

## MAY 5, 2007 ANNUAL TOWN MEETING

Town Clerk, Diane Crory, called the meeting to order at 9:00 a.m. Ms. Crory announced that due to the passing of Charles F. Kaye the position of Town Moderator was vacant. Charles Ellis moved that Timothy Goddard be elected as Temporary Town Moderator to serve until this annual town meeting is dissolved. The motion was seconded by Michael Knupp and unanimously voted by the casting of a ballot by a resident of the town. The Town Clerk swore in Mr. Goddard to serve as Moderator until the Annual Town Meeting is dissolved.

Moderator Goddard explained the Consent Calendar procedure to those voters attending the meeting. There was a motion taken that articles that were considered "routing, predictable and non-controversial" would fall under the consent calendar and any that voters had a question on would have a hold placed on and an attempt to give an appropriate answer to any question would be given. If however there is need for a discussion on any stated article that a hold was placed then that article would be removed from the Consent Calendar. The following articles were presented on the Consent Calendar: Articles 1, 3, 5, 6, 26, 27, 29, 30, 33, 34, 35, 36, 37, 38, and 39. All were unanimously voted and passed. The actual articles and votes remain part of the verification of motions and are listed in their proper order below.

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| <p style="text-align:center"><b>ARTICLE 1</b><br/><b>Board of Selectmen</b><br/><b>Town Officers</b></p> |
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To choose all other necessary Town Officers and Committees.

*Unanimously voted that the following Officers be chosen for the year 2007:*  
*Fence Viewers: William Farnsworth, Timothy Harrison Whitcomb, Joseph Knox; Field Drivers: Gregory Webber, Michael O'Malley, Raymond C. O'Neil; Surveyor of Timber & Measurer of Wood Bark: Henry Parlee; Measurers and Weighers of Grain, Hay, Coal and Livestock: Arthur D. Keown, Janet Keown, John Tarves*

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| <p style="text-align:center"><b>ARTICLE 2</b><br/><b>Board of Selectmen</b><br/><b>Annual Report</b></p> |
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To hear and act upon the reports of the Town Officers and Committees.

*Unanimously voted that the Town accept all printed reports of Town Officers and Committees as published in the Annual Report.*

Motion was made and seconded to adjourn to the Special Town Meeting. Annual Town meeting reconvened at 9:45 a.m.

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| <p style="text-align:center"><b>ARTICLE 3</b><br/><b>Board of Selectmen</b><br/><b>Borrowing Authorization</b></p> |
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To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue for the fiscal year beginning July 1, 2007, in accordance with the provisions of Chapter 44, Section 4 of the General Laws, and to issue a note or notes as may be given for a period of less than one (1) year, in accordance with Chapter 44, Section 17 of the General Laws, or to take any other action relative thereto.

TOWN OF LITTLETON, MASSACHUSETTS

*Unanimously voted that the Town authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue for the fiscal year beginning July 1, 2007, in accordance with the provisions of Chapter 44, Section 4 of the General Laws, and to issue a note or notes as may be given for a period of less than one (1) year, in accordance with Chapter 44, Section 17 of the General Laws.*

**ARTICLE 4**  
**Board of Selectmen/Finance Committee**  
**Operating Budget**

To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury or transfer from the Enterprise and Trust Funds, such sums of money to defray the expenses of the various departments of the Town and to fix the salary and compensation of all elected officials for the Fiscal Year beginning July 1, 2007, or act in any manner relating thereto.

*Unanimously voted that the town raise and appropriate, transfer from free cash in the Treasury of the Town, and/or transfer from enterprise and trust funds directly as printed in the warrant sums of money to defray the expenses of the various departments of the town, and to fix the salary and compensation of all elected officials for the Fiscal Year beginning July 1, 2007, as follows:*

| a.<br>BGT.<br>LINE<br>NO. | b.<br>BUDGET COST CENTER<br>COST CENTER DETAIL<br>EXPENDITURES | c.<br>FY2006<br>ACTUAL | d.<br>FY2007<br>Appropriated | e.<br>FY2008<br>Fincom<br>Recommended | f.<br>Comments |
|---------------------------|--|------------------------|------------------------------|---------------------------------------|----------------|
| 1                         | Town Reports   | 1,765                  | 7,000                        | 7,000                                 |                |
| 2                         | Moderator  | 0                      | 100                          | 100                                   |                |
| 3                         | Selectmen - Salaries & Wages                                   | 106,131                | 105,891                      | 125,291                               |                |
| 4                         | Selectmen - Elected Wages                                      | 0                      | 0                            | 0                                     |                |
| 5                         | Selectmen - Operating Expenses                                 | 14,586                 | 14,700                       | 13,200                                |                |
| 6                         | Selectmen Total  | 120,717                | 120,591                      | 138,491                               |                |
| 7                         | Finance Committee - Wages                                      | 0                      | 0                            | 0                                     |                |
| 8                         | Finance Committee - Expenses                                   | 2,000                  | 1,000                        | 1,000                                 |                |
| 9                         | Finance Committee Total  | 2,000                  | 1,000                        | 1,000                                 |                |
| 10                        | Town Accountant - Salaries & Wages                             | 68,928                 | 96,825                       | 102,625                               |                |
| 11                        | Town Accountant - Expenses                                     | 1,844                  | 7,975                        | 7,000                                 |                |
| 12                        | Town Accountant - Audit Expense                                | 21,750                 | 21,750                       | 22,450                                |                |
| 13                        | Town Accountant Total  | 92,522                 | 126,550                      | 132,075                               |                |
| 14                        | Board of Assessors - Salaries & Wages                          | 127,550                | 127,650                      | 131,764                               |                |
| 15                        | Board of Assessors - Expenses                                  | 4,699                  | 4,700                        | 6,700                                 |                |
| 16                        | Board of Assessors Total                                       | 132,249                | 132,350                      | 138,464                               |                |
| 17                        | Treasurer Salaries & Wages                                     | 85,817                 | 98,332                       | 101,485                               |                |
| 18                        | Treasurer Expenses   | 36,937                 | 14,343                       | 6,800                                 |                |

TOWN OF LITTLETON, MASSACHUSETTS

| <b>a.</b><br><b>BGT.</b><br><b>LINE</b><br><b>NO.</b> | <b>b.</b><br><b>BUDGET COST CENTER</b><br><b>COST CENTER DETAIL</b><br><b>EXPENDITURES</b> | <b>c.</b><br><b>FY2006</b><br><b>ACTUAL</b> | <b>d.</b><br><b>FY2007</b><br><b>Appropriated</b> | <b>e.</b><br><b>FY2008</b><br><b>Fincom</b><br><b>Recommended</b> | <b>f.</b><br><b>Comments</b>   |
|---|--|---|---|---|--|
| 19  | Treasurer Tax Title Expenses   | 3,484                                       | 12,000  | 12,000  |  |
| 20  | Treasurer Total  | 126,238                                     | 124,675   | 120,285   |  |
| 21  | Collector Salaries & Wages   | 45,033                                      | 55,100  | 63,960  | Add 5 hrs/wk for Collector   |
| 22  | Collector Expenses   | 9,691                                       | 8,500   | 13,890  |  |
| 23  | Collector Total  | 54,724                                      | 63,600  | 77,850  |  |
| 24  | Town Counsel - Total Expenses  | 122,524                                     | 100,000   | 100,000   |  |
| 25  | IT Salaries & Wages  | 0   | 0   | 64,500  |  |
| 26  | IT Expenses  | 0   | 0   | 68,850  |  |
| 27  | IT Total   | 0   | 0   | 133,350   |  |
| 28  | Town Clerk - Salaries & Wages  | 46,512                                      | 56,790  | 57,636  |  |
| 29  | Town Clerk - Expenses  | 1,450                                       | 1,200   | 1,500   |  |
| 30  | Town Clerk Total   | 47,962                                      | 57,990  | 59,136  |  |
| 31  | Elections & Registration - Salaries & Wages  | 4,865                                       | 4,960   | 0   |  |
| 32  | Elections & Registration - Expenses  | 6,367                                       | 7,500   | 8,200   |  |
| 33  | Elections & Registration Total   | 11,232                                      | 12,460  | 8,200   |  |
| 34  | Conservation Commission Salaries & Wages   | 15,732                                      | 15,300  | 15,683  |  |
| 35  | Conservation Commission Expenses   | 796   | 1,726   | 1,726   |  |
| 36  | Conservation Commission Total  | 16,528                                      | 17,026  | 17,409  |  |
| 37  | Planning Board Salaries & Wages  | 33,124                                      | 34,797  | 38,284  |  |
| 38  | Planning Board Expenses  | 980   | 1,225   | 1,225   |  |
| 39  | Planning Board Total   | 34,104                                      | 36,022  | 39,509  |  |
| 40  | Board of Appeals Salaries & Wages  | 4,097                                       | 7,681   | 5,638   |  |
| 41  | Board of Appeals Expenses  | 614   | 1,200   | 1,200   |  |
| 42  | Board of Appeals Total   | 4,711                                       | 8,881   | 6,838   |  |
| 43  | Public Buildings - Salaries & Wages  | 15,055                                      | 19,890  | 35,387  | Moved some expenses to wages for cleaning services now done by staff |
| 44  | Public Buildings - Expenses  | 212,244                                     | 242,500   | 227,500   |  |
| 45  | Public Buildings Total   | 227,299                                     | 262,390   | 262,887   | .  |
| 46  | Central Communications   | 37,970                                      | 60,000  | 60,000  |  |
| 47  | MAGIC Funding  | 1,600                                       | 1,600   | 1,600   |  |
| 48  | Total General Government Regular Salaries & Wages  | 552,844                                     | 623,216   | 742,252   |  |
| 49  | Total General Government Operating Expenses  | 454,467                                     | 473,669   | 525,891   |  |

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|---|--|---|---|---|------------------------------|
| 50  | Total General Government Other Program Expenses  | 25,234                                      | 35,350  | 36,050  |                              |
| 51  | TOTAL GENERAL GOVERNMENT   | 1,032,545                                   | 1,132,235   | 1,304,193   |                              |
| 52  | Percent Of Operating Budget  | 4.92%                                       | 5.06%   | 5.50%   |                              |
| 53  | Percent Increase Over Prior Year   |   | 9.65%   | 15.35%  |                              |
|   | <b>PUBLIC SAFETY</b>   |   |   |   |                              |
| 54  | Police Department - Salaries & Wages   | 1,037,846                                   | 1,049,939   | 1,113,434   |                              |
| 55  | Police Department - Expenses   | 63,754                                      | 73,220  | 86,308  |                              |
| 56  | Police Department Total  | 1,101,600                                   | 1,123,159   | 1,199,742   |                              |
| 57  | Crossing Guard   |   |   | 10,000  |                              |
| 58  | Fire Department - Salaries & Wages   | 519,820                                     | 428,333   | 438,510   |                              |
| 59  | Fire Department - Expenses   | 64,505                                      | 41,443  | 41,471  |                              |
| 60  | Fire Department Total  | 584,325                                     | 469,776   | 479,981   |                              |
| 61  | Building Commissioner - Salaries & Wages   | 80,438                                      | 78,802  | 84,665  |                              |
| 62  | Building Commissioner - Expenses   | 1,800                                       | 1,950   | 5,380   | Incl. lease payment for auto |
| 63  | Inspectional Services Total  | 82,238                                      | 80,752  | 90,045  |                              |
| 64  | Communications Department - Salaries & Wages   | 222,958                                     | 229,247   | 243,125   |                              |
| 65  | Communications Department - Expenses   | 17,343                                      | 19,352  | 19,602  |                              |
| 66  | Communications Department Total  | 240,301                                     | 248,599   | 262,727   |                              |
| 67  | Emergency Management Agency  | 914   | 1,000   | 1,000   |                              |
| 68  | Total Public Safety Regular Salaries & Wages   | 1,861,062                                   | 1,786,321   | 1,889,734   |                              |
| 69  | Total Public Safety Expenses   | 148,316                                     | 136,965   | 153,761   |                              |
| 70  | TOTAL PUBLIC SAFETY  | 2,009,378                                   | 1,923,286   | 2,043,495   |                              |
| 71  | Percent Of Operating Budget  | 9.58%                                       | 8.59%   | 8.61%   |                              |
| 72  | Percent Increase Over Prior Year   |   | -4.28%  | 6.25%   |                              |
| 73  | Nashoba Valley Technical School  | 259,551                                     | 426,573   | 581,714   |                              |
| 74  | Nashoba Valley Technical School Total  | 259,551                                     | 426,573   | 581,714   |                              |
| 75  | PERCENT OF TOTAL BUDGET  | 1.04%                                       | 1.61%   | 2.06%   |                              |
| 76  | Littleton School Department  | 12,392,451                                  | 13,058,998  | 13,610,489  |                              |
|   | <b>EDUCATION</b>   |   |   |   |                              |
| 77  | Littleton School Department Total  | 12,392,451                                  | 13,058,998  | 13,610,489  |                              |
| 78  | PERCENT OF TOTAL BUDGET  | 49.83%                                      | 49.29%  | 48.88%  |                              |

TOWN OF LITTLETON, MASSACHUSETTS

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|---------------------------|--|------------------------|------------------------------|---------------------------------------|-----------------------|
| 79                        | EDUCATION TOTAL  | 12,652,002             | 13,485,571                   | 14,187,029                            |                       |
| 80                        | Percent Of Operating Budget                                    | 60.34%                 | 60.25%                       | 59.79%                                |                       |
| 81                        | Percent Increase Over Prior Year                               |                        | 6.59%                        | 5.20%                                 |                       |
|                           | <b>PUBLIC WORKS SERVICES</b>                                   |                        |                              |                                       |                       |
| 82                        | Street Lights  | 0                      | 0                            | 30,070                                | previously an Article |
| 83                        | DPW - Highway Division - Salaries & Wages                      | 612,735                | 649,877                      | 715,338                               | added 1 employee      |
| 84                        | DPW - Highway Division - Expenses                              | 398,379                | 438,172                      | 439,022                               |                       |
| 85                        | DPW - Highway Division Total                                   | 1,011,114              | 1,088,049                    | 1,154,360                             |                       |
| 86                        | DPW - Wastewater Management                                    | 45,884                 | 46,200                       | 46,200                                |                       |
| 87                        | Cemetery Division - Salaries & Wages                           | 85,656                 | 92,983                       | 95,307                                |                       |
| 88                        | Cemetery Division - Expenses                                   | 35,526                 | 27,700                       | 27,700                                |                       |
| 89                        | Cemetery Division Total  | 121,182                | 120,683                      | 123,007                               |                       |
| 90                        | Snow Removal - Salaries & Wages                                | 63,988                 | 61,700                       | 64,393                                |                       |
| 91                        | Snow Removal - Expenses  | 152,427                | 61,400                       | 61,472                                |                       |
| 92                        | Snow Removal Total   | 216,415                | 123,100                      | 125,865                               |                       |
| 93                        | B&M Crossing Assessment  | 2,806                  | 2,806                        | 2,806                                 |                       |
| 94                        | Total Public Works Regular Salaries & Wages                    | 762,379                | 804,560                      | 875,038                               |                       |
| 95                        | Total Public Works Expenses                                    | 632,216                | 573,472                      | 604,464                               |                       |
| 96                        | Total Public Works Assessments                                 | 2,806                  | 2,806                        | 2,806                                 |                       |
| 97                        | <b>TOTAL PUBLIC WORKS SERVICES</b>                             | 1,397,401              | 1,380,838                    | 1,482,308                             |                       |
| 98                        | Percent Of Operating Budget                                    | 6.66%                  | 6.17%                        | 6.25%                                 |                       |
| 99                        | Percent Increase Over Prior Year                               |                        | -1.19%                       | 7.35%                                 |                       |
|                           | <b>HEALTH &amp; HUMAN SERVICES</b>                             |                        |                              |                                       |                       |
| 100                       | Board of Health - Salary & Wages                               | 21,460                 | 23,356                       | 23,985                                |                       |
| 101                       | Board of Health - Expenses                                     | 1,372                  | 1,235                        | 1,235                                 |                       |
| 102                       | Board of Health - Nashoba Health District                      | 20,415                 | 20,415                       | 20,415                                |                       |
| 103                       | Board of Health - Nashoba Nursing Service                      | 7,944                  | 7,944                        | 7,944                                 |                       |
| 104                       | Board of Health - Eliot Clinic                                 | 3,780                  | 3,780                        | 3,780                                 |                       |
| 105                       | Board of Health Total  | 54,971                 | 56,730                       | 57,359                                |                       |
| 106                       | Animal Inspector - Salary & Wages                              | 1,300                  | 1,300                        | 1,300                                 |                       |
| 107                       | Animal Inspector - Expenses                                    | 0                      | 0                            | 0                                     |                       |

TOWN OF LITTLETON, MASSACHUSETTS

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|---------------------------|--|------------------------|------------------------------|---------------------------------------|-----------------|
| 108                       | Animal Inspector Total   | 1,300                  | 1,300                        | 1,300                                 |                 |
| 109                       | Council on Aging - Salary & Wages                              | 46,646                 | 53,902                       | 50,379                                |                 |
| 110                       | Council on Aging - Expenses                                    | 16,388                 | 16,389                       | 16,389                                |                 |
| 111                       | Council on Aging Total   | 63,034                 | 70,291                       | 66,768                                |                 |
| 112                       | Veterans' Services - Salary & Wages                            | 2,500                  | 5,000                        | 5,000                                 |                 |
| 113                       | Veterans' Services - Expenses                                  | 733                    | 750                          | 750                                   |                 |
| 114                       | Veterans' Services - Benefits                                  | 5,363                  | 12,000                       | 12,000                                |                 |
| 115                       | Veterans' Services Total                                       | 8,596                  | 17,750                       | 17,750                                |                 |
| 116                       | Total Health & Human Services Salary & Wages                   | 71,906                 | 83,558                       | 80,664                                |                 |
| 117                       | Total Health & Human Services Expenses                         | 23,856                 | 30,374                       | 30,374                                |                 |
| 118                       | Total Health & Human Services Non-Operating Expenses           | 32,139                 | 32,139                       | 32,139                                |                 |
| 119                       | HEALTH & HUMAN SERVICES TOTAL                                  | 127,901                | 146,071                      | 143,177                               |                 |
| 120                       | Percent Of Operating Budget                                    | 0.61%                  | 0.65%                        | 0.60%                                 |                 |
| 121                       | Percent Increase Over Prior Year                               |                        | 14.21%                       | -1.98%                                |                 |
|                           | <b>CULTURE &amp; RECREATION</b>                                |                        |                              |                                       |                 |
| 122                       | Library - Salary & Wages                                       | 320,503                | 320,656                      | 330,050                               |                 |
| 123                       | Library - Expenses   | 61,749                 | 62,100                       | 65,700                                |                 |
| 124                       | Memimack Valley Library Consortium                             | 26,011                 | 26,011                       | 27,138                                |                 |
| 125                       | Reuben Hoar Library Total                                      | 408,263                | 408,767                      | 422,888                               |                 |
| 126                       | Recreation Committee - Salary & Wages                          | 75,124                 | 73,537                       | 76,875                                |                 |
| 127                       | Recreation Committee - Expenses                                | 2,963                  | 2,963                        | 2,963                                 |                 |
| 128                       | Recreation Committee Total                                     | 78,087                 | 76,500                       | 79,838                                |                 |
| 129                       | DPW Park Maintenance - Expenses                                |                        |                              | 21,422                                | offset line 182 |
| 130                       | DPW Park Maintenance Total                                     |                        |                              | 21,422                                |                 |
| 131                       | Historical Commission - Salary & Wages                         | 0                      | 0                            | 0                                     |                 |
| 132                       | Historical Commission - Expenses                               | 694                    | 700                          | 1,500                                 |                 |
| 133                       | Historical Commission Total                                    | 694                    | 700                          | 1,500                                 |                 |
| 134                       | Memorial Day - Expenses  | 500                    | 500                          | 500                                   |                 |
| 135                       | Patriots Day - Expenses  | 0                      | 50                           | 50                                    |                 |
| 136                       | Total Culture & Recreation Regular Wages                       | 395,627                | 394,193                      | 406,925                               |                 |
| 137                       | Total Culture & Recreation Expenses                            | 91,917                 | 92,324                       | 119,273                               |                 |

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| a.<br>BGT.<br>LINE<br>NO. | b.<br>BUDGET COST CENTER<br>COST CENTER DETAIL<br>EXPENDITURES | c.<br>FY2006<br>ACTUAL | d.<br>FY2007<br>Appropriated | e.<br>FY2008<br>Fincom<br>Recommended | f.<br>Comments        |
|---------------------------|--|------------------------|------------------------------|---------------------------------------|-----------------------|
| 138                       | TOTAL CULTURE & RECREATION SERVICES                            | 487,544                | 486,517                      | 526,198                               |                       |
| 139                       | Percent Of Operating Budget                                    | 2.33%                  | 2.17%                        | 2.22%                                 |                       |
| 140                       | Percent Increase Over Prior Year                               |                        | -0.21%                       | 8.16%                                 |                       |
|                           | <b>FIXED COSTS</b>   |                        |                              |                                       |                       |
| 141                       | Gasoline Expense   | 90,000                 | 100,000                      | 100,000                               |                       |
| 142                       | Insurance Expense  | 316,250                | 316,250                      | 316,250                               |                       |
| 143                       | <b>FRINGE BENEFITS</b>   |                        |                              |                                       |                       |
| 144                       | F.I.C.A. (Medicare)  | 150,157                | 152,000                      | 161,120                               |                       |
| 145                       | Worker's Compensation Insurance Premiums                       | 0                      | 0                            | 0                                     |                       |
| 146                       | Unemployment Premium Payment                                   | 0                      | 0                            | 50,000                                | previously an article |
| 147                       | Group Health & Life Insurance Premiums                         | 1,871,486              | 2,200,419                    | 2,335,628                             |                       |
| 148                       | County Retirement  | 819,114                | 910,203                      | 927,440                               |                       |
| 149                       | TOTAL FRINGE BENEFITS  | 2,840,757              | 3,262,622                    | 3,474,188                             |                       |
| 150                       | TOTAL FIXED COSTS  | 3,247,007              | 3,678,872                    | 3,890,438                             |                       |
| 151                       | Percent Of Operating Budget                                    | 15.49%                 | 16.44%                       | 16.40%                                |                       |
| 152                       | Percent Increase Over Prior Year                               |                        | 13.30%                       | 5.75%                                 |                       |
|                           | <b>RESERVE FUND</b>  |                        |                              |                                       |                       |
| 153                       | Reserve Fund   | 14,480                 | 150,000                      | 150,000                               |                       |
| 154                       | Percent Of Operating Budget                                    |                        | 0.67%                        | 0.63%                                 |                       |
| 155                       | TOTAL OPERATING BUDGET   | 20,968,258             | 22,383,390                   | 23,726,838                            |                       |
| 156                       | Percent Increase Over Prior Year                               |                        | 6.75%                        | 6.01%                                 |                       |
|                           | <b>DEBT SERVICE</b>  |                        |                              |                                       |                       |
| 157                       | Short Term Interest Total                                      | 166,688                | 375,104                      | 466,840                               |                       |
| 158                       | Long Term Debt Total   | 3,736,693              | 3,736,695                    | 3,751,201                             |                       |
| 159                       | DEBT SERVICE TOTAL   | 3,903,381              | 4,111,799                    | 4,218,041                             |                       |
| 160                       | Percent Of Total Budget Appropriated                           | 15.69%                 | 15.52%                       | 15.09%                                |                       |
| 161                       | Percent Increase Over Prior Year                               |                        | 5.34%                        | 2.58%                                 |                       |
| 162                       | TOTAL BUDGET APPROPRIATED                                      | 24,871,639             | 26,495,189                   | 27,950,053                            |                       |
| 163                       | PERCENT INCREASE OVER PRIOR YEAR                               |                        | 6.53%                        | 5.47%                                 |                       |
| 164                       | Funding Sources  |                        |                              |                                       |                       |
| 165                       | Transfer from Ambulance Enterprise                             |                        |                              | 28,472                                |                       |
| 166                       | Transfer from B Sampson Fund                                   |                        |                              | 500                                   |                       |

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|---------------------------|--|------------------------|------------------------------|---------------------------------------|----------------|
| 167                       | Transfer from Cemetery Sale of Lots                            |                        |                              | 12,000                                |                |
| 168                       | Transfer From Cemetery Perp Care                               |                        |                              | 85,500                                |                |
| 169                       | Transfer from Cemetery Perp Care Interest                      |                        |                              | 13,000                                |                |
| 170                       | Transfer from Grave Openings                                   |                        |                              | 18,800                                |                |
| 171                       | Transfer from LH Zappey Fund                                   |                        |                              | 200                                   |                |
| 172                       | Transfer from Hildreth   |                        |                              | 1,500                                 |                |
| 173                       | Transfer from Goldsmith  |                        |                              | 100                                   |                |
| 174                       | Transfer from L Johnson  |                        |                              | 200                                   |                |
| 175                       | Transfer from Library Trust Funds                              |                        |                              | 15,000                                |                |
| 176                       | Transfer from Self Help Reimbursement                          |                        |                              | 18,000                                |                |
| 177                       | Transfer from Bond Premium                                     |                        |                              | 3,600                                 |                |
| 178                       | Transfer from Oak Hill Cell Tower Receipts                     |                        |                              | 40,000                                |                |
| 179                       | Transfer from Newtown Hill Cell Tower Receipts                 |                        |                              | 61,754                                |                |
| 180                       | Transfer from Clean Lakes                                      |                        |                              | 33,390                                |                |
| 181                       | Transfer from Light Department                                 |                        |                              | 214,500                               |                |
| 182                       | Transfer from Park & Rec Revolving                             |                        |                              | 21,422                                |                |
| 183                       | Raise and Appropriate  |                        |                              | 27,215,998                            |                |
| 184                       | Free Cash  |                        |                              | 160,943                               |                |
| 185                       | Total Revenue Sources  |                        |                              | 27,950,053                            |                |
| 186                       | SURPLUS(DEFICIT)   |                        |                              | (0)                                   |                |

**ARTICLE 5**  
**Board of Electric Light Commissioners**  
**Operating Budget**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum or sums of money, for electricity to be used for street lighting, and that the sum and income from the sale of electricity to private consumers and/or the electricity supplied to municipal buildings and from sales of appliances and jobbings during the current fiscal year, be appropriated for the Municipal Light Plant, the whole to be expended by the Manager of the Municipal Light Plant under the direction and control of the Electric Light Board for expenses of the plant for the fiscal year, as defined in Chapter 164, Section 57, of the General Laws, including out-of-state travel, and if said sum and said income shall exceed the amount for such expenses, as the Electric Light Board may determine, it shall be transferred to the Construction Fund or other designated account of said plant and appropriated for such additions thereto as may be authorized by the Electric Light Board and the balance of said excess shall be returned to the Town Treasurer, or take any other action relative thereto.

*Unanimously voted that the sum and income from the sale of electricity to private consumers and/or the electricity supplied to municipal buildings and from sales of appliances and jobbings during the current fiscal year be appropriated for the Municipal Light Plant, the whole to be expended by the Manager of the Municipal Light Plant under the direction and control of the Electric Light Board for expenses of the Plant for the fiscal year, as defined in Chapter 164, Section 57, of the General Laws, including out-of-*

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*state travel, and if said sum and said income shall exceed the amount for such expenses, as the Electric Light Board may determine, it shall be transferred to the Construction Fund or other designated account of said Plant and appropriated for such additions thereto as may be authorized by the Electric Light Board and the balance of said excess shall be returned to the Town Treasurer.*

**ARTICLE 6  
Board of Water Commissioners  
Operating Budget**

To see if the Town will vote to appropriate \$1,858,076 from the Water Enterprise Fund to finance the operation of the Water Department for the fiscal year beginning July 1, 2007

*Unanimously voted that the Town appropriate \$1,858,076 from the Water Enterprise Fund to finance the operation of the Water Department for the fiscal year beginning July 1, 2007, as follows:*

|   |                  |
|---|------------------|
| <b>I. Water Enterprise Revenues</b>   |                  |
| User Charges  | 1,758,076        |
| Enterprise Available Funds  | 100,000          |
| Investment Income   | 0                |
| <b>Total Revenues</b>   | <b>1,858,076</b> |
| <b>II. Costs Appropriated in the Enterprise Fund</b>                                |                  |
| Salaries and Wages  | 567,098          |
| Expenses  | 787,440          |
| Capital Outlay – Equipment  | 0                |
| Capital Outlay – Improvements   | 0                |
| Reserve Fund  | 100,000          |
| Debt Principal and Interest   | 403,538          |
| Budgeted Surplus  | 0                |
| <b>Total Costs Appropriated in E.F.</b>   | <b>1,858,076</b> |
| <b>III. Costs Appropriated in General Fund to be Charged to the Enterprise Fund</b> |                  |
| Indirect Costs  | 0                |
| Benefits  | 0                |
| Pension Costs   | 0                |
| <b>Total Costs Appropriated in G.F.</b>   | <b>0</b>         |
| <b>Total Costs</b>  | <b>1,858,076</b> |

**ARTICLE 7  
Board of Selectmen/Finance Committee  
Capital Exclusion Items**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, and or borrow the following sums of money, to be expended by the respective Departments or Officers indicated, for the capital projects and purchases itemized and described below; each such amount to be provided contingent upon successful passage of a capital exclusion referendum pertaining thereto on a Town Ballot, or act in any manner relating thereto.

*Unanimously voted that the Town vote to raise and appropriate the following sums of money to be expended by the respective departments or Officers indicated, for the capital projects and purchases itemized and described below; provided, however, that each such appropriation shall take effect only if the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the General Laws (Proposition 2 1/2) the amounts required to fund such appropriation:*

- |    |                        |
|----|------------------------|
| a. | Police Portable Radios |
|----|------------------------|

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|                          |                                 |
|--------------------------|---------------------------------|
| Amount:                  | \$22,000                        |
| Funds to be expended by: | Police Department               |
| Purpose:                 | To purchase 17 portable radios. |

|                                       |   |
|---------------------------------------|---|
| b. Highway 1 Ton Dump Truck with Plow |   |
| Amount:                               | \$53,000  |
| Funds to be expended by:              | Highway Department  |
| Purpose:                              | To purchase a new 1 ton 4x4 vehicle with plow as a replacement for an existing vehicle. |

|                          |  |
|--------------------------|--|
| c. Highway Sidewalk Plow |  |
| Amount:                  | \$118,000  |
| Funds to be expended by: | Highway Department   |
| Purpose:                 | To purchase a new sidewalk plow as a replacement for the existing 1973 Bombardier. |

|                                 |   |
|---------------------------------|---|
| d. Highway Front Deck Lawnmower |   |
| Amount:                         | \$25,000  |
| Funds to be expended by:        | Highway Department  |
| Purpose:                        | To purchase a new Front Deck Lawnmower as a replacement for the existing 1989 John Deere. |

|                          |   |
|--------------------------|---|
| e. Highway Dumpsters     |   |
| Amount:                  | \$22,500  |
| Funds to be expended by: | Highway Department  |
| Purpose:                 | To purchase three new closed top trash compactor dumpsters as replacement for the existing 1998 models. |

|                          |   |
|--------------------------|---|
| f. Town Technology       |   |
| Amount:                  | \$46,049  |
| Funds to be expended by: | IT Department   |
| Purpose:                 | To purchase new and replacement computer systems with printers and accessories for various town departments |

|                                     |  |
|-------------------------------------|--|
| g. School Security & Communications |  |
| Amount:                             | \$42,200   |
| Funds to be expended by:            | School Committee   |
| Purpose:                            | To replace/upgrade security and communication systems within the school buildings. |

|                          |   |
|--------------------------|---|
| h. School Facilities     |   |
| Amount:                  | \$15,000                                      |
| Funds to be expended by: | School Committee                              |
| Purpose:                 | Replace exhaust fans at Russell Street School |

|                          |   |
|--------------------------|---|
| i. School Technology     |   |
| Amount:                  | \$15,500  |
| Funds to be expended by: | School Committee  |
| Purpose:                 | To purchase new and replacement computer systems with printers and accessories for various school departments |

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**ARTICLE 8**  
**Board of Selectmen/Finance Committee**  
**Items from Available Funds**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, and or borrow the following sums of money, to be expended by the respective Departments or Officers indicated, for the capital projects and purchases itemized and described, or act in any manner relating thereto.

*Unanimously voted that the town transfer from free cash in the Treasury of the Town the following sums of money to be expended by the respective departments or Officers indicated, for the capital projects and purchases itemized and described below:*

a. Police Cruiser  
Amount: \$13,000  
Funds to be expended by: Police Department  
Purpose: To lease Police Cruiser.

b. Fire Repairs/Maintenance  
Amount: \$20,000  
Funds to be expended by: Fire Department  
Purpose: Major Repairs/Vehicle Upkeep

c. Highway Repairs/Maintenance  
Amount: \$15,000  
Funds to be expended by: Highway Department  
Purpose: Major Repairs/Vehicle Upkeep

d. Roadway Repairs  
Amount: \$275,000  
Funds to be expended by: Highway Department  
Purpose: Roadway Repairs/Upkeep – Roadwork, Crack sealing and Guardrails

e. Tree Work  
Amount: \$7,000  
Funds to be expended by: Highway Department  
Purpose: Tree Maintenance

f. Athletic Field Maintenance  
Amount: \$30,000  
Funds to be expended by: Highway Department  
Purpose: Athletic Field Maintenance Program

g. Textbooks  
Amount: \$42,600  
Funds to be expended by: School Committee  
Purpose: New Textbooks for schools

**ARTICLE 9**  
**Board of Selectmen**  
**Appointed Treasurer**

To see if the Town of Littleton, consistent with M.G.L. Ch. 41 Section 1B, will vote to have the elected position of Treasurer become an appointed Treasurer of the Town; provided however, that this vote is contingent upon successful passage of a ballot question pertaining thereto on a Town Ballot. If approved,

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and the office becomes appointed, any incumbent serving at the time of voter acceptance continues to serve until the remainder of his or her term expires. If a person is elected to the position at the same time the change to an appointed status occurs, the newly elected office holder serves until an appointment is made. Such appointment shall be made by the Board of Selectmen for a term not to exceed three years, unless such mode of appointment or term is otherwise provided by law, or act in any manner relating thereto.

*Declared a vote that the Town, consistent with Chapter 41, Section 1B of the General Laws, change the elected office of Treasurer to an appointed position of Treasurer of the Town; provided, however, that this vote shall not take effect until the voters of the Town accept such change at an annual Town election.*

**ARTICLE 10**  
**Board of Selectmen**  
**Appointed Collector**

To see if the Town of Littleton, consistent with M.G.L. Ch. 41 Section 1B, will vote to have the elected position of Tax Collector become an appointed Tax Collector of the Town; provided however, that this vote is contingent upon successful passage of a ballot question pertaining thereto on a Town Ballot. If approved, and the office becomes appointed, any incumbent serving at the time of voter acceptance continues to serve until the remainder of his or her term expires. If a person is elected to the position at the same time the change to an appointed status occurs, the newly elected office holder serves until an appointment is made. Such appointment shall be made by the Board of Selectmen for a term not to exceed three years, unless such mode of appointment or term is otherwise provided by law, or act in any manner relating thereto.

*Declared a vote that the Town, consistent with Chapter 41 Section 1B, change the elected office of Tax Collector to an appointed position of Tax Collector of the Town; provided, however, that this vote shall not take effect until the voters of the Town accept such change at an annual Town election.*

**ARTICLE 11**  
**Board of Selectmen**  
**Department of Finance and Budget**

To see if the Town, pursuant to MGL Chapter 43C Sections 11 and 14, after acceptance of section 11 by the voters, will vote to establish a Department of Finance and Budget . . .or take any action in relation thereto.

*Declared a vote that the Town, pursuant to Chapter 43C, Sections 11 and 14 of the General Laws, establish a Department of Finance and Budget, as follows and amend the Code of the Town by adding a new Chapter thereto as follows:*

**Section 1.** *There is hereby established in the Town of Littleton a Department of Finance and Budget ("Department"). The Department shall be managed by an Assistant Town Administrator for Finance and Budget ("AAFB") who shall be appointed by, and may be removed by, the Town Administrator, subject to the approval of the Board of Selectmen. The Assistant Town Administrator for Finance and Budget shall report to the Town Administrator.*

**Section 2.** *The AAFB shall also serve in the capacity of and have all the powers and duties presently vested in one of the following positions: Town Accountant, Treasurer (if appointed), or Tax Collector (if appointed). The following positions, if appointed, and the respective staff shall become part of the Department and report to the AAFB: Town Accountant, Town Treasurer, Tax Collector, and Chief Assessor.*

**Section 3A,** *The Assistant Town Administrator for Finance and Budget shall have direct authority over and conduct performance reviews for the following current and future department heads unless otherwise specified in by law or statutes as structured below. The department heads shall be appointed by, and can be removed by, the Assistant Town Administrator for Finance and Budget and*

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*the Town Administrator subject to the approval of the Board of Selectmen. (1) Town Accountant; (2) Town Treasurer if appointed; (3) Town Tax Collector if appointed.*

**Section 3B**, *The Assistant Town Administrator for Finance and Budget, subject to the approval of the Board of Assessors, shall have direct authority over, conduct performance reviews, appoint and remove the Chief Assessor.*

**Section 4**, *The powers and duties of the AAFB shall include, but not be limited to, the following:*

- 1) *Coordinating, managing budgetary and financial information, forecasting revenues for the forthcoming fiscal year and preparing the Finance Committee's annual budget in advance of the annual town meeting and coordinating and managing the budget and financial information throughout the year;*
- 2) *Implementing policies and monitoring procedures for the collection of all revenues due to the Town;*
- 3) *Reviewing, on a yearly basis, the various Town funds, and to ensure that the funds are prudently invested;*
- 4) *Serving as chief procurement officer;*
- 5) *Reporting to the Board of Selectmen and Finance Committee upon request concerning all financial conditions of the town;*
- 6) *Ensuring the Town's timely reporting to the Massachusetts Department of Revenue (DOR) in accordance with all requirements of the DOR municipal calendar*
- 7) *Performing other duties as directed by the Town Administrator.*

*Provided; however, that this vote shall not take effect until the voters of the Town accept the provisions of Chapter 43C, section 11 at a Town election.*

|   |
|---|
| <b>ARTICLE 12</b><br><b>Board of Selectmen</b><br><b>Town Administrator</b> |
|---|

To see if the Town will vote to amend the General Bylaws for the Town of Littleton by adding the following:

*Declared a vote that the Town amend the Town Code by adding a new Section thereto, as follows:*

**Section 1.** *The Board of Selectmen (BOS) shall appoint, and may remove, a Town Administrator. The Town Administrator shall be selected in accordance with Section 2.*

**Section 2.** *The Town Administrator shall report to the BOS. The Town Administrator shall be appointed according to the following process:*

- 1) *The TASC shall consist of 5 members as follows:*
  - a) *Chair, a member of the BOS, appointed by the BOS.*
  - b) *A member of the Finance Committee, appointed by the Finance Committee.*
  - c) *A member of the School Committee, appointed by the School Committee.*
  - d) *A member of the Personnel Committee, appointed by the Personnel Committee.*
  - e) *A member at large with municipal management experience appointed by the BOS.*
- 2) *The Town Administrator Selection Committee (TASC) shall submit more than one candidate to the BOS. The BOS shall:*
  - a) *Conduct final interviews as required.*
  - b) *Appoint a candidate to the position by majority vote.*
  - c) *Or, send back to the TASC with directions for further action.*

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**Section 3.** *The Town Administrator shall directly supervise and conduct performance reviews for the following current and future department heads unless otherwise specified by statute: Assistant Town Administrator for Finance and Budget; Head of the Highway Department; Facilities Manager; Head of Information Technology; Building Commissioner; And Human Resources. The department heads shall be appointed by, and can be removed by, the Town Administrator subject to the approval of the BOS.*

**Section 4.** *The Town Administrator shall administer the Town's performance review process in order to ensure consistent reviews across all departments. The Town Administrator shall have the following responsibility to ensure that the reviews are conducted in a fair and timely manner:*

- a) *Responsibility of performance reviews for direct reports of the Town Administrator;*
- b) *Oversee the review process for employees who report to a department head; and*
- c) *Provide input for employees who report to Town Boards.*

**Section 5.** *The Town Administrator shall have input in the hiring of employees of the Town Boards unless otherwise stated in a statute. The Town Boards retain the hiring decision. The Town Administrator shall provide input to performance reviews to ensure that the reviews are conducted in a fair and timely manner in accordance with the Town's performance review process.*

**Section 6.** *The Town Administrator shall be responsible for the budget process.*

**Section 7.** *At the direction of the BOS, the Town Administrator shall establish working hours, holidays, and vacations days for Town departments reporting to the Town Administrator in accordance with the Town's Personnel Bylaw, if any. The Town Administrator shall establish working hours, holidays, and vacations days in consultation with Town Boards for their employees in accordance with the Town's Personnel Bylaw, if any.*

**Section 8.** *The Town Administrator shall establish and maintain operational systems, hours of operation, and proximity of departments to ensure that Town Offices operate in an efficient manner for the benefit of the citizens.*

**Section 9.** *The Town Administrator shall conduct regular department meetings and report on such meetings to the BOS.*

**Section 10.** *The Town Administrator shall perform other duties as directed by the BOS.*

**ARTICLE 13**  
**Board of Selectmen**  
**Junk and Debris**

To see if the Town of Littleton will vote to amend the Town Code by adding a new Chapter 116 thereto, as follows:

**Chapter 116. Junk and Debris**

§ 116-1. No owner of private property shall keep in the *public view*, on any lot in any Residence District, as defined in section 173-22 of the Town Code, any *substantial amount* of *junk and debris* for more than thirty (30) days.

§ 116-2. Definitions

**A. Junk and Debris** shall include, but not be limited to, the collection of paper, trash, rags, plastics, batteries, tires, scrap metal, scrap construction materials, appliances, mattresses, machinery, machinery parts, vehicle parts, trash furniture, or other items not constituting a structure, as defined by the Massachusetts Building Code or section 173-2 of the Town Code, and which is not in active use for any purpose authorized in a Residence District.

**B. Public View** shall refer to junk and debris visible from either (i) any point along a lot's property line that is six (6) feet or less above ground level, or (ii) from any place within a residence located on property directly abutting such lot.

**C. Substantial Amount** shall mean a volume of material that occupies more than 375 cubic feet in the aggregate on a single lot.

**D. Hearing** shall mean a proceeding before the Board of Selectmen for the purpose of either;  
(1) appealing an order of the enforcement officer; or

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(2) requesting an extension of time for the purpose of compliance with an order of the enforcement officer. Said extension may be granted only if an inventory of items constituting the *junk and debris*, approved by the enforcement officer, has been submitted to the Board of Selectmen along with a progress schedule clearly defining a timetable for compliance. Any action by the enforcing officer shall be suspended until such time a decision is issued by the Board of Selectmen.

§ 116-3. Any violation of this Chapter, as of the effective date of this Chapter, shall be remedied and cured within ninety (90) days of such date.

§ 116-4. No order issued pursuant to this Chapter shall be deemed to bar any separate enforcement action initiated by any Town Board, Committee, or Department under any other provision of the Town Code or regulation.

§ 116-5. Any Town employee(s) so designated for this work by the Town Administrator (the “enforcement officer”) shall have the authority to enforce the provisions of this Chapter. Upon the first issuance of a notice of violation by the enforcement officer, the owner shall have thirty (30) days within which to remedy and cure the violation or to make a written request for a *hearing*. If, after thirty (30) days of the issuance of such a notice, the violation has not been remedied or cured and a *hearing* has not been requested, the enforcement officer may issue subsequent written notices of violation with fines of not more than one hundred (\$100) for each offence. Each day that such violation continues shall constitute a separate offence until deemed remedied by the enforcement officer. Any future action taken within a 12-month period after remedy of the violation under this section shall be deemed a continuing violation.

§ 116-6. Any citizen against whom a notice of violation is issued under this Chapter shall have the right to a *hearing* before the Board of Selectmen, if requested in accordance with the provisions of section 116-5, and, following such hearing, the Board of Selectmen shall issue a decision within a reasonable period of time. The notice of violation shall be stayed until the Board of Selectmen issues such decision thereon.

Or to take any other action in relation thereto.

***No affirmative action taken on Article 13.***

**ARTICLE 14  
Planning Board  
Zoning Amendment**

To see if the Town will vote to amend § 173-2 of the Town Bylaws by adding the following definition: “173-2 CONCEPT PLAN — A development plan, building plans, impact analyses and other materials as required herein, subject to approval by two-thirds vote of the Town Meeting.”

And to amend §§173-87 and 173-88 by adding the following:

“173-87 C. Any commercial or industrial use which qualifies as a major commercial or industrial use, as defined under § 173-86, and is equal to or more than sixty thousand (60,000) square feet gross floor area in retail use, shall require concept plan approval, as defined under § 173-2, prior to being acted upon for special permit approval. Town Meeting concept plan approval may be made with conditions or limitations. Special permit approval shall not be given by the Planning Board unless the proposal is determined to be consistent with the approved concept plan and the remaining requirements of ARTICLE XVIII.

173-88 C. Major projects.

1. A schematic development plan, indicating the location of the boundaries of the lot, buildings, roads, drives, parking, reserved open space, wells, on-site disposal facilities, drainage system, topography and grading, areas of retained vegetation and planting areas.
2. Floor plans and architectural elevations of all planned structures and any existing structures.
3. Materials indicating the proposed maximum number of square feet of gross floor area for each category of land use (See § 218-13, Schedule of Use Regulations); analysis supporting the demand for such use, indicating the anticipated market area and the anticipated Littleton market share; methods of water supply and sewage disposal; time schedule for construction of units and improvements; service improvements

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proposed to be at the developer's expense and those anticipated at the Town's expense; and means, if any, of providing for design control.

4. Analysis of the consequence of the proposed development, evaluating the following impacts at a level of detail appropriate to the scale of the development proposed:

a. Natural environment: groundwater and surface water quality, groundwater level, stream flow, erosion and siltation prevention measures, vegetation removal (especially unusual species and mature trees) and wildlife habitats

b. Public services: traffic safety and congestion, need for water system improvements, need for additional public recreational facilities and need for additional school facilities.

c. Economics: municipal costs and revenues, local business activity and local jobs

d. Visual environment: visibility of buildings and parking and visual consistency with existing development in the area.”

Or to take any other action in relation thereto.

*Declared a unanimous vote that the Town amend §173-2 of the Code of the Town by adding the following definition thereto:*

*CONCEPT PLAN — A development plan, building plans, impact analyses and other materials as required herein, subject to approval by two-thirds vote of the Town Meeting;*

*And to amend §173-87 of the Code of the Town by adding the following thereto:*

*C. Any commercial or industrial use which qualifies as a major commercial or industrial use, as defined under § 173-86, and is equal to or more than sixty thousand (60,000) square feet gross floor area in retail use, shall require concept plan approval, as defined under § 173-2, prior to being acted upon for special permit approval. Town Meeting concept plan approval may be made with conditions or limitations. Special permit approval shall not be given by the Planning Board unless the proposal is determined to be consistent with the approved concept plan and the remaining requirements of ARTICLE XVIII;*

*And to amend §173-88 of the Code of the Town by adding the following thereto:*

*C. Major projects.*

*1. A schematic development plan, indicating the location of the boundaries of the lot, buildings, roads, drives, parking, reserved open space, wells, on-site disposal facilities, drainage system, topography and grading, areas of retained vegetation and planting areas.*

*2. Floor plans and architectural elevations of all planned structures and any existing structures.*

*3. Materials indicating the proposed maximum number of square feet of gross floor area for each category of land use (See § 218-13, Schedule of Use Regulations); analysis supporting the demand for such use, indicating the anticipated market area and the anticipated Littleton market share; methods of water supply and sewage disposal; time schedule for construction of units and improvements; service improvements proposed to be at the developer's expense and those anticipated at the Town's expense; and means, if any, of providing for design control.*

*4. Analysis of the consequence of the proposed development, evaluating the following impacts at a level of detail appropriate to the scale of the development proposed:*

*a. Natural environment: groundwater and surface water quality, groundwater level, stream flow, erosion and siltation prevention measures, vegetation removal (especially unusual species and mature trees) and wildlife habitats*

*b. Public services: traffic safety and congestion, need for water system improvements, need for additional public recreational facilities and need for additional school facilities.*

*c. Economics: municipal costs and revenues, local business activity and local jobs*

*d. Visual environment: visibility of buildings and parking and visual consistency with existing development in the area.*

**ARTICLE 15**  
**Planning Board**  
**Zoning Amendment**

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To see if the Town will vote to amend Article IV "Site Plan Requirements" of §173 "Zoning" of the Code of the Town of Littleton by adding the following to §173-18 Design Requirements: "F. Methods of stormwater control and treatment as outlined in the *Town of Littleton Low Impact Design/Best Management Practices Manual (latest edition)* are utilized to the maximum extent practicable." or to take any other action in relation thereto.

*Unanimously voted that the Town amend §173-18 of the Code of the Town by adding the following thereto: "F. Methods of stormwater control and treatment as outlined in the Town of Littleton Low Impact Design/Best Management Practices Manual (latest edition) are utilized to the maximum extent practicable."*

**ARTICLE 16**  
**Planning Board**  
**Zoning Amendment**

To see if the Town will vote to amend section 173-61 of the Town Code by making the following changes to section 173-61 . . .

*Unanimously voted that the Town amend §173-61 as follows:*

*Under "Uses":*

*Delete "Storage of fuel oil in quantities greater than 500 gallons" and add in its place "Storage of heating oil or petroleum in quantities greater than 500 gallons" and in the Aquifer District on the same line, delete "P" and add in its place "N"; and*

*delete "Storage of ice-control chemicals in quantities requiring state reporting" and add in its place "Storage of ice-control chemicals, commercial fertilizers or animal manure not stored in accordance with DEP 310 CMR 22.21(2)(b)(2), (b)(3), and (b)(4).", retaining the "N" and "N"; and*

*add the following use: "Storage of sludge and/or septage not stored in accordance with DEP 310 CMR 22.21(2)(b)(1)" followed by "N" under Aquifer and "P" under Water Resource; and*

*following "Waste characteristics" delete "waste generation requiring the obtaining of an EPA identification number, as required under DEQE Regulations, 310 CMR 30.303" and add "Hazardous waste generation, treatment, or storage in quantities not to exceed Very Small Quantity Generators (VSQGs) as defined in DEP 310 CMR 22.21(2)(a)(7)" and delete "N" under Aquifer and add in its place "P"; and*

*delete "Waste generation exceeding 50% of the amount requiring the obtaining of an EPA identification number, as required under DEQE regulation, 310 CMR 30.303" and add "Waste generation in quantities greater than VSQGs limits" and delete "P" under Aquifer and add in its place "N"; and*

*following "On-site disposal of industrial waste, as defined in ..." delete "Title 5" and add in its place "DEP 310 CMR 22.21 (2)(a)(6)" and delete "P" under Aquifer and add in its place "N"; and*

*following "Rendering impervious more than..." delete "20%" and add "15% or 2500 square feet of any lot or parcel but less than 30%\*"; delete "P" under Water Resource and add in its place "Not Applicable"; and delete "P" under Water Resource and add in its place "Not Applicable; and*

*add the following use: "Rendering impervious more than 20% but less than 50% of any lot or parcel.\*" followed by "Not Applicable" under Aquifer and "P" under Water Resource; and*

*delete "Grading resulting in creation of exterior grades less than 5 feet above maximum groundwater elevation." and insert "Earth removal activities not in accordance with DEP 310 CMR 22.21 (2)(b)(6), or subsequent equivalent regulation(s) currently in effect." And delete "P" under Aquifer and add in its place "N";*

**Thus §173-61 would read as follows:**

§173-61. Use regulations.

There is established within the town certain Aquifer and Water Resource protection areas, consisting of aquifers or water resource areas which are delineated on a map entitled "Aquifer and Water Resource District, Town of Littleton," and dated March 2004. This map is hereby made a part of the Littleton Zoning Bylaws and is on file in the Office of the Town Clerk. Within the Aquifer and Water Resource Districts, the requirements of the underlying zoning districts continue to apply, except that uses are

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prohibited where indicated by "N" in the following schedule and require a special permit where indicated by "P", even where underlying district requirements are more permissive. Where there is no entry in this schedule, the underlying district requirements are controlling.

| <u>Uses</u>   | <u>Aquifer</u><br><u>(A)</u> | District                               |
|---|------------------------------|--|
|   |                              | <u>Water Resource</u><br><u>(W.R.)</u> |
| Principal uses: manufacture, use, transport, storage or disposal of toxic or hazardous materials as a principal activity  | N                            | N                                      |
| Truck terminal  | N                            | P                                      |
| Sanitary landfill, junkyard, salvage yard, other solid waste disposal   | N                            | P                                      |
| Motor vehicle service or washing station  | N                            | P                                      |
| Self-storage facility   | N                            | P                                      |
| Accessory uses or activities: manufacture, use, transport, storage or disposal of toxic or hazardous materials in excess of 5 gallons or 25 pounds dry weight of any substance or a total of all substances not to exceed 50 gallons or 250 pounds dry weight, on a site at any one time as an accessory activity for nonresidential and nonagricultural principal activities | P                            | P                                      |
| Underground storage of gasoline or chemicals  | N                            | P                                      |
| Storage of heating oil or petroleum in quantities greater than 500 gallons  | N                            | P                                      |
| Storage of ice-control chemicals, commercial fertilizers or animal manure not stored in accordance with DEP 310 CMR 22.21 (2)(b)(2), (b)(3) and (b)(4).   | N                            | N                                      |
| Disposal of snow from outside the district  | N                            | P                                      |
| Storage of sludge and/or septage not stored in accordance with DEP 310 CMR 22.21(2)(b)(1)   | N                            | P                                      |
| Parking area with 100 or more spaces capacity   | P                            | P                                      |
| Waste characteristics: Hazardous waste generation, treatment or storage in quantities not to exceed Very Small Quantity Generators (VSQGs) as defined in DEP 310 CMR 22.21(2)(a)(7) or subsequent equivalent regulation(s) currently in effect  | P                            | P                                      |
| Waste generation in quantities greater than VSQGs limits  | N                            | P                                      |
| On-site disposal of industrial waste, as defined in DEP 310 CMR 22.21 (2)(a)(6).  | N                            | P                                      |
| Use (other than single-family dwellings) if having estimated sewage flow or industrial wastewater flow exceeding 6 gallons per day combined flow per 1,000 square feet of lot area or exceeding 15,000 gallons per day combined flow regardless of lot area. Flows regulated by Title 5 shall be based on Title 5   | P                            | P                                      |
| Other characteristics: for use other than single-family dwellings, retention of less than 30% of lot area in its natural state with no more than minor removal of trees and ground vegetation   | P                            | P                                      |
| Rendering impervious more than 15% or 2500 square feet of any lot or parcel but less than 30%. *  | P                            | Not Applicable                         |
| Rendering impervious more than 20% but less than 50% of any lot or parcel.*   | Not Applicable               | P                                      |
| Earth removal activities not in accordance with DEP 310 CMR 22.21 (2)(b)(6), or subsequent equivalent regulation(s) currently in effect   | N                            | P                                      |

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And furthermore, to delete subsection D of §173-63 and replace it with the following:  
“(\*) D. Drainage. Provision shall be made for on-site recharge of all stormwater runoff from impervious surfaces without degradation to groundwater if a special permit is to be granted for greater than 15 % coverage (but less than 30 %) in the Aquifer District and for impervious cover greater than 20% (but less than 50%) in the Water Resource District. Such recharge shall include (but not limited to) infiltration through methods as outlined in the *Town of Littleton Low Impact Design/Best Management Practices Manual (latest edition)* unless otherwise approved by the Planning Board during site plan review. Where dry wells or leaching basins are used, they shall be preceded by oil, grease and sediment traps. Drainage from loading areas for toxic or hazardous materials shall be separately collected for safe disposal.”

**ARTICLE 17**  
**Board of Selectmen**  
**By-law Amendment**

To see if the Town will vote to amend Chapter 33 of the Town Code by replacing it with the following . . .

*Declared a vote that the Town amend Chapter 33 of the Town Code by replacing it with the following:*

Town of Littleton Personnel By-Law  
Chapter 33  
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**PERSONNEL BY-LAW**

**§ 33-1. AUTHORIZATION/AMENDMENT**

Pursuant to the authority contained in Article LXXXIX of the Constitution of the Commonwealth and Sections 108A and 108C of Chapter 41 of the General Laws, the Town of Littleton establishes plans, which may be amended from time to time by vote of the town at a Town Meeting:

- a. Authorizing a Classification Plan classifying positions in the service of the Town, other than those filled by popular election, those under the jurisdiction of the School Committee, those covered by collective bargaining agreements with the Town, and those with individual contracts with the Town,

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- into groups and classes doing substantially similar work or having substantially equal responsibilities;
- b. Authorizing a Compensation Plan for positions in the Classification Plan;
  - c. Providing for the administration of said Classification and Compensation Plans; and
  - d. Establishing certain working conditions and fringe benefits for employees occupying positions in the Classification Plan.

The Classification Plan and/or Compensation Plan and/or other provisions of this By-Law may be amended by vote of the Town at either an Annual or Special Town Meeting. No amendment shall be considered or voted on by Town Meeting unless the Personnel Board has first considered the proposed amendment.

The Personnel Board, of its own motion, may propose an amendment to the plans or other provisions of this By-Law.

The Personnel Board shall report at least annually its recommendations on any proposed amendment to the Board of Selectmen. The Personnel Board shall make its recommendations with regard to any amendment at the Town Meeting at which such amendment is considered.

### **THE PERSONNEL BOARD**

#### **§33-2. MEMBERSHIP; APPOINTMENTS; TERMS**

The Town establishes a Committee on Personnel which will report to the Board of Selectmen on matters of personnel policies and practices which affect the employees under the Classification Plan of the Town of Littleton. The members of the Committee shall review and make recommendations to the Selectmen, town meeting or other Boards or Committees on all current and proposed personnel policies and procedures, compensation schedules and other matters, which directly affect the non-union employees of the Town as stated within this bylaw.

The Committee shall be made of the following: one member of the Board of Selectmen, one member of the Finance Committee; two benefit eligible employees, one of whom shall be a department head, two citizens, one of whom should be a human resources professional; and the Town Administrator. All appointments of the Committee shall be made by the Selectmen for a term of three years, with the exception of the Town department head and employee at large, who shall be elected for a term of one year, by their peers prior to July 1 each year.

#### **§33-3. ORGANIZATIONAL STRUCTURE: MEETINGS**

- A. The Committee shall have a Chairperson who shall preside over meetings, a Vice Chair who shall take over for the Chairperson in that person's absence and a Clerk who shall be responsible for taking minutes of meetings. The membership shall vote on these positions.
- B. The Committee shall meet at least quarterly with minutes of such meetings taken and forwarded to the Board of Selectmen and filed with the Town Clerk.

#### **§33-4. MEETINGS OF BOARD AND EMPLOYEES**

- A. All employees shall have the right to request an appointment to confer with the Board on any matter which is of interest or concern to them and which is covered by the plan.  
The Personnel Board shall meet as necessary or at least once annually with Appointing Authorities, Selectmen and the Finance Committee.
- B. The Personnel Board shall meet annually with all Town employees.
- C. The Personnel Board shall post all meeting dates and times and these will be public meetings.
- D. The Board shall provide sufficient copies of the Personnel By-Law or a summarization thereof in the form of an employee handbook to each department for distribution to each employee.

#### **§33-5. PERSONNEL BOARD AUTHORITY**

The Personnel Board shall have the authority to review, from time to time or at least annually, the work of all positions subject to the provisions of this By-law. The Personnel Board shall recommend changes in said positions as well as adjustments to salaries as it deems advisable, subject to appropriation of funds. Such reviews shall be made at such intervals, as the Board deems necessary and, to the extent that the Board considers practicable, shall include all occupational groups in the Classification Plan.

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The Board, after meeting with the appropriate Appointing Authority, shall have the authority to adjust individual employee classifications and wages within the context of the By-Law whenever inequities exist.

On or before January 1<sup>ST</sup> of each year, the Personnel Board shall meet with the Board of Selectmen to discuss any changes in the Compensation Plan for the forthcoming year as well as any matters related to the Classification or Compensation Plans, which said Board, deems appropriate to be considered by the town. The Personnel Board in conjunction with Appointing Authorities and the Town Administrator shall develop, maintain, and modify from time to time written personnel policies not inconsistent with the By-Law.

### **§33-6. APPLICABILITY OF THE PERSONNEL BY-LAW**

This chapter shall apply to all Town of Littleton departments and to all positions of all employees in the service of the Town, whether benefit eligible, non-benefit eligible or seasonal, other than the School Department, Light and Water Departments, and other than those positions which are covered by separate agreement between any association of employees and the Town or any individual employee and the Town and developed through collective bargaining, except that all provisions of this chapter shall be applicable in so far as any collective bargaining agreement may refer to this chapter and to the extent applicable by statute or in the absence of any other provision.

The Town adheres to the policy of employment-at-will, which permits the Town or the employee to terminate the employment relationship at any time. Unless otherwise informed by written contract, Town employees are all employees-at-will.

The rights afforded herein shall be construed to be in addition to those rights secured by state and federal laws and regulations.

The Town agrees that, in all personnel matters, it will continue its policy of not discriminating against any person on any legally recognized basis. This includes, sex, sexual orientation as defined by law, age as defined by law, race, color, religion, handicap, national origin, military status and genetic information.

As may be required, changes or additions to the Personnel By-law may be made at Town Meeting when necessary.

Employees covered by this By-law will not be able to benefit from other agreements that exist with the Town. Employees either benefit from this By-law or by a contract [union or personal] with the Town, not both.

### **§33-7. DEFINITIONS**

As used in the By-law, the following terms shall have the meaning indicated:

- a. Employee - Any person who is paid by the town for services rendered to the town, excluding elected officials, persons with collective bargaining agreements, individuals with contracts, independent contractors, and persons under the direction of the School Committee.
- b. Benefit Eligible Employee - Any employee who is employed at least 20 hours per week, 52 weeks per year.
- c. Non-Benefit Eligible Employee - Any employee who works less than 20 hours each week for 52 weeks per year.
- d. Seasonal Employee - Any employee whose duration of employment with the Town is of a seasonal or emergency nature, or specified limited amount of time (not to exceed five (5) continuous months).
- e. Continuous Service - Length of employment with the Town of Littleton of a full time or benefit eligible part time employee, uninterrupted except for authorized military leave, vacation leave, sick leave, court leave, disability, maternal/paternal leave, or any other authorized leave of absence, if applicable and covered in the terms of this By-Law.
- f. Absence - Any time an employee is not at work during a scheduled work period.
- g. Town - The Town of Littleton, Massachusetts.
- h. Department - Any Board, Committee, Commission, Trustees or functional unit (or sub-unit) of the town.
- i. Administrative Authority - The elected or appointed official or board having jurisdiction over a function or activity.

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- j. Appointing Authority - Any person(s), Board, Committee, Commission, or Trustees who has the right to hire or discharge employees.
- k. Position - Employment in Town service with duties and responsibilities.
- l. Classification Plan – Ranking of all jobs specifications/titles approved by the Personnel Board and appearing as Schedule A to these By-Laws.
- m. Job Classification - A particular job classification within the Classification Plan.
- n. Compensation Plan - Specified ranges of pay for each job classification included in the Classification Plan, appearing as Schedule A to these By-Laws.
- o. Grade - A ranking of the value of various jobs.
- p. Rate - A sum of money designated as compensation for personal services on an hourly, daily, weekly, monthly, annual or other basis.
- q. Step Rate – A rate in a range of a grade.
- r. Range – The minimum and maximum rates for a particular grade.
- s. Work week – The Town of Littleton’s work week is Thursday through Wednesday.

### **§33-8. CLASSIFICATION PLAN**

#### **A. MANDATORY CLASSIFICATION**

No person shall be appointed, employed or paid as a Town employee in any position under the Classification Plan and Compensation Plan under any title other than that of the class of which position is allocated.

#### **B. EMPLOYEE CATEGORIES**

All positions subject to the provisions of the Personnel By-law of the Town shall fall into one of the following categories:

- a. Benefit Eligible
- b. Non-Benefit Eligible
- c. Seasonal

These categories will determine an employee’s eligibility for benefits as specified by this By-Law.

### **§33-9. HIRING AND RE-CLASSIFICATION**

The following procedure shall be used when hiring employees in filling benefit eligible and non-benefit eligible positions covered by this By-law.

1. A job description agreed to by both the hiring Appointing Authority and the Personnel Board shall be completed prior to the announcement of the job opening.
2. The hiring grade and step for the job shall be in accord with the Classification and Compensation Plans or be developed with and agreed to by the Personnel Board prior to the announcement of the job opening.
3. The job opening shall be posted on the Town Hall Bulletin Board for two weeks and, if appropriate, shall be advertised externally.

The announcement will include:

- a. Job title
  - b. Pay range
  - c. Summary statement of duties
  - d. Direction on where and how applications may be filed
  - e. Deadline for filing application
4. Job applicants shall not be discriminated against on the basis of sex, sexual orientation as defined by law, age as defined by law, race, color, religion, handicap, national origin, military status and genetic information.
  5. The Town must retain records of all job applicants in accordance with the Public Records Law. The application of the person hired shall be filed in his/her personnel file.
  6. Benefit eligible persons selected for employment shall be notified in writing. The applicant may be required to undergo a medical examination, CORI and drug test as a condition of employment. The examination shall be at the expense of the town by a physician or medical institution selected by the Town. The examining physician shall advise as to whether or not, in the opinion of the

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physician, the applicant can perform the essential functions of the job. If deemed unfit to perform the duties of the position for which application has been made the appointing authority shall withdraw the offer of employment.

7. A Payroll Authorization Form with the required approvals shall be submitted to the Town Accountant prior to issuance of pay for a new employee or the pay rate change for an incumbent employee.
8. An applicant who accepts an appointment and fails to report to work on the date set by the appointing authority, shall, unless excused by the appointing authority, be deemed to have declined appointment and the offer of employment shall be withdrawn.

No employee may be reclassified to a position in another grade, either higher or lower, until the Personnel Board determines that such a reclassification will be consistent with the provisions of the Classification Plan.

### **§33-10. JOB DESCRIPTIONS**

The Personnel Board shall maintain written descriptions of the jobs or positions in the Classification Plan. These descriptions shall be written by the Appointing Authority and approved by the Personnel Board.

The descriptions shall include the grade, definitions describing the essential nature of the work, distinguishing features of the work and such illustrative examples of duties as may be deemed appropriate. The Personnel Board may, upon the request of an Appointing Authority or on their own initiative, along with the Appointing Authority's input, amend such job descriptions.

The departments shall be required to retain copies of the current job descriptions. They shall be responsible for drafting any revisions and submitting them to the Personnel Board for approval.

The description of any position shall be construed solely as a means of identification. It shall not limit the duties and responsibilities of any position or modify, or in any way affect, the power of any Appointing Authority as otherwise existing, to assign duties to, or to direct and control the work of any employee under the jurisdiction of such authority.

### **COMPENSATION/BENEFITS**

#### **§33-11. CLASSIFICATION PLAN & COMPENSATION PLAN**

The Compensation Plan set forth in the By-Law, shall consist of the minimum and maximum salaries by grade and step for the positions in the Classification Plan. The Compensation Plan shall be reviewed and updated periodically, voted at the annual town meeting and be incorporated into the budget process.

#### **§33-12. RATE ABOVE MAXIMUM**

Any rate which is above the maximum for a job as established by this plan shall be deemed to be a personal rate and apply only to the incumbent. The employee's rate shall be held and not be increased until such time at the employee's rate is consistent with the Compensation Plan.

#### **§33-13. STEP INCREASES**

Step increases will be awarded on an annual basis at the employee's anniversary providing the employee has completed at least one (1) year of satisfactory employment. When an employee reaches the top step of the grade they will no longer be eligible for a step increase.

#### **§33-14. MERIT INCREASES (RESERVED)**

#### **§33-15. ANNUAL COST OF LIVING INCREASE**

A cost of living increase will be voted each year at the annual town meeting. Recommendations are to be made by the Personnel Committee.

#### **§33-16. TRANSFER AND PROMOTION OF EMPLOYEES**

- A. When an employee is promoted to a higher-rated grade, he/she shall enter it at the step which provides an increase in salary. He/she may also receive a one step rate increase at the time if the Appointing Authority recommends that qualifications and performance warrant it, and the Personnel Board approves.
- B. If the employee is transferred to a lower grade job, he/she shall enter it at his/her own step or at the maximum step for the job, whichever is lower, provided that the Personnel Board approves. The employee shall have the right of appeal to the Personnel Board and to be heard thereon.

#### **§33-17. PAY RATE FOR NEW PERSONNEL**

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1. The hiring rate shall be the minimum step for the grade of the job for which the new employee is hired. An appointing authority may assign a new employee, only for the purposes of pay, to a rate higher than the minimum rate, up to Step 3 of the Grade in any case where the employee's prior experience in the work warrants such action. Hiring an employee at a rate above Step 3 requires the advanced approval of the Personnel Board. The Board may investigate any request for a higher salary step and confer with the Appointing Authority relative to such employment.
2. The appointing authority may negotiate benefits to permit competitive hiring, subject to appropriation and the prior approval of the Personnel Board.

### **§33-18. OVERTIME AND COMPENSATORY TIME**

Hourly employees begin to accrue overtime after they have worked 40 hours in a work week and it must be pre-approved by the Appointing Authority and their budget must have funds available to cover overtime. In certain circumstances compensatory time may be used, but it should be used as an exception rather than the norm. Salaried employees are not eligible for compensatory time. Compensatory time must be recorded on the timesheets as hours accrue or hours used and it must be used within 30 days of the date on which it was earned or it is lost. If Sunday hours are scheduled the rate of pay will be at time and a half the employees regular rate.

### **§33-19. DEPARTMENT PAY ADJUSTMENT IN ANNUAL BUDGET**

Each Appointing Authority shall include in the annual budget a pay adjustment section to provide funds for anticipated pay adjustments (step increases) during the ensuing year, expenditures to be made only in accordance with the plan with the approval of the Personnel Board.

### **§ 33-20. LONGEVITY PAY**

- A. Each benefit eligible employee covered by the provisions of the Town of Littleton Personnel By-law shall receive a longevity payment, to be paid in a lump sum as of July 1 of each year through regular payroll, such payment to be based on the number of consecutive years of benefit eligible employment by the Town as of July 1, in accordance with the following: **Lump Sum - Years of Service Payment:** 5- 9 years, \$700; 10-14 years, \$750; 15-19 years, \$800; 20+ years, \$850
- B. For purposes of this section, consecutive years of service shall mean the length of an employee's uninterrupted service in years in the employ of the Town of Littleton and in a position included within the Town of Littleton Personnel By-law Classification Plan and Compensation Plan in a benefit eligible position. Unpaid, approved leaves of absence shall not be considered as breaks in said consecutive years of service; however, only years, months and days spent on paid leaves of absence shall be included in the computation of consecutive years of service.

### **§33-21. HOLIDAYS**

- A. All benefit eligible employees shall receive one day at straight time for the following 11 holidays: New Years Day; Martin Luther King Day; President's Day ; Patriot's Day; Memorial Day; Fourth of July; Labor Day; Columbus Day; Veteran's Day; Thanksgiving; Christmas.
- B. If such holiday falls on a Saturday, the preceding Friday will be observed as a holiday. If the holiday falls on a Sunday, the holiday will be observed on the following Monday. If an employee is on vacation and a holiday falls within the vacation time period, the employee will not be required to use a vacation day for the holiday.

### **§33-22. PERSONAL DAYS**

All benefit eligible employees shall receive three (3) paid personal days on July 1<sup>st</sup> to use during that fiscal year. They cannot be carried over or paid out.

### **§ 33-23. VACATION LEAVE**

- A. The vacation year is from July 1 through June 30 inclusive.
- B. All benefit eligible employees will accrue at a proportional rate of vacation time. For each full calendar month of employment, employees will be credited with vacation pay as outline below:
  - (1) After one full month and up to five years of service, the employee will accrue vacation days at a rate of five-sixths (5/6) of a day per month, equaling (10) days per year from the date of employment.

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(3) After the 5<sup>th</sup> year of service and up to 10 years of service, the employee will accrue vacation days at a rate of one and twenty-five hundredths (1.25) days per month, equaling (15) days per year.

(4) After the 10th year and up to twenty years of service, the employee will accrue vacation days at a rate of one and two-thirds (1 2/3) days per month, equaling (20) days per year.

(5) After the twentieth year the employee will accrue vacation days at a rate of two and eighty-three thousandths (2.083) days per month, equaling (25) days per year.

- C. In the event of termination for any reason, the employee will be paid for the full amount of vacation pay accrued to the date of termination. If the employee has taken more vacation time than accrued at the time of termination, the time not accrued shall be deducted from the final paycheck.
- D. Vacation shall be taken at the convenience of the department. Every effort will be made to arrange for the employee to have the vacation time desired. However, all operations have to be covered at all times, and the employees with the greatest length of service will have the first choice of time.
- E. All benefit eligible employees who have left the service of the Town voluntarily and who are re-employed, within two (2) years, shall after one (1) year of service receive credit for prior employment service in the calculation of the vacation benefit.
- F. The Town may offer vacation incentives in the recruitment and negotiation with potential new employees. No such incentive shall be greater than 20 days of vacation. Appointing Authority may not offer vacation incentives without prior approval of the Personnel Committee. If granted, the employees then fall into the schedule adopted in Section B above.
- G. Employees may carry over any unused vacation time into the next fiscal year with the approval of the Appointing Authority. In no case will the carry over accrual be more than five weeks.

### **§33-24. PERSONAL LEAVE OF ABSENCE**

Personal leave of absence for a specified period of time not to exceed 90 days may be granted by an Appointing Authority but shall be without compensation. A leave of absence of over three months duration shall be considered a break in employment and on return to work the employee shall have the status of a new employee unless an extension of leave beyond three months has been authorized by the Personnel Board in advance. Unless otherwise stated, personnel leave of absences without pay shall be considered inactive employment, where time spent on such leave does not count as service (time worked) for purposes of seniority, vacation, sick leave, pension, longevity and other benefits. Those employees on an approved leave of absence who are removed from payroll are responsible for remitting their portion of the payment due for health and other insurance premiums to the Treasurer's office within the requested time frame.

### **§33-25. SICK LEAVE POLICY**

- A. **SHORT TERM DISABILITY** Town benefit eligible employees who experience an illness/injury that causes a continuous and uninterrupted absence up to 180 calendar days/six (6) months, will be considered to be short term disability. Employees are compensated at 100% of full weekly base pay. Any absence that exceeds three continuous and uninterrupted working days requires a physician's statement to be reinstated for work.
- B. **LONG TERM DISABILITY** Town benefit eligible employees who experience an illness/injury that causes a continuous and uninterrupted absence beyond 180 calendar days/six (6) months, will be considered to be long term disability. A Long Term Disability Employee will not continue to accrue vacation time, sick days, holidays, but will continue to participate in other benefits on the same basis as active employees. Seniority will freeze at current step after one year of sick leave (6 months of short term disability / 6 months long term disability).
- C. Employees will not hold employment of any type during period of Long Term Disability. Violation will result in termination of sickness benefits and employment with the Town.

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- D. Use of Long Term Disability will be considered on a per illness basis and shall not be prorated during the employee's employment by the Town. Subsequent illness within a six months' period will be reviewed by the Town Physician.
- E. The method of payment for Long Term Disability shall be as follows;
- (1) Employee must be absent from work for a period of 180 days consecutively
  - (2) Employee's physician statement must be submitted to the Town
  - (3) Employee must be reviewed by Town's physician
  - (4) Upon approval of the Town, benefits shall begin immediately
  - (5) Employee must present Town with physician's documentation indicating necessity of continued Long Term Disability Benefit at six-month intervals.
  - (6) Employee's return to work must be reviewed by Town Physician to ensure employee is physically able to do the job.
- F. Long Term Disability benefits will equal 60 months (calendar months rather than working days), or the length of service employee has with the Town, whichever is greater.
- (1) The employee will be compensated at 80% of full weekly base pay for a period of 18 calendar months. Rate of pay is calculated from the first day of disability.
  - (2) The remaining calendar months will be compensated at 60% of full weekly base pay. Rate of pay is calculated from the first day of disability.
  - (3) Benefit includes annual review by the Town
- G. Exceptions. The Town may reduce the Long Term Disability benefit if the employee receives Social Security, Federal, State or County allowances. Total amount of allowances including these benefits is not to exceed 100% of full weekly base pay. Employees, eligible or accepted for retirement are not eligible for Long Term Disability benefits, and /or will no longer receive the Long Term Disability benefit upon filing for retirement benefits.

### **§ 33-26. FAMILY AND MEDICAL LEAVE ACT**

As stated by Federal Law.

### **§ 33-27. MILITARY LEAVE**

Any Employee in an active military reserve unit or the National Guard called to active duty will be given Military Leave. Employees should provide adequate notice of the dates of their military duty to their supervisor. Vacation days accrued will not be affected by military duty. Employees will be paid the difference between their regular salary and their military pay during the time of their active military duty.

### **§33-28. BEREAVEMENT LEAVE**

Benefit eligible employees shall be given up to three (3) consecutive working days leave with a straight day's pay upon the death of immediate family members as defined by mother, father, spouse, mother-in-law, father-in-law, sister, brother, child, grandchild, grandparent, step-parent, step sibling, step-grandchild, or step-grandparent. One (1) day of leave with pay shall be given upon the death of the employee's aunt, uncle, niece or nephew.

Vacation days or Personal days may be use as bereavement upon the death of family members not specifically mentioned above.

### **§ 33-29. JURY DUTY**

Employees required to report for jury duty shall submit their notice to their immediate supervisor. Employees will receive payment for their normal work hours while attending jury duty. Employees should notify their supervisor of their jury status on a daily basis. Employees will be paid the difference between their regular salary and their jury duty pay if selected for jury duty.

### **INSURANCE**

#### **§ 33-30. INSURANCE BENEFITS**

The Town of Littleton offers the following insurance coverage to its benefit eligible employees:

#### **HEALTH INSURANCE**

The Town of Littleton will offer health insurance in accordance with Chapter 32B of Massachusetts General Laws. Insurance deductions are taken automatically from the employee's paycheck. Health insurance is offered at the time of employment and during the annual open enrollment ONLY. Under

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COBRA law, employees may be entitled to continued coverage in the Town's group health insurance plan effective upon termination of employment. The employee is responsible for 102% of the premium. Specific information is available from the Treasurer's Office.

Open enrollment is offered once a year, usually in early April. At this time employees have the opportunity to change their current benefit plans and coverage to suit their personal needs. Employees will be notified by the Treasurer's Office of the dates of the open enrollment and when any changes will become effective.

If you are an active benefit eligible employee 65 or over you will remain on your current active health plan until you retire. At age 65, if you are Medicare eligible, you must apply for your Medicare coverage through Social Security and defer your Part B coverage until retirement.

### **RETIRED EMPLOYEES**

Retired employees under age 65 will be covered by the Town's active health plans until age 65. The retiree must enroll in Medicare, if eligible. The retiree may elect to participate in the Town's Medigap insurance plan.

Retired employee not eligible for Medicare will remain on their current active plan upon providing proof that they are ineligible for Medicare.

### **BASIC LIFE INSURANCE**

The basic life insurance offered by the Town is \$10,000. The employer will automatically deduct this from the employee's paycheck. This is term life insurance and expires upon termination of employment with the Town. Retirees coverage drops to \$5,000 for half the cost. Life insurance is offered to new hires at the time of their employment only. If you do not take this insurance you must sign a waiver of refusal.

### **OPTIONAL LIFE INSURANCE**

Employees may carry additional life insurance as offered. Rates are based upon the amount of insurance and age. Premiums are fully paid by the employee. These policies may be portable.

### **§ 33-31. HIPAA**

As stated in Federal Law.

### **§ 33-32. PERFORMANCE EVALUATIONS**

All employees covered by this bylaw shall have a performance evaluation annually. .

### **§ 33-33. DISCIPLINARY ACTION**

#### **A. DISCIPLINARY PROCEDURE**

Standards of employment conduct are essential to efficient and effective operations. Employees are expected to exercise common sense and good judgment, and conduct themselves in a manner that will be a credit to the Town. The Town recognizes that all of its employees have high standards; however, there are times when it may be necessary to discipline individual employees. Disciplinary action may be initiated for failure of an employee to fulfill responsibilities as an employee. The standards as listed below are not intended to be exhaustive, but are provided for illustrative purposes. The Town reserves the right to discipline for any conduct it deems inappropriate, whether or not it is enumerated herein. Violation of the Standards of Employment Conduct may result in disciplinary action, ranging from reprimand to immediate discharge.

**The following is a non-exhaustive list of examples of violations of the Standards of Employment Conduct:**

- Incompetence or inefficiency in performing assigned duties
- Refusal to perform a reasonable amount of work or violation or any reasonable official order or failure to carry out any lawful and reasonable directions made by a proper supervisor
- Habitual tardiness or absence from duty
- Violation of safety rules, practices and policies
- Engaging in sexual or other harassment
- Insubordination
- Fighting on the job – Physical or verbal abuse
- Theft of Town or another employee's property

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- Falsification of time records
- Use of illegal substance or alcohol on the job
- Intentional disclosure of confidential information
- Misuse or unauthorized use of Town property

### § 33-35. REDUCTION IN FORCE (RIF)

- Fraud in securing an appointment
- Conviction of a felony
- Violation of safety rules, practices, policies (after appropriate training)
- Unauthorized absences during work hours
- Falsification of Town records

### § 33-34. COMPLAINT RESOLUTION

Step 1. Any employee who believes that they have in any manner been unfairly treated in accordance with this bylaw may appeal for relief from that condition. An employee must discuss the complaint initially with their direct supervisor. Then, if the matter is not settled, the employee should submit said complaint in writing to the department head. The department head shall respond in writing, within fourteen calendar days. If the employee's department head is also the immediate supervisor, he/she should proceed to Step 2.

Step 2. If the employee feels that his/her complaint is still unresolved, he/she may appeal to the Personnel Board within fourteen calendar days after receiving the decision of the Department Head. The Personnel Board may require a written statement from the employee in such form and containing such information as they may require. The Personnel Board shall hear the complaint at their next regularly scheduled meeting and shall render a decision within 14 calendar days of the hearing. Any decision of the Personnel Board shall, within five (5) business days of its final decision, be transmitted to the Board of Selectmen. In the event that, it becomes necessary to reduce the number of employees or their hours under the Personnel By-law, the Town of Littleton, in determining which of its employees are to be terminated, will take into consideration the departmental needs, the qualifications of such employees and the quality of their past performance.

Where, in the opinion of the appointing authority, the qualifications and quality of performance of employees are equal, employees will be terminated in the order of reverse seniority as employees of the department.

The employee will be notified whenever possible four (4) weeks in advance of the layoff or reduction in schedule, insofar as practicable.

- A. An employee who has been laid off shall be entitled to recall rights for a period of two (2) year from the effective date of his/her layoff.
- B. Recall notices shall be sent via certified or registered mail. Employees are required to keep the Town informed of their current mailing address.
- C. An employee who is recalled must report to work within 14 calendar days of the date of mailing the recall notice or some other mutually agreed upon time.
- D. An employee recalled within one year of his/her day of lay off will return to their former classification with service accrued up to the time of lay off.

### § 33-36. WORKING FROM HOME

Employees covered by this by-law who have assigned office space are not permitted to work from home. Our goal is to have town offices open to the public whenever possible. The appointing authority of the employee must grant permission for any exceptions to this policy.

### § 33-37. TECHNOLOGY USAGE

The technology usage policy covers all computer, communications, and information technology systems. This includes, but is not limited to: computers, internet services, e-mail, telephones and fax machines. Any employee abusing the privileges and authorized uses of this technology will be subject to disciplinary action ranging from oral reprimand to dismissal and/or legal prosecution.

### §33-38. DISCRIMINATION AND SEXUAL HARASSMENT

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As stated in Federal, and State Law.

**§33-39. SEVERABILITY**

In the event that any provision of this chapter, or application thereof, shall be held to be invalid by the proper authorities, this shall not be construed to affect the validity of any other provision, or application thereof, of this chapter.

**§33-40. DRUG FREE WORKPLACE**

As stated by Town's current policy.

**§33-41. WORKERS COMPENSATION**

As stated in State Law and the Town's policy.

**SCHEDULE A: CLASSIFICATION PLAN & COMPENSATION PLAN  
FY2008 CLASSIFICATION & COMPENSATION PLAN**

|   |  |
|---|--|
| GRADE 1   | Planning Board Coordinator/Administrator |
| Library Assistant   | GRADE 10                                 |
| GRADE 2   | Parks and Recreation Director            |
| -   | Highway General Foreman*                 |
| GRADE 3   | Tax Collector*                           |
| Library Technician  | Town Clerk*                              |
| Truck Driver/Laborer*                                       | Police Sergeant*                         |
| Assistant Transfer Station Attendant/Recycling Coordinator* | GRADE 11                                 |
| GRADE 4   | Building Commissioner                    |
| Building Custodian  | Police Lieutenant*                       |
| Transfer Station Attendant/Recycling Coordinator*           | Library Director                         |
| Communication Officer*                                      | Town Accountant*                         |
| GRADE 5   | Chief Assessor                           |
| Outreach Coordinator  | Town Treasurer*                          |
| Secretary Highway Department                                | GRADE 12                                 |
| Senior Library Technician                                   | Chief of Police*                         |
| Heavy Equipment Operator/Laborer*                           | Fire Chief*                              |
| GRADE 6   | Highway Superintendent/Engineer          |
| Assessment Analyst  | Information Systems Manager              |
| Assistant Treasurer   | GRADE 13                                 |
| Assistant Park & Recreation Director                        | Town Administrator*                      |
| Program Coordinator/Social Day Program                      |  |
| Administrative Assistant                                    |  |
| GRADE 7   |  |
| Assistant Accountant  |  |
| Firefighter/EMT (FT)*                                       |  |
| Mechanic*   |  |
| Police Officer*   |  |
| Communication Supervisor*                                   |  |
| Crew Working Foreman (Highway)*                             |  |
| Parks Working Foreman*                                      |  |
| GRADE 8   |  |
| Police Detective*   |  |
| Fire Prevention Officer*                                    |  |
| Senior Librarian  |  |
| GRADE 9   |  |
| Conservation Coordinator/Administrator                      |  |
| Council on Aging Director                                   |  |
| Executive Assistant to the Town Administrator               |  |

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*\*denotes positions that have been formally graded, but are subject to contractual or elected status.*

| <b>GRADE</b>     | <b>STEP 1</b> | <b>STEP 2</b> | <b>STEP 3</b> | <b>STEP 4</b> | <b>STEP 5</b> | <b>STEP 6</b> | <b>STEP 7</b> |
|------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| <b>1 hourly</b>  | 8.39          | 8.69          | 8.99          | 9.31          | 9.62          | 9.97          | 10.32         |
| <b>annual</b>    | 17,518.32     | 18,144.72     | 18,771.12     | 19,439.28     | 20,086.56     | 20,817.36     | 21,548.16     |
| <b>2 hourly</b>  | 10.44         | 10.81         | 11.19         | 11.58         | 11.99         | 12.41         | 12.84         |
| <b>annual</b>    | 21,798.72     | 22,571.28     | 23,364.72     | 24,179.04     | 25,035.12     | 25,912.08     | 26,809.92     |
| <b>3 hourly</b>  | 13.12         | 13.58         | 14.06         | 14.56         | 15.06         | 15.59         | 16.13         |
| <b>annual</b>    | 27,394.56     | 28,355.04     | 29,357.28     | 30,401.28     | 31,445.28     | 32,551.92     | 33,679.44     |
| <b>4 hourly</b>  | 15.10         | 15.62         | 16.16         | 16.74         | 17.32         | 17.93         | 18.56         |
| <b>annual</b>    | 31,528.80     | 32,614.56     | 33,742.08     | 34,953.12     | 36,164.16     | 37,437.84     | 38,753.28     |
| <b>5 hourly</b>  | 15.85         | 16.39         | 16.96         | 17.57         | 18.19         | 18.82         | 19.48         |
| <b>annual</b>    | 33,094.80     | 34,222.32     | 35,412.48     | 36,686.16     | 37,980.72     | 39,296.16     | 40,674.24     |
| <b>6 hourly</b>  | 16.64         | 17.22         | 17.82         | 18.44         | 19.10         | 19.76         | 20.45         |
| <b>annual</b>    | 34,744.32     | 35,955.36     | 37,208.16     | 38,502.72     | 39,880.80     | 41,258.88     | 42,699.60     |
| <b>7 hourly</b>  | 17.47         | 18.09         | 18.72         | 19.37         | 20.04         | 20.76         | 21.47         |
| <b>annual</b>    | 36,477.36     | 37,771.92     | 39,087.36     | 40,444.56     | 41,843.52     | 43,346.88     | 44,829.36     |
| <b>8 hourly</b>  | 18.35         | 18.98         | 19.66         | 20.34         | 21.04         | 21.79         | 22.55         |
| <b>annual</b>    | 38,314.80     | 39,630.24     | 41,050.08     | 42,469.92     | 43,931.52     | 45,497.52     | 47,084.40     |
| <b>9 hourly</b>  | 19.26         | 19.93         | 20.62         | 21.35         | 22.10         | 22.88         | 23.68         |
| <b>annual</b>    | 40,214.88     | 41,613.84     | 43,054.56     | 44,578.80     | 46,144.80     | 47,773.44     | 49,443.84     |
| <b>10 hourly</b> | 20.22         | 20.93         | 21.66         | 22.42         | 23.21         | 24.02         | 24.87         |
| <b>annual</b>    | 42,219.36     | 43,701.84     | 45,226.08     | 46,812.96     | 48,462.48     | 50,153.76     | 51,928.56     |
| <b>11 hourly</b> | 25.28         | 26.17         | 27.08         | 28.02         | 29.02         | 30.02         | 31.08         |
| <b>annual</b>    | 52,784.64     | 54,642.96     | 56,543.04     | 58,505.76     | 60,593.76     | 62,681.76     | 64,895.04     |
| <b>12 hourly</b> | 31.60         | 32.71         | 33.86         | 35.03         | 36.25         | 37.54         | 38.85         |
| <b>annual</b>    | 65,980.80     | 68,298.48     | 70,699.68     | 73,142.64     | 75,690.00     | 78,383.52     | 81,118.80     |
| <b>13 hourly</b> | 36.35         | 37.62         | 38.93         | 40.29         | 41.70         | 43.16         | 44.67         |
| <b>annual</b>    | 75,898.80     | 78,550.56     | 81,285.84     | 84,125.52     | 87,069.60     | 90,118.08     | 93,270.96     |

**ARTICLE 18  
Personnel Board  
Longevity**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$11,650.00 to fund the obligations created by Chapter 33, Section 20 of the Town Code (Personnel Bylaw) for longevity payments due to eligible employees on July 1, 2007, or to take any other action in relation thereto.

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*Declared a vote that the Town transfer from Free Cash the sum of \$11,650.00 to fund the obligations created by Chapter 33, Section 20 of the Town Code (Personnel Bylaw) for longevity payments due to eligible employees on July 1, 2007.*

**ARTICLE 19  
Personnel Board  
Classification Plan**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$43,000.00 to fund the obligations created by Chapter 33, Sections 11 and 13 of the Town Code for implementation of the Classification and Compensation Plan for applicable employees effective July 1, 2007, or to take any other action in relation thereto.

*Declared a vote that the Town transfer from Free Cash the sum of \$43,000.00 to fund the obligations created by Chapter 33, Sections 11 and 13 of the Town Code for implementation of the Classification and Compensation Plan for applicable employees effective July 1, 2007.*

**ARTICLE 20  
Board of Selectmen  
Strong Police Chief Bylaw**

To see if the Town will vote to accept Chapter 41, Section 97A of the General Laws, creating a “strong” Police Chief with authority to hire police officers and other Police Department personnel, to serve for a term of years not exceeding three years, or take any other action in relation there to.

*Declared a vote that the Town accept Chapter 41, Section 97A of the General Laws, creating a “strong” Police Chief to serve for a term of years not exceeding three years.*

**ARTICLE 21  
Board of Selectmen  
Community Preservation Act**

To see if the Town will accept Sections 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, by approving a surcharge on real property for the purposes permitted by said Act, including the acquisition, creation and preservation of open space, the acquisition, preservation, rehabilitation and restoration of historic resources, the acquisition, creation and preservation of land for recreational use, the acquisition, creation, preservation and support of community housing, and the rehabilitation and restoration of such open space, land for recreational use and community housing that is acquired or created as provided under said Act; to determine the amount of such surcharge on real property as a percentage of the annual real estate tax levy against real property and the fiscal year in which such surcharge shall commence; to determine whether the Town will accept any of the exemptions from such surcharge permitted under Section 3(e) of said Act; or to take any other action relative thereto.

*No affirmative action taken on Article 21.*

**ARTICLE 22  
Board of Selectmen  
Sewer Tie-in – Police/Fire**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money not to exceed \$150,000 for the purpose of construction and tie in costs associated with the Police and Fire Station sewerage system to the High School Sewer Treatment Plant, or to take any other action in relation thereto.

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*No affirmative action taken on Article 22.*

**ARTICLE 23  
Board of Selectmen  
Beaver Brook/ 199 Lights**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money to be determined for the purpose of funding design services for a turning lane at Beaver Brook/119 Lights, or to take any other action in relation thereto.

*No affirmative action taken on Article 23.*

**ARTICLE 24  
Cemetery Commission  
Building Addition Design**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the purposes of the design, specifications and bidding of a major renovation, including the addition of a crematorium, to the Cemetery Administration Building, or to take any other action in relation thereto.

*No affirmative action taken on Article 24*

**ARTICLE 25  
Cemetery Commission  
Building Addition**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the construction of a major renovation, including the addition of a crematorium, to the Cemetery Administration Building, or take any other action in relation thereto.

*Withdrawn, no affirmative action taken on Article 25.*

**ARTICLE 26  
Park & recreation  
Shaker Lane Ball Field**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money not to exceed \$13,500 for the purpose of improvements to the Shaker Lane baseball fields to include field, fencing and dugout work or to take any action relative thereto.

*Unanimously voted that the Town transfer from Free Cash a sum of money not to exceed \$13,500.00 for the purpose of improvements to the Shaker Lane baseball fields to include field, fencing and dugout work.*

**ARTICLE 27  
Board of Selectmen  
File Storage**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money not to exceed \$15,000 for the purpose of purchasing a High Density File Storage unit for Town Hall, or to take any other action in relation thereto.

*Unanimously voted that the Town transfer from Free Cash a sum of money not to exceed \$15,000.00 for the purpose of purchasing a High Density File Storage unit for Town Hall.*

**ARTICLE 28  
Board of Selectmen  
Street Acceptance**

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To see if the Town will vote to accept, as Town ways, the layout by the Board of Selectmen of the private way known as “Manchester Drive”, and the layout by the Board of Selectmen of the private way known as “Norfolk Drive” . . .

*Unanimously voted that the Town accept, as Town ways, the layout by the Board of Selectmen of the private way known as “Manchester Drive”, and the layout by the Board of Selectmen of the private way known as “Norfolk Drive”:*

**MANCHESTER DRIVE**

*Forty feet in width, from the Southerly side line of Norfolk Drive, a distance of one thousand two hundred and fifty feet, more or less in a southerly and easterly direction to the easterly side line of Tulip Road, this being a portion of the road as shown on a plan entitled “Map B of Long lake, Town of Littleton” recorded with the Middlesex South District Registry of Deeds in Plan Book 362 as plan number 27;*

**NORFOLK DRIVE**

*Forty feet in width, from the southerly side of Shaker Lane, a distance of three hundred and twenty feet, more or less, in a southeasterly and easterly direction to the westerly side line of lot 3967, this being a portion of the road, all as shown on a plan entitled “Map B of Long Lake, Town of Littleton” recorded with the Middlesex South District Registry o Deeds in Plan Book 362 as plan number 27;*

*and to authorize the Board of Selectmen, for Manchester Drive and/or Norfolk Drive, to acquire by gift, purchase or eminent domain, the land easements, rights therein, and to further authorize the Board of Selectmen to proceed with the reconstruction of said way or ways, and to raise and appropriate, transfer from available funds, and/or borrow \$115,000.00 to fund the total costs of said acquisition, engineering, construction, and other expenses incidental thereto and that betterments will be assessed.*

**ARTICLE 29  
Board of Selectmen  
Street Acceptance**

To see if the Town will vote to accept, as a Town way, the layout by the Board of Selectmen of the private way known as “Grist Mill Road” . . .

*Unanimously voted that the Town accept, as a Town way, the layout by the Board of Selectmen of the private way known as “Grist Mill Road”, 50 feet in width, from the northerly sideline of Great Road (Route 2A/110), a distance of approximately 3,793 feet to the portion of Grist Mill Road previously accepted; and to authorize the Board of Selectmen to acquire by eminent, the land and easements for drainage, utility, or other purposes, all as shown on a plan entitled: “As-Built Plan of Apple D’Or Subdivision – Littleton, Mass” dated April 12, 2004, as last revised February 14, 2007 said street having been constructed to the satisfaction of the Planning Board, and to name said street “Grist Mill Road.”*

**ARTICLE 30  
Board of Selectmen  
Street Acceptance**

To see if the Town will vote to accept, as a Town way, the layout by the Board of Selectmen of the private way known as “Surrey Road” . . .

*Unanimously voted that the Town accept, as a Town way, the layout by the Board of Selectmen of the private way known as “Surrey Road”, 50 feet in width, from the westerly sideline of Grist Mill Road, a distance of approximately 2,150 feet; and to authorize the board of Selectmen to acquire by eminent domain, the land and easements for drainage, utility, or other purposes, all as*

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*shown on a plan entitled: "As-Built Plan of Apple D'Or Subdivision – Littleton, Mass" dated April 12, 2004, as last revised February 14, 2007 said street having been constructed to the satisfaction of the Planning Board, and to name said street "Surrey Road."*

**ARTICLE 31**  
**Board of Selectmen**  
**Street Acceptance**

To see if the Town will vote to accept, as a Town way, the layout by the Board of Selectmen of the private way known as "Richard Way," 50 feet in width, from the easterly sideline of Colonial Drive, a distance of approximately 636 feet, and to authorize the board of Selectmen to acquire by eminent domain or otherwise, the land and easements for drainage, utility, or other purposes, all as shown on a plan entitled: "As-Built Plan of Richard Way, Littleton, Mass" dated November 17, 2005 said street having been constructed to the satisfaction of the Planning Board, and to name said street "Richard Way", or to take any other action in relation thereto.

*No affirmative action taken on Article 31.*

**ARTICLE 32**  
**Board of Selectmen**  
**Street Acceptance**

To see if the Town will vote to accept, as a Town way, the layout by the Board of Selectmen of the private way known as "Nancy's Way", varying from 40 feet in width, from the westerly sideline of Whitcomb Avenue, a distance of approximately 981 feet; and to authorize the board of Selectmen to acquire by eminent domain or otherwise, the land and easements for drainage, utility, or other purposes, all as shown on a plan entitled: "As-Built Plan of Nancy's Way, Littleton, Mass" dated February 21, 2007, said street having been constructed to the satisfaction of the Planning Board, and to name said street "Nancy's Way", or take any other action in relation thereto.

*No affirmative action taken on Article 32.*

**ARTICLE 33**  
**Board of Selectmen**  
**Mill Pond**

To see if the Town will vote to authorize the Board of Selectmen to acquire in fee by purchase, gift, eminent domain or otherwise a parcel of land located under Mill Pond, as shown as Littleton Assessors Map 39, parcel 10, or take any other action in relation thereto.

*Unanimously voted that the Town authorize the Board of Selectmen to acquire by gift a parcel of land located under Mill Pond, as shown as Littleton Assessors Map 39, parcel 10.*

**ARTICLE 34**  
**Board of Selectmen**  
**Whitcomb Ave/Porter Rd**

To see if the Town will vote to authorize the Water Department to acquire in fee by purchase, gift, eminent domain or otherwise a parcel of land located on the southeasterly side of Whitcomb Avenue, in Littleton, Middlesex County, Massachusetts being shown as Parcel "A" on a plan of land entitled "Plan of Land in Littleton, Mass., prepared for The Jackson Family Trust, David A. Jackson, Jr., Trustee, dated June, 2004, Scale 1" = 60', David E. Ross Associates, Inc., Civil Engineers and Land Surveyors, Landscape Architects, Environmental Consultants, P.O. Box 368, Ayer, MA 01432" which plan is recorded with the Middlesex South District Registry of Deeds as Plan Number 842 of 2004, to which plan reference may be made for a more particular description of said premises; said Parcel A containing 5.2 acres more or less, according to said plan; or to take any other action in relation thereto.

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*Unanimously voted that the Town authorize the Water Department to acquire by gift, a parcel of land located on the southeasterly side of Whitcomb Avenue, in Littleton, Middlesex County, Massachusetts being shown as Parcel "A" on a plan of land entitled "Plan of Land in Littleton, Mass., prepared for The Jackson Family Trust, David A. Jackson, Jr., Trustee, dated June, 2004, Scale 1" = 60', David E. Ross Associates, Inc., Civil Engineers and Land Surveyors, Landscape Architects, Environmental Consultants, P.O. Box 368, Ayer, MA 01432" which plan is recorded with the Middlesex South District Registry of Deeds as Plan Number 842 of 2004, to which plan reference may be made for a more particular description of said premises; said Parcel A containing 5.2 acres more or less, according to said plan.*

**ARTICLE 35  
Board of Selectmen  
Revolving Funds**

To see if the Town will vote to authorize the following FY08 Revolving Funds, in accordance with Chapter 44, section 53E½1/2 of the General Laws, or to take any other action in relation thereto.

*Unanimously voted that the Town authorize, in accordance with Chapter 44, section 53E1/2 ½ of the General Law, the following FY08 Revolving Funds:*

| REVOLVING FUND              | AUTHORIZED TO SPEND FUND | REVENUE SOURCE   | USE OF FUND              | SPENDING LIMIT | DISPOSITION OF FY 07 FUND BALANCE |
|-----------------------------|--------------------------|------------------|--------------------------|----------------|-----------------------------------|
| Wiring/Plumbing Inspectors  | Building Commissioner    | Wiring/Plumbing  | Compensate Wiring and    | \$ 75,000      | Balance Available                 |
| Compensation                |                          | Fees             | Plumbing Inspectors      |                | for Expenditure                   |
| Dog Bylaw Enforcement       | Town Clerk               | Dog License Fees | Expenses associated      | \$ 5,000       | Balance Available                 |
|                             |                          | And Fines        | With Bylaw enforcement   |                | for Expenditure                   |
| Sale of Lots/Grave Openings | Cemetery Commission      | Fees             | Administrative costs     | \$ 10,000      | Balance Available                 |
|                             |                          |                  | Associated               |                | for Expenditure                   |
| Alarm Box Repairs           | Fire Department          | Alarm Box fees   | Repairs to Alarm Boxes   | \$ 5,000       | Balance Available                 |
|                             |                          |                  |                          |                | for Expenditure                   |
| CPR Courses                 | Fire Department          | CPR Course Fees  | CPR Course Costs         | \$ 2,000       | Balance Available                 |
|                             |                          |                  |                          |                | for Expenditure                   |
| Sealer of Weights           | Board of Selectmen       | Sealer Fees      | Compensate Sealer        | \$ 3,000       | Balance Available                 |
| And Measures                |                          |                  |                          |                | for Expenditure                   |
| Fire Safety Act Compliance  | Board of Selectmen       | Fees and Fines   | Administrative costs     | \$ 3,000       | Balance Available                 |
|                             |                          |                  | Associated               |                | for Expenditure                   |
| M.A.R.T.                    | Council on Aging         | Reimbursements   | Wages and Expenses       | \$ 68,000      | Balance Available                 |
|                             |                          | M.A.R.T/Bus fees | for Senior Van operation |                | for Expenditure                   |
| Pet Cemetery                | Cemetery                 | Fees from        | Administrative costs     | \$ 20,000      | Balance Available                 |
|                             | Commission               | Applicants       | Associated               |                | for Expenditure                   |
| Clean Lakes                 | Board of Selectmen       | Spec Pond Cell   | Debt Service             | \$ 40,000      | Balance Available                 |
|                             |                          | Tower Income     |                          |                | for Expenditure                   |
| Community Education         | Park & Recreation        | Fees             | Wages & Administrative   | \$ 80,000      | Balance Available                 |
|                             |                          |                  | Costs associated         |                | for Expenditure                   |

**ARTICLE 36  
Board of Selectmen  
EMS Enterprise Fund**

To see if the Town will vote to appropriate \$262,980 from the EMS Enterprise Fund to finance the operation of the EMS Department for the fiscal year beginning July 1, 2007, or act in any manner relating thereto.

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*Unanimously voted that the Town appropriate \$262,980 from the EMS Enterprise Fund to finance the operation of the EMS Department for the fiscal year beginning July 1, 2007, as follows:*

|   |                |
|---|----------------|
| <b>I. EMS Enterprise Revenues</b>   |                |
| User Charges  | 300,000        |
| Enterprise Available Funds  | -              |
| Investment Income   | 5,000          |
| <b>Total Revenues</b>   | <b>305,000</b> |
| <b>II. Costs Appropriated in the Enterprise Fund</b>                                |                |
| Salaries and Wages  | 142,225        |
| Expenses  | 59,255         |
| Capital Outlay – Equipment  | 46,500         |
| Capital Outlay – Improvements   |                |
| Reserve Fund  | 15,000         |
| Debt Principal and Interest   |                |
| Budgeted Surplus  | 13,548         |
| <b>Total Costs Appropriated in E.F.</b>   | <b>262,980</b> |
| <b>III. Costs Appropriated in General Fund to be Charged to the Enterprise Fund</b> |                |
| Indirect Costs  | 13,082         |
| Benefits  | 7,148          |
| Pension Costs   | 8,242          |
| <b>Total Costs Appropriated in G.F.</b>   | <b>28,472</b>  |
| <b>Total Costs</b>  | <b>305,000</b> |

**ARTICLE 37  
Board of Selectmen  
Borrowing Authorization**

To see if the Town will vote to transfer from available funds or authorize the Treasurer to borrow in anticipation of reimbursements, a sum of money for authorized road improvements and other projects provided for under Chapter 90 of the General Laws; provided, however, that the Board of Public Works is authorized to expend funds authorized by this Article subject to approval of a Capital Expenditure Plan by the Board of Selectmen and Finance Committee, or act in any manner relating thereto.

*Unanimously voted that the Town transfer from available funds or authorize the Treasurer to borrow in anticipation of reimbursements, a sum of money for authorized road improvements and other projects provided for under Chapter 90 of the General Laws; provided, however, that the Board of Public Works is authorized to expend funds authorized by this Article subject to approval of a Capital Expenditure Plan by the Board of Selectmen and Finance Committee.*

**ARTICLE 38  
Board of Selectmen  
Compensating Balance Agreement**

To see if the Town will vote to authorize the Treasurer to enter into a Compensating Balance Agreement(s) for FY2008, pursuant to Chapter 44, Section 53F of the General Laws, or act in any manner relating thereto.

*Unanimously voted that the Town authorize the Treasurer to enter into a Compensating Balance Agreement(s) for FY2008, pursuant to Chapter 44, Section 53F of the General Laws.*

**ARTICLE 39**  
**Board of Selectmen**  
**Senior Work Program**

To see if the Town will vote to request the Board of Assessors to commit \$44,000 from the FY2008 Overlay Account for Abatements to fund the Senior Citizen Tax Work-off Abatement Program, or act in any manner relating thereto.

*Unanimously voted that the Town request the Board of Assessors to commit \$44,000 from the FY08 Overlay Account for Abatements to fund Senior Citizen Tax Work-off Abatement Program.*

**ARTICLE 40**  
**Board of Selectmen**  
**Land Taking**

To see if the Town will vote to authorize the Board of Selectmen to acquire in fee by purchase, gift, eminent domain or otherwise the two parcels of land adjoining the Littleton High School King Street driveway entrance for the purposes of widening the entrance and exit, installing a traffic beacon and to facilitate the construction of a turning lane onto King Street. The land is located on Assessor's Map U42-4, 50 King Street and Assessor's Map U42-6, 62-64 King Street, or act in any manner relating thereto.

*Declared a vote by the necessary two-thirds vote that the Town authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, certain interests in the two parcels of land adjoining the Littleton High School King Street driveway entrance. The two parcels of land are located on Assessor's Map U42-4, 50 King Street and Assessor's Map U42-6, 62-64 King Street and are further shown on a plan entitled: "Plan of land in Littleton, Mass. Prepared for Town of Littleton" Dated April, 2007; By: David E. Ross Associates, Inc. Civil Engineers Land Surveyors environmental Consultants, P.O. Box 368-111 Fitchburg Rd., Ayer, Mass 01432. Specifically, the two parcels are shown on said plan as " Prop. Driveway Easement "A"", containing 726 square feet of land, more or less, currently owned by Alfred W. Bradbury, Jr., Ida M. Bradbury and Jeffrey L. Bradbury; and "Parcel "B"", containing 1340 square feet of land, more or less, currently owned by Donald E. Cozzens and Margaret B. Cozzens. The Town will acquire "Parcel "B"" in fee, and will acquire a driveway easement for "Prop. Driveway Easement "A"".*

Meeting was dissolved.

ATTEST: A True Copy: Diane Crory, Town Clerk