

Annual Town Meeting April 28, 29 and 30, 2008

***NOTE:** The 2008 Annual Town Meeting minutes printed below are excerpted from the official minutes of this meeting. For the complete text of all votes taken at this meeting, contact the Town Clerk's Office.*

Pursuant to the Warrant signed by the Selectmen on February 11, 2008, Town Moderator Edward N. Perry called the 2008 Annual Town Meeting to order at 7:00 pm on April 28, 2008 at the Concord-Carlisle High School Auditorium, Cafeteria and, if necessary, the Upper Gymnasium. The Moderator declared that the meeting was properly called and that a sufficient number of voters were present to permit the meeting to be opened.

On a **MOTION** made by Margaret Briggs and duly seconded, the following was **VOTED**:

That this meeting be held in the Concord-Carlisle Regional High School Auditorium, Cafeteria and, if necessary, the Upper Gym, and that the halls be connected by means of a public address system and loudspeakers so that the proceedings in the auditorium can be heard by all voters present in any hall.

Mr. Perry noted that he had appointed Carolyn Flood, George Dallas and Richard Beinecke to serve as Assistant Moderators at this Town Meeting, and that they had been duly sworn to the faithful and impartial discharge of their duties. On a **MOTION** made by Margaret Briggs and duly seconded, it was **VOTED**: To elect George Dallas as the Temporary Moderator to preside over this meeting if the Moderator elected by the Town is unable to serve in that position.

Mr. Perry urged everyone to read the Finance Committee Report, the "Moderator's Notes for the 2008 Annual Town Meeting," and "Concord's Town Meeting Traditions and Procedures." Mr. Perry noted that Dr. Susan Curtin would be serving as Town Meeting Resource Person in the Auditorium and would be assisted by Amy Spector. The Town's IT Director David Mickey was introduced as the Technical Resource person, to be assisted by Cline Frasier and Vicki Cushman.

Fire Chief Ken Willette reviewed evacuation procedures in the event of an emergency.

Mr. Perry noted that Abe Fisher had been appointed Head Teller, to be assisted by Todd Crocker. David Allen was appointed Ballot Supervisor, to be assisted by Mark Myles, in the event of a ballot vote. Mr. Perry administered the oath of office to the Tellers and Ballot Counters.

Concord Girl Scouts and Boy Scouts brought the flags forward. Mr. Perry asked attendees to stand and observe a moment of silence and reflect on how, through this Town Meeting, our neighbors and we provide for our common good. He asked that we be reminded that the passions of the moment are not necessarily the best guide for our conduct in the future, and that if sacrifice by a few is required, the sacrifice should be only where the common goal is worthy of the sacrifice. He asked that we approach each issue, no matter how divisive, with an open heart, an open mind, and a sense of humor.

Mr. Perry thanked Town and School staff for their assistance and cooperation in preparing for Town Meeting.

Upon a **MOTION** made by Margaret Briggs and duly seconded, it was

VOTED: That the reading of the Warrant and the Return of Service thereon be omitted.

Mr. Perry announced the reappointment of Mark Howell and Judith Quanrud to the Finance Committee; the appointment of Nancy Barrett, Bruce Button and Lynn Salinger; and the retirement from the Committee of Mark Russell Prior, Terri Ackerman and Roberto Tenenbaum. He announced the availability of Green Cards.

Mr. Perry noted that at this time he did not anticipate any motions under Articles 12, 23 and 36. He reviewed the likely schedule and the pre-scheduling of Articles 27 through 30. Town and School retirees and long-term employees were recognized for their years of dedicated service to the Town.

Upon a **MOTION** made by Margaret Briggs and duly seconded, it was

VOTED: That the Meeting take up no new business after 10:00 pm, and when we adjourn, we vote to reconvene in these same premises at 7:00 pm tomorrow evening, April 29th.

ARTICLE 1. CHOOSE TOWN OFFICERS

Under Article 1, Mr. Perry reported the results of the **Town Election** held on April 1, 2008.

Upon a **MOTION** made by Margaret Briggs and duly seconded, it was

VOTED: That Article 1 remain open for such other action there under as may be necessary and that the meeting take up Article 2.

ARTICLE 2. HEAR REPORTS

Upon a **MOTION** made by Margaret Briggs and duly seconded, it was

VOTED: To accept the reports of the various Town Officers and Committees.

Following a brief explanation by Mr. Perry of the procedures for the proposed Consent Calendar, Tom Anzer made the following **MOTION** that was duly seconded:

That the 2008 Annual Town Meeting advance for consideration Articles 13, 14, 15, 16, 18, 19, 20, 47 and 48 and take action on such articles without debate on any of such articles, provided that, upon the request of five voters at this Meeting, made before the vote is taken on this motion, an article shall be dropped from the Consent Calendar and shall be acted upon in the ordinary course of business at this Town Meeting.

After reading the motion and giving a brief explanation of each article, the Moderator inquired as to whether there was a request to drop any of the articles from the Consent Calendar motion. No requests were made. Upon a show of hands, the Consent Calendar was **UNANIMOUSLY VOTED**, and so declared by the Moderator, as follows:

CONSENT CALENDAR *(Articles 13, 14, 15, 16, 18, 19, 20, 47 and 48)*

ARTICLE 13. PROPERTY TAX EXEMPTION

Upon a **MOTION** duly made and seconded, it was

VOTED: To accept the provisions of §4 of Ch. 73 of the Acts of 1986 as amended by Ch. 126 of the Acts of 1988, and to increase by 100% the amount of property tax exemption granted to persons who qualify for said exemption under clauses 17, 17C, 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B and 41C of §5 of Ch. 59 of the MGL.

ARTICLE 14. LIGHT PLANT PAYMENT IN LIEU OF TAXES

Upon a **MOTION** duly made and seconded, it was

VOTED: That the Town vote to authorize a transfer of \$340,000 from the Operating Fund of the Light Plant to be used by the Board of Assessors to reduce the tax levy for FY 2009.

ARTICLE 15. LIGHT PLANT EXPENDITURES

Upon a **MOTION** duly made and seconded, it was

VOTED: That the income from sales of electricity, and from servicing and jobbing during the ensuing fiscal year, together with the balance of operating cash in the Light Plant, be expended without further appropriation under the direction and control of the Town Manager for the expenses of the Light Plant.

ARTICLE 16. ROAD REPAIR REVOLVING FUND EXPENDITURES

Upon a **MOTION** duly made and seconded, it was

VOTED: That the income and fees paid by applicants to the Commissioners of Public Works for permits to dig up, alter or disturb a public way, in an amount not to exceed \$120,000, be expended without further appropriation for the purpose of repairing, restoring, maintaining and inspecting public ways.

ARTICLE 18. SEWER SYSTEM EXPENDITURES

Upon a **MOTION** duly made and seconded, it was

VOTED: That the income from user fees, special service fees and jobbing services by the Water and Sewer Division of Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Sewer Fund, be expended without further appropriation under the direction and control of the Town Manager.

ARTICLE 19. SEWER IMPROVEMENT FUND EXPENDITURES

Upon a **MOTION** duly made and seconded, it was

VOTED: That the income from sewer improvement fees during the ensuing fiscal year, together with the balance of operating cash in the Sewer Improvement Fund, be expended without further appropriation under the direction and control of the Town Manager.

ARTICLE 20. WATER SYSTEM EXPENDITURES

Upon a **MOTION** duly made and seconded, it was

VOTED: That the income from user fees, special service fees, and jobbing services by the Water and Sewer Division of Concord Public Works during the ensuing fiscal year, together with the balance of operating cash in the Water Fund, be expended without further appropriation under the direction and control of the Town Manager.

ARTICLE 47. INFORMATION TO VOTERS ON BALLOT QUESTIONS

Upon a **MOTION** duly made and seconded, it was

VOTED: To petition the General Court to adopt legislation that was previously approved under Article 63 of the 2002 Annual Town Meeting, which authorized the Town of Concord to send certain information to registered voters regarding upcoming ballot questions.

ARTICLE 48. DEBT RESCISSION

Upon a **MOTION** duly made and seconded, it was

VOTED: To rescind the unused borrowing authorizations from Articles 28 and 29 of the 2005 Annual Town Meeting in the amount of \$60,000.

End of Consent Calendar

ARTICLE 3. MEETING PROCEDURE

Upon a **MOTION** made by Tom Anzer and duly seconded, it was

VOTED: To adopt a Rule of the Meeting governing requirements on motions and amendments to motions made under articles concerning expenditures, in order to assure compliance with the requirements of Proposition 2½.

ARTICLE 4. SECRET BALLOT VOTING PROCEDURE

The following **MOTION** was made by Peggy Briggs and duly seconded:

That the 2008 Annual Town Meeting adopt the following Rule for the conduct of the 2008 Annual Town Meeting:

On any vote at this Meeting, the vote shall be taken by secret ballot if 100 voters present at the Meeting so request before the Moderator calls for a vote to be taken.

A vote was then taken on Ms. Briggs' motion, which **FAILED TO PASS**, with 136 voting in favor and 148 voting against.

ARTICLE 5. CLASSIFICATION & COMPENSATION PLAN FOR REGULAR STATUS EMPLOYEES

Upon a **MOTION** made by David Stiffler and duly seconded, it was

VOTED: To amend the Classification and Compensation plans for all regular status Town employees, effective July 1, 2008.

ARTICLE 6. PERSONNEL BYLAW AMENDMENT—HOLIDAYS

Upon a **MOTION** made by David Stiffler and duly seconded, it was

VOTED: To amend the Personnel Bylaw regarding holidays.

ARTICLE 7. TOWN BUDGET

After presentations by Finance Committee Chair Tom Anzer and Town Manager Christopher Whelan, and upon a **MOTION** made by Christopher Whelan and duly seconded, it was

VOTED UNANIMOUSLY: To raise and appropriate the following sums of money for the necessary and expedient purposes of the Town for the fiscal year ending June 30, 2009, and that the same be expended only for such purposes under the direction of the Town Manager:

<u>No.</u>	<u>Department</u>	<u>Appropriation</u>
General Government		
1A	Town Manager	\$ 290,227
1C	Town-wide building maintenance	<u>135,000</u>
	TOTAL Town Manager Acct.#1	\$ 425,227
2	Legal Services	\$ 270,000
3A	Elections	\$ 49,003
3B	Registrars	<u>10,519</u>
	TOTAL Elections & Registrars Acct. #3	\$ 59,522
4	Town Meeting & Reports	\$ 77,800
<u>5</u>	<u>Planning and Land Management</u>	
5A	Planning	\$ 220,577
5B	Board of Appeals	42,714
5C	Natural Resources	180,338

5D	Inspections	330,318
5E	Health	<u>206,845</u>
	TOTAL Planning & Land Management	\$ 980,792

6	141 Keyes Road	63,056
	Total General Government	<u>\$ 1,876,447</u>

Finance and Administration

7	Finance Committee	\$ 1,275
8	Personnel Administration	\$ 146,742

9 Finance Department

9A	Administration	\$ 262,304
9B	Treasurer-Collector	226,193
9C	Town Accountant	117,471
9D	Assessors	363,099
9E	Town Clerk	192,849
	TOTAL Finance Department	<u>\$ 1,161,916</u>

10	Information Systems	\$ 351,743
11	Town House	\$ 93,897
	Total Finance and Administration	<u>\$ 1,755,573</u>

Public Safety

12	Police Department	\$ 3,548,055
13	Fire Department	3,123,339
14	West Concord Fire Station	42,071
15	Police and Fire Station	265,922
16	Emergency Management	15,810
17	Animal Control	17,626
	Total Public Safety	<u>\$ 7,012,823</u>

Public Works and Facilities

18	CPW Administration	\$ 137,487
19	Engineering	402,464
20	Highway Maintenance	1,049,711
21	Snow Removal	452,000
22	Parks and Trees	499,662
23	Cemetery	62,948
24	Street Lighting	62,660
25	CPW Equipment	278,000
26	Drainage Program	105,000
27	Sidewalk Management	90,000
28	133/135 Keyes Road	94,360
	Total Public Works and Facilities	<u>\$ 3,234,292</u>

Human Services

29	Library	\$ 1,688,849
----	---------	--------------

30	Recreation Administration	89,886
31	Hunt Recreation Center	129,034
33	Harvey Wheeler Community Center	124,592
34	Council on Aging	213,993
35	Veterans Services and Benefits	30,245
36	Ceremonies and Celebrations	23,865
37	Information Center	28,414
	Total Human Services	<u>\$ 2,328,878</u>

Unclassified

38	Town Employee Benefits	\$ 72,000
39	Reserve Fund	225,000
40	Salary Reserve	600,000
42	Road Improvements	85,000
	Total Unclassified	<u>\$ 982,000</u>
	Subtotal, accounts 1-42	
	<i>for reference only</i>	\$17,190,013
	(Finance Committee Guideline)	

Joint (Town-CPS)

43A	Group Insurance	\$ 3,845,000
43B	Property and Liability Insurance	<u>225,000</u>
	TOTAL Insurance Acct.#44	\$ 4,070,000
44	Unemployment & Workers' Comp.	\$ 200,000
45	Retirement	\$ 2,450,000
46	Social Security & Medicare	\$ 510,000
47A	Debt Service - within levy limit	\$ 3,100,000
47B	Debt Service - excluded from levy limit	<u>\$ 3,247,193</u>
	TOTAL Debt Service Acct.#47	<u>\$ 6,347,193</u>
	Total Joint Accounts	<u>\$13,577,193</u>
	TOTAL ARTICLE 10	<u>\$ 30,767,206</u>

ARTICLE 8. PUBLIC SCHOOL BUDGET

After a presentation by CPS Chair Peter Fischelis, upon a **MOTION** made by Mr. Fischelis and duly seconded, the following was:

VOTED: That the Town raise from the tax levy and appropriate the sum of \$27,206,200 for the necessary and expedient purposes of the support of the public schools for the fiscal year ending June 30, 2009; and that the same be expended only for such purposes and under the direction of the Concord School Committee.

Mr. Fischelis recognized and thanked retiring School Superintendent Dr. Brenda Finn.

ARTICLE 9. REGIONAL SCHOOL BUDGETS

Motion 1. Concord-Carlisle Regional School

Following a presentation by CCRSD Chair Michael Fitzgerald of Carlisle, and upon a **MOTION** made by Jerry Wedge that was duly seconded, the following was:

VOTED: That the Town raise from the tax levy and appropriate the Town's apportioned share of \$13,488,028 for the Concord-Carlisle Regional School District for the fiscal year ending June 30, 2009; and that the same be expended only for such purposes and under the direction of the Concord-Carlisle School Committee.

Motion 2. Minuteman Regional Vocational Technical School District

Following a presentation made by Asst. Superintendent Tom Markham, and upon a **MOTION** made by John Lang and duly seconded, it was

VOTED: To raise from the tax levy and appropriate the Town's apportioned share of \$486,660 for the Minuteman Regional Vocational Technical School District assessment for the fiscal year ending June 30, 2009.

ARTICLE 10. STABILIZATION FUND CREATION & FUNDING

Upon a **MOTION** made by Christopher Whelan and duly seconded, the following was

VOTED BY A DECLARED TWO-THIRDS MAJORITY VOTE: To establish a Stabilization Fund for the purpose of reserving funds to be used commencing in FY2011 to lower the tax levy impact of debt service payments for the Alcott, Thoreau and Willard elementary school bonds, and to appropriate \$2,500,000 from Free Cash for this purpose.

ARTICLE 11. FREE CASH USE

Upon a **MOTION** made by Tom Anzer and duly seconded, it was

VOTED: To authorize and direct the Assessors to take \$600,000 from Free Cash to reduce the tax levy for the fiscal year ending June 30, 2009.

ARTICLE 12. UNPAID BILLS

There was **NO MOTION** under this Article.

ARTICLES 13-16. Voted previously under Consent Calendar.

ARTICLE 17. SOLID WASTE DISPOSAL FUND EXPENDITURES

Upon a **MOTION** made by Christopher Whelan and duly seconded, it was

VOTED: That the income from user fees for solid waste disposal services, together with the balance of operating cash in the Solid Waste Disposal Fund, be expended without further appropriation under the direction and control of the Town Manager.

ARTICLES 18-20. Voted previously under Consent Calendar.

ARTICLE 21. BEEDE SWIM & FITNESS CENTER ENTERPRISE FUND; FY2009 BUDGET

Upon a **MOTION** made by Christopher Whelan and duly seconded, the following was

VOTED: To appropriate the sum of \$2,188,060 from the estimated revenues of the Community Pool Enterprise Fund for the fiscal year beginning July 1, 2008, to be expended under the direction of the Town Manager for the operating expenses of the Beede Swim & Fitness Center, \$2,181,996 of said sum for direct expenses of the Center during FY2009 and \$6,064 of said sum to be transferred to the General Fund for reimbursement payments during FY2009; and \$35,443 to be appropriated to be transferred to the General Fund during FY2009 to complete the repayment of the \$100,000 General Fund appropriation made by Article 9, Item 32 of the 2005 Annual Town Meeting to fund pre-opening costs of the Center.

ARTICLE 22. 2008 ROAD PROGRAM

Upon a **MOTION** made by Paul Mahoney and duly seconded, the following was

VOTED BY A TWO-THIRDS MAJORITY, and so declared by the Moderator: To appropriate the sum of \$700,000 for the reconstruction or renovation of roads and streets within the town and for traffic signals, and that to meet said appropriation, the Town authorize the Town Treasurer with the approval of the Board of Selectmen to borrow the sum of \$700,000; and that the Town Manager be authorized to accept and expend state and/or county grants as may be available for the same purpose.

ARTICLE 23. SPACE NEEDS STUDY

There was **NO MOTION** under this article.

ARTICLE 24. EMERSON PLAYGROUND IMPROVEMENTS

Upon a **MOTION** made by Christopher Whelan and duly seconded, the following was

VOTED BY A TWO-THIRDS MAJORITY, and so declared by the Moderator: To appropriate the sum of \$150,000 to be expended under the direction of the Town Manager for the purpose of funding replacement, renovation, and other related work to the Emerson Playground, and that to meet said appropriation, the Town authorize the Town Treasurer with the approval of the Board of Selectmen to borrow the sum of \$150,000.

ARTICLE 25. CONCORD PUBLIC SCHOOLS RENOVATIONS

Upon a **MOTION** made by Jerry Wedge and duly seconded, the following was

VOTED BY A TWO-THIRDS MAJORITY, and so declared by the Moderator: To appropriate the sum of \$800,000 to be expended under the direction of the School Committee for remodeling, reconstructing or making extraordinary repairs, and related work at various Concord Public School facilities, and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen be authorized to borrow \$800,000.

ARTICLE 26. FY08 SUPPLEMENTAL APPROPRIATION FOR CCHS

There was **NO MOTION** under this article.

At 9:33 pm, a **MOTION TO ADJOURN** was duly made, seconded, and **VOTED**.

Adjourned Session—April 29, 2008

Mr. Perry called the second session of the 2008 Annual Town Meeting to order at 7:00 pm.

Upon a **MOTION** made by Margaret Briggs and duly seconded, it was

VOTED: That the Meeting take up no new business after 10:00 pm, and when we adjourn, we vote to reconvene in these same premises on April 30th.

Upon a **MOTION** made by Margaret Briggs and duly seconded, it was

VOTED: That for this session of Town Meeting we reduce the usual time at a microphone from four minutes to three minutes.

Mr. Perry explained the procedures to be taken for Articles 27 through 30, which had previously been designated as high interest articles to be taken up tonight as a block of new business.

ARTICLE 27. BRUCE FREEMAN RAIL TRAIL

Peggy Briggs made the following **MOTION** which was duly seconded:

To authorize the Selectmen to submit the schematic design of the Bruce Freeman Rail Trail set forth in the 25% Design Report dated March 5, 2008 to the Mass. Highway Department for approval, after which only Significant Changes will require further approval of Town Meeting.

Hugh Lauer offered an amendment which was duly seconded which included a requirement that the 25% design must be amended prior to submission to include a specification for a suitable underpass to replace the existing culvert under Powder Mill Road. The amendment **PASSED**. A vote was then taken on Ms. Briggs **AMENDED MOTION**, which **PASSED**, with 501 voting in favor and 247 opposed.

ARTICLE 28. BETTER BRUCE FREEMAN RAIL TRAIL (by petition)

The following **MOTION** was made by Dick Waters and duly seconded:

To authorize the Selectmen to submit a 25% design for the Bruce Freeman Rail Trail that is based on the design commissioned by the Concord Greenways Alliance (CGA) to State agencies for approval; to accept a sum up to \$10,000 from CGA to cover the costs of the changes needed in the 25% design; and to require that any Significant Changes from CGA'S design be approved by a vote at Town Meeting.

Mr. Waters' **MOTION FAILED TO PASS**, with 229 voting in favor and 504 opposed.

ARTICLE 29. ACCESS FOR ALL FOR THE BRUCE FREEMAN RAIL TRAIL (by petition)

On a **MOTION** made by Judith LaRocca and duly seconded, the following was

VOTED (with 360 voting in favor and 257 opposed): To authorize the Selectmen to submit to the Mass. Highway Dept. a schematic design which specifies an asphalt paved center trail surface, and wherever possible, soft-surface shoulders for the entire length of the Bruce Freeman Rail Trail in Concord from Route 2 to the Sudbury town line, and that provides access to all Concord citizens.

ARTICLE 30. FUNDING FOR CONTINUING WORK ON THE BRUCE FREEMAN RAIL TRAIL (by petition)

Virginia McIntyre made the following **MOTION** which was duly seconded:

To appropriate the sum of \$50,000 from free cash for further study and design of the Bruce Freeman Rail Trail in Concord.

Michael Beer offered an amendment which was duly seconded to investigate design modifications that reduce the construction footprint. Mr. Beer's amendment **FAILED TO PASS**.

A **VOTE** was then taken on Ms. Briggs' original motion, which **PASSED**.

At 11:04 pm there was a **MOTION TO ADJOURN** the meeting, which was duly seconded and **VOTED**, to reconvene tomorrow night.

Adjourned Session—April 30, 2008

Mr. Perry called the third session of the 2008 Annual Town Meeting to order at 7:00 pm.

ARTICLE 31. COMMUNITY PRESERVATION COMMITTEE EXPENDITURE RECOMMENDATIONS

The following **MOTION** was made by Joanne Gibson and duly seconded:

Pursuant to the recommendation of the Concord Community Preservation Committee, the Town appropriate \$1,632,500 from the Concord Community Preservation Fund, of which \$30,000 shall come from the undesignated fund balance at June 30, 2007, \$242,500 from funds previously allocated to Open Space and Housing Reserve funds, and \$1,360,000 shall come from the projected FY2009 fund revenues, to be expended under the direction of the Town Manager, for the following:

Item	Project/Description	Amount	Category	SOURCE OF FUNDS		
				Prior Year Fund Balance	Source of Funds Prior Yr Reserve Funds	FY09 CPA Fund Revenues
A	Concord Free Public Library Thoreau Book Collection	\$22,500	Historic Preservation			\$22,500
B	Town of Concord—Natural Resources Division—Conservation Restriction Data Assessment	30,000	Open Space			30,000
C	Concord Housing Development Corp.—Create, Support & Preserve Community Housing	175,000	Housing		6,728.50 (Housing Reserve)	168,271.50
D	Town of Concord—Natural Resources Divn.—Concord Land Conservation Trust—Hubbard Farm Field Acquisition	750,000	Open Space		235,771.50	514,228.50
E	Concord Museum Collection Preservation/Climate Control	200,000	Historic Preservation			200,000
F	Town of Concord—Public Works—Nashawtuc Bridge Restoration	250,000	Historic Preservation			250,000
G	Orchard House Restoration	175,000	Historic Preservation			175,000
H	Town of Concord Administrative Expenses	30,000	Administrative	30,000		0
Totals		\$1,632,500		\$30,000	\$242,500	\$1,360,000

ARTICLE 32. COMMUNITY PRESERVATION COMM—335 WALDEN ST LAND ACQUISITION

Upon a **MOTION** made by Joanne Gibson and duly seconded, the following was

VOTED BY A TWO-THIRDS MAJORITY, and so declared by the Moderator: To appropriate the sum of \$225,000 from the Community Preservation Fund from the undesignated fund balance of June 30, 2007, to be expended under the direction of the Town Manager for the purpose of purchasing the rear portion of the property at 335 Walden St. as Open Space, and which will be subject to a permanent Conservation Restriction.

ARTICLE 33. COMMUNITY PRESERVATION COMM—335 WALDEN ST AFFORDABLE HOUSING

Upon a **MOTION** made by Joanne Gibson and duly seconded, the following was

VOTED: To appropriate the sum of \$385,000 from the Community Preservation Fund, of which \$319,414 shall be appropriated from the undesignated fund balance at June 30, 2007, and \$65,586 shall be appropriated from the projected FY2009 Fund revenues, to be expended under the direction of the Town Manager by the Concord Housing Trust for the creation of up to five dwelling units at 335 Walden St.

ARTICLE 34. HUGH CARGILL FARM MANAGEMENT PLAN

On a **MOTION** made by Virginia McIntyre that was duly seconded, the following was

UNANIMOUSLY VOTED: To accept the Hugh Cargill Farm Management Plan, as placed on file in the Town Clerk's Office.

ARTICLE 35. DECISION PROCESS FOR ACQUISITION OF LAND (by petition)

The following **MOTION** was made by Terry Rothermel and duly seconded:

To establish a process whereby, when land acquisitions involve Town funds, affordable housing is considered as one possible use of the land before any final commitments are made. The Town Manager and the Board of Selectmen will be responsible for ensuring that a housing representative is present from the start of discussions with the Town to determine probable land uses.

Motions to amend Mr. Rothermel's above motion were made by Tim Rose and Roberto Tenenbaum, duly seconded, and **FAILED TO PASS**. A **VOTE** was then taken on Mr. Rothermel's original motion, which **PASSED**, with 153 voting in favor and 122 opposed.

ARTICLE 36. RELEASE OF RESIDENTIAL RESTRICTION APPLICABLE TO LOT 6E

There was **NO MOTION** under this article.

ARTICLE 37. COMPREHENSIVE LONG RANGE PLAN UPDATE (by petition)

Upon a **MOTION** made by Joanne Loynd and duly seconded, the following was

VOTED: To authorize the Selectmen to appoint a Task Force to develop recommendations which address issues facing West Concord, to prepare updates to the 2005 Comprehensive Long Range Plan and work towards implementation.

ARTICLE 38. ZONING BYLAW AMENDMENT—CUSTOMARY & SPECIAL HOME OCCUPATIONS

Upon a **MOTION** made by Elise Stone and duly seconded, the following was

VOTED UNANIMOUSLY: To amend the Zoning Bylaw Sections 5.3.6.1 Customary Home Occupation and 5.3.6.2. Special Home Occupation.

ARTICLE 39. ZONING BYLAW AMENDMENT—PARKING REQUIREMENT FOR ATMS

Upon a **MOTION** made by Stephen Carr and duly seconded, the following was

VOTED BY A TWO-THIRDS MAJORITY: To amend the Zoning Bylaw Section 7.7.2.1 Table IV, Minimum Parking

ARTICLE 40. ZONING BYLAW AMENDMENT—NONCONFORMING USES AND STRUCTURES

A **MOTION** made by Fred Watriss and duly seconded to amend Section 7.1 of the Zoning Bylaw **FAILED TO PASS**, with 113 voting in favor and 58 opposed (114 votes required for the 2/3 majority).

ARTICLE 41. ZONING BYLAW AMENDMENT—HEIGHT REQUIREMENTS FOR WIND TURBINE FACILITIES

Upon a **MOTION** made by Jeff Adams and duly seconded, the following was:

VOTED BY A TWO-THIRDS MAJORITY: To amend the Zoning Bylaw Section 6.2.11 Height.

ARTICLE 42. ZONING BYLAW AMENDMENT—REDUCE THE AFFORDABLE HOUSING REQUIREMENT FOR COMBINED BUSINESS/RESIDENCE USE

There was **NO MOTION** under this article.

ARTICLE 43. ZONING BYLAW AMENDMENT—REDUCE THE AFFORDABLE HOUSING REQUIREMENT FOR COMBINED INDUSTRIAL/BUSINESS/RESIDENCE USE

There was **NO MOTION** under this article.

ARTICLE 44. EXTENSION OF MAIN STREET HISTORIC DISTRICT

Upon a **MOTION** made by Valarie Kinkade that was duly seconded, the following was

UNANIMOUSLY VOTED: To extend the Main Street Historic District westward to include the property located at 631 Main Street.

ARTICLE 45. DEMOLITION DELAY BYLAW AMENDMENT

Upon a **MOTION** made by Nancy Butman that was duly seconded, the following was

VOTED: To amend the Demolition Delay Bylaw list of properties.

ARTICLE 46. ADOPTION OF QUORUM RULE

Upon a **MOTION** made by Fred Watriss that was duly seconded, the following was

VOTED BY AN OVERWHELMING TWO-THIRDS MAJORITY: To accept, for all boards, committees or commissions holding adjudicatory hearings in the Town, the provisions of MGL Chapter 39, Section 23D.

ARTICLES 47 & 48. Voted previously under Consent Calendar.

The meeting concluded with the business of the Warrant, and upon a **MOTION** duly made and seconded, the 2008 Annual Town Meeting adjourned and dissolved at 11:19 pm.

Respectfully submitted,

Anita S. Tekle
Town Clerk