## TOWN OF ARLINGTON MASSACHUSETTS

#### REPORT OF THE

#### **BOARD OF SELECTMEN**



(Including the recommendations of the Finance Committee)

TO THE

SPECIAL TOWN MEETING MONDAY, NOVEMBER 16, 2009

8:00 P.M.

## ARTICLE 2 ACCEPTANCE OF LEGISLATION/LOCAL MEALS EXCISE

VOTED: That the Town hereby accepts G.L. c. 64L, § 2(a), to impose a local meals excise of .75%.

(5-0)

**COMMENT:** The Board recommends that the Special Town Meeting vote to accept a recent change in state law that allows cities and towns to set a local meals excise tax of .75% in addition to the state meals tax, which became 6.25% on August 1, 2009. The Board is of the opinion that adoption of the local meals excise tax will assist the Town in raising revenue to support municipal functions. The proposed increase of <sup>3</sup>/<sub>4</sub> of one percent will raise much-needed revenue without being overly burdensome on eating establishments in Town. Therefore, the Board recommends favorable action on this article.

The Finance Committee recommends favorable action on the above recommendation of the Board of Selectmen.

(14-1)

## ARTICLE 3 ACCEPTANCE OF LEGISLATION/LOCAL ROOM OCCUPANCY EXCISE

VOTED: That the Town hereby amends its local room occupancy excise under G.L. c. 64G, § 3A, to the rate of 6%.

(5-0)

**COMMENT:** The Board recommends that the Special Town Meeting vote to accept a recent change in state law that allows cities and towns to increase room occupancy excise tax ("hotel/motel tax") from the current 4% up to 6%. Although the Town currently has only one hotel to which this tax applies and the revenue from a 2% increase will be modest, the Board supports accessing every available source of additional revenue in the current economic climate. Therefore, the Board recommends positive action on this article.

The Finance Committee recommends favorable action on the above recommendation of the Board of Selectmen.

(14-1)

ARTICLE 4 HOME RULE LEGISLATION/AMEND EXISTING
LICENSES FOR THE SALE OF ALCOHOLIC
BEVERAGES NOT TO BE DRUNK ON THE PREMISES

VOTED: That the Board of Selectmen be and hereby is authorized to file a home-rule petition with the Legislature that would read substantially as follows:

"AN ACT TO AUTHORIZE THE BOARD OF SELECTMEN OF THE TOWN OF ARLINGTON TO PLACE UPON A TOWN BALLOT A QUESTION RELATING TO THE LICENSING OF PURVEYORS OF ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES.

<u>Section 1.</u> The Board of Selectmen of the Town of Arlington is hereby authorized to place upon the ballot at a 2010 Town election the following question:

Shall the Board of Selectmen of the Town be authorized to issue up to three licenses for the sale of all alcoholic beverages not to be drunk on the premises in replacement of up to three existing licenses for the sale of wine and malt beverages not to be drunk on the premises?

YES	
NO	

<u>Section 2.</u> If a majority of voters voting at the 2010 Town election at which the above question appears on the ballot vote 'yes' on the question, then the Board of Selectmen of the Town of Arlington may issue up to three licenses for the sale of all alcoholic beverages to be drunk off the premises in place of up to three licenses that are currently authorized in the Town of Arlington for the sale of wine and malt beverages to be drunk off the premises.

**Section 3.** This act will take effect upon passage."

(5-0)

**COMMENT:** The April 2009 general election included a non-binding policy question, Question 4, querying whether three existing package-store licenses that currently allow the sale only of wine and beer should be amended to allow the sale of all alcoholic beverages. The electorate approved this question by a vote of 2938-2200. The Board of Selectmen believes that permitting the currently licensed package stores to expand their sales to include all alcoholic beverages will increase convenience for Arlington residents and will allow these stores to fairly compete with stores in adjoining communities. Therefore, the Board recommends favorable action under this article to begin the process of amending the three existing licenses to allow the sale of all alcoholic beverages.

# ARTICLE 5 HOME RULE LEGISLATION/ADDITIONAL LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES

VOTED: That the Board of Selectmen be and hereby is authorized to file a home-rule petition with the Legislature that would read substantially as follows:

"AN ACT TO AUTHORIZE THE BOARD OF SELECTMEN OF THE TOWN OF ARLINGTON TO PLACE UPON A TOWN BALLOT A QUESTION THAT WOULD AUTHORIZE ADDITIONAL LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES.

<u>Section 1.</u> The Board of Selectmen of the Town of Arlington is hereby authorized to place upon the ballot at a 2010 Town election the following question:

Shall the Board of Selectmen of the Town be authorized to issue up to two additional licenses for the sale of all alcoholic beverages not to be drunk on the premises?

YES	
NO	

<u>Section 2.</u> If a majority of voters voting at the 2010 Town election at which the above question appears on the ballot vote 'yes' on the question, then the Board of Selectmen of the Town of Arlington may issue up to two additional licenses for the sale of all alcoholic beverages to be drunk off the premises.

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

(3-2; Ms. Mahon and Mr. Hurd voted in the negative)

**COMMENT:** The April 2009 general election included a non-binding policy question, Question 3, querying whether the number of package-store licenses in the Town should be increased from three to five. The electorate approved this question by a vote of 2594-2566. The Board of Selectmen believes that increasing to five the number of stores licensed to sell alcoholic beverages for consumption off the premises will enhance convenience for Arlington residents by allowing a more even geographical distribution of these businesses. Therefore, a majority of the Board recommends favorable action under this article to begin the process of increasing the number of available licenses from three to five.

## ARTICLE 6 AMEND ADVISORY COMMITTEE/ REORGANIZATION OF TOWN GOVERNMENT

VOTED: That the May 11, 2009, affirmative vote of the 2009 Annual Town Meeting under Article 32, creating the committee designated as 'THE TOWN GOVERNMENT REORGANIZATION COMMITTEE OF 2009', is hereby amended by adding the following sentence immediately before the final sentence: "Additionally, the committee by majority vote may appoint its own additional members as it deems desirable."

(5-0)

**COMMENT:** This committee was created by the 2009 Annual Town Meeting to explore and consider organizational alternatives to increase efficiency and effectiveness in the delivery of Town services. The Board of Selectmen favors a flexible committee composition for more nimble adaptation to the limitations and challenges identified by the committee as it engages in its work. Therefore, the Board recommends favorable action under this article. As amended, the vote would read as follows, with the new sentence highlighted:

## ARTICLE 32 ESTABLISH ADVISORY COMMITTEE/REORGANIZATION OF TOWN GOVERNMENT

That the Town Government Reorganization Committee of 2009 be convened to consider and make recommendations to Town Meeting, the Town Manager, and/or the Superintendent of Schools on any advisable reorganization, consolidation, or abolition of Town and/or School departments, boards, committees, or officers and that such committee be comprised of the Town Manager and the Superintendent of Schools or their designees; one member each of the Finance Committee, the School Committee, and the Board of Selectmen; the Town Comptroller; the Town Treasurer; and six citizens; three of whom to be appointed by a majority of the Board of Selectmen and three of whom to be appointed by the Town Moderator. Additionally, the committee by majority vote may appoint its own additional members as it deems desirable. The committee shall produce a preliminary written report of its findings before the commencement of the 2010 Annual Town Meeting and a final written report of its findings before the commencement of the 2011 Annual Town Meeting, and it shall dissolve upon the completion of the 2011 Annual Town Meeting.



#### KEVIN F. GREELEY, CHAIRMAN DIANE M. MAHON, VICE-CHAIRMAN JOHN W. HURD ANNIE LACOURT CLARISSA ROWE