



TOWN OF WESTBOROUGH

Report and Recommendations of the Advisory Finance Committee to the ANNUAL TOWN MEETING MAY 15, 2010 (FY2011)

Jo Jeanne B. Lown, Chairperson

John E. Arnold

Kevin Cronin

Michael Meachen

Judith Lucas, Vice Chairperson

F. Robert Brown

Ian Johnson

Brigitte Casemyr

William Linnane

**MAY 2010
ANNUAL TOWN MEETING
INDEX OF ARTICLES AND
STATEMENT RECOMMENDATIONS**

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- Article 3.** Town Reports (Advisory Finance Committee) - so vote
- Article 4.** Prior Year's Bills (Town Coordinator) – Transfer \$70.80 from Free Cash and \$23,025.83 from Water Retained Earnings
- Article 5.** Facilities Study (Town Manager) – Transfer \$100,000 from Free Cash
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- Article 13. Assessment of the Consolidation of Administrative Functions with City or Town (School Department) – Transfer \$6,000 from Free Cash
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- Article 15. Cemetery Development (DPW Manager) – Transfer \$10,000 from Free Cash and \$20,000 from Sale of Lots/Graves Account
- Article 16. Local Option Meal Excise Tax Increase (Board of Selectmen) - defeat
- Article 17. Dispose of Town Property (Board of Selectmen) – so vote
- Article 18. Nathan Fisher House Rezoning (Planning Board) – so vote
- Article 19. Bertis Adams Way Taking (Town Counsel) - so vote
- Article 20. Brigham Street and Cottage Street Alteration (Town Counsel) – so vote
- Article 21. Gable Ridge Road Taking (Town Counsel) – so vote
- Article 22. Olde Connecticut Path Taking (Town Counsel) – so vote
- Article 23. Union Street Abandonment (Town Counsel) – so vote
- Article 24. Article 13 Bylaw Change (Town Manager) – no majority vote
- Article 25. Article 12 Bylaw Amendment (Westborough Cultural Council) – so vote
- Article 26. Establish a Post-Employment Benefit Trust Fund (Treasurer/Collector) – so vote
- Article 27. Acceptance of Massachusetts General Laws Chapter 40, §22F (Town Manager) - so vote
- Article 28. Acceptance of Massachusetts General Laws Chapter 59, §59A (Town Manager) - so vote
- Article 29. Contaminated Property Redevelopment Incentive Bylaw (Town Manager) - so vote
- Article 30. Zoning Bylaw Industrial D (ID) Overlay District Amendment (Planning Board) - so vote
- Article 31. Senior Housing Overlay District (Planning Board) - so vote
- Article 32. Mixed Use District Bylaw Amendment (Planning Board) - so vote
- Article 33. Request for an Additional License for the Sale of All Alcoholic Beverages Not To Be Drunk on the Premises (Package Store License – Citizens’ Petition) – so vote

2010 ATM Financial Estimates for FY2011

Fiscal Year 2010 Levy Limit	\$	55,012,497
Plus 2.5%	\$	1,375,312
Plus New Growth (estimated)	\$	625,000
<i>Fiscal Year 2011 Levy Limit</i>	\$	<i>57,012,809</i>
School Debt Exclusion Amount	\$	2,541,338
Maximum Allowable Levy	\$	59,554,147
Estimated Non-Levy Revenues		
State Aid	\$	5,583,693
SBA and Premium on Notes	\$	4,017,648
Local Receipts (exc W/S)	\$	5,671,650
Local Receipts (other)	\$	11,911,451
Free Cash	\$	1,070,666
Available Transfers (Ent Fund & Art)	\$	260,000
Transportation Bond	\$	632,884
Country Club Account	\$	463,740
Trust Funds	\$	33,800
Non-Tax Levy Revenues	\$	29,545,532
Maximum Available Revenue	\$	89,199,679
Expenditures		
School Dept. Budget	\$	39,282,335
Debt – Schools	\$	5,626,825
Assabet Regional	\$	686,187
Non-School Salary & Wages	\$	11,884,488
Non-School Expenses	\$	9,601,279
Insurance	\$	9,634,386
Debt - General Account	\$	3,898,968
Debt - Enterprise Accounts	\$	2,613,758
Articles (non-borrow)	\$	2,245,826
County Retirement	\$	2,113,845
Cherry Sheet Offsets	\$	119,342
Central Mass. Planning	\$	4,336
Cherry Sheet Charges	\$	431,039
Overlay Account	\$	650,000
AFC Recommended Expenditures	\$	88,792,614
Excess Levy Capacity	\$	407,065

Tax Rate Information

Estimated Town Valuation	\$ 3,200,000,000
Estimated Tax Rate per \$1,000 Valuation	\$ 18.48
Approximate Average House FY2010	
\$423,000 @ \$16.98/1000	\$ 7,182.54
Approximate Average House FY2011 (ESTIMATE)	
\$402,000 @ \$ 18.48/1000	\$ 7,428.96

Note: The numbers used in this Financial Recap are conservative and based upon estimates and other information made available to the Advisory Finance Committee at the time of printing.

TRANSFERS

The following sources of funds have been reviewed by the appropriate authorities and deemed available. We recommend they be applied as listed below.

Source	Total Amount Available	Amount of Transfer	To Article Number	
Certified Free Cash	\$ 2,342,451	\$ 71	4	Prior Yr Bills
		\$ 100,000	5	Facilities Study
		\$ 500,000	6	Op. Budgets
		\$ 30,000	8A	Defibrillator
		\$ 119,595	8B	Police Cruisers
		\$ 70,000	8C	Ambulance
		\$ 60,000	8D	DPW Dump/Sander
		\$ 175,000	12	MSBA/OPM Gibbons
		\$ 6,000	13	Consolidation Study
		<u>\$ 10,000</u>	15	Cemetery
	<u>\$ (1,070,666)</u>	<u>\$ 1,070,666</u>		
Balance Free Cash	<u><u>\$ 1,271,785</u></u>			

Trusts & Other Funds

Ambulance Rcpts	\$ 120,000	8C	Ambulance
Cemetery Lots	\$ 20,000	15	Cemetery
Transportation Bond	\$ 632,884	7I	DPW Roadwork
Trust Fund Income	\$ 33,800	6	Op. Budgets

Enterprise Retained Earnings	\$ 53,000	9	Country Club Greens
	\$ 243,775	4,10A,C,D,E	Water Equip & Proj
	<u>\$ 178,001</u>	11A,B,C,E	Sewer Equip. & Proj
	<u>\$ 474,776</u>		

To: Town Meeting Voters

From: Advisory Finance Committee

Date: May 15, 2010

Thank you for attending this year's Annual Town Meeting, where you will hear about town departments' proposed FY 2011 budgets as well as requests for funds to finance certain equipment and services. You will also hear proposals for bylaw amendments, zoning changes and other articles on town business. To fulfill our role as your Advisory Finance Committee, we have reviewed the entire warrant and have met with Town Department Heads, finance officials and the Town Manager to understand budget requirements and the impact of proposed cuts to service levels. We report our findings and recommendations to you, the legislative body, for your consideration as you decide the direction of the Town during the next fiscal year.

In a big departure from previous years, the FY2011 budget significantly reduces its reliance on Free Cash, however, we cannot eliminate it altogether. Voting the recommendations of the Advisory Finance Committee as printed in this booklet will produce a balanced budget with the use of \$500,000 from Free Cash, while \$570,666 will fund the warrant articles in this booklet. It is important to realize that the local receipts and new growth numbers are not certified until the fall. In addition, the state has not completed its own budget cycle and our final local aid amount is still unknown. Please refer to the FY2011 Annual Town Meeting Financial Recap Estimate on page 3 for detailed information on estimated revenues, recommended expenditures and the estimated tax rate.

Through extraordinary efforts on the part of the Town's financial and management team, and the full cooperation of employees, significant health insurance cost savings will be realized in FY2011, in the amount of \$963,245 (reduction from FY2010).

Should you have thoughts to share on what works well at our Town Meeting and what might function better, you will find that the checkers in the lobby have comment forms prepared by the Moderator and the Clerk for your use. Also, for the first time this year, the Moderator will conduct a post-Town Meeting review session. It is scheduled for May 25 at 6:00 p.m. in the Board of Selectmen's meeting room at Town Hall. All are welcome.

In addition to our recommendations, we have included the votes of the Board of Selectmen as of the date of publication, the Town Manager's statement on each Article, a glossary of terms and an explanation of enterprise funds. We encourage you to review the Moderator's message and *Frequently Asked Questions* at the end of this booklet for updated information on Town Meeting procedure.

The Town's financial situation remains a concern. The estimated State's Local Aid to the Town is down 4% compared to FY2010. The Actual Local Receipts, from motor vehicle excise, ambulance services, hotel/motel tax and other department revenue are down approximately \$500,000, overall, from the estimate that the Town used in its budget preparations. This means that we must proceed with caution when debating budgets and funding requests, if we want to be able to balance the new budget without maxing out our levy capacity.

Unfunded and under-funded mandates from the State continue to impose costs that we can ill afford. The Town, through the Legislative Liaison Committee and the Town Manager, is actively encouraging the State Legislature to consider a number of recommendations that would bring relief in the insurance, special education, Quinn bill, Chapter 70 funding, and many other areas. We urge you to review the document posted under the Board of Selectmen's Agenda for March 16, and contact our legislators to support these changes:

[Senator James B. Eldridge](mailto:James.Eldridge@state.ma.us): (617) 722-1120 James.Eldridge@state.ma.us

[Representative Karyn E. Polito](mailto:Rep.KarynPolito@hou.state.ma.us):- precincts one and four (617) 722-2230

Rep.KarynPolito@hou.state.ma.us

[Representative Carolyn C. Dykema](mailto:Rep.CarolynDykema@hou.state.ma.us):- precinct two (617) 722-2210

Rep.CarolynDykema@hou.state.ma.us

[Representative George N. Peterson, Jr.](mailto:Rep.GeorgePeterson@hou.state.ma.us):- precincts three and five (617) 722-2100

Rep.GeorgePeterson@hou.state.ma.us

We are planning to conduct a town-wide survey to gauge the relative priorities of Town services. We hope to get a response from as many residents as possible. We ask that you please check the Advisory Finance Committee web page and the local newspaper for this survey.

We wish to thank all town employees and members of boards, commissions and committees who provided information to us and who also worked so hard to address current fiscal situation. In this difficult time, we have the opportunity to rethink and re-assess our spending priorities. If we can learn to fund the necessities, but resist spending up to our levy capacity, we can turn tough times into a valuable re-evaluation of our true needs.

Town of Westborough
Recommendations of the Advisory Finance Committee
ANNUAL TOWN MEETING
May 15, 2010

ARTICLE 1. Annual Town Election (Board of Selectmen)

To bring in their votes for:

Two	(2)	Selectmen (3 years)
One	(1)	Planning Board member (5 years)
Two	(2)	School Committee members (3 years)
Three	(3)	Trustees of Public Library (3 years)
One	(1)	Westborough Housing Authority Member (5 years)

Polls will be open from 8 A.M. to 8 P.M. in the following places:

Precinct 1 - Gibbons Middle School Gym, 20 Fisher Street
Precinct 2 - Hastings Elementary School Gym, 111 East Main Street
Precinct 3 - Gibbons Middle School Gym, 20 Fisher Street
Precinct 4 - Mill Pond Intermediate School Gym, 6 Olde Hickory Path
Precinct 5 - Mill Pond Intermediate School Gym, 6 Olde Hickory Path

And to act on the following articles at the adjourned session of said meeting on May 15, 2010, at 1:00 P.M. in the Westborough High School Auditorium and Gymnasium on West Main Street.

Article 1: As voted by the electorate.

ARTICLE 2. Rule of the Meeting (Town Manager)

To see if the Town will vote to adopt a Rule of the Meeting, applicable to this Town Meeting only, such that after all other votes and reconsideration from the floor are complete, and if the size of the appropriations voted appear to make necessary a ballot override vote (either levy, capital outlay or debt exclusion) under MGL Ch 59 s. 21C ("Proposition 2½"), then the conditions for reconsideration shall be deemed to have been met, and the moderator shall accept motions for reconsideration on any appropriation but from the Finance Committee only, for the purpose of reducing certain appropriations or all appropriations to meet the limits of Proposition 2½, or for the purpose of making certain appropriations contingent upon an override vote, or to take any other action thereon.

Article 2: We recommend the Town so vote. (8-0-0)

The Board of Selectmen voted on April 27, 2010 to support this Article. (4-0-0)

ARTICLE 3. Town Reports (Advisory Finance Committee)

To see if the Town will vote to hear the reports of the several town officers and committees, and to dissolve any committees established by Town Meeting that have fulfilled their mission, or to take any other action thereon.

Article 3: We recommend the Town vote to receive the reports of the various officers and committees and that the report of the Advisory Finance Committee be acted upon item by item under the various articles of the warrant. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

ARTICLE 4. Prior Year's Bills (Town Manager)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to pay prior year's bills, including but not limited to the following:

\$70.80	Selectman
\$23,025.23	Veolia Water

or to take any other action thereon.

Article 4: We recommend the Town vote to transfer \$70.80 from Free Cash and transfer \$23,025.23 from Water Retained Earnings for the purpose of this Article. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statements – There are two prior year's bills as follows:

Selectmen (General Fund) – This appropriation will come from Free Cash and is for a meeting expense item from April 2009 that was not submitted in time to be paid during FY09 and has been held for several months.

Veolia Water (Water Fund) – This appropriation will come from Water – Retained Earnings for items as follows:

<i>Flow and Electrical correction based on actual CPI</i>	<i>\$ 7,929.77</i>
<i>Lab Overage</i>	<i>\$15,095.46</i>

ARTICLE 5. Facilities Study (Town Manager)

To see if the Town will vote to transfer from free cash and appropriate the sum of One Hundred Thousand Dollars (\$100,000.00) for the purpose of conducting a facilities study relating to the needs of the Fire Station, Forbes Municipal Building (Police and other Departments), and Town Hall;

or take any other action thereon.

Article 5: We recommend the Town vote to transfer the sum of \$100,000 from Free Cash for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement– For the past year, the Municipal Building Committee has been reviewing the plans for building a combined Public Safety Facility with the needs of all Town departments combined with the overall impact of a project on taxpayers. With the project estimate at \$30 million the Committee asked the Owner's Project Manager and Architect to provide a ballpark estimate on a stand-alone Fire Station and renovation of the existing Police Station. The estimate was substantially lower leading to discussions relating to overall needs for the Fire

Department, Forbes Municipal Building and Town Hall. Through improving accessibility to all levels of existing buildings and making other renovations, the Town would be better able to utilize existing space and may only need to replace the Fire Station.

ARTICLE 6. Fiscal Year 2011 Operating Budgets (Advisory Finance Committee)

To see what sums the Town will vote to raise and appropriate or transfer from available funds for the support of the several offices, departments, boards and commissions of the Town of Westborough for Fiscal Year 2011 beginning July 1, 2010, and ending June 30, 2011, or to take any other action thereon.

Article 6: We recommend the Town vote the following budget items:

Department Name	FY2006 Voted	Change 2005-06	FY2007 Voted	Change 2006-07	FY2008 Voted	Change 2007-08	FY2009 Voted	Change 2008-09	FY2010 Voted	Change 2009-10	FY2011 AFC Rec	Change 2010-11	Change 2006-11	Vote	End Note
Moderator															
Salary & Wages	250	0.0%	250	0.0%	250	0.0%	250	0.0%	250	0.0%	250	0.0%	0.0%		
Expenses	0	NA	0	NA	0	NA	0	NA	0	NA	0	NA	NA		
Total	250	0.0%	250	0.0%	250	0.0%	250	0.0%	250	0.0%	250	0.0%	0.0%	8-0-0	
Selectmen															
Salary & Wages - Elected					2,500	NA	2,500	0.0%	2,500	0.0%	2,500	0.0%	NA		1
Salary & Wages	255,408	10.2%	267,529	4.7%	274,285	3.5%	284,112	3.6%	322,069	13.4%	312,282	-3.0%	22.3%		
Expenses	43,250	21.7%	45,950	6.2%	45,950	0.0%	48,250	5.0%	45,250	-6.2%	43,100	-4.8%	-0.3%		
Total	298,658	11.7%	313,479	5.0%	322,735	3.0%	334,862	3.8%	369,819	10.4%	357,882	-3.2%	19.8%	4-2-0	
Finance Committee															
Salary & Wages	1,624	-0.5%	1,669	2.8%	1,804	8.1%	1,952	8.2%	2,113	8.2%	2,927	38.5%	80.2%		2
Expenses	3,080	0.0%	2,880	-6.5%	2,880	0.0%	2,880	0.0%	2,719	-5.6%	2,000	-26.4%	-35.1%		
Total	4,704	-0.2%	4,549	-3.3%	4,684	3.0%	4,832	3.2%	4,832	0.0%	4,927	2.0%	4.7%	8-0-0	
Accountant															
Salary & Wages	121,023	6.9%	126,252	4.3%	130,672	3.5%	134,804	3.2%	138,530	2.8%	138,530	0.0%	14.5%		
Expenses	445	0.0%	545	22.5%	545	0.0%	545	0.0%	545	0.0%	545	0.0%	22.5%		
Total	121,468	6.9%	126,797	4.4%	131,217	3.5%	135,349	3.1%	139,075	2.8%	139,075	0.0%	14.5%	5-3-0	
Assessors															
Salary & Wages	215,320	5.1%	221,724	3.0%	232,163	4.7%	216,683	-6.7%	222,885	2.9%	223,112	0.1%	3.6%		
Expenses	14,879	1.0%	14,899	0.1%	14,899	0.0%	14,899	0.0%	14,899	0.0%	10,599	-28.9%	-28.8%		3
Total	230,199	4.8%	236,623	2.8%	247,062	4.4%	231,582	-6.3%	237,784	2.7%	233,711	-1.7%	1.5%	8-0-0	

Department Name	FY2006 Voted	Change 2005-06	FY2007 Voted	Change 2006-07	FY2008 Voted	Change 2007-08	FY2009 Voted	Change 2008-09	FY2010 Voted	Change 2009-10	FY2011 AFC Rec	Change 2010-11	Change 2006-11	Vote	End Note
Treasurer Collector															
Salary & Wages	175,156	2.4%	184,427	5.3%	194,337	5.4%	203,812	4.9%	211,260	3.7%	212,571	0.6%	21.4%		
Expenses	42,850	-1.5%	43,025	0.4%	46,525	8.1%	50,925	9.5%	53,925	5.9%	49,125	-8.9%	14.6%		
Total	218,006	1.6%	227,452	4.3%	240,862	5.9%	254,737	5.8%	265,185	4.1%	261,696	-1.3%	20.0%	7-1-0	
Legal															
Salary & Wages	7,500	0.0%	92,924	1139.0%	99,377	6.9%	107,667	8.3%	116,114	7.8%	121,972	5.0%	1526.3%		
Expenses	134,500	0.0%	82,076	-39.0%	60,500	-26.3%	60,135	-0.6%	51,688	-14.0%	48,415	-6.3%	-64.0%		
Total	142,000	0.0%	175,000	23.2%	159,877	-8.6%	167,802	5.0%	167,802	0.0%	170,387	1.5%	20.0%	8-0-0	
Personnel Board															
Salary & Wages	4,298	10.3%	3,855	-10.3%	4,183	8.5%	4,527	8.2%	4,569	0.9%	3,655	-20.0%	-15.0%		
Expenses	45,875	37.1%	45,253	-1.4%	49,547	9.5%	48,638	-1.8%	54,157	11.3%	48,578	-10.3%	5.9%		
Total	50,173	34.3%	49,108	-2.1%	53,730	9.4%	53,165	-1.1%	58,726	10.5%	52,233	-11.1%	4.1%	7-1-0	
MIS/GIS															
Salary & Wages	70,644	8.8%	75,488	6.9%	65,951	-12.6%	140,841	113.6%	141,111	0.2%	139,346	-1.3%	97.3%		
Expenses	163,946	13.4%	157,396	-4.0%	187,900	19.4%	174,000	-7.4%	173,730	-0.2%	175,480	1.0%	7.0%		
Total	234,590	12.0%	232,884	-0.7%	253,851	9.0%	314,841	24.0%	314,841	0.0%	314,826	0.0%	34.2%	8-0-0	
Communications															
Expenses	41,500	-2.4%	41,500	0.0%	41,500	0.0%	41,500	0.0%	41,500	0.0%	41,383	-0.3%	-0.3%		
Total	41,500	-2.4%	41,500	0.0%	41,500	0.0%	41,500	0.0%	41,500	0.0%	41,383	-0.3%	-0.3%	8-0-0	

Department Name	FY2006 Voted	Change 2005-06	FY2007 Voted	Change 2006-07	FY2008 Voted	Change 2007-08	FY2009 Voted	Change 2008-09	FY2010 Voted	Change 2009-10	FY2011 AFC Rec	Change 2010-11	Change 2006-11	Vote	End Note
Central Purchasing															
Expenses	84,000	7.0%	90,000	7.1%	96,000	6.7%	97,000	1.0%	97,000	0.0%	95,254	-1.8%	13.4%		
Total	84,000	7.0%	90,000	7.1%	96,000	6.7%	97,000	1.0%	97,000	0.0%	95,254	-1.8%	13.4%	8-0-0	
Town Clerk															
Salary & Wages - Elected					79,031	NA	81,536	3.2%	83,781	2.8%	83,781	0.0%	NA		1
Salary & Wages	124,601	6.9%	130,769	5.0%	58,830	5.4%	97,004	64.9%	99,572	2.6%	99,572	0.0%	-20.1%		
Expenses	2,475	-12.4%	3,600	45.5%	4,050	12.5%	4,225	4.3%	4,350	3.0%	4,350	0.0%	75.8%		
Total	127,076	6.4%	134,369	5.7%	141,911	5.6%	182,765	28.8%	187,703	2.7%	187,703	0.0%	47.7%	5-1-0	
Elections & Registration															
Salary & Wages - Elected					2,000	NA	2,000	0.0%	2,000	0.0%	2,000	0.0%	NA		1
Salary & Wages	7,975	-56.6%	16,235	103.6%	11,375	-17.6%	11,375	0.0%	5,220	-54.1%	14,910	185.6%	87.0%		4
Expenses	11,450	-27.3%	18,800	64.2%	16,555	-11.9%	22,455	35.6%	17,855	-20.5%	19,655	10.1%	71.7%		
Total	19,425	-43.1%	35,035	80.4%	29,930	-14.6%	35,830	19.7%	25,075	-30.0%	36,565	45.8%	88.2%	6-0-0	
Conservation Commission															
Salary & Wages	34,271	4.2%	35,560	3.8%	36,801	3.5%	37,904	3.0%	39,004	2.9%	39,004	0.0%	13.8%		
Expenses	500	34.0%	4,125	725.0%	4,125	0.0%	4,125	0.0%	1,125	-72.7%	1,185	5.3%	137.0%		
Total	34,771	4.5%	39,685	14.1%	40,926	3.1%	42,029	2.7%	40,129	-4.5%	40,189	0.1%	15.6%	8-0-0	

Department Name	FY2006 Voted	Change 2005-06	FY2007 Voted	Change 2006-07	FY2008 Voted	Change 2007-08	FY2009 Voted	Change 2008-09	FY2010 Voted	Change 2009-10	FY2011 AFC Rec	Change 2010-11	Change 2006-11	Vote	End Note
Planning Board															
Salary & Wages	172,153	6.2%	179,999	4.6%	189,516	5.3%	196,482	3.7%	201,930	2.8%	201,930	0.0%	17.3%		
Expenses	9,000	133.8%	9,150	1.7%	10,350	13.1%	9,850	-4.8%	5,302	-46.2%	5,302	0.0%	-41.1%		
Total	181,153	9.1%	189,149	4.4%	199,866	5.7%	206,332	3.2%	207,232	0.4%	207,232	0.0%	14.4%	7-1-0	
Zoning Board of Appeals															
Salary & Wages	9,551	10.3%	10,260	7.4%	11,144	8.6%	11,794	5.8%	12,183	3.3%	12,183	0.0%	27.6%		
Expenses	1,560	0.0%	1,600	2.6%	1,600	0.0%	1,610	0.6%	1,610	0.0%	1,610	0.0%	3.2%		
Total	11,111	8.7%	11,860	6.7%	12,744	7.5%	13,404	5.2%	13,793	2.9%	13,793	0.0%	24.1%	8-0-0	
Buildings & Grounds															
Salary & Wages	159,307	0.3%	158,916	-0.2%	168,976	6.3%	178,574	5.7%	186,009	4.2%	187,013	0.5%	17.4%		
Expenses	164,250	5.3%	192,600	17.3%	197,800	2.7%	205,050	3.7%	232,135	13.2%	224,590	-3.3%	36.7%		
<i>less trust funds</i>	-500	38.9%	-600	20.0%	-600	0.0%	-600	0.0%	-600	0.0%	-600	0.0%	20.0%		
Total	323,057	2.7%	350,916	8.6%	366,176	4.3%	383,024	4.6%	417,544	9.0%	411,003	-1.6%	27.2%	7-1-0	
Town Insurances															
Expenses	7,178,309	11.1%	8,249,708	14.9%	9,580,474	16.1%	10,509,592	9.7%	10,597,631	0.8%	9,634,386	-9.1%	34.2%		5
Total	7,178,309	11.1%	8,249,708	14.9%	9,580,474	16.1%	10,509,592	9.7%	10,597,631	0.8%	9,634,386	-9.1%	34.2%	8-0-0	
Police Department															
Salary & Wages	2,172,848	2.2%	2,320,923	6.8%	2,449,900	5.6%	2,523,413	3.0%	2,564,080	1.6%	2,526,062	-1.5%	16.3%		
Expenses	93,824	-9.6%	94,409	0.6%	100,609	6.6%	102,884	2.3%	104,734	1.8%	104,734	0.0%	11.6%		
Total	2,266,672	1.7%	2,415,332	6.6%	2,550,509	5.6%	2,626,297	3.0%	2,668,814	1.6%	2,630,796	-1.4%	16.1%	6-0-0	

Department Name	FY2006 Voted	Change 2005-06	FY2007 Voted	Change 2006-07	FY2008 Voted	Change 2007-08	FY2009 Voted	Change 2008-09	FY2010 Voted	Change 2009-10	FY2011 AFC Rec	Change 2010-11	Change 2006-11	Vote	End Note
Fire Department															
Salary & Wages	2,349,931	61.6%	2,530,867	7.7%	2,769,193	9.4%	2,877,262	3.9%	2,894,459	0.6%	2,989,711	3.3%	27.2%		
Expenses	244,360	92.7%	261,071	6.8%	276,231	5.8%	294,876	6.7%	286,855	-2.7%	301,464	5.1%	23.4%		
Total	2,594,291	5.3%	2,791,938	7.6%	3,045,424	9.1%	3,172,138	4.2%	3,181,314	0.3%	3,291,175	3.5%	26.9%	8-0-0	
Building Department															
Salary & Wages	235,060	7.2%	244,163	3.9%	254,654	4.3%	263,355	3.4%	271,260	3.0%	271,493	-0.1%	15.5%		
Expenses	31,015	8.6%	33,109	6.8%	34,471	4.1%	35,359	2.6%	36,273	2.6%	35,943	-0.9%	15.9%		
Total	266,075	7.4%	277,272	4.2%	289,125	4.3%	298,714	3.3%	307,533	3.0%	307,436	0 %	15.5%	5-3-0	
Weights & Measures															
Expenses	2,250	0.0%	2,250	0.0%	2,250	0.0%	2,250	0.0%	2,250	0.0%	2,250	0.0%	0.0%		
Total	2,250	0.0%	2,250	0.0%	2,250	0.0%	2,250	0.0%	2,250	0.0%	2,250	0.0%	0.0%	8-0-0	
Animal Control															
Salary & Wages	43,692	5.0%	44,720	2.4%	46,250	3.4%	47,659	3.0%	49,068	3.0%	49,068	0.0%	12.3%		
Expenses	24,280	6.0%	24,280	0.0%	24,680	1.6%	24,680	0.0%	23,271	-5.7%	21,969	-5.6%	-9.5%		
Total	67,972	5.4%	69,000	1.5%	70,930	2.8%	72,339	2.0%	72,339	0.0%	71,037	-1.8%	4.5%	8-0-0	
Assabet Valley Vocational															
Expenses	673,216	6.4%	682,429	1.4%	920,910	34.9%	783,918	-14.9%	775,285	-1.1%	686,187	-11.5%	1.9%		6
Total	673,216	6.4%	682,429	1.4%	920,910	34.9%	783,918	-14.9%	775,285	-1.1%	686,187	-11.5%	1.9%	8-0-0	

Department Name	FY2006 Voted	Change 2005-06	FY2007 Voted	Change 2006-07	FY2008 Voted	Change 2007-08	FY2009 Voted	Change 2008-09	FY2010 Voted	Change 2009-10	FY2011 AFC Rec	Change 2010-11	Change 2006-11	Vote	End Note
Department of Public Works															
Salary & Wages	1,218,317	7.1%	1,298,161	6.6%	1,366,408	5.3%	1,456,858	6.6%	1,425,528	-2.2%	1,437,301	0.8%	18.0%		
Expenses	580,489	-0.4%	662,874	14.2%	646,457	-2.5%	714,750	10.6%	693,702	-2.9%	671,258	-3.2%	15.6%		
<i>DPW less trust funds</i>	-16,000	0.0%	-20,000	25.0%	-20,000	0.0%	-25,000	25.0%	-25,000	0.0%	-10,000	-60.0%	-37.5%		
Total	1,782,806	4.0%	1,941,035	8.9%	1,992,865	2.7%	2,146,608	7.7%	2,094,230	-2.4%	2,098,559	0.2%	17.7%	6-2-0	
Snow & Ice Removal															
Salary & Wages	108,000	35.0%	134,000	24.1%	134,000	0.0%	142,396	6.3%	142,396	0.0%	142,396	0.0%	31.8%		
Expenses	193,000	-5.9%	228,177	18.2%	274,754	20.4%	306,815	11.7%	306,815	0.0%	306,815	0.0%	59.0%		
Total	301,000	5.6%	362,177	20.3%	408,754	12.9%	449,211	9.9%	449,211	0.0%	449,211	0.0%	49.2%	8-0-0	
Street Light Account															
Expenses	50,000	0.0%	52,000	4.0%	53,000	1.9%	55,000	3.8%	70,712	28.6%	69,439	-1.8%	38.9%		
Total	50,000	0.0%	52,000	4.0%	53,000	1.9%	55,000	3.8%	70,712	28.6%	69,439	-1.8%	38.9%	6-2-0	
Landfill Contract															
Expenses	687,000	1.5%	700,000	1.9%	748,000	6.9%	744,180	-0.5%	763,200	2.6%	752,700	-1.4%	9.6%		
Total	687,000	1.5%	700,000	1.9%	748,000	6.9%	744,180	-0.5%	763,200	2.6%	752,700	-1.4%	9.6%	8-0-0	

Department Name	FY2006 Voted	Change 2005-06	FY2007 Voted	Change 2006-07	FY2008 Voted	Change 2007-08	FY2009 Voted	Change 2008-09	FY2010 Voted	Change 2009-10	FY2011 AFC Rec	Change 2010-11	Change 2006-11	Vote	End Note
Health Department															
Salary & Wages	221,053	7.7%	230,470	4.3%	241,281	4.7%	249,244	3.3%	256,325	2.8%	256,543	0.1%	16.1%		
Expenses	13,280	11.8%	14,200	6.9%	14,600	2.8%	14,600	0.0%	7,300	-50.0%	7,300	0.0%	-45.0%		
<i>Health less trust funds</i>	-200	207.7%	-200	0.0%	-200	0.0%	-200	0.0%	-200	0.0%	-200	0.0%	0.0%		
Total	234,133	7.8%	244,470	4.4%	255,681	4.6%	263,644	3.1%	263,425	-0.1%	263,643	0.1%	12.6%	6-2-0	
Council on Aging															
Salary & Wages	157,666	-1.3%	188,206	19.4%	199,359	5.9%	210,491	5.6%	209,627	-0.4%	214,229	2.2%	35.9%		
Expenses	23,998	6.7%	25,012	4.2%	30,505	22.0%	32,565	6.8%	31,130	-4.4%	27,420	-11.9%	14.3%		
Total	181,664	-0.3%	213,218	17.4%	229,864	7.8%	243,056	5.7%	240,757	-0.9%	241,649	0.4%	33.0%	7-1-0	
Youth & Family Services															
Salary & Wages	132,386	18.5%	141,316	6.7%	143,168	1.3%	150,942	5.4%	153,541	1.7%	152,239	-0.8%	15.0%		
Expenses	9,450	0.0%	9,450	0.0%	9,900	4.8%	9,900	0.0%	7,000	-29.3%	4,134	-40.9%	-56.3%		7
Total	141,836	17.0%	150,766	6.3%	153,068	1.5%	160,842	5.1%	160,541	-0.2%	156,373	-2.6%	10.2%	7-1-0	
Veterans Services															
Salary & Wages	22,360	5.0%	15,359	-31.3%	15,790	2.8%	16,234	2.8%	16,680	2.7%	16,680	0.0%	-25.4%		
Expenses	28,890	26.2%	28,890	0.0%	37,090	28.4%	44,150	19.0%	50,844	15.2%	55,116	8.4%	90.8%		
Total	51,250	16.0%	44,249	-13.7%	52,880	19.5%	60,384	14.2%	67,524	11.8%	71,796	6.3%	40.1%	8-0-0	
Trustees Soldiers Memorials															
Expenses	1,845	0.0%	1,800	-2.4%	1,800	0.0%	1,800	0.0%	2,800	55.6%	2,800	0.0%	51.8%		
Total	1,845	0.0%	1,800	-2.4%	1,800	0.0%	1,800	0.0%	2,800	55.6%	2,800	0.0%	51.8%	8-0-0	

Department Name	FY2006 Voted	Change 2005-06	FY2007 Voted	Change 2006-07	FY2008 Voted	Change 2007-08	FY2009 Voted	Change 2008-09	FY2010 Voted	Change 2009-10	FY2011 AFC Rec	Change 2010-11	Change 2006-11	Vote	End Note
Library															
Salary & Wages	562,899	5.8%	604,799	7.4%	632,882	4.6%	649,826	2.7%	673,013	3.6%	648,956	-3.6%	15.3%		
Expenses	197,449	2.9%	210,310	6.5%	220,319	4.8%	232,231	5.4%	224,959	-3.1%	237,667	5.6%	20.4%		
<i>Library less state aid</i>	-20,012	17.6%	-21,801	8.9%	-24,083	10.5%	-26,154	8.6%	-28,321	8.3%	-20,684	-27.0%	3.4%		
<i>Library less trust funds</i>	-17,000	0.0%	-23,000	35.3%	-23,000	0.0%	-23,000	0.0%	-23,000	0.0%	-23,000	0.0%	35.3%		
Total	723,336	4.8%	770,308	6.5%	806,118	4.6%	832,903	3.3%	846,651	1.7%	842,939	-0.4%	16.5%	8-0-0	
Recreation Department															
Salary & Wages	192,039	5.0%	198,808	3.5%	210,747	6.0%	218,328	3.6%	183,808	-15.8%	186,336	1.4%	-3.0%		
Expenses	6,001	0.0%	0	-100.0%	0	NA	0	NA	0	NA	0	NA	-100.0%		
Total	198,040	4.9%	198,808	0.4%	210,747	6.0%	218,328	3.6%	183,808	-15.8%	186,336	1.4%	-5.9%	6-2-0	
Cultural Council															
Expenses			2,000	NA	2,000	0.0%	2,000	0.0%	2,000	0.0%	2,000	0.0%	NA		
Total			2,000	NA	2,000	0.0%	2,000	0.0%	2,000	0.0%	2,000	0.0%	NA	7-0-1	
Historical Commission															
Salary & Wages	18,825	10.2%	20,235	7.5%	21,968	8.6%	22,643	3.1%	18,400	-18.7%	18,400	0.0%	-2.3%		
Expenses	17,400	0.0%	17,400	0.0%	10,125	-41.8%	10,125	0.0%	7,125	-29.6%	5,725	-19.6%	-67.1%		
Total	36,225	5.1%	37,635	3.9%	32,093	-14.7%	32,768	2.1%	25,525	-22.1%	24,125	-5.5%	-33.4%	8-0-0	

Department Name	FY2006 Voted	Change 2005-06	FY2007 Voted	Change 2006-07	FY2008 Voted	Change 2007-08	FY2009 Voted	Change 2008-09	FY2010 Voted	Change 2009-10	FY2011 AFC Rec	Change 2010-11	Change 2006-11	Vote	End Note
Debt															
Expenses			8,912,233	NA	8,780,827	-1.5%	8,517,657	-3.0%	8,374,813	-1.7%	9,525,793	13.7%	NA		
Debt Principal															
Expenses	5,075,400	1.1%													
Debt Interest															
Expenses	3,773,878	-7.3%													
Certification of Notes															
Expenses	70,000	0.0%													
Total	8,919,278	-2.7%	8,912,233	-0.1%	8,780,827	-1.5%	8,517,657	-3.0%	8,374,813	-1.7%	9,525,793	13.7%	6.8%	8-0-0	
Sewer Enterprise															
Salary & Wages	544,483	18.4%	566,020	4.0%	594,168	5.0%	614,013	3.3%	636,205	3.6%	645,593	1.5%	18.6%		
Expenses	222,786	4.2%	285,304	28.1%	303,639	6.4%	289,544	-4.6%	318,521	10.0%	318,521	0.0%	43.0%		
Debt	587,481	8.2%	654,871	11.5%	699,106	6.8%	682,726	-2.3%	823,083	20.6%	804,845	-2.2%	37.0%	8-0-0	
Total	1,354,750	11.3%	1,506,195	11.2%	1,596,913	6.0%	1,586,283	-0.7%	1,777,809	12.1%	1,768,959	-0.5%	30.6%	8-0-0	
Wastewater Treatment Plant															
Salary & Wages	13,740	2.7%	14,100	2.6%	14,460	2.6%	14,880	2.9%	14,880	0.0%	15,000	0.8%	9.2%		
Expenses	2,836,100	12.5%	2,835,100	0.0%	2,944,100	3.8%	3,172,200	7.7%	3,510,500	10.7%	3,643,000	3.8%	28.5%		
Total	2,849,840	12.5%	2,849,200	0.0%	2,958,560	3.8%	3,187,080	7.7%	3,525,380	10.6%	3,658,000	3.8%	28.4%	8-0-0	

Department Name	FY2006 Voted	Change 2005-06	FY2007 Voted	Change 2006-07	FY2008 Voted	Change 2007-08	FY2009 Voted	Change 2008-09	FY2010 Voted	Change 2009-10	FY2011 AFC Rec	Change 2010-11	Change 2006-11	Vote	End Note
Water Enterprise															
Salary & Wages	430,496	15.3%	442,959	2.9%	464,709	4.9%	484,929	4.4%	501,562	3.4%	509,633	1.6%	18.4%		
Expenses	1,353,325	3.5%	1,439,066	6.3%	1,504,287	4.5%	1,649,141	9.6%	1,757,260	6.6%	1,803,423	2.6%	33.3%		
Debt	1,737,303	-2.8%	1,801,565	3.7%	1,914,878	6.3%	1,931,004	0.8%	1,884,066	-2.4%	1,808,913	-4.0%	4.1%	8-0-0	
Total	3,521,124	1.5%	3,683,590	4.6%	3,883,874	5.4%	4,065,074	4.7%	4,142,888	1.9%	4,121,969	-0.5%	17.1%	8-0-0	
Country Club Enterprise															
Salary & Wages	6,000	NA	6,450	7.5%	6,897	6.9%	7,100	2.9%	7,310	3.0%	7,310	0.0%	21.8%		
Expenses	351,850	-1.2%	423,840	20.5%	453,356	7.0%	467,600	3.1%	466,300	-0.3%	456,430	-2.1%	29.7%		
Total	357,850	0.5%	430,290	20.2%	460,253	7.0%	474,700	3.1%	473,610	-0.2%	463,740	-2.1%	29.6%	8-0-0	
<i>Library State Aid & Trust Funds Applied</i>	53,712	6.5%	65,601	22.1%	67,883	3.5%	74,954	10.4%	77,121	2.9%	54,484	-29.4%	1.4%		
Sub-total General Gov't															
Salary & Wages	9,788,876	6.3%	10,507,413	7.3%	11,129,029	5.9%	11,663,390	4.8%	11,809,242	1.3%	11,884,488	0.6%	21.4%		
Expenses	26,827,739	3.6%	28,404,747	5.9%	30,369,094	6.9%	31,417,634	3.5%	31,926,219	1.6%	32,061,403	0.4%	19.5%		
Total	36,616,615	4.3%	38,912,160	6.3%	41,498,123	6.6%	43,081,024	3.8%	43,735,461	1.5%	43,945,891	0.5%	20.0%		
Sub-total School	31,891,000	4.9%	34,100,000	6.9%	35,442,257	3.9%	37,755,528	6.5%	38,415,528	1.7%	39,282,335	2.3%	23.2%	4-0-2	
Total	68,507,615	4.6%	73,012,160	6.6%	76,940,380	5.4%	80,836,552	5.1%	82,150,989	1.6%	83,228,226	1.3%	21.5%		

Budget End Notes

The total budget increase for FY2011 is 1.3%; the increase since FY2006 has been 21.5%.

1. Elected Salaries - Selectmen, Town Clerk & Elections & Registration - The Massachusetts General Laws require a separate vote to appropriate funds for the salaries of elected officials.
2. Finance Committee Salary and Expenses – The budget reflects a move of a stipend from Professional Services expenses to Salaries and Wages and a slight increase in hours due to two Town Meetings per year.
3. Assessors Expense - Reflects a cut in the contingency for appellate tax court cases.
4. Elections & Registration- Reflects an increase in the number of elections.
5. Insurance - During FY2010 the Town successfully negotiated with all eleven (11) unions to make health insurance plan design changes that would move the Town's health insurance plans closer to those being offered in the private sector. The total insurance budget of \$9,634,386 includes Unemployment, Medicare, health insurance, the HRA, casualty and workers compensation insurance.
6. Assabet Valley Vocational – The reduction reflects the decrease in Westborough enrollment
7. Youth & Family – The department has been able to obtain private funding for its Hot Summer Nights program for this year.

ARTICLE 7. Regularly Recurring Articles (Town Manager)

To see what action the Town may take on the following items, **A** through **I**, which may be voted as a block, or singly, or in any combination, but however voted, will be treated for accounting purposes as if each item were voted as a separate article:

A. (Fire Department) To see if the Town will vote to reauthorize a revolving fund, pursuant to MGL, Chapter 44, Section 53E ½, for the purpose of receiving and expending funds for public CPR and First Aid Training by the Fire Department. Receipts from materials, fees and tuition shall be deposited into this revolving fund, and expenditures not to exceed the sum of One Thousand Dollars (\$1,000) for fiscal year 2011 may be made by the Fire Department,

Article 7A: We recommend the Town so vote. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article provides an off-budget source to provide CPR training programs through charging fees and depositing the fees directly into a revolving fund to pay ongoing expenses for the program.

B. (Youth and Family Services) To see if the Town will vote to reauthorize a revolving fund pursuant to Chapter 44, Section 53E ½ of the Massachusetts General Laws for the purpose of receiving and expending funds for youth activities by the Youth and Family Services Department. Receipts from deposits for youth activities will be deposited into this account, and expenditures not to exceed the sum of Fifteen Thousand Dollars (\$15,000) for the fiscal year 2011 may be made by the Youth and Family Services Department,

Article 7B: We recommend the Town so vote. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article provides funding for youth programs such as Hot Summer Nights and Red Cross Baby Sitter Training, and allows for revenues from each participant to offset costs of the program.

C. (Board of Assessors) To see if the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988 granting increased real estate tax exemptions to certain qualified persons,

Article 7C: We recommend the Town so vote. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article incorporates all of the real estate property exemptions to provide a uniform method of exemptions and requires annual adoption.

D. (Finance Committee) To see if the Town will vote to raise and appropriate the sum of Three Hundred Thousand Dollars (\$300,000) for the Finance Committee General Reserve Fund, transfer Fifty Thousand Dollars (\$50,000) from Water retained earnings for the Water Enterprise Reserve Fund, transfer Fifty Thousand Dollars (\$50,000) from Sewer retained earnings for the Sewer Enterprise Reserve Fund, and transfer Twenty Thousand Dollars (\$20,000) from Country Club retained earnings for the Country Club Enterprise Reserve Fund, or such other amounts as the Town Meeting may approve, in accordance with Section 6 of Chapter 40 of the Massachusetts General Laws,

Article 7D: We recommend the Town so vote. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – These accounts provide funding for unforeseen expenses during the year through various reserve funds.

E. (Recreation Department) To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Two Thousand Five Hundred Dollars (\$2,500), or such other amount as the Town Meeting may approve, for the annual July 4th celebration to be expended by the Westborough July 4th Committee under the direction of the Board of Selectmen,

Article 7E: We recommend the Town vote to Raise and Appropriate the sum of \$2,500 for the purpose of this Article. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article pays part of the cost for the annual July 4th celebration.

F. (Board of Health) To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of Seventeen Thousand Dollars (\$17,000), or such other amount as the Town Meeting may approve, for the purpose of holding a Household Hazardous Waste Collection Day, including the distribution of informational leaflets and arrangements for contractor provided reception and disposition of said waste,

Article 7F: We recommend the Town vote to defeat this Article (5-3-0)

Every resident needs to properly dispose of household hazardous waste. However, the Town must choose how to best allocate its funds from among a large number of good and useful services.

The Board of Health provides a valuable service – outside the scope of the Household Hazardous Waste Collection Day – to identify and accommodate many common household pollutants. For example, fluorescent light bulbs, compact fluorescent light bulbs, and many household items that contain traces of mercury can be recycled at the Board of Health offices throughout the year. Other common concerns such as latex paints are not classified household hazardous waste and the Board of Health can help residents dispose of them properly.

With today's financial constraints, this is a good year to skip Household Hazardous Waste Collection Day. Instead, residents can ask the Board of Health for suggestions on how to dispose of their own Household Hazardous Waste on their own schedule rather than relying on this one-day event.

Funding for this Article would be raised from property taxes, which are again going to increase next fiscal year, despite the cuts we have proposed. See the Financial Estimates on page 3 of this Report.

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article provides for an annual Household Hazardous Waste Collection Day.

G. (Board of Health) To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of Five Thousand Dollars (\$5,000) or such other amount as Town Meeting may approve, for the purpose of additional Mosquito Control activities,

Article 7G: We recommend the Town vote to Raise and Appropriate the sum of \$5,000 for the purpose of this Article. (7-1-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – Last year the mosquito control was added into the Board of Health Household Hazardous Waste Day article, this article simply pulls it out for its own consideration. These funds are used to pay the cost of additional mosquito control activities in addition to the services provided by the Central MA Mosquito Control Program.

H. (Local Emergency Planning Committee) To see if the Town will vote to reauthorize a revolving fund, pursuant to MGL Chapter 44, Section 53 E ½, for the purpose of receiving and expending funds as a result of reimbursable incidents allowed under MGL Chapter 21E involving hazardous materials releases. Receipts generated shall be deposited into this revolving fund and expenditures, not to exceed One Hundred Thousand Dollars (\$100,000) for the fiscal year 2011 may be made by the Local Emergency Planning Committee to the respective responding departments, or to take any other action thereon.

Article 7H: We recommend the Town so vote. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article provides a revolving fund for the purpose of reimbursing the Town for personnel costs, vehicle usage, and replacing consumable goods used in the stabilization of hazardous materials releases. This allows for the Town to maintain resources when there are emergencies. Due to their complex nature, Town resources such as fire, police, emergency medical services, public works, and health may be needed for an extended times. Also, many hazardous materials handlers are insured whereby funds are available to reimburse these departments for their expenses.

I. Reconstruction and Improvement of Town Roads (Chapter 90) (DPW)

To see if the Town will vote to transfer from available funds the sum of Six Hundred Thirty-Two Thousand Eight Hundred Eighty-Four Dollars (\$632,884), or such other amount as the Town Meeting may approve, to construct, reconstruct, or improve the town roads, and further, to authorize the Board of Selectmen to apply for and accept a grant in this full amount, more or less, which is to be the State's contribution and/or reimbursement under Section 34 (2A) of chapter 90 of the Massachusetts Laws for work done under this article, or to take any other action thereon.

Article 7I: We recommend the Town so vote. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article provides the local authorization to expend Chapter 90 funds from Mass DOT for the purpose of repairing town roads.

ARTICLE 8. Capital Improvement Plan (Town Manager/Capital Expenditure Planning Committee)

To see what action the Town may take on the following items, **A** through **D**, which may be voted as a block, or singly, or in any combination, but however voted, will be treated for accounting purposes as if each item were voted as a separate article:

A. Defibrillator/Monitor Purchase (Fire Department) To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds, the sum of Thirty-Thousand Dollars (\$30,000) to purchase one 12 lead defibrillator/monitor for the fire department,

Article 8A: We recommend the Town vote to transfer the sum of \$30,000 from Free Cash for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

B. Police Cruisers (3) (Police Department) To see if the Town will vote to raise and appropriate or transfer from available funds the sum of One Hundred Nineteen Thousand Five Hundred Ninety-Five Dollars (\$119,595), or such other amount as the Town Meeting may approve, to purchase three police vehicles and related equipment; the Town's vehicle fleet will not increase because of this purchase,

Article 8B: We recommend the Town vote to transfer the sum of \$119,595 from Free Cash for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

C. New Ambulance and Related Equipment Purchase (Fire Department)

To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds, the sum of One Hundred and Ninety-Thousand Dollars (\$190,000) to purchase one new ambulance and related equipment for the department.

Article 8C: We recommend the Town vote to transfer the sum of \$120,000 from the Ambulance Fund and the sum of \$70,000 from Free Cash and that the size of the Town's vehicle fleet will not increase because of this purchase. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

D. DPW Dump/Sander (DPW)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow under the provisions of chapter 44 of the General Laws, the sum of Sixty Thousand Dollars, (\$60,000.), or such other amount as the Town Meeting may approve, for the purpose of purchasing a six wheel, single axle, dump/sander truck,

or take any other action thereon

Article 8D: We recommend the Town vote to transfer the sum of \$60,000 from Free Cash for the purpose of this Article and that the size of the Town's vehicle fleet will not increase because of this purchase. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

The Town has instituted a new, priority-based rating system to rate capital requests from all Town departments to ensure that the capital needs of the Town are being met based on the level of priority. Each request from Town departments are rated on a scale of 1-10 (with 10 being the highest rating) on ten different factors (public safety & health, infrastructure needs, quantity of use, efficiency of services, legal requirements, public support, personnel impacts, service impacts, budgetary constraints and administrative needs) so that each request is then rated on a score of 0 – 100 and sorted by order of the highest score (highest priority) so that the Town is addressing the most needed capital requests first. The requests in this article are the highest rated requests.

ARTICLE 9. Improvements to the Country Club Golf Course (Country Club Operating Committee)

To see if the Town will vote to transfer from the Country Club retained earnings the sum of Fifty-Three Thousand Dollars (\$53,000), or such other amount as Town Meeting may approve, for the design and reconstruction/improvement, including but not limited to the greens on the second and third holes, at the Westborough Country Club, and that any unexpended balance be returned to said account, or take any other action thereon.

Article 9: We recommend the Town vote to transfer the sum of \$53,000 from Country Club Retained Earnings for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

ARTICLE 10. Water – Capital Equipment & Projects (DPW Manager)

To see what action the Town may take on the following items, **A** through **F**, which may be voted as a block, or singly, or in any combination, but however voted, will be treated for accounting purposes as if each item were voted as a separate article:

- A. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow under the provisions of Chapter 44 of the General Laws, the sum of Fifty Thousand Dollars (\$50,000.), or such other amount as the Town Meeting may approve, for the purpose of purchasing DPW equipment including, but not limited to two service vans or to take any other action thereon.

Article 10A: We recommend the Town vote to transfer the sum of \$50,000 from Water Retained Earnings for the purpose of this Article and that the size of the Town's vehicle fleet will not increase because of this purchase. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article would appropriate funds from the Water Department Retained Earnings for the purpose of replacing two service vans used by the Department.

- B. To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds the sum of Nine Hundred Thousand Dollars (\$900,000.00), or such other amount as the Town Meeting may approve, for the design, construction, installation, upgrading and/or replacement of water mains in the remaining areas of town which are currently serviced by the low pressure water system which include but are not limited to South Street, Cottage Street, Upton Road, and portions of all streets and ways abutting the South Street/Upton Road corridor.

Article 10B: We recommend the Town vote to Borrow under the Water Enterprise Account the sum of \$900,000 for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article would be through a borrowing authorization to provide for the engineering and installation costs associated with replacing water mains on the streets listed.

- C. To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds, the sum of Sixty Thousand Dollars (\$60,000.00), or such other amount as the Town Meeting may approve, for the repair, replacement, upgrade and installation of various facilities within the water system including but not limited to tank rehabilitation, variable frequency drive replacement, and generator replacement,

Article 10C: We recommend the Town vote to transfer the sum of \$60,000 from Water Retained Earnings for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement-This appropriation will provide funding to replace various equipment used as part of the water system estimated as follows: \$15,000 for design costs associated with the Ruggles Street Water Tank; \$25,000 for variable speed pumps at the Oak Street (2) and Lake Chauncy (1) Water Plants; \$20,000 for the Fay Mountain Water Tank (generator). These funds would come from the Water-Retained Earning Account.

- D. To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds the sum of Thirty Thousand Dollars (\$30,000.00), or such other amount as the Town Meeting may approve, to update the Town's digital mapping which shall include but

is not limited to updating the ESRI (GIS Software) surface, re-rectifying imagery, updating planimetric features, including any related incidental tasks,

Article 10D: We recommend the Town vote to transfer the sum of \$30,000 from Water Retained Earnings for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article would appropriate funds from the Water – Retained Earnings for the purpose of updating the Town's GIS system related to re-detailing and contour corrections from the 2009 flyover (compared to the 1998/99 flyover).

- E.** To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds, the sum of Seventy Thousand Dollars (\$70,000.00), or such other amount as the Town Meeting may approve, for conducting an extended pump test at the Smith Street location for a potential future well,

Article 10E: We recommend the Town vote to transfer the sum of \$70,000 from Water Retained Earnings for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – Article 8E continues the exploration for a new well site to include the next step of conducting a prolonged pump test and water quality testing required to be submitted to MADEP before the Town could move forward with a new well development. These funds would come from Water – Retained Earnings.

- F.** To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds the sum of Six Hundred Thousand Dollars (\$600,000.00), or such other amount as the Town Meeting may approve, to provide for the installation, upgrading and/or replacement including engineering services of water mains in the areas of town which include but are not limited to Whitney Street, Weld Street, Irving Street, Folly Lane, Hopkinton Road, Belknap Street, Maynard Street, Mohawk Circle, Mohawk Drive, and Adams Street,

or to take any other action thereon.

Article 10F: We recommend the Town vote to Borrow under the Water Enterprise Account the sum of \$600,000 for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article would appropriate the funds necessary for replacing and installing water mains on the same streets that Article 11 seeks to extend Town sewer service with the goal of completing these projects at the same to limit disruption to these neighborhoods.

ARTICLE 11. Sewer – Capital Equipment & Projects (DPW Manager)

To see what action the Town may take on the following items, **A** through **E**, which may be voted as a block, or singly, or in any combination, but however voted, will be treated for accounting purposes as if each item were voted as a separate article:

- A. To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds, the sum of Fifty-Five Thousand Dollars (\$55,000.00), or such other amount as the Town Meeting may approve, for the repair, replacement, upgrade, design and installation of various facilities within the sewer system,

Article 11A: We recommend the Town vote to transfer the sum of \$55,000 from Sewer Retained Earnings for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This appropriation will provide funding for two pieces of equipment used in the sewer system. One is a communitor used to break up large items that enter the sewer system and a pipeline inspection gauge that allows pipeline inspection without disrupting flow. These funds would come from the Sewer – Retained Earnings Account.

- B. To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds the sum of Fifty-Thousand Dollars (\$50,000.00), or such other amount as the Town Meeting may approve, for the engineering services to extend the municipal sewer system to the areas of Town which includes, but is not limited to Belknap Street Cross Country to Fox Lane and Fox Lane to Crownridge Circle and to purchase, accept as a gift, or take by eminent domain under the provisions of the General Laws, Chapter 79, as amended, or otherwise acquire parcels of land and/or easements for said sewer system,

Article 11B: We recommend the Town vote to transfer the sum of \$50,000 from Sewer Retained Earnings for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article would pay costs associated with engineering and design of the next phase of extending the municipal sewer system. These funds would be appropriated from Sewer – Retained Earnings.

- C. To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds the sum of Thirty Thousand Dollars (\$30,000.00), or such other amount as the Town Meeting may approve, to update the Town's digital mapping includes, but is not limited to updating the ESRI surface (GIS Software), re-rectifying imagery, updating planimetric features, including any related incidental tasks,

Article 11C: We recommend the Town vote to transfer the sum of \$30,000 from Sewer Retained Earnings for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article would authorize a debt issuance for the purpose of extending sewers into the neighborhoods listed in the article. This area is the highest priority identified in the Comprehensive Wastewater Management Plan (CWMP) for extending municipal sewer service.

- D.** To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds the sum of One Million Six Hundred Thousand Dollars (\$1,600,000.00), or such other amount as the Town Meeting may approve, to extend the municipal sewer system to the areas of Town which includes, but is not limited to Summer Street Extension, Weld Street, Whitney Street, Irving Street, Folly Lane, Cross Country from Whitney Street to Armstrong School, Belknap Street, Hopkinton Road, Maynard Street, Mohawk Circle, Mohawk Drive, and Adams Street including construction and engineering services associated with the project and to purchase, accept as a gift, or take by eminent domain under the provisions of the General Laws, Chapter 79, as amended, or otherwise acquire parcels of land and/or easements for said sewer system, and further that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water pollution Abatement Trust established pursuant to MGL Ch 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Manager of the Department of Public Works is authorized to enter into a project regulatory agreement with the Department of Environmental Protection to expend all funds available for the project pursuant to any necessary contracts approved by the Board of Selectmen and to take any action necessary to carry out the project,

Article 11D: We recommend the Town vote to Borrow under the Sewer Enterprise Account the sum of \$1,600,000 for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

- E.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute, the sum of Fifty Three Thousand Seven Hundred Fifty One Dollars (\$53,751), or such other amount as the Town Meeting may approve for the fourth of five yearly lease/purchase payments for a sewer/water vacuum truck for the DPW,
- or to take any other action thereon.

Article 11E: We recommend the Town vote to transfer the sum of \$10,750 from Water Retained Earnings and the sum of \$43,001 from Sewer Retained Earnings for the purpose of this Article. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article would pay the fifth (and final) lease payment for the vacuum truck for the Water and Sewer Departments. The Water Department pays 20% (\$10,714) of the cost and the Sewer Department pays 80% (\$42,857) of the cost as per the motion.

ARTICLE 12. Massachusetts School Building Authority (School Committee)

To see if the Town will vote to transfer from available funds, raise and appropriate or borrow the sum of One Hundred Seventy-Five Thousand Dollars (\$175,000) for the purpose of hiring an Owner's Project Manager for overseeing the design for renovations of the Sarah Gibbons Middle School; or take any other action thereon.

Article 12: We recommend the Town vote to transfer the sum of \$175,000 from Free Cash for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

The School Committee voted to support this Article.

Town Manager's Statement – This article provides funding for the development of cost estimates for a project at the Sarah Gibbons Middle School to remove/replace the roof, door and window replacement, interior repairs, electrical system upgrades, plumbing upgrades and HVAC upgrades.

ARTICLE 13. Assessment of the Consolidation of Administrative Functions with City or Town (School Department)

To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds, the sum of Six Thousand Dollars (\$6,000) or such other amount as Town Meeting may approve, to conduct a study of the consolidation of administrative functions between school and town; or take any other action thereon.

Article 13: We recommend the Town vote to transfer the sum of \$6,000 from Free Cash for the purpose of this Article. (6-0-0)

The Board of Selectmen voted to support this Article. (3-1-0)

Town Manager's Statement – This article seeks to pay the costs of a study to review Human Resources Management, Facilities Management, Recreation, MIS, Copying/Printing and Purchasing. Should there be efficiencies that are appropriate and the School Committee and Selectmen agree to move forward with a consolidation of any town and school functions, it would require an additional Town Meeting vote accepting MGL Ch. 71, §37M and specifically approving the consolidation. This study would be the first step.

ARTICLE 14. Amend Actions Taken at Previous Town Meetings Relative to Sewer Station Alarm System (DPW Manager)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow under the provisions of Chapter 44 of the General Laws, a sum of money, for the purpose of amending the action taken under Article 22A of the 2006 Annual Town Meeting and Article 19B of the 2007 Annual Town Meeting to have adequate funding to purchase a sewer station alarm system contingent on bid results opened on May 07, 2010; or to take any other action thereon.

Article 14: The Finance Committee will make its recommendation at Town Meeting.

The Board of Selectmen had not voted on this Article as of the date of printing.

Town Manager's Statement – This article seeks to appropriate any additional funds that may be necessary after the bid opening for the sewer system alarm. Funds were originally appropriated in 2006 and 2007 but the project has been delayed to a variety of reasons. The project is currently out to bid and there is some concern that with the time that has passed, that inflation may cause the current cost of this project to be higher than the existing appropriation. The bid is being opened on May 7, 2010 so actual cost will be known at Town Meeting. Any additional costs will be appropriated from the Sewer Retained Earnings Account.

ARTICLE 15. Cemetery Development (DPW Manager)

To see if the Town will vote to amend the action taken under Article 22 of the 2008 Annual Town Meeting, by transferring from the Sale of Lots/Graves Account the sum of Twenty Thousand Dollars (\$20,000.00) and by transferring from Free Cash the sum of Ten Thousand Dollars (\$10,000.00), or such other amount as the Town Meeting may approve, so that the total authorization will be increased from Twenty Thousand Dollars (\$20,000.00) to Fifty Thousand (\$50,000.00) Dollars, or take any other action thereon.

Article 15: We recommend the Town so vote. (6-0-0)

The Board of Selectmen had not voted on this Article as of the date of printing.

Town Manager's Statement – This article would appropriate additional funds from the Sale of Lots/Graves Account to pay the cost of continued engineering for the design and construction of a new cemetery off Nourse Street to be used in the future as the current cemetery is nearing capacity.

ARTICLE 16. Local Option Meal Excise Tax Increase (Board of Selectmen)

To see if the Town will vote to impose a .75% meals tax on the sales of restaurant meals by accepting Massachusetts General Laws, Chapter 64L, Section 2(a); or take any other action thereon.

Article 16: We recommend the Town vote to defeat this Article. (6-2-0)

There are very few times when there is a clear need to enact new taxes and there is not a critical need to impose this new tax at this time.

No matter how small the tax on a per-transaction basis, the increase of the State Meals Tax from 5% to 6.25% has already placed an additional burden on customers and an additional 0.75% tax (which, overall, would be a 40% increase in the Meals Tax in the past year) could harm both local businesses and local customers. The Town's long-term economic future depends on both (a) letting local businesses thrive without an additional tax burden chasing away customers and (b) letting people choose how to save or spend their money without any new taxes that are not absolutely essential.

The Board of Selectmen had not reached a vote on this Article as of the date of printing.

Town Manager's Statement – This article would establish a local sales tax on restaurant meals. Currently the state sales tax on meals is 6.25% (increased last year from 5.0%). Cities and Towns have been authorized to establish by local option a 0.75% sales tax on meals to bring the total to 7.0%. The Mass Dept of Revenue has set the allowable estimated revenue at \$370,000 per year. If approved at this Town Meeting, first year revenues would begin to accrue at the start of the next quarter (July 2010) for the full fiscal year. Currently 75 communities have adopted a local meals tax.

ARTICLE 17. Dispose of Town Property (Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen to sell, subject to any preservation restrictions and in accordance with all applicable Commonwealth of Massachusetts bidding laws, that property shown on Assessors' Map 33 as parcels E and L, and more commonly known as the "Nathan Fisher House Property", including any and all improvements, or to take any other action thereon.

Article 17: We recommend the Town so vote. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – The Town sought to have the existing preservation restrictions on this property removed prior to selling the property, however, the Massachusetts Historic Commission voted (1-14) to retain the existing preservation restriction. The property continues to deteriorate and it is not a high priority of the Town to expend funds to renovate the property. The best option to preserve this property and to put it back on taxable status is to sell the property with the existing preservation restrictions to a private buyer. The Town is

required to follow a sealed bidding process. The property is currently zoned M-1 for municipal use – there is a second article relating to this property to seek to re-zone the property consistent with abutting properties on Route 9.

ARTICLE 18. Nathan Fisher House Rezoning – (Planning Board)

To see if the Town will vote to amend the Zoning Bylaws and Zoning Map by changing Map 33, Parcels 26, 44, 53 and 53A from Town Owned (M-1) to Highway Business (BA),

or take any action thereon.

A copy of the entire proposed zoning amendment is on file with and can be viewed at the offices of the Westborough Planning Board and Westborough Town Clerk during their business hours.

Article 18: We recommend the Town vote to amend the Zoning Bylaws and Zoning Map by changing Map 33, Parcels 26, 44, 53 and 53A from Town Owned (M-1) to Highway Business (BA). (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – As part of developing a bidding package for putting the Nathan Fisher House up for sale, it was determined that the current zoning (M-1 for municipal use only) would render the property worthless for private development. This proposal re-zones the property to be consistent with the Highway Business zone of abutting properties. This proposal also re-zones 3 other abutting properties owned by the state that are zoned M-1 and have been included in legislation for disposition by the state.

ARTICLE 19. Bertis Adams Way Taking (Town Counsel)

To see if the Town will vote to authorize the Board of Selectmen to accept or take by eminent domain a street and any associated easements known as Bertis Adams Way in the Town of Westborough, as laid out on a plan, on file in the office of the Town Clerk, entitled "Acceptance Plan of Bertis Adams Way in Westborough, Massachusetts," dated January 16, 1998, updated July 27, 1999; or to take any other action thereon.

Article 19: We recommend the Town so vote. (7-0-1)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article would take, for public way purposes, the land where Bertis Adams Way was laid out according to the subdivision plan.

ARTICLE 20. Brigham Street and Cottage Street Alteration (Town Counsel)

To see if the Town will vote to authorize the Board of Selectmen to accept or take by eminent domain two streets and any associated easements known as Brigham Street and Cottage Street in the Town of Westborough, as laid out on two plans, on file in the office of the Town Clerk, entitled "Street Alteration – Brigham Street & Cottage Street – Westborough, MA (Worcester County)," or to take any other action thereon.

Article 20: We recommend the Town so vote. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – These streets were existing but the layout was modified as part of the Bay State Commons project. This article would correct the land owned by the Town to be consistent with the modifications.

ARTICLE 21. Gable Ridge Road Taking (Town Counsel)

To see if the Town will vote to authorize the Board of Selectmen to accept or take by eminent domain a street and any associated easements known as Gable Ridge Road in the Town of Westborough, as laid out on a plan, on file in the office of the Town Clerk, entitled "Acceptance Plan of Gable Ridge Road in Westborough, Massachusetts," dated January 16, 1998, updated July 27, 1999; or to take any other action thereon.

Article 21: We recommend the Town so vote. (7-0-1)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article would take, for public way purposes, the land where Gable Ridge Road was laid out according to the subdivision plan.

ARTICLE 22. Olde Connecticut Path Taking (Town Counsel)

To see if the Town will vote to authorize the Board of Selectmen to accept or take by eminent domain a street and any associated easements known as Olde Connecticut Path in the Town of Westborough, as laid out on a plan, on file in the office of the Town Clerk, entitled "Acceptance Plan of Olde Connecticut Path in Westborough, Massachusetts," dated January 16, 1998, updated July 27, 1999; or to take any other action thereon.

Article 22: We recommend the Town so vote. (7-0-1)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This article would take, for public way purposes, the land where Olde Connecticut Path was laid out according to the subdivision plan.

ARTICLE 23. Union Street Abandonment (Town Counsel)

To see if the Town will vote to authorize the Board of Selectmen to abandon a portion of a street known as Union Street and any associated easements in the Town of Westborough, as laid out on a plan, on file in the office of the Town Clerk, entitled "Street Abandonment Plan – Union Street – Westborough, MA;" or to take any other action thereon.

Article 23: We recommend the Town so vote. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – These streets were existing but the layout was modified as part of the Bay State Commons project. This article would correct the land owned by the Town to be consistent with the modifications.

ARTICLE 24. Article 13 Bylaw Change (Town Manager)

To see if the Town will vote to amend the General Bylaws by deleting the existing Article 13 Personnel Bylaws and replacing it with the following new Article 13:

Section 1. Personnel Board

The Personnel Board shall be appointed by the Town Manager, confirmed by the Board of Selectmen. The Personnel Board will consist of five residents who are not Town employees. Members serve without compensation. All appointments are for a term of three years with no more than two terms to expire in any one year.

Section 2. Duties of the Personnel Board

The Personnel Board shall be responsible for the following:

- (a) Reviewing and approving Personnel Policies and Employee Handbook drafted by the Assistant Town Manager/Human Resources Director for approval by the Board of Selectmen upon the Town Manager's recommendation.
- (b) Developing a pay classification system and salary schedule, for approval by the Board of Selectmen upon the Town Manager's recommendation. This shall include recommendations for the annual Wage Adjustment to the Wage and Salary Schedule.
- (c) Reviewing and approving job descriptions for town positions as drafted by the Assistant Town Manager/Human Resources Director for approval by the Board of Selectmen upon the Town Manager's recommendation.
- (d) Educational Benefits and budget
- (e) Sick Leave Buy Back

Section 3. Other Duties

The Personnel Board shall be responsible for conducting other studies or reviews related to personnel administration as requested by the Board of Selectmen or Town Manager;

or to take any other action thereon.

On May 3, 2010, the motion to recommend the Town vote to defeat this Article failed by vote of 4-4-0.

On May 6, 2010, the motion to recommend the Town vote to approve this Article failed by vote of 4-4-0.

ARGUMENTS IN FAVOR OF DEFEATING THE ARTICLE: There is a need to better align the Personnel Board and its role and activities with the Town's Human Resources department and this proposal does address that need. However, adopting this Bylaw significantly alters the role and ability of Town Meeting voters to most effectively balance and determine the resources that are allocated to the Town departments, especially the independent departments – including the Town Clerk's office, the Planning Board, and the Library Trustees – that are outside the Board of Selectmen's organization.

Currently, the vote of Town Meeting balances the resources allocated to all the various non-School Town departments in two ways: financial support (acting upon the recommendation of the Advisory Finance Committee) and structural support (acting upon the recommendation of the Personnel Board). These two mechanisms of Town Meeting have worked very well and the proposed re-definition of the Personnel Board can still fit and work well with them in place.

This article removes Town Meeting oversight of the structural support – in terms setting the number of full-time/part-time staff in each department and the relative placement of similar positions spread across different departments. This limits the ability of Town Meeting to pro-actively manage the size of town

government and resolve potential disagreements between two elected bodies regarding the relative placement of their staff in the Classification Plan. If this article is enacted, Town Meeting could be left in the difficult and awkward position of trying to change or re-position staffing levels after-the-fact with no clear process to guide the way.

Instead of approving the article as it is or trying to amend it on Town Meeting floor, the concerns mentioned above can be addressed in a revised Bylaw and presented at the Special Town Meeting in October.

The Government Study Committee II voted 5-0-1 (with 1 member absent) to recommend that this article not be placed on the warrant “in light of the warrant article that includes a study of HR consolidation” (Article 13 on the warrant).

ARGUMENTS IN FAVOR OF APPROVAL OF THIS ARTICLE: The current bylaws for administration of town personnel have become outdated, and the resulting system as now constituted can be frustrating and inefficient to administer.

The Article as written, on the whole, addresses these administrative issues and the benefits far outweigh any concerns. In the end, Town Meeting still has the power to control purse strings, and any conceivable future overstepping of executive powers in the administration of personnel classification or staffing levels is, in the final analysis, constrained by the budgets imposed by Town Meeting.

Passing the existing article as is, without limiting any future debate on refining or improving the article, is appropriate at this time. There is always room for improvement. However, delaying implementation of this article in order to wait for the conclusion of further debate is not necessary.

The Article is supported by the Personnel Board, Town Manager, Moderator, and the Board of Selectmen. These people are most closely involved with the current issues and day-to-day operations of this function and provide the best insight into the workability of the solution as proposed here.

The Board of Selectmen voted to support this Article. (4-0-0)

The Personnel Board voted to support this Article (4-0-1)

Town Manager’s Statement – In 2009 the Government Study Committee submitted a report detailing the need to update the Town’s Human Resources function. During the past year the Town Manager and Personnel Board have met to determine the best utilization of their efforts combined with Town staff and developed the proposed bylaw that eliminates the existing Personnel Bylaw and replaces it with a bylaw that will give the Personnel Board and Board of Selectmen authority to develop and approve a Personnel Policy and Employee Handbook that would cover all of the policies currently included in the Personnel Bylaw and all of the other policies, rules and regulations that the Town must comply with under Federal and State Laws and to make changes as other laws change. The proposal also moves the approval of the Pay Classification System from Town Meeting (legislative body) to the Board of Selectmen (Chief Executive Officer) and Personnel Board. The other substantive change is the appointing authority for the Personnel Board is proposed to go from the Town Moderator to the Town Manager.

ARTICLE 25. Article 12 Bylaw Amendment (Westborough Cultural Council)

To see if the Town will vote to amend Article 12 of the General Bylaws by deleting said Article 12 and replacing it with the following Article 12: The display for sale to the general public, of merchandise or goods from a temporary or portable location shall be prohibited except by permit from the Chief of Police. Said

permit shall require a fee not inconsistent with Chapter 101 of the Massachusetts General Laws. Religious, charitable or non-profit organizations and persons servicing a parade or an event sponsored by a Department of the Town within the Town shall be exempt from this Bylaw. A violation shall be \$100 (see Article 37);

or to take any other action thereon.

Article 25: We recommend the Town so vote. (6-0-2)

The Board of Selectmen had not voted on this Article as of the day of printing.

Town Manager's Statement – This article would amend the General Bylaws to change the Hawkers and Peddlers licensing fee exemption to include “or an event sponsored by a Department of the Town” so that Town Departments are not required to pay the permit fee.

ARTICLE 26. Establish a Post-Employment Benefit Trust Fund (Treasurer/Collector)

To see if the Town will vote to establish an account called “Other Post-Employment Benefits Trust Fund” or “OPEB Trust Fund” as defined in Governmental Accounting Standards Board, Statement 45, “Accounting and Financial Reporting by Employers for Post-Employment Benefits Other than Pensions”, (otherwise known as GASB 45), which shall be under the supervision and management of the Town Manager, with the Town Treasurer as custodian of the Trust. The OPEB Trust Fund shall be credited with all amounts appropriated or otherwise made available by the Town, including any earnings or interest accruing from the investment of these funds, to offset the anticipated cost of health and life insurance contributions or other benefits for retired employees, their spouses and eligible dependents, and the surviving spouses and eligible dependents of deceased employees. Amounts in the OPEB Trust Fund shall be expended in accordance with Massachusetts General Laws, Chapter 203C, sections 1-11, and only for the payment of costs payable by the Town for OPEB. The Town Treasurer shall invest and reinvest the funds prudently and follow the guidelines of the Town of Westborough's Investment Policy, as adopted July 1, 2008 and amended from time to time.

or to take any other action thereon.

Article 26: We recommend the Town so vote. (8-0-0)

Government Accounting Standards Board (GASB) Statements 43 and 45, issued in 2004, requires all governmental entities, including the Town of Westborough, to identify and account for “Other Post-Employment Benefits,” or OPEB liabilities. In addition to a salary, many public employees earn benefits over their years of service that will not be paid until after their employment ends. As a group, these benefits are referred to as Other Post-employment Benefits, or OPEB. In Westborough, the most common form is health insurance benefits.

Because these expenses actually accrue at various times in the future, they were traditionally accounted for when they would be paid. Under GASB 45, however, each public entity must now account for and report OPEB in its accounting statements and, through actuarial analysis, identify the true costs of the OPEB earned by employees over their estimated years of actual service. The Town requisitioned a study for this purpose in 2009 and it must be updated every year. The Town is also required to develop a plan to manage its OPEB obligations.

If passed, this Article would establish a dedicated trust fund to hold monies for the sole purpose of paying its OPEB obligations. Currently, neither GASB nor the Bonding Agencies are requiring local governments to fund their OPEB liability. Various mechanisms may be used to fund the trust, if or as

required, and/or as Town Meeting so decides at some point in the future. No funding is requested with this Article so there would be no impact on property taxes by its approval.

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager Statement - In 2004, the Government Accounting Standards Board (GASB) adopted two standards (GASB 43 & 45). These standards require governments to report costs that pertain to post-employment benefits such as retiree health insurance, known as OPEB (Other Post-Employment Benefits). In the past, governments would simply account for OPEB benefits on a "pay-as-you-go" basis when claims were actually paid. The new accrual accounting approach may create significantly higher annual accounting expenses than the previous cash basis. Initially, bond rating agencies and GASB indicated all they were seeking were for governments to identify what their liabilities were and not that we would be expected to fund these liabilities. Now bond rating agencies have taken the position that local governments need to establish a fund and begin to plan on how to fund OPEB liabilities.

ARTICLE 27. Acceptance of Massachusetts General Laws Chapter 40, §22F (Town Manager)

To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 40, Section 22F to permit the town to set fees in addition to those provided by the General Laws;

or to take any other action thereon.

Article 27: We recommend the Town so vote. (8-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – Town departments have been setting fees for a number of different licenses and permits for many years. In reviewing statutes that have been accepted by the Town, the Town has not yet adopted this statute which provides the authority for Town departments to set fees in addition to those included in State law.

ARTICLE 28. Acceptance of Massachusetts General Laws Chapter 59, §59A (Town Manager)

To see if the Town will vote to accept MGL Ch. 59, §59A to allow the Town to grant property tax abatements for the purpose of environmental cleanup of sites zoned for commercial or industrial uses; or to take any other action thereon.

Article 28: We recommend the Town so vote. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This statute authorizes the Town to offer property tax abatements as an incentive to new owners of contaminated commercial or industrial properties to clean-up the property and redevelop it. A Town adopting this statute must also have a bylaw that discusses how the abatements would be negotiated and approved (see next article).

ARTICLE 29. Contaminated Property Redevelopment Incentive Bylaw (Town Manager)

To see if the Town will amend the General Bylaws to add a new Article 45 as follows:

Section 1. Purpose

It is the intent of the Town to offer tax abatements to encourage the continued environmental cleanup and redevelopment of sites that are zoned for industrial and/or commercial use that are contaminated with oil and/or other hazardous materials.

Section 2. Authority

The Town Manager is hereby authorized to work to negotiate agreements regarding the payment of outstanding real estate taxes, interest and penalties, including abatement of those amounts needed to make a cleanup and redevelopment project economically feasible. Said agreement may also contain additional incentives, financial and otherwise as may be deemed appropriate.

Section 3. Scope of Authority

Agreements may cover property contaminated with oil or other hazardous materials and must be zoned for commercial or industrial use. Agreements may be entered into only with new, innocent purchasers who did not own the site at the time the oil or hazardous material was released and did not cause or contribute to its release. Agreements must specify the details agreed to regarding payment of any outstanding obligations, including the amount owed, rate of interest to accrue, if any, amount of monthly payments, payment schedule, late penalties and other terms. These obligations may consist of outstanding real estate taxes or other financing packages negotiated with the Town.

Agreements must be signed by the Board of Selectmen and property owner and must be notarized and attested to by the Town Clerk. Copies must be provided to the Massachusetts Commissioner of Revenue, Massachusetts department of Environmental Protection, United States Environmental Protection Agency, Board of Assessors and the property owner.

Section 4. Approval of Agreements

All agreements must be approved by a majority vote of the Board of Selectmen.

or take any other action thereon.

Article 29: We recommend the Town so vote. (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

Town Manager's Statement – This bylaw would authorize the Town Manager to negotiate agreements with new, innocent purchasers of contaminated land to encourage redevelopment of brownfield properties. All agreements would be reviewed and approved by the Board of Selectmen.

ARTICLE 30. Zoning Bylaw Industrial D (ID) Overlay District Amendment (Planning Board)

To see whether the Town will vote to amend the Zoning Bylaws and Zoning Map of the Town Westborough to create a new **Industrial D (ID) Overlay District** as described below and provided certain criteria are satisfied, in accordance with the following amended sections of the Bylaw:

To amend Article 1, Administration and Procedure, Section 1300 by amending Footnote (1) to add a new designation ID. The new Footnote (1) shall read as follows:

(1) Except that a Highway Business District BA, BA (f) and **ID**, Special Permits and Appeals shall be heard by the Planning Board unless stated elsewhere in the Zoning Bylaws.

To amend Article 2, District Regulations, Section 2300, Use Regulation Schedule by creating a new category “**Industrial D (ID)**” to read as follows: (see Use Regulation Schedule below).

And by amending Article 2, District Regulations, Subsection 2620, by adding a new District (**ID**) as follows:

2620: Non-Residential building in Non-Residential Districts (BA, BB, IA, IB, DPOD, IC, **ID** and G2): (See 2610 for residential buildings).

The final Section 2620 shall read as follows:

	DISTRICT					
	BA(f)	BB	G2(f)	IA,IB	ID(j)	DPOD(g)
Minimum lot area (sf):	15,000	10,000	15,000	15,000	15,000	10,000
Minimum lot frontage (ft) (a):	125	100	125	125	125	100
Minimum lot front yard (ft) (a,b,c,e):	25	25	25	25	25	10
Minimum side yard (ft) (d):	25	0	25	25	25	0
Minimum rear yard (ft) (d):	25	0	25	25	25	0
Maximum building height (ft):	60	35	45	60	95	60
Maximum building stories:	4	2 ½	2 ½	4	6	4
Maximum lot coverage (%):	40	100	40	40	60	--(h)
Min. distance between edge of curb cut & nearest side lot line or corner (ft):	20	--	20	--	----	--(h)
Minimum open space (%):	60	--	60	60	40	--(h)
Max. square foot floor area	---	---	(i)	---	----	---

And by adding a new footnote (**j**) to read as follows:

(j) The Industrial D District (ID) is an overlay district. The maximum dimensional schedule shall be allowed only by Special Permit by the Planning Board. Otherwise, the underlying requirements of the Industrial B District (IB) are applicable.

And by creating a new Section **5400** under Article 4, Special Regulations as follows:

5400. INDUSTRIAL D (ID) OVERLAY DISTRICT.

5410. Purpose. The Industrial D (ID) Overlay District encompasses the majority of land fronting on Route 9 lying east of Connector Road including, Flanders Road (east of Connector Road), Old Flanders Road, Fruit Street, Gilmore Road, Washington Street, Friberg Parkway, West Park Drive, Computer Drive, and Technology Drive. This area is highlighted by a series of industrial and office parks and individual general industrial uses encompassed by the General Industrial (IB) District. The purpose of the ID Overlay District is to allow increased land use intensity through increased dimensional standards more permissive than those provided by the underlying IB District.

5420. Scope and Authority. The Industrial D (ID) Special Permit is an optional increase in use through expanded dimensional standards, and does not replace, but rather supplements, the uses allowed in the IB district. The Planning Board shall be the Special Permit Granting Authority for any project submitted in accordance with this Section and shall have the authority to approve a project upon grant of a Special Permit in accordance with Section 1300, Site Plan Review in accordance with Section 1240 and further upon a finding that the intent of Sections 1100 and 5400 have been met. This authority continues subsequent to occupancy.

5430. Establishment of District. The Industrial D (ID) Overlay District Special Permit applies to all property within the Industrial D Overlay (ID) zoning district as an optional, alternate form of development where certain criteria specified within this Section 5400 can be satisfied.
5440. Permitted Uses. Uses shall be permitted as indicated in Section 2300 Use Schedule under the column ID, in accordance with this Section 5400.
5450. Rules and Regulations. The Planning Board may from time to time establish Rules and Regulations governing Special Permits under this section. The Planning Board shall require a filing fee as a part of the Special Permit application, the amount of which shall be established by the Planning Board.
5451. Public Hearing and Approval. The Planning Board shall hold a public hearing on any proposal alleging compliance with Section 5450 in accordance with the public hearing and notice requirements of Massachusetts General Laws c. 40A §9 and §11. In considering the grant of a Special Permit for the application, the Planning Board shall make a finding that the provisions of this Section 5400 are satisfied.
5452. Findings. The Planning Board shall specifically consider the following in determining whether the development will contribute to the orderly and harmonious development of the ID Overlay and underlying IB district.
- 5452.1 Project design maximizes the opportunities for walking and bicycling
- 5452.2 Project incorporates best practices in energy efficient design, environmental protection, stormwater management, LEED (Leadership in Energy and Environmental Design) criteria and low impact development (LID) techniques wherever practicable.
- 5452.3 Existing mature vegetation is retained wherever possible, including winding of sidewalks and creative siting of structures.
- 5452.4 Landscape materials used as buffers are native, non-invasive, hardy for New England weather conditions and disease resistant.
- 5452.5 A mix of trees, shrubs, and perennial or annual flower beds are integrated as appropriate to the proposed use of the site.
5460. Special Permit Requirements.
5461. Application for any use requiring a Special Permit: the applicant shall submit the number of copies of the application and plans in such form as the Planning Board may require by its Rules and Regulations. In addition, the following shall be provided
- 5461.1 Application Form and Fee.
- 5461.2 Development Statement. A development statement shall consist of a petition, a list of the parties in interest with respect to the land, a list of the development team and a written statement describing the major aspects of the proposed development.
- 5461.3 Development Plans shall bear the seal of a Massachusetts Registered Architect, Registered Civil Engineer or similar professional as appropriate. One set of reduced size plans shall be submitted measuring 11 x 17 inches. The following plans shall be submitted, unless waived by the Planning Board.
- (a) Site plans and specifications showing all site improvements and circulation.
- (b) Site perspective, sections, and elevations at a scale of 1/8 inch = 1 foot.
- (c) Detailed plans illustrating connection to public or private utilities and surface drainage; and

(d) Detailed landscaping plans.

5461.4 Additional information as the Board may determine necessary to evaluate the proposal.

5462. Parking. Parking shall be provided in accordance with Section 3100 and bicycle parking shall be provided in close proximity to structures where determined by the Planning Board. The Planning Board shall have the authority to waive parking requirements to allow a lower or higher number of spaces as it deems appropriate to support the permitted use(s) and/or the opportunity for shared parking. Parking structures and surface parking lots shall be appropriately landscaped to promote pedestrian flow within and between the various uses on the site and ways;

or to take any other action thereon.

2300. USE REGULATION SCHEDULE															
DISTRICT															
	C	R	AA AB	BA	G2	BB	IA	IB	IC	ID	M	AE	M- 1	DPOD	All Other
RESIDENTIAL USES: (1)															
Single Family Dwelling:	N	Y	Y	SP	Y	Y	N	Y	Y	Y	N	SP	N	SP	Y
Two-Family Dwelling:	N	S	Y	SP	SP	Y	N	Y	Y	Y	N	SP	N	SP	S
Conversion of existing structure to more than two-family dwellings:	N	N	S	SP	SP	S	N	S	SP	S	N	SP	N	SP	N
Boardinghouse:	N	S	S	SP	SP	S	N	S	SP	S	N	SP	N	SP	N
Multi-family dwelling (See Section 4200)	N	N	Y	SP(5)	SP	N	N	N	N	N	N	N	N	SP	N
Open Space Communities (Section 4300)	N	SP	N	N	N	N	N	N	N	N	N	N	N	SP	N
Mobile Home:	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Campground, mobile home park:	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Mixed Use Residential/Commercial with Industrial Components (See Section 5000)	N	N	N	N	N	N	N	N	SP	N	N	N	N	N	N
OPEN USES:															
Farm: With pigs, animals raised for pelts: (2)	N	N	S	SP	SP	S	N	S	S	S	N	SP	N	N	N
Other (4):															
Nursery, greenhouses (commercial):	S	N	Y	SP	SP	Y	N	Y	Y	Y	N	SP	N	SP	N
Supervised camping:	S	N	N	SP	SP	Y	N	S	S	S	N	SP	N	N	N
Cemetery:	N	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	N	N	Y
Drive-in theater, amusement park, race track or similar commercial outdoor recreation: (3)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Outdoor recreation other than the above operated by a governmental agency:	S	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	N	Y	Y
Other (4):															
Sale of Christmas trees:	S	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	N	Y	Y

(1) Animal keeping may be subject to permit from Board of Health.

(2) But no animals kept closer than 500 feet to any lot line.

(3) Temporary carnival sponsored by a non-profit organization permitted upon approval by the Board of Selectmen.

(4) As determined by the Zoning Enforcement Officer.

(5) Multi-family dwellings are allowed in the Highway Business (BA) District upon grant of a Special Permit by the Planning Board in accordance with Section 5200.

2300. USE REGULATION SCHEDULE															
DISTRICT															
	C	R	AA AB	BA	G2	BB	IA	IB	IC	ID	M	AE	M- 1	DPOD	All Other
INSTITUTIONAL USES:															
Religious , sectarian, denominational; or public educational uses, religious purposes:	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Other educational uses: (3)	S	N	N	Y	Y	S	N	S	S	S	Y	Y	Y	SP	N
Municipal use voted at Town Meeting (not more specifically cited in Section 2300):	S	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Hospital, sanitarium, convalescent, nursing or rest home, congregate housing:	N	S	Y	SP	SP	S	N	S	Y	S	Y	SP	Y	SP	S
Patriotic, fraternal or social clubs, if not conducted for profit; other philanthropic institution or club:	N	N	S	SP	SP	S	N	S	S	S	Y	SP	Y	SP	N
COMMERCIAL USES:															
Motor vehicle service station (See Section 3300):	N	N	N	S(1)	N	S(1)	N	S(1)	S	S(1)	N	S(1)	N	N	N
Animal kennel or hospital as Licensed under Chapter 140, Section 137a. General Laws:	N	N	S	SP	SP	Y	N	Y	N	Y	N	SP	N	N	N
Indoor recreation:	N	N	N	SP	SP	Y	N	Y	SP	Y	N	SP	N	SP	N
Banks, office space:	N	N	N	SP	SP(4)	Y	Y	Y	SP	Y	N	SP	N	SP	N
Restaurants:	N	N	N	SP	N	Y(2)	N	Y(2)	SP	Y(2)	N	SP	N	SP	N
Hotel, motel, motor court:	N	N	N	SP	SP	Y	N	Y	SP	Y	N	SP	N	SP	N
Other retail sales & services:	N	N	N	SP	SP(5)	Y	N	Y	SP	Y	N	SP	N	SP	N
Display & sale of natural products, a portion of which are raised by the proprietor in Westborough.	N	S	S	Y	Y	Y	Y	Y	SP	Y	N	Y	N	SP	S

- (1) Special Permits to be issued by Board of Selectmen rather than Board of Appeals.
- (2) Except "S", if food is to be consumed on premises outside of a building, or to be sold packaged for take-out is incidental to service for on-premises consumption.
- (3) Shall not apply to land or structures for religious or educational purposes on land owned or leased by Commonwealth or any of its agencies subdivisions or bodies, politic or by a religious sect of denomination or by a non-profit educational corporation.
- (4) Small professional offices in residential style structure limited to a maximum of 4,000 square feet of gross floor area.
- (5) Limited to a maximum of 5,000 square feet of gross floor area.

2300. USE REGULATION SCHEDULE															
DISTRICT															
	C	R	AA AB	BA	G2	BB	IA	IB	IC	ID	M	AE	M- 1	DPOD	All Other
INDUSTRIAL UTILITY USES:															
Airport, heliport:	N	N	N	N	N	N	S	S	S	S	N	N	N	N	N
Public utility with outside equipment or storage:	S	N	N	Y	Y	Y	Y	Y	Y	Y	N	Y	N	N	N
With none of above:	S	S	S	Y	Y	Y	Y	Y	Y	Y	N	Y	N	SP	S
Earth Removal (See Section 4100) (1):	S	S	S	S	S	S	S	S	SP	S	N	S	N	SP	S
Trucking terminal, bulk storage, Contractor's yard:	N	N	N	N	N	N	Y	Y	SP	Y	N	N	N	Y	N
Manufacturing, Processing and Warehouse:	N	N	N	SP	N	N	Y	Y	Y	Y	N	SP	N	N	N
ADULT ENTERTAINMENT USES:	N	N	N	SP	N	N	N	N	N	N	N	SP	N	N	N
OTHER PRINCIPAL USES:															
Other use having externally observable attributes similar to one of the above:	-- as regulated above --														
All other uses:	N	N	N	N	N	N	N	N	N	N	--	N	N	N	N
ACCESSORY USES:															
Home occupations:	N	Y	Y	Y	S	Y	S	Y	Y	Y	N	Y	N	SP	Y
Customary accessory uses & structures (See Section 4400):	Shall incur the same regulations as the principal use listed in this Section.														
Agriculture, Horticulture or Floriculture:	Insofar as it can be established that the primary purpose of the use the land falls within the above mentioned categories, the regulations herein shall not apply, if same is deemed unreasonable, nor shall such use require a Special Permit. Expansion or reconstruction of existing structures upland primarily being used for agriculture, horticulture or floriculture, shall not be prohibited or unreasonably regulated except that all such activities may be limited to parcels of more than five (5) acres of areas not zoned for agriculture, horticulture, or floriculture. Land divided by a public or private way or a waterway shall be construed as one parcel.														

(1) Special Permits to be issued by Planning rather than the Board of Appeals

Article 30: We recommend the Town so vote. (6-0-0)

To aid in your review of Articles 30 – 33, the following key explains the letter designations, which are further explained in Sections 2100 and 2300 of the Town's Zoning Bylaws:

R	Residential
AA	Garden Apartments
AB	High Rise Apartments
BA	Highway Business (Route 9)
BB	Downtown Business
G2	Gateway 2 (Water Street to Lyman Street)
IA	Exclusive Industrial (manufacturing, agriculture, recreation)
IB	General Industrial (retail sales and service, office, restaurant)
IC	Mixed Use Industrial (Transit-Oriented Village)
ID	(Proposed Article) - Same as IB with 6 stories and 40% open space
C	Conservation
M	State Owned Property
M-1	Town Owned property

AE Adult Entertainment
DPOD Downtown Planning Overlay District (Downtown Mixed Uses i.e. Bay State Commons)

The Board of Selectmen had not voted on this Article as of the date of publication.
 The Planning Board voted to support this Article.

Town Manager’s Statement – This article was proposed by the Town’s Economic Development Committee to address concerns related to the current open space and height provisions of the Town’s Zoning Bylaws. This bylaw would create a new overlay district (Industrial D) which would be located in the eastern part of Route 9 near I-495 and would allow, by special permit, 6 story structures and reduce the open space requirement to 40%.

ARTICLE 31. Senior Housing Overlay District – (Planning Board)

To see if the Town will vote to amend the Zoning Bylaws of the Town of Westborough by amending Article 1, Administration and Procedure, Section 1300 by amending Footnote (1) to add a new designation **SLO**. The new Footnote (1) shall read as follows:

- (1) Except that a Highway Business District BA, BA (f) and **SLO**, Special Permits and Appeals shall be heard by the Planning Board unless stated elsewhere in the Zoning Bylaws.

And by creating a new District under Article 2, District Regulations; Subsection 2110 entitled **Senior Housing Overlay district (SLO)** and, by adding a new footnote (7) in this subsection as follows:

- (7) In accordance with Section 5300, Special Permits for the Senior Housing Overlay district shall be issued by the Planning Board.

And by amending Article 2, District Regulations, by amending Section 2300, Use Regulation Schedule by adding a new use category “Senior Living Overlay” to read as follows:

Senior Living Overlay (see Section 5300) (6)	N	SP	SP	N	SP	SP	SP	SP	N	N	N	N	SP	SP
--	---	----	----	---	----	----	----	----	---	---	---	---	----	----

And by adding a new footnote (6) for this section as follows:

- (6) In accordance with the requirements and restrictions of Section 5300.

And by amending Article 2, District Regulations, by amending Section 2600, Dimensional Schedule by revising Section 2610 so that it reads as follows:

2610. All buildings in Residential and Conservation Districts (R, AA, AB, C), and Residential buildings in Other Districts, and Senior Housing in the Senior Living Overlay, shall comply with the following dimensional regulations.

And by adding a new use category column “**Senior Living Overlay** with the following dimensional requirements:

Min. lot area: **2 acres**
 Min. lot frontage: **(n)**
 Min. front yard – **25 feet (n)**

Min. side yard – **25 feet (n) (o)**
Min. rear yard – **25 feet (n) (o)**

Min. bldg. separation on same lot: ---

Max. bldg. height – **45 feet**

Max. bldg. stories: **3**

Max. Lot coverage (%): ---

Min. open space per d.u. ---

Min. habitable floor area
per d.u. **600 feet**

Min. Lot width: ---

Min. open space (%): **(n)**

Max. lots permitted on

a common driveway: **(5 for independent living, no requirement otherwise, or PB determines via special permit...)**

Min. number of affordable units (%)..... 20% (p)

And by amending footnote (d) to insert after the current text, the following:

“Footnote **(d)** shall not apply in the Senior Living Overlay”.

And by adding new footnotes for this section as follows:

(n) For these yard requirements, in all residential districts, SLO shall be required to conform to Section 2610 of this Bylaw. SLO uses in all non-residential districts shall be required to conform to Section 2620. Except, where abutting a residential district it shall conform to Section 2610.

(o) Except 50 feet if adjacent to residentially zoned land. In the G2 District, a fifty (50) foot buffer strip shall be maintained where abutting a residential district, forty (40) feet of this to remain undisturbed, except for the planting of additional natural vegetative screening.

(p) The minimum of 20% of the units that are to be designated affordable must comply with the requirements of the Massachusetts Department of Housing and Community Development or a successor agency. Such units shall have deed restrictions regarding affordability which will continue in perpetuity and will allow the units to “count” as State recognized affordable units. All such affordable units shall be priced at levels affordable to individuals or families earning no more than 80% of Area Median Income (AMI) as published by the State/US Department of Housing and Urban Development (HUD).

And further, by creating a new Section 5300 as follows:

5300. SENIOR LIVING OVERLAY

5310. Purpose. The purpose of the Senior Living Overlay (SLO) is to provide the opportunity to diversify the Town of Westborough’s housing stock by specifically addressing the needs of its aging population and, to provide an additional level of affordability for these housing units which meet the official Massachusetts definition of affordability.

5320. Scope and Authority. The Senior Living Overlay provides for optional additional uses and does not replace, but rather supplements, the uses allowed in the designated overlay areas by grant of a Special Permit. The Planning Board shall be the Special Permit Granting Authority (SPGA) for any project submitted in accordance with this Section and shall have the authority to approve a project upon grant of a Special Permit in accordance with Section 1330, Site Plan Review in accordance with Section 1240 and further upon a finding that the intent of Sections 1100 (Purpose) and 5300 have been met.

The Planning Board may modify the density, parking and open space requirements of this Section or Section 2610 or 2620, where applicable, if, in its opinion, such change will result in a more desirable design of the development than could

otherwise be developed without variation of the dimensional or parking requirement. This authority continues subsequent to occupancy. This bylaw does not specifically set density standards; however, it is expected that each site, housing type and project design will influence the appropriate number of residential units for any particular site. The density of units allowed shall be appropriate to the zone, neighborhood and development capacity of the site.

5330. Applicability. The Senior Living Overlay applies to all property within the Senior Living Overlay district as an optional, alternate form of development where certain criteria specified within this Section 5300 can be satisfied.

5340. Establishment of District. The Senior Living Overlay district shall include all property located within five thousand (5,000) feet of the intersection of the centerlines of Milk, Main, Brigham and South Streets, except that the district shall extend to six thousand five hundred (6,500) feet along East Main Street, provided that the land has frontage located within the SLO on one of said streets and further complies with the dimensional standards of section 5360. The provisions of Section 2140 (split lots) shall not apply. The SLO shall not apply to any parcel of land located within a Highway Business (BA) district.

5350. Permitted Uses. Independent Senior Housing, Senior Living Facility, and Continuing Care Retirement Communities shall be permitted in accordance with this Section 5300. In addition, accessory uses typically associated with these uses may be permitted by the Board, upon a finding that the accessory use is appropriate to the proposed development and not more detrimental to the neighborhood than the senior living use without such accessory uses.

5360. Dimensional Requirements

All minimum standards in the Senior Housing Overlay district (SLO) shall be consistent with those requirements of the applicable underlying district found in Section 2610 or 2620.

5370. Rules and Regulations. The Planning Board may from time to time establish Rules and Regulations governing Special Permits under this section. The Planning Board shall require a filing fee as a part of the Special Permit application, the amount of which shall be established by the Planning Board.

5371. Public Hearing and Approval. The Planning Board shall hold a public hearing on any proposal alleging compliance with Section 5300 in accordance with the public hearing and notice requirements of Massachusetts General Laws c. 40A §9 and §11. In considering the grant of a Special Permit for the application, the Planning Board shall make a finding that the provisions of this Section 5300 are satisfied.

5372. Findings. The Planning Board shall specifically consider whether the development will contribute to the orderly and harmonious development of the neighborhood and the Town that is consistent with the character of the neighborhood and satisfies community demand for the proposed uses, while responding to the performance standards of Section 5390.

The Planning Board shall make findings related to the Town's current goals for the proposed type of senior housing. These findings might include, but are not limited to the following:

- Compatibility with the surrounding neighborhood;
- Consistency with any current planning documents or studies;
- Ability for public infrastructure such as water, roads, drainage or sewer system or any other municipal system to support the proposed development without causing impacts that would adversely affect health, safety or the general welfare;
- Appropriate design and layout of streets and driveways;
- Appropriate project mitigation or enhancement of services typically associated with senior housing. This mitigation may be provided on site, or at the SPGA's discretion be in the form of a contribution elsewhere in Town. Strong preference is given to mitigation providing public access and /or that is integrated with other Town services;
- Appropriateness of building architecture, orientation and site design;
- Incorporation of energy efficient and environmentally friendly design criteria;

- Incorporation of pedestrian amenities, appropriate accessory uses, and integration of community benefits (for larger projects);
- Preservation of open space, existing vegetation, natural, historical or archeologically significant features or resources.

5380. Special Permit Requirements.

5381. Permit Application

For any use requiring a Special Permit, the applicant shall submit the number of copies of the application and plans in such form as the Planning Board may require by its Rules and Regulations. In addition, the following shall be provided:

- 5381.1 Application Form and Fee.
- 5381.2 Development Statement.
- 5381.3 Development Plans.
- 5381.4 Additional information as the Board may determine necessary to evaluate the proposal.

5382. Decisions

- 5382.1. The findings, including the basis of such findings, of the SPGA shall be stated in the written decision of approval, conditional approval, or denial of the application for Special Permit, and shall require a super-majority vote for approval.
- 5382.2. The SPGA may also require, in addition to any applicable conditions specified in this Bylaw, such conditions as it finds reasonably appropriate to safeguard the neighborhood, or otherwise serve the purposes of this Bylaw, including, but not limited to the following: front, side, or rear yards greater than the minimum required by this Bylaw; screening buffers or planting strips, fences, or walls, modification of the architectural design and exterior appearance of the structures; lighting, regulation of the number and location of driveways, or other traffic features; off-street parking or loading or any other special features beyond the minimum required by this bylaw.
- 5382.3. The SPGA shall specifically require project mitigation and/or enhancement of services, including possible integration with other Town services, as appropriate for the type and scale of development proposed.
- 5382.4. Such conditions shall be provided in writing, and the applicant may be required to post a performance guaranty for compliance with said conditions in an amount satisfactory to the SPGA.
- 5382.5. The Special Permit is granted for a period of two years and shall lapse if substantial use or construction has not commenced by such date, except for good cause shown as determined by the SPGA. Once construction has begun, it shall be actively and continuously pursued to completion within a reasonable time.

5383. Parking Requirements

Parking shall be provided in accordance with Section 3100 except as modified or amended by the following:

- Independent senior housing: one and one-half (1.5) spaces per dwelling unit.
- Assisted living: one-half (0.5) space per bedroom unit plus the number of employees expected on the premises at the peak hour of operation.
- Continuing Care Residence Community: 0.75 spaces per bedroom unit.
- Accessory Uses: As the board deems necessary taking into consideration Section 3100 and the potential for shared parking with other proposed uses on site.

Parking structures and surface parking lots shall be appropriately designed and landscaped to promote pedestrian flow within and between the various uses on the site and public ways.

5390. Performance Standards

Projects in the Downtown Business district (BB) shall require a positive recommendation of the Design Review Board in accordance with Section 1245. Projects in the SLO, but outside of the Downtown Business district shall comply with subsections 1245. D. 2-5.

Subdivision Rules & Regulations shall be used as a guideline; however, the Board may waive any of these standards based on a persuasive argument by the applicant that such compliance does not serve the best interests of the project or the public good.

In addition to other minimum requirements stated elsewhere in this bylaw, the following improvements, performance standards and/or conditions are required (insofar as they are applicable to the proposal) to support a grant of a Special Permit in the SLO.

- Natural resources are preserved or improved and cutting of mature and specimen trees is avoided wherever feasible.
- Landscaping and vegetated buffer strips are appropriate for the neighborhood.
- Soil removal is minimized and cuts and fills are balanced to the maximum extent reasonable.
- Pedestrian walks, patios and other amenities support intra- and inter-site access and gathering places for residents.
- Roads and driveways maximize the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent ways.
- Architectural details are varied to avoid monotonous or repetitive styles.
- Architectural style shall be in harmony with the prevailing character and scale of buildings in the neighborhood and the Town through the use of appropriate building materials, screening, breaks in roof and wall lines and other architectural techniques.
- Shade trees are provided along internal roadways and pedestrian walks.
- Site lighting is designed to avoid unnecessary glare to abutting properties or the sky. Reflectors and shields provide total cut-off of light at the property boundaries.
- US Green Building Council Leadership in Energy and Environmental Design (LEED) criteria shall be incorporated into project buildings and site design.
- Stormwater Management incorporates Low Impact Design (LID) wherever feasible and appropriate for the context.
- Utilities shall be located underground.

And by amending **ARTICLE 5 DEFINITIONS** to insert the following **new definitions**:

INDEPENDENT SENIOR HOUSING shall mean a building or series of buildings containing independent dwelling units intended to provide housing for persons not requiring health or other services, and designed and occupied by individuals or families in which at least one household member is 60 years of age or older.

SENIOR LIVING FACILITY shall mean an assisted living residence as defined by the Massachusetts Executive Office of Elder Affairs pursuant to M.G.L. c. 19D and which provides assistance with activities of daily living, such as assistance with bathing, dressing, eating, toileting and medication reminders and which provides room and board for three or more adult residents. Senior living facilities shall also include senior congregate housing that includes room and board, but without necessity for assistance with activities of daily living.

CONTINUING CARE RETIREMENT COMMUNITY (CCRC) shall mean a senior housing development that is planned, designed and operated to provide a full range of accommodations for older persons, including independent living, congregate care and assisted living facilities, and which shall also include a nursing home or skilled-care facility. Residents of a CCRC have the ability to move from one level of housing/care to another as their needs change.

DENSITY shall mean the number of dwelling units, households or housing structures per unit of land (minimum lot area as defined herein); or take any other action thereon.

2300. USE REGULATION SCHEDULE															
DISTRICT															
	C	R	AA AB	BA	G2	BB	IA	IB	IC	M	AE	M-1	All Othr	DPOD	
RESIDENTIAL USES: (1)															
Single Family Dwelling:	N	Y	Y	SP	Y	Y	N	Y	Y	N	SP	N	Y	SP	
Two-Family Dwelling:	N	S	Y	SP	SP	Y	N	Y	Y	N	SP	N	S	SP	
Conversion of existing structure to more than two-family dwellings:	N	N	S	SP	SP	S	N	S	SP	N	SP	N	N	SP	
Boardinghouse:	N	S	S	SP	SP	S	N	S	SP	N	SP	N	S	SP	
Multi-family dwelling (See Section 4200):	N	N	Y	N	SP	N	N	N	N	N	N	N	N	SP	
Open Space Communities (See Section 4300):	N	SP	N	N	N	N	N	N	N	N	N	N	N	SP	
Mobile Home:	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Campground, mobile home park:	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Mixed Use Residential/Commercial with Industrial Components (See Section 5000)	N	N	N	N	N	N	N	N	SP	N	N	N	N	N	
Senior Living Overlay District (SLO) (See Section 5300)(6)	N	SP	SP	N	SP	SP	SP	SP	N	SP	N	SP	SP	SP	
OPEN USES:															
Farm: With pigs, animals raised for pelts: (2)	N	N	S	SP	SP	S	N	S	S	N	SP	N	N	N	
Other (4):															
Nursery, greenhouses (commercial):	S	N	Y	SP	SP	Y	N	Y	Y	N	SP	N	N	SP	
Supervised camping:	S	N	N	SP	SP	Y	N	S	S	N	SP	N	N	N	
Cemetery:	N	Y	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	N	
Drive-in theater, amusement park, race track or similar commercial outdoor recreation: (3)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Outdoor recreation other than the above operated by a governmental agency:	S	Y	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	Y	
Other (4):															
Sale of Christmas trees:	S	Y	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	Y	

(1) Animal keeping may be subject to permit from the Board of Health.

(2) But no animals kept closer than 500 feet to any lot line.

(3) Temporary carnival sponsored by a non-profit organization permitted upon approval by the Board of Selectmen.

(4) As determined by the Zoning Enforcement Officer.

(5) Multi-family dwellings are allowed in the Highway Business (BA) District upon grant of a Special Permit by the Planning Board in accordance with Section 5200.

(6) In accordance with the requirements and restrictions of Section 5300.

2300. USE REGULATION SCHEDULE														
DISTRICT														
	C	R	AA AB	BA	G2	BB	IA	IB	IC	M	AE	M-1	All Othr	DPOD
INSTITUTIONAL USES:														
Religious, sectarian, denominational; or public educational uses, religious purposes:	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Other educational uses: (3)	S	N	N	Y	Y	S	N	S	S	Y	Y	Y	N	SP
Municipal use voted at Town Meeting (not more specifically cited in Section 2300):	S	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Hospital, sanitarium, convalescent, nursing or rest home, congregate housing:	N	S	Y	SP	SP	S	N	S	Y	Y	SP	Y	S	SP
Patriotic, fraternal or social clubs, if not conducted for profit; other philanthropic institution or club:	N	N	S	SP	SP	S	N	S	S	Y	SP	Y	N	SP
COMMERCIAL USES:														
Motor vehicle service station (See Section 3300):	N	N	N	S(1)	N	S(1)	N	S(1)	S	N	S(1)	N	N	N
Animal kennel or hospital as Licensed under Chapter 140, Section 137a. General Laws:	N	N	S	SP	SP	Y	N	Y	N	N	SP	N	N	N
Indoor recreation:	N	N	N	SP	SP	Y	N	Y	SP	N	SP	N	N	SP
Banks, office space:	N	N	N	SP	SP(4)	Y	Y	Y	SP	N	SP	N	N	SP
Restaurants:	N	N	N	SP	N	Y(2)	N	Y(2)	SP	N	SP	N	N	SP
Hotel, motel, motor court:	N	N	N	SP	SP	Y	N	Y	SP	N	SP	N	N	SP
Other retail sales & services:	N	N	N	SP	SP(5)	Y	N	Y	SP	N	SP	N	N	SP
Display & sale of natural products, a portion of which are raised by the proprietor in Westborough:	N	S	S	Y	Y	Y	Y	Y	SP	N	Y	N	S	SP

- (1) Special Permits to be issued by Board of Selectmen rather than the Board of Appeals.
- (2) Except "S", if food is to be consumed on premises outside of a building, or to be sold packaged for take-out is incidental to service for on-premises consumption.
- (3) Shall not apply to land or structures for religious or educational purposes on land owned or leased by Commonwealth or any of its agencies subdivisions or bodies, politic or by a religious sect of denomination or by a non-profit educational corporation.
- (4) Small professional offices in residential style structure limited to a maximum of 4,000 square feet of gross floor area.
- (5) Limited to a maximum of 5,000 square feet of gross floor area.

2300. USE REGULATION SCHEDULE														
DISTRICT														
	C	R	AA AB	BA	G2	BB	IA	IB	IC	M	AE	M- 1	All Othr	DPOD
INDUSTRIAL UTILITY USES:														
Airport, heliport:	N	N	N	N	N	N	S	S	S	N	N	N	N	N
Public utility with outside equipment or storage:	S	N	N	Y	Y	Y	Y	Y	Y	N	Y	N	N	N
With none of above:	S	S	S	Y	Y	Y	Y	Y	Y	N	Y	N	S	SP
Earth Removal (See Section 4100) (1):	S	S	S	S	S	S	S	S	SP	N	S	N	S	SP
Trucking terminal, bulk storage, Contractor's yard:	N	N	N	N	N	N	Y	Y	SP	N	N	N	N	Y
Manufacturing, Processing and Warehouse:	N	N	N	SP	N	N	Y	Y	Y	N	SP	N	N	N
ADULT ENTERTAINMENT USES:	N	N	N	SP	N	N	N	N	N	N	SP	N	N	N
OTHER PRINCIPAL USES:														
Other use having externally observable attributes similar to one of above:	--- as regulated above ---													
All other uses:	N	N	N	N	N	N	N	N	N	---	N	N	N	N
ACCESSORY USES:														
Home occupations:	N	Y	Y	Y	S	Y	S	Y	Y	N	Y	N	Y	SP
Customary accessory uses & structures (See Section 4400):	Shall incur the same regulations as the principal use listed in this Section.													
Agriculture, Horticulture or Floriculture:	Insofar as it can be established that the primary purpose of the use the land falls within the above mentioned categories, the regulations herein shall not apply, if same is deemed unreasonable, nor shall such use require a Special Permit. Expansion or reconstruction of existing structures up land primarily being used for agriculture, horticulture or floriculture, shall not be prohibited or unreasonably regulated except that all such activities may be limited to parcels of more than five (5) acres in areas not zoned for agriculture, horticulture, or floriculture. Land divided by a public or private way or a waterway shall be construed as one parcel.													

(1) Special Permits to be issued by Planning Board rather than the Board of Appeals.

Article 31: We recommend the Town so vote (6-0-0)

The Board of Selectmen voted to support this Article. (4-0-0)

The Planning Board voted to support this Article.

ARTICLE 32. Mixed Used District Bylaw Amendment- (Planning Board)

To see if the Town will vote to amend the Town of Westborough Zoning Bylaws by amending Article 1, Administration and Procedure, Section 1300 by amending Footnote (1) to add a new designation **MUD**. The new Footnote (1) shall read as follows:

- (1) Except that a Highway Business District BA, BA (f) and **MUD**, Special Permits and Appeals shall be heard by the Planning Board unless stated elsewhere in the Zoning Bylaws.

And by amending Article 2, District Regulations, Section 2100, Establishment of Districts, subsection 2110 by adding a new Zoning District at the end of the subsection as follows:

“Mixed Use District..... MUD (8)”

and by adding a new footnote (8) for this section as follows:

“(8) In accordance with Section 5500 Special Permits for Mixed Use District”.

and by amending Section 2300, Use Regulation Schedule by adding a new District Column, **MUD** as shown on the following page:

2300. USE REGULATION SCHEDULE																
DISTRICT																
	C	R	AA AB	BA	G2	BB	IA	IB	1C	M	AE	M-1	All Othr	DPOD	MUD	
RESIDENTIAL USES: (1)																
Single Family Dwelling:	N	Y	Y	SP	Y	Y	N	Y	Y	N	SP	N	Y	SP	SP	
Two-Family Dwelling: Conversion of existing structure to more than two-family dwellings:	N	S	Y	SP	SP	Y	N	Y	Y	N	SP	N	S	SP	SP	
	N	N	S	SP	SP	S	N	S	SP	N	SP	N	N	SP	SP	
Boardinghouse:	N	S	S	SP	SP	S	N	S	SP	N	SP	N	S	SP	SP	
Multi-family dwelling (See Section 4200)	N	N	Y	SP (5)	SP	N	N	N	N	N	N	N	N	SP	SP	
Open Space Communities (See Section 4300)	N	SP	N	N	N	N	N	N	N	N	N	N	N	SP	SP	
Mobile Home:	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Campground, mobile home park:	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Mixed Use Residential/Commercial with Industrial Components (See Section 5000)	N	N	N	N	N	N	N	N	SP	N	N	N	N	N	N	
OPEN USES:																
Farm: With pigs, animals raised for pelts: (2)	N	N	S	SP	SP	S	N	S	S	N	SP	N	N	N	N	
Other: (4)																
Nursery, greenhouses (commercial):	S	N	Y	SP	SP	Y	N	Y	Y	N	SP	N	N	SP	SP	
Supervised camping:	S	N	N	SP	SP	Y	N	S	S	N	SP	N	N	N	N	
Cemetery:	N	Y	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	N	N	
Drive-in theater, amusement park, race track or similar commercial outdoor recreation: (3)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Outdoor recreation other than the above operated by a governmental agency:	S	Y	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	Y	Y	
Other: (4)																
Sale of Christmas Trees:	S	Y	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	Y	Y	

- (1) Animal keeping may be subject to permit from the Board of Health.
- (2) But no animals kept closer than 500 feet to any lot line.
- (3) Temporary carnival sponsored by a non-profit organization permitted upon approval by the Board of Selectmen.
- (4) As determined by the Zoning Enforcement Officer.
- (5) Multi-family dwellings are allowed in the Highway Business (BA) District upon grant of a Special Permit by the Planning Board in accordance with Section 5200.

2300. USE REGULATION SCHEDULE															
DISTRICT															
	C	R	AA AB	BA	G2	BB	IA	IB	1C	M	AE	M- 1	All Other	DPOD	MUD
INSTITUTIONAL USES:															
Religious, sectarian, denominational; or public educational uses, religious purposes:	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Other educational uses: (3)	S	N	N	Y	Y	S	N	S	S	Y	Y	Y	N	SP	SP
Municipal use voted at Town Meeting (not more specifically cited in Section 2300):	S	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Hospital, sanitarium, convalescent, nursing or rest home, congregate housing:	N	S	Y	SP	SP	S	N	S	Y	Y	SP	Y	S	SP	SP
Patriotic, fraternal or social clubs, if not conducted for profit; other philanthropic institution or club:	N	N	S	SP	SP	S	N	S	S	Y	SP	Y	N	SP	SP
COMMERCIAL USES:															
Motor vehicle service station (See Section 3300):	N	N	N	S(1)	N	S(1)	N	S(1)	S	N	S(1)	N	N	N	N
Animal kennel or hospital as Licensed under Chapter 140, Section 137a. General Laws:	N	N	S	SP	SP	Y	N	Y	N	N	SP	N	N	N	N
Indoor recreation:	N	N	N	SP	SP	Y	N	Y	SP	N	SP	N	N	SP	SP
Banks, office space:	N	N	N	SP	SP(4)	Y	Y	Y	SP	N	SP	N	N	SP	SP
Restaurants:	N	N	N	SP	N	Y(2)	N	Y(2)	SP	N	SP	N	N	SP	SP
Hotel, motel, motor court:	N	N	N	SP	SP	Y	N	Y	SP	N	SP	N	N	SP	SP
Other retail sales and services:	N	N	N	SP	SP(5)	Y	N	Y	SP	N	SP	N	N	SP	SP
Display & sale of natural products, a portion of which are raised by the proprietor in Westborough:	N	S	S	Y	Y	Y	Y	Y	SP	N	Y	N	S	SP	SP

- (1) Special Permits to be issued by Board of Selectmen rather than the Board of Appeals.
- (2) Except "S", if food is to be consumed on premises outside of a building, or to be sold packaged for take-out is incidental to service for on-premises consumption.
- (3) Shall not apply to land or structures for religious or educational purposes on land owned or leased by Commonwealth or any of its agencies subdivisions or bodies, politic or by a religious sect of denomination or by a non-profit educational corporation.
- (4) Small professional offices in residential style structure limited to a maximum of 4,000 square feet of gross floor area.
- (5) Limited to a maximum of 5,000 square feet of gross floor area

2300. USE REGULATION SCHEDULE																
DISTRICT																
	C	R	AA AB	BA	G2	BB	IA	IB	1C	M	AE	M-1	All Other	DPOD	MUD	
INDUSTRIAL USES:																
Airport, heliport:	N	N	N	N	N	N	S	S	S	N	N	N	N	N	N	N
Public utility with outside equipment or storage:	S	N	N	Y	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N
With none of above:	S	S	S	Y	Y	Y	Y	Y	Y	N	Y	N	S	SP	SP	SP
Earth Removal (See Section 4100) (1):	S	S	S	S	S	S	S	S	SP	N	S	N	S	SP	SP	SP
Trucking terminal, bulk storage, Contractor’s yard:	N	N	N	N	N	N	Y	Y	SP	N	N	N	N	SP	SP	SP
Manufacturing, Processing and Warehouse:	N	N	N	SP	N	N	Y	Y	Y	N	SP	N	N	N	N	N
ADULT ENTERTAINMENT USES:	N	N	N	SP	N	N	N	N	N	N	SP	N	N	N	N	N
OTHER PRINCIPAL USES:																
Other use having externally observable attributes similar to one of above:	---as regulated above ---															
All other uses:	N	N	N	N	N	N	N	N	N	--	N	N	N	N	N	N
ACCESSORY USES:																
Home occupations:	N	Y	Y	Y	S	Y	S	Y	Y	N	Y	N	Y	SP	SP	SP
Customary accessory uses & structures (See Section 4400):	Shall incur the same regulations as the principal use listed in this Section.															
Agriculture, Horticulture or Floriculture:	Insofar as it can be established that the primary purpose of the use the land falls within the above mentioned categories, the regulations herein shall not apply, if same is deemed unreasonable, nor shall such use require a Special Permit. Expansion or reconstruction of existing structures up land primarily being used for agriculture, horticulture or floriculture, shall not be prohibited or unreasonably regulated except that all such activities may be limited to parcels of more than five (5) acres in areas not zoned for agriculture, horticulture, or floriculture. Land divided by a public or private way or a waterway shall be construed as one parcel.															

(1) Special Permits to be issued by Planning Board rather than Board of Appeals.

and by amending Section 2620 Non-Residential Buildings in Non-Residential Districts (BA, BB, IA, IB) by adding a new District Column **MUD** as shown below.

DISTRICT						
	BA	BA (f) BB	IA	IB	DPOD(g)	MUD(g)
Min. lot area (sf):	30,000	15,000	10,000	15,000	10,000	10,000
Min. lot frontage (ft) (a):	250	125	100	125	100	100
Min. lot front yard (ft) (a,b,c,e):	50	25	25	25	10	(i) 25
Min. side yard (ft) (d):	25	25	0	25	0	(i) 15
Min. rear yard (ft) (d):	50	25	0	25	0	(i) 25
Max. bldg. height (ft):	45	45	35	60	60	60
Max. bldg. stories:	3	2 ½	2 ½	4	4	4
Max. lot coverage (%):	20	40	100	40	--(h)	--(h)
Min. distance between edge of curb cut & nearest side lot line or corner (ft):	80	20	--	--	--(h)	--(h)
Min. open space (%):	60	60	--	60	--(h)	--(h)

- (a) Corner and through lots shall observe frontage and front yard requirements for each portion of a lot that adjoins a public way.
- (b) Increase to 75 feet abutting Turnpike Road.
- (c) But not less than 50 feet measured from the street centerline.
- (d) (1) Decrease to zero (0) feet where abutting a railroad right-of-way.
(2) A one hundred (100) foot buffer strip shall be maintained where abutting a Residential District; seventy-five (75) feet of this to remain undisturbed, except for the planting of additional natural vegetative screening.
- (e) No building need provide a yard greater than that existing on any abutting parcel on the same street.
- (f) With Special Permit issued by the Special Permit Granting Authority.
- (g) With Special Permit issued by the Special Permit Granting Authority.
- (h) Determined by the sole discretion of the Special Permit Granting Authority during Special Permit process.
- (i) Decrease to zero (0) feet with Special Permit for non-residential or mixed uses.

and by creating a new **Section 5500 in Article 4, Special Regulations** as follows:

5500. MIXED USE DISTRICT (MUD)

5510. Purpose. The intent of this Mixed Use District, which hereafter may be referred to as MUD, is to permit greater flexibility and more creative and imaginative design for the development of retail, office, restaurant, residential and open space than is generally possible under conventional zoning provisions. It is further intended to promote and facilitate redevelopment of certain portions of the former Westborough State Hospital and other State owned properties while providing a harmonious variety of uses, a higher level of amenities, a stimulus to the economic development of the community and vitality to the district.

5520. Scope and Authority. This Mixed Use District shall apply to all new construction, reconstruction or expansion of existing buildings and new or expanded uses. Any activities or uses permitted in the District shall be permitted, subject to the provisions of this District, unless expressly prohibited. New uses shall only be permitted through the granting a Special Permit from the Planning Board.

5530. Establishment and Delineation of Mixed Use District. For the purposes of this District, there is hereby established a Mixed Use District area as shown on the Westborough Zoning Map.

5531. Mixed Use Zoning Map. The boundaries of properties within the Mixed Use District shall be delineated on a Zoning Map approved at Town Meeting.

5540. Permitted Uses. In any Mixed Use development, no building or other structure shall be erected, altered or used and no land shall be used or occupied for any purpose except under a Special Permit issued by the Planning Board in accordance with the provisions and requirements of this Section and the rules and regulations of the Planning Board.

5550. Rules and Regulations. The Planning Board shall establish, after a Public Hearing, Rules and Regulations concerning the procedure for and content of an application for new building use or change of use in the Mixed Use District. The Planning Board shall require a filing fee as part of the application, the amount of which shall be prescribed in the Mixed Use District Rules and Regulations. The MUD Rules and Regulations shall be effective on the date the Planning Board files them with the Town Clerk.

5551. Public Hearing and Approval. A public hearing shall be required on any Mixed Use District Building or Change of Use before any final action can be taken by the Planning Board on the application. The timing of and form of notice of the hearing shall be as prescribed in Massachusetts General Laws, c. 40A, §11 for Special Permits. After the Public Hearing, the Planning Board shall consider the development for a Special Permit. In its consideration the Planning Board shall determine whether the application meets the purpose of Section 1100, and of the Mixed Use District regulations. The Planning Board shall specifically determine whether the development will contribute to the orderly and harmonious development of the Mixed Use District Area and is consistent with the character of the neighborhood. The Board may recommend that the applicant modify, alter, adjust or amend the proposed development and may recommend such reasonable additional conditions as the Planning Board deems necessary.

5552. Density Requirements. Within the Mixed Use District, building lots shall be established by the applicants subject to approval of the Planning Board.

5553. Multiple Buildings. Notwithstanding §2540 of this Bylaw, multiple buildings may be allowed on a lot in a Mixed Use Project by Special Permit issued by the Planning Board.

5554. Signage. Notwithstanding Section 3300 of this Bylaw, multiple signs may be allowed on a lot or building in a Mixed Use Project by Special Permit issued by the Planning Board. The number, size and locations of signs shall be based on the nature, size, architecture and location of each building or portion thereof.

5560. Site Plan Approval of a Mixed Use District. A Mixed Use District Development, as herein permitted, shall be made only pursuant to a Site Plan Submission. Within a MUD, the Board of Selectmen shall approve the Site Plan. All requirements as outlined in the Westborough Zoning Bylaws, Sections 1240 through 1245, shall apply. The Site Plan Submission documentation shall be appropriate to the proposed project to show and convey the level of detail required for review by the Board of Selectmen and shall show at a minimum:

1. Topography and grades both existing and proposed for the site and its relation to surrounding areas.
2. Proposed plan and cross sections of all street systems and pedestrian walkways and their relationship to the overall project.
3. Proposed preliminary layout and routing of storm and sanitary sewer systems, water supply, fire protection and power and communications services.
4. Proposed lot(s), their layout and areas.
5. Proposed areas of the site reserved for parks, parkways, playgrounds and other private or public open spaces and their location, use, areas and access.
6. Proposed location of all buildings, their proposed use, size and height and related parking facilities.
7. Tabulation of the total number of acres in the proposed project and, if applicable, the percentage thereof designated for each proposed building and use and related off-street parking, streets, parks and other uses.
8. Tabulation of all buildings and uses and the over-all and per lot, coverage and density (Floor Area Ratio).
9. Preliminary plans and elevations of the major buildings, their use, location and floor areas.
10. Environmental issues and mitigation measures if any.
11. Any other items that may be required by the Board of Selectmen.

or take any other action thereon.

Article 32: We recommend the Town so vote. (5-1-0)

The Board of Selectmen had not voted on this Article as of the day of printing.

The Planning Board voted to support this Article.

ARTICLE 33. Request for an Additional License for the Sale of All Alcoholic Beverages Not To Be Drunk on the Premises (Package Store License – Citizens’ Petition)

To see if the Town will vote to authorize the Board of Selectmen to petition the legislature for one (1) additional license for the sale of all alcoholic beverages not to be drunk on the premises substantially as follows:

Notwithstanding Section 17 of Chapter 138 of the General Laws, the licensing authority of the Town of Westborough may grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises under Section 15 of said Chapter 138 to Sunshine Convenience Food Store, Inc., located at 65 East Main Street, Westborough, MA. The license shall be subject to all of said Chapter 138 except said Section 17. The applicant holds a Wine and Malt license which shall be surrendered upon licensing authority approval of the Package Store license.

The licensing authority shall not approve the transfer of the license to any other location. The license may be reissued by the licensing authority to a new applicant at the same location if the applicant files with the licensing authority a letter from the Department of Revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

If the license granted under this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which may then grant the license to a new applicant.
or to take any other action thereon.

Article 32: We recommend the Town so vote. (4-2-0)

The Board of Selectmen voted to support this Article (4-0-0)

ZONING KEY:

R	Residential
AA	Garden Apartments
AB	High Rise Apartments
BA	Highway Business (Route 9)
BB	Downtown Business
G2	Gateway 2 (Water Street to Lyman Street)
IA	Exclusive Industrial (manufacturing, agriculture, recreation)
IB	General Industrial (retail sales and service, office, restaurant)
IC	Mixed Use Industrial (Transit-Oriented Village)
ID	(Proposed Article) - Same as IB with 6 stories and 40% open space
C	Conservation
M	State Owned Property
M-1	Town Owned property
AE	Adult Entertainment
DPOD	Downtown Planning Overlay District (Downtown Mixed Uses i.e. Bay State Commons)

GLOSSARY OF TERMS¹

Debt Exclusion - An action taken by a community through a referendum vote to raise the funds necessary to pay debt service costs for a particular project from the property tax levy, but outside the limits under Proposition 2½. By approving a debt exclusion, a community calculates its annual levy limit under Proposition 2½, then adds the excluded debt service cost. The amount is added to the levy limit for the life of the debt only and may increase the levy above the levy ceiling.

Excess Levy Capacity - The difference between the levy limit and the amount of real and personal property taxes actually levied in a given year. Annually, the board of selectmen or city council must be informed of excess levy capacity and their acknowledgment must be submitted to DOR when setting the tax rate.

Free cash - Remaining, unrestricted funds from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in excess of revenue estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items. Unpaid property taxes and certain deficits reduce the amount that can be certified as free cash. The calculation of free cash is based on the balance sheet as of June 30, which is submitted by the community's auditor, accountant, or comptroller. Important: free cash is not available for appropriation until certified by the Director of Accounts.

Levy - The amount a community raises through the property tax. The levy can be any amount up to the levy limit, which is re-established every year in accordance with Proposition 2½ provisions.

Levy Limit - A levy limit is one of two types of levy (tax) restrictions imposed by MGL Ch. 59 §21C (Proposition 2½). It states that the real and personal property taxes imposed by a city or town may only grow each year by 2½ percent of the prior year's levy limit, plus new growth and any overrides or exclusions. The

¹ Definitions provided by the Massachusetts Department of Revenue in its "Municipal Finance Glossary" available at: <http://www.mass.gov>. (DOR: Home > Local Officials > Municipal Data and Financial Management > Municipal Knowledge Base).

levy limit can exceed the levy ceiling only if the community passes a capital expenditure exclusion, debt exclusion, or special exclusion.

Local Aid - Revenue allocated by the Commonwealth to cities, towns, and regional school districts. Estimates of local aid are transmitted to cities, towns, and districts annually by the "Cherry Sheets." Most Cherry Sheet aid programs are considered general fund revenues and may be spent for any purpose, subject to appropriation.

Local Receipts - Locally generated revenues, other than real and personal property taxes. Examples include motor vehicle excise, investment income, hotel/motel tax, fees, rentals, and charges. Annual estimates of local receipts are shown on the tax rate recapitulation sheet.

New Growth - The additional tax revenue generated by new construction, renovations and other increases in the property tax base during a calendar year. It does not include value increases caused by normal market forces or by revaluations. New growth is calculated by multiplying the assessed value associated with new construction, renovations and other increases by the prior year tax rate. The additional tax revenue is then incorporated into the calculation of the next year's levy limit. For example, new growth for FY06 is based on new construction, etc. that occurred between January and December 2004. In the fall of 2005, when new growth is being estimated to set the FY06 levy limit, the FY05 tax rate is used in the calculation.

Overlay Reserve - An account established annually to fund anticipated property tax abatements, exemptions and uncollected taxes in that year. The overlay reserve is not established by the normal appropriation process, but rather is raised on the tax rate recapitulation sheet.

Overlay Surplus - Any balance in the overlay account of a given year in excess of the amount remaining to be collected or abated can be transferred into this account. Within ten days of a written request by the chief executive officer of a city or town, the assessors must provide a certification of the excess amount of overlay available to transfer. Overlay surplus may be appropriated for any lawful purpose.

Reserve Fund - An amount set aside annually within the budget of a city (not to exceed 3 percent of the tax levy for the preceding year) or town (not to exceed 5 percent of the tax levy for the preceding year) to provide a funding source for extraordinary or unforeseen expenditures. In a town, the finance committee can authorize transfers from this fund for "extraordinary or unforeseen" expenditures. Other uses of the fund require budgetary transfers by town meeting. In a city, transfers from this fund may be voted by the city council upon recommendation of the mayor.

Stabilization Fund - A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose (M.G.L. c. 40, §5B). Communities may establish one or more stabilization funds for different purposes and may appropriate into them in any year an amount not to exceed ten percent of the prior year's tax levy. A two-thirds vote of town meeting or city council is required to establish, amend the purpose of, or appropriate money from the stabilization fund.

General Information on Westborough's Town Meeting Procedures

*Welcome to the 2010 Annual Town Meeting! My job is to preside and regulate the proceedings in accordance with established procedures. I'm grateful to the Advisory Finance Committee for once again making space available for this brief Statement of those procedures. It is of course no substitute for the rules themselves, but since they are widely dispersed throughout a number of sources, this informal Statement may be helpful. If you have questions that aren't answered here, please ask-- on town meeting floor, or one-on-one when we are not in session. And if you have thoughts on how our town meeting might be improved, by all means utilize the comment forms available at the check-in desks, or attend the first annual **post-town meeting review session** planned for May 25 at 6 PM in the Selectmen's Office at 34 West Main Street.*

Joe Harrington, Moderator

WHAT IS THE TOWN MEETING, AND HOW DOES IT WORK?

The town meeting is the **legislative branch** of our local government. It has the power to make and amend local by-laws, and to appropriate funds on behalf of the town. Under state law, many other matters come before the meeting as well. We have an **open town meeting**, which means that any registered voter may attend and speak. Each voter present gets one vote, and the majority rules. Town meeting votes typically authorize various actions to take place, while the Board of Selectmen, the School Committee, or others from the executive branch actually take these actions.

The meeting operates under the **Massachusetts General Laws**, and in accordance with our **Home Rule Charter** and **By-laws**. In situations not covered by these authorities, guidance is provided by local tradition and **Town Meeting Time**, the handbook of parliamentary procedure published by the Massachusetts Moderators Association. It is available in the public library. Robert's **Rules of Order** is not used.

WHAT ACTIVITIES GO ON OUTSIDE THE MEETING?

Literature from various sources pertinent to the subjects to be discussed at the meeting, and to community, school and local government activities in general, is available in the lobbies outside the meeting room. Various local organizations may also be present in order to disseminate information, generate support, and raise funds. Approval of the School Department and the moderator must be secured in advance in order for an organization to do this. This process is initiated by contacting Cynthia Crowley in the School Department offices on the third floor of the Forbes Municipal Building. This should be done at least two weeks before the meeting starts, and preferably earlier.

HOW DO I GAIN ADMISSION TO THE MEETING?

Registered voters should obtain a colored **voting slip** from the **checkers** outside the auditorium, for purposes of identification. Non-voters are welcome to attend as well. They usually sit in the designated "non-voter" section. No votes are counted, nor is debate entertained, from this section. Non-voters who wish to sit in a voter section and participate in debate should see the checkers and obtain a **Request for Permission for Non-Voter to Participate in Town Meeting**, and follow the instructions given.

WHAT BUSINESS MAY BE TRANSACTED AT A TOWN MEETING?

The agenda for a town meeting is called the **warrant**; it is issued by the selectmen and posted in advance. The **articles** in the warrant comprise a list of all the business to be considered by the town meeting, and no binding action may be taken on matters not described there.

Each article in the warrant that requires funding includes wording indicating one or more options for obtaining the money. To "raise and appropriate" means to raise the money via the property tax and appropriate it for the purposes of the motion. To "transfer from available funds" means to utilize unexpended money from previous appropriations or other available funds. To "borrow pursuant to any applicable statute" means to borrow money to be paid back, with interest, over a period of time.

WHO ARE THE PLAYERS, AND WHERE DO THEY SIT IN THE HALL?

The warrant for the meeting is issued by the **Board of Selectmen** with the advice of the **town manager** and **town counsel**. These individuals are seated at the front of the hall, at the voters' left.

The meeting is conducted by the **moderator**; who stands at the lectern on the stage. Seated nearby is the **town clerk**, who supervises the checkers and is responsible for preparing the record of the meeting.

The **Advisory Finance Committee** is seated at the front of the hall at the table to the voters' right. This group is charged with preparing an independent recommendation for the voters on each article in the warrant. Finance Committee members may not serve the town in elective office or as officials appointed in any other capacity, nor may town employees serve. The articles in the warrant, plus the recommendation on each by the Advisory Finance Committee, form the principal content of this booklet.

The tables in the center are utilized by others involved in whatever business is at hand. The **School Board** and the **School Department** sit toward the front of the hall at the voters' right, while the **Planning Board** and the **heads of the major town departments** are typically seated at the front at the center and the left.

The **Personnel Board** and many other boards, committees, and individuals play key roles in the meeting.

HOW IS DISCUSSION CONDUCTED?

At each session of the meeting, after preliminary activities such as appointment of **tellers**, the moderator introduces each article in order. The department or individual responsible for it is asked to make an appropriate motion, and explain the supporting reasons. While articles may be general in their wording, motions are always specific. For example, a specific source of funds is selected. The town meeting acts on motions, not articles. A motion may be identical to the article under which it is made, or it may differ, either from the outset or through amendment. However, it may not go beyond the scope of the article.

No one may speak without first being recognized by the moderator. Once a voter is recognized, a page brings a microphone. (We are fortunate to have local Scout troops providing this service.) Standing microphones are also available for those who wish to maximize the chance that they will have an opportunity to speak.

WHAT ARE THE GUIDELINES FOR SPEAKING AT THE MEETING?

Each speaker begins by giving his or her name and street address for identification. We have no formal time limits, per speech or per article, unless specifically voted by the meeting, but needlessly extended speeches are discouraged. After introductory statements, a maximum of three minutes per speech is a good guideline. It is

our long-standing tradition not to applaud, heckle or interrupt at any time when debate is in progress, out of courtesy and mutual respect for one another.

Although it should not be done prematurely, a voter who feels that there has been sufficient discussion may move to end debate. However, it is our custom not to allow this motion as part of a speech, not even a short one. A voter who wishes to propose that debate be ended must first be recognized and identify himself or herself; then he or she should simply say, "I move that debate be ended." If in the moderator's view there has been sufficient opportunity for debate, the motion will be accepted and put to a vote.

ARE THERE ANY GUIDELINES FOR SPEAKERS PRESENTING PROPOSALS TO THE MEETING?

Presenting a proposal to the town meeting is immensely facilitated by observation of some basics set forth in a document prepared specifically for those involved in the preparation and advocacy of the articles. It covers certain procedures in more detail than is found here, offers tips on how to improve a presentation's chances of success, and discusses the preparation of clear, legible visuals. It is available on the Town's Web site (www.town.westborough.ma.us) On the home page, click on "Town Meeting" and then click on "Tips for Presenters". You may also obtain a copy from the moderator.

HOW IS VOTING CONDUCTED AT A TOWN MEETING?

When the discussion is over the vote is taken by a display of **voting slips**. The proposal under discussion is typically embodied in the main motion; it may be modified by motions to amend, or dealt with by other motions, such as a motion to refer to a committee. At times we may entertain 1 or 2 amendments at the same time as the main motion and discuss all at once. Votes are taken in accordance with an established order of precedence. The treatment and order of receipt of all motions is left to the final decision of the moderator.

Votes may be counted by the **tellers** if the moderator is not sure of the outcome of the display of voting slips, and must be counted if the announced outcome is immediately questioned. Many decisions require simple majority votes, but sometimes more than a majority is required. For example, a motion to limit or terminate debate requires a two-thirds vote. In addition, under state law certain actions require a two-thirds vote, including borrowing, acquisition or disposal of land, and establishing or amending zoning by-laws.

CAN A VOTE AT TOWN MEETING BE BROUGHT UP A SECOND TIME?

A vote taken at the town meeting can be reconsidered by the same meeting, if reconsideration is approved by the meeting. Our **reconsideration** by-law reads as follows:

"Once final action has been taken on an article, and the meeting has taken up the next order of business or has adjourned, the matter may not again be taken under consideration at that town meeting unless in the best judgment of the Moderator a significant error or omission occurred in the language or the process of the original action on the article, or a significant change of circumstances has occurred, such that there is a clear likelihood that the outcome could change upon reconsideration or that reconsideration would be in the Town's best interest. Such errors, omissions, or changes of circumstances shall be brought to the Moderator's attention as soon as they are known, and the Moderator shall determine if and when the matter will be taken up. The Moderator shall announce this decision to the town meeting. If the Moderator determines that the matter may be taken up pursuant to this section, a three-quarters vote shall be necessary in order to proceed with reconsideration."

Please make this booklet your copy for the duration of Town Meeting.