

**TOWN WARRANT
COMMONWEALTH OF MASSACHUSETTS**

SPECIAL TOWN MEETING

Worcester, ss.

September 6, 2016

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the Inhabitants of the Town of Southborough qualified to vote in elections and town affairs, to meet in the P. Brent Trottier Middle School, 49 Parkerville Road, in said Southborough, on

Tuesday, October 18, 2016

at **7:00 p.m.**, then and there to take action on the following Articles:

ARTICLE 1: To hear reports of the various Town Officers and Committees and to take such action thereon as the Town may vote.

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Summary: *To hear reports of Town Boards, Committees or Commissions.*

ARTICLE 2: To see if the Town will vote to transfer the sum of \$77,100 between and among various accounts for the fiscal year ending June 30, 2017, for the following purposes:

	FROM ACCOUNT:	TO ACCOUNT:	AMOUNT
A.	Generator Senior Center April 2013 0100-6-192-11-68261	Treasurer/Collector 0100-5-145-000- 51100	\$3,500.00
B.	Generator Senior Center April 2013 0100-6-192-11-68261	Treasurer/Collector 0100-5-145-000- 53880	\$3,750.00
C.	Generator Senior Center April 2013 0100-6-192-11-68261	Insurance Deductibles 0100-6-192-52560	\$5,000.00
D.	Generator Senior Center April 2013 0100-6-192-11-68261	Retirement In Lieu of Sick & Vacation 0100-6-910-570- 51771	\$30,850.00
E.	Article 17, ATM 4/11/11 (Regional Schools legal fees)	School Dept. Misc. Contracted Services 0100-5- 301-000-53880	\$10,000.00
F.	Article 11, ATM 4/8/13 (Trottier Electrical)	School Dept. Misc. Contracted Services 0100-5- 301-000-53880	\$24,000.00

, or do or act anything in relation thereto.

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation:
Advisory Committee Recommendation:
Summary:

- A. *The Treasurer/Collector’s Department has had one unexpected employee turnover this year. The new employee was acquired at a slightly higher rate than the previous employee.*
- B. *These funds are for outsourcing or acquiring enhanced payroll services and/or software for Town payroll processing. The current software is not suitable to the needs of the Department.*
- C. *The Town has always maintained an account for deductibles that need to be paid due to insurance claims for damage. Once every several years depending on activity this account is replenished.*
- D. *The Town is obligated to pay certain unused vacation and sick accumulated balances for Town employees upon retirement. As with the deductible account, dependent on activity this needs to be replenished when the funding is exhausted.*
- E. *Audiovisual improvements to the Trotter School Auditorium. Mainly funded from school rental funds and as part of new SAM lease. Will improve technology for town meetings, and increase interest in other outside rentals. The Town is being asked to fund \$34,000 out of \$147,000 project cost.*
- F. *Same as E.*

ARTICLE 3: To see if the Town will vote to approve funding for the economic cost items under M.G.L. Chapter 150E, Section 7 for any particular collective bargaining agreements reached before Town Meeting, or do or act anything in relation thereto.

Proposed by: BOARD OF SELECTMEN
Board of Selectmen Recommendation:
Advisory Committee Recommendation:

Summary: *This article will fund costs associated with the first year of any contract agreed upon before Town Meeting commences with the Communication Officers.*

ARTICLE 4: To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, donation, purchase or take by eminent domain, pursuant to Massachusetts General Laws, Chapter 79, as amended, certain permanent, temporary and aerial and drainage easements on, over and within certain parcels of land for the purpose of obtaining a secure and improved public right of way and access by widening and reconstructing of Main Street, Route 30, from Sears Road to Park Street.

Said acquisition of such easements comprising of 122 parcels of land located in the Town of Southborough is described as follows:

PARCEL NUMBER	OWNER	AREA OF EASEMENT	
		TYPE	AREA
E-1	MICHAEL A. SPATARO & SIMON N. MCRAE TRUST, now or formerly	PERM.	73 ±
TE-1	2 SEARS ROAD; ASSESSOR’S MAP 52 LOT 7	TEMP.	236 ±
TE-66	THOMAS W. & REGINA M. MANNIX, now or formerly	TEMP.	1970 ±
	1 SEARS ROAD; ASSESSOR’S MAP 53 LOT 6		
PUE-1	ROBERT NICOLS & DANE S. WORLEY, now or formerly	UTIL.	62 ±
TE-2	94 MAIN STREET; ASSESSOR’S MAP 53 LOT 5	TEMP.	4664 ±

E-26	CHARLES O. JR. & WENDY M. BLACK, now or formerly	PERM.	146 ±
TE-3	1 DEERFOOT ROAD; ASSESSOR'S MAP 53 LOT 5A	TEMP.	2160 ±
D-1	84 MAIN STREET SOUTHBOROUGH, LLC, now or formerly	DRAIN.	11261 ±
PUE-2	84 MAIN STREET; ASSESSOR'S MAP 53 LOT 1	UTIL.	95 ±
TE-4		TEMP.	813 ±
TE-61		TEMP.	943 ±
PUE-3	TIMOTHY J. NORTON & SHERRY COUNTRYMAN, now or formerly	UTIL.	100 ±
TE-5	65 MAIN STREET; ASSESSOR'S MAP 53 LOT 6B	TEMP.	478 ±
TE-62		TEMP.	758 ±
PUE-4	ERIC C. & AIMEE SIEGEL, now or formerly	UTIL.	538 ±
TE-6	61 MAIN STREET; ASSESSOR'S MAP 53 LOT 21	TEMP.	150 ±
TE-7	GEORGE ARTHUR FORSYTHE & DOROTHY ANNE HURD, now or formerly	TEMP.	2635 ±
	78 MAIN STREET; ASSESSOR'S MAP 53 LOT 18		
PUE-5	ALAN J. & WENDY SCOTT MCDONALD, now or formerly	UTIL.	276 ±
TE-8	59 MAIN STREET; ASSESSOR'S MAP 53 LOT 7	TEMP.	317 ±
PUE-6	ST. MARK'S SCHOOL, now or formerly	UTIL.	94 ±
TE-10	55 MAIN STREET; ASSESSOR'S MAP 53 LOT 8	TEMP.	365 ±
TE-11		TEMP.	286 ±
TE-9	FAY SCHOOL, INC.	TEMP.	1579 ±
	76 MAIN STREET; ASSESSOR'S MAP 53 LOT 19		
TE-54	FAY SCHOOL, INC.	TEMP.	1810 ±
	74 MAIN STREET; ASSESSOR'S MAP 53 LOT 20		
E-27	FAY SCHOOL, INC.	PERM.	208 ±
TE-55	70 MAIN STREET; ASSESSOR'S MAP 53 LOT 25	TEMP.	1253 ±
PUE-7	FAY SCHOOL, INC.	UTIL.	96 ±
PUE-8	66 MAIN STREET; ASSESSOR'S MAP 53 LOT 14	UTIL.	100 ±
PUE-9		UTIL.	86 ±
TE-56		TEMP.	1778 ±
TE-67		TEMP.	504 ±
TE-68		TEMP.	869 ±
TE-69		TEMP.	723 ±

TE-13	FAY SCHOOL, INC. 56 MAIN STREET; ASSESSOR'S MAP 53 LOT 13	TEMP.	1777 ±
E-2	FAY SCHOOL, INC.	PERM.	252 ±
TE-57	54 MAIN STREET; ASSESSOR'S MAP 53 LOT 12	TEMP.	1921 ±
E-3	FAY SCHOOL, INC.	PERM.	1788 ±
E-4	48 MAIN STREET; ASSESSOR'S MAP 53 LOT 11	PERM.	326 ±
E-5		PERM.	864 ±
E-28		PERM.	11 ±
TE-58		TEMP.	3268 ±
TE-59		TEMP.	4551 ±
E-23	FAY SCHOOL, INC.	PERM.	446 ±
TE-60	44 MAIN STREET; ASSESSOR'S MAP 54 LOT 2	TEMP.	1139 ±
PUE-22	ST. MARK'S SCHOOL	PERM.	215 ±
TE-12	30 MAIN STREET; ASSESSOR'S MAP 53 LOT 9	TEMP.	1466 ±
TE-70		TEMP.	1034 ±
PUE-23	FAY SCHOOL, INC.	PERM.	402 ±
TE-14	31 MAIN STREET; ASSESSOR'S MAP 53 LOT 10	TEMP.	1471 ±
E-29	ST. MARK'S CHURCH	PERM.	847 ±
PUE-10	27 MAIN STREET; ASSESSOR'S MAP 54 LOT 3	UTIL.	61 ±
PUE-24		UTIL.	312 ±
TE-16		TEMP.	989 ±
TE-63		TEMP.	1272 ±
E-6	TIMOTHY P. & VIRGINIA STONE, now or formerly	PERM.	488 ±
TE-18	42 MAIN STREET; ASSESSOR'S MAP 54 LOT 1	TEMP.	860 ±
TE-19	TOWN OF SOUTHBOROUGH 17 COMMON STREET; ASSESSOR'S MAP 54 LOT 4	TEMP.	4007 ±
E-21	PILGRIM CONGREGATIONAL CHURCH	PERM.	249 ±
TE-20	15 COMMON STREET; ASSESSOR'S MAP 54 LOT 5	TEMP.	331 ±
E-22	TOWN OF SOUTHBOROUGH	PERM.	692 ±
PUE-11	TOWN COMMON; ASSESSOR'S MAP 54 LOT 6	UTIL.	537 ±
TE-21		TEMP.	2907 ±

TE-64		TEMP.	5326 ±
TE-22	TOWN OF SOUTHBOROUGH OLD CEMETERY 1727	TEMP.	1064 ±
	ST MARK'S STREET; ASSESSOR'S MAP 54 LOT T		
TE-23	TOWN OF SOUTHBOROUGH LIBRARY	TEMP.	821 ±
TE-33	25 MAIN STREET;ASSESSOR'S MAP 54 LOT 7	TEMP.	2132 ±
E-7	DONALD C. & STEPHANIE MORRIS, now or formerly	PERM.	667 ±
TE-24	40 MAIN STREET; ASSESSOR'S MAP 54 LOT 11	TEMP.	2700 ±
E-8	STEPHEN D. & NANCY G. MORRIS, now or formerly	PERM.	104 ±
TE-25	36 MAIN STREET; ASSESSOR'S MAP 54 LOT 10	TEMP.	1067 ±
E-9	LEONORA A. & FRED B. WILLIAMS, now or formerly	PERM.	193 ±
TE-26	34 MAIN STREET; ASSESSOR'S MAP 54 LOT 9	TEMP.	911 ±
E-10	SOUTHBOROUGH HOUSING AUTHORITY	PERM.	72 ±
TE-27	1 CORDAVILLE ROAD; ASSESSOR'S MAP 54 LOT 25	TEMP.	394 ±
TE-28		TEMP.	1324 ±
E-13	ST MARK'S SCHOOL	PERM.	835 ±
TE-29	25 MARLBORO ROAD; ASSESSOR'S MAP 65 LOT 3	TEMP.	5994 ±
E-11	SOUTHBOROUGH VILLAGE SOCIETY	PERM.	910 ±
E-24	28 MAIN STREET; ASSESSOR'S MAP 58 LOT 2A	PERM.	263 ±
PUE-12		UTIL.	40 ±
PUE-13		UTIL.	41 ±
PUE-14		UTIL.	140 ±
TE-30		TEMP.	7284 ±
TE-31	CHRISTINE J. DONAHUE, now or formerly	TEMP.	1559 ±
	3 CORDAVILLE ROAD; ASSESSOR'S MAP 54 LOT 24		
TE-32	RAYMOND G. HULING, IV, now or formerly	TEMP.	864 ±
	5 CORDAVILLE ROAD; ASSESSOR'S MAP 54 LOT 23		
E-12	TOWN OF SOUTHBOROUGH WOODWARD SCHOOL	PERM.	237 ±
PUE-18	28 CORDAVILLE ROAD; ASSESSOR'S MAP 54 LOT 92	UTIL.	91 ±
TE-40		TEMP.	319 ±
TE-53		TEMP.	1960 ±

E-30	TOWN OF SOUTHBOROUGH PUBLIC SAFETY COMPLEX	PERM.	118±
TE-34	19 MAIN STREET; ASSESSOR'S MAP 54 LOT 26	TEMP.	2395 ±
PUE-15	STEPHEN G. & LAURIE D. PHILLIPS, now or formerly	UTIL.	256 ±
TE-35	26 MAIN STREET; ASSESSOR'S MAP 54 LOT 90	TEMP.	1782 ±
TE-36	BERNARD & SANDRA CAMPBELL, now or formerly	TEMP.	437 ±
	17 MAIN STREET; ASSESSOR'S MAP 54 LOT 27		
PUE-16	DONALD M. & ANN DANDO LEAVITT, now or formerly	UTIL.	145 ±
TE-37	24 MAIN STREET; ASSESSOR'S MAP 54 LOT 89	TEMP.	316 ±
TE-38	KRISTEN CONNELL, now or formerly	TEMP.	1214 ±
	15 MAIN STREET; ASSESSOR'S MAP 54 LOT 28		
PUE-17	DAVID W. PARRY, now or formerly	UTIL.	470 ±
TE-39	20-22 MAIN STREET; ASSESSOR'S MAP 54 LOT 88	TEMP.	708 ±
PUE-19	MARSTON & LOUISE F. CLOUGH, now or formerly	UTIL.	243 ±
TE-41	18 MAIN STREET; ASSESSOR'S MAP 54 LOT 87	TEMP.	323 ±
E-25	RICHARD A. HALLISEY LIMITED PARTNERSHIP, now or formerly	PERM.	159 ±
TE-42	11 MAIN STREET; ASSESSOR'S MAP 54 LOT 29	TEMP.	274 ±
TE-45		TEMP.	2243 ±
E-14	16 MAIN STREET REALTY TRUST, now or formerly	PERM.	23 ±
PUE-20	16 MAIN STREET; ASSESSOR'S MAP 54 LOT 86	UTIL.	425 ±
TE-43		TEMP.	1329 ±
E-15	JSO REALTY, LLC, now or formerly	PERM.	148 ±
TE-44	14 MAIN STREET; ASSESSOR'S MAP 54 LOT 85	TEMP.	1290 ±
E-16	RAYMOND D. & MICHELE A. HOKINSON, now or formerly	PERM.	34 ±
TE-46	12 MAIN STREET; ASSESSOR'S MAP 54 LOT 83	TEMP.	290 ±
E-17	RAYMOND D. & MICHELE A. HOKINSON, now or formerly	PERM.	158 ±
TE-47	10 MAIN STREET; ASSESSOR'S MAP 54 LOT 84	TEMP.	2151 ±
E-18	WARREN C. & LUCIA R. PROSPERI, now or formerly	PERM.	134 ±
PUE-21	8 MAIN STREET; ASSESSOR'S MAP 54 LOT 70	UTIL.	54 ±
TE-48		TEMP.	465 ±

E-19	9 MAIN STREET, LLC, now or formerly	PERM.	392 ±
TE-49	9 MAIN STREET; ASSESSOR'S MAP 54 LOT 39	TEMP.	3062 ±
TE-51	MASSACHUSETTS ELECTRIC COMPANY MAIN STREET; ASSESSOR'S MAP 54 LOT 40	TEMP.	975 ±
E-20	THE HOUSE OF SOUTHBORO TRUST, now or formerly	PERM.	97 ±
TE-50	6 MAIN STREET; ASSESSOR'S MAP 54 LOT 65	TEMP.	1102 ±
TE-52	OLD FIRE STATION, LLC, now or formerly 5 MAIN STREET; ASSESSOR'S MAP 54 LOT 41	TEMP.	504 ±

Said parcels being shown on Plan entitled, Massachusetts Department of Transportation Highway Division Preliminary Right of Way Plans Main Street (Route 30) in the Town of Southborough, Worcester County dated February 29, 2016” prepared by Vanasse Hangen Brustlin Inc. A copy of said Plan being on file with the Town Clerk’s office.

And further authorize the Board of Selectmen to have full and exclusive power and authority to defend, settle, compromise, make agreement and order payments of any and all claims, suits and actions which may exist or arise from or on account of the acquisition by gift, purchase or taking by eminent domain, the propriety interests specified herein, or any modifications thereof, and as shown on said plans including structures and trees thereon if any.

To carry out the provisions of this Article, Chapter 90 funds already available will be utilized, or do or act anything in relation thereto.

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Summary: *This article allows the Selectmen to accept as gifts, or to negotiate, temporary and permanent easements for use on the Main Street Reconstruction Project. Securing easements will be done in accordance with the MassDOT’s rules which include compliance with the Federal Aid Acquisition Guide for Property Owners, posted on the Town’s website. Appraisals will be developed and reviewed by MassDOT approved appraisers, on each parcel.*

ARTICLE 5: To see if the Town of Southborough will Vote to request that the Board of Selectmen:

- a. Promptly direct the Department of Public Works to take all steps necessary, without further delay, to repave and repair the section of Main Street extending from Sears Road to East Main Street; and
- b. Direct the Department of Public Works to use the same standards for repaving and repair for this section of Main Street as for the repaving and repair of any similar road section in Southborough, under the Town’s own normal road repair standards; and
- c. Cease efforts to obtain by eminent domain or otherwise, any rights in private property for the purpose of converting Main Street to Federal Highway standards.

Proposed by: SAM STIVERS, STEVE PHILLIPS, and JOHN BUTLER

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Summary: *This is a citizen’s petition.*

ARTICLE 6: To see if the Town of Southborough will vote to amend Chapter 174 of the Code of the Town of Southborough, Massachusetts, Zoning, by deleting the following section in its entirety and inserting in place thereof the following text:

(1) §174-25.A(3) [Board of Appeals – Variances]

(3) Variances. The Board of Appeals shall have the power to grant, upon appeal or petition, variances from the terms of this chapter, **not** including use variances, where the Board finds that, due to circumstances relating to soil conditions, topography or shape of land or structures and especially affecting such land or structures but not affecting generally the zoning district in which they are located, literal enforcement of this chapter would involve substantial hardship to the appellant or petitioner and that the desired relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of this chapter. The Board of Appeals may impose conditions, limitations and safeguards not based on the continued ownership by the applicant, petitioner or any owner. If the rights authorized by a variance are not exercised within one (1) year from the date of grant thereof, they shall lapse, and a new petition, notice and hearing will be required for their reestablishment.

Proposed by: FREDERICA GILLESPIE and SAM STIVERS

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Summary: *This is a citizen's petition.*

ARTICLE 7: To see if the Town will vote to:

(1) Reverse the vote of the Southborough Annual Town Meeting of March 11, 1963 to approve Article 31 – and with this reversal to rescind the town's adoption of the provisions of MA General Laws Ch 40 sec 8A, authorizing the creation of a Southborough Industrial Commission; and

(2) Reverse the vote of the Adjourned Southborough Annual Town Meeting of May 29, 1975 to approve article 61 – and with this reversal to rescind the Town's authorization of the creation of a Southborough Industrial Development and Financing Authority as described in MA General Laws Chapter 40D.

Proposed by: FREDERICA GILLESPIE, SAM STIVERS, and JONATHAN GREEN

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Summary: *This is a citizen's petition.*

ARTICLE 8: To see if the Town of Southborough will Vote to strongly request that the appropriate authorities, including Board of Selectmen and Planning Board:

- a. At the future time when traffic from the currently proposed Park Central development or any development may begin to access Flagg Road, the Town will close Flagg Road at the culvert near the Rt 9 end (at a point near the parcels at #72 and #77 Flagg Road), just northeast of the connector road. Traffic to/from the Park Central development will be routed only onto the southwestern "stub" of Flagg Road to Rt 9 without access to the northeastern part of Flagg Road beyond the closure point.
- b. Notify the Park Central neighborhood residents and the Park Central developer that the town is making the aforementioned change to Flagg Road, and that access will not be available from the development.
- c. Install a locked gate at the closure location in order to allow access for Town emergency vehicles, school buses and other Town vehicles, as has been done at similar locations in Town.

Proposed by: DEBORAH DeMURIA & KEVIN FARRINGTON
Board of Selectmen Recommendation:
Advisory Committee Recommendation:
Summary: *This is a citizen's petition.*

DRAFT