



**Town of Littleton, Massachusetts**  
**TOWN MEETING REPORT**

**VOTER INFORMATION**

*Please bring this with you to the*  
**MAY 2, 2016 ANNUAL &  
SPECIAL TOWN MEETINGS**

**Monday, May 2, 2016 at 7:00 PM**  
**Charles Forbes Kaye Gymnasium**  
**Littleton Middle School**  
**55 Russell Street, Littleton, MA 01460**

TOWN OF LITTLETON, MASSACHUSETTS

This Town Meeting Report is prepared by the

Office of the Board of Selectmen/Town Administrator  
Town of Littleton  
Littleton Town Offices  
37 Shattuck Street  
Littleton, MA 01460

Keith A. Bergman, Town Administrator  
Bonnie Holston, Assistant Town Administrator for Finance and Budget

More information is available online at [www.littletonma.org](http://www.littletonma.org)

## May 2, 2016 Town Meeting Articles

### **SPECIAL TOWN MEETING at 7:30 PM – beginning on Page 8**

1. Bills of Prior Years [9/10<sup>th</sup> vote]
2. FY 2016 Line Item Transfers
3. Use of Insurance Proceeds Over \$20,000
4. FY 2016 Capital Improvements Plan Adjustments
5. FY 2016 Appropriations into Blended Community Preservation Act Fund
6. Mill Pond Restoration Project Feasibility Study
7. Trust Fund Grants

### **ANNUAL TOWN MEETING at 7 PM - beginning on Page 12**

1. Town Officers
2. Annual Report

#### ***Financial Articles***

3. FY 2017 Revolving Funds
4. FY 2017 Operating Budget
5. FY 2017 Water Enterprise Fund Operating Budget
6. FY 2017 Park/Recreation Enterprise Fund Operating Budget
7. FY 2017 Capital Items from Available Funds
8. FY 2017 Community Preservation Budget
9. Personnel By-law Amendments
10. Stabilization Fund [2/3<sup>rd</sup> vote]
11. Capital Stabilization Fund [2/3<sup>rd</sup> vote]
12. Establish Debt Exclusion Stabilization Fund [2/3<sup>rd</sup> vote]
13. Senior Citizens and Veterans Tax Work-off Abatement Programs
14. Use of MassDOT Chapter 90 Funds

#### ***Articles requiring supermajority vote***

- ~~15. Cell Tower Leases [2/3<sup>rd</sup> vote] - withdrawn~~
16. Tax Title Abutter Lots Sales Program & List of Parcels [2/3<sup>rd</sup> vote]
17. Nagog Hill Road Easements [2/3<sup>rd</sup> vote]

#### ***Other articles, including routine authorizations and reauthorizations***

18. Moratorium on the Installation of Synthetic Turf with Tire Crumb or Lead Component on Town-Owned Land
19. Town By-law Amendment: Swimming Pool Fence Bylaw
20. Town By-law Amendment: Illicit Connections and Discharges to Storm Drain System
21. Town By-law Amendment: Stormwater Management and Erosion Control
22. Home Rule Petition: Additional Package Store All Alcohol Licenses
23. Borrowing Authorization
24. Compensating Balance Agreement
25. FY 2017 Personal Exemption Amounts

TOWN OF LITTLETON, MASSACHUSETTS

***To the Voters of Littleton:***

The Board of Selectmen and its Study Committee to Increase Voter Participation had developed recommendations based on community input, research and other information to improve voter participation in the Town of Littleton.

The Board of Selectmen has continued the practice<sup>o</sup> as recommended by the Study Committee-- to order articles in the town meeting warrant so that financial articles come first, followed by those requiring a supermajority vote, with all other articles (including routine authorizations and reauthorizations) coming last.

Town Code §41-3. *Town Meeting Report*, was amended by the November 14, 2012 Special Town Meeting and provides that

For every annual and special town meeting, the Board of Selectmen shall mail to each occupied dwelling at least fourteen (14) days prior to said meeting a Town Meeting Report containing the full text of the articles as posted in the warrant; proposed motions and town board recommendations, if any; and concise explanations of each article, including the fiscal impact of any financial articles. The Town Meeting Report for the annual town meeting shall include the Finance Committee's report to the voters

Accordingly, here is the format in which information for each article is presented in this Report:

ARTICLE #
Article Sponsor/Inserter
Title of the Article

Full text of the warrant article as printed in the Town Meeting warrant, as posted.

**[Brief explanation of the article.]**

***Motion*** proposed by the sponsor, as reviewed by Town Counsel.

**Recommendations of Town Boards.**

For the multi-part capital improvements article, the brief explanation appears after each project, rather than at the end of the article.

The Board of Selectmen welcomes your feedback about this publication.

– ***Littleton Board of Selectmen***  
*James F. Karr, Chair*  
*Melissa Hebert, Vice Chair*  
*Paul J. Avella, Clerk*  
*Joseph S. Knox*  
*Charles DeCoste*

## List of Articles, Tax Bill Impact Summary

This table lists all articles, and shows what impact each of the financial articles has in calculating the total property tax bill for an average residential property. Amounts transferred from account balances or free cash do not impact the property tax. The "levy sensitive" column shows how spending articles make up the total FY 2017 estimated residential property tax levy of \$23,790,271. For the average residential property assessed at \$395,635 its property tax bill is projected to increase by \$192.67 or 2.75% - from \$7,005.21 in FY 2016 to \$7,197.89 in FY 2017 - as a result of this recommended spending plan.

	<u>Article Amount</u>	<u>Levy Sensitive</u>	<u>Tax Bill Impact</u>
<b>SPECIAL TOWN MEETING</b>			
STM-1. Bills of Prior Years	\$603	-	-
STM-2. FY 2016 Line Item Transfer		-	-
STM-3. Use of Insurance Proceeds Over \$20,000	80,000	-	-
STM-4-A. Facility Needs Assessment Recommendations		-	-
STM-4-B. Zoning By-Law Consulting Services	25,000	-	-
STM-4-C. Fire Station Facility Expansion Design	530,000	-	-
STM-4-D. Alumni Field renovation design	234,593	-	-
STM-5. FY 2016 Appropriations into Blended CPA Fund	484,434	-	-
STM-6. Mill Pond Restoration Project Feasibility Study	67,500	-	-
STM-7. Trust Fund Grants	79,000	-	-
<b>ANNUAL TOWN MEETING</b>			
ATM-1. Town Officers			
ATM-2. Annual Report			-
ATM-3. FY 2017 Revolving Funds	522,000	-	-
ATM-4. FY 2017 Operating Budget	39,719,798	22,485,000	6,802.97
ATM-5. FY 2017 Water Enterprise Fund Operating Budget	3,050,000		
ATM-6. FY 2017 Park/Recreation Enterprise Fund Budget	984,828		-
ATM-7 I-A. Police Interceptor Patrol Vehicles	106,140	106,140	32.11
ATM-7 I-B. Police Public Safety Radio Maintenance	12,000	12,000	3.63
ATM-7 I-C. Police Vehicle Maintenance	6,500	6,500	1.97
ATM-7 I-D. Police Plow Truck Replacement	37,690	37,690	11.40
ATM-7 II-A. Fire Major Equipment Repair	15,000	15,000	4.54
ATM-7 II-B. Fire Protective Clothing Replacement	12,000	12,000	3.63
ATM-7 II-C. Fire Engine 3 Replacement	35,000	35,000	10.59
ATM-7 II-D. Fire Self-Contained Breathing Apparatus	15,000	15,000	4.54
ATM-7 II-E. Fire Station Expansion Community Room	14,000		-
ATM-7 III-A. Highway Major Equipment Repair	18,000	18,000	5.45
ATM-7 III-B. Highway Sidewalk Plow	158,175	158,175	47.86
ATM-7 III-C. Highway Bobcat Skid Steer Loader	60,000	60,000	18.15
ATM-7 III-D. Highway Trailer Refurbishment	6,500	6,500	1.97
ATM-7 III-E. Highway Fork Lift (refurbished)	19,000	19,000	5.75

TOWN OF LITTLETON, MASSACHUSETTS

	<u>Article Amount</u>	<u>Levy Sensitive</u>	<u>Tax Bill Impact</u>
ATM-7 IV-A. Schools MacBook Air Laptops	35,000	35,000	10.59
ATM-7 IV-B. Schools: High School Card Access System	55,000	55,000	16.64
ATM-7 IV-C. Shaker Lane School Card Access System	30,000		-
ATM-7 IV-D. Schools: High School Lockers	20,000		-
ATM-7 IV-E. Schools MacBook Air Replacements	40,000	40,000	12.10
ATM-7 IV-F. Schools Technology Equipment Replacement	25,000	25,000	7.56
ATM-7 IV-G. School Resource Materials	150,000	150,000	45.38
ATM-7 IV-H. Schools: High School KIVA room	40,000	40,000	12.10
ATM-7 V-A. Cemetery Backhoe Replacement	73,000	31,263	9.46
ATM-7 VI-A. Library Furnishings Replacement	5,000	5,000	1.51
ATM-7 VII-A. Park & Rec Computer Registration System	3,410	3,410	1.03
ATM-7 VII-B. Park & Rec Major Equipment and Repairs	50,000	50,000	15.13
ATM-7 VII-C. Park & Rec Alumni Field Maintenance Repairs	10,000	10,000	3.03
ATM-7 VIII-A-i. Schools Non Street Paving, Curb Sidewalk	230,000	230,000	69.59
ATM-7 VIII-A-ii. Town Hall Roof - 2nd Level at	130,000		-
ATM-7 VIII-A-iii. Town Hall RTU/HVAC Units	60,000	29,593	8.95
ATM-7 VIII-A-iv. Town Hall Parking Lot Crack Repair	12,048		-
ATM-7 VIII-A-v. Shaker Lane School Univents	68,000		-
ATM-7 VIII-A-vi. Russell Street School Pavers Landscaping	11,000		-
ATM-7 VIII-B. Stormwater MS4 Permit Needs	100,000		-
ATM-7 VIII-C. Castle In The Trees Playground	100,000	100,000	30.26
ATM-8. FY 2017 Community Preservation Budget	315,323		-
ATM-9. Personnel By-law Amendments			-
ATM-10. Stabilization Fund	101,265		-
ATM-11. Capital Stabilization Fund	2,536,176	-	-
ATM-12. Establish Debt Exclusion Stabilization Fund	\$0	-	-
ATM-13. Senior & Veterans Tax Work-Off Programs		-	-
ATM-14. Use of MassDOT Chapter 90 Funds	395,107	-	-
ATM-15. Cell Tower Leases – withdrawn			
ATM-16. Tax Title Abutter Lot Sales Program Parcels			
ATM-17. Nagog Hill Road Easements			
ATM-18. Moratorium:Tire Crumb or Lead Component on Town-Owned Land			
ATM-19. By-law: Swimming Pool Fence By-law			
ATM-20. By-law: Illicit Connections and Discharges to Storm Drain System			
ATM-21. By-law: Stormwater Management and Erosion Control			
ATM-22. Home Rule Petition: Additional Package Store All Alcohol Licenses			
ATM-23. Borrowing Authorization			
ATM-24. Compensating Balance Agreement			
ATM-25. FY 2017 Personal Exemption Amounts			
<b>Residential Property Tax Totals</b>		<b>\$23,790,271</b>	<b>\$7,197.89</b>

## Town Meeting Procedures

### Consent Calendar

As part of an effort to streamline Town Meeting and save time for discussion of key issues, we will be continuing the procedure called the "Consent Calendar." Each year there are several warrant articles on which past experience suggests that action will be routine, predictable and non-controversial. These articles have been selected for inclusion in the Consent Calendar for the 2016 Annual Town Meeting:

1. Town Officers
3. FY 2017 Revolving Funds
13. Senior Citizens & Veterans Tax Work-off Abatement Programs
14. Use of Chapter 90 MassDOT Funds
23. Borrowing Authorization
24. Compensating Balance Agreement
25. FY 2017 Personal Exemption Amounts

As one of the first orders of business at the Annual Town Meeting there will be a motion to take all of these articles identified in the Consent Calendar and act upon them by means of a single, brief affirmative main motion which will be inclusive of the separate and specific motions listed here below for each article. The use of the Consent Calendar speeds up the passage of warrant articles which the Selectmen, Moderator and Town Counsel believe should generate no controversy and can be properly voted without debate.

At the call of the Consent Calendar, the Moderator will call out the numbers of the articles, one by one. Any voter who has doubts about passing any motion, or wishes an explanation of any article included in the Consent Calendar, should say the word "hold" in a loud voice when the article number is called by the Moderator. The Moderator will inquire as to whether the request is for a question or for debate. If the purpose of the request is merely a question then an attempt will be made to obtain a satisfactory answer. If the purpose is to hold the article for debate, the article will be dropped from the Consent Calendar and restored to its original place in the warrant to be brought up, debated and voted in the usual manner. It is hoped that voters will remove articles from the Consent Calendar only in cases of genuine concern. After calling the individual articles on the Consent Calendar, the Moderator will ask that all remaining articles be passed as a unit by unanimous vote after a brief affirmative motion is made inclusive of all articles, and the printed motions thereunder.

Please carefully review the articles and motions proposed for the Consent Calendar. Thank you for your cooperation in again implementing this procedure.

- Timothy D. Goddard, *Town Moderator*

### **Addendum: Taking up, in sequence, two articles in different town meeting warrants:**

The desire has been expressed for May 2, 2016 Town Meeting voters to be able to take up, in sequence, two articles which appear in different town meeting warrants. Those two articles are:

- Special Town Meeting Article 4-D, FY 2016 Capital Improvements: Alumni Field Renovation Design; and
- Annual Town Meeting Article 18, Moratorium on Installation of Synthetic Turf with Tire Crumb or Lead Component on Town-Owned Land, inserted by voter petition.

The proposed procedure for taking up these articles, one after the other, is as follows:

- (1) Convene Special Town Meeting (STM) at its appointed hour of 7:30 PM;
- (2) Take up STM Article 4-D as last article in that Special Town Meeting;
- (3) Upon completion on Art. 4-D, dissolve the Special Town Meeting and return to Annual Town Meeting;
- (4) Back in the Annual, take up ATM Article 18 out of order as the next item of business.



TOWN OF LITTLETON, MASSACHUSETTS

# May 2, 2016 Special Town Meeting

7:30 p.m. Charles Forbes Kaye Gymnasium  
Littleton Middle School

## ARTICLE 1

### Board of Selectmen

### Bills of Prior Years

[9/10ths vote required]

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

[Article 1 would pay any bills from prior fiscal years, which were not received before the books were closed, and for which prior year budget funds had not been encumbered.]

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to transfer from Undesignated Fund Balance the sum of \$603.54 to pay a FY 2015 bill owed by the Fire Department to the Littleton Electric Light Department.

**Finance Committee and Board of Selectmen support Article 1.**

## ARTICLE 2

### Board of Selectmen

### FY 2016 Line Item Transfers

To see if the Town will vote to amend the FY 2016 Operating Budget, as adopted under Article 4 of the May 4, 2015 Annual Town Meeting and amended by Article 4 of the November 2, 2015 Special Town Meeting, by adjusting budget line items, or to take any other action in relation thereto.

[Article 2 makes adjustments to the FY 2016 operating budget by moving money between line items. There is no net increase or decrease in the total budget as a result of these transfers.]

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to amend the FY 2016 Operating Budget, as adopted under Article 4 of the May 4, 2015 Annual Town Meeting and amended by Article 4 of the November 2, 2015 Special Town Meeting, by adjusting budget line items as follows:

<u>Budget</u>	<u>Line Item</u>	<u>FY16 Budget</u>	<u>Adjustment</u>	<u>FY16 Adjusted</u>
Public Buildings Expense	191	\$375,000	+\$12,500	\$387,500
General Insurance	193	350,000	+20,000	370,000
Employee/Retiree Benefits	194	5,982,032	-32,500	5,949,532
Total Budget Appropriated		\$36,599,050	0	\$36,599,050

**Finance Committee and Board of Selectmen support Article 2.**

## ARTICLE 3

### School Committee

### Use of Insurance Proceeds Over \$20,000

To see if the Town will vote to appropriate a sum of money for the purpose of performing repairs and replacing equipment that was damaged as a result of a pipe burst at the High School, the money so



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appropriated to be transferred from the account "Receipts Reserved for Appropriation, Insurance Reimbursement in Excess of \$20,000" or to take any other action in relation thereto.

**[Under state law -- MGL C. 44, §53-- Town Meeting approval is required to expend insurance claim proceeds over \$20,000. The School Committee's insurance claim for a burst pipe at Littleton High School yielded \$80,000.]**

**Motion:** Moved and seconded by the School Committee that the Town vote to transfer the sum of \$80,000 from the account "Receipts Reserved for Appropriation, Insurance Reimbursement in Excess of \$20,000" for the purposes set forth in Article 3.

**Finance Committee, Board of Selectmen, and School Committee support Article 3.**

**ARTICLE 4**  
**Board of Selectmen**  
**FY 2016 Capital Improvements Plan Adjustments**

To see if the Town will vote to transfer from available funds a sum or sums of money to be expended for the capital projects and purchases itemized and described; or to take any other action in relation thereto.

A. Facility Needs Assessment Study Recommendations - To amend the vote under May 4, 2015 Annual Town Meeting Article 7, FY 2016 Capital Items from Available Funds, Item V-A, Facility Needs Assessment Study Recommendation, by transferring \$12,952 as follows:

- iii) Police Headquarters, reduce from \$18,847 to \$5,895
- vi) Town Office & Library, increase from \$106,293 to \$119,245

**[This project makes \$12,952 in adjustments to certain facility projects, as requested by the Permanent Municipal Building Committee.]**

B. Zoning By-Law Consulting Services - \$25,000 to engage professional consultant services to assist the Town by preparation of proposed amendments to the Zoning By-law, including inclusionary zoning and over-55 housing developments; and review of the sign by-law.

**[This funds the Planning Board's efforts to develop zoning amendments to help ensure that Littleton's Chapter 40B subsidized housing inventory remains above the 10% goal; and to take a new look at improving the Town's sign by-law.]**

C. Fire Station Facility Expansion Design - \$530,000 to be expended by the Permanent Municipal Building Committee for the development of design documents and bid services for the Fire Station Expansion project at the 20 Foster Street facility.

**[This project would fund the design and bidding phases of the proposed expansion of the existing fire station at 20 Foster Street. A feasibility study completed in 2014 identified the inadequate space to house apparatus in addition to a lack of efficient area to house the 24-hour staff. The facility currently does not have any decontamination area on top of serious facility deterioration. The design will take into consideration the staffing levels of the future in addition to the changes in apparatus size also meeting today's code. The construction of the project was estimated at \$7-million. Design and document preparation would occur May through September with the hopes to have construction bids and a firm price to be presented at the November 2016 special town meeting with construction to start shortly after.]**

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- D. Alumni Field renovation design<sup>1</sup> - \$234,593 to be expended by the Permanent Municipal Building Committee for the development of design documents and bid services for renovations to Alumni Field. [This funds development of design documents and bid services for renovations to the Alumni Field Complex. The design documents would address reconstruction of the playing field with the actual surface material to be determined as well as construction and installation of new bleachers, bathrooms, concession stand, additional parking and improved traffic flow around the complex. The construction cost for the proposed design scope is currently estimated at \$2,345,930.]

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to transfer from the Undesignated Fund Balance the sum of \$789,593 and transfer from the funds specified herein the sum of \$12,952 for a total of \$802,545 for capital and one time projects itemized and described in Article 4 as printed in the warrant.

**Board of Selectmen supports A, B, C, and D. Finance Committee supports A, B, and C. Permanent Municipal Building Committee supports A. Planning Board supports B.**

**ARTICLE 5**

**Board of Selectmen / Community Preservation Committee  
FY 2016 Appropriations into Blended Community Preservation Act Fund**

To see if the Town will vote, pursuant to MGL C.44B, §3b½, to appropriate/transfer to the Community Preservation Fund additional municipal revenues totaling \$484,434, or any other sum, which also increases the base for CPA state matching funds; or to take any other action in relation thereto.

[By the Town's adoption of the so-called Blended Community Preservation Act, the Town's one percent (1%) CPA property tax surcharge can be augmented by municipal revenues up to the equivalent of another two percent (2%), which increases the base for CPA state matching funds. For FY 2016, Littleton's 1% CPA surcharge raised \$242,217, so the Town could deposit up to \$484,434 in additional municipal revenues as the 2% equivalent. By fully implementing the Blended CPA in FY 2015, Littleton received \$267,349, or 39.1%, in CPA state matching funds in October 2015, compared to \$68,814 the year before.]

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote, pursuant to MGL C.44B, §3b½, to appropriate/transfer to the Community Preservation Fund the following additional municipal revenues totaling \$484,434:

- (1) \$266,439 (55%) to the CPA Open Space Reserve for conservation and passive recreation purposes, of which \$78,606 is from the Conservation Land Acquisition Funds established by Article 1 of the June 15, 2000 Special Town Meeting for cell tower leases at Newtown Hill and \$187,833 is from the Fifteen Great Road Mitigation Reserve for Appropriation;
- (2) \$72,665 (15%) to the CPA Community Housing Reserve, of which \$23,800 is from the Reed Meadow Mitigation Reserve for Appropriation and \$48,865 is from the Fifteen Great Road Mitigation Reserve for Appropriation;
- (3) \$72,665 (15%) to the CPA Historic Resources Reserve from the Fifteen Great Road Mitigation Reserve for Appropriation; and
- (4) \$72,665 (15%) to the CPA Recreation Reserve from the Fifteen Great Road Mitigation Reserve for Appropriation.

**Community Preservation Committee, Board of Selectmen, and Finance Committee support Article 5.**

<sup>1</sup> See proposed procedure on page 7 for taking up STM Art. 4-D and ATM Art. 18, one after the other.

**ARTICLE 6**  
**Board of Selectmen / Clean Lakes Committee**  
**Mill Pond Restoration Project Feasibility Study**

To see if the Town will vote to transfer from the Spectacle Pond Cell Tower Clean Lakes Fund established by Article 6 of the May 8, 2000 Special Town Meeting the sum of \$67,500 to be expended under the direction of the Clean Lakes Committee for completion of a feasibility study for an aquatic ecosystem restoration project at Mill Pond, to be undertaken by the U.S. Army Corps of Engineers (öCorpsö) pursuant to a Feasibility Cost Share Agreement (FCSA) to be executed between the Corps and the Board of Selectmen; or to take any other action in relation thereto.

**[Article 6 would fund the Town's share of a feasibility study to be conducted by the Army Corps of Engineers for aquatic ecosystem restoration at Mill Pond. Upon completion of the feasibility study, the Corps could proceed to project design and construction with a 65% Federal cost share of up to \$2-million. The Town's 35% share might total \$1-million, which could be borrowed over 15 years and paid by Clean Lakes Committee cell tower funds.]**

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to approve Article 6 as printed in the warrant.

**Finance Committee, Board of Selectmen, and Clean Lakes Committee support Article 6.**

**ARTICLE 7**  
**Board of Selectmen/ Trust Fund Commissioners**  
**Trust Fund Grants**

To see if the Town will vote to transfer \$79,000 in Trust Funds for the following purposes and costs related thereto; or to take any other action in relation thereto.

(1) LHS Innovation Center - \$75,000 to the Littleton School Department for the furniture, fixtures, equipment, and construction costs related to the creation of the Littleton High School Innovation Center, from the following Trust Funds:

M.H. Kimball Fund	\$34,400
J. Goldsmith Fund	2,400
C. Hildreth Fund	29,500
L. Johnson Fund	3,900
L.H. Zappy Fund	<u>4,800</u>

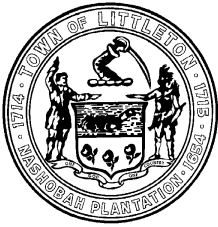
*Total*    \$75,000

(2) DEHS Animal Assistance Care Program - \$4,000 to the Elder and Human Services Department for creation of an animal care assistance program from the Bradford Sampson Relief of Animals Fund.

**[Article 7 is the annual transfer of funds from the Town's trust funds, managed by the Trust Fund Commissioners. This year's transfers from the five individual trusts designated to benefit the Littleton Public Schools, and will help fund the cost of the Littleton High School Innovation Center. A relief of animals trust fund will used by the Littleton Elder & Human Services Department to fund an animal care assistance program for qualifying low income persons.]**

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to approve Article 7 as printed in the warrant.

**Finance Committee, Trust Fund Commissioners, Board of Selectmen, and School Committee support Article 7.**



TOWN OF LITTLETON, MASSACHUSETTS

# May 2, 2016 Annual Town Meeting

7:00 p.m. Charles Forbes Kaye Gymnasium  
Littleton Middle School

## ARTICLE 1 Board of Selectmen Town Officers

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

**Motion:** Moved and seconded by the Board of Selectmen that the following Officers be chosen for the year 2016: Fence Viewers: Timothy Harrison Whitcomb, Joseph Knox; Field Driver: Raymond C. O'Neill; Surveyor of Timber & Measurer of Wood Bark: Henry Parlee; Measurers and Weighers of Grain, Hay, Coal and Livestock: Tom Wood, Ron Polack, Michelle Roche, Cindy McNiff & Peter Wormell.

**Board of Selectmen supports Article 1.**

## ARTICLE 2 Board of Selectmen Annual Report

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

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to accept all printed reports of Town Officers and Committees as published in the 2015 Annual Town Report.

**Board of Selectmen supports Article 2.**

## 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

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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 Buxborough IMA: to allow the proceeds resulting from the provision of LCTV cable services to the Town of Buxborough 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

**[Article 3 is for annual approval of revolving funds, allowing the Town to raise revenues from a specific service and use those revenues without appropriation to support the service. Wages or salaries for full-time employees may be paid from the revolving fund only if the fund is also charged for all associated fringe benefits.]**

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote, in accordance with Chapter 44, section 53E½ of the General Laws, to authorize Fiscal Year 2017 Revolving Funds precisely as set forth in Article 3 as printed in the warrant.

**Finance Committee and Board of Selectmen support Article 3.**

**ARTICLE 4**  
**Finance Committee/Board of Selectmen**  
**FY 2017 Operating Budget**

To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury or transfer from the Enterprise and Trust Funds, such sums of money to defray the expenses of the various departments of the Town and to fix the salary and compensation of all elected officials for the Fiscal Year beginning July 1, 2016, or to take any other action in relation thereto.

[Article 4 is the FY 2017 recommended budget and financing plan reached by the Finance Committee, Board of Selectmen, and School Committee. As shown in the table on page 54 below, the total spending plan for FY 2017 is in balance at \$46,518,444.]

[On the Town side, the recommended operating budget represents an increase of \$369,822, or 5.44% over FY 2016, to fund Town departments. Staffing increases are limited to a Highway Engineer funded by reallocating existing engineering expense monies; additional hours for the Town Clerk and Veterans Agent; and an additional police patrol officer.

[The School's appropriation increases by \$750,000, or 4.35%. The School Committee plans to augment the \$18-million appropriated in this article with \$893,173 from so-called "circuitbreaker" and \$482,335 in "school choice" reserve funds to meet its spending plan.

[Employee/retiree benefit costs for Town and Schools increases by \$385,279, or 5.64%, due primarily to increases in group health insurance rates and retirement assessments.]

**Motion:** Moved and seconded by the Finance Committee that the Town vote to raise and appropriate the sum of \$38,561,277 and transfer from the funds specified herein the sum of \$1,158,521, for a total of \$39,719,798 to defray the expenses of the various departments of the Town as specified herein and to fix the salary and compensation of all elected officials for the Fiscal Year beginning July 1, 2016.

<i>Department</i>		<i>FY2015 Actual</i>	<i>FY2016 Budget</i>	<i>FY2017 Budget</i>
<b>114 MODERATOR</b>				
Expenses		<u>0</u>	<u>100</u>	<u>100</u>
<b>Total 114</b>		0	100	100
<b>122 SELECTMEN / TOWN ADMINISTRATOR</b>				
Personal Services		172,393	182,580	198,222
Expenses		11,869	11,870	11,870
MAGIC/MAPC Expense		<u>11,625</u>	<u>11,625</u>	<u>12,000</u>
<b>Total 122</b>		195,887	206,075	222,092
<b>131 FINANCE COMMITTEE</b>				
Personal Services		786	700	800
Expenses		<u>176</u>	<u>500</u>	<u>400</u>
<b>Total 131</b>		962	1,200	1,200
<b>132 RESERVE FUND</b>				
Expenses		<u>69,847</u>	<u>150,000</u>	<u>150,000</u>
<b>Total 132</b>		69,847	150,000	150,000
<b>135 FINANCE AND BUDGET</b>				
Personal Services		572,422	607,073	629,216
Expenses		38,651	39,020	40,625
Audit		<u>40,000</u>	<u>40,000</u>	<u>40,000</u>
<b>Total 135</b>		651,073	686,093	709,841

TOWN OF LITTLETON, MASSACHUSETTS

	<i>Department</i>	<i>FY2015 Actual</i>	<i>FY2016 Budget</i>	<i>FY2017 Budget</i>
<b>151</b>	<b>LEGAL</b>			
	Expenses	<u>215,408</u>	<u>250,000</u>	<u>250,000</u>
	<b>Total 151</b>	215,408	250,000	250,000
<b>155</b>	<b>INFORMATION SYSTEMS</b>			
	Personal Services	90,076	92,224	93,713
	Expenses	<u>198,341</u>	<u>198,402</u>	<u>289,290</u>
	<b>Total 155</b>	288,417	290,626	383,003
<b>161</b>	<b>TOWN CLERK</b>			
	Elected Salaries	56,235	59,605	71,639
	Personal Services	17,516	19,275	20,251
	Expenses	1,400	1,500	1,500
	Transfer In - Dog Tax Fund	<u>(2,200)</u>	<u>(2,200)</u>	<u>0</u>
	<b>Total 161</b>	72,951	78,180	93,390
<b>162</b>	<b>ELECTIONS &amp; REGISTRATIONS</b>			
	Expenses	<u>8,700</u>	<u>8,700</u>	<u>12,200</u>
	<b>Total 162</b>	8,700	8,700	12,200
<b>171</b>	<b>CONSERVATION COMMISSION</b>			
	Personal Services	18,910	35,752	29,172
	Expenses	958	1,000	1,000
	Transfer In - Wetland Fund	<u>(5,280)</u>	<u>(15,500)</u>	<u>(8,000)</u>
	<b>Total 171</b>	14,588	21,252	22,172
<b>175</b>	<b>PLANNING BOARD</b>			
	Personal Services	62,321	66,024	69,456
	Expenses	<u>1,175</u>	<u>1,175</u>	<u>1,175</u>
	<b>Total 175</b>	63,496	67,199	70,631
<b>176</b>	<b>APPEALS BOARD</b>			
	Personal Services	4,385	4,557	5,427
	Expenses	<u>710</u>	<u>1,000</u>	<u>1,000</u>
	<b>Total 176</b>	5,095	5,557	6,427
<b>191</b>	<b>BUILDING/FACILITY EXPENSE</b>			
	Personal Services	56,042	58,250	62,306
	Expenses	<u>376,964</u>	<u>375,000</u>	<u>420,000</u>
	<b>Total 191</b>	433,006	433,250	482,306
<b>193</b>	<b>GENERAL INSURANCE</b>			
	Expenses	<u>317,254</u>	<u>350,000</u>	<u>375,000</u>
	<b>Total 193</b>	317,254	350,000	375,000
<b>194</b>	<b>EMPLOYEE/RETIREE BENEFITS</b>			
	Expenses	5,132,561	5,982,032	6,150,011
	Other Post Employment Benefits Liability Fund	781,700	851,200	1,068,500
	Transfer In - Cable Studio Benefits	<u>(22,885)</u>	<u>(24,029)</u>	<u>(25,200)</u>
	<b>Total 194</b>	5,891,376	6,809,203	7,193,311
<b>196</b>	<b>TOWN REPORT / TOWN MEETING</b>			
	Expenses	<u>4,946</u>	<u>5,000</u>	<u>5,000</u>
	<b>Total 196</b>	4,946	5,000	5,000

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	<i>Department</i>	<i>FY2015 Actual</i>	<i>FY2016 Budget</i>	<i>FY2017 Budget</i>
<b>197</b>	<b>CABLE STUDIO</b>			
	Personal Services	85,650	131,068	136,315
	Expenses	18,718	26,850	34,225
	Transfer In - Cable Revolving	0	0	(65,000)
	Transfer In - Cable Access Fees	<u>(104,368)</u>	<u>(157,918)</u>	<u>(105,540)</u>
	<b>Total 197</b>	0	0	0
<b>210</b>	<b>POLICE / DISPATCH</b>			
	Personal Services	1,607,788	1,662,626	1,771,112
	Animal Control Expense			34,000
	Expenses	<u>121,722</u>	<u>116,421</u>	<u>116,421</u>
	<b>Total 210</b>	1,729,510	1,779,047	1,921,533
<b>220</b>	<b>FIRE / EMS DEPARTMENT</b>			
	Personal Services	924,404	1,016,928	1,041,606
	Expenses	114,017	114,588	114,588
	Transfer In -Ambulance Fees	<u>(287,000)</u>	<u>(300,000)</u>	<u>(300,000)</u>
	<b>Total 220</b>	751,421	831,516	856,194
<b>241</b>	<b>BUILDING DEPARTMENT</b>			
	Personal Services	106,759	190,542	218,703
	Expenses	5,060	5,060	5,060
	Transfer In - Inspectional Revolving	<u>(3,000)</u>	<u>(77,772)</u>	<u>(100,186)</u>
	<b>Total 241</b>	108,819	117,830	123,577
<b>300</b>	<b>SCHOOL DEPARTMENT</b>			
	Budget	16,700,000	17,250,000	18,000,000
	Transfer In - LH Zappy Trust	(200)	0	0
	Transfer In - Hildreth Trust	(6,000)	0	0
	Transfer In - Goldsmith Trust	(500)	0	0
	Transfer In - Johnson Trust	<u>(750)</u>	<u>0</u>	<u>0</u>
	<b>Total 300</b>	16,692,550	17,250,000	18,000,000
<b>301</b>	<b>TECHNICAL SCHOOL EXPENSE</b>			
	Expenses - Nashoba Tech	534,493	474,448	507,219
	Expenses – Minuteman Tech	<u>18,467</u>	<u>20,000</u>	<u>0</u>
	<b>Total 301</b>	552,960	494,448	507,219
<b>420</b>	<b>HIGHWAY DEPARTMENT</b>			
	Personal Services	692,957	796,238	879,017
	Expenses	345,158	383,203	383,203
	Streetlights	31,750	32,000	33,000
	Park Maintenance	9,450	9,700	10,000
	Wastewater/Stormwater	70,800	91,800	100,000
	B&M Crossing	2,807	2,808	2,808
	Gasoline	<u>111,470</u>	<u>125,000</u>	<u>125,000</u>
	<b>Total 420</b>	1,264,392	1,440,749	1,533,028
<b>422</b>	<b>ROADWAY REPAIRS</b>			
	Expenses	<u>688,509</u>	<u>695,394</u>	<u>633,100</u>
	<b>Total 422</b>	688,509	695,394	633,100



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<i>Department</i>		<i>FY2015 Actual</i>	<i>FY2016 Budget</i>	<i>FY2017 Budget</i>
<b>423 SNOW &amp; ICE</b>				
Personal Services		132,314	68,000	68,000
Expenses		<u>552,409</u>	<u>132,000</u>	<u>132,000</u>
<b>Total 423</b>		684,723	200,000	200,000
<b>491 CEMETERY DEPARTMENT</b>				
Personal Services		94,229	98,701	103,819
Expenses		17,989	17,800	17,800
Transfer In - Cemetery Trust		(13,000)	(13,000)	(13,000)
Transfer In - Sale of Cemetery Lots		(12,000)	(12,000)	(12,000)
Transfer In - Graves		<u>(18,897)</u>	<u>(18,897)</u>	<u>(18,897)</u>
<b>Total 491</b>		68,321	72,604	77,722
<b>510 HEALTH DEPARTMENT</b>				
Personal Services		20,269	20,506	24,424
Expenses		1,104	2,587	2,587
Assessment - Nashoba BOH		19,436	22,250	25,000
Assessment - Nashoba Nursing		8,700	8,700	9,500
Assessment - Eliot Clinic		3,780	3,780	4,000
Assessment - SANS Program		12,000	12,000	12,000
Animal Inspector		2,400	2,400	2,450
Transfer In - B. Sampson Trust		<u>(2,500)</u>	<u>(2,500)</u>	<u>0</u>
<b>Total 510</b>		65,189	69,723	79,961
<b>541 ELDER AND HUMAN SERVICES</b>				
Personal Services		101,399	112,986	116,748
Expenses		<u>13,590</u>	<u>13,921</u>	<u>13,921</u>
<b>Total 541</b>		114,989	126,907	130,669
<b>543 VETERANS SERVICES</b>				
Personal Services		5,000	5,000	7,500
Expenses		1,257	1,515	1,515
Veteran Benefits		<u>120,791</u>	<u>120,000</u>	<u>175,000</u>
<b>Total 543</b>		127,048	126,515	184,015
<b>610 REUBEN HOAR LIBRARY</b>				
Personal Services		392,309	431,694	448,820
Expenses		75,286	81,193	91,798
Merrimack Valley Assessment		32,242	33,854	34,596
Transfer In - Library Trust Fund		<u>(11,500)</u>	<u>(11,500)</u>	<u>(13,000)</u>
<b>Total 610</b>		488,337	535,241	562,214
<b>630 PARK AND RECREATION DEPT</b>				
Recreation Enterprise Subsidy		<u>144,000</u>	<u>107,323</u>	<u>113,226</u>
<b>Total 630</b>		144,000	107,323	113,226
<b>690 OTHER CULTURE &amp; RECREATION</b>				
Historical		526	700	700
Memorial Day		725	500	750
Patriot's Day		<u>50</u>	<u>50</u>	<u>50</u>

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<i>Department</i>	<i>FY2015 Actual</i>	<i>FY2016 Budget</i>	<i>FY2017 Budget</i>
<b>Total 690</b>	1,301	1,250	1,500
<b>700 DEBT</b>			
<b>710 LONG TERM DEBT</b>	3,461,993	3,309,482	3,119,897
<b>720 SHORT TERM DEBT</b>	691,063	635,270	1,038,447
Transfer In - Self Help Grant	(17,000)	(17,000)	(17,000)
Transfer In - Wastewater Settlement	(17,274)	(17,274)	(17,274)
Transfer In - Oak Hill Cell Tower	(35,269)	(34,269)	(33,269)
Transfer In - Newtown Hill Cell Tower	(41,048)	(39,848)	(38,648)
Transfer In - Bond Premium	(58,120)	(54,067)	(49,600)
Transfer In - Community Preservation	(127,315)	(119,608)	(194,823)
Transfer In - Light Department	<u>(161,957)</u>	<u>(154,530)</u>	<u>(147,084)</u>
<b>Total 700</b>	3,695,073	3,508,156	3,660,646

**FUNDING SUMMARY**

Net Budgets	36,358,211	37,791,050	39,719,798
Transfers In	<u>(948,063)</u>	<u>(1,071,912)</u>	<u>(1,158,521)</u>
Total Appropriated Budgets	35,410,148	36,719,138	38,561,277

**Finance Committee, Board of Selectmen, and School Committee support Article 4.**

**ARTICLE 5**

**Board of Water Commissioners**

**FY 2017 Water Enterprise Fund Operating Budget**

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.

<b>I. Water Enterprise Revenues</b>	<b>FY 2016</b>	<b>FY 2017</b>
User Charges	\$3,003,000	\$2,850,000
Enterprise Available Funds	100,000	200,000
Investment Income	0	0
<b>Total Revenues</b>	<b><u>\$3,103,000</u></b>	<b><u>\$3,050,000</u></b>
<b>II. Costs Appropriated for the Enterprise Fund</b>		
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
<b>Total Costs Appropriated for Enterprise Fund</b>	<b><u>\$3,103,000</u></b>	<b><u>\$3,050,000</u></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><u>0</u></b>	<b><u>0</u></b>
<b>Total Costs</b>	<b><u>\$3,103,000</u></b>	<b><u>\$3,050,000</u></b>

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[Article 5 funds the water enterprise fund for FY 2017. The Water Department's budget request is a decrease from FY 2016. The budget reflects recent water rate increases adopted by the Board of Water Commissioners to be able to fund debt service on capital projects, including improvements to Beaver Brook Well #2 (\$3.75-million). There is no General Fund subsidy for the Water Enterprise Fund, which is fully funded by water revenues.]

**Motion:** Moved and seconded by the Board of Water Commissioners that the Town vote to approve Article 5 as printed in the warrant.

**Finance Committee, Board of Water Commissioners, and Board of Selectmen support Article 5.**

<b>ARTICLE 6</b>
<b>Park &amp; Recreation Commission</b>
<b>FY 2017 Park, Recreation &amp; Community Education Enterprise Fund Operating Budget</b>

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 6 funds the FY 2017 enterprise fund for the Park, Recreation & Community Education Department. Prior to FY 2016, PRCE had been funded both by an annual operating budget and by a series of separate revolving funds. All fees generated by PRCE are now retained by its enterprise fund, with the balance certified annually by the state's Department of Revenue. The general fund subsidy for PRCE is \$113,226 for FY 2017.]

**Motion:** Moved and seconded by the Park & Recreation Commission that the Town vote to approve Article 6 as printed in the warrant.

**Finance Committee, Park & Recreation Commission, and Board of Selectmen support Article 6.**

**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.

**[This funds the purchase of two Ford Interceptor marked cruisers Sedans or SUVs to replace 2 Line cars from the fleet. These cruisers are the front line response vehicles for the community.]**

- 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.

**[This funds the contract for maintenance of all public safety radios and outlying infrastructure, equipment worth more than one million dollars.]**

- C. Police Vehicle Maintenance -\$6,500 to be expended by the Police Department for tire replacement and equipment maintenance of its fleet of vehicles.

**[This funds purchase of some fifty pursuit-rated tires for the Police Department's fleet.]**

- 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.

**[This funds purchase a Ford F-250 pickup truck with plow to replace a 16-year-old Chevrolet with an unsafe frame. The pick-up is utilized for station lot snow clearance, for equipment transport, deployment of the speed trailer, and for use in emergency.]**

**II. FIRE DEPARTMENT**

- A. Fire Major Equipment Repair -\$15,000 to be expended by the Fire Department for major equipment repairs and upkeep.

**[This allows the Fire Department to maintain all of the vehicles in the fleet to include regular vehicle maintenance as well as significant repairs.]**

- B. Protective Clothing Replacement - \$12,000 to be expended by the Fire Department for establishment of an annual replacement program for turnout gear.

**[This allows the Fire Department to maintain an annual program to ensure that the firefighting clothing is compliant and safe for the membership to wear. The National Fire Protection Agency now mandates that all protective firefighting clothing be replaced after 10 years of service.]**

- 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.

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**[This replaces a vehicle a free military surplus style truck that would be outfitted with a skid pump/tank, LED emergency lights, paint and markings and mobile radios. This is a cost effective replacement that would be rugged enough to be used year round.]**

- 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.

**[This funds the local share of a federal grant the Fire Department has applied for to replace self-contained breathing apparatus (SCBA) that is three, NFPA standards old with new, compliant SCBA.]**

- 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.

**[This project sets aside Public/Education/Government (PEG) access funds from cable subscribers for future purchases of equipment to outfit the new fire facility for LCTV broadcasts.]**

### **III. HIGHWAY DEPARTMENT**

- A. Highway Major Equipment Repair - \$18,000 to be expended by the Highway Department for major equipment repairs and upkeep.

**[This funds Highway Department unforeseen repair expenses for large truck/equipment transmission repairs or replacement, engine repairs, repairs to suspensions, drive lines, major tire replacements on equipment such as loaders, backhoes, trucks and tractors.]**

- B. Sidewalk Plow - \$158,175 to be expended by the Highway Department to Replace a 2002 Trackless MT5 Sidewalk Plow #8.

**[This funds the replacement for a 2002 Trackless brand Municipal tractor. This machine is primarily used to plow and snow blow sidewalks throughout town. This machine is considered a year round machine and has an asphalt milling attachment used for pavement repairs during the road construction seasons.]**

- C. Bobcat Skid Steer Loader - \$60,000 to be expended by the Highway Department to Replace a 1999 Bobcat 763H #16.

**[This funds the replacement of a 1999 Bobcat brand steer loader. This machine is used to sweep sidewalks, plow snow, work on road construction projects. The machine can be outfitted with various attachments to do many other work projects as well. This machine is used year round.]**

- D. Trailer Refurbishment - \$6,500 to be expended by the Highway Department to refurbish a 1996 Trail King Equipment Trailer.

**[This funds the refurbishment of a 1996 Trail King brand tag along equipment trailer. The trailer is primary used to transport products to our job sites. The refurbishment will**

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**be done in house and will include new wood deck replacement, new tires, brakes, lights, rust repair and painting.]**

- 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.

**[This funds the purchase of a refurbished fork lift to used in Highway Department operations such as moving plows, accepting palletized deliveries, loading and loading vehicles, vehicle repairs and etc. ]**

#### **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.

**[This funds the third and final lease payment for teacher laptops.]**

- 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.

**[These projects would install proximity type card readers, similar to what is currently at the Russell Street and Middle School buildings, on certain exterior doors of the High School and Shaker Lane Schools allowing for greater security, card access for teacher and staff. It will help eliminate duplicate keys circulating and better control building access. This was recommended from the Nashoba Security, Inc. Safety and Security Audit, and is supported by the School Safety & Security Council.]**

- 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.

**[The boys locker room at the High School has been without sufficient locker storage space for a number of years. The current lockers are old, and show significant signs of failure, doors not working, rust, lack of ventilation, lockers too small for storage needs. The new lockers would replace the current lockers, as well as add additional lockers to support the needs of students using the locker room during games and events, as well as allow players to have larger storage spaces to protect personnel items.]**

- E. MacBook Air Replacements - \$40,000 to be expended by the School Committee in MacBook Air replacements and additions.

**[This replaces laptop computers for teachers that that were distributed 6 years ago and are reaching end of life. It allows teaching staff to stay current on technology.]**

- F. School Technology Equipment replacement - \$25,000 to be expended by the School Committee for replacements of miscellaneous technology equipment and Chromebooks.

**[This funds replacement of broken technology equipment, projectors, televisions, Chromebooks, and other technology items as well as provide additional technology equipment in educational spaces in all four schools.]**

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- G. School Resource Materials - \$150,000 to be expended by the School Committee for School Resource Materials, textbooks and training.

**[This funds the purchase of curricular department materials at Middle School and Elementary levels. Programs for Middle School ELA materials, Middle School digital Science textbooks and materials, and elementary level Social Studies Materials and curriculum programs. Also includes PD staff training for new curriculum programs, online textbooks and license fees.]**

- H. High School KIVA room - \$40,000 to be expended by the School Committee for KIVA room to increase capacity from 40 to 70.

**[This updates the High School KIVA seminar room with updated and functioning theater type seating. This project would increase capacity from 40 to 70 seats with integrated folding desks enabling greater use and flexibility of that room both for school and community use groups. It would also replace the existing carpet during construction when old seating has been removed and before new seating is installed.]**

**V. CEMETERY**

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

**[This funds the replacement of the existing backhoe used in the Cemetery operations, to include the opening of graves, which is at the end of its useful life.]**

**VI. LIBRARY**

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

**[This funds replacement shelving systems, staff furniture, and patron study tables and seating for the Reuben Hoar Library.]**

**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.

**[This upgrades the PRCE registration system, which has not been updated since 2008. The update would foster compliance with current banking regulation by purchasing a EMV chip reader, would greatly increase the online registration usage and make it user-friendly for PRCE patrons, would help maintain the finances of the department by improving the reporting capabilities and updating the staff training would make better use of this very useful system that we have not been using to it best capabilities.]**

- B. Recreation Major Equipment and Repairs - \$50,000 to be expended by the Park & Recreation Commission for major equipment/facility repair and maintenance.

**[This funds ongoing maintenance to parks and facilities on parks land. These funds would ensure the completion of scheduled and more importantly unscheduled maintenance for all of the areas listed. Also, as safety and ADA standards change and improve and the population of the town increases the needs and policy compliance of**

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**the Parks and the facilities in them will also grow. These funds would allow PRCE to be proactive in response to this growth. ]**

- C. Alumni Field Maintenance and Repairs - \$10,000 to be expended by the Recreation Commission for facility repair and maintenance specific to Alumni Field.

**[These funds will go towards creating a thorough maintenance plan for Alumni Field, this may include purchasing equipment and materials, and also to correct and prevent safety concerns that are associate with the facility.]**

**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

**[A working group comprised of representatives of the Permanent Municipal Building Committee, Board of Selectmen, School Committee, and Finance Committee--brought forward this list of recommended facility projects to address life safety, code compliance, building envelope, building systems, IT/security building infrastructure, interior finishes, and building site/grounds issues.]**

- 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.

**[This implements requirements of the Town's forthcoming MS4 (municipal stormwater) permit from the U.S. Environmental Protection Agency. Year One projects include outfall/ interconnection inventory & dry weather screening (\$48,000), drainage system mapping (\$30,000); written Illicit Discharge Detection and Elimination (IDDE) program, including delineation and prioritization of catchments (\$20,000); and public information and outreach. The Clean Lakes Committee is recommending \$300,000 in Spectacle Pond cell tower funds be made available for project MS4 implementation costs over the next three years-- \$100,000 per year. This use of cell tower funds would help to ensure that project costs are not borne by property taxes or new user fees.]**

- 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.

**[The total project cost of \$325,000 for removal and replacement of the Castle In The Trees playground includes a \$100,000 appropriation from the state legislature, \$75,000 in donation of in-kind services, \$50,000 in private donations, and this \$100,000 Town appropriation.]**



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**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to raise and appropriate \$1,305,271, transfer \$114,000 from the funds named herein and transfer from the Undesignated Fund Balance the sum of \$343,192, for a total of \$1,762,463, for capital projects and purchases itemized and described in Article 7 as printed in the warrant.

**Finance Committee, Board of Selectmen, and School Committee support Article 7.**

**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.

<b>Appropriations</b>	<b>TOTAL</b>	<i>From</i> <b>Open Space</b>	<b>Historic</b>	<b>Housing</b>	<b>Admin</b>	<b>Undesignated</b>
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
<b>Reserves</b>						
Reserves sub-total	0	0	0	0	0	0
<b>Summary</b>						
Appropriations	315,323	24,221	35,551	86,000	5,000	164,551
Reserves	0	0	0	0	0	0
<b>TOTAL</b>	<b>315,323</b>	<b>24,221</b>	<b>35,551</b>	<b>86,000</b>	<b>\$5,000</b>	<b>164,551</b>

**[Article 8 contains the recommendations of the Community Preservation Committee to apportion Community Preservation Act funds for open space, historic preservation, and community housing, including debt service for previously approved projects.]**

**Motion:** Moved and seconded by the Community Preservation Committee that the Town vote to approve the appropriations and reserves itemized and described in Article 8 as printed in the warrant.  
**Community Preservation Committee, Finance Committee, and Board of Selectmen support Article 8.**

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**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
<b>Employees</b>									
<b>1</b>	<i>hourly</i>	\$14.05	\$14.54	\$15.05	\$15.58	\$16.12	\$16.68	\$17.26	\$17.86
	<i>annual</i>	\$29,336.40	\$30,359.52	\$31,424.40	\$32,531.04	\$33,658.56	\$34,827.84	\$36,038.88	\$37,291.68
<b>2</b>	<i>hourly</i>	15.03	15.57	16.11	16.67	17.25	17.85	18.48	19.13
	<i>annual</i>	31,382.64	32,510.16	33,637.68	34,806.96	36,018.00	37,270.80	38,586.24	39,943.44
<b>3</b>	<i>hourly</i>	16.09	16.65	17.23	17.83	18.45	19.10	19.77	20.46
	<i>annual</i>	33,595.92	34,765.20	35,976.24	37,229.04	38,523.60	39,880.80	41,279.76	42,720.48
<b>4</b>	<i>hourly</i>	17.21	17.81	18.43	19.08	19.75	20.43	21.15	21.89
	<i>annual</i>	35,934.48	37,187.28	38,481.84	39,839.04	41,238.00	42,657.84	44,161.20	45,706.32
<b>5</b>	<i>hourly</i>	18.41	19.06	19.73	20.41	21.13	21.87	22.64	23.43
	<i>annual</i>	38,440.08	39,797.28	41,196.24	42,616.08	44,119.44	45,664.56	47,272.32	48,921.84
<b>6</b>	<i>hourly</i>	19.71	20.39	21.11	21.85	22.61	23.41	24.24	25.08
	<i>annual</i>	41,154.48	42,574.32	44,077.68	45,622.80	47,209.68	48,880.08	50,613.12	52,367.04
<b>7</b>	<i>hourly</i>	21.09	21.83	22.58	23.38	24.20	25.04	25.92	26.83
	<i>annual</i>	44,035.92	45,581.04	47,147.04	48,817.44	50,529.60	52,283.52	54,120.96	56,021.04
<b>8</b>	<i>hourly</i>	22.56	23.36	24.17	25.02	25.90	26.81	27.73	28.70
	<i>annual</i>	47,105.28	48,775.68	50,466.96	52,241.76	54,079.20	55,979.28	57,900.24	59,925.60
<b>9</b>	<i>hourly</i>	24.27	25.11	25.99	26.90	27.84	28.80	29.81	30.86
	<i>annual</i>	50,675.76	52,429.68	54,267.12	56,167.20	58,129.92	60,134.40	62,243.28	64,435.68
<b>10</b>	<i>hourly</i>	26.68	27.62	28.59	29.59	30.63	31.70	32.81	33.96
	<i>annual</i>	55,707.84	57,670.56	59,695.92	61,783.92	63,955.44	66,189.60	68,507.28	70,908.48
<b>11</b>	<i>hourly</i>	29.89	30.94	32.03	33.15	34.31	35.51	36.75	38.04
	<i>annual</i>	62,410.32	64,602.72	66,878.64	69,217.20	71,639.28	74,144.88	76,734.00	79,427.52
<b>Senior Management</b>									
<b>12</b>	<i>hourly</i>	35.27	36.51	37.79	39.11	40.48	41.90	43.36	44.88
	<i>annual</i>	73,643.76	76,232.88	78,905.52	81,661.68	84,522.24	87,487.20	90,535.68	93,709.44
<b>13</b>	<i>hourly</i>	41.62	43.07	44.58	46.14	47.76	49.43	51.15	52.95
	<i>annual</i>	86,902.56	89,930.16	93,083.04	96,340.32	99,722.88	103,209.84	106,801.20	110,559.60
<b>14</b>	<i>hourly</i>	46.61	48.25	49.93	51.67	53.49	55.36	57.29	59.30
	<i>annual</i>	97,321.68	100,746.00	104,253.84	107,886.96	111,687.12	115,591.68	119,621.52	123,818.40
<b>15</b>	<i>hourly</i>	52.20	54.04	55.94	57.89	59.91	62.02	64.19	66.44
	<i>annual</i>	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

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**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  
[Special Events and Aquatic 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

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**Schedule B-1, Other Employees**

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

**[Grade 1**  
[COA Dispatcher

**Grade 2**  
COA Van Driver]

**Schedule B-2, Temporary/Seasonal Employees**

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

**[Grade 1**  
[No positions assigned

**Grade 3**  
No positions assigned

**[Grade 2**  
[Seasonal Highway Laborer

**Grade 4**  
Seasonal Truck Driver/Laborer]

[Step increases on Schedule B-2 will be awarded on the basis of performance as determined by the Department Head.]

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

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

[On-Call Stipend \$4.00/hour

**[Grade 1**  
[Probationary Firefighter or EMT

**[Grade 2**  
[No positions assigned

**[Grade 3**  
[On-Call Firefighter

[On-Call EMT

**[Grade 4**  
[Firefighter/EMT

**[Grade 5**  
[No positions assigned

**Grade 6**  
No positions assigned

**Grade 7**  
Firefighter/EMT (Firefighter I/II or advanced EMT certification)

**Grade 8**  
Lieutenant

**Grade 9**  
Captain

**Grade 10**  
Deputy Chief]

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[Step increases on Schedule D will be awarded on the basis of performance as determined by the Fire Chief.]

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

**GRADE 1**

Program Aide I  
Camp Junior Counselor  
Snack Hut Attendee

**GRADE 2**

Program Aide II  
Lifeguard I  
Junior Sailing Instructor  
Maintenance Technician

**GRADE 3**

Camp Senior Counselor

**GRADE 4**

Intern

Junior Guard Coordinator  
Snack Hut Manager

**GRADE 5**

Aftercare Coordinator  
Camp Lead II  
Lifeguard II/WSI  
Sailing Instructor

**GRADE 6**

Camp Lead II  
Program Coordinator

**GRADE 7**

Camp Specialists

**GRADE 8**

Head Lifeguard  
Camp Assistant Director  
Sailing Coordinator

**GRADE 9**

Seasonal Programs Instructor

**GRADE 10**

Special Course Coordinator

**GRADE 11**

Preschool Instructor

**GRADE 12**

Camp Director

**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 9 amends the classification and compensation plans for non-union Town employees by applying a two-percent salary schedule adjustment in FY 2017 (to match**

the schedule adjustment for union employees), and by implementing the new state minimum wage of \$10.00 for affected positions.]

**Motion:** Moved and seconded by the Personnel Board that the Town vote to approve Article 9 as printed in the Town Meeting Report.

**Personnel Board, Finance Committee, and Board of Selectmen support Article 9.**

**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.

[The Town's adopted financial management policy requires that 5% of the operating budget be maintained in the Stabilization Fund. To do so, \$101,265 needs to be added to that fund, bringing its total to \$2,055,093. The Town's AAA bond rating is based in part on maintaining a healthy balance in this and other reserve accounts, as well as for adhering to its financial policies.]

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to transfer from the Undesignated Fund Balance the sum of \$101,265 for Article 10 as printed in the warrant.

**Finance Committee and Board of Selectmen support Article 10.**

**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.

[The Town's adopted financial management policy requires that an amount equal to at least 1% of the total General Fund capital plan (this year, \$25,720) be appropriated annually into the Capital Stabilization fund. This article adds \$2,536,176, which would increase the fund balance from \$392,450 to \$2,928,626. Withdrawals can be made for capital purchases which comply with the capital / facility maintenance section of the financial policy.]

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to transfer from the Undesignated Fund Balance the sum of \$2,536,176 for Article 11 as printed in the warrant.

**Finance Committee and Board of Selectmen support Article 11.**

**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 12 would establish a debt exclusion stabilization fund, in accordance with the Town's Financial Management Policy, to defray the costs of principal and interest payments on capital projects authorized by a debt exclusion ballot question. Since excluded debt costs can be added to a property tax bill beyond the limits of Proposition 2 ½, defraying those costs by use of this stabilization fund would reduce the cost of debt passed onto property taxpayers.]**

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote 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.

**Finance Committee and Board of Selectmen support Article 12.**

**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.

**[The Town has established programs under which local property owners over the age of 60, and qualifying veterans, provide services to the Town in exchange for a reduction on the amount paid on their property tax. This year, the senior citizens program has 105 participants; the veterans program, 16.]**

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to approve Article 13 as printed in the warrant.

**Finance Committee, Board of Selectmen, and Council on Aging support Article 13.**

**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.

**[Article 14 is an annual appropriation of state funds to reimburse for qualifying Town road improvements, which Littleton uses to help pay for the ten-year roadway improvement**

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program. For FY 2017, Littleton will receive \$395,107 in Chapter 90 funds from a \$200-million statewide bond issue. In FY 2016, Littleton received \$391,238 from a similar bond issue.]

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to appropriate funds available in the amount of \$395,107 for authorized road improvements and other projects provided for under Chapter 90 of the General Laws.

**Finance Committee and Board of Selectmen support Article 14.**

**[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:

<i>Site Name</i>	<i>Assessors Map</i>	<i>Account/Purpose</i>	<i>Prior Town Meeting votes</i>
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 ó 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 15 has been withdrawn by the Board of Water Commissioners. No action will be taken at town meeting.]**

**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:



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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 16 adds two lots to the Town's Tax Title Abutter Sales Program, which offers unbuildable lots less than 4,800 square feet to be sold to direct abutters of the parcels.]**

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to approve Article 16 as printed in the warrant.

**Finance Committee and Board of Selectmen support Article 16.**

**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.

**[Article 17 authorizes easements for road maintenance and drainage purposes, in connection with the reconstruction of Nagog Hill Road.]**

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to authorize the Board of Selectmen to acquire easements and/or rights in land on the following described parcels by purchase, gift or eminent domain, for the purposes of making certain roadway improvements on Nagog Hill Road, including drainage and maintenance, as shown as (1) "Proposed Permanent Easement for Drainage Purposes Area = 605 Sq. Ft.", (2) "Proposed Permanent Easement for Maintenance Purposes Area = 190 Sq. Ft.", and (3) "Proposed Permanent Easement for Maintenance Purposes Area = 536 Sq. Ft." on a certain plan of land entitled "Permanent Easement – Nagog Hill Road – Littleton, Massachusetts", prepared by Green International Affiliates, Inc., dated March 22, 2016.

**Board of Selectmen supports Article 17.**

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

**ARTICLE 18<sup>2</sup>**  
**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

<sup>2</sup> See proposed procedure on page 7 for taking up STM Art. 4-D and ATM Art. 18, one after the other.  
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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 18 is a voter-petitioned article which seeks to impose on Town-owned property a three-year moratorium on certain synthetic turf athletic fields.**

**[Petitioner's Explanation:** Crumb rubber and lead chromate colorants used in synthetic turf contain known carcinogens and endocrine disruptors raising concerns regarding its health effects especially in young children. Further, the Environmental Protection Agency (EPA) has withdrawn support for synthetic turf and the Consumer Product Safety Commission (CPSC) has not rated synthetic turf or crumb rubber as a child-safe product. The Mt. Sinai Children's Environmental Health Center (CEHC) calls for a moratorium on synthetic turf due to inadequate study. This three-year moratorium will prevent installations of synthetic turf and allow results of ongoing research on synthetic turf including that currently being conducted by the EPA/CPSC and Centers for Disease Control (CDC) as well as the States of California and Washington to be considered. The minimum expected timeline for the results from all of these studies is three years. The proposed moratorium does not include the sealed surfaces currently in use on running tracks or children's playgrounds; it would not apply to privately owned land.]

**Motion:** Moved and seconded by the petitioner that the Town vote to approve Article 18 as printed in the warrant.

**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 19 proposes to delete from references to swimming pool fences from the Town's General By-laws, since that subject matter is now covered fully by the state building code.]**

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to approve Article 19 as printed in the warrant.

**Board of Selectmen and Zoning Board of Appeals support Article 19.**

**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

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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

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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.

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[Article 20 adopts a by-law prohibiting any discharges to the Town's storm drain system other than stormwater (runoff from precipitation), with certain exceptions (such as discharge of uncontaminated groundwater from sump pumps or footing drains). Adoption of this prohibition is required by the federal permit that allows the Town to discharge stormwater from its roads and drainage systems into local water bodies. The by-law will protect both the Town's drainage infrastructure and the water quality of local rivers, streams and lakes. It will be enforced by the Highway Department and the Board of Health. Article 20 also adds this proposed by-law to the list of Town by-laws that can be enforced by a ticketing process that imposes fines of up to \$300.]

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to approve Article 20 as printed in the warrant.

**Board of Selectmen, Planning Board, Board of Health, Conservation Commission, and Clean Lakes Committee support Article 20.**

**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

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- 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.



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- 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 (õBoardõ) 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:

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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.

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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);

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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

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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)

## TOWN OF LITTLETON, MASSACHUSETTS

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.

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[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 21 adopts a by-law requiring a Stormwater Permit from the Planning Board for any construction activity that results in a land disturbance of one acre or more, or is part of a common plan of development or sale that eventually will disturb one acre or more. This permitting program is required by the federal permit that allows the Town to discharge stormwater from its roads and drainage systems into local water bodies. A Stormwater Permit will require preparation of a Stormwater Management Plan, an Erosion and Sedimentation Control Plan, and an Operation and Maintenance Plan. The by-law will protect the water quality of local rivers, streams and lakes and will help prevent flooding. Article 21 also adds this proposed by-law to the list of Town by-laws that can be enforced by a ticketing process that imposes fines of up to \$300.]**

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to approve Article 21 as printed in the warrant.

**Board of Selectmen, Planning Board, Board of Health, Conservation Commission, and Clean Lakes Committee support Article 21.**

**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.



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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.

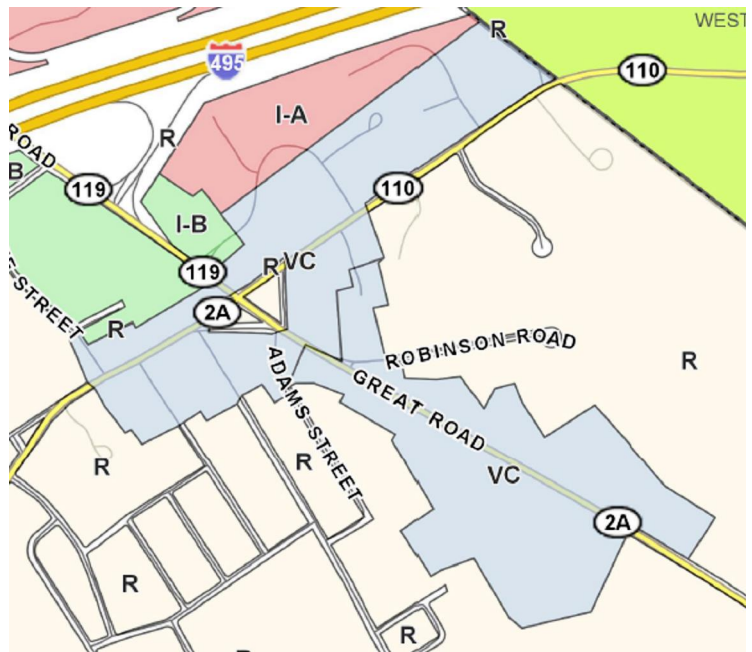
SECTION 6. Notwithstanding the foregoing, this Act shall not prohibit the licensing authority of the Town of Littleton from modifying, suspending, revoking, or cancelling a license issued pursuant to this Act as permitted in Chapter 138 of the General Laws.

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

[Article 22 proposes to submit a home rule petition for special state legislation allowing the Littleton Board of Selectmen to issue two additional all alcohol package store licenses beyond the statutory quota of two, for establishments located in the Littleton Common area—i.e., the Littleton Village Common (VC) District area, a/k/a Area A.]

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to approve Article 22 as printed in the warrant.

**Board of Selectmen supports Article 22.**



**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 23 allows the Town to borrow in anticipation of revenues and/or to issue short-term notes to meet its cash flow needs.]

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to approve Article 23 as printed in the warrant.

**Finance Committee and Board of Selectmen support Article 23.**

**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.

[This article authorizes the Treasurer to enter into agreements between the depositor (Town) and a bank in which the depositor agrees to maintain a specified level of non-interest bearing deposits in return for which the bank agrees to perform certain services for the depositor.]

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to approve Article 24 as printed in the warrant.

**Finance Committee and Board of Selectmen support Article 24.**

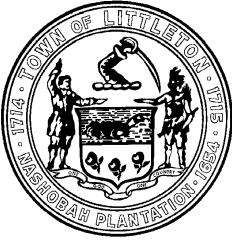
**ARTICLE 25**  
**Board of Selectmen**  
**FY 2017 Personal Exemption Amounts**

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.

[Article 25 permits the Town to grant an additional 50% in property tax exemptions to qualifying elderly, disabled veterans, and blind persons. The Town first so voted in 2001, and annual votes of town meeting are required to continue the practice.]

**Motion:** Moved and seconded by the Board of Selectmen that the Town vote to approve Article 25 as printed in the warrant.

**Finance Committee and Board of Selectmen support Article 25.**



## Finance Committee Report

*To the residents of Littleton:*

For the Fiscal Year 2017, the Littleton Finance Committee (Fincom) recommends Article 4 in the amount of \$39,719,798, representing an increase in total operating budget expenditures of \$2,051,495 from the FY 2016 level, inclusive of School reserve spending. The FinCom also supports a variety of warrant articles proposed by the Selectmen and other departments, as detailed elsewhere in this document. The process for developing the FY 2017 annual budget for the Town of Littleton has been one of cooperation between the Finance Committee, the Board of Selectmen, and the School Committee, as well as the various departments and elected officials. We believe that these fiscal recommendations reflect a balanced, prudent approach to providing the services of town government for its residents with respect for both the needs of the citizens and the interests of the taxpayers.

The budget proposal before the town of Littleton for FY 2017 reflects those priorities put forward by the Board of Selectmen, and the School Committee, and other departments, with specific highlights including:

É Level-staffing budgets for all municipal departments with the following exceptions noted:

- 1) Highway Engineer position ó New FTE (full-time equivalent), will be budget-neutral as the \$70,000 salary expense will be transferred from the Roadway Budget
- 2) Town Clerk ó additional \$8,949 annually for the addition of 5 hours (from 35 to 40) per week to allow for additional office hours
- 3) Veteranø Agent ó stipend increase of \$2500 annually (from \$5000 to \$7500) to cover additional 3 hours per week
- 4) Police Patrol Officeró to add an additional \$35,205 in salaries to fund one (1) FTE increase in Police patrol officers

É A \$750,000 increase in the Town Meeting appropriation funding for the School Department (\$550,000 last year), including 2 additional teachers, plus an additional \$100,000 in capital (\$850,000 total increase) to cover capital-qualified items that were originally in the School Departmentø operating budget (technology, textbooks, and resource materials).

É \$2,536,176 from the accumulated Undesignated Fund Balance to be deposited in the capital stabilization fund, bringing that total to \$2,928,626. There are no specified earmarks for these funds ó there are many potential capital projects (fire station, athletic fields, library, roads, land purchases, etc.) in the offing where this money could be applied. Appropriating this money for a specific capital project will require a 2/3<sup>rd</sup>s vote at Town Meeting.

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- É Additional installment allocation of \$100,000 for Castle in the Trees Playground update, to compliment the \$100,000 in state funding awarded along with an estimated \$75,000 in donated services as well as fundraising efforts.
- É Continued support of \$50,000 additional funding (capital) for the Parks, Recreation and Continuing Education Department, to be used for major equipment/facility repair and maintenance, in recognition of their mission to offer programs for the entire community (beach, playgrounds, Halloween parade, e.g.) and not just self-funded athletics, courses, and camps.
- É \$484,434 from mitigation and Conservation Land Acquisition Funds (cell tower funds) to be deposited into the adopted Blended Community Preservation Act Fund for the purpose of obtaining state matching.
- É Budget and all warrant articles are funded entirely through appropriation from the general levy and other revenue sources (as well as financed borrowing), without any requested general tax override, or debt or capital exclusions.

The Finance Committee conducted the FY2017 budget process continuing the process we've used for the past couple years, fine-tuning and progressing toward more efficiency, transparency, and effectiveness. If additional detailed information on town finances is sought please contact the Finance Committee or the town Finance Department office.

The Financial Policies and Procedures working group, with members from the Finance Committee, Board of Selectmen, School Committee and the town Finance Department, continued the work of formalizing the town's financial policies and procedures. It is important to document and institutionalize the consistent practices that have stabilized the town's financial position since first adopted in 2007, to provide more transparency on how the town operates from a financial perspective, and to then demonstrate our responsibility to outside groups like the bond agencies by following our written policies.

The key change this year was to the section on Undesignated Fund Balance (Free Cash), in particular increasing the percentage amounts of the UFB that can be put into the stabilization funds. This allows for years where there is an unusually high amount of UFB, for that money to be put aside for foreseen future capital needs.

While we will now have close to \$3-million in the Capital Stabilization Fund, the Finance Committee believes that for large capital projects, in accordance with town's Financial Policies, debt exclusions should still be utilized, ensuring broader awareness and affirmation from the citizens and providing flexibility for maintaining required services and upkeep. Different scenarios could play out where the debt exclusion is passed and the capital stabilization is then used to pay for the project instead of borrowing, or part could be paid for with the stabilization funds allowing for a lower borrowing requirement across multiple projects.

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In 2014 the bond rating agency Standard and Poor's recognized Littleton's good management practices and sound financial policies last year with a AAA bond rating, the highest attainable. This remarkable jump of two ratings levels, which may save the town millions of dollars in borrowing costs due to our new access to advantageous lower interest rates, was directly related by Standard and Poor to the town's policy-driven approach to municipal finances. But even in this glowing report, the threat from future OPEB costs was cited as an area of concern. The Finance Committee again strongly urges that the town's elected officials pro-actively stay ahead of this looming problem by providing additional funding for OPEB in a balanced way with competing capital projects for those same funds.

This year the town has seen real growth in revenues due to the increased commercial and residential building. That meant a different set of challenges regarding the budget, since there were some additional funds available beyond level staffing across all departments, but then choices have to be made of where increased staffing can and should happen. Staffing levels have to continue to be the key focus of operating budget discussions since the contractual expenses associated with each employee, including wages, current benefits, and pension and post employment benefits for health care, will continue to rise.

*Respectfully submitted,*

Littleton Finance Committee

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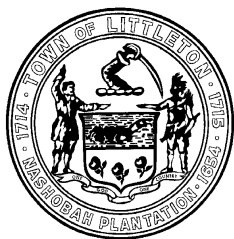
## FY 2017 Budget Summary

	<i>FY 2017</i>	<i>FY 2016</i>	<i>\$ Variance</i>	<i>% Variance</i>
<b><u>Revenue</u></b>				
Levy Limit	\$34,113,840	\$32,347,189	1,766,651	5.46%
Other Funds				
Undesignated Fund Balance	3,770,226	997,976	2,772,250	277.79%
Cherry Sheets - Town State Aid	802,807	75,875	26,932	3.47%
Cherry Sheets - School State Aid	4,352,471	4,247,220	105,251	2.48%
School Dept Reserves	1,375,508	1,252,761	122,747	9.80%
Old Articles/Overlay Surplus & Other	-	-	-	-
Other Available Funds	1,826,884	1,626,514	200,370	12.32%
Local Receipts	3,267,232	3,085,377	181,855	5.89%
Total Other Funds	15,395,128	11,985,723	3,330,405	28.45%
<b>Total Revenue/Available Funds</b>	<b>\$49,508,968</b>	<b>\$44,332,912</b>	<b>\$5,176,056</b>	<b>11.68%</b>
<b><u>Expenses</u></b>				
Town Operating Budgets	7,165,815	6,795,993	369,822	5.44%
School Appropriation	18,000,000	17,250,000	750,000	4.35%
School Reserve Spending	1,375,508	1,252,761	122,747	9.80%
Technical School Assessments	507,219	494,448	12,771	2.58%
Other Charges, Facilities & Infrastructure	2,669,909	2,472,625	197,284	7.98%
Debt Service	4,158,343	3,944,751	213,592	5.41%
Employee/Retiree Benefits	7,218,511	6,833,232	385,279	5.64%
Total Operating Budget	41,095,305	39,043,810	2,051,495	5.25%
Capital Exclusions	-	-	-	-
Total Municipal Budget	41,095,305	39,043,810	2,051,495	5.25%
Capital Plan and Warrant Articles	5,423,139	2,492,360	2,930,779	117.59%
Total Appropriations	46,518,444	41,536,170	4,982,274	12.00%
Other Amounts to be Raised	505,000	500,295	4,705	0.94%
Payments of Previous FY Bills	1,000	-	1,000	-
Fiscal Policy Adjustments	205,726	195,928	9,798	5.00%
Additions to General Stabilization	101,265	39,696	61,569	155.10%
Cherry Sheet Charges & Offsets - Town	136,323	129,496	6,827	5.27%
Cherry Sheet Charges & Offsets - School	1,437,364	1,302,100	135,264	10.39%
Allowance for Abatements	599,357	599,357	-	-
Total Other Amounts	2,986,035	2,766,872	219,163	7.92%
<b>Total Expenditures</b>	<b>\$49,504,479</b>	<b>\$44,303,042</b>	<b>\$5,201,437</b>	<b>11.74%</b>
<b>Net Budget Variance</b>	<b>\$4,489</b>	<b>\$29,870</b>		

*[Refer also to page 14, above.]*

TOWN OF LITTLETON, MASSACHUSETTS

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