



TOWN OF LITTLETON

OCTOBER 20, 2008

SPECIAL TOWN MEETING

Monday, October 20, 2008 at 7 p.m.

Charles Forbes Kaye Gymnasium

Littleton Middle School

55 Russell Street, Littleton, MA 01460

Town Meeting Articles

1. Bills of Prior Years
2. FY 2009 Line Item Transfers
3. New Police Station Construction
4. Zoning Amendment: Rezone Certain Parcels to Business District [voters' petition]
5. School Grant Funds
6. Shaker Lane School – Fire Alarm System
7. Water Department Capital Improvements
8. Home Rule Petition – Pension Obligation Bonds
9. Adoption of Local Room Occupancy Excise Tax
10. Zoning Amendment: Prohibit Granting of Use Variances [voters' petition]
11. Increase Historical Commission Membership from Five to Seven Members.

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.

Motion: Moved and seconded by the Board of Selectmen that the Town vote to transfer from FY 2009 Operating Budget 119, Short Term Interest, as adopted under Article 4 of the May 5, 2008 Annual Town Meeting, the sum of \$180.30 to pay for unpaid bills from previous fiscal years, as listed below:

<u>Vendor</u>	<u>Dept.</u>	<u>Amount</u>	<u>Fiscal Year</u>
Direct Energy	Public Buildings	\$140.17	FY 2008
Littleton Water Department	Public Buildings	40.13	FY 2008
<i>Total</i>		<i>\$180.30</i>	

Finance Committee supports Article 1.

Board of Selectmen supports Article 1.

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.

Motion: Moved and seconded by the Board of Selectmen that the Town vote to amend the FY2009 Operating Budget, as adopted under Article 4 of the May 5, 2008 Annual Town Meeting, by adjusting budget line items as follows:

Budget	Line Item	FY 2009 Budget	Adjustment	FY 2009 Budget Adjusted
17	Treasurer Wages	\$123,154	+\$25,000	\$148,154
18	Treasurer Expenses	7,800	+3,000	10,800
21	Collector Wages	67,219	+700	67,919
44	Public Buildings Expense	229,556	+70,000	299,556
109	Gasoline	100,000	+10,000	110,000
110	General Insurance	316,250	-20,000	306,250
112	FICA Medicare	170,000	+5,000	175,000
116	Retirement	1,020,666	-20,000	1,000,666
118	Reserve Fund	150,000	+22,000	177,000
119	Short Term Interest	211,000	-73,700	137,300
Total Budget Appropriated		\$29,664,055	+\$22,000	\$29,686,055
Total Raise & Appropriation		\$28,950,079	+\$22,000	\$28,972,079

Finance Committee supports Article 2.

Board of Selectmen supports Article 2.

ARTICLE 3
Board of Selectmen
New Police Station Construction

To see if the Town will vote to borrow a sum or sums of money for the purpose of constructing a new police station to be located on Town-owned property at 500 Great Road, including original equipment and landscaping, paving and other site improvements incidental or directly related thereto; 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(3), of the General Laws, or pursuant to and any other enabling authority, and to issue bonds or notes of the Town therefor, provided that such amount shall be contingent

upon successful passage of a debt exclusion referendum pertaining thereto on a Town or State Ballot; or to take any other action in relation thereto.

Motion: Moved and seconded by the Board of Selectmen that the Town vote to appropriate the sum of \$6,285,308 for the purpose of constructing a new police station to be located on Town-owned property at 500 Great Road, including original equipment and landscaping, paving and other site improvements incidental or directly related thereto; 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(3), of the General Laws, or pursuant to and any other enabling authority, and to issue bonds or notes of the Town therefor, provided that such amount shall be contingent upon successful passage of a debt exclusion referendum pertaining thereto on a Town or State Ballot.

Finance Committee supports Article 3.

Board of Selectmen supports Article 3.

Permanent Municipal Building Committee supports Article 3.

**ARTICLE 4
Voters' Petition**

Zoning Amendment: Rezone Certain Parcels to Business District

To see if the Town will vote to rezone the following parcels located in the Town of Littleton to Business: Map U5 Lot 1, Map U5 Lot 2, Map U5 Lot 2-1, Map U6 Lot 2, Map U6 Lot 3, and Map U6 Lot 2-5; or to take any other action in relation thereto.

Planning Board does not support Article 4.

Board of Selectmen does not support Article 4.

**ARTICLE 5
Board of Selectmen – School Committee
School Grant Funds**

To see if the Town will vote to transfer \$22,000 from a grant from the M.H. Kimball Trust to the Littleton School Department for the purpose of funding Smart Board Technology at Littleton High School, or to take any other action in relation thereto.

Motion: Moved and seconded by the Board of Selectmen that the Town vote to transfer \$22,000 from a grant from the M.H. Kimball Trust to the Littleton School Department for the purpose of funding Smart Board Technology at Littleton High School.

Finance Committee supports Article 5.

Board of Selectmen supports Article 5.

School Committee supports Article 5.

ARTICLE 6
Board of Selectmen – School Committee
Shaker Lane School – Fire Alarm System

To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money to be expended by the School Committee for replacement of the fire alarm system at the Shaker Lane School, or to take any other action in relation thereto.

Motion: Moved and seconded by the Board of Selectmen that the Town vote to raise and appropriate the sum of \$20,000 to be expended by the School Committee for replacement of the fire alarm system at the Shaker Lane School.

Finance Committee supports Article 6.

School Committee supports Article 6.

Board of Selectmen supports Article 6.

ARTICLE 7
Board of Water Commissioners
Water Department Capital Improvements

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow a sum or sums of money for the purpose of funding capital improvements to the production facilities and distribution system of the Town of Littleton's Water Department, or to take any other action relative thereto.

Motion: Moved and seconded by the Board of Water Commissioners that the Town vote to appropriate the sum of \$250,000 for the purpose of funding capital improvements to the production facilities and distribution system of the Town of Littleton's Water Department, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow said sum under and pursuant to Chapter 44, Section 8(5), of the General Laws, or pursuant to and 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.

Finance Committee recommendation forthcoming.

Board of Water Commissioners supports Article 7.

Board of Selectmen supports Article 7.

ARTICLE 8
Board of Selectmen
Home Rule Petition – Pension Obligation Bonds

To see if the Town will vote to instruct its representative in the General Court to file a home rule petition for a special act entitled, "An Act Authorizing the Town of Littleton to Issue Pension Obligation Bonds or Notes," to read as follows:

SECTION 1. The town of Littleton may issue bonds or notes from time to time in an aggregate amount not to exceed \$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 provide for issuance costs and other necessary or incidental expenses. Bonds or notes issued under this act shall be outside the limit of indebtedness prescribed in section 10 of chapter 44 of the General Laws, shall be issued for terms of not more than 20 years from their date of issue and, except as otherwise provided in this act, shall be subject to the applicable provisions of said chapter 44.

SECTION 2. The maturities of bonds or notes issued under this act shall be arranged so that for each issue the annual combined payments of principal and interest shall be as nearly equal as practicable, in the opinion of the treasurer and board of selectmen, or in accordance with a schedule providing for a more rapid amortization of principal.

SECTION 3. Proceeds of any bonds or notes issued under this act, other than amounts to be applied to issuance costs or other expenses, shall be paid by the town of Littleton to the Middlesex retirement system, shall be allocated solely to reduce the liability to which the bonds or notes relate, shall be invested as permitted under chapter 32 of the General Laws, and shall otherwise be held and expended by the Middlesex retirement system, and no further payments to that system by the town shall be required with respect to the liability to which the bonds and notes relate.

SECTION 4. Before the issue of any bonds or notes under this act, the town of Littleton shall submit to the executive office for administration and finance a plan showing the amount of the bonds and notes to be issued, the amount of the unfunded pension liability to be funded with the proceeds of the bonds and notes, the proposed maturity schedule of the bonds and notes, the proposed allocation of, if any, and plan to finance the principal of and interest on the bonds and notes, the present value savings reasonably expected to be achieved as a result of the issue of the bonds or notes, and any other information requested by the secretary for administration and finance relating to the bonds and notes. No bonds or notes shall be issued under this act until the secretary of

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administration and finance has approved the plan and specifically approved the maturity schedule of the bonds or notes if required by section 2.

SECTION 5. Notwithstanding chapter 70 of the General Laws or any other general or special law to the contrary, the portion of the annual debt service paid by the town for bonds or notes issued under this act equal to the total of the annual debt service multiplied by the ratio of the portion of the liability funded by the proceeds of these bonds or notes related to nonteacher employees of the town public school system to the total such liability shall be included as net school spending of the town for the purposes of said chapter 70 or any other law.

SECTION 6. This act shall take effect upon its passage.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the general court. The Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or take any other action relative thereto.

Motion: Moved and seconded by the Board of Selectmen that the Town vote to instruct its representative in the General Court to file a home rule petition for a special act entitled, "An Act Authorizing the Town of Littleton to Issue Pension Obligation Bonds or Notes," as printed in the warrant.

Finance Committee supports Article 8.

Board of Selectmen supports Article 8.

ARTICLE 9
Board of Selectmen
Adoption of Local Room Occupancy Excise Tax

To see if the Town will vote to accept the provisions of Section 3A of Chapter 64G of the Massachusetts General Laws and establish a local room occupancy excise tax at the rate of 4%, to become effective on July 1, 2009; or to take any other action in relation thereto.

Motion: Moved and seconded by the Board of Selectmen that the Town vote to accept the provisions of Section 3A of Chapter 64G of the Massachusetts General Laws and establish a local room occupancy excise tax at the rate of 4%, to become effective on July 1, 2009.

Finance Committee supports Article 9.

Board of Selectmen supports Article 9.

ARTICLE 10
Voters' Petition
Zoning Amendment: Prohibit Granting of Use Variances

To see if the Town will vote to amend the Littleton zoning bylaws by the deletion of the following from §173 6.B(2): “, including variances for use,” or to take any other action in relation thereto.

Planning Board does not have a report and recommendation under MGL C.40A,§5.

ARTICLE 11
Board of Selectmen
Increase Historical Commission Membership from Five to Seven Members

To see if the Town will vote to amend its vote under Article 3 of the June 28, 1979 Annual Town Meeting, which accepted the provisions of Section 8D of Chapter 40 of the Massachusetts General Laws to establish an Historical Commission, by increasing the membership on said Commission from five to seven members; or to take any other action in relation thereto.

Motion: Moved and seconded by the Board of Selectmen that the Town vote to amend its vote under Article 3 of the June 28, 1979 Annual Town Meeting, which accepted the provisions of Section 8D of Chapter 40 of the Massachusetts General Laws to establish an Historical Commission, by increasing the membership on said Commission from five to seven members.

Board of Selectmen supports Article 11.

Historical Commission supports Article 11.