

COMMONWEALTH OF MASSACHUSETTS
WORCESTER, SS

TO ANY CONSTABLE IN THE TOWN OF WESTBOROUGH, IN THE COUNTY OF WORCESTER, GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Westborough, qualified to vote in elections and town affairs, to meet in various precincts in Westborough on Tuesday, the Third day of May, 2011 at 8:00 A.M. for the following purposes:

ARTICLE 1: Annual Town Election (Board of Selectmen)

To bring in their votes for:

- One (1) Moderator (3 years)
- One (1) Selectman (3 years)
- One (1) Planning Board member (5 years)
- Two (2) School Committee members (3 years)
- Three (3) Trustees of Public Library (3 years)
- Two (2) Westborough Housing Authority Members (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 14, 2011, at 1:00 P.M. in the Westborough High School Auditorium and Gymnasium on West Main Street.

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 Advisory 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.

The Board of Selectmen voted 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.

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

ARTICLE 4: Fiscal Year 2011 Budget Transfers (Town Manager)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund contract settlements with certain town employee groups and any other FY2011 operating budget transfers, or take any other action thereon.

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

ARTICLE 5: Amend Wage and Salary Schedule (Personnel Board)

To see if the Town will vote to amend the Salary Administration Plan by replacing the current plan, Section 1-A; 1-B (Wage and Salary Schedule, Non-Union and Section V (Special Rate Section) with the following new schedules effective July 1, 2011:

Grade	1-A SALARY RATE FY2012 NON-UNION						
S-30	1788	1879	1972	2068	2173	2281	2396
S-26	1471	1544	1621	1703	1788	1879	1972
S-25	1400	1471	1544	1621	1703	1788	1879
S-24	1333	1400	1471	1544	1621	1703	1788
S-23	1272	1333	1400	1471	1544	1621	1703
S-22	1210	1272	1333	1400	1471	1544	1621
S-21	1150	1210	1272	1333	1400	1471	1544
S-20	1099	1150	1210	1272	1333	1400	1471
S-19	1044	1099	1150	1210	1272	1333	1400
S-18	995	1044	1099	1150	1210	1272	1333
S-17	949	995	1044	1099	1150	1210	1272
S-16	903	949	995	1044	1099	1150	1210
S-15	860	903	949	995	1044	1099	1150
S-14	819	860	903	949	995	1044	1099
S-13	781	819	860	903	949	995	1044
S-12	743	781	819	860	903	949	995
S-11	708	743	781	819	860	903	949

Grade	1-B HOURLY RATE FY2012 NON-UNION						
H-10	17.62	18.48	19.42	20.42	21.39	22.50	23.57
H-9	16.77	17.62	18.48	19.42	20.42	21.39	22.50
H-8	15.96	16.77	17.62	18.48	19.42	20.42	21.39
H-7	15.19	15.96	16.77	17.62	18.48	19.42	20.42
H-6	14.49	15.19	15.96	16.77	17.62	18.48	19.42
H-5	13.77	14.49	15.19	15.96	16.77	17.62	18.48
H-4	13.14	13.77	14.49	15.19	15.96	16.77	17.62
H-3	12.51	13.14	13.77	14.49	15.19	15.96	16.77
H-2	11.93	12.51	13.14	13.77	14.49	15.19	15.96
H-1	11.38	11.93	12.51	13.14	13.77	14.49	15.19

SPECIAL RATE SCHEDULE - FY2012

Veterans Agent / Director of Veterans Services	\$ 15,837
Asst Veterans Agent / Director of Veterans Services	\$ 1,000

Or take any other action thereon.

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

ARTICLE 6: Fiscal Year 2012 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 2012 beginning July 1, 2011, and ending June 30, 2012, or to take any other action thereon.

The Board of Selectmen voted to support this Article as per the Selectmen's recommended budget. (4-0-0)

ARTICLE 7: Regularly Recurring Articles (Town Manager)

To see what action the Town may take on the following items, A through G, 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 2012 may be made by the Fire Department,

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

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 2012 may be made by the Youth and Family Services Department,

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

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,

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

D. (Advisory Finance Committee) To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Three Hundred Thousand Dollars (\$300,000), or such other amount as the Town Meeting may approve, for the Finance Committee General Reserve Fund, transfer Fifty Thousand Dollars (\$50,000), or such other amount as the Town Meeting may approve, from Water retained earnings for the Water Enterprise Reserve Fund, transfer Fifty Thousand Dollars (\$50,000), or such other amount as the Town Meeting may approve, 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,

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

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,

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

F. (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 2012 may be made by the Local Emergency Planning Committee to the respective responding departments,

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

G. 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 (\$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.

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

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 **G**, 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), or such other amount as the Town Meeting may approve, to purchase one 12 lead defibrillator/monitor and related equipment for the fire department, or to take any other action relative thereto

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

B. Thermal Imaging Camera 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 Forty-Thousand Dollars (\$40,000), or such other amount as the Town Meeting may approve, to purchase two thermal imaging cameras and related equipment for the fire department, or to take any other action relative thereto.

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

C. Four Wheel Drive Vehicle 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 Forty-Thousand Dollars (\$40,000), or such other amount as the Town Meeting may approve, to purchase a four wheel drive vehicle and related equipment for the fire department, or to take any other action relative thereto.

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

D. Police Cruisers (2) (Police 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 Seventy-Nine Thousand Seven Hundred Thirty Dollars (\$79,730), or such other amount as the Town Meeting may approve, to purchase two police vehicles and related equipment; the Town's vehicle fleet will not increase because of this purchase, or to take any other action relative thereto.

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

E. Permit Tracking Software Purchase (Building 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 Forty Thousand Dollars (\$40,000), or such other amount as the Town Meeting may approve, to purchase a permit tracking software for the Building, Planning, Conservation, Board of Health, Fire, Selectmen, Treasurer, Public Works and other departments to improve communications and permitting, or to take any other action relative thereto.

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

F. Forbes Municipal Building (Buildings and Grounds) – 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 Three Hundred Thirty Thousand Dollars (\$330,000), or such other amount as the Town Meeting may approve, for repairing and replacing the roof at the Forbes Municipal Building, including all costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

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

G. Library Building (Library Board of Trustees) – 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 Fifteen Thousand Dollars (\$15,000), or such other amount as the Town Meeting may approve, for studying and developing a plan for replacing the HVAC system at the Town Library, or to take any other action relative thereto.

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

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 Thirty Thousand Dollars (\$30,000) or such other amount as Town Meeting may approve, for drainage work and improvements at the Westborough Country Club, and that any unexpended balance be returned to said account, or take any other action thereon.

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

ARTICLE 10: Senior Center Parking Lot Expansion (Buildings and Grounds)

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 Forty One Thousand Six Hundred Forty Six Dollars (\$41,646), or such other amount that the Town Meeting may approve for all costs associated with the completion of the parking lot expansion at the Senior Center and walkway replacement, including but not limited to the purchasing of materials such as asphalt, stone, piping and any other costs associated with the project, or to take any other action thereon.

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

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

To see what action the Town may take on the following items **A** and **B**, 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 appropriate the sum of Four Hundred Twenty Thousand Dollars (\$420,000), or such other amount as the Town Meeting may approve, for the purpose of reconditioning its water tanks including but not limited to the Ruggles Street Water Tank and access driveway, drainage, engineering, and incidental and related costs associated therewith; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto,

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

- B. To see if the Town will vote to amend the vote of the Town passed under Article 10F of the warrant for the May 15, 2010 annual town meeting to read as follows:

That the sum of One Million Dollars (\$1,000,000) is hereby appropriated of which (i) Seven Hundred Seventy-Six Thousand (\$776,000) may be used to pay the costs of engineering, installing, upgrading and/or replacing water mains and (ii) Two Hundred Twenty-Four Thousand (\$224,000) may be used to pay the costs of engineering, installing, upgrading and/or replacing the municipal sewer system, including all costs incidental and related thereto, in the areas of Town which includes, but is not limited to Whitney Street, Weld Street, Irving Street, Folly Lane, Belknap Street, Hopkinton Road, Maynard Street, Mohawk Circle, Mohawk Drive, and Adams Street, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen is authorized to borrow said amounts under and pursuant to Chapter 44, Section 7 and 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore, or to take any other action thereon.

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

ARTICLE 12: Energy Audit (Board of Selectmen/Green Technology Advisory Committee)

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 Fifteen Thousand Dollars (\$15,000), or such other amount that the Town Meeting may approve for all costs associated with conducting an energy audit of town and school buildings for the purpose of developing a plan to cost effectively reduce the Town's energy consumption by 20% over five years, or to take any other action thereon.

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

Article 13: Hastings School Project (School Committee)

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any application statute the sum of Two Hundred and Fifty Thousand Dollars (\$250,000), or such other amount as the Town Meeting may approve, for the purpose of replacing pipes and removal of asbestos from the Hastings School, or take any other action thereon.

ARTICLE 14: Tax Increment Financing Plan (TIF) (Board of Selectmen)

To see if the Town will vote to (a) approve a TIF Plan and Tax Increment Financing (TIF) Agreement between 2 Tech Works and the Town of Westborough, both on file with the Board of Selectmen and Town Clerk and incorporated herein by reference for a period of five years which term shall begin on July 1, 2011, or such later time pending approval from the relevant agencies of the Commonwealth of Massachusetts for property located at 2 Technology Drive (Block 28, Lot 63), including designation of a TIF Zone as described in the TIF Plan, with exemption percentages as follows: Year 1, 50%; Year 2, 40%; Year 3, 30%; Year 4, 20%; Year 5, 10%; (b) authorize the Board of Selectmen to execute the TIF Agreement, and any documents relating thereto, and to take such other actions as are necessary or appropriate to implement those documents pursuant to the provisions of MGL Ch. 40, § 59; (c) authorize the Board of Selectmen to submit all such necessary or required documents to the Economic Assistance Coordinating Council of the Commonwealth of Massachusetts for approval and designation of the 2 Technology Drive Economic Opportunity Area, TIF Zone, TIF Plan and Certified Project; (d) take such other and further action as may be necessary or appropriate to carry out the purposes of this vote; or take any other action thereon.

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

<u>2 Technology Drive</u>	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>	<u>FY14</u>	<u>FY15</u>	<u>FY16</u>
Real Estate TIF %	n/a	50%	40%	30%	20%	10%
Personal Property TIF %	n/a	25%	20%	15%	10%	5%
Property Taxes without the Project	144,023	144,023	144,023	144,023	144,023	144,023
Property Taxes with the Project	144,023	259,246	297,080	320,744	346,032	373,033
Increase in Property Taxes	n/a	115,223	153,057	176,721	202,009	229,010
Property Tax Savings to ECW	n/a	57,748	52,769	41,437	28,916	15,131

ARTICLE 15: Charter Corrections (Town Counsel)

To see if the Town will vote to authorize the Board of Selectmen to petition the Legislature for special legislation to amend the Charter as follows:

in Section 3-2(d) – delete the third clause reading, “members of the town boards, commissions or committees for which the boards has explicitly designated as the appointing authority in said section 5-2,” and replace it with the words, “town boards, commissions, or committees for which section 5-2 of this charter has designated the selectmen as appointing authority.” And

in Section 3-2(f) – delete the second sentence reading, “An employee holding the office of Selectman in the Town of Westborough on the effective date of this act may serve the remaining period of his term, but shall be ineligible for re-election while so employed.” And

delete Section 3-3(c) and replace it with the following: “Section 3-3(c) Powers and Duties – The Moderator shall have the powers and duties provided for that office by statute, by the Charter, by Bylaw and by other vote of the Town Meeting.” And

delete Section 3-3(d) and replace it with the following: “Section 3-3(d) Appointments – The Moderator shall appoint for fixed overlapping terms: all members of the advisory finance committee, two members of the capital expenditure planning committee and members of such other committees special or standing as may from time to time be established by Town Meeting designating the Moderator as the appointing authority. These appointments shall be made such that the terms of office of as nearly an equal number of members shall expire each year.” And

delete Section 4-2(a)(ii) and replace it with the following: “(ii) Members of other Town boards, commissions, or committees and other personnel for which the Board of Selectmen, Town By-Law, or Town Meeting action has directed the Town Manager to act as appointing authority as long as that appointing authority does not contradict an appointing authority designated in this charter, and”. And

in Section 5-2(a) delete the words, “Walkup Robinson Fund” and replace it with the following, “Representative to the Walkup Robinson Fund”. And

in Section 5-3(e) – delete the words, “Filling Vacancies on Boards, Commissions or Committees. Notwithstanding any contrary special or general or special law to the contrary, a vacancy, on a board, commission or committee for a permanent temporary position shall be filled in the same manner as prescribed for the initial appointment,” and replace them with the words, “All vacancies on any board, commission or committee shall be filled in the same manner as the initial appointment.”

Or take any other action thereon.

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

ARTICLE 16: Charter Addition (Town Manager)

To see if the Town will vote to authorize the Board of Selectmen to petition the Legislature for special legislation to amend the Charter as follows:

Add a new Article 8 to read:

**ARTICLE 8
Department of Public Works**

There shall be a Department of Public Works which shall have all the powers and duties now or from time to time vested by law in the following boards, departments or offices: Highway Superintendent, Water Commissioners, Sewer Commissioners and Tree Warden. The Department of Public Works shall in all respects be the lawful successor of the aforementioned boards, departments, and offices.

The Department shall furnish engineering services, provide for the maintenance and repair of the Town buildings and property, and performance of such duties of any other boards, departments, and offices of the Town as may be reasonably related to the duties and responsibilities of this Department, and as the Town may, from time to time under this Charter require, any other provisions of law to the contrary notwithstanding.

The Department shall be headed by a manager who shall be appointed according to the provisions of Section 3-2(d). He shall be responsible for the efficient exercise and performance of all powers, rights, and duties of the Department. He shall be especially fitted by education, training, and experience to perform the duties of said office, and may or may not be a resident of the Town at the time of his appointment. During his tenure, the manager of the Department of Public Works shall not hold elective office, nor engage in any other business or occupation unless the other business or occupation is approved in advance by the Board of Selectmen. He shall keep full and complete records of his office and render to the Town as often as it may require a full report of all operations under his control during the period reported upon; and from time to time as required by the Selectmen he shall make a synopsis of such reports for publication. He shall keep the Selectmen fully advised as to the needs of the Town within the scope of his duties. He shall be bonded by a surety company and the cost of said bond shall be

borne by the Town.

The Board of Selectmen shall be responsible for the overall supervision of the Department of Public Works and for the establishment of policies to guide the Manager of Public Works.

Or take any other action thereon.

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

ARTICLE 17: Open Space Article 38 2002 Amendment (Board of Selectmen)

To see if the Town will vote to amend its action under Article 38 of the 2002 Annual Town meeting regarding the Open Space Preservation Committee, to reduce the number of at-large appointments from five to four, to eliminate the Board of Selectmen representative on the Committee, and to assign a purpose to the Committee, so that the language authorizing the Committee shall read:

There shall be a committee known as the Open Space Preservation Committee consisting of seven members of whom four shall be appointed by the Board of Selectmen, and one each by the Conservation Commission, Planning Board and Recreation Commission. The appointing bodies may appoint individuals from among their membership or from the community at large. Current members of the Open Space Preservation Committee shall serve out their remaining terms, and thereafter appointees shall serve one year terms so that the number of members shall be reduced from nine to seven through attrition. The Open Space Preservation Committee shall be charged with encouraging and promoting the preservation and acquisition of open space in the town. From time to time, the Committee shall update and revise the text of the Open Space Plan for approval in accordance with the Massachusetts General Laws. The Committee shall identify land that may be acquired for conservation, open space, recreation and related purposes, and shall periodically work to create an inventory of open space parcels in the community. The Committee shall advise the Board of Selectmen regarding the exercise of any right of first refusal under Chapter 61A of the General Laws.

or take any other action thereon

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

ARTICLE 18: Zoning Article Amendment (Building Commissioner)

To see if the Town will vote to amend the Town of Westborough Zoning Bylaws, Article 3, Dimensional Regulations, Section 3300, Sign Regulations by deleting Subsection 3332, Item **b** and replacing it with a new Subsection 3332, Item **b** as follows:

By deleting:

- b. Each commercial or industrial enterprise may only have one (1) Ground Sign and one (1) Roof or Wall Sign.

And by inserting in its place the following:

- b. Each commercial or industrial enterprise may only have one (1) Ground Sign and one (1) Roof or **two (2) Wall Signs.**

Or take any other action thereon.

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

ARTICLE 19: Change in Building Inspector Title to Building Commissioner (Town Manager)

To see if the Town will vote to amend the Town of Westborough Zoning Bylaws, Article 1, Administration and Procedures, Section 1200, Administration, Subsections 1210, Building Inspector; Subsection 1220, Permits Required; Subsection 1243, Submission of Plans; Subsection 1245, Design Review for Downtown Westborough, Item C, Applicability and Authority; Subsection 1260, Enforcement; Article 2, District Regulations, Subsection 2410, Pre-existing Non-conforming Uses or Structures; Article 4, Special Regulations, Subsection 4760, Violations as follows:

By deleting all references to “Building Inspector”

And by replacing and inserting in place thereof the words “**Building Commissioner**”

Or take any other action thereon.

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

ARTICLE 20: Site Plan Correction (Town Manager)

To see if the Town will vote to amend the Zoning Bylaw of the Town of Westborough, Article 1, Administration and Procedure, Section 1200, Administration, Subsection 1240, Site Plan Review, Findings – Procedures, and Subsection 1241, Design Requirements as follows:

By deleting the following language from Section 1200, Administration, Subsection 1240:

“The Board of Selectmen shall review site plans for development prior to approval of application for Building Permits for all uses specified in Section 2200, Use Regulations, and which involve six (6) or more parking spaces; to make findings and determinations in regard to such cases in conformity with Section 1241 of this Bylaw”

And by inserting in its place the following:

“The Board of Selectmen shall review site plans for development prior to approval of application for Building Permits for all uses specified in **Section 2300**, Use Regulations **Schedule**, and which involve six (6) or more parking spaces; to make findings and determinations in regard to

such cases in conformity with Section 1241 of this Bylaw”

And by deleting the following language from Section 1200, Administration, Subsection 1241, Design Requirements:

“The Board of Selectmen shall approve a site plan only upon their determination of the following”:

And by inserting in its place therefore the following:

“The Board of Selectmen shall only approve a site plan upon a determination that the following have been satisfied”:

Or take any other action thereon.

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

ARTICLE 21: Site Plan Change (Town Manager)

To see if the Town will vote to amend the Zoning Bylaw of the Town of Westborough, Article 1, Administration and Procedure, Section 1200, Administration, Subsection 1244, Procedures of the Board of Selectmen, the following wording in the second paragraph:

By deleting the following language from Section 1200, Administration, Subsection 1244:

“The Board of Selectmen shall hold a public hearing within sixty-five (65) days of receiving the application and shall take final action within thirty (30) days of the hearing, it nonetheless being the intention of this Bylaw that the Board of Selectmen shall act as expeditiously as is practical on such application.”

And by inserting in its place the following:

“The Board of Selectmen shall hold a public hearing within sixty-five (65) days of the Building Commissioner accepting a completed application which meets all of the criteria required by the Zoning Bylaws, including the payment of any fees, established by the Board of Selectmen, and shall take action within thirty (30) days of the hearing, it nonetheless being the intention of this Bylaw that the Board of Selectmen shall act as expeditiously as is practical on such application.”

Or taken any other action thereon.

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

ARTICLE 22: Corporate Cafeteria Sewer Privilege Fee (Town Manager)

To see if the Town will vote to authorize the Board of Selectmen to petition the Legislature for special legislation to amend Article 17 of the General Bylaws, Section 3 (a)(5) to add “open to the public” after the word “cafeteria” and further to add a new section under Article 17, Section 3 (b)(3) that would read:

3. For corporate cafeterias, open only to the employees of a private company, the calculation for any additional sewer connection fee for said cafeteria would be to apply the formula in Section 3(b)(2) for the overall building connection fee and add the difference between this fee and the fee for a cafeteria open to the public found in Section 3(a)(5) of this Article. If the calculation for Section 3(a)(5) is less than Section 3(b)(2) no additional amount shall be due above that calculated using Section 3(b)(2).

Or take any other action thereon.

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

ARTICLE 23: Water Use Restriction Bylaw (Town Manager)

To see if the Town will vote to amend the General Bylaws, Article 40, Section 4 “Declaration of a State of Water Supply Conservation” to change the first sentence of this section from:

“The Town, through its Board of Selectmen, may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all water consumers.”

To:

“The Town, through its Town Manager or by a majority vote of its Board of Selectmen may declare a State of Water Supply Conservation upon a determination by the DPW Manager that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all water consumers;” or take any other action thereon.”

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

ARTICLE 24: Use of Insurance Proceeds in Excess of \$20,000 (WWTP Board)

To see if the Town will vote to appropriate a sum of money as the Town Meeting may approve, for the use of the Wastewater Treatment Plant Board for the replacement of a clarifier cover that collapsed under the weight of snow, the money so appropriated to be transferred from the account “Receipts Reserved for Appropriation, Insurance Reimbursement in Excess of \$20,000.” or take any other action relative thereto.

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

ARTICLE 25: Release of a Deed Restriction from Article 24 of 1954 Annual Town Meeting (Foreign Wars Post No. 9013) - Citizen's Petition

To see if the Town will authorize the Board of Selectmen to release a restriction adopted under Article 24 of the 1954 Annual Town Meeting which restriction was incorporated into the 1955 deed from the Town to VFW Post 9013. The restriction states "In the event said post shall ever liquidate or disband or move to another location so that said post does not require said premises, the same will automatically revert back to the Town of Westborough",

Or take any other action thereon.

ARTICLE 26: Correction of Prior Town Meeting Vote (Town Manager)

To see if the Town will vote to amend its action under Article 29 of the 2010 Annual Town Meeting to re-number the approved General Bylaw "Article 47" or take any other action thereon.

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

ARTICLE 27: Libbey Property Transfer to Conservation Commission (Town Counsel)

To see if the Town will vote to transfer the care and custody of parcel 3-7, as it appears on the Assessor's Map, from the Board of Selectmen to the Conservation Commission, to be held in perpetuity as conservation land, or take any other action thereon.

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

ARTICLE 28: Westborough Community Land Trust Gift Acceptance (Town Counsel)

To see if the Town will vote to authorize the Conservation Commission to accept, as a gift from the Westborough Community Land Trust, parcel 8-170A as it appears on the Assessor's Map, to be held in perpetuity as Conservation Land, or take any other action thereon.

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

And you are directed to serve this Warrant by posting up attested copies thereof at the Town Library Bulletin Board and Town Hall Bulletin Board in said Town fourteen days, at least, before the day of holding said meeting. Hereof fail not and make return of this Warrant, with your doings thereon, to the Town Clerk of said Westborough on or before the time of holding said meeting.

Given under our hands the 13th day of April in the year of our Lord Two Thousand and Eleven.

Rod Jané, Chairman

Lydia Goldblatt, Vice Chairman

Leigh Emery

Timothy Dodd

George Thompson

SELECTMEN OF WESTBOROUGH

Worcester, ss

I have this day served the within Warrant by posting up attested copies thereof at the Town Library Bulletin Board and Town Hall Bulletin Board in said Westborough and by mailing a copy thereof to the residence of the Town Moderator all on April , 2011.

Constable of Westborough