

**WARRANT FOR
MONDAY, MAY 4, 2009 at 7:30 PM
SPECIAL TOWN MEETING
TOWN OF LITTLETON**

Commonwealth of Massachusetts

Middlesex, ss.

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

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Littleton qualified to vote in the elections and Town affairs, to meet in the

Charles Forbes Kaye Gymnasium, Littleton Middle School, 55 Russell Street in said Littleton on Monday, the fourth day of May, 2009 at 7:30 o'clock in the evening by posting a printed copy of this warrant, by you attested, at eight meeting houses, at the Town Office Building on Shattuck Street, at the Post Office at Littleton Common, at the Post Office at Littleton Depot, at the Baptist Church, at the Unitarian Church, at the Catholic Church, at the Congregational Church, and at the Mormon Church, in said Town, fourteen days at least before the fourth day of May, 2009, then and there to act on the following Articles:

**ARTICLE 1
Board of Selectmen
Bills of Prior Years**

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 2
Board of Selectmen
FY 2009 Line Item Transfers**

To see if the Town will vote to amend the FY 2009 Operating Budget, as adopted under Article 4 of the May 5, 2008 Annual Town Meeting, by adjusting budget line items, or to take any other action in relation thereto.

**ARTICLE 3
Board of Selectmen
FY 2009 Capital – Police Cruisers**

To see if the Town will vote to amend the vote under Article 9, Item A of the May 5, 2008 Annual Town Meeting to read as follows: “A. Police Cruisers - leases: \$54,000 to be expended by the Police Department for the purpose of leasing four (4) police cruisers. Said payment will cover the second year's payments of three-year leases for two vehicles one vehicle, and the first year's payments of three-year leases for two three additional vehicles,” or to take any other action in relation thereto.

**ARTICLE 4
Board of Selectmen
Russell Street School Repairs**

To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Building Committee for repairs to the

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Russell Street School, located at 55 Russell Street, Littleton, Massachusetts, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program. The Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town of Littleton may receive from the MSBA for the Project shall not exceed the lesser of (1) 47.84 percent (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided, however, that no appropriation, borrowing or transfer authorized pursuant to this article shall take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C(k) of the General Laws (Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes so authorized, or to take any other action in relation thereto.

ARTICLE 5
Community Preservation Committee
Houghton Memorial Building Roof Replacement

To see if the Town will vote to appropriate and borrow the sum of \$215,000 pursuant to General Laws Chapter 44B, the Community Preservation Program for historic resources purposes, General Laws Chapter 44, Section 7(3A), or any other general or special law for the replacement of the roof on the Houghton Memorial Building; and to authorize the Town Treasurer, with the approval of the Selectmen, to borrow said amount under and pursuant to Chapter 44B and Chapter 44, Section 7 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; or take any other action in relation thereto.

ARTICLE 6
Board of Selectmen/Community Preservation Committee
Acquisition of Lucy's Land – Yapp Conservation Property

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain for open space purposes under the Community Preservation Program, the fee interest in a certain parcel of real estate on Newtown Road owned by the Lucy L. Yapp Nominee Trust, containing 53.61 acres, more or less, shown as Lots 2 and 3 on plan entitled, "Plan of Land, Littleton, Mass., prepared for Lucy L. Yapp, September 2, 1992" by Clyde R. Wheeler and endorsed by the Littleton Planning Board on September 10, 1992, a copy of which is on file in the Office of the Town Clerk, together with and subject to all rights, restrictions and easements of record, on such terms and conditions as the Selectmen may determine; and to what sum or sums the Town will vote to raise and appropriate, borrow, or transfer from available funds for such acquisition and all expenses incidental and related thereto; and to authorize the Town Treasurer, with the approval of the Selectmen, to borrow said amount under and pursuant to Chapter 44B and Chapter 44, Section 7 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that, although any bonds or notes issued pursuant to this vote shall constitute a pledge of the full faith and credit of the Town, it is the intention of the Town that the debt service on \$150,000 of the amount authorized to be borrowed by this vote shall be paid from Community Preservation Fund revenues, and that the debt service on the remainder of said amount shall be paid from general fund revenues including cell tower revenues; and provided further that said land is to be

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conveyed to the Town of Littleton under the provisions of Chapter 40, Section 8C of the General Laws, as it may be hereafter amended, and other Massachusetts statutes relating to conservation and passive recreation, to be managed and controlled by the Littleton Conservation Commission; and, to the extent that any federal, state or other funds are or become available for the purposes outlined in this Article, to authorize the Board of Selectmen or other applicable boards or commissions to apply for and accept such funds; and to authorize the Board of Selectmen and the Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Littleton to effect said acquisition or purchase or grants; and to authorize the Board of Selectmen and the Conservation Commission to convey to the Sudbury Valley Trustees, for no consideration, a perpetual conservation restriction on said land as authorized by Chapter 184, Sections 31 through 33 inclusive of the General Laws, allowing conservation and passive recreation uses described in Chapter 40, Section 8C of the General Laws; or take any other action in relation thereto.

ARTICLE 7
Board of Selectmen – Board of Water Commissioners
Roadway and Water Improvements

To see if the Town will vote to amend the action taken under Article 3 of the Special Town Meeting held on May 5, 2008, which action authorized the borrowing of \$1,000,000 to pay costs of roadway improvements for the Town, so as to permit the use of such amounts, where appropriate, to make water system improvements as roadways above them are being improved, thereby avoiding the need to open such improved roadways to make emergency water system repairs, or to take any other action in relation thereto.

ARTICLE 8
Board of Selectmen
Pension Obligation Bonds

To see if the Town will vote, pursuant to Chapter 517 of the Acts of 2008, "An Act Authorizing the Town of Littleton to Issue Pension Obligation Bonds or Notes," to appropriate the sum of \$1,130,000 for the purpose of funding the town's liability attributable to the additional benefits payable under the early retirement incentive program authorized by chapter 116 of the Acts of 2002 and the vote of the town passed under Article 15 of the Warrant for the May 6, 2002 Special Town Meeting, and to authorize the Town Treasurer, with the approval of the Selectmen, to borrow said amount pursuant to Chapter 44, Section 7 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; or take any other action in relation thereto.

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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

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: _____