the laws of the Commonwealth or otherwise provided hereinafter, shall be taken initially by display of official voting cards or by such other methods or procedures, which may include the use of any electronic tally system, as may be voted from time to time by Town Meeting. Town Meeting may use an electronic tally system to provide for individually counted and reported votes on all motions or only on those motions that would require a supermajority greater than 2/3, or otherwise as may also be voted by Town Meeting.

B. Counting Votes.

i. The Moderator shall declare all votes, regardless of required quantum. If a supermajority is required by statute, such vote shall be individually counted using a standing vote count or an

electronic tally system or otherwise; provided, however, that the Moderator shall have authority to declare a 2/3 vote without a count. If the Town uses an electronic tally system with individual votes counted and reported, the count shall be declared by the Moderator with the vote, even if a count is not otherwise required.

ii. Notwithstanding any other provisions of this Section 9, if any voter calls for a count immediately after the Moderator's declaration of the vote, or if the Moderator deems a count necessary or advisable for any reason, the Moderator shall call for a count using a standing vote count or an electronic tally system or otherwise and declare the outcome of the count. For any such vote initially taken using an electronic tally system, the Moderator shall manually tally the electronically recorded votes, if the electronic tally system so permits, order another electronic tally to be taken that provides a count of individual votes, or call for a standing vote count. In lieu of a complete vote count, the Moderator may choose to count the voters who appear to the Moderator to be in the minority first and then count the voters who appear to the Moderator to be in the majority only or at least to the extent necessary to determine the result of the vote, based on the required quantum.

iii. If the Moderator has reason to question the validity or accuracy of any kind of voting system, the Moderator may instead call for voice votes, standing vote counts, and/or ballot votes.

Mr. Crane spoke in favor of this article saying the handheld voting devices would provide certainty to the votes of Town Meeting and would save a significant amount of time by eliminating the need for a standing count of votes.

The motion was approved by a majority vote

ARTICLE 23: ZONING BY-LAW AMENDMENT - PERSONAL WIRELESS SERVICE FACILITIES

Mr. Houston moved to amend Section V.J of Article VIII of the Zoning By-laws, concerning Personal Wireless Service Facility Regulations, as set forth below, with text to be deleted shown in strikethrough and text to be inserted underlined:

1. By revising the first unnumbered paragraph of Section V.J.2 as follows:

From the effective date of this By-Law, no building or special permit shall be issued for the placement, construction, erection or modification of any structure to provide for Personal Wireless Service Facilities, ~~either whether~~ as a principal use or as an accessory use, except as set forth below in Section V.J.4. in excess of the height limitations contained in Section VI.E, except in a Personal Wireless Service Overlay District as set forth below in Section V.J.3, or as set forth in section V.J.4.b.

2. By deleting in its entirety the introductory unnumbered paragraph of Section V.J.4 and revising Sections V.J.4.a and V.J.4.b as follows:

a. The Planning Board may, by special permit, authorize the placement, construction, erection, or modification of a Personal Wireless Service Facility in PWSOD I or PWSOD II, subject to the following limitations:

i. A free-standing ground-mounted tower is eligible for a Special Permit in PWSOD I only; and

ii. An antenna mount attached to a building or structure other than a free-standing Personal Wireless Service tower; ~~(except for an antenna mount attached to a utility pole~~

located within the layout of a public right of way, which shall be governed by Section V.J.9 below) is eligible for a Special Permit up to 20 feet in height above the height of the building or other structure on which it is mounted in PWSOD I ~~and or II~~ ; ~~and~~

~~iii. An antenna mount attached to a utility pole in the public way that does not extend more than ten feet above the utility pole is eligible for a Special Permit; or~~

b. ~~A Personal Wireless Service Facility~~ The Planning Board may also, by special permit, authorize in any zoning district the placement, construction, erection, or modification of a Personal Wireless Service Facility that is totally enclosed in a barn or in an office, commercial, industrial, religious or municipal building; so long as the barn or other building is not a Dwelling.

3. By revising Section V.J.8 as follows:

8. Variances

If an applicant seeks a variance under the Telecommunications Act of 1996 for a Personal Wireless Services Facility, the application shall comply with Section V.J.5 of this By-Law, and the applicants shall also apply to the Planning Board for Site Plan Approval. In considering an application for a variance, the Zoning Board of Appeals shall consider the factors and criteria described above in Sections V.J.4.c and V.J.4.d and apply the limits and requirements described above in ~~of Section V.J.6 of this By Law.~~ ~~If a variance is sought from the Zoning Board of Appeals, the applicants shall also apply to the Planning Board for Site Plan Approval.~~

4. By inserting at the end of said Section V.J a new Section V.J.9, as follows:

9. Antenna Mounts on Certain Utility Poles

Requests to mount Personal Wireless Services equipment on utility poles located within the layout of a public right of way shall require only a “grant of location” from the Board of Selectmen in accordance with the grant of location process described in Chapter 166, Section 22 of the Massachusetts General Laws (or any related or successor provisions thereto).

The motion was approved by a two-thirds majority vote

A motion was made, seconded and approved to adjourn Annual Town Meeting until 7:00 p.m., Wednesday, May 10th. Town Meeting adjourned at 10:41 p.m.

**ADJOURNED ANNUAL TOWN MEETING
May 10, 2017**

Pursuant to a Warrant, duly served, Thomas Crane, the Moderator, called the Adjourned Annual Town Meeting to order at 7:00 p.m. in the auditorium of the Weston High School. The Moderator declared a quorum present and proceeded with the reading of the Warrant and the Return of Service.

**ARTICLE 24: ZONING BY-LAW AMENDMENT - DRIVEWAYS WITH TWO CURB CUTS
(SUBMITTED BY CITIZENS’ PETITION)**

Ms. Connie Gutierrez moved to amend Section X (Special Permits) and Section XI (Site Plan Approval) of the Zoning By-law to permit driveways with two curb cuts unless certain factors and standards are not satisfied.

Section X. Special permits

A. Special permit for uses

Add to the end of the paragraph:

Driveways with two curb cuts are permitted in Weston and may be prohibited or denied by the special permit granting authority when a project is otherwise before the special permit granting authority only if the SPGA determines that either curb cut will be injurious to the community or neighborhood safety or that either curb cut fails to satisfy factors specified in Section V "Use Regulations."

Section XI. Site plan approval

F. Standards and criteria

Add

12. Driveways with two curb cuts are permitted in Weston. The development may have a driveway with two curb cuts. A second curb cut may be prohibited or denied by the Planning Board when a project is otherwise before the Planning Board for site plan approval only if the Planning Board finds that either curb cut fails to satisfy the standards set forth in paragraphs 3 or 5 directly above.

And further, to amend Section V.B.1, By-Right Uses, by inserting a new subsection (f) as follows:

Driveways with up to two curb cuts serving a single family dwelling provided:

- i. the driveway complies with Weston General By-law Article XXVII entitled "Storm Water and Erosion Control By-law" and provided there is no surface runoff of water from the driveway onto the public or private ways upon which the driveway abuts or onto other abutting properties; and
- ii. there is safe vehicular and pedestrian movement onto and from adjacent ways.

Mr. Stephen Oppenheimer of Coburn Road and Planning Board member explained that this amendment to the Zoning By-laws would create ambiguity, which is supported by Town Counsel review. The By-Right use described in section 5 contradicts sections 10 and 11, which outline the prohibited and denied use, since by-right uses cannot be prohibited or denied and driveways are not a use. Mr. Oppenheimer said it would be better to amend sections 10 and 11.

Mr. Alfred Aydelott of Boston Post Road and Chair of the Planning Board also spoke against this article saying it would limit the Planning Board's review of larger homes that are being built, including additions that go above the RGFA limits. He explained that older homes have expansive green space where newer, larger homes and additions require more hardscape. This additional hardscape requires further review considerations for drainage and stormwater. The Planning Board is currently drafting impermeable surface (lot coverage) principles, which is seeking to find a balance with all of the elements that must be considered. He argued that removing the by-right use of driveways would shift the weight of what needs to be considered and balance would be more difficult to obtain.

Ms. Adrienne Giske of Boston Post Road said one of the single most important reviews the Planning Board does is the mitigation of drainage runoff created by the construction of larger homes. This runoff impacts the abutting houses, creating additional water.

Ms. Sky Olander of Glen Road spoke in favor of the article saying double curb cut driveways are a necessity in order for people who live on busy roads to get in and out of their driveways safely.

Mr. Jonathan White of Pineroft Road and practicing attorney who represents clients before the Planning Board spoke in favor of the article. He explained that site plan approval process is very important with regard to respecting the safety and abutting neighbor considerations but that residents should be allowed

double curb cut driveways, regardless of what road they reside and that the Planning Board should not press this issue as it is limiting the rights of property owners.

Mr. Imaikalani Aiu, Weston's Town Planner, explained the site plan approval process.

Mr. Mario Alagna of Bogle Street and member of the Stormwater Permitting Authority spoke in favor of the article saying the choice to have a double curb cut driveway should be left to the individual homeowner and that this by-law impacts 44 percent of the households in town due to the large majority of streets being designated as Scenic Roads. He continued to say there should be a balance between over-regulation and property rights.

Mr. Alex Cobb of Pinecroft Road moved to call the question, which was seconded and passed by two-thirds majority.

The motion passed by two-thirds majority vote.

ARTICLE 25: ZONING BY-LAW AMENDMENT- PREVENT EXCESSIVE HEIGHT OF BUILDINGS (SUBMITTED BY CITIZENS' PETITION)

To see if the Town will vote to approve proposed by-law change to section 6 E 1 restricting height on sloping lots. The inserted language in the by-law appears below in italics.

Section 6 E 1:

On all land located within the Town of Weston, no building shall exceed the height limitations set forth in the table below. In all cases, height shall be determined by measuring the vertical distance from the Grade Plane to the highest point of a building. *In addition, any portion of a building comprising 3 exterior walls and that, when considered by itself, exceeds 2,000 square feet RGFA must meet the height limitations within that portion. Any portion of a building comprising an exterior wall and a rectangle whose longest side is no more than twice its shortest side and that, when considered by itself, exceeds 2,000 square feet RGFA must meet the height limitations within that portion.*

The article was passed over and so disposed of

ARTICLE 26: INCREASE REQUIRED SIGNATURES FOR CITIZENS' PETITIONS SUBMITTED WITH RESPECT TO ANNUAL TOWN MEETINGS FROM 10 TO 50 (SUBMITTED BY CITIZENS' PETITION)

Mr. Houston moved to authorize the Board of Selectmen to petition the General Court for special legislation to increase from 10 to 50 the number of signatures necessary to place an article on the warrant by petition for an Annual Town Meeting, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to such bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; or take any other action relative thereto.

"An Act Relative to the Town of Weston Town Meeting

Section 1. Notwithstanding the provisions of section 10 of chapter 39 of the General Laws or of any other general or special law to the contrary, the board of selectmen of the town of Weston shall insert in the warrant for an annual town meeting all subjects the insertion of which shall be requested of it in writing by 50 or more registered voters of the town.

Section 2. This act shall be submitted for its acceptance to the qualified voters of the town of Weston at an annual or special town election in the form of the following question: "Shall an act passed by the General Court in the year 2017, entitled 'An Act Relative to the Town of Weston Town Meeting', be accepted?"

Section 3. This act shall take effect upon its passage.

Ms. Isabella Jancourtz of Gun Club Lane said the language in the Massachusetts General Laws is clear and every town in the state adheres to it. She pointed to the Town of Templeton as an example of a community that voted to increase the number of signatures and then later voted to withdraw because collecting signatures is difficult.

Ms. Connie Gutierrez concurred with the previous speaker that collecting signatures is a difficult task and to increase the signatures would make it more difficult for residents to be heard.

Mr. Harvey Boshart of Dean Road clarified Ms. Jancourtz' example from the Town of Templeton explaining that the town voted to go from 10 to 100 signatures, but realized it should have compromised because 10 was too little and 100 was too many. He continued to use Ms. Gutierrez as a successful example in that collecting a larger number of signatures forced her to speak to the issue and her petition passed.

Mr. Lee McCanne of North Avenue moved the question, which was seconded and passed.

**The motion was approved by majority vote:
YES: 204 NO: 111**

ARTICLE 27: PLASTIC BAG BAN BY-LAW (SUBMITTED BY CITIZENS' PETITION)

Ms. Anne Peacher moved to see if the Town will vote to amend the General By-laws by adopting a new by-law, entitled, "Plastic Bag Ban", consistent with over 40 other communities in the state of Massachusetts, to better protect the environment from plastic pollution, in the form set forth below, or take any other action relative thereto.

ARTICLE XXXV. PLASTIC BAG BAN

Section 1. Findings and Purpose

Plastic check-out bags have a significant impact on the marine and terrestrial environment, including but not limited to: 1) harming marine and terrestrial animals through ingestion and entanglement; 2) polluting and degrading the terrestrial and marine environments; 3) clogging storm drainage systems; 4) creating a burden for solid waste disposal and recycling facilities; 5) and requiring the use of non-renewable fossil-fuel in their composition. Studies have shown that even alternative "compostable" or "biodegradable" bags require very specific and controlled conditions in order to biodegrade, and have potentially negative environmental effects similar to conventional plastic bags. Such bags should therefore be subject to the same restrictions as conventional plastic check-out bags.

The purpose of this Bylaw is to protect the Town's unique natural beauty and irreplaceable natural resources by reducing the number of single-use plastic check-out bags that are distributed in the Town of Weston and to promote the use of reusable bags.

Section 2. Definitions

The following words shall, unless the context clearly requires otherwise, have the following meanings:

- a. "Check-out bag" shall mean a bag provided by a store to a customer at the point of sale.
- b. "Department" shall mean the Weston Board of Health.
- c. "Health Agent" shall mean the Health Agent for the Weston Board of Health or its designee.

d. "Recyclable paper bag" shall mean a paper bag that is 100% recyclable and contains at least 40% post-consumer recycled content, and displays in a visible manner on the outside of the bag (1) the word "recyclable" or a symbol identifying the bag as recyclable and (2) a label identifying the bag as being made from post-consumer recycled content and the percentage of post-consumer recycled content in the bag.

e. "Reusable Check-out bag" shall mean a bag with handles that is specifically designed for multiple reuse and that is either (a) made of natural fibers (such as cotton or linen); or (b) made of durable, non-toxic plastic other than polyethylene or polyvinyl chloride that is generally considered a food-grade material that is more than 4 mils thick.

f. "Retail Establishment" shall mean any business facility that sells goods, articles, food, or personal services directly to the consumer whether for or not for profit, including, but not limited to, retail stores, restaurants, pharmacies, convenience and grocery stores, liquor stores, seasonal and temporary businesses.

g. "Thin-Film, Single-Use Plastic Check-Out Bags" shall mean those bags typically with handles, constructed of high-density polyethylene (HDPE), low density polyethylene (LDPE), linear low density polyethylene (LLDPE), polyvinyl chloride (PVC), polyethylene terephthalate (PET), or polypropylene (other than woven and non-woven polypropylene fabric), if said film is less than 4.0 mils in thickness.

Section 3. Regulated Conduct

a. No Retail Establishment in the Town of Weston shall provide Thin-Film, Single-Use Plastic Check-Out Bags to customers.

b. If a Retail Establishment provides or sells Check-Out Bags to customers, the bags must be one of the following: 1. Recyclable paper bag; or 2. Reusable Check-Out bag.

Section 4. Exemptions.

Thin-film plastic bags typically without handles which are used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items, and other similar merchandise are not prohibited under this bylaw.

Section 5. Enforcement

This Bylaw shall be enforced by any means available in law and in equity in accordance with the provisions of Sections 1 and 2 of Article V of the Weston Town Bylaws. The Weston Board of Health, Health Agent, or any police officer of the Town shall be "enforcing persons" for purposes of this Bylaw. Each day a violation exists shall be deemed a separate violation. The fine structure set forth in Article V, Section 2(c) shall be applicable to violations of this Bylaw.

Section 6. Effective Date

This bylaw shall take effect six (6) months following approval of the bylaw by the Attorney General or January 1, 2018, whichever is later.

Section 7. Regulations

The Board of Health is hereby authorized to adopt regulations to effectuate the purposes of this Bylaw. Such rules and regulations shall be on file in the offices of the Board of Health and the Town Clerk.

Ms. Katharine Chace of Conant Road and president of Weston's chapter of the League of Women Voters said the League was in favor of this article.

The motion was approved by majority vote.

ARTICLE 28: APPROPRIATE FOR FISCAL YEAR 2018 COMMUNITY PRESERVATION COMMITTEE OPERATING BUDGET

Mr. Stephen Ober moved that the Town hear and act on the report of the Community Preservation Committee on the fiscal year 2018 Community Preservation budget and appropriate or reserve the following amounts from the Community Preservation Fund as set forth below:

Appropriations from fiscal 2018 estimated annual revenues -

- \$120,000 for Community Preservation Committee administrative expenses

Reservations from fiscal 2018 estimated annual revenues -

- \$334,000 for the acquisition, creation and preservation of open space including land for recreational use;
- \$271,000 for the acquisition, preservation, rehabilitation and restoration of historic resources; and
- \$271,000 for the creation, preservation and support of community housing

Appropriations for Debt Service Payments -

- \$6,040 from the Community Housing Reserve for the expansion of the Brook School Apartments, as approved under Article 19 of the May 2004 Annual Town Meeting; and
- \$373,711 from the Open Space Reserve for the purchase of the Case Estates land, as approved under Article 1 of the November 8, 2006 Special Town Meeting

The motion was approved by unanimous vote.

ARTICLE 29: APPROPRIATE FOR HISTORIC RESOURCES - JOSIAH SMITH TAVERN DESIGN FEES

Mr. Stephen Wagner moved to appropriate a sum of \$630,000 for historic resources purposes under the Community Preservation Program to pay costs of engineering and architectural services for plans, specifications, and other predevelopment expenses for the design and construction of improvements to preserve, rehabilitate and restore the historic Josiah Smith Tavern building, located at 358 Boston Post Road, in a manner suitable for use as a restaurant and space to house local non-profit organizations, including all related incidental costs; to be spent under the direction of the Town Manager, \$367,000 transferred from the Historic Resources and \$263,000 from the Unallocated allocations of the Community Preservation Fund.

Mr. Houston of the Board of Selectmen, Mr. Henry Stone of the Historical Commission, and Mr. Anthony Flynn of the Planning Board all spoke in favor of this article.

Mr. Michael Glynn of Arrowhead Road said a modern restaurant has no place in a historic building and it disrupts the rural character of the Town Center with too much traffic, cars, garbage, and people.

Mr. Kyle Betty of Dean Road said if traffic is a concern then perhaps churches should be banned because everyone shows up in the Town Center at the same time for church and then leaves.

Mr. Alex Selvig of Ash Street said a restaurant like this is badly needed in the Town Center because it supports the community.

Ms. Anna Melone Pollack of Crescent Street would like to see the preservation and restoration of the Josiah Smith Tavern but without the restaurant because of the truck deliveries and blacktop needed for parking, as well as the need for parking during peak times during large events.

Mr. Jay Doyle of Baker's Hill Road and chair of the Traffic and Sidewalk Committee said his committee unanimously supports this proposal because of the synergy between this, the Old Library proposal, and the Town Center Master Plan and said there will be improved pedestrian connectivity with the rest of the center.

Mr. Neil Levitt of Church Street and member of the Permanent Building Committee said his committee has reviewed this proposal, as well as the other submitted and past proposals, and it is the opinion of the committee that this is the best fit for the reuse of the building and most appropriate, as well as being the easiest to integrate into the building.

Ms. Pamela Fox of Boston Post Road and president of the Weston Historical Society said the Historical Society, as well as the Historical Commission, unanimously approve this plan. She continued by explaining that there is no need to worry about the historic integrity of the building and the Working Group worked hard to make this plan solid and move forward.

Mr. George Berbeco of Bullard Road questioned the number of bidders to reuse this property and also questioned the numbers in the investment calculations.

Mr. Alex Cobb of Pincroft Road moved to call the question, which was seconded and approved.

The motion was approved by majority vote.

ARTICLE 30: APPROPRIATE FOR COMMUNITY HOUSING - AFFORDABLE HOME OWNERSHIP OPPORTUNITY FUNDS

Mr. Kenneth Newberg moved to appropriate \$950,000 for community housing purposes under the Community Preservation Program for the Affordable Housing Trust to acquire and then dispose of real property suitable for the creation of homeownership units affordable to households with incomes of up to 100 percent of the area median, including all related incidental costs; to be spent under the direction of the Town Manager, and as funding therefor, to transfer \$270,000 from the Community Housing and \$671,000 from Unallocated allocations of the Community Preservation Fund.

Mr. John McDonald of Church Street and chair of the Finance Committee spoke against the article saying it is a blind fund.

Mr. Hugh Jones of Ridgeway Road and member of the Affordable Housing Trust asked Town Meeting to trust the judgment of his committee which has housing guidelines, has worked with Habitat for Humanity, and holds open meetings. He continued to explain that this fund will allow his group to act quickly on a property sale when otherwise without the funds time could work against them.

The motion was approved by majority vote.

ARTICLE 31: APPROPRIATE FOR COMMUNITY HOUSING - FEASIBILITY OF ADDITIONAL UNITS AT BROOK SCHOOL APARTMENTS

Mr. Newberg moved to appropriate a sum of \$30,000 for community housing purposes under the Community Preservation Program to study the feasibility of adding elderly rental housing units at the Brook School Apartments, located at 44 School Street, which are affordable to households earning no more than 100 percent of the area median income, such funds to be spent under the direction of the Town Manager, and as funding therefor, to transfer \$30,000 from the Community Housing allocation of the Community Preservation Fund.

Mr. Cameron Peters of Wellesley Street expressed disappointment with the request because it goes against the wishes that the neighbors had verbalized.

Mr. James Polando of Merriam Street former chair of the Housing Production Plan Steering Committee said additional units at Brook School Apartments had been discussed extensively with neighbors and the number had not exceeded 14.

The motion was approved by majority vote.

ARTICLE 32: APPROPRIATE FOR COMMUNITY HOUSING - REGIONAL HOUSING SERVICES OFFICE AND HOUSING TRUST STAFF SUPPORT

Mr. Newberg moved to appropriate a sum of \$19,230 for community housing purposes under the Community Preservation Program in order to provide funds needed to participate in a regional housing services office and for staff assistance for the creation, preservation, and support of community housing; to be spent under the direction of the Town Manager, and as funding therefor, to transfer \$19,230 from the Community Housing allocation of the Community Preservation Fund.

The motion was approved by majority vote.

A motion to dissolve the Adjourned Annual Town Meeting was made, seconded, and adopted at 9:50 p.m.

**SPECIAL TOWN MEETING
November 28, 2017**

Pursuant to a Warrant, duly served, Moderator Thomas Crane called the Special Town Meeting to order at 7:10 p.m. in the auditorium of the Weston High School. The Moderator declared a quorum present and proceeded with the reading of the Warrant and the Return of Service.

The Moderator welcomed visitors and outlined the change in procedures to be followed, which included the use of handheld electronic voting devices, which was approved by Annual Town Meeting, to record and tally votes. The vote counts per article are included below. The Moderator requested a motion to approve Town Meeting procedures, which was approved. The Moderator appointed tellers and the Town Clerk swore them to their duties.

ARTICLE 1: APPROPRIATE FOR HISTORIC RESOURCES - WESTON ART AND INNOVATION CENTER

Mr. Stephen Ober moved to appropriate \$4,500,000 for historic resources purposes under the Community Preservation Program to pay costs of constructing improvements to preserve, rehabilitate and restore the historic Old Library building, located at 356 Boston Post Road, as a branch of the Weston Public Library to be known as the Weston Art & Innovation Center, including all related incidental costs; to be spent under the direction of the Town Manager, said sum to be raised by borrowing under the authority of M.G.L. Chapter 44B, Section 11, or any other enabling authority, and to authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue bonds or notes for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of

costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

Mr. Christopher Houston of the Board of Selectmen, Mr. Joseph Mullin of the Board of Library Trustees, and Mr. Henry Stone of the Historical Commission all spoke in favor of the article.

Mr. George Berbeco of Bullard Road spoke against the article saying it was too much money for the restoration of one building.

The motion was approved by two-thirds majority vote.

YES: 281 NO: 59

ARTICLE 2: APPROPRIATE FOR COMMUNITY HOUSING - WARREN AVENUE HOUSING

Mr. Kenneth Newberg moved to appropriate \$428,600 for community housing purposes under the Community Preservation Program in order to pay costs of creating two units of affordable housing in a Town-owned duplex located at 66-68 Warren Avenue and to construct storage sheds for the affordable housing units at 66-68 and 72-76 Warren Avenue, Weston, including all related incidental costs, as a grant to the Weston Affordable Housing Trust, pursuant to a grant agreement between the Town Manager and the Weston Affordable Housing Trust, on such terms and conditions as the Town Manager, in consultation with the Community Preservation Committee, deems appropriate, and as funding therefor, to transfer said sum from the Unallocated allocation of the Community Preservation Fund.

The motion was approved by majority vote.

YES: 286 NO: 34

ARTICLE 3: APPROPRIATE FOR RECREATION - RAIL TRAIL AMENITIES DESIGN

Mr. Christopher Houston moved to appropriate \$73,000 for recreation purposes under the Community Preservation Program to pay costs of designing and engineering infrastructure, landscaping, signage and amenities to the Wayside Rail Trail to be developed along the abandoned rail line in Weston, said trail shown generally on a plan on file with the Town Clerk, including all related incidental costs; to be spent under the direction of the Town Manager, said sum to be transferred from the Unallocated allocation of the Community Preservation Fund.

The motion was approved by majority vote.

YES: 288 NO: 30

ARTICLE 4: APPROPRIATE FOR HISTORIC RESOURCES - CATTLE PASSES ALONG RAIL TRAIL

Ms. Nina Danforth moved to appropriate \$62,535 for historic resources purposes under the Community Preservation Program to pay costs of preserving, rehabilitating and restoring historic cattle passes along the Wayside Rail Trail to be developed along the abandoned rail line in Weston, said trail shown generally on a plan on file with the Town Clerk, including all related incidental costs; to be spent under the direction of the Town Manager, said sum to be transferred from the Unallocated allocation of the Community Preservation Fund.

The motion was approved by majority vote.

YES: 225 NO: 79

ARTICLE 5: APPROPRIATE FOR HISTORIC RESOURCES – FARMERS’ BURIAL GROUND AND CENTRAL CEMETERY RESTORATION

Mr. Stephen Wagner moved to appropriate \$205,000 for historic resource purposes under the Community Preservation Program, to be used to assess, preserve, conserve and restore gravestones, tombs, and other elements in the historic Farmers’ Burial Ground, located on Boston Post Road at Colpitts Road, and Central Cemetery, located on Boston Post Road at Linwood Avenue, including all related incidental costs, to be spent under the direction of the Town Manager, said sum to be transferred from the Unallocated allocation of the Community Preservation Fund.

The motion was approved by majority vote.

YES: 274 NO: 22

ARTICLE 6: AMEND THE ZONING BY-LAW TO PROHIBIT RECREATIONAL MARIJUANA ESTABLISHMENTS IN WESTON

Ms. Susan Zacharias moved to amend the Zoning By-law of the Town of Weston by inserting a new section, Section V.M., Marijuana Establishments, as follows:

Section V, “USE REGULATIONS.” M, “MARIJUANA ESTABLISHMENTS”

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical “marijuana establishments” as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratory, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of Weston.

Mr. Peter Hill of Wellesley Street spoke against this article and article 7 saying medical dispensaries should be available in a safe community because many people require medicinal marijuana.

Several other residents stood to speak to their opinion that medicinal marijuana establishments should be allowed to operate in town.

Several residents expressed confusion over what was being voted.

The motion failed to carry two-thirds majority vote.

YES: 182 NO: 108

ARTICLE 7: AMEND GENERAL BY-LAWS TO PROHIBIT RECREATIONAL MARIJUANA ESTABLISHMENTS IN WESTON

Ms. Zacharias moved to amend the General By-laws of the Town of Weston by inserting a new article, Article XXXVI, MARIJUANA ESTABLISHMENTS, as follows:

“ARTICLE XXXVI MARIJUANA ESTABLISHMENTS

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical “marijuana establishments” as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratory, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of Weston.”

Mr. Houston asked Town Counsel for clarification of what this vote means since the zoning by-law just failed. Ms. Lauren Goldberg of KP Law explained that the Attorney General’s Office has routinely recommended that towns adopt both a zoning by-law in addition to a general by-law to prohibit recreational marijuana establishments; however, while the general by-law would still prohibit the establishment, it is not clear if the general by-law can withstand a challenge from a retailer in the future.

The motion was approved by majority vote.
YES: 184 NO: 114

ARTICLE 8: AUTHORIZE LAND SWAP - 259 AND 265 GLEN ROAD

Mr. Harvey Boshart moved to authorize the Board of Selectmen to grant and convey a parcel of land shown as "Parcel 'B,'" containing 249 square feet, more or less, as shown on a plan entitled "Plan of Land in Weston, Massachusetts," dated October 16, 2017, prepared by Snelling & Hamel Associates, Inc., as may be amended, said plan on file with the Town Clerk, to the owner of the property known as 259 Glen Road, and, in consideration for and in exchange for said grant and conveyance, the owner of 259 Glen Road shall grant and convey to the Town a parcel of land shown as "Parcel 'D,'" containing 110 square feet, more or less, as shown on the aforesaid plan, and the owner of 265 Glen Road shall grant and convey to the Town two parcels of land shown as "Parcel 'A,'" containing 189 square feet, more or less, and "Parcel 'C,'" containing 110 square feet, more or less, as shown on the aforesaid plan, and further, the owner of 265 Glen Road shall release any and all right in the approximately 15' wide corridor separating 259 Glen Road and 265 Glen Road; and, further, to authorize the Board of Selectmen to accept said parcels on such terms and conditions as the Board of Selectmen deems appropriate, including, but not limited to, the payment by the owner of 259 Glen Road of any and all costs and expenses of the Town incurred in this matter, including reasonable attorney's fees, and to enter into such agreements and execute such instruments to effectuate the transaction subject of this vote.

The motion was approved by majority vote.
YES: 244 NO: 11

ARTICLES 9 - 13: CONSENT AGENDA

Mr. Gillespie moved that the Town approve Articles 9 through 13 as printed below. Mr. Gillespie read the title of each article to hear motions from voters to pull articles out of the consent agenda. None were received.

ARTICLE 9: AMEND FISCAL YEAR 2018 OPERATING BUDGET

To amend the following line items in the Fiscal Year 2018 Operating Budget adopted under Article 2 of the 2017 Annual Town Meeting, by reducing line items and appropriating additional funds to other line items as follows:

	<u>Changing From:</u>	<u>Changing To:</u>	<u>Difference:</u>
School Department - Salaries	\$33,485,420	\$33,292,192	(\$193,228)
Debt Service (Excluded)	9,066,234	8,976,159	(90,075)
Selectmen's Consulting & Professional Services	40,000	70,000	30,000

ARTICLE 10: APPROPRIATE RETAINED EARNINGS FOR THE WATER ENTERPRISE FUND

To amend the Fiscal Year 2018 Water Enterprise budget adopted under Article 11 of the 2017 Annual Town Meeting by transferring from retained earnings the additional sum of \$250,000 to operate the Water Division of the Department of Public Works during fiscal year 2018.

ARTICLE 11: AMEND FISCAL YEAR 2018 RECREATION ENTERPRISE BUDGET

To amend the following line item in the Fiscal Year 2018 Recreation Enterprise Budget adopted under Article 13 of the 2017 Annual Town Meeting, by appropriating additional funds as follows:

	<u>Changing From:</u>	<u>Changing To:</u>	<u>Difference:</u>
Expenses	\$468,139	\$478,139	\$10,000

And as funding therefor, that \$10,000 be transferred from Recreation Enterprise Fund retained earnings.

ARTICLE 12: RESCIND BOND AUTHORIZATION

To rescind all or a part of a certain authorization to borrow funds, which was 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 1, November 14, 2011 Special Town Meeting - Field School Construction \$7,811,092

ARTICLE 13: APPLICATION OF BOND PREMIUM

To supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

The consent agenda was approved by majority vote.

YES: 217 NO: 3

ARTICLE 14: RESOLUTION IN SUPPORT OF CONGRESSIONAL INVESTIGATION REGARDING IMPEACHMENT OF DONALD J. TRUMP (SUBMITTED BY CITIZENS' PETITION)

Mr. John Fiske moved to see if the Town will vote to adopt the citizen's petition in favor of Resolution in Support of Congressional Investigation regarding Impeachment of Donald J. Trump. Such resolution, in part, asks the House of Representatives to investigate whether President Donald Trump is violating the United States Constitution in various ways, including accepting domestic and foreign emoluments in addition to his salary, and whether these violations are sufficient grounds for his impeachment.

Resolution in Support of Congressional Investigation regarding
Impeachment of President Donald J. Trump

WHEREAS, the Foreign Emoluments Clause of the United States Constitution provides that "no Person holding any Office of Profit or Trust under [the United States], shall, without the consent of the Congress, accept any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State,"

WHEREAS, the Domestic Emoluments Clause of the United States Constitution provides that, besides the fixed salary for his four-year term, the President "shall not receive within that Period any other Emolument from the United States, or any of them,"

WHEREAS, Donald J. Trump, the President of the United States, owns various business interests and receives various streams of income from all over the world, by means of which he receives emoluments from foreign governments, states of the United States, or the United States itself,

WHEREAS, the term "emoluments" includes a broad range of financial benefits, including but not limited to monetary payments, purchase of goods and services even for fair market value, subsidies, tax breaks, extensions of credit, and favorable regulatory treatment,

WHEREAS, leading constitutional scholars and government ethics experts warned Donald J. Trump shortly after the November 2016 election that, unless he fully divested his businesses and invested the

money in conflict-free assets or a blind trust, he would violate the Constitution from the moment he took office,

WHEREAS, on January 11, 2017, nine days before his inauguration, Donald J. Trump announced a plan that would, if carried out, remove him from day-to-day operations of his businesses, but not eliminate any of the ongoing flow of emoluments from foreign governments, state governments, or the United States government,

WHEREAS, on January 20, 2017, Donald J. Trump took the oath of office and became President of the United States,

WHEREAS, from the moment he took office, President Trump has been in violation of the Foreign Emoluments Clause and the Domestic Emoluments Clause of the United States Constitution, thereby corruptly advancing his personal wealth, undermining the integrity of the Presidency, and violating the public trust,

NOW, THEREFORE, THE TOWN OF WESTON RESOLVES to call upon the United States House of Representatives to support a resolution authorizing and directing the Committee on the Judiciary of said House to investigate whether sufficient grounds exist for the impeachment of Donald J. Trump, President of the United States, including but not limited to, the violations listed herein; and

BE IT FURTHER RESOLVED to call upon the Massachusetts Legislature to adopt its own resolution calling upon the United States House of Representatives to support a resolution authorizing an investigation into whether sufficient grounds exist for the impeachment of Donald J. Trump, President of the United States; and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted officially to the Member of the United States House of Representatives that represents the Town of Weston; and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted officially to the state legislators that represent the Town of Weston in the Commonwealth of Massachusetts Legislature.

APPROVED AND ENACTED THIS DAY: _____

Mr. George Mohn of Village Road said this is a divisive issue and is totally inappropriate to be heard at Town Meeting because residents will learn of one another's political leanings, which could harm the community, as evidenced by the effect the election of President Trump has had on friends and families being divided. He continued to explain that the constitution should not be invoked for this because it would weaken its use for when it is truly needed.

Mr. Marvin Wolfthal of Conant Road questioned how this is not a town issue because everyone is affected by the federal government. He continued to question why we would not be invoking the constitution when the framers gave this provision to protect the country from a president who could be a national threat.

Mr. Lee McCanne of North Avenue moved to call the question, which was seconded and approved.

The motion was approved by majority vote.

YES: 164 NO: 44

A motion was made, seconded and adopted to dissolve Special Town Meeting at 9:10 p.m.