

Town of Littleton, Massachusetts
TOWN MEETING REPORT

VOTER INFORMATION

Please bring this with you to the
NOVEMBER 2, 2015
SPECIAL TOWN MEETING

Monday, November 2, 2015 at 7:00 PM
Charles Forbes Kaye Gymnasium
Littleton Middle School
55 Russell Street, Littleton, MA 01460

TOWN OF LITTLETON, MASSACHUSETTS

NOVEMBER 2, 2015

SPECIAL TOWN MEETING

ARTICLES

[Financial Articles]

1. Bills of Prior Years *[9/10ths vote required]*
2. Establish LCTV PEG Access and Cable Related Fund
3. Amend FY 2016 Revolving Funds
4. FY 2016 Budget Amendments
5. Fund Collective Bargaining Agreement
6. Personnel By-law Amendments
7. Supplemental FY 2016 Capital Items from Available Funds
 - A. Fuel Facility Replacement – supplemental
 - B. Council on Aging Kitchen – supplemental
 - C. LCTV Capital Equipment

[Articles Requiring Supermajority Votes]

8. Nagog Hill Orchard Leases *[2/3rds vote required]*

[Other Articles]

9. Aid to Elderly and Disabled Taxation Fund
10. Town By-law Amendment: Reduce Council on Aging Membership from 11 to 9
11. Town By-law Amendment: Discharges to Municipal Storm Drain System

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
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Littleton, MA 01460

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More information is available online at www.littletonma.org

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-- 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.

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

Summary of Fiscal Impact of Financial Articles

The table below lists the titles of all articles in the November 2, 2015 Special Town Meeting warrant, with a **dollar amount** following the title of each of the financial articles.

1. Bills of Prior Years
2. Establish LCTV PEG Access and Cable Related Fund
3. Amend FY 2016 Revolving Funds
4. FY 2016 Budget Amendments - **\$22,182**
5. Fund Collective Bargaining Agreement - **\$30,462**
6. Personnel By-law Amendments - **\$4,748**
7. Supplemental FY 2016 Capital Items from Available Funds
 - A. Fuel Facility Replacement – supplemental - **\$111,000**
 - B. Council on Aging Kitchen – supplemental - **\$38,425**
 - C. LCTV Capital Equipment - **\$59,871** (PEG access funds)
8. Nagog Hill Orchard Leases
9. Aid to Elderly and Disabled Taxation Fund
10. Town By-law Amendment: Reduce Council on Aging Membership from 11 to 9
11. Town By-law Amendment: Discharges to Municipal Storm Drain System

Article 4 makes adjustments to the Fiscal Year 2016 budget for a net budget increase of \$22,182— for additional transfer station hours—which is offset by increased local receipts from the increase in sticker and bag fees. All other transfers are within budget, or an increase in a budget offset, i.e., LCTV PEG (public / education / government) access funds.

Articles 5 and 6 fund two percent (2%) salary schedule adjustments for the remaining employee groups not addressed by the May 4, 2015 Annual Town Meeting.

Article 7 funds three one-time expenses totaling \$209,296, of which \$59,871 is transferred from LCTV PEG access funds.

Spending articles for the May 4, 2015 Annual Town Meeting and this Special Town Meeting make up the total FY 2016 estimated residential property tax levy of \$22,592,293.87. For the average residential property assessed at \$378,919, its property tax bill is projected to increase by \$216.77 or 3.223% - from \$6,725.53 in FY 2015 to \$6,942.30 in FY 2016—as a result of this recommended spending plan.



TOWN OF LITTLETON, MASSACHUSETTS

November 2, 2015 Special Town Meeting

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

[FINANCIAL ARTICLES]

ARTICLE 1

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

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

[Article 1 is to pay bills from prior fiscal years, if there are any to be paid.]

Motion: To be made at Town Meeting.

ARTICLE 2

Board of Selectmen / LCTV Advisory Committee
Establish LCTV PEG Access and Cable Related Fund

To see if the Town will vote to accept the provisions of MGL Chapter 44, §53F $\frac{3}{4}$ to establish a PEG Access and Cable Related Fund for the Littleton Community Television Department, into which fund shall be deposited funds received in connection with franchise agreements between a cable operator and the Town. Monies in the fund shall only be appropriated for cable-related purposes consistent with the franchise agreement, including, but not limited to: support of public, educational or governmental access cable television services; monitor compliance of the cable operator with the franchise agreement; or prepare for renewal of the franchise license; or to take any other action in relation thereto.

[Article 2 would accept the state statute to establish a PEG Access and Cable Related Fund, which would allow Littleton's current practice of reserving all PEG (public, educational, and governmental) funds for Littleton Community Television (LCTV) to continue. LCTV has been the exclusive recipient of so-called PEG funds, which the Town receives from its two cable franchise operators, Comcast and Verizon, totaling some \$200,000 per year. The Department of Revenue recently ruled that communities which had not formally established PEG access accounts authorized by special or general law—which Littleton has not—must do so by June 30, 2016, or the Bureau of Accounts will close those funds to the General Fund unreserved fund balance. The current balance in PEG funds is \$384,603, and is expected to close at \$437,212 by fiscal year's end.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 2 as printed in the warrant.

Finance Committee, Board of Selectmen and LCTV Advisory Committee support Article 2.

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ARTICLE 3
Board of Selectmen
Amend FY 2016 Revolving Funds

To see if the Town will vote to amend its vote under May 4, 2015 Annual Town Meeting Article 3, FY 2016 Revolving Funds, as follows:

Amend Item (2), Dog By-law Enforcement: to reads as follows: “to allow receipts from dog license fees and fines to be segregated into a special account; and with funds therefrom, up to a limit \$12,000 of \$17,000 annually, to be expended for costs associated with by-law enforcement, under the direction of the Chief of Police”;

Add Item (15) LCTV Boxborough IMA: to allow the proceeds resulting from the provision of LCTV cable services to the Town of Boxborough through an intermunicipal agreement to be segregated into a special account; and with funds therefrom, up to a limit of \$65,000 annually, to be expended for expenses associated with the provision of said services under the direction of the LCTV Executive Director with the approval of the Board of Selectmen; and

Add Item (16) Conservation Community Gardens: to allow receipts from fees for community gardens on Conservation Commission properties to be segregated into a special account; and with funds therefrom, up to a limit of \$1,000 annually, to be expended for maintenance and improvements of said gardens under the direction of the Conservation Commission.

Or to take any other action in relation thereto.

[Article 3 would amend the revolving funds article passed at the 2015 Annual Town Meeting, as follows: (1) by increasing Dog By-law Enforcement from \$12,000 to \$17,000, to cover increased costs of the intermunicipal agreement with Boxborough for provision of animal control officer services to Littleton; (2) by adding a revolving fund for Littleton's provision of LCTV services to Boxborough, so funds received from Boxborough for services can be expended on LCTV expenses; and (3) by establishing a revolving fund requested by the Conservation Commission so that fees received for community garden lots on its properties can be expended to maintain and improve those gardens.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 3 as printed in the warrant.

Finance Committee, Board of Selectmen, LCTV Advisory Committee and Conservation Commission support Article 3.

ARTICLE 4
Board of Selectmen
FY 2016 Budget Amendments

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

[Article 4 makes adjustments to the Fiscal Year 2016 budget for additional PEG access funds for LCTV salary and expense costs; adding hours to the transfer station (offset by increased local receipts); and continued participation in the Northern Middlesex Council on Governments (NMCOG) stormwater collaborative. The net budget increase of \$22,182– for additional transfer

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station hours— is offset by increased local receipts from the increase in sticker and bag fees. All other transfers are within budget, or an increase in a budget offset (LCTV).]

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

Budget	Line Item	FY 2016		FY 2016
		Budget	Adjustment	Adjusted
197	LCTV Cable Studio – Personal Services	\$88,998	+\$42,070	\$131,068
	LCTV Cable Studio - Expenses	20,250	+6,600	26,850
	Transfer in from PEG access funds	-109,248	-48,670	-157,918
420	Highway – Personal Services	765,089	+15,846	780,935
	Highway - Expenses	376,867	+6,336	383,203
	Highway – Stormwater Expenses (new)	0	+4,800	4,800
720	Short-term Debt - Expenses	<u>640,070</u>	<u>-4,800</u>	<u>635,270</u>
Total	Budgets	37,600,110	+70,852	37,670,962
	Transfers In	<u>-1,023,242</u>	<u>-48,670</u>	<u>-1,071,912</u>
TOTAL	Appropriated Budgets	\$36,576,868	\$22,182	\$36,599,050

Finance Committee and Board of Selectmen support Article 4 as moved.

ARTICLE 5
Board of Selectmen
Fund Collective Bargaining Agreement

To see if the Town will vote to raise and appropriate the sum of \$30,462 for the purpose of funding a new collective bargaining agreement reached between the Town and the police employee union, Massachusetts Coalition of Police, Local 204, or to take any other action in relation thereto.

[Article 5 funds the first year of a collective bargaining agreement reached with the Town's police union for a successor agreement to one which expired on June 30, 2015. The new three-year contracts would be for the period July 1, 2015 through June 30, 2018, with salary schedule adjustments of 2% in Year One, 2% in Year Two, and 2% in Year Three. Funding for the cost items of the first year of the contract require town meeting approval. The salary schedules have not been updated since FY 2013. Similar contracts for the highway, fire, and dispatch unions were approved by the May 4, 2015 Annual Town Meeting.]

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

Finance Committee and Board of Selectmen support Article 5.

ARTICLE 6
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, by amending Schedules B, B-1,

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B-2, and D, effective July 1, 2015, by applying a two percent (2%) salary schedule adjustment so that said schedules read as follows:

Schedule B

On-Call Meeting Clerk, \$11.88; Election Warden, \$16.89

Schedule B-1, Other Employees

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
1 hourly	\$11.30	\$11.53	\$11.76	\$12.00	\$12.24
2 hourly	\$14.14	\$14.42	\$14.71	\$15.00	\$15.30

Schedule B-2, Temporary/Seasonal Employees

GRADE	STEP 1	STEP 2	STEP 3	STEP 4
1 hourly	\$13.77	\$14.05	\$14.33	\$14.62
2 hourly	\$14.74	\$15.03	\$15.33	\$15.64
3 hourly	\$15.77	\$16.09	\$16.41	\$16.74
4 hourly	\$16.87	\$17.21	\$17.55	\$17.90

Schedule D, Fire Department On-Call

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
1 hourly	\$10.20					
2 hourly	\$14.28	\$14.57	\$14.86	\$15.16	\$15.46	\$15.77
3 hourly	\$14.85	\$15.15	\$15.45	\$15.76	\$16.08	\$16.40
4 hourly	\$15.44	\$15.75	\$16.07	\$16.39	\$16.72	\$17.05
5 hourly	\$15.90	\$16.22	\$16.54	\$16.87	\$17.21	\$17.55
6 hourly	\$16.38	\$16.71	\$17.04	\$17.38	\$17.73	\$18.08
7 hourly	\$16.87	\$17.21	\$17.55	\$17.90	\$18.26	\$18.63
8 hourly	\$17.38	\$17.73	\$18.08	\$18.44	\$18.81	\$19.19
9 hourly	\$17.90	\$18.26	\$18.63	\$19.00	\$19.38	\$19.77
10 hourly	\$18.44	\$18.81	\$19.19	\$19.57	\$19.96	\$20.36

and further to raise and appropriate the sum of \$4,748 therefor, or to take any other action in relation thereto.

[Article 6 would apply a 2% increase to all salary schedules that have not yet been amended by town meeting this year. The May 4, 2015 Annual Town Meeting had approved a 2% adjustment to Schedule A, Permanent Full and Part-time Employees; and had made adjustments to the two Park & Recreation schedules, C (Seasonal / Temporary / Fee-Based Positions), and C-1 (Community Education / Temporary / Fee-Based). This article would amend Schedules B, B-1 (Other Employees), B-2 (Temporary/Seasonal Employees), and D (Fire Department On-Call employees.)]

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 Personnel Board support Article 6.

ARTICLE 7
Board of Selectmen
Supplemental FY 2016 Capital Items from Available Funds

To see if the Town will vote to raise and appropriate or transfer from available funds the following 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.

1. Fuel Facility Replacement – raise and appropriate the sum of \$111,000 to be expended by the Permanent Municipal Building Committee to replace the fuel facility at 39 Ayer Road.
2. Council on Aging Kitchen – raise and appropriate the sum of \$38,425 to be expended by the Permanent Municipal Building Committee for needed code improvements to the COA kitchen adjacent to the diner and multi-purpose room in the Town Office Building.
3. LCTV Capital Equipment – transfer from the PEG Access and Cable Related Fund the sum of \$59,871 to be expended by Littleton Community Television for capital equipment to support LCTV's launching of its Educational Channel.

[Article 7 funds three one-time expenses totaling \$209,296, as follows:

- Fuel Facility Replacement – supplemental appropriation of \$111,000 to replace the 30-year old fueling facility shared by the Town and LELWD at 39 Ayer Road. The November 12, 2014 Special Town Meeting appropriated \$248,388, to augment \$300,000 from the Electric Light Commissioners. That total of \$548,388 is not sufficient to undertake the project, so additional funds are needed for a total of \$659,388. The new facility will be outfitted with above ground steel double wall tanks, a canopy with fire suppression, computer controlled fuel access, electronic tank inventory monitoring and fuel accounting software. The fuel facility will also be on emergency power generation, so the town can maintain fuel access during extended emergency situations.
- Council on Aging Kitchen – supplemental appropriation of \$38,425 for needed code improvements to the COA kitchen adjacent to the diner and multi-purpose room in the Town Office Building. The May 5, 2014 Annual Town Meeting appropriated \$114,372, adding to \$26,128 from an old article balance. That \$140,500 is not sufficient to undertake the project; so additional funds are needed.
- LCTV Capital Equipment - \$59,871 in PEG access funds are proposed to be used for capital equipment to support LCTV's launching of its Educational Channel. Current video playback provides for broadcast of two channels (PUB and GOV). EDUC channel broadcast requires an additional playback server or acquiring one new playback server that not only supports more channels but also eliminates separate gear for per-channel Bulletin boards.]

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

Finance Committee, Board of Selectmen, Permanent Municipal Building Committee, Council on Aging, and LCTV Advisory Committee support Article 7.

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[ARTICLES REQUIRING SUPERMAJORITY VOTE]

ARTICLE 8
Board of Selectmen
Nagog Hill Orchard Leases
[2/3rds vote required]

To see if the Town will vote to authorize the Board of Selectmen to enter into a lease or leases for agricultural purposes the Morrison/ Nagog Hill Orchard property shown on Littleton Assessor's Map as Parcels R02-9-1, R04-8-0, R02-3-0, R02-4-0, R04-5-0 and R02-10-0, comprised of 94.18 acres, more or less, more particularly described as the "PREMISES", below, upon such terms and conditions as the Board of Selectmen may determine, for a period of up to thirty (30) years, or to take any other action in relation thereto.

PREMISES: Lots 102-A, 103-A, 104, 105, 109, 110, and 111, as shown on a plan entitled "Plan of Land in Littleton, Mass. Prepared for the Town of Littleton ~ Morrison Property ~," by David E. Ross Associates, Inc. dated April, 2000, Plan No.1343 of Book 2002, Sheets 1-3; and Lot 107 as shown on plan entitled "Land in Littleton, Mass. surveyed for the Town of Littleton ~ Morrison Property ~" Plan No. 227 of 2000, Sheet 2 of 5; said lots contain the orchard, the upper barn, the two family dwelling, and the lower barn and cottage.

[Article 8 would authorize the Board of Selectmen to issue Requests for Proposals inviting a lease or leases of up to 30 years for agricultural purposes of a portion of the Morrison property acquired by Article 2 of the December 13, 1999 Special Town Meeting. Article 29 of the May 8, 2000 Annual Town Meeting authorized a ten-year lease for this purpose, and that lease has been extended since 2010, currently through July 1, 2016. Article 8 as posted proposes to authorize lease of the same premises as authorized by May 2000 ATM Art. 29, which add up to 94.18 acres, as shown in the table below and the map on page 13.]

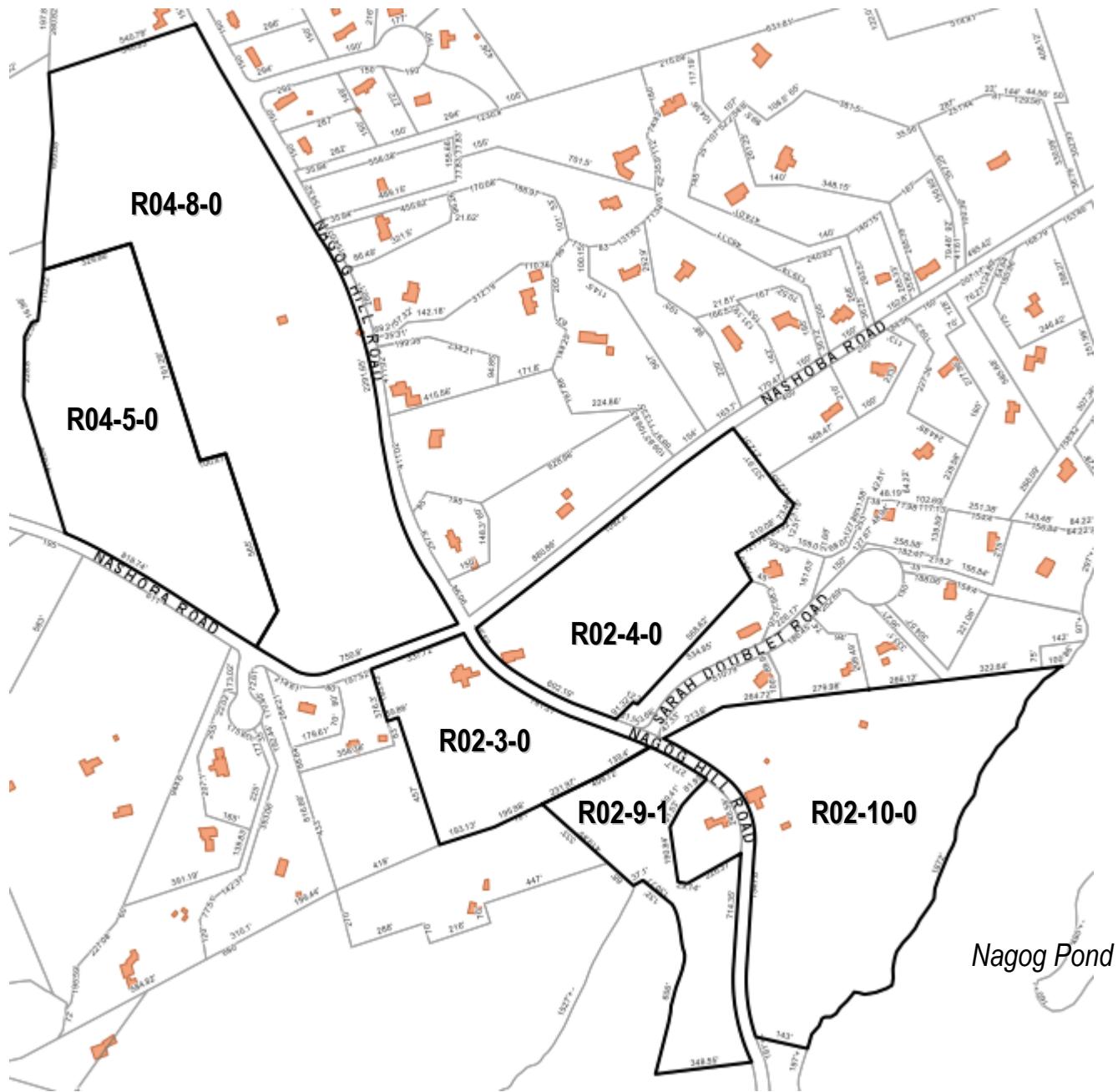
Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 8 as printed in the warrant.

Finance Committee and Board of Selectmen support Article 8. Agricultural Commission and Conservation Commission recommendations forthcoming.

Morrison/Nagog Hill Orchard property (see map on page 13)

<u>Map/Parcel</u>	<u>Street Address</u>	<u>Acres</u>	<u>Registry of Deeds Plan Reference</u>	<u>Restrictions</u>
R04-8-0	Nagog Hill Road	33.16	Lot 102-A on Plan #1343 of 2002, Sheet 1	Agricultural Preservation Restriction
R04-5-0	Nashoba Road	14.25	Lot 103-A on Plan #1343, Sheet 1	Self-Help Parcel; conservation
R02-4-0	70-72 Nagog Hill	12.25	Lot 104 on Plan #1343 of 2002, Sheet 2	APR
R02-3-0	75 Nagog Hill Rd	7.56	Lot 105 on Plan #1343 of 2002, Sheet 2	APR
R02-10-0	94 Nagog Hill Rd	20.07	Lot 107 on Plan #227 of 2000, Sheet 2	General municipal purposes; no APR
R02-9-1	Nagog Hill Road	<u>6.89</u>	Lots 109, 110 and 111 on Plan #1343 of 2002, Sheet 3	Lots 109 and 111: APR. Lot 110: Self-Help Parcel; conservation
<i>Total acres</i>		94.18		

TOWN OF LITTLETON, MASSACHUSETTS



Article 8. Nagog Hill Orchard

TOWN OF LITTLETON, MASSACHUSETTS

[OTHER ARTICLES, INCLUDING ROUTINE AUTHORIZATIONS & REAUTHORIZATIONS]

ARTICLE 9
Board of Selectmen / Council on Aging
Aid to Elderly and Disabled Taxation Fund

To see if the Town will vote to accept the provisions of MGL Chapter 60, §3D to establish a Town aid to the elderly and disabled taxation fund for the purpose of defraying the real estate taxes of elderly and disabled persons of low income; and further to establish a taxation aid committee to consist of the chairman of the board of assessors, the town treasurer and three residents of the town to be appointed by the board of selectmen, which board shall adopt rules and regulations to carry out the provisions of this section and to identify the recipients of such aid; or to take any other action in relation thereto.

[Article 10 would accept the state statute to establish an Aid to Elderly and Disabled Taxation Fund, as requested by the Council on Aging, for the purpose of defraying the real estate taxes of elderly and disabled persons of low income. The statute also provides that a taxation aid committee be established, comprised of the chairman of the Board of Assessors, the Town Treasurer and three residents appointed by the Board of Selectmen. Similar programs have already been established in other towns, including Billerica, Carlisle, Concord, Harvard, and Westford.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 9 as printed in the warrant.

Finance Committee, Board of Selectmen, and Council on Aging support Article 9.

ARTICLE 10
Board of Selectmen / Council on Aging
Town By-law Amendment: Reduce Council on Aging Membership from 11 to 9

To see if the Town will vote to amend the Town Code Chapter 15, “Council on Aging” so that Section § 15-1, “Membership, terms,” reads as follows:

There shall be a Council on Aging pursuant to MGL c. 40, §8B, which shall consist of **eleven (11) nine (9)** 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 11 would decrease the membership of the Council on Aging from eleven to nine, as unanimously requested by the COA, which currently has only seven positions filled. This would reduce the quorum requirement from six to five members, in order to conduct business as a best practice per the Department of Elder Affairs.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 10 as printed in the warrant.

Council on Aging and Board of Selectmen support Article 10.

ARTICLE 11
Board of Selectmen

Town By-law Amendment: Discharges to Municipal Storm Drain System

To see if the Town will vote to amend the Town Code by adding a new Chapter __, "Discharges to the Municipal Storm Drain System," in accordance with Section III.B.3(b) of the General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems, which mandates that the Town adopt a regulatory mechanism to prevent non-storm water discharges into the system and implement appropriate enforcement procedures and actions; or to take any other action in relation thereto.

[Article 11 would allow the Town to amend its by-laws to further comply with the term of the 2003 MS4 permit for stormwater management from the U.S. Environmental Protection Agency (EPA). In 2007, the Town adopted the Low Impact Design/Best Management Practices Manual, which is routinely required by the Planning Board in its approvals. Town Counsel has opined that, prior to July 1, 2016, the Town will need to have in place Town by-laws or Town board regulations for an illicit discharge, detection, and elimination program; for construction site stormwater runoff control; and for post-construction stormwater management. The Board of Selectmen is reviewing with Town Counsel, and will have a report for Town Meeting voters.]

Motion: To be made at Town Meeting.

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Town of Littleton
Board of Selectmen
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Littleton, MA 01460

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