

**WARRANT FOR  
MONDAY, MAY 2, 2016 at 7:00 PM  
ANNUAL 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 second day of May, 2016, 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, seven days at least before the second day of May, 2016, then and there to act on the following Articles:

**ARTICLE 1  
Board of Selectmen  
Town Officers**

To choose all Town Officers and Committees necessary to be chosen at the Annual Town Meeting.

**ARTICLE 2  
Board of Selectmen  
Annual Report**

To hear and act upon the reports of the Town Officers and Committees.

**[FINANCIAL ARTICLES]**

**ARTICLE 3  
Board of Selectmen  
FY 2017 Revolving Funds**

To see if the Town will vote to authorize the following Fiscal Year 2017 Revolving Funds, in accordance with Chapter 44, section 53E½ of the General Laws, each with the prior year's fund balance to be available for expenditure; or to take any other action in relation thereto.

(1) Wiring/Plumbing/Gas Inspections: to allow receipts from wiring and plumbing fees to be segregated into a special account; and with funds therefrom, up to a limit of \$100,000 annually, to be expended to compensate the Wiring, Plumbing and Gas Inspectors, under the direction of the Building Commissioner;

(2) Alarm Box Repairs: to allow receipts from alarm box fees to be segregated into a special account; and with funds therefrom, up to a limit of \$5,000 annually, to be expended for repairs to alarm boxes, under the direction of the Fire Department;

(3) CPR Courses: to allow receipts from CPR course fees to be segregated into a special account; and with funds therefrom, up to a limit of \$2,000 annually, to be expended for CPR course costs, under the direction of the Fire Department;

(4) Sealer of Weights and Measures: to allow receipts from sealer fees to be segregated into a special account; and with funds therefrom, up to a limit of \$3,000 annually, to be expended to compensate the Sealer, under the direction of the Board of Selectmen;

(5) Fire Safety Act Compliance: to allow receipts from Fire Safety Act fees and fines to be segregated into a special account; and with funds therefrom, up to a limit of \$3,000 annually, to be expended for associated administrative costs, under the direction of the Board of Selectmen;

(6) MART bus fees: to allow receipts from reimbursement from the Montachusett Regional Transit Authority (MART) bus fees to be segregated into a special account; and with funds therefrom, up to a limit of \$68,000 annually, to be expended for wages and expenses for senior van operation, under the direction of the Director of Elder and Human Services;

(7) Pet Cemetery: to allow receipts from pet cemetery fees to be segregated into a special account; and with funds therefrom, up to a limit of \$20,000 annually, to be expended for associated administrative costs, under the direction of the Cemetery Commission;

8) Spectacle Pond Cell Tower: to allow receipts from the Spectacle Pond Cell Tower Clean Lakes Fund established by Article 6 of the May 8, 2000 Special Town Meeting to be segregated into a special account; and with funds therefrom, up to a limit of \$46,000 annually, to be expended for expenses associated with the Clean Lakes program, under the direction of the Clean Lakes Committee;

- (9) Legal Advertisements: to allow receipts paid by applicants for advertising costs to be segregated into a special account; and with funds therefrom, up to a limit of \$5,000 annually, to be expended for legal advertising costs, under the direction of the Board of Appeals;
- (10) Cemetery Revolving: to allow a portion of receipts received from sales of lots to be segregated into a special account; and with funds therefrom, up to a limit of \$10,000 annually, to be expended for expenses associated with maintenance of such under the direction of the Cemetery Commissioners;
- (11) Permitting Software: to allow a portion of receipts received from land use permit fees to be segregated into a special account; and with funds therefrom, up to a limit of \$15,000 annually, to be expended for expenses associated with maintenance of permitting software under the direction of the Board of Selectmen;
- (12) Police Cruisers sale proceeds: to allow the proceeds resulting from the sale/disposal of retired police vehicles to be segregated into a special account; and with funds therefrom, up to a limit of \$25,000 annually, to be expended for expenses associated with purchasing Police replacement vehicles authorized under the Capital Plan under the direction of the Board of Selectmen;
- (13) Composting Bins: to allow the proceeds resulting from the disposal/sale of composting bins to be segregated into a special account; and with funds therefrom, up to a limit of \$5,000 annually, to be expended for expenses associated with the expenses of said program under the direction of the Highway Operations Manager;
- (14) LCTV Boxborough IMA: to allow the proceeds resulting from the provision of LCTV cable services to the Town of Boxborough through an intermunicipal agreement to be segregated into a special account; and with funds therefrom, up to a limit of \$65,000 annually, to be expended for expenses associated with the provision of said services under the direction of the LCTV Executive Director with the approval of the Board of Selectmen; and
- (15) School Department Transportation: to allow the proceeds resulting from user fees from providing school bus transportation to be segregated into a special account; and with funds therefrom, up to a limit of \$150,000 annually, to be expended for expenses associated with providing student bus transportation under the direction of the School Committee.

<p style="text-align: center;"><b>ARTICLE 4</b> <b>Finance Committee/Board of Selectmen</b> <b>FY 2017 Operating Budget</b></p>
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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, 2016, or to take any other action in relation thereto.

<p style="text-align: center;"><b>ARTICLE 5</b> <b>Board of Water Commissioners</b> <b>FY 2017 Water Enterprise Fund Operating Budget</b></p>
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To see if the Town will vote to appropriate \$3,050,000 or any other sum or sums of money from the Water Enterprise Fund to finance the operation of the Water Department for the fiscal year beginning July 1, 2016 (*detail below*), or to take any other action in relation thereto.

I. Water Enterprise Revenues	FY 2016	FY 2017
User Charges	\$3,003,000	\$2,850,000
Enterprise Available Funds	100,000	200,000
Investment Income	0	0
Total Revenues	\$3,103,000	\$3,050,000
II. Costs Appropriated for the Enterprise Fund		
Salaries and Wages	\$800,000	\$850,000
Expenses	1,200,000	1,200,000
Capital Outlay ó Equipment	65,000	65,000
Capital Outlay ó Improvements	387,524	301,751
Reserve Fund	100,000	100,000
Debt Principal and Interest	550,476	533,249
Budgeted Surplus	0	0
Total Costs Appropriated for Enterprise Fund	\$3,103,000	\$3,050,000
III. Costs Appropriated for General Fund to be Charged to the Enterprise Fund		
Indirect Costs	\$0	\$0
Benefits	0	0
Pension Costs	0	0
Total Costs Appropriated for the General Fund.	0	0
Total Costs	\$3,103,000	\$3,050,000

**ARTICLE 6**  
**Park & Recreation Commission**  
**FY 2017 Park, Recreation & Community Education Enterprise Fund Operating Budget**

To see if the Town will vote to appropriate \$984,828 or any other sum or sums of money from the Park, Recreation & Community Education Enterprise Fund to finance the operation of the Park, Recreation and Community Education Department for the fiscal year beginning July 1, 2016 (*detail below*), or to take any other action in relation thereto.

<b>I. PRCE Enterprise Revenues</b>	<b>FY 2016</b>	<b>FY 2017</b>
User Charges	\$775,394	\$871,102
Transfer In from Recreation Fund	0	0
Transfer In from General Fund	102,000	113,226
Enterprise Available Funds	0	0
Investment Income	500	500
<b>Total Revenues</b>	<b>\$877,894</b>	<b>\$984,828</b>
<b>II. Costs Appropriated for the Enterprise Fund</b>		
Salaries and Wages	\$375,000	\$343,555
Expenses	452,894	508,094
Capital Outlay ó Equipment	0	
Capital Outlay ó Improvements	0	
Reserve Fund	50,000	50,000
Debt Principal and Interest	0	
Budgeted Surplus	0	83,179
<b>Total Costs Appropriated for Enterprise Fund</b>	<b>\$877,894</b>	<b>\$984,828</b>
<b>III. Costs Appropriated for General Fund to be Charged to the Enterprise Fund</b>		
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>Total Costs</b>	<b>\$877,894</b>	<b>\$984,828</b>

**ARTICLE 7**  
**Board of Selectmen/ Finance Committee**  
**FY 2017 Capital Items from Available Funds**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum or sums of money, to be expended by the respective Departments or Officers indicated, for the capital projects and purchases itemized and described, or to take any other action in relation thereto.

**I. POLICE DEPARTMENT**

- A. Police Interceptor Patrol vehicles as replacements - \$106,140 to be expended by the Police Department for police cruiser replacements.
- B. Police Public Safety Radio Maintenance - \$12,000 to be expended by the Police Department for a maintenance agreement to cover public safety and public works radio system infrastructure.
- C. Police Vehicle Maintenance -\$6,500 to be expended by the Police Department for tire replacement and equipment maintenance of its fleet of vehicles.
- D. Plow Truck Replacement - \$37,690 to be expended by the Police Department to replace a 2000 Chevrolet w/plow used to keep facility clear in winter and to transport equipment.

**II. FIRE DEPARTMENT**

- A. Fire Major Equipment Repair -\$15,000 to be expended by the Fire Department for major equipment repairs and upkeep.
- B. Protective Clothing Replacement - \$12,000 to be expended by the Fire Department for establishment of an annual replacement program for turnout gear.
- C. Engine 3 Replacement - \$35,000 to be expended by the Fire Department to replace a 1994 Brush Truck with surplus military vehicle that would be outfitted as necessary for Fire response.
- D. Self-Contained Breathing Apparatus (SCBA) - \$15,000 to be expended by the Fire Department as the local match grant requirement towards the replacement of 2004 self-contained breathing apparatus with new NFPA compliant equipment.
- E. Fire Station Expansion Project Community Room - \$14,000 transferred from the LCTV PEG Access and Cable Related Fund, to be expended by Littleton Community Television and the Permanent Municipal Building Committee for the first year of a four-year plan for a Fire Station Community Room with broadcast media equipment necessary to outfit the new fire facility for local government programming on LCTV.

### **III. HIGHWAY DEPARTMENT**

- A. Highway Major Equipment Repair - \$18,000 to be expended by the Highway Department for major equipment repairs and upkeep.
- B. Sidewalk Plow - \$158,175 to be expended by the Highway Department to Replace a 2002 Trackless MT5 Sidewalk Plow #8.
- C. Bobcat Skid Steer Loader - \$60,000 to be expended by the Highway Department to Replace a 1999 Bobcat 763H #16.
- D. Trailer Refurbishment - \$6,500 to be expended by the Highway Department to refurbish a 1996 Trail King Equipment Trailer.
- E. Fork Lift (refurbished) - \$19,000 to be expended by the Highway Department to purchase the Addition (of used equipment) to fleet, to be used for deliveries, assisting with positioning plows and repairs to vehicles.

### **IV. SCHOOLS**

- A. MacBook Air Laptops - \$35,000 to be expended by the School Committee for the third year payment on the lease/purchase agreement for MacBook Air laptops and accessory hardware and equipment.
- B. High School Card Access System ó \$55,000 to be expended by the School Committee for a card access system at Littleton High School,
- C. Shaker Lane School Card Access System ó\$30,000 to be expended by the School Committee for a card access system at the Shaker Lane School,
- D. High School Lockers - \$20,000 to be expended by the School Committee to install new lockers in boys locker room at Littleton High School.
- E. MacBook Air Replacements - \$40,000 to be expended by the School Committee in MacBook Air replacements and additions.
- F. School Technology Equipment replacement - \$25,000 to be expended by the School Committee for replacements of miscellaneous technology equipment and Chromebooks.
- G. School Resource Materials - \$150,000 to be expended by the School Committee for School Resource Materials, textbooks and training.
- H. High School KIVA room - \$40,000 to be expended by the School Committee for KIVA room to increase capacity from 40 to 70.

### **V. CEMETERY**

- A. Backhoe replacement - \$73,000 to be expended by the Cemetery Commission for the replacement of a 1996 John Deere Backhoe.

### **VI. LIBRARY**

- A. Furnishings replacement - \$5,000 to be expended by the Library Trustees for the replacement of worn and damaged furnishings.

### **VII. PARK & RECREATION**

- A. Computer Registration System - \$3,410 to be expended by the Park & Recreation Commission to update 2008 Computer Registration System for all participants to comply with banking requirements and training.
- B. Recreation Major Equipment and Repairs - \$50,000 to be expended by the Park & Recreation Commission for major equipment/facility repair and maintenance.
- C. Alumni Field Maintenance and Repairs - \$10,000 to be expended by the Recreation Commission for facility repair and maintenance specific to Alumni Field.

### **VIII. FACILITIES AND INFRASTRUCTURE**

- A. Facility Needs Assessment Study Recommendations ó \$511,048 to be expended by the Permanent Municipal Building Committee to implement recommendations of the Facility Needs Assessment Study, as follows:
  - i) Schools Non Street Paving, Curb & Sidewalk - \$230,000
  - ii) Town Hall Roof - 2nd Level at Library - \$130,000
  - iii) Town Hall RTU/HVAC Units - \$60,000
  - iv) Town Hall Parking Lot Crack Repair - \$12,048
  - v) Shaker Lane School Univents - \$68,000
  - vi) Russell Street School Pavers and Landscaping - \$11,000
- B. Stormwater MS4 Permit Needs - \$100,000 transferred from the Spectacle Pond Cell Tower Clean Lakes Fund established by Article 6 of the May 8, 2000 Special Town Meeting, to be expended by the Board of Selectmen to address Year One compliance issues with new MS4 Stormwater Permit.
- C. Castle In The Trees Playground - \$100,000 to be expended by the Permanent Municipal Building Committee for removal and replacement of the Castle In The Trees playground at 300 King Street.

ARTICLE 8  
Community Preservation Committee  
FY 2017 Community Preservation Budget

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2017 Community Preservation Budget, to appropriate or reserve from FY 2017 Community Preservation Fund annual revenues and reserves the following amounts, as recommended by the Community Preservation Committee, with each item considered a separate appropriation; or to take any other action in relation thereto:

Appropriations	TOTAL	From				
		Open Space	Historic	Housing	Admin	Undesignated
Administration Expenses	\$5,000				\$5,000	
Debt Service for Open Space	179,798	24,221				155,577
Debt Service for Historic Resources	15,025		15,025			
Old Burying Grounds Monument Assessment	9,500		9,196			304
Update Survey of Cultural Resources ó from 2017 surcharge	8,670					8,670
Update Survey of Cultural Resources ó from Historic reserves	11,330		11,330			
Annual Fund to Preserve Housing	19,221			19,221		
Annual Fund to Preserve Housing ó from Housing Reserves	779			779		
Elderly Heating Systems ó from Housing Reserves	41,000			41,000		
689 Roof Replacement ó from Housing Reserves	20,000			20,000		
Regional Housing Services	5,000			5,000		
Appropriations sub-total	315,323	24,221	35,551	86,000	5,000	164,551
Reserves						
Reserves sub-total	0	0	0	0	0	0
Summary						
Appropriations	315,323	24,221	35,551	86,000	5,000	164,551
Reserves	0	0	0	0	0	0
TOTAL	315,323	24,221	35,551	86,000	\$5,000	164,551

ARTICLE 9  
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 Schedule A, Permanent Full and Part-time Employees, effective July 1, 2016, by applying a two percent (2%) salary schedule adjustment so that said schedule reads as follows:

GRADE		STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
Employees									
1	hourly	\$14.05	\$14.54	\$15.05	\$15.58	\$16.12	\$16.68	\$17.26	\$17.86
	annual	\$29,336.40	\$30,359.52	\$31,424.40	\$32,531.04	\$33,658.56	\$34,827.84	\$36,038.88	\$37,291.68
2	hourly	15.03	15.57	16.11	16.67	17.25	17.85	18.48	19.13
	annual	31,382.64	32,510.16	33,637.68	34,806.96	36,018.00	37,270.80	38,586.24	39,943.44
3	hourly	16.09	16.65	17.23	17.83	18.45	19.10	19.77	20.46
	annual	33,595.92	34,765.20	35,976.24	37,229.04	38,523.60	39,880.80	41,279.76	42,720.48
4	hourly	17.21	17.81	18.43	19.08	19.75	20.43	21.15	21.89
	annual	35,934.48	37,187.28	38,481.84	39,839.04	41,238.00	42,657.84	44,161.20	45,706.32
5	hourly	18.41	19.06	19.73	20.41	21.13	21.87	22.64	23.43
	annual	38,440.08	39,797.28	41,196.24	42,616.08	44,119.44	45,664.56	47,272.32	48,921.84
6	hourly	19.71	20.39	21.11	21.85	22.61	23.41	24.24	25.08
	annual	41,154.48	42,574.32	44,077.68	45,622.80	47,209.68	48,880.08	50,613.12	52,367.04
7	hourly	21.09	21.83	22.58	23.38	24.20	25.04	25.92	26.83
	annual	44,035.92	45,581.04	47,147.04	48,817.44	50,529.60	52,283.52	54,120.96	56,021.04
8	hourly	22.56	23.36	24.17	25.02	25.90	26.81	27.73	28.70
	annual	47,105.28	48,775.68	50,466.96	52,241.76	54,079.20	55,979.28	57,900.24	59,925.60
9	hourly	24.27	25.11	25.99	26.90	27.84	28.80	29.81	30.86
	annual	50,675.76	52,429.68	54,267.12	56,167.20	58,129.92	60,134.40	62,243.28	64,435.68

TOWN OF LITTLETON, MASSACHUSETTS

10	hourly	26.68	27.62	28.59	29.59	30.63	31.70	32.81	33.96
	annual	55,707.84	57,670.56	59,695.92	61,783.92	63,955.44	66,189.60	68,507.28	70,908.48
11	hourly	29.89	30.94	32.03	33.15	34.31	35.51	36.75	38.04
	annual	62,410.32	64,602.72	66,878.64	69,217.20	71,639.28	74,144.88	76,734.00	79,427.52
Senior Management									
12	hourly	35.27	36.51	37.79	39.11	40.48	41.90	43.36	44.88
	annual	73,643.76	76,232.88	78,905.52	81,661.68	84,522.24	87,487.20	90,535.68	93,709.44
13	hourly	41.62	43.07	44.58	46.14	47.76	49.43	51.15	52.95
	annual	86,902.56	89,930.16	93,083.04	96,340.32	99,722.88	103,209.84	106,801.20	110,559.60
14	hourly	46.61	48.25	49.93	51.67	53.49	55.36	57.29	59.30
	annual	97,321.68	100,746.00	104,253.84	107,886.96	111,687.12	115,591.68	119,621.52	123,818.40
15	hourly	52.20	54.04	55.94	57.89	59.91	62.02	64.19	66.44
	annual	108,993.60	112,835.52	116,802.72	120,874.32	125,092.08	129,497.76	134,028.72	138,726.72

**GRADE 1**

No positions assigned

**GRADE 2**

Cemetery Laborer

**GRADE 3**

Library Assistant

Library Processing Clerk

**GRADE 4**

Building Maintenance Custodian

Department Clerk

Driverø Education Instructor I

Financial Technician

**GRADE 5**

Assessing Clerk

Cemetery Groundskeeper

Driverø Education Instructor II

Library Technician

P/T Communications Officer

LCTV ó P/T Program Coordinator

**GRADE 6**

Administrative Assistant ó Building

Administrative Assistant ó Conservation

Administrative Assistant ó Highway

Administrative Assistantó Human Resources

Administrative Assistant ó Parks & Recreation

Administrative Clerk ó Collector / Clerk

Senior Library Technician

Special Programs Instructor

Program Specialist I

**GRADE 7**

Business Administrator ó Highway

Payroll and Finance Coordinator

Reserve Police Officer

Library Office Coordinator

Wellness Coordinator

**GRADE 8**

Assistant Town Clerk

Executive Assistant of Public Safety ó Fire

Executive Assistant of Public Safety ó Police

Program Specialist II

Recreation Coordinator

**GRADE 9**

Assistant Assessor

Assistant Director-PRCE

Assistant Town Accountant

Building Maintenance Supervisor

Cemetery Superintendent

Childrenø Services/Senior Librarian

Conservation Coordinator

Driverø Education Program Coordinator

Elder and Human Services Outreach

Coordinator and Respite Care

Executive Assistant to the Town Administrator

Head of Circulation & Interlibrary Loan/Senior

Librarian

LCTV Production Supervisor

Senior Librarian

Technical Services/Senior Librarian

Young Adult Services/Reference Services/

Senior Librarian

Zoning Assistant / Permit Technician / Business

Administrator

**GRADE 10**

Assistant Library Director

Inspector of Wires

Plumbing & Gas Inspector

**GRADE 11**

Assistant Treasurer and HR Administration

Director of Elder and Human Services

Littleton Community Television Executive

Director

Parks, Recreation & Community Education

Director

Planning Administrator/Permit Coordinator

Police Lieutenant\*

Tax Collector

Town Clerk\*\*

Town Engineer

**GRADE 12**

Building Commissioner/Zoning Enforcement

Officer

Chief Assessor/Appraiser

Highway Operations Manager and

Superintendent

Information Systems Manager

Town Treasurer

Deputy Fire Chief\*

Deputy Police Chief\*

Library Director\*

**GRADE 13**

Assistant Town Administrator for Finance &

Budget\*

Fire Chief\*

**GRADE 14**

Chief of Police\*

**GRADE 15**

Town Administrator\*

Management contract (\*) and elected (\*\*)  
positions not subject to this By-law

2. By amending Schedules B, B-1, B-2, and D, effective July 1, 2016, by applying a two percent (2%) salary schedule adjustment so that said schedules read as follows:

Schedule B

On-Call Meeting Clerk, \$12.12; Election Warden, \$17.23

Schedule B-1, Other Employees

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
1 hourly	\$11.53	\$11.76	\$12.00	\$12.24	\$12.48
2 hourly	\$14.42	\$14.71	\$15.00	\$15.30	\$15.61

Schedule B-2, Temporary/Seasonal Employees

GRADE	STEP 1	STEP 2	STEP 3	STEP 4
1 hourly	\$14.05	\$14.33	\$14.62	\$14.91
2 hourly	\$15.03	\$15.33	\$15.64	\$15.95
3 hourly	\$16.09	\$16.41	\$16.74	\$17.07
4 hourly	\$17.21	\$17.55	\$17.90	\$18.26

Schedule D, Fire Department On-Call

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
1 hourly	\$10.40					
2 hourly	\$14.57	\$14.86	\$15.16	\$15.46	\$15.77	\$16.09
3 hourly	\$15.15	\$15.45	\$15.76	\$16.08	\$16.40	\$16.73
4 hourly	\$15.75	\$16.07	\$16.39	\$16.72	\$17.05	\$17.39
5 hourly	\$16.22	\$16.54	\$16.87	\$17.21	\$17.55	\$17.90
6 hourly	\$16.71	\$17.04	\$17.38	\$17.73	\$18.08	\$18.44
7 hourly	\$17.21	\$17.55	\$17.90	\$18.26	\$18.63	\$19.00
8 hourly	\$17.73	\$18.08	\$18.44	\$18.81	\$19.19	\$19.57
9 hourly	\$18.26	\$18.63	\$19.00	\$19.38	\$19.77	\$20.17
10 hourly	\$18.44	\$18.81	\$19.19	\$19.57	\$19.96	\$20.36

3. By amending Schedules C and C-1, as requested by the Park & Recreation Commission, to conform with the State Minimum Wage of \$10.00 per hour, to read as follows:

Schedule C Seasonal / Temporary / Fee-Based Positions [Hourly] effective January 1, 2016,

Grade	Step 1	Step 2	Step 3	Step 4	Step 5
1	\$10.00	\$10.10	\$10.20	\$10.30	\$10.40
2	\$10.15	\$10.25	\$10.35	\$10.45	\$10.55
3	\$10.30	\$10.40	\$10.50	\$10.61	\$10.72
4	\$10.45	\$10.55	\$10.66	\$10.77	\$10.88
5	\$10.61	\$10.80	\$10.99	\$11.18	\$11.38
6	\$10.88	\$11.15	\$11.43	\$11.72	\$12.01
7	\$11.26	\$11.57	\$11.89	\$12.22	\$12.56
8	\$11.77	\$12.09	\$12.42	\$12.76	\$13.11
9	\$12.30	\$12.64	\$12.99	\$13.35	\$13.72
10	\$12.92	\$13.28	\$13.65	\$14.03	\$14.42
11	\$13.57	\$13.94	\$14.32	\$14.71	\$15.11
12	\$14.18	\$14.57	\$14.97	\$15.38	\$15.80

<b>GRADE 1</b> Program Aide I Camp Junior Counselor Snack Hut Attendee	<b>GRADE 4</b> Intern Junior Guard Coordinator Snack Hut Manager	<b>GRADE 6</b> Camp Lead II Program Coordinator	Seasonal Programs Instructor
<b>GRADE 2</b> Program Aide II Lifeguard I Junior Sailing Instructor Maintenance Technician	<b>GRADE 5</b> Aftercare Coordinator Camp Lead II Lifeguard II/WSI Sailing Instructor	<b>GRADE 7</b> Camp Specialists <b>GRADE 8</b> Head Lifeguard Camp Assistant Director Sailing Coordinator	<b>GRADE 10</b> Special Course Coordinator <b>GRADE 11</b> Preschool Instructor <b>GRADE 12</b> Camp Director
<b>GRADE 3</b> Camp Senior Counselor		<b>GRADE 9</b>	

Schedule C-1, Community Education / Temporary / Fee-Based [Hourly] effective May 3, 2016.

Grade	Step 1	Step 2	Step 3
1	\$10.00		
2	14.00	14.35	14.71
3	20.00	20.50	21.01
4	25.00	25.63	26.27
5	30.00	30.75	31.52
6	35.00	35.88	36.77

- GRADE 1** Community Education Teacher's Aide

**GRADE 2** Community Education Assistant

**GRADE 3** Community Education Instructor 1
- GRADE 4** Community Education Instructor 2

**GRADE 5** Community Education Instructor 3

**GRADE 6** Community Education Instructor 4

or to take any other action in relation thereto.

**ARTICLE 10**  
**Board of Selectmen**  
**Stabilization Fund**  
*[2/3rds vote required]*

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Stabilization Fund in accordance with the provisions of Chapter 40, Section 5B of the General Laws, or to take any other action in relation thereto.

**ARTICLE 11**  
**Board of Selectmen**  
**Capital Stabilization Fund**  
*[2/3rds vote required]*

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of supplementing the Capital Stabilization Fund established by Article 6 of the May 6, 2013 Special Town Meeting, as authorized by Chapter 40, Section 5B of the General Laws, or to take any other action in relation thereto.

**ARTICLE 12**  
**Board of Selectmen**  
**Establish and Fund Debt Exclusion Stabilization Fund**  
*[2/3rds vote required]*

To see if the Town will vote, pursuant to Chapter 40, Section 5B of the General Laws to create a Debt Exclusion Stabilization Fund for the purpose of reducing the amount of existing debt service and/or the amount of debt needed to be placed when final bonding occurs for borrowing authorizations, both having been exempted from the provisions of Proposition two-and-one-half, so called; and further to vote to raise and appropriate or transfer from available funds a sum of money to be deposited in said fund; or to take any other action in relation thereto.

**ARTICLE 13**  
**Board of Selectmen**  
**Senior Citizens and Veterans Tax Work-off Abatement Programs**

To see if the Town will vote to request the Board of Assessors to commit the following sums from the Overlay Account for Abatements to fund Property Tax Work-off Abatement Programs for Senior Citizens (\$55,000) and Veterans (\$7,000), or to take any other action in relation thereto.

**ARTICLE 14**  
**Board of Selectmen**  
**Use of MassDOT Chapter 90 Funds**

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, or to take any other action in relation thereto.

**[ARTICLES REQUIRING SUPERMAJORITY VOTE]**

**ARTICLE 15**  
**Board of Water Commissioners**  
**Cell Tower Leases**  
*[2/3rds vote required]*

To see if the Town will vote to authorize the Water Commissioners to lease to one or more winners of competitive bidding processes conducted pursuant to General Laws, Chapter 30B, of wireless telecommunication sites within the Town in locations provided in the chart below, for the purposes of constructing, maintaining and operating wireless telecommunication facilities thereon, for a term or terms of up to thirty (30) years at each location on such terms and conditions as the Water Commissioners deem appropriate; and to assign any existing leases on the sites to the new lessors, as the Water Commissioners deem appropriate; all rental proceeds shall be deposited by the Treasurer into the accounts listed below for each site:



Site Name	Assessors Map	Account/Purpose	Prior Town Meeting votes
Newtown Hill	U30-5A	Conservation land acquisition	05/05/97 ATM, Art. 45; 09/22/97 STM, Art 10; 06/15/00 STM, Art. 1
Cedar Hill	U17-81, -85 and - 87	Water Department surplus	05/05/97 ATM, Art. 36; 09/22/97 STM, Art. 11; 05/08/06 ATM, Art. 17
Spectacle Pond	R24- 15	Clean Lakes Fund	09/22/97 STM, Art. 12; 05/08/06 ATM, Art. 18; 05/08/08 STM, Art. 6
Great Road 6 Well #2	R18-14-1	Water Department surplus	09/14/06 STM, Art. 16
Oak Hill	R15-1	Conservation Fund	05/05/97 ATM, Art. 37; 09/28/98 STM, Art. 10; 05/06/02 STM, Art. 6; 11/14/12 STM, Art. 8

or to take any other action in relation thereto.

**ARTICLE 16**  
**Board of Selectmen**  
**Tax Title Abutter Lot Sales Program – List of Parcels**  
*[2/3rds vote required]*

To see if the Town will vote to add the following list of properties to the Tax Title Abutter Lot Sales Program established by Article 10 of the November 14, 2011 Special Town Meeting:

Map/Parcel	Lot Size (sq.ft.)	Address
U12-114	4,000	Narcissus Road
U12-113	2,000	Narcissus Road

or to take any other action in relation thereto.

**ARTICLE 17**  
**Board of Selectmen**  
**Nagog Hill Road Easements**  
*[2/3rds vote required]*

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain easements and/ or rights in portions of the following parcels of land for the purposes of making certain roadway improvements on Nagog Hill Road: Assessor's Map R2, Parcels 14 and 15 for maintenance purposes; and Assessor's Map R4, Parcel 12-B and Map R3, Parcel 6 for drainage purposes; or to take any other action in relation thereto.

**[OTHER ARTICLES, INCLUDING ROUTINE AUTHORIZATIONS & REAUTHORIZATIONS]**

**ARTICLE 18**  
**Voter Petition**  
**Moratorium on the Installation of Synthetic Turf with Tire Crumb or Lead Component on Town-Owned Land**

To see if the Town will vote to adopt a moratorium, for a three-year time period starting on May 2, 2016 and ending on May 1, 2019, that will prohibit the Town from constructing or installing on Town owned land any synthetic turf athletic field consisting of a monofilament carpet and crumb rubber infill, where the carpet contains components or colorants that contain lead and/or the crumb rubber infill contains scrap tires; this moratorium does not extend to synthetic turf athletic fields consisting of a monofilament carpet and another infill material, where the carpet contains no lead and the infill contains no scrap tires; or take any other action in relation thereto.

**ARTICLE 19**  
**Board of Selectmen**  
**Town By-law Amendment: Swimming Pool Fence Bylaw**

To see if the Town will vote to amend the Town Code by deleting Chapter 152, Swimming Pools, §152-1, Covers or enclosures required; and by deleting from §1-4, Noncriminal disposition of certain violations: B (1) (f) Swimming Pool Fence Bylaw (Chapter 152); since those requirements are now addressed in the state building code; or to take any other action in relation thereto.

**ARTICLE 20**

**Board of Selectmen**

**Town By-law Amendment: Stormwater:**

**I. Illicit Connections and Discharges to Storm Drain System**

To see if the Town will vote to amend the Town Code as follows:

(1) by adding a new Chapter 38, "Stormwater," Article I, "Illicit Connections and Discharges to Storm Drain System," in accordance with Section II.B.3(b) of the U.S. Environmental Protection Agency General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems, which mandates that the Town adopt, implement and enforce a regulatory mechanism to protect Littleton's water resources and infrastructure by preventing non-storm water discharges into the storm drain system, to read as follows:

**Chapter 38, STORMWATER**

**ARTICLE I, Illicit Connections and Discharges to Storm Drain System**

**§ 38-1. Purpose and Authority.**

- A. Non-stormwater discharges to a municipal storm drain system can harm water quality and create public health hazards. The purpose of this Bylaw is to provide for the health, safety, and general welfare of the citizens of the Town of Littleton through the regulation of non-stormwater discharges to the municipal storm drain system.
- B. The objectives of this Bylaw are to:
  - 1. Prevent pollutants from entering the storm drain system of the Town of Littleton;
  - 2. Prohibit illicit connections and illicit discharges to the storm drain system;
  - 3. Comply with the requirements of the Town of Littleton's National Pollutant Discharge Elimination System (NPDES) permit for discharges from the municipal storm drain system; and
  - 4. Establish legal authority to ensure compliance with the provisions of this Bylaw through inspection, monitoring and enforcement.
- C. This Bylaw is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution and the Home Rule Procedures Act.

**§ 38-2. Definitions.**

For the purposes of this Bylaw, the following shall mean:

- A. Hazardous Material: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of or otherwise managed.
- B. Illicit Connection: Any drain or conveyance, whether on the surface or subsurface, that allows an illicit discharge to enter the storm drain system, including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection was previously allowed, permitted or approved before the effective date of this Bylaw.
- C. Illicit Discharge: Any direct or indirect non-stormwater discharge to the Town's storm drain system (including dumping), except as exempted in § 38-4 of this Bylaw.
- D. Municipal Storm Drain System (or Storm Drain System): Town of Littleton-owned facilities by which stormwater is collected and/or conveyed. The municipal storm drain system includes but is not limited to municipal roads, catch basins, manholes, gutters, curbs, sidewalks, inlets, piped storm drains, outfalls, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs and other drainage structures.
- E. Person: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government (to the extent permitted by law) and any officer, employee or agent of such person.
- F. Pollutant: Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.)), heat, wrecked or discarded

equipment, rock, sand, cellar dirt, industrial, municipal, and agricultural waste, and any other material that may cause or contribute to exceedance of water quality standards in the waters to which the discharges.

- G. Stormwater: Any surface flow, runoff or drainage resulting entirely from any form of natural precipitation.
- H. Town: The Town of Littleton, Massachusetts, including its employees and designees.

**§ 38-3. Responsibility for Administration.**

The Littleton Highway Department and the Littleton Board of Health shall administer, implement, and enforce the provisions of this Bylaw as set forth herein. Any powers granted to the Highway Department or the Board of Health, except the power to hear appeals, may be delegated in writing by (respectively) Highway Department management or the Board of Health to employees or agents of the Town.

**§ 38-4. Prohibitions.**

- A. Prohibition of Illicit Discharges. No person shall commence, allow, conduct or continue any illicit discharge to the municipal storm drain system. The following non-stormwater discharges are not considered illicit discharges:
  - 1. Water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual resident car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, street wash water, and residential building wash waters without detergents, and discharges or flow from firefighting, unless the Highway Department or the Board of Health determines that the discharge is a significant contributor of pollutants to the storm drain system;
  - 2. Discharges associated with dye testing, provided that the discharger makes a verbal and written notification to the Highway Department before the test; and
  - 3. Discharges permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the U.S. Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted by the Highway Department for any discharge to the storm drain system.
- B. Prohibition of Illicit Connections. No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.
- C. Prohibition of Obstruction of Municipal Storm Drain System. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written approval from the Highway Department.

**§ 38-5. Notification of Releases.**

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials at that facility or operation that are resulting or may result in illicit discharges to the municipal storm drain system, that person shall take all necessary steps to ensure the discovery, containment and cleanup of such release. In the event of such a release of hazardous material, that person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services and shall notify the Highway Department by phone or electronic mail within two hours. In the event of a release of non-hazardous material, that person shall notify the Highway Department in person or by phone, facsimile or electronic mail no later than the next business day. For all releases, the initial notification shall be confirmed by written notice addressed and mailed to the Highway Department within two (2) business days.

**§ 38-6. Enforcement.**

- A. It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Bylaw. The Highway Department and the Board of Health, and their authorized agents, shall enforce this Bylaw and may pursue all civil and criminal remedies for violations.
- B. Enforcement Orders.
  1. If any person violates or fails to comply with any of the requirements of this Bylaw, the Highway Department or Board of Health may order compliance by written notice to the responsible person via certified mail or hand delivery. The order shall include the name and address of the alleged violator, the address at which the violation is occurring or has occurred, a statement specifying the nature of the violation, a description of the actions needed to resolve the violation and come into compliance, the deadline within which such actions must be completed, and a statement that, if the violator fails to come into compliance by the specified deadline, the Town may do the work necessary to resolve the violation at the expense of the violator.
  2. Said order may require, without limitation:
    - a. Elimination of illicit connections or discharges to the storm drain system;
    - b. Performance of monitoring, analyses and reporting;
    - c. Remediation of contamination caused by the illicit connection or discharge; and
    - d. The implementation of source control or treatment Best Management Practices.
  3. Any person aggrieved by an enforcement order may appeal the order to the Board of Health. Appeals shall be made by submitting to the Board of Health, within 30 days of the order being appealed, a letter explaining why the order or decision was not justified. A copy of the letter shall be submitted simultaneously to the Highway Department. The decisions of the Board of Health regarding appeals shall be final. Any further appeal shall be to a court of competent jurisdiction.
- C. Action by the Town to Remedy a Violation. If a violator fails to come into compliance by the deadline specified in an enforcement order, the Highway Department or Board of Health may do the work necessary to resolve the violation at the expense of the violator and/or property owner. For situations involving an immediate threat to public health, safety or natural resources, the Highway Department or Board of Health may remove the illicit connection immediately and take such other action as is necessary to protect public health, safety or natural resources; written notice of the removal shall be provided to the property owner by hand within 48 hours of the removal or by certified mail postmarked no later than the next business day following the removal.
- D. Recovery of Costs. If the Highway Department or Board of Health undertakes work to correct or mitigate any violation of this Bylaw, the Department or Board shall (within thirty (30) days after completing the work) notify the violator and the owner(s) of the property (if different) in writing of the costs incurred by the Town, including administrative costs, associated with that work. The violator and the property owner(s) shall be jointly and severally liable to pay the Town those costs within thirty (30) days of the receipt of that notice. The violator and/or the property owner(s) (if different) may file a written protest objecting to the amount or basis of costs with the Board of Health within thirty (30) days of receipt of the notice. If the amount due is not received by the Town by the expiration of the time in which to file such a protest, or within sixty (60) after the final decision of the Board of Health or (if appealed to court) a court of competent jurisdiction resolving that protest, the amount of the Town's costs shall be a special assessment against the property and shall constitute a lien on the property pursuant to G.L. c. 40, § 58. Interest shall accrue on any unpaid costs at the statutory rate, as provided in G.L. c. 59, § 57.
- E. Civil Relief. If a person violates the provisions of this Bylaw or an order issued thereunder, the Town may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to abate or remedy the violation. Any such civil action must be authorized by the Board of Selectmen.

- F. **Criminal Penalty.** Any person who violates any provision of this Bylaw or any order issued thereunder may be punished by a fine of not more than \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense. A criminal complaint may be filed by the Highway Department or Board of Health, with the authorization of the Board of Selectmen.
- G. **Non-Criminal Disposition (Ticketing).** As an alternative to criminal prosecution, the Highway Department or the Board of Health may elect to utilize the non-criminal disposition procedure set forth in G.L. c. 40, § 21D and the Town of Littleton Bylaw Providing for Non-Criminal Disposition of Violations of Town Bylaws (§1-4.B of the Littleton Town Code), in which case the enforcing agents will be: employees of the Highway Department; agents of the Board of Health; and police officers. The penalty for the first violation shall be \$100.00. The penalty for each subsequent violation shall be \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- H. **Entry to Perform Duties Under this Bylaw.** To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Town and its agents, officers and employees may enter privately owned property for the purpose of performing their duties under this Bylaw and may make or cause to be made such examinations, surveys, sampling, or remedial activities as the Town deems reasonably necessary.
- I. **Remedies Not Exclusive.** The remedies listed in this Bylaw are not exclusive of any other remedies available under any applicable federal, state or local law.

**§ 38-7. Compatibility with Other Town Laws and Regulations.**

The requirements of this Bylaw are in addition to the requirements of any other policy, rule, regulation or other provision of law. Where any provision of this Bylaw imposes restrictions different from those imposed by any other policy, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

**§ 38-8. Severability.**

The provisions of this Bylaw are severable. If any provision, clause, sentence or paragraph of this Bylaw or the application thereof to any person, establishment or circumstances is held to be invalid, such invalidity shall not affect any other provisions or application of this Bylaw; and

(2) by adding a new subsection 1-4.B(1)(s) to the section of the Town Code titled "Non-criminal disposition of certain violations," to read as follows:

(s) Illicit Connections and Discharges to Storm Drain System Bylaw (Chapter 38, Art. I).

[1] Fine allowed: \$300.

[2] Enforcement agents: Highway Department employees, Board of Health agents, and police officers.

[3] Fine schedule: First violation, \$100; subsequent violations, \$300;

or to take any other action in relation thereto.

**ARTICLE 21**

**Board of Selectmen**

**Town By-law Amendment: Stormwater:**

**II. Stormwater Management and Erosion Control**

To see if the Town will vote to amend the Town Code as follows:

(1) by adding to Chapter 38, "Stormwater," an Article II, "Stormwater Management and Erosion Control," in accordance with Sections II.A.4 and II.A.5 of the U.S. Environmental Protection Agency General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems, which mandates that the Town protect Littleton's water resources and infrastructure by requiring the control of stormwater runoff from new development and redevelopment that disturbs one or more acre of land, to read as follows:

**Chapter 38, STORMWATER**

**ARTICLE II, Stormwater Management and Erosion Control**

**§ 38-11. Purpose and Authority.**

- A. The harmful impacts of soil erosion and sedimentation include: impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater; contamination of drinking water supplies; alteration or destruction of aquatic and wildlife habitat; and overloading or clogging of municipal catch basins and storm drainage systems. Stormwater runoff from developed land uses can have these harmful impacts; it can also increase flooding and decrease groundwater recharge.

The purpose of this Bylaw is to provide for the health, safety and general welfare of the citizens of the Town of Littleton through the regulation of stormwater runoff from land disturbance and developed and redeveloped land uses.

- B. The objectives of this Bylaw are to:
1. Require practices that eliminate soil erosion and sedimentation and control the volume and rate of stormwater runoff resulting from land disturbance activities and developed land uses;
  2. Promote infiltration and the recharge of groundwater;
  3. Ensure that adequate soil erosion and sedimentation control measures and stormwater runoff control practices are incorporated into the site planning and design process and are implemented and maintained;
  4. Require practices to control waste associated with construction activities, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary wastes;
  5. Ensure adequate long-term operation and maintenance of stormwater management structures;
  6. Comply with the requirements of the Town of Littleton's National Pollutant Discharge Elimination System (NPDES) permit for discharges from the municipal storm drain system; and
  7. Establish legal authority to ensure compliance with the provisions of this Bylaw through inspection, monitoring, and enforcement.
- C. This Bylaw is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution and the Home Rule Procedures Act.

### **§ 38-12. Definitions.**

For the purposes of this Bylaw, the following shall mean:

- A. Applicant: Any person requesting a Stormwater Permit.
- B. Best Management Practice (BMP): An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.
- C. Common Plan of Development (or Common Plan): Any announcement or documentation (including but not limited to a contract, public notice or hearing, advertisement, drawing, plan, or permit application) or physical demarcation (including but not limited to boundary signs, lot stakes, survey or marking) indicating imminent or future plans to disturb earth regardless of how long the plans will take to complete.
- D. Construction and Waste Materials: Excess or discarded building or site materials, including but not limited to concrete truck washout, chemicals, litter and sanitary waste, at a construction site that may adversely impact water quality.
- E. Development: The modification of land to accommodate a new use or expansion of use, usually involving construction.
- F. Erosion: The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.
- G. Grading: Changing the level or shape of the ground surface.
- H. Erosion and Sedimentation Control Plan: A document containing narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land-disturbing activities.
- I. Impervious Surface: Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and rooftops.
- J. Land-Disturbing Activity or Disturbance of Land: Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material.
- K. Massachusetts Stormwater Management Standards: The Stormwater Management Standards issued by the Massachusetts Department of Environmental Protection (as amended), aimed at encouraging recharge and preventing stormwater discharges from causing or contributing to the pollution of the surface waters and groundwaters of the Commonwealth. These Standards were first adopted by the

Department in 1996 and are more fully set forth in the Massachusetts Stormwater Handbook.

- L. Municipal Storm Drain System or Storm Drain System: Town of Littleton-owned facilities by which stormwater is collected and/or conveyed. The municipal storm drain system includes but is not limited to municipal roads, catch basins, manholes, gutters, curbs, sidewalks, inlets, piped storm drains, outfalls, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs and other drainage structures.
- M. Operation and Maintenance Plan: A plan setting up the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.
- N. Owner: A person with a legal or equitable interest in property.
- O. Person: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government (to the extent permitted by law) and any officer, employee, or agent of such person.
- P. Pollutant: Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.)), heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, and agricultural waste, and any other material that may cause or contribute to exceedance of water quality standards in the waters to which the storm drain system discharges.
- Q. Redevelopment: Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface or increase the impervious area on previously developed sites.
- R. Runoff: Rainfall, snowmelt, or irrigation water flowing over the ground surface.
- S. Sediment: Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.
- T. Sedimentation: The process or act of deposition of sediment.
- U. Site: Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.
- V. Soil: Any earth, sand, rock, gravel, or similar material.
- W. Stabilization: The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.
- X. Stormwater: Any surface flow, runoff or drainage resulting entirely from any form of natural precipitation.
- Y. Stormwater Management Plan: A plan containing sufficient information for the Board to evaluate the environmental impact, effectiveness and acceptability of the measures proposed by the applicant for reducing adverse impacts from stormwater, including controlling stormwater runoff and promoting infiltration.
- Z. Town: The Town of Littleton, Massachusetts, including its employees and designees.

**§ 38-13. Responsibility for Administration.**

- A. The Littleton Planning Board (õBoardö) shall administer, implement and enforce this bylaw, with assistance from the Littleton Building Commissioner as set forth herein. Any powers granted to or duties imposed upon the Board, except the power to hear appeals, may be delegated in writing by the Board to employees or agents of the Town.
- B. Waiver. The Board may waive strict compliance with any requirement of this Bylaw or the rules and regulations promulgated hereunder, where such action:
  - 1. Is allowed by federal, state and local statutes and/or regulations and the Town's NPDES stormwater discharge permit;
  - 2. Is in the public interest; and
  - 3. Is not inconsistent with the purpose and intent of this Bylaw.
- C. Rules and Regulations. The Board may adopt, and periodically amend, rules and regulations to effectuate the purposes of this Bylaw. Failure by the Board to promulgate such rules and regulations shall not have the effect of suspending or invalidating this Bylaw.

**§ 38-14. Applicability.**

This bylaw shall apply to all activities that result in disturbance of one or more acres of land. Except as authorized by the Board in a Stormwater Permit or as provided below, no person shall perform any activity that results in disturbance of an acre or more of land or is part of a larger common plan of development or sale that will ultimately disturb one or more acres of land.

- A. The following activities are exempt from the requirements of this Bylaw:
  1. Normal maintenance and improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act (G.L. c. 131, § 40) and its implementing regulations (310 CMR 10.00);
  2. Normal maintenance of lawns and landscaping; and
  3. Activities that:
    - a. Are subject to jurisdiction under the Wetlands Protection Act (including the stormwater management requirements of the Wetlands Protection Regulations);
    - b. Demonstrate compliance with the Massachusetts Stormwater Management Standards, as reflected in an Order of Conditions issued by the Littleton Conservation Commission or the Massachusetts Department of Environmental Protection; and
    - c. Are in compliance with that Order of Conditions.

**§ 38-15. Permits and Procedure.**

- A. Application. A completed application for a Stormwater Permit shall be filed with the Board. A permit must be obtained prior to the commencement of land disturbing activity regulated by this Bylaw. The Stormwater Permit Application package shall include:
  1. A completed Application Form with original signatures of all owners;
  2. An Erosion and Sediment Control Plan as specified in this Bylaw;
  3. A Stormwater Management Plan as specified in this Bylaw;
  4. An Operation and Maintenance Plan as specified in this Bylaw; and
  5. Payment of the application and review fees.
- B. Entry. Filing an application for a permit grants the Board or its agent permission to enter the site to verify the information in the application and to inspect for compliance with permit conditions.
- C. Public Hearing. The Board shall hold a public hearing on the application. The hearing may be combined with the hearing for any other permit or approval for the same project that is within the jurisdiction of the Board. The Board shall make the application available for inspection by the public during business hours at the Littleton Planning Department Office and shall accept comments from the public in writing and at the public hearing.
- D. Information Requests. The applicant shall submit all additional information requested by the Board to issue a decision on the application.
- E. Action by the Board. The Board may:
  1. Approve the Stormwater Permit Application and issue a permit if it finds that the proposed plans will protect water resources and meet the objectives and requirements of this Bylaw;
  2. Approve the Stormwater Permit Application and issue a permit with conditions, modifications or restrictions that the Board determines are required to ensure that the project will protect water resources and meet the objectives and requirements of this Bylaw; or
  3. Disapprove the Stormwater Permit Application and deny the permit if it finds that the proposed plans will not protect water resources or fail to meet the objectives and requirements of this Bylaw.
- F. Fee Structure. Each application must be accompanied by the appropriate application fee as established by the Board. Applicants shall pay the application fee before the review process commences. The Board is authorized to retain a Registered Professional Engineer or other professional consultant to advise the Board on any or all aspects of the application. The Board may require the applicant to pay reasonable costs to be incurred by the Board for the employment of outside consultants pursuant to Planning Board rules as authorized by G.L. c. 44, § 53G.
- G. Project Changes. The permittee, or the permittee's agent, must notify the Board in writing of any change or alteration of a land-disturbing activity authorized in a Stormwater Permit before any change or alteration occurs. If the Board



determines that the change or alteration is significant, the Board may require that an amended Stormwater Permit application be filed.

**§ 38-16. Erosion and Sediment Control Plan.**

- A. The Erosion and Sediment Control Plan shall contain sufficient information to describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and proposed erosion and sedimentation controls and other pollution prevention measures. A Stormwater Pollution Prevention Plan that meets the requirements of the U.S. Environmental Protection Agency Construction General Permit and the design requirements set forth below shall be considered to meet this requirement.
- B. The erosion and sediment control and pollution prevention measures set forth in the Erosion and Sediment Control Plan shall be designed to meet Standard 8 of the Massachusetts Stormwater Standards, minimize the total area of disturbance, and properly manage construction and waste materials.
- C. Site Plan. The Erosion and Sediment Control Plan shall include a site plan, stamped and certified by a qualified Professional Engineer registered in Massachusetts or a Certified Professional in Erosion and Sediment Control, containing the following information:
  1. Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan;
  2. Title, date, north arrow, scale, legend, and locus map;
  3. Locations of watercourses and water bodies;
  4. Lines of existing abutting streets showing drainage (including catch basins), driveway locations and curb cuts;
  5. Property lines showing the size of the entire parcel, and a delineation and number of square feet of the land area to be disturbed;
  6. Drainage patterns and approximate slopes anticipated after major grading activities (construction phase grading plans);
  7. Location and details of erosion and sediment control measures, including both structural and non-structural measures, interim grading, and material stockpiling areas;
  8. Location and description of and implementation schedule for temporary and permanent seeding, vegetative controls, and other stabilization measures; and
  9. Such other information as is required by the Board.

**§ 38-17. Stormwater Management Plan.**

- A. The Stormwater Management Plan shall contain sufficient information for the Board to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the applicant for reducing adverse impacts from stormwater post-construction. The Stormwater Management Plan shall fully describe the project in drawings and narrative. The Stormwater Management Plan may (but is not required to) follow the format and content of the "Stormwater Report" specified by the Massachusetts Department of Environmental Protection to document compliance with the Massachusetts Stormwater Standards.
- B. The stormwater management measures described in the Stormwater Management Plan shall be designed to meet Massachusetts Stormwater Management Standards 1-6 (for new development) or 7 (for redevelopment).
- C. Site Plan. The Stormwater Management Plan shall include a site plan, stamped and certified by a qualified Professional Engineer registered in Massachusetts, containing the following information:
  1. Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan;
  2. Title, date, north arrow, scale, legend, and locus map;
  3. The site's existing and proposed topography with contours at 2 foot intervals;
  4. The existing site hydrology, including any existing stormwater conveyances or impoundments;
  5. Estimated seasonal high groundwater elevation (November to April) in areas to be used for stormwater retention, detention, or infiltration;
  6. The existing and proposed vegetation and ground surfaces with runoff coefficient for each;

7. A drainage area map showing pre and post construction watershed boundaries, drainage area and stormwater flow paths;
8. Drawings of all components of the proposed drainage system; and
9. Such other information as is required by the Board.

**§ 38-18. Operation and Maintenance Plan.**

- A. An Operation and Maintenance Plan (O&M Plan) is required at the time of application for all projects. The O&M Plan shall be designed to ensure that all aspects of the stormwater management system operate as designed throughout the life of the system. The Board shall make the final decision regarding what maintenance requirements are appropriate in a given situation. Each parcel must have its own O&M Plan. The O&M Plan shall remain on file with the Board and shall be an ongoing requirement, enforceable against the owner of the parcel to which it applies, pursuant to the provisions of this Bylaw.
- B. The O&M Plan shall include:
  1. The name(s) of the owner(s) of the parcel for which the O&M Plan is being submitted;
  2. Maintenance specifications, including a schedule, for all drainage structures, including swales and ponds, and any other component of the stormwater system that requires maintenance; and
  3. The signature(s) of the owner(s).
- C. In the case of stormwater BMPs that are serving more than one lot, the applicant shall include a mechanism for implementing and enforcing the O&M Plan. The applicant shall identify the lots or units that will be serviced by the proposed stormwater BMPs. The applicant shall also provide a copy of the legal instrument (deed, declaration of trust, articles of incorporation, etc.) that establishes the terms of and legal responsibility for the operation and maintenance of stormwater BMPs. In the event that the stormwater BMPs will be operated and maintained by an entity or person other than the sole owner of the lot upon which the BMPs are placed, the applicant shall provide a plan and easement deed that provides a right of access for the entity or person to be able to perform said operation and maintenance functions.
- D. The Board may require that notice of the O&M Plan be recorded with the Registry of Deeds.
- E. The Board may require that the property owner submit an annual report documenting maintenance activities.
- F. Changes to Operation and Maintenance Plans.
  1. The owner(s) of the parcel to which an O&M Plan applies must notify the Board of any changes in ownership of the parcel.
  2. In the case of a stormwater BMP that serves more than one lot, the owners of the parcels served by the BMP must notify the Board of any change to the entity or person operating or maintaining the BMP or the legal instrument that establishes terms and legal responsibility for the operation and maintenance of the BMP.
  3. The O&M Plan may be amended to achieve the purposes of this Bylaw by mutual agreement of the Board and the parcel owner(s). Amendments must be in writing and signed by all owners and the Board.

**§ 38-19. Inspections, As-Built Plan and Access.**

- A. Board Inspection. The Board or its designated agent may make inspections (before, during and/or after construction) to assess compliance with the Stormwater Permit. The Board may require the applicant to notify the Board before significant site milestones, such as installation of erosion and sediment control measures or completion of site clearing.
- B. Permittee Inspections. The Board may require the permittee or his/her agent to periodically conduct and document inspections of all control measures (before, during and/or after construction) and submit reports to the Board.
- C. As-Built Plan. After the stormwater management system has been constructed and before the surety has been released, the applicant must submit to the Board a record plan detailing the actual stormwater management system as installed.
- D. Access Permission. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Board, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this Bylaw and may make or cause to be made such

examinations, surveys or sampling as the Board deems reasonably necessary to determine compliance with the permit.

**§ 38-20. Surety.**

The Board may require the permittee to post, before the start of land disturbance activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by town counsel, and be in an amount deemed sufficient by the Board to ensure that the work will be completed in accordance with the permit. If the project is phased, the Board may release part of the bond as each phase is completed in compliance with the permit but the bond may not be fully released until the Board has received the final as-built plan.

**§ 38-21. Enforcement.**

J. It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Bylaw. The Board and its authorized agents shall enforce this Bylaw and may pursue all civil and criminal remedies for violations.

K. Enforcement Orders.

1. If any person violates or fails to comply with any of the requirements of this Bylaw, the Board may order compliance by written notice to the responsible person via certified mail or hand delivery. The order shall include the name and address of the alleged violator, the address at which the violation is occurring or has occurred, a statement specifying the nature of the violation, a description of the actions needed to resolve the violation and come into compliance, the deadline within which such actions must be completed, and a statement that, if the violator fails to come into compliance by the specified deadline, the Town may do the work necessary to resolve the violation at the expense of the violator.
2. Said order may require, without limitation:
  - a. A requirement to cease and desist from land-disturbing activity until compliance is achieved;
  - b. Maintenance, installation or performance of additional erosion and sediment control measures;
  - c. Repair, maintenance or replacement of the stormwater management system or portions thereof in accordance with the Stormwater Permit and/or the O&M Plan;
  - d. Monitoring, analyses, and reporting; and
  - e. Remediation of erosion, sedimentation, or any other adverse impact resulting directly or indirectly from failure to comply with the Erosion and Sediment Control Plan, the Stormwater Management Plan, the O&M Plan, or any other terms or conditions of a Stormwater Permit or this Bylaw.
3. Any person aggrieved by an enforcement order may appeal the order to the Board. Appeals shall be made by submitting to the Board, within 30 days of the order being appealed, a letter explaining why the order or decision was not justified. The decisions of the Board regarding appeals shall be final. Any further appeal shall be to a court of competent jurisdiction.

L. Action by the Town to Remedy a Violation. If a violator fails to come into compliance by the deadline specified in an enforcement order, the Board may do the work necessary to resolve the violation at the expense of the violator and/or property owner. For situations involving an immediate threat to public health, safety or natural resources, the Board may immediately take such action as is necessary to protect public health, safety or natural resources; written notice of the action shall be provided to the property owner within twenty-four (24) hours.

M. Recovery of Costs. If the Board undertakes work to correct or mitigate any violation of this Bylaw, the Department or Board shall (within thirty (30) days after completing the work) notify the violator and the owner(s) of the property (if different) in writing of the costs incurred by the Town, including administrative costs, associated with that work. The violator and the property owner(s) shall be jointly and severally liable to pay the Town those costs within thirty (30) days of the receipt of that notice. The violator and/or the property owner(s) (if different) may file a written protest objecting to the amount or basis of costs with the Board within thirty (30) days of receipt of the notice. If the amount due is not received by the Town by the expiration of the time in which to file such a protest, or within

sixty (60) after the final decision of the Board or (if appealed to court) a court of competent jurisdiction resolving that protest, the amount of the Town's costs shall be a special assessment against the property and shall constitute a lien on the property pursuant to G.L. c. 40, § 58. Interest shall accrue on any unpaid costs at the statutory rate, as provided in G.L. c. 59, § 57.

- N. Civil Relief. If a person violates the provisions of this Bylaw or an order issued thereunder, the Town may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to abate or remedy the violation. Any such civil action must be authorized by the Board of Selectmen.
- O. Criminal Penalty. Any person who violates any provision of this Bylaw or any order issued thereunder may be punished by a fine of not more than \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense. A criminal complaint may be filed by the Board, with the authorization of the Board of Selectmen.
- P. Non-Criminal Disposition (Ticketing). As an alternative to criminal prosecution, the Board or its agents may elect to utilize the non-criminal disposition procedure set forth in G.L. c. 40, § 21D and the Town of Littleton Bylaw Providing for Non-Criminal Disposition of Violations of Town Bylaws (§1-4.B of the Littleton Town Code), in which case the enforcing agents will be: employees of the Planning Department and the Building Commissioner. The penalty for the first violation shall be \$100.00. The penalty for each subsequent violation shall be \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- Q. Entry to Perform Duties Under this Bylaw. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Town and its agents, officers and employees may enter privately owned property for the purpose of performing their duties under this Bylaw and may make or cause to be made such examinations, surveys, sampling, or remedial activities as the Town deems reasonably necessary.
- R. Remedies Not Exclusive. The remedies listed in this Bylaw are not exclusive of any other remedies available under any applicable federal, state or local law.

**§ 38-22. Compatibility with Other Town Laws and Regulations.**

The requirements of this Bylaw are in addition to the requirements of any other policy, rule, regulation or other provision of law. Where any provision of this Bylaw imposes restrictions different from those imposed by any other policy, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

**§ 38-23. Severability.**

If any provision, paragraph, sentence, or clause of this Bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect; and

(2) by adding a new subsection 1-4.B(1)(t) to the section of the Town Code titled "Non-criminal disposition of certain violations," to read as follows:

(s) Stormwater Management and Erosion Control Bylaw (Chapter 38, Art. II).

[1] Fine allowed: \$300.

[2] Enforcement agents: Planning Department employees and the Building Commissioner.

[3] Fine schedule: First violation, \$100; subsequent violations, \$300;

or to take any other action in relation thereto.

**ARTICLE 22**

**Board of Selectmen**

**Home Rule Petition – Additional Package Store All Alcohol Licenses**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation as set below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments to the bill prior to 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 this petition, or take any other action in relation thereto.

AN ACT AUTHORIZING THE TOWN OF LITTLETON TO GRANT ADDITIONAL LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES

SECTION 1. Notwithstanding Section 17 of Chapter 138 of the General Laws, the licensing authority of the Town of Littleton may grant one or more additional licenses for the sale of all alcoholic beverages not to be drunk on the premises pursuant to Section 15 of said Chapter 138. The licenses shall be subject to all of said Chapter 138, except said section 17.

SECTION 2. The licensing authority of the Town of Littleton shall only grant such licenses to persons, corporations, organization and entities operating a business located within the district known as the Littleton Common, as more specifically shown on a plan on file with the Board of Selectmen of the Town of Littleton.

SECTION 3. The licensing authority of the Town of Littleton shall not approve the transfer of a license granted pursuant to this Act to person, corporation, organization or entity for a period of three (3) years from the date of issuance; provided, however, that after three (3) years, the licensing authority shall not approve a transfer of the license to a location outside of the Littleton Common.

SECTION 4. If a license granted pursuant to this Act is revoked, cancelled, forfeited or surrendered it shall be returned physically, with all of the legal rights and privileges pertaining thereto, to the licensing authority of the Town of Littleton. The licensing authority may then grant the license to a new applicant operating within the Littleton Common only.

SECTION 5. Any license issued pursuant to this act shall be clearly marked "Littleton Common Only" and contain as a condition to issuance, the restriction on transfers set forth in Section 3 of this Act. Any issuance or transfer of a such license must comply with Chapter 138 of the General Laws.

SECTION 6. Notwithstanding the foregoing, this Act shall not prohibit the licensing authority of the Town of Littleton from modifying, suspending, revoking, or cancelling a license issued pursuant to this Act as permitted in Chapter 138 of the General Laws.

SECTION 7. This act shall take effect upon its passage.

**ARTICLE 23**  
**Board of Selectmen**  
**Borrowing Authorization**

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, 2016, 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 in relation thereto.

**ARTICLE 24**  
**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 FY 2017, pursuant to Chapter 44, Section 53F of the General Laws, or to take any other action in relation thereto.

**ARTICLE 25**  
**Board of Selectmen**  
**FY 2017 Personal Exemption Amounts**

To see if the Town will vote to accept Chapter 73 of the Acts and Resolves of 1986, as amended by Chapter 126 of the Acts and Resolves of 1988, and under the provisions thereof to grant additional real estate tax exemptions for fiscal year 2017 to those persons who otherwise qualify for an exemption under Clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A or 41C of section 5 of Chapter 59 of the General Laws (elderly persons, disabled veterans, or blind persons), in an amount equal to fifty percent (50%) of said exemption, 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*

\_\_\_\_\_  
*Chairman*

\_\_\_\_\_  
*Vice Chairman*

\_\_\_\_\_  
*Clerk*

\_\_\_\_\_  
*Member*

\_\_\_\_\_  
*Member*

\_\_\_\_\_  
**Date of Execution**

A TRUE COPY ATTEST:

\_\_\_\_\_  
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: \_\_\_\_\_

Constable

Date: \_\_\_\_\_