

Arlington Town Meeting Voting Results 10/10/2012

2012 Special Town Meeting (First Session)
Wednesday, October 10, 2012

Town Meeting

Articles Voted: 2, 3, 4, 5 and 6

ARTICLE 2 BYLAW AMENDMENT/LEAF BLOWERS (I)

VOTED: (STANDING VOTE – 156 IN THE AFFIRMATIVE AND 43 IN THE NEGATIVE) QUORUM PRESENT)

That the Town hereby establishes a committee to study and make recommendations to the 2013 Annual Town Meeting on whether and to what extent Article 12 (“Noise Abatement”) of Title V of the Town Bylaws, as amended by the vote of the 2012 Annual Town Meeting under Article 25 (the “Bylaw”), should be amended to modify, remove, or otherwise adjust restrictions on the use of gas-powered leaf blowers, said committee to consist of: (a) four members of the Arlington Landscape Association to be designated by that association; (b) four Town Meeting members as previously appointed by the Moderator to the committee earlier convened by the Board of Selectmen; (c) four Town citizens at large to be appointed by the Moderator; and (d) one member of the Board of Selectmen to be designated by that board, and said committee to begin its work by considering the following proposed amendment to the Bylaw:

“That Article 12 (‘Noise Abatement’) of Title V of the Town Bylaws, as amended by the vote of the 2012 Annual Town Meeting under Article 25, be and hereby is amended by: (1) deleting from the end of Section 2(J) the words, ‘other than leaf blowers used on private property’ and replacing them with the words, ‘other than gas-powered leaf blowers, which shall be subject to the restrictions set forth in Section 3(D), below.’; and (2) inserting the following Section 3(D) in place of any existing Section 3(D):

‘D. Use of Gas-Powered Leaf Blowers

1. For purposes of this section only, the term, “leaf blowers” shall mean “gas-powered leaf blowers.”
2. The use of leaf blowers is prohibited between June 15th and September 15th except in accordance with the following restrictions, which shall not apply to the use of leaf blowers to perform emergency operations or for clean-up associated with storms, hurricanes and the like:
 - (a) The use of leaf blowers is prohibited on (i) Sundays and legal holidays except between the hours of 1:00 p.m. and 5:00 p.m.; (ii) Mondays through Fridays except between the hours of 7:30 a.m. and 5:30 p.m.; and (iii) Saturdays except between the hours of 8:00 a.m. and 4:00 p.m.
 - (b) No more than one leaf blower may be used on any lot of 6,000 square feet or smaller. One additional leaf blower may be used for each additional 6,000 square feet or portion thereof comprising one lot.

- (c) Leaf blowers may be used for no more than 30 minutes at a time.
3. At no time shall any leaf blower be used in such a way as to permit the distribution of leaves, dust, or other debris beyond the vertically extended lines of the property on which the leaf blower is being used.
4. Leaf blowers shall at all times be operated at the lowest possible practical speed necessary to accomplish the task for which they are being used.
5. As of June 15, 2014, or one year after the effective date of this Bylaw, whichever is later, no commercial landscaper, commercial landscape company, or other entity engaged in the business of providing yard clean-up and maintenance services for a fee shall use any leaf blower within the Town in the exercise of that business unless the manufacturer specifies that the sound emitted from said leaf blower is no greater than 77 dB(A) at full throttle.”

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urthermore, the Committee should in its deliberations weigh the competing rights of all Arlington residents and businesses, including the rights of residents to maintain their yards, to the peaceful enjoyment of their properties and homes, and to be free of dust and debris that may contain allergens, toxins, and other contaminants.

In crafting any proposals, the Committee should consider, among other things, that any regulations should be straightforward to explain and enforce.

The committee should also assess the actual economic impact of similar restrictions such as those in effect in the Town of Brookline and the City of Cambridge.

Said committee shall submit a warrant article to cover the scope of the bylaw changes it will recommend for the 2013 Annual Town Meeting (or Special Town Meeting within that Annual Town Meeting), publish the text of any bylaw changes it may propose on the Town website and elsewhere as it deems appropriate, hold a public hearing on these proposed bylaw changes no sooner than 14 days after publication, at which hearing interested persons shall be given an opportunity to be heard, and distribute its report and the text of any proposed bylaw changes, as revised following the public hearing, to the Board of Selectmen by March 8, 2013.

Following the swearing in of all committee members, the Selectman committee member shall act as Temporary Chair with the responsibility of scheduling the date, time, and location of the organizational meeting, at which meeting a permanent Chair, Vice-Chair, and Secretary shall be elected by the committee. The committee shall dissolve upon the completion of the 2013 Annual Town Meeting.

A true copy of the vote under
Article 2 of the Warrant for the
Special Town Meeting of the
Town of Arlington at the session
held on October 10, 2012.

ATTEST:TOWN CLERK

ARTICLE 3 BYLAW AMENDMENT/LEAF BLOWERS (II)

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

That no action be taken under Article 3.

A true copy of the vote under Article 3 of the Warrant for the Special Town Meeting of the Town of Arlington at the session held on October 10, 2012.

ATTEST:TOWN CLERK

ARTICLE 4 AMENDMENTS TO THE FY2013 BUDGETS

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

That the amounts previously appropriated by the 2012 Annual Town Meeting under Sub-Budget No. 20 under Article 40 to defray obligations, outlays, and expenses for Education for the Fiscal Year ending June 30, 2013, be and hereby are amended by increasing the amount appropriated by \$970,000 to \$45,612,598, said additional amount to be taken from available funds in the treasury.

A true copy of the vote under Article 4 of the Warrant for the Special Town Meeting of the Town of Arlington at the session held on October 10, 2012.

ATTEST:TOWN CLERK

ARTICLE 5 COLLECTIVE BARGAINING

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

That the Town hereby ratifies the following financial items in the collective bargaining agreements and memoranda of agreement with the following enumerated collective bargaining units and hereby approves the following financial items relating to non-union employees and full-time elected officials:

A. Local 680, American Federation of State, County, and Municipal Employees

- (1) a 3% general wage increase effective July 1, 2012;
- (2) a 2.75% general wage increase effective July 1, 2013;
- (3) a 2.75% general wage increase effective July 1, 2014;
- (4) snow and ice incentive increase; and
- (5) tool allowance increase

and that for this purpose the sum of \$150,627.00, which is to be raised by the general tax and which has been previously appropriated and set aside by vote of the 2012 Annual Town Meeting under Warrant Article 38, may be expended under the direction of the Town Manager, provided that this vote shall be null and void unless the collective bargaining unit has ratified the collective bargaining agreement no later than October 9, 2012;

B. Service Employees International Union

- (1) a 3% general wage increase effective July 1, 2012;
- (2) a 2.75% general wage increase effective July 1, 2013;
- (3) a 2.75% general wage increase effective July 1, 2014;
- (4) snow and ice incentive; and
- (5) pay for performance program

and that for this purpose the sum of \$72,286.00, which is to be raised by the general tax and which has been previously appropriated and set aside by vote of the 2012 Annual Town Meeting under Warrant Article 38, may be expended under the direction of the Town Manager;

C. Robbins Library Professional Association

- (1) a 3% general wage increase effective July 1, 2012;
- (2) a 2.75% general wage increase effective July 1, 2013; and
- (3) a 2.75% general wage increase effective July 1, 2014

and that for this purpose the sum of \$15,453.00, which is to be raised by the general tax and which has been previously appropriated and set aside by vote of the 2012 Annual Town Meeting under Warrant Article 38, may be expended under the direction of the Town Manager;

D. Local 1297, International Association of Firefighters

- (1) a 2% general wage increase effective September 1, 2011;
- (2) a 1% general wage increase effective January 1, 2012;
- (3) a 3% general wage increase effective July 1, 2012;
- (4) a 2.75% general wage increase effective July 1, 2013;
- (5) a 2.75% general wage increase effective July 1, 2014;
- (6) EMT increases for FY13 and FY14; and
- (7) purchase of promotional examination study guides and reimbursement of certain promotional examination costs

and that for this purpose the sum of \$91,591.00, which is to be raised by the general tax and which has been previously appropriated and set aside by vote of the May 7, 2012 Special Town Meeting under Warrant Article 3, and the sum of \$250,240.00, which is to be raised by the general tax and which has been previously appropriated and set aside by vote of the 2012 Annual Town Meeting under Warrant Article 38, may be expended under the direction of the Town Manager, provided that this vote shall be null and void unless the collective bargaining unit has ratified both the memorandum of agreement and collective bargaining agreement no later than October 31, 2012;

E. Arlington Police Patrolmen's Association

- (1) a 2.75% general wage increase effective July 1, 2011;
- (2) a 3% general wage increase effective July 1, 2012;

And that for this purpose the sum of \$74,332, which is to be raised by the general tax and which has been previously appropriated and set aside by vote of the May 7, 2012 Special Town Meeting under Warrant Article 3, and the sum of \$160,522, which is to be raised by the general tax and which has been previously appropriated and set aside by vote of the 2012 Annual Town Meeting under Warrant Article 38, may be expended under the direction of the Town Manager; provided that this vote shall be null and void unless the collective bargaining unit has ratified both the memorandum of agreement and collective bargaining agreement no later than October 9, 2012;

F. Arlington Ranking Police Officers' Association

- (1) a 2.75% general wage increase effective July 1, 2011;
- (2) a 3% general wage increase effective July 1, 2012;
- (3) a 2.75% general wage increase effective July 1, 2013;
- (4) a 2.75% general wage increase effective July 1, 2014;
- (5) staff assignment premiums; and
- (6) clothing allowance increase

and that for this purpose the sum of \$33,551.00, which is to be raised by the general tax and which has been previously appropriated and set aside by vote of the May 7, 2012 Special Town Meeting under Warrant Article 3, and the sum of \$88,462.00, which is to be raised by the general tax and which has been previously appropriated and set aside by vote of the 2012 Annual Town Meeting under Warrant Article 38, may be expended under the direction of the Town Manager;

G. M Schedule and Non-Union Employees

- (1) a 3% general wage increase effective July 1, 2012;
- (2) a 2.75% general wage increase effective July 1, 2013; and
- (3) a 2.75% general wage increase effective July 1, 2014;

and that for this purpose the sums of \$50,395.00 (M Schedule) and \$70,105.00 (non-union), which are to be raised by the general tax and which have been previously appropriated and set aside by vote of the 2012 Annual Town Meeting under Warrant Article 38, may be expended under the direction of the Town Manager; and

H. Full-Time Elected Officials

- (1) a 3% general wage increase effective July 1, 2012;
- (2) a 2.75% general wage increase effective July 1, 2013; and
- (3) a 2.75% general wage increase effective July 1, 2014;

and that for this purpose the sum of \$5,231.00, which is to be raised by the general tax and which has been previously appropriated and set aside by vote of the 2012 Annual Town Meeting under Warrant Article 38, may be expended under the direction of the Town Manager; and that the Classification and Pay Plan be and hereby is amended accordingly.

A true copy of the vote under Article 5 of the Warrant for the Special Town Meeting of the Town of Arlington at the session held on October 10, 2012.

ATTEST:TOWN CLERK

ARTICLE 6 CAPITAL BUDGET/THOMPSON SCHOOL

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$2,873,671.74 be and hereby is appropriated from the Sale of Real Estate Fund to fund the reconstruction of the Thompson Elementary School located at 60 North Union Street.

A true copy of the vote under
Article 6 of the Warrant for the
Special Town Meeting of the
Town of Arlington at the session
held on October 10, 2012.

ATTEST:

TOWN CLERK

Town Meeting Dissolved at 11:00 P.M.