

**TOWN OF BELMONT**  
**WARRANT FOR**  
**2007**  
**ANNUAL TOWN MEETING**  
**APRIL 23, 2007**  
**7:30 P.M.**  
**BELMONT HIGH SCHOOL AUDITORIUM**



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April 9, 2007

Dear Town Meeting Members:

We are pleased to submit this year's Town Meeting Warrant. It is the Board's goal to conclude the Town Meeting in two consecutive sessions scheduled for Monday, April 23, and Wednesday, April 25. A third session will be reserved for Monday, April 30 if necessary. Also, to allow more time to consider competing needs and devise a feasible budget, the Selectmen and Warrant Committee have recommended that we postpone until June discussion of the FY08 budget. This decision affects Warrant Articles 3, 4 and 10, action on which will be postponed until Monday, June 18, and if necessary, Wednesday, June 20. It is also possible that the Selectmen may call a Special Town Meeting to be held within the Annual Town Meeting on the same dates in June. Each session of town meeting will begin promptly at 7:30 PM. It is the Selectmen's intent to move to adjourn each session at or before 11:00 PM.

The Town Meeting Warrant includes a descriptive paragraph after most articles explaining their purpose or intent. The packet also includes a message from the Moderator.

The Warrant, motions and additional information can all be found in the Town Meeting section of the Town's web page. Since it is our intent to post new information and notices to the site throughout the Town Meeting season, you are strongly encouraged to subscribe to the site. By subscribing, you will receive an e-mail each time a new document or notice is posted to the site. Please visit <http://www.town.belmont.ma.us/subscriber.shtml> to subscribe. The mail list is called Belmont Town Meeting.

You are also encouraged to attend the Warrant Discussion Evening, a program sponsored by the League of Women Voters and the Warrant Committee designed to educate Town Meeting Members on aspects of articles in the Warrant. This year's program is scheduled for Tuesday evening, April 17, 2007 at 7:30 PM in the Wadsworth Room of the Belmont Hill School.

We look forward to a productive Town Meeting.

Sincerely,

Angelo R. Firenze, Chairman  
Paul Solomon, Vice Chairman  
Dan Leclerc

BOARD OF SELECTMEN

## MODERATOR'S MESSAGE ON TOWN MEETING PROCEDURES

Belmont's town meetings are conducted in accordance with the Massachusetts General Laws, our Representative Town Meeting statute, the General By-Laws and traditional customs and practices that we have followed for many years, with guidance provided by the principles and rules of conduct in *Town Meeting Time, a Handbook of Parliamentary Law*. Several matters of procedure are summarized below.

- An **article** in the Warrant provides notice to the Town Meeting of a matter to be considered. The article itself is not a specific proposal for action. A **motion** is a proposal for action by the Town Meeting and must be within the scope of the notice provided by an article in the Warrant. An article may not be amended but a motion may be amended by vote of the Town Meeting.
- Formal seconding will not be required on **main motions** under articles in the warrant. Seconding will be required on all other motions.
- All **main motions and proposed amendments** involving the expenditure of money must be in writing. All other motions and proposed amendments must also be in writing unless they are so brief and simple as to be easily understood when stated orally.
- All substantive amendments and motions to be offered under an Article in the Warrant must be submitted to the Town Clerk in writing not later than the close of business on the third (3<sup>rd</sup>) business day before the commencement of the session at which the Article is considered, in order to provide the sufficient time for review by Town Counsel and the Moderator and to be printed for distribution to the Town Meeting Members before the commencement of such session. The Moderator may allow exceptions to the advance filing requirement in case of motions that are easy to understand, but such exceptions are within the exclusive discretion of the Moderator.
- Except for motions involving the expenditure of money or by-law amendments, the Moderator will first recognize the maker of the motion, if he or she wishes to speak.
- Before commencing discussion on motions involving the expenditure of money or by-law amendments, the Moderator will first call for committee reports as follows:
  - **Expenditure of Money** – Warrant Committee,
  - **Capital Improvements** – Warrant Committee, then Capital Budget Committee,
  - **General By-Law amendments** – By-Law Review Committee,
  - **Zoning By-Law amendments** – Planning Board.
- Town Meeting Members wishing to speak should stand and request recognition by the Moderator. When recognized, a Town Meeting Member should come to a microphone and state his or her name and precinct number before commencing.
- Registered voters of the Town who are not Town Meeting Members may speak at the Town Meeting, but first must either arrange in advance with the Moderator for recognition or arrange to be introduced by a Town Meeting Member.

- Persons who are not Town Meeting Members may be admitted to the floor by invitation **but may not vote**.
- All discussion must be relevant to a motion before the town meeting. All speakers must address the Moderator; questions may be asked only through the Moderator. A Town Meeting Member who wishes to make a motion that is debatable must first make the motion and, after it is seconded, if required, the Moderator will recognize the maker of the motion to speak to it. The Moderator will not recognize a motion made at the conclusion of a speech. This, by definition, includes a motion that would terminate debate, such as a motion for the previous question.
- The Moderator will try to recognize Town Meeting Members in the order in which they seek recognition. Unless the Town Meeting consents no person may speak more than twice upon any question, except to correct an error or to make an explanation of a previous statement. No person may speak for more than five minutes when speaking for the second time and should not seek recognition to speak for a second time until others who have not yet spoken have had an opportunity to be recognized.
- While our General By-Laws do not set a time limit for Town Meeting Members when speaking for the first time, all remarks should be concise, to the point and not excessively repetitious. Experience has shown that minds are rarely changed after the first **five minutes** of a speech.
- Section 2.7.6 of our General By-Laws provides that **all votes shall be taken in the first instance by a “yes” or “no” voice vote**. If the Moderator is in doubt as to the vote, or if any Town Meeting Member doubts the vote, the Moderator will call for a **standing vote**. Provision is also made for a **roll call vote**. A roll call vote must be requested by a Town Meeting Member **before a standing vote is taken**; the request must be concurred in by 35 or more additional Town Meeting Members; and the request must be made in connection with **final action** under an article in the warrant.
- Our By-Laws require that a Town Meeting Member who wishes to speak on an issue in which he or she or a member of his or her family has a direct financial interest or in which he or she is engaged as an attorney or consultant must first disclose this interest to the Town Meeting.
- A **motion to reconsider** a vote adopted at one session of a Town Meeting may not be made at an adjourned session of the same Town Meeting unless the mover has given notice of his or her intention either at the session at which the vote was passed or by written notice delivered to the Town Clerk by 12 o’clock noon on the first business day following the commencement of the session at which the vote sought to be reconsidered was passed. A two-thirds vote is required for reconsideration; no vote may be reconsidered more than once.
- Action on Article 4, our general budget article, will not be considered final so as to require a two-thirds vote for reconsideration, or any other procedures relating to reconsideration, until all action under that Article has been completed.

Any citizen who has questions about town meeting procedures is encouraged to get in touch with me at my office (617) 951-7477 or home (617) 489-1159 or to see me before the start of Town Meeting.

Henry L. Hall, Jr.,  
Moderator



**TOWN OF BELMONT  
WARRANT FOR 2007 ANNUAL TOWN MEETING  
APRIL 23, 2007  
COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To either of the Constables in said County:

Greetings:

In the name of the Commonwealth of Massachusetts you are required to notify and warn the Inhabitants of the Town of Belmont, qualified as the law requires to vote in elections and Town Affairs, to meet at the Belmont High School Auditorium on MONDAY, APRIL 23, 2007, at 7:30 P.M., and to notify and warn the Town Meeting Members to meet and act at said time and place on the following Articles, viz:

**ARTICLE 1: Reports**

*To hear the report of the Selectmen and other Town Officers. To hear the report of any Committee heretofore appointed and to act thereon.*

This article accepts the reports of Town departments appearing in the Annual Town Report and allows the Board of Selectmen and other town officers, boards and committees to report orally to the Town Meeting on appropriate matters not otherwise appearing on the Warrant. This article stays "on the table" throughout the Town Meeting to allow town officials and committees to report when necessary.

Majority vote required for passage                      Yes\_\_\_\_\_      No\_\_\_\_\_

**ARTICLE 2: Authorization to Represent Town's Legal Interests**

*To see if the Town will authorize the Selectmen to bring and defend actions for and against the Town, to submit any such claims to arbitration and to enter into settlement on account of the same in behalf of the Town, as and when they deem it for the best interest of the Town so to do.*

This article is traditional and authorizes the Board of Selectmen to represent the Town's legal interests. This authority is clearly identified in the Massachusetts General Laws and the General By-laws of the Town of Belmont.

Majority vote required for passage                      Yes\_\_\_\_\_      No\_\_\_\_\_

The Warrant Committee will report orally on this Article.

**ARTICLE 3: Authorization to Transfer Balances**

*To see if the Town will authorize the transfer of certain balances on the Treasurer's books and Accountant's books.*

This article authorizes the transfer of balances from various sources necessary to achieve the Town's financial plan for Fiscal Year 2008 (the Budget) as contained in Article 4.

Majority vote required for passage Yes\_\_\_\_\_ No\_\_\_\_\_

The Warrant Committee and Capital Budget Committee will report orally on this Article.

**ARTICLE 4: Budget Appropriation**

*To determine what sums of money shall be granted to pay Town expenses for the fiscal year beginning July 1, 2007 and to make the necessary appropriations for the same for the support of schools and for other Town purposes, determine how the same shall be raised, or in any way act thereon.*

This article is the appropriation of the Town's Fiscal Year (FY) 2008 budget, commencing on July 1, 2007. Typically, the Budget is broken down into several major categories of expenditures, each requiring a separate vote of Town Meeting.

Majority vote(s) required for passage Yes\_\_\_\_\_ No\_\_\_\_\_

The Warrant Committee will report orally on this Article.

**ARTICLE 5: Salaries of Elected Officials**

*To see if the Town will vote to fix the salary and compensation of each and all the elective officers of the Town, appropriate a sum of money for that purpose, determine how the same shall be raised, or in any way act thereon.*

This article fulfills the state law requiring Town Meeting to set the compensation of a town's elected officers. This article also appropriates the funds necessary to meet these compensation levels. For FY 2008, the recommended compensation levels are listed below. Please note that the Town Meeting establishes and appropriates the compensation of all other municipal employees under separate articles (Article 11 and Article 4).

Town Moderator	\$200
Chairman of the Board of Selectmen	\$5,000
Selectman (2)	\$4,500 each
Town Clerk	\$77,593
Town Treasurer	\$77,803
Chairman of the Board of Assessors	\$3,030
Assessor (1)	\$2,424
Assessor (1)	\$2,196

Majority vote required for passage Yes\_\_\_\_\_ No\_\_\_\_\_

The Warrant Committee will report orally on this Article.



FY 2008 is the amount projected for Belmont. The Town has used Chapter 90 funds for design purposes in order to "leverage" substantial federal transportation funding for major road projects (i.e., Trapelo Road).

Majority vote required for passage Yes\_\_\_\_\_ No\_\_\_\_\_

The Warrant Committee and Capital Budget Committee will report orally on this article.

**ARTICLE 9: Position Classification and Compensation Plan**

*To see if the Town will vote to amend the Position Classification and Compensation Plan of the Town previously adopted under the provisions of Article 11 of the General By-Laws of the Town, or in any way act thereon.*

This is a standard article appearing in the Warrant. Classification and compensation of all permanent Town (non-school) positions are included in a plan adopted by Town Meeting pursuant to section 108A of Chapter 41 of the Massachusetts General Laws. The classification and compensation of unionized employees is bargained collectively and inserted into the Plan. In 2000, the Town completed a study of the classification of all Town employees, except for civil service police officers and firefighters. The new Plan was bargained with affected Town unions and implemented. The new Plan is posted on the Town's web site and will be distributed to Town Meeting Members at Town Meeting. The compensation reflects current (FY 2007) rates unless noted. Funds necessary to implement changes associated with the Plan are included within the budget.

Majority vote required for passage Yes\_\_\_\_\_ No\_\_\_\_\_

The Warrant Committee will report orally on this article.

**ARTICLE 10: Appropriation of Capital Expenditures**

*To see if the Town will vote to appropriate sums of money to purchase Public Safety Equipment, Computer Equipment (including consulting work), Public Works Equipment and Furnishings and Equipment for Town Facilities, construct public ways, and for Building and Facility and Public Works Construction, Major Maintenance and Alterations (including design work); to determine whether these appropriations shall be raised by borrowing or otherwise and by whom expended, or in any way act thereon.*

This is a standard article appearing on the Warrant to appropriate funds to support capital expenditures. While the article is general as to the categories of capital expenditures, the motion shall be explicit. The recommendations of the Capital Budget Committee for FY 2008 capital expenditures will be provided in advance of the June Town Meeting.

Majority vote required for passage (two-thirds if borrowing) Yes\_\_\_\_\_ No\_\_\_\_\_

The Warrant Committee and the Capital Budget Committee will report orally on this article.

**ARTICLE 11: Appropriation for Water and Sewer and Stormwater Services**

*To see if the Town will vote to appropriate a sum of money from the accounts classified as an “Enterprise Fund”, pursuant to Chapter 44, Section 53F½ of the General Laws for water service, and for sewer and stormwater service, determine by whom expended, or in any way act thereon.*

This is a standard article appearing on the Warrant to appropriate funds to support the operations of the Town’s water and sewer functions. Each of these functions has an enterprise fund that receives revenues from user fees. These funds then are used to fund the utility’s operations. These operations are entirely self-supporting from user fees and do not receive any funding from property taxes.

Majority vote required for passage (two-thirds for borrowing) Yes\_\_\_\_\_ No\_\_\_\_\_

The Warrant Committee will report orally on this Article.

**ARTICLE 12: Authorization of Expenditure from Revolving Funds**

*To see if the Town will vote, pursuant to [Chapter 44, Section 53E½, of the General Laws](#), to establish and authorize the expenditure from revolving funds by various Town Departments, or in any way act thereon.*

This article seeks authorization to establish a revolving fund(s) for certain operations of the Town. A revolving fund allows the expenditure of user fees for program expenses without further Town Meeting appropriation. However, the Town Meeting must annually renew the funds. At this time, the Board of Selectmen and Warrant Committee are considering the use of revolving funds for the following programs:

<b>Revolving Account</b>	<b>Spending Authority</b>	<b>Revenue Source</b>	<b>Allowed Expenses</b>	<b>Expenditure Limits</b>	<b>Year End Balance</b>
Teen Youth Events	Youth Commission	Event fees	Teen/youth center events	\$10,000	Available for expenditure next year
Senior Programs	Council on Aging	Course and program fees	Program costs, including trip expenses	\$50,000	Available for expenditure next year
Art Gallery	Belmont Cultural Council	Percentage of art sales	Gallery exhibit and event expenses	\$15,000	Available for expenditure next year
Wetlands Protection	Conservation Commission	Filing fees collected under the Wetlands Protection Act	Administration and enforcement of the Wetlands Protection Act	\$5,000	Available for expenditure next year





This article formalizes in the Town’s by-laws the mission and membership of the Disability Access Commission, including the appointment of alternate members who can vote when regular members are absent.

Majority vote required for passage Yes\_\_\_\_\_ No\_\_\_\_\_

The Warrant Committee and By-law Review Committee will report orally on this Article.

**ARTICLE 17: Zoning – Housekeeping Amendments**

To see if the Town will vote to amend the Belmont Zoning By-Law as follows:

1. In Section 3.3, “Schedule of Use Regulations”, under “Accessory Uses”, delete the use “Residential – provided that at a minimum...” in its entirety and insert a new “Mixed Use” use as follows:

USES	DISTRICTS							
	SR- A,B,C,D	GR	AH	LB I	LB II	LB III	GB	PL
<b><u>ACCESSORY USES</u></b>  <i>Mixed-Use – provided that at a minimum the first floor is to be reserved for commercial use and that the residential use comply with §6.10, Inclusionary Housing</i>	N	N	N	SP	SP	SP	N	N

2. In Section 4.2.2, “Linear Requirements”, under the “Side” and “Rear” setbacks in the “LBI” and “GB” districts delete “6 or none<sup>9</sup>” and replace with “0<sup>9</sup>” as follows:

DISTRICTS	MINIMUM SETBACK DIMENSIONS FEET		
	Front	Side	Rear
LB I	5	0 <sup>9</sup>	0 <sup>9</sup>
GB	5	0 <sup>9</sup>	0 <sup>9</sup>

- 9) Adjacent to Residential District, no less than building height or 20 feet, whichever is greater.

or in any way act thereon.

This article seeks to make minor clarifications to the Town’s Zoning By-Law in order to make the By-Law easier to understand.


Two-thirds vote required for passage Yes\_\_\_\_\_ No\_\_\_\_\_


The Warrant Committee and Planning Board will report orally on this Article.



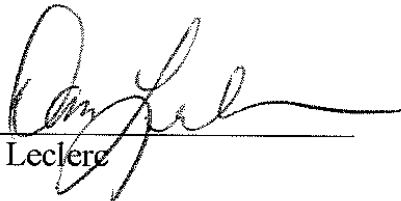
Given under our hands this 4th day of April, 2007.

BOARD OF SELECTMEN

  
Angelo R. Firenze, Chair

  
Paul Solomon



  
Dan Leclerc