

**TOWN RECORDS 2006**  
(Condensed)

**ANNUAL TOWN ELECTION**  
May 6, 2006

Pursuant to a warrant duly served, the Annual Town Election was called to order in the Town Hall Auditorium by Warden Patricia Shotwell at 8 a.m. on May 6, 2006, for the election of Town Officers. Mrs. Shotwell swore the election officers to the faithful performance of their duties.

Total ballots cast were as follows:

Precincts 1 & 2	519
Precincts 3 & 4	<u>339</u>
TOTAL	858

Of the 858 ballots cast, 75 or 11.44% were cast by absentee ballot.

The results of the election were as follows:

<b>Moderator - One Year</b>			
Robert M. Buchanan*	111 Summer Street	Caucus Nominee	711
Blanks			145
<u>Scattering</u>			<u>2</u>
<b>Selectman - Three Years</b>			
Steven L. Charlip	83 Ridgeway Road	Caucus Nominee	675
Blanks			178
<u>Scattering</u>			<u>5</u>
<b>Assessors - Three Years <i>Vote for Two</i></b>			
Gary C. Koger*	26 Pond Brook Circle	Caucus Nominee	623
Phyllis R. Kominz*	233 Glen Road	Caucus Nominee	626
Blanks			465
<u>Scattering</u>			<u>2</u>
<b>School Committee - Three Years <i>Vote for Two</i></b>			
Mary R. Rogers*	9 Lanes End	Caucus Nominee	649
Richard A. Manley, Jr*	205 Boston Post Road	Caucus Nominee	640
Blanks			421
<u>Scattering</u>			<u>6</u>
<b>Recreation Commission - Three Years <i>Vote for Two</i></b>			
Gregory Czarnowski*	87 Brook Road	Caucus Nominee	639
Richard L. Hall	211 Newton Street	Caucus Nominee	624
Blanks			450
<u>Scattering</u>			<u>3</u>
<b>Planning Board - Five Years</b>			
Susan Jane Zacharias*	77 Sudbury Road	Caucus Nominee	669
Blanks			186
<u>Scattering</u>			<u>3</u>
<b>Planning Board - Two Years <i>Vote for One (to fill a vacancy)</i></b>			
Stephanie Ann Kelly	83 Brown Street	Caucus Nominee	633
Olga Shulman	11 Plymouth Road	Caucus Nominee	135
Blanks			90
<u>Scattering</u>			<u>0</u>

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\* Indicates incumbent

<b>Library Trustees - Three Years</b> <i>Vote for Two</i>			
Ann G. Leibowitz	67 Summer Street	Caucus Nominee	550
Denise Mosher	84 Wellesley Street	Caucus Nominee	456
E. Christopher Palmer	17 Trailside Road	Caucus Nominee	365
Blanks			345
<u>Scattering</u>			<u>0</u>
<b>Board of Health -Three Years</b>			
Peter K. Taylor*	33 Conant Road	Caucus Nominee	661
Blanks			194
<u>Scattering</u>			<u>3</u>
<b>Commissioner of Trust Funds - Three Years</b>			
Thomas E. Bator*	78 School Street	Caucus Nominee	642
Blanks			211
<u>Scattering</u>			<u>5</u>
<b>Measurers of Lumber -One Year</b> <i>Vote for Three</i>			
David C. Bennett*	56 Westland Road	Caucus Nominee	567
Barrett W. Gilchrist*	75 Warren Avenue	Caucus Nominee	574
Rosemary Broton Boyle*	261 Merriam Street	Caucus Nominee	568
Blanks			860
<u>Scattering</u>			<u>5</u>

**QUESTION NO. 1:                    PROPOSITION 2½ GENERAL OVERRIDE**

Shall the Town of Weston be allowed to assess an additional \$1,100,000 in real estate and personal property taxes for the purpose of defraying Town operating expenses for the fiscal year beginning July first, two thousand and six?

Yes: 588 No: 248 Blanks: 22

**QUESTION NO. 2:                    PROPOSITION 2½ DEBT EXCLUSION**

Shall the Town of Weston be allowed to exempt from the provisions of Proposition two and one-half, so called, the amount required to pay for the bond(s) issued in order to design, engineer, construct and equip the following, including all costs incidental and related thereto: (1) Fire Station 2 Roof Replacement; (2) Library Roof Replacement; (3) DPW Facility - Design Services; (4) DPW Equipment Replacement; (5) Roadway Improvements; (6) Fire Engine Replacement; (7) School Technology; (8) School Department Parking/Road Improvements; (9) Field School Renovations; (10) High School Language Lab; and (11) High School Gymnasium Floor and Bleacher Replacement?

Yes: 643 No: 179 Blanks: 36

**SPECIAL TOWN MEETING  
May 8, 2006**

Pursuant to a warrant, duly served, Robert M. Buchanan, the Moderator called the Special Town Meeting to order at 7:30 P.M. in the auditorium of the Weston High School. The Moderator declared a quorum present and proceeded with the reading of the Warrant and the Return of Service.

The Moderator appointed tellers and swore them to their duties.

Tellers in the Auditorium:

Gene Ritvo	Joyce Schwartz
Phyllis Ritvo	Nathalie Thompson

**ARTICLE 1: AMEND FISCAL YEAR 2006 OPERATING BUDGET**

Mr. Douglas Gillespie moved that the Town amend the following line items in the Fiscal Year 2006 Operating Budget adopted under Article 6 of the 2005 Annual Town Meeting and amended under Article 1 at the November 28, 2005 Special Town Meeting, by transferring between line items as follows:

	<u>Changing From</u>	<u>Changing To</u>	<u>Difference</u>
Selectmen/Town Manager - Salaries	\$315,015	\$270,015	\$(45,000)
Finance - Salaries	574,841	559,841	(15,000)
Selectmen/Town Manager - Consulting & Professional Services	30,000	50,000	20,000
Legal - Expenses	151,800	191,800	40,000

**The motion was voted unanimously.**

Mr. David Harmon commenting on the legal expenses associated with the Regis College expansion requested the Selectmen discuss issues directly with Regis in hopes of reaching a compromise instead of litigating

**ARTICLE 2: AMEND FISCAL YEAR 2006 WATER ENTERPRISE BUDGET**

Mr. Douglas Gillespie moved that the Town amend the fiscal year 2006 Water Enterprise Fund budget adopted under Article 7 of the 2005 Annual Town Meeting and amended under Article 2 at the November 28, 2005 Special Town Meeting, by transferring between line items as follows:

	<u>Changing From</u>	<u>Changing To</u>	<u>Difference</u>
Salaries	\$240,970	\$223,970	\$(17,000)
Expenses	226,880	236,880	10,000
Capital Outlay	63,500	70,500	7,000

**The motion was voted unanimously.**

**ARTICLE 3: AMEND FISCAL YEAR 2006 RECREATION ENTERPRISE BUDGET**

Mr. Douglas Gillespie moved that the Town supplement certain parts of the fiscal year 2006 Recreation Enterprise budget adopted under Article 8 of the 2005 Annual Town Meeting as follows:

	<u>Changing From</u>	<u>Changing To</u>	<u>Difference</u>
Expenses	463,650	493,850	30,200
Community Center	73,200	81,200	8,000

And as funding therefor, that \$38,200 be transferred from Recreation Enterprise Fund retained earnings.

**The motion was voted unanimously.**

**ARTICLE 4: APPROPRIATE FOR LIBRARY ROOF REPLACE**

Mr. Michael Harrity moved that the Town appropriate \$275,000 for extraordinary repairs to the Library, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority of M.G.L. Chapter 44, section 7, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

Mr. Harrity reviewed the past attempts at corrections of the library roof with Town Meeting members and responded to questions from Edward Coburn, Barbara Zenker, Ken Fish and John Doyle regarding the roof warranty, the warranty from the construction, lawsuits against the original architect and the need for a permanent building committee.

**The motion was voted unanimously.**

**ARTICLE 5: APPROPRIATE PROCEEDS FROM SALE OF 6 UPHAM WAY**

Mr. Douglas Gillespie moved that the Town appropriate \$20,980.22 from the sale of 6 Upham Way to the account Facilities Improvements-Town-wide.

**The motion was voted unanimously.**

Mr. Gillespie expressed gratitude to the retiring elected and volunteer officers of the Town of Weston and to the retiring Town employees (see page 130). Mr. Gillespie also noted the passing of Town Meeting member Florence Howe.

**Motion to dissolve** Special Town Meeting passes at 8:14 P.M

**ANNUAL TOWN MEETING**

*May 8, 2006*

Pursuant to a warrant, duly served, Robert M. Buchanan, the Moderator called the Annual Town Meeting to order at 8:20 P.M. in the auditorium of the Weston High School. The Moderator declared a quorum present and proceeded with the reading of the Warrant and the Return of Service.

**ARTICLE 1:** M. Elizabeth Nolan, Town Clerk read the results of the May 6, 2006, Annual Town Election, which results appear I the report of the Town Election (above).

**ARTICLE 2 (1): APPROPRIATE THE FISCAL YEAR 2007 OPERATING BUDGET**

Mr. Douglas Gillespie moved that the several sums of money recommended by the Board of Selectmen for the Fiscal Year beginning July 1, 2006, in accordance with Section 5 of Article II of the General Bylaws, as amended, and set forth in pages 7-10 of the report entitled, "FY07 Recommended Operating Budget," be raised and appropriated for their respective purposes as set forth on said pages, and that the Town transfer the following sums to meet, in part, appropriations made at this Town Meeting:

- a. \$1,200,000 from the Free Cash Account;
- b. \$110,000 from the "Accrued Income, Well Litigation Settlement" account;
- c. \$35,000 from the Cemetery Trust Fund;
- d. \$340,000 from Overlay Surplus; and
- e. \$7,000 from the Josiah Smith Tavern Trust Fund;

and to authorize the Board of Assessors to use such available funds to meet appropriations in their computation of the tax rate for fiscal year 2007.

Mr. Peacher, member of the Finance Committee spoke in favor of the motion.

**The motion was voted unanimously.**

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

**FY07 OPERATING BUDGET**

<b>TITLE OF ACCOUNTS</b>		<b>Approved Fiscal Year 2007</b>
<b>UNCLASSIFIED</b>		
Insurance	Insurance, Workers' Compensation	210,000
	Public Safety - Injured on Duty+	20,000
	Unemployment Compensation	50,000
	Insurance-Property & Liability	361,000
	Uninsured Losses+	20,000
	subtotal	<u>661,000</u>
Fringe Benefits	Insurance-Group Health/Life, Medicare	8,706,166
	Contributory Retirement-Middlesex	2,429,275
	Compensated Absence Fund+	190,410
	subtotal	<u>11,325,851</u>
Street Lighting		129,047
Reserve Fund	(see Appendix 2 for list of transfers made)	408,000
Debt Service (non-excluded)	Principal & Interest	69,425
<b>TOTAL UNCLASSIFIED</b>		<b><u>12,593,323</u></b>
<b>GENERAL GOVERNMENT</b>		
Town Manager's Office	Salaries	346,470
	Expenses	84,810
	Consulting & Professional Services+	42,000
	subtotal	<u>473,280</u>
Merit Pay	Transfer Account	40,135
Legal	Expenses	196,800
Facilities Maintenance	Salaries	124,625
	Expenses	126,822
	Town Hall Equipment+	5,000
	Test/Replace Underground Storage Tanks+	-
	Facilities Improvements-Town-wide+	131,250
	subtotal	<u>387,697</u>

NOTE: Accounts indicated by + are continuing appropriations, the balance of which shall be carried forward to the next fiscal year.

War Mem. Ed. Fund. Comm.	Expenses	1,200
Memorial Day	Expenses	-
Senior Service Program		10,000
<b>TOTAL GENERAL GOVERNMENT</b>		<b>1,109,112</b>

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**FINANCE & ADMINISTRATION**

Finance Committee	Expenses	250
Finance	Salaries-Elected Officials	500
	Salaries	597,105
	Expenses	117,840
	subtotal	<u>715,445</u>
Town Clerk & Registrars of Voters	Salary-Elected Official	150
	Salaries	92,643
	Expenses	14,110
	subtotal	<u>106,903</u>
Information Systems	Salaries	98,563
	Expenses	89,125
	Computer Hardware & Maintenance+	22,800
	subtotal	<u>210,488</u>
<b>TOTAL FINANCE &amp; ADMINISTRATION</b>		<b>1,033,086</b>

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**PLANNING & LAND USE**

Clerks of Committees	Salaries	150,854
Board of Appeals	Expenses	4,905
Planning Board	Salaries	75,324
	Expenses	35,865
	subtotal	<u>111,189</u>
Conservation Commission	Expenses	92,350
Historical Commission	Expenses	4,500
Crescent St. Historic District Commission	Expenses	100
<b>TOTAL PLANNING &amp; LAND USE</b>		<b>363,898</b>

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**PUBLIC SAFETY**

Police	Salaries	2,393,502
	Expenses	242,752
	Equipment and Apparatus+	50,000
	subtotal	<u>2,686,254</u>
Fire	Salaries	2,157,038
	Expenses	194,626
	Hydrant Service	48,000
	Emergency Management+	2,000
	Equipment and Apparatus+	12,000
	Fire Captain's Vehicle+	-
subtotal	<u>2,413,664</u>	
Inspectional Services	Salaries	133,948
	Expenses	12,195
	subtotal	<u>146,143</u>
Dog Officer	Salaries	5,204
	Expenses	3,000
	subtotal	<u>8,204</u>
<b>TOTAL PUBLIC SAFETY</b>		<b>5,254,265</b>

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**EDUCATION**

School Department	Salaries	22,037,132
	Instructional, Maint & Other Expenses	4,170,230
	Transportation Salaries	623,015
	Transportation Expenses	244,956
	Transportation Garage - Arch Services+	-
	subtotal	<u>27,075,333</u>
	Transfer Youth Counseling Services	<u>54,392</u>
	total School Department	<u>27,129,725</u>
Minuteman Regional Voc. Technical School District	Assessment	151,166
<b>TOTAL EDUCATION</b>		<b>27,280,891</b>

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<b>PUBLIC WORKS</b>	Salaries	1,505,810
	Expenses	1,032,373
	Snow and Ice Control	195,099
	Equipment+	-
	GIS Needs Assessment+	-
	Construction of Public Ways+	150,000
	Construction of Sidewalks, Bicycle Paths, & Footways+	15,000
	Stone Retaining Wall Repairs+	10,000
	Cook's Pond Dam Repairs+	-
	Monitoring Groundwater - Landfill+	-
	Parks & Cemeteries Improvements+	-
	subtotal Cont Bal Accounts	<u>175,000</u>
Water Division	Large Meter Replacement Program+	-
	subtotal	<u>-</u>
<b>TOTAL PUBLIC WORKS</b>		<b>2,908,282</b>

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**HEALTH & HUMAN SERVICES**

Board of Health	Salaries	180,052
	Expenses	8,630
	Mental Health Services	31,722
	subtotal	<u>220,404</u>
Mosquito Control, E. Middlesex Project	Expenses	32,338
Brook School Apartments	Salaries	-
	Expenses	-
	Repairs & Replacements+	-
	Debt Service	-
	subtotal	<u>-</u>
Council on Aging	Salaries	158,339
	Expenses	14,796
	subtotal	<u>173,135</u>
Youth Counseling Services	Salaries	-
	Expenses	-
	subtotal	<u>-</u>



Alcohol & Drug Education	Expenses	-
Advisory Committee		
Veterans' Benefits	Expenses	1,000
<b>TOTAL HEALTH &amp; HUMAN SERVICES</b>		<b>426,877</b>
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<b>CULTURAL &amp; LEISURE SERVICES</b>		
Libraries	Salaries	739,276
	Expenses	174,647
	Library Materials	68,200
	Minuteman Library Network	34,395
	subtotal	<u>1,016,518</u>
Recreation	Recreation Pickup Truck+	-
	Memorial Pool Complex Improvements+	-
	subtotal	<u>-</u>
<b>TOTAL CULTURAL &amp; LEISURE SERVICES</b>		<b>1,016,518</b>
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<b>TOTAL BUDGET APPROPRIATIONS</b>		<b>51,986,252</b>

**ARTICLE 2 (2): APPROPRIATE THE FISCAL YEAR 2007 OPERATING BUDGET**

Mr. Douglas Gillespie moved that the Town transfer \$250,000 from the Well Litigation Settlement Account to meet, in part, appropriations made at this Town Meeting:

**The motion was voted unanimously.**

**ARTICLE 2 (3): APPROPRIATE THE FISCAL YEAR 2007 OPERATING BUDGET**

Mr. Douglas Gillespie moved that the compensation for the following elected officers of the Town for the fiscal year commencing July 1, 2006, as required by Massachusetts General Laws, Chapter 41, Section 108, be fixed at:

Town Clerk	\$150
Assessors	\$100

and that all other elected officers of the Town be unpaid

**The motion was voted unanimously.**

**ARTICLE 2 (4): APPROPRIATE THE FISCAL YEAR 2007 OPERATING BUDGET**

Mr. Douglas Gillespie moved that five persons be appointed by the Moderator to serve as a Memorial Day Committee in 2007 with authority to expend funds for the 2007 Memorial Day observance from the World War Trust Fund for this purpose.

**The motion was voted unanimously.**

**ARTICLE 2 (5): APPROPRIATE THE FISCAL YEAR 2007 OPERATING BUDGET**

Mr. Douglas Gillespie moved that in purchasing property or equipment, any allowance for turning in or selling other property or equipment may be applied to the purchase price

**The motion was voted unanimously.**

**ARTICLE 3: APPROPRIATE THE FISCAL YEAR 2007 WATER ENTERPRISE BUDGET**

Mr. Douglas Gillespie moved that the Town appropriate from water receipts the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2007, under the provisions of M.G.L. Chapter 44, section 53F½:

Salaries	\$249,824
Expenses	225,047
MWRA Assessment/Water Purchases	1,424,145
Debt Service (non-exempt)	92,473
Capital Outlay	<u>20,500</u>
Total	\$2,011,989

**The motion was voted unanimously.**

**ARTICLE 4: APPROPRIATE THE FISCAL YEAR 2007 RECREATION ENTERPRISE BUDGET**

Mr. Douglas Gillespie moved that the Town raise and appropriate the following sums of money to operate the Recreation Department during fiscal year 2007, under the provisions of M.G.L. Chapter 44, Section 53F½:

Salaries	\$788,669
Expenses	514,482
Community Center	<u>91,316</u>
Total	\$1,394,467

**The motion was voted unanimously.**

**ARTICLE 5: APPROPRIATE THE FISCAL YEAR 2007 BROOK SCHOOL APARTMENTS ENTERPRISE BUDGET**

Mr. Douglas Gillespie moved that the Town appropriate from rental receipts the following sums of money to operate the Brook School Apartments during fiscal year 2007, under the provisions of M.G.L. Chapter 44, Section 53F½:

Salaries	\$129,641
Expenses	322,886
Repairs and Replacements	79,568
Payment in lieu of taxes	17,808
Debt Service	<u>269,721</u>
Total	\$819,624

**The motion was voted unanimously.**

**ARTICLE 6: APPROPRIATE TO STABILIZATION FUND**

Mr. Gillespie moved that the Town raise and appropriate \$400,000 to the Stabilization Fund, as provided under M.G.L. Chapter 40, section 5B, as amended, to be used for any lawful purpose, capital budget program or purpose for which the Town may borrow.

**The motion was voted unanimously.**

**ARTICLE 7: APPROPRIATE TO POST EMPLOYMENT BENEFITS STABILIZATION FUND**

Mr. Gillespie moved that the Town raise and appropriate \$20,000 to the Post Employment Benefits Stabilization Fund, as provided under M.G.L. Chapter 40, section 5B, as amended, to be used for post employment benefits.

**The motion was voted unanimously.**

**ARTICLE 8: CONTINUE DEPARTMENTAL REVOLVING FUNDS**

Mr. Gillespie moved that the Town continue revolving funds for certain Town departments pursuant to the provisions of M.G.L. chapter 44, section 53E½ for the fiscal year beginning July 1, 2006:

Revolving Fund	Authority to Spend	Revenue Source	Use of Fund	FY07 Budget
Recreation Skating Programs	Recreation Director	Program Fees	Program Costs	\$50,000
Historic Marker	Historical Commission	Program Fees	Costs Related to Purchase of Historic Markers	\$1,500
Josiah Smith Tavern	Town Manager	Rental Fees from Women's Community League	Building Repairs and Maintenance (Improvements)	\$10,000
Council on Aging Special Programs	Council on Aging Director	Program Fees	Program Expenses	\$25,000
Town Building Rentals	Town Manager	Rental Fees, Town Hall, Former Library, Josiah Smith Tavern	Utilities, Cleaning, Building Monitor	\$6,000
Board of Health	Health Director	Insurance Reimbursement, Flu Clinics	Vaccine and Medical Supplies, Nurse Salary, Public Health Education and Outreach	\$6,000

**The motion was voted unanimously.**

**ARTICLE 9: ESTABLISH AFFORDABLE HOUSING MONITORING REVOLVING FUND**

Mr. Gillespie moved that the Town establish an Affordable Housing Monitoring Revolving Fund, pursuant to the provisions of M.G.L. Chapter 44, section 53E½, and authorize the following expenditures for the fiscal year beginning July 1, 2006:

Name: Affordable Housing Monitoring Revolving Fund  
 Authority to Spend: Town Manager  
 Revenue Source: Fees from Original Sale and Resale of Affordable Homes  
 Use of Funds: Monitoring Costs, including Salaries and Benefits  
 FY07 Budget: \$26,000

Mr. Fish inquired whether the "affordable homes" would be subject to deed restrictions with the Town's option to purchase, Mr. Gillespie responded yes.

**The motion was voted unanimously.**

**ARTICLE 10: ACCEPT CHAPTER 90 ROAD IMPROVEMENT FUNDS**

Mr. Gillespie moved that the Town authorize the Board of Selectmen to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town Ways and authorize the expenditure of \$285,262 and any other sums of money that may be received for the fiscal year commencing July 1, 2006 provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department.

**The motion was voted unanimously.**

**ARTICLE 11: APPROVE PROPERTY TAX DEFERRAL INCOME LIMITS**

Mr. Gillespie moved that the Town establish a fiscal year 2007 income eligibility limit of \$60,000 under Chapter 421 of the Acts of 2004, An Act Authorizing the Town of Weston to Regulate Certain Property Tax Exemption Eligibility Requirements for the Elderly.

Ms. Susan Kannenburg inquired whether the \$60,000 was per person or per household. The \$60,000 is per household, not per person.

**The motion was voted unanimously.**

**ARTICLE 12: APPROPRIATE DESIGN SERVICES FEES FOR CONSTRUCTION OF NEW DEPARTMENT OF PUBLIC WORKS FACILITY**

Ms. Ann Liebowitz moved that the Town appropriate \$325,000 for the cost of engineering and architectural services for plans and specifications for a new facility for the Department of Public Works, and all incidental costs related thereto, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under authority of M.G.L. Chapter 44, section 7, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

Mr. Peacher, speaking for the Finance Committee, spoke in support of the motion, but stated the Finance Committee was supporting only the motion, not any other recommendation or final project. Ms. Liebowitz, estimating the cost of construction to be @\$17 million, assured the Town Meeting members the Town would scrutinize future construction costs and expenses.

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

**ARTICLE 13: APPROPRIATE FOR DEPARTMENT OF PUBLIC WORKS EQUIPMENT REPLACEMENT**

Ms. Ann Liebowitz that the Town appropriate \$230,000 for the cost of departmental equipment for the Department of Public Works and all incidental costs related thereto, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under authority of M.G.L. Chapter 44, section 7, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

**The motion was voted unanimously.**

**ARTICLE 14: APPROPRIATE FOR ROADWAY IMPROVEMENTS**

Ms. Liebowitz that the Town appropriate \$50,000 to reconstruct, resurface, alter or make specific repairs to the roadways, and all incidental costs related thereto, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority of M.G.L. chapter 44, section 7, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

**The motion was voted unanimously.**

**ARTICLE 15: APPROPRIATE FOR FIRE ENGINE REPLACEMENT**

Mr. Michael Harrity moved:that the Town appropriate \$350,000 for the cost of departmental equipment for the Fire Department, and all incidental costs related thereto, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under authority of M.G.L. Chapter 44, section 7, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

**The motion was voted unanimously.**

**ARTICLE 16: APPROPRIATE FOR SCHOOL TECHNOLOGY EQUIPMENT**

Ms. Bella Wong, member of the School Committee moved that the Town appropriate \$190,000 for the purchase of computer hardware and other data processing equipment, and all incidental costs related thereto, to be spent under the direction of the School Committee, the money so appropriated to be raised by borrowing under the authority of M.G.L. Chapter 44, section 7, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

**The motion was voted unanimously.**

**ARTICLE 17: APPROPRIATE FOR SCHOOL PARKING/ROAD IMPROVEMENTS**

Ms. Wendy Spector, chairman of the School Committee moved that the Town appropriate \$150,000 for the resurfacing of various school roadways and parking areas, and all incidental costs related thereto, to be spent under the direction of the School Committee, the money so appropriated to be raised by borrowing under authority of M.G.L. chapter 44, section 7, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

**The motion was voted unanimously.**

**ARTICLE 18: APPROPRIATE FOR HIGH SCHOOL LANGUAGE LAB**

Ms. MaryAnn Rogers, member of the School Committee moved that the Town appropriate \$40,000 for the cost of departmental equipment, and all incidental costs related thereto, to be spent under the direction of the School Committee, the money so appropriated to be raised by borrowing under authority of M.G.L. chapter 44, section 7, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

**The motion was voted unanimously.**

**ARTICLE 19: APPROPRIATE FOR HIGH SCHOOL GYMNASIUM FLOOR AND BLEACHER REPLACEMENT**

Dr. Edward Heller, member of the School Committee moved that the Town appropriate \$440,000 for the cost of extraordinary repairs, departmental equipment, and all incidental costs related thereto, to be spent under the direction of the School Committee, the money so appropriated to be raised by borrowing under authority of M.G.L. chapter 44, section 7, or any other enabling authority, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds and notes therefor.

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

**ARTICLE 20: APPROPRIATE FOR FISCAL YEAR 2007 COMMUNITY PRESERVATION COMMITTEE OPERATING BUDGET**

Mr. Brian Donohue, member of the Community Preservation Committee moved that the Town hear and act on the report of the Community Preservation Committee on the Fiscal Year 2007 Community Preservation budget and appropriate from the Community Preservation Fund:

\$116,000 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2007;

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

\$1,200,000 for the acquisition, creation and preservation of open space excluding land for recreational use;

\$400,000 for the acquisition, preservation rehabilitation and restoration of historic resources; and

\$350,000 for the creation, preservation and support of community housing.

Responding to Mr. Hasting's inquiry why the motion excluded playing fields, Mr. Donohue explained playing fields are "recreational" therefore excluded under open space definitions. Answering Mr. Harmon's inquiry regarding state funding of the CPA, Mr. Ober responded the Community Preservation Committee, not the Finance Committee had oversight of these funds.

**The motion was voted unanimously.**

**ARTICLE 21: APPROPRIATE FOR DEBT SERVICE - OPEN SPACE**

Mr. Brian Donahue moved that the Town appropriate \$315,000 for the principal and interest payments related to the purchase of Open Space known as the Sunday Woods parcel, which was approved for purchase under Article 6 of the May 2002 Annual Town Meeting, said sum to be transferred from the Open Space Reserve of the Community Preservation Fund.

**The motion was voted unanimously.**

**ARTICLE 22: APPROPRIATE FOR DEBT SERVICE - COMMUNITY HOUSING**

Mr. Brian Donahue moved that the Town appropriate \$420,307 for the principal and interest payments related to the expansion of the Brook School Apartments, approved under Article 19 of the May 2004 Annual Town Meeting, said sum to be transferred from the Community Housing Reserve of the Community Preservation Fund.

**The motion was voted unanimously.**

**ARTICLE 23: APPROPRIATE FOR OPEN SPACE - FIELD PRESERVATION**

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

**The motion was voted unanimously.**

**ARTICLE 24: APPROPRIATE FOR OPEN SPACE - CASE ESTATES**

Mr. Brian Donahue moved that the Town appropriate \$85,000 for the purpose of retaining appraisers and other consultants to evaluate whether and how the Town might proceed with the acquisition by purchase or otherwise of all or some portions of the Case Estates property from Harvard University's Arnold Arboretum, for one or more purposes authorized under the Community Preservation Act, to be spent under the direction of the Board of Selectmen, said sum to be transferred from the Open Space Reserve of the Community Preservation Fund.

Mr. Donahue yielded to Mr. Harrity to discuss the future of the Case Estates.

**The motion was voted unanimously.**

**ARTICLE 25: APPROPRIATE FOR OPEN SPACE - PLAYING FIELD CONSTRUCTION**

Mr. Brian Donahue moved that the Town appropriate \$600,000 for open space purposes under the Community Preservation Program, to design and construct a new multipurpose playing field on property under the jurisdiction of the School Committee, to be spent under the direction of the School Committee, said sum to be transferred from the Open Space Reserve of the Community Preservation Fund.

Mr. Donahue yielded to Mr. Ripley Hastings

**The motion was voted.**

**ARTICLE 26: APPROPRIATE FOR HISTORIC RESOURCES -  
CENTRAL AND FARMERS' CEMETERIES**

Ms. Katherine Smith, member of the Community Preservation Committee moved that the Town appropriate \$12,500 for historic resource purposes under the Community Preservation Program, to be used for the procurement of consultant services to prepare a condition assessment report of the Central and Farmers' Cemeteries, to be spent under the direction of the Town Manager, said sum to be transferred from the Historic Resources Reserve of the Community Preservation Fund.

Ms. Smith yielded to Ms. Carol Hinckley.

**The motion was voted unanimously.**

**ARTICLE 27: APPROPRIATE FOR HISTORIC RESOURCES - JOSIAH SMITH TAVERN EXTERIOR  
RENOVATIONS**

Ms. Marisa Morra, member of the Community Preservation Committee moved that the Town appropriate \$360,000 for historic resource purposes under the Community Preservation Program, to be used for the rehabilitation and restoration of the Josiah Smith Tavern located at 358 Boston Post Road, to be spent under the direction of the Town Manager, said sum to be transferred from the Historic Resources Reserve of the Community Preservation Fund.

Ms. Morra yielded to Mr. Aydelott

**The motion was voted unanimously.**

**ARTICLE 28: APPROPRIATE FOR HISTORIC RESOURCES - 823 BOSTON POST ROAD**

Ms. Marisa Morra moved that the Town appropriate \$250,000 and authorize the Board of Selectmen to acquire by purchase for historic resource purposes under the Community Preservation Program an historic preservation restriction in and to the land and structures located at 823 Boston Post Road in the Town of Weston, Massachusetts shown as Assessors Map 25, Lot 18, containing 2.21 acres, more or less, and more fully described in a deed recorded in the Middlesex South Registry of Deeds in Book 1219, Page 59, said restriction to be held, managed and controlled by the Historical Commission and/or Board of Selectmen, said sum to be transferred from the Historic Resources Reserve of the Community Preservation Fund.

Ms. Morra yielded to Judy Markland. Mr. Edward Lashman, as a private citizen, rose in opposition to the motion, as the motion would permanently prevent affordable housing on the property. Mr. Harrity, speaking on behalf of the Board of Selectmen, stated the Board was in favor of affordable housing and development of 40B, but not for this particular parcel.

**The motion was voted.**

**ARTICLE 29: APPROPRIATE FOR HISTORIC RESOURCES - 412 HIGHLAND STREET**

Ms. Marisa Morra moved that the Town appropriate \$200,000 and authorize the Board of Selectmen to acquire by purchase for historic resource purposes under the Community Preservation Program an historic preservation restriction in and to the land and structures located at 412 Highland Street in the Town of Weston, Massachusetts shown as Assessors Map 43, Lot 23-010, containing 10.5 acres, more or less, and more fully described in a deed recorded in the Middlesex South Registry of Deeds in Book 33366, Page 487, said restriction to be held, managed and controlled by the Historical Commission and/or Board of Selectmen, said sum to be transferred from the Historic Resources Reserve of the Community Preservation Fund.

Yielding to Ms. Markland, Ms. Markland responded to concerns regarding enforcement of restriction, stating restriction would be in the deed. Ms. Kanneburg expressed concern regarding the process used to arrive at the value of the restriction. Ms. Markland replied the value is derived from the value of a single family resident and the value of a subdivision.

**The motion was voted unanimously.**

**ARTICLE 30: APPROPRIATE FOR COMMUNITY HOUSING - AFFORDABLE HOUSING CONSULTANT**

Ms. Jill Lenhardt moved that the Town appropriate \$20,000 for community housing purposes under the Community Preservation Program, to support community housing by retaining an affordable housing consultant to assist the Town in developing and proposing strategies to create affordable housing, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Housing Reserve of the Community Preservation Fund.

**The motion was voted unanimously.**

**ARTICLE 31: APPROPRIATE FOR COMMUNITY HOUSING - 15 JONES ROAD**

Ms. Jill Lenhardt moved that the Town appropriate \$83,000 for community housing purposes under the Community Preservation Program, to be used for the rehabilitation of the property located at 15 Jones Road, as shown on Assessors Map 27, Lot 59, containing .30 acre, more or less, pursuant to a grant agreement between the Town of Weston and the Weston Affordable Housing Foundation, Inc., and to authorize the Town Manager to enter into such grant agreement upon such terms and conditions as she deems appropriate; provided, however, that such grant agreement shall contain a condition that the Weston Affordable Housing Foundation, Inc. convey to the Town of Weston an affordable housing deed restriction complying with the requirements of M.G.L. Chapter 184, and to authorize the Board of Selectmen to accept said restriction, and further that such deed restriction may also run to the benefit of a non-profit, charitable

corporation or foundation with the right to enforce the restriction; said sum to be transferred from the Community Housing Reserve of the Community Preservation Fund.

**The motion was voted unanimously.**

**ARTICLE 32: ADOPT GEOGRAPHIC INFORMATION SYSTEM (GIS) BASED ZONING MAP**

Mr. Michael Harrity moved that the Town Zoning map be amended by replacing the current map with a map in Geographic Information System (GIS) format, with no change to the current locus of zoning district designations, as shown in a plan entitled "Zoning Map, Weston, Massachusetts, dated March, 2006."

**The motion was voted.**

**ARTICLE 33: AMEND GENERAL BYLAWS TO PROVIDE FOR PERMANENT BUILDING COMMITTEE**

Mr. Michael Harrity moved that the Town's General Bylaws be amended by deleting Article XXII, Design Review Board, in its entirety and replacing it with a new Article XXII, Permanent Building Committee, as printed in the warrant, with the following modifications:

Add a new Section 1: Purpose

The purpose of this bylaw is to provide a Permanent Building Committee having continuing responsibility for the execution of major construction and maintenance projects for the Town and for the development of a capital spending plan. Working with the Board of Selectmen, School Committee, Historical Commission, Planning Board, and other Town committees and boards which propose building and renovation projects, the Permanent Building Committee establishes general criteria for Town building projects and guidelines for communication regarding these projects between and among interested committees and the public.

Renumber the remaining Sections.

Under Section 2: at the end of this section, add the words "as provided in this bylaw."

Under Section 3: Definitions, 1) "Major maintenance," after the words "Town Manager" add "subject to approval by the Board of Selectmen and School Committee,"

Under Section 3: Definitions, 6) "Proposing Body," make the following changes:

In a), delete the word "Formulation" and insert in place thereof "Determination."

In b), delete the words "Preparation of" and insert in place thereof: "Performance of feasibility studies and determination of"

Delete the text of c) and insert in place thereof: "Determination of the estimated requirements for equipment and furnishings."

Add a new d) "Approval of transitional building plans, including health and safety protocols for maintaining the underlying service associated with the facility while construction takes place."

Renumber d) to e), delete the text, and insert in place thereof: "Approval of any design change or budget reprioritization having a material impact, as determined by the Proposing Body, on the programmatic design, transitional building plans, or outcome of the project."

Under Section 4: Membership, 1) Regular Members and Alternate Members, delete all references to alternate members as follows:

In the title, delete the words "and Alternate Members"

In the first sentence, delete the words "and three (3) alternate members"

In the third sentence, delete the words "and alternate"

In the fourth sentence, delete the words "and alternate"

Under Section 4: Membership, 2) Temporary Members, at the end of the second sentence add the words "or designee"



Under Section 4: Membership, in the third sentence, delete the words “participate in and”

Under Section 4: Membership, 4) Term of Appointment, a), delete all references to alternate members as follows:

In the first sentence, delete the words “and alternate”

In all three places where they appear in the second sentence, delete the words “and one alternate”

Under Section 5: Powers and Duties of the Committee, make the following changes:

In 1), delete the words “feasibility studies” from the first sentence.

Delete the text of 2) and renumber the remaining items.

Delete the text of the newly renumbered 2) and insert in place thereof:

2) Coordinate with other Town boards and committees:

- a. In consultation with the Planning Board, oversee site planning for new construction and additions; such planning to include building location, roadways, parking, lighting, and general landscape design concepts.
- b. In consultation with the Public Spaces Committee, oversee plant selection, cost, and installation of landscaping for new, enlarged, or renovated building projects within its jurisdiction.
- c. In consultation with the Historical Commission, oversee enlargement, remodeling and/or restoration of Town-owned historic property to insure that work is done in compliance with the Secretary of the Interior’s Standards and Guidelines for Historic Preservation.

In the newly renumbered 8) (previously 9), delete the words “(or alternates acting in lieu thereof)”

In the newly renumbered 9) (previously 10), delete the text and insert in place thereof: “The Committee shall, subject to agreement by the Proposing Body, waive its duties and responsibilities and relinquish them to the Proposing Body in connection with projects for which design funding had been approved at Town Meeting prior to the adoption of this Bylaw.”

Add a new 10) “The Committee may, subject to agreement by the Proposing Body, waive its duties and responsibilities with respect to any project for which it would otherwise be responsible and relinquish them to the Proposing Body.”

Under Section 6: Policies and Procedures, 2), delete the words “The Committee shall” and insert in place thereof “The Committee shall in consultation with the Board of Selectmen and School Committee”

And further, that the Board of Selectmen be authorized to petition the General Court for an amendment to the Act Establishing the Position of Town Manager in the Town of Weston, Chapter 80 of the Acts of 2001, as printed in the warrant, to provide that the Town Manager shall award and execute all contracts for designer services and construction of town buildings, including school buildings; and further to authorize the General Court to make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition.

Ms. Inge Uhlir moved to amend the motion by inserting the words “and monitor” in Section 5 subsection (1) so the last sentence would read, “The Town Manager shall award, execute and monitor all designer services contracts and construction contracts.” Mr. Harrity did not accept Ms. Uhlir’s motion; Mr. Harrity stated the function of the Permanent Building Committee would be to monitor, not the Town Manager. Mr. Harmon asked if it would be possible to avoid the law regarding public bidding and possible fraudulent bids, Mr. Harrity replied no. Ms. Erica Sanders spoke against Mr. Harrity’s motion stating the article was still a work in progress and not in a format that should be accepted by the Town Meeting members. Ms. Kay McCahan recommended passing Mr. Harrity’s motion and adding future amendments later if those amendments were needed.

Ms. Uhlir’s motion to amend: defeated

**The motion was voted.**

**ARTICLE 34: AMEND GENERAL BYLAWS, ARTICLE XXVII – STORM WATER REGULATIONS**

Mr. Gillespie moved that Article XXVII of the Town's General Bylaws be amended by inserting the underlined text and deleting the strike-through text as printed in the warrant under Article 34.

“Section 2: No person shall discharge any water from construction sites into any public road, street, water body or part of the Town drainage system without first having obtained a permit for that purpose from the Director of Operations-DPW. This permit shall be in addition to any other required state or federal permit.

Section 3: No person shall discharge, cause the discharge, or divert a natural flow of surface or ground water in such a manner that it will cause an icing condition on a public way.

Section 4: No person shall directly or indirectly dump, discharge or cause or allow to be discharged into any catch basin, manhole, pipe, retention or detention pond, earth channel, structural control, infiltration chamber, or any other component of the Town's drainage system or water body, any solid waste, construction...”

**The motion was voted unanimously.**

**ARTICLE 35: ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986 (INCREASE IN PROPERTY TAX EXEMPTION LIMITS)**

Mr. Gillespie moved that the Town accept, for Fiscal Year 2007, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends chapter 59 of the Massachusetts General Laws relative to real estate property tax exemptions and approve an increase in the amount of 100 percent for each eligible exemption.

**The motion was voted unanimously.**

**ARTICLE 36: CITIZENS' PETITION: RESOLUTION REGARDING REGIS COLLEGE**

The motion was voted to pass over citizens' petition: resolution regarding Regis College.

The Moderator accepted a motion to dissolve the Annual Town Meeting.

**Motion to dissolve 2006 Annual Town Meeting passes.**

**STATE PRIMARY  
September 19, 2006**

Pursuant to a warrant duly served, the Presidential Primary was held on September 19, 2006 in **Precinct 1** - Parish Hall of the United Methodist Church of Weston located at 377 North Avenue; **Precinct 2** - Basement of St. Peter's Church located at 320 Boston Post Road; **Precincts 3 & 4** - Social Hall of St. Demetrios Greek Orthodox Church, 57 Brown Street.

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

	<i>Democratic</i>	<i>Republican</i>	<b>TOTAL</b>
Precinct 1	538	37	<b>575</b>
Precinct 2	434	39	<b>473</b>
Precinct 3	333	35	<b>368</b>
Precinct 4	408	48	<b>456</b>
<b>TOTAL</b>	<b>1713</b>	<b>159</b>	<b>1872</b>

Out of a total of 1872 ballots cast, 82 or 4.38% were absentee ballots.

The results of the primary were as follows:

**SUMMARY VOTE - DEMOCRATIC PARTY**

	<u>Total</u>
<b>SENATOR IN CONGRESS</b>	
Blanks	322
Kennedy	1374
write-ins	<u>17</u>
<b>Total</b>	<b>1713</b>

	<u>Total</u>
<b>REPRESENTATIVE IN CONGRESS</b>	
Blanks	422
Markey	1284
write-ins	<u>7</u>
<b>Total</b>	<b>1713</b>

<b>GOVERNOR</b>	
Blanks	4
Gabrieli	547
Patrick	952
Reilly	210
write-ins	<u>0</u>
<b>Total</b>	<b>1713</b>

<b>COUNCILLOR</b>	
Blanks	740
Devaney	972
write-ins	<u>1</u>
<b>Total</b>	<b>1713</b>

<b>LIEUTENANT GOVERNOR</b>	
Blanks	160
Goldberg	551
Murray	501
Silbert	501
write-ins	<u>0</u>
<b>Total</b>	<b>1713</b>

<b>SENATOR IN GENERAL COURT</b>	
Blanks	439
Fargo	1271
write-ins	<u>3</u>
<b>Total</b>	<b>1713</b>

<b>ATTORNEY GENERAL</b>	
Blanks	399
Coakley	1307
write-ins	<u>7</u>
<b>Total</b>	<b>1713</b>

<b>REPRESENTATIVE IN GENERAL COURT</b>	
Blanks	432
Peisch	1278
write-ins	<u>3</u>
<b>Total</b>	<b>1713</b>

<b>SECRETARY OF STATE</b>	
Blanks	311
Galvin	1121
Bonifaz	280
write-ins	<u>1</u>
<b>Total</b>	<b>1713</b>

<b>DISTRICT ATTORNEY</b>	
Blanks	697
Leone, Jr	1013
write-ins	<u>3</u>
<b>Total</b>	<b>1713</b>

<b>TREASURER</b>	
Blanks	550
Cahill	1161
write-ins	<u>2</u>
<b>Total</b>	<b>1713</b>

<b>CLERK OF COURTS</b>	
Blanks	615
Desmond	276
Sullivan	819
write-ins	<u>3</u>
<b>Total</b>	<b>1713</b>

<b>AUDITOR</b>	
Blanks	586
DeNucci	1125
write-ins	<u>2</u>
<b>Total</b>	<b>1713</b>

<b>REGISTER OF DEEDS</b>	
Blanks	718
Brune	992
Write-Ins:	<u>3</u>
<b>Total</b>	<b>1713</b>

**SUMMARY VOTE - REPUBLICAN PARTY**

	<u>Total</u>
<b>SENATOR IN CONGRESS</b>	
Blanks	16
Chase	99
Scott	43
write-ins	1
<b>Total</b>	<u>159</u>

<b>GOVERNOR</b>	
Blanks	21
Healey	123
write-ins	15
<b>Total</b>	<u>159</u>

<b>LIEUTENANT GOVERNOR</b>	
Blanks	37
Hillman	118
write-ins	4
<b>Total</b>	<u>159</u>

<b>ATTORNEY GENERAL</b>	
Blanks	43
Frisoli	114
write-ins	
<b>Total</b>	<u>159</u>

<b>SECRETARY OF STATE</b>	
Blanks	151
write-ins	8
<b>Total</b>	<u>159</u>

<b>TREASURER</b>	
Blanks	150
write-ins	9
<b>Total</b>	<u>159</u>

<b>AUDITOR</b>	
Blanks	154
write-ins	5
<b>Total</b>	<u>159</u>

	<u>Total</u>
<b>REPRESENTATIVE IN CONGRESS</b>	
Blanks	150
write-ins	9
<b>Total</b>	<u>159</u>

<b>COUNCILLOR</b>	
Blanks	155
write-ins	4
<b>Total</b>	<u>159</u>

<b>SENATOR IN GENERAL COURT</b>	
Blanks	49
Martinez	110
write-ins	
<b>Total</b>	<u>159</u>

<b>REPRESENTATIVE IN GENERAL COURT</b>	
Blanks	152
write-ins	7
<b>Total</b>	<u>159</u>

<b>DISTRICT ATTORNEY</b>	
Blanks	154
write-ins	5
<b>Total</b>	<u>159</u>

<b>CLERK OF COURTS</b>	
Blanks	154
write-ins	5
<b>Total</b>	<u>159</u>

<b>REGISTER OF DEEDS</b>	
Blanks	154
write-ins	5
<b>Total</b>	<u>159</u>

**STATE ELECTION  
November 7, 2006**

Pursuant to a warrant duly served, the Presidential Primary was held on November 7, 2006 in **Precinct 1** - Parish Hall of the United Methodist Church of Weston located at 377 North Avenue; **Precinct 2** - Basement of St. Peter's Church located at 320 Boston Post Road; **Precincts 3 & 4** - Social Hall of St. Demetrios Greek Orthodox Church, 57 Brown Street.

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

	<i>Precinct 1</i>	<i>Precinct 2</i>	<i>Precinct 3</i>	<i>Precinct 4</i>	<i>Total</i>
<i>Registered Voters*</i>	1941	1692	1561	1737	6931
<i>Votes Cast</i>	1483	1255	1112	1277	5127
<i>% Voter Turnout</i>	76%	74%	71%	74%	74%

\*as of 10/18/2006

Out of a total of 5127 ballots cast, 493 or 9.62% were absentee ballots.

The results of the election were as follows:

<b>SENATOR IN CONGRESS</b>	<u><b>Total</b></u>	<b>TREASURER</b>	<u><b>Total</b></u>
Blanks	149	Blanks	882
Kennedy	3090	Cahill	3471
Chase	1879	O'Keefe	755
write-ins	9	write-ins	19
<b>Total</b>	<u><b>5127</b></u>	<b>Total</b>	<u><b>5127</b></u>
<b>GOVERNOR and LIEUTENANT GOVERNOR</b>		<b>AUDITOR</b>	
Blanks	42	Blanks	962
Healey and Hillman	2210	DeNucci	3484
Patrick and Murray	2547	Wilson	665
Mihos and Sullivan	216	write-ins	16
Ross and Robinson	104	<b>Total</b>	<u><b>5127</b></u>
write-ins	8		
<b>Total</b>	<u><b>5127</b></u>	<b>REPRESENTATIVE IN CONGRESS</b>	
<b>ATTORNEY GENERAL</b>		Blanks	1467
Blanks	209	Markey	3586
Coakley	3209	write-ins	74
Frisoli	1705	<b>Total</b>	<u><b>5127</b></u>
write-ins	4	<b>COUNCILLOR</b>	
<b>Total</b>	<u><b>5127</b></u>	Blanks	2009
<b>SECRETARY OF STATE</b>		Devaney	3077
Blanks	735	write-ins	41
Galvin	3384	<b>Total</b>	<u><b>5127</b></u>
Stein	989	<b>SENATOR IN GENERAL COURT</b>	
write-ins	19	Blanks	339
<b>Total</b>	<u><b>5127</b></u>	Fargo	2888
		Martinez	1898
		write-ins	2
		<b>Total</b>	<u><b>5127</b></u>

	<u>Total</u>		<u>Total</u>
<b>REPRESENTATIVE IN GENERAL COURT</b>		<b>CLERK OF COURTS</b>	
Blanks	1576	Blanks	1905
Peisch	3471	Sullivan	3190
write-ins	80	write-ins	32
<b>Total</b>	<u>5110</u>	<b>Total</b>	<u>5127</u>
<b>DISTRICT ATTORNEY</b>		<b>REGISTER OF DEEDS</b>	
Blanks	1878	Blanks	2120
Leone, Jr	3207	Brune	2977
write-ins	42	Write-Ins:	30
<b>Total</b>	<u>5127</u>	<b>Total</b>	<u>5127</u>

**STATE-WIDE BALLOT QUESTIONS**

**QUESTION 1  
LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, *on which no vote was taken by the Senate or the House of Representatives before May 3, 2006?*

**SUMMARY**

This proposed law would allow local licensing authorities to issue licenses for food stores to sell wine. The proposed law defines a "food store" as a retail vendor, such as a grocery store, supermarket, shop, club, outlet, or warehouse-type seller, that sells food to consumers to be eaten elsewhere (which must include meat, poultry, dairy products, eggs, fresh fruit and produce, and other specified items), and that may sell other items usually found in grocery stores. Holders of licenses to sell wine at food stores could sell wine either on its own or together with any other items they sell.

The licensing authorities in any city or town of up to 5000 residents could issue up to 5 licenses for food stores to sell wine. In cities or towns of over 5000 residents, one additional license could be issued for each additional 5000 residents (or fraction of 5000). No person or business could hold more than 10% of the total number of the licenses that could be issued under the proposed law. Such licenses would not be counted when applying the laws that limit the number of other kinds of alcoholic beverage licenses that may be issued or held. Any applicant for a license would have to be approved by the state Alcoholic Beverages Control Commission, and any individual applicant would have to be at least 21 years old and not have been convicted of a felony.

In issuing any licenses for food stores to sell wine, local licensing authorities would have to use the same procedures that apply to other licenses for the retail sale of alcoholic beverages. Except where the proposed law has different terms, the same laws that apply to issuance, renewal, suspension and termination of licenses for retail sales of alcoholic beverages which are not to be consumed on the seller's premises, and that apply to the operations of holders of such licenses, would govern licenses to sell wine at food stores, and the operation of holders of such licenses. Local authorities could set fees for issuing and renewing such licenses.

2590- YES

2302 - NO

235 - BLANKS

**QUESTION 2  
LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, *on which no vote was taken by the Senate or House of Representatives before May 3, 2006?*

**SUMMARY**

This proposed law would allow candidates for public office to be nominated by more than one political party or political designation, to have their names appear on the ballot once for each nomination, and to

have their votes counted separately for each nomination but then added together to determine the winner of the election.

The proposed law would repeal an existing requirement that in order to appear on the state primary ballot as a candidate for a political party's nomination for certain offices, a person cannot have been enrolled in any other party during the preceding year. The requirement applies to candidates for nomination for statewide office, representative in Congress, governor's councillor, member of the state Legislature, district attorney, clerk of court, register of probate, register of deeds, county commissioner, sheriff, and county treasurer. The proposed law would also allow any person to appear on the primary ballot as a candidate for a party's nomination for those offices if the party's state committee gave its written consent. The proposed law would also repeal the existing requirement that in order to be nominated to appear as an unenrolled candidate on the state election ballot, or on any city or town ballot following a primary, a person cannot have been enrolled in any political party during the 90 days before the deadline for filing nomination papers.

The proposed law would provide that if a candidate were nominated by more than one party or political designation, instead of the candidate's name being printed on the ballot once, with the candidate allowed to choose the order in which the party or political designation names appear after the candidate's name, the candidate's name would appear multiple times, once for each nomination received. The candidate would decide the order in which the party or political designation nominations would appear, except that all parties would be listed before all political designations. The ballot would allow voters who vote for a candidate nominated by multiple parties or political designations to vote for that candidate under the party or political designation line of their choice.

If a voter voted for the same candidate for the same office on multiple party or political designation lines, the ballot would remain valid but would be counted as a single vote for the candidate on a line without a party or political designation. If voting technology allowed, voting machines would be required to prevent a voter from voting more than the number of times permitted for any one office.

The proposed law would provide that if a candidate received votes under more than one party or political designation, the votes would be combined for purposes of determining whether the candidate had won the election. The total number of votes each candidate received under each party or political designation would be recorded. Election officials would announce and record both the aggregate totals and the total by party or political designation.

The proposed law would allow a political party to obtain official recognition if its candidate had obtained at least 3% of the vote for any statewide office at either of the two most recent state elections, instead of at only the most recent state election as under current law.

The proposed law would allow a person nominated as a candidate for any state, city or town office to withdraw his name from nomination within six days after any party's primary election for that office, whether or not the person sought nomination or was nominated in that primary. Any candidate who withdrew from an election could not be listed on the ballot for that election, regardless of whether the candidate received multiple nominations.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

1752 - YES

2865 - NO

510- BLANKS

### QUESTION 3

#### LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, *on which no vote was taken by the Senate or the House of Representatives before May 3, 2006*?

#### SUMMARY

This proposed law would allow licensed and other authorized providers of child care in private homes under the state's subsidized child care system to bargain collectively with the relevant state agencies about

all terms and conditions of the provision of child care services under the state's child care assistance program and its regulations.

Under the proposed law, these family child care providers who provide state-subsidized child care would not be considered public employees, but if 30% of the providers gave written authorization for an employee organization to be their exclusive representative in collective bargaining, the state Labor Relations Commission would hold a secret mail ballot election on whether to certify that organization as the exclusive representative. Parts of the state's public employee labor relations law and regulations would apply to the election and collective bargaining processes. The proposed law would not authorize providers to engage in a strike or other refusal to deliver child care services.

An exclusive representative, if certified, could then communicate with providers to develop and present a proposal to the state agencies concerning the terms and conditions of child care provider services. The proposed law would then require the parties to negotiate in good faith to try to reach a binding agreement. If the agreed-upon terms and conditions required changes in existing regulations, the state agencies could not finally agree to the terms until they completed the required procedures for changing regulations and any cost items agreed to by the parties had been approved by the state Legislature. If any actions taken under the proposed law required spending state funds, that spending would be subject to appropriation by the Legislature. Any complaint that one of the parties was refusing to negotiate in good faith could be filed with and ruled upon by the Labor Relations Commission. An exclusive representative could collect a fee from providers for the costs of representing them.

An exclusive representative could be de-certified under Commission regulations and procedures if certain conditions were met. The Commission could not accept a decertification petition for at least 2 years after the first exclusive representative was certified, and any such petition would have to be supported by 50% or more of the total number of providers. The Commission would then hold a secret mail ballot election for the providers to vote on whether to decertify the exclusive representative.

The proposed law states that activities carried out under it would be exempt from federal anti-trust laws. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

1758 - YES

2738 - NO

631 - BLANKS

**QUESTION 4**  
**PROPOSITION 2½ GENERAL OVERRIDE**

"Shall the town of Weston be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bonds issued in order to purchase the fee or other interest in all or a portion of 62.53 acres of land commonly known as the "Case Estates property," which is located generally on Wellesley and Ash Streets, and designated as Assessors' Map 32, Parcels 22-1, 22-30, 22-40, 22-50, 22-60, and 23-1?"

3963 - YES

921 - NO

243- BLANKS

**QUESTION 5**  
**THIS QUESTION IS NOT BINDING**

Shall the state senator from this district be instructed to vote in favor of legislation that would allow seriously ill patients, with their doctor's written recommendation, to possess and grow small amounts of marijuana for their personal medical use?

3252 - YES

1431- NO

444 - BLANKS



## SPECIAL TOWN MEETING

November 8, 2006

Pursuant to a warrant, duly served, Robert M. Buchanan, the Moderator called the Special Town Meeting to order at 7:30 P.M. in the auditorium of the Weston High School. The Moderator declared a quorum present and proceeded with the reading of the Warrant and the Return of Service.

The Moderator appointed tellers and swore them to their duties.

Tellers in the Auditorium:

Alan Day	Paula Gleysteen
Nicholas Gleysteen	Jackie Haas

The Moderator appointed Lenore Labelle assistant Moderator for the Gymnasium.

M. Elizabeth Nolan, Town Clerk, read the results of **Question 4** which was on the ballot for the State Election held in the Town of Weston on November 7, 2006

The Moderator, noting the large number of Town Meeting members still entering the Auditorium, delayed the reading of the motion until members could be seated.

### **ARTICLE 1: CASE ESTATES PURCHASE**

Mr. Douglas Gillespie moved to authorize the Board of Selectmen to acquire the fee simple or other interest in land by purchase, gift, eminent domain, or otherwise from the President and Fellows of Harvard College and commonly known as the Case Estates, located off Wellesley Street and Ash Street, consisting of 9 parcels, as shown on a Plan of Land entitled Case Estates, Weston, Massachusetts, prepared by Matlock Associates, dated October 10, 2006, a copy of which is attached to the warrant for this Special Town Meeting and is also on file in the Office of the Town Clerk, as follows:

Parcels 1 and 2: to be acquired for open space and recreation purposes pursuant to the Community Preservation Program to be held under the care, custody, management, and control of the Board of Selectmen, and to authorize the Board of Selectmen to convey a permanent deed restriction or restrictions, in accordance with G.L. c.44B, §12, meeting the requirements of G.L. c.184, §§ 31-33; provided that the Town shall reserve rights of way access over Parcel 1 generally as shown on said Plan for all purposes for which public ways are used, and provided further that the Board of Selectmen may relocate such rights of access within Parcels 1 and 2 as it determines to be in the Town's best interests;

Parcels 7 and 8: to be held under the care, custody, management, and control of the Board of Selectmen for general municipal purposes;

Parcels 3, 4, 5, 6 and 9: to be held under the care, custody, management, and control of the Board of Selectmen for general municipal purposes and for the purpose of conveyance, and to further authorize the Board of Selectmen to convey pursuant to the provisions of Massachusetts General Laws, Chapter 30B, those parcels determined by the Board of Selectmen to be no longer needed for general municipal purposes subject to such re-use restrictions as the Board of Selectmen deem to be in the best interests of the Town; provided that the authorization to convey any of the parcels shall not take effect until June 1, 2007; provided, further, that a restriction on Parcel 6, shown as Parcel 6a, meeting the requirements of G.L. c.184, §§ 31-33 be acquired for open space and recreation purposes pursuant to the Community Preservation Program to be held under the care, custody, management, and control of the Board of Selectmen, and to authorize such restriction or restrictions to run to the benefit of the Town and/or a nonprofit, charitable corporation or foundation, in accordance with G.L. c.44B, §12;

And, further, to fund the acquisition of Parcels 3, 4, 5, 6, 7, 8, and 9, including site development and engineering costs, and other costs incidental and related thereto, to appropriate the sum of \$14,480,000, that to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow said sum, and to issue bonds and notes therefor pursuant to the provisions of Massachusetts General Laws Chapter 44, sections 7 or 8, or Chapter 44B, section 11, or any other enabling authority;

And, to fund the acquisition of Parcels 1 and 2 and the Community Preservation Act restriction on Parcel 6A, including site development and engineering costs, and other costs incidental and related thereto, to appropriate the sum of \$8,920,000 from the Community Preservation Fund, that to meet said appropriation,

the sum of \$2,920,000 be transferred from the Undesignated Fund Balance of the Community Preservation Fund, and that the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$6,000,000, and to issue bonds and notes therefor, pursuant to Massachusetts General Laws Chapter 44B, section 11, or any other enabling authority;

And further to authorize the Board of Selectmen to enter into any and all agreements, covenants, or other instruments necessary to effectuate this vote.

Mr. E.J. Baghady opposed the motion stating it was unfair and not understandable. Speaking in favor of the motion were: Mr. Brian Donahue, Mr. Steve Ober, members of the Community Preservation Committee, Mr. Steve Preacher, member of the Finance Committee, explained the Finance Committee does not make any recommendations regarding the motion. Mr. Bill Brady, Case Fund member, spoke in favor, explaining the Case Fund endowment is a public/private initiative. The Case Fund is tax exempt and has @ \$1m in pledges. Mr. Bagdady suggested the motion be divided into different sections so Town Meeting members could better make informed decisions.

Motion to move the question from the floor;

**The motion was voted unanimously.**

**ARTICLE 2: APPROPRIATE ADDITIONAL FUNDS FOR THE COUNTRY AND WOODLAND SCHOOL CONSTRUCTION PROJECT**

Ms. Wendy Spector, Chairman of the School Committee moved that the sum of \$700,000 be appropriated to the use of the School Committee to pay additional costs of constructing, originally equipping and furnishing an addition or additions to The Country School and The Woodland School and for the payment of any and all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3A) and Chapter 70B of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

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

**ARTICLE 3: AMEND FISCAL YEAR 2007 OPERATING BUDGET**

Mr. Douglas Gillespie moved that the Town amend the following line items in the Fiscal Year 2007 Operating Budget adopted under Article 2 of the 2006 annual town meeting as follows:

	<u>Changing From</u>	<u>Changing To</u>	<u>Difference</u>
Insurance-Group Health/Life, Medicare	\$8,706,166	\$8,671,272	(\$34,894)
Finance-Salaries	\$597,105	\$594,470	(\$2,635)
Finance-Expenses	\$117,840	\$122,840	\$5,000
School Department-Salaries	\$22,037,132	\$22,113,844	\$76,712
Town Manager's Office Salaries	\$346,470	\$348,199	\$1,729
Planning Board-Salaries	\$75,324	\$77,030	\$1,706
Public Works-Salaries	\$1,505,810	\$1,509,222	\$3,412
Council on Aging-Salaries	\$158,339	\$160,045	\$1,706
Insurance, Workers' Compensation	\$210,000	\$224,000	\$14,000

**The motion was voted unanimously.**

**The Moderator accepted a motion to dissolve the Special Town Meeting.**

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

The following Town Officers and Committee members who have left office, and whose service to the Town is greatly appreciated were recognized at the May 8, 2006 Special Town Meeting:

<u>Elected Officers:</u>	<u>Office or Committee</u>	<u>Served Since</u>
Ann G. Leibowitz	Board of Selectmen	2005
Robert Anthony Nolan	School Committee	1994
Lee Fernandez	Planning Board	1998
William D. Hartmann	Board of Library Trustees	1997
Charles (Tod) Foote	Board of Library Trustees	1997
<b><u>Officers and committee members appointed by the Selectmen</u></b>		
<i>Veteran's Agent</i>	Ronald Benotti	2000
<i>Council on Aging</i>		
Calvin Cleveland	2003 Mercedes Primer	1998
Vivienne Kalman	1998 Rev. Suzanne R. Spencer	2003
Irvonne Moran	1997 Joan Van Pelt	2000
<i>Board of Appeals</i>	Robert P. Cook	1961
<i>Cable Advisory Committee</i>	F. Douglas Garron	1992
<i>Conservation Commission</i>	Gustav Fleischmann, III	1997
<i>Cultural Council</i>		
Daniel J. Foote	1999 Shirley Jacobson Wood	1998
Audrey Foster	1998	
<i>Historical Commission</i>		
Diane G. Hubbard	1995 Laura P. Sher*	2001
<i>Housing Needs Committee</i>		
James Brenner	2002 Richard D. Batchelder*	2000
<i>MBTA Advisory Board Representative</i>	H. Bentley Crouch ( <i>deceased</i> )	2000
<i>MWRA Town-Wide Water Project Working Group</i>		
	Robert Davis Brown	<i>MID 1990'S</i>
<i>Preservation Restriction Committee</i>	Peter Caro	2004
<i>Public Spaces Committee</i>		
Cathy Dinardo	2004 Helen Friedberg ( <i>deceased</i> )	2004
<i>Traffic Advisory Committee</i>		
John Alevizos ( <i>deceased</i> )	2004 Frank Belvin	2003
<i>Tree Advisory Group</i>		
Jonathan Bransfield	2003 Susan Dumaine	2003

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

<i>Alcohol and Drug Education Advisory Committee</i>	Judith M. L. Gaughan	2003
	Laura Jenks-Daly	1994
	Linda J. Perrin	1994
<i>Brook School Apartments Building Committee --Established 2003</i>	William E. Cress	Jack Heine
	Steven Charlip	Harris Levitt
	Michael H. Harrity	David Kane
<i>Community Center Building Committee -- Established 2001</i>	Stephen J. Laroque, Chair	Laurence Nickerson
	Charles E. Dolberg ( <i>deceased</i> )	James I. Rubens
	Harris Levitt	Katherine H. Strehle
	Ella (Winky) Merrill	

\* Also served on Community Preservation Committee

*Town Manager Screening Committee –  
Established 2005*

Vincent J. Costantini  
Edward H. Coburn  
Carol C. Hinckley

Richard A. Murray  
Wendy Spector

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**Appointed by Moderator**

*Finance Committee*

Katharine D. Chace	2000	Stephen W. Ober	2000
Jill McCarthy	1999	Charles G. Pohl	2001

*Elderly Housing Committee*

Melvin Lurie	1992
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*Representative to Minuteman Regional*

*Vocational Technical School Committee*

Mary Elizabeth Shaw	2002
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*Weston International Affiliation Committee*

Barbara Mitchell	2002	Elizabeth Callow	2002
Pamela Riffin	1997	Daniela Forte	2003
Caitlin Bowen	2003	Dylan Wood	2003

**Appointed by Other Authorities**

*Josiah Smith Tavern Committee*

John Sallay	2003
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*Community Preservation Committee*

Dexter Freeman	2001	Robin Reisman	2001
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