

ARTICLE 3 APPOINTMENT OF MEASURERS OF WOOD AND BARK

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That, John A. FitzMaurice, 17 Lakeview, be and hereby is appointed Measurer of Wood and Bark until the next Annual Town Meeting.

A true copy of the vote under
Article 3 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2004.

ATTEST:

Town Clerk

ARTICLE 4

ELECTION OF ASSISTANT MODERATOR

VOTED: (QUORUM PRESENT)

An election for the position of Assistant Moderator for a term of one year as provided in Title I, Article 1, Section 11A of the Bylaws was conducted by ballot.

The ballots were tallied by the Moderator and the Town Clerk and the results were:

Thomas Caccavaro, Jr.	34
Harry P. McCabe	34
John D. Leone	122
Richard L. Carreiro	10
Invalid	<u>3</u>
TOTAL	203

Mr. Leone was declared elected.

A true copy of the vote under Article 4 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held April 28, 2004.

ATTEST:

Town Clerk

ARTICLE 5

ZONING BYLAW AMENDMENT/BICYCLE/PARKING

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT - MORE THAN
85 T.M.M. PRESENT AND VOTING)**

That the Town vote to amend the Zoning Bylaw in Article 11, Section 11.06, f. 4. Circulation, by deleting the words "vehicular and pedestrian" and inserting in place thereof, the words "vehicular, pedestrian and bicycle"; and further, after the words "and arrangement of" deleting the words "of parking areas" and inserting in place thereof, the words "vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 8.13".

A true copy of the vote under
Article 5 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2004.

ATTEST:

Town Clerk

ARTICLE 6

**ZONING BYLAW AMENDMENT/DIMENSIONAL
AND DENSITY REGULATIONS**

**VOTED: (STANDING VOTE, 190 IN THE AFFIRMATIVE AND 2 IN THE
NEGATIVE) (QUORUM PRESENT)**

That the Town vote to amend the Zoning Bylaw in Article 6, Section 6.00, Table of Dimensional and Density Regulations by inserting in the B1, B2, B2A, B3, B4, B5 districts the new use “Single-family detached dwelling, two-family dwelling, duplex house, three-family dwelling ^{QR}” and the following dimensions:

Lot Requirements Minimum, Size, Sq. Ft. - 6,000; Lot Requirements Minimum, Frontage - 60; Intensity of Development, Floor Area Ratio – 0.75; Intensity of Development, Lot Coverage Maximum – NA; Intensity of Development, Minimum Lot Area Per Dwelling Unit - 2,500; Minimum Yard, Ft, Front – 20; Minimum Yard, Ft., Side – 10; Minimum Yard, Ft., Rear – 20; Height Maximum, Stories - 2-1/2; Height Maximum, Feet – 35; Open Space Minimum, Percent of Gross Floor Area, Landscaped - 10%; Open Space Minimum, Percent of Gross Floor Area, Usable - 30%;

and in the B1 district in the use “All permitted uses” by deleting the word “All” and inserting in place thereof the words “Any other”;

and in the B2 district in the use “Building with a principal use of a three family dwelling, town house structure or apt. house” by deleting the words “three family dwelling”

and at the end of the table, insert footnote Q as follows: “Q In cases subject to Section 11.06 Environmental Design Review, the Redevelopment Board in evaluating the proposal may by Special Permit adjust the required setbacks set forth elsewhere in this Bylaw to account for specific conditions unique to the proposal.”

and at the end of the table, insert footnote R as follows: “R These dimensional requirements shall not apply to any special permit issued before the first advertisement of this bylaw change in February, 2004.”

A true copy of the vote under
Article 6 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 3, 2004.

ATTEST:

Town Clerk

ARTICLE 7 ZONING BYLAW AMENDMENT/FLOODPLAIN DISTRICT

**VOTED: (STANDING VOTE - 189 IN THE AFFIRMATIVE AND 8 IN THE
 NEGATIVE) (QUORUM PRESENT)**

That the Town vote to amend the Zoning Bylaw in Article 11, Section 11.04,b in the fourth sentence after the words, “The Floodplain Overlay consists of the” by inserting the words, “Flood Insurance Study”, and in section 11.04,c after the words, “by all regulations of this Section 11.04” by inserting the words, “Wetlands Protection Regulations, Department of Environmental Protection (DEP), 310 CMR 10.00, Inland Wetlands Restriction (DEP) 310 CMR 13.00,” and in the end of the same sentence by deleting the words, “Section 3.04” and inserting in place thereof the words, “Section 3.05”, and in Section 11.04,d,2 by deleting paragraphs 2.2, 2.3 and 2.4 and inserting new paragraphs as follows, “2.2 The proposed use shall comply with the regulations as amended in Massachusetts Wetlands Protection Regulations, Department of Environmental Protection (DEP), 310 CMR 10.00 and Inland Wetlands Restriction (DEP) 310 CMR 13.00; 2.3 Base Flood Elevation Data is required for proposals or other developments greater than 50 lots or five acres, whichever is the lesser, within unnumbered A zones.”

A true copy of the vote under
Article 7 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 3, 2004.

ATTEST:

Town Clerk

ARTICLE 8

**ZONING BYLAW AMENDMENT/WETLAND
AND FLOODPLAIN OVERLAY**

**VOTED: (UNANIMOUSLY – MORE THAN 85 T.M.M. PRESENT AND
VOTING)**

That the Town vote to amend the Zoning Bylaw in the Wetland and Floodplain Overlay to the Zoning Map by adding the wetlands and water resources shown on the map entitled “Proposed additions to the Wetland and Floodplain Overlay, Warrant Article 8, Annual Town Meeting, April 2004.”

A true copy of the vote under
Article 8 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 3, 2004.

ATTEST:

Town Clerk

ARTICLE 9 ZONING BYLAW AMENDMENT/OFF STREET PARKING

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

No Action.

A true copy of the vote under
Article 9 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2004.

ATTEST:

Town Clerk

ARTICLE 10

ZONING BYLAW AMENDMENT/INDUSTRIAL ZONE

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

No Action.

A true copy of the vote under
Article 10 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2004.

ATTEST:

Town Clerk

ARTICLE 11 ZONING BYLAW AMENDMENT/AFFORDABLE HOUSING

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

No Action.

A true copy of the vote under
Article 11 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2004.

ATTEST:

Town Clerk

ARTICLE 12 ZONING BYLAW AMENDMENT/AFFORDABLE HOUSING II

VOTED: (QUORUM PRESENT)

No Action.

A true copy of the vote under
Article 12 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2004.

ATTEST:

Town Clerk

ARTICLE 13 ZONING BYLAW AMENDMENT/TEMPORARY SIGNS

VOTED: (QUORUM PRESENT)

No Action.

A true copy of the vote under
Article 13 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 24, 2004.

ATTEST:

Town Clerk

ARTICLE 14 ZONING BYLAW AMENDMENT/OFF STREET PARKING

VOTED: (QUORUM PRESENT)

No Action.

A true copy of the vote under
Article 14 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2004.

ATTEST:

Town Clerk

ARTICLE 15 BYLAW AMENDMENT/TEMPORARY SIGNS II

VOTED: (QUORUM PRESENT)

No Action.

A true copy of the vote under
Article 15 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 24, 2004.

ATTEST:

Town Clerk

ARTICLE 16

ABANDONMENT OF EXTERIOR LINES

VOTED: (QUORUM PRESENT)

That the Town hereby votes to abandon the exterior lines at 874-880 and 980 Massachusetts Avenue.

A true copy of the vote under Article 16 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held April 26, 2004.

ATTEST:

Town Clerk

ARTICLE 17

VOTE AMENDMENT/PARMENTER SCHOOL

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT - MORE THAN
85 T.M.M. PRESENT AND VOTING)**

That Article 35 of the 1992 Annual Town Meeting be and hereby is amended, by deleting the first paragraph and inserting in place the following:

That effective July 1, 1998, the Town hereby continues the transfer of the jurisdiction of Parmenter School and all land under jurisdiction of the School Committee appurtenant thereto, to the Redevelopment Board for a ten-year period ending June 30, 2008. If the School Committee shall determine that the subject property is not required for public educational purposes on or after July 1, 2008, it shall notify the Redevelopment Board. Said notification shall be made no later than January 1, 2007. Upon notification, the Redevelopment Board shall submit a warrant article to the next Special or Annual Town Meeting requesting continued jurisdiction of the property.

A true copy of the vote under
Article 17 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 28, 2004.

ATTEST:

Town Clerk

ARTICLE 19 BYLAW AMENDMENT/SNOW REMOVAL/RESIDENCES

VOTED: (QUORUM PRESENT)

That the Town hereby amends Section 24 “Snow Removal – Residences” of Article 1 ‘Public Ways’ of Title III of the Bylaws by replacing ‘\$10.00’ with ‘\$25.00’ so that as amended Section 24 shall provide as follows:

The owner or occupant of any residentially zoned land abutting a paved sidewalk in the Town shall cause all snow and ice to be removed from said sidewalk by plowing, shoveling, scraping or otherwise so as not to damage such sidewalk, and within eight hours between sunrise and sunset after such snow and ice have come upon the sidewalk. Only so much of said sidewalk that shall afford a space wide enough to accommodate the passage of two pedestrians shall be required. Violations of this section shall be punishable by a fine of \$25.00 per day that the snow and ice are not so removed.

A true copy of the vote under
Article 19 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 28, 2004.

ATTEST:

Town Clerk

ARTICLE 20

**BYLAW AMENDMENT/SNOW REMOVAL
APARTMENTS/CONDOMINIUMS**

VOTED: (QUORUM PRESENT)

That the Town hereby amends Section 25 “Snow Removal/Apartments/Condominiums” of Article 1 “Public Ways” of Title III of the Bylaws by replacing “\$10.00” with “\$50.00” so that as amended Section 25 shall provide as follows:

“The owner of any residential property utilized for apartment house or multi unit condominium use that abuts a paved sidewalk in the Town shall cause all snow and ice to be removed from said sidewalk by plowing, shoveling, scraping or otherwise so as not to damage such sidewalk, and within three hours between sunrise and sunset after such snow and ice have come upon the sidewalk. Only so much of said sidewalk that shall afford a space wide enough to accommodate the passage of two pedestrians shall be required. Violations of this section shall be punishable by a fine of \$50.00 per day that the snow and ice are not so removed.”

A true copy of the vote under
Article 20 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 28, 2004.

ATTEST:

Town Clerk

ARTICLE 21 BYLAW AMENDMENT/SNOW REMOVAL/BUSINESSES

VOTED: (QUORUM PRESENT)

“That Section 26 of Article 1 of Title III of the Bylaws be and hereby is amended by striking out the figure \$20.00 and substituting therefor \$50.00 so that as amended the Bylaw shall provide as follows:

“The owner or occupant of any land abutting upon a sidewalk of a public way in this Town which said property is used for business purposes other than farm business shall cause all snow and ice to be removed from said sidewalk by plowing, shoveling, scraping or otherwise so as not to damage such sidewalk, and within the first three hours between sunrise and sunset after such snow and ice have come upon such sidewalk. Violations of this section shall be punishable by a fine of \$50.00 per day that the snow and ice are not so removed.”

A true copy of the vote under
Article 21 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 28, 2004.

ATTEST:

Town Clerk

ARTICLE 22

BYLAW AMENDMENT/PUBLIC WAYS

VOTED: (QUORUM PRESENT)

That Article 1 'Public Ways' of Title III of the Bylaws be and hereby is amended by adding a new Section 33 Prohibition Against Obstructing Public Ways to provide as follows:

“Section 33. Prohibition Against Obstructing Public Ways. No person, except an officer or employee of the Town shall place or throw or cause to be placed or thrown on to any public sidewalk, street, fire hydrant, or highway any snow, dirt, leaves, gravel or foreign substance or material. Violations of this section shall be punishable by a fine of \$25.00 per day if the material is not removed. The Board of Selectmen is authorized to promulgate rules and regulations consistent with this section relative to the ticketing procedures to be utilized; the Board is also authorized to exempt citizens upon petition showing demonstrable extreme hardship due to health and/or financial duress”.

A true copy of the vote under
Article 22 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 28, 2004.

ATTEST:

Town Clerk

ARTICLE 23 BYLAW AMENDMENT/REPAIRS TO PRIVATE WAYS

VOTED: (QUORUM PRESENT)

That Article 3 Repairs to Private Ways of Title III of the Bylaws be and hereby is amended in Sections 2 and 6 as follows:

- A. In Section 2 by adding the words “thin asphalt overlays,” with a comma thereafter after the word “skim coating”;
- B. By deleting the last sentence of Section 2 which reads “Drainage shall not be included,” and substituting therefore the following: “Drainage may be included when necessary as determined by the Public Works Director, to prevent further erosion”, so that Section 2 as amended shall provide as follows:

“The Board may vote to direct the Town Manager to make temporary repairs to private ways. Temporary repairs shall be limited to the filling of potholes, temporary patching, skimcoating, thin asphalt overlays, armor coating and grading of dirt roadways providing however, in the case of said grading, the petitioners agree to enter into a contract with a private contractor or the Town to pave the roadway forthwith. Drainage may be included when necessary as determined by the Public Works Director in order to prevent further erosion.”

- C. By deleting the words “one-third deposit” and substituting the words “two-thirds deposit” as they appear in the second paragraph of Section 6 Assessment of Costs;
- D. By adding a new sentence after the existing second paragraph of Section 6 to provide as follows: “However, such apportionment, assessment and collection shall be limited to five years”;

E. So that the second paragraph Section 6 as amended shall provide as follows:

“A two-thirds deposit of the total estimated cost of the completion of the repair project shall be required before any work can be commenced. All remaining costs shall be apportioned, assessed and collected on a per-property basis pursuant to the procedures provided in Chapter 80 of the General Laws, the Betterment Act, including the placing of liens on the affected property and the collection of apportioned costs by means of property tax collection. However, such apportionment, assessment and collection shall be limited to five years.”

A true copy of the vote under
Article 23 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 28, 2004.

ATTEST:

Town Clerk

ARTICLE 24

BYLAW AMENDMENT/RECREATION VEHICLES

**VOTED: (STANDING VOTE – 125 IN THE AFFIRMATIVE AND 38 IN THE
NEGATIVE) (QUORUM PRESENT)**

That Title VIII Public Health and Safety of the Bylaws be and hereby is amended by adding a new Article 4 hereto to provide as follows:

Article 4 Vehicles – Recreation

Section 1. Definitions:

“Recreational Vehicle”, shall include the following types of registered or unregistered vehicles: motorized scooters, motorized skateboards, snowmobiles, all-terrain vehicles, go-carts, minibikes, and similarly styled vehicles.

“Motorized Scooter”, any multi-wheeled device that has handlebars, designed to be stood or sat upon by the operator, powered by an electric or gas powered motor that is capable of propelling the device with or without human propulsion.

“Motorized Skateboard”, any four or eight-wheeled device that is designed to be stood or sat upon by the operator, which may or may not have an upright handlebar for steering, which is powered by an electric or gas powered motor that is capable of propelling the device with or without human propulsion.

“Way”, any public highway or private way laid out under authority of Massachusetts General Laws dedicated to public use, including but not limited to Town streets and sidewalks, or any area under the control of the Town of Arlington, Arlington School Department, or Redevelopment Board or body having like powers, including but not limited to school grounds, parks, playgrounds, and parking lots and cemeteries.

Section 2. Recreational Vehicles; Operation Regulations:

No recreational vehicle shall be operated upon any way in the Town of Arlington by any person under sixteen (16) years of age, nor at a speed in excess of twenty-five (25) miles per hour by any person. No recreational vehicle shall be operated upon any way by any person not possessing a valid operator's license issued pursuant to General Laws Chapter 90, Section 8 or a learner's permit issued pursuant to General Laws Chapter 90 Section 8B, or by permit or license given by reciprocity to nonresidents under General Laws Chapter 90 Section 3 and Section 10.

Section 3. Exemptions:

The following recreational vehicles shall be exempt from the provisions of this By-Law:

- (a) Recreational Vehicles licensed by the Commonwealth of Massachusetts as Motor Vehicles,
- (b) Recreational Vehicles used by handicapped persons,
- (c) Equipment used for landscaping and snow removal,
- (d) Recreational Vehicles used by any governmental agency, and
- (e) Recreational Vehicles used during any declared emergency when authorized by the Chief of Police.

Section 4. Violations and Penalties:

Whoever violates the provisions of the By-Law shall be punished by a fine of \$100.00 for the first offense, and \$200.00 for the second offense, and \$300.00 for the third and each subsequent offense.

Any Recreational Vehicle being operated by a person under the age of sixteen (16) years may be confiscated by the Arlington Police Department and held at the Arlington Police Station until retrieved by a parent or guardian.

Section 5. Enforcement:

The Arlington Police shall enforce the provisions of this By-Law.

A true copy of the vote under Article 24 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 5, 2004.

ATTEST:

Town Clerk

ARTICLE 25

**BYLAW AMENDMENT/DATA PROCESSING
ADVISORY BOARD**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That Article 5 of Title II of the Bylaws establishing a Data Processing Advisory Board is hereby repealed.

A true copy of the vote under
Article 25 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 17, 2004.

ATTEST:

Town Clerk

ARTICLE 27

BYLAW AMENDMENT/DOG PARKS

VOTED: (QUORUM PRESENT)

That the Town hereby amends Section 2A “Leash Required of Article 2 Canine Control of Title VIII” of the Bylaws by adding a new sentence to appear at the end of Section 2A to provide as follows:

“The Board of Parks and Recreation Commissioners may designate a dog park, dog run, or dog exercise area only if same is enclosed by appropriate fencing to preclude the escape of any dog into any other area of the park or playground not so designated as a dog park, dog run, or dog exercise area.”.

A true copy of the vote under Article 27 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 5, 2004.

ATTEST:

Town Clerk

ARTICLE 30

AMEND BYLAWS/CONTROL OF PARKS

VOTED: (QUORUM PRESENT)

That Article 1 Use of Areas Under Control of the Park Department of Title IV of the Bylaws be and hereby is amended by adding a new Section 4 to provide as follows:

“Section 4 Permit Required

A permit is required for all organized groups to utilize a playing field. The Parks and Recreation Department may issue such permits as it deems appropriate with reasonable regulations as it shall determine relating to utilization of property under its jurisdiction. The regulations may include without limitation consideration as to the condition of the fields as affected by inclement weather or over use.

(The present Sections 4 – 10 will hereby be renumbered as Sections 5 – 11).

And further voted that Section 11 (as renumbered) be and hereby is amended by adding the words ‘or Section 4’ after the words ‘Section 3C’ as it appears both times in Section 11, so that as amended said sentence shall read ‘Any person violating Section 3C or Section 4, for each offense shall be punished by a fine of not more than \$300.00.

A true copy of the vote under Article 30 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 5, 2004.

ATTEST:

Town Clerk

ARTICLE 31

VOTE AMENDMENT/WETLANDS PROTECTION

VOTED: (QUORUM PRESENT)

That the Town amend Title V, Article 8, Section 17 "Variance" of the by-laws as follows:

In the final sentence of that section, after the word "Laws" delete the words "and shall expire on June 30, 2004; provided, however, that any variances granted by the Commission prior to such expiration date shall be valid for the time period specified in such approval." And then insert a period after the word "Laws" so that the final sentence would read in its entirety: "The effective date of this section shall be as provided in Section 32 of Chapter 40 of the General Laws."

A true copy of the vote under Article 31 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 5, 2004.

ATTEST:

Town Clerk

ARTICLE 33

BYLAW AMENDMENT/SPECIAL PLACES

VOTED: (STANDING VOTE – 110 IN THE AFFIRMATIVE AND 72 IN THE NEGATIVE) (QUORUM PRESENT)

That Title VI, Article 7 (Special Places) of the Town Bylaws be and hereby is repealed.

A true copy of the vote under
Article 33 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 10, 2004.

ATTEST:

Town Clerk

ARTICLE 35

HOME RULE PETITION/TIMOTHY PACHECO

VOTED: (STANDING VOTE – 110 IN THE AFFIRMATIVE AND 50 IN THE NEGATIVE) (QUORUM PRESENT)

That the Town does hereby authorize and request that the Board of Selectmen file Home Rule Legislation to provide substantially as follows:

“AN ACT EXEMPTING TIMOTHY PACHECO OF ARLINGTON FROM THE MAXIMUM AGE REQUIREMENTS FOR APPLYING FOR CIVIL SERVICE APPOINTMENT AS A FIREFIGHTER IN THE TOWN OF ARLINGTON.

Section 1: Notwithstanding any special or general laws to the contrary, including without limitation Massachusetts General Laws Chapter 31 Sections 58, 61A and 61B, or the Town of Arlington’s failure to adopt the same, Timothy Pacheco, an Arlington citizen, is hereby eligible to have his name certified for original appointment to the position of firefighter in the Town of Arlington notwithstanding his having reached the age of 32 prior to his taking any Civil Service examination in connection therewith. In all other respects Timothy Pacheco will be eligible for appointment to the position of firefighter in the Town of Arlington but only insofar as he qualifies and is selected for employment under the statutory procedures provided for in Chapter 31 of the General Laws, any regulations of the Civil Service Commission and the Human Resources Division of the Commonwealth and any lawful hiring practices of the Town of Arlington.

Section 2: This act shall take effect upon passage.”

A true copy of the vote under Article 35 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 10, 2004.

ATTEST:

Town Clerk

**ARTICLE 38 HOME RULE LEGISLATION/REQUEST FOR LEGISLATION/
ALL ALCOHOL LICENSES**

**VOTED: (STANDING VOTE – 154 IN THE AFFIRMATIVE AND 15 IN THE
NEGATIVE) (QUORUM PRESENT)**

That the Town hereby authorizes and requests the Board of Selectmen to file a home rule petition that would provide substantially as follows:

**“AN ACT TO EXPAND THE NUMBER OF LICENSES WHICH THE BOARD
OF SELECTMEN CAN ISSUE FOR ALL ALCOHOL LICENSES FOR
RESTAURANTS IN THE TOWN OF ARLINGTON.**

Section 1. Notwithstanding any limitations imposed by Sections 11A and 17 of Chapter 138 of the General Laws or the provisions of Chapter 887 of the Acts of 1977, or any other special or general law to the contrary, the Selectmen of the Town of Arlington shall cause to be placed on the official ballot used in the Town of Arlington at the Annual Town Meeting to be held in the year 2005 the following question:

‘Shall the Town be authorized to grant an additional five licenses for the sale therein of all alcoholic beverages by restaurants and function rooms having a seating capacity of not less than 99 persons?’

Yes ف No ف

Section 2. If a majority of the votes cast in said Town in answer to said question is in the affirmative, said Town shall be taken to have increased from five to ten the number of licenses in the Town of all alcoholic beverages to be drunk on the premises of restaurants and function rooms having a seating capacity of not less than 99 persons. Said ten licenses shall be subject, however, to all the other provisions of said Chapter 138, except those that provide for a limitation as to the number of licenses permitted or the wording of the question posed to the voters.

Section 3. The Board of Selectmen of the Town of Arlington is hereby authorized to and shall include a summary of the aforesaid question to be printed on the ballot along with the question as stated in Section 1.

Section 4. This act shall take effect upon its passage.”

A true copy of the vote under
Article 38 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 12, 2004.

ATTEST:

Town Clerk

ARTICLE 39

REVOLVING FUNDS

VOTED: (QUORUM PRESENT)

That the Town does hereby vote to renew the following listed revolving funds and to receive the reports on revenues, expenditures and balances on each.

A. Private Way Repair – to reauthorize the revolving fund as established under Article 46 of the 1992 Annual Town Meeting and expenditures not to exceed \$200,000.

Beginning Balance:	\$ 2,720.56
Receipts:	\$33,489.00
Expenditures:	\$ 2,720.56
Balance:	\$33,489.00

B. Public Way Repair – to reauthorize the revolving fund established under Article 45 of the 1992 Annual Town Meeting and expenditures not to exceed \$50,000.

Beginning Balance:	\$ 1,091.75
Receipts:	\$ 7.00
Expenditures:	\$ 0
Balance:	\$ 1,098.75

C. Fox Library – to reauthorize the revolving fund established under Article 49 of the 1996 Annual Town Meeting relating to receipts received at the Fox Library/Community Center and expenditures not to exceed \$20,000.

Beginning Balance:	\$ 2,088.13
Receipts:	\$ 3,526.15
Expenditures:	\$ 1,343.00
Balance:	\$ 4,271.28

D. Robbins House – to reauthorize the revolving fund authorized under Article 77 of the 1997 Annual Town Meeting and expenditures not to exceed \$75,000.

Beginning Balance:	\$ 2,368.30
Receipts:	\$51,230.00
Expenditures:	\$46,539.48
Balance:	\$ 7,058.82

E. Conservation Commission – to reauthorize the revolving fund established under Article 44 of the 1996 Annual Town Meeting relating to consultant fees charged by the Conservation Commission and expenditures not to exceed \$50,000.

Beginning Balance	\$ 3,693.19
Receipts:	\$ 685.00
Expenditures:	\$ 0
Balance:	\$ 4,378.19

F. Tuition Payments – to reauthorize the revolving fund established under Article 34 of the 1999 Annual Town Meeting relating to the receipts including grants and reimbursements paid any governmental entity for tuition payments for non-U.S. citizen students with expenditures not to exceed \$20,000.

Beginning Balance:	\$33,230.85
Receipts:	\$ 6,000.00
Expenditures:	\$ 0
Ending Balance:	\$39,230.85

G. All Day Kindergarten – to reauthorize the revolving fund established under Article 31 of the 2000 Annual Town Meeting for all day kindergarten under the auspices of the School Department with expenditures not to exceed \$20,000.

Beginning Balance:	\$(2,052.14)
Receipts:	\$ 1,250.00
Expenditures:	\$ 1,825.42
Ending Balance:	\$(2,627.56)

H. Uncle Sam – to reauthorize the revolving fund established under Article 31 of the 2000 Annual Town Meeting for the Uncle Sam program that promotes Arlington as the “Birthplace of Uncle Sam” under the auspices of the Uncle Sam Committee with expenditures not to exceed \$2,000.

Beginning Balance:	\$ 1,147.80
Receipts:	\$ 0
Expenditures:	\$ 0
Ending Balance:	\$ 1,147.80

I. Hardy School Program – to reauthorize the revolving fund established under Article 51 of the 2001 Annual Town Meeting for the after school program at the Hardy School with expenditures not to exceed \$225,000.

Beginning Balance:	\$ 80,424.32
Receipts:	\$188,581.76
Expenditures:	\$191,804.85
Ending Balance:	\$ 77,201.23

J. Life Support Services – to reauthorize the revolving fund established under Article 37 of the 2001 Annual Town Meeting for emergency medical services with expenditures not to exceed \$400,000.

Beginning Balance: \$ 85,699.07

Receipts: \$150,322.57

Expenditures: \$ 85,259.35

Ending Balance: \$150,762.29

A true copy of the vote under Article 39 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 12, 2004.

ATTEST:

Town Clerk

ARTICLE 40

ENDORSEMENT OF CDBG APPLICATION

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town hereby endorses the application for Federal Fiscal Year 2005 prepared by the Town Manager and the Board of Selectmen under the Housing and Community Development Act of 1974 (Public Law 93-383) as amended.

A true copy of the vote under Article 40 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 24, 2004.

ATTEST:

Town Clerk

ARTICLE 41

RESIDENCY REQUIREMENT/TOWN COUNSEL

VOTED: (STANDING VOTE – 100 IN THE AFFIRMATIVE AND 20 IN THE NEGATIVE) (QUORUM PRESENT)

That the Board of Selectmen be and hereby is authorized to petition the legislature for home rule legislation to provide substantially as follows:

“AN ACT TO REMOVE THE RESIDENCY REQUIREMENT FOR THE TOWN COUNSEL OF THE TOWN OF ARLINGTON

Section 1

Section 28 Appointment of Town Counsel of an Act Establishing a Town Meeting Form of Government for the Town of Arlington being Chapter 503 of the Acts of 1952 as from time to time amended, hereby is further amended by striking the words, “who is a resident of said town” from the first sentence of said Section.

Section 2

This act shall take effect upon passage.”

A true copy of the vote under Article 41 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 12, 2004.

ATTEST:

Town Clerk

ARTICLE 42

AUTHORITY TO FILE FOR GRANTS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Board of Selectmen, Town Manager, the School Superintendent and the School Committee are granted the general authority to file applications and to accept grants from the federal government, the Commonwealth of Massachusetts and/or any grant making organization during fiscal year 2005.

A true copy of the vote under Article 42 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 12, 2004.

ATTEST:

Town Clerk

**ARTICLE 44 REQUEST FOR LEGISLATION/MUNICIPAL BUILDING
INSURANCE FUND**

**VOTED: (STANDING VOTE – 124 IN THE AFFIRMATIVE AND 2 IN THE
NEGATIVE) (QUORUM PRESENT)**

That the Town does hereby authorize and request the Board of Selectmen to file a Home Rule petition to provide essentially as follows:

“AN ACT TO PERMIT THE TOWN OF ARLINGTON TO TRANSFER CERTAIN FUNDS.

Section One. The Town of Arlington be and hereby is authorized to transfer 1.5 million dollars (\$1,500,000) from its Municipal Building Insurance Trust Fund to its Stabilization Fund for such lawful purposes as subsequent Town Meetings may direct, notwithstanding the provisions of Section 13 of Chapter 40 of the General Laws or any general or special law to the contrary.

Section Two. This act shall take effect upon passage.”

A true copy of the vote under Article 44 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 12, 2004.

ATTEST:

Town Clerk

ARTICLE 47

**ESTABLISH INFORMATION TECHNOLOGY
ADVISORY COMMITTEE**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Bylaws be and hereby are amended by substituting the following as Article 5 of Title II.

“Article 5 – Technology Advisory Board”

Section 1. There shall be a Technology Advisory Board (hereinafter called the Board) consisting of five (5) regular members and ten (10) ex officio members.

Section 2. The regular members of the Board shall be appointed by the Board of Selectmen to staggered three-year terms. The regular members of the Board shall be residents of the Town who have knowledge and experience in telecommunications or information technology and/or are persons skilled in representing and advocating for residents. No employee of the Town shall be a regular member of the Board. In the event that a vacancy occurs during a regular member’s three-year term, the Appointing Authority shall, within ninety (90) days, appoint a successor to fill the balance of the unexpired term.

Section 3. The ex officio members (or their designees) of the Board shall be:

- a. The Town Manager
- b. The Town Comptroller
- c. The Town Treasurer
- d. The Town Assessor
- e. The Town Clerk
- f. The Town Director of Data Processing
- g. The School Department Chief Financial Officer
- h. The School Department’s Director of Technology
- i. A designee of the Cable Advisory Committee
- j. One designee jointly chosen by the Finance Committee and the Capital Planning Committee

The Board shall be chaired by the Town Manager or his designee.

Section 4. The role of the Board shall be (a) to advise the Town Manager on the manner of providing advice and/or technical Assistance to all Town Departments and the School Department in the formulation of technology plans and capital requests for information and communications systems and technologies specifically excluding educational software and systems; taking into consideration the goals of maximizing efficiency and cost effectiveness, removing unnecessary redundancy, and ensuring, to the extent possible, the compatibility of each request with other existing or proposed systems; (b) to advise the Town Manager and the Permanent Town Building Committee on the specifications to be considered for information and communications systems and technologies when constructing or renovating Town facilities; and, (c) to advise the Town Manager on matters relating to information technology policy, specifically with reference to issues of security, privacy, risk, future technology, legal or regulatory requirements and the provision of government services to the public through information technology; (d) to stimulate and support the development of appropriate technology initiatives and activities that would increase communication and information exchange within Town government entities, between Town government and its residents, and among residents themselves; (e) to report to the Board of Selectmen and the residents of Arlington as appropriate; and (f) to develop a technology plan which will be presented at Town Meeting annually.

A true copy of the vote under
Article 47 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 17, 2004.

ATTEST:

Town Clerk

ARTICLE 49

**ESTABLISH COMMITTEE/POST-EMPLOYMENT
MEDICAL BENEFITS COMMITTEE**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town hereby establishes a Post Employment Medical Benefits Committee comprised of a Selectmen as designated by the Board's Chair, the Town Manager, or the Town Manager's designee; the Finance Committee Chairman, or the Finance Committee Chairman's designee; the Town Treasurer; Town Comptroller and one Town affiliated and one school affiliated member of the Health Insurance Advisory Committee. The said Post-Employment Medical Benefits Committee shall report and make recommendations to the 2005 Annual Town Meeting as to how the Town intends to fund and/or otherwise integrate the new accounting standards regarding the reporting of Other Post Employment Benefits (OPEB), as promulgated by the Government Accounting Standards Board (GASB). The organizational meeting of Committee shall be called and presided over by the Town Treasurer. The Town Treasurer shall serve as permanent Chair.

A true copy of the vote under
Article 49 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 17, 2004.

ATTEST:

Town Clerk

ARTICLE 51

ESTABLISH COMMITTEE/TRUST FUND POLICIES

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town establishes a Trust Fund Policy Committee comprised of one member from the Board of Trust Fund Commissioners; one member from the Board of Library Trustees; one member from the Board of Cemetery Commissioners; said members to be appointed by the Chairpersons of the aforementioned boards; the Town Treasurer; and the Town Comptroller. The committee will report to the 2005 Annual Town Meeting with recommendations regarding a suggested trust fund growth management policy to be followed with regard to the trust funds of the Town. The organizational meeting of said Trust Fund Policy Committee to be called and presided over by the Town Treasurer.

A true copy of the vote under
Article 51 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 17, 2004.

ATTEST:

Town Clerk

ARTICLE 52

APPROPRIATION/TOWN BUDGETS

VOTED: (QUORUM PRESENT)

The following appropriations were voted, with individual sub-budgets being appropriated separately.

**** SEE TEXT**

A true copy of the vote under
Article 52 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the sessions
held May 26, June 2 and June 7, 2004.

ATTEST:

Town Clerk

ARTICLE 53

**APPROPRIATION/MINUTEMAN REGIONAL
VOCATIONAL TECHNICAL HIGH SCHOOL**

VOTED: (QUORUM PRESENT)

That the sum of \$2,140,851 be and hereby is appropriated for the purpose of paying the Town's apportioned share of the operating and maintenance costs, including capital costs, of the Minuteman Regional Vocational Technical High School District Budget; said sum to be raised by general tax and expended under the direction of the Minuteman Regional Vocational Technical High School Committee.

A true copy of the vote under
Article 53 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 24, 2004.

ATTEST:

Town Clerk

ARTICLE 54

APPROPRIATION/TOWN CELEBRATIONS, ETC.

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

The sum of \$12,067 be and hereby is appropriated for the following celebrations and memorials in the amounts indicated:

- A. Seasonal Lighting - \$0
- B. Veterans' Day Parade, Memorial Day Observation
and the Patriots' Day Celebration - \$5,667
- C. 2004 Town Day Celebration - \$0
- D. Display of American Flags on Massachusetts Avenue - \$2,000
- E. Placing of American Flags on the Graves of Veterans - \$4,400

A true copy of the vote under
Article 54 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 17, 2004.

ATTEST:

Town Clerk

ARTICLE 55 APPROPRIATION/COMMITTEES AND COMMISSIONS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$27,167, be and hereby is appropriated to be expended by the following commissions, committees, and boards in the amounts indicated:

- A. Arlington Historical Commission - \$2,160
- B. Historic District Commissions - \$3,780
 (Avon Place Historic District Commission, Broadway Historic District
 Commission, Central Street Historic District Commission, Jason/Gray
 Historic District Commission, Russell Historic District Commission,
 Pleasant Street Historic District Commission, Mount Gilboa/Crescent Hill
 Historic District Commission)
- C. Conservation Commission - \$14,927
- D. Capital Planning Committee - \$0
- E. Commission on Disability - \$0
- F. Recycling Committee - \$1,800
- G. Human Rights Commission - \$4,500

Said sum to be raised by general tax and expended under the direction of the various commissions, committees and boards, provided that any funds appropriated hereunder shall remain under the jurisdiction of said commissions, committees and boards until expended or released, unless otherwise transferred by Town Meeting.

A true copy of the vote under
Article 55 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 17, 2004.

ATTEST:

Town Clerk

ARTICLE 56

APPROPRIATION/MISCELLANEOUS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

The sum of \$48,849 be and hereby is appropriated for the following purposes:

- A. Legal Defense - To appropriate a sum of money to replenish the Legal Defense Fund established under Article 13 of Title I of the Town Bylaws - \$0
- B. Unemployment Compensation - To appropriate a sum of money to be expended under the direction of the Town Manager for the Unemployment Compensation Program - \$35,000
- C. Out-Of-State Travel - To appropriate a sum of money for expenses incurred outside the Commonwealth and as described in the General Laws, Chapter 40, Section 5, Paragraph 34, said appropriation to be expended under the direction of the Board of Selectmen and the Town Manager - \$3,000
- D. Revaluation - To appropriate a sum of money to fund the cost of a revaluation of Town property - \$0
- E. Indemnification of Medical Costs - \$10,849
(To indemnify certain retired Police Officers and Firefighters for all reasonable medical and surgical expenses which they incurred during 2003 that are the proximate result of the disability for which they were retired; and to defray the expenses of the Medical Panel required by law; provided, however, that no incurred expenses shall be considered for indemnification thereunder except only those such as are excess over covered benefits of any plan of Hospital, Surgical or other coverage which the retiree has or had available to him, either directly or through a member of his immediate family, which benefits shall be considered primary, and which must be disclosed by such plan, or by the physician, hospital or other medical personnel or facility with or without the consent of the retiree.)

Said sum to be raised by general tax and expended under the direction of the Town Manager, with the exception of the funds for Revaluation which are to be expended under the direction of the Board of Assessors.

A true copy of the vote under Article 56 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 17, 2004.

ATTEST:

Town Clerk

ARTICLE 57

CAPITAL BUDGET

VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN 85 T.M.M. PRESENT AND VOTING)

(1) That the sum of \$6,307,130 be and hereby is appropriated for various capital projects and equipment as shown below, and expended under the direction of the Town Manager, said sum to be raised by general tax:

	Amount	Project	Department
1.	\$ 5,500	Photocopier Lease	Board of Assessors
2.	6,500	Photocopier Lease	Board of Selectmen
3.	5,000	Bullet Proof Vest Program	Community Safety – Police Services
4.	4,500	Photocopier	Community Safety – Police Services
5.	7,500	Radio Maintenance/Update Program	Community Safety – Police Services
6.	100,000	Vehicle Replacement Program	Community Safety – Police Services
7.	20,000	Traffic Light Update Program	Community Safety – Support Services
8.	15,000	Aquatic Weed Harvesting	Conservation Commission
9.	2,500	Photocopier Lease – Council on Aging	Human Services
10.	6,000	Photocopier	Inspections
11.	25,000	Vehicle – Building/Plumbing/Wire Inspectors	Inspections
12.	3,000	Photocopier	Legal/Workers’ Compensation
13.	7,000	Community Room Stairs Repair	Library
14.	5,000	Chimney repair	Library
15.	4,500	Photocopier	Personnel
16.	3,000	Photocopier	Public Works Administration
17.	10,000	Lawn Mowers/Small Equipment	Public Works Cemetery Division
18.	200,000	Roadway Reconstruction	Public Works Engineering Division
19.	50,000	Sidewalks and Curbstones	Public Works Engineering Division
20.	7,500	Snow Plow – (2 per yr.)	Public Works Highway Division
21.	10,000	Feasibility Study	Public Works Natural Resources Division
22.	6,000	Small Equipment	Public Works Natural Resources Division
23.	5,000	Equipment Replacement	Schools
24.	82,000	Photocopier Lease Program	Schools
25.	10,000	Systemwide – Gym Floor Recoating and Remarking	Schools
26.	10,000	Systemwide – Roof Repairs	Schools
27.	5,000	Systemwide – Parking/Roadway Resurfacing	Schools
28.	5,500	Photocopier	Town Manager
29.	5,000	Photocopier	Treasurer
30.	626,000	Acquisitions Sub-total	
31.	6,713,233	Prior Debt Service	
32.	67,897	New Debt Service	
33.	(1,000,000)	Less Transfer from Stabilization Fund	
34.	(100,000)	Less Transfer from Antenna Fund	
	\$ 6,307,130	GRAND TOTAL	

And that the sum of \$1,000,000 be hereby transferred from the Stabilization Fund, and that the sum of \$100,000 be hereby transferred from the Antenna Fund to reduce expenses under this article as indicated above.

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

(2) That the various capital projects and equipment purchases shown below shall be undertaken and financed by grants or other funds as shown below, such grants to be expended under the direction of the Town Manager.

	Amount	Project	Department
1.	\$ 10,000	Van Replacement Program	Council on Aging Transportation Enterprise Fund
2.	70,000	1 Ton Dump Truck 4x4 W/Plow	Public Works Cemetery Division
3.	450,000	Chapter 90 Roadway	Public Works Engineering Division
4.	673,500	Sewer System Rehabilitation	Public Works Water/Sewer Division
5.	5,000	Small Equipment	Public Works Water/Sewer Division
6.	30,000	Utility truck, 1 ton	Public Works Water/Sewer Division
7.	25,000	Water Meter Program	Public Works Water/Sewer Division
8.	700,000	Water System Rehabilitation	Public Works Water/Sewer Division
9.	2,256	Photocopier lease	Veterans' Memorial Rink Enterprise Fund
10.	20,000	Boiler & Hot Water Storage Tank	Veterans' Memorial Rink Enterprise Fund
	\$ 1,985,756	GRAND TOTAL	

VOTED: (UNANIMOUSLY – MORE THAN 85 T.M.M. PRESENT AND VOTING)

(3) That the sum of \$3,629,810 be and hereby is appropriated for extraordinary repairs to public facilities, acquisition of land and the purchase and installation of equipment and for costs incidental and related thereto as follows:

	Amount	Project	Department	(Statutory Citation Chapter 44, Section (), or any enabling authority)
1.	\$ 10,000	Building Repairs	Community Safety - Fire Services	-7(3A)
2.	30,000	Vehicle Replacement – Fire Prevention	Community Safety – Fire Services	-7(9)
3.	576,000	9-1-1 Center Improvements	Community Safety - Police Services	-7(3A)
4.	25,000	C.S. Building – Repair of Administrative offices	Community Safety – Police Services	-7(28&29)
			Community Safety – Police Services	-7(3A)
5.	50,000	Mobil Air Supply Vehicle	Community Safety – Support Services	-7(9)
6.	125,000	Educational IT Program	Data Processing	-7(28&29)
7.	17,400	Library MLN Equipment	Data Processing	-7(28&29)
8.	40,000	School Dept-Admin Micro Program	Data Processing	-7(28&29)
9.	25,000	Software Upgrades & Standardization	Data Processing	-7(28&29)
10.	60,000	Town-Microcomputer Program	Data Processing	-7(28&29)
11.	56,910	Mitel Telephone Upgrade	Data Processing	-7(28&29)
12.	30,000	Cost of Financing	Financing	-7(3A)
13.	30,500	Window – wood frame repair	Library	-7(3A)
14.	1,160,000	Reservoir Dam Repair	Public Works Engineering Division	-7 or - 8
15.	40,000	1 ton Dump Truck	Public Works Highway Division	-7(9)
16.	115,000	4WD Truck w/Sander	Public Works Highway Division	-7(9)
17.	5,000	Cement Mixer	Public Works Highway Division	-7(9)

18.	70,000	Pickup Truck	Public Works Highway Division	-7(9)
19.	100,000	Street Sweeper	Public Works Highway Division	-7(9)
20.	25,000	Skid Steer Loader	Public Works Highway Division	-7(9)
21.	35,000	Pickup Truck, ¾ ton, 2x4	Public Works Natural Resources Division	-7(9)
22.	400,000	Spy Pond Shore	Public Works Natural Resources Division	-7(25)
23.	65,000	Fox Library, New roof	Public Works Properties Division	-7(3A)
24.	75,000	Grove Street Garage doors	Public Works Properties Division	-7(3A)
25.	75,000	Town Hall, convert to natural gas, replace boiler	Public Works Properties Division	-7(3A)
26.	35,000	Pickup 4x4 w/plow	Public Works Properties Division	-7(9)
27.	150,000	AHS Roof	Schools	-7(3A)
28.	24,000	School Van – Athletics	Schools	-7(9)
29.	70,000	Bus – 77 Passenger	Schools	-7(9)
30.	80,000	Thompson/Stratton Infrastructure Improvements	Schools	-7(3A)
31.	30,000	Pick-up 4x4 with plow	Schools	-7(9)
	\$ 3,629,810	GRAND TOTAL		

And that the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow not exceeding the sum of \$3,629,810 under and pursuant to the statutes cited above, and any other enabling authority, and to issue bonds or notes of the Town therefor, said sum to be expended under the direction of the Town Manager.

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

(4) That the Town Manager is authorized and directed to apply for and accept any further federal, state or other grants that may be available for any one or more of the foregoing projects and equipment.

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

(5) Notwithstanding the foregoing, in the event that monies are not expended for the purposes delineated above then the Comptroller is authorized and directed not to transfer these excess funds to available funds, but said funds shall remain and be accounted for in the warrant article pending further vote of the Town Meeting, except as otherwise provided by law.

A true copy of the vote under Article 57 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 17, 2004.

ATTEST:

Town Clerk

**ARTICLE 61 ALTERNATIVES REGARDING ELEMENTARY SCHOOL
REBUILD PROGRAM**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

R E S O L U T I O N

WHEREAS: Prior to 1998, school and town officials embarked upon a strategy for an elementary school rebuild debt exclusion campaign, with a goal of providing equal educational facilities for all elementary school students of the Town; and

WHEREAS: The voters on March 7, 1998 and April 1, 2000 voted favorably to support a two-phase debt exclusion elementary school rebuild program in the total amount of \$23 million for PHASE I and \$34.5 million for PHASE II of the program; and

WHEREAS: The completed PHASE I rebuild program included the renovation and/or reconstruction of the Bishop, Brackett and Hardy elementary schools; and

WHEREAS: The PHASE II rebuild program proposed the renovation and/or reconstruction of the Peirce, Dallin, Thompson and Stratton schools; and

WHEREAS: The Peirce School, the first of the PHASE II rebuild projects, was completed in the Fall of 2002 at a total cost of \$10 million; and

WHEREAS: By vote under Article 2 of the Special Town Meeting session of May 19, 2004, a supplementary appropriation in the amount of \$2.8 million was voted in addition to the \$9.2 million appropriation previously voted at the April 26, 2000 Special Town Meeting, a total of \$12 million to fund the reconstruction of the Dallin School; and

WHEREAS: The total cost to rebuild the Peirce and Dallin Schools will be in the amount of \$22 million of the \$34.5 million voted to fund the entire PHASE II rebuild program, leaving a balance in the PHASE II program account of \$12.5 million, an insufficient amount to complete the reconstruction of the Thompson and Stratton schools.

THEREFORE, be it RESOLVED by this 2004 Annual Town Meeting that the School Facilities Working Group shall formulate a plan which will include a timetable and source of funding in order to complete the reconstruction of the Thompson and Stratton schools, seek consensus for said plan from the Board of Selectmen, School Committee, Finance Committee, Capital Planning Committee and the Permanent Town Building Committee, and report the Working Group's progress and/or plan of action to the 2005 Annual Town Meeting.

A true copy of the vote under Article 61 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 26, 2004.

ATTEST:

Town Clerk

**ARTICLE 62 APPROPRIATION/FINANCING OF CONSTRUCTION OR
RECONSTRUCTION OF SEWERS AND
SEWERAGE FACILITIES**

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN
85 T.M.M. PRESENT AND VOTING)**

That the sum of \$370,425 to be used with a grant of \$303,075, be and hereby is appropriated for the purpose of financing the construction of sewers and sewerage facilities, inflow infiltration reduction or system rehabilitation, including costs incidental and related thereto; that to raise this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$370,425 under and pursuant to Chapter 44, Section 7, of the General Laws, as amended, or any enabling authority, and to issue bonds or notes of the Town therefore; and that the Board of Selectmen and the Town Manager be and hereby are authorized to enter into any agreements they determine to be necessary in connection with the project and its financing and are further authorized to accept and expend, in addition to the foregoing appropriation, any grants that may become available therefore from the Massachusetts Water Resources Authority or otherwise.

A true copy of the vote under
Article 62 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 17, 2004.

ATTEST:

Town Clerk

**ARTICLE 63 APPROPRIATION/FINANCING OF CONSTRUCTION OR
RECONSTRUCTION OF WATER MAINS AND
WATER FACILITIES**

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN
85 T.M.M. PRESENT AND VOTING)**

That the sum of \$700,000 be and hereby is appropriated for the purpose of financing the construction or reconstruction of water mains and water facilities, including costs incidental and related thereto; that to raise this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$700,000 under and pursuant to Chapter 44, Section 8, of the General Laws, as amended, or any enabling authority and to issue bonds or notes of the Town therefore; and that the Board of Selectmen and the Town Manager be and hereby are authorized to enter into any agreements they determine to be necessary in connection with the project and its financing and are further authorized to accept and expend in addition to the foregoing appropriation any grants that may become available therefore from the Massachusetts Water Resources Authority or otherwise.

A true copy of the vote under
Article 63 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 17, 2004.

ATTEST:

Town Clerk

ARTICLE 64

**APPROPRIATION/PENSION ADJUSTMENT FOR
FORMER TWENTY-FIVE YEAR EMPLOYEES**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$0 be and hereby is appropriated to implement the provision of Chapter 32 of the General Laws, Sections 90A, 90C, 90D, and 90E (pursuant to which the Town pays up to fifty percent of the maximum of the classification pay plan for the position formerly occupied by the retirees, and in accordance with prior practice and understanding of the Town) relating to the pension adjustment of former employees, said sum to be expended under the direction of the Retirement Board.

A true copy of the vote under
Article 64 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 17, 2004.

ATTEST:

Town Clerk

ARTICLE 65

COLLECTIVE BARGAINING/LOCAL 680

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town does hereby approve all fiscal items contained in a collective bargaining agreement by and between the Town acting through its Town Manager and that bargaining unit represented by Local 680, American Federation of State, County and Municipal Employees as follows,

1. effective July 1, 2003 a 3% general increase
2. effective July 1, 2004 a 2% general increase
3. effective January 1, 2005 a 2% general increase
4. effective July 1, 2005 a 2% general increase
5. Adjustments to the tool allowance, incentives for snow removal duty, and Incentives for acquisition of licenses,
6. and for that purpose the sum of \$625,000 is to be raised by the general tax, to be expended under the direction of the departments affected,
7. and the Classification and Pay Plan is amended accordingly.

A true copy of the vote under Article 65 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held June 7, 2004.

ATTEST:

Town Clerk

ARTICLE 66

COLLECTIVE BARGAINING/NAGE

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town does hereby approve all fiscal items contained in a collective bargaining agreement by and between the Town acting through its Town Manager and that bargaining unit represented by Local 113, National Association of Government Employees as follows,

1. effective July 1, 2003 a 3% general increase
2. effective July 1, 2004 a 2% general increase
3. effective January 1, 2005 a 2% general increase
4. effective July 1, 2005 a 2% general increase
5. Payments for job-required licenses and seminars,
6. and for that purpose the sum of \$147,000 is to be raised by the general tax, to be expended under the direction of the departments affected,
7. and the Classification and Pay Plan is amended accordingly.

A true copy of the vote under Article 66 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held June 7, 2004.

ATTEST:

Town Clerk

ARTICLE 67 COLLECTIVE BARGAINING/LIBRARY PROFESSIONALS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town does hereby approve all fiscal items contained in a collective bargaining agreement by and between the Town acting through its Town Manager and that bargaining unit represented by Robbins Library Professional Association as follows,

1. effective July 1, 2003 a 3% general increase
2. effective July 1, 2004 a 2% general increase
3. effective January 1, 2005 a 2% general increase
4. effective July 1, 2005 a 2% general increase
5. and for that purpose the sum of \$50,000 is to be raised by the general tax, to be expended under the direction of the departments affected,
6. and the Classification and Pay Plan is amended accordingly.

A true copy of the vote under
Article 67 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held June 7, 2004.

ATTEST:

Town Clerk

ARTICLE 68 COLLECTIVE BARGAINING/LOCAL 1297 FIREFIGHTERS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town does hereby approve all fiscal items contained in a collective bargaining agreement by and between the Town acting through its Town Manager and that bargaining unit represented by Local 1297 of the International Association of Firefighters as follows,

1. effective July 1, 2003 a 3% general increase
2. effective July 1, 2004 a 2% general increase
3. effective January 1, 2005 a 2% general increase
4. effective July 1, 2005 a 2% general increase
5. Adjustments to the cleaning allowance and Christmas duty,
6. and for that purpose the sum of \$375,000 is to be transferred from funds remaining unexpended in the Streetlight budget #18b and the Insurance budget #24 at the end of fiscal year 2004, to be expended under the direction of the departments affected,
7. and the Classification and Pay Plan is amended accordingly.
8. This agreement is subject to Union ratification by June 25, 2004.

A true copy of the vote under Article 68 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held June 7, 2004.

ATTEST:

Town Clerk

ARTICLE 69

COLLECTIVE BARGAINING/PATROLMEN

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town does hereby approve all fiscal items contained in a collective bargaining agreement by and between the Town acting through its Town Manager and that bargaining unit represented by Arlington Police Patrolmen's Association as follows,

1. effective July 1, 2003 a 3% general increase
2. effective July 1, 2004 a 2% general increase
3. effective January 1, 2005 a 2% general increase
4. effective July 1, 2005 a 2% general increase
5. adjustments to the cleaning allowance and for Christmas duty,
6. and for that purpose the sum of \$191,475 is to be raised by the general tax, and \$28,525 to be transferred from funds remaining unexpended in the Streetlight Budget #18b at the end of fiscal year 2004 for a total of \$220,000 to be expended under the direction of the departments affected,
7. and the Classification and Pay Plan is amended accordingly.
8. This agreement is subject to Union ratification by June 15, 2004.

A true copy of the vote under Article 69 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held June 7, 2004.

ATTEST:

Town Clerk

ARTICLE 70 COLLECTIVE BARGAINING/RANKING POLICE OFFICERS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town does hereby approve all fiscal items contained in a collective bargaining agreement by and between the Town acting through its Town Manager and that bargaining unit represented by Arlington Ranking Police Officers Association as follows,

1. effective July 1, 2003 a 3% general increase
2. effective July 1, 2004 a 2% general increase
3. effective January 1, 2005 a 2% general increase
4. effective July 1, 2005 a 2% general increase
5. Adjustments to Holidays to allow for all of them to be either paid or taken as time due,
6. and for that purpose the sum of \$146,000 is to be raised by the general tax, to be expended under the direction of the departments affected,
7. and the Classification and Pay Plan is amended accordingly.

A true copy of the vote under Article 70 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held June 7, 2004.

ATTEST:

Town Clerk

ARTICLE 71

M SCHEDULE AND NON-UNION EMPLOYEES

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town does hereby grant a general salary increase to all non-school, non-union Town employees, including M Schedule employees, as follows:

1. effective July 1, 2003 a 3% general increase
2. effective July 1, 2004 a 2% general increase
3. effective January 1, 2005 a 2% general increase
4. effective July 1, 2005 a 2% general increase
5. and for that purpose the sum of \$222,000 is to be raised by the general tax, to be expended under the direction of the departments affected,
6. and the Classification and Pay Plan is amended accordingly.

A true copy of the vote under Article 71 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held June 7, 2004.

ATTEST:

Town Clerk

ARTICLE 73

SALARY ADJUSTMENT/ELECTED OFFICIALS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town does hereby grant a general salary increase to the elected Town Clerk and Town Treasurer as follows:

1. effective July 1, 2003 a 3% general increase
2. effective July 1, 2004 a 2% general increase
3. effective January 1, 2005 a 2% general increase
4. effective July 1, 2005 a 2% general increase
5. and for that purpose the sum of \$15,000 is to be raised by the general tax, to be expended under the direction of the departments affected,
6. and the Classification and Pay Plan is amended accordingly.

A true copy of the vote under Article 73 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held June 7, 2004.

ATTEST:

Town Clerk

ARTICLE 74

POSITIONS RECLASSIFICATION

VOTED: (QUORUM PRESENT)

That the Classification Plan, as established by Title 1, Article 6, Section 1, Schedule A of the By-Laws, be and hereby is amended as follows,

1. By reclassifying the following positions:
 - A. Working Foreman/Laborer, MC 5 to MC 6
Department of Public Works
FTE 1 \$2,017.60
 - B. Technical Resource Administrator, ATP 6 to ATP 7
Weatherization – Planning & Community Development
FTE 1 \$0
NOTE: This is a grant funded position.
 - C. Output Media Handler, AG 6 (old classification plan) to
OA 3, Step 6
Postage
PT 1 (20 hours per week) \$322.52

And to fund said reclassifications, \$2,340.12 as indicated above is to be appropriated, said sum to be raised by general tax and included in the budgets of the departments affected.

2. By deleting/adding the following titles:
 - A. Deleting the following title:
Recreation Facilities Coordinator, ATP 2
Veterans' Memorial Rink Enterprise Fund

and adding in its place:
Building Maintenance Craftsman, ATP 2
Veterans' Memorial Rink Enterprise Fund
FT 1
Note: No difference in maximum salaries.

- B. Deleting the following title:
Assistant Manager/Purchasing Agent, M 1
Town Manager

and adding in its place:
Purchasing Officer, ATP 12
Town Manager
FTE 1
Note: Difference in maximum salaries (\$18,938)

3. By adding the following titles:

- A. Facility Attendant, MC 4
Libraries
PT 1
Note: Replaces FT Custodian – 24 hours per week
Difference in maximum salaries - \$14,227.20
- B. Principal Clerk and Secretary, OA 3
Housing – Planning & Community Development
FT 1
Note: Community Development Block Grant funded position
- C. Administrative Assistant, OA 4
Recreation and Veterans’ Memorial Rink Enterprise Funds
FT 1
Note: 50% of salary in each enterprise fund.
- D. Lead Dispatcher, MC 8
Community Safety – Support Services
FT 1
- E. Information and Referral Specialist, OA 3
Council on Aging, Transportation Enterprise Fund
PT 1
Note: Position funded for 19 hours.

A true copy of the vote under
Article 74 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 19, 2004.

ATTEST:

Town Clerk

ARTICLE 78

FIELD USER FEES

VOTED: (QUORUM PRESENT)

A. That the Town hereby establishes a committee entitled, "Field Maintenance and Users Fee Study Committee". The Committee shall report its findings to the 2005 Annual Town Meeting and shall consist of the Director of Public Works, or his designee, a member of the Finance Committee to be chosen by its Chair, a member of the Capital Planning Committee to be chosen by its Chair, a member of the Parks and Recreation Commission chosen by its Chair, a representative of Arlington High School Athletic Department, a representative of the Arlington Catholic High School Athletic Department, the Director of Recreation, three members to be chosen by the Board of Selectmen as representatives of the sport users groups of the Town and one member to be chosen by the Town Moderator who will act as Chairperson of the first meeting of the committee. It will be charged with reviewing the Town of Arlington's field maintenance policy to determine if any modifications are warranted as to the manner in which the playing fields are maintained. Furthermore, the committee shall investigate and report the financial impact of any modifications it may recommend as well as the projected impact of the Pierce Field renovations on the DPW's operating budget. It will be charged with the responsibility of studying how the Town might best generate funds sufficient in whole or in part calculated to offset the maintenance of Town fields.

B. Title IX – Enforcement and Fees be and hereby is amended by adding a new Section D entitled, "Athletic Field Users Fees" to Section 5 Department of Human Services (Recreation) to provide as follows:

“D. Athletic Field Users Fees

- (1) Organized adult groups: _\$20.00 per hour _____
- (2) Out of Town groups: _\$50.00 per hour _____.”

The Parks and Recreation Commission will establish rules and regulations to enforce the above. All receipts for this purpose shall be deposited into a revolving fund as established by Town Meeting for the maintenance and reconstruction of the playing fields of the Town.

- C. To establish a revolving fund pursuant to the provisions of Massachusetts General Law Chapter 44 Section 53E ½ in order to accept user fees as established by bylaw or enacted by the Board of Selectmen and any grants or gifts to be used for the maintenance and reconstruction of the playing fields of the Town. Such funds to be expended by the Town Manager. Expenditures not to exceed \$25,000.

A true copy of the vote under
Article 78 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2004.

ATTEST:

Town Clerk

ARTICLE 86 APPROPRIATION/RETIREE HEALTHCARE TRUST FUND

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$211,572 be and hereby is appropriated to fund the Healthcare Trust Fund as established by Chapter 12 of the Acts of 1998, and to accept into this fund any other monies the Town may deem appropriate to fund its healthcare obligations, said sum to be raised by general tax and expended under the direction of the Town Treasurer.

A true copy of the vote under Article 86 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 19, 2004.

ATTEST:

Town Clerk

ARTICLE 87

APPROPRIATION/TIP FEE STABILIZATION FUND

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$2,537,230 be and hereby is appropriated and transferred from the Arlington Tip Fee Stabilization Fund established under Chapter 8 of the Acts of 1998 to the Sanitation Budget 16d Rubbish Disposal/Recycling and said sum to be expended under the direction of the Town Manager.

A true copy of the vote under Article 87 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 19, 2004.

ATTEST:

Town Clerk

ARTICLE 88

TRANSFER OF FUNDS/CEMETERY

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town transfer \$70,000 to the Capital Budget for the improvement of Town cemeteries, said sum shall be taken from the Mt. Pleasant Cemetery "Sale of Lots and Graves Fund" and expended under the direction of the Town Manager.

A true copy of the vote under Article 88 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 24, 2004.

ATTEST:

Town Clerk

ARTICLE 89

APPROPRIATION/OVERLAY RESERVE

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$500,000 be and hereby is appropriated, to be transferred from Overlay Reserve Surplus Accounts of previous fiscal years, said sum to be utilized in the determination of the tax rate.

A true copy of the vote under Article 89 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 19, 2004.

ATTEST:

Town Clerk

ARTICLE 91 USE OF FREE CASH

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$1,414,803 will be taken from available funds in the treasury, and that the Board of Assessors is instructed to use said amount in the determination of the tax rate.

A true copy of the vote under
Article 91 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held June 7, 2004.

ATTEST:

Town Clerk

ARTICLE 92

RESOLUTION/AFFORDABLE HOUSING

VOTED: (QUORUM PRESENT)

That the Town adopts the following resolution:

- WHEREAS:** The Town of Arlington through its elected and appointed officials, has made the objective of providing affordable housing solutions a high priority, and
- WHEREAS:** The Town of Arlington recognizes that Massachusetts General Law Chapter 40B was enacted by the State Legislature with an intent of creating more opportunities for the development of affordable housing, and
- WHEREAS:** The Town of Arlington has added to its by-laws a requirement that all residential development in excess of 6 units must include a minimum of 15% units designated as affordable, and
- WHEREAS:** In the present 40B General Law and currently proposed amendments to it, there is no provision for this type of inclusionary zoning on a statewide basis, and
- WHEREAS:** Developers continue to build sites without affordable units while also using the threat of 40B to force concessions from the community for high density or controversial sites.

IT IS THEREFORE RESOLVED, that the Town of Arlington believes that Chapter 40B should be amended so that it is a more effective means of addressing the affordable housing problem in Massachusetts, and that the Massachusetts Legislature should amend Chapter 40B by (a) requiring ALL residential developments over six units to include a minimum of 15% units designated as affordable, (b) all such units will remain affordable in perpetuity, and (c) maintain the current definition of “Consistent with local needs” as amended by 2003, 26, Sec. 181 effective July 1, 2003.

A true copy of the vote under Article 92 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 19, 2004.

ATTEST:

Town Clerk

ARTICLE 93

**RESOLUTION/PRINCIPLES FOR PUBLIC SCHOOL
EDUCATION**

VOTED: (QUORUM PRESENT)

That the Town endorses the following principles for public school education in Arlington:
All students have the right to a full and comprehensive curriculum taught by certified, competitively compensated, professional staff members, who are provided with appropriate professional development training.

Needs of diverse learners should be addressed for all students K-12.

A safe, positive school climate with appropriate programs to support the needs of our students will exist in each school. Implementation of the District Goals for Arlington Public Schools, as approved by the School Committee, will be supported.

And be it resolved that the Town of Arlington and its elected and appointed officials and employees will:

Provide adequate funding to support these principles for the Arlington Public Schools; and

Urge the United States Federal Government and its various branches, representatives, and employees to provide adequate funding and support for public education; and

Urge US Congressional representatives and Senators to monitor the implementation of the ESEA "No Child Left Behind" legislation, change the accountability standards and actively work for additional monies for municipalities to fully fund this and the IDEA/Special Education mandates; and

Urge the Massachusetts State legislature to provide adequate monies to local authorities to fully fund Special Education mandates and School Building Assistance commitments; and the Educational Reform Act of 1993; and send copies of this resolution to our State legislators, Governor, U.S. Congressional and Senate representatives, and the President of the United States.

A true copy of the vote under
Article 93 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 24, 2004.

ATTEST:

Town Clerk

ARTICLE 94

**HOME RULE LEGISLATION/BEER AND WINE
AND ALL ALCOHOL**

**VOTED: (STANDING VOTE – 109 IN THE AFFIRMATIVE AND 63 IN THE
NEGATIVE)**

That the Town does hereby authorize and request that the Board of Selectmen file a home rule petition with the legislature which would provide substantially as follows:

“AN ACT TO AUTHORIZE THE BOARD OF SELECTMEN OF THE TOWN OF ARLINGTON TO PLACE UPON A TOWN BALLOT TWO QUESTIONS RELATING TO THE LICENSING OF PURVEYORS OF BEER AND WINE AND/OR PACKAGE STORES.

Section 1. The Board of Selectmen of the Town of Arlington be and hereby is authorized to place upon the ballot at the 2005 Annual Town Meeting Election the following two questions:

(A) ‘Shall the Board of Selectmen of the Town be authorized to issue up to three licenses to establishments that would sell beer and wine only for consumption off premises?’

ف

Yes

ف

No

(B) ‘Shall the Board of Selectmen be authorized to issue up to three licenses to establishments that would be permitted to sell beer, wine or any other alcohol beverage for consumption off premises?’

ف

Yes

ف

No

Section 2. If a majority of the voters voting at the 2005 Annual Town Meeting Election vote yes on question (B) above, then the results of the vote on question (A) will be rendered moot and without effect. If a majority of the voters voting at the 2005 Annual Town Meeting Election vote no on question (B), but a majority of voters vote yes on question (A), then the Board may issue up to three licenses for the sale of beer and wine only not for consumption on the premises

Section 3. This act will take effect upon passage.”

A true copy of the vote under
Article 94 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 12, 2004.

ATTEST:

Town Clerk

PROCLAMATION

WHEREAS: Hate group leaflets were recently distributed in many sections of our town;
and

WHEREAS: Arlington is dedicated to being a place where people of diverse backgrounds are welcome and enjoy equal opportunities regardless of their race, religion, ethnicity, sexual orientation, disability, age, political views or national origin; and

WHEREAS: Arlington is a place where freedom of speech and freedom of thought are respected and protected even when, and especially when, that speech is unpopular; but Arlington is also a place where racism, anti-Semitism, and all forms of bigotry are contrary to the values of the community and where we reject outright any discrimination and intimidation that is fueled by bigotry; and

WHEREAS: We recognize that we must join together and speak out when hate rears its ugly head, and that it is the obligation of leaders and all members of a healthy community to refuse to stand idly by; and

WHEREAS: We recognize that the sting of hate can hurt our friends, our neighbors, our children, newcomers to our community, guests and visitors, and those who do business here, and we will not let the voice of hate speak on behalf of Arlington.

NOW, THEREFORE, BE IT RESOLVED, that Arlington hereby recognizes that the strength of our community depends on standing up to hate in all forms, and embracing our diversity by making a commitment to work with all members of the community for mutual respect and understanding.

A true copy of a Proclamation read at
the 2004 Annual Town Meeting of the
Town of Arlington by Diane M. Mahon,
Chairman, Board of Selectmen at the
Session held May 10, 2004.

ATTEST:

Town Clerk

PROCLAMATION

WHEREAS: Public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS: The support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets, cemeteries, parks, public buildings, snow removal and solid waste collection; and

WHEREAS: The health, safety and comfort of this community greatly depends on these facilities and services; and

WHEREAS: The quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

WHEREAS: The efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

NOW, THEREFORE, BE IT RESOLVED, that We, The Board of Selectmen of the Town of Arlington, do hereby proclaim the week of May 16 – May 22, 2004 as

“PUBLIC WORKS WEEK”

in the Town of Arlington, and we call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

A true copy of a Proclamation read at the 2004 Annual Town Meeting of the Town of Arlington by Diane M. Mahon, Chairman, Board of Selectmen at the Session held May 10, 2004.

ATTEST:

Town Clerk

PROCLAMATION

WHEREAS: Failure to use safety belts remains one of the leading causes of deaths and injuries to motorists involved in crashes; and

WHEREAS: Safety belt use in our community is only 70%; and

WHEREAS: Increasing safety belt use in our community will result in fewer deaths and injuries to those who live and work here; and

WHEREAS: Safety belt use may be significantly increased through greater public awareness, information, education and enforcement.

NOW, THEREFORE, BE IT RESOLVED, that we, the Members of the Board of Selectmen in recognition of our communities education and enforcement efforts to raise community safety belt use do hereby proclaim the week of May 24th to the 30th as

BUCKLE UP ARLINGTON WEEK

A true copy of a Proclamation read at the 2004 Annual Town Meeting of the Town of Arlington by Diane M. Mahon, Chairman, Board of Selectmen at the session held May 19, 2004.

ATTEST:

Town Clerk

P R O C L A M A T I O N

WHEREAS: Ronald J. Fitzgerald of Acton earned his bachelor's degree in zoology and his doctorate in educational administration at the University of Massachusetts; and

WHEREAS: Dr. Fitzgerald has over 40 years of experience in public education that began at the Amherst-Pelham Regional Schools where he served as a high school science teacher, K-12 science coordinator and superintendent of schools; and

WHEREAS: From Amherst he was tapped by Governor Frank Sergent to serve as Executive Director of the Educational Research Council directing curriculum development and career training for K-College public schools and colleges for the Commonwealth of Massachusetts; and

WHEREAS: In 1976 Dr. Fitzgerald was hired by the Minuteman Regional School Committee to serve as the school district's second superintendent and brought to Minuteman a renewed spirit of school-industry innovation, academic excellence and a learning styles approach to vocational education. Over the years, Dr. Fitzgerald has also served as an educational consultant to school districts and stage agencies across the nation on Total Quality Management (TQM) and accelerated learning and a sought-after visiting lecturer teaching graduate level courses at Boston University, Fitchburg State College, and the University of Massachusetts; and

WHEREAS: Dr. Fitzgerald is perhaps most well known for his work in quality management techniques and application of brain research to improving learning; and

WHEREAS: Dr. Fitzgerald has served as a consultant to many K-12 districts and colleges on brain-compatible teaching and quality management and on their relationship to each other; and

WHEREAS: At Minuteman Regional High School, Dr. Fitzgerald is well respected by staff and students alike for his direction and unwavering support for a teaching environment that demands a strong academic-vocational integration and while Dr. Fitzgerald's retirement after years of innovative leadership and vision is well deserved, he will be surely missed..

NOW, THEREFORE, BE IT RESOLVED, that we, the Members of the Board of Selectmen congratulate Dr. Fitzgerald for his tireless and dedicated service to Minuteman Regional High School and wish you a healthy and happy retirement.

A true copy of a Proclamation read at the 2004 Annual Town Meeting of the Town of Arlington by Diane M. Mahon, Chairman, Board of Selectmen at the session held May 24, 2004.

ATTEST:

Town Clerk

PROCLAMATION

WHEREAS: Public libraries are the cornerstone of an educated citizenry and vital to our participation in democracy; and

WHEREAS: Arlington is fortunate to have been among the first communities to fund a free public library through the combination of the generous bequest of Dr. Ebenezer Learned in 1835 and the additional appropriation from the Town in 1837; and

WHEREAS: in 1892, benefactor Maria Farmer Robbins gave Arlington the funds for the construction of the prominent Italian Renaissance building memorializing her husband Eli; and

WHEREAS: Robbins Library has continued since that time as the centerpiece of literacy and information expertise in Arlington, with over half a million volumes circulating annually; and

WHEREAS: Beginning in 1983, the Town had the resolve to raise public and private funds totaling \$6.7 million for a modern addition which doubled the library resources available to the citizens of Arlington; and

WHEREAS: This graceful addition first opened its doors ten years ago in 1994 and continues to provide the books, Internet access, programs and other resources to help our children thrive in school and to aid our adults in leading satisfying lives;

NOW, THEREFORE, BE IT RESOLVED that we, the Members of the Board of Selectmen, proclaim the Month of June, Robbins Library Month in the Town of Arlington, Massachusetts, and urge all officials and the general public of our community to take advantage of the wonderful library resources available and thank the director, staff, trustees, and volunteers of Robbins Library for their service in managing this treasure.

A true copy of a Proclamation read at the
2004 Annual Town Meeting of the
Town of Arlington by Diane M. Mahon,
Chairman, Board of Selectmen at
the session held May 26, 2004.

ATTEST:

Town Clerk