

TOWN RECORDS 2008 (Condensed)

PRESIDENTIAL PRIMARY

February 5, 2008

Pursuant to a warrant duly served, the Presidential Primary was held on February 5, 2008 in Precinct 1 - Parish Hall of the United Methodist Church of Weston located at 377 North Avenue; Precinct 2 - Basement of St. Peter's Church located at 320 Boston Post Road; Precincts 3 & 4 - Social Hall of St. Demetrios Greek Orthodox Church, 57 Brown Street.

The polls were open from 7:00 a.m. to 8:00 p.m.

TOWN OF WESTON - PRESIDENTIAL PRIMARY

Final Results

February 5, 2008

Democratic Party - Summary Vote

	Total		
Presidential Preference		Town Committee	
Blanks	5	Blanks	52163
John R. Edwards	23	Amelia B. Nychis	1162
Hillary Clinton	1104	Samuel Schlosberg	1223
Joseph R. Biden, Jr.	2	Daniel J. O'Connell	1156
Christopher J. Dodd	1	Joan M. Parrish	1284
Mike Gravel	1	Habib Rahman	1255
Barack Obama	1533	Isabella P. Jancourtz	1167
Dennis J. Kucinich	4	Rosalind C. Barnett	1156
Bill Richardson	3	Anne-Louise W. Benning	1190
No Preference	3	Lynn Uhrich Smith	1191
<u>Write-Ins:</u>		Carl A. Hirsch	1168
Scattering	7	Nazda K. Alam	1160
Total	2686	Alan T. Orth	1251
		MaryLee C. Marsh	1228
State Committee Man		Joseph Samuel Berman	1163
Blanks	1191	Ray A. Shepard	1189
Ronald M. Cordes	1484	Kathleen C. Shepard	1228
<u>Write-Ins:</u>		John S. Dubrow	1145
Scattering	11	Lisa B. Keer	1141
Total	2686	Timothy W. Armour	1187
		Mary E Shaw	1212
State Committee Woman		Ripley Ellison Hastings	1335
Blanks	1120	Paul M Gleysteen	1262
Janet M. Beyer	1560	Christiane E. Musinsky	1145
<u>Write-Ins:</u>		Ana P. Camayd	1132
Scattering	6	Renne Lu	1172
Total	2686	Christine Sullivan Daly	1179
		Jay Mark Waxman	1194
		Beverly S. Foster	1184
		Michael J. Pappone	1173
		Joseph H. Morgart	1171
		Geraldine G. Crane	1153
		John W. Hennessey	1147
		Sandra Rahman	1239
		Paul Egerman	1180
		Elizabeth H. Munro	1249
		Total	93934

TOWN OF WESTON - PRESIDENTIAL PRIMARY

Final Results

February 5, 2008

Republican Party - Summary Vote

Total		Town Committee	
Presidential Preference		Blanks	41714
Blanks	2	Frances Barrett Foster	720
John McCain	679	A. Richard Hersum	776
Fred Thompson	0	W. Louise Hersum	753
Tom Tanceredo	0	Jacques Wajsfelner	711
Duncan Hunter	2	Marguerite R. Sarkisian	726
Mike Huckabee	16	Edward C. Michaud, Jr.	740
Mitt Romney	817	Warren E. Norquist	740
Ron Paul	30	Carol Lutz Norquist	732
Rudy Giuliani	11	Charles Stephen Foster	716
No Preference	2	Martina K. Vela	697
<u>Write Ins:</u>		John Henry DeJong	712
Scattering	11	Carole Lee Dejong	699
Total	1570	Melvyn L. Lurie	728
		Richard A. Murray	826
State Committee Man		Michael F. Cronin	756
Blanks	670	E. Christopher Palmer	728
Peter Dulchinos	894	John J. Noone	749
<u>Write Ins:</u>		Joseph Andrew Lauricella	699
Scattering	6	<u>Write-Ins:</u>	0
Total	1570	Akin,J	1
		Maystrovsky,R	1
State Committee Woman		Maystrovsky,V	2
Blanks	672	Gordon,G	1
Sandra B. Martinez	896	Rohall,D	2
<u>Write Ins:</u>		McDonald,M	1
Scattering		Carlson,J	1
Total	1570	Carlson,S	1
		Hedges,C	1
		Alagna,M	1
		Murphy,k	1
		Loeber,F	1
		Schmidek,I	1
		Bosse,A	1
		Loeber,M	1
		Spencer,V	1
		Abrams,I	1
		Schmidek,C	1
		Spencer,B	1
		Abrams,S	1
		Klapholz,H	1
		Klapholz,M	1
		Farooqui,M	1
		Yates,P	1
		Gallagher,W	2
		Total	54950

TOWN OF WESTON - PRESIDENTIAL PRIMARY

Final Results

February 5, 2008

Working Families - Summary Vote

	Total		Total
Presidential Preference		State Committee Woman	
No Preference	0		
Blanks	0	Blanks	0
Total	0	Total	0
State Committee Man		Town Committee	
		Blanks	0
Blanks	0	<u>Write-Ins:</u>	
<u>Write-Ins</u>		Blanks	0
Total	0	Total	0

TOWN OF WESTON - PRESIDENTIAL PRIMARY

Final Results

February 5, 2008

Green-Rainbow Party

	Total		Total
Presidential Preference		State Committee Woman	
Blanks		Blanks	7
Jared Ball	0	<u>Write-Ins</u>	
Ralph Nader	1		
Elaine Brown	0	Total	7
Kat Swift	1		
Cynthia McKinney	0	Town Committee	
Ken Mesplay	0	Blanks	70
No Preference	1	<u>Write-Ins:</u>	0
<u>Write-Ins</u>			
Scattering	4		
Total	7	Total	70
State Committee Man			
Blanks	1		
Daniel Melnechuk	6		
<u>Write-Ins</u>			
Total	7		

ANNUAL TOWN ELECTION

May 10, 2008

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 a.m. on May 10, 2008, for the election of Town Officers. Emily Hutcheson swore the election officers to the faithful performance of their duties.

Total ballots cast were as follows:

Precincts 1 & 2	1029
Precincts 3 & 4	<u>804</u>
TOTAL	1833

The results of the election were as follows:

Moderator - One Year			
Robert M. Buchanan*	111 Summer Street	Caucus Nominee	1445
Blanks			375
<u>Scattering</u>			<u>13</u>
Selectman - Three Years			
Michael H. Harrity*	695 Boston Post Road	Caucus Nominee	1296
John J. Noone	745 Boston Post Rd	Caucus Nominee	485
Blanks			51
<u>Scattering</u>			<u>1</u>
Assessors - Three Years Vote for Two			
Janice M. Glynn*	54 Old Colony Road	Caucus Nominee	1308
Alan t. Orth*	17 Warren Lane	Caucus Nominee	1265
Blanks			1084
<u>Scattering</u>			<u>9</u>
School Committee - Three Years			
Joanna M. Stimpson*	39 Lexington Street	Caucus Nominee	1335
Blanks			488
<u>Scattering</u>			<u>10</u>
Recreation Commission - Three Years Vote for Two			
Elly D. Pendergast*	59 Wellesley Street	Caucus Nominee	1375
James I. Rubens*	20 Ledgewood Road	Caucus Nominee	1187
Blanks			1096
<u>Scattering</u>			<u>8</u>
Planning Board - Five Years			
Diana Chaplin	56 Chestnut Street	Caucus Nominee	468
Gary R. Lee	54 Old Colony Road		1266
Blanks			99
<u>Scattering</u>			<u>0</u>
Library Trustees - Three Years Vote for Two			
Diana S. Coates*	30 Myles Standish Road	Caucus Nominee	1269
Joseph W. Mullin*	81 Merriam Street	Caucus Nominee	1300
Blanks			1094
<u>Scattering</u>			<u>0</u>
Library Trustees - Three Years Vote for Two			
Joel Angiolillo	326 Conant Road	Caucus Nominee	1284
Blanks			545
<u>Scattering</u>			<u>4</u>

*Indicates incumbent

Board of Health -Three Years			
Carl A. Hirsch*	7 Conant Rd	Caucus Nominee	1322
Blanks			507
Scattering			4
Commissioner of Trust Funds - Three Years			
Charles M. Ganson*	150 Chestnut Street	Caucus Nominee	1293
Blanks			536
Scattering			4
Measurers of Lumber -One Year Vote for Three			
George F. Amadon	17 Village Road	Caucus Nominee	1170
David C. Bennett*	56 Westland Road	Caucus Nominee	1174
Barrett W. Gilchrist*	75 Warren Avenue	Caucus Nominee	1171
Blanks			1973
Scattering			11

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 amount 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) DPW Equipment Replacement; (2) Sidewalk Maintenance; (3) Police and Fire Communications; (4) Wellesley Street/South Avenue Intersection Improvements Design; (5) Street Light Fixture Replacement; (6) School Bus Replacements; and (7) School Paving?

Yes: 1208 No: 487 Blanks: 138

BALLOT QUESTION NO. 2: SALE OF WINE AT FOOD STORES

Shall an act passed by the General Court in the year 2008, entitled "An Act Authorizing the Town of Weston to Grant a License for the Sale of Wine at Food Store," be accepted?

SUMMARY

This question is being presented pursuant to Chapter 37 of the Acts of 2008, a special act applicable to the Town of Weston. The request for the special act was approved by the May 7, 2007 Annual Town Meeting. The special act would, if accepted by the voters, authorize the Board of Selectmen to grant a food store a license to sell wine. The proposed law defines a "food store" as a grocery store or supermarket which sells at retail, food for consumption off the seller's premises either alone or in combination with grocery items or other nondurable items typically found in a grocery store and sold to individuals for personal, family or household use. The special act mandates that a "food store" carry fresh and processed meats, poultry, dairy products, eggs, fresh fruits and produce, baked goods and baking ingredients, canned goods and dessert items. The special act provides further, however, that a convenience or specialty store is not a "food store" for purposes of the act, and authorizes the Board of Selectmen to make a determination as to whether an applicant is a food store based upon such factors as volume of sales, actual or proposed, and the extent and range of merchandise offered for sale. Except as otherwise provided, the license shall be subject to all of the provisions of Chapter 138 of the General Laws relative to issuance, renewal, suspension and termination of licenses for retail sales of alcoholic beverages which are not to be consumed on the seller's premises and to the holders of such licenses.

Yes: 1184 No: 580 Blanks: 69

SPECIAL TOWN MEETING
May 12, 2008

Pursuant to a warrant, duly served, Robert M. Buchanan, the Moderator called the Special Town Meeting to order at 7:30 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 swore them to their duties. Tellers in the Auditorium: Jean Thurston, Richard Murray, Janet Fronk, Jackie Haas

ARTICLE 1: AMEND FISCAL YEAR 2008 OPERATING BUDGET

Mr. Michael Harrity moved that the Town amend the following line items in the Fiscal Year 2008 Operating Budget adopted under Article 2 of the 2007 Annual Town Meeting and amended under Article 1 at the November 28, 2007 Special Town Meeting, by transferring between line items and appropriating additional funds as follows:

	Changing From	Changing To	Difference
Insurance, Group Health/ Life, Medicare	\$9,402,374	\$9,387,374	\$(15,000)
Police - Salaries	2,319,610	2,334,610	15,000
Legal - Expenses	226,800	301,800	75,000
Conservation Commission - Expenses	118,750	103,750	(15,000)
Public Works - Snow & Ice Control	197,750	447,750	250,000

And as funding therefor, that \$280,000 be transferred from free cash, and that \$30,000 be transferred from Brook School Apartments Enterprise Fund Retained Earnings

The motion was voted unanimously.

ARTICLE 2: AMEND FISCAL YEAR 2008 WATER ENTERPRISE BUDGET

Mr. Harrity moved that the Town amend the fiscal year 2008 Water Enterprise budget adopted under Article 3 of the 2007 Annual Town Meeting by transferring between line items as follows:

	Changing From	Changing To	Difference
Salaries	249,496	242,496	\$(7,000)
Debt Service (non-exempt)	103,189	110,189	7,000

The motion was voted unanimously.

ARTICLE 3: AMEND FISCAL YEAR 2008 RECREATION ENTERPRISE BUDGET

Mr. Harrity moved that the Town amend the fiscal year 2008 Recreation Enterprise budget adopted under Article 4 of the 2007 Annual Town Meeting by transferring between line items as follows:

	Changing From	Changing To	Difference
Salaries	991,020	938,020	\$(53,000)
Expenses	358,050	406,050	48,000
Community Center-Expenses	96,950	101,950	5,000

The motion was voted unanimously.

Motion to dissolve Special Town Meeting passed at 7:45 p.m.

Resolved: We the citizens of Weston assembled in Annual Town Meeting take notice that Alan Oliff, Superintendent of Schools, is retiring at the end of this school year. Superintendent Oliff is to be commended for all his outstanding accomplishments that over his ten year tenure have truly transformed our school system. These include:

- The development and implementation of the Standards Based Initiative that assures success for every student
- The implementation of a curriculum review system that maintains rich, challenging and effective programs in every discipline
- The development of a streamlined, fiscally responsible budgeting process guided by long term, visionary educational goals
- The development of in-house, cost-efficient, highly effective educational programs serving not only our Special Education population but also serving the needs of every student
- The infusion of diversity awareness and the high level of success achieved by our METCO students
- The consolidation of the technology and building maintenance functions between the Schools and Town reaping financial benefits and improving operations for both
- The successful completion of challenging, complex building projects at Country School, Woodland School and the Middle School leaving just one school building project to tackle.

For all these accomplishments and his many other contributions to our Schools and Town, we wish to express our sincere appreciation and gratitude to Dr. Alan Oliff. Dr. Oliff has made an everlasting imprint on the education of our children that we will always treasure.

Further resolved that this resolution be spread upon the records of the Town and a copy be sent to Dr. Oliff.

ANNUAL TOWN MEETING, MAY 10, 2008

Pursuant to a warrant, duly served, Robert M. Buchanan, the Moderator called the Annual Town Meeting to order at 8:00 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 1: M. Elizabeth Nolan, Town Clerk read the results of the May 10, 2008 Annual Town Election, which appeared in the report of the Town Election (above).

ARTICLE 2: APPROPRIATE THE FISCAL YEAR 2009 OPERATING BUDGET

Motion (1): Mr. Michael Harrity moved that the several sums of money recommended by the Board of Selectmen for the Fiscal Year beginning July 1, 2008, in accordance with Section 5 of Article II of the General Bylaws, as amended, and set forth in pages 5-8 of the report entitled, "Fiscal Year 2009 Recommended Operating Budget," be raised and appropriated for their respective purposes as set forth on said pages, with the following exceptions:

that Planning & Land Use Salaries be reduced by \$57,000 to \$258,233;
that Insurance-Group Health/Life, Medicare be reduced by \$18,771 to \$9,643,224;
and that Legal Expenses be increased by \$75,771 to \$304,771;

and that the Town transfer the following sums to meet, in part, appropriations made at this Town Meeting:

- a. \$2,100,000 from the Free Cash Account;
- b. \$100,000 from the "Accrued Income, Well Litigation Settlement" account;
- c. \$40,000 from the Cemetery Trust Fund;
- d. \$105,000 from Overlay Surplus; and
- e. \$6,500 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 2009.

Mr. Harrity explained the legal expenses are related to the zoning bylaws. Speaking in support of Mr. Harrity's motion were Mr. Richard Manley, on behalf of the School Committee, and Mr. James Ricotta, speaking for the Finance Committee.

The motion (1) was voted unanimously.

The budget as adopted under Article 2, Motion 1 is as follows:

Motion (2): Mr. Harrity moved that the Town transfer \$250,000 from the Well Litigation Settlement Account to meet, in part, appropriations made at this Town Meeting:

The motion (2) was voted unanimously.

Motion (3): Mr. Harrity moved that the compensation for the following elected officers of the Town for the fiscal year commencing July 1, 2008, as required by Massachusetts General Laws, Chapter 41, Section 108, be fixed at:

Town Clerk	\$150
Assessors	\$100

and that all other elected officers of the Town be unpaid.

that five persons be appointed by the Moderator to serve as a Memorial Day Committee in 2009 with authority to expend funds for the 2009 Memorial Day observance from the World War Trust Fund for this purpose.

The motion (3) was voted unanimously.

Motion (4): Mr. Harrity moved that five persons be appointed by the Moderator to serve as a Memorial Day Committee in 2009 with authority to expend funds for the 2009 Memorial Day observance from the World War Trust Fund for this purpose.

The motion (4) was voted unanimously.

Motion (5): Mr. Harrity moved that in purchasing property or equipment, any allowance for turning in or selling other property or equipment may be applied to the purchase price.

The motion (5) was voted unanimously.

ARTICLE 3: APPROPRIATE THE FISCAL YEAR 2009 WATER ENTERPRISE BUDGET

Mr. Harrity moved that that the Town appropriate from water receipts the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2009, under the provisions of M.G.L. Chapter 44, section 53F½:

Salaries	\$277,924
Expenses	228,280
MWRA Assessment/Water Purchases	1,671,986
Debt Service (non-exempt)	121,390
Capital Outlay	<u>7,500</u>
Total	\$2,307,080

The motion was voted unanimously.

ARTICLE 4: APPROPRIATE THE FISCAL YEAR 2009 RECREATION ENTERPRISE BUDGET

Mr Harrity moved that the Town raise and appropriate the following sums of money to operate the Recreation Department during fiscal year 2009, under the provisions of M.G.L. Chapter 44, Section 53F¹/₂:

Salaries	\$985,597
Expenses	457,300
Community Center	<u>103,370</u>
Total	\$1,546,267

The motion was voted unanimously.

ARTICLE 5: APPROPRIATE THE FISCAL YEAR 2009 BROOK SCHOOL APARTMENTS ENTERPRISE BUDGET

Mr. Harrity moved that the Town appropriate from rental receipts the following sums of money to operate the Brook School Apartments during fiscal year 2009, under the provisions of M.G.L. Chapter 44, Section 53F¹/₂:

Salaries	\$141,644
Expenses	355,400
Repairs and Replacements	86,872
Payment in lieu of taxes	18,710
Debt Service	<u>246,016</u>
Total	\$848,642

The motion was voted unanimously.

ARTICLE 6: APPROPRIATE TO STABILIZATION FUND

Mr. Steven Charlip moved that the Town raise and appropriate \$250,000 to the Stabilization Fund, as provided under M.G.L. Chapter 40, section 5B, as amended, to be used for any lawful purpose, capital budget program or purpose for which the Town may borrow.

The motion was voted unanimously.

ARTICLE 7: APPROPRIATE TO POST EMPLOYMENT BENEFITS STABILIZATION FUND

Mr. Charlip moved that the Town raise and appropriate \$40,000 to the Post Employment Benefits Stabilization Fund, as provided under M.G.L. Chapter 40, section 5B, as amended, to be used for post employment benefits.

The motion was voted unanimously.

ARTICLE 8: CONTINUE DEPARTMENTAL REVOLVING FUNDS

Mr. Charlip moved that the Town continue revolving funds for certain Town departments pursuant to the provisions of M.G.L. chapter 44, section 53E¹/₂ for the fiscal year beginning July 1, 2008, for the funds, incorporated by reference as set out on Page 25 of the warrant.

The motion was voted unanimously.

ARTICLE 9: ACCEPT CHAPTER 90 ROAD IMPROVEMENT FUNDS

Mr. Charlip moved that the Town 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 \$356,093 and any other sums of money that may be received for the fiscal year commencing July 1, 2008 provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department.

A Town meeting member inquired how much does the Town expect from the Commonwealth; Mr. Charlip responded that the motion was only for an authorization to expend what the State government provides.

The motion was voted unanimously.

ARTICLE 10: APPROVE PROPERTY TAX DEFERRAL INCOME LIMITS

Mr. Charlip moved that the Town establish a fiscal year 2009 income eligibility limit of \$70,000 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.

The motion was voted unanimously.

ARTICLE 11: APPROPRIATE DESIGN FEES FOR NEW DEPARTMENT OF PUBLIC WORKS FACILITY

Mr. Gillespie moved that the Town appropriate \$950,000 to pay costs of engineering and architectural services for plans and specifications for a new facility for the Department of Public Works, 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 that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

Speaking in support of his motion, Mr. Gillespie urged the Town meeting members to trust the Selectmen regarding the motion's issue. Speakers in support of the motion included: Mr. Edward Heller, on behalf of the School Committee; James Ricotta of the Finance Committee, Al Aydelott, chairman of the Planning Board, who reminded members the motion was for design fees only; and Reiner Kuhr. Mr. Peter Hill, speaking in favor of the motion, thanked the selectmen for their work but inquired if the police station also needed work and how would the DPW project effect funding for the police station and affordable housing. Mr. Boucher objected, stating there were too many unanswered questions to warrant a vote on the motion. Mr. Gillespie explained the police station needs would be addressed at a future time; the DPW and the police would share the septic system. The public restroom was removed because there was little need for a public restroom. Regarding the impact on affordable housing, the committee did not consider it. Mr. James Messervy, member of the Permanent Building Committee, spoke in favor of the motion. Ms. Nina Danforth expressed concern, saying important energy issues were yet to be addressed. Ms. Danforth objected to the design's orientation of the building, saying it was not oriented to maximize sunrays, and the building, as situated, would not be able to use solar panels. Proponents explained that the rationale for the orientation of the building was to reduce the impact of noise in the Golden Ball neighborhood from the school buses entering and exiting. Ms. Danforth stated the current bus depot, located at the Middles School, has no neighbors and changing the location of the depot was not warranted. Ms. Danforth, objecting to the motion, urging the Town members not to vote for the design fees as plan lacked innovation and green energy.

2/3 majority voted needed: yeas 271 nays 33

The motion was voted 2/3 majority as declared by the moderator

ARTICLE 12: APPROPRIATE FOR DEPARTMENT OF PUBLIC WORKS EQUIPMENT REPLACEMENT

Mr. Gillespie moved that the Town appropriate \$245,000 to pay costs of purchasing departmental equipment for the Department of Public Works 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 authority of M.G.L. Chapter 44, section 7, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefore.

The motion was voted unanimously.

ARTICLE 13: APPROPRIATE FOR SIDEWALK MAINTENANCE

Mr. Charlip moved that the Town appropriate \$120,000 to pay costs of constructing or reconstructing sidewalks, 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 that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

The motion was voted unanimously.

ARTICLE 14: APPROPRIATE FOR POLICE AND FIRE COMMUNICATIONS

Mr. Charlip moved that the Town appropriate \$130,000 to pay costs of expanding the Town's fiber optic communications network, purchasing and installing fire and police communications equipment, 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 that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

Responding from an inquiry from the floor, Mr. Charlip stated Cat Rock would not have a tower.

The motion was voted unanimously.

ARTICLE 15: APPROPRIATE FOR WELLESLEY STREET/SOUTH AVENUE INTERSECTION IMPROVEMENTS DESIGN

Mr. Charlip moved that the Town appropriate \$140,000 to pay costs of engineering services to develop plans and specifications for improvements at the Wellesley Street and South Avenue intersection, 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 that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

Asked what was involved, Mr. Harrity responded that the monies would be for a traffic survey.

The motion was voted unanimously.

ARTICLE 16: APPROPRIATE FOR STREET LIGHT FIXTURE REPLACEMENT

Mr. Harrity moved that the Town appropriate \$138,000 to pay costs of acquiring and installing public lighting, 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 authority of M.G.L. Chapter 44, section 7, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

Mr. Steve Wagoner inquired as to the type of lights and would it include flood lighting. Mr. Harrity responded the type of fixtures would determine the "spillage of light. Mr. John Fiske complimented the Finance Committee for their work and asked if this type of lighting would be possible for the athletic fields. Mr. Harrity replied that consideration was given for the tennis and basketball courts, but the town needed the motion to pass in order to study the types of fixtures. Mr. Rosen inquired about light pollution. Mr. Harrity stated the new fixtures are more effective and would stop light pollution. Ms. Erica Saunders asked if the new fixtures had hazardous waste material, Mr. Harrity said yes. Mr. Quinn speaking in favor of the motion described the environmental benefits, stating that the City of Newton had done this and it was very successful.

The motion was voted 2/3 majority as declared by the moderator.

ARTICLE 17: APPROPRIATE FOR SCHOOL BUS REPLACEMENTS

Mr. Edward Heller, member of the School Committee moved that the Town appropriate \$290,500 to pay costs of purchasing departmental equipment, 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 authority of M.G.L. chapter 44, section 7, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

Mr. Jack Smith inquired if the buses would be fueled by natural gas; no, the buses would use diesel.

The motion was voted unanimously.

ARTICLE 18: APPROPRIATE FOR SCHOOL PAVING

Ms. Mary Ann Rogers, member of the School Committee moved that the Town appropriate \$171,000 to pay costs of resurfacing of various school roadways and parking areas, 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 authority of M.G.L. chapter 44, section 7, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

The motion was voted 2/3 majority as declared by the moderator.

ARTICLE 19: APPROPRIATE FOR WELLESLEY STREET WATER PUMP STATION IMPROVEMENTS

Mr. Charlip moved that the Town appropriate \$770,000 to pay costs of improvements to the Wellesley Street Water Pump Station, including replacement of pumping station equipment, 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 authority of M.G.L. chapter 44, section 8, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

The motion was voted unanimously.

Mr. Gillespie moved to adjourn Annual Town Meeting until 7:30 PM Wednesday, May 14, 2008.

Motion to adjourn passes at 10:50 PM

Annual Town Meeting: Adjourned Wednesday May 14, 2008

At 7:30 PM the Moderator declared a quorum present. The Moderator appointed replacement tellers and swore them to their duties: Merrill Mack, Susie Nichols, Nancy Mack, and Hilary Nichols

ARTICLE 20: APPROPRIATE FOR FISCAL YEAR 2009 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 2009 Community Preservation budget and appropriate from the Community Preservation Fund:

\$80,000 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2009, such sum to be transferred from FY09 estimated annual revenues;

and further, that the Town reserve for appropriation the following amounts as recommended by the Community Preservation Committee, such sums to be transferred from the Community Preservation Fund, FY09 estimated annual revenues:

\$510,000 for the acquisition, creation and preservation of open space excluding land for recreational use;

\$255,000 for the acquisition, preservation, rehabilitation and restoration of historic resources; and

\$260,000 for the creation, preservation and support of community housing;

and further, that the following amounts be appropriated for payment of principal and interest payments on Community Preservation projects previously approved by town meeting:

\$301,323 related to the expansion of the Brook School Apartments, approved under Article 19 of the May 2004 Annual Town Meeting, said sum to be transferred from the Community Housing Reserve of the Community Preservation Fund; and

\$513,675 related to the purchase of Open Space known as the Case Estates land, which was approved for purchase under Article 1 of the November 8, 2006 Special Town Meeting, said sum to be transferred from the Open Space Reserve of the Community Preservation Fund.

The motion was voted.

ARTICLE 21: APPROPRIATE FOR HISTORIC RESOURCES - JOSIAH SMITH TAVERN AND OLD LIBRARY DESIGN FEES

Mr. Steven Wagner, Historical Commission representative, moved that the Town appropriate \$750,000 for historic resource purposes under the Community Preservation Program, for the cost of architectural services for plans and specifications for the preservation, restoration, and re-use of the Josiah Smith Tavern and Old Library buildings, to be spent under the direction of the Town Manager, said sum to be transferred from the Historic Resources Reserve of the Community Preservation Fund.

The motion was voted.

Mr. Wagner yielded to Mr. Andy Marvel. Mr. Marvel stated the intention was that there would be no impact on the current tax base. Speakers in support of the motion included Ms. Peter Nichols, architect Kay Kong, landscape architect Tom Worth and committee member Carol Snow. Speaking in opposition, Robert Buchanan, Jr., questioned if the Town wanted to pay the cost of maintaining the buildings; Mr. Winthrop Bayliss, representative of St. Julia's Parish Council, also spoke in opposition, stating that the proposal calls for the replacement of the trees and the playground with a commercial septic system and a very sizable parking lot which would have a negative impact on the Center and directly on the Church community, adding noise, lights and increase in congestion. Mr. Bayliss stated the objections of St. Julia Parish Pastoral Council included objections to the destruction of a piece of scarce open space land, integral to the historic character and beauty of the Town. Ms. Diane Douglas, president of the WCCA, stated that although Tavernside Park playground would be torn down and replaced with a parking lot, the WCCA was neutral, but if the article passed, the WCCA had been assured that a playground located on Lamson Field would be a better site, and thanked the Committee for consulting with the WCCA.

Mr. Michael Glynn moved: That the motion is amended to reduce the amount of additional design fees to \$375,000, and that the Josiah Smith Tavern is stricken from the motion.

Mr. Wagner did not accept the motion to amend. Mr. Donald Steiner expressed concern about the Town's taxpayers' funds being used to fund a restaurant, saying based on his knowledge and

experience with the Smithsonian restaurant; it was not a good investment. Mr. Marple, speaking in favor of the motion to amend, stated it was important to separate the amendment into two separate proposals. Mr. Harmon, asked how would the Selectmen select the restaurateur, would it be through a public bid? Mr. Harmon stated he believed the restaurant would be fraught with problems as there would be multiple conflicts of interest as the Selectmen owned the building and would control the liquor license. If a problem and lawsuit arose, does the liquor license get pulled? Speaking in favor of the main motion, Mr. Ned Rossiter stated the restaurant would return the Town to a rural tradition; it would serve as social gathering place. Dr. Melvyn Lurie opposed the main motion, objecting to the Town going into business to attract outside business, and that this would have a negative impact on current business in the Town. Mr. Daniel Santangelo objected to the destruction of open space and Town funds being used to subsidize private business. Mr. Garrison and Mr. John Sallay both spoke in opposition to Mr. Glynn's motion to amend, saying a piecemeal approach would cause duplication of work and expense.

**Motion to move the question from the floor: 2/3 majority needed to move the question.
Motion to move passes.**

Mr. Glynn's motion to amend is defeated: yeas 158 nays 282.

Mr. Wagner's motion voted: 255 yeas 170 nays.

ARTICLE 22: LIQUOR LICENSE - JOSIAH SMITH TAVERN

Mr. Andrew Marvel moved that the Town petition the General Court for a special act providing that legislation be adopted as set forth in Article 22 of the Warrant; and further, to authorize the General Court to make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition.

Mr. Harrity explained to Town Meeting members the liquor license would be site specific and held by the Town, but the responsibility and liability would reside with the operator of the restaurant and could not be transferred to another. Mr. Ray Halpern opposed the motion stating the Town should not go into the "liquor business" and that he objects to the Town being responsible for such a license. Mr. Glynn urged members to reject the motion, saying there was no compelling reason for such Town ownership. Mr. Chapman, stated that the committee had spent considerable time researching the legal issues and that the Town would be protected by Tort Act statute, that a non-profit committee would oversee the license, so that the Town would not have any exposure. Ms. Angelucci objected, stating the statute doesn't prevent tragedy, as it takes only one drunk driver to destroy a family.

Voted: yeas 238 nays 124

The motion was voted.

ARTICLE 23: APPROPRIATE FOR OPEN SPACE - FIELD PRESERVATION

Mr. Brian Donahue moved that the Town appropriate \$20,000 for the preservation of open space under the Community Preservation Program, to be used for the preservation of several fields under the jurisdiction of the Conservation Commission, said sum to be transferred from the Open Space Reserve of the Community Preservation Fund.

The motion was voted unanimously.

ARTICLE 24: APPROPRIATE FOR OPEN SPACE - PRESERVATION OF RECREATION AREAS

Ms. Barbara Hill moved that the Town appropriate \$250,000 for open space purposes under the Community Preservation Program, to preserve existing recreational areas under the jurisdiction

of the Board of Selectmen and School Committee, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Preservation Fund.

Ms. Hill yielded to Mr. Ripley Hastings, member of the Recreation Fields Master Plan Committee. Town Counsel, responding to an inquiry regarding the appropriateness of CPA Funds for such an endeavor, stated such appropriations were determined to be valid in the City of Newton.

The motion was voted.

ARTICLE 25: APPROPRIATE FOR COMMUNITY HOUSING - HOUSING STAFF ASSISTANCE

Ms. Sarah Like Rhatigan, member of the Housing Needs Committee moved that the Town appropriate \$30,000 for community housing purposes under the Community Preservation Program, in order to provide funds for staff assistance for the creation, preservation, and support of community housing, to be spent under the direction of the Town Manager; said sum to be transferred from the Community Housing Reserve of the Community Preservation Fund.

Ms. Rhatigan yielded to Mr. Charlip, who stated the funds would be used to increase the hours of employees.

The motion was voted unanimously.

ARTICLE 26: AMEND ZONING BYLAW TO ADD DEFINITION OF "STRUCTURE"

Ms. Wendy Kaplan Armour, Chairman of the Zoning Board of Appeals moved that the Town amend Section II., Definitions, of the Zoning Bylaw, by adding the definition of "Structure" as set forth in Article 26 of the Warrant, with the following change:

Delete the second paragraph and replace it with:

"A fence shall be considered a structure only if it is more than six (6) feet high, as measured from existing natural grade."

Mr. Aydelott, member of the Planning Board, spoke in favor of the motion. Mr. Harrity stated the issue was a Planning Board issue but had direct ties to the budget, as \$75K of legal fees was to review the inconsistency in the Zoning Laws. Mr. Mario Alagna, spoke in support as clarification was needed, and hoped that the ZBA would allow relief when the article creates hardship. Town meeting member asked if the motion passed, would mean existing fences, being maintained would be grand fathered compliance? Town Counsel, Judith Cutler, stated it would depend, under the proposed bylaw the fence would be unlawful unless it was more than six years old. If the fence, being more than six years old, was destroyed, it could not be rebuilt, so there would be no grandfathering. Asked about cases where variance were originally given, Counsel stated any repairs to existing approved structures would not require another variance, and that this would be applicable to all structures.

The motion was voted 2/3 majority as declared by the moderator.

ARTICLE 27: AMEND GENERAL BYLAWS - AUTHORITY TO ISSUE TRENCH EXCAVATION PERMITS

Mr. Gillespie moved that the Town amend the General Bylaws of the Town of Weston by adding a new Section 14 under Article II, Powers and Duties of Town Officers as follows:

"Section 14. The Town Manager shall, pursuant to the provisions of G.L. c. 82A and 520 CMR 14.00, designate a board or officer to issue permits for trench excavations and to establish fees therefor."

The motion was voted unanimously.

ARTICLE 28: AMEND THE NAME OF THE WESTON WAR MEMORIAL EDUCATIONAL FUND

Mr. Gillespie moved that the Town amend the vote under Article 13 of the Annual Town Meeting, March 23, 1953, which established the Weston War Memorial Educational Fund by changing the name to Weston Veterans Memorial Educational Fund.

The motion was voted unanimously.

ARTICLE 29: ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986 (INCREASE IN PROPERTY TAX EXEMPTION

Mr. Harrity moved that the Town accept, for Fiscal Year 2009, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends chapter 59 of the Massachusetts General Laws relative to real estate property tax exemptions and approve an increase in the amount of 100 percent for each eligible exemption.

The motion was voted unanimously.

The Moderator accepted a motion to dissolve the Annual Town Meeting at 11:13 P.M., May 14, 2008.

Motion to dissolve 2008 Annual Town Meeting passes.

Respectfully Submitted,
M. Elizabeth Nolan
Town Clerk

STATE PRIMARY
September 16, 2008

Pursuant to a warrant duly served, the State Primary was held on September 16, 2008 in Precinct 1 - Parish Hall of the United Methodist Church of Weston located at 377 North Avenue; Precinct 2 - Basement of St. Peter's Church located at 320 Boston Post Road; Precincts 3 & 4 - Social Hall of St. Demetrios Greek Orthodox Church, 57 Brown Street.

The polls were open from 7:00 a.m. to 8:00 p.m. The total ballots cast were as follows:

The results of the State Primary were as follows:

TOWN OF WESTON
STATE PRIMARY - SEPTEMBER 16, 2008
DEMOCRATIC - SUMMARY VOTE

	<u>Total</u>		
SENATOR IN CONGRESS		SENATOR IN GENERAL COURT	
Blanks	3	Blanks	147
John F. Kerry	571	Susan C. Fargo	589
Edward J. O'Reilly	170	<u>Write-Ins:</u>	
<u>Write-Ins:</u>		<u>Scattering</u>	8
		Total	744
	Total		744
REPRESENTATIVE IN CONGRESS		REPRESENTATIVE IN GENERAL COURT	
Blanks	132	Blanks	26
Edward J. Markey	604	Alice Hanlon Peisch	585
<u>Write-Ins:</u>		Lawrence R. Kaplan	132
Scattering	8	<u>Write-Ins:</u>	
		Scattering	1
	Total	Total	744
	744		
COUNCILLOR		REGISTER OF PROBATE	
Blanks	246	Blanks	317
Marilyn M. Petitto Devaney	287	John R. Buonomo	386
John J. Doyle	176	<u>Write-Ins:</u>	
Thomas L. Walsh	31	Thomas B. Concannon, Jr	4
<u>Write-Ins:</u>		Sean T. Donovan	9
Scattering	4	John F. Panica, III	1
		Scattering	27
	Total	Total	744
	744		

TOWN OF WESTON
STATE PRIMARY - SEPTEMBER 16, 2008
REPUBLICAN - SUMMARY VOTE

	<u>Total</u>		<u>Total</u>
SENATOR IN CONGRESS		SENATOR IN GENERAL COURT	
Blanks	6	Blanks	3
Jeffrey K. Beatty	71	Sandra B. Martinez	75
<u>Write-Ins:</u>		<u>Write-Ins:</u>	
Scattering	1	Scattering	0
Total	78	Total	78
REPRESENTATIVE IN CONGRESS		REPRESENTATIVE IN GENERAL COURT	
Blanks	8	Blanks	61
John Cunningham	69	<u>Write-Ins:</u>	
<u>Write-Ins:</u>		Royal H. Switzler	9
Scattering	1	Scattering	8
Total	78	Total	78
COUNCILLOR		REGISTER OF PROBATE	
No Nomination		Blanks	59
Blanks	68	<u>Write-Ins:</u>	
<u>Write-Ins:</u>		John W. Lambert	6
Scattering	10	Scattering	13
Total	78	Total	78

TOWN OF WESTON
 STATE PRIMARY - SEPTEMBER 16, 2008
 WORKING FAMILIES - SUMMARY VOTE

	<u>Total</u>		<u>Total</u>	
SENATOR IN CONGRESS				SENATOR IN GENERAL COURT
Blanks	1	Blanks	1	
Total	1	Total	1	
REPRESENTATIVE IN CONGRESS				REPRESENTATIVE IN GENERAL COURT
Blanks	1	Blanks	1	
Total	1	Total	1	
COUNCILLOR				REGISTER OF PROBATE
Blanks	1	Blanks	0	
		<u>write-ins</u>		
Total	1	O'Donovan	1	
		Total	1	

TOWN OF WESTON
 STATE PRIMARY - SEPTEMBER 16, 2008
 GREEN RAINBOW- SUMMARY VOTE

	<u>Total</u>		<u>Total</u>	
REPRESENTATIVE IN CONGRESS				SENATOR IN GENERAL COURT
Blanks	0	Blanks	0	
Total	0	Total	0	
COUNCILLOR				REPRESENTATIVE IN GENERAL COURT
Blanks	0	Blanks	0	
Total	0	Total	0	
				REGISTER OF PROBATE
		Blanks	0	
		Total	0	

STATE ELECTION
November 4, 2008

Pursuant to a warrant duly served, the State Election was held on November 4, 2008 in Precinct 1 - Parish Hall of the United Methodist Church of Weston located at 377 North Avenue; Precinct 2 - Basement of St. Peter's Church located at 320 Boston Post Road; Precincts 3 & 4 - Social Hall of St. Demetrios Greek Orthodox Church, 57 Brown Street.

The polls were open from 7:00 a.m. to 8:00 p.m.

The results of the State Election were as follows:

**TOWN OF WESTON
STATE ELECTION - November 4, 2008
FINAL RESULTS**

	<u>Total</u>		<u>Total</u>
ELECTORS OF PRESIDENT AND VICE PRESIDENT		COUNCILLOR	
Harris	26	Harris	2666
Baldwin and Carlin	4	Downey	2613
Bar and Root	38	Mulligan	62
McCain and Palin	246	Scolding	62
Moffatt and Clements	8	Total	6663
Hudson and Gonzalez	47		
Obama and Biden	3662	SENATOR IN GENERAL COURT	
Mulligan	32	Harris	466
Scolding	32	Fargo	3663
Total	6663	Mulligan	2626
		Mulligan	12
SENATOR IN CONGRESS		Total	6663
Harris	16		
Kerry	376	REPRESENTATIVE IN GENERAL COURT	
Bach	2411	Harris	2162
Underwood	167	Falck	666
Mulligan	9	Mulligan	6
Total	6663	Scolding	61
		Total	6663
REPRESENTATIVE IN CONGRESS			
Harris	361	REPORTER OF PROBATE	
Murray	3626	Harris	2666
Cunningham	2612	DeCunzio	3774
Mulligan	11	Mulligan	6
Total	6663	Scolding	66
		Total	6663

QUESTION NO. 1:

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 6, 2008?

SUMMARY

This proposed law would reduce the state personal income tax rate to 2.65% for all categories of taxable income for the tax year beginning on or after January 1, 2009, and would eliminate the tax for all tax years beginning on or after January 1, 2010.

The personal income tax applies to income received or gained realized by individuals and married couples, by estates of deceased persons, by certain trustees and other fiduciaries, by

persons who are partners in and receive income from partnerships, by corporate trusts, and by persons who receive income as shareholders of "S" corporations" as defined under federal tax law. The proposed law would not affect the tax due on income or gain realized in a tax year beginning before January 1, 2009. The proposed law state's that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would reduce the state personal income tax rate to 2.65% for the tax year beginning on January 1, 2009, and would eliminate the for all tax years beginning on or after January 1, 2010.

A NO VOTE would make no change in state income tax laws.

Yes: 2,370 No: 3,949 Blanks: 184

QUESTION NO. 2

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 6, 2008?

SUMMARY

This proposed law would replace the criminal penalties for possession of one ounce or less of marijuana with a new system of civil penalties, to be enforced by issuing citations, and would exclude information regarding this civil offense from the state's criminal record information system. Offenders age 18 or older would be subject to forfeiture of the marijuana plus a civil penalty of \$100. Offenders under the age of 18 would be subject to the same forfeiture and, if they complete a drug awareness program within one year of the offense, the same \$100 penalty.

Offenders under 18 and their parents or legal guardian would be notified of the offense and the option for the offender to complete a drug awareness program developed by the state Department of Youth Services. Such programs would include ten hours of community service and at least four hours of instruction or group discussion concerning the use and abuse of marijuana and other drugs and emphasizing early detection and prevention of substance abuse.

The penalty for offenders under 18 who fail to complete such a program within one year could be increased to as much as \$1,000, unless the offender showed an inability to pay, an inability to participate in such a program, or the unavailability of such a program. Such an offender's parents could also be held liable for the increased penalty. Failure by an offender under 17 to complete such a program could also be a basis for a delinquency proceeding.

The proposed law would define possession of one ounce or less of marijuana as including possession of one ounce or less of tetrahydrocannabinol ("THC"), or having metabolized products of marijuana or TC in one's body.

Under the proposed law, possessing an ounce or less of marijuana could not be grounds for state or local government entities imposing any other penalty, sanction, or disqualification, such as denying student financial aid, public housing, public financial assistance including unemployment benefits, the right to operate a motor vehicle, or the opportunity to serve as a foster or adoptive parent. The proposed law would allow local ordinances or bylaws that prohibit the public use of marijuana, and would not affect existing laws, practices, or policies concerning operating a motor vehicle or taking other actions while under the influence of marijuana, unlawful possession of prescription forms of marijuana, selling, manufacturing, or trafficking in marijuana.

The money received for the civil penalties would go to the city or town where the offense occurred.

A **YES VOTE** would replace the criminal penalties for possession of one ounce or less of marijuana with a new system of civil penalties.

A **NO VOTE** would make no change in state criminal laws concerning possession of marijuana.

Yes: 4,245

No: 2,093

Blanks: 165

QUESTION NO. 3

Do you approve of a law summarized below, on which no vote was taken by the Senate or House of Representatives before May 6, 2008?

SUMMARY

This proposed law would prohibit any dog racing or racing meeting in Massachusetts where any form of betting or wagering on the speed or ability of dogs occurs. The State Racing Commission would be prohibited from accepting or approving any application or request for racing dates for dog racing. Any person violating the proposed law could be required to pay a civil penalty of not less than \$20,000 to the Commission. The penalty would be used for the Commission's administrative purposes, subject to appropriation by the state Legislature. All existing parts of the chapter of the state's General Laws concerning dog and horse racing meetings would be interpreted as if they did not refer to dogs.

These changes would take effect January 1, 2010. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A **YES VOTE** would prohibit dog races on which betting or watering occurs, effective January 1, 2010.

A **NO VOTE** would make no change in the laws governing dog racing.

Yes: 4,186

No: 2,112

Blanks: 205

QUESTION NO. 4

Shall the state representative from this district be instructed to vote in favor of legislation to make the state Legislature a part-time legislative body with part-time pay and benefits?

Yes: 2,748

No: 2,214

Blanks: 1,541

SPECIAL TOWN MEETING

December 1, 2008

Pursuant to a warrant, duly served, Robert M. Buchanan, the Moderator called the Special Town Meeting to order at 7:30 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 swore them to their duties. Tellers in the Auditorium: David Hutcheson, Robert Anthony Nolan, Mary Horne and Sandra Prescott

ARTICLE 1: AMEND FISCAL YEAR 2009 OPERATING BUDGET

Mr. Douglas Gillespie moved that the Town amend the following line items in the Fiscal Year 2009 Operating Budget adopted under Article 2 of the 2008 Annual Town Meeting as follows:

	Changing From	Changing To	Difference
School Department-			
Salaries	\$25,555,150	\$25,622,150	\$67,000
Reserve Fund	\$460,000	\$552,000	\$92,000

The motion was voted unanimously.

ARTICLE 2: AMEND FISCAL YEAR 2009 WATER ENTERPRISE BUDGET

Mr. Gillespie moved that this article that this article be passed over and so disposed of.

The motion was voted unanimously.

ARTICLE 3: APPROPRIATE FOR SCHOOL TECHNOLOGY

Dr. Edward Heller, member of the School Committee, moved that that the Town appropriate \$300,000 for the purchase of computer networking hardware and other data communications equipment, 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 that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

Town Meeting members voiced concerns that the appropriation was being made at Special Town Meeting and not Annual Town Meeting and that the proposed technology plan was lacking in detail. Dr. Heller stated the items were capital items, not part of the operating budget; therefore the appropriation could be made at the Special Town Meeting, especially since the schools could not continue to defer replacement of the network switching equipment. Dr. Lee McCanne, Director of Technology, addressed Town Meeting members' questions regarding the appropriateness of the technology being chosen and whether or not the Schools had considered virtual terminals. The technology was appropriate for the schools, taking into consideration the buildings and the technology currently available, virtual terminals are being considered. Mr. Todd Joseph questioned the appropriateness of approving the monies before bids were received; Dr. McCanne explained that this motion appropriated monies only for Phase I of the Technology Plan, if the bids resulted in surplus monies, those monies would be used for Phase II; if the appropriations were less than the bids, then only part of Phase I would be completed. Mr. Joseph also inquired if the Five Year Technology Plan was available for review; Dr. McCanne said no, the Plan would not be available until after the bidding process was completed. Ms. Wendy Spector explained that unlike private industry, government entities needed to first appropriate monies before public bidding occurred, especially since bids would become "stale" between Town Meeting authorizations.

The motion was voted 2/3 majority as declared by the moderator.

ARTICLE 4: APPROPRIATE FOR FIRE PUMPER TRUCK REPLACEMENT

Mr. Michael Harrity moved that the Town appropriate \$400,000 for the purchase of departmental equipment for the Fire Department, 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 that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

The motion was voted unanimously.

ARTICLE 5: APPROPRIATE FOR OPEN SPACE - TREATMENT OF HEMLOCK TREES

Mr. Brian Donahue moved that the Town appropriate \$25,000 for the preservation of open space under the Community Preservation Program, to be used for the treatment of hemlock trees on land under the jurisdiction of the Conservation Commission against infestation by the woolly adelgid, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Preservation Fund balance.

Mrs. Wendy Spector asked if the Town would allow abutters to contribute or donate to the program so that hemlocks on private property would be able to receive the same treatment at Town rate. Mr. Donahue said the Town would look into that proposal but that private citizens would be able to receive rates that would not differ greatly from the Town's discounted rates.

The motion was voted unanimously.

ARTICLE 6: APPOINTED TOWN CLERK

Mr. Steven Charlip moved that the Town petition the General Court for a special act providing that legislation be adopted as set forth in Article 6 of the Warrant; and further, to authorize the General Court to make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition.

Mr. Charlip thanked Mrs. Nolan for her sixteen years of volunteer service to the Town as Town Clerk and the Town meeting members acknowledged Mrs. Nolan's service. Mr. Charlip explained to Meeting members that the resignation of Mrs. Nolan as Town Clerk created an opportune time to adopt the recommendation made ten years ago by the Committee to Reorganize Town Government, to change the position of Town Clerk from elected to appointed Town Clerk. Mr. David Rolde opposed the motion, stating principles of democracy are better served if officials were elected not appointed. Ms. Diana Chaplin inquired how often would the Clerk be up for appointment; the appointment would be an annual appointment. Ms. Jean Thurston, member of the Committee for Reorganization of Town Government, supported the motion. Ms. Chaplin inquired whether or not this would increase the budget and if there would be an Assistant Town Clerk. Mr. Charlip replied there would be no position of Assistant Town Clerk.

The motion passed: yeas 67 nays 8

ARTICLE 7: AMEND GENERAL BYLAWS, ARTICLE II - ANNUAL TOWN REPORT

Mr. Gillespie moved that that Article II of the Town's General By-Laws be amended by deleting Section 6 in its entirety and replacing it with the following:

"Section 6. The Town Clerk shall post the annual town report on the Town's website and shall cause a sufficient number of printed copies of the annual town report to be made available for Town residents desiring copies at the Town Library, Town Hall and at other such locations determined by the Board of Selectmen, not less than seven days before the day fixed for the annual town meeting."

The motion was voted.

ARTICLE 8: BOSTON PROPERTIES - DECLARATION OF RESTRICTION

Mr. Charlip that the Board of Selectmen be authorized to accept on behalf of the Town a restrictive covenant with respect to a parcel of land consisting of approximately 73.977 acres located off Boston Post Road in Weston, as shown on a plan entitled "Plan of Land in Waltham, MA (Middlesex County) and Weston, MA (Middlesex County)," dated April 19, 1995, prepared by Beals and Thomas, Inc., recorded with the Middlesex South District Registry of Deeds on November 15, 2001 as Plan No. 1135 of 2001, on such terms and conditions as the Selectmen shall deem appropriate.

Ms. Pam Fox asked what happens after 100 years; Mr. Charlip replied the restrictions could be extended.

The motion was voted unanimously.

The Moderator accepted a motion to dissolve the Special Town Meeting at 8:40 PM.
Motion to dissolve 2008 Special Town Meeting passed.

Respectfully Submitted,
M. Elizabeth Nolan