

**TOWN OF BELMONT
WARRANT FOR 2003 SPECIAL TOWN MEETING
APRIL 30, 2003
COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To either of the Constables in said County:

Greetings:

In the name of the Commonwealth of Massachusetts you are required to notify and warn the Inhabitants of the Town of Belmont, qualified as the law requires to vote in Town Affairs, to meet at the High School Auditorium on WEDNESDAY, APRIL 30, 2003, at 7:30 P.M., and to notify and warn the Town Meeting Members to meet and act at said time and place on the following Articles, viz:

ARTICLE 1: Reports

To hear the report of the Selectmen and other Town Officers. To hear the report of any Committee heretofore appointed and to act thereon.

This article allows the Board of Selectmen and other town officers, boards and committees to report orally to the Town Meeting on appropriate matters not otherwise appearing on the Warrant. This article stays "on the table" throughout the Town Meeting to allow town officials and committees to report when necessary.

Majority vote required for passage

Yes_____ No_____

ARTICLE 2: Acquisition of Easements for Pleasant Street Reconstruction Project

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or to take by eminent domain additional easements on and over certain parcels of land and interests therein for the purpose of obtaining a secure and public right of way, in connection with the construction and maintenance of roadway improvements for the Pleasant Street Reconstruction Project; said parcels are shown on the plans entitled "Easement Plan of Land Pleasant Street in Belmont, MA, Scale 1"=20', April 1, 2003 by The BSC Group, Inc.," a copy of said plan being on file with the Town Clerk's Office; to appropriate a sum of money for said purpose, to determine whether said sum shall be raised by borrowing or otherwise; or in any way act thereon.

This article authorizes the Board of Selectmen to acquire easements over certain parcels of land along Pleasant Street as part of the major street reconstruction project that is scheduled to commence in late 2003. These easements will allow for the construction of roadway and stormwater drainage improvements along Pleasant Street.

The Warrant Committee and Capital Budget Committee will report orally on this article.

Two-thirds vote required for passage

Yes_____ No_____

ARTICLE 3: Appropriation of Funds to Temporarily Relocate Waverley Fire Station

To see if the Town will vote to appropriate a sum of money for the repair of the Waverley Fire Station and the relocation of the station to a temporary facility, determine whether this appropriation shall be raised by borrowing or otherwise, or in any way act thereon.

The Waverley Fire Station building has significant life safety and code issues that demand the repair of the facility or the temporary relocation of the fire department operations. After review of this issue, the Board of Selectmen is recommending the relocation of this fire station to temporary quarters in the vicinity of the Highway Yard off of Waverley Street. This article seeks the appropriation of funds from the Kendall insurance proceeds.

The Warrant Committee and Capital Budget Committee will report orally on this article.

Majority vote required for passage

Yes_____ No_____

ARTICLE 4: Appropriation of Funds to Replace Fire Emergency Equipment

To see if the Town will vote to appropriate the sum of \$6,587.05 to the Fire Department's budget to be expended to replace equipment damaged during response to an incident at the Cambridge Plating facility, said sum having been received by the Town as part of restitution for damage done to Fire Department property, or in any way act thereon.

This article is a technical article to appropriate funds the Fire Department received from Cambridge Plating Company to replace equipment damaged during the Department's response to an incident at the facility last year. State law requires appropriation of insurance reimbursement funds.

The Warrant Committee will report orally on this article.

Majority vote required for passage Yes_____ No_____

ARTICLE 5: Transfer Funds from Prior Year Capital Budget Projects to FY 2003 Reserve Fund

To see if the Town will vote to transfer funds previously appropriated for prior fiscal years' capital budget projects to the fiscal year 2003 Reserve Fund or other Town accounts, or in any way act thereon.

This article seeks to transfer approximately \$94,770 from prior capital budget appropriations to the FY 2003 Reserve Fund. The purpose is to transfer balances in prior capital budget accounts that are no longer needed into the Reserve Fund to provide the town more funding to cover shortfalls in its other operating accounts that were unanticipated (e.g., state aid reductions and snow and ice removal).

The Warrant Committee and Capital Budget Committee will report orally on this article.

Majority vote required for passage Yes_____ No_____

ARTICLE 6: Transfer Funds from Water Fund to General Fund

To see if the Town will vote to transfer \$100,000 previously appropriated for the fiscal year 2003 Water Fund to the Town's General Fund for the purpose of offsetting department costs of administrative, ancillary and other services which are provided to operate said Water Fund, or in any way act thereon.

This article is a technical correction for an oversight in last year's FY 2003 budget appropriation and transfers votes. The FY 2003 Water Department budget contains \$100,000 for general government support provided by the Town (e.g., human resources, payroll, etc.). This amount should have been transferred to the Town's general fund during last year's Annual Town Meeting, but was not.

The Warrant Committee will report orally on this article.

Majority vote required for passage Yes_____ No_____

ARTICLE 7: Alewife Tax Legislation

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for the enactment of a special law in substantially the following form:

"HOME RULE PETITION FOR BELMONT

AN ACT RELATIVE TO THE TAXATION OF CERTAIN PROPERTY IN THE TOWN OF BELMONT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. *Notwithstanding the provision of any general or special law to the contrary, the taxation of the real property described within a certain Memorandum of Agreement entered into by and between the town of Belmont and AP Cambridge Partners II, LLC, dated May 28, 2002, and also described within a Supplemental Agreement by and*

between the same parties, dated May 28, 2002, shall be governed by said Memorandum of Agreement and Supplemental Agreement.

SECTION 2. This act shall take effect upon its passage.”

or in any way act thereon.

This article seeks Town Meeting authorization to petition the state legislature for a home rule act that would confirm the special tax agreement with O'Neill Properties Group relative to the Alewife development approved by the Town Meeting in 2002. This act would guarantee tax payments in the event the property was sold to a tax-exempt institution.

The Warrant Committee will report orally on this article.

Majority vote required for passage

Yes_____

No_____

Given under our hands this ninth day of April 2003.

BOARD OF SELECTMEN

William N. Brownsberger

Anne Marie S. Mahoney

Paul Solomon