

***ANNUAL WARRANT***  
*of the*  
***TOWN OF SOUTHBOROUGH***  
***MASSACHUSETTS***



**For the Annual Town Meeting  
on**

***April 25, 2017***

## *Contents*

### **Page No.**

Town Finance Terminology .....	4
Introduction to the Rules of Town Meeting.....	5

### **Articles**

1. To Hear Reports .....	10
2. Acceptance of Monies from Contributors.....	10
3. Borrowing Authorization.....	10
4. Authorize Board of Selectmen and Supt. of Schools/Three Year Contracts.....	10
5. Amend the Personnel Salary Administration Plan .....	11
6. Funding Union Contracts.....	25
7. Fiscal Year 2017 Budget Transfers .....	25
8. Fiscal Year 2018 Budget .....	25
Moderator .....	26
Elected Board of Selectmen.....	26
Board of Selectmen.....	26
Advisory Committee .....	26
Reserve Fund .....	26
Town Accountant.....	26
Audit .....	26
Elected Board of Assessors.....	27
Assessors.....	27
Treasurer/Collector .....	27
Legal .....	27
Personnel Board.....	27
Special Legal Counsel.....	27
Technology .....	27
Other Operation Support.....	27
Elected Town Clerk .....	28
Town Clerk .....	28
Conservation Commission .....	28
Planning Board .....	28
Zoning Board of Appeals.....	28
Open Space .....	28
Economic Development Committee .....	28
Public Buildings and Properties Maintenance .....	29
Police Department.....	29
Fire Department .....	29
Building Department.....	29
Civil Defense .....	29
Animal Control Officer and Animal Inspector.....	29
Department of Public Works – Highway, Cemetery, Tree.....	29
Department of Public Works – Water.....	30
Elected Board of Health.....	30
Board of Health.....	30
Council on Aging.....	30
Youth Commission .....	30
Veterans’ Services .....	30
Library .....	30
Recreation Commission .....	31
Historical Commission.....	31

## Contents

Page No.

### Articles (cont.)

Memorial Day .....	31
Debt Principal and Debt Interest.....	31
Employee Benefits .....	31
Budget Capital .....	31
Court Judgments .....	32
Liability Insurance .....	32
Elected School Committee.....	32
Southborough Schools .....	32
Algonquin Regional High School .....	33
Assabet Valley Regional Technical High School .....	33
Norfolk County Agricultural High School.....	33
9. General Government Capital Items .....	34
10. Reauthorize Revolving Funds.....	35
11. Facilities Maintenance Fund.....	35
12. Appropriation from CPA Funds – Administrative.....	35
13. Appropriation from CPA Funds – Debt payment for Burnett House FY17.....	36
14. Appropriation from CPA Funds – Debt payment for Burnett House FY18.....	36
15. Appropriation from CPA Funds – Flagg School Restoration Project.....	37
16. Appropriation from CPA Funds – Restoration/Preservation of Historical Permanent Records.....	37
17. Appropriation from CPA Funds – Breakneck Hill Conservation Land Management.....	37
18. Appropriation from CPA Funds – New basketball court at Harold Fay Memorial Playground .....	37
19. Appropriation from CPA Funds – Rehabilitation of Richardson Tennis Courts .....	38
20. Appropriation from CPA Funds – Mooney Field lighting .....	38
21. Accept amended M.G.L. c.59 §5k for Senior Tax Work-off .....	38
22. Accept Stormwater Easement from Fay School.....	38
23. Amend Town Code – Standing Committee for Technology.....	39
24. Authorization to Board of Selectmen for Disposition of Municipal Properties.....	43
25. Amend Town Code – Standing Committee for Economic Development .....	43
26. Amend Article III of Zoning Code – Adaptive Reuse of Historic Buildings .....	43
27. Amend Article I of Zoning Code – Customary Home Occupation .....	48
28. Amend Article I of Zoning Code – Historic Buildings .....	49
29. Amend Article III of Zoning Code – Amend Uses by Special Permit .....	49
30. Amend Article III of Zoning Code – Amend Site Plan Approval.....	49
31. Amend Chapter 53 of Town Code – Prohibit Recreational Marijuana.....	49
32. Amend Zoning Code – Prohibit Recreational Marijuana .....	50
33. Amend Zoning Code – Recreational Marijuana General Provisions .....	51
34. Funding for National Historic District Preservation Planner.....	54
35. Amend Chapter 53, Town Code – Electioneering prohibited.....	54
36. Amend Chapter 41, Town Code – Notice of Meeting .....	54
37. Amend Chapter 16, Town Code – Annual Debtors List .....	54
38. Amend Chapter 53, Town Code – Nomination Papers.....	55
39. Amend Chapter 41, Town Code – Annual Debtors List .....	55
40. Citizen Petition – Alternatives for Public Safety Facility siting .....	56
41. Citizen Petition – Amend Zoning Bylaw – Elderly Housing units .....	56
42. Citizen Petition – Amend Town Code: Town Counsel.....	56
43. Citizen Petition – Amend Town Code: Town Counsel.....	56

## ***Town Finance Terminology***

The following terms are frequently used in the Advisory Committee Report and at Town Meeting. For your convenience, we provide the following definitions.

***Surplus Revenue:*** (Often referred to as “Excess and Deficiency”)

*The fund represents the amount by which the Cash, Accounts Receivable and other floating assets exceed the liabilities and reserves.*

***Available Funds:*** (Often referred to as “Free Cash”)

*The amount of the Unreserved Fund Balance (Surplus Revenue) account over and above uncollected taxes of prior years constitutes “free cash” or “available funds”.*

***Overlay:***

The Overlay is the amount raised by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover abatements granted and avoiding fractions.

***Overlay Reserve:***

This is the accumulated amount of the Overlay for various years not used or required to be held in the specific Overlay account for a given year, and may be used by vote of the town for extraordinary or unforeseen purposes or voted into the Reserve Fund.

***Stabilization Fund:***

An outside section of Chapter 138 of the Acts of 1991 (the FY92 State budget) modifies limitations on the Stabilization Fund appropriation process by enabling communities to appropriate from this fund for any non-capital, lawful purpose without Emergency Finance Board approval (section 333). Beginning in FY92, the Stabilization Fund will thus become a source of revenue for general operating expenses for communities.

The Stabilization Fund is a mechanism for setting aside money for capital projects. It equalizes the effect of capital expenditures over time, as capital appropriations can change considerably from year to year. The balance in the fund will build up during years when expenditures for capital items are low. During years with high capital expenditures, the community will transfer money from the fund to reduce the project’s impact on the tax rate or the amount of borrowing required for the project.

A community may appropriate up to 10% of its tax levy each year, as long as the balance in the Stabilization Fund does not exceed 10% of the community’s equalized valuation. Interest earned on any fund balance is retained as part of the fund.

Appropriations into a Stabilization Fund can be made at either an annual or special town or district meeting. Chapter 94 of the Acts of 1985 permits appropriations to be made from a Stabilization fund at a special town or district meeting, not just

at the annual meeting. Regardless of the timing, appropriations from the Stabilization Fund require a two-thirds vote by the appropriating authority. Until the FY92 state budget, a community could only appropriate from the Stabilization Fund for a none-capital purpose with the approval of the Emergency Finance Board.

***Reserve Fund:***

This fund is established by the voters at the Annual Town Meeting only and may be composed of (a) an appropriation (not exceeding 5% of the tax levy of the preceding year), (b) money transferred from Overlay Reserve, or (c) both.

Transfers from the Reserve fund may be made only by the Advisory Committee and are for “extraordinary or unforeseen expenditures” only.

***Conservation Fund:***

For land purchases and any other conservation use.

## ***Introduction to the Rules of Town Meeting***

### ***TOWN MEETING***

Southborough's Town Meeting is an open town meeting in which all registered voters may participate in the voting. The Meeting is a deliberative assembly, conducted in the democratic process, charged with considering a maximum number of questions of varying complexity in a minimum amount of time and with full regard to the rights of the majority, strong minority, individuals, absentees and all of these together.

### **AUTHORITY**

The three elements of authority at Town Meeting are a quorum of one hundred (100) registered voters or more, the Town Clerk and the Moderator. Of these three the quorum is the most important.

The Town Clerk is responsible for voter registration, certification of a quorum, setting up the hall and keeping the record of the Meeting. He may also officiate at the Meeting in the absence of a Moderator.

The Moderator presides at and regulates the proceedings, decides all questions of order, and makes declarations of all votes. No one may speak on an issue without being recognized by the Moderator. It is his responsibility to approve the distribution of materials, and persons wishing to do so must seek his permission. The Moderator appoints Tellers and alternates for the purpose of counting votes of the meeting.

### **THE WARRANT**

All matters to be considered at Town Meeting must be published in the Town Meeting Warrant, which is the responsibility of the Board of Selectmen. By state law, Town by-law, or custom several business articles such as budget appropriations must be presented in the Town Warrant each year for consideration. Other items are added by warrant articles proposed by town officials, committees, boards, or groups of ten or more registered voters. The Advisory Committee reviews the warrant, making recommendations on all the items of business to be presented. In accordance with the by-laws, all articles in the Warrant are considered in the order in which they appear in the Warrant, unless the Town Meeting votes to change the order.

### **PARTICIPATION**

Anyone wanting to ask questions, make a statement, or otherwise participate in the meeting must go to one of the floor microphones and wait to be recognized by the Moderator. Upon recognition by the Moderator, state your name and address and then state your business.

Anyone whose name is not on the list of registered voters requires the approval of either the Moderator or a majority of the Meeting to sit in the voting area.

All remarks should be limited to the subject then under discussion. It is improper to indulge in references to personalities and all expressions of approval or disapproval, such as applause or booing, are out of order. The Moderator may request any person to keep silent. If after warning from the Moderator, a person refuses to be silent or persists in other disorderly behavior, the Moderator may order a person to withdraw and if he fails to withdraw, may order a police officer to remove such person from the Meeting.

Individuals who have a personal or financial interest with respect to a matter may speak or vote thereon but should frankly disclose their interest. However, no Town Meeting voter should accept compensation for speaking to or voting at the Meeting without disclosing that fact.

There is no fixed time limit to the debate of any question. However, each individual who speaks to the Meeting should make an effort to be as brief as possible, out of consideration for the others attending the Meeting and the need to give adequate time to all matters coming before it.

### ***Introduction to the Rules of Town Meeting (continued)***

Anyone who wishes to make a special presentation with respect to any article must, prior to the Meeting, inform the Moderator of the length of time required and the nature of the presentation in seeking his approval.

In order to give all a fair opportunity to speak, no one who has addressed the Meeting on any particular motion shall speak again, except to answer questions, until all others wishing to speak to the motion have done so.

### **HOW ARE MOTIONS CLASSIFIED?**

#### **Main Motions**

Motions of this group have for their object the bringing of questions, or propositions, before the Meeting for consideration. Only one main motion can be considered at a given time by the Meeting, and such a motion, when introduced, excludes all other main motions until it has been disposed of.

#### **Subsidiary Motions**

Motions of this group have for their object the modification or disposition of the main motion that is being considered. Their existence as motions depends entirely upon the principal motion to which they are subordinate. Since they relate to the question before the Meeting, it is “in order” to propose them when a main motion is still before the Meeting and to vote upon them before voting upon the main motion.

#### **Privileged Motions**

Motions of this group have no connection whatsoever with the main motion before the Meeting, but are motions of such importance that they are entitled to immediate consideration. These motions have the privilege of setting aside temporarily the main business before the Meeting.

#### **Incidental Motions**

Motions of this group have few characteristics in common, but for convenience have been grouped into one class. The name, “incidental,” has been chosen because they arise only incidentally out of the business of the Meeting.

### **RULES RELATIVE TO MOTIONS**

A motion is the means of bringing a proposal or question before the Meeting for consideration. When put forward it is a motion; after it is seconded and acknowledged by the Moderator, it becomes the question or proposal. Except for complimentary resolutions (the presentation of which must be approved in advance by the Moderator), no main motion shall be entertained unless it is contained within a warrant article (main motion, take from the table, reconsider, rescind, advance an article, postpone indefinitely or postpone to a time certain). Upon completion of debate, articles will be voted upon.

The Moderator shall determine whether a motion, or any discussion relative to a motion, is within the “scope of the article.” That is, the motion and the debate must be relevant to the article as written in the Warrant. Articles only give notice to the voters and do not initiate action; motions do. Motions may be withdrawn; articles may not be withdrawn – articles must be acted upon by Town Meeting.

There are four types of amendments: striking out, inserting, striking out and inserting, and substitution. Motions to amend may be hostile as long as they are germane. An amendment to a motion is an amendment of the first rank; an amendment is an amendment of the second rank; there can be no amendment beyond that of the second rank.

Some motions avoid a final determination by the Meeting. A motion to commit or to refer sends the matter to an existing board or committee or one to be established. The motion to postpone indefinitely disposes of the question without bringing it to a direct vote. The motion to postpone indefinitely should not be confused with the motion to table which only temporarily delays a vote.

As previously stated, articles may not be withdrawn; so when the Meeting does not wish to act on a particular article, the proper motion is to postpone consideration indefinitely.

### ***Introduction to the Rules of Town Meeting (continued)***

Motions to reconsider are in order and shall be entertained when moved by a person who voted on the prevailing (winning side) side of the original vote on the article. Articles may be reconsidered and defeated only once. A motion to reconsider, when passed by the necessary 2/3 vote, will bring the original article back to the floor (requires a new motion and additional debate) or, if the motion to reconsider is defeated, then the original article stands as previously voted and may not be reconsidered again. The person making the motion for reconsideration is under no obligation to state why said article should be reconsidered (although informing the hall of a reason(s) is the usual process). Actions to reconsider can be taken at the same session or any subsequent session of the Meeting. A notice of reconsideration may be filed with the Town Clerk stating that, at a specific point during the current Town Meeting, a person will move for reconsideration on a particular article. The Moderator, when so informed by the Town Clerk of this pending motion, will inform the hall of said action.

All motions other than purely procedural motions must be in writing and signed by the sponsor.

### **CHART OF PRECEDENCE OF MOTIONS AND SUMMARY OF GOVERNING RULES**

	May interrupt <u>a speaker</u>	Req. a <u>sec.</u>	<u>Debatable</u>	<u>Vote Required</u>	Motions that <u>may apply</u>
<b><u>PRIVILEGE MOTIONS</u></b>					
1. To dissolve	no	yes	no	majority	none
2. To adjourn	no	yes	limited	majority	amend
3. Point of no quorum	no	no	no	none	none
4. Recess	no	yes	limited	majority	amend
5. Question of privilege	yes	no	no	chair rules	none
6. Orders of the day	yes	no	no	none	none
<b><u>SUBSIDIARY MOTIONS</u></b>					
7. To lay on the table	no	yes	no	2/3	none
8. Previous question	no	yes	no	2/3	none
9. To postpone definitely	no	yes	limited	majority	amend, reconsider previous question
10. To refer to a committee	no	yes	limited	majority	amend, reconsider previous question
11. To amend	no	yes	yes	majority	amend, reconsider previous question
12. To postpone indefinitely	no	yes	yes	majority	reconsider previous question
<b><u>MAIN MOTIONS</u></b>					
Main Motions	no	yes	yes	majority*	all
To take from the table	no	yes	no	majority	none
To reconsider	no	yes	yes	2/3	table previous question postpone definitely
To rescind	no	yes	yes	2/3	all
To amend after passage (requires a 2/3 vote to reconsider the prior vote)	no	yes	yes	majority	all

### ***Introduction to the Rules of Town Meeting (continued)***

	May interrupt <u>a speaker</u>	Req. a <u>sec.</u>	<u>Debatable</u>	<u>Vote Required</u>	<u>Motions that may apply</u>
Consideration of Articles					
a) To advance question	no	yes	yes	majority	reconsider previous
b) To postpone definitely question	no	yes	yes	majority	amend, reconsider previous
c) To postpone indefinitely question	no	yes	yes	majority	reconsider previous

### **INCIDENTAL MOTIONS**

To suspend rules	no	yes	no	2/3	none
To withdraw a motion	no	no	no	majority	reconsider
Point of order	yes	no	no	chair rules	none
Parliamentary inquiry	no	no	no	none	none
Point of information	no	no	no	none	none
Division of the assembly	no	no	no	none	none
Division of a question	no	yes	no	majority	none
Separate consideration	no	yes	no	majority	none

\*The vote required to pass an affirmative main motion is a matter of substantive law, and it is usually a majority.

### **FORM USED IN MAKING MOTIONS**

1. Main Motion	Mr. Moderator, I move that...(statement of the proposal)
2. Adjourn	Mr. Moderator, I move to adjourn to...(state time)
3. Amend	Mr. Moderator, I move to amend by adding... Mr. Moderator, I move to amend by inserting...before... Mr. Moderator, I move to amend by striking out... Mr. Moderator, I move to amend by striking out...and inserting... Mr. Moderator, I move to substitute...for...
4. Amend an Amendment	Mr. Moderator, I move to amend the pending amendment by (see above)
5. Amend Something Previously Adopted	Mr. Moderator, I move to amend the resolution under Article...by...
6. Commit or Refer	Mr. Moderator, I move that the proposal be referred to a committee of...
7. Division of the Assembly	Mr. Moderator, I call for a division.
8. Division of a Question	Mr. Moderator, I move to divide the question.
9. Lay on the Table	Mr. Moderator, I move that the proposal be laid on the table.
10. Point of Order	Mr. Moderator, point of order.
11. Postpone definitely	Mr. Moderator, I move to postpone the question to...
12. Postpone Indefinitely	Mr. Moderator, I move that the question be postponed indefinitely.
13. Previous Question	Mr. Moderator, I move the previous question.
14. Question of Privilege	Mr. Moderator, I rise to a question of privilege.
15. Recess	Mr. Moderator, I move to recess for...
16. Reconsider (2/3)	Mr. Moderator, I move to reconsider the vote under Article... Mr. Moderator, I move to reconsider the vote on the amendment to...
17. Separate Consideration	Mr. Moderator, I move for separate consideration.
18. Suspend the Rules	Mr. Moderator, I move to suspend the rules which interfere with...
19. Take from the Table	Mr. Moderator, I move to take from the table the motion relating to...



## **INTERRUPTING A SPEAKER**

No one may interrupt a speaker except for a point of order or a question of privilege.

## **POINT OF ORDER**

A point of order is a question of the Moderator about whether the speaker is entitled to be speaking, whether the discussion is irrelevant, illegal or contrary to proper procedure.

## **QUESTION OF PRIVILEGE**

A question of privilege most often relates to the rights and privileges of those in attendance such as asking the Moderator to quiet the meeting so that discussion can be heard.

## **PARLIAMENTARY INQUIRY**

A parliamentary inquiry is a question directed to the Moderator to obtain information on a matter of parliamentary law of the rules of the Meeting bearing on the business at hand. It is the Moderator's duty to answer such questions when it may assist a voter to make an appropriate motion, raise a proper point of order, or understand the parliamentary situation or the effect of a motion. The Moderator is not obliged to answer hypothetical questions.

## **PREVIOUS QUESTION**

To call or move the question is a request to stop discussion and to take an immediate vote. This requires a 2/3 vote.

## **VOTING**

Voting is by hand vote and the Moderator declares the results of such votes. If seven or more registered voters immediately question the vote, so declared, the Moderator shall determine the results by a standing count of votes by the tellers. After the vote, as counted by the tellers, is presented to the Moderator and announced to the floor, any further motions for recount are out of order. Moreover, the Moderator may disallow the request for a count if he believes the voice was beyond a reasonable doubt.

If a law or by-law requires more than a simple majority for action by the Meeting, the Moderator may first determine whether the vote is unanimous. If the vote is not unanimous, the voters shall be counted by means of a standing vote.

## **ADJOURNMENT AND DISSOLUTION**

Sessions of the Town Meeting normally adjourn at eleven o'clock in the evening but may adjourn at such earlier or later time as the Meeting upon vote of the majority may determine.

The Meeting shall not dissolve until all articles in the warrant have been properly considered.

**TOWN WARRANT  
COMMONWEALTH OF MASSACHUSETTS  
ANNUAL TOWN MEETING**

Worcester, ss.

April 3, 2017

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, April 25, 2017***

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:** At Town Meeting

**Advisory Committee Recommendation:** At Town Meeting

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

**ARTICLE 2:** To see if the Town will vote to accept any sum of money from St. Mark's School, Fay School, Harvard Medical School, L'Abri Fellowship, The New England Center for Children, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted, or do or act anything in relation thereto.

**Proposed by: BOARD OF SELECTMEN**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *To allow the Board of Selectmen to accept donations from Tax Exempt organizations and determine the disposition of funds.*

**ARTICLE 3:** To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2017 in accordance with the provisions of Massachusetts General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with Massachusetts General Laws, Chapter 44, Section 17 as amended, or do or act anything in relation thereto.

**Proposed by: BOARD OF SELECTMEN**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article allows the Town Treasurer to short-term borrow in anticipation of revenue.*

**ARTICLE 4:** To see if the Town will vote in accordance with the provisions of Massachusetts General Laws Chapter 30B, Section 12(b), to authorize the Board of Selectmen or the Superintendent of Schools to solicit and award contracts for terms exceeding three years, including any renewal, extension or option, provided in each instance the longer term is determined to be in the best interest of the Town by a vote of the Board of Selectmen or the School Committee, as appropriate, or do or act anything in relation thereto.

**Proposed by: BOARD OF SELECTMEN**  
**Board of Selectmen Recommendation: Support**  
**Advisory Board Recommendation: At Town Meeting**

**Summary:** *This article allows the Selectmen and/or the School Committee to enter into contracts in excess of three years, if deemed in the best interest of the Town to do so. This has been an annual article, and the exemption has been limited to contracts of no more than seven years.*

**ARTICLE 5:** To see if the Town will vote to accept the following changes, as noted in BOLD in the Personnel Salary Administration Plan, as specified in Chapter 31 of the Code of the Town of Southborough, entitled: PERSONNEL.

**SALARY ADMINISTRATION PLAN AND PERSONNEL BY-LAWS  
OF THE TOWN OF SOUTHBOROUGH  
[revised at April 25, 2017 Annual Town Meeting]**

This by-law establishes a Salary Administration Plan for the Town of Southborough that (i) groups position classifications in Town services, (ii) establishes salary schedules and employee benefits and (iii) establishes and authorizes the Personnel Board to administer **and/or delegate duties within** the by-law in representing the interest of both the taxpayers and the Town employees. **(iv) Modifications made to the bylaw in 2017 pertain to establishing the role and level of authority of the Assistant Town Administrator/Human Resource Director (i.e. Assistant Town Administrator/Human Resource Director). All administrative policies and practices shall be prepared by the Assistant Town Administrator/Human Resource Director and approved by the Personnel Board [such as holiday pay, sick leave, vacation pay, or such other benefits.]**

This Salary Administration Plan applies to the positions of all officers and employees in the service of the Town, whether full-time, part-time, temporary, seasonal, special or any other, except those positions filled by popular election, under the direction and control of the School Committee, or encompassed in any officially recognized labor union and/or association. The positions covered by this Salary Administration Plan are hereby classified by titles in the groups listed in Schedule A through F ("Classification Schedule") as set forth in Section 20 of this by-law.

The classification of positions subject to the Massachusetts Welfare Compensation Plan (as amended) and the scheduled rates therefor, as well as the applicable provisions of the Massachusetts General Laws relating to the application of rates set forth in the aforementioned Welfare Compensation Plan are hereby incorporated by reference.

**SECTION 1. DEFINITIONS**

As used in this by-law, the following words and phrases shall have the following meanings:

"Administrative Authority" means the elected or appointed official or board having jurisdiction over a function or activity.

"Anniversary Date" means the date 180 days after (i) the first day of employment or (ii) the date of any promotion, whichever is later.

"Base Pay" means the compensation paid by the Town of Southborough for the purposes of determining retirement credits and contributions for Town employees.

The Town shall contribute funds as required for each eligible employee in accordance with the procedures and formula established by the Worcester Regional Retirement System and the by-laws of the Town of Southborough. Contributions shall include (i) wages earned during the first eight hours worked in any one day (no contributions shall be made for hours worked in excess of 40 per week,) (ii) any lump sum bonus that is guaranteed by the Salary Administration Plan or the By-Laws of the Town, (e.g., longevity pay); (iii) vacation pay, except when paid in lieu of taking vacation; (iv) sick pay; and (v) holiday pay.

“Class” means a group of positions in the Town service sufficiently similar with respect to duties and responsibilities such that for each position the same (i) descriptive title may be used, (ii) qualifications shall be required, (iii) tests of fitness may be used to choose qualified employees and (iv) scale of compensation can be equitably applied.

“Classification Schedule” means any of Schedules A, B, C, D, E and F of Section 20 hereof.

“Compensation Grade” means a range of salary/wage rates as may appear in the Classification Schedules.

“Continuous Full-Time Service” means employment requiring a predetermined minimum work period that is uninterrupted except for authorized leaves (e.g., vacation, sick, etc.).

“Continuous Employment” means full-time or part-time employment that is uninterrupted except for authorized leaves (e.g., vacation, sick, etc.).

“Department” means a functional unit of Town government.

**“Delegated Authority” means those tasks and duties which, unless otherwise restricted by specific language in the SAP and that the Personnel Board has unanimously agreed, can be prospectively performed by the Assistant Town Administrator/Human Resource Director.**

“Department Head” means the person appointed and responsible to carry out the duties of a Department.

“Full-Time Employment” means employment for not less than 20 hours per week for fifty-two weeks per annum, excepting authorized holidays and leave periods.

“Group” means a group of classes as may appear in the Classification Schedules.

“Maximum Rate” means the highest compensation rate to which an Employee is entitled.

“Minimum Rate” means the lowest rate in a range, and is normally the hiring rate of a new employee.

On-Call Compensation: refers to additional money paid to an employee who is required to work when the need requires; oftentimes in an evening or weekend capacity.

“Part-Time Employment” means employment less than 20 hours per week.

“Position” means an office or post of employment in the Town service with duties and responsibilities calling for the Full-Time or Part-Time Employment of one person in the performance and exercise thereof (or of more than one person sharing the same position).

“Position Class” means the same as “Class” (note that a class may include only one position, in which event it is defined as a “single position class”).

“Promotion” means a change from one position to another position in a higher class and/or compensation grade.

“Range” means the difference between minimum and maximum rates of an assigned grade.

“Rate” means the measure of compensation for personal services on an hourly, weekly, monthly, annual or other basis.

“Salary Administration Plan” means this Salary Administration Plan and Personnel By-Laws of the Town of Southborough.

“Single Rate” means a rate for a specific position class that is not in a designated range.

## SECTION 2. POSITION TITLES

No person shall be appointed, employed or paid in any position under any title other than those of the Classification Schedule for which the duties are actually performed. The position title in the Classification Schedule shall be the official title for all purposes, including payrolls, budgeting and official reports.

## SECTION 3. NEW OR CHANGED POSITIONS

No new position shall be established, nor the duties of an existing position so changed that a new level or work demand exists, unless upon presentation to the Personnel Board of substantiating data satisfactory **to the Assistant Town Administrator/Human Resource Director**. The Board shall allocate the position to its appropriate classification grade and establish the salary therefor, **based on the recommendation of the Assistant Town Administrator/Human Resource Director in conjunction with the department head and subject to verification of funding**

## SECTION 4. RECLASSIFICATION OF EMPLOYEES

No position may be reclassified to another grade, whether higher or lower, unless the **Assistant Town Administrator/Human Resource Director** shall have determined such reclassification is consistent with this Salary Administration Plan, and it shall be approved **by the Personnel Board prior to** an annual or special town meeting.

## SECTION 5. JOB DESCRIPTIONS

The Personnel Board **or a designated authority** shall maintain written job descriptions of the position classes in the Classification Schedule, each consisting of a statement describing the essential nature of the work required of such classes. Each Department Head shall maintain copies of current official job descriptions **as held in administered personnel files**. **Changes shall be submitted for review** to the Personnel Board (following any review by the Board of Selectmen or their designated appointee or the appropriate Commissioners or Trustees). The description for any class shall not be deemed to limit the duties or responsibilities of any position, nor to affect in any way the power of any administrative authority to appoint, to assign duties to, or to direct and control the work of any employee under the jurisdiction of such authority.

## SECTION 6. COMPENSATION

a. The bi-weekly pay period shall begin at 12:00 a.m. Thursday and shall end at 11:59 p.m. on the following second Wednesday.

b. Non-exempt employees subject to this Salary Administration Plan shall be paid for one and one-half hours worked for any hour worked in the excess of forty in their weekly pay period, provided such extra hours were authorized by the Department Head.

c. The salary schedules set forth in Schedules A, B, C, D, E and F of Section 20 hereof reflect the maximum and minimum salaries for each grade.

d. Salary set forth in Schedule A represents a 40 hour work week and in the event an employee works less than 40 hours per week but more than 20 hours per week, the indicated salary is pro-rated reflective of the posted salary schedule in Schedule A.

e. Amounts paid to employees in reimbursement for expenses incurred in the performance of their duties (e.g., mileage, meals, dues, etc.) shall be paid in addition to their compensation. Reimbursement shall be based upon the actual documented expenditure made by the employee, or at rates established by the Internal Revenue Service, supported by that agency's requirements for documentation.

f. On-Call Compensation: Employees shall be eligible to earn a weekly stipend not to exceed \$200.00 per week for on-call service if the department head has required them to work outside of their normal schedule. This need is likely to occur on an evening or weekend basis as the need requires. There is no provision to accrue compensation time in lieu of payment.

## SECTION 7. ADJUSTMENT & COMPENSATION POLICIES

a. Every employee that is in Continuous Full-Time or Part-Time service of the Town, as computed from the date of their latest employment, shall be eligible annually for consideration of a merit increase, one year from the date of his/her latest increase. Except as may be authorized by the Personnel Board in exceptional circumstances, such increase is not to exceed one increase in any single twelve-month period until the maximum of the grade is obtained, and such increase shall be subject to the recommendation of the Department Head, with the approval of the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees.

Retroactive merit increases voted by the Personnel Board shall not be compensated beyond July 1 of that fiscal year, regardless of the funding mechanism.

An evaluation of the employee's performance, in a format approved by the Personnel Board, must accompany a request for an increase. Upon receiving such documentation, the Personnel Board shall have final review and approval of all adjustments **which exceed the annually approved percentage for that fiscal year. Any such evaluation which requests an increase that matches the normal adjustment annually approved by the Personnel Board, may be processed by the Assistant Town Administrator/Human Resource Director.**

An employee may appear before the Personnel Board prior to its action on any request for a merit increase. Any employee denied such an increase may appeal, in writing, to the Personnel Board, which shall confer with the employee, **Assistant Town Administrator/Human Resource Director**, the Department Head and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and shall decide the matter.

b. Regular Part-Time employees shall be eligible for consideration for merit increases within their grade one year from the date of their last increase.

c. Special and other Part-Time personnel for whose positions there is a single rate established in Schedule D shall not be eligible for adjustment.

## SECTION 8. TRANSFERS AND PROMOTIONS

a. An employee who is promoted to a job with a higher range or rate of pay shall enter it at the rate recommended by the Department Head with the approval of the Personnel Board. The employee may also receive at the time an increase, provided the maximum for the job is not exceeded, if the Department Head recommends that qualifications and performance warrant it and the **Assistant Town Administrator/Human Resource Director** approves. **The Assistant Town Administrator/Human Resource Director, in concurrence with the Department Head, may approve** a probationary period in the new job (which shall not exceed six months).

b. An employee transferred to a job with a lower range or rate of pay shall enter it at the rate paid for the previous position or at the maximum rate for the job, whichever is the lower, provided the **Assistant Town Administrator/Human Resource Director** approves. The employee shall have a right to appeal this decision, in writing, to the Personnel Board, which shall confer with the employee, the Department Head and the **Town Administrator**, or the appropriate Commissioners or Trustees, and shall decide the matter.

## SECTION 9. NEW PERSONNEL

a. Pre-employment physical examinations will be required of newly-hired employees consistent with the Town's policies.

b. A new employee's hiring rate up to the mid-point of the hiring range shall be set by the Town Administrator. **Requests to set a hiring rate beyond the mid-point shall be recommended by the Assistant Town Administrator/Human Resource Director and subject to approval by the Personnel Board.**

c. For new hires, the first six months of employment shall be a probationary period at the end of which the employee may receive a merit increase based on the approved annual percentage set by the Personnel Board, provided that the Department Head recommends and the **Assistant Town Administrator/Human Resource Director** has approved it. Any increase in excess of the approved annual percentage must be authorized by the Personnel Board. This probationary rate increase shall apply only at the start of employment and shall not apply in case of transfer or promotion from one job to another. The effective date of the new position shall then become the employee's new anniversary date for merit increases. [Longevity and paid leave accruals shall be based on the original hire date]. During any such probationary period, benefit eligible employee(s) nevertheless will earn vacation, sick and personal time in accordance with Section 11(b) hereof.

d. The employee shall thereafter be reviewed for a rate increase one year from the date of the employee's latest increase, based on a **completed** performance evaluation.

## SECTION 10. DEPARTMENT BUDGETS

Each Department Head shall include in the annual departmental budget a pay adjustment section to provide funds for all anticipated pay adjustments, with expenditures to be made only in accordance with this Salary Administration Plan and with the approval of the Personnel Board. Degree bonus [Sec 11i (1)] funds shall also be budgeted in the departmental budget.

## SECTION 11. EMPLOYEE BENEFITS

Employee benefits are a cost to the Town and a form of "indirect pay" to employees. The benefits listed below are not intended to supersede what State or Federal law may otherwise require.

All forms of paid leave set forth in the SAP may represent a 40 hour work week; in the event an employee works less than 40 hours per week but more than 20 hours per week, the indicated benefit shall be pro-rated reflective of the approved hours per week for that position.

### a. Holidays with Pay

Each eligible Employee shall receive one day's pay at their regular rate for the following:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
Presidents' Day	Veteran's Day
Patriot's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day
Independence Day	Christmas Day
	Day before <u>or</u> after Christmas Day (as set by the Town annually)

To be eligible for holiday pay, an Employee must work (or be duly excused from working) their regular scheduled days preceding and following the holiday. Employees who do not work 20 hours or more per week on a regular basis shall not be compensated for holidays.

Employees whose regular day off falls on a holiday may have one day off with pay within the ensuing thirty days in lieu of holiday pay, with the specific choice of day subject to Department Head approval. Furthermore, the day granted in lieu of holiday pay shall not cross fiscal years.

b. Vacations with Pay

- (1) Regular Full-Time Employees who have been in the continuous employ of the Town shall earn paid vacation in accordance with the following schedule:

Years of Employment	Hours Earned per month
0-5	6.666
6-10	10.0
11-15	13.333
16 or more	16.666

Employees hired prior to July 1, 2005, shall be eligible to earn twenty hours per month after serving twenty years of full time employment with the Town.

(2) At the recommendation of the hiring authority and upon the approval of the Personnel Board, new employees entering into a position with the Town of Southborough from a similar position in another municipality or similar government agency will be allowed to enter into the vacation schedule using their years of service from their prior employment, up to a maximum of three week's vacation [pro-rated] for the first year of employment with the Town. Employees commencing employment with three weeks per year will be required to complete five years of service before ascending to the next band in the vacation schedule chart.

The probationary period for new hires would still apply.

(3) Vacation shall be granted by Department Heads at their discretion subject to the regular work needs of the department. An employee shall be permitted to carry over to the following year one year's worth of earned vacation. The employee must have the Department Head's approval to take any portion of a prior year's unused vacation in addition to the days earned in the current fiscal year.

(4) If in the opinion of the Department Head there are unusual work-related circumstances that warrant it, a department head may seek approval from the Town Administrator, to allow the employee to continue to work and receive vacation pay in lieu of taking vacation. Approval granted in this section may not exceed ten days per fiscal year.

(5) In the event of termination of employment other than for cause, the employee shall be paid, or be entitled to time off with pay, for any accumulated vacation time. Personal and sick leave shall not be compensated at termination.

c. Sick Leave

(1) All regular Full-Time Employees shall be entitled to accrue 10 sick hours per month, equaling 120 hours annually (15 sick days); employees working less than 40 hours in a weekly pay period will accrue ratably based on hours worked per week. Pay for each day of sick leave shall be at the regular rate. Absences on account of sickness in excess of that authorized shall be charged to vacation or other available paid leave. Sick leave shall be payable only in cases of genuine illness, non-work connected accident, or work connected accidents not covered by Massachusetts General Laws Chapter 152 (Workers' Compensation).



(2) Unused sick leave may be accumulated without limitation for employees hired before July 1, 2007. Employees of the Town of Southborough hired on or after July 1, 2007 may only accrue 120 sick days at any one time. At retirement [or death] only, the Town will pay the employee twenty percent (20%) of the employee's then-accumulated sick leave.

(3) Employees who because of genuine illness or a non-work connected accident are absent for a period of more than three days shall be required to present a doctor's certificate to their Department Head before returning to work stating the reason, the period of time the employee was absent and whether there are any physical restrictions or required outpatient services the employee must adhere to in the workplace.

(4) Annually, an employee may use up to seven of the allowed fifteen days of sick leave for the care of a sick family member.

d. Personal Days

Each employee shall be entitled to three personal days per year, to be granted annually on the anniversary of the employee's date of hire. New employees shall be granted three personal days which shall be pro-rated based on hours worked per pay period. Requests for personal days shall be approved by the Department Head. Personal days shall not accumulate from year to year.

e. Military Leave

(1) Reserve Duty: An employee in full-time employment in the military reserve shall be paid the difference between compensation received while on reserve duty and regular compensation rates paid the employee by the Town. Such payment by the Town shall be limited to a period not to exceed two weeks in any twelve-month period.

(2) Active Duty: Pursuant to Article 8 of the April 11, 2005 Annual Town Meeting, an employee in the federal military reserve or a state National Guard who is called to active service shall be entitled to their regular base salary and shall not lose any seniority or paid leave benefits while on military leave; *provided*, however, that such base pay shall be reduced by any amount received from the United States as pay or allowance for military service performed.

f. Jury Duty

Any employee who is called to jury duty shall be paid the difference between their normal compensation and the amount (excluding any travel allowance) received from the court, upon presentation of evidence of the amount paid by the court.

g. Miscellaneous Paid Time Off

Working time lost from regularly scheduled work days for reasons listed below shall be without loss of pay, provided such lost time is authorized by the Department Head:

(1) Bereavement leave – In the event of the death of a spouse, father, mother, child, father-in-law, mother-in-law, brother, sister, grandparent, or of any other person then residing with the employee, such employee shall be entitled to receive three days' leave for the purpose of the funeral and services of the deceased. If out-of-state travel is required, the Town Administrator may authorize up to two additional days of travel time.

(2) Medical examination or inoculation required by the Town.

(3) Blood donation authorized by the Department Head.

(4) Attendance at professional and educational programs authorized by the Department Head.

h. Court Time Pay

If the Town requires that an employee appear in Court as a witness or in any other capacity arising from the performance of the employee's duty, or on behalf of the Commonwealth or the Town in any civil or criminal case pending in any Court or other official governmental board or agency, then for any such appearance that is made outside of the employee's normal working hours the employee shall be entitled to overtime compensation for every hour or fraction thereof during which they appear (but in no event less than three hours of such overtime pay).

i. Employee Educational Support/Professional Development

(1) Degree Bonus: All full **and part time** employees who, while an employee of the Town, earns a degree in a field applicable to their position from an accredited college or university, shall receive a one-time bonus subject to appropriation, according to the following schedule:

Associates Degree....\$ 800.00  
Bachelors Degree...\$1,200.00  
Masters Degree.....\$1,500.00

A copy of the completed transcript, diploma or other appropriate evidence of the completed degree must be presented to the Department Head and **the Assistant Town Administrator/Human Resource Director**, and shall be submitted as documentation for accounts payable.

(2) Tuition reimbursement: As administered through **the Assistant Town Administrator/Human Resource Director** and subject to the procedure below, the Town may provide tuition reimbursement to any full **or part time** employee for a course that applies to the employee's specific position and for which the **employee submits written verification** of a grade of "B" or better.

(3) Approval Procedure: Town funds must first be appropriated by Town Meeting in the Personnel Board's fiscal year budget. If funds are appropriated, then no later than August 31<sup>st</sup> of each year interested employees shall advise **the Assistant Town Administrator/Human Resource Director** in writing of their interest in **registering for** courses during the fiscal year, detailing the cost of tuition. Thereafter the **Assistant Town Administrator/Human Resource Director** will review all such requests based on available funds and authorize reimbursements based on the number of requests.

(4) Reimbursement: If an employee resigns employment within twelve months of such reimbursement, the employee shall be responsible to repay the amount paid to them by the Town.

j. Group Medical Insurance

Starting July 1, 2009, the Town will contribute fifty percent (50%) of the cost of a medical indemnity plan or seventy-five percent [75%] of the cost of a Health Maintenance Organization plan.

## SECTION 12. UNPAID LEAVES OF ABSENCE

a. A leave of absence without compensation may be granted by the Assistant Town Administrator/Human Resource Director.

b. Leaves of absence of over three months' duration (except Military Leave) shall be deemed 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 three months was authorized by the **Assistant Town Administrator/Human Resource Director**.

## SECTION 13. TRANSITIONS BETWEEN FULL-TIME AND PART-TIME STATUS

- a. A Part-Time employee shall be eligible for Full-Time status when the employee has worked 20 hours or more per week for a period of at least three consecutive months, subject to approval by the Department Head.
- b. A Full-Time employee whose hours of employment total less than 20 hours per week for a period of more than three consecutive months shall thereafter be deemed a Part-Time employee.

## SECTION 14. APPOINTMENT OF "ACTING" DEPARTMENT HEADS

- a. In the absence (or retirement) of a Department Head for three consecutive weeks, the Board of Selectmen or appropriate board or commission may appoint an "Acting" Department Head to serve for a period of not more than three months. Such three-month period may be extended for up to three additional three-month periods, upon the approval of the Board of Selectmen or other appropriate board or commission for each such extension. In no case shall an appointment of an "Acting" Department Head exceed one year.
- b. Duly appointed "Acting" employees shall be compensated at an additional 10% per week, payable retroactively only upon the conclusion of three consecutive weeks of service by the "Acting" employee. Such employees shall still be eligible for overtime pay when fulfilling regular duties from the previous job beyond normal working hours.

## SECTION 15. PERSONNEL BOARD

- a. There shall be a Personnel Board to administer the Salary Administration Plan. Said Board is to be appointed by the Town Moderator. The Board shall consist of five voters other than employees of the Town or those regularly serving the Town in any elective capacity. They shall serve without compensation.
- b. Other than as may be needed to fill unexpected vacancies, appointments shall be for three years. The Moderator shall fill any vacancies. The Personnel Board may employ assistance and incur expenses as it deems necessary, subject to appropriation of funds thereof.

## SECTION 16. DUTIES OF THE PERSONNEL BOARD

- a. The Personnel Board shall administer the Salary Administration Plan and shall establish such policies, procedures and regulations as it deems necessary for the administration of the Plan.
- b. The Board shall meet annually in July and organize by the choice of a Chair and Clerk. The Board shall meet at least monthly, except for the month of August. A majority of the Board shall constitute a quorum for the transaction of business. The votes of the majority of all the members of the Board shall be necessary on any matter upon which it is authorized to or required to pass under the Salary Administration Plan.
- c. The Personnel Board shall maintain records of all employees subject to this Plan as it deems desirable, including personnel evaluations. Such records are to be kept by the Assistant Town Administrator/**Assistant Town Administrator/Human Resource Director**, under the direction of the Personnel Board. Department Heads shall furnish such information as requested by the Board.
- d. The Personnel Board shall from time to time, but no less often than every federal election year, review the Classification Schedule, Salary Schedules, and administration policies of the Salary Administration Plan. It shall keep informed as to pay rates and policies outside the Town, and shall recommend to the Town any action that the Board deems desirable in that regard. The Personnel Board may tentatively add a new class to the Classification Schedule or reallocate an existing class to a different compensation grade, either higher or lower, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan at the next Annual Town Meeting.

e. Between November and January of each fiscal year, the Personnel Board may vote an annual adjustment (but shall reserve the right to vote no adjustment) to the Classification Schedule and establish the effective rate for employees of each grade for the next fiscal year, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan at the next Town Meeting. The Personnel Board shall base any annual adjustments upon available relevant information; **approval of the rate for any given employee is not guaranteed and is driven by the annual performance evaluation.**

f. Matters of concern by SAP employees that are communicated in writing to the Chair of the Personnel Board will be scheduled on an agenda at the next available meeting **providing all necessary and requested information has been submitted in time to be included as part of the meeting packet.** In addition, notice in writing shall be forwarded to the concerned employee and respective Department Head within seven days of the Board's decision. Notwithstanding the foregoing, if the Personnel Board shall so request and the concerned employee and Department Head shall agree, a reasonable extension of these time periods may be granted.

g. Upon recommendation of a Department Head, supported by evidence in writing of special reasons and exceptional circumstances satisfactory to the Personnel Board, the Board may authorize variances in the Salary Administration Plan as it may deem necessary for the proper functioning of the services of the Town, and to effectuate the basic intent of the Plan.

#### SECTION 17. EMPLOYEES AND THE PERSONNEL BOARD

a. All employees covered by this Salary Administration Plan shall have the right to request an appointment to confer with the Personnel Board on any matter of interest or concern to them that is covered by the Salary Administration Plan. The employee shall notify the Department Head in writing in advance of the desire to discuss the matter with the Board. One of the duties of the Board shall be to foster mutual understanding and good will with the personnel of the Town.

b. To facilitate this, if any employee should feel aggrieved by the operation of any provision of the Plan, the employee shall first discuss the matter with the Department Head, in a mutual effort to clear up any problems or misunderstanding.

c. If two weeks after such a conference a satisfactory understanding and solution of the problem has not been reached, then either the Department Head or the employee may take the matter to the Personnel Board, and the Board shall hear the parties not later than at its next regular meeting. There shall be no discrimination or prejudice by a Department Head against any employee who may take a matter to the Board.

#### SECTION 18. AMENDMENT OF THE PLAN

The Salary Administration Plan may be amended in the same manner that Town By-Laws may be amended. However, no amendment to the Plan shall be made until it has been presented by a signed petition to, and acted upon by, the Personnel Board. Upon receipt of such a written petition, the Board, after giving the petitioner(s), the Department Head(s) and the affected employee(s) at least two weeks' written notice, shall hold a hearing to consider the proposed amendment. If the Personnel Board approves of any proposed amendment, it shall bring it before the next available Town Meeting for its consideration. If the Personnel Board disapproves any proposed amendment or shall fail to act thereof within fifteen days after the hearing (which failure shall be deemed disapproval), the petitioner(s) may present the petition to the next available Town Meeting for its consideration. The Board of its own motion, after a similar hearing and/or conference with parties interested, may propose an amendment to the Plan.

#### SECTION 19. SEVERABILITY PROVISION

In the event that any provision of this by-law, or application thereof, shall be held to be invalid by the proper authorities, this shall not be construed to affect the validity of any other provision, or application thereof, of this by-law.

# SECTION 20: CLASSIFICATION SCHEDULE

## SCHEDULE A: FULL-TIME SALARY GRADED POSITIONS

	Minimum	Midpoint	Maximum
1	\$35,000	\$40,250	\$45,550
2	\$37,625	\$43,269	\$48,913
3	\$40,447	\$46,514	\$52,581
4	\$45,000	\$52,875	\$60,750
5	\$48,375	\$56,841	\$65,306
6	\$52,003	\$61,104	\$70,204
7	\$62,500	\$75,000	\$87,500
8	\$73,438	\$88,125	\$102,813
9	\$86,289	\$103,547	\$120,805

POSITION TITLE	PAY GRADE
DEPARTMENT HEADS & MANAGEMENT STAFF	
Director of Public Works	9
Finance Director – Treasurer-Collector	
Assistant Town Administrator/Assistant Town Administrator/Human Resource Director	8
Director of Facilities	
Library Director	
Building Commissioner	
IT Manager	
<b>Police Lieutenant**</b>	
Principal Assessor	
Town Accountant	
Director, Youth & Family Services	7
Director, Council on Aging	
Director of Recreation	
Town Planner	
SUPERVISORS & TECHNICAL STAFF	
Assistant Town Clerk	6
Conservation Agent	
Assistant Director, Youth & Family Services	
Outreach Coordinator	
Business Administrator II	5
Children's Librarian	
Staff Engineer	
Executive Assistant to the Board of Selectmen	
Program Coordinator	
<b>Business Administrator I</b>	4
Maintenance Technician	
Assistant Treasurer/Collector	
Assistant Town Accountant	

ADMINISTRATIVE & SUPPORT STAFF	
Administrative Assistant	3
Administrative Assistant II	
Senior Library Assistant	
Library Assistant	2
Maintenance Mechanic	
Maintenance Custodian	1

\*Increases in salary rates exceeding the maximum will be considered on a case by case by the Personnel Board, **per Section 16 (g).**

**\*\* In addition to all the benefits provided employees under the SAP, the Police Lieutenant may be eligible for some additional benefits as provided members of Mass COP Local 167, the police union collective bargaining agreement.**

SCHEDULE B:

SCHEDULE C: PART-TIME HOURLY GRADED POSITIONS

Seasonal Laborer .....	1
Electrician.....	2
Seasonal Laborer II.....	2
Summer Program Assistant, Youth Commission .....	2
Election Worker (P.T.) .....	3
Page, Library .....	3
Election Warden (P.T.).....	4
Substitute Custodian .....	5
Receptionist .....	8
Secretary, Town Committee .....	8
Interim Public Safety Communications Officer .....	9
Part-Time Police Dispatcher.....	9
Technical Specialist.....	9
Administrative Assistant.....	10
Animal Control Officer.....	11
Business Assistant/ <b>Library Associate</b> .....	11
Reserve Police Officer .....	11
Technical Specialist II .....	11
Tree Warden .....	11
<b>Economic Development Coordinator .....</b>	<b>12</b>
Interim Police Officer (Reserve).....	12
Electrician.....	13
Nurse.....	13
Public Health Director .....	13

\*While serving as an Interim Police Officer (Reserve), an employee will fall under Grade 12. After the interim designation, has ended, the employee will revert to the Grade 11 classification.

Hourly Rates for Part-Time Positions

Grade	Minimum	Midpoint	Maximum
1	Min wage*	Midpoint	\$10.00
2	\$8.34	\$10.35	\$12.35
3	\$8.84	\$10.91	\$12.98
4	\$9.26	\$11.52	\$13.78
5	\$9.71	\$12.10	\$14.49
6	\$10.25	\$12.74	\$15.22
7	\$10.73	\$13.34	\$15.95
8	\$11.26	\$14.02	\$16.77
9	\$11.82	\$14.72	\$17.62
10	\$12.54	\$15.60	\$18.66
11	\$13.87	\$19.44	\$25.00
12	\$21.00	\$27.50	\$34.00
13	\$29.00	\$35.00	\$41.00

\*Increases in pay rate for long term employees will be considered case by case by the Personnel Board.

**\*The Town of Southborough compensates employees according to the state minimum wage rate. The wage schedule above will be re-designed in FY18. In the interim, no non-union Town position will be compensated at less than the state minimum wage.**

SCHEDULE D: FIRE DEPT POSITIONS (not covered by Collective Bargaining Agreement)

<u>Grade</u>	<u>Proposed Pay Structure</u>	<u>Drills</u>	<u>Boxes</u>	<u>Signal 55</u>
1	Firefighter (Entry Level)	0.00	0.00	0.00
2	Firefighter I Certified	18.00	16.00	16.00
3	Firefighter I/II Certified	19.00	17.00	17.00
4	Firefighter I Certified/Operator	20.00	18.00	18.00
5	Firefighter I/II Certified/Operator	21.00	19.00	19.00
6	EMT (Entry Level)	0.00	0.00	0.00
7	EMT	18.00	16.00	16.00
8	EMT-I	20.00	18.00	18.00
9	Firefighter I Certified/EMT	20.00	18.00	18.00
10	Firefighter I/II Certified/EMT	21.00	19.00	19.00
11	Firefighter I Certified/Operator/EMT	22.00	20.00	20.00
12	Firefighter I/II Certified/Operator/EMT	23.00	21.00	21.00
13	Lieutenant	24.00	22.00	22.00
14	Lieutenant/EMT	26.00	24.00	24.00

Details. On any occasion that the Fire Chief determines that public safety is at risk (fire watches, pyrotechnic displays, pyrotechnic blasting for construction, etc.) and calls for a detail consisting of a Firefighter or Firefighters [not covered by any other collective bargaining agreement] to stand-by during any of these situations to monitor for fire, explosion, or any other possible hazard, the person or persons assigned to the detail will be compensated in the following manner:

\$50.00 per hour/weekday

**\$56.00 per hour/week-end or holiday**

#### SCHEDULE E: MISCELLANEOUS ANNUAL COMPENSATION SCHEDULE

Cemetery Agent .....	\$8,000
Clerk, Board of Registrars .....	\$1,638.33
Emergency Management Coordinator .....	\$2,000
Registrar of Voters.....	\$205.66
Town Counsel (not including fees) .....	\$1,704.33
Tree Warden .....	\$4,000
Veterans' Agent and Director of Veterans' Services .....	\$15,000

#### SCHEDULE F: FEE BASED COMPENSATION (Recreation Seasonal Personnel)

Assistant Instructor .....	3
Camp Counselor 1 .....	1
Camp Counselor 2 .....	2
Lifeguard .....	5
Coordinator .....	6
Instructor I. ....	6
Monitors .....	6
Program Driver .....	6
Assistant Supervisor .....	9
Supervisor .....	11
Instructor II .....	12
Master Instructor .....	13
Seasonal Nurse .....	13

Classification grade is reflective of "Hourly Rates for Part-Time Positions" in this plan.

LONGEVITY SCHEDULE: Full-Time Employees of Town of Southborough – Compensated annually at Anniversary Date

After 5 years .....	\$400
After 10 years .....	\$600
After 15 years .....	\$700
After 20 years .....	\$850
After 25 years .....	\$1,000
After 30 years .....	\$1,200
After 40 years .....	\$1,500

, or do or act anything in relation thereto.

**Proposed by: PERSONNEL BOARD**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *The Personnel By-Law governs policies and pay structures for non-union employees. The changes are noted in **bold**.*



**ARTICLE 6:** 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:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article will fund costs associated with the first year of the contract with the Fire Union, which was agreed upon as a result of State arbitration. Funding of this contract will be done through transfers of existing FY17 funds.*

**ARTICLE 7:** To see if the Town will vote to transfer a sum of money between and among various accounts for the fiscal year ending June 30, 2017, or do or act anything in relation thereto.

**Proposed by: BOARD OF SELECTMEN**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article is intended to address any unexpected or unusual funding needs for the current fiscal year via transfers between accounts.*

**ARTICLE 8:** To see if the Town will vote to raise a sum of money as may be necessary for the Town's use for Fiscal Year 2018, and make appropriations of the same, as detailed following, or do or act anything in relation thereto.

**SEE BUDGETS ON THE FOLLOWING PAGES**

**Proposed by: BOARD OF SELECTMEN**

**Summary:** *See budget report including Advisory Committee and Board of Selectmen's FY18 recommendations. If the Advisory Committee recommendation differs from that of the Board of Selectmen, it shall be noted in that departmental budget.*

## 100-199 GENERAL GOVERNMENT

### 110-119 Legislative

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>114 MODERATOR</b>						
51000-51990 Personal Services	50	0	50	50	50	
52000-58990 Other Charges and Expenses	20	35	25	25	25	
<b>MODERATOR TOTAL</b>	70	35	75	75	75	0.00%

### 120-129 Executive

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>121 ELECTED BOARD OF SELECTMEN</b>						
51000-51990 Personal Services	4,000	4,000	4,000	4,000	4,000	
<b>ELECTED BOARD OF SELECTMEN TOTAL</b>	4,000	4,000	4,000	4,000	4,000	0.00%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>122 BOARD OF SELECTMEN</b>						
51000-51990 Personal Services	322,030	337,578	352,120	372,778	372,778	
52000-58990 Other Charges and Expenses	46,446	40,722	50,689	55,433	55,433	
<b>BOARD OF SELECTMEN TOTAL</b>	368,476	378,300	402,809	428,211	428,211	6.31%
<i>Note: Advisory Committee recommendation at Town Meeting</i>						

### 130-149 Financial Administration

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>131 ADVISORY COMMITTEE</b>						
52000-58990 Other Charges and Expenses	276	176	1,306	1,306	1,306	
<b>ADVISORY COMMITTEE TOTAL</b>	276	176	1,306	1,306	1,306	0.00%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>132 RESERVE FUND</b>						
52000-58990 Other Charges and Expenses	150,000	137,528	150,000	150,000	150,000	
<b>RESERVE FUND TOTAL</b>	150,000	137,528	150,000	150,000	150,000	9.07%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>135 TOWN ACCOUNTANT</b>						
51000-51990 Personal Services	130,095	136,988	141,906	145,244	145,244	
52000-58990 Other Charges and Expenses	2,588	2,214	2,705	2,550	2,550	
<b>TOWN ACCOUNTANT TOTAL</b>	132,683	139,202	144,611	147,794	147,794	2.20%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>136 AUDIT</b>						
52000-58990 Other Charges and Expenses	23,500	30,850	24,700	32,550	32,550	
<b>AUDIT TOTAL</b>	23,500	30,850	24,700	32,550	32,550	31.78%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>140 ELECTED BOARD OF ASSESSORS</b>						
51000-51990 Personal Services	2,250	2,250	2,250	2,250	2,250	
ELECTED BOARD OF ASSESSORS TOTAL	2,250	2,250	2,250	2,250	2,250	0.00%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>141 ASSESSORS</b>						
51000-51990 Personal Services	151,502	153,504	158,652	165,051	165,051	
52000-58990 Other Charges and Expenses	28,410	48,118	33,640	33,640	33,640	
ASSESSORS TOTAL	179,912	201,622	192,292	198,691	198,691	3.33%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>145 TREASURER/COLLECTOR</b>						
51000-51990 Personal Services	164,475	182,852	187,004	198,717	198,717	
52000-58990 Other Charges and Expenses	14,253	15,739	9,985	12,415	12,415	
TREASURER/COLLECTOR TOTAL	178,728	198,591	196,989	211,132	211,132	7.18%
<i>Note: Advisory Committee recommendation at Town Meeting</i>						

**150-159 Operations Support**

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>151 LEGAL</b>						
52000-58990 Other Charges and Expenses	80,833	91,575	95,000	95,000	95,000	
LEGAL TOTAL	80,833	91,575	95,000	95,000	95,000	0.00%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>152 PERSONNEL BOARD</b>						
51000-51990 Personal Services	0	0	5,000	1,250	1,250	
52000-58990 Other Charges and Expenses	21,976	15,168	10,620	47,450	47,450	
PERSONNEL BOARD TOTAL	21,976	15,168	15,620	48,700	48,700	211.78%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>153 SPECIAL LEGAL COUNSEL</b>						
52000-58990 Other Charges and Expenses	22,045	48,258	55,000	55,000	55,000	
SPECIAL LEGAL COUNSEL TOTAL	22,045	48,258	55,000	55,000	55,000	0.00%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>155 TECHNOLOGY</b>						
51000-51990 Personal Services	5,000	3,500	90,000	94,300	94,300	
52000-58990 Other Charges and Expenses	207,105	188,443	148,161	193,396	193,396	
MANAGEMENT INFORMATION SYSTEMS TOTAL	212,105	191,943	238,161	287,696	287,696	20.80%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>159 OTHER OPERATION SUPPORT</b>						
52000-58990 Other Charges and Expenses	321,538	299,205	337,400	337,782	337,782	
OTHER OPERATION SUPPORT TOTAL	321,538	299,205	337,400	337,782	337,782	0.11%

**160-169 Licensing and Registration**

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>160 ELECTED TOWN CLERK</b>						
51000-51990 Personal Services	35,575	49,298	50,284	83,064	83,064	
TOWN CLERK TOTAL	35,575	49,298	50,284	83,064	83,064	65.19%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>161 TOWN CLERK</b>						
51000-51990 Personal Services	105,290	111,177	122,473	117,240	117,240	
52000-58990 Other Charges and Expenses	23,421	24,046	80,089	85,731	85,731	
TOWN CLERK TOTAL	128,711	135,223	202,562	202,971	202,971	0.20%
<i>Town Clerk budget(161) &amp; Election &amp; Registration budget(162) are now combined into new Town Clerk budget(161)</i>						

**170-189 Land Use and Development**

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>171 CONSERVATION COMMISSION</b>						
51000-51990 Personal Services	41,772	42,568	49,374	49,026	49,026	
52000-58990 Other Charges and Expenses	4,411	6,041	10,775	13,225	13,225	
CONSERVATION COMMISSION TOTAL	46,183	48,609	60,149	62,251	62,251	3.49%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>175 PLANNING BOARD</b>						
51000-51990 Personal Services	114,453	96,397	133,987	129,655	129,655	
52000-58990 Other Charges and Expenses	12,320	48,366	14,925	15,670	15,670	
PLANNING BOARD TOTAL	126,773	144,763	148,912	145,325	145,325	-2.41%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>176 ZONING BOARD OF APPEALS</b>						
51000-51990 Personal Services	9,205	11,591	13,770	45,500	45,500	
52000-58990 Other Charges and Expenses	3,181	3,027	3,650	3,650	3,650	
ZONING BOARD OF APPEALS TOTAL	12,387	14,618	17,420	49,150	49,150	182.15%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>177 OPEN SPACE</b>						
52000-58990 Other Charges and Expenses	250	1,000	1,500	1,500	1,500	
OPEN SPACE TOTAL	250	1,000	1,500	1,500	1,500	0.00%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>182 ECONOMIC DEVELOPMENT COMMITTEE</b>						
51000-51990 Personal Services	0	19,538	20,544	25,350	25,350	
52000-58990 Other Charges and Expenses	4,788	14,438	15,620	14,270	14,270	
ECONOMIC DEVELOPMENT COMMITTEE TOTAL	4,788	33,976	36,164	39,620	39,620	9.56%
<i>Note: Advisory Committee recommends a total budget of \$14,270</i>						

**190-199 Other**

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>192 PUBLIC BUILDINGS AND PROPERTIES MAINTENANCE</b>						
51000-51990 Personal Services	298,930	316,434	328,110	340,995	340,995	
52000-58990 Other Charges and Expenses	136,321	183,142	134,158	170,445	170,445	
<b>PUBLIC BLDGS. &amp; PROPERTY MAINT. TOTAL</b>	<b>435,251</b>	<b>499,576</b>	<b>462,268</b>	<b>511,440</b>	<b>511,440</b>	<b>10.64%</b>

**200-299 PUBLIC SAFETY**

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>210 POLICE DEPARTMENT</b>						
51000-51990 Personal Services	1,547,574	1,604,430	1,715,776	1,892,678	1,892,678	
52000-58990 Other Charges and Expenses	134,282	111,018	123,430	120,436	120,436	
<b>POLICE DEPARTMENT TOTAL</b>	<b>1,681,856</b>	<b>1,715,448</b>	<b>1,839,206</b>	<b>2,013,114</b>	<b>2,013,114</b>	<b>9.46%</b>

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>220 FIRE DEPARTMENT</b>						
51000-51990 Personal Services	1,726,467	1,730,839	1,805,866	1,911,528	1,911,528	
52000-58990 Other Charges and Expenses	168,988	223,244	188,643	192,582	192,582	
<b>FIRE DEPARTMENT TOTAL</b>	<b>1,895,454</b>	<b>1,954,083</b>	<b>1,994,509</b>	<b>2,104,110</b>	<b>2,104,110</b>	<b>5.50%</b>

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>241 BUILDING DEPARTMENT</b>						
51000-51990 Personal Services	101,991	109,519	126,519	128,449	128,449	
52000-58990 Other Charges and Expenses	6,712	6,722	10,575	10,625	10,625	
<b>BUILDING DEPARTMENT TOTAL</b>	<b>108,703</b>	<b>116,241</b>	<b>137,094</b>	<b>139,074</b>	<b>139,074</b>	<b>1.44%</b>

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>291 CIVIL DEFENSE</b>						
51000-51990 Personal Services	2,926	2,926	2,926	2,926	2,926	
52000-58990 Other Charges and Expenses	5,538	6,023	6,464	6,464	6,464	
<b>CIVIL DEFENSE TOTAL</b>	<b>8,464</b>	<b>8,949</b>	<b>9,390</b>	<b>9,390</b>	<b>9,390</b>	<b>0.00%</b>

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>292 ANIMAL CONTROL OFFICER AND ANIMAL INSPECTOR</b>						
52000-58990 Other Charges and Expenses	27,880	27,869	28,212	28,212	28,212	
<b>ANIMAL CONTROL OFF. &amp; ANIMAL INSP. TOTAL</b>	<b>27,880</b>	<b>27,869</b>	<b>28,212</b>	<b>28,212</b>	<b>28,212</b>	<b>0.00%</b>

**400-499 PUBLIC WORKS & FACILITIES**

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>400, 420 DEPT. OF PUBLIC WORKS (Highway, Cemetery, Tree)</b>						
51000-51990 Personal Services	826,062	780,780	853,957	924,617	924,617	
52000-58990 Other Charges and Expenses	1,320,031	1,218,446	1,206,840	1,216,650	1,216,650	
<b>DEPT. OF PUBLIC WORKS TOTAL</b>	<b>2,146,092</b>	<b>1,999,226</b>	<b>2,060,797</b>	<b>2,141,267</b>	<b>2,141,267</b>	<b>3.90%</b>
<i>Note: Advisory Committee recommendation at Town Meeting</i>						

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>450 DEPT. OF PUBLIC WORKS - WATER</b>						
51000-51990 Personal Services	350,435	313,619	336,106	347,952	347,952	
52000-58990 Other Charges and Expenses	1,026,242	1,151,865	1,253,600	1,299,453	1,299,453	
DEPT. OF PUBLIC WORKS - WATER TOTAL	1,376,677	1,465,484	1,589,706	1,647,405	1,647,405	3.63%

### 500-599 HUMAN SERVICES

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>510 ELECTED BOARD OF HEALTH</b>						
51000-51990 Personal Services	450	300	450	450	450	
ELECTED BOARD OF HEALTH TOTAL	450	300	450	450	450	0.00%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 REQUEST	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>512 BOARD OF HEALTH</b>						
51000-51990 Personal Services	93,888	97,833	102,493	104,222	104,222	
52000-58990 Other Charges and Expenses	46,325	50,030	49,988	52,756	52,756	
BOARD OF HEALTH TOTAL	140,213	147,863	152,481	156,978	156,978	2.95%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>541 COUNCIL ON AGING</b>						
51000-51990 Personal Services	199,573	221,440	230,311	244,378	244,378	
52000-58990 Other Charges and Expenses	54,866	59,453	58,135	59,355	59,355	
COUNCIL ON AGING TOTAL	254,438	280,893	288,446	303,733	303,733	5.30%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>542 YOUTH COMMISSION</b>						
51000-51990 Personal Services	129,935	131,231	128,687	130,168	130,168	
52000-58990 Other Charges and Expenses	8,797	10,077	16,000	13,300	13,300	
YOUTH COMMISSION TOTAL	138,731	141,308	144,687	143,468	143,468	-0.84%
<i>Note: Advisory Committee recommends a total budget of \$149,468</i>						

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>543 VETERANS' SERVICES</b>						
51000-51990 Personal Services	10,000	10,000	15,000	15,000	15,000	
52000-58990 Other Charges and Expenses	26,255	19,852	35,975	35,975	35,975	
VETERANS' SERVICES TOTAL	36,255	29,852	50,975	50,975	50,975	0.00%

### 600-699 CULTURE & RECREATION

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>610 LIBRARY</b>						
51000-51990 Personal Services	321,124	331,326	361,125	375,071	375,071	
52000-58990 Other Charges and Expenses	94,813	110,569	123,437	129,519	129,519	
LIBRARY TOTAL	415,938	441,895	484,562	504,590	504,590	4.13%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>630 RECREATION COMMISSION</b>						
51000-51990 Personal Services	108,909	114,420	120,590	122,306	122,306	
52000-58990 Other Charges and Expenses	0	0	9,900	9,900	9,900	
RECREATION COMMISSION TOTAL	108,909	114,420	130,490	132,206	132,206	1.32%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>691 HISTORICAL COMMISSION</b>						
52000-58990 Other Charges and Expenses	990	990	1,240	3,500	3,500	
HISTORICAL COMMISSION TOTAL	990	990	1,240	3,500	3,500	182.26%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>692 MEMORIAL DAY</b>						
52000-58990 Other Charges and Expenses	2,690	2,600	2,950	3,050	3,050	
MEMORIAL DAY TOTAL	2,690	2,600	2,950	3,050	3,050	3.39%

### 700-799 DEBT SERVICE

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>DEBT PRINCIPAL AND DEBT INTEREST</b>						
0100-710-59100 Principal General Fund	2,882,888	2,843,106	2,808,123	2,507,043	2,507,043	
6161-710-59100 Principal Water Fund	115,000	295,000	290,000	290,000	290,000	
0100-751-59150 Interest General Fund	574,138	487,447	400,981	318,557	318,557	
6161-751-59150 Interest Water Fund	31,714	126,140	121,429	114,622	114,622	
DEBT PRINCIPAL AND DEBT INTEREST TOTAL	3,603,740	3,751,693	3,620,533	3,230,222	3,230,222	-10.78%

### 900-999 UNCLASSIFIED

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>910 EMPLOYEE BENEFITS</b>						
51700 Police/Fire Accident and Workers' Comp.	175,140	196,585	206,414	214,192	214,192	
51710 Unemployment Payments	15,916	13,590	35,000	35,000	35,000	
51720 Health Insurance	3,477,638	3,652,959	4,084,506	4,621,213	4,621,213	
51730 Retirement Fund	1,283,230	1,417,822	1,535,911	1,612,707	1,612,707	
51740 Life Insurance	4,702	4,914	5,012	5,205	5,205	
51750 Flexible Spending Account	6,028	0	0	6,025	6,025	
51770 Medicare	297,735	305,317	318,682	318,884	318,884	
51780 Dental Insurance	175,593	199,356	201,566	200,776	200,776	
51785 Medicare B Penalty	14,124	15,115	16,100	17,535	17,535	
59660 Transfer to OPEB Trust	0	250,000	250,000	250,000	250,000	
EMPLOYEE BENEFITS TOTAL	5,450,106	6,055,658	6,653,191	7,281,537	7,281,537	9.44%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>930 BUDGET CAPITAL</b>						
Police Cruisers - SUV (2)				81,954	81,954	
Police - Taser Annual Replacement Plan				1,440	1,440	
DPW Sidewalk Tractor w/ attachments				140,000	140,000	
Town Clerk - Election Devices (4)				24,000	24,000	
52000-58990 Other Charges and Expenses	557,899	485,668	493,410	247,394	247,394	
BUDGET CAPITAL TOTAL	557,899	485,668	493,410	247,394	247,394	-49.86%
<i>Note: Advisory Committee recommendation at Town Meeting</i>						

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>941 COURT JUDGMENTS</b>						
57600 Court Judgments	0	213,831	220,000	220,000	220,000	
COURT JUDGMENTS TOTAL	0	213,831	220,000	220,000	220,000	0.00%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>945 LIABILITY INSURANCE</b>						
52000-58990 Other Charges and Expenses	212,712	221,256	231,431	251,640	251,640	
LIABILITY INSURANCE TOTAL	212,712	221,256	231,431	251,640	251,640	8.73%

### ***300-399 EDUCATION***

BUDGET NAME	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS/ADV RECOMM	Percent Inc./Decr.
<b>300 ELECTED SCHOOL COMMITTEE</b>					
51000-51990 Personal Services	500	500	500		
ELECTED SCHOOL COMMITTEE TOTAL	500	500	500		

BUDGET NAME	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS/ADV RECOMM	Percent Inc./Decr.
<b>301 SOUTHBOROUGH SCHOOLS</b>					
<b>REGULAR DAY PROGRAMS</b>					
Administration	526,386	562,326	580,759		
Instruction	10,231,769	10,353,163	10,330,651		
Other Student Services	753,155	785,917	785,117		
Operation and Maintenance Buildings	1,547,376	1,695,499	1,706,742		
Fixed Charges	217	4,100	4,100		
Contractual Obligation	0	0	465,896		
REGULAR DAY PROGRAMS TOTAL	13,058,903	13,401,005	13,873,265		
<b>SPECIAL EDUCATION PROGRAMS</b>					
Administration	15,737	17,800	17,800		
Instruction	4,123,661	4,387,012	4,496,269		
Other Student Services	780,339	692,000	530,000		
Operation and Maintenance Buildings	9,900	7,000	7,000		
Programs, Other Systems in Massachusetts	868,708	831,046	788,924		
Programs, Member of Collaborative	49,447	66,000	68,000		
SPECIAL EDUCATION TOTAL	5,847,792	6,000,858	5,907,993		
<b>GRAND TOTAL OPERATING BUDGET</b>	<b>18,906,695</b>	<b>19,401,863</b>	<b>19,781,258</b>		1.96%



BUDGET NAME	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS/ADV RECOMM	Percent Inc./Decr.
<b>302 ALGONQUIN REGIONAL HIGH SCHOOL</b>					
<b>REGULAR DAY PROGRAMS</b>					
Administration	594,430	615,887	628,305		
Instruction	10,044,358	10,600,887	10,582,115		
Other Student Services	1,766,428	1,889,703	1,902,072		
Operation and Maintenance Buildings	1,567,984	1,795,817	1,667,507		
Fixed Charges	3,142,115	3,390,748	3,686,120		
New Equipment	120,912	97,410	110,200		
Tuition, Other Public Schools	488,649	290,000	290,000		
Contractual Obligation	0	0	539,722		
REGULAR DAY PROGRAMS TOTAL	17,724,876	18,680,452	19,406,041		
<b>SPECIAL EDUCATION PROGRAMS</b>					
Administration	16,713	9,300	9,300		
Instruction	2,040,439	2,100,965	2,154,530		
Other Student Services	156,935	221,489	251,280		
Operation and Maintenance Buildings	1,107	2,000	2,000		
Fixed Charges	1,595	0	1,595		
Programs, Other Systems in Massachusetts	366,181	410,924	429,035		
Programs, Member of Collaborative	43,202	62,795	50,685		
SPECIAL EDUCATION TOTAL	2,626,172	2,807,473	2,898,425		
<b>GRAND TOTAL OPERATING BUDGET</b>	<b>20,351,048</b>	<b>21,487,925</b>	<b>22,304,466</b>		3.80%

	NON EXEMPT	EXEMPT	TOTAL	BOS/ADV RECOMM	Percent Inc./Decr.
<b>FY 2018 SOUTHBOROUGH ASSESSMENT</b>	<b>7,426,180</b>	<b>474,433</b>	<b>7,900,613</b>		4.56%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>304 ASSABET VALLEY REGIONAL TECH HIGH SCHOOL</b>						
Southborough Operating Assessment	278,034	201,183	279,270	296,635	296,635	
Renovation Project - Capital Assessment	2,164	3,967	50,794	39,981	39,981	
SOUTHBOROUGH ASSESSMENT	280,198	205,150	330,064	336,616	336,616	1.99%

BUDGET NAME	FY 2015 ACTUAL	FY 2016 ACTUAL	FY 2017 BUDGET	FY 2018 REQUEST	BOS RECOMM	Percent Inc./Decr.
<b>305 NORFOLK COUNTY AGRICULTURAL HIGH SCHOOL</b>						
Tuition/Transportation Assessment	0	0	43,600	43,600	43,600	
NORFOLK COUNTY AGRICULTURAL H.S.	0	0	43,600	43,600	43,600	0.00%

**ARTICLE 9:** To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money for General Government capital items for the following purposes:

	DESCRIPTION	REQUEST	LEVY	WATER AND OTHER FUNDS
A.	DPW Building Repairs & Upgrades	\$ 114,400	\$ 114,400	
B.	Facilities Pickup with Plow	\$ 41,000	\$ 41,000	
C.	Defibrillator Units for Town Buildings	\$ 12,000		\$ 12,000
D.	Fire – SCBA Cylinders	\$ 15,000		\$ 15,000
E.	Fire – Turnout Gear	\$ 46,000		\$ 46,000
F.	Fire – IV Pumps for Ambulances	\$ 10,000		\$ 10,000
G.	DPW – Road Maintenance	\$ 250,000	\$ 250,000	
H.	DPW Water – Utility Body Replacement	\$ 12,000		\$ 12,000
I.	DPW Water – Master Plan	\$ 50,000		\$ 50,000
J.	DPW – Tree Work for Open Space/Trails	\$ 15,000	\$ 15,000	
K.	Selectmen – Digital Preservation	\$ 25,000	\$ 25,000	

, or do or act anything in relation thereto.

**Proposed by: BOARD OF SELECTMEN**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:**

*A. This article will provide the funds needed to replace glass, seals, and screens in the windows located in the administrative section of the D.P.W. complex, make repairs to and repaint the exterior of the D.P.W. Building, and install 3 new large overhead doors to allow for the storage of larger equipment in the apparatus bay.*

*B. This article will provide the funds needed to purchase a new Chevrolet K2500 Silverado Pickup Truck with Plow to replace a 1999 Chevrolet Silverado 2500 Pickup Truck with 112,000+ miles. The 1999 Silverado has well surpassed its useful lifespan, as it is mechanically unreliable and has severe frame and body rot issues.*

*C. This article will provide the funds needed to purchase defibrillator units and related equipment to be located in the Town Hall, Library, Cordaville Hall, The D.P.W., and South Union School.*

*D. The fire department currently has (12) SCBA cylinders that have reached the useful life and must be disposed of. Eight of the replacement cylinders will be 45 minute cylinders to keep with the current cylinders used by the department and four will be (1) hour cylinders for extended operations and rapid intervention. These cylinders will replace the ones currently on the SCBA's on the apparatus.*

*E. The fire fighters currently have a primary and a secondary set of turnout gear in the event that one set is not useable because of contamination and cleaning after a fire, damage from use, or damage beyond repair. The second set allows a fire fighter to have personal protective gear and ready to respond to emergencies. Without a secondary set of gear a fire fighter may be out of service until he/she gets the gear cleaned or replaced. If that is the case another fire fighter may need to work in his/her place causing an unnecessary expense to the Town and department. The second set of gear also is in keeping with current standards to reduce the risk of exposure to carcinogens from the products of combustion by allowing firefighters to immediately be able to have a clean set available. It also reduces potential exposure to the public if firefighters respond to routine calls in the home with contaminated gear.*

*F. The Commonwealth of Massachusetts Office of Emergency Medical Services has mandated the use of mechanical IV pumps to administer certain medications during transport to the hospital. The mandate requires that ambulances licensed at the paramedic level be equipped with these devices by December 31, 2017. Purchase of these items will allow for compliance prior to that date.*

*G. This is the annual request for road maintenance in conjunction with Chapter 90 funding.*

*H. This will provide funding to change the pick-up bed of a water truck to a utility body.*

*I. This will provide funding for the Water System Master Plan which is due for an update in FY18.*

*J. This will provide funding for emergency tree work to handle tree and limb removal required on trails and Town owned land after weather incidents such as microbursts, hurricanes, and ice storms.*

*K. This will provide funding to continue the efforts begun under a Community Compact grant from the Commonwealth for digital preservation of Town records. Initial efforts have been made to identify the records that the Town has in its possession in the Town House, and recommend implementation plans for better storage and retrieval of those records.*

**ARTICLE 10:** To see if the Town will vote pursuant to Massachusetts General Laws, Chapter 44 § 53E ½ to authorize and/or reauthorize the use of a revolving fund for the following purposes:

1. Immunization/emergency dispensing clinic and any declared emergency for the Board of Health to a maximum of \$12,000.
2. Inspection services for the Sealer of Weights and Measures, Plumbing Inspector and Wiring Inspector for receipts to a maximum of \$100,000.
3. Department of Public Works for 9-11 Field Maintenance and usage to a maximum of \$50,000.
4. Local Wetland Filing fees for Conservation Commission departmental and consultant costs for review, issuance and monitoring of projects to a maximum of \$30,000.
5. Public Safety and Public Works departments for responding to incidents involving hazardous material to a maximum of \$75,000.
6. CPR classes by the Fire Department for the cost of running CPR classes to a maximum of \$6,500.
7. Conservation Commission for the cost of running the community garden to a maximum of \$1,500.
8. Recreation Commission for a portion of recreation program costs to a maximum of \$342,094.
9. Tobacco Control Program to allow the Board of Health to conduct periodic compliance checks with vendors to a maximum of \$4,000.
10. Technology fee from permits for the annual costs of municipal licensing/permitting software to a maximum of \$40,000.

, or do or act anything in relation thereto.

**Proposed by: BOARD OF HEALTH, BOARD OF SELECTMEN, RECREATION COMMISSION, AND CONSERVATION COMMISSION**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article which provides for revolving funds must be approved annually and will cover the costs of the programs as described above. There are no new revolving funds being proposed for FY18.*

**ARTICLE 11:** To see if the Town will vote to raise and appropriate, borrow and appropriate or transfer from available funds the sum of \$100,000 for the ongoing maintenance of capital equipment and systems associated with town buildings and facilities. The Town Facilities Manager shall recommend appropriate projects to the Town Administrator. The Town Administrator shall approve all expenditures under this article. The Town Facilities Manager shall report all funded projects to the Capital Budget and Advisory Committees as requested, or do or act anything in relation thereto.

**Proposed by: BOARD OF SELECTMEN**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article will provide for the maintenance and repair of capital equipment and systems associated with the Town's buildings and facilities.*

**ARTICLE 12:** To see if the Town will vote to accept the report of the Community Preservation Committee for the FY 2018 Community Preservation Projected Receipts and act upon the recommendations of the Community

Preservation Committee and to set aside for later expenditure, certain sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, as follows:

Estimated Surcharge Receipts (based on Town Treasurer's projections):	\$329,162
State Match (projected State match).....	\$64,227
Total Projected Revenue.....	\$393,389

#### **Set Aside- Open Space**

\$ 39,339 to be set aside, held in the Community Preservation Fund, and spent in FY2018 or later years for acquisition, creation or preservation of open space, and for the rehabilitation and/or restoration of open space acquired under the Community Preservation Act.

#### **Set Aside – Historic Preservation**

\$ 39,339 to be set aside, held in the Community Preservation Fund, and spent in FY2018 or later years for the acquisition, preservation, rehabilitation and restoration of historic resources.

#### **Set Aside – Community Housing**

\$ 39,339 to be set aside, held in the Community Preservation Fund, and spent in FY2018 or later years for the creation, preservation and support of community housing, and for the rehabilitation and/or restoration of community housing acquired under the Community Preservation Act.

#### **Administrative Costs – Community Preservation Committee**

\$ 19,669 to defray the administrative and operating expenses of the Community Preservation Committee in FY2018 for the Community Preservation Fund (discretionary)

#### **Set Aside -Budgeted Reserve/Discretionary**

Reserved For FY18 CPF (Budgeted Reserve/Discretionary) \$ 255,703

**Proposed by: COMMUNITY PRESERVATION COMMITTEE**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *These set asides are an annual requirement under the Community Preservation Act.*

**ARTICLE 13:** To see if the Town will vote to appropriate \$14,166.00 for FY17 short-term note from the CPA Historic Preservation Reserve Fund to be applied towards interest payments for the Perpetual Preservation Restriction on 84 Main Street also known as the Burnett House for the purpose of Historic Preservation. Said funds to be expended under the direction of the Director of Finance and Community Preservation Committee; or take any other action thereto.

**Proposed by: COMMUNITY PRESERVATION COMMITTEE**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article is the Community Preservation Fund payment towards the FY17 interest of funding for the Preservation Restriction of 84 Main Street.*

**ARTICLE 14:** To see if the Town will vote to appropriate \$20,600.00 for FY18 short-term note from the CPA Historic Preservation Reserve Fund to be applied towards interest payments for the Perpetual Preservation Restriction on 84 Main Street also known as the Burnett House for the purpose of Historic Preservation. Said funds to be

expended under the direction of the Director of Finance and Community Preservation Committee; or take any other action thereto.

**Proposed by: COMMUNITY PRESERVATION COMMITTEE**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article is the Community Preservation Fund payment towards the FY18 interest of funding for the Preservation Restriction of 84 Main Street.*

**ARTICLE 15:** To see if the Town will vote to appropriate \$ 13,059 from the CPA Historic Preservation Reserve Fund for the historic restoration of town town-owned Flagg School. Monies will be used to restore the historic building currently used as the Southborough Historical Museum; said funds to be expended under the direction of the Director of Finance and Community Preservation Committee, or take any other action thereto.

**Proposed by: COMMUNITY PRESERVATION COMMITTEE**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *Under the direction of the Southborough Historical Society, funds will be used to complete the renovation of the town-owned Historic Flagg School Building (install climate control system, storm window repair and replacement, and electrical updates).*

**ARTICLE 16:** To see if the Town will vote to appropriate \$ 20,650 from the CPA Historic Preservation Reserve Fund to preserve documents and artifacts in the Southborough Historical Society's collection of historic town artifacts and documents; said funds to be expended under the direction of the Director of Finance and Community Preservation Committee, or take any other action thereto.

**Proposed by: COMMUNITY PRESERVATION COMMITTEE**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *Under the direction of the Southborough Historical Society, funds will be used to support a Collection Specialist and assistant to document the Society's collection, identify artifacts for preservation, protect critical items in immediate need of preservation, purchase supplies to preserve items, and create an inventory of items for future preservation.*

**ARTICLE 17:** To see if the Town will vote to appropriate \$ 74,750.00 with \$ 39,339.00 from the CPA Open Space Reserve Fund and \$35,411 from the CPA General Unreserved Fund for invasive species removal and other land management activities at Breakneck Hill Conservation Land; said funds to be expended under the direction of the Director of Finance and Community Preservation Committee, or take any other action thereto.

**Proposed by: COMMUNITY PRESERVATION COMMITTEE**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *Under the direction of the Southborough Stewardship Committee and with approval of the Conservation Commission, the project objectives are to remove invasive species, create and enhance passive recreation opportunities and the preservation and creation of wildlife habitat for species at risk.*

**ARTICLE 18:** To see if the Town will appropriate \$68,736 from the CPA General Unreserved Fund to fund a new, regulation size basketball court. Monies will be used to create a basketball court for use adjacent to the Harold Fay Memorial Playground located on Central Street, Southborough, MA; said funds to be expended under the direction of the Director of Finance and Community Preservation Committee, or take any other action thereto.

**Proposed by: COMMUNITY PRESERVATION COMMITTEE**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article will fund a project led by the Recreation Department to create a new, regulation size basketball court at the Harold E. Fay Memorial Park located on Central Street.*

**ARTICLE 19:** To see if the Town will appropriate \$153,000 from the CPA General Unreserved Fund for the Rehabilitation of Richardson Tennis Courts located near the Neary School, Southborough, MA. Monies will be used to add lighting to the Richardson Tennis Courts to extend playing time; said funds to be expended under the direction of the Director of Finance and Community Preservation Committee, or take any other action thereto.

**Proposed by: COMMUNITY PRESERVATION COMMITTEE**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *Under the direction of the Recreation Department, the funds will be used to purchase and install lighting at the Richardson Tennis Courts to extend playtime for the community.*

**ARTICLE 20:** To see if the Town will appropriate \$220,700 from the CPA General Unreserved Fund to fund lighting at Mooney Field-Major Diamond. Monies will be used to add lighting to Mooney Field baseball diamond to extend playing time; said funds to be expended under the direction of the Director of Finance and Community Preservation Committee, or take any other action thereto.

**Proposed by: COMMUNITY PRESERVATION COMMITTEE**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *Under direction of the Recreation Department, the funds will be used to purchase and install lighting at the Mooney Field/Major Diamond to help alleviate congested schedules on the Town playing fields. This will help not only baseball but other sports where baseball shares outfields with soccer.*

**ARTICLE 21:** To see if the Town will vote to accept the amended provisions of Mass. General Law Chapter 59 Section 5K, entitled: "Property tax liability reduced in exchange for volunteer services; persons over age 60", or do or act anything in relation thereto.

**Sponsored by: BOARD OF SELECTMEN**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article will allow a senior citizen who provides services to the town under the senior tax work-off program, to reduce their property tax liability up to \$1,500.00. The current limit is \$1,000.00.*

**ARTICLE 22:** To see if the Town will vote to accept an easement on Main Street from the Trustees of Fay School of Southborough, Inc., described as a Municipal Storm Water Easement for a perpetual right and easement to install, reconnect, and maintain storm drains and drainage structures, as shown and depicted on a plan entitled "Easement Plan" prepared by Vanasse Hangen Brustlin, Inc., 101 Walnut Street, P.O. Box 9151, Watertown, MA 02471-9151, (617)-924-1770, Scale; 1 inch = 40 feet, Date: October 2015'; or do or act anything in relation thereto.

**Proposed by: BOARD OF SELECTMEN**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This easement was granted to the Town by Fay School in order to improve storm water drainage on Main Street, by tying in the municipal system to the existing School infrastructure as part of the Main Street project to begin in 2017.*

**ARTICLE 23:** To see if the Town will vote to adopt as Chapter 9, Article VIII §9-29 through §9-33 of the Town bylaws, the following:

### **Article VIII Municipal Technology Committee**

#### **§9-29 Purpose**

Because a wide range of technologies play an increasing role in the lives of the Town's citizens and the work of its employees, the Town needs a coordinated approach to their adoption and use. As more fully described in the remainder of this Article VIII, this article establishes a committee that will be responsible for creating a rolling five-year Strategic Plan for the Town's technologies across all government entities, and will ensure consistent interpretation and execution of that plan. The committee will work in collaboration with the various government entities that use/propose technologies. It will report on the plan to the Town Meeting and advise Town Meeting on proposed expenditures for technology.

#### **§9-29-A Establishment; Membership; Qualifications**

There shall be a Municipal Technology Committee ("MTC"), which shall consist of five voting members and the non-voting ex-officio members identified below.

Each voting member shall be a resident of the Town and shall not be a Town officer or employee. Each voting member shall have significant relevant professional experience and knowledge of one or more of the Technologies used, or proposed to be used, by the Town.

The voting members shall be appointed as follows: two by the Board of Selectmen, two by the School Committee, and one by the Library Board of Trustees.

#### **§9-29-B Appointments; Terms; Vacancies; Removal**

Voting members shall be appointed for three-year terms. The initial appointments shall be two members for three years, two members for two years, and one member for one year, so as to establish overlapping terms. For subsequent appointments, the appointing authority shall request that the MTC review the qualifications of prospective appointees, but the final determination of who is selected shall rest with the appointing authority.

Any voting member who shall remove from the Town, resign, or die shall cease to be a member. When notified that any voting member has failed to faithfully discharge his duties, or has failed without good cause to attend at least three quarters of the full MTC meetings held in any six month interval: the respective appointing authority shall promptly give notice, hold a hearing and determine whether such member shall be removed from the MTC. In any case of a vacancy in the voting membership, the respective appointing authority shall, within thirty days, appoint a replacement for the balance of the unexpired term.

Regular ex-officio (non-voting) members may be appointed as follows: one each by The Board of Selectmen, the School Committee, the Library Board of Trustees and the Board of Health. ("Boards") Regular ex-officio members serve at the pleasure of their appointing authorities, and may be non-resident Town officers or employees. They shall be the persons most responsible for Technology used by their respective Board.

Additional ad-hoc ex-officio (non-voting) members may be added by the Boards, but only with the consent or by the request of a majority vote of the MTC. Such ad-hoc members serve at the pleasure of the appointing authority and of the MTC on a temporary basis for so long as needed by the business of the MTC. They may be non-resident Town officers or employees.

#### **§9-29-C Organization; Meetings**

The members shall select, from among themselves, a Chairman and a Secretary. The MTC shall promulgate such rules of procedure as may be reasonable and useful for its efficient operation, and may from time to time amend these rules by a majority vote of the members. These rules shall specify that non-voting members have the right to full participation in all deliberations, except as may be restricted by applicable law. No amendment to the rules shall be considered without prior notice to all members.

The MTC shall ordinarily and preferentially meet in the Town, but may conduct meetings, investigations or inspections within the scope of its duties and authority anywhere, subject to standard Town travel budgets and policies.

The MTC may appoint from its own membership subcommittees and delegate to them such of its powers as it deems expedient.

All reports and recommendations of the MTC made to the Town shall be voted by a majority of the voting members of the MTC, but this shall not be construed to prevent recommendations by a minority nor to discourage full participation by the non-voting members.

#### **§9-29-D Staffing**

Subject to available funding, the MTC shall have the authority to engage consultants (paid or volunteer) ("Consultants") when its membership does not include the expertise necessary to evaluate specific projects. The MTC may direct Consultants to act to investigate and/or to report to the MTC on Technology and/or its use, proposed use, or discontinuance in the Town. When the MTC determines that a Consultant reasonably requires the assistance of a Technology Manager to complete a task assigned to him by the MTC, the MTC shall deliver a request for assistance to either the Technology Manager or to the Technology Manager's supervisor. All reasonable requests for assistance shall be approved by the Technology Manager's supervisor. The MTC may accept a reasonable alternative approach suggested by the Technology Manager or the Technology Manager's supervisor. The MTC may not delegate its powers to Consultants.

The MTC shall have no permanent staff, but the Town Administrator shall provide reasonable administrative support.

The Town Administrator and ex-officio members shall provide reasonable access to other employees as may be requested by the MTC. Such access shall be subject to the approval of the affected employees' direct supervisor(s).

#### **§9-29-E Funding**

The MTC shall have a budget for Consultants and other expenses. It shall submit its projected expenses to the Town's regular budget process. Any expenditures from its budget shall require a majority vote of the MTC, and be subject to the Town's policies for such expenditures. Unless otherwise agreed or budgeted, expenses attributable to ex-officio members shall be paid by their respective appointing authorities. Expenses attributable to voting members shall be paid from the MTC budget.

#### **§9-30 Functions and Definitions**

The duty of the MTC shall be to recommend and document an overall technology strategy for the Town and to proactively lead the Town's development and implementation of this strategy.

Further, the MTC shall proactively advise the Boards, other Town Entities, the Town Administrator, and their designated employees ("Technology Managers") responsible for purchasing and utilizing technologies used to provide Town services.

In this Article VIII, "Technologies" include, but are not limited to: Information Technology/Data Processing equipment and Software, Computer Networks, Voice/FAX systems, Intelligent building control systems, SCADA, Mobile computing technologies (e.g. cellular telephones, tablets and laptops), Radio communications, Audio-Visual technologies, Emergency communications and future technologies as they arise.

In this Article VIII, the phase "Town Entities" includes any Town board, committee, or agency of Town government, or subsidiary organization of any of these, whether statutory, elected or appointed, that uses or proposes to use Technologies; and/or which expends or proposes to expend funds for Technologies and/or related services.

#### **§9-31 Mission and Authority**

The MTC shall, as more fully described in the entirety of this Article VIII, address matters of Technology in the Town, including but not limited to: information delivery; ensuring access to communications technology; increasing



the efficiency of transactions involving the Town; and ensuring the effective deployment of infrastructure for the Town's operations and the Town's citizens.

The MTC shall work to ensure that all Town Entities utilize technology in a common, effective and cost effective manner for the benefit of the Town, its operations and its residents.

#### **§9-31-A Plans and Reviews**

Technology Managers shall notify the MTC when any plan for adopting, discontinuing, expanding or reducing Technologies is being formulated and shall provide the MTC with the opportunity to participate in the development of such plans and to obtain and budget for any necessary Consultants. All such plans shall be timely submitted to the MTC for final review and comment prior to committing to their implementation. These reviews shall consider and identify: consistency with the Strategic Plan, opportunities for efficiencies and improved service, and impact on other Town Entities and the Town's citizens. The MTC may consider and identify other relevant issues and related matters during these reviews. These reviews shall be documented and considered by the Technology Managers and their respective Boards or Town Entities, which shall provide the MTC with their final plans and any subsequent changes thereto.

Notwithstanding the preceding paragraph, the MTC's rules of procedure may specify an exception process for emergencies significantly affecting service delivery and/or criteria that set a threshold for reviewing such plans. The MTC shall use reasonable judgment in establishing such process and/or criteria so as to balance operational efficiency with execution to the Strategic Plan.

The MTC shall have the authority to inspect and review, in conjunction with the Technology Managers, any of the Town's Technology-based processes, systems and operations to identify progress and issues with implementing the Strategic Plan. The MTC shall provide reasonable notice prior to such inspections and reviews.

The goal of all MTC inspections and reviews shall be to provide significant insight and advice that will improve consistency with and implementation of the Strategic Plan and which may provide for the successful implementation of projects.

#### **§9-31-B Strategic Plan**

The MTC shall provide strategic planning and advice to the Technology Managers, the Boards, other Town Entities and the Town Administrator. In conjunction with the Technology Managers, the MTC shall maintain a rolling five-year strategic plan ("Strategic Plan") for the Town's technologies, which shall be accessible to the public. The MTC may report on the Strategic Plan to Town Meeting.

The Strategic Plan shall consider, but is not limited to:

- a) capital requests for technologies, taking into consideration the goals of maximizing efficiency and cost effectiveness, removing unnecessary redundancy, and ensuring, to the extent reasonably possible, the compatibility of each request with other existing or proposed systems;
- b) the specifications to be considered for information and communications systems and other Technologies when constructing or renovating Town facilities;
- c) matters relating to information technology policy, specifically with reference to issues of security, privacy, risk, future technology, legal or regulatory requirements and the provision of government services to the public through information technology; and
- d) how to stimulate and support the development of appropriate technology initiatives and activities that may increase communication and information exchange within Town Entities, between Town Entities and its residents, and among Town residents.

In developing and maintaining the Strategic Plan, the MTC shall, to the maximum extent feasible, integrate its processes with those of any Town Entities that have or develop a strategic planning process, for Technology or otherwise. As may be agreed between such Town Entities and the MTC, the MTC may participate in the Town Entities' planning processes in order to maximize efficiency of all planning processes and to realize consistency with the Strategic Plan.

### **§9-31-C Limitations; Other Agencies**

The MTC does not have the authority to direct or require that a Technology Manager, Board or other Town Entity make (or not make) a specific Technology-related decision.

The MTC shall not interfere with the School Committee's development or choice of instructional methods and curriculum nor with its selection of instructional materials, but the MTC shall have the same duties with respect to infrastructure planning and non-instructional systems as it does for the other Boards and Town Entities. The MTC may report to the School Committee on Technology issues and trends that may affect education, but such reports shall be informative, and shall not be binding on the School Committee.

The MTC may meet with other governmental agencies to discuss opportunities for interoperation, efficiencies or other synergies. However, the MTC does not have the authority to commit the Town to pursue such opportunities, which authority rests with the Boards, other Town Entities, and/or their designees.

### **§9-32 Reporting**

From time to time, as may be necessary, the MTC shall report to the Boards on major technology issues affecting the Town and its citizens, including its progress toward completing the Strategic Plan.

From time to time, as may be necessary, the MTC shall report to the Town Meeting on its activities, the Town's Technology needs, and progress toward completing the Strategic Plan.

The MTC shall review and consider all matters included within the articles of any warrant for a Town Meeting hereafter issued that involve a material expenditure of funds for technology and/or involve significant changes in technology that affect Town services. The MTC shall, after due consideration of the subject matter in said articles, report thereon, in print or otherwise, such information and recommendations as it shall deem best regarding such matters. The Moderator shall solicit the recommendation of the MTC for each such article prior to general discussion of and vote on the article at Town Meeting. The MTC shall use reasonable judgment in establishing the threshold for issuing these recommendations.

### **§9-33 Conflict of Law; Interpretation**

In the event that a court of competent jurisdiction determines that any clause or provision of this Article VIII is unenforceable, this Article VIII shall be deemed modified to the minimum extent necessary to correct such defect, while maximally maintaining the intent of this Article VIII.

The section headings and numbering of this Article VIII are for convenience and shall not be construed to modify the interpretation of the article.

In this Article VIII, the masculine forms (including "his", "he", and "him") are used inclusively to refer to any person regardless of gender or sexual orientation.

In this Article VIII, terms are defined in quotation marks within parenthesis, and their uses are indicated by capitalization. The definition of each such term applies to its use in the entirety of this Article VIII, whether or not the definition appears before such use.

In this Article VIII : the word "will" is to be interpreted as descriptive of an outcome or process and not as an imperative; the word "shall" is to be interpreted in the imperative sense of "must" or "is required to"; while the word "may" is to be interpreted in the permissive sense of "optionally", or "has discretion whether or not to".

, or act or do anything in relation thereto.

### **Proposed by: BOARD OF SELECTMEN**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *The current Municipal Technology Committee is an ad-hoc committee appointed by the Board of Selectmen that advises on technology issues for the Town-side departments. The new standing committee, as*

*proposed, establishes a committee that will be responsible for creating a rolling five-year Strategic Plan for the Town's technologies across all government entities, and will ensure a coordinated approach for that plan. This bylaw will formalize the informal collaboration that already exists between the Town and School, and ensure that economies of scale are achieved whenever possible.*

**ARTICLE 24:** To see if the Town will vote to authorize the Board of Selectmen to dispose of certain parcels of land with structures thereon deemed surplus property with no further public purpose, by deed of conveyance, grant or transfer after appraisals have been obtained and upon such terms and conditions as the Board of Selectmen deem appropriate. Said parcels of land being described as follows: 40 Central Street, having been acquired by deed dated May 13, 1999 and recorded in the Worcester Registry of Deeds at Book 21382, Page 260; 42 Central Street, commonly known as Fayville Village Hall, having been acquired by deed dated May 2, 1911 and recorded in said Registry of Deeds at Book 1962, Page 46; or do or act anything in relation thereto.

**Proposed by: BOARD OF SELECTMEN**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *The Board of Selectmen have identified two properties which are currently under-utilized and in need of various levels of repair (Fayville Hall, and 40 Central Street). The Selectmen are seeking authorization to dispose of these properties, as they are quickly reaching the end of their useful life as municipal properties, and will soon become financial liabilities.*

**ARTICLE 25:** To see if the Town will vote to amend Chapter 9 of the General Legislation of the Code of the Town of Southborough, Massachusetts by adding a new article entitled Article VII: Economic Development Committee, as follows:

§9-27 The mission of the Southborough Economic Development Committee (EDC) is to stabilize residential taxes through the growth of the Town's commercial and industrial tax base while preserving the character and charm of Southborough. The EDC is established to expand and strengthen the local economy, promote job creation, and enhance the Town's quality of life through prosperous, balanced and sustainable economic development.

The role of the EDC is to investigate current economic conditions, assist the Town with the creation and execution of appropriate economic development initiatives and marketing opportunities, coordinate activities to enhance or expand economic development, and engage in related activities as necessary to further EDC's mission and purpose.

§9 -28 Membership of the Committee

The EDC is a volunteer committee consisting of members of the community who want to assist the Town in maintaining and enhancing a prosperous and sustainable economy. The EDC shall be comprised of no more than nine (9) such persons who shall be appointed by the Board of Selectmen for staggered terms of three (3) years, so that the term of office at least one (1) member expires each year. Efforts shall be made to include a broad representation of the community at large and all appointments shall be made on the basis of the individual's ability to assist in the purpose of the EDC and their willingness to serve.

, or do or act anything in relation thereto.

**Proposed by: BOARD OF SELECTMEN**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article will codify the Economic Development Committee, which is currently an ad-hoc committee appointed by the Board of Selectmen. Membership is limited to a maximum of nine members, and members serve for 3-year terms.*

**ARTICLE 26:** To see if the Town will vote to amend the Code of the Town of Southborough, Zoning Article III, by adding thereto Section 174-13.8, entitled Adaptive Reuse of Historic Buildings.

## **“§ 174-13.8. Adaptive Reuse of Historic Buildings**

### **A. Purpose and Intent**

The purpose of this section is to allow for and provide incentives for the adaptive reuse of Historical Buildings in a manner that ensures compatibility with their surroundings and that preserves their historical nature and appearance. This section is intended to promote the preservation of Historic Buildings by allowing Historic Buildings to be adapted for a purpose other than that for which they were originally built, thereby enhancing the community's appearance and preserving Southborough's architectural legacy for future generations.

The incentives of this Section 174-13.8 are allowed only by special permit from the Special Permit Granting Authority (SPGA), which shall be the Planning Board. The incentives include the creation of alternative uses for Historic Buildings while maintaining controls to accomplish the following objectives:

1. Preserve the exterior features of such Historic Buildings to ensure sensitivity and compatibility with the surrounding neighborhoods; and
2. Provide an economic incentive to maintain and rehabilitate Historic Buildings.
3. Encourage the adaptive reuse of Historic Buildings where such reuse will more effectively preserve and enhance the architectural character of the surrounding neighborhood than would the redevelopment of the site upon demolition or significant exterior modification to these Historic Buildings.

It is not the intent or requirement of the Section that all renovations to all Historic Buildings must be applied for and approved under this Section. It is a voluntary choice to be made by the Applicant if the Applicant wishes to take advantage of the incentives provided herein.

### **B. Uses Permitted**

Any uses permitted in the zoning district in which the Historic Building is located shall be permitted by right. The following uses are only *allowed* by special permit pursuant to Section 174-9 except as provided herein, and are subject to the Site Plan Approval process pursuant to Section 174-10 except as provided herein.

#### **1. Residential Buildings, including single family houses with or without accessory structures**

- a. Accessory Apartments: One (1) accessory apartment or separate rental unit. The accessory apartment shall comply with the following conditions and requirements:
  - i. The habitable floor area of the accessory unit shall not exceed thirty-five percent (35%) of the habitable floor area of the entire dwelling, plus that of any accessory building used for the accessory dwelling.
  - ii. There is no other apartment on the lot on which the accessory apartment is proposed.
  - iii. Not more than the required minimum exterior alterations will be made to the single-family house and to any accessory buildings as determined by the SPGA upon written recommendation of the Historical Commission.
  - iv. The number of accessory apartments approved under this Section shall not be subject to Section 174-9 B (4) which limits the number of accessory apartments that can be permitted.
- b. Customary Home Occupations. The use of a portion, not exceeding thirty-five percent (35%) of a one-family home, including the accessory buildings, by persons resident therein, for a gainful occupation that is clearly incidental and secondary to the use as a residence and may not employ more than three (3) persons not resident therein. All other provisions of Customary Home Occupations, as defined in Section 174-2, shall continue to apply.
- c. The following uses, which are deemed to be outside the normal definition of Customary Home Occupations, shall comply with all the requirements of paragraph (b) above, provided the Residential Building is the primary residence of the owner for voting and property tax purposes and subject to hours of operation to be specified by the SPGA.
  - i. Art Gallery

- ii. Florist
- iii. Antique Shop
- iv. Bakery without customer seating
- v. Publisher
- vi. Professional Office
- vii. Other similar uses allowed by SPGA on the recommendation of the Historical Commission

d. Bed and Breakfast; with the number of guestrooms to be determined by the SPGA

## 2. Commercial/Municipal Buildings:

- a. All uses listed in Subsection 1. above, but with no limit on floor area or number of employees
- b. Apartments or condominiums
- c. Child care facility and/or elder care facility
- d. Medical clinic and ancillary offices and facilities
- e. Research and Development uses, excluding ancillary manufacturing, assembly, sale or resale (or storage for sale or resale) of any goods, items, or materials
- f. Restaurant/Pub
- g. Educational facilities
- h. Athletic / recreational uses
- i. Mail order business

## 3. Prohibited Uses: The following uses, occupations and activities are expressly prohibited:

- a. Commercial servicing, maintenance, or restoration of motor vehicles
- b. Trucking or warehousing activities
- c. Sale of articles (except as provided in the subsections 1. and 2. above)
- d. Other uses, occupations and activities that are prohibited elsewhere in Section 174.

## 4. Multiple or Mixed Uses:

- a. For residential buildings, there will be no more than two (2) uses, as identified in paragraph B, section 1, item c. above, provided that the uses are compatible with each other and comply with Section 174-9, except as provided herein. Regardless of the number of uses allowed by the SPGA, there shall be no more than three (3) persons employed who are not resident therein, and the use of a portion of a one-family home, including accessory buildings, shall not exceed thirty-five percent (35%).
- b. For commercial/municipal buildings, there will be no more than three (3) uses as identified in paragraph B, Section 2 above, provided that the uses are compatible with each other and comply with Section 174-9 except as provided herein.

## C. Controls on Dimensions and Restoration/Renovation

**1. Controls on Dimensions:** Changes to the size of the building, or exterior dimensions of such Building shall be subject to dimensional controls of the Town's Zoning Bylaw, unless modified by special permit pursuant to Section 174-9 and/or Section 174-19, or as permitted under this Section. For any reuse of a Historic Building, the following provisions shall apply:

- a. An increase in the footprint of the building being considered for reuse will be permitted, provided the proposed increase expands by no more than fifteen percent (15 %) of the square footage of the existing structure's footprint, conforms to existing setback requirements, does not increase any non-conformity of the existing structure and is required by one or both of the following:
  - i. Conformity with provisions of the Americans with Disabilities Act.
  - ii. A reuse that requires functional or structural changes necessary for the intended new use, as consistent with state building code or as required by the Building Commissioner

- b. Except for the Historic Building, access ways, walkways, required parking and loading spaces, the open area of the entire site shall not be diminished. Such open area shall be left in its existing condition or improved so as to be appropriate in size, shape, dimension, location and character to assure its proper functioning as an amenity for the site.
- c. No permanent additional buildings or structures of any type, and no enclosed storage of any kind, shall be allowed except as permitted by the SPGA.

### **3. Controls on Restoration/Renovation:**

- a. There shall be no change to the architectural footprint except as allowed pursuant to paragraph C, subsection 1, item a. above.
- b. External architectural features shall be preserved and/or restored per the recommendation of the Historical Commission.
- c. Exterior restoration shall follow the preservation guidelines outlined in the *Federal Secretary of Interior Standards for Rehabilitation* on file with the Town Clerk's office, and the Applicant must submit a letter of findings from the Southborough Historical Commission as part of the submission of the Application to the SPGA.

## **D. Application Submission Requirements and Procedure**

1. **Pre-Application Review.** Prior to submitting a formal application, the Applicant is strongly encouraged to request a pre-application review to be held at a public meeting of the SPGA. The purpose of the pre-application review is to simplify the process for Applicants and to commence discussions with the SPGA at the earliest possible stage of development. At the pre-application review, the Applicant may outline the proposed project for adaptive reuse, seek preliminary feedback from the SPGA and the Historical Commission and/or their technical experts, and set a timetable for submitting a formal application. While no formal filings are required for the pre-application review, the Applicant is encouraged to prepare sufficient preliminary architectural and/or engineering drawings to provide the SPGA with clarity regarding the scale and overall design of the proposed project. Nothing in the pre-application process should suggest a subsequent grant of a special permit which must stand separate on later submittals.
2. **Historical Commission Review.** The Applicant shall submit their proposal to the Historical Commission for review.
3. **Formal Application Submission Requirements For the Special Permit:** Applicants for Adaptive Reuse of Historic Buildings Special Permit shall file with the SPGA seventeen (17) copies of submission materials, of which ten (10) sets of the plans should be full size and the balance in 11" x 17" format, and one electronic version of the plans. Submission materials shall include the following:
  - a. A narrative stating the historical significance of the structures and/or site, and an architectural description of the structures
  - b. Photographs of all existing elevations
  - c. Interior floor plan(s) showing the proposed uses of interior space with the gross floor area for each use
  - d. Proposed outdoor lighting
  - e. Parking – existing and proposed
  - f. If new construction or additions are proposed, a perspective drawing showing the new construction or additions in relation to existing structure(s) on the site and on adjacent land.

- g. A letter of findings from the Historical Commission on whether the project complies with the Dimension and Restoration / Renovation Controls cited in C above
- h. A plan showing existing and proposed landscaping on the site
- i. Adequate waste disposal and surface and subsurface storm water drainage. Site plans and specifications shall be submitted with the application and shall be prepared, signed and stamped by a registered land surveyor, registered professional engineer or registered architect. At the time of Special Permit application filing, the Applicant shall submit copies of all such plans to the Building Commissioner, Board of Health, and other appropriate authorities as may be directed by the SPGA. The SPGA shall solicit and consider comments relative to the proposed project from such boards, commissions, committees, authorities and individual residents.
- j. Additional information or supplemental impact statement(s), as requested by the SPGA, based on the project's scope and the physical characteristics of the parcel.
- k. The SPGA, at its discretion, may reasonably modify or waive the application submission requirements herein to stay consistent with the intent and purpose of this Section of the Zoning Bylaw.

#### **E. Special Permit Application Review Procedure:**

1. Once an application for Adaptive Reuse of Historic Buildings Special Permit has been filed under this section, no structure shall be erected, enlarged or modified; and no land shall be divided, subdivided or modified prior to the granting or denial of said permit.
2. The Adaptive Reuse of Historic Buildings Special Permit application shall be submitted, considered, and issued in accordance with the provisions herein, with the Zoning Bylaw and with all other applicable regulations.
3. Prior to the filing of an Application for an Adaptive Reuse of Historic Buildings Special Permit, the Applicant shall submit plans to the Building Commissioner, who shall advise the Applicant as to the pertinent sections of the Zoning Bylaw
4. Following the Building Commissioner's review, the Applicant shall submit copies of the Application to the SPGA.
5. Pursuant to M.G.L., c.40A, Section 9, and after due notice, the SPGA shall hold a public hearing.
6. All boards, commissions and departments which have relevant jurisdiction over this proposed project shall, within thirty-five (35) days of receiving a copy of said application, submit a written report containing recommendations with supporting reasons to the SPGA and may recommend conditions deemed appropriate for the proposed use. The SPGA shall not render a decision on any such application until said recommendations have been received and considered *or* until the thirty-five (35) day period has expired, whichever is earlier. Failure of such agencies to timely submit their respective recommendations shall be deemed concurrence thereto.

#### **F. Decision and Special Permit Criteria**

1. The SPGA shall have the authority to approve, disapprove or approve with conditions an Adaptive Reuse of Historic Buildings Special Permit. Any disapproval by the SPGA shall include identification of any modifications to the plan that would make it acceptable to the SPGA if the Applicant subsequently decides to make a new application. This authority shall not eliminate, decrease or abrogate the powers of any other Town board, committee, commission or other authority having legal jurisdiction, except to the extent that such authority is specifically granted by this section. It shall be the duty and responsibility of the Applicant to secure any and all other permits, licenses and approvals necessary to the project.

2. The criteria for decision shall be consistent with Section 174-9 and shall include the following:
  - a. Preservation: The proposal preserves the historic building's exterior features to ensure sensitivity and compatibility with the surrounding neighborhood(s).
  - b. The incentives granted shall be appropriate in degree and type to the scale and benefits the project will provide.
  - c. Uses Permitted: The reuse of buildings and the lot are consistent with the uses allowed in section B.
  - d. Adequate Access and Parking: There are adequate provisions for safe access for pedestrians, motor vehicles and emergency services to the building and to the land on which it is situated.
3. The Adaptive Reuse of Historic Buildings Special Permit shall run with the land.

#### **G. Site Plan Review Process**

In order to provide a detailed design review of any reuse of Historic Buildings for which an Adaptive Reuse of Historic Buildings Special Permit is being sought, there shall be a site plan review by the Planning Board as described in Section 174-10."

; Or act or do anything in relation thereto.

#### **Proposed by: SOUTHBOROUGH HISTORICAL COMMISSION and PLANNING BOARD**

**Board of Selectmen Recommendation:** At Town Meeting

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article proposes to add "Adaptive Reuse of Historic Buildings" to Zoning Article III as a special permit option. The purpose of the Adaptive Reuse of Historic Buildings is to allow for and provide incentives for the adaptive reuse of Historic Buildings.*

**ARTICLE 27:** To see if the Town will vote to amend the Code of the Town of Southborough, Zoning Article I, Section 174-2, Definitions, Subsection B. Customary Home Occupation, by adding the following sentence at the end of the definition:

"Provided, however, that exceptions are provided in Section 174-13.8 titled Adaptive Reuse of Historic Buildings."  
So that the amended Definition reads as follows:

Customary Home Occupation - The use of a portion, not exceeding 25%, of a one-family home, including the accessory buildings, by persons resident therein for a gainful occupation that is clearly incidental and secondary to the use as a residence; that does not generate a significant increase in traffic, noise, smoke, vibration, dust, odors, glare, unsightliness or other effects not normally produced by a residence; that involves no exterior display or storage of goods, tools, materials or equipment or the parking of more than one commercial vehicle; that gives no exterior indication of such occupation, other than one sign not over four square feet; that involves only motive power normally found in a home; that does not employ more than two persons not resident therein; that involves the exercise of artistic, domestic, personal or professional skills; and that requires the approval of the Board of Health for disposal of any waste generated by such occupation that differs in quantity or composition from domestic solid or liquid waste. Provided however that exceptions are provided in Section 174 -13.8 titled *Adaptive Reuse of Historic Buildings*.

, or do or act anything in relation thereto.

#### **Proposed by: SOUTHBOROUGH HISTORICAL COMMISSION and PLANNING BOARD**

**Board of Selectmen Recommendation:** At Town Meeting

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** This article proposes to amend the definition for *Customary Home Occupation* to Southborough's Zoning Code under Section 174-2 of Zoning Article I. The amended definition adds a reference to exemptions provided in the proposed Adaptive Reuse of Historic Buildings Bylaw Section 174-13.8.



**ARTICLE 28:** To see if the Town will vote to amend the Code of the Town of Southborough, Zoning Article I, Section 174-2. Definitions, Subsection B, by adding the following definition:

Historic Building(s) - A building or structure listed on the *Historic Properties Survey of Southborough Massachusetts June 2000*, on file with the Town Clerk's office, and as may be subsequently amended and approved by the Southborough Historical Commission, or any other building or structure that is more than 85 years old.

, or do or act anything in relation thereto.

**Proposed by: SOUTHBOROUGH HISTORICAL COMMISSION and PLANNING BOARD**

**Board of Selectmen Recommendation:** At Town Meeting

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** This article proposes to add a definition for *Historic Building(s)* to Southborough's Zoning Code under Section 174-2 of Zoning Article I. This definition designates buildings listed in the *Historic Properties Survey of Southborough Massachusetts* or buildings that are more than 85 years old as historic.

**ARTICLE 29:** To see if the Town will vote to amend the Code of the Town of Southborough, Zoning Article III, Section 174-8.2. RA Residence A District, Subsection B. Uses by Special Permit, by adding the following in correct numerical sequence:

(13) Adaptive Reuse of Historic Buildings Bylaw (Note: Special Permit from Planning Board)

, or do or act anything in relation thereto.

**Proposed by: SOUTHBOROUGH HISTORICAL COMMISSION and PLANNING BOARD**

**Board of Selectmen Recommendation:** At Town Meeting

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** This article proposes to add "Adaptive Reuse of Historic Buildings Bylaw" as a use by special permit under Zoning Article III, Section 174-8.2.

**ARTICLE 30:** To see if the Town will vote to amend the Code of the Town of Southborough, Zoning Article III. Use Regulations, Section 174-10. Site Plan Approval, Subsection A, by adding the following in correct numerical sequence:

(5) Adaptive Reuse of Historic Buildings

, or do or act anything in relation thereto.

**Proposed by: SOUTHBOROUGH HISTORICAL COMMISSION and PLANNING BOARD**

**Board of Selectmen Recommendation:** At Town Meeting

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** This article proposes to add "Adaptive Reuse of Historic Buildings" as a use which must meet the requirements for Site Plan Approval under Zoning Article III, Section 174-10.

**ARTICLE 31:** To see if the Town will vote to amend the General By-laws of the Town of Southborough as contained in the Town Code by adding thereto a new Chapter 53 as follows:

"The operation of any marijuana establishment as defined in Massachusetts General Laws, c.94G, Section 1 including without limitation a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana facility is prohibited in all zoning districts of the Town. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes, licensed under Chapter 369 of the Acts of 2012 and currently permitted in the Town of Southborough." The adoption of this

provision is subsequently subject to a vote of the voters of the Town of Southborough pursuant to the provisions of Massachusetts General Laws, Chapter 94G as follows:

“Shall the Town of Southborough ratify and adopt the action of its Town Meeting held on April 25, 2017 in the passage and approval of a general by-law provision adding a new Chapter 53 to the Code of the Town of Southborough as follows,”

“The operation of any marijuana establishment as defined in Massachusetts General Laws, c.94, Section 1 including without limitation a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana facility is prohibited in all zoning districts of the Town. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes, licensed under Chapter 369 of the Acts of 2012 and currently permitted in the Town of Southborough. The adoption of this provision is subsequently subject to a vote of the voters of the Town of Southborough pursuant to the provisions of Massachusetts General Laws Chapter 94G.”

, or do or act anything in relation thereto.

**Proposed by: PLANNING BOARD**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article adds a new Chapter 53 regarding recreational marijuana to The Code of the Town of Southborough to prohibit the operation of any marijuana establishment involved in the cultivation, testing, manufacture, distribution, or sale of marijuana for recreational purposes in the Town of Southborough. It does not apply to the same activities related to medical marijuana establishments licensed under Massachusetts General Laws: Chapter 369 of the Acts of 2012 and currently permitted in the Town of Southborough.*

**ARTICLE 32:** To see if the Town will vote to amend Chapter 174 of the Code of the Town of Southborough entitled “Zoning” by adding thereto the following language in all zoning districts:

“The operation of any marijuana establishment as defined in Massachusetts General Laws, c.94G, Section 1 including without limitation a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana facility is prohibited in all zoning districts of the Town. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes, licensed under Chapter 369 of the Acts of 2012 and currently permitted in the Town of Southborough.” The adoption of this provision is subsequently subject to a vote of the voters of the Town of Southborough pursuant to the provisions of Massachusetts General Laws, Chapter 94G as follows:

“Shall the Town of Southborough ratify and adopt the action of its Town Meeting held on April 25, 2017 in the passage and approval of a by-law provision amending Chapter 174 of the Code of the Town of Southborough as follows,”

“The operation of any marijuana establishment as defined in Massachusetts General Laws, c.94G, Section 1 including without limitation a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana facility is prohibited in all zoning districts of the Town. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes, licensed under Chapter 369 of the Acts of 2012 and currently permitted in the Town of Southborough. The adoption of this provision is subsequently subject to a vote of the voters of the Town of Southborough pursuant to the provisions of Massachusetts General Laws, Chapter 94G.”

, or do or act anything in relation thereto.

**Proposed by: PLANNING BOARD**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** This article **amends** Chapter 174-Zoning of The Code of the Town of Southborough, adding language regarding recreational marijuana, to **prohibit** the operation of any marijuana establishment involved in the cultivation, testing, manufacture, distribution, or sale of marijuana for recreational purposes in all zoning districts within the Town of Southborough. It does not apply to the same activities related to medical marijuana establishments licensed under Massachusetts General Laws: Chapter 369 of the Acts of 2012 and currently permitted in the Town of Southborough.

**ARTICLE 33:** To see if the Town will vote to amend Chapter 174 of the Code of the Town of Southborough entitled “Zoning” by adding to Section 174-9 a new subsection (K) as follows:

#### Recreational Marijuana

##### (1) General Provisions.

(a) Purpose and intent. This section is enacted in order to serve the compelling interests of the Town to address possible public health, safety and quality of life effects related to the location and operation in the Town of recreational marijuana operations pursuant to Massachusetts General Laws Chapter 94G, Section 3 and all other applicable provisions. This by-law provision establishes specific zoning regulations for the limited establishment of any registered marijuana establishment in appropriate places and under reasonable and practicable conditions, for marijuana products, marijuana accessories and marijuana cultivation and dispensing, all as defined in Massachusetts General Laws Chapter 94G. It is the intent of this section to minimize adverse impacts on adjacent properties, residential neighborhoods, schools and other places where children congregate, and other land uses potentially incompatible with recreational marijuana activities.

(b) Applicability. The cultivation, production, processing, assembly, packaging, retail or wholesale, trade, distribution or dispensing of marijuana is prohibited unless permitted hereunder,

(c) Nothing in this § 174-9K shall be construed to supersede or preempt any federal or state laws governing the sale, distribution or consumption of narcotic drugs. If the application of any provision of this § 174-9K shall be determined to be invalid or unenforceable, the remainder hereof shall not be affected thereby and the provisions of this section are severable.

##### (2) Basic Requirements.

(a) The Board of Appeals as special permit granting authority may grant a special permit for a registered marijuana establishment only in the Highway Business District [as identified in §174-8.5C(14)], Industrial Park District [as identified in § 174-8.6C(15)], or Industrial District [as identified in § 174-8.7C(14)], and only upon compliance with the following requirements:

[1] No applicant shall have been convicted of violating the provisions of Massachusetts General Laws c. 119, § 63, or c.94C, or similar laws in other jurisdictions.

[2] The applicant or owner has consented in writing to a criminal background check that includes jurisdictions beyond Massachusetts.

[3] A registered marijuana establishment and/or cultivation activities shall only be located (i) on property that borders Route 9, and (ii) not less than 1,000 linear feet from a property line of a school, recreational facility or day-care center, or any facility in which children commonly congregate [see definitions in § 174-9K(2)(c) below] located in the Town of Southborough, and (iii) not less than 100 linear feet from a property line of a residence located in the Town of Southborough, and (iv) not less than 1,000 linear feet from another medical or recreational marijuana facility. The required distances shall be measured from all property lines of the proposed facility.

[4] Any permitted registered marijuana site shall comply with the requirements of the Town’s Sign Bylaw at all times and upon penalty of special permit revocation, shall not use any advertising material that is misleading, deceptive,

false, or that is designed to appeal to minors. Off sight signage or advertising in any form, including billboards, is prohibited.

[5] No activities occurring nor products offered within or on the premises of a registered marijuana establishment shall be displayed in the windows or on the building thereof, or be visible to the public from the pedestrian sidewalks or walkways or from other areas, public or semi-public, outside such facility or premises.

(b) No person shall be deemed to have any entitlement or vested rights to permits issued under this by-law by virtue of having received any prior permit from the Town of any kind, including prior permits under this by-law.

(c) For purposes of this § 174-9K, the following terms shall have the meanings ascribed:

**DAY-CARE CENTER:** Any establishment, whether public or private, that provides care for children and is licensed by the Massachusetts Department of Early Education and Care.

**RECREATIONAL FACILITY:** A park, playground, forest preserve, conservation area, running trail or track, hiking trail, beach, wading pool, soccer field, baseball field, football field, basketball court, tennis court, hockey rink, dance or gymnastic studio, whether publicly or privately owned, to which the public has a right of access as an invitee.

**SCHOOL:** Any public or private educational facility that provides services to children in grades 12 or under.

(3) Term of special permit. Any special permit issued pursuant to this § 174-9K shall be valid for a period of two years from the date of issuance. Any renewal of a special permit shall be governed by the then-existing standards and procedures set forth in this by-law, and any regulations adopted pursuant thereto by the Board of Appeals.

The adoption of these by-law provisions are subsequently subject to a vote of the voters of the Town of Southborough pursuant to the provisions of Massachusetts General Laws Chapter 94G as follows:

“Shall the Town of Southborough ratify and adopt the action of its Town Meeting held on April 25, 2017 in the passage and approval of a by-law provision amending Chapter 174 of the Code of the Town of Southborough entitled “Zoning” as follows,”

“Recreational Marijuana

(1) General Provisions.

(a) Purpose and intent. This section is enacted in order to serve the compelling interests of the Town to address possible public health, safety and quality of life effects related to the location and operation in the Town of recreational marijuana operations pursuant to M.G.L. c.94G, Section 3 and all other applicable provisions. This by-law provision establishes specific zoning regulations for the limited establishment of any registered marijuana establishment in appropriate places and under reasonable and practicable conditions, for marijuana products, marijuana accessories and marijuana cultivation and dispensing, all as defined in M.G.L. c.94G. It is the intent of this section to minimize adverse impacts on adjacent properties, residential neighborhoods, schools and other places where children congregate, and other land uses potentially incompatible with recreational marijuana activities.

(b) Applicability. The cultivation, production, processing, assembly, packaging, retail or wholesale, trade, distribution or dispensing of marijuana is prohibited unless permitted hereunder.

(c) Nothing in this § 174-9K shall be construed to supersede or preempt any federal or state laws governing the sale, distribution or consumption of narcotic drugs. If the application of any provision of this § 174-9K shall be determined to be invalid or unenforceable, the remainder hereof shall not be affected thereby and the provisions of this section are severable.

(2) Basic Requirements.

(a) The Board of Appeals as special permit granting authority may grant a special permit for a registered marijuana establishment only in the Highway Business District [as identified in §174-8.5C(14)], Industrial Park District [as identified in § 174-8.6C(15)], or Industrial District [as identified in § 174-8.7C(14)], and only upon compliance with the following requirements:

[1] No applicant shall have been convicted of violating the provisions of Massachusetts General Laws c. 119, § 63, or c.94C, or similar laws in other jurisdictions.

[2] The applicant has consented in writing to a criminal background check that includes jurisdictions beyond Massachusetts.

[3] A registered marijuana establishment and/or cultivation activities shall only be located (i) on property that borders Route 9, and (ii) not less than 1,000 linear feet from a property line of a school, recreational facility or day-care center, or any facility in which children commonly congregate [see definitions in § 174-9K(2)(c) below] located in the Town of Southborough, and (iii) not less than 100 linear feet from a property line of a residence located in the Town of Southborough, and (iv) not less than 1,000 linear feet from another medical or recreational marijuana facility. The required distances shall be measured from all property lines of the proposed facility.

[4] Any permitted registered marijuana site shall comply with the requirements of the Town's Sign Bylaw at all times and upon penalty of special permit revocation, shall not use any advertising material that is misleading, deceptive, false, or that is designed to appeal to minors. Off sight signage or advertising in any form (including billboards) is prohibited.

[5] No activities occurring nor products offered within or on the premises of a registered marijuana establishment shall be displayed in the windows or on the building thereof, or be visible to the public from the pedestrian sidewalks or walkways or from other areas, public or semi-public, outside such facility or premises.

(b) No person shall be deemed to have any entitlement or vested rights to permits issued under this by-law by virtue of having received any prior permit from the Town of any kind, including prior permits under this by-law.

(c) For purposes of this § 174-9K, the following terms shall have the meanings ascribed:

**DAY-CARE CENTER:** Any establishment, whether public or private, that provides care for children and is licensed by the Massachusetts Department of Early Education and Care.

**RECREATIONAL FACILITY:** A park, playground, forest preserve, conservation area, running trail or track, hiking trail, beach, wading pool, soccer field, baseball field, football field, basketball court, tennis court, hockey rink, dance or gymnastic studio, whether publicly or privately owned, to which the public has a right of access as an invitee.

**SCHOOL:** Any public or private educational facility that provides services to children in grades 12 or under.

(3) Term of special permit. Any special permit issued pursuant to this § 174-9K shall be valid for a period of two years from the date of issuance. Any renewal of a special permit shall be governed by the then-existing standards and procedures set forth in this by-law, and any regulations adopted pursuant thereto by the Board of Appeals."

, or do or act anything in relation thereto.

**Proposed by: PLANNING BOARD**

**Board of Selectmen Recommendation:** At Town Meeting

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article **amends** Chapter 174-Zoning of The Code of the Town of Southborough, adding language regarding recreational marijuana, to **regulate** the operation of any marijuana establishment involved in the cultivation, testing, manufacture, distribution, or sale of marijuana for recreational purposes in all zoning districts within the Town of Southborough.*

**ARTICLE 34:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$20,500, for the Southborough Historical Commission to hire a historic preservation planner to write a nomination to the National Register of Historic Places; or do or act anything in relation thereto.

**Proposed by: HISTORICAL COMMISSION**

**Board of Selectmen Recommendation:** At Town Meeting

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *The Southborough Historical Commission has been working on a project to create a National Register Historic District in the Main Street area. The National Register of Historic Places is the list of individual building, sites, structures, objects and districts deemed important in American history, culture, architecture, or archaeology. It's a federal designation administered by the Secretary of the Interior through the Massachusetts Historical Commission as the State Preservation Office. The nomination is required by Massachusetts Historical Commission to complete the process of establishing a national register historic district. Listing in the National Register recognizes the area's importance to the history of the community, state or nation.*

**ARTICLE 35:** To see if the Town will vote to amend Chapter 41 of the Code of the Town of Southborough, Massachusetts, by adding a new section 41-23 entitled Electioneering prohibited, or to do or act anything in relation thereto.

§ 41-23 Electioneering prohibited.

Except as may be otherwise provided by any other general or special law of the Commonwealth, all candidates or their agents are expressly forbidden to remain within 150 feet of the entrance to a polling place or Town Meeting for the purpose of electioneering or greeting citizens or voters, or for petitioning or soliciting signatures for any purpose.

**Proposed by: TOWN CLERK**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *Current election laws governing activity within 150 feet of a polling place have no effect on Town Meeting or Early Voting since the state election laws only apply to polling places on Election Day. This article provides the same measure of protection and enforcement that applies on Election Day to activities at Town Meeting and Early Voting.*

**ARTICLE 36:** To see if the Town will vote to amend Chapter 41 of the Code of the Town of Southborough, Massachusetts, entitled *Town Meetings* by striking in its entirety Section 41-2 *Notice of Meeting* and replacing it with the following language:

**41-2 Notice of Meeting.**

Notice of every Town Meeting shall be given by posting attested copies of the warrant therefor on the Town website, at the Town Hall, the Library, the Senior Center, and in at least 3 other public places in each precinct as the Town Clerk shall determine, seven days at least before the time appointed for such meeting.

,or do or act anything in relation thereto.

**Proposed by: TOWN CLERK**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article ensures that the warrant be posted in sufficient places to notify residents, and it deletes the existing requirement that the warrant be posted at specific locations in Town, including Fayville Hall, a Town owned building with minimal visitors.*

**ARTICLE 37:** To see if the Town will vote to delete in its entirety Chapter 16 Section 4 of the Code of the Town of Southborough, Massachusetts *Annual Debtors List*, or do or act anything in relation thereto.

**Proposed by: TOWN CLERK**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article deletes the existing requirement of Chapter 16 Section 4 that “On January 15 of each year, every Town officer or board shall furnish the Board of Selectmen with the names of all persons, firms or corporations indebted to the Town and the amounts owed by them, and said Board of Selectmen shall cause such lists to be published in the Annual Town Report. The Board of Selectmen may institute appropriate proceedings to collect the same.” The Town has not followed this practice in recent history, so this article simply deletes a requirement that has not been followed.*

**ARTICLE 38:** To see if the Town will vote to accept the provisions of MGL 53, Section 9A, which states:

Section 9A. In any city or town which accepts this section, in a city by vote of the city council subject to the provisions of its charter, and in a town by vote of the town meeting, the following provisions shall apply with respect to nomination papers:

The final date for obtaining blank nomination papers for nomination to city or town office shall be forty-eight week day hours prior to the hour on which nomination papers are required to be submitted to the registrars of voters for certification.

Each candidate shall file with the city or town clerk, prior to obtaining blank nomination papers, a statement containing his name and address, and the city or town office for which he intends to be a candidate.

No candidate for city or town office shall receive more blank nomination papers than will contain the number of signatures required to place his name in nomination, multiplied by five.

, or do or act anything in relation thereto.

**Proposed by: TOWN CLERK**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article permits candidates for public office to obtain nomination papers up to 48 hours before the deadline to submit the nomination papers to the registrars of voters for certification. This article simply codifies the practice in Southborough.*

**ARTICLE 39:** To see if the Town will vote to amend Chapter 41, Section 6 of the Code of the Town of Southborough, Massachusetts, by identifying the existing text in its entirety as Chapter 41 Section 6, subsection A, and inserting the following text as subsection B:

- B. On Town Meeting matters requiring a two-thirds vote by statute, the Town Moderator may declare the two-thirds vote without taking a count, and said declaration shall take the place of the statutory counted vote; provided that the vote so declared is not immediately questioned by seven or more voters as provided in Chapter 39, Section 15 of the General Laws. If the vote is questioned, the Moderator shall immediately put the question to another vote and take a count which shall then be recorded by the Town Clerk.

, or do or act anything in relation thereto.

**Proposed by: TOWN CLERK**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article will save time at Town Meeting by allowing the Moderator to declare a two-thirds vote in situations where there is clearly a two-thirds majority. Several types of articles voted at Town Meeting require a two-thirds vote for passage. Frequently, it is very clear that the article passed by more than a two-thirds majority but*

*the Attorney General requires that the vote be recorded by a count unless the Town has a bylaw in place that allows the Moderator to declare a two-thirds vote. Any seven voters could still question the Moderator's declaration of a two-thirds vote and a hand count would be taken.*

**ARTICLE 40:** To see if the Town of Southborough will vote to require that any warrant article or presentation at town meeting for the acquisition of St. Marks golf course on Rote 85 Southborough, Mass. Has a concurrent presentation of alternative locations and cost comparisons for building any new fire, police stations or other municipal buildings. Alternative locations are to include the current existing location of the fire and police station as well as the properties across the street from the St. Marks golf course starting at Cordaville Hall and all the properties to the North on Route 85 to the intersection of Main Street (route 30) across the Street from the Southborough Library, or do or act anything in relation thereto.

**Sponsored by: JACK BARRON**

**Board of Selectmen Recommendation:** Not Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article was submitted by citizen petition.*

**ARTICLE 41:** To see if the Town of Southborough will vote to change Chapter 174-9 H (1)(g) of the Town Code to read, "the total cumulative number of units approved under this section by the Zoning Board of Appeals since January 1998 shall at no time exceed 10% of the total of one-family houses in Southborough at the beginning of the year in which the application is filed, based on the Assessor's records. Residences containing apartments shall be counted as one-family houses for the purposes of this subsection", or do or act anything in relation thereto.

**Sponsored by: WILLIAM POUTRE**

**Board of Selectmen Recommendation:** At Town Meeting

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article was submitted by citizen petition. The Sponsor has indicated that he intends to indefinitely postpone this article.*

**ARTICLE 42:** To see if the Town of Southborough will vote to amend Town Bylaw Article III § 27-4 by adding the following language:

§ 27-4. Appointment; compensation; additional counsel.

Furthermore, the Board of Selectmen shall, on a semiannual basis, advertise the position of Town Counsel and interview attorneys and law firms to fill the position. Prior to appointment, Town Counsel candidates shall be interviewed in a public meeting that shall be posted two (2) weeks prior to the interviews. A public announcement, with resumes and all supporting documents, shall be available to the public on the website at the time of posting the meeting. Questions and comments from the public shall be allowed at that interview meeting. If applying for the position, the current Town Counsel shall, additionally, be subject to a public performance review at the time of the interview. Selectmen shall solicit written comments from the public for one month prior to the performance review. Comments for the entire tenure of the current Town Counsel shall be allowed and public comments shall also be allowed by all citizens regardless if the citizen has submitted written comments in advance thereof.

**Sponsored by: KRISTINE DAMERI**

**Board of Selectmen Recommendation:** At Town Meeting

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article was submitted by citizen petition. The sponsor intends to indefinitely postpone this article.*

**ARTICLE 43:** To see if the Town of Southborough will vote to amend Town Code Article III §27-4 by adding the following language at the end of §27-4. Appointment; compensation; additional counsel:



“Furthermore, as part of any such Town Counsel appointment process, the Board of Selectmen shall advertise the position of Town Counsel and interview attorneys and/or law firms to fill the position. Prior to any such appointment of Town Counsel. Town Counsel candidates shall be interviewed in a public meeting that shall be posted at least two (2) weeks prior to such interview(s) . A public announcement, with relevant resumes and all supporting documents, shall be available to the public on the Town website no later than the time of posting of the interview meeting(s). Questions and comments from the public shall be allowed at such interview meeting(s). If the serving Town Counsel is applying for reappointment to the position, the Selectmen shall conduct a public performance review of the serving Town Counsel at the time of his or her interview for reappointment. The Selectmen shall advertise for and solicit written comments from the public for at least one month prior to such performance review. Comments related to the entire tenure of the serving Town Counsel (or related to previous terms of service as Town Counsel for attorneys who have previously served as Town Counsel) shall be allowed. For both the interview public meeting(s) and the performance review public meeting(s), public comments and/or questions shall be allowed from any citizen regardless of whether such citizen has submitted written comments or questions in advance of such meeting.

Town Counsel’s failure to act at any time consistent with Massachusetts General Law, or with local bylaws and code, or with rules of professional legal conduct will be grounds for immediate termination and/or sanctions to the fullest extent of applicable law.”

, or do or act anything in relation thereto.”

**Sponsored by: KRISTINE DAMERI**

**Board of Selectmen Recommendation:** Not Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *This article seeks to add language in to the town code which specifies that public notice(s) will be incorporated when appointing town counsel.*

And to notify the inhabitants of the First Precinct of said Town of Southborough qualified to vote in elections to meet in the Albert S. Woodward Memorial School, 28 Cordaville Road, in said Southborough; the inhabitants of the Second Precinct of said Town to meet in the P. Brent Trottier Middle School, 49 Parkerville Road, in said Southborough; and the inhabitants of the Third Precinct of said Town to meet in the Mary Finn School, 60 Richards Road, in said Southborough on

**Tuesday, May 9, 2017**

then and there at those places to bring in their votes to the Election Officers at the respective Precinct:

<b>Seats available</b>	<b>ELECTED POSITION</b>	<b>Term</b>
<b>1</b>	Town Moderator	1 year
<b>1</b>	Town Clerk	3 years
<b>2</b>	Board of Selectmen	3 years
<b>1</b>	Board of Commissioners of Trust Funds	3 years
<b>1</b>	Board of Assessors	3 years
<b>1</b>	Board of Health	3 years
<b>2</b>	Board of Trustees Southborough Library	3 years
<b>1</b>	School Committee	3 years
<b>2</b>	Northborough-Southborough Regional School District Committee SOUTHBOROUGH CANDIDATE	3 years
<b>2</b>	Northborough-Southborough Regional School District Committee NORTHBOROUGH CANDIDATE	3 years
<b>1</b>	Planning Board	5 years
<b>Ballot Question #1:</b>		
Shall the Town of Southborough be allowed to exempt from the provisions of proposition two and one half, so called, the amounts required to pay for the bonds to be issued in order to acquire land and construct a new public safety complex, and for the payment of costs incidental or related thereto?		

The Polls in each Precinct will be open at 6:30 a.m. and will be closed at 8:00 p.m. of said day.

And you are to give notice hereby by posting true and attested copies of the Warrant at Southborough Town House, 17 Common Street, Cordaville Hall, 9 Cordaville Road, Mauro's Village Café, 2 Main Street, Mauro's Market, 4 Main Street, Southborough Library, 25 Main Street, Fayville Post Office, 67 Turnpike Road, Fayville Village Hall, 42 Central Street, Albert S. Woodward Memorial School, 28 Cordaville Road, Mary E. Finn School, 60 Richards Road, P. Brent Trottier Middle School, 49 Parkerville Road, Fitzgerald's General Store, 110 Southville Road, Turnpike Food & Liquor, 65 Turnpike Road; seven (7) days at least before the time appointed for such meeting.

Given under our hand this third (3<sup>rd</sup>) day of April, 2017.



Brian E. Shea, Chairman



Bonnie J. Phaneuf



Paul M. Cimino



Daniel L. Kolenda

John F. Rooney, III

BOARD OF SELECTMEN OF THE TOWN OF SOUTHBOROUGH

Attest:



Kenneth M. Paulhus, Constable

