



Town of Littleton, Massachusetts
TOWN MEETING REPORT

VOTER INFORMATION

Please bring this with you to the
NOVEMBER 14, 2012
SPECIAL TOWN MEETING

Wednesday, November 14, 2012 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

TOWN OF LITTLETON, MASSACHUSETTS

To the Voters of Littleton:

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

Towards that goal, this *Town Meeting Report* is being mailed out to all local households a couple of weeks prior to the November 14, 2012 Special Town Meeting.

The Report contains the articles as posted in the warrant, along with proposed motions, recommendations, a fiscal impact summary of the financial articles, and a concise explanation of each article in plain English.

Here is the format in which the 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 article's sponsor, as reviewed by Town Counsel.

Recommendations of Town Boards.

The Board of Selectmen and the Study Committee welcome your feedback on this publication.

And please remember to bring your copy of this report with you to Town Meeting. Thank you!

– Littleton Board of Selectmen
Gregg Champney, Chairman
Ted Doucette
James Karr
Joseph Knox
Alexander McCurdy

Summary of Fiscal Impact of Financial Articles

The table below lists the titles of all articles in the November 14, 2012 Special Town Meeting warrant, with a **dollar amount** following the title of each of the financial articles.

1. Bills of Prior Years - **\$621.05**
2. Fund Collective Bargaining Agreements - **\$10,607.04** + other amounts (forthcoming)
3. Personnel By-law, Classification and Compensation Plan, Non-Union Employees - **\$98,502.70**
4. FY 2013 Budget Amendments - **\$158,615**
5. Joint Municipal-School Facility Assessment Study - **\$20,000**
6. Supplemental Borrowing: Roadway Improvement Plan - **\$1,000,000** borrowing
7. Borrowing: Redevelopment of Well # 2, Treatment Plant – **\$3,000,000** borrowing (estimate)
8. Oak Hill, Newtown Hill, and Well #2 Co-Location Leases
9. Stabilization Fund - **\$119,845**
10. Personal Exemption Amounts
11. Adopt Local Meals Excise
12. Tax Increment Financing - 53 Ayer Road
13. Senior Citizen Property Tax Work-off Abatement Program
14. Veterans Property Tax Work-off Abatement Program
15. Veterans Organization Property Tax Exemption
16. Tax Title Abutter Lot Sales Program – List of Parcels
17. By-law Amendment: Town Meetings
18. By-law Amendment: Valuable Second Hand Items

The FY2013 Spending Plan approved by the Finance Committee and Board of Selectmen in preparation for the May 7, 2012 Annual Town Meeting fully utilized the available property tax levy limit within Proposition 2½. All but one of the appropriation articles in the November 14, 2012 Special Town Meeting warrant were accounted for as “other amounts to be raised” in that spending plan, so these articles will not further increase the property tax levy.

One new appropriation item reflects final Cherry Sheet state aid figures released for Littleton this summer, which included an additional \$139,835 in Chapter 70 aid for education. The School Committee, Board of Selectmen, and Finance Committee have agreed that this amount should be appropriated into the Other Post Employment Benefits Fund (OPEB) in Article 4, FY 2013 Budget Amendments.

The borrowing for roadway and water system improvements in Articles 6 and 7 will be funded by debt service payments made in future years, all within the limits of Propositions 2½. The water project costs will be borne by water ratepayers, and not by property taxpayers.



November 14, 2012 Special Town Meeting

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

ARTICLE 1

Board of Selectmen

Bills of Prior Years

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, which were not received before the books were closed, and for which prior year budget funds had not been encumbered. This bill was from a job posting notice placed in June 2012.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to raise and appropriate the sum of \$621.05 to pay for an unpaid bill from a previous fiscal year, as listed below:

<u>Vendor</u>	<u>Dept.</u>	<u>Amount</u>	<u>Fiscal Year</u>
Lowell Publishing Co	Police	621.05	FY 2012

Finance Committee and Board of Selectmen support Article 1.

ARTICLE 2

Board of Selectmen

Fund Collective Bargaining Agreements

To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money for the purpose of funding any new collective bargaining agreements between the Town and its employee unions, or to take any other action in relation thereto.

[Article 2 funds the first year of collective bargaining agreements reached with the Town's unions for successor three-year agreements to ones which expired on June 30, 2012. The new three-year agreement reached with Police Union includes implementation of the classification and compensation plan study with no cost-of-living adjustments during the life of the contract; a policy limiting sick leave; and providing for pay on a biweekly, rather than weekly, basis. Contracts with the dispatch, fire, and highway unions are still under negotiation.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to raise and appropriate the following sums necessary to fund the cost items contained in collective bargaining agreements reached between the Town and its employee unions:

<i>Collective Bargaining Agreement</i>	<i>Department/Budget</i>	<i>Amount</i>
Massachusetts Coalition of Police, Local 204 (Police)	210 Police/Dispatch	\$10,607.04
Massachusetts Coalition of Police, Local 204A (Dispatch)	210 Police/Dispatch	\$
Local 4599, I.A.F.F. (Fire)	220 Fire	\$
AFSCME Council 93, Local 1703 (Highway)	420 Highway	\$

Finance Committee and Board of Selectmen support funding police union contract. Further recommendations to be made at Town Meeting on other union agreements reached by then.

ARTICLE 3

Board of Selectmen / Personnel Board

Personnel By-law, Classification and Compensation Plan, Non-Union Employees

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, and further to raise and appropriate or transfer from available funds a sum or sums of money to fund salary schedule adjustments for non-union employees, or to take any other action in relation thereto.

[Article 3 amends the classification and compensation plans for non-union employees, including permanent full- and part-time, temporary and seasonal, and on-call firefighters, based on the work of a human resources consultant hired to update, grade, and rate all job descriptions, and conduct a salary survey of comparable communities. Language changes to the Personnel By-law include a comprehensive update of the sick leave, and short- and long-term disability policies. These limit the amount of sick time available to employees while providing them salary protection during periods of extended illnesses. Article 3 also funds salary schedule adjustments for non-union By-law and management contract employees.]

Motion: Moved and seconded by the Board of Selectmen that the Town 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 printed in the motion on pages 6-14 of the Town Meeting Report, and further to raise and appropriate the sum of \$98,503 to fund salary schedule adjustments for non-union employees.

1. Amend the fourth paragraph of §33-6 to read as follows: "The Town agrees that, in all personnel matters, it will continue its policy of not discriminating against any person on any legally recognized basis. See §33-38."
2. Amend §33-7.b. to read as follows: "Benefit Eligible Employee—Any employee regularly working at least 20 hours per week [see MGL c.32B, §2(d)] whose position is listed on Schedule A or Schedule B of the Classification and Compensation Plan."
3. Amend §33-7.c to read as follows: "Non-Benefit Eligible Employee—Any employee who works less than 20 hours each week not eligible for benefits under MGL c.32B."
4. Amend §33-7.e to read as follows: "On-Call or Temporary Employee: Any non-benefit eligible employee whose duration of employment with the Town is on an on-call or temporary basis."
5. Amend §33-8.B.d to read as follows: "On-Call or Temporary"
6. Amend §33-13 to read as follows: "Step increases will be awarded on an annual basis on July 1st provided the employee has completed at least one (1) year of satisfactory performance. When an employee reaches the top step of the grade they will no longer be eligible for a step increase."
7. Delete §33-15 in its entirety and replace it with the following:

§33-15. ANNUAL SALARY SCHEDULE REVIEW & ADJUSTMENT

The Personnel Board will annually consider and vote to adjust the Classification and Compensation Schedule.

8. Amend §33-18 to read as follows: "Hourly employees begin to accrue overtime after they have worked 40 hours in a work week and it must be pre-approved by the Appointing Authority and their budget must have funds available to cover overtime. In certain circumstances compensatory time may be used, but it should be used as an exception rather than the norm. Salaried employees are not eligible for compensatory time. Compensatory time must be recorded on the timesheets as

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hours accrue or hours used and it must be used within 30 days of the date on which it was earned or it is lost.”

9. Delete §33-22 in its entirety and replace it with the following:

§33-22. PERSONAL DAYS

Personal days provide a means for employees to secure limited time off when such time is needed for important personal reasons. All benefit eligible employees shall receive three (3) paid personal days on July 1st to use during the fiscal year.

A new employee hired after July 1st shall in that year receive paid personal days as follows:

- Three personal days if hired prior to October 1st;
- Two personal days if hired prior to January 1st;
- One personal day if hired prior to April 1st.

Personal days will be taken in half-day increments and cannot be carried over into the next fiscal year or paid out upon termination.

An employee's request for personal time must be approved by the supervisor prior to use.

10. Amend §33-23.G to read as follows: “Employees may carry over any unused vacation time into the next fiscal year. In no case will the unused vacation time allowed to be carried into the next fiscal year be more than 5 weeks.”

11. Amend §33-24 to read as follows: “Personal leave of absence not to exceed 12 weeks may be granted by an Appointing Authority but shall be without compensation. A leave of absence of over 12 weeks duration shall be considered a break in employment and on return to work the employee shall have the status of a new employee unless an extension of leave beyond 12 weeks has been authorized by the Personnel Board in advance. Unless otherwise stated, personnel leave of absences without pay shall be considered inactive employment, where time spent on such leave does not count as service (time worked) for purposes of seniority, vacation, sick leave, longevity and other benefits. Those employees on an approved leave of absence who are removed from payroll are responsible for remitting their portion of the payment due for health and other insurance premiums to the Treasurer's office within the requested time frame.”

12. Delete §33-25 in its entirety and replace it with the following:

§33-25. SICK LEAVE POLICY

1. **SICK LEAVE** - Sick leave is available to benefit eligible employees, limited to absences caused by illness, injury, exposure to contagious disease, illness of a member of an employee's immediate family as defined by FMLA guidelines or illness or disability arising out of or caused by pregnancy or childbirth.

- A. **Annual Benefit** - Subject to limitations in the personnel policies, all benefit eligible non-union employees shall be awarded fifteen (15) days of sick leave on July 1st of each fiscal year based on the number of hours scheduled in a normal workweek as of July 1st of each year. Part-time employees would receive a pro-rated number of hours based on their normal work week. For example, a full-time forty (40) hour per week employee would be awarded 120 sick hours at the beginning of the fiscal year. A 35 hour per week employee would be awarded 105 sick hours (15 days x 7 hours per day).

New employees, upon completion of thirty (30) days of continuous service for the Town, shall be awarded a pro-rated amount based on an accrual of 1.25 days per month rounded to ½ day increments for the remainder of the fiscal year (i.e. a full- time employee completing their 30 day period on November 15th would be awarded 9.5 sick

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days – 7.5 months x 1.25 days = 9.375 days rounded to 9.5 days x 8 hours per day = 76 sick hours). Part-time employees would receive a pro-rated number of hours based on their normal work week.

- B. Employees shall be entitled to sick leave without loss of pay if the employee has notified their supervisor, or designee, of the absence and cause thereof within one hour of the start of the workday, or as soon thereafter as practicable. Sick leave may be taken in hourly increments.
- C. Extended Absences - The Town may require employees absent from work due to illness or injury for 3 or more consecutive working days, to provide medical documentation concerning the nature, severity, and duration of the illness or injury. The Town may require an employee who seeks to return to work after being absent, whether paid or unpaid, for five (5) consecutive work days or more, to be examined by a Town selected physician to determine the employee's fitness for work. If the Town requires a medical certificate from a Town selected physician, the Town will pay the cost of the physician's services in examining the employee.
- D. If an employee has been warned of sick leave abuse, the Town, in its exclusive discretion, may require medical documentation from an employee's physician or a written certificate from a Town selected physician establishing incapacity, illness or injury as a condition of payment of sick leave benefits. The Town may initiate disciplinary action for employees engaged in sick leave abuse. If an employee uses sick leave for purposes other than legitimate illness or injury the employee may, at the Town's discretion, be subject to discipline up to and including discharge.
- E. Sick leave may not be carried into the next fiscal year and no payment will be made for unused sick time upon termination of the employee for any reason. However at the end of the fiscal year, unused sick leave may be used to establish or replenish a Short Term Disability leave bank. For the period from January 1, 2013 through June 30, 2013, any employee who uses two (2) or fewer sick leave days during this period shall be awarded, in exchange for one of the unused sick leave days, one additional Personal Day for use in the fiscal year beginning on July 1, 2013. In successive years, employees using four (4) or fewer sick leave days in the preceding fiscal year shall be awarded, in return for two (2) of the unused sick leave days, two (2) additional personal days as of July 1 of the new fiscal year, for use in that year.

2. SHORT TERM DISABILITY - Short Term Disability benefits are available to eligible employees once they have completed six months of service or the end of their probationary period, whichever is greater.

- A. Coverage Period - Employees who experience a personal illness or injury that causes a continuous and uninterrupted absence up to 26 weeks will be considered for short term disability (STD) benefits upon the 31st calendar day of uninterrupted absence. Employees that qualify for short-term disability benefits will be compensated beginning on the 31st calendar day of absence, at 60% of weekly base pay, not to exceed \$1,000. The employee may augment their disability payment up to 100% of their normal weekly wage by using the following; accrued sick days, personal days accrued vacation days, and their Short-Term Disability Bank (any order).
- B. Qualifications - An employee will qualify for short-term disability benefits upon meeting

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the eligibility requirements specified in the STD benefits document. The Town may engage a third-party administrator whose decisions regarding the availability or applicability of this benefit to a given individual or in a given situation shall not be subject to appeal by employees. In the event the Town does not have a third-party administrator, the Board of Selectmen will establish any benefit requirements. This benefit may also be modified or eliminated by the Board of Selectmen.

- C. While on disability, an employee will be required to report to Human Resources at least once per week to provide a status update as to their condition and approximate date of return to work. During a period of disability, the employee will not continue to accrue sick or vacation time but will continue to participate in other benefits on the same basis as active employees. Employees shall not hold any type of employment during short term disability. Disability benefits may be offset by payments from retirement, social security, worker's compensation, or other disability coverage (federal, state or county).
- D. The STD bank may be established and replenished with unused sick time as stated in the sick leave policy, however at no time will the STD bank be allowed to exceed 40 days. No payment will be made for unused STD bank time upon termination of the employee for any reason.
- E. Short Term Disability Bank - Employees hired prior to the effective date of this section (STM 11-14-2012) will be provided with a one- time credit of 40 days in a personal Short Term Disability Bank. The STD Bank may be used during the 30 day waiting period to augment wages, only when all current fiscal year accrued sick days, personal days and vacation days have been exhausted. The use of these STD days is only allowed in the event of a qualified STD leave.

3. LONG TERM DISABILITY -Benefit eligible employees are eligible for long term disability benefits after completing one year of employment or the end of their probationary period, whichever is greater.

- A. Coverage Period - Employees who experience a personal illness or injury that causes a continuous and uninterrupted absence beyond 180 days will be considered for long term disability. This benefit can provide up to 60% of weekly base wage, not to exceed \$5,000 per month. While on disability, an employee will be required to report to their supervisor at least once per week to provide a status update as to their condition and approximate date of return to work. During a period of disability, the employee will not continue to accrue sick or vacation time but will continue to participate in other benefits on the same basis as active employees. Seniority will freeze at current step while out on long term disability leave.
Disability benefits may be offset by payments from retirement, social security, worker's compensation, or other disability coverage (federal, state or county).
- B. Qualifications - An employee will qualify for long-term disability benefits upon meeting the eligibility requirements of the LTD provider who will be solely responsible for any disability determination or decision. In the event the Town does not have a long-term disability insurance policy in force, the Board of Selectmen will establish any benefit requirements.

13. Delete §33-26 in its entirety and replace it with the following:

§33-26. FAMILY AND MEDICAL LEAVE ACT

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The Town is committed to complying with the Family and Medical Leave Act (FMLA), as the same may be amended from time to time. Our 'Year' for purposes of leave requests is a 12-month period measured forward from the first FMLA usage. The Town requires the use of accrued, available paid leave concurrently with FMLA leave.

14. Amend §33-30 to read as follows:

§33-30. INSURANCE BENEFITS

The Town of Littleton offers the following insurance coverage to its benefit eligible employees:

HEALTH INSURANCE

The Town of Littleton will offer health insurance in accordance with Chapter 32B of Massachusetts General Laws. Insurance deductions are taken automatically from the employee's paycheck. Health Insurance is offered at the time of employment and during the annual open enrollment. Under COBRA law, employees may be entitled to continued coverage in the Town's group health insurance plan effective upon termination of employment. The employee is responsible for 102% of the Premium. Specific information is available from the Treasurer's Office.

Open enrollment is offered once a year, usually in early April. At this time employees have the opportunity to change their current benefit plans and coverage to suit their personal needs. Employees will be notified by the Treasurer's Office of the dates of the open enrollment and when any changes will become effective.

If you are an active benefit eligible employee 65 or over you will remain on your current active health plan until you retire. At age 65, if you are Medicare eligible, you must apply for your Medicare coverage through Social Security and defer your Part B coverage until retirement.

RETIRED EMPLOYEES

Retired employees under age 65 will be covered by the Town's active health plans until age 65. The retiree must enroll in Medicare, if eligible. The retiree may elect to participate in the Town's Medigap insurance plan.

Retired employees not eligible for Medicare will remain on their current active plan upon providing proof that they are ineligible for Medicare.

BASIC LIFE INSURANCE

The basic life insurance offered by the Town is \$10,000. The employer will automatically deduct this from the employee's paycheck. This is term life insurance and expires upon termination of employment with the Town. Retiree coverage drops to \$5,000 for half the cost. Life insurance is offered to new hires at the time of their employment. If you do not take this insurance you must sign a waiver of refusal.

OPTIONAL BENEFITS

Employees may select additional benefits offered by the Town. The costs of these benefits will be paid entirely by the employee.

15. Amend §33-35 to read as follows:

§ 33-35. REDUCTION IN FORCE (RIF)

In the event that, it becomes necessary to reduce the number of employees or their hours under the Personnel By-law, the Town of Littleton, in determining which of its employees are to be terminated, will take into consideration the departmental needs, the qualifications of such employees and the quality of their past performance.

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Where, in the opinion of the appointing authority, the qualifications and quality of performance of employees are equal, employees will be terminated in the order of reverse seniority as employees of the department.

The employee will be notified whenever possible four (4) weeks in advance of the layoff or reduction in schedule, insofar as practicable.

- A. An employee who has been laid off shall be entitled to recall rights to this same position for a period of two (2) years from the effective date of his/her layoff.
- B. An employee recalled within one year of his/her day of lay off will return with service accrued up to the time of lay off.
- C. Recall notices shall be sent via certified or registered mail. Employees are required to keep the Town informed of their current mailing address.
- D. An employee who is recalled must report to work within 14 calendar days of the date of mailing the recall notice or some other mutually agreed upon time.

16. Amend §33-36 to read as follows: "Employees covered by this by-law who have assigned office space are not permitted to work from home. Our goal is to have town offices open to the public whenever possible. The appointing authority of the employee must grant permission in writing for any exceptions to this policy."

17. Amend §33-38 to read as follows: "As stated in Federal, and State Law and in accordance with the Town's Equal Employment Opportunity, Discrimination, and Sexual Harassment Policy."

18. Delete §33-41 in its entirety and replace it with the following:

§33-41. WORKERS COMPENSATION

Employees incurring work related injuries may receive payments under the Town's Worker's Compensation Insurance policy. Payments are made in accordance with State and Federal Workers Compensation laws and can be augmented to 100% of the employee's normal weekly wage with the use of sick leave, vacation, and STD leave bank days.

Prior to returning to work, after a work related injury, employees will be required to present a fitness-for-duty certificate addressing their ability to perform the essential functions of the position.

19. Amend the TOWN OF LITTLETON, MASSACHUSETTS FY 2013 CLASSIFICATION & COMPENSATION PLAN to read as follows:

SCHEDULE A, Permanent Full and Part-time Employees

GRADE		STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
<i>Employees</i>									
1	<i>hourly annual</i>	\$13.50 \$28,188.00	\$13.97 \$29,169.36	\$14.46 \$30,192.48	\$14.97 \$31,257.36	\$15.49 \$32,343.12	\$16.03 \$33,470.64	\$16.59 \$34,639.92	\$17.17 \$35,850.96
2	<i>hourly annual</i>	14.45 30,171.60	14.96 31,236.48	15.48 32,322.24	16.02 33,449.76	16.58 34,619.04	17.16 35,830.08	17.76 37,082.88	18.38 38,377.44
3	<i>hourly annual</i>	15.46 32,280.48	16.00 33,408.00	16.56 34,577.28	17.14 35,788.32	17.74 37,041.12	18.36 38,335.68	19.00 39,672.00	19.67 41,070.96
4	<i>hourly annual</i>	16.54 34,535.52	17.12 35,746.56	17.72 36,999.36	18.34 38,293.92	18.98 39,630.24	19.64 41,008.32	20.33 42,449.04	21.04 43,931.52
5	<i>hourly annual</i>	17.70 36,957.60	18.32 38,252.16	18.96 39,588.48	19.62 40,966.56	20.31 42,407.28	21.02 43,889.76	21.76 45,434.88	22.52 47,021.76

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GRADE		STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
6	<i>hourly annual</i>	18.94 39,546.72	19.60 40,924.80	20.29 42,365.52	21.00 43,848.00	21.74 45,393.12	22.50 46,980.00	23.29 48,629.52	24.11 50,341.68
7	<i>hourly annual</i>	20.27 42,323.76	20.98 43,806.24	21.71 45,330.48	22.47 46,917.36	23.26 48,566.88	24.07 50,258.16	24.91 52,012.08	25.78 53,828.64
8	<i>hourly annual</i>	21.69 45,288.72	22.45 46,875.60	23.24 48,525.12	24.05 50,216.40	24.89 51,970.32	25.76 53,786.88	26.66 55,666.08	27.59 57,607.92
9	<i>hourly annual</i>	23.32 48,692.16	24.14 50,404.32	24.98 52,158.24	25.85 53,974.80	26.75 55,854.00	27.69 57,816.72	28.66 59,842.08	29.66 61,930.08
10	<i>hourly annual</i>	25.65 53,557.20	26.55 55,436.40	27.48 57,378.24	28.44 59,382.72	29.44 61,470.72	30.47 63,621.36	31.54 65,855.52	32.64 68,152.32
11	<i>hourly annual</i>	28.73 59,988.24	29.74 62,097.12	30.78 64,268.64	31.86 66,523.68	32.98 68,862.24	34.13 71,263.44	35.32 73,748.16	36.56 76,337.28

Senior Management

12	<i>hourly annual</i>	33.90 70,783.20	35.09 73,267.92	36.32 75,836.16	37.59 78,487.92	38.91 81,244.08	40.27 84,083.76	41.68 87,027.84	43.14 90,076.32
13	<i>hourly annual</i>	40.00 83,520.00	41.40 86,443.20	42.85 89,470.80	44.35 92,602.80	45.90 95,839.20	47.51 99,200.88	49.17 102,666.96	50.89 106,258.32
14	<i>hourly annual</i>	44.80 93,542.40	46.37 96,820.56	47.99 100,203.12	49.67 103,710.96	51.41 107,344.08	53.21 111,102.48	55.07 114,986.16	57.00 119,016.00
15	<i>hourly annual</i>	50.18 104,775.84	51.94 108,450.72	53.76 112,250.88	55.64 116,176.32	57.59 120,247.92	59.61 124,465.68	61.70 128,829.60	63.86 133,339.68

GRADE 1

No positions assigned

GRADE 2

Cemetery Laborer

GRADE 3

Library Assistant

GRADE 4

Building Maintenance Custodian

Department Clerk

Driver's Education Instructor I

Financial Technician

GRADE 5

Assessing Clerk

Cemetery Groundskeeper

Driver's Education Instructor II

Library Technician

P/T Communications Officer

LCTV – P/T Program Coordinator

GRADE 6

Administrative Assistant – Building

Administrative Assistant – Conservation

Administrative Assistant – Fire

Administrative Assistant – Highway

Administrative Clerk – Collector / Clerk

Senior Library Technician

Special Programs Instructor

Program Specialist I

GRADE 7

Business Administrator – Highway

Executive Assistant to the Police Chief

Payroll and Finance Coordinator

Reserve Police Officer

Library Office Coordinator

GRADE 8

Assistant Town Clerk

Program Specialist II

GRADE 9

Assistant Assessor

Assistant Director-PRCE

Assistant Town Accountant

Building Maintenance Supervisor

Cemetery Superintendent

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Conservation Coordinator	GRADE 12
Driver's Education Program Coordinator	Building Commissioner/Zoning Enforcement Officer
Elder and Human Services Outreach Coordinator and Respite Care	Chief Assessor/Appraiser
Executive Assistant to the Town Administrator	Director of PRCE
Senior Librarian	Highway Operations Manager and Superintendent
Head of Circulation and Interlibrary Loan/Senior Librarian	Information Systems Manager
Technical Services/Senior Librarian	Town Treasurer
Children's Services/Senior Librarian	<i>Deputy Police Chief*</i>
Young Adult Services/Reference Services/ Senior Librarian	<i>Library Director*</i>
GRADE 10	GRADE 13
Inspector of Wires	<i>Assistant Town Administrator for Finance & Budget*</i>
GRADE 11	<i>Fire Chief*</i>
Assistant Treasurer and HR Administration	GRADE 14
Director of Elder and Human Services	<i>Chief of Police*</i>
Littleton Cable Television Executive Director	GRADE 15
Planning Administrator/Permit Coordinator	<i>Town Administrator*</i>
Tax Collector	
<i>Town Clerk**</i>	<i>Management contract (*) and elected (**) positions not subject to this By-law</i>

SCHEDULE B:

On-Call Meeting Clerk \$11.65 per hour

SCHEDULE B1 – Other Employees

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
1 hourly	\$11.08	\$11.30	\$11.53	\$11.76	\$12.00
2 hourly	\$13.86	\$14.14	\$14.42	\$14.71	\$15.00

Grade 1

COA Dispatcher

Grade 2

COA Van Driver

SCHEDULE B2 – Temporary /Seasonal Employees

GRADE	STEP 1	STEP 2	STEP 3	STEP 4
1 hourly	\$13.50	\$13.77	\$14.05	\$14.33
2 hourly	\$14.45	\$14.74	\$15.03	\$15.33
3 hourly	\$15.46	\$15.77	\$16.09	\$16.41
4 hourly	\$16.54	\$16.87	\$17.21	\$17.55

Grade 1

No positions assigned

Grade 2

Seasonal Highway Laborer

Grade 3

No positions assigned

Grade 4

Seasonal Truck Driver/Laborer

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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
1 hourly	\$10.00					
2 hourly	\$14.00	\$14.28	\$14.57	\$14.86	\$15.16	\$15.46
3 hourly	\$14.56	\$14.85	\$15.15	\$15.45	\$15.76	\$16.08
4 hourly	\$15.14	\$15.44	\$15.75	\$16.07	\$16.39	\$16.72
5 hourly	\$15.59	\$15.90	\$16.22	\$16.54	\$16.87	\$17.21
6 hourly	\$16.06	\$16.38	\$16.71	\$17.04	\$17.38	\$17.73
7 hourly	\$16.54	\$16.87	\$17.21	\$17.55	\$17.90	\$18.26
8 hourly	\$17.04	\$17.38	\$17.73	\$18.08	\$18.44	\$18.81
9 hourly	\$17.55	\$17.90	\$18.26	\$18.63	\$19.00	\$19.38
10 hourly	\$18.08	\$18.44	\$18.81	\$19.19	\$19.57	\$19.96

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

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

Finance Committee, Board of Selectmen and Personnel Board support Article 3.

ARTICLE 4
Board of Selectmen
FY 2013 Budget Amendments

To see if the Town will vote to amend the FY 2013 Operating Budget, as adopted pursuant to Article 4 of the May 7, 2012 Annual Town Meeting, by adjusting budget line items, or to take any other action in relation thereto.

[Article 4 makes these adjustments to the Fiscal Year 2013 budget: carrying software license costs in the Town's budget, rather than the Electric Department's, but offset by LEED's payment-in-lieu-of-taxes; Town Clerk salary increase, reflecting classification and compensation study for all positions, to equivalent of Schedule A Grade 11 for 35 hours per week; an increase in property and workers compensation insurance—the first in five years—offset by savings in retirement assessment from making one full payment, rather than four quarterly payments; using additional Chapter 70 aid to increase in this year's appropriation into the Other Post Employment Benefits Fund, as agreed to by the Selectmen and School Committee; overtime to

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cover dispatch shifts during a staffing shortage; and moving library funds from salary to expense to cover contracting for a temporary director during search.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to amend the FY 2013 Operating Budget, as adopted pursuant to Article 4 of the May 7, 2012 Annual Town Meeting, by adjusting budget line items, as follows:

Budget	Line Item	FY 2013		FY 2013
		Budget	Adjustment	Adjusted
155	Information Systems Expenses	\$131,300	+\$5,000	\$136,300
161	Town Clerk Elected Salaries	48,950	+3,545	52,495
193	General Insurance	300,000	+40,000	340,000
194	OPEB Funding	550,000	+139,835	689,835
194	Employee Benefits (retirement assessment)	5,067,865	(40,000)	5,027,865
210	Police Wages (Dispatch Center)	1,522,342	+10,235	1,532,577
610	Library Personal Services	367,170	(25,000)	342,170
610	Library Expenses	<u>67,381</u>	<u>+25,000</u>	<u>92,381</u>
TOTAL Appropriated Budgets		\$34,565,618	+\$158,615	\$34,724,233

Finance Committee and Board of Selectmen support Article 4.

ARTICLE 5
Board of Selectmen
Joint Municipal-School Facility Assessment Study

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$20,000 to be added to the \$30,000 appropriated under Article 8, Item J of the May 2, 2011 Annual Town Meeting to undertake a joint municipal-school facility assessment study to be conducted by the Permanent Municipal Building Committee, or to take any other action in relation thereto.

[Article 5 makes a total of \$50,000 available for the PMBC to undertake the initial phase of a multi-year study to assess the conditions of all municipal and school facilities, as a baseline for building maintenance and improvements.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to raise and appropriate the sum of \$20,000 to be added to the \$30,000 appropriated under Article 8, Item J of the May 2, 2011 Annual Town Meeting to undertake a joint municipal-school facility assessment study to be conducted by the Permanent Municipal Building Committee.

Board of Selectmen, School Committee, and Permanent Municipal Building Committee support Article 5. Finance Committee recommendation forthcoming.

ARTICLE 6
Board of Selectmen
Supplemental Borrowing: Roadway Improvement Plan

To see if the Town will vote to appropriate the sum of \$1,000,000 for the purpose of undertaking roadway improvements, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7(6), of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, or to take any other action in relation thereto.

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[Article 6 continues the ten-year roadway improvement plan first adopted by the Board of Selectmen in 2008. Since its inception, some \$6,370,000 in roadway improvements have been completed with funding from a combination of annual budget appropriations, Chapter 90 state aid, and short-term borrowing within the Proposition 2½ levy limit. Roads are addressed on a priority basis established by the Selectmen in consultation with the Highway Department. Current projects planned for next year include Harvard, Nashoba, and New Estate Roads.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to appropriate the sum of \$1,000,000 for the purpose of undertaking roadway improvements, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7(6), of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

Finance Committee and Board of Selectmen support Article 6.

ARTICLE 7
Board of Water Commissioners
Borrowing: Redevelopment of Well #2, Treatment Plant

To see if the Town will vote to appropriate a sum of money for the purpose of funding redevelopment of the # 2 Well Production Facility and Treatment Plant of the Town of Littleton Water Department, to improve well capacity and meet new MADEP drinking water regulations; and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 8 (3), (4A), of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, or to take any other action in relation thereto.

[Article 7 authorizes borrowing to fund construction of improvements for 200,000 gallons per day of additional capacity at Production Well # 2, off Route 119 at Beaverbrook Road and a plant to treat the resulting increase in naturally occurring iron and manganese to meet Mass DEP Drinking Water Standards. Bids for this project will be opened on November 1, 2012, so the motion made at town meeting can be based on bids in hand. The engineer's estimate for the construction project is \$3,000,000. The project's costs would be borne by water ratepayers.]

Motion: Moved and seconded by the Board of Water Commissioners that the Town vote to appropriate the sum of \$____ for the purpose of funding redevelopment of the # 2 Well Production Facility and Treatment Plant of the Town of Littleton Water Department, to improve well capacity and meet new MassDEP drinking water regulations; and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under and pursuant to Chapter 44, Section 8 (3), (4A), of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and further, that although the borrowing authorized by this vote must constitute a general obligation of the Town pursuant to Chapter 44 of the General Laws, it is the intention of the Town that the repayment of any borrowing authorized hereunder shall, in the first instance, be made from water system revenues.

Board of Water Commissioners supports Article 7. Finance Committee and Board of Selectmen recommendations forthcoming.

ARTICLE 8
Board of Water Commissioners
Oak Hill, Newtown Hill, and Well #2 Co-Location Leases

To see if the Town will vote to authorize the Water Commissioners to lease co-location sites at the existing Oak Hill, Newtown Hill and Well # 2 wireless telecommunication facilities, for a minimum of five years, with an option to renew for five years, to co-locators who shall be the winners of competitive bids, selected pursuant to Chapter 30B of the General Laws, for the purpose of operating wireless telecommunication facilities thereon, with each such site subject to the issuance of a special permit from the Planning Board; provided that as a term of each such lease the Town shall, as a minimum, receive payments of \$1,500 a month during the Option/Lease period with a 3% annual rent escalation, and payment for additional in-kind services to be provided to the Water Department; and provided further that the rental proceeds from each lease of a co-location site at Oak Hill or Newtown Hill shall be deposited by the Treasurer into the Conservation Commission Land Acquisition account and the rental proceeds from each lease of a co-location site at Well #2 shall be deposited directly into the Water Department Water Surplus Fund, or to take any other action in relation thereto.

[Article 8 would authorize the Board of Water Commissioners to lease currently vacant positions on the Oak Hill, Newtown Hill, and Well #2 cell tower sites. Revenues from these co-location leases would be used for the same purposes that town meeting has previously voted-- i.e., from Oak Hill and Newtown Hill for the conservation land acquisition account; and from Well #2 for the Water Department Surplus Account.]

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

Board of Water Commissioners supports Article 8. Finance Committee and Board of Selectmen recommendations forthcoming.

ARTICLE 9
Board of Selectmen
Stabilization Fund

To see if the Town will vote to raise and appropriate the sum of \$119,845.00 for the Stabilization Fund in accordance with the provisions of Massachusetts General Laws, Chapter 40, Section 5B for the twelve month period beginning July 1, 2012, or to take any other action in relation thereto.

[The Town's adopted financial policies require that 5% of the operating budget be maintained in the Stabilization Fund. To do so, \$119,845 needs to be added to that fund, to bring its total to \$1,753,281. The Town's favorable bond rating is based in part on maintaining a healthy balance in this and other reserve accounts, as well for adhering to its financial policies.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to raise and appropriate the sum of \$119,845.00 for the Stabilization Fund in accordance with the provisions of Massachusetts General Laws, Chapter 40, Section 5B for the twelve month period beginning July 1, 2012.

Finance Committee and Board of Selectmen support Article 9.

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ARTICLE 10
Board of Selectmen
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 2013 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 twenty percent (20%) of said exemption, or to take any other action in relation thereto.

[Article 10 permits the Town to grant an additional 20% 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 10 as printed in the warrant.

Finance Committee and Board of Selectmen support Article 10.

ARTICLE 11
Board of Selectmen
Adopt Local Meals Excise

To see if the Town will vote to accept the provisions of Section 2(a) of Chapter 64L of the Massachusetts General Laws to impose a local meals excise to take effect on January 1, 2013, or to take any other action in relation thereto.

[Article 11 would create a new revenue source for the Town by imposing a 0.75 percent local excise on restaurant meals— 7½ cents on every ten dollars-- in addition to the 6.25% the state already charges on meals. The entire meals excise is collected by the State, which then distributes the Town its share. As more restaurants come online in Littleton, more meals tax revenues will result in the future. The meals excise has already been accepted by 151 of the 351 Massachusetts cities and towns, including our neighboring towns of Concord, Hudson, Lexington, Sudbury, and Westford.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to accept the provisions of Section 2(a) of Chapter 64L of the Massachusetts General Laws to impose a local meals excise to take effect on January 1, 2013.

Finance Committee and Board of Selectmen support Article 11.

ARTICLE 12
Board of Selectmen
Tax Increment Financing – 53 Ayer Road

To see if the Town will vote to authorize the Board of Selectmen to adopt a Tax Increment Financing (TIF) Plan and TIF Agreement for the property located at 53 Ayer Road, Littleton, MA, containing approximately 62.74 acres, more or less, as shown on Assessors Map R21, Parcel 9, including designation as a TIF Zone, under Chapter 40, Section 59 of the General Laws; to authorize the Board of Selectmen to execute the TIF Agreement, and any documents relating thereto, and to take such other actions as are necessary or appropriate to implement those documents; and to authorize the Board of Selectmen to file an application with the Massachusetts Economic Assistance Coordinating Council for

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approval and designation of said property as an Economic Opportunity Area, or to take any other action in relation thereto.

[Article 12 authorizes the Selectmen to pursue a Tax Increment Financing agreement with FIBA Technologies-- the new owner of 53 Ayer Road-- for the \$2- to \$4-million in improvements FIBA will be making to that property. Some 67 new jobs would be created as FIBA expands its gas containment manufacturing business to Littleton, also qualifying the business for one-time state tax credits. Prior town meetings have approved TIFs for 550 King Street (IBM) and 151 Taylor Street (Curtiss-Wright Controls).]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 12 as printed in the warrant.

Finance Committee, Board of Selectmen, and Planning Board support Article 12.

ARTICLE 13
Board of Selectmen
Senior Citizen Property Tax Work-off Abatement Program

To see if the Town will vote to amend its vote under Article 22 of the May 8, 2000 Annual Town Meeting, which accepted the provisions of Section 5K of Chapter 59 of the Massachusetts General Laws, to authorize the Board of Selectmen to establish a program to allow senior citizens who qualify for participation to volunteer to provide services to the Town in exchange for a reduction in the real property tax obligations of that senior citizen on the senior citizen's tax bills, in addition to any exemption or abatement to which that person is otherwise entitled, not to exceed \$1,000.00 and not to exceed the current minimum wage of the Commonwealth per hour; and further to see if the Town will vote to adjust the exemption by (1) allowing an approved representative for persons physically unable to provide such services to the Town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given year, rather than \$1,000.00, or take any other action in relation thereto.

[In 2005, the Board of Selectmen established a Senior Citizen Property Tax Work-off Program to be coordinated by the Council on Aging. Under this program, local property owners over the age of 60 can volunteer to provide services to the Town in exchange for a reduction on the amount paid on their property tax. The controlling state statute was recently amended to allow those volunteer service hours to be performed by an approved representative of a senior physically unable to perform those services themselves. This article adopts that amendment. For FY 2013, the maximum benefit for program participants is \$488, calculated from the budgeted amount for the program, the number of property owners that signed up to work the program, the required hours to be worked, and paid at Massachusetts Minimum Wage.]

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
Veterans Property Tax Work-off Abatement Program

To see if the Town will vote to accept the provisions of Section 5N of Chapter 59 of the Massachusetts General Laws authorizing the Board of Selectmen to establish a program to allow Veterans who qualify for

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participation to volunteer to provide services to the Town in exchange for a reduction in the real property tax obligations of that veteran on the veteran's tax bills, in addition to any exemption or abatement to which that person is otherwise entitled, not to exceed \$1,000.00 and not to exceed the current minimum wage of the Commonwealth per hour; and further to see if the Town will vote to adjust the exemption by (1) allowing an approved representative for persons physically unable to provide such services to the Town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given year, rather than \$1,000.00, or take any other action in relation thereto.

[Article 14 establishes a property tax work off abatement program for veterans of any age who are local property owners, similar to the program already in place for senior citizens.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 14 as printed in the warrant.

Finance Committee and Board of Selectmen support Article 14.

ARTICLE 15
Board of Selectmen
Veterans Organization Property Tax Exemption

To see if the Town will vote to accept the provisions of Clause 5B of Section 5 of Chapter 59 of the Massachusetts General Laws to exempt from taxation the real and personal property belonging to or held in trust for the benefit of incorporated organizations of veterans of any war in which the United States has been engaged, to the extent of seven hundred thousand dollars (\$700,000), if used and occupied by such association, and if the net income from said property is used for charitable purposes starting with the fiscal year beginning on July 1, 2012; provided, however, that such estate shall not be exempt for any year in which such association or the trustees holding for the benefit of such association willfully omit to file with the assessors the list and statement required by Section 29 of Chapter 59 of the General Laws, or take any action in relation thereto.

[Article 15 increases from \$400,000 to \$700,000 the property tax exemption available to the local Veterans of Foreign Wars, provided that the property is used entirely for charitable purposes.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 15 as printed in the warrant.

Finance Committee and Board of Selectmen support Article 15.

ARTICLE 16
Board of Selectmen
Tax Title Abutter Lot Sales Program – List of Parcels

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

Map/Parcel	Lot Size	Address
U17-365	4,366 sq.ft.	Washington Drive
U17-183	4,608 sq.ft.	Grove Road

or to take any other action in relation thereto.

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[Article 16 adds two lots to the Town's Tax Title Abutter Sales Program, established by last November's Special Town Meeting. This program 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
By-law Amendment: Town Meetings

To see if the Town will vote to amend the Town Code by amending Chapter 41, Town Meetings, by deleting §41-3, thereof, which currently reads as follows:

§41-3. Mailing of notice. A postcard notice of every Special Town Meeting shall be mailed to each occupied dwelling at least fourteen (14) days before the day appointed for said special meeting, except where said Special Town Meeting Warrant appears in the Annual Town Report

And by inserting in place thereof, the following:

§41-3. Town Meeting Report. 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.

or to take any other action in relation thereto.

[Article 17 implements recommendations of the Study Committee to Increase Voter participation by requiring that a full report document—rather than just a postcard—be mailed out to all households prior to every town meeting.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 17 as printed in the warrant.

Board of Selectmen and Study Committee to Increase Voter Participation support Article 17.

ARTICLE 18
Board of Selectmen
By-law Amendment: Valuable Second Hand Items

To see if the Town will vote to amend the Town Code by:

1. Adding a new Chapter 163, Valuable Second Hand Items, to read as follows:

Chapter 163. Valuable Second Hand Items

§163-1. Dealers in Gold, Silver and Other Valuable Secondhand Items License Required.

No person who makes a business of purchasing, or purchasing and selling, or who keeps a place of business in the Town of Littleton for purchasing, or purchasing and selling, either gold or silver, coins, stamps, other precious metals, jewelry, and electronics shall engage in such business or open such place of business for the said purposes unless duly licensed by the Board of Selectmen. This by-law shall not pertain to businesses within Littleton that take items in on consignment or that are licensed as Antique Dealers.

§163-2. Application for License; Term of License; Fee.

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Each application for a license shall set forth the name of the party to be licensed, the nature of the business and the building or place in which it is to be carried on. Any license granted under this Article shall continue in force until the first day of January next ensuing unless sooner revoked by the Board of Selectmen. Each license shall specify the kind and character of the business to be carried on and the fee for such license shall be determined by the Board of Selectmen.

§163-3. Record of Purchases.

A. Every dealer or keeper of a shop shall record, at the time of purchase, the name, age, and residence, giving a street and number, of the person from whom the purchase was made. Such name, age and residence shall be obtained by the production of a valid photo identification issued by the Commonwealth of Massachusetts, passport or out of state driver's license containing a photo of the seller. Such record shall consist of a digital photograph taken of such identification, alongside the item/s being purchased, so as to match the seller with the item/s. Said photograph to be of high enough resolution as to make possible the positive identification of the article in question. At the time of purchase the day, date and hour of the purchase shall also be recorded, either through the device producing the photograph or in writing by the shop clerk. No entry on such record shall be changed, erased, obliterated or defaced. Such record shall be maintained on a form approved by the Chief of Police and shall have the ability to be reproduced. Said record of purchase shall be delivered to the Criminal Investigations Division (CID) at the Littleton Police Department, or through agreed upon electronic means, on a weekly schedule, to be determined by the CID. Said record shall be kept in some suitable place by the owner or dealer, on the premises of the licensed business, and shall be available for inspection by any person authorized by the Board of Selectmen.

B. For the purposes of this By-Law the term "purchase" shall refer to a retail transaction between the shop owner and a private citizen. It shall not include purchases made off site, such as at an estate sale, or trade show. It shall also not pertain to dealer to dealer transactions on or off site.

§163-4. Articles Purchased To Be Kept For 21 Days Before Resale Or Removal From Littleton.

A. No such item purchased or received by any dealer or keeper of a shop shall be removed from the town or sold or otherwise disposed of, nor its identity changed, for at least twenty-one (21) days from its date of purchase, unless permission in writing has been obtained from the Chief of Police, or his designee, who may request to observe and photograph such item.

B. Exemptions to the Holding Period:

(1) Coins that are purchased shall not be subject to the 21 day holding period, provided that they are properly recorded in the following manner:

- a. Type coins shall be photographed alongside the picture identification of the seller, individually or in groups, so that the face of each coin is plainly visible; and
- b. For commodity coins purchased in quantity, a single representative coin for each denomination (*i.e.* nickels, dimes, quarters, etc.) shall be photographed alongside the picture identification of the seller, and the licensee shall further document with the photograph the total number of each denomination purchased and the years of issuance of each coin within a given denomination.

§163-5. Purchase From Persons Under Eighteen Years Of Age Prohibited.

No dealer or keeper of a shop shall directly or indirectly receive or buy any such items from any person under the age of eighteen (18) years.

§163-6. Display of License.

Each such dealer or keeper of a shop shall have conspicuously displayed his license at the place where he does business.

§163-7. Revocation of License.

Any violation of any provision of the license or any rule or regulation that may be adopted by the Board of Selectmen in accordance with this Article shall be sufficient cause and reason to revoke

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said license. Prior to any suspension or revocation, the Board of Selectmen shall hold a public hearing, giving written notice to the licensee. Such notice shall be mailed by certified mail, return receipt requested, or shall be delivered in hand by a constable authorized to provide such service.

§163-8. Penalty for Violation Of Article.

Violations of any provision of this Article may be addressed by way of criminal complaint or through the procedure for noncriminal disposition provided in section 21D of Chapter 40 of the General Laws. In the event of such noncriminal disposition, a noncriminal penalty shall be assessed a penalty of three hundred (\$300.00) dollars.

Each offense will require a meeting with the Board of Selectmen to discuss corrective measures to be taken.

§163-9. Examination and inspection of Records, Articles and Merchandise.

The Chief of Police, or his designees, and any authorized representative of the Littleton Board of Selectmen, or its designees, shall at all times have the authority to inspect or examine all books kept by the keeper or dealer of a shop as well as to inspect and examine all articles and merchandise therein.

§163-10. Hours of Operation.

No dealer or keeper of a shop shall purchase or conduct business except between the hours of 7:00a.m. until 9:00 p.m; and

2. By amending §1-4 (Noncriminal disposition of certain violations) by adding new subsection §1-4.B(1)(r), to read as follows:

- (r) Valuable Second Hand Items Bylaw (Chapter 163)
 - [1] Fine allowed: \$300.
 - [2] Enforcement agents: Police Officers.
 - [3] Fine Schedule: \$300 per violation.

or to take any other action in relation thereto.

[Article 18 adopts a local by-law to prevent stolen property from being bought and sold in Littleton by requiring dealers in valuable second hand items to be licensed by the Selectmen, with licensing requirements including identification of the seller and a 21-day holding period on the resale of certain items to allow for identification of possible stolen property by law enforcement.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 18 as printed in the warrant, except that the last sentence in §163-3B shall read, "It shall also not pertain to dealer-to-dealer transactions on or off site."

Board of Selectmen supports Article 18.



Town of Littleton
Board of Selectmen
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