

TOWN RECORDS 2009

(Condensed)

ANNUAL TOWN ELECTION

May 9, 2009

Pursuant to a warrant duly served, the Annual Town Election was called to order in the Town Hall Auditorium by Warden Susan Banghart at 8:00 a.m. on May 9, 2009, for the election of Town Officers. Ms. Banghart swore the election officers to the faithful performance of their duties.

Total ballots cast were as follows:

Precincts 1 & 2	733
Precincts 3 & 4	<u>488</u>
TOTAL	1,221

Of the 1,221 ballots cast 140, or 11%, were cast by absentee ballot.

The results of the election were as follows:

Moderator - One Year			
Robert M. Buchanan*	111 Summer St	Caucus Nominee	365
Blanks			91
Scattering			3
Selectman - Three Years			
Steven L. Charlip*	83 Ridgeway Rd	Caucus Nominee	796
Richard G. Sher	11 Silver Hill Rd		312
Blanks			113
Scattering			0
Assessor - Three Years (vote for 2)			
Gary C. Koger*	26 Pond Brook Cir	Caucus Nominee	845
Phyllis R. Kominz*	233 Glen Rd	Caucus Nominee	829
Blanks			764
Scattering			4
School Committee - Three Years (vote for 2)			
Thomas H. Chilton*	69 Pigeon Hill Rd	Caucus Nominee	864
Richard A. Manley, Jr*	205 Boston Post Rd	Caucus Nominee	843
Blanks			731
Scattering			4
School Committee - Two Years (vote for 1)			
Maryanne R. Rogers*	9 Lanes End	Caucus Nominee	887
Blanks			325
Scattering			9
School Committee - One Year (vote for 1)			
Sanjay Saini, M.D.*	9 Ellis Rd	Caucus Nominee	864
Blanks			356
Scattering			1
Recreation Commission - Three Years (vote for 2)			
Gregory Czarnowski*	87 Brook Rd	Caucus Nominee	894
Richard L. Hall*	211 Newton St	Caucus Nominee	847

Recreation Commission, continued			
Blanks			697
Scattering			4
Planning Board - Five Years (vote for 1)			
Alfred L. Aydelott*	251 Boston Post Rd	Caucus Nominee	857
Blanks			345
Scattering			19
Library Trustees - Three Years (vote for 2)			
Joel S. Angiolillo*	326 Conant Rd	Caucus Nominee	862
Denise Mosher*	84 Wellesley St	Caucus Nominee	881
Blanks			698
Scattering			1
Board of Health - Three Years (vote for 1)			
Peter K. Taylor*	33 Conant Rd	Caucus Nominee	873
Blanks			346
Scattering			2
Commissioner of Trust Funds - Three Years (vote for 1)			
Thomas E. Bator*	78 School St	Caucus Nominee	871
Blanks			349
Scattering			1
Measurers of Lumber - One Year - (vote for not more than three)			
David C. Bennett*	56 Westland Rd	Caucus Nominee	792
Barrett W. Gilchrist*	76 Warren Ave	Caucus Nominee	790
Jean M. Thurston	10 Fiske Lane	Caucus Nominee	817
Blanks			1259
Scattering			5

* Indicates Incumbent

BALLOT QUESTION NO. 1: 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 amounts 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) DPW Facility Design Fees; (2) Fire Pumper Truck; (3) School Technology-Phase 1; (4) DPW Facility Construction; (5) DPW Equipment Replacement; (6) Technology-Telephone Systems; (7) School Technology-Phase 2; and (8) School Bus Replacements?

Yes: 844 No: 301 Blanks: 76

BALLOT 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 amounts required to pay for the bonds issued in order to pay costs of a feasibility study to examine potential improvement options for the Field School, located at 99 School Street in Weston?

Yes: 816 No: 320 Blanks: 85

under Article 1 at the December 1, 2008 Special Town Meeting, by reducing line items and appropriating additional funds as follows:

	<u>Changing From</u>	<u>Changing To</u>	<u>Difference</u>
Insurance - Property & Liability	\$335,000	\$314,634	(\$20,366)
Insurance, Workers' Compensation	307,650	282,650	(25,000)
Fire - Salaries	2,326,975	2,386,975	60,000
Public Works - Snow and Ice Control	200,850	598,850	398,000

And as funding therefor, that \$458,000 be transferred from free cash.

The motion was approved unanimously.

ARTICLE 2: AMEND FISCAL YEAR 2009 WATER ENTERPRISE BUDGET

Mr. Gillespie moved that the Town amend the fiscal year 2009 Water Enterprise budget adopted under Article 3 of the 2008 Annual Town Meeting by transferring between line items and appropriating additional funds as follows:

	<u>Changing From</u>	<u>Changing To</u>	<u>Difference</u>
Salaries	\$277,924	\$262,924	(\$15,000)
Expenses	228,280	218,280	(10,000)
MWRA Assessment/ Water Purchases	1,671,986	1,743,476	\$71,490

And as funding therefor, that \$46,490 be transferred from Water Enterprise fund retained earnings.

The motion was approved unanimously.

ARTICLE 3: AMEND FISCAL YEAR 2009 RECREATION ENTERPRISE BUDGET

Mr. Gillespie moved that the Town amend the fiscal year 2009 Recreation Enterprise budget adopted under Article 4 of the 2008 Annual Town Meeting by appropriating additional funds as follows:

	<u>Changing From</u>	<u>Changing To</u>	<u>Difference</u>
Expenses	\$457,300	\$479,300	\$22,000

And as funding therefor, that \$22,000 be transferred from Recreation Enterprise fund retained earnings.

ARTICLE 4: APPROPRIATE INSURANCE PROCEEDS - DPW

Mr. Gillespie moved that the Town appropriate the sum of \$31,150.93 to the use of the Department of Public Works for the replacement of a vehicle, the money so appropriated to be

transferred from the account "Receipts Reserved for Appropriation, Insurance Reimbursement in Excess of \$20,000."

The motion was approved unanimously.

ARTICLE 5: APPROPRIATE INSURANCE PROCEEDS - SCHOOL

Mr. Gillespie moved that the Town appropriate the sum of \$24,421.15 to the use of the School Department for repair of damage and replacement of materials, the money so appropriated to be transferred from the account "Receipts Reserved for Appropriation, Insurance Reimbursement in Excess of \$20,000."

The motion was approved unanimously.

Motion to dissolve Special Town Meeting passed at 7:45 p.m.

**ANNUAL TOWN MEETING
May 11, 2009**

Pursuant to a warrant, duly served, Robert M. Buchanan, the Moderator called the Town Meeting to order at 7:45 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: Deborah Davenport, Town Clerk, read the results of the May 11, 2009 Annual Town Election, which appeared in the report of the Town Election (above).

ARTICLE 2: APPROPRIATE THE FISCAL YEAR 2010 OPERATING BUDGET

(Motion 1) Mr. Steven Charlip moved that the several sums of money recommended by the Board of Selectmen for the Fiscal Year beginning July 1, 2009, in accordance with Section 5 of Article II of the General Bylaws, as amended, and set forth in pages 5-7 of the report entitled, "Fiscal Year 2010 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. \$2,400,000 from the Free Cash Account;
- b. \$85,000 from the "Accrued Income, Well Litigation Settlement" account;
- c. \$40,000 from the Cemetery Trust Fund;
- d. \$120,000 from Overlay Surplus; and
- e. \$6,000 from the Josiah Smith Tavern Trust Fund;

and that the Board of Assessors be authorized to use such available funds to meet appropriations in their computation of the tax rate for fiscal year 2010.

Motion 1 was approved unanimously.

The budget as adopted under Article 2, Motion is as follow:

(Motion 2) Mr. Charlip moved that the Town transfer \$250,000 from the Well Litigation Settlement Account to meet, in part, appropriations made at this Town Meeting.

Two-thirds vote required. Motion 2 was approved 2/3 majority as declared by the Moderator.

(Motion 3) Mr. Charlip moved that the compensation for the following elected officers of the Town for the fiscal year commencing July 1, 2009, as required by Massachusetts General Laws, Chapter 41, Section 108, be fixed at:

Assessors \$100

and that all other elected officers of the Town be unpaid.

Motion 3 was approved unanimously.

(Motion 4) Mr. Charlip moved that five persons be appointed by the Moderator to serve as a Memorial Day Committee in 2010 with authority to expend funds for the 2010 Memorial Day observance from the World War Trust Fund for this purpose.

Motion 4 was approved unanimously.

(Motion 5) Mr. Charlip 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.

Motion 5 was approved unanimously.

ARTICLE 3: APPROPRIATE THE FISCAL YEAR 2010 WATER ENTERPRISE BUDGET

Mr. Charlip 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 2010, under the provisions of M.G.L. Chapter 44, section 53F½:

Salaries	\$266,206
Expenses	215,280
MWRA Assessment/Water Purchases	1,555,565
Debt Service (non-exempt)	160,661
Capital Outlay	<u>87,500</u>
Total	\$2,285,212

The motion was approved unanimously.

ARTICLE 4: APPROPRIATE THE FISCAL YEAR 2010 RECREATION ENTERPRISE BUDGET

Mr. Charlip moved that the Town raise and appropriate and appropriate from receipts the following sums of money to operate the Recreation Department during fiscal year 2010, under the provisions of M.G.L. Chapter 44, Section 53F½:

Salaries	\$1,073,527
Expenses	467,950
Community Center	<u>100,200</u>
Total	\$1,641,677

The motion was approved unanimously.

ARTICLE 5: APPROPRIATE THE FISCAL YEAR 2010 BROOK SCHOOL APARTMENTS ENTERPRISE BUDGET

Mr. Charlip moved that the Town appropriate from rental receipts the following sums of money to operate the Brook School Apartments during fiscal year 2010, under the provisions of M.G.L. Chapter 44, Section 53F½:

Salaries	\$143,283
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Expenses	355,150
Repairs and Replacements	92,084
Payment in lieu of taxes	19,177
Debt Service	<u>240,005</u>
Total	\$849,699

The motion was approved unanimously.

ARTICLE 6: AUTHORIZE SPECIAL ACT TO CONTINUE BROOK SCHOOL APARTMENTS ENTERPRISE BUDGET

Mr. Charlip moved that the Town petition the General Court for a special act providing that legislation be adopted as set forth in Article 6 of the Warrant; 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 this petition.

The motion was approved unanimously.

ARTICLE 7: APPROPRIATE TO STABILIZATION FUND

Mr. Charlip moved that the Town raise and appropriate \$250,000 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 approved unanimously.

ARTICLE 8: ACCEPT CHAPTER 479 OF THE ACTS OF 2008: OPEB TRUST FUND

Mr. Charlip moved that the Town accept the provisions of Chapter 479 of the Acts of 2008, codified as General Laws Chapter 32B, Section 20, in order to establish an Other Post Employment Benefits (OPEB) liability trust fund for the Town of Weston, to be known as the OPEB Trust Fund; and further, that the Town raise and appropriate \$50,000 and transfer the current balance of \$106,515.18 and any amounts that may accrue to said fund as of June 30, 2009 from the OPEB Stabilization Fund to the OPEB Trust Fund to be used for post employment benefits.

The motion was approved unanimously.

ARTICLE 9: AUTHORIZE PENSION LIABILITY STABILIZATION FUND

Mr. Charlip moved that the Town create, pursuant to MGL Chapter 40, Section 5B, a special purpose stabilization fund, to be known as the Pension Liability Stabilization Fund, and that \$200,000 be raised and appropriated as funding therefor.

The motion was approved unanimously.

ARTICLE 10: CONTINUE DEPARTMENTAL REVOLVING FUNDS

Mr. Charlip 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, 2009, as set forth in Article 10 of the warrant.

The motion was approved unanimously.

ARTICLE 11: ACCEPT CHAPTER 90 ROAD IMPROVEMENT FUNDS

Mr. Charlip 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 \$356,836 and any other sums of money that may be received for the fiscal year commencing July 1, 2009 provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department.

The motion was approved unanimously.

ARTICLE 12: APPROVE PROPERTY TAX DEFERRAL INCOME LIMITS

Mr. Charlip moved that the Town establish a fiscal year 2010 income eligibility limit of \$70,000 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.

The motion was approved unanimously.

ARTICLE 13: AUTHORIZE STABILIZATION FUND FOR MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT

Mr. Charlip moved the Minuteman Regional Vocational Technical School District be authorized to establish a stabilization fund, beginning July 1, 2009, under the authority of M.G.L. Chapter 71, Section 16G ½.

The motion was approved unanimously.

ARTICLE 14: APPROPRIATE FOR REPLACEMENT OF DEPARTMENT OF PUBLIC WORKS FACILITY

Mr. Gillespie moved that the Town appropriate \$13,500,000 to pay costs of constructing, equipping, and furnishing a replacement 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 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; and further, that although such bonds shall be general obligation bonds of the Town, it is anticipated that a portion of the debt shall be repaid from Water revenues.

Mr. Gillespie yielded to Mark Susser, Permanent Building Committee member, who described the aspects of the project.

Mr. Ricotta, Finance Committee member, discussed the impact of the debt service.

Mr. Aydelott indicated that the Planning Board supports the passage of this motion.

Ms. Katherine Chace, member League of Women Voters, the LWV supports the passing of this motion.

The motion was approved unanimously.

**ARTICLE 15: APPROPRIATE FOR DEPARTMENT OF PUBLIC WORKS
EQUIPMENT REPLACEMENT**

Mr. Gillespie moved that the Town appropriate \$207,000 to pay costs of purchasing 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 approved unanimously.

ARTICLE 16: APPROPRIATE FOR SCHOOL TECHNOLOGY

Dr. Sanjay Saini moved that the Town appropriate \$300,000 to pay costs of purchasing computer networking hardware and other data communications 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 approved by 2/3 majority as declared by the Moderator.

ARTICLE 17: APPROPRIATE FOR TECHNOLOGY - TELEPHONE SYSTEMS

Mr. Court Chilton moved that the Town appropriate \$155,000 to pay costs of upgrading the Town's communications network, purchasing and installing data processing and telephone 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 approved unanimously.

ARTICLE 18: APPROPRIATE FOR SCHOOL BUS REPLACEMENTS

Ms. Maryanne Rogers moved that the Town appropriate \$208,500 to pay costs of purchasing 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 approved unanimously.

ARTICLE 19: APPROPRIATE FOR FIELD SCHOOL DESIGN FEES

Mr. Edward Heller moved that the Town appropriate \$700,000 to pay costs of a feasibility study to examine potential improvement options for the Field School, located at 99 School Street in Weston, for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), and all incidental costs related thereto, to be spent under the direction of the Permanent Building 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; that the Town acknowledges that the Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant

approved by and received from the MSBA shall be the sole responsibility of the Town; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA for the purposes set forth herein.

The motion was approved unanimously.

ARTICLE 20: APPROPRIATE FOR WATER MAIN REHABILITATION

Mr. Michael Harrity moved that the Town appropriate \$100,000 to pay costs of laying and relaying water mains of not less than six inches but less than sixteen inches in diameter, 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 8, 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 approved unanimously.

ARTICLE 21: APPROPRIATE FOR WATER TANK MAINTENANCE

Mr. Harrity moved that the Town appropriate \$85,000 to pay costs of rehabilitation of water departmental equipment, 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 8, 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 approved unanimously.

ARTICLE 22: APPROPRIATE FOR FISCAL YEAR 2010 COMMUNITY PRESERVATION COMMITTEE OPERATING BUDGET

Mr. Stephen Ober moved that the Town hear and act on the report of the Community Preservation Committee on the Fiscal Year 2010 Community Preservation budget and appropriate from the Community Preservation Fund:

\$80,000 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for FY2010, such sum to be transferred from the Community Preservation Fund, FY2010 estimated annual revenues;

and further, that the Town reserve for appropriation the following amounts as recommended by the Community Preservation Committee, such sums to be transferred from the Community Preservation Fund, FY2010 estimated annual revenues:

\$470,000 for the acquisition, creation and preservation of open space excluding land for recreational use;

\$203,000 for the acquisition, preservation, rehabilitation and restoration of historic resources; and

\$1,080,000 for the creation, preservation and support of community housing;

and further, that the following amounts be appropriated for payment of principal and interest payments on Community Preservation projects previously approved by Town Meeting:

\$296,832 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; and

\$501,675 related to the purchase of Open Space known as the Case Estates land, which was approved for purchase under Article 1 of the November 8, 2006 Special Town Meeting, said sum to be transferred from the Open Space Reserve of the Community Preservation Fund.

The motion was approved unanimously.

ARTICLE 23: APPROPRIATE FOR COMMUNITY HOUSING - 23 PINE STREET

Ms. Sarah Like Rhatigan moved that the Town appropriate \$759,666 for community housing purposes under the Community Preservation Program, to be used for the creation and support of community housing at 23 Pine Street, as shown on Assessors Map 43, Block 42, Lot 10, containing 1.84 acres, 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.

Ms. Rhatigan yielded to Mr. Edward Coburn.

Responding to Ms. Chace's inquiry if the units will be rental units, Mr. Coburn stated yes.

Mr. Werling, Mr Revers spoke in opposition to this motion.

Speaking in favor of the motion, Mr. Fish, founder of Weston Affordable Housing and Mr. Charlip, Board of Selectman.

The motion was approved.

Yeas: 126 Nays: 33

ARTICLE 24: APPROPRIATE FOR COMMUNITY HOUSING - HOUSING STAFF ASSISTANCE

Ms. Sarah Like Rhatigan moved that the Town appropriate \$21,578 for community housing purposes under the Community Preservation Program, in order to provide funds for staff assistance for the creation, preservation, and support of community 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 approved.

ARTICLE 25: 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 approved.

ARTICLE 26: APPROPRIATE FOR HISTORIC RESOURCES - 16 LOVE LANE

Mr. Ober moved that this article be passed over and so disposed of.

The motion was approved unanimously.

Motion to adjourn Annual Town Meeting until 7:30 PM, Wednesday, May 13, 2009.

Motion to adjourn passes at 10:39 p.m.

ADJOURNED ANNUAL TOWN MEETING

Wednesday, May 13, 2009

At 7:30 PM the Moderator declared a quorum present. The Moderator appointed replacement tellers and swore them to their duties:

Tellers in the Auditorium:

Nancy Bates	Barbara Elmes
Robert Fronk	Patricia Shotwell

ARTICLE 27: AMEND ZONING BYLAW - RECODIFICATION

Mr. Alfred Aydelott moved that the Town amend the Weston Zoning By-law as set forth in the handout entitled: "Article 27 Zoning By-law Re-codification, Reorganization and Clarification Changes" dated May 13, 2009.

The motion was approved unanimously.

ARTICLE 28: AMEND ZONING BYLAW - RECODIFICATION (SUBSTANTIVE CHANGES)

(Motion 1) Mr. Alfred Aydelott moved that the Town amend Section II of the Weston Zoning Bylaw, DEFINITIONS, as set forth under items 1 through 4 in the handout entitled "Article 28 Substantive Zoning By-law Amendments."

The motion was approved unanimously.

(Motion 2) Mr. Aydelott moved that the Town amend Section II of the Zoning By-law, DEFINITIONS, as set forth under items 5 through 11 in the handout entitled: "Article 28 Substantive Zoning By-law Amendments."

The motion was approved unanimously.

(Motion 3) Mr. Aydelott moved that the Town amend Section II of the Zoning By-law, DEFINITIONS, as set forth under items 12 through 14 in the handout entitled: "Article 28 Substantive Zoning By-law Amendments."

The motion was approved unanimously.

(Motion 4) Mr. Aydelott moved the Town amend Section II of the Zoning By-law, DEFINITIONS, as set forth under item 15 in the handout entitled: "Article 28 Substantive Zoning By-law Amendments."

The motion was approved unanimously.

(Motion 5) Mr. Aydelott moved that the Town amend Sections V, II and VIII of the Zoning By-law as set forth under items 16 through 18 in the handout entitled: "Article 28 Substantive Zoning By-law Amendments."

The motion was approved unanimously.

(Motion 6) Mr. Aydelott moved that the Town vote to amend Section V the Zoning By-law, USE REGULATIONS, as set forth under items 19-21 and items 23 through 25 in the handout entitled: "Article 28 Substantive Zoning By-law Amendments" and to further amend Section V as follows:

Amend Section V.C. MULTIPLE DWELLING DISTRICTS (A and B), Subsection V.C.3 USES ALLOWED WITH SITE PLAN APPROVAL AND BY SPECIAL PERMIT, by deleting the V.C.3.b. entry for "Child Care Center" and re-lettering the Subsection V.C.3.c and d entries to V.C.3.b and c. respectively.

The motion was approved unanimously.

(Motion 7) Mr. Aydelott moved that the Town amend Sections V and IX of the Zoning By-law as set forth under items 26 and 27 in the handout entitled: "Article 28 Substantive Zoning By-law Amendments."

The motion was approved unanimously.

(Motion 8) Mr. Aydelott moved that the Town amend the Section VI of the Zoning By-law, DIMENSIONAL AND OTHER REQUIREMENTS, as set forth under item 28 of the handout entitled: "Article 28 Substantive Zoning By-law Amendments."

The motion was approved unanimously.

(Motion 9) Mr. Aydelott moved that the Town amend Section VI of the Zoning By-law, DIMENSIONAL AND OTHER REQUIREMENTS, as set forth under item 29 of the handout entitled: "Article 28 Substantive Zoning By-law Amendments."

The motion was approved unanimously.

(Motion 10) Mr. Aydelott moved that the Town amend Section XI of the Zoning By-law, SITE PLAN APPROVAL, as set forth under items 30 through 38 in the handout entitled: "Article 28 Substantive Zoning By-law Amendments."

The motion was approved by 2/3 majority as declared by the Moderator.

(Motion 11) Mr. Aydelott moved that the Town amend Section XII. ENFORCEMENT, as set forth under item 39 in the handout entitled: "Article 28 Substantive Zoning By-law Amendments."

The motion was approved.

Yeas: 154 Nays: 38

ARTICLE 29: AMEND GENERAL BY-LAWS - DOGS

Mr. Harrity moved that the Town amend Article XX of the General By-laws of the Town of Weston by inserting the underlined text and deleting the strike-through text as shown in the warrant on pages 35-37; provided, however, that: (1) in Section 9.1, after the words "public land" the words "other than public ways" shall be deleted; (2) the following sentence shall be inserted at the conclusion of Section 9.2, "No more than three commercial dog walkers may be licensed for any one dog walking business."; and (3) the following sentence shall be inserted as a new paragraph (g) in Section 7, "Restrictions - Custodians of municipal property may restrict dogs from property under their respective jurisdictions by the posting of signs for such purposes."

Mr. Harrity responded to concerns that the commercial dog walkers seem to be penalized. Stating dog walkers use public land as part of their business. It is necessary for their business and they are depending on public use of public land. Walkers are using land that we are paying for and maintain in our taxes. The fee structure is appropriate if using our land in their business.

Ms. Danforth moved to amend the motion to limit the total number of dogs to three.
Ms. Danforth's motion to amend: defeated

Mr. Crum moved to amend the motion with the following changes.
(Motion 1) Section, 1 second sentence: Add "per month" after \$25, to make fine for owners equal to fine for walkers.
Mr. Crum's motion (1) to amend: defeated

(Motion 2) Section 9.1 first sentence: Replace "annual with "five year" and "person' with "non resident" Last sentence: Replace established by the Board of Selectmen" with \$100 per primary walker and \$50 per extra walker".
Mr. Crum's motion (2) to amend: defeated

(Motion 3A) Section 9.3: First two lines: Delete "in addition to any conditions imposed by the Board of Selectmen for use of commercial dog walker permit,"
Mr. Crum's motion (3A) to amend: defeated

(Motion 3B) Section 9.3B: Delete first and second sentence. Replace with "Dog walkers noticing that a dog is missing a current license and rabies tag shall ask the owner as soon as possible to fix the situation."
Mr. Crum's motion (3B) to amend: defeated

(Motion 3c) Section 9.3C: Add at end: "each coupler leash used by an owner or walker shall count as multiple leashed based on the number of clips attached to the dog collars."
Mr. Harrity accepted this motion

(Motion 4) Section 9.4 A: Delete first and second sentence. Replace with: "dog walkers lacking a current permit shall be fined \$25 per month that they walk dogs for hire on public trails without a permit. For other violations, dog owners and walkers shall get a warning and then be fined \$10 infraction. Violations shall be enforced via non-criminal dispositions by the Selectmen or Police Officers."
Mr. Crum's motion (4) to amend: defeated

(Motion 5) Section 9.4B: Delete sentence. Replace with: "the Selectmen may only suspend or revoke a dog walking permit for cause, after an evidentiary hearing and subject to appeal process.

For purposes of the By-Law, the term 'for cause' shall mean following repeated violations, after a written warning, of:

A) Section 9.2 banning Walking more than five dogs at a time (leashed or unleashed), or B) Section 8 prohibiting dogs endangering safety, disturbing the peace or damaging property.

Mr. Crum's motion (5) was accepted by Mr. Harrity with modifications. (see vote)

VOTED To amend Article XX of the General By-laws of the Town of Weston by inserting the following underlined text and deleting the strike-through text as follows:

Insert at the conclusion of Section 1 a new sentence, as follows:

SECTION 1. The owner or keeper of a dog that is over six months old shall cause it to be licensed annually. All dogs shall be licensed by April 30 of each calendar year. Failure to do so will result in a fine of \$25 for the owner or keeper of the dog.

Revise Section 7 to provide as follows:

SECTION 7. Control of Dogs

Number of dogs: With the exception of commercial dog walkers, persons walking more than three dogs shall have all their dogs leashed.

Running at large: No owner or keeper of any dog shall permit such dog to run out of the owner's or keeper's direct control by voice or lead at any time.

Voice control: Unless indicated below, a dog shall be on leash or under effective voice control of its owner or keeper while on Town-owned land. Owners or keepers shall not let their dogs out of their control or sight. When approaching persons, dogs, or horses, those walking dogs shall call their dogs to their side and keep them under control until the persons, dogs, or horses pass. Dogs shall be immediately leashed at the first sign of aggression or unruliness.

a. Owners or keepers shall carry a leash for each dog under their control and keep each dog on leash when entering and exiting trails.

b. Public gatherings - Dogs shall always be leashed at public gatherings.

c. Schools - Dogs shall always be leashed on school grounds and playing fields. Dogs shall not be allowed at all on playing fields that are enclosed by fencing. It shall not constitute a violation of this section if a dog remains unleashed in a vehicle while on school grounds.

d. Recreation playgrounds and playing fields - Dogs shall be leashed on playgrounds and playing fields during organized activities. Dogs shall not be allowed at all on playing fields that are enclosed by fencing. It shall not constitute a violation of this section if a dog remains unleashed in a vehicle while on recreation grounds.

e. Agricultural fields - Dogs shall not be allowed on agricultural fields where food is being grown, except to the extent that such fields are owned by the owner or keeper of the dogs.

f. Cemeteries - Dogs shall not be allowed in any Town-owned cemetery for recreational purposes, but a dog may be permitted in such a cemetery when accompanying its owner or keeper for the purposes of attending a funeral or visiting a grave site. If a dog is permitted in a Town-owned cemetery for an allowable purpose, the dog shall always be leashed.

g. Restrictions – Custodians of municipal property may restrict dogs from property under their respective jurisdictions following a public hearing by the posting of signs for such purposes.”

~~Section 7. No owner or keeper of any dog shall permit such dog to run out of the owner’s or keeper’s direct control by voice or lead at any time.~~ The provisions of this Section shall not apply to dogs participating in any dog show, nor to "seeing-eye" dogs properly trained to assist blind persons for the purpose of aiding them in going from place to place, nor to any dogs properly trained and under the control of and aiding the deaf or other persons with severe disabilities, nor to any dogs being trained or actually being used for hunting, sporting or obedience purposes, nor to any dogs on private property with the permission of the property owner.

Nothing contained in the foregoing paragraph shall prevent the Selectmen from passing any orders authorized by the Massachusetts General Laws or by Chapter 140, Section 157 thereof at such times as they shall deem necessary to safeguard the public.

~~Every owner or keeper of a dog shall exercise proper care and control of their dog so as to prevent said dog from becoming a public nuisance if any dog should trespass upon public or private property.~~

Insert new Sections 8 and 9, as follows:

SECTION 8. Conduct of Dogs

Endangering safety. No dog keeper or owner shall allow the dog to bite, menace (disturb), chase or threaten, all without provocation, so as to endanger the safety of any person. This section is not meant to preclude a dog from acting as a watchdog on its owner or keeper’s property.

No dog owner or keeper shall allow the dog to worry, kill, maim or otherwise injure any domesticated or farm animals.

Disturbing the peace. No dog keeper or owner shall allow the dog to disturb the peace by making excessive noise without provocation. For purposes of this section, noise shall be considered excessive if it constitutes uninterrupted barking, yelping, whining, or howling for a period of time exceeding 15 minutes. This section is not meant to preclude a dog from acting as a watchdog on its owner or keeper’s property.

Damaging property. No dog keeper or owner shall allow the dog to damage public or private property.

Dog litter. Every dog keeper or owner is responsible for expeditiously removing any dog feces the dog deposits anywhere except on its owner’s private property, or on other private property with the property owner’s permission. Any owner or keeper walking a dog off the owner’s property is required to have the means for removing any dog feces left by such dog and must properly dispose of such waste. This provision does not apply to any assistance dog while it is performing its duties.

SECTION 9. Commercial Dog Walkers

9.1 Except in accordance with an annual permit issued by the Board of Selectmen, or its designee, no person shall act as a commercial dog walker in the Town. For purposes of this section, a commercial dog walker shall mean a person engaged in the business of exercising or

handling dogs owned by another using public land, and who receives compensation for this work. Provided, however, that this definition shall exclude elementary, middle, high school and college students providing dog walking services for a fee, but such persons shall be prohibited from exercising or handling simultaneously more than two dogs. The permit issued under the authority of this section shall be non-transferable and the fee therefor shall be non-refundable. The fee for such permit shall be established by the Board of Selectmen.

9.2 The permit issued under this section shall be comprised of two parts, a permit which the commercial dog walker shall carry upon his or her person, and a placard that shall be displayed in the commercial dog walker's vehicle. The permit shall include thereon a photograph of the commercial dog walker, and shall state the number of dogs that the commercial dog walker is licensed to walk at any one time, provided, however, that such number shall not exceed five dogs. Permits shall not be granted under this section unless the commercial dog walker: (1) agrees that he/she shall indemnify and hold harmless the Town of Weston from any and all loss, liability, damage or cost incurred related to the permit holder's activities or the activities of dogs under his/her care; and (2) provides evidence of commercial general liability insurance coverage in limits established by the Town, naming the Town as an additional insured. No more than three commercial dog walkers may be licensed for any one dog walking business.

9.3 In addition to any conditions imposed by the Board of Selectmen for use of a commercial dog walker permit, the following conditions shall apply:

- a. All dog waste shall be cleaned up and properly disposed of.
- b. All dogs walked shall wear a current license and rabies tag. If the dog is too young to be licensed, the commercial dog walker shall provide, at the request of an enforcing authority, proof of vaccinations.
- c. The commercial dog walker shall carry one leash for each dog being walked. Each coupler leash used by an owner or walker shall count as multiple leashes based on the number of clips attached to the dog collars.
- d. All requirements of Section 7 shall apply to commercial dog walkers.

9.4 Penalties for non-compliance:

- a. This By-law may be enforced as provided in Article V, Sections 1 and 2 of the General By-laws, including non-criminal disposition. For purposes of non-criminal disposition, the Board of Selectmen or its designee, the Animal Control Officer and any police officer of the Town shall constitute an "enforcing authority."
- b. The Board of Selectmen, or its designee, may for cause suspend for a period of time or revoke a permit issued under this section following a hearing.

The motion was approved.

Motion to adjourn Annual Town Meeting until 7:30 PM, Monday, May 18, 2009.

ADJOURNED ANNUAL TOWN MEETING
Monday, May 18, 2009

At 7:30 PM the Moderator declared a quorum present. The Moderator appointed replacement tellers and swore them to their duties:

David Hutcheson	Keith Gross
David Kominz	Phyllis Kominz

ARTICLE 30: AMEND GENERAL BYLAWS - NO SNOW DEPOSITED IN PUBLIC WAY

Mr. Gillespie moved that that the Town amend the General By-laws of the Town of Weston by adding a new Section 5 to Article IV, as follows:

“Section 5. No person, other than an employee or other person in the service of the Commonwealth of Massachusetts or the Town of Weston shall direct, discharge, dump, shovel, pile, push, blow, plow or deposit snow, ice or water under conditions where water would be subject to freezing onto, into or across any public way, including sidewalks, or public property, or cause, direct, sanction or authorize any such activity involving snow, ice or water on a public way or public property.

This By-law may be enforced as provided in Article V, Sections 1 and 2 of the General By-laws, including non-criminal disposition.”

The motion was approved.

ARTICLE 31: AMEND GENERAL BYLAWS - CONSTRUCTION NOISE

Mr. Steve Charlip moved that the Town amend the General By-laws of the Town of Weston by adding a new section 14 to Article III as shown in the warrant on page 38.

Mr. Alagna moved to amend the motion.

(Motion 1) Delete 4:00 p.m. and insert 6:30 p.m. in the first sentence.

Mr. Alagna’s motion passes. YEAS: 116 NAYS: 39

Insert the words: “except between the hours of 8:00 a.m. and 3:00 p.m.” after the words: “No outside construction activity shall take place on Saturdays” in the third sentence.

Mr. Alagna’s motion passes

Delete the final sentence and insert in place thereof the following: “no outside construction activity shall be permitted outside these hours except as many permitted on a case basis by the Chief of Police or the building inspector, based on unusual circumstances.”

Mr. Alagna’s motion passes.

VOTED To amend the General By-laws of the Town of Weston by adding a new Section 14 to Article III as follows:

“**Section 14.** Construction activity shall be permitted Monday through Friday, 7:00 a.m. to 6:30 p.m. Construction activity shall also be permitted on Saturdays from 7:00 a.m. to 5:00 p.m.; provided however that such activity shall be limited to interior work only, and may be undertaken only when the home or structure is constructed to the point where such activity cannot be heard outside the home or structure. No outside construction activity shall take place on Saturdays except between the hours of 8:00 a.m. and 3:00 p.m. No outside construction

activity shall take place outside the specified permitted hours or on Sundays or New Year's Day, Memorial Day, July Fourth, Labor Day, Thanksgiving, Christmas, or other legal holiday, except as may be permitted on a case by case basis by the Chief of Police, or his designee, based on unusual circumstances.

For purposes of this By-law, the term "construction activity" shall include those activities requiring a building permit or any site preparation, seismic surveys, grading, assembly, erection, substantial repair, alteration, or similar action, including demolition, for or of public or private rights-of-way, structures, utilities or similar property, as well as the noise and other impacts caused by arrival on, and departure from, a site by laborers and equipment.

This By-law shall not apply to: (1) residents of the Town of Weston personally undertaking construction activities on the homes in which they reside or the property upon which such homes are located; (2) routine gardening and landscaping services; or (3) the Town of Weston acting in response to an emergency.

If construction activity occurs at a time other than during the hours authorized herein for such activity, the person found to be in violation, or the owner of, or the person with responsibility for, property on which construction activity occurs, including but not limited to a general contractor overseeing a project, shall be deemed to have violated this By-law.

This By-law may be enforced as provided in Article V, Sections 1 and 2 of the General By-laws, including non-criminal disposition."

The motion was approved.

ARTICLE 32: AMEND GENERAL BYLAWS - ARTICLE XXIX AND XXIII

Mr. Harrity moved that the Town amend the Town's General By-laws by:

1. Amending Article XXIX, Community Preservation Committee By-law, to authorize the Community Preservation Committee to include a member of the Housing Partnership, by deleting in Section 1, paragraph (3), the words "Housing Needs Committee" and inserting in place thereof, "Housing Partnership"; and
2. Amending Article XXIII, Section V, of the General By-laws of the Town of Weston by deleting the reference in the last paragraph to "Article XXVI of the General By-Laws of the Town" and inserting in place thereof, "Article XXIII of the General By-Laws of the Town."

The motion was approved unanimously.

ARTICLE 33: AUTHORIZE LEASE OF TOWN LAND - CELL TOWER

Mr. Harrity moved that the Town transfer land under the care, custody and control of the Board of Selectmen for water purposes to the Board of Selectmen for water purposes and for the purpose of leasing, known as "Cat Rock," located off a graveled road that originates at the end of the Bradford Road cul-de-sac, and shown as Parcel 93 on Assessor's Map 13, and to authorize the Board of Selectmen to lease said land or a portion thereof to a telecommunications service provider or providers, for such term of years, which may be longer than twenty years, and on such terms and conditions as the Board of Selectmen may determine, and to further authorize the granting of such utility access easements as are necessary to support such a facility.

Mr. Aydelott spoke in favor of the motion. Stating it is well suited for discreet installation on municipal land. It is an ideal place to close a major gap in the network coverage. Ms. Morra,

Historic Commission, and Ms. Wendy Kaplan Armour, Zoning Board of Appeals, spoke in favor of the motion.

Ms. Yurik, opposed the motion stating concerns with health risk, impact on property value and ecological impact. Ms. Yurik urged strongly to vote against this motion. Mr. Bidy urged the board to investigate a wider range of solutions. Ms. Burton, Mr. Baghady along with residents from Bradford Road and Whitney Tavern Road all spoke in opposition to this motion.

Motion defeated, 2/3 majority vote needed.

Yeas: 89 Nays: 84

ARTICLE 34: INCREASE DEMAND FEES

Mr. Gillespie moved that the Town set the fee for a demand notice for payment of delinquent taxes at \$10.00 pursuant to Section 15 of Chapter 60 of the Massachusetts General Laws, as most recently amended, to be effective as of July 1, 2009.

The motion was approved.

**ARTICLE 35: APPROVE GRANT OF EASEMENT FOR CABLE COMPANY -
BROOK SCHOOL APARTMENTS**

Mr. Harrity moved that the Town authorize the Board of Selectmen to grant to any cable company that is licensed by the Town to provide cable television services the non-exclusive right and easement for the purpose of locating, relocating, erecting, constructing, reconstructing, installing, operating, maintaining, patrolling, inspecting, repairing, replacing, altering, changing the location of, extending or removing the utility equipment along, upon, under, across and over that portion of Town-owned property known as the Brook School Apartments, located at 44 School Street, Weston, more particularly described in deeds recorded with the Middlesex County Registry of Deeds in Book 5607, Page 598 and shown on Assessors' Map 28 as Parcel 105.

The motion was approved unanimously.

**ARTICLE 36: ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986
(INCREASE IN PROPERTY TAX EXEMPTION LIMITS)**

Mr. Harrity moved that the Town accept, for Fiscal Year 2010, 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 approved unanimously.

ARTICLE 37: RESCIND BOND AUTHORIZATION

Mr. George Bates moved that the Town rescind the following authorization to borrow funds, which was approved in a prior year, where the purpose of the borrowing has been completed and/or it was unnecessary to borrow the amount approved:

Article 28, May 1, 1974 Annual Town Meeting- Conservation Land, \$265,000

The motion was approved unanimously.

The Moderator accepted a motion to dissolve the Adjourned Annual Town Meeting at 10:35 p.m.

**SPECIAL TOWN MEETING
November 30, 2009**

Pursuant to a warrant, duly served, Robert M. Buchanan, the Moderator called the Special Town Meeting to order at 7:45 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:

Marjorie Cohen	Marcie Lee
Janet Wohlers	Richard Wohlers

**ARTICLE 1: APPROPRIATE FOR HISTORIC RESOURCES -
JOSIAH SMITH TAVERN & OLD LIBRARY DESIGN FEES**

Mr. Stephen Ober moved that the Town appropriate \$300,000 for historic resource purposes under the Community Preservation Program, for the cost of architectural and consulting services for plans and specifications for the preservation, restoration, and re-use of the Josiah Smith Tavern and Old Library buildings, 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.

Mr. Ober yielded to Mr. Harrity.

Mr. Marvel, Chair JST/OL Committee, discussed the charge of the committee to restore the Tavern/Old Library. He listed the three goals: 1. Restore Building, 2.) Provide new uses for the buildings, 3.) Make buildings self sustainable. Mr. Peter Nichols discussed the financials. Ms. Pamela Fox spoke in favor of this motion.

Mr. Michael Glynn, spoke in opposition to the motion. Mr. Glynn would like to explore other possible uses for the JST/OL. He feels it is the wrong use, wrong place and wrong time. Mr. Lee Engler, Ms. Ann O'Neil, Ms. Linda Angelluci, Mr. Burton Foster, Mr. Jeremiah Lynch, Mr. Brandon, White, Mr. Wesley Marple all spoke in opposition to the motion.

Motion is defeated.

Yeas: 435 Nays: 545

**ARTICLE 2: APPROPRIATE FOR DESIGN FEES - HIGH SCHOOL SCIENCE
LABORATORIES**

Dr. Sanjay Saini moved that the Town appropriate \$730,000 to pay costs of engineering and architectural services to develop plans and specifications for improvements to the science labs at the Weston High School, 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 approved by 2/3 majority as declared by the Moderator.

ARTICLE 3: APPROPRIATE FOR SCHOOL TECHNOLOGY

Ms. Maryanne Roger moved that the Town appropriate \$350,000 to pay costs of purchasing computer networking hardware and other data communications 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 approved by 2/3 majority as declared by the Moderator.

ARTICLE 4: APPROPRIATE FOR HISTORIC RESOURCES - MELONE HOMESTEAD

Mr. Ober moved that this article be passed over and so disposed of.

The motion was approved unanimously.

ARTICLE 5: TRANSFER FUNDS TO SUPPORT FISCAL YEAR 2010 OPERATING BUDGET

Mr. Charlip moved that the balance of \$7,836.89 be transferred from the Arsenic Remediation account and that the Board of Assessors be authorized to use that sum to meet appropriations in their computation of the tax rate for fiscal year 2010.

The motion was approved unanimously.

ARTICLE 6: GRANT OF PERMANENT EASEMENTS TO MWRA

Mr. Charlip moved that the Board of Selectmen be authorized to grant to the Massachusetts Water Resources Authority non-exclusive, permanent easements to install, inspect, repair, renew, replace, operate and maintain subsurface utilities on parcels identified as "Parcel P-1 Area = 1,654 SF" on or near Riverside Road, and "Parcel P-4 Area = 138 SF" on or near the Route 128/Massachusetts Turnpike interchange, as shown on a plan entitled "Utility Easement Plan and Construction/Access Plan," dated August 21, 2007, prepared by Nitsch Engineering, Inc., on file with the Town Clerk, on such terms and conditions as the Board of Selectmen may determine.

The motion was approved unanimously.

The Moderator accepted a motion to dissolve the Adjourned Annual Town Meeting at 10:35 p.m.



Town of Weston's Board of Selectmen

SPECIAL STATE PRIMARY
December 8, 2009

Pursuant to a warrant duly served, the Presidential Primary was held on December 8, 2009 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.

Senator in Congress - Democratic Summary Vote					
	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Total
Blanks	0	1	0	0	1
Michael E. Capuano	88	79	77	70	314
Martha Coakley	235	177	145	177	734
Alan A. Khazei	131	95	99	101	426
Stephen G Pagliuca	72	56	45	55	228
Scattering	1	1	0	0	2
Total	527	409	366	403	1,705

Senator in Congress - Republican Summary Vote					
	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Total
Blanks	0	0	0	0	0
Scott P. Brown	98	71	68	88	325
Jack E. Robinson	7	8	7	2	24
Scattering	0	8	0	0	0
Total	105	79	75	90	349

Senator in Congress - Libertarian Summary Vote					
	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Total
Blanks	0	0	0	0	0
Total	0	0	0	0	0