

**WARRANT FOR
ANNUAL TOWN MEETING
ELECTION
Saturday, April 3, 2004**



**ANNUAL TOWN MEETING
Monday, April 26, 2004
TOWN OF ARLINGTON**

**TOWN WARRANT
THE COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To the Constables of the Town of Arlington, in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Arlington qualified to vote in elections, to meet at the polling places designated for the several Precincts in said Town on

**SATURDAY
THE THIRD OF APRIL 2004**

at eight o'clock in the forenoon, to act on the following articles, namely:

ARTICLE 1

To elect by ballot the following Town Officers:

- A) One Moderator for three years;**
- B) One Selectman for three years;**
- C) One Assessor for three years;**
- D) Two School Committee Members for three years; and**
- E) One Member of the Arlington Housing Authority for five years**

Also, in accordance with the provisions of Chapter 43A of the General Laws, the number of Town Meeting Members as hereinafter specified:

- | | |
|----------------------|---|
| PRECINCT 1 - | Four for three years; Two for two years; |
| PRECINCT 2 - | Four for three years; |
| PRECINCT 3 - | Four for three years; |
| PRECINCT 4 - | Four for three years; One for two years; |
| PRECINCT 5 - | Four for three years; Two for two years; Two for one year; |
| PRECINCT 6 - | Four for three years; One for two years; |
| PRECINCT 7 - | Four for three years; |
| PRECINCT 8 - | Four for three years; |
| PRECINCT 9 - | Four for three years; |
| PRECINCT 10 - | Four for three years; |
| PRECINCT 11 - | Four for three years; |
| PRECINCT 12 - | Four for three years; |
| PRECINCT 13 - | Four for three years; One for two years; |
| PRECINCT 14 - | Four for three years; |
| PRECINCT 15 - | Four for three years; |
| PRECINCT 16 - | Four for three years; |
| PRECINCT 17 - | Four for three years; One for one year; |
| PRECINCT 18 - | Four for three years; |
| PRECINCT 19 - | Four for three years; |
| PRECINCT 20 - | Four for three years; |
| PRECINCT 21 - | Four for three years; One for one year. |

For these purposes, the polls will be opened at eight o'clock A.M. and remain open until eight o'clock P.M., at each of the polling places designated, viz.:

- Precinct 1 Thompson School, entrance on North Union Street
- Precinct 2 Hardy School, entrance on Brooks Avenue
- Precinct 3 Edith Fox Library, entrance on Cleveland Street
- Precinct 4 Hardy School, entrance on Brooks Avenue
- Precinct 5 Thompson School, entrance on North Union Street
- Precinct 6 Gibbs Junior High (East), entrance on Tufts Street
- Precinct 7 Gibbs Junior High (East), entrance on Tufts Street
- Precinct 8 Town Hall, entrance on Massachusetts Avenue
- Precinct 9 Chestnut Manor, entrance on Chestnut Terrace
- Precinct 10 Town Hall, entrance on Massachusetts Avenue
- Precinct 11 Bishop School, entrance on Stowcroft Road
- Precinct 12 Brackett School, entrance on Eastern Avenue
- Precinct 13 Stratton School, entrance on Mountain Avenue
- Precinct 14 Highland Fire Station, entrance on Massachusetts Avenue
- Precinct 15 Stratton School, entrance on Mountain Avenue
- Precinct 16 Dallin School, entrance on Florence Avenue
- Precinct 17 Highland Fire Station, entrance on Massachusetts Avenue
- Precinct 18 Dallin School, entrance on Florence Avenue
- Precinct 19 Peirce School, entrance on Newland Road
- Precinct 20 Park Avenue Congregational Church, entrance on Paul Revere Road
- Precinct 21 Peirce School, entrance on Newland Road

You are also required to notify and warn the said inhabitants to meet at the Town Hall in said Town on Monday the 26th day of April, 2004, at eight o'clock in the evening, at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members, in accordance with and subject to the referenda provided for by Chapter 43A of the General Laws.

ARTICLE 2

REPORTS OF COMMITTEES

To receive, hear, and act upon the reports of the Board of Selectmen, Finance Committee, Redevelopment Board, and other committees, commissions, and boards heretofore appointed, including, without limitation: Permanent Town Building Committee (April 23, 1969), Vision 2020 Standing Committee (June 8, 1992), School Facilities “Working Group” (May 4, 1994), ByLaw Recodification Study Committee (May 9, 1994), Telecommunications Committee (June 18, 1997), Noise Abatement Study Committee (May 11, 1998), Affordable Housing Task Force (May 3, 1999), Zoning Bylaw Review Committee (May 12, 1999), Uncle Sam Committee (May 17, 1999), Fields and Playgrounds Task Force (May 19, 1999), Maintenance Study Committee (May 1, 2000), Alewife Brook Advisory Committee (May 15, 2000), Newsracks Study Committee (May 9, 2001), Community Preservation Act Study Committee (May 21, 2001), Symmes Hospital Advisory Committee (May 21, 2001), Power Company Feasibility Committee (May 6, 2002), Community-Based Health Insurance Study Committee (April 30, 2003), Reinspection of Vacated Premises Committee (April 30, 2003), and Tree Committee (May 7, 2003), or take any action related thereto.

(Inserted at the request of the Town Moderator)

ARTICLE 3

APPOINTMENT OF MEASURERS OF WOOD AND BARK

To choose and appoint all the usual Town Officers not hereinbefore mentioned, in such a manner as the Town may determine, or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 4

ELECTION OF ASSISTANT MODERATOR

To elect a Town Meeting Member as Assistant Moderator for a term of one year, as provided in Title I, Article 1, Section 11, A, of the By-Laws.

(Inserted at the request of the Town Moderator)

ARTICLE 5

ZONING BYLAW AMENDMENT/BICYCLE/PARKING

To see if the Town will vote to amend the Zoning Bylaw in Article 11, Section 11.06, f. 4. Circulation, by deleting the words “vehicular and pedestrian” and inserting in place thereof, the words “vehicular, pedestrian and bicycle”; and further, after the words “and arrangement of” deleting the words “of parking areas” and inserting in place thereof, the words “vehicle and bicycle parking areas, including bicycle parking required by Section 8.13” or take any action related thereto.

(Inserted at the request of Arlington Redevelopment Board)

ARTICLE 6

ZONING BYLAW AMENDMENT/DIMENSIONAL AND DENSITY REGULATIONS

To see if the Town will vote to amend the Zoning Bylaw in Article 6, Section 6.00, Table of Dimensional and Density Regulations by inserting in the B1, B2, B2A, B3, B4, B5 districts the new use “Single-family detached dwelling, two-family dwelling, duplex house, three-family dwelling^{QR}” and the following dimensions:

Lot Requirements Minimum, Size, Sq. Ft. - 5,000; Lot Requirements Minimum, Frontage - 50; Intensity of Development, Floor Area Ratio - 1.00; Intensity of Development, Lot Coverage Maximum – NA; Intensity of Development, Minimum Lot Area Per Dwelling Unit - 2,500; Minimum Yard, Ft, Front – 20; Minimum Yard, Ft., Side – 10; Minimum

Yard, Ft., Rear – 20; Height Maximum, Stories - 2-1/2; Height Maximum, Feet – 35; Open Space Minimum, Percent of Gross Floor Area, Landscaped - 10%; Open Space Minimum, Percent of Gross Floor Area, Usable - 30%;

and in the B1 district in the use “All permitted uses” by deleting the word “All” and inserting in place thereof the words “Any other”;

and in the B2 district in the use “Building with a principal use of a three family dwelling, town house structure or apt. house” by deleting the words “three family dwelling”

and at the end of the table, insert footnote Q as follows: “Q In cases subject to Section 11.06 Environmental Design Review, the Redevelopment Board in evaluating the proposal may by Special Permit adjust the required setbacks set forth elsewhere in this Bylaw to account for specific conditions unique to the proposal.”

and at the end of the table, insert footnote R as follows: “R These dimensional requirements shall not apply to any special permit issued before the first advertisement of this bylaw change in February, 2004.”;

or take any related action thereto.

(Inserted at the request of Arlington Redevelopment Board)

ARTICLE 7 ZONING BYLAW AMENDMENT/FLOODPLAIN DISTRICT

To see if the Town will vote to amend the Zoning Bylaw in Article 11, Section 11.04,b in the third sentence after the words, “The Floodplain Overlay consists of the” by inserting the words, “Flood Insurance Study”, and in section 11.04,c after the words, “by all regulations of this Section 11.04” by inserting the words, “Wetlands Protection Regulations, Department of Environmental Protection (DEP), 310 CMR 10.00, Inland Wetlands Restriction (DEP) 310 CMR 13.00,” and in the end of the same sentence by deleting the words, “Section 3.04” and inserting in place thereof the words, “Section 3.05”, and in Section 11.04,d,2 by deleting paragraphs 2.2, 2.3 and 2.4 and inserting new paragraphs as follows, “2.2 The proposed use shall comply with the regulations as amended in Massachusetts Wetlands Protection Regulations, Department of Environmental Protection (DEP), 310 CMR 10.00 and Inland Wetlands Restriction (DEP) 310 CMR 13.00; 2.3 Base Flood Elevation Data is required for proposals or other developments greater than 50 lots or five acres, whichever is the lesser, within unnumbered A zones.”, or take any action related thereto.

(Inserted at the request of Arlington Redevelopment Board)

ARTICLE 8 ZONING BYLAW AMENDMENT/WETLAND AND FLOODPLAIN OVERLAY

To see if the Town will vote to amend the Zoning Bylaw in the Wetland and Floodplain Overlay to the Zoning Map by adding the following wetlands and water resources:

1. wetland on Town owned land behind 37 Berkeley St. (McClennen Park)
2. wetland on Town owned land between 36 and 48 Wright St. (McClennen Park)
3. permanent pond and wetland in Reed’s Brook at McClennen Park
4. wetland between 16 and 43 Dothan St.
5. wetland between 71 Mott St. and Route 2

6. wetland behind houses on south side of Edith St.
7. Herbert Meyer Brook through Winchester Country Club
8. stream in backyard 62 Hutchinson Rd.
9. Noname Brook or Geri's Brook parallel to Minutemen Trail from approximately Nourse Rd. to Park Ave. and wetland near Park Ave.
10. drainage way parallel to property line between 33 Ryder St. 1165 Mass Ave.
11. stream outlet of Hills Pond in Menotomy Rocks Park near Morton Rd.
12. Two hillside seeps in northwest corner of Menotomy Rocks Park, near Shawnee Rd.

or take any action related thereto.

(Inserted at the request of Arlington Conservation Commission and Arlington
Redevelopment Board)

ARTICLE 9 ZONING BYLAW AMENDMENT/OFF STREET PARKING

To see if the Town will vote to amend the zoning bylaw to add a section e to para 11.08 to read "In the case of a single room occupancy dwelling, a dormitory, or a lodging house, and notwithstanding the special permit requirements of section 8.12(b)(10), the ARB is authorized to waive the parking requirements of the Table of Off-Street Parking where, in the development of housing that will be primarily affordable, the activity that will be owning and managing the building(s) certifies, based on experience in Arlington or in communities similar to Arlington, that the occupants will not have vehicles or visitors that would require the amount of parking required by the Table of Off-Street Parking; compliance with such certification would be a condition of the special permit, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 10 ZONING BYLAW AMENDMENT/INDUSTRIAL ZONE

To see if the Town will vote to amend Table 5.04, Table of Use Regulations of the Zoning Bylaw to add SP^d to all entries from 1.03 to 1.10 under the I (Industrial Zone) heading, and an item d in the footnotes to read "where more than 30% of units will be affordable units as defined elsewhere in this bylaw", or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 11 ZONING BYLAW AMENDMENT/AFFORDABLE HOUSING

To see if the Town will vote to amend Subpara d(2) of Section 1.08 of the Zoning Bylaw to insert following "Eligible households". This sentence "Public or non-profit activities may purchase units at the "affordable unit price to provide affordable rental units", or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 12 ZONING BYLAW AMENDMENT/AFFORDABLE HOUSING II

To see if the Town will vote to amend Para 3d of Section 11.08 to read "Affordable units shall normally be located on the project site. Where the developer offers to provide affordable units elsewhere of equivalent or greater value, the ARB is authorized to accept such an offer if it increases the supply of affordable housing in Arlington more than if the unit(s) had been built on site", or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 13 ZONING BYLAW AMENDMENT/TEMPORARY SIGNS

To see if the Town will vote to amend the Zoning Bylaws to allow the temporary display

of advertising/sponsorship signs by local athletic organizations and charitable fundraisers at Town athletic fields through a special permit process or take any related action thereto.
(Inserted at the request of the Park & Recreation Commission)

ARTICLE 14 ZONING BYLAW AMENDMENT/OFF STREET PARKING

To see if the Town will vote to amend column Two of the Table of Off-Street Parking Requirements in section 8.01 of the Zoning Bylaw to read “ One per efficiency, one and fifteen hundredths (1.15) per one bedroom unit, and two per two bedroom unit, and one per bedroom for three or more bedroom units, one per five units of publicly assisted elderly housing”, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 15 BYLAW AMENDMENT/TEMPORARY SIGNS II

To see if the Town will vote to amend the Town Bylaws to establish a special permit process, under authority of the Park & Recreation Commission and School Committee, to allow for the temporary display of advertising/sponsorship signs under an established set of rules and conditions at athletic fields under their control or take any related action thereto.

(Inserted at the request of the Park & Recreation Commission)

ARTICLE 16 ABANDONMENT OF EXTERIOR LINES

To see if the Town will vote to abandon the exterior lines at 874 – 880 and 980 Massachusetts Avenue in support of the redevelopment of the site by Boston Federal Savings Bank, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 17 VOTE AMENDMENT/PARMENTER SCHOOL

To see if the Town will vote to amend Article 35 of the 1992 Annual Town Meeting, by deleting the first paragraph and inserting in place the following:

That effective July 1, 1998, the Town hereby continues the transfer of the jurisdiction of Parmenter School and all land under jurisdiction of the School Committee appurtenant thereto, to the Redevelopment Board for a ten-year period ending June 30, 2008. If the School Committee shall determine that the subject property is not required for public educational purposes on or after July 1, 2008, it shall notify the Redevelopment Board. Said notification shall be made no later than January 1, 2007. Upon notification, the Redevelopment Board shall submit a warrant article to the next Special or Annual Town Meeting requesting continued jurisdiction of the property or take any action related thereto.

(Inserted at the request of Arlington Redevelopment Board)

ARTICLE 18 ENVIRONMENTAL AND ENERGY EFFICIENCY

To see if the Town will vote to take all appropriate action, including amendment of the bylaws, for the purpose of increasing the environmental and energy efficiency of new real estate developments, by requiring that all new construction of commercial properties shall meet or exceed a Silver Certification based on the most current criteria of the Leadership in Energy and Environmental Design (LEED) Green Building Rating System promulgated by the United States Green Building Council, or comparable scoring system. In its review of such real estate developments, the Arlington Redevelopment Board shall

require the use of LEED Silver certification, or comparable certification, in order to obtain its approval for the project. If a property developer wishes to be exempted from the LEED Silver certification requirement he/she must demonstrate to the Arlington Redevelopment Board that the use of this rating level is inappropriate. In such cases, the developer must then consider a less stringent green building standard, unless he/she can demonstrate that the use of any such standard is also inappropriate, or take any action related thereto.

(Inserted at the request of Sustainable Arlington
Task Group/Vision 2020 and 10 registered voters)

ARTICLE 19 BYLAW AMENDMENT/SNOW REMOVAL/RESIDENCES

To see if the Town will vote to amend Section 24, “Snow Removal - Residences” of Article 1 “Public Ways” of Title III of the Bylaws by replacing “fine of \$10 per day” with “fine of \$25 per day”, or take any action related thereto.

(Inserted by the Board of Selectmen)

**ARTICLE 20 BYLAW AMENDMENT/SNOW REMOVAL
APARTMENTS/CONDOMINIUMS**

To see if the Town will vote to amend Section 25, “Snow Removal - Apartments/Condominiums” of Article 1 “Public Ways” of Title III of the Bylaws by replacing “fine of \$10 per day” with “fine of \$25 per day”, or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 21 BYLAW AMENDMENT/SNOW REMOVAL/BUSINESSES

To see if the Town will vote to amend Section 26, “Snow Removal - Businesses” of Article 1 “Public Ways” of Title III of the Bylaws by replacing “fine of \$20 per day” with “fine of \$50 per day”, or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 22 BYLAW AMENDMENT/PUBLIC WAYS

To see if the Town will vote to add a new Section under Article 1 “Public Ways” of Title III as follows: “No person, except an officer or employee of the Town shall place or throw or cause to be placed or thrown on to any public sidewalk, street, fire hydrant, or highway any snow, dirt, gravel or foreign substance or material. Violations of this section shall be punishable by a fine of \$25 per day that the material is not removed. The Board of Selectmen is authorized to promulgate rules and regulations consistent with this section relative to the ticketing procedures to be utilized; the Board is also authorized to exempt citizens upon petition showing demonstrable extreme hardship due to health and/or financial duress”, or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 23 BYLAW AMENDMENT/REPAIRS TO PRIVATE WAYS

To see if the Town will vote to amend Article 3, Repairs to Private Ways of Title III of the Bylaws, or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 24

BYLAW AMENDMENT/RECREATION VEHICLES

To see if the Town will vote to amend the Bylaw to provide for the following:

Vehicles – Recreation

Section 1. Definitions:

“Recreation Vehicle”, shall include the following types of registered or unregistered vehicles: motorized scooters, motorized skateboards, snowmobiles, all-terrain vehicles, go-carts, minibikes, and similarly styled vehicles.

“Motorized Scooter”, any two-wheeled device that has handlebars, designed to be stood or sat upon by the operator, powered by an electric or gas “powered” motor that is capable of propelling the device with or without human propulsion.

“Motorized Skateboard”, any four or eight-wheeled device that is designed to be stood or sat upon by the operator, which may or may not have an upright handlebar for steering, which is powered by an electric or gas “powered” motor that is capable of propelling the device with or without human propulsion.

“Way”, any public highway or private way laid out under authority of Massachusetts General Laws dedicated to public use, including but not limited to Town streets and sidewalks, or any area under the control of the Town of Arlington, Arlington School Department, or Redevelopment Board or body having like powers, including but not limited to school grounds, parks, playgrounds, and parking lots and cemeteries.

Section 2. Recreation Vehicles; Operation Regulations:

No recreational vehicle shall be operated upon any way in the Town of Arlington by any person under sixteen (16) years of age, nor at a speed in excess of twenty-five (25) miles per hour by any person, and no recreational vehicle shall be operated upon any way by any person not possessing a valid operator’s license issued pursuant to GLM Chapter 90, Section 8 or a learner’s permit issued pursuant to GLM Chapter 90 Section 8B, or by permit or license given by reciprocity to nonresidents under GLM Chapter 90 Section 3 and Section 10, provided said Recreational Vehicle is registered by Massachusetts Department of Motor Vehicles.

Section 3. Exemptions:

The following recreational vehicles shall be exempt from the provisions of this By-Law:

- (a) Recreational Vehicles licensed by the Commonwealth of Massachusetts as Motor Vehicles,
- (b) Recreational Vehicles used by handicapped persons,
- (c) Equipment used for landscaping and snow removal,
- (d) Recreation Vehicles used by any governmental agency, and
- (e) Recreational Vehicles used during any declared emergency when authorized by the Chief of Police.

Section 4. Violations and Penalties:

Whoever violates the provisions of the By-Law shall be punished by a fine of \$100.00 for the first offense, and \$200.00 for the second offense, and \$300.00 for the third and each subsequent offense.

Any Recreational Vehicle being operated by a person under the age of sixteen (16) years may be confiscated by the Arlington Police Department and held at the Arlington Police Station until retrieved by a parent or guardian.

Section 5. Enforcement:

The Arlington Police shall enforce the provisions of this By-Law;
or take any action related thereto.

(Inserted at the request of the Chief of Police)

ARTICLE 25 **BYLAW AMENDMENT/DATA PROCESSING ADVISORY BOARD**

To see if the Town will vote to modify or rescind Title II, Article 5 of the town bylaws establishing a Data Processing Advisory Board, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 26 **BYLAW AMENDMENT/REVENUE MANUAL**

To see if the Town will vote to amend the Town Bylaws Title IX, ENFORCEMENT AND FEES, by adding the following Article:

Section 1. Town Manager

It shall be the responsibility of the Town Manager to compile a manual consisting of all of the fees and charges of all departments of the Town. The fees shall be organized by the department or official responsible for setting such fee. The information shall consist of, but not limited to, the following: the official, board or department responsible for setting the fee, the statutory authorization, year when last revised and total amount raised in most recent fiscal year.

The Town Manager shall create this Manual by the 2005 Annual Town Meeting and update at least every two years thereafter. The Manual shall be posted on the Town website in an easily downloadable electronic format, or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 27 **BYLAW AMENDMENT/DOG PARKS**

VOTED: To see if the Town will vote to amend Section 2 of Article 2 Canine Control of Title VIII of the bylaws by inserting the following sentence after the phrase “except a dog when restrained by a leash not exceeding six feet in length”:

“The Board of Parks and Recreation Commissioners may designate a dog park, dog run, or dog exercise area only if same is enclosed by appropriate fencing to preclude the escape of any dog into any other area of the park or playground not so designated as a dog park, dog run, or dog exercise area.”

or take any action related thereto.

(Inserted at the request of the Park and Recreation Commission)

ARTICLE 28 BYLAW AMENDMENT/ADJUSTMENTS TO TOWN FEES

To see if the Town will vote to amend Title IX of the bylaws entitled Enforcement and Fees by, adding to or adjusting any or all Town fees, or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 29 BYLAW AMENDMENT/NEWS RACKS

To see if the Town will vote to amend bylaws of Article 1, Section 31 of Article 1 of Title III of the bylaws, to provide for a pilot program that would require newspaper vendors to locate their news racks inside of special containers called “condos or corrals” in certain areas of the Town, the cost of which would be amortized by the establishment of a fee to be paid by the vendors, to determine the amount of such fees, to appropriate a sum of money to fund the initial purchase, determine how the money will be raised and expended, or to take any action related thereto.

(Inserted at the request of the News Rack Study Committee)

ARTICLE 30 AMEND BYLAWS/CONTROL OF PARKS

To see if the Town will vote to amend Article 1 Use of Areas Under Control of Park Department of Title IV of the bylaws as follows:

ARTICLE I USE OF AREAS UNDER CONTROL OF PARK DEPARTMENT
Section 2. Protection of Parks

Using fields during inclement weather, when in poor conditions or when fields are closed can result in the following and no person shall injure, deface, dig up or displace, cut, break, remove, fill in, raise, destroy, or tamper with any road, walk, lawn or beach; deface, defile, injure, destroy or ill use any building, bridge, structure, fence, sign, bench, seat, platform, plant, flower, bush, tree, shrub, turf, rock or other property or equipment, real or personal, belonging to the Town of Arlington under the Jurisdiction of the Park and Recreation Commission, or have possession of any part thereof.

Section 3. Actions Prohibited

F. No Organized groups are allowed to utilize a playing field without a permit given by Recreation Department. These groups can be asked to leave by a person or persons designated by the Park and Recreation Commission.

Section 9. Signs and Direction of Town Personnel

No person shall refuse or neglect to obey any rule, posted by sign concerning the use of any area under the care and control of the Park Department and Park and Recreation Commission; nor shall they refuse or neglect to obey any reasonable direction of a police officer or a person designated by the Park and Recreation Commission.

Section 10. Violation and Fines

Any person violating any of the foregoing, except Section 1, Section 3C, Section 3F and Section 8 shall be punished by a fine of not more than twenty (\$20) dollars. Any person violating Section 8 for each offense, shall be punished by a fine of not more than fifty (\$50) dollars. Any person violating Section 3C, for each offense, shall be punished by a fine of not more than two hundred (\$200) dollars. Any person violating Section 3C, for each offense, shall be punished by a fine of not more than two hundred (\$200) dollars.

Any person violating Section 1, for each offense, shall be punished for the full amount of damage assessed by Town Personnel, or take any action related thereto.

(Inserted at request of the Park and Recreation Commission)

ARTICLE 31 VOTE AMENDMENT/WETLANDS PROTECTION

To see if the Town will vote to amend the vote under Article 5 of the May 5, 2003 Special Town Meeting relating to Article 8 of Title V Wetlands Protection of the bylaws so as to permit the Conservation Commission to grant variances in appropriate circumstances, where such amendment may include, without limitation, the deletion of the last sentence, the effect of which would be to eliminate the existing expiration date for the granting of variances, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 32 SPECIAL PLACE/THE OLD SCHWAMB MILL

To see if the Town will vote, pursuant to the Town of Arlington Bylaw, Title VI, Article Seven, Special Places, and alter the Town of Arlington Inventory of Significant Properties by designation as a Special Place, all of the land shown on the Town of Arlington Assessors Map 58.0, Block 7, lot 9.0 and known as the The Old Schwamb Mill at 17 Mill Lane, presently owned by the Schwamb Mill Preservation Trust according to Certificate of Title No. 131878 in Book 789 page 128 of the Middlesex (South District) Registry of Deeds, described therein as Lot 1 on Land Court Plan 13386B, and that the said parcel be designated and protected as a Special Place because of its exceptional importance to the history, culture, and architecture of the Town of Arlington and added to the Town's Inventory of Significant Properties, unless it is already on that Inventory, and that the affected properties shall be put on the Affected Properties Roster as shall be developed and maintained by the Historical Commission and furnished to the Building Inspector, or take any action related thereto.

(Inserted at the request of the Arlington Historical Commission)

ARTICLE 33 BYLAW AMENDMENT/SPECIAL PLACES

To see if the Town will vote to repeal the Special Places Bylaw (Title VI, Article 7) enacted under Article 8 of the annual town meeting of 2003, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 34 HOME RULE PETITION/SAFE PLACEMENT OF NEWBORNS AND INFANTS

To see if the Town will vote to request and authorize the Board of Selectmen to file Home Rule legislation that would support "Safe Placement of Newborns and Infants" also known as the Baby Safe Haven Law, the particulars of which provide for no criminal violation for any individual to leave any unharmed newborn or infant at designated locations in the Town, or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 35 HOME RULE PETITION/TIMOTHY PACHECO

To see if the Town will vote to request and authorize the Board of Selectmen to file a Home-Rule Petition with the General Court so as to permit Timothy Pacheco of 15 Fordham Street, Arlington, to apply for the position of Firefighter in the Town's Fire

Department notwithstanding the fact that the Town has not accepted the provisions of Sections 61A and 61B of Chapter 31 of the General Laws and further notwithstanding the fact that Mr. Pacheco's age is in excess of 32 years, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 36 **HOME RULE LEGISLATION/REQUEST FOR
LEGISLATION/MEETING NOTICES**

To see if the Town will vote to initiate a Home Rule Petition to allow posting of a notice on the Town web page for two weeks to constitute the advertising of such a notice, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 37 **HOME RULE LEGISLATION/BEER, WINE, AND
MALT SALE LICENSES**

To see if the Town will vote to authorize the Selectmen to file a Home Rule Petition which requests that the Great and General Court authorize a ballot question for the Town which requests permission from the voters for the Selectmen to issue licenses for establishments to sell beer, wine, and malt beverages not for consumption on the premises, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 38 **HOME RULE LEGISLATION/REQUEST FOR LEGISLATION/
ALL ALCOHOL LICENSES**

To see if the Town will vote to authorize and request that the Board of Selectmen file a Home Rule Petition with the legislature which would authorize a ballot question to ask the registered voters of the Town for permission to increase the number of All-Alcohol licenses from the current limitation of five, or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 39 **REVOLVING FUNDS**

To see if the Town will vote the following:

- A. Private Way Repair - to reauthorize the revolving fund established under Article 46 of the 1992 Annual Town Meeting relating to defraying the cost of private way repairs; to hear or receive a report concerning the receipts and expenditures of same;
- B. Public Way Repair - to reauthorize the revolving fund established under Article 45 of the 1992 Annual Town Meeting relating to the maintenance of public ways; to hear or receive a report concerning the receipts and expenditures of same;
- C. Fox Library - to reauthorize the revolving fund established under Article 49 of the 1996 Annual Town Meeting relating to the Fox Library and Community Center; to hear or receive a report concerning the receipts and expenditures of same;
- D. Robbins House - to reauthorize the revolving fund established under Article 77 of the 1997 Annual Town Meeting relating to the Whittemore-Robbins House; to hear or receive a report concerning the receipts and expenditures of same;
- E. Conservation Commission - to reauthorize the revolving fund established under Article 44 of the 1996 Annual Town Meeting relating to consultant fees charged by the Conservation Commission; to hear or receive a report concerning the receipts and expenditures of same;

J. Life Support Services – to reauthorize the revolving fund established under Article 6 of the May, 2001 Special Town Meeting for basic life support and advanced life support services which provides for billing and payment to other entities in the Town to take account of new Medicare regulations; to hear or receive a report concerning the receipts and expenditures of same;

(Inserted by the Board of Selectmen)

ENDORSEMENT OF CDBG APPLICATION

(Inserted by the Board of Selectmen and at the request of the Acting Town Manager)

RESIDENCY REQUIREMENT/TOWN COUNSEL

(Inserted at the request of the Acting Town Manager and Town Counsel)

AUTHORITY TO FILE FOR GRANTS

(Inserted at the request of the Acting Town Manager and Superintendent of Schools)

ARTICLE 43**ON STREET PARKING**

To see if the Town will vote to recommend to the Board of Selectmen as Parking Commissioners of the Town to change the parking regulations to provide for on-street sticker parking except for Massachusetts Avenue, said stickers to be required after the maximum time limit for parking in a particular area has been exceeded, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 44**REQUEST FOR LEGISLATION/MUNICIPAL BUILDING
INSURANCE FUND**

To see if the Town will vote to authorize and request the Board of Selectmen to file a home-rule petition that would authorize the Town Manager to expend funds from the Town's Municipal Building Insurance Fund for purposes not listed in Section 13 of Chapter 40 of the Massachusetts General Laws which establishes such fund, determine how much money should be utilized from such fund and to determine the purpose for which said money will be expended, or take any action related thereto.

(Inserted at the request of the Acting Town Manager)

ARTICLE 45**HOME RULE LEGISLATION/MUNICIPAL BUILDING
INSURANCE TRUST FUND**

To see if the Town will vote to authorize and request the Board of Selectmen to file a Home Rule Petition allowing the transfer of all or a portion of the existing balance in the Municipal Building Insurance Trust Fund as Established under Massachusetts General Laws Chapter 40, Section 13 to the Retiree Health Care Trust Fund as established under Chapter 12 of the Acts of 1998; or take any action related thereto.

(Inserted at the request of the Town Treasurer)

ARTICLE 46**ESTABLISH COMMITTEE/INFORMATION SYSTEMS**

To see if the Town will vote to establish an Information Systems Advisory Committee, determine its duties and responsibilities, and specify the manner and number of appointments to said committee, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 47**ESTABLISH INFORMATION TECHNOLOGY
ADVISORY COMMITTEE**

To see if the Town will vote to establish an Information Technology Advisory Committee which among other things may be charged with the responsibility of reviewing the Town's current technology plan including its information technology processes and procedures and developing a written technology plan for the Town, determining its membership and its manner of appointment, or taking any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 48**ESTABLISH COMMITTEE/TOWN BUDGETS**

To see if the Town will vote to create a committee to study the way in which the Town Meeting votes upon the budgets and determines revenue, said committee to report to the appropriate boards and officials of the Town and to the 2005 Annual Town Meeting on its recommendations if any, or take any other action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 49**ESTABLISH COMMITTEE/POST-EMPLOYMENT
MEDICAL BENEFITS COMMITTEE**

To see if the Town will vote to establish a Post-Employment Medical Benefits Committee comprised of the Acting Town Manager, or the Acting Town Manager's designee; the Finance Committee Chairman, or the Finance Committee Chairman's designee; the Town Treasurer; Town Comptroller; one town affiliated and one school affiliated member of the Health Insurance Advisory Committee; and the said Post-Employment Medical Benefits Committee shall report and make recommendations to the 2005 Annual Town Meeting as to how the Town intends to fund and/or otherwise integrate the new accounting standards regarding the reporting of Other Post-Employment Benefits (OPEB), as promulgated by the Government Accounting Standards Board (GASB); the organizational meeting of said Post-Employment Medical Benefits Committee to be called and presided over by the Town Treasurer, and the business of the committee will be conducted so long as a quorum of the members are present at the organizational and subsequent meetings of the committee, or take any action related thereto.

(Inserted at the request of the Town Treasurer)

ARTICLE 50**ESTABLISH COMMITTEE/RESERVE FUND/SPENDING
POLICIES**

To see if the Town will vote to establish a Reserve Fund/Spending Policy Committee comprised of the Acting Town Manager, or the Acting Town Manager's designee; the Superintendent of Schools, or the Superintendent's designee; the Finance Committee Chairman, or the Finance Committee Chairman's designee; the Town Treasurer; Town Comptroller, and two (2) Town Meeting Members to be appointed by the Town Moderator; said committee to review a minimum of five (5) years of Town/School spending patterns; identify and review the Town's reserve funds in order to determine a mean level at which these funds have been maintained over a five (5) year period; and recommend to the 2005 Annual Town Meeting a spending/reserve fund policy designed to buffer the Town from the economic fluctuations of the state, national and global economies; the organizational meeting of said Reserve Fund/Spending Policy Committee to be called and presided over by the Town Treasurer, and the business of the committee will be conducted so long as a quorum of the members are present at the organizational and subsequent meetings of the committee; or take any action related thereto.

(Inserted at the request of the Town Treasurer)

ARTICLE 51**ESTABLISH COMMITTEE/TRUST FUND POLICIES**

To see if the Town will vote to establish a Trust Fund Policy Committee comprised of one member from the Board of Trust Fund Commissioners; one member from the Board of Library Trustees; one member from the Board of Cemetery Commissioners; said members to be appointed by the Chairpersons of the aforementioned boards; the Town Treasurer; and the Town Comptroller; said committee to report to the 2005 Annual Town Meeting with recommendations regarding a trust fund growth management policy to be followed with regard to the trust funds of the Town; the organizational meeting of said Trust Fund Policy Committee to be called and presided over by the Town Treasurer, and the business of the committee will be conducted so long as a quorum of the members are

present at the organizational and subsequent meeting of the committee; or take any action related thereto.

(Inserted at the request of the Town Treasurer/Trust Fund Custodian)

ARTICLE 52

APPROPRIATION/TOWN BUDGETS

To see if the Town will vote to make appropriations to defray Town obligations, liabilities, outlay and expenses and especially for or relating to all or any of the boards, departments, purposes and matters hereinafter mentioned, and to provide for the disposal of motor vehicles and other personal property belonging to the Town, determine how the money shall be raised and expended, or take any action related thereto:

Finance Committee, Board of Selectmen, Town Manager, Personnel, Comptroller, Data Processing, Town Treasurer and Collector of Taxes, Assessors, Legal and Worker's Compensation, Town Clerk, Registrars, Planning and Community Development, Redevelopment Board, Parking, Zoning Board of Appeals, Public Works, Highway, Snow and Ice Removal, Engineering, Properties, Natural Resources, Cemeteries and Sanitation, Community Safety, School Department, Libraries, Human Services, Insurance, Non-Contributory Pensions, Contributory Pensions, Town Debt and Interest, Reserve Fund, and/or any other Town Departments, Boards, Commissions or Committees, Water and Sewer Enterprise Fund, Recreation Enterprise Fund, Council on Aging Transportation Enterprise Fund, Veterans Memorial Rink Enterprise Fund, and Youth Services Enterprise Fund.

(Inserted by the Board of Selectmen and at the request of the Acting Town Manager)

ARTICLE 53

APPROPRIATION/MINUTEMAN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL

To see if the Town will vote to appropriate a sum of money for the purpose of paying the Town's apportioned share of the operating and maintenance costs, including capital costs, of the Minuteman Regional Vocational Technical High School, determine how the money shall be raised and expended, or take any action related thereto.

(Inserted at the request of Minuteman Regional Vocational School District Committee)

ARTICLE 54

APPROPRIATION/TOWN CELEBRATIONS, ETC.

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of the Town Manager for the following celebrations and memorials, determine how the money shall be raised, or take any action related thereto:

- A. Seasonal Lighting
- B. Veterans' Day Parade, Memorial Day Observation and the Patriots' Day Celebration
- C. 2004 Town Day Celebration
- D. Display of American Flags on Massachusetts Avenue
- E. Placing of American Flags on the Graves of Veterans

(Inserted at the request of the Acting Town Manager)

ARTICLE 55

APPROPRIATION/COMMITTEES AND COMMISSIONS

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of various committees, commissions, and boards of the Town, determine how the money shall be raised; provided that any funds appropriated hereunder shall remain under the jurisdiction of said entities until expended at their direction, unless

otherwise appropriated by the Town Meeting; the entities included hereunder, without limitation, are: Arlington Historical Commission, Arlington Recycling Committee, Avon Place Historic District Commission, Broadway Historic District Commission, Central Street Historic District Commission, Mt. Gilboa/Crescent Hill Historic District Commission, Jason/Gray Historic District Commission, Pleasant Street Historic District Commission, Russell Historic District Commission, Conservation Commission, Capital Planning Committee, Commission on Disability, Personnel Board, Public Memorial Committee, Human Rights Commission, and any other Town committee or commission, or take any action related thereto.

(Inserted at the request of the Town Moderator and the Finance Committee)

ARTICLE 56

APPROPRIATION/MISCELLANEOUS

To see if the Town will vote the following:

- A. Legal Defense - To appropriate a sum of money to replenish the Legal Defense Fund established under Article 13, Section 5 of Title I of the Town Bylaws,
- B. Unemployment Compensation - To appropriate a sum of money to be expended under the direction of the Town Manager for the Unemployment Compensation Program,
- C. Out-Of-State Travel - To appropriate a sum of money for expenses incurred outside the Commonwealth and as described in the General Laws, Chapter 40, Section 5, Paragraph 34, said appropriation to be expended under the direction of the Board of Selectmen and the Town Manager,
- D. Revaluation - To appropriate a sum of money to fund the cost of a revaluation of Town property,
- E. Indemnification of Medical Costs - To appropriate a sum of money in accordance with the provisions of Chapter 41, Section 100B of the General Laws, to indemnify certain retired Police Officers and Firefighters for all reasonable medical and surgical expenses which they incurred,

determine how the money will be raised and expended, or take any action related thereto.

(Inserted at the request of the Acting Town Manager)

ARTICLE 57

CAPITAL BUDGET

To see if the Town will vote to appropriate a sum of money to defray the expense of purchasing, leasing, or bonding of capital equipment, infrastructure, buildings or other projects of the Town or to acquire real property for municipal purposes; to appropriate a sum of money to fund previously incurred or future Town debt, to acquire land for said projects where necessary by purchase, eminent domain taking or otherwise, determine how the money shall be raised including the possibility of borrowing any or all of the same, or the transfer of funds from any previous appropriation, determine how such money shall be expended, or take any action related thereto.

(Inserted by the Board of Selectmen, and at the request of the Acting Town Manager and the Capital Planning Committee)

ARTICLE 58

RESCIND AUTHORITY TO BORROW

To see if the Town will vote to rescind the authority to borrow for certain abandoned capital projects, or take any action related thereto.

(Inserted at the request of the Capital Budget Committee)

ARTICLE 59**APPROPRIATION/HARDY SCHOOL**

To see if the Town will vote to appropriate a sum of money to augment funds previously voted for the construction and reconstruction of the Hardy School to address noise problems associated with the heating, ventilation, and air-conditioning units, determine how the money will be raised or expended including the possibility of borrowing, or take any action related thereto.

(Inserted at the request of the Permanent Town Building Committee)

ARTICLE 60**APPROPRIATION/DALLIN SCHOOL CONSTRUCTION PROJECT**

To see if the Town will vote to appropriate a sum of money for remodeling, reconstructing, or making extraordinary repairs and/or for constructing, equipping, and furnishing a wholly new building for the Dallin School, to determine how the money shall be raised and expended, including the possibility of borrowing same, or take any action related thereto.

(Inserted at the request of the School Committee, Superintendent of Schools, and the Permanent Town Building Committee)

ARTICLE 61**ALTERNATIVES REGARDING ELEMENTARY SCHOOL REBUILD PROGRAM**

To see if the Town will consider and vote to accept one of the following alternatives regarding the remodeling, reconstructing or making extraordinary repairs to the Dallin, Thompson and Stratton schools, or for constructing, equipping and furnishing a new building to replace any or all of the existing three structures; said alternatives are set forth as follows:

1. Continue to delay the Dallin, Thompson and Stratton rebuild projects until the state reimbursement schedule is clarified.
2. Temporarily expand the existing annual percentage of revenue currently allocated to capital projects in order to resume the elementary rebuild program.
3. Include the Dallin, Thompson and Stratton schools within the existing capital plan without expansion of the capital revenue base.
4. Vote to place another debt exclusion question on the Town ballot requesting sufficient funds to complete the Dallin, Thompson and Stratton schools;

or take any action related thereto.

(Inserted at the request of the Town Treasurer)

ARTICLE 62**APPROPRIATION/FINANCING OF CONSTRUCTION OR RECONSTRUCTION OF SEWERS AND SEWERAGE FACILITIES**

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of sewers and sewerage facilities for inflow/infiltration reduction or system rehabilitation, including costs incidental and related thereto, and to determine how the appropriation shall be raised or expended, including the possibility of

borrowing, or take any action related thereto.

(Inserted at the request of the Acting Town Manager and Director of Public Works)

**ARTICLE 63 APPROPRIATION/FINANCING OF CONSTRUCTION OR
RECONSTRUCTION OF WATER MAINS AND WATER FACILITIES**

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of water mains and water facilities, including costs incidental and related thereto, and to determine how the appropriation shall be raised and expended including the possibility of borrowing, or take any action related thereto.

(Inserted at the request of the Acting Town Manager and Director of Public Works)

**ARTICLE 64 APPROPRIATION/PENSION ADJUSTMENT FOR
FORMER TWENTY-FIVE YEAR EMPLOYEES**

To see if the Town will vote to appropriate a sum of money to implement the provisions Chapter 32 of the Massachusetts General Laws, Sections 90A, 90C, 90D, and 90E, pursuant to which the Town pays up to fifty percent of the maximum salary as set forth in the Compensation and Pay Plan for the position formerly held by retired employees with twenty-five or more years of service to the Town who qualify for this adjustment; said adjustment to be administered in accordance with prior practice and understanding relating to the retirement allowance of said retirees; determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Contributory Retirement Board)

ARTICLE 65 COLLECTIVE BARGAINING/LOCAL 680

To see if the Town will vote to fund any fiscal items in the event that any are contained in a collective bargaining agreement between the Town and that collective bargaining unit represented by Local 680, American Federation of State, County and Municipal Employees, determine how the money shall be raised and expended, or take any action related thereto.

(Inserted at the request of the Acting Town Manager)

ARTICLE 66 COLLECTIVE BARGAINING/NAGE

To see if the Town will vote to fund any fiscal items in the event that any are contained in a collective bargaining agreement between the Town and that collective bargaining unit represented by Local 113, National Association of Government Employees, determine how the money shall be raised and expended, or take any action related thereto.

(Inserted at the request of the Acting Town Manager)

ARTICLE 67 COLLECTIVE BARGAINING/LIBRARY PROFESSIONALS

To see if the Town will vote to fund any fiscal items in the event that any are contained in a collective bargaining agreement between the Town and that collective bargaining unit represented by the Robbins Library Professional Association, determine how the money shall be raised and expended, or take any action related thereto.

(Inserted at the request of the Acting Town Manager)

ARTICLE 68 COLLECTIVE BARGAINING/LOCAL 1297 FIREFIGHTERS

To see if the Town will vote to fund any fiscal items in the event that any are contained in a collective bargaining agreement between the Town and that collective bargaining unit

(Inserted at the request of the Acting Town Manager)

(Inserted at the request of the Acting Town Manager)

(Inserted at the request of the Acting Town Manager)

(Inserted at the request of the Acting Town Manager)

(Inserted at the request of the Acting Town Manager)

(Inserted by the Board of Selectmen)

(Inserted at the request of the Acting Town Manager and Personnel Director)

ARTICLE 75**TRANSFER OF APPROPRIATIONS/PARKING
(BOARD OF SELECTMEN)**

To see if the Town will vote to Transfer the Fiscal Year 05 appropriation amounts under the following line items set forth under Budget 12: Parking:

Personnel Services
Expenses
Detail of Personnel Services
Parking Clerk
Data Input Operator/Clerk
Overtime
Longevity

And transferring said appropriations to Budget 6-Treasurer-Collector by adding the FY 05 Parking Clerk appropriation to the salary of the Treasurer; adding the Data Input Operator/Clerk appropriation to the Clerks designation; the Overtime appropriation to the Overtime designation; and the Longevity appropriation to the Longevity designation; and add the Parking Clerk title to Budget 2-Board of Selectman, appropriate a sum of money to fund a stipend for said Parking Clerk position; determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Town Treasurer)

ARTICLE 76**APPROPRIATION/WEED TREATMENT**

To see if the Town will appropriate a sum of money for the remediation of weeds at Spy Pond, determine how the money will be raised and expended, or take any action related thereto.

(Inserted at the request of the Vision 2020 Environment Task Group
and the Vision 2020 Standing Committee)

ARTICLE 77**APPROPRIATION/LIBRARY WAY**

To see if the Town will vote to request that the Board of Selectmen to do all things necessary and appropriate to cause to be installed a traffic control device including without limitation a stop light on or in the vicinity of Library Way, to appropriate a sum of money to fund same, to determine how same will be raised and expended, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 78**FIELD USER FEES**

To see if the Town will vote to take any appropriate action including, without limitation, enactment of a bylaw that would require the Park and Recreation Commission to charge a fee for the use of fields under its jurisdiction that would be calculated to offset, in whole or in part, the cost of the maintenance of said fields attributable to the use of such fields by any person or organization that is not associated with the Arlington School Department or, in the alternative, to take any other action calculated to prohibit the expenditure of any funds by any Town, Board, or Committee or official for maintenance of fields under the jurisdiction of the Park and Recreational Commission unless same is

offset by the receipt of funds from any person or organization unrelated to the Arlington School Department, or take any action related thereto.

(Inserted at the request of the Finance Committee).

ARTICLE 79

APPROPRIATION/PARK AVENUE BRIDGE

To see if the Town will vote to request that the Board of Selectmen do all things necessary and appropriate to install a sidewalk on the Park Avenue Bridge, to appropriate a sum of money to fund same, to determine how the money should be raised and expended, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 80

TRASH COLLECTION

To see if the Town will vote to exclude trash collection and disposal (when legally permitted) from those items paid for from the general revenues of the Town, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 81

TRASH COLLECTION FEE

To see if the Town will vote to institute a fee to offset all or part of the costs of trash collection and disposal, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 82

TRASH COLLECTION PLAN

To see if the Town will vote to make all necessary changes to its bylaws so as to establish a trash collection plan to be created and administered by the Department of Public Works (DPW), said plan to provide for Town trash collection only of household waste placed in approved bags; each household would be provided with enough bags to allow for one bag of waste per week; additional bags to be made available for a fee set by Town Meeting through a distribution plan devised by the DPW, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 83

PERMISSIVE LEGISLATION

To see if the Town will vote to accept permissive legislation relating to any one or more of the following:

1. Retirement changes and/or early retirement.
2. Education reform and/or application and acceptance of any educational funds appropriated by the legislature.
3. Special needs students.

or take any action related thereto

(Inserted at the request of the School Committee and Superintendent of Schools)

ARTICLE 84

LOCAL OPTION TAXES

To see if the Town will vote to accept any local option taxes which are made available to

cities and towns through enactments of the legislature, or take any action related thereto.
(Inserted at the request of the Finance Committee)

ARTICLE 85 **CREATE POSITION/TOWN WEB SITE**
To see if the Town will vote to create a position (full or part time) in the office of the Town Clerk to keep current the Town web site, posting any required notices or minutes of meetings thereto, or take any action related thereto.
(Inserted at the request of 10 registered voters)

ARTICLE 86 **APPROPRIATION/RETIREE HEALTHCARE TRUST FUND**
To see if the Town will appropriate a sum of money to the Healthcare Trust Fund as established by Chapter 12 of the Acts of 1998, and to accept into said trust fund a transfer of funds and/or additional moneys that the Town may deem advisable from other sources in order to fund its healthcare obligations, determine how the money shall be raised and expended, or take any action related thereto.
(Inserted at the request of the Town Treasurer and the Finance Committee)

ARTICLE 87 **APPROPRIATION/TIP FEE STABILIZATION FUND**
To see if the Town will vote to make an appropriation/transfer from the Tip Fee Stabilization Fund established by Chapter 8 of the Acts of 1998 for any purpose allowed by such act, to determine how the money will be raised and expended, or take any action related thereto.
(Inserted at the request of the Finance Committee)

ARTICLE 88 **TRANSFER OF FUNDS/CEMETERY**
To see if the Town will vote to transfer a sum of money to the Cemetery Commissioners for the improvement of Town cemeteries, said sum shall be taken from the Mt. Pleasant Cemetery "Sale of Lots and Graves Fund", or take any action related thereto.
(Inserted at the request of the Finance Committee)

ARTICLE 89 **APPROPRIATION/OVERLAY RESERVE**
To see if the Town will vote to appropriate a sum of money from previous years overlay reserve surplus accounts, determine to what purpose this appropriation shall be made, or take any action related thereto.
(Inserted at the request of the Finance Committee)

ARTICLE 90 **APPROPRIATION/STABILIZATION FUND**
To see if the Town will make an appropriation to be added to the Stabilization Fund created under Article 73 of the 1958 Annual Town Meeting in accordance with the provisions of the General Laws, Chapter 40, Section 5B, as amended, determine how the money shall be raised and expended, or take any action related thereto.
(Inserted at the request of the Finance Committee)

ARTICLE 91 **USE OF FREE CASH**
To see if the Town will vote to authorize the taking of a sum of money voted for appropriations heretofore made at the Town Meeting under the Warrant and not voted to be borrowed from available funds in the Treasury, and authorize the Assessors to use free

cash in the Treasury to that amount in the determination of the tax rate for the Fiscal Year beginning July 1, 2004, or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 92

RESOLUTION/AFFORDABLE HOUSING

To see if the Town will adopt the following resolution:

WHEREAS, The Town of Arlington through its elected and appointed officials, has made the objective of providing affordable housing solutions a high priority, and

WHEREAS, the Town of Arlington recognizes that Massachusetts General Law Chapter 40B was enacted by the State Legislature with an intent of creating more opportunities for the development of affordable housing, and

WHEREAS, the Town of Arlington has added to its by-laws a requirement that all residential development in excess of 6 units must include a minimum of 15% units designated as affordable, and

WHEREAS, in the present 40B General Law and currently proposed amendments to it, there is no provision for this type of inclusionary zoning on a statewide basis, and

WHEREAS, developers continue to build sites without affordable units while also using the threat of 40B to force concessions from the community for high density or controversial sites.

It is therefore RESOLVED, that the Town of Arlington believes that Chapter 40B as it currently exists is not any effective means of addressing the affordable housing problem in Massachusetts, and that the Massachusetts Legislature should amend Chapter 40B by a) requiring ALL residential developments over six units to include a minimum of 15% units designated as affordable, and b) all such units will remain affordable in perpetuity, and, c) maintain the current definition of "Consistent with local needs" as amended by 2003, 26, Sec. 181 effective July 1, 2003.

or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 93

RESOLUTION/PRINCIPLES FOR PUBLIC SCHOOL EDUCATION

To see if the Town will vote to endorse the following principles for public school education in Arlington:

All students have the right to a full and comprehensive curriculum taught by certified, competitively compensated, professional staff members, who are provided with appropriate professional development training.

Needs of diverse learners should be addressed for all students K-12.

A safe, positive school climate with appropriate programs to support the needs of our students will exist in each school.

Implementation of the District Goals for Arlington Public Schools, as approved by the School Committee, will be supported.

And resolve that the Town of Arlington and its elected and appointed officials and employees will:

Provide adequate funding to support these principles for the Arlington Public Schools; and

Urge the United States Federal Government and its various branches, representatives, and employees to provide adequate funding and support for public education; and

Urge US Congressional representatives and Senators to monitor the implementation of the ESEA/ "No Child Left Behind" legislation, change the accountability standards and actively work for additional monies for municipalities to fully fund this and the IDEA/Special Education mandates; and Urge the Massachusetts State legislature to provide adequate monies to local authorities to fully fund Special Education mandates and School Building Assistance commitments; and send copies of this resolution to our State legislators, Governor, U.S. Congressional and Senate representatives, and the President of the United States, or take any action related thereto.

(Inserted at the request of 10 registered voters)

ARTICLE 94

HOME RULE LEGISLATION/BEER AND WINE AND ALL ALCOHOL

To see if the Town will vote to authorize and request that the Board of Selectmen file a home rule petition with the legislature which would authorize the Town to provide for a ballot question which would ask the voters of the Town to answer two questions, the first of which would be to authorize the Selectmen to issue licenses for the sale of beer and wine for establishments to sell for consumption off premises, and the second would authorize a ballot question which would permit the Selectmen to issue licenses to establishments for sale of beer, wine and all alcohol for consumption off premises, or take any action related thereto.

(Inserted by the Board of Selectmen)

Hereof, fail not, and make due return of the Warrant, with your doings thereon, to the Town Clerk, on or before said day and hour of meeting.

(SIGNED)

A true copy.

Attest:

....
....
....

(SIGNED)

KEVIN F. GREELEY
DIANE M. MAHON
CHARLES LYONS
KATHLEEN KIELY DIAS
JOHN W. HURD

SELECTMEN
OF THE
TOWN
OF
ARLINGTON

RICHARD T. BOYLE
CONSTABLE

HOW TO VOTE BY ABSENTEE BALLOT

Reasons for voting absentee

You may vote absentee if you are registered and will be unable to vote at the polls on Election Day because of

Absence from the Town
Physical disability
Religious beliefs

Illegal absentee voting is punishable by a fine of up to \$10,000 and up to five years in prison.

Applying for an absentee ballot

You must apply for an absentee ballot from the Town Clerk no later than noon of the day before the election. Applications may be mailed or hand delivered and you may use any form of written communication (letter or postcard) or the official application form.

Include on the application

- Your name as registered
- Your registration address
- Precinct, if you know it
- The precise address to which you wish the ballot sent
- Your own signature

Requesting to vote by mail

A ballot will be sent to any address you specify including your own home. Be sure to apply early because the ballots must be sent by mail and may be returned by mail or hand delivered.

Requesting to vote in person

If you prefer, you may request to vote in person before Election Day. You may vote at the Town Hall before Election Day at a time arranged with the Clerk, but application for your ballot must be made no later than noon of the day before the election. A voter may apply for an absentee ballot and then vote over-the-counter during the same visit.

Applying to vote if you are absent from the state, in the armed services or a prisoner

Registered and unregistered residents of Massachusetts outside the state and residents on active duty in the armed forces and merchant marine and their spouses or dependents, and prisoners, may vote absentee. They may request an absentee ballot from the Town where they legally reside (if outside the U.S., where they resided last before leaving). In addition, a close relative may apply on their behalf in person at the Town Clerk's Office.

A parent of a registered voter who is a student at a Massachusetts college or university may apply for an absentee ballot on the student's behalf to the Town Clerk where the student is registered.

In all cases, unregistered voters must register in person when they return to the state, since this does not establish permanent registration.

What if I am permanently physically disabled?

If you are permanently physically disabled and cannot cast your vote at the polling place, you may file a letter from your physician with the Town Clerk, stating that you are permanently unable to cast your vote at the polling place because of physical disability. A completed application for an absentee ballot, for you to sign and return, must be mailed by the Town Clerk to you at least 28 days before every primary and election.

NOTE: Voters who are admitted to a health care facility after noon of the fifth day before an election may apply for an absentee ballot up until the polls close on the day of the election (rather than noon the day before the election) and must designate a person to hand deliver and return the absentee ballot.