

TOWN OF LITTLETON, MASSACHUSETTS

**WARRANT FOR
MONDAY, MAY 7, 2012 at 7:00 PM
ANNUAL TOWN MEETING
TOWN OF LITTLETON**

Commonwealth of Massachusetts

Middlesex, ss.

To any Constable of the Town of Littleton in the County of Middlesex,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Littleton qualified to vote in the elections and Town affairs, to meet in the **Charles Forbes Kaye Gymnasium, Littleton Middle School, 55 Russell Street in said Littleton on Monday, the seventh day of May, 2012, at 7:00 o'clock in the evening** by posting a printed copy of this warrant, by you attested, at eight meeting houses, at the Town Office Building on Shattuck Street, at the Post Office at Littleton Common, at the Post Office at Littleton Depot, at the Baptist Church, at the Unitarian Church, at the Catholic Church, at the Congregational Church, and at the Mormon Church, in said Town, seven days at least before the seventh day of May, 2012, then and there to act on the following Articles:

**ARTICLE 1
Board of Selectmen
Town Officers**

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

**ARTICLE 2
Board of Selectmen
Annual Report**

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

**ARTICLE 3
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, 2012, 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 4
Finance Committee/Board of Selectmen
FY 2013 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, 2012, or to take any other action in relation thereto.

ARTICLE 5
Voter Petition
Plowing/Sanding Private Ways I

To see if the Town will vote to provide permanent plowing and sanding services to the paved private ways open to the public use, or to take any other action in relation thereto.

ARTICLE 6
Voter Petition
Plowing/Sanding Private Ways II

To see if the Town will vote to reinstate the August 28, 2000 policy on plowing and sanding private ways, or to take any other action in relation thereto.

ARTICLE 7
Voter Petition
Plowing/Sanding Private Ways III

To see if the Town will vote to enact a by-law to provide for the plowing and sanding of the private roads open to the public use which meet the criteria set out in the Town policy on plowing/sanding private ways dated August 28, 2000, or to take any other action in relation thereto.

ARTICLE 8
Board of Water Commissioners
FY 2013 Water Enterprise Fund Operating Budget

To see if the Town will vote to appropriate \$2,060,554 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, 2012 (*detail below*), or to take any other action in relation thereto.

I. Water Enterprise Revenues	FY 2013
User Charges	2,060,554
Enterprise Available Funds	0
Investment Income	0
Total Revenues	2,060,554
II. Costs Appropriated for the Enterprise Fund	
Salaries and Wages	665,000
Expenses	888,500
Capital Outlay – Equipment	0
Capital Outlay – Improvements	0
Reserve Fund	100,000
Debt Principal and Interest	387,000
Budgeted Surplus	20,054
Total Costs Appropriated for Enterprise Fund	2,060,554
III. Costs Appropriated for General Fund to be Charged to the Enterprise Fund	
Indirect Costs	0
Benefits	0
Pension Costs	0
Total Costs Appropriated for the General Fund.	0
Total Costs	2,060,554

ARTICLE 9
Board of Selectmen
Add Ayer to Nashoba Valley Tech High School District

To see if the town will vote to accept the proposal of the Regional District School Committee passed on October 11, 2011 to amend the agreement establishing the Nashoba Valley Technical School District as amended (a) by providing for the admission to the district of the Town of Ayer as a vote to accept the agreement as amended; (b) by providing that members of the Committee shall be appointed by an appointing committee in each town consisting of the moderator, selectmen and local school committee members; (c) by providing that membership on the committee shall be as follows: Chelmsford - 3 members, Groton – 1 member, Littleton - 1 member, Westford – 2 members, Pepperell – 3 members, Shirley – 1 members, Townsend – 2 member, Ayer – 1 member (if Ayer joins the district); (d) by providing that each member town will have an alternate member to the committee who can serve in the absence or disability of a member from the town involved; (e) by providing that the admission of a new town or towns to the District shall result in the reapportionment accordingly of capital costs of the District represented by bonds or notes of the District then outstanding and of interest thereon; (f) by providing that the capital costs of any subsequent capital improvements of the district shall be apportioned among all the member towns on the basis of their respective pupil enrollments in the district school; (g) by providing that in each case where the apportionment of capital costs is to be based on pupil enrollments in the district school, each member town shall be deemed to have an enrollment of at least five pupils; (h) by conforming the dates on which payments to the district by the member towns are due to a July 1 - June 30 fiscal year; and (i) by making technical changes incidental to the foregoing amendments. (Such amendment will not become effective until the amendment is accepted by two-thirds of the member towns, approved by the Town of Ayer and upon the authorization of the Commissioner of Elementary and Secondary Education). Copies of the agreement as amended and proposed to be amended, as described in this Article, are available at the office of the town clerk, or to take any other action in relation thereto.

ARTICLE 10
Community Preservation Committee
FY 2013 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 2013 Community Preservation Budget, to appropriate or reserve from FY 2013 Community Preservation Fund annual revenues and reserves the following amounts, as recommended by the Community Preservation Committee, with each item considered a separate appropriation:

Appropriations

Administration	\$5,000
Debt service – from FY 2013 open space	14,375
Debt service – from FY 2013 historic resources	15,432
Debt service – from historic resources reserve	543
Debt service – from FY 2013 Undesignated	31,688
Comprehensive Agriculture Planning Program for Community Sustainability - from FY 2013 Undesignated	<u>5,000</u>
<i>Sub-total</i>	<i>\$72,038</i>

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Reserves

Open Space (to Reserve)	\$1,057
Community Housing (to Reserve)	15,432
Budgeted Reserve (to Reserve)	66,332
	<i>Sub-total</i>
	<u>82,821</u>
TOTAL	\$154,859

ARTICLE 11

**Board of Selectmen/ Finance Committee
FY 2013 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 Cruiser Leases - \$60,465 to be expended by the Police Department for leases for police cruisers, as follows: \$28,500 for second year payment on two cruisers; \$16,145 for first year payment on one cruiser; and \$15,820 for second year payment on one unmarked vehicle.
- B. Police Vehicle Maintenance -\$5,000 to be expended by the Police Department for tire replacement and equipment maintenance of its fleet of vehicles.

II. FIRE DEPARTMENT

- A. Fire Major Equipment Repair -\$15,000 to be expended by the Fire Department for major equipment repairs and upkeep.
- B. Ambulance replacement - \$200,000 transferred from accumulated ambulance receipts to be expended by the Fire Department to replace a 2003 Ambulance.
- C. Fire Vehicle Exhaust System - \$68,000 to be expended by the Fire Department and the Permanent Municipal Building Committee to install a vehicle exhaust system in the fire facility at 20 Foster Street.
- D. Fire Station Windows - \$85,000 to be expended by the Fire Department and the Permanent Municipal Building Committee to replace the windows and doors of the fire facility at 20 Foster Street.
- E. Fire Station Roof - \$50,000 to be expended by the Fire Department and the Permanent Municipal Building Committee to repair the roof of the fire facility at 20 Foster Street.

III. HIGHWAY DEPARTMENT

- A. Highway Major Equipment Repair - \$15,000 to be expended by the Highway Department for major equipment repairs and upkeep
- B. Highway Two Mack Dump/Sander/Plow Refurbishments - \$80,000 (\$40,000 each truck) to be expended by the Highway Department to refurbish two 1993 Mack dump/sander/plow vehicles, including frame work.
- C. Highway F-450 Dump Pickup truck - \$65,000 to be expended by the Highway Department to purchase a new pick-up truck with plow to replace an existing 2003 vehicle.
- D. Highway Loader Refurbishment – \$40,000 to be expended by the Highway Department for refurbishment of a 1998 John Deere Loader.
- E. Transfer Station Dumpsters - \$13,400 to be expended by the Highway Department from transfer station fees for the replacement of three 1998 open top dumpsters.

IV. SCHOOLS

- A. Shaker Lane Univents - \$25,000 to be expended by the School Committee to replace univent HVAC units at the Shaker Lane School.
- B. School iPads & Carts - \$33,000 to be expended by the School Committee for the lease / purchase of four complete carts, 120 iPads, MacBook Air laptops, carts, charging station and all accessory hardware and equipment.
- C. School Student Information System - \$35,000 to be expended by the School Committee to replace the current SIS system Rediker with a more robust, relational database, web based system that will allow increased functionality.
- D. School Security - \$22,000 to be expended by the School Committee to upgrade the external video camera systems at the Shaker Lane School.

V. TOWN OFFICES

- A. Town Hall HVAC - \$30,000 to be expended by the Board of Selectmen and the Permanent Municipal Building Committee for major systems repairs and upkeep of the HVAC Roof Top Units at the Town Offices on Shattuck Street.
- B. Town Hall Condenser and Air Handling Units - \$12,000 to be expended by the Board of Selectmen and the Permanent Municipal Building Committee to replace a 1988 Unit at the Town Offices on Shattuck Street.
- C. Town Hall Kitchen Renovations - \$32,402 to be expended by the Board of Selectmen and the Permanent Municipal Building Committee for renovations and code upgrades to the kitchen facility used by the Council on Aging at the Town Offices on Shattuck Street.
- D. GIS Mapping Conversion - \$35,000 to be expended by the Board of Selectmen to convert the tax map text and structure the data in a manner that results in the mapping being incorporated into the annual maintenance done by MassGIS.
- E. Building Commissioner Vehicle Replacement – \$20,000 transferred from inspections revolving account to be expended by the Board of Selectmen to purchase a new vehicle for the Building Commissioner to replace a 2006 vehicle.

VI. OTHER

- A. Littleton Common Sewer Feasibility Study - \$35,000 supplemental appropriation for the Littleton Common Sewer Feasibility Study to be offset by an increase in payment in lieu of taxes (PILOT) from LELWD.
- B. Cemetery Mower Replacement - \$14,000 to be expended by the Cemetery Commission to replace a mower.
- C. Cemetery Truck Replacement - \$40,000 to be expended by the Cemetery Commission to replace a 1996 GMC Sierra truck.
- D. 300 King Street Renovations - \$10,000 – to be expended by the Park and Recreation Commission and the Permanent Municipal Building Committee for the first phase of design work for expansion/development of the facility located at 300 King Street.
- E. Recreation vehicle lease - \$5,000 transferred from the Recreation Revolving account to be expended by the Park and Recreation Commission for the second year payment of a five-year lease for a Ford Ranger.
- F. Library Furniture \$3,000 – to be expended by the Library Trustees to replace worn and damaged furniture at the Reuben Hoar Library.

ARTICLE 12
Board of Selectmen
Track Project Funding

To see if the Town will vote to amend its vote under Article 3 of the November 14, 2011 Special Town Meeting, which conditionally authorized the Treasurer to borrow \$735,000 under and pursuant to Chapter 44, Section 7(25) of the General Laws, or pursuant to any other enabling authority, and to issue bonds and notes therefor, for the purpose of reconstructing the track facility located on Town-owned property at 55 Russell Street, including original equipment and landscaping, paving and other site improvements incidental or directly related thereto, by reducing said amount to \$435,000 or another sum; and, further, to raise and appropriate from available funds the sum of \$300,000 or another sum for the purposes previously stated herein, or take any other action in relation thereto.

ARTICLE 13
Board of Selectmen/School Committee/Trust Fund Commissioners
M.H. Kimball Trust School Grant Funds

To see if the Town will vote to transfer \$14,058 from a grant from the M.H. Kimball Trust to the Littleton School Department for the purpose of providing students with access to current technology through the purchase of additional technology items at the Shaker Lane School and costs related thereto, or to take any other action in relation thereto.

ARTICLE 14
Board of Selectmen/Personnel Board
Park & Recreation Classification & Compensation Plan Amendments

To see if the Town will vote to amend Chapter 33 of the Town Code, Personnel, as follows:

(1) Amend Schedule C of the Classification and Compensation Plan to read as follows:

SCHEDULE C: Temporary/Seasonal Park & Recreation Department positions, 2012 Season

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
1 hourly	8.50	8.67	8.93	9.20	9.47
2 hourly	8.80	8.98	9.25	9.52	9.81
3 hourly	9.40	9.59	9.88	10.17	10.48
4 hourly	9.75	9.95	10.24	10.55	10.87
5 hourly	10.30	10.51	10.82	11.15	11.48
6 hourly	11.50	11.73	12.08	12.44	12.82
7 hourly	12.40	12.65	13.03	13.42	13.82
8 hourly	13.40	13.67	14.08	14.50	14.94
9 hourly	15.50	15.81	16.28	16.77	17.28
10 hourly	18.50	18.87	19.44	20.02	20.62

GRADE 1

Program Aide I

GRADE 2

Camp Junior Counselor

Snack Hut Attendee

Program Aide II

GRADE 3

Lifeguard I

Junior Sailing Instructor

Maintenance Technician

GRADE 4

Snack Hut Manager

Camp Senior Counselor

Intern

GRADE 5

Lifeguard II/WSI

Sailing Instructor

Junior Guard Coordinator

Aftercare Coordinator

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GRADE 6

Camp Lead Counselor
Summer Program Coordinator

GRADE 7

Camp Specialists
Head Lifeguard

GRADE 8

Seasonal Programs Instructor

Camp Assistant Director

Sailing Coordinator

GRADE 9

Special Course Coordinator

GRADE 10

Preschool Instructor
Camp Director

(2) Amend Schedule C1 of the Classification and Compensation Plan to read as follows:

SCHEDULE C-1: Community Education – Temporary Employees FY2013

GRADE	STEP 1	STEP 2	STEP 3
1 <i>hourly</i>	8.50	8.93	9.37
2 <i>hourly</i>	14.00	14.70	15.44
3 <i>hourly</i>	20.00	21.00	22.05
4 <i>hourly</i>	25.00	26.25	27.56
5 <i>hourly</i>	30.00	31.50	33.08
6 <i>hourly</i>	35.00	36.75	38.59

GRADE 1

Community Ed Teacher's Aide

Community Ed Instructor 2

GRADE 2

Community Ed Assistant

Community Ed Instructor 3

GRADE 3

Community Ed Instructor I

GRADE 6

Community Ed Instructor 4

GRADE 4

or to take any other action in relation thereto.

ARTICLE 15
Board of Selectmen
FY 2013 Revolving Funds

To see if the Town will vote to authorize the following Fiscal Year 2013 Revolving Funds, in accordance with Chapter 44, section 53E½ of the General Laws, 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, with the prior year's fund balance to be available for expenditure;

(2) Dog By-law Enforcement: to allow receipts from dog license fees and fines to be segregated into a special account; and with funds therefrom, up to a limit of \$5,000 annually, to be expended for costs associated with by-law enforcement, under the direction of the Town Clerk, with the prior year's fund balance to be available for expenditure;

(3) 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, with the prior year's fund balance to be available for expenditure;

(4) 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,

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under the direction of the Fire Department, with the prior year's fund balance to be available for expenditure;

(5) 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, with the prior year's fund balance to be available for expenditure;

(6) 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, with the prior year's fund balance to be available for expenditure;

(7) M.A.R.T.: to allow receipts from reimbursement from M.A.R.T. bus fees to be segregated into a special account; and with funds therefrom, up to a limit of \$68,000 annually, to be expended for wages and expenses for senior van operation, under the direction of the Council on Aging, with the prior year's fund balance to be available for expenditure;

(8) 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, with the prior year's fund balance to be available for expenditure;

(9) Spectacle Pond Cell Tower: to allow receipts from the Spectacle Pond Cell Tower rent to be segregated into a special account; and with funds therefrom, up to a limit of \$40,000 annually, to be expended for debt service for the Clean Lakes program, under the direction of the Board of Selectmen, with the prior year's fund balance to be available for expenditure;

(10) 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, with the prior year's fund balance to be available for expenditure;

(11) 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, with the prior year's fund balance to be available for expenditure;

(12) 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, with the prior year's fund balance to be available for expenditure;

(13) 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, with the prior year's fund balance to be available for expenditure; and

(14) Paper Recycling: to allow the proceeds resulting from the disposal/sale of recyclable paper product collected to be segregated into a special account: and with funds therefrom, up to a limit of \$3,000 annually, to be expended for expenses associated with programming expenses of the Department of Elder and Human Services under the direction of the Council on Aging, with the prior year's fund balance to be available for expenditure.

ARTICLE 16
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 2013, pursuant to Chapter 44, Section 53F of the General Laws, or to take any other action in relation thereto.

ARTICLE 17
Board of Selectmen
Senior Work Program

To see if the Town will vote to request the Board of Assessors to commit \$50,000, or any other sum or sums of money, from the Overlay Account for Abatements to fund the Senior Citizen Tax Work-off Abatement Program, or to take any other action in relation thereto.

ARTICLE 18
Board of Selectmen
Use of 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 19
Board of Selectmen
Easement: Great Road at Russell Street

To see if the Town will vote to authorize the Board of Selectmen to acquire an easement on the following described parcel and/or rights in land by purchase, gift or eminent domain, for the purposes of making certain roadway improvements at the intersection of Great Road and Russell Street, as shown as "Parcel E-1-T" on a certain plan of land entitled "Easement Plan of a Portion of Great Road (Route 119) in the Town of Littleton", dated February 1, 2012 and prepared by Bayside Engineering, Inc.; or to take any other action in relation thereto.

ARTICLE 20
Board of Selectmen / Planning Board
Zoning Amendment: Expand Littleton Village Overlay District West—Beaver Brook Area to Include Certain Additional Parcels

To see if the Town will vote to amend the Zoning Map and Zoning By-Law of the Town of Littleton by:

1. Adding to the Littleton Village Overlay District West—Beaver Brook Area the lots located at 474 Great Road (Assessors' Map R-18, Parcel 4) and 478 Great Road (Assessors' Map R-18, Parcel 5), as shown on the map entitled "May 2012 Additions to the Littleton Village Overlay District West—Beaver Brook Area Zoning Map," dated March 22, 2012 and on file with the Town Clerk; and
2. Amending §173-167 by deleting subsection B therefrom in its entirety and inserting in its place the following:

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B. The Littleton Village Overlay District West—Beaver Brook Area includes the area shown on the map entitled “Littleton Village Overlay District West—Beaver Brook Area Zoning Map,” dated March 19, 2010, as amended, on file with the Town Clerk and hereby made a part of this chapter. The benefits and obligations of the zoning bylaw shall accrue only to proposals for development on those parcels located entirely within the boundary of the Littleton Village Overlay District West—Beaver Brook Area, as shown on said map.

or take any other action in relation thereto.

ARTICLE 21
Board of Selectmen
By-law Amendment: Littleton Community Television

To see if the Town will vote to amend the Town Code relative to Littleton Community Television (LCTV) as follows:

(1) by amending Chapter 3, Section 3 of the Town Code, to read as follows:

The Town Administrator shall directly supervise and conduct performance reviews for the following current and future department heads unless otherwise specified by statute: Assistant Town Administrator for Finance and Budget; Head of the Highway Department; Facilities Manager; Head of Information Technology; Building Commissioner; *and* Human Resources; *and* Littleton Community Television (LCTV) *Executive Director*. The department heads shall be appointed by, and can be removed by, the Town Administrator subject to the approval of the ~~BOS~~ *Board of Selectmen*. Employees of the heads of said departments shall be appointed by the department head subject to approval of the Town Administrator.”; and

(2) by adding to Chapter 13, COMMITTEES, a new Article XIII, Littleton Community Television (LCTV) Advisory Committee, to read as follows:

Article XIII, LITTLETON COMMUNITY TELEVISION (LCTV) ADVISORY COMMITTEE

§13-32. Establishment; purpose.

There is hereby established a Littleton Community Television (LCTV) Advisory Committee to advise the Board of Selectmen throughout the cable television licensing process and during the term of licenses issued by the Board of Selectmen pursuant to MGL C. 166A. The Committee shall also provide policy direction to the LCTV Executive Director in operation of the cable television studio.

§13-33. Membership; terms.

The Committee shall consist of seven members appointed by the Board of Selectmen for three-year overlapping terms so arranged that the term of at least two members shall expire each year.

or to take any other action in relation thereto.

ARTICLE 22
Board of Selectmen
By-law Amendment: Council on Aging

To see if the Town will vote to amend the Town Code by amending Chapter 15, Council on Aging, to read as follows:

Chapter 15 – COUNCIL ON AGING

§ 15-1. Membership, terms.

There shall be a Council on Aging pursuant to MGL C.40,§8B, which shall consist of eleven (11) regular members appointed by the Board of Selectmen for three-year overlapping terms so arranged that the term of at least two members shall expire each year.

or to take any other action in relation thereto.

ARTICLE 23

Board of Selectmen

By-law Amendment: Agricultural Commission

To see if the Town will vote to amend Chapter 8 of the Town Code by deleting Article VI, Agricultural Commission, in its entirety and replacing it with the following:

ARTICLE VI, AGRICULTURAL COMMISSION

§8-10. Establishment; purpose.

There shall be an Agricultural Commission to promote agricultural-based economic opportunities; to preserve, revitalize and sustain the Littleton agricultural industry; to encourage the pursuit of agriculture as a career opportunity and lifestyle in the Town of Littleton; and to represent the Littleton farming community.

§8-11. Membership; terms.

The Commission shall consist of seven members appointed by the Board of Selectmen for staggered three-year terms. The Commission shall also include those alternate members serving terms on the date this Bylaw became effective, provided that each such alternate position shall be retired when the alternate member no longer serves in that capacity, or upon expiration of their term, whichever is sooner. Not less than four members shall be, or have been, engaged in farming (as defined in *M.G.L. c.128, §1A*) or related agricultural industries; all other members shall possess experience or expertise relevant to the work of the Commission. Appointments made to the Commission should reflect the diversity and scale of agricultural businesses, the diversity and scale of the Town's population, and serve to encourage next generation farmers. In filling vacancies thereon, the Board of Selectmen shall invite the recommendation of the Commission, and shall, in the first instance, consider any alternate members that apply.

§8-12. Work Plan.

The Commission shall develop a work plan to guide its activities. Such activities include but are not limited to, the following: shall serve as facilitators for encouraging the pursuit of agriculture in Littleton; shall promote agricultural-based economic opportunities in Town; shall act as mediators, advocates, educators, and/or negotiators on farming issues; shall work for preservation of prime agricultural lands; and shall pursue all initiatives appropriate to creating a sustainable agricultural community.

or to take any other action in relation thereto.

ARTICLE 24

Board of Selectmen

By-law Amendment: Permanent Municipal Building Committee

To see if the Town will vote to amend the Town Code so that Chapter 13, Article V, Permanent Municipal Building Committee, reads as follows:

ARTICLE V, Permanent Municipal Building Committee

§ 13-16. General provision; membership.

A. The Town shall have a Permanent Municipal Building Committee consisting of seven residents *of the Town appointed by the Board of Selectmen for staggered five-year terms.* *The Committee shall be responsible, when authorized by the Board of Selectmen, and/or Town Meeting vote, for investigating and advising the Town regarding the design, construction, reconstruction, alteration or enlargement of all buildings and facilities owned by the Town or constructed on land owned, leased or operated by the Town. All solicitations for designer services and invitations for bids for construction shall be coordinated with the Town Administration through its Chief Procurement Officer, to assure compliance with the applicable provisions of the General Laws. The Assistant Town Administrator for Finance and Budget and Permanent Municipal Building Committee chair shall award and co-execute all designer services contracts and construction contracts.*

B. Each *voting* member of the Committee shall be a registered voter of the Town. At least one member shall also be a member of the School Committee, or its designee, pursuant to M.G.L. c. 71, § 68.

C. *The Board of Selectmen shall appoint the department head and/or two (2) committee members for which a project is being planned or constructed as a non-voting ex officio members of the Permanent Municipal Building Committee for the duration of said project.*

§ 13-17. Appointing authority.

~~The Board of Selectmen is empowered to appoint the Committee. Appointments shall be made by a majority vote.~~

§ 13-18. Town Meeting appointment of separate building or project committees.

A. Town Meeting may authorize the appointment of a different and separate building or project committee with respect to a particular project.

B. Any different and separate building or project committee authorized by Town Meeting shall include one or more *Permanent Municipal Building Committee* members designated by the *Permanent Municipal Building Committee.* *Permanent Municipal Building Committee* members serving on any such building or project committee shall serve as full voting members for the duration of said building or project committee. In the event that the Town Meeting does not authorize the appointment of a building or project committee with respect to a particular project, the *Permanent Municipal Building Committee* shall assume the responsibility with respect to said project in accordance with §13-20.1 of this article.

§ 13-19. Term.

A. Members shall serve at the pleasure of the Board of Selectmen for a term not to exceed five years from the date of appointment; provided, however, that any member may be reappointed for an additional term upon the expiration of any such five years.

B. A member may hold his or her seat after his or her term expires until a successor is qualified. If a member vacates his or her seat before the expiration of his or her term, the Board of Selectmen shall appoint a replacement to complete the unexpired term. If any regular member of the Committee ceases to be a resident of the Town, or accepts any position that would have made him or her ineligible for appointment to the Committee, he or she forthwith ceases to be a member of the Committee.

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C. The adoption of this article shall not affect the term of any member of the Committee as constituted and existing on the effective date of this article.

§ 13-20. General duties.

A. When authorized by the Town, the Committee shall be responsible for: (1) Financial estimates; (2) The design of every project; and (3) The construction of those projects for which funds are appropriated to the Committee.

B. The Committee shall work to achieve the project goals of the proposed board or committee for which a project is being planned or constructed. The Committee shall advise the Board of Selectmen and the board or committee for which such project is being constructed when the goals have been substantially completed, at which time, or at any other time as determined by the Board of Selectmen, the Committee's continuing responsibility for the project shall be terminated.

C. The plans and specifications for all construction, equipping and furnishing shall be subject to the approval of the board or committee for which such building is being planned or constructed.

§ 13-20.1. Appropriations.

A. The funds for the design and construction of a project shall be appropriated to and expended under the direction of the Committee.

B. Whenever project funding approval is sought from Town Meeting, the Committee and the Board or committee for which a project is being planned or constructed shall provide a detailed report to Town Meeting that includes an explanation of the project need, scope of work, schedule and costs.

§ 13-20.2. Records.

The Committee shall retain record drawings and specifications. These copies shall be kept on file in the ~~Facility Manager's~~ *Selectmen's* office and other offices as appropriate. The Committee is encouraged to make the minutes of its public meetings available to the Town web site in a timely manner.

§ 13-20.3. Policies and procedure.

The Committee shall adopt and make available policies and procedures describing its activities. The Committee shall make recommendations and reports to the Town from time to time and shall submit a report of its activities and recommendations to the Board of Selectmen upon request, and annually for publication in the Town's annual report.

§ 13-20.4. Litigation.

All litigation matters pertaining to the design, construction, reconstruction, alteration or enlargement of all buildings owned by the Town or constructed on land owned, leased or operated by the Town shall be governed by Article III of *Chapter 8* of the Town of Littleton Code.

or to take any other action in relation thereto.

ARTICLE 25
Board of Selectmen
By-law Amendment: Civil Fingerprinting

To see if the Town will vote to amend the Town Code, by inserting a new Chapter 74, as follows:

Chapter 74, CIVIL FINGERPRINTING

§74-1. Purpose and Authorization.

TOWN OF LITTLETON, MASSACHUSETTS

In order to protect the health, safety, and welfare of the inhabitants of the Town of Littleton, and as authorized by Chapter 6, Section 172B½ of the Massachusetts General Laws, this bylaw shall require (a) applicants for a license listed in Section 74-2 below to submit to fingerprinting by the Littleton Police Department, (b) the Police Department to arrange for the conduct of fingerprint-based criminal record background checks, and (c) the Town to consider the results of such background checks in determining whether to grant such a license.

The Town authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (DCJIS), and the Federal Bureau of Investigation (FBI), as may be applicable, to conduct on the behalf of the Town and its Police Department fingerprint-based state and national criminal history records checks, including FBI records, consistent with this bylaw. The Town authorizes the Police Department to receive and utilize FBI records in connection with such background checks, consistent with this bylaw. The Town shall not disseminate criminal record information received from the FBI to unauthorized persons or entities.

§74-2. Licenses Subject to Fingerprinting.

Any applicant for a license to engage in any of the following occupational activities shall have a full set of fingerprints taken by the Police Department for the purpose of conducting a state and national fingerprint-based criminal history records check:

- Manager of Alcoholic Beverage License
- Hawkers, Peddlers, and Solicitors
- Ice Cream Truck Vendor
- Junk Dealers
- Owner or Operator of a Public Conveyance

§74-3. Police Department Procedure.

The Police Department will forward the full set of fingerprints obtained pursuant to this Chapter either electronically or manually to the State Identification Section of the Massachusetts State Police.

The Police Department shall provide the applicant with a copy of the results of his or her fingerprint-based criminal background check and supply the applicant with opportunity to complete, or challenge the accuracy of, the information contained in it, including the FBI identification record. Any applicant that wishes to challenge the accuracy or completeness of the record shall be advised that the procedures to change, correct, or update the record are set forth in Title 28 CFR 16.34.

The Police Department shall communicate the results of fingerprint-based criminal history records check to the licensing authority. The Police Department shall in addition render to the licensing authority its evaluation of the applicant's suitability for the proposed occupational activity based on the results of the criminal records background check and any other relevant information known to it. In rendering its evaluation, the Police Department shall indicate whether the applicant has been convicted of, or is under pending indictment for, a crime that bears upon his or her suitability for the proposed occupational activity, or any felony or misdemeanor that involved force or threat of force, controlled substances, or a sex-related offense.

§74-4. Reliance by Licensing Authority on Results of Fingerprint-Based Criminal Records Background Checks

TOWN OF LITTLETON, MASSACHUSETTS

The licensing authority shall utilize the results of any fingerprint-based criminal records background check performed pursuant to this Chapter for the sole purpose of determining the applicant's suitability for the proposed occupational activity. The licensing authority may deny an application for any license specified herein, including renewals and transfers thereof, if it determines that the results of the fingerprint-based criminal records background check render the applicant unsuitable for the proposed occupational activity.

No application shall be denied on the basis of information contained in a criminal record until the applicant has been afforded a reasonable time, as determined by the licensing authority, to correct or complete the information, or has declined to do so.

§74-5. Town Policy.

The Police Department, subject to the approval of the Board of Selectmen, will develop and maintain written policies and procedures for its licensing-related criminal record background check system.

§74-6. Fees.

Each applicant for a license listed in §74-2 shall pay a fee of \$100. A portion of said fee, as specified by Chapter 6, Section 172B1/2 of the General Laws, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder shall be retained by the Town for costs associated with the administration of the system.

Or take any other action in relation thereto.

ARTICLE 26
Voter Petition
Amend U.S. Constitution – Corporations Not Persons

To see if the Town will vote to authorize the Board of Selectmen to contact the Massachusetts Congressional delegation directing them to propose a U.S. Constitutional amendment for the States' consideration which provides that money is not speech, and that corporations are not persons under the U.S. Constitution, and to further authorize the Board of Selectmen to contact District Senator James B. Eldridge and state Representative James Arciero to request that they draft a similar resolution within thirty days of passage of this measure, or to take any other action in relation thereto.

ARTICLE 27
Board of Selectmen
Transfer Certain Town-owned Land to Conservation Commission

To see if the Town will vote to transfer the care, custody, control and management of the real property shown as Parcel 3 A on Assessor's Map R14 from the Board of Selectmen for general municipal purposes to the Conservation Commission for conservation purposes and, further, to transfer the care, custody, control and management of the real property shown as Parcel 5 on Assessor's Map R3 from the Board of Selectmen for general municipal purposes to the Conservation Commission for conservation purposes; provided, however, that said Parcel 5 on Assessor's Map R3 shall remain available for use by the Littleton Water Department as the site of a collocated public water well, associated utilities, access, and appurtenances, or take any other action in relation thereto.

TOWN OF LITTLETON, MASSACHUSETTS

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

SELECTMEN OF LITTLETON

Chairman

Clerk

Member

Member

Member

Date of Execution

A TRUE COPY ATTEST:

John M. Kelly, Constable
Town of Littleton

CONSTABLE'S CERTIFICATION

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

Attest: _____

Constable

Date: _____