

**TRANSCRIPT
ANNUAL TOWN MEETING
First Session
April 28, 2003**

[The First Session of the Annual Town Meeting of the Town of Belmont was called to order in the Auditorium of the Belmont High School on April 28, 2003 at 7:30 p.m. by the Moderator, Henry L. Hall, Jr.]

The Town meeting welcomed and honored the Governor of the Commonwealth of Massachusetts, Mitt Romney, as the first citizen of the Town of Belmont to serve in that office. Mr. Romney was present and Mr. Brownsberger presented a proclamation honoring him.

PRELIMINARY MOTION

MR. BROWNSBERGER: MOVED: That the articles in the Warrant be considered in the following order: 1, 2, 9, 20, 21, 27 through 32, 34 through 38, 25, 26, 10, 23, 24, 39, 40, 41, 22, 33, 5 through 8, 11 through 19, 28, 29, 30, 31, 4 and 3.

The motion is unanimously adopted.

ARTICLE 1

Reports

MR. BROWNSBERGER: MOVED: That the reports of Selectmen and other Town officials, departments and committees for the year 2002 be accepted.

The motion is unanimously adopted.

The Town Meeting heard a report from the State House from Representative Anne Paulsen.

The Town Meeting heard a presentation by the Chairman of the Board of Selectmen regarding major issues the Board hopes to address.

The Town Meeting heard from Brian O'Neill, owner of the Belmont Uplands. Mr. O'Neill updated Town Meeting that he would be presenting a proposal for a zoning change on his property at the Belmont Uplands, from commercial zoning back to residential zoning due to a lag in the commercial real estate market.

MR. BROWNSBERGER: MOVED that Article 1 be laid upon the table.

The motion is unanimously adopted.

ARTICLE 2

Authorization to Represent Town's Legal Interests

MR. MORRISSEY: MOVED: That the Board of Selectmen be, and it hereby is, authorized to bring and defend actions for and against the Town, to submit any such claims to arbitration, and to enter into settlement on account of the same in behalf of the Town as and when it deems it for the best interest of the Town so to do; said power shall be vested solely in the Board of Selectmen.

The motion is unanimously adopted.

ARTICLE 9

Personnel Policy Guide Revision

MRS. MAHONEY: MOVED: That Article 9 be dismissed. This is the traditional Personnel Policy Guide article. At this time, there are no changes to be considered by Town Meeting.

The motion is unanimously adopted.

ARTICLE 20

Amendment to Public Safety and Property By-Law—Enact Increasing Fines

MR. RECORD: MOVED: That the Town vote to amend Article 20 of the General By-Laws of the Town entitled "Public Safety and Property" by deleting Section 20.10.16 thereof and substituting therefore the following: "20.10.16 Violations of this Section 20.10 shall be disposed of, in the discretion of the Board of Health, either in the manner provided in Section 8.5 of the General By-Laws or if applicable, pursuant to the provisions of Section 173A of Chapter 140 of the General Laws. A noncriminal citation will be issued on the following schedule: First offense - written warning; second offense - \$25; third offense and each succeeding offense of the same section of the By-Law occurring within a 12-month period - \$50. The fines specified the preceding sentence shall be in lieu of the schedule of fines specified in Section 173A.

The motion is unanimously adopted.

ARTICLE 21

Amendment to Newsracks By-Law—Clarification that Selectmen Set Fees

MS. GAVIN: MOVED: That the Town vote to amend Article 27.3.7 of the General By-Laws of the Town entitled "Newsracks" by deleting the last sentence thereof.

The motion is unanimously adopted.

ARTICLE 27

Adopt Age Requirements for Original Appointment to Public Safety Position

MR. TOMCZYK: MOVED: That the Town vote to accept the provisions of Chapter 31, Section 58A, of the General Laws, which provide that no person shall be eligible to have his or her name certified for original appointment to the position of firefighter or police officer [sic] if [sic] such person has reached his or her thirty-second birthday on the date of the entrance examination, and that any veteran shall be allowed to exceed the maximum age provision by up to four years.

FIRE CHIEF OSTERHAUS: MOVED: that the letter R be added, that the word "officer" be substituted for "office" in the fifth line.

The amendment is adopted.

The main motion, as amended, is adopted.

TOWN MEETING MEMBERS: VOTE is questioned.

The vote is 187 in favor; 72 opposed. The motion is therefore adopted.

ARTICLE 28

Establish Water Enterprise Fund

MR. SEARS: MOVED: That the Town vote to accept the provisions of Chapter 44, Section 53F [sic], of the General Laws which permit the Town to establish a separate account classified as an "Enterprise Fund" for water service, to become effective July 1, 2004.

The motion is unanimously adopted.

ARTICLE 29

Establish Sewer and Stormwater Enterprise Fund

MS. AITKEN: MOVED: That the Town vote to accept the provisions of Chapter 44, Section 53F 1/2, of the General Laws which permit the Town to establish a separate account classified as an "Enterprise Fund" for sewer and stormwater service, to become effective July 1, 2004.

The motion is unanimously adopted.

ARTICLE 30

Broaden Eligibility for Senior Tax Exemption and Increase Exemption Amount

MS. TIMBERLAKE: MOVED: To see if the Town will vote to adopt amendments made to Chapter 59, Section 5, Clause 41C of the General Laws which provide that, effective on the first day of the fiscal year 2004, the Town shall adjust the amount of the exemption the Town may grant to eligible senior citizens and adjust the income and asset requirements senior citizens must meet to qualify for a property tax exemption as follows:

1. The exemption amount granted to eligible applicants shall be increased to \$1,000.00 or a valuation of \$8,000.00 or more, if greater;
2. The gross receipts limitation shall be increased to \$20,000 for single applicants and \$30,000 for married applicants;
3. The whole estate limitation shall be increased to \$40,000 for single applicants and \$55,000 for married applicants;
4. The whole estate exclusion for the value of the applicant's domicile shall be increased to no more than three units in addition to the unit occupied by the applicant.

The motion is adopted.

ARTICLE 31

Authorization to Establish Committee to Study Competitive Supply of Electric Light Services

MS. SOLARI-BRAH: MOVED: That pursuant to Chapter 164, Section 47A, of the General Laws the Moderator be, and hereby is, to authorize to appoint a committee for the purpose of conducting a study, holding public hearings, and making recommendations relative to competitive choice of generation supply for the customers of the Town's municipal lighting plant.

The motion is adopted.

ARTICLE 32

Authorization to Enter Into Environmental Joint Powers Agreement (Alewife Watershed)

MR. BOWE: MOVED: That the Board of Selectmen be, and hereby is, authorized to enter into an "Environmental Joint Powers Agreement" with the Town of Arlington and the City of Cambridge pursuant to Chapter 21A, Section 20, of the General Laws which agreement will permit the three municipalities to support jointly to exercise environmental control in the Alewife watershed, such Agreement to be in substantially the same form as is the agreement of the same name dated April 28, 2003, a copy of which is filed in the Town Clerk's office.

The motion is adopted.

ARTICLE 34

Home Rule Petition—Authorization to Institute Quarterly Tax Billing

MR. GRAVES: MOVED: That the Town vote to accept the provisions of Chapter 59, Section 57C, of the General Laws which permit the Town to issue quarterly property tax bills.

MOVED: That under Article 34 the reading of the proposed special law be dispensed with the same being set forth in full, under Article 34 in the Warrant for this Meeting and having been distributed to each Town Meeting Member.

The motions are adopted.

MR. GRAVES: MOVED: That the Board of Selectmen be, and hereby is, authorized to petition the General Court for the enactment of a special law in substantially the form set forth in Article 34 of the Warrant for this Meeting on file in the office of the Town Clerk.

The motion is unanimously adopted.

ARTICLE 35

Home Rule Petition—Reorganization of Town's Public Works Functions

MR. EYSENBACH: MOVED: That under Article 35 the reading of the proposed special law be dispensed with the same being set forth in full under Article 35 in the Warrant for this Meeting and having been distributed to each Town Meeting Member.

The motion to dispense with the reading is unanimously adopted.

ARTICLE 35

MR. EYSENBACH: MOVED: That the Board of Selectmen be, and hereby is, authorized to petition the General Court for the enactment of a special law in substantially the form set forth in Article 35 of the Warrant for this Meeting on file in the office of the Town Clerk.

MOTION TO AMEND: to accept a motion to defer Articles 35, 36, 37 and 38 until the first item at this adjourned Town Meeting to be held on June 16th, and to request that the Town Administrator, Town Highway Superintendent produce a report evaluating all issues relating to consolidation of Town/public works function at that time.

The vote on the amended motion is 91 in favor; 163, opposed.

The main motion, as amended, is adopted.

ARTICLE 36

Amendment to General By-Laws—Appointment of Director of Public Works

MR. O'BRIEN: MOVED: That the Town vote to amend Article 4 of the General By-Laws of the Town entitled "Board of Selectmen" by renumbering Section 4.8.5 thereof and by substituting therefor, "Section 4.8.6," and by adding a new Section 4.8.5 as follows:

4.8.5 The Selectmen may appoint and prescribe the duties of a Director of Public Works who shall be especially fitted by education, training, and experience to perform the duties of said office. Such director shall not be subject to the provisions of Chapter 31 of the General Laws. The term of the office of the director shall be determined by the Selectmen and said director shall serve at the pleasure of the Selectmen."

Provided, however, that this amendment shall not take effect before passage of the special act entitled "HOME RULE PETITION FOR BELMONT, AN ACT TO REORGANIZE THE PUBLIC WORKS FUNCTIONS IN THE TOWN OF BELMONT."

The motion is adopted.

ARTICLE 37

Amendment to General By-Laws—Creation of Advisory Water Board

MS. KANTOR: MOVED: That under Article 37 the reading of the proposed new Article 7 of the General By-Laws of the Town entitled "Water Advisory Board" be dispensed with the same being set forth in full under Article 37 in the Warrant for this Meeting and having been distributed to each Town Meeting Member.

The motion to dispense with the reading of the article is adopted.

ARTICLE 37

Amendment to General By-Laws—Creation of Advisory Water Board

MS. KANTOR: MOVED: That the Town vote to amend the General By-Laws of the Town by deleting the present Article 7 entitled "Water Commissioners" and by substituting therefore the article entitled "Water Advisory Board" as set forth in full under Article 37 in the Warrant for this meeting.

MR. MERCIER: MOVED to make the Water Advisory Board elected.

The motion to amend failed.

The main motion was adopted, without amendment.

ARTICLE 38

Amendment to General By-Laws—Changes to Role of Board of Cemetery Commissioners

MR. MERCIER: MOVED: That under Article 38 the reading of the proposed new Article 10 of the General By-Laws

of the Town entitled "Board of Cemetery Commissioners" be dispensed with the same being set forth in full under Article 37 in the Warrant for this Meeting and having been distributed to each Town Meeting Member.

The motion is adopted.

ARTICLE 38

Amendment to General By-Laws—Changes to Role of Board of Cemetery Commissioners

MR. MERCIER: MOVED: That the Town vote to amend the General By-Laws of the Town by deleting the present Article 7 entitled "Cemetery Commissioners" and by substituting therefore the Article entitled "Board of Cemetery Commissioners" as set forth in full under Article 38 in the Warrant for this meeting.

MR. MORRISSEY: AMEND the proposed new Article 10 of the General By-Laws by inserting the number 10.1 before the first paragraph of this article and by substituting 10.2 for 10.1 where it appears prior to the second paragraph, all as set forth in the Warrant.

The motion is adopted.

MR. MORRISSEY: MOVED: To amend the second motion, the operative motion, presented by Mr. Mercier to delete the words Article 7 and substitute Article 10.

That motion to amendment is adopted.

MRS. MOONEY: PROPOSE that in Section 10.2.2 that the word "additional," saying "Belmont for additional burial space," that the word additional be struck. And under Section 10.2.5, the last word "expansion" should be replaced with the word "needs."

The motion is adopted.

MOTION TO ADJOURN

MR. BROWNSBERGER: MOVED: That this Town Meeting be adjourned until the dissolution of the Special Town Meeting of Wednesday, April 30, 2003, at this place.

[The Annual Meeting of April 28, 2003 was adjourned at 11:17 p.m.]

SECOND SESSION APRIL 30, 2003

[The Second Session of the Annual Town Meeting of the Town of Belmont was called to order in the Auditorium of the Belmont High School on Wednesday, April 30, 2003, at 9:25 p.m., by the Moderator, Henry L. Hall, Jr.]

MR. BROWNSBERGER: MOTION to change the order of the articles. That the remaining articles in the Warrant be considered in the following order: 1, 25, 26, 33, 23, 24, 39, 40, 41, 22, 5 through 8, 10 through 19, 4, and 3.

The motion is unanimously adopted.

ARTICLE 1 Reports

MR. BROWNSBERGER: MOVED: That Article 1 be removed from the table.

The motion is adopted. The Town Meeting heard a report from the Chair of the Belmont Vision 21 Implementation Committee, Jennifer Page.

MR. BROWNSBERGER: MOVED: To lay Article 1 on the table.

The motion is unanimously adopted.

ARTICLE 25

Amendment to Zoning By-Law—Creation Of Inclusionary Housing By-Law

MR. HEIGHAM: MOVED: That under Article 25 the reading of the proposed new Section 6.10 of the Zoning By-Law of the Town entitled "Inclusionary Zoning" [sic] be dispensed with the same being set forth in full under Article 25 in the Warrant for this meeting and having been distributed to each Town Meeting Member.

That motion is unanimously adopted.

ARTICLE 26

Amendment to Zoning By-Law—Regulation Of Inclusionary Housing By-Law

MR. HEIGHAM: MOVED: That the Town vote to amend the Zoning By-Law by adding a new Section 6.10 "Inclusionary Zoning" after Section 6.9 "Affordable Housing" as set forth in full under Article 25 in the Warrant for this Meeting.

MR. KAZARIAN: AMENDMENT MOTION to change the word "within" to the word "by." So it's people employed "by" the Town not "within" the Town.

That amendment is defeated.

MR. KAZARIAN: AMENDMENT MOTION to address the 15-year limit in Section 6.10.2, definition No. 6.

That amendment is defeated.

MR. KAZARIAN: AMENDMENT MOTION to delete the sentence: "Nothing in this section shall preclude a developer from providing more affordable housing units."

That amendment is defeated.

MODERATOR HALL: MOTION to vote under Article 25, which requires a two-thirds vote."

The vote is 183 in favor; 57 opposed. More than two thirds. The vote passes.

MOTION TO ADJOURN

DR. SOLOMON: MOVED: That the Annual Town Meeting be adjourned to Monday May 5, 2003, at 7:30 p.m. at this place.

The motion is unanimously adopted.

[Whereupon, at 11:26 p.m., the Second Session of the Annual Town Meeting was adjourned to Monday, May 5, 2003.]

THIRD SESSION MAY 5, 2003

[The Third Session of the Annual Town Meeting of the Town of Belmont was called to order in the Auditorium of the Belmont High School on Monday, May 5, 2003 at 7:30 p.m. by the Moderator, Henry L. Hall., Jr.]

MR. BROWNSBERGER read a Resolution honoring the contributions of the late William Holmes.

ARTICLE 1

Reports

MR. BROWNSBERGER: MOTION to remove Article 1 from the table.

The motion is unanimously adopted.

MR. BARRELL, Chairman of the Planning Board gave a brief presentation, on the Trapelo Road study with Andrew McClurg a member of the Planning Board, who is also an expert in this area.

MR. BROWNSBERGER: MOVED: That Article 1 be laid upon the table.

The motion is unanimously adopted.

ARTICLE 26

Amendment to Zoning By-Law—Regulation of Inclusionary Housing By-Law

MOVED: That under Article 26, the reading of the proposed new eight amendments to the Zoning By-Law of the Town be dispensed with, and the same being set forth in full under Article 26 in the Warrant of this meeting beginning at page 18 and having been distributed to each Town Meeting Member.

That motion is unanimously adopted.

MR. HEIGHAM: MOVED: That the Town vote to amend the Zoning By-Law by adopting the proposed eight new amendments to the Zoning By-Law as set forth in full under Article 26 beginning on page 18 in the Warrant for this meeting.

MR. COLTON: MOVED: To delete the word "single" from Article 26, Section 6.5.3(b), appearing on page 20 of the Warrant.

The amendment is adopted.

MRS. COTE: MOVED: That under Article 26.6 be deleted. That's the General Residence area, 35,000 square feet.

The amendment passes by more than a two-thirds vote.

The main motion passes by more than a two-thirds vote.

ARTICLE 33

Home Rule Petition—Authorization for All-Alcoholic Beverages Licenses For Restaurants

MRS. O'BRIEN: MOVED: That under Article 33 the reading of the proposed special law be dispensed with the same being set forth in full under Article 33 in the Warrant for this meeting and having been distributed to each Town Meeting Member.

The reading is dispensed with.

MRS. O'BRIEN: MOVED: That the Board of Selectmen be, and hereby is, authorized to petition the General Court for the enactment of a special law in substantially the form set forth in Article 33 of the Warrant for this Meeting on file in the office of the Town Clerk.

MR. O'BRIEN: AMENDMENT MOTION on Article 33 as follows: In the text wherever it says, "at least 130 and no more than 250 seats," change to "at least 39 and no more than 125 seats."

The amendment is defeated.

MR. O'BRIEN: AMENDMENT MOTION in the text wherever it says, "at least 130 and no more than 250 seats," change to "at least 39 and no more than 250 seats."

The amendment is rejected.

MODERATOR HALL: The vote of yes, 192; voting no, 60.

The main motion passes by more than a two-thirds vote.

ARTICLE 23

Creation of Conservation Commission By-Law

MS. PULLEN: MOVED: That the Town vote to amend the General By-Laws of the Town by adding a new Article 29 entitled "Conservation Commission" as follows:

"ARTICLE 29

Conservation Commission

29.1 There shall be a Conservation Commission for the Town in accordance with Chapter 40, Section 8C of the General Laws ("Section 8C") for the promotion and development of the natural resources and for the protection of the watershed resources of Town.

29.2 The Conservation Commission shall consist of seven members appointed by the Board of Selectmen for terms of three years in accordance with the provisions of Section 8C.

29.3 The Conservation Commission shall make and publish from time to time such rules and regulations as it deems necessary and shall cause the same to be printed in suitable form for public distribution.

29.4 The noncriminal disposition of violations of any rules or regulations promulgated by the Conservation Commission is hereby authorized in accordance with the provisions of Chapter 40, Section 21D, of the General Laws ("Section 21D").

29.4.1 "Enforcing person" as used in this Section 29.4 shall mean any police officer of the Town, any member of the Conservation Commission and any other Town employee designated by the Conservation Commission an enforcing person.

29.4.2 An enforcing person taking cognizance of a violation of any rule or regulation hereunder may, as an alternative to instituting criminal proceedings, give the offender written notice to appear before the clerk of the District Court having jurisdiction thereof for the noncriminal disposition thereof in accordance with Section 21D. The provisions of Section 21D are incorporated herein by this reference.

The motion is adopted.

ARTICLE 24

Amendment To Zoning By-Law—Reduce Sideyard Setback Requirements In Business Districts

MR. HEIGHAM: MOVED: That the Town vote to amend the Zoning By-Law of the Town by deleting from Section 4.2.2 "Linear Requirements" the figure "20 feet" under the column "Minimum Setback Dimension Feet" in the "LB II" and "LB III" zones and by substituting therefore the figure "0."

The motion passes by more than a two-thirds vote.

ARTICLE 39

Home Rule Petition—Tax Check-Off Box for Contributions to the Town's General Fund

MRS. OLSON: MOVED: That under Article 39 the reading of proposed special law be dispensed with the same being set forth in full under Article 39 in the Warrant for this Meeting and having been distributed to each Town Meeting Member.

The motion is unanimously adopted.

MRS. OLSON: MOVED: That the Board of Selectmen be, and hereby is, authorized to petition the General Court for the enactment of a special law in substantially the form, set forth in Article 39 of the Warrant for this Meeting on file in the office of the Town Clerk.

The motion is unanimously adopted.

ARTICLE 40

Tax Check-Off Box for Contributions to the Town's General Fund

MR. BROWNSBERGER: MOVED: That Article 40 be dismissed.

The motion is unanimously adopted.

ARTICLE 41

Vote to Delay Reconstruction of the Town Hall Annex

MRS. OLSON: MOVED: That the Town vote to forego the reconstruction of the Town Hall Annex until such time that an appeal to the Federal Court be made to permit the Town to access other options for meeting federally mandated compliance for handicapped access.

The motion is defeated.

ARTICLE 22

Creation of Kennel Regulations By-Law

MR. THAYER: MOVED: That under Article 22, the reading of the proposed new Article 28 of the General By-Laws of the Town entitled "Kennel Regulations" be dispensed with the same being set forth in full under Article 22 in the Warrant of this Meeting and having been distributed to each Town Meeting Member.

The motion is unanimously adopted.

MR. THAYER: MOVED: That the Town vote to amend the General By-Laws of the Town by adding a new Article 28 entitled "Kennel Regulations" as set forth in full under Article 22 in the Warrant for this Meeting.

MS. CAHILL: MOVED: That Section 28.1(e) be deleted in it's entirely; and in place thereof, the following shall be inserted:

"(e) A veterinary hospital shall not be deemed to be a kennel, nor shall it be entitled to be so licensed, under this article."

The amendment motion is unanimously adopted.

MR. BECKER: MOVED That Article 28.2.2(f), delete the phrase "as identified by its dog license," so that the article, when amended, will read as follows:

"(f) The kennel shall at all times keep and maintain on its premises accurate records of the identities of all dogs kept on the premises and the number of dogs on the premises on each day; and"

The amendment motion is unanimously adopted.

MR. GALLANT: MOVED: Amend Article 28.2.2(c) to read as follows:

"(c) The kennel shall not keep more than 25 dogs on the premises at any time, (dogs which are on the premises for grooming, but not for overnight boarding, for medical or surgical treatment or observation, or for boarding for recovery from medical or surgical treatment or observation shall not be counted in this number);"

The amendments are unanimously adopted.

MS. WILLIAMS: MOTION to adjourn.

The motion was defeated.

MODERATOR HALL: The vote on the main motion is 154 in favor, 58 opposed.

The motion is adopted.

MOTION TO ADJOURN

MR. BROWNSBERGER: MOVED: That this Annual Town Meeting be adjourned until Monday, June 16th at 7:30 p.m. in this place.

The motion is adopted.

[The Third Session of the 2003 Annual Town Meeting was adjourned to Monday, June 16, 2003, at 7:30 p.m. in the Belmont High School Auditorium.]

FOURTH SESSION JUNE 16, 2003

[The Fourth Session of the Annual Town Meeting of the Town of Belmont was called to order in the auditorium of the Belmont High School on June 16, 2003 at 7:30 o'clock p.m., by the Moderator, Henry L. Hall, Jr.]

MRS. MAHONEY recognized the achievements of four high school students - Anna Schreckinger, Amy Zhou, Brian Liao, Aimee Wang.

PRELIMINARY MOTION

MR. BROWNSBERGER: MOVED: That the articles in the Warrant be considered in the following order: 1, 13, 14, 16, 15, 5 through 8, 10, 12, 19, 11, 4, 3, 18 and 17.
The motion is unanimously adopted.

ARTICLE 1

Reports

MR. BROWNSBERGER: MOVED: That Article 1 be removed from the table.

The motion is adopted.

MR. BROWNSBERGER gave a report from the selectmen.

MR. BROWNSBERGER: MOVED: To lay Article 1 on the table.

The motion is adopted.

ARTICLE 13

Authorization to Acquire Land to Site Fire Station Headquarters

MRS. OATES: MOVED: That the Board of Selectmen be, and hereby is, authorized in the name and behalf of the Town to acquire by eminent domain or otherwise, for the purpose of locating a fire station, including remediation of environmental conditions on the property, upon such terms and conditions as the Selectmen may determine, those parcels of real estate on Trapelo Road shown on a plan entitled "Proposed Site Plan Belmont Fire Station" dated June 16, 2003 and on file in the office of the Town Clerk, and that there be, and hereby is, appropriated the sum of \$1,500,000 for said acquisition, and related costs, and that to meet this appropriation, the Town Treasurer with the approval of the Board of Selectmen be, and hereby is, authorized to borrow \$1,500,000 and to issue bonds or notes therefor under Chapter 44 of the General Laws.

The counted vote is yes, 214; no, 41. The motion is adopted.

ARTICLE 14

Appropriation for Design Services Related to Replacement of Town's Fire Stations

MRS. OATES: MOVED: That there be, and hereby is, appropriated the sum of \$200,000 to fund a schematic level design of a main fire station and substation facility, including expenses related to these projects said sum to be raised by transfer from the Kendall Insurance Account, and that the Moderator be, and hereby is, authorized to appoint a

building committee to oversee the design and construction of these projects.

MS. BURKE: Moved: That there be, and hereby is, appropriated the sum of \$160,000 to fund a schematic level design of a main fire station to be located on Trapelo Road, including expenses related to this project. Said sum to be raised by transfer from the Kendall Insurance Account, and that the Moderator be, and hereby is, authorized to appoint a building committee to oversee the design and construction of this project.

The motion is defeated.

The main motion is adopted.

ARTICLE 16

Transfer of Control of Kendall School Property to the Board of Selectmen

MS. MIRANDA: MOVED: That, pursuant to Chapter 40, Section 15A of the General Laws, the care, custody, management and control of the so-called Kendall School property be and hereby is, transferred to the Board of Selectmen for the purpose of constructing a new building thereon to include a Senior Citizens Center and other municipal uses.

The motion is adopted with more than two-thirds being in favor.

ARTICLE 15

Appropriation for Design Services of a Senior Citizens' Center

MRS. MIRANDA: MOVED: That there be, and hereby is, appropriated the sum of \$120,000 to fund a schematic level design of a new building of at least two stories to include a Senior Citizens' Center and space to accommodate other appropriate Town uses, and including expenses related to the project said sum to be raised by transfer from the Kendall Insurance Account, and that the Moderator be, and hereby is, authorized to appoint a building committee to oversee the design and construction of this project.

The motion carries.

MOTION TO ADJOURN

MR. BROWNSBERGER: MOVED: That this Annual Town Meeting be adjourned to Tuesday, June 17, 2003, at 7:30 p.m., at this place.

The motion is adopted.

[Whereupon, at 10:57 p.m., the Fourth Session of the Annual Town Meeting was adjourned.]

FIFTH SESSION JUNE 17, 2003

[The Fifth Session of the Annual Town Meeting of the Town of Belmont was called to order in the Auditorium of the Belmont High School on Tuesday, June 17, 2003, at 7:30 p.m., by the Moderator, Henry L. Hall, Jr.]

Town Meeting viewed an excerpt from a video of the April tour of Europe by the Belmont High School Orchestra.

ARTICLE 1 *Reports*

MR. BROWNSBERGER: MOVED: That Article 1 be removed from the table.

The motion is unanimously adopted.

The Town Meeting heard a report from the Warrant Committee.

MR. BROWNSBERGER: MOVED: That Article 1 be laid on the table.

The motion is unanimously adopted.

ARTICLE 5

Salaries of Elected Officials

MR. HEIGHAM: MOVED: That there be appropriated and paid to the elected officers of the Town as salaries for the financial year commencing July 1, 2003 the amount set opposite the name of each as follows:

Moderator	\$200
Selectmen	
Chairman	\$5,000
Two members each	\$4,500
For a total for the Selectmen of	\$14,000
Town Clerk	\$69,630
Town Treasurer	\$67,600
Assessors:	
Chairman	\$2,750
One member	\$2,420
One member	\$2,200
For a total for the Assessors of	\$7,370

And that the sum of \$158,800 be raised by General Tax and that in consideration of the salaries determined as aforesaid or, in case of appointive officers as determined by the Selectmen, all fees which have heretofore been paid by statute to the Town Clerk, Treasurer, Tax Collector, and any other officers, shall be paid by them upon their receipt into the Town Treasury.

The motion is adopted.

ARTICLE 6

Non-Contributory Pensions

MRS FREINER: MOVED: That there be, and hereby is, appropriated the sum of \$70,000 to provide non-contributory pensions for eligible employees of any and all of the Town Departments as provided in the applicable sections of Chapter 32 of the General Laws as may be determined from time to time by the Retirement Board, said sum to be raised by General Tax and expended under the direction of the Retirement Board.

The motion is unanimously adopted.

ARTICLE 7

Contributory Pensions

MRS. FREINER: MOVED: That there be, and hereby is, appropriated the sum of \$2,795,537 to provide contributory pensions and expenses in connection therewith in accordance with applicable provisions of Chapter 32 of the General Laws, said sum to be raised by General Tax and expended under the direction of the Retirement Board.

The motion is unanimously adopted.

ARTICLE 8

Appropriation of "Up Front" Funds for Highway Improvements

MRS. BRUSCH: MOVED: That there be, and hereby is, appropriated the sum of \$134,382 for the repair, improvement and construction of highways within the Town, said sum to be offset by reimbursement from the Commonwealth as provided by Chapter 90 of the General Laws and acts in amendment thereof and in addition thereto, the same to be expended under the direction of the Board of Selectmen.

The motion is unanimously adopted.

ARTICLE 10

Position Classification and Compensation Plan

MR. BROWNSBERGER: MOVED: That Article 10 be dismissed.

Unanimously adopted.

ARTICLE 12

Appropriation to Stabilization Fund or Capital Endowment Fund

MR. BROWNSBERGER: MOVED: That Article 12 be dismissed.

The motion is unanimously adopted.

ARTICLE 19

Authorization to Participate in MWRA Local Pipeline Assistance Program

MR. KOBAYASHI: MOVED: That there be, and hereby is, appropriated the sum of \$650,000 for laying or relaying replacement water mains of not less than six inches in diameter, for lining and relining such mains with linings of not less than one-sixteenth of an inch and for other improvements to the Town's water system related to the Massachusetts Water Resources Authority's Local Pipeline Assistance Program; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$650,000 and issue bonds or notes therefor under Chapter 44 of the General Laws or any other enabling authority; 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 and in connection therewith to enter a loan agreement and/or financial assistance agreement with the Authority and otherwise to contract with the Authority with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Selectmen is authorized to expend all funds available for the project and to take any other action necessary to carry out the project.

The vote is unanimous.

ARTICLE 11

Capital Expenditures

MRS. BRUSCH: MOVED: That the sum of \$2,293,924 be, and hereby is, appropriated to purchase Public Safety Equipment, Computer Equipment, Public Works Equipment and Furnishings and Equipment for Town Facilities, to construct public ways, and for Building and Facility and Public Works Construction; and for Major Maintenance and Alterations, (including design work) as follows:

Public Safety Equipment

Replace police mobile data terminals	\$26,000
Replace fire shift commander vehicle	<u>\$40,000</u>
Subtotal	\$66,000

Computer Equipment

School technology hardware	\$93,000
Upgrade Town/School fiber optic Network infrastructure	\$50,000
Town technology and hardware	\$41,000
Replace nine LAN-based workstations	<u>\$10,000</u>
Subtotal	\$194,000

Departmental Equipment

Replace maintenance truck and add plow	\$35,000
Replace two highway pickup trucks	\$56,000
Replace facilities pickup truck and plow	\$32,000
Replace SPORT program van	<u>\$25,000</u>
Subtotal	\$148,000

Building and Facility and Public Works Construction

Elementary school window repairs	\$50,000
Replace High School exhaust fans	\$25,000
Retube High School boilers	\$50,000
Facility and life safety repair	\$75,000
Kendall site fieldwork	\$10,000
Emergency fire station repairs	<u>\$40,000</u>
Subtotal	\$250,000

Major Maintenance and Alterations (including design work)

Roof replacement and repairs	\$300,000
Analysis of main library steps	\$15,000
Feasibility study of new public works complex	\$50,000
Environmental analysis of transfer station site	<u>\$75,000</u>
Subtotal	\$440,000

Infrastructure and Construction

Pavement and sidewalk management program	<u>\$1,195,924</u>
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Grand Total: **\$2,293,924**

said sum to be expended under the direction of the Board of Selectmen, the Library Trustees, and the School Committee as appropriate and that said sum be raised as follows: \$2,126,024 by General Tax; and by transfer of \$50,000 from the Capital Endowment Fund; \$32,900 from the Stabilization Fund; \$10,000 from the Kendall Insurance Proceeds; and \$75,000 from the NESWC Reserves and that the Town Accountant be, and hereby is, authorized to make the transfer on the books of the Town.

More than two-thirds in favor. The motion is adopted.

ARTICLE 4

Budget Appropriation

MR. WIDMER: MOVED: That under General Government, Items 010 to 099, the sum of \$3,024,337 having already been appropriated under special warrant articles, the sum of \$4,533,555 appropriated, to be raised by General Tax.

That motion is adopted.

MR. WIDMER: MOVED: That under Public Safety Items 110 through 195, the sum of \$9,057,095 be appropriated to be raised by General Tax.

The motion is unanimously adopted.

MR. WIDMER: MOVED: That under Belmont Public Schools, Item 200 through 204, the sum of \$29,655,300 be appropriated to be raised by General Tax.

The motion is adopted.

MR. WIDMER: MOVED: That under Minuteman Regional School, Item 205, the sum of \$483,063 be appropriated, to be raised by General Tax.

Unanimously adopted.

MR. WIDMER: MOVED: That under Public Services, Items 302 through 366, the sum of \$136,096, having already been appropriated under a special warrant article, the sum of \$16,162,977 be appropriated, of which \$5,820,565 to be raised by transfer from sewer receipts, \$3,584,925 by transfer from water receipts and \$6,757,487 to be raised by General Tax.

The motion is unanimously adopted.

MR. WIDMER: MOVED: That under Human Services, Items 520 to 570, the sum of \$839,699 be appropriated by General Tax.

The motion is unanimously adopted.

MR. WIDMER: MOVED: That under Culture and Recreation, Items 610 to 660, the sum of \$2,214,218 [sic] be appropriated, to be raised by General Tax.

Unanimously adopted.

MR. WIDMER: MOVED: That under Debt and Interest on Debt, Items 700 to 710, the sum of \$4,276,868 be appropriated by General Tax.

Unanimously adopted.

MR. WIDMER: MOVED: That under Capital Expenditure Items 797 to 798, the sum of \$2,293,924 having already been appropriated under special warrant articles, no additional action is necessary under this article.

MR. WIDMER: CORRECTION MOTION: Under Culture and Recreation, the numbers were transposed. Items 610 to 660, the sum of \$2,124,218 be appropriated to be raised by General Tax.

That is unanimously adopted as part of the budget.

ARTICLE 3

Authorization to Transfer Balances

MRS. FREINER: MOVED: That the sum of \$10,660,903 is to be transferred as follows in order to meet said expenses for the Town of Belmont which are appropriated under Articles 3, 4, 5, 6, 7, and 8:

\$525,000	from fund balance in Abatement and Exemption Surplus Account to Program 080, Assessing Service and to Program 099, Retirement and Insurance
\$257,950	from Belmont Municipal Light Department to Debt Service Program 700 and 710 Maturing Debt and Interest on Debt
\$183,081	from Unreserved Fund Balance (formerly referred to as Free Cash) to Program 099 Retirement and Insurance
\$25,000	from Cemetery Perpetual Care Income for Program 350, Cemetery Maintenance
\$134,382	from Chapter 90 State Aid to Program 313, Chapter 90, Highway Funds
\$5,820,565	from FY2004 Sewer Receipts to Programs 314 and 316, Sewer
\$3,584,925	from FY2004 Water Receipts to Programs 360, 362 and 364, Water
\$30,000	from Fund Balance in Parking Meter to Program 135, Police Traffic Management
\$100,000	from FY2004 Water Receipts to the General Fund

In addition, that the entire revenue derived from the sale of electricity to private customers and municipal departments from the cost of street lighting and from jobbing during the 12 months beginning January 1, 2003 be allocated and appropriated for the operating expenses of the Municipal Light Department including out-of-state travel, all said appropriations and payments to be expended under the direction of the Municipal Light Board and that the Town

Accountant is hereby authorized to make such transfer on the books of the Town.

That motion is unanimously adopted.

ARTICLE 18

Transfer of Control of Waverley Fire Station to the Board of Selectmen

ARTICLE 17

Authorization to Sell or Dispose of Waverley Fire Station Property

DR. SOLOMON: MOVED: That Article 18 and Article 17, be dismissed.

The motion is unanimously adopted.

MOTION TO DISSOLVE

MR. BROWNSBERGER: MOVED: That the Annual Town Meeting of 2003 be dissolved.

Unanimously approved.

[Whereupon, at 10:14 p.m., the Fifth Session of the Annual Town Meeting was adjourned.]