

**WARRANT FOR  
MONDAY, OCTOBER 28, 2019 at 7:00 PM  
SPECIAL TOWN MEETING  
TOWN OF LITTLETON**

**Commonwealth of Massachusetts  
Middlesex, ss.**

To any Constable of the Town of Littleton in the County of Middlesex,  
**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Littleton qualified to vote in the elections and Town affairs, to meet in the **Charles Forbes Kaye Gymnasium, Littleton Middle School, 55 Russell Street in said Littleton on Monday, the twenty-eighth day of October, 2019, at 7:00 o'clock in the evening** by posting a printed copy of this warrant, by you attested, at eight meeting houses, at the Town Office Building on Shattuck Street, at the Post Office at Littleton Common, at the Post Office at Littleton Depot, at the Baptist Church, at the Unitarian Church, at the Catholic Church, at the Congregational Church, and at the Mormon Church, in said Town, fourteen days at least before the twenty-eighth day of October, 2019, then and there to act on the following Articles:

**ARTICLE 1  
Board of Selectmen  
Bills of Prior Years  
[9/10ths vote required]**

To see if the Town will vote to raise and appropriate a sum or sums of money to pay unpaid bills from prior fiscal years, or to take any other action in relation thereto.

**ARTICLE 2  
Board of Selectmen  
FY2020 Budget Amendments**

To see if the Town will vote to amend the FY2020 Operating Budget, as adopted pursuant to Article 4 of the May 6, 2019 Annual Town Meeting, by adjusting budget line items (*detail below*), and to raise and appropriate the additional \$15,689 needed to make the adjustments; or to take any other action in relation thereto.

<u>Budget</u>	<u>Line Item</u>	<u>FY2020 Budget</u>	<u>Adjustment</u>	<u>FY2020 Budget Adjusted</u>
122	Selectmen Expenses	\$13,870	\$10,000	\$23,870
135	Finance & Budget Expenses	\$52,970	\$75,666	\$128,636
161	Town Clerk Expenses	\$1,500	\$2,300	\$3,800
162	Elections & Registrations Expenses	\$12,200	(\$3,000)	\$9,200
162	Elections & Registrations Salaries	\$0	\$3,000	\$3,000
194	Total Employee/Retiree Benefits	\$9,810,119	(\$57,697)	\$9,752,422
193	Property & Liability Insurance	\$400,000	(\$24,000)	\$376,000
210	Police/Dispatch Expenses	\$154,821	\$10,000	\$164,821
300	School Department (Chapter 70)	\$21,102,192	\$15,689	\$21,117,881
301	Technical School Expense	\$486,821	\$15,259	\$502,080
<b>Total Appropriated Budgets</b>		<b>\$32,034,493</b>	<b>\$47,217</b>	<b>\$32,081,710</b>
	Transfer in-PRCE Enterprise Field fees	(\$24,000)	\$24,000	\$0
	Transfer in to 194 from Recreation Enterprise	\$0	(\$55,528)	(\$55,528)
	Transfer in from Ambulance Receipts	(\$650,000)	\$0	(\$650,000)
<b>Total Transfers In</b>		<b>(\$674,000)</b>	<b>(\$31,528)</b>	<b>(\$705,528)</b>
<b>Total FY20 Net Appropriated Budget Adjustments</b>		<b>\$31,360,493</b>	<b>\$15,689</b>	<b>\$31,376,182</b>

**ARTICLE 3**  
**Board of Selectmen**  
**Supplemental FY2020 Capital Item**

To see if the Town will vote to raise and appropriate \$85,000, to be expended by the Permanent Municipal Building Committee for design relative to repairs to the Police Station building's exterior and interior, and any temporary construction work associated with preventing further damage over the winter, or to take any other action in relation thereto.

**ARTICLE 4**  
**Board of Selectmen**  
**FY2020 Revolving Fund Amendments**

To see if the Town will vote pursuant to Town Code Chapter 18, Finances, Article V, Departmental Revolving Funds, which established and authorizes revolving funds governed by General Laws Chapter 44, § 53E½ for use by town departments, boards, committees, agencies and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities, to amend the following annual expenditure limitations, voted on May 6, 2019 Article #3 Annual Town Meeting for the fiscal year beginning July 1, 2019 and ending June 30, 2020 (*detail below*), or to take any other action in relation thereto.

<i>Revolving Fund</i>	<i>Authorized Department</i>	<i>Monies Received</i>	<i>Expenses for which funds may be used</i>	<i>Original Expenditure limit FY 2020</i>	<i>Revised Expenditure limit FY 2020</i>
Inspectional Services	Building Inspector	Fees charged and received by the Building Inspector for gas, plumbing and electrical inspections	Salaries or wages of inspectors performing gas, plumbing or electrical inspections and expenses related to those inspections	\$130,000	\$135,000
Sealer of Weights & Measures	Board of Selectmen	Fees charged and received by the Town Sealer of Weights & Measures for equipment inspections	Contractual Services related to those inspections	\$8,000	\$14,000
Spectacle Pond Cell Tower	Clean Lakes Committee	Receipts from the Spectacle Pond Cell Tower rental agreements	Contractual Services or expenses related to the Clean Lakes Program	\$50,000	\$60,000
Cemetery Revolving	Cemetery Commission	a portion of receipts received from sales of lots	Expenses related to the maintenance of lots	\$20,000	\$35,000
Permitting Software	Board of Selectmen	a portion of receipts received from land use permit fees	expenses associated with maintenance fees of permitting software	\$20,000	\$26,000
LCTV Boxborough IMA	Board of Selectmen	Proceeds resulting from the provision of LCTV cable services to Town of	Expenses associated with the provision of said services	\$65,000	\$90,000

		Boxborough through intermunicipal agreement			
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## ARTICLE 5

## Park and Recreation Commission

## Amend FY2020 Park, Recreation &amp; Community Education Enterprise Fund Oper. Budget

To see if the Town will vote to amend the FY2020 Park, Recreation & Community Education Enterprise Budget, as adopted pursuant to Article 7 of the May 6, 2019 Annual Town Meeting, by adjusting budget line items (*detail below*), or to take any other action in relation thereto.

I. PRCE Enterprise Revenues	FY2020 Budget	Adjustment	FY2020 Budget Adjusted
User Charges	\$760,206	\$78,090	\$838,296
Transfer In from Recreation Fund	0	0	0
Transfer In from General Fund	230,000	0	230,000
Enterprise Available Funds	75,000	-14,518	60,482
Investment Income	500	0	500
<b>Total Revenues</b>	<b>\$1,065,706</b>	<b>\$63,572</b>	<b>\$1,129,278</b>
II. Costs Appropriated for the Enterprise Fund			0
Salaries and Wages	\$476,860	\$146,302	\$623,162
Expenses	514,846	(64,258)	450,588
Transfer to General Fund – Field Maintenance	24,000	(24,000)	0
Capital Outlay – Equipment	0	-	0
Capital Outlay – Improvements	0	-	0
Reserve Fund	50,000	(50,000)	0
Debt Principal and Interest	0	-	0
Transfer to General Fund	0	55,528	55,528
Budgeted Surplus	0	-	0
<b>Total Costs Appropriated for Enterprise Fund</b>	<b>\$1,065,706</b>	<b>\$63,572</b>	<b>\$1,129,278</b>
III. Costs Appropriated for General Fund to be Charged to the Enterprise Fund			
Indirect Costs	\$0	-	\$0
Benefits	0	-	0
Pension Costs	0	-	0
<b>Total Costs Appropriated for the General Fund.</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Total Costs</b>	<b>\$1,065,706</b>	<b>\$63,572</b>	<b>\$1,129,278</b>

## ARTICLE 6

## Littleton Community Television Advisory Committee

## Receipts Reserved for Appropriation from the Public, Education and Government Access Fund

To see if the Town will vote to:

- (1) appropriate \$306,343 from the Receipts Reserved for Appropriation from the Public, Education and Government (PEG) Access and Cable Related Fund (as established under M.G.L. c.44 §53F $\frac{3}{4}$  by vote of the November 2, 2015 Special Town Meeting, and which has a current balance of approximately \$536,986) for the operation of the Littleton Community Television cable television studio, as follows: \$183,135 for salaries, \$60,488 for employee/retirement benefits, \$34,720 for expenses and \$28,000 for capital projects; and
- (2) rescind the cable studio appropriation and transfers as voted under Article 4 (budget line item 197) of the May 6, 2019 Annual Town Meeting; and
- (3) credit all future revenue received in conjunction with the LCTV Inter-Municipal Agreement with the Town of Boxborough to the PEG Access fund as established under M.G.L. c.44, §53F  $\frac{3}{4}$ , or to take any other action in relation thereto.

**ARTICLE 7**  
**Conservation Commission**  
**FY2020 Conservation Commission Open Space Budget**

To see if the Town will vote to expend from the Oak Hill Cell Tower Fund (which fund is intended for use by the Conservation Commission for conservation lands purposes, pursuant to votes of the May 5, 1997 Annual Town Meeting, the September 28, 1998 Special Town Meeting, the May 6, 2002 Special Town Meeting, and the November 14, 2012 Special Town Meeting) the amount of \$18,500, or any other sum, to be used for projects under the direction and charge of the Conservation Commission or to take any other action in relation thereto.

**ARTICLE 8**  
**Community Preservation Committee**  
**Amend FY 2020 Community Preservation Budget**

To see if the Town will vote to hear and act on the amended report of the Community Preservation Committee on the FY2020 Community Preservation Budget, to appropriate or reserve from FY2020 Community Preservation Fund annual revenues and reserves the following amounts, as recommended by the Community Preservation Committee, with each item considered a separate appropriation:

1. Old Burying Ground Cemetery Preservation, Third Phase – \$9,900 from the CPA Historic Preservation Reserve; and
2. 12 Robinson Road Roof Replacement – \$60,000 from the CPA Historic Preservation Reserve; or to take any other action in relation thereto.

**ARTICLE 9**  
**Board of Selectmen**  
**Amendment to Home Rule Petition Authorized by May 6, 2019 Annual Town Meeting**

To see if the Town will vote to amend the vote under Article 21 of the May 6, 2019 Annual Town Meeting authorizing the Board of Selectmen to petition the General Court for a special act authorizing establishment of the Littleton Common Smart Sewer District, by substituting a revised version of the petition assigning supervision and control of the sewer district to the Board of Water Commissioners; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court; and, provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of the petition; or to take any other action in relation thereto.

**ARTICLE 10**  
**Board of Selectmen**  
**Amendment to Appropriation and Borrowing Authorization for Littleton Common Smart Sewer Approved by October 29, 2018 Special Town Meeting**  
*[2/3rds vote required]*

To see if the Town will vote to amend the vote under Article 10 of the October 29, 2018 Special Town Meeting regarding appropriation and borrowing for the Littleton Common Smart Sewer Design as follows: (1) by increasing the sum appropriated and authorized for borrowing; (2) by including costs of construction as eligible costs (in addition to design and engineering); and (3) by providing that the board authorized to determine and assess betterments shall be either the Board of Selectmen or other board designated by the anticipated special act authorizing establishment of the Littleton Common Smart Sewer District; or to take any other action in relation thereto.

**ARTICLE 11**  
**Board of Selectmen**  
**Property Acquisition for the Smart Sewer Project**  
*[2/3rds vote required]*

To see if the Town will vote (i) to authorize the Board of Selectmen to acquire by purchase, gift, or eminent domain, for the purpose of constructing a Smart Sewer, the fee interest in a parcel or parcels of land within the Town of Littleton, on such terms and conditions as the Selectmen may determine; (ii) to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Littleton to effect said purchase, gift or taking; and (iii) to appropriate a sum of money to pay costs of acquisition of the property, and to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise; or to take any other action in relation thereto.

**ARTICLE 12**  
**Board of Water Commissioners**  
**Appropriation, Borrowing, and Home Rule Petition for Water Treatment Facility**  
*[2/3rds vote required]*

To see if the Town will vote:

(1) To appropriate approximately \$6,000,000 (with the final number to be presented by the Board of Water Commissioners at Town Meeting) to pay costs of installing water department facilities and infrastructure to reduce concentrations of per- and poly-fluoroalkyl substances (PFAS) at any location deemed by the Board of Water Commissioners to be in the best interests of the Town of Littleton and for the study, analysis, and design of a permanent water treatment facility capable of lowering iron, manganese, PFAS, and/or any other regulated substance below their respective Massachusetts drinking water standards; to determine whether this amount shall be transferred from available funds, borrowed or otherwise provided; to designate parcels U41-38-0 and U41-44-0, or any other land under the control of the Board of Water Commissioners or in the town right of way, as land required for the construction of said water treatment facilities and infrastructure, said lots being a portion of the property described in a deed recorded in the Middlesex South Registry of Deeds in Book 19902, Page 089, or to take any other action in relation thereto; and

(2) To authorize the Board of Selectmen to petition the General Court, on behalf of the Town, for passage of a special law to allow the town to designate the parcels of land located off Whitcomb Avenue and shown as Assessor's Map U41, Parcels 38-0 and 44-0 as water department land to be used for the construction of a water treatment facility, said lots being a portion of the property described in a deed recorded in the Middlesex South Registry of Deeds in Book 19902, Page 089, and to remove any Article 97 designation from the lots, if such designation exists, and to place Article 97 protections on parcels shown as Assessor's U-40-15-0 and U-41-35-0 (to remain in the custody of the Board of Water Commissioners for water supply protection purposes) or to take any other action in relation thereto.

**ARTICLE 13**  
**Library Trustees**  
**Library Building Project Construction - Borrowing**  
*[2/3rds vote required]*

To see if the Town will vote to borrow, transfer from available funds, and/or otherwise provide a sum of money to be expended under the direction of the Permanent Municipal Building Committee for architectural, engineering, project management, construction management (pursuant to M.G.L. c. 149A) or general contracting (pursuant to M.G.L. c. 149, 44A-44J, et seq.) as determined by the Permanent Municipal Building Committee, and/or other services necessary for the design, construction, equipping, and furnishing of a new Reuben Hoar Library (the "Project"), including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. The total amount authorized to be borrowed by this vote shall be reduced by: (i) any and all grants received by the Town from the Massachusetts Board of Library Commissioners for this Project; and (ii) the amount of any and all gifts, grants and donations received by the Town for this Project, as long as said grants, gifts and donations are received prior to the issuance of any bonds or notes. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. While not a legal condition to the borrowing of funds authorized by this vote, it is the expectation of this Town Meeting that a Proposition 2½ debt exclusion question, so-called, relating to this project will be placed before the voters of the Town, or to take any other action in relation thereto.

**ARTICLE 14**  
**Board of Selectmen/Personnel Board**  
**Classification & Compensation Study**

To see if the Town will vote to raise and appropriate a sum of money for a Classification & Compensation Study, or to take any other action in relation thereto.

**ARTICLE 15**  
**Board of Selectmen/Personnel Board**  
**Personnel By-law Amendments**

To see if the Town will vote to amend the Personnel By-law and Classification and Compensation Plan, Chapter 33 of the Town Code, as recommended by the Personnel Board as follows:

1. By amending Schedules B-1, C-1 and D, as shown in **bold** below, effective January 1, 2020, as follows:

**Schedule B-1, Other Employees**

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
<b>1 hourly</b>	<b>\$12.75</b>	<b>\$13.00</b>	<b>\$13.26</b>	<b>\$13.53</b>	<b>\$13.80</b>
<b>2 hourly</b>	\$15.30	\$15.61	\$15.92	\$16.24	\$16.56

**Schedule C-1, Community Education**

GRADE	STEP 1	STEP 2	STEP 3
<b>1 hourly</b>	<b>12.75</b>		
<b>2 hourly</b>	14.00	14.35	14.71
<b>3 hourly</b>	20.00	20.50	21.01
<b>4 hourly</b>	25.00	25.63	26.27
<b>5 hourly</b>	30.00	30.75	31.52
<b>6 hourly</b>	35.00	35.88	36.77

**Schedule D, Fire Department On-Call**

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
<b>1 hourly</b>	<b>\$12.75</b>					
<b>2 hourly</b>	\$15.46	\$15.77	\$16.09	\$16.41	\$16.74	\$17.07
<b>3 hourly</b>	\$16.08	\$16.40	\$16.73	\$17.06	\$17.40	\$17.74
<b>4 hourly</b>	\$16.72	\$17.05	\$17.39	\$17.74	\$18.09	\$18.45
<b>5 hourly</b>	\$17.21	\$17.55	\$17.90	\$18.26	\$18.56	\$18.93
<b>6 hourly</b>	\$17.73	\$18.08	\$18.44	\$18.81	\$19.19	\$19.57
<b>7 hourly</b>	\$18.26	\$18.63	\$19.00	\$19.38	\$19.77	\$20.17
<b>8 hourly</b>	\$18.81	\$19.19	\$19.57	\$19.96	\$20.36	\$20.77
<b>9 hourly</b>	\$19.38	\$19.77	\$20.17	\$20.57	\$20.98	\$21.40
<b>10 hourly</b>	\$19.57	\$19.96	\$20.36	\$20.77	\$21.19	\$21.61
<b>11 hourly</b>	\$21.42					

*On-Call Stipend \$4.00/hour*

2. By amending Section 22, by deleting and adding words as shown below with strikethrough/underlining:

Personal days provide a means for employees to secure time off when such time is needed for important personal reasons, allowing that reasonable notice be provided the Department Head and the absence does not interfere with the operation of the Department. All full time benefit eligible employees shall receive 24 hours of three paid personal time on July 1<sup>st</sup> to use during the fiscal year. Part-time benefit eligible employees will be granted pro-rated personal leave according to the percentage of their regularly scheduled hours relative to full-time service of 40 hours per week. Personal time may be taken in hourly increments but may not be carried over to the next fiscal year and are not paid out upon separation of service.

A new full time benefit eligible employee hired after July 1<sup>st</sup> shall in that year receive paid personal days as follows:

- Three personal days 24 hours of personal time if hired prior to October 1<sup>st</sup>;
- Two personal days 16 hours of personal time if hired prior to January 1<sup>st</sup>;
- One personal day 8 hours of personal time if hired prior to April 1<sup>st</sup>.

TOWN OF LITTLETON, MASSACHUSETTS

New part-time benefit eligible employees will be granted pro-rated personal leave according to the percentage of their regularly scheduled hours relative to the above schedule.

or to take any other action in relation thereto.

**ARTICLE 16**  
**Board of Selectmen**  
**Town By-law Amendment: Firearms Dealer Licensing**

To see if the Town will vote to amend the General By-laws of the Town of Littleton by adding a new section 94-4, "Firearms Dealers," to Chapter 94 of the Town Code, to read as follows:

**§ 94-4. Firearms Dealers.**

- A. The objectives of this Bylaw are to:
  1. Ensure that firearms dealers licensed by the Town of Littleton operate in a manner that protects public safety; and
  2. Ensure that the Town of Littleton has adequate financial resources to carry out required inspections of firearms dealers.
- B. This Bylaw is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution and the Home Rule Procedures Act.
- C. Terms used in this Bylaw shall have the definitions set forth in M.G.L. c. 140, §121.
- D. Safety Requirements
  1. The Chief of Police shall adopt, and from time to time may revise, regulations, subject to approval by the Board of Selectmen, governing the safety of the premises and proper operation of businesses situated in the Town of Littleton engaged in the sale, rental, or lease of firearms or operating as a gunsmith. Such regulations shall include a requirement that all such businesses maintain on file with the Town Clerk copies of all licenses under which they are operating. Upon approval by the Board of Selectmen, such regulations shall be provided to the Littleton Town Clerk.
  2. Violation of such regulations shall be punished by a fine of \$300 per violation. Each day of noncompliance shall constitute a separate violation. Violations may be penalized by a noncriminal disposition as provided in M.G.L. c. 40, §21D; police officers shall be the enforcing agents for such noncriminal dispositions.
- E. Inspection Fees
  1. The Chief of Police shall calculate a fee for annual inspections (as required by M.G.L. c. 140, § 123) of licensees under M.G.L. c. 140, §122, that reflects the costs incurred by the Town in performing those inspections. Such fee amount shall be stated in a notice signed by the Chief of Police and provided to the Littleton Town Clerk. The Chief of Police may modify the fee annually.
  2. The total amount of annual inspection fees for the three-year license term must be paid by the licensee within 30 days of license issuance or renewal. Licensees possessing licenses on the effective date of this bylaw shall pay the annual fee prior to each annual inspection for the remainder of the term of their existing licenses. Failure to pay such fees by the time required shall be considered refusal to submit to an annual inspection;

or to take any other action in relation thereto.

**ARTICLE 17**  
**Voter Petition**  
**Zoning Amendment: Marijuana Retail**  
*[2/3rds vote required]*

To see if the Town will vote to prohibit or further limit the retail sale of marijuana in the Town, by amending the certain provisions of Article XXVIII, voted on by Town Meeting on May 7, 2018, as follows:

TOWN OF LITTLETON, MASSACHUSETTS

Article XXVIII, Section 173-194 D: To substitute the following language: "To limit the overall number of Marijuana Retailers that may be located within the Town to zero", and to submit that limit to ballot vote as and if required by M.G.L. Chapter 94G.

Article XXVIII, Section 173-196A: To strike this section in order to eliminate the Adult Use Marijuana Retail Overlay District.

Article XXVIII, Section 173-197: To substitute the following language: "Marijuana Retailers will not be permitted within the Town of Littleton absent a ballot vote."

or to take any other action in relation thereto.

TOWN OF LITTLETON, MASSACHUSETTS

Hereof fail not and make due return of the Warrant with your doings thereon to the Town Clerk at the time and place of meeting aforesaid.

**SELECTMEN OF LITTLETON**

*John S. Kelly*  
Chairman

*Barbie L. Boen*  
Vice Chairman

*Angela*  
Clerk

*Mark J. Lewis*  
Member

*Mark J. Lewis*  
Member

*October 1, 2019*  
Date

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TRUE COPY ATTEST:

*Mark J. Lewis*  
Constable, Town of Littleton

**CONSTABLE'S CERTIFICATION**

I hereby certify under the pains and penalties of perjury that I posted an attested copy of this Warrant at the Town Office Building on Shattuck Street, at the Post Office at Littleton Common, at the Post Office at Littleton Depot, at the Baptist Church, at the Unitarian Church, at the Catholic Church, at the Congregational Church, and at the Mormon Church, in said Town, on the date attested. I further certify that this Warrant was posted in accordance with the Code of the Town of Littleton and the provisions of M.G.L. c.39, §10.

Attest:

*Mark J. Lewis*  
Constable

Date: *10-4-19*