

**TOWN WARRANT  
COMMONWEALTH OF MASSACHUSETTS**

**SPECIAL TOWN MEETING**

Worcester, ss.  
To either of the Constables of the Town of Southborough,

March 24, 2009

Greetings:

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

***Monday, April 13, 2009***

at **8:00 p.m.** Then and there to take action on the following Articles:

**ARTICLE 1:** To see if the Town will vote to authorize revolving funds under Massachusetts General Laws, Chapter 44, Section 53E ½ for the current fiscal year which began on July 1, 2008 for:

- o Public Safety and Public Works departments for responding to incidents involving hazardous material to a maximum of \$75,000

, or do or act anything in relation thereto.

**Sponsored by: BOARD OF SELECTMEN**

**Board of Selectmen Recommendation: Support**

**Advisory Committee Recommendation: Support**

**Summary:** *This article will allow the Fire and Police and DPW departments to cover departmental costs incurred by responding to incidents involving hazardous materials.*

**ARTICLE 2:** To see if the Town will vote to dissolve the School Building Committee, which was created by Town Meeting on January 27, 1996, Article 10, or do or act anything in relation thereto.

**Sponsored by: BOARD OF SELECTMEN**

**Board of Selectmen Recommendation: Support**

**Advisory Committee Recommendation: Support**

**Summary:** *The school building committee has completed their responsibilities and can only be dissolved by Town Meeting.*

**ARTICLE 3:** To see if the Town will vote to transfer from the Water Reserve Fund and appropriate the sum of \$18,552.50 for the purpose of paying debt service due in FY09 for new water projects, or do or act anything in relation thereto.

**Sponsored by: FINANCE DIRECTOR**

**Board of Selectmen Recommendation: Support**

**Advisory Committee Recommendation: Support**

**Summary:** *This 18,522.50 transfer from the water reserve account to interest on debt water #6161-751 will be applied to debt service interest due in FY09 for new water projects.*

**ARTICLE 4:** To see if the Town will vote to transfer from 751 Debt Interest to 752 Short Term Debt Interest the sum of \$6,176.25 for the purpose of paying debt service due in FY09 for the Neary School Project Phase 2, or do or act anything in relation thereto.

**Sponsored by: FINANCE DIRECTOR**

**Board of Selectmen Recommendation: Support**

**Advisory Committee Recommendation: Support**

**Summary:** *This 6,176.25 transfer from 751 Debt Interest to 752 Short Term Interest will be applied to short- term debt service interest due in FY09 for the Neary Project Phase 2.*

**ARTICLE 5:** To see if the Town will vote to allow the Tax Collector to charge for each written demand issued by said Tax Collector a fee of \$20.00 to be added to and collected as part of the tax pursuant to the provision of Massachusetts General Law, Chapter 60, Section 15 as amended, or do or act anything in relation thereto.

**Sponsored by: FINANCE DIRECTOR**

**Board of Selectmen Recommendation: Support**

**Advisory Committee Recommendation: Support**

**Summary:** *This proposal updates fees for unpaid taxes from \$5.00 to \$20.00. This would apply to real estate, personal property, and motor vehicle excise demand fees. The fee was last changed in 1986 from \$2.00 to \$5.00. This will take effect upon passage.*

**ARTICLE 6:** To see if the Town will vote to approve an amendment to the Assabet Valley Regional Vocational School District Agreement that would permit the election of members of the Assabet Valley Regional School District at a District-wide election to be held on the biennial state election ballot, as permitted by Chapter 71, Section 14(E)(3) of the Massachusetts General Laws and make various related changes to the Assabet Valley Regional School District Agreement, which amendment shall be in the form set forth below, or do or act anything in relation thereto:

#### AMENDMENT NUMBER 3

#### AMENDMENT TO THE ASSABET VALLEY REGIONAL VOCATIONAL HIGH SCHOOL DISTRICT AGREEMENT

The agreement providing for the establishment of the Assabet Valley Regional Vocational High School District, as amended, (the "District Agreement") is further amended as follows:

1. Strike out SECTION I and insert in lieu thereof the following:

#### SECTION 1. THE REGIONAL DISTRICT SCHOOL COMMITTEE

##### (A.) Composition and Election

1. The powers and duties of the vocational regional school district shall be vested in and exercised by a vocational regional school district committee, hereinafter sometimes referred to as the "Committee", which shall have all the powers and duties conferred and imposed upon school committees and vocational school districts by general and special law and by this Agreement and which shall consist of seven members to be elected by all of the voters of the Assabet Valley Regional Vocational School District, hereinafter sometimes referred to as the "District", voting in a District election to be held at the biennial state elections. The term of office of each member shall be four years, commencing with the date of the biennial state election at which each such member was elected and thereafter, until their respective successors have been duly elected and qualified. One member of the Committee shall at all times be a resident of the City of Marlborough and of each of the Towns of Berlin, Hudson, Maynard, Northborough, Southborough and Westborough.

2. Vacancies which occur on the Committee shall be filled by majority vote of the Selectmen or the City Council, as the case may be, in the member town or city in which the vacancy arises. An appointee filling any such vacancy shall serve the unexpired portion of the term.

3. The members of the Committee incumbent on the effective date of this amendment from the Towns of Berlin, Hudson, and Maynard, and from the City of Marlborough shall hold office until the 2010 biennial state election, and until their successors have been elected and qualified as herein provided. The members of the Committee incumbent on the effective date of this amendment from the Towns of Northborough, Southborough

and Westborough shall hold office until the 2012 biennial state election, and until their successors have been elected and qualified, as herein provided.

(B.) Nominations

Nominations for membership on the Committee shall be made in accordance with all the procedures prescribed by Massachusetts General Laws, Chapter 53, §122, as from time to time amended, and other pertinent provisions of law.

(C.) Organization

Annually, at the first regular meeting of the Committee following the first Tuesday next after the first Monday in November, the Committee shall organize and choose by ballot a chairman and a vice chairman from among its own membership.

(D.) Quorum

A quorum for the transaction of business shall consist of a majority of the Committee but a lesser number may adjourn.

(E.) Ballot Format

The names and addresses of the candidates shall be arranged on the ballot according to the city or town in which they reside with a separate category for each city or town, the seat for which on the district School Committee is being filled in that election. For each category, there shall be printed such directions as will instruct the voter to vote for the number of candidates to be elected in each town.

(F.) Powers and Duties

The Committee shall have all the powers and duties confirmed and imposed upon it by this Agreement and such other additional powers and duties as are specified in Chapter 513 of the Acts of 1966, and any amendments thereof or additions thereto, now or hereafter enacted, or as may be specified in any other applicable general or special law.

2. This amendment to the Regional District Agreement shall become effective upon acceptance of said amendment by each of the member municipalities (as defined in the District Agreement) as provided for in Section VII of said Agreement.

**Sponsored by: ASSABET VALLEY REGIONAL TECHNICAL SCHOOL**

**Board of Selectmen Recommendation: Support**

**Advisory Committee Recommendation: Support**

**Summary:** *This article will bring the regional school into compliance with respect to the composition and election of the school committee members.*

And you are to give notice hereby by posting true and attested copies of the Warrant at the Southborough Town House, Cordaville Hall, Mauro's Village Café, Mauro's Market, Southborough Library, Fayville Post Office, Margaret A. Neary School, P. Brent Trottier Middle School, Mary E. Finn School, Albert S. Woodward Memorial School, Fitzgerald's General Store and Turnpike Food & Liquor, fourteen days at least before the time appointed for such meeting.

Given under our hand this 24th day of March, 2009.

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William J. Boland, Chairman

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Salvatore M. Giorlandino

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Bonnie J. Phaneuf

SOUTHBOROUGH BOARD OF SELECTMEN

Attest: \_\_\_\_\_  
Jane Moran, Constable