

TOWN OF BELMONT  
WARRANT FOR  
2011 ANNUAL TOWN MEETING

APRIL 25, 2011

7:00 P.M.

BELMONT HIGH SCHOOL AUDITORIUM  
221 CONCORD AVENUE, BELMONT





**ARTICLE 3: Authorization to Transfer Balances**

*To see if the Town will authorize the transfer of certain balances on the Treasurer's books and Accountant's books, or in any way act thereon.*

This article authorizes the transfer of balances from various sources necessary to achieve the Town's financial plan for Fiscal Year 2012 (the Budget) as contained in Article 4.

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

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

**ARTICLE 4: Budget Appropriation**

*To determine what sums of money shall be granted to pay Town expenses for the fiscal year beginning July 1, 2011 and to make the necessary appropriations for the same for the support of schools and for other Town purposes, determine how the same shall be raised, or in any way act thereon.*

This article is the appropriation of the Town's Fiscal Year (FY) 2012 budget, commencing on July 1, 2011. Typically, the Budget is broken down into several major categories of expenditures, each requiring a separate vote of Town Meeting.

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

The Warrant Committee will report orally on this Article.

**ARTICLE 5: Salaries of Elected Officials**

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

This article fulfills the state law requiring Town Meeting to set the compensation of a town's elected officers. This article also appropriates the funds necessary to meet these compensation levels. For FY 2012, the recommended compensation levels are listed below. Please note that the Town Meeting establishes and appropriates the compensation of all other municipal employees under separate articles (Article 10 and Article 4).

Town Moderator	\$200
Chairman of the Board of Selectmen	\$5,000
Selectman (2)	\$4,500 each
Town Clerk	\$72,499
Town Treasurer	\$89,145
Chairman of the Board of Assessors	\$2,748
Assessor (1)	\$2,424
Assessor (1)	\$2,424

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

The Warrant Committee will report orally on this Article.



Chapter 90 funds for design purposes in order to "leverage" substantial federal transportation funding for major road projects (i.e., Trapelo Road).

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

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

**ARTICLE 9: Appropriation of Capital Expenditures**

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

This is a standard article appearing on the Warrant to appropriate funds to support capital expenditures. While the article is general as to the categories of capital expenditures, the motion shall be explicit. The recommendations of the Capital Budget Committee for FY 2012 capital expenditures will be provided in advance of the Annual Town Meeting.

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

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

**ARTICLE 10: Appropriation for Water and Sewer and Stormwater Services**

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

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

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

The Warrant Committee will report orally on this Article.

**ARTICLE 11: Authorization of Expenditure from Revolving Funds**

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

This article seeks authorization to establish revolving funds for certain operations of the Town. A revolving fund allows the expenditure of user fees for program expenses without further Town Meeting appropriation. However, the Town Meeting must

annually renew the funds. At this time, the Board of Selectmen and Warrant Committee are considering the use of revolving funds for the following programs:

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits
Teen/Youth Events	Recreation Commission	Event fees	Teen/youth center events	\$5,000
Senior Programs	Council on Aging	Course and program fees	Program costs, including trip expenses	\$50,000
Art Gallery	Belmont Cultural Council	Percentage of art sales	Gallery exhibit and event expenses	\$15,000
Wetlands Protection	Conservation Commission	Filing fees collected under the Wetlands Protection Act	Administration and enforcement of the Wetlands Protection Act	\$10,000
Rock Meadow Maintenance	Conservation Commission	Rental fees from garden plots	Restoration and maintenance of Rock Meadow Conservation Area	\$10,000
Copying/Lost Books	Board of Library Trustees	Lost book fees; printing and copying fees	Replacement of lost books; paper, ink, printer/copier maintenance and replacement	\$10,000
Ambulance	Fire Chief	Ambulance fees and revenue	Expenses related to the ambulance service	\$300,000 effective March 1, 2012

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

The Warrant Committee will report orally on this Article.

**ARTICLE 12: Cemetery Balance Transfer**

*To see if the Town will authorize the transfer of certain balances relative to the Highland Meadow Cemetery on the Treasurer's books and Accountant's books, or in any way act thereon.*

This article authorizes the transfer of balances to apply proceeds from the sale of cemetery lots toward the cemetery's perpetual care.

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

The Warrant Committee will report orally on this Article.

**ARTICLE 13: Butler School Boiler Replacement**

*To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Building Committee for the replacement and removal of the boiler at the Butler Elementary School, 90 White Street, Belmont Massachusetts. The proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program,*



Two-thirds vote required for passage

Yes \_\_\_\_\_ No \_\_\_\_\_

**ARTICLE 16: Approval of Application by Library Trustees to the State's Library Construction Grant Program**

*To see if the Town will vote to approve the concept of the preliminary design of a new main library, and authorize the Board of Library Trustees to apply for and accept any federal and/or state grants that may be available for the Belmont Public Library building project, such grants to be expended, together with other funds subsequently appropriated or made available for the project, by a building committee authorized at a future Town Meeting or in any way act thereon.*

This article, as required by the Commonwealth of Massachusetts Board of Library Commissioners (MBLC), seeks Town Meeting approval of a future library construction project and authorization to apply for an MBLC grant. This article requires no monetary commitment from the Town at this time. Through its Board of Library Trustees, the Town of Belmont has applied for an MBLC grant, which if awarded, as expected, would provide \$8.5 million for library construction. Among its many requirements, the MBLC grant application requires towns to complete a library needs analysis and an architectural feasibility study that results in a preliminary architectural design. Belmont has already completed these. This warrant article is the next step in the grant application process with wording as required by MBLC. A yes vote will allow Belmont to apply for and accept state funding. The ultimate approval of the future construction project, and the actual payment from the state, are contingent on later action by a future Town Meeting.

Majority vote required for passage

Yes \_\_\_\_\_ No \_\_\_\_\_

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

**ARTICLE 17: Creating an Appointed Municipal Light Board**

*To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation creating an appointed Municipal Light Board substantially in the form below, and further to authorize the selectmen to approve amendments to the bill before enactment by the General Court which shall be within the scope of the general public objectives of the petition, on in any way act thereon.*

AN ACT TO CREATE AN APPOINTED MUNICIPAL LIGHT BOARD IN THE TOWN OF BELMONT.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

**SECTION 1.** Notwithstanding any general or special law to the contrary, the board of selectmen of the town of Belmont shall appoint a municipal light board to consist of four suitably qualified persons to serve for staggered three year terms, plus one member of the board of selectmen who shall be designated by a majority vote of said board of selectmen to serve until the next town

election. If for any reason a vacancy occurs in the membership of the municipal light board, the vacancy shall be filled forthwith by said board of selectmen for the unexpired term. The members of the municipal light board appointed hereunder shall organize for the proper conduct of their duties and shall possess all of the powers and rights and shall be subject to all of the duties and liabilities conferred or imposed by law upon municipal light boards but, in the performance of their duties, they shall be subject to the general supervision and direction of said board of selectmen. Before entering upon the duties of their office, members of the municipal light board shall be sworn to the faithful performance thereof by the town clerk or a justice of the peace.

**SECTION 2.** This act shall take effect upon its passage.

This article would authorize the Board of Selectmen to seek the passage of "home rule" legislation permitting the Town to establish a Municipal Light Board appointed by the Board of Selectmen and would replace the Selectmen who currently serve in that role with the support of an advisory committee.

Majority vote required for passage

Yes \_\_\_\_\_ No \_\_\_\_\_

The Warrant Committee will report orally.

**ARTICLE 18: Addressing Standards & Regulations**

*To see if the Town will vote to amend the General By-laws of the Town in Article 4, "Board of Selectmen" as follows:*

*By inserting after Section 4.13 the following new Sections:*

*"4.13.1 The Board of Selectmen shall have the sole authority to assign and modify addresses for all taxable and non-taxable properties. The Board may designate an official to act as the Board's agent in exercising this authority.*

*4.13.2 The Board of Selectmen shall have the authority to promulgate regulations establishing addressing standards and governing the numbering of properties, and the naming of roads in conformity with Massachusetts General Laws Chapter 85, Sections 3 and 3A, and Chapter 41 Section 74. No address shall be considered valid unless it is in conformity with these regulations.*

*4.13.3 All public or private roads that provide legal frontage to a structure shall be named. The Board of Survey will recommend road names, in accordance with the regulations, to the Board of Selectmen or its designated agent. A road name assigned or approved by the Town shall not constitute or imply acceptance of the road as a public way.*

*4.13.4 All properties, buildings and structures are required to have a valid address. The Board of Selectmen or its designated agent shall assign address numbers to all properties.*

*4.13.5 The Town will maintain an up-to-date Master Address Table using the addresses assigned by the Board of Selectmen or its designated agent and parcel identification numbers*

*for all taxable and non-taxable properties. No one may publicly use or list an address for a property, building, or structure located within the Town of Belmont, for any purpose, unless that address is included in the Master Address Table.*

*4.13.6 No property owner, lessor, or licensee may apply for any permit or license within the Town unless the property, building, or structure has a valid address which is included in the Master Address Table. Those applicants who do not possess a valid address included in the Master Address Table must a) Demonstrate and provide documentation to prove that an existing address is valid according to the regulations established by the Board of Selectmen, or b) Provide necessary information required to allow the Board of Selectmen or its designated agent to assign a valid address consistent with the regulations."*

*4.13.7 Upon approval of a final plan, which requires new or modified addresses for buildings, roads, or other structures, final addresses must be assigned by the Board of Selectmen or its designated agent prior to applying for a building permit."*

*or in any way act thereon.*

This article would give the Selectmen authority to make regulations governing the naming of roads and the assignment of addresses, and to assign addresses to all properties in Town. All addresses would be standardized and stored in a Master Address Table. This would ensure that every property in Belmont has a single, unique address.

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

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

#### **ARTICLE 19: Tree Preservation and Maintenance By-Law**

*To see if the Town will vote to adopt a new by law regulating the preservation of existing trees and the promotion of new tree planting, or in any way act thereon.*

#### **Tree Preservation and Maintenance By-Law**

##### **Section 1. Preamble.**

The Town of Belmont finds that the preservation of existing trees and the promotion of new tree planting is a public purpose that protects the public health, welfare, environment and aesthetics of the Town of Belmont and its citizens. The urban forest serves a wide variety of functions, which promote the health, safety and welfare of residents. These functions include:

- (a) conserving energy, by providing shade and evaporative cooling through transpiration;
- (b) improving local and global air quality by absorbing carbon dioxide, absorbing particulate matter, and producing oxygen;
- (c) reducing wind speed and directing air flow;
- (d) reducing noise pollution;
- (e) providing habitat for birds, small mammals, and other wildlife;

- (f) reducing storm runoff;
- (g) increasing real property values; and
- (h) enhancing visual and aesthetic qualities that attract visitors and businesses.

## **Section 2. Intent and Purpose.**

This by-law is enacted for the purpose of preserving and protecting certain defined trees.

## **Section 3: Definitions**

When used in this by-law, the following definitions shall apply:

3.1 Certified arborist: An arborist certified by the Massachusetts Arborists Association, or any successor organization.

3.2 Demolition: Any act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same.

3.3 Diameter: The diameter (in inches) of the trunk of a tree (or, for multiple trunk trees, the aggregate diameters of the multiple trunks) measured four feet six inches from the existing grade at the base of the tree.

3.4 Mitigation period: For purposes of replanting trees pursuant to Section 5.3(a) of this by-law, a period ending 365 days from the completion of construction. For purposes of making a payment to the Tree Replacement Fund pursuant to Section 5.3(b) of this by-law, a period ending 365 days from the grant of the building or demolition permit.

3.5 Person: Any person, firm, partnership, association, corporation, company or organization of any kind including any public utility or municipal department.

3.6 Protected Tree: Any tree with a diameter of eight inches or greater, or any multiple trunk tree with an aggregate diameter of 15 inches or greater on land which is subject to the provisions of this by-law.

3.7 Building: A combination of any materials, whether portable or fixed, having a roof, to form a building for the shelter of persons, animals or property. For the purpose of this definition "roof" shall include an awning or any similar covering, whether or not permanent in nature. The word "building" shall be construed where the context allows as though followed by the words "or part or parts thereof".

3.8 Tree Removal: Any act that will cause a tree to die within a one (1) year period, including but not limited to cutting down, damaging, poisoning, or other direct or indirect actions resulting in the death of a protected tree.

The Planning Board may provide other such definitions of terms in rules and regulations deemed useful to implement this by-law.

#### **Section 4: Applicability of the By-law**

4.1 Applicability: The circumstances under which the tree removal and replacement mitigation process delineated in this by-law shall apply are as follows:

- (a) the proposed demolition of an existing residential or non-residential building and its replacement with a new dwelling or building.
- (b) the proposed construction of an addition to an existing non-residential building that constitutes a 10% or greater increase in the building footprint.
- (c) the proposed new construction of a residential or non-residential building on any lot.

4.2 Nothing herein is intended to conflict with the General Laws, Chapter 87 and to the extent that any provision hereof conflicts with said Chapter 87, such provisions shall not be valid.

#### **Section 5: Regulation of Protected Trees**

5.1 Scope: The removal of protected trees is prohibited unless authorized as set forth below.

5.2 Procedures.

(a) In all circumstances identified in Section 4.1(a) – 4.1(c), the owner of the property shall submit to the Inspector of Buildings a site plan drawn and stamped by a registered land surveyor or landscape architect showing all existing Protected Trees. The owner shall state at the time of filing this site plan whether any protected trees have been removed from the site during the 12 months prior to the application and shall certify the accuracy of that statement, to the best of his/her personal knowledge, under the pains and penalty of perjury.

(b) If any Protected Trees will be removed in connection with the circumstances set forth in Section 4.1(a) – 4.1(c), the owner of the property shall submit a proposal for tree removal and mitigation to the Inspector of Buildings with the application for a building or demolition permit. In addition, if any Protected Trees were removed during the 12 months preceding the application for the building or demolition permit, a tree removal and mitigation proposal regarding the Protected Trees already removed shall be submitted to the Inspector of Buildings. The proposal shall satisfy the mitigation requirements set forth below. The Selectmen may set an application fee which shall be adequate to compensate the Town for all costs incurred in administering this by-law.

(c) If any Protected Trees will be removed in connection with the circumstances set forth in Section 4.1(a) – 4.1(c), the owner of the property shall post with the Town a financial guarantee, as defined in Rules and Regulations as promulgated pursuant to Section 8, of \$2,000. The financial guarantee required in this section shall include provisions relative to forfeiture for failure to complete work specified in Section 5.3. The financial guarantee shall be released 365 days after the last day of the mitigation period for Section 5.3(a) or at such other time as authorized by the Inspector of Buildings.

(d) The Inspector of Buildings shall refer the tree proposal to the Tree Warden. If the Tree Warden determines that applicant's proposal is consistent with the mitigation requirements herein and the rules, regulations or manuals issued pursuant to Section 8, the Tree Warden will issue a tree permit to authorize the tree work. If the proposal does not meet or satisfy these requirements, the Tree Warden shall so notify the applicant and deny the tree permit.

### 5.3 Mitigation

A Protected Tree shall not be removed unless at least one of the following provisions is satisfied:

(a) A commitment is made to replant trees. Such replanting shall be on the basis of one (1.0) inch diameter of new tree(s) for each one (1.0) inch diameter of Protected Tree(s) removed. The replanting shall occur on or before the last day of the mitigation period, either on the site from which the tree was removed or on another site in Belmont with the written permission of the owner of the alternative site. The replacement tree shall be required to survive for a minimum of one year from the date it is planted; or

(b) A payment is made to the Tree Replacement Fund equal to \$100 per each inch of diameter of Protected Tree removed not already mitigated as per section 5.3(a). The payment shall occur on or before the last day of the mitigation period. The payment amount may from time to time be modified in accordance with regulations adopted pursuant to Section 8.

### 5.4 Tree Replacement Fund

(a) There is hereby established a Tree Replacement Fund which shall be held by the Town Treasurer, providing that such fund is annually reauthorized. Any payments made pursuant to §5.3(b) shall be deposited in said Tree Replacement Fund.

(b) The Director of the Department of Public Works shall have sole discretion concerning the use of funds from the Tree Replacement Fund, provided that such funds shall be disbursed exclusively for the purpose of buying, planting and maintaining trees in Belmont.

## Section 6. Emergencies and Exemptions.

Provisions of this by-law shall not apply to:

(a) emergency projects necessary for public safety, health and welfare as determined by the Director of the Department of Public Works; or

(b) trees that are a threat to life and/or property as determined in writing by a certified arborist; or

(c) trees identified by the Commonwealth that pose a risk due to insect/disease infestation.

**Section 7. Verification and Enforcement.**

7.1 The penalty for each violation of this by-law will be a fine in an amount equal to \$150 per each inch of diameter of Protected Tree removed not already mitigated as per section 5.3(a).

7.2 Each instance in which a Protected Tree is removed without the mitigation required by this by-law shall constitute a separate violation of this by-law.

7.3 If mitigation is not completed by the end of the mitigation period as determined by the Inspector of Buildings, each day beyond the date on which the mitigation period ends shall constitute a new and separate violation.

**Section 8. Rules and Regulations**

The Planning Board may promulgate, after public notice and hearing, Rules and Regulations to effectuate the purposes and intent of this by-law. Failure by the Planning Board to promulgate such Rules and Regulations shall not act to suspend or invalidate the effect of this by-law.

**Section 9. Severability**

If any section, paragraph or part of this by-law is for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force.

**Section 10. Relationship to Other By-laws**

Nothing in this by-law shall be construed to restrict, amend, repeal, or otherwise limit the application or enforcement of existing Town of Belmont By-laws or Commonwealth of Massachusetts laws.

**Section 11. Effective Date**

This by-law shall take effect immediately upon enactment.

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

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

**ARTICLE 20: Adoption of the Stretch Energy Code**

*To see if the Town will vote to enact Chapter 32 of the Town of Belmont General Bylaws, entitled "Stretch Energy Code," for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 120 AA of the Massachusetts Building Code, 780 CMR, the "Stretch Energy Code", including amendments or modifications thereto, a copy of which is on file with the Town Clerk, or in any way act thereon.*

## Chapter 32 STRETCH ENERGY CODE

- 32.1 Definitions
- 32.2 Purpose
- 32.3 Applicability
- 32.4 Authority
- 32.5 Stretch Code

### 32.1 Definitions

**International Energy Conservation Code (IECC) 2009** - The International Energy Conservation Code (IECC) is a building code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency. Commencing July 1, 2010, the baseline energy conservation requirements of the MA State Building Code will default to IECC 2009 and MA amendments.

**Stretch Energy Code** - Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, the Stretch Energy Code is the International Energy Conservation Code (IECC) 2009 with amendments contained herein.

### 32.2 Purpose

The purpose of 780 CMR 120.AA is to provide a more energy efficient alternative to the base energy code applicable to the relevant sections of the building code for both new construction and existing buildings.

### 32-3 Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 61, or 93, as applicable.

### 32-4 Authority

A municipality seeking to ensure that construction within its boundaries is designed and built above the energy efficiency requirements of 780 CMR may mandate adherence to this appendix.

780 CMR 120 AA may be adopted or rescinded by any municipality in the commonwealth in the manner prescribed by law.

### 32-5 Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 120 AA, including any amendments or modifications, is herein incorporated by reference into the Town of Belmont General Bylaws, Chapter 32.

The Stretch Code is enforceable by the inspector of buildings.

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

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

#### **ARTICLE 21: Creation of the Community Preservation Committee**

*To see if the Town will vote to enact Chapter 33 of the Town of Belmont General Bylaws, entitled "Community Preservation Committee" for the purpose of overseeing the adopted Community Preservation Act in compliance with Massachusetts General Law Chapter 44B, or in any way act thereon.*

#### **Chapter 33. Community Preservation Committee**

33.1 There is hereby established pursuant to Massachusetts General Laws Chapter 44B (the Community Preservation Act, hereafter in this Article referred to as "the Act") a Community Preservation Committee (hereafter in this Article referred to as "the Committee") consisting of nine members. The Committee shall consist of the following members:

- (a) One member of the Board of Park Commissioners as designated by the Board;
- (b) One member of the Conservation Commission as designated by the Commission;
- (c) One member of the Historic District Commission as designated by the Commission;
- (d) One member of the Housing Authority as designated by the Authority;
- (e) One member of the Planning Board as designated by the Board; and
- (f) Four at-large members as designated by the Board of Selectmen.

Members appointed to the Committee pursuant to paragraphs (a) through (e) above are referred to hereafter in this Article as "the statutory members".

33.1.1 With respect to initial statutory members, members appointed pursuant to paragraphs (a) and (b) of section 32.1 shall be appointed for one-year terms, members appointed pursuant to paragraphs (c) and (d) shall be appointed for two-year terms and the member appointed pursuant to paragraph (e) shall be appointed for a three-year term or, in the case of each initial statutory member, if sooner occurring, until such member no longer serves on the appointing Board, Commission or Authority. After the initial appointments, all statutory members shall serve for terms of three years or, if sooner occurring, until they no longer serve on the appointing Board, Commission or Authority.

33.1.2 With respect to initial at-large members, one member shall be appointed for a one-year term, one for a two-year term and two for three-year terms. After the initial appointments, all at-large members shall be appointed for three year terms. At-large members shall include persons who have expertise or demonstrated interest in open space, recreation, historic preservation or affordable housing.

33.1.3 Mid-term vacancies in the office of at-large member or statutory member shall be filled by the Board, Commission or Authority which made the original appointment, and members appointed to fill a vacancy shall serve for the remainder of the unexpired term.

33.2 The Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with other Town boards, commissions, committees and authorities, including, among others, the Conservation Commission, the Historic District Commission, the Housing Authority, the Planning Board and the Recreation Commission, and with the Belmont Housing Trust (if and while in existence) in conducting such studies. As part of its studies the Committee shall hold one or more public information hearings on the needs, possibilities and resources of the Town regarding community preservation, notice of which shall be posted publicly on the Town's web page at least two weeks prior to the date of the hearing, and published in each of two weeks preceding the week in which the hearing is to be held in a newspaper of general circulation in the Town. The Committee shall file an annual report of its activities with the Town Clerk.

33.2.1 The Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, rehabilitation, restoration and preservation of historic resources; for the acquisition, creation and preservation of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space, land for recreational use and community housing that is acquired or created as provided in the Act. With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

33.2.2 The Committee may include in its recommendations to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient funds are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with community preservation.

33.3 The Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Committee shall constitute a quorum. The Committee shall approve its actions by majority vote of the quorum. Recommendations to the Town Meeting shall include their anticipated costs.

33.4 The Board of Selectmen shall insert one or more articles in the warrant for each Annual Town Meeting, and for any Special Town Meeting, upon the written request of the Committee,



Majority vote required for passage

Yes \_\_\_\_\_ No \_\_\_\_\_

**ARTICLE 24: Disposition of Town Owned Property**

*To see if the Town will vote to authorize the Board of Selectmen to sell or otherwise dispose of a vacant parcel of real property of 4,300 square feet, more or less shown on Assessors' Map 32, Parcel 3, in accordance with Chapter 30B of the General Laws, on such terms and conditions as the Board of Selectmen determine to be in the best interests of the Town, or in any way act thereon.*

This article authorizes the Selectmen to sell a vacant piece of commercially zoned land located on Pleasant Street.

Two-thirds vote required for passage

Yes \_\_\_\_\_ No \_\_\_\_\_

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

**ARTICLE 25: Disposition of Town Owned Property**

*To see if the Town will vote to authorize the Board of Selectmen to sell or otherwise dispose of a discontinued portion of White Street of real property of 3,000 square feet, more or less shown on Assessors' Map 32, (adjacent to parcel 20), in accordance with Chapter 30B of the General Laws, on such terms and conditions as the Board of Selectmen determine to be in the best interests of the Town, or in any way act thereon.*

This article authorizes the Selectmen to sell a discontinued portion of residentially zoned land located at the intersection of White Street and Grant Avenue.

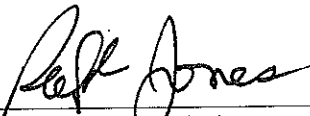
Two-thirds vote required for passage

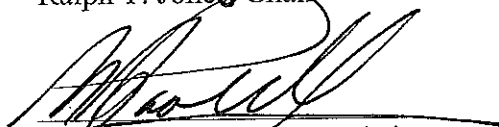
Yes \_\_\_\_\_ No \_\_\_\_\_

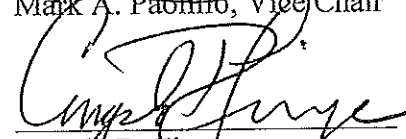
The Warrant Committee and Capital Budget Committee will report orally on this Article.

Given under our hands this 28th day of March, 2011.

BOARD OF SELECTMEN

  
Ralph T. Jones, Chair

  
Mark A. Paolillo, Vice Chair

  
Angelo R. Nrenze

