

**TOWN RECORDS 2004  
(Condensed)**

**PRESIDENTIAL PRIMARY  
March 2, 2004**

Pursuant to a warrant duly served, the Presidential Primary was held on March 2, 2004 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:

	<i>Democratic</i>	<i>Republican</i>	<i>Libertarian</i>	<i>Green-Rainbow</i>	<b>TOTAL</b>
Precinct 1	366	37	0	10	<b>413</b>
Precinct 2	322	51	3	0	<b>376</b>
Precinct 3	228	28	0	10	<b>266</b>
Precinct 4	255	37	0	0	<b>292</b>
<b>TOTAL</b>	<b>1171</b>	<b>153</b>	<b>3</b>	<b>20</b>	<b>1347</b>

Out of a total of 1347 ballots cast, 92 or 6.83% were absentee ballots.  
The results of the primary were as follows:

**TOWN OF WESTON - PRESIDENTIAL PRIMARY  
Democratic Party - Summary Vote**

<b>Presidential Preference</b>	<b>Total</b>	<b>State Committee Man</b>	<b>Total</b>
Richard Gephardt	1	Ronald Cordes, Bedford	147
Joseph Lieberman	10	Thomas Holden, Lincoln	568
Wesley K. Clark	6	Blanks	455
Howard Dean	57	Scattering	1
Carol Moseley Braun	3	<b>Total</b>	<b>1171</b>
John Edwards	209		
Dennis J. Kucinich	65	<b>State Committee Woman</b>	
John F. Kerry	802	Janet M. Beyer, Concord	384
Lyndon H. LaRouche	1	Sarah Cannon Holden, Lincoln	368
Al Sharpton	7	Blanks	418
No Preference	2	Scattering	1
Blanks	4	Total	<b>1171</b>
Write-Ins:			
Scattering	4		
<b>Total</b>	<b>1171</b>		

<b>Town Committee</b>	<b>Total</b>
Blanks	38562
Write-Ins:	
Amelia Nychis	79
Daniel O'Connell	81
Chia P. Wang	82
Peter Lin-Marcus	77
Francis A. Recka	78
Marybelle H. Cochran	80
Joan Parrish	93
Judith Campos	83
Lisa Keer Carusone	78
Donna Sanzone	80
Jacqueline C. Haas	88
Joseph Berman	79
Habib Rahman	80
Isabella Jancourtz	83
James Brenner	82
Robert A.Nolan	85
Mark Waxman	81
Rosalind C. Barnett	78
Audrey Yett	79
Timothy M. Armour	80
Sandra S. Gee	83
Susan L. Kannenberg	79
Samuel Schlosberg	82
Joseph W. Mullin	84
Ripley Hastings	82
Bruce Pastor	82
Joseph Morgart	77
Ray A. Shepard	77
Beverly Foster	80
Christine Daily	16
Ken Fish	13
Scattering	42
<b>Total</b>	<b>40985</b>

**TOWN OF WESTON - PRESIDENTIAL PRIMARY**  
**Republican Party - Summary Vote**

	<b>Total</b>		<b>Total</b>
<b>Presidential Preference</b>		<b>Town Committee</b>	
Blanks	5	Blanks	3424
Bush	117	A. Richard Hersum	87
No Preference	16	Florence M. Howe	95
Scattering	16	Edwrd C. Michaud, Jr.	92
<b>Total</b>	<b>153</b>	Frances Foster	90
		Charles Foster	90
<b>State Committee Man</b>		W. Louise Hersum	86
Blanks	39	Michael Coppock	86
Dulchinos	113	JacquesWajsfelner	84
Scattering	1	Susanne Wajsfelner	82
<b>Total</b>	<b>153</b>	Richard Murray	98
		Carol Norquist	96
<b>State Committee Woman</b>		Warren Norquist	92
Blanks	34	Melvyn Lurie	89
Gelsinon	118	Robert Seavey	84
Write Ins:		Lionelle Wells	85
Young, Jennifer	1	Joanne Hamm	82
<b>Total</b>	<b>153</b>	Michael Cronin	87
		John Hupalo	81
		Marlene Murray	89
		Marguerite Sarkisian	85
		Carol Gwozdz	84
		Mohammed Farooqui	83
		Scattering	4
		<b>Total</b>	<b>5355</b>

**TOWN OF WESTON - PRESIDENTIAL PRIMARY**

<b>Libertarian Party</b>	<b>Total</b>	<b>Green-Rainbow</b>	<b>Total</b>
<b>Presidential Preference</b>		<b>Presidential Preference</b>	
Blanks	0	Blanks	0
Diket	0	Mesplay	0
Perez	0	Salzman	0
Russo	0	Glover	0
Badnarik	0	Cobb	0
Nolan	0	No Preference	1
No Preference	1	Scattering	1
<b>Total</b>	<b>1</b>	<b>Total</b>	<b>2</b>
<b>State Committee Man</b>		<b>State Committee Man</b>	
Blanks	1	Blanks	0
<b>Total</b>	<b>1</b>	Melnechuk	2
		Scattering	0
<b>State Committee Woman</b>		<b>Total</b>	<b>2</b>
Blanks	1		
<b>Total</b>	<b>1</b>	<b>State Committee Woman</b>	
		Blanks	1
<b>Town Committee</b>		Scattering	1
Blanks	3	<b>Total</b>	<b>2</b>
<b>Total</b>	<b>3</b>		
		<b>Town Committee</b>	
		Blanks	20
		Scattering	0
		<b>Total</b>	<b>20</b>

**ANNUAL TOWN ELECTION  
May 8, 2004**

Hall Auditorium by Warden Susan Banghart at 8 a.m. on May 8, 2004, for the election of Town Officers. Mrs. Shepherd swore the election officers to the faithful performance of their duties.

Total ballots cast were as follows:

Precincts 1 & 2	264
Precincts 3 & 4	<u>171</u>
TOTAL	435

Of the 435 ballots cast, 43 or 9.88% were cast by absentee ballot.

The results of the election were as follows:

<b>Moderator - One Year</b>			
Robert M. Buchanan*	111 Summer Street	Caucus Nominee	365
Blanks			67
Scattering			3
<b>Selectman - Three Years</b>			
Douglas P. Gillelsapie*	751 Boston Post Road	Caucus Nominee	345
Blanks			81
Scattering			9
<b>Town Clerk - Three Years</b>			
M. Elizabeth Nolan*	693 Boston Post Rd	Caucus Nominee	369
Blanks			66
Scattering			0
<b>Assessors - Three Years</b>			
David C. Bennett	56 Westland Road	Caucus Nominee	329
Blanks			106
Scattering			0
<b>Assessor - One Years</b>			
Michael Hoopes Harrity*	695 Boston Post Road	Caucus Nominee	317
Blanks			118
Scattering			0
<b>School Committee - Three Years <i>Vote for Two</i></b>			
Edward E. Heller	20 Indian Hill Road	Caucus Nominee	310
Wendy Spector*	8 Conant Road	Caucus Nominee	324
Blanks			234
Scattering			2
<b>Recreation Commission - Three Years <i>Vote for Two</i></b>			
James Omer Gallant	70 Bradford Road	Caucus Nominee	295
Victoria A. Whalen	66 Myles Standish Road	Caucus Nominee	304
Blanks			270
Scattering			1
<b>Planning Board - Five Years</b>			
Alfred L. Aydelott*	251 Boston Post Rd	Caucus Nominee	307
Blanks			281
Scattering			1
Scattering			1
<b>Planning Board - Two Years</b>			
Neil B. Levitt	33 Spruce Hill Road	Caucus Nominee	78
Susan J. Zacharias	77 Sudbury Road	Caucus Nominee	289
Blanks			66
Scattering			2
<b>Library Trustees - Three Years <i>Vote for Two</i></b>			
Barbara F. Coburn*	688 Boston Post Road	Caucus Nominee	341
Rebekah L. Gardiner	16 Warren Place	Caucus Nominee	305
Blanks			222
Scattering			2

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\* Indicates incumbent

<b>Board of Health -Three Years</b>			
Nicholas G. Guerina*	28 Pine Street	Caucus Nominee	316
Blanks			119
Scattering			0
<b>Commissioner of Trust Funds - Three Years</b>			
S. Melvin Rines*	21 Sudbury Road	Caucus Nominee	322
Blanks			113
Scattering			0
<b>Measurers of Lumber -One Year <i>Vote for Three</i></b>			
David C. Bennett*	56 Westland Road	Caucus Nominee	283
Barrett W. Gilchrist*	75 Warren Avenue	Caucus Nominee	302
Rosemary Broton Boyle*	261 Merriam Street	Caucus Nominee	295
Blanks			423
Scattering			2

**QUESTION NO. 1:**

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) Landfill Gas Mitigation; (2) DPW Environmental Audit Compliance-Phase 2; (3) DPW Drainage Rehabilitation Projects-2003; (4) DPW Roadway Improvements-2003; (5) Geographic Information Systems-Phase 1-2003; (6) School Department Vehicles; (7) School Department Parking/Road Improvements-2003; (8) Library Window Repairs; (9) DPW Environmental Audit Compliance-Phase 3; (10) DPW Equipment Replacement; (11) DPW Drainage Rehabilitation Projects-2004; (12) DPW Roadway Improvements-2004; (13) Geographic Information Systems-Phase 2-2004; (14) School Department Parking/Road Improvements-2004; (15) DPW Salt Shed-Supplemental Funding; (16) Case Campus Traffic/Parking Improvements-Supplemental Funding; (17) Fire Station and Station 2 Extraordinary Repairs; (18) Fire Alarm Maintenance Truck; and (19) School Technology Equipment?

Yes 287                  No 117                  Blanks 31

**SPECIAL TOWN MEETING  
May 10, 2004**

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:	Dudley Dumaine	Jackie Haas
	Susan Dumaine	Merrill Mack

**ARTICLE 1: AMEND FISCAL YEAR 2004 OPERATING BUDGET:**

Douglas Gillespie moved that the Town amend and supersede certain parts of the Fiscal Year 2004 operating budget adopted under Article 5 of the 2003 Annual Town Meeting, by deleting amounts of money appropriated under some of the line items and appropriating new amounts:

	<u>Changing From</u>	<u>Changing To</u>
Debt Service	\$197,448.00	\$131,448.00
Facilities Maintenance, Salaries	61,228.00	56,228.00
Facilities Maintenance, Expenses	99,505.00	104,505.00
Information Systems, Salaries	75,626.00	66,626.00
Information Systems, Expenses	96,939.00	105,939.00
Police, Salaries	2,074,932.00	2,167,932.00
Police, Expenses	200,671.00	195,671.00
School Dept., Instructional, Maintenance, Expenses	3,571,175.00	3,616,562.39
Minuteman Regional Vocational, Assessment	54,224.00	32,224.00
Net Change		\$45,398.39

And transfer \$45,387.39 from the account, "Receipts Reserved for Appropriation, Insurance Reimbursement in Excess of \$20,000" as supplemental funding therefor.

**The motion was adopted by a voice vote.**

**ARTICLE 2: AMEND FISCAL YEAR 2004 RECREATION ENTERPRISE BUDGET**

Mr. Gillespie move that the Town amend and supersede certain parts of the Fiscal Year 2004 Recreation Enterprise budget adopted under Article 3 of the 2003 Annual Town Meeting, by deleting amounts of money appropriated under some of the line items and appropriating new amounts:

	<u>Changing From</u>	<u>Changing To</u>
Salaries	\$653,437	\$676,490
Expenses	377,690	385,467
Community Center	64,200	58,200
<b>Net Change</b>	<b>\$ 24, 830</b>	

and appropriate \$24,830 from Free Cash as supplemental funding therefor.

**The motion was adopted by a voice vote.**

**ARTICLE 3: AMEND FISCAL YEAR 2004 WATER ENTERPRISE BUDGET**

Mr. Gillespie moved that the Town amend and supersede certain parts of the Fiscal Year 2004 Water Enterprise Fund budget adopted under Article 6 of the 2003 Annual Town Meeting, by deleting amounts of money appropriated under some of the line items and appropriating new amounts:

	<u>Changing From</u>	<u>Changing To</u>
Salaries	\$218,551	\$216,451
Expenses	170,508	172,608
<b>Net Change</b>		<b>0</b>

**The motion was adopted by a voice vote.**

**ARTICLE 4: ACCEPT M.G.L. CHAPTER 71, SECTION 71F**

Ms. Wendy Spector, Chairman of the School Committee moved that the Town accept the provisions of M.G.L. Chapter 71, section 71F, creating a revolving fund for the purpose of nonresident or foster care student tuitions, beginning July 1, 2004.

**The motion was adopted by a voice vote.**

Motion to dissolve Special Town Meeting passed at 7:46 p.m.

Mr. Gillespie expressed gratitude to the following retiring elected and volunteer officers of the Town of Weston and to the retiring Town Employees.

<u>Elected Officers:</u>	<u>Office or Committee</u>	<u>Served Since</u>
Edward M. Michaud	<i>Board of Assessors</i>	2002
Susan L. Kannenberg	<i>Board of Assessors</i>	<i>appointed to fill a vacancy in 2003</i>
Maureen S. Ecker	<i>School Committee</i>	1998
Ella Warren (Winky) Merrill	<i>Recreation Commission</i>	1996
Julie S. Pemberton	<i>Recreation Commission</i>	1998
Kathryn J. Detwiler	<i>Planning Board</i>	1996
	<i>Ms. Detwiler also served on the MetroWest Growth Management Committee</i>	
Meredith B. Stevens	<i>Board of Library Trustees</i>	1998

**Officers and committee members appointed by the Selectmen**

*Alcohol and Drug Education Advisory Committee*

Paul Arkema	1996	Darcy Lettieri	1996
Janet Gordon Bain	1994	Joan MacClary	1994
Richard Houde	1993	Rev. Dr. Philip Joseph Mayher	1996

*Council on Aging*

Milo Igersheimer	1996	Rev. Dr. Philip Joseph Mayher	1999
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*Cultural Council*

Frank Hamm	1997	Rees F. Tulloss	1997
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*Historical Commission*

Samuel E. Payson	1983	Edward Rossiter	1994
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*Mr. Rossiter also served as the Committee's Representative to the Community Preservation Committee beginning in 2001*

*Merriam Fund for the Silent Poor*

Father Robert Tryrell	1997
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*Metropolitan Area Planning Commission*

Marillyn Zacharis	1993
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*Registrars of Voters*

David Hutcheson	2002
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*Traffic Advisory Committee*

Lee Engler	1998	Chief Charles C. Mayo	1998
Hugh Kelly	2001	Marcia Pomerance	2003

**The following committees appointed by the Selectmen were discharged with thanks for having completed their required duties:**

*DPW Review Committee (Created 2003)*

Robert Danforth  
John A. Heine  
Richard A. Murray

*Town Map Committee*

Richard D. Wright	1994
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*Committee for Mitigation and Compensation for MWRA Projects*

*(Appointed in 1995)*

Robert Davis Brown  
J. Thomas Selldorff  
Ingeborg Uhlir



***Committee to Renovate Town Hall and Former Library***

*(Served since the committee was originally appointed in 2000)*

Robin Reisman	Michael H. Harrity
Susan F. Beane	Andrew Marvel
Elizabeth S. Ericson	Donna S. VanderClock

***Recycling Education Committee***

*(Served since the committee was originally appointed in 1993)*

Jane Brigham  
 Lenore Zug Lobel  
 Robin Reisman

***Committee to Study Uses and Space Needs for Public Lands and Public Buildings***

*(Created in 1985)*

Andrew Marvel	1996
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**The following Representatives appointed by the Selectmen to various regional committees:**

<i>MetroWest Bicycle Task Force</i>	Kenneth Hablow	1993
<i>MetroWest Open Space Task Force</i>	Kathleen B. McCahan	1993
<i>MetroWest Water Resources Subcommittee</i>	Alan T. Orth	1993
<b><i>R.S.V.P. Advisory Board</i></b>		
Mary Rossi		1995
Ann A. Ulm		1994
Marie Pelsue		1994

**Appointed by Moderator**

<b><i>Finance Committee</i></b>	John F. Batter	2000	
<b><i>Weston International Affiliation Committee</i></b>			
Vibecke Lou	2000	Caroline Grob	2002
Roseanne Howard Teplanski	2000	Edward Lee	2001
Beverly Venables	2000		

**ANNUAL TOWN MEETING, MAY 10, 2004**

Pursuant to a warrant, duly served, Robert M. Buchanan, the Moderator called the Annual Town Meeting to order at 7:46 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 8, 2004 Annual Town Election, which appeared in the report of the Town Election (above).

**ARTICLE 2: APPROPRIATE THE FISCAL YEAR 2005 OPERATING BUDGET**

**Motion (1):** Harold Hestnes moved that the several sums of money recommended by the Board of Selectmen for the Fiscal Year beginning July 1, 2004, in accordance with Section 5 of Article II of the General By-laws, as amended, and set forth in pages 5-8 of the report entitled, "FY05 Recommended Operating Budget," be raised and appropriated for their respective purposes as set forth on said pages, with the following exceptions:

- That \$33,748 be funded by appropriating the balances from the following Continuing Balance Accounts: \$13,917 from the Church Street Parking Lot account (Article 22, 1997 ATM); \$12,935

from the Lexington Street Speed Humps account (Article 22, 2000 ATM); \$3,499 from the North Avenue/Church Street Intersection account (Article 22, 2000 ATM); \$2,436 from the Highway Land Takings account and \$961 from the Center Street Plantings account.

Mr. Hestnes recognized Mr. Steve Ober, Chairman of the Finance Committee. Mr. Ober on behalf of the Finance Committee recommended the Town Meeting approve Articles 2, 4, 5, 6, 9, 10, 11 and 12.

**The motion (1) was voted unanimously.**

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

**FY05 OPERATING BUDGET**

TITLE OF ACCOUNTS	<b>Recommended Fiscal Year 2005</b>
<hr/> <b>UNCLASSIFIED</b>	
<b>Insurance &amp; Fringe Benefits</b>	
Insurance, Workers' Compensation	180,000
Unemployment Compensation	50,000
Insurance-Group Health/Life, Medicare	6,580,175
Contributory Retirement-Middlesex	1,800,000
Contributory Retirement-Teachers	0
Insurance-Property & Liability	340,089
Public Safety - Injured on Duty+	6,500
Uninsured Losses+	10,000
subtotal	<hr/> 8,966,764
<b>Compensated Absence Fund+</b>	50,600
<b>Street Lighting</b>	111,300
<b>Reserve Fund</b>	(see Appendix 2 for list of transfers made) 350,000
<b>Debt Service (non-excluded)</b>	Principal & Interest 100,381
<b>TOTAL UNCLASSIFIED</b>	<hr/> <b>9,579,045</b>
<hr/> <b>GENERAL GOVERNMENT</b>	
<b>Selectmen/Town Manager</b>	
Salaries	322,871
Expenses	87,268
Consulting & Professional Services+	15,000
subtotal	<hr/> 425,139
<b>Merit Pay</b>	Transfer Account 40,006
<b>Legal</b>	Expenses 141,800

<b>Facilities Maintenance</b>	Salaries	62,468
	Expenses	105,730
	Town Hall Equipment+	5,000
	Test/Replace Underground Storage Tanks+	0
	Facilities Improvements-Town-wide+	100,000
	subtotal	<u>273,198</u>
<b>War Mem. Ed. Fund. Comm.</b>	Expenses	1,200
<b>Memorial Day</b>	Expenses	784
<b>TOTAL GENERAL GOVERNMENT</b>		<b>882,127</b>

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**FINANCE & ADMINISTRATION**

<b>Finance Committee</b>	Expenses	250
<b>Finance</b>	Salaries-Elected Officials	500
	Salaries	551,372
	Expenses	134,455
	subtotal	<u>686,327</u>
<b>Town Clerk &amp; Registrars of Voters</b>	Salary-Elected Official	150
	Salaries	84,071
	Expenses	14,725
	subtotal	<u>98,946</u>
<b>Information Systems</b>	Salaries	90,188
	Expenses	83,939
	Computer Hardware & Maintenance+	39,650
	subtotal	<u>213,777</u>
<b>TOTAL FINANCE &amp; ADMINISTRATION</b>		<b>999,300</b>

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**PLANNING & LAND USE**

<b>Clerks of Committees</b>	Salaries	97,391
<b>Board of Appeals</b>	Expenses	4,905
<b>Planning Board</b>	Salaries	70,641
	Expenses	37,000
	subtotal	<u>107,641</u>

<b>Conservation Commission</b>	Expenses	77,350
	Conservation Fund+	-
<b>Historical Commission</b>	Expenses	4,500
<b>Crescent St. Historic District Commission</b>	Expenses	100
<b>TOTAL PLANNING &amp; LAND USE</b>		<b>291,887</b>

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**PUBLIC SAFETY**

<b>Police</b>	Salaries	2,130,941
	Expenses	205,171
	Equipment and Apparatus+	47,000
	Cell Improvements+	-
	Police - Injured on Duty+	-
	subtotal	<u>2,383,112</u>
<b>Fire</b>	Salaries	1,998,802
	Expenses	160,270
	Hydrant Service	45,000
	Emergency Management+	2,000
	Equipment and Apparatus+	12,000
	Fire Captain's Vehicle+	-
	Fire Alarm Recorder+	-
	Firefighters - Injured on Duty+	-
	subtotal	<u>2,218,072</u>
<b>Inspectional Services</b>	Salaries	126,897
	Expenses	10,912
	subtotal	<u>137,809</u>
<b>Dog Officer</b>	Salaries	4,980
	Expenses	3,500
	subtotal	<u>8,480</u>
<b>TOTAL PUBLIC SAFETY</b>		<b>4,747,473</b>

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**EDUCATION**

<b>School Department</b>	Salaries	20,087,077
	Instructional, Maint & Other Expenses	3,555,690
	Transportation Salaries	628,595
	Transportation Expenses	<u>291,277</u>
	subtotal	24,562,639
<b>Minuteman Regional Voc. Technical School District</b>	Assessment	52,375
<b>TOTAL EDUCATION</b>		<b>24,615,014</b>

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<b>PUBLIC WORKS</b>	Salaries	1,392,936
	Expenses	933,613
	Snow and Ice Control	192,951
	Equipment+	-
	GIS Needs Assessment+	-
	Guard Rail Rehab+	-
	Construction of Public Ways+	150,000
	Lexington Street Speed Humps+	-
	Construction of Sidewalks, Bicycle Paths, & Footways+	53,840
	North Ave/Church St Intersection+	-
	Stone Retaining Wall Repairs+	20,000
	Monitoring Groundwater - Landfill+	35,000
	Recycling & Energy Conservation+	-
	Improve/Develop Cemetery Land+	-
	Parks & Cemeteries Improvements+	-
	subtotal Cont Bal Accounts	<u>258,840</u>
	<b>TOTAL PUBLIC WORKS</b>	<b>2,778,340</b>

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**HEALTH & HUMAN SERVICES**

<b>Board of Health</b>	Salaries	166,545
	Expenses	9,430
	Mental Health Services	<u>31,722</u>
	subtotal	207,697
<b>Mosquito Control, E. Middlesex Project</b>	Expenses	30,483

<b>Brook School Apartments</b>	Salaries	113,855
	Expenses	251,161
	Repair & Replace Septic System+	-
	Repair & Replace Septic System+	-
	Repairs & Replacements+	75,000
	subtotal	<u>440,016</u>
<b>Council on Aging</b>	Salaries	119,834
	Expenses	14,805
	subtotal	<u>134,639</u>
<b>Youth Counseling Services</b>	Salaries	51,644
	Expenses	1,865
	subtotal	<u>53,509</u>
<b>Alcohol &amp; Drug Education Advisory Committee</b>	Expenses	2,000
<b>Veterans' Benefits</b>	Expenses	1,000
<b>TOTAL HEALTH &amp; HUMAN SERVICES</b>		<b>869,344</b>
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<b>CULTURAL &amp; LEISURE SERVICES</b>		
<b>Libraries</b>	Salaries	660,833
	Expenses	148,921
	Library Materials	77,629
	Minuteman Library Network+	31,887
	subtotal	<u>919,270</u>
<b>TOTAL CULTURAL &amp; LEISURE SERVICES</b>		<b>919,270</b>
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<b>TOTAL BUDGET APPROPRIATIONS</b>		<b>45,681,800</b>
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**Motion (2):** Mr. Hestnes moved that the compensation for the following elected officers of the Town for the fiscal year commencing July 1, 2004, 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.

**Motion (2) was voted unanimously.**

**Motion (3):** Mr. Hestnes moved that five persons be appointed by the Moderator to serve as a Memorial Day Committee in 2005 with authority to expend for the 2005 Memorial Day observance \$784 appropriated for that purpose by previous vote under this Article.

**Motion (3) was voted but not unanimously**

**Motion (4):** Mr. Hestnes moved that in purchasing property or equipment, any allowance for turning in other property or equipment may be applied to the purchase price.

**Motion (4) was voted unanimously.**

**ARTICLE 3: APPROPRIATE THE FISCAL YEAR 2005 WATER ENTERPRISE BUDGET**

Mr. Hestnes moved that the Town raise and appropriate the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2005; under the provisions of M.G.L. chapter 44, section 53F½:

Salaries	\$215,652
Expenses	176,528
MWRA Assessment/Water Purchases	1,065,000
Debt Service (non-exempt)	52,471
Capital Outlay	<u>15,500</u>
Total	\$1,525,151

Said sum to be funded from water receipts.

**The motion was voted unanimously.**

**ARTICLE 4: APPROPRIATE THE FISCAL YEAR 2005 RECREATION ENTERPRISE BUDGET**

Mr. Hestnes moved that the Town raise and appropriate the following sums of money to operate the Recreation Department during fiscal year 2005, under the provisions of M.G.L. Chapter 44, Section 53F½

Salaries	\$671,795
Expenses	379,900
Community Center	<u>76,090</u>
Total	\$1,127,785

**The motion was voted unanimously.**

**ARTICLE 5: RESCIND M.G.L. CHAPTER 59, SECTION 5K**

Mr. Hestnes moved that the Town rescind the acceptance of M.G.L. Chapter 59, section 5K, Senior Citizen Property Tax Work Off Abatement program, previously accepted at the November 2000 Special Town Meeting.

Mr. Hestnes explained the rescission would enable the Town to liberalize the treatment of Senior Citizen tax work programs.

**The motion was voted unanimously.**

**ARTICLE 6: APPROPRIATE FOR SENIOR SERVICE PROGRAM**

Mr. Hestnes moved that the Town raise and appropriate the sum of \$10,000 for the purpose of conducting a Senior Service Program, to be spent under the direction of the Town Manager, and to authorize the Board of Selectmen to establish rules and regulations for the conduct of the program.

**The motion was voted unanimously.**

**ARTICLE 7: TRANSFER AVAILABLE FUNDS**

Mr. Hestnes moved that the Town transfer \$2,000,000 from the Free Cash Account (Undesignated Fund Balance), \$110,000 from the "Accrued Income, Litigation Settlement" account, \$30,000 from the Cemetery Trust Fund and \$7,000 from the Josiah Smith Tavern Trust Fund to meet, in part, appropriations made at this Town Meeting, and to authorize the Board of Assessors to use such available funds to meet appropriations in their computation of the tax rate for fiscal year 2005.

**The motion was voted unanimously.**

**ARTICLE 8: APPROPRIATE TO STABILIZATION FUND**

Mr. Hestnes moved that Article 8 be passed over and so disposed of.

**The motion was voted unanimously.**

**ARTICLE 9: CONTINUE DEPARTMENTAL REVOLVING FUNDS**

Mr. Hestnes moved that the Town continue revolving funds for certain Town departments pursuant to the provisions of M.G.L. chapter 44, section 53E½ for the fiscal year beginning July 1, 2004:

<b>Revolving Fund</b>	<b>Authority to Spend</b>	<b>Revenue Source</b>	<b>Use of Fund</b>	<b>FY04 Budget</b>
Recreation Skating Programs	Recreation Director	Program Fees	Program Costs	\$50,000
Historic Marker	Historical Commission	Program Fees	Costs Related to Purchase of Historic Markers	\$1,500
Josiah Smith Tavern	Town Manager	Rental Fees	Building Repairs and Maintenance (Improvements)	\$6,000
Council on Aging Special Programs	Council on Aging Director	Program Fees	Program Expenses	\$25,000

**The motion was voted unanimously.**

**ARTICLE 10: ESTABLISH REVOLVING FUND - TOWN BUILDING RENTALS**

Mr. Hestnes moved that the Town establish a Town Building Rentals revolving fund pursuant to the provisions of M.G.L. Chapter 44, section 53E½, and authorize the following expenditures for the fiscal year beginning July 1, 2004:

Name: Town Building Rentals Revolving Fund  
 Authority to Spend: Town Manager  
 Revenue Source: Rental Fees - Town Hall, Old Library,  
 Josiah Smith Tavern



Use of Funds: Utilities, Cleaning, Building Monitor  
FY05 Budget: \$2,000

**The motion was voted unanimously.**

**ARTICLE 11: ESTABLISH REVOLVING FUND-BOARD OF HEALTH**

Dr. Nicholas Guerina moved that the Town establish a Board of Health revolving fund pursuant to the provisions of M.G.L. Chapter 44, section 53E½, and authorize the following expenditures for the fiscal year beginning July 1, 2004:

Name: Board of Health Revolving Fund  
Authority to Spend: Board of Health Director  
Revenue Source: Medicare Reimbursements - Flu Clinics  
Use of Funds: Vaccine and Medical Supplies  
FY05 Budget: \$4,000

**The motion was voted but not unanimously.**

**ARTICLE 12: Authorize the Expenditure of Chapter 90 Funds**

Mr. Hestnes 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 \$239,740 provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department.

**The motion was voted but not unanimously.**

**ARTICLE 13: APPROPRIATE THE FY2005 COMMUNITY PRESERVATION COMMITTEE OPERATING BUDGET**

Ms. Reisman moved that the Town hear and act on the report of the Community Preservation Committee on the Fiscal Year 2005 Community Preservation budget and appropriate from the Community Preservation Fund:

\$60,000 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2005;

and further, that the Town reserve for appropriation the following amounts as recommended by the Community Preservation Committee:

\$220,000 for the acquisition, creation and preservation of open space excluding land for recreational use;

\$220,000 for the acquisition, preservation rehabilitation and restoration of historic resources; and

\$220,000 for the creation, preservation and support of community housing.

Speaking on behalf of the Selectmen, Ms. Joan Vernon recommended the Town Meeting members support Articles 13, 14, and 15.

**The motion was voted unanimously.**

**ARTICLE 14: APPROPRIATE FOR DEBT SERVICE - OPEN SPACE**

Ms. Reisman moved that the Town appropriate \$329,250 for the principal and interest payments related to the purchase of Open Space known as the Sunday Woods parcel, which was approved for purchase under Article 6 of the May 2002 Annual Town Meeting,

said sum to be transferred from the Open Space Reserve of the Community Preservation Fund.

**The motion was voted unanimously.**

**ARTICLE 15: APPROPRIATE FOR OPEN SPACE RESOURCES - FIELD RESTORATION**

Ms. Reisman moved that the Town appropriate \$20,000 from the Open Space Reserve of the Community Preservation Fund, 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.

**The motion was voted unanimously.**

**ARTICLE 16: Appropriate for Historic Resources-Fiske Law Office**

Ms. Vernon moved that Article 16 be passed over and so disposed of.

**The motion was voted unanimously.**

**ARTICLE 17: APPROPRIATE FOR HISTORIC RESOURCES - JOSIAH SMITH TAVERN**

Mr. John Salley moved that the Town appropriate \$350,000 for historic resource purposes under the Community Preservation Program, to be used for the rehabilitation and restoration of the Josiah Smith Tavern located at 358 Boston Post Road, and as funding therefor, to appropriate \$326,500 from the General Unreserved Balance of the Community Preservation Fund, and \$23,500 from Receipts Reserved for Appropriation, Insurance Reimbursement in Excess of \$20,000.

Mr. Dudley Dumaine, a resident for 70 years, had thought the Tavern was being maintained and expressed disappointment it had not been. Mr. Dumaine recommends the committee return to Town Meeting with a plan that would establish a permanent fund to annually maintain the Tavern.

**The motion was voted unanimously.**

**ARTICLE 18: APPROPRIATE FOR HISTORIC RESOURCES - MELONE HOMESTEAD**

Ms. Reisman moved that the Town appropriate \$240,000 from the Historic Resources Reserve of the Community Preservation Fund, for historic resource purposes under the Community Preservation Program, to be used for the rehabilitation and restoration of the Melone Homestead located at 27 Crescent Street.

Speaking in favor of the motion were: Joan Vernon, Board of Selectmen, Judy Markland, Brian Donahue and Ned Rossiter.

**The motion was voted unanimously.**

**ARTICLE 19: Appropriate for Community Housing: Brook School Apartments**

Ms. Vernon moved that the Town amend the vote under Article 11 of the November 25, 2002, Special Town Meeting to provide as follows:

To authorize the creation of twenty-four units at the Brook School Apartments, thirteen of which will be community housing under the Community Preservation Program; and further, to appropriate the sum of \$5,650,000.00 for the cost of an addition, original

equipment, furnishings and engineering or architectural services for the Brook School Apartments, to be spent under the direction of the Town Manager and Elderly Housing Committee, and to meet said appropriation, to borrow \$3,000,000.00 pursuant to G.L. c.44B, or any other general or special law, and to borrow \$2,650,000.00 pursuant to G.L. c.44, §7, or any other general or special law, and to authorize the Town Treasurer, with the approval of the Board of Selectmen to issue any bonds or notes that may be necessary for such purposes; and further, to authorize the Board of Selectmen to convey in perpetuity an affordable housing deed restriction which restriction meets the requirements of M.G.L. Chapter 184, sections 31-33, and which may run to a nonprofit, charitable corporation or foundation with the right to enforce the restriction;

And further, that the Town appropriate \$448,400.00 for the purpose of paying the debt service on bonds authorized by this vote, with: (a) \$363,000.00 to come from the Community Housing Reserve of the Community Preservation Fund; and (b) \$85,400.00 to be raised by taxation.

Provided, however, that the portion of the vote under this article to amend the vote under Article 11 of the November 25, 2002, Special Town Meeting and to appropriate Community Preservation Funds shall take effect upon the effective date of special legislation requested by the Town to approve the use of Community Preservation Funds for the purposes authorized hereunder; and provided further that this vote shall be a nullity and the vote of Article 11 of the November 25, 2002 Special Town Meeting shall be in full force and effect if the requested special legislation has not been approved on or before November 15, 2004.

Speaking in favor of Ms. Vernon's motion were Robin Reisman, Chairman of the Community Preservation Committee, Mr. Edward Lashman and Mr. Steve Ober. Mr. David Harmon asked if the committee had other priorities that needed to be met before expending funds for Brook School. Ms. Reisman responded these monies were barely 10% of the CPA monies designated for affordable housing.

**Two-thirds vote required: The motion was voted unanimously.**

**ARTICLE 20: APPROVE HOME RULE PETITION: BROOK SCHOOL APARTMENTS**

Ms. Vernon moved that his Article be passed over and disposed of.

**This motion was voted unanimously.**

**ARTICLE 21: APPROPRIATE FOR DEPARTMENT OF PUBLIC WORKS EQUIPMENT REPLACEMENT**

Mr. Gillespie moved that the Town appropriate \$263,000 for the cost of 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 prepare, issue and sell bonds and notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans or loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

Mr. Steve Ober spoke in favor of the motion.

**Two-thirds vote required. The motion was voted unanimously.**

**ARTICLE 22: APPROPRIATE FOR ROADWAY IMPROVEMENTS**

Mr. Gillespie moved that the Town appropriate \$100,000 to reconstruct, resurface, alter or make specific repairs to the roadways, 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 prepare, issue and sell bonds and notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans or loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

Mr. David Harmon questioned the laws requiring public bidding as being cumbersome and expensive. He asked whether the Town consider initiating changes to the public bidding requirement. Mr. Hestnes responded no.

**Two-thirds vote required. The motion was voted unanimously.**

**ARTICLE 23: APPROPRIATE FOR DRAINAGE REHABILITATION PROJECTS**

Mr. Gillespie moved that the Town appropriate \$200,000 for the construction or reconstruction of surface drains 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 prepare, issue and sell bonds and notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans or loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

Mr. Steve Ober spoke in favor of the motion.

**Two-thirds vote required. The motion was voted unanimously.**

**ARTICLE 24: APPROPRIATE FOR ENVIRONMENTAL AUDIT COMPLIANCE IMPROVEMENTS - PHASE 3**

Mr. Gillespie moved that the Town appropriate \$75,000 for extraordinary repairs at the Department of Public Works building, 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 prepare, issue and sell bonds and notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans or loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

**Two-thirds vote required. The motion was voted unanimously.**

**ARTICLE 25: APPROPRIATE FOR GEOGRAPHIC INFORMATION SYSTEM**

Mr. Gillespie moved that the Town appropriate \$200,000 for the purchase and installation of computer hardware, software and other costs related to the implementation of a geographic information system, 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 prepare, issue and sell bonds and notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans or loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

Mr. Richard Wright asked whether the Town was using the Commonwealth's information system, and that 10 years earlier the Town chose not to purchase this system because of the expense of an additional Town employee. Mr. Wright asked whether or not the Town would hire an additional employee to operate the geographic information system. Mr. Jack Smith stated the system was expensive and did not see a benefit to the Town of using this system. Carl Valente, the Town Manager, responded the plan required a ½ time employee. He hoped to reorganize Town Hall staff to meet this requirement. The Town had used the Commonwealth's information, but not enough information was available to meet the Town's needs. Mr. Gillespie stated the GIS System would be used by all Town Departments.

**Two-thirds vote required. The motion was voted but not unanimously.**

**ARTICLE 26: APPROPRIATE FOR FIRE STATION/STATION 2 EXTRAORDINARY REPAIRS**

**Motion (1):** Mr. Gillespie moved that the Town appropriate \$350,000 for extraordinary repairs to the main Fire Station, 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 prepare, issue and sell bonds and notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans or loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

**A two-thirds vote was required. The motion was voted unanimously.**

**Motion (2):** Mr. Gillespie moved that the Town appropriate \$250,000 for extraordinary repairs to the Route 30 Fire Station 2, 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 prepare, issue and sell bonds and notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans or loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

Ms. Barbara Hill questioned the need for station #2 and asked if the Town had considered closing the station. Mr. Gillespie said the Town had not considered closing the station. Mr. Dudley Dumaine stated the Article was another example of the Town borrowing for capital maintenance instead of maintaining monies in the operating budget for such expenditures. Mr. Al Aydelott said both roofs were approximately 16 years old and most warranties were for 25 years; he recommended the Town go after the warranty. Mr. Gillespie stated the roofs had only a 10-year warranty. Ms. Nina Danforth stated that the Tree Committee had been asked to plant trees to block the sight of the fire station, but when she went to the station for this purpose, it was unmanned. Mr. Jack Smith asked why the station was unmanned. Mr. Gillespie stated the station was manned.

**A two-thirds vote was required. Motion (2) was defeated by the following vote:  
Yeas-78, Nays-82.**

**ARTICLE 27: APPROPRIATE FOR FIRE ALARM MAINTENANCE TRUCK**

Mr. Gillespie moved that the Town appropriate \$65,000 for the cost 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 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 prepare, issue and sell bonds and notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans or loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

**The motion was voted unanimously.**

**ARTICLE 28: APPROPRIATE FOR CASE CAMPUS TRAFFIC/PARKING IMPROVEMENTS - SUPPLEMENTAL FUNDING**

Mr. Gillespie moved that Article 28 be passed over and so disposed of.

**The motion was voted unanimously.**

**ARTICLE 29: APPROPRIATE FOR SCHOOL TECHNOLOGY EQUIPMENT**

Ms. Wong moved that the Town appropriate \$175,000 for the purchase of computer hardware and other data processing equipment, 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 prepare, issue and sell bonds and notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans or loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

**Two-thirds vote required. The motion passed but not unanimously.**

**Mr. Hestnes moved to adjourn until Wednesday, May 12, 2004.**

**ADJOURNED ANNUAL TOWN MEETING  
MAY 12, 2004**

Pursuant to a warrant, duly served, Robert M. Buchanan, the Moderator called the Adjourned Annual 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:

Marcy Dorna	Blake Munson
Jackie Haas	Louise Reed

**ARTICLE 30: APPROPRIATE FOR SALT SHED - SUPPLEMENTAL FUNDING**

Mr. Gillespie moved that the Town appropriate \$280,000 for reconstruction and extraordinary repairs at the Department of Public Works Salt Shed, including original equipment and landscaping, paving and other site improvements incidental or directly related to said reconstruction, 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 prepare, issue and sell bonds and notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans or loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

Speaking in favor of the motion were Jill McCarthy on behalf of the Finance Committee, William Spencer, representing the Golden Ball neighborhood. Ms. Nina Danforth asked if there would be sufficient plantings by Linwo od Cemetery, Mr. Gillespie stated the plan was to landscape the area facing the salt shed.

**The motion was voted unanimously.**

**ARTICLE 31: APPROPRIATE FOR SCHOOL DEPARTMENT PARKING/ROAD IMPROVEMENTS**

Ms. Ecker moved that the Town appropriate \$50,000 for the resurfacing of various school roadways and parking areas, 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 prepare, issue and sell bonds and notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans or loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

**Two-thirds vote required. The motion was voted unanimously.**

**ARTICLE 32: APPROPRIATE FOR MIDDLE SCHOOL/HIGH SCHOOL - WASTE WATER TREATMENT FACILITY**

Maryanne Rogers moved that the Town appropriate \$150,000 for extraordinary repairs to the Middle School/High School Waste Water Treatment Facility, and to take the steps necessary to comply with an Administrative Consent Order issued by Massachusetts Department of Environmental Protection; to be spent under the direction of the School Committee, the money so appropriated to be raised by borrowing under the authority of M.G.L. Chapter 44, section 7, or any other enabling authority, and to authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue bonds or notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans or loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

**Two-thirds vote required. The motion was voted unanimously.**

**ARTICLE 33: APPROPRIATE FOR WATER SYSTEM EQUIPMENT**

Mr. Gillespie moved that the Town appropriate \$50,000 for the rehabilitation of water departmental equipment, including engineering design and contract administration, to be

spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority of M.G.L. chapter 44, section 8 or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to prepare, issue and sell bonds and notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans or loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

**The motion was voted unanimously.**

**ARTICLE 34: APPROPRIATE FOR COOK'S POND DAM REPAIRS**

Mr. Gillespie moved that the Town raise and appropriate \$35,000 for the repair of the Cook's Pond Dam, to be spent under the direction of the Town Manager.

**The motion was voted unanimously.**

**ARTICLE 35: APPROVE HOME RULE PETITION:  
SALE OF ALCOHOLIC BEVERAGES**

Ms. Kara Kardon moved that the Town petition the General Court for a special act providing that legislation be adopted as set forth in Article 35 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.

Ms. Kardon, answering concerns expressed from the floor, stated that the sale of alcoholic beverages would be "sale" transactions only and be limited to "wine and Malt", no spirits. The Selectmen would be authorized to issue up to two licenses, but no license would be available to a restaurant or bar. Ms. Kardon explained that the residents of Weston would benefit from the convenience of having a fine wine store in the Town. Mr. Suren Avedisian, owner of Omni Food Store, said if the Article passed, it would authorize Omni to better serve its customers by selling wine, as it would avail Weston residents of "a complete shopping experience." Michael Benson opined the article be postponed for several years. Robert Nolan asked if it was illegal for non-profits like Regis College and Northeastern University to sell alcohol at private functions-Mr. Hestnes replied that country clubs fell under the "bottle club exception", other cash bars technically violate state law, however the non-profits disagreed with that interpretation. When asked what would be the planning board's procedure for review of a liquid store's location, Susan Haber, the Town Planner, stated the planning board had not addressed this issue. Speaking in opposition to the motion were: Joseph Ferguson, Lee Engler, Jack Smith, Ann Fain, Marcy Dorna, Paul Penfield, Mary Ellen Sikes. Speaking in favor of the motion were Joseph Sheehan and Kathleen Connor.

Mr. John Simons moved to amend Article 35 by deleting "the licensing authority of the town of Weston may issue two licenses for the sale of wines and malt beverages only, not to be drunk on the premises, in the manner provided in section 15 of chapter 138 of the General Laws," from Section 1 of the proposed Special Act.

**Motion to move the Question: passed.**

**Mr. Simons motion to amend was defeated by the following vote: Yeas - 78, Nays - 79.**

**Ms. Kardon's motion was defeated by the following vote: Yeas - 67, Nays - 97.**



The proposed legislation set out in Article 35 of the Warrant reads as follows:

AN ACT AUTHORIZING THE TOWN OF WESTON TO GRANT CERTAIN LICENSES FOR THE SALE OF ALCOHOL

SECTION 1. Notwithstanding any general or specific law to the contrary, the licensing authority of the town of Weston may issue two licenses for the sale of wines and malt beverages only, not to be drunk on the premises, in the manner provided in section 15 of chapter 138 of the General Laws, and the licensing authority of the town of Weston may issue to non-profit organizations only, special licenses for the sale of all alcoholic beverages and/or malt and wine beverages only to be drunk on the premises, in the manner provided in section 14 of said chapter 138. Further, the licensing authority of the town of Weston may, in the manner provided in section 14 of chapter 138 of the General Laws, issue to incorporated educational institutions authorized to grant degrees, special licenses for the dispensing of wines and malt beverages in dining and function halls maintained by such institutions, provided, however, that such beverages shall be served only to persons over twenty-one years of age. The licensing authority of the town of Weston may in its sole discretion grant licenses authorized by this act.

SECTION 2. Notwithstanding section 11 of chapter 138 of the General Laws as to the time and manner of voting on the question, this act shall be submitted for its acceptance to the qualified voters of the town of Weston at an annual or special town election following the effective date of this act in the form of the following question:

*"Shall an act passed by the general court in the year 2004, entitled 'An Act Authorizing the Town of Weston to Grant Certain Licenses for the Sale of Alcohol' be accepted?"*

The Town shall include below the ballot question a fair and concise summary of this act specifying the different types of licenses the licensing authority is authorized to grant under section one of this act.

If a majority of the votes cast in answer to the question is in the affirmative, this act shall take effect in the town of Weston, but not otherwise.

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

**ARTICLE 36: CITIZENS' PETITION: RESOLUTION REGARDING THE PATRIOT ACT**

Ms. Isabella Jancourtz moved that the Town pass a resolution as set forth in Article 36 of the Warrant with the following change: delete the word "Congregational" and in its place and stead insert the word "Congressional".

Speaking in favor of Article 36 were Will Cochran, Brendan Maher; Ben Egerman. Mr. Hestnes questioned the appropriateness of the article at Town Meeting.

**The motion was voted but not unanimously.**

Point of order was raised after the Article passed, "did the Selectmen say it would not send the letter?" Mr. Hestnes stated the selectmen would send "something".

Article 36 of the Warrant reads as follows:

*Whereas, the Town of Weston recognizes and upholds all the rights and privileges secured by the U.S. Constitution, the Bill of Rights, and the Constitution of the Commonwealth of Massachusetts, which guarantees all citizens and non-citizens the following rights:*

*Freedom of speech, assembly and privacy;*

*The rights to counsel and due process in judicial proceedings, and*

*Protection from unreasonable searches and seizures.*

*Whereas, we believe these liberties are precious and are now threatened by the U.S.A. Patriot Act, which*

*Greatly expands the government's ability to conduct secret searches;*

*Severely reduces judicial supervision of telephone and internet surveillance;*

*Gives the Attorney General and the Secretary of State the power to designate domestic groups as "terrorist groups;"*

*Grants the FBI broad access to sensitive medical, mental health, financial and educational records about individuals without a court order or evidence of a crime;*

*Allows the Attorney General to subject non-citizens to indefinite detention or deportation even if they have not committed a crime.*

*Whereas, the citizens of Weston have decried the U.S.A. Patriot Act and the associated orders and rules of the executive branch of the U.S. government as unnecessary to the prosecution of, and protection from, terrorism.*

*Therefore, be it resolved that:*

1. *The Town of Weston affirms the civil rights guaranteed to all of its residents, U.S. Citizens and citizens of other countries alike, in accordance with the Bill of Rights and the Fourteenth Amendment of the U.S. Constitution.*

2. *The Town of Weston urges U.S. Congressional Representatives and Senators to monitor the implementation of the U.S.A. Patriot Act and related acts and orders, and actively work for the repeal of those portions that violate fundamental rights and liberties guaranteed by the U.S. Constitution.*

3. *The Selectmen of the Town of Weston shall send copies of this resolution to the President of the United States, the U. S. Attorney General, the Secretary of State, members of the Massachusetts Congressional delegation, our representatives in the Massachusetts House and Senate, and to the Governor and Attorney General of Massachusetts.*

**ARTICLE 37: CITIZENS' PETITION: DISCONTINUE PORTION OF HILL TOP ROAD**

Mr. Hestnes moved that Article 37 be passed over and referred to the Board of Selectmen.

**The motion was voted unanimously.**

**ARTICLE 38: ACCEPT MASSACHUSETTS GENERAL LAW CHAPTER 40, SECTION 57 AND AMEND GENERAL BYLAWS: DENIAL, REVOCATION OR SUSPENSION OF LICENSES AND PERMITS**

Ms. Vernon moved that the Town accept M.G.L. Chapter 40, section 57 and that Article II of the Town's General Bylaws be amended by adding a new section 13, as set forth in Article 38 of the Warrant, and renumbering the remaining sections.

**The motion was voted unanimously.**

**ARTICLE 39: ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986 (INCREASE IN PROPERTY TAX EXEMPTION LIMITS)**

Ms. Vernon moved that the Town accept, for Fiscal Year 2005, 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.**

**ARTICLE 40: ESTABLISH TAX DEFERRAL ELIGIBILITY CRITERIA**

Ms. Vernon moved that Article 40 be passed over and referred to the Board of Selectmen.

**The motion was voted unanimously.**

**ARTICLE 41: AMEND GENERAL BYLAWS ARTICLE XXXI:  
COMMUNITY PRESERVATION COMMITTEE**

Ms. Vernon moved that Article XXXI of the General Bylaws of the Town be amended, by deleting section 1 in its entirety and replacing it as set forth in Article 41 of the Warrant, with the exception that the following paragraph be deleted from the proposed Section 1, "The four at-large members shall serve no more than two consecutive three-year terms. There shall be no limit on the number of terms served by appointees of the Conservation Commission, Historical Commission, Housing Needs Committee, Planning Board and Board of Selectmen."

**The motion was voted unanimously.**

Article 41 of the Warrant reads as follows:

*"Section 1: Establishment*

*There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to the provisions of G.L., c. 44B, section 5. The composition of the committee, the appointing authority and the term of office for the committee members shall be as follows:*

- 1) One member of the Conservation Commission as designated by the Commission;*
- 2) One member of the Historical Commission as designated by the Commission;*
- 3) One member of the Housing Needs Committee as designated by the Committee;*
- 4) One member of the Planning Board as designated by the Board;*
- 5) One individual with interest and/or expertise in parkland to be appointed by the Board of Selectmen;*
- 6) Four Weston residents to serve at large, appointed by the Moderator.*

*Each member of the Committee shall serve for a term of three years or until the person no longer serves in the position or on the board or committee as set forth above, whichever is earlier. Said term of office will commence on July 1. From time to time the Committee shall elect a chairman from its members. Vacancies shall be filled by the respective appointing authorities to fill the remainder of the three-year appointment to the Community Preservation Committee. Effective with the July 1, 2004 appointment or reappointment of at-large members, two members shall be appointed to a one year term and two members shall be appointed to a two year term. Subsequent appointment or reappointment of at-large members shall be to three-year terms.*

*Should any of the officers and commissions, boards, or committees who have appointing authority under this by-law be no longer in existence for whatever reason, the Board of Selectmen shall appoint a suitable person to serve in their place.*

*The four at-large members shall serve no more than two consecutive three-year terms. There shall be no limit on the number of terms served by appointees of the Conservation Commission, Historical Commission, Housing Needs Committee, Planning Board and Board of Selectmen.*

*Any member of the Committee may be removed for cause by their respective appointing authority after hearing."*

*And by deleting from Section 6 the following sentence:*

*"Each appointing authority shall have thirty days after approval by the Attorney General to make their initial appointments."*

*Or take any other action relative thereto.*

**ARTICLE 42: AMEND GENERAL BYLAWS: ARTICLE III, POLICE REGULATIONS**

Mr. Hestnes moved that the General Bylaws of the Town be amend by adding a new Section 12 to Article III as follows:

"Section 12: No person shall operate a bicycle in violation of M.G.L. Chapter 85, section 11B, or of any regulations issued by the Board of Selectmen with regard to the equipment and operation of a bicycle. Violations of this bylaw and of any regulation of the Board of Selectmen adopted hereunder may be enforced by any available means in law or equity by the Board of Selectmen or its respective designee, and by any Police Officer of the Town of Weston; provided, further that any police officer of the Town may also, pursuant to M.G.L. Chapter 85, section 11C, enforce by non-criminal ticketing violations of this section and of any regulations adopted hereunder.

Penalties

1. Refusal to State Name and Address when Requested to Do So: \$50.00
2. All Other Violations: \$20."

Speaking in opposition were Mr. David Rolde, Ms. Mary Ellen Sikes, Mr. Arthur Uhlir.

Ms. Dorna asked for what acts would one be ticketed as she was concerned tickets would be given to riders with child seats. The town meeting members discussed the issue of probable cause, whether or not bike riders would be randomly stopped, Mr. Hestnes stated probable cause is inferred, there must be a reason for a stop, but the article was for civil not criminal matters. Member questioned whether the police needed additional authority to enforce traffic laws.

Mr. Uhlir moved to amend Mr. Hestnes' motion by striking Clause 1 under Penalties "Refusal to state name and address when requested to do so: \$50.00." Mr. Hestnes did not accept the motion to amend.

Motion to move the question passed.

**Mr. Uhlir's motion to amend the article was defeated**

**Mr. Hestnes's motion under Article 42 was adopted.**

**ARTICLE 43: AMEND GENERAL BYLAWS: ARTICLE XII AND XXI**

Mr. Gillespie moved that the General Bylaws of the Town be amend by:

- 1) Deleting in its entirety Article XII – Town Dumps;
- 2) Deleting in its entirety Article XXI – Tree Warden;

And as a ministerial and non-substantive act, that all remaining Articles be renumbered accordingly.

**The motion was voted unanimously.**

The Moderator accepted a motion to dissolve the Adjourned Annual Town Meeting at 11:03 PM.

**STATE PRIMARY  
September 14, 2004**

Pursuant to a warrant duly served, the State Primary was held on September 14, 2004 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:

State Primary - September 14, 2004 - Voter Turnout

	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Total
Registered Voters	1948	1654	1576	1750	6928
Votes Cast	70	51	34	35	190
% Voter Turnout	3.59%	3.08%	2.16%	2.00%	2.74%

Out of a total of 190 ballots cast, 31 or 16.31% were absentee ballots.

The results of the State Primary were as follows:

**TOWN OF WESTON  
STATE PRIMARY - SEPTEMBER 14, 2004  
DEMOCRATIC - SUMMARY VOTE**

	Total		Total
<b>REPRESENTATIVE IN CONGRESS</b>		<b>REPRESENTATIVE IN GENERAL COURT</b>	
Blanks	24	Blanks	25
Edward J. Markey	109	Alice Hanlon Peisch	111
Write-Ins:		Write-Ins:	
Scattering	4	Scattering	1
<b>Total</b>	<b>137</b>	<b>Total</b>	<b>137</b>
<b>COUNCILLOR</b>		<b>SHERIFF</b>	
Blanks	47	Blanks	21
Marilyn M. Petitto Devaney	90	James V. DiPaola	70
Write-Ins:	0	Robert A. DeMoura	26
<b>Total</b>	<b>137</b>	Brian M. Gillis	19
		Write-Ins:	
<b>SENATOR IN GENERAL COURT</b>		Scattering	1
Blanks	22	<b>Total</b>	<b>137</b>
Susan C. Fargo	113		
Write-Ins:			
Scattering	2		
<b>Total</b>	<b>137</b>		

TOWN OF WESTON  
STATE PRIMARY - SEPTEMBER 14, 2004  
REPUBLICAN - SUMMARY VOTE

	Total		Total
<b>REPRESENTATIVE IN CONGRESS</b>		<b>REPRESENTATIVE IN GENERAL COURT</b>	
Blanks	0	Blanks	2
Kenneth G. Chase	52	George P. Field	51
Scattering	1	Scattering	0
<b>Total</b>	<b>53</b>	<b>Total</b>	<b>53</b>
 <b>COUNCILLOR</b>		 <b>SHERIFF</b>	
Blanks	40	Blanks	46
Scattering	13	Scattering	7
<b>Total</b>	<b>53</b>	<b>Total</b>	<b>53</b>
 <b>SENATOR IN GENERAL COURT</b>			
Blanks	2		
John C. Thibault	51		
Scattering	0		
<b>Total</b>	<b>53</b>		

**STATE ELECTION  
November 2, 2005**

Pursuant to a warrant duly served, the State Election was held on November 2, 2004 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:

**State Election - November 2, 2004 - Voter Turnout**

	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Total
Registered Voters	2,011	1,739	1,692	1,790	7,232
Votes Cast	1,776	1,502	1,484	1,586	6,348
% Voter Turnout	88%	86%	88%	89%	88%

Out of a total of 6314 ballots cast, 794 or 12.57% were absentee ballots.

The results of the State Election were as follows:

**TOWN OF WESTON**  
**State Election November 2, 2004**

<b>President &amp; Vice President</b>	<b>Total</b>	<b>Senator in General Court</b>	<b>Total</b>
Badnarik & Campagna	44	Fargo	3337
Bush & Cheney	2567	Thibault	2639
Cobb & LaMarche	20	Blanks	334
Kerry & Edwards	3617	Scattering	4
Blanks	22	<b>Total</b>	<b>6314</b>
Scattering	44		
<b>Total</b>	<b>6314</b>	<b>Representative in General Court</b>	<b>Total</b>
		Peisch	3380
<b>Representative in Congress</b>	<b>Total</b>	Field	2626
Markey	3537	Blanks	307
Chase	2334	Scattering	1
Hall	162	<b>Total</b>	<b>6314</b>
Blanks	272		
Scattering	9	<b>Sheriff</b>	<b>Total</b>
<b>Total</b>	<b>6314</b>	DiPaola	3825
		Blanks	2432
<b>Councillor</b>	<b>Total</b>	Scattering	57
Devaney	3322	<b>Total</b>	<b>6314</b>
Blanks	2935		
Scattering	57		
<b>Total</b>	<b>6314</b>		

**QUESTION NO. 1:**

Shall the state representative from this district be instructed to vote in favor of legislation requiring that in all separation and divorce proceedings involving minor children, the court shall uphold the fundamental rights of both parents to the shared physical and legal custody of their children and the children's right to maximize their time with each parent, so far as is practical, unless one parent is found unfit or the parents agree otherwise, subject to the requirements of existing child support and abuse prevention laws?

**Yes**    4564    **No**    854    **Blanks**    896

**SPECIAL TOWN MEETING**  
**November 29, 2004**

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:	George Bates	Dorthea Thomas
	Nancy Bates	Roger Thomas

**ARTICLE 1: AMEND FISCAL YEAR 2005 OPERATING BUDGET:**

Mr. Gillespie moved that the Town amend and supersede certain parts of the Fiscal Year 2005 operating budget adopted under Article 2 of the 2004 Annual Town Meeting, by deleting amounts of money appropriated under some of the line items and appropriating new amounts:

	<u>Changing From</u>	<u>Changing To</u>
Insurance-Group Health/Life, Medicare	\$6,580,175	\$6,680,175
Reserve Fund	350,000	407,000
Facilities Maintenance, Salaries	62,468	55,968
Facilities Maintenance, Expenses	105,730	112,230
Conservation Comm., Expenses	77,350	82,350
Council on Aging, Salaries	119,834	126,934
Police, Salaries	2,130,941	2,169,941
Police, Expenses	205,171	209,771
DPW, Expenses	933,613	945,613

**The motion was voted but not unanimously.**

**ARTICLE 2: AMEND FISCAL YEAR 2005 WATER ENTERPRISE BUDGET**

Mr. Gillespie moved that the Town amend and supersede certain parts of the Fiscal Year 2005 Water Enterprise Fund budget adopted under Article 3 of the 2004 Annual Town Meeting, by deleting amounts of money appropriated under some of the line items and appropriating new amounts:

	<u>Changing From</u>	<u>Changing To</u>
Expenses	\$176,528	\$208,328

Said sum to be funded from water receipts.

**The motion was voted unanimously.**

**ARTICLE 3: APPROPRIATE FOR FIRE STATION 2-EXTRAORDINARY REPAIRS**

Ms. Vernon moved that the Town appropriate \$250,000 for extraordinary repairs to the Route 30 Fire Station 2, 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 prepare, issue and sell bonds and notes of the Town at one time, or from time to time, and to determine in conformity to law the period or periods of the loans, all particulars as to form, issue and sale of said bonds or notes, their annual maturities and the rate and times of payment of interest on them.

Dr. David Huckins, chairman of the committee to study the Fire Station, stated the committee unanimously recommended Fire Station 2 be maintained and appropriate repairs be made.

**The motion was voted unanimously.**



**ARTICLE 4: AUTHORIZE THE EXPENDITURE OF CHAPTER 90 FUNDS**

Mr. Gillespie 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 to authorize the expenditure of \$289,277 provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department.

**The motion was voted unanimously.**

The Moderator accepted a motion to dissolve the Special Town Meeting at 7:59 PM.

**Motion to dissolve Special Town Meeting passed.**

