

**TOWN WARRANT
COMMONWEALTH OF MASSACHUSETTS**

**Special Town Meeting
October 18, 2016**

At the Special Town Meeting, duly called and held in the P. Brent Trottier Middle School, Southborough, on Tuesday October 18, 2016 at 7:30 PM, the following ARTICLES were voted on in a legal manner. There was a quorum present (100 voters = quorum); 682 voters were present.

MOTION MADE: To waive the reading of the Warrant.

MOTION PASSED.

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

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation: Support

Advisory Committee Recommendation: Support

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

MOTION MADE: That the Town hear reports of the various Town Officers and Committees and to take such action thereon as the Town may vote.

MOTION PASSED.

ARTICLE 2: To see if the Town will vote to transfer the sum of \$77,100.00 between and among various accounts for the fiscal year ending June 30, 2017, for the following purposes:

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

, or do or act anything in relation thereto.

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation: Support

Advisory Committee Recommendation: Support

Summary:

- A. *The Treasurer/Collector's Department has had one unexpected employee turnover this year. The new employee was acquired at a slightly higher rate than the previous employee.*
- B. *These funds are for outsourcing or acquiring enhanced payroll services and/or software for Town payroll processing. The current software is not suitable to the needs of the Department.*
- C. *The Town has always maintained an account for deductibles that need to be paid due to insurance claims for damage. Once every several years depending on activity this account is replenished.*
- D. *The Town is obligated to pay certain unused vacation and sick accumulated balances for Town employees upon retirement. As with the deductible account, dependent on activity this needs to be replenished when the funding is exhausted.*
- E. *The Public Schools of Southborough have maintained and upgraded the Trottier Auditorium, which is used for school, Town and community events throughout the school year. The Trottier School was built in 1997 and since that time the auditorium upgrades have included a new Bose sound system installed within the last three years in the amount of \$70,000 in donations and payments, monitor speakers on the stage of high quality sound at a cost of \$3,500, and in process, lighting upgrades to include a new control panel, fixtures, potentially a lighting bar drop down as funds are available. This represents installation which includes labor, wiring, and programming. The recent negotiation with The Southborough Access Media by the Schools which relocates the Studio to Trottier Middle School has provided funds in the amount of a one-time transfer of \$77,000 to the Schools. The total project cost is \$143,300. The remaining balance is \$66,300. Should the transfer of the \$34,000 be approved, the balance of the project (\$32,200) will be assumed by facilities rentals. The upgrades that have taken place throughout the years have been funded by the Schools without requesting a warrant article for capital improvements at Town Meeting.*
- F. *Same as E.*

MOTION MADE: That the Town vote to transfer between and among these accounts for the fiscal year ending June 30, 2017 as listed in the warrant:

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

MOTION PASSED.

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

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation: At Town Meeting

Advisory Committee Recommendation: At Town Meeting

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

MOTION MADE: That the Town vote to approve funding for the economic cost items under M.G.L. Chapter 150E, Section 7 for any particular collective bargaining agreements reached before Town Meeting.

MOTION PASSED.

Presentation by Karen Galligan, DPW Superintendent

Presentation by Martin Walsh, Chari Main Street Design Working Group

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

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

<u>PERMANENT ROADWAY EASEMENTS</u>			
PARCEL NO.	OWNER	AREA OF EASEMENT	
Private Residences			
E-1	MICHAEL A. SPATARO & SIMON N. MCRAE TRUST 2 SEARS ROAD; MAP 52 LOT 7	PERM.	73 ±
E-9	LEONORA A. & FRED B. WILLIAMS 34 MAIN STREET; MAP 54 LOT 9	PERM.	193 ±
E-16	RAYMOND D. & MICHELE A. HOKINSON 12 MAIN STREET; MAP 54 LOT 83	PERM.	34 ±
E-17	RAYMOND D. & MICHELE A. HOKINSON 10 MAIN STREET; MAP 54 LOT 84	PERM.	158 ±
E-18	WARREN C. & LUCIA R. PROSPERI 8 MAIN STREET; MAP 54 LOT 70	PERM.	134 ±
E-26	CHARLES O. JR. & WENDY M. BLACK 1 DEERFOOT ROAD; MAP 53 LOT 5A	PERM.	146 ±
Non-Profits			
E-2	FAY SCHOOL, INC. 54 MAIN STREET; MAP 53 LOT 12	PERM.	252 ±
E-3	FAY SCHOOL, INC. 48 MAIN STREET; MAP 53 LOT 11	PERM.	1788 ±
E-4	FAY SCHOOL, INC. 48 MAIN STREET; MAP 53 LOT 11	PERM.	326 ±
E-5	FAY SCHOOL, INC. 48 MAIN STREET; MAP 53 LOT 11	PERM.	864 ±
E-11	SOUTHBOROUGH VILLAGE SOCIETY 28 MAIN STREET; MAP 58 LOT 2A	PERM.	910 ±
E-13	ST MARK'S SCHOOL 25 MARLBORO ROAD; MAP 65 LOT 3	PERM.	835 ±

E-21	PILGRIM CONGREGATIONAL CHURCH 15 COMMON STREET; MAP 54 LOT 5	PERM.	249 ±
E-23	FAY SCHOOL, INC. 44 MAIN STREET; MAP 54 LOT 2	PERM.	446 ±
E-24	SOUTHBOROUGH VILLAGE SOCIETY 28 MAIN STREET; MAP 58 LOT 2A	PERM.	263 ±
E-27	FAY SCHOOL, INC. 70 MAIN STREET; MAP 53 LOT 25	PERM.	208 ±
E-28	FAY SCHOOL, INC. 48 MAIN STREET; MAP 53 LOT 11	PERM.	11 ±
E-29	ST. MARK'S CHURCH 27 MAIN STREET; MAP 54 LOT 3	PERM.	847 ±
Businesses			
E-6	TIMOTHY P. & VIRGINIA STONE 42 MAIN STREET; MAP 54 LOT 1	PERM.	488 ±
E-7	DONALD C. & STEPHANIE MORRIS 40 MAIN STREET; MAP 54 LOT 11	PERM.	667 ±
E-8	STEPHEN D. & NANCY G. MORRIS 36 MAIN STREET; MAP 54 LOT 10	PERM.	104 ±
E-14	16 MAIN STREET REALTY TRUST 16 MAIN STREET; MAP 54 LOT 86	PERM.	23 ±
E-15	JSO REALTY, LLC 14 MAIN STREET; MAP 54 LOT 85	PERM.	148 ±
E-19	9 MAIN STREET, LLC 9 MAIN STREET; MAP 54 LOT 39	PERM.	392 ±
E-20	THE HOUSE OF SOUTHBORO TRUST 6 MAIN STREET; MAP 54 LOT 65	PERM.	97 ±
E-25	RICHARD A. HALLISEY LIMITED PARTNERSHIP 11 MAIN STREET; MAP 54 LOT 29	PERM.	159 ±
Government			
E-10	SOUTHBOROUGH HOUSING AUTHORITY 1 CORDAVILLE ROAD; MAP 54 LOT 25	PERM.	72 ±
E-12	TOWN OF SOUTHBOROUGH WOODWARD SCHOOL 28 CORDAVILLE ROAD; MAP 54 LOT 92	PERM.	237 ±
E-22	TOWN OF SOUTHBOROUGH TOWN COMMON; MAP 54 LOT 6	PERM.	692 ±
E-30	TOWN OF SOUTHBOROUGH PUBLIC SAFETY COMPLEX 19 MAIN STREET; MAP 54 LOT 26	PERM.	118 ±

PERMANENT UTILITY EASEMENTS

PARCEL NO.	OWNER	AREA OF EASEMENT	
Private Residences			
PUE-1	ROBERT NICOLS & DANE S. WORLEY 94 MAIN STREET; MAP 53 LOT 5	UTIL.	62 ±
PUE-3	TIMOTHY J. NORTON & SHERRY L. COUNTRYMAN 65 MAIN STREET; MAP 53 LOT 6B	UTIL.	100 ±
PUE-4	ERIC C. & AIMEE SIEGEL 61 MAIN STREET; MAP 53 LOT 21	UTIL.	538 ±
PUE-5	ALAN J. & WENDY SCOTT MCDONALD 59 MAIN STREET; MAP 53 LOT 7	UTIL.	276 ±
PUE-15	STEPHEN G. & LAURIE D. PHILLIPS 26 MAIN STREET; MAP 54 LOT 90	UTIL.	256 ±
PUE-16	DONALD M. & ANN DANDO LEAVITT 24 MAIN STREET; MAP 54 LOT 89	UTIL.	145 ±
PUE-17	DAVID W. PARRY 20-22 MAIN STREET; MAP 54 LOT 88	UTIL.	470 ±
PUE-19	MARSTON & LOUISE F. CLOUGH 18 MAIN STREET; MAP 54 LOT 87	UTIL.	243 ±
PUE-21	WARREN C. & LUCIA R. PROSPERI 8 MAIN STREET; MAP 54 LOT 70	UTIL.	54 ±
Non-Profits			
PUE-6	ST. MARK'S SCHOOL 55 MAIN STREET; MAP 53 LOT 8	UTIL.	94 ±
PUE-7	FAY SCHOOL, INC. 66 MAIN STREET; MAP 53 LOT 14	UTIL.	96 ±
PUE-8	FAY SCHOOL, INC. 66 MAIN STREET; MAP 53 LOT 14	UTIL.	100 ±
PUE-9	FAY SCHOOL, INC. 66 MAIN STREET; MAP 53 LOT 14	UTIL.	86 ±
PUE-10	ST. MARK'S CHURCH 27 MAIN STREET; MAP 54 LOT 3	UTIL.	61 ±
PUE-12	SOUTHBOROUGH VILLAGE SOCIETY 28 MAIN STREET; MAP 58 LOT 2A	UTIL.	40 ±
PUE-13	SOUTHBOROUGH VILLAGE SOCIETY 28 MAIN STREET; MAP 58 LOT 2A	UTIL.	41 ±
PUE-14	SOUTHBOROUGH VILLAGE SOCIETY 28 MAIN STREET; MAP 58 LOT 2A	UTIL.	140 ±
PUE-22	ST. MARK'S SCHOOL 30 MAIN STREET; MAP 53 LOT 9	PERM.	215 ±
PUE-23	FAY SCHOOL, INC. 31 MAIN STREET; 53 LOT 10	PERM.	402 ±
PUE-24	ST. MARK'S CHURCH 27 MAIN STREET; MAP 54 LOT 3	UTIL.	312 ±
Businesses			
PUE-2	84 MAIN STREET SOUTHBOROUGH, LLC 84 MAIN STREET; MAP 53 LOT 1	UTIL.	95 ±
PUE-20	16 MAIN STREET REALTY TRUST 16 MAIN STREET; MAP 54 LOT 86	UTIL.	425 ±
D-1	84 MAIN STREET SOUTHBOROUGH, LLC 84 MAIN STREET; MAP 53 LOT 1	DRAIN.	11261 ±
Government			
PUE-11	TOWN OF SOUTHBOROUGH TOWN COMMON; MAP 54 LOT 6	UTIL.	537 ±
PUE-18	TOWN OF SOUTHBOROUGH WOODWARD SCHOOL 28 CORDAVILLE ROAD; MAP 54 LOT 92	UTIL.	91 ±

TEMPORARY EASEMENTS

PARCEL NO.	OWNER	AREA OF EASEMENT	
Private Residences			
TE-1	MICHAEL A. SPATARO & SIMON N. MCRAE TRUST 2 SEARS ROAD; MAP 52 LOT 7	TEMP.	236 ±
TE-2	ROBERT NICOLS & DANE S. WORLEY 94 MAIN STREET; MAP 53 LOT 5	TEMP.	4664 ±
TE-3	CHARLES O. JR. & WENDY M. BLACK 1 DEERFOOT ROAD; MAP 53 LOT 5A	TEMP.	2160 ±
TE-5	TIMOTHY J. NORTON & SHERRY L. COUNTRYMAN 65 MAIN STREET; MAP 53 LOT 6B	TEMP.	478 ±
TE-6	ERIC C. & AIMEE SIEGEL 61 MAIN STREET; MAP 53 LOT 21	TEMP.	150 ±
TE-7	GEORGE ARTHUR FORSYTHE & DOROTHY ANNE HURD 78 MAIN STREET; MAP 53 LOT 18	TEMP.	2635 ±
TE-8	ALAN J. & WENDY SCOTT MCDONALD 59 MAIN STREET; MAP 53 LOT 7	TEMP.	317 ±
TE-26	LEONORA A. & FRED B. WILLIAMS 34 MAIN STREET; MAP 54 LOT 9	TEMP.	911 ±
TE-31	CHRISTINE J. DONAHUE 3 CORDAVILLE ROAD; MAP 54 LOT 24	TEMP.	1559 ±
TE-32	RAYMOND G. HULING, IV 5 CORDAVILLE ROAD; MAP 54 LOT 23	TEMP.	864 ±
TE-35	STEPHEN G. & LAURIE D. PHILLIPS 26 MAIN STREET; MAP 54 LOT 90	TEMP.	1782 ±
TE-36	BERNARD & SANDRA CAMPBELL 17 MAIN STREET; MAP 54 LOT 27	TEMP.	437 ±
TE-37	DONALD M. & ANN DANDO LEAVITT 24 MAIN STREET; MAP 54 LOT 89	TEMP.	316 ±
TE-38	KRISTEN CONNELL 15 MAIN STREET; MAP 54 LOT 28	TEMP.	1214 ±
TE-39	DAVID W. PARRY 20-22 MAIN STREET; MAP 54 LOT 88	TEMP.	708 ±
TE-41	MARSTON & LOUISE F. CLOUGH 18 MAIN STREET; MAP 54 LOT 87	TEMP.	323 ±
TE-46	RAYMOND D. & MICHELE A. HOKINSON 12 MAIN STREET; MAP 54 LOT 83	TEMP.	290 ±
TE-47	RAYMOND D. & MICHELE A. HOKINSON 10 MAIN STREET; MAP 54 LOT 84	TEMP.	2151 ±
TE-48	WARREN C. & LUCIA R. PROSPERI 8 MAIN STREET; MAP 54 LOT 70	TEMP.	465 ±
TE-62	TIMOTHY J. NORTON & SHERRY L. COUNTRYMAN 65 MAIN STREET; MAP 53 LOT 6B	TEMP.	758 ±
TE-66	THOMAS W. & REGINA M. MANNIX 1 SEARS ROAD; MAP 53 LOT 6	TEMP.	1970 ±
Non-Profits			
TE-9	FAY SCHOOL, INC. 76 MAIN STREET; MAP 53 LOT 19	TEMP.	1579 ±
TE-10	ST. MARK'S SCHOOL 55 MAIN STREET; MAP 53 LOT 8	TEMP.	365 ±
TE-11	ST. MARK'S SCHOOL 55 MAIN STREET; MAP 53 LOT 8	TEMP.	286 ±
TE-12	ST. MARK'S SCHOOL 30 MAIN STREET; MAP 53 LOT 9	TEMP.	1466 ±
TE-13	FAY SCHOOL, INC. 56 MAIN STREET; MAP 53 LOT 13	TEMP.	1777 ±
TE-14	FAY SCHOOL, INC. 31 MAIN STREET; 53 LOT 10	TEMP.	1471 ±
TE-16	ST. MARK'S CHURCH 27 MAIN STREET; MAP 54 LOT 3	TEMP.	989 ±
TE-20	PILGRIM CONGREGATIONAL CHURCH 15 COMMON STREET; MAP 54 LOT 5	TEMP.	331 ±
TE-29	ST MARK'S SCHOOL 25 MARLBORO ROAD; MAP 65 LOT 3	TEMP.	5994 ±

TE-30	SOUTHBOROUGH VILLAGE SOCIETY 28 MAIN STREET; MAP 58 LOT 2A	TEMP.	7284 ±
TE-54	FAY SCHOOL, INC. 74 MAIN STREET; MAP 53 LOT 20	TEMP.	1810 ±
TE-55	FAY SCHOOL, INC. 70 MAIN STREET; MAP 53 LOT 25	TEMP.	1253 ±
TE-56	FAY SCHOOL, INC. 66 MAIN STREET; MAP 53 LOT 14	TEMP.	1778 ±
TE-57	FAY SCHOOL, INC. 54 MAIN STREET; MAP 53 LOT 12	TEMP.	1921 ±
TE-58	FAY SCHOOL, INC. 48 MAIN STREET; MAP 53 LOT 11	TEMP.	3268 ±
TE-59	FAY SCHOOL, INC. 48 MAIN STREET; MAP 53 LOT 11	TEMP.	4551 ±
TE-60	FAY SCHOOL, INC. 44 MAIN STREET; MAP 54 LOT 2	TEMP.	1139 ±
TE-63	ST. MARK'S CHURCH 27 MAIN STREET; MAP 54 LOT 3	TEMP.	1272 ±
TE-67	FAY SCHOOL, INC. 66 MAIN STREET; MAP 53 LOT 14	TEMP.	504 ±
TE-68	FAY SCHOOL, INC. 66 MAIN STREET; MAP 53 LOT 14	TEMP.	869 ±
TE-69	FAY SCHOOL, INC. 66 MAIN STREET; MAP 53 LOT 14	TEMP.	723 ±
TE-70	ST. MARK'S SCHOOL 30 MAIN STREET; MAP 53 LOT 9	TEMP.	1034 ±
Businesses			
TE-4	84 MAIN STREET SOUTHBOROUGH, LLC 84 MAIN STREET; MAP 53 LOT 1	TEMP.	813 ±
TE-18	TIMOTHY P. & VIRGINIA STONE 42 MAIN STREET; MAP 54 LOT 1	TEMP.	860 ±
TE-24	DONALD C. & STEPHANIE MORRIS 40 MAIN STREET; MAP 54 LOT 11	TEMP.	2700 ±
TE-25	STEPHEN D. & NANCY G. MORRIS 36 MAIN STREET; MAP 54 LOT 10	TEMP.	1067 ±
TE-42	RICHARD A. HALLISEY LIMITED PARTNERSHIP 11 MAIN STREET; MAP 54 LOT 29	TEMP.	274 ±
TE-43	16 MAIN STREET REALTY TRUST 16 MAIN STREET; MAP 54 LOT 86	TEMP.	1329 ±
TE-44	JSO REALTY, LLC 14 MAIN STREET; MAP 54 LOT 85	TEMP.	1290 ±
TE-45	RICHARD A. HALLISEY LIMITED PARTNERSHIP 11 MAIN STREET; MAP 54 LOT 29	TEMP.	2243 ±
TE-49	9 MAIN STREET, LLC 9 MAIN STREET; MAP 54 LOT 39	TEMP.	3062 ±
TE-50	THE HOUSE OF SOUTHBORO TRUST 6 MAIN STREET; MAP 54 LOT 65	TEMP.	1102 ±
TE-51	MASSACHUSETTS ELECTRIC COMPANY MAIN STREET; MAP 54 LOT 40	TEMP.	975 ±
TE-52	OLD FIRE STATION, LLC 5 MAIN STREET; MAP 54 LOT 41	TEMP.	504 ±
TE-61	84 MAIN STREET SOUTHBOROUGH, LLC 84 MAIN STREET; MAP 53 LOT 1	TEMP.	943 ±
Government			
TE-19	TOWN OF SOUTHBOROUGH 17 COMMON STREET; MAP 54 LOT 4	TEMP.	4007 ±
TE-21	TOWN OF SOUTHBOROUGH TOWN COMMON; MAP 54 LOT 6	TEMP.	2907 ±
TE-22	TOWN OF SOUTHBOROUGH OLD CEMETERY 1727 ST MARK'S STREET; MAP 54 LOT T	TEMP.	1064 ±
TE-23	TOWN OF SOUTHBOROUGH LIBRARY 25 MAIN STREET; MAP 54 LOT 7	TEMP.	821 ±
TE-27	SOUTHBOROUGH HOUSING AUTHORITY 1 CORDAVILLE ROAD; MAP 54 LOT 25	TEMP.	394 ±
TE-28	SOUTHBOROUGH HOUSING AUTHORITY 1 CORDAVILLE ROAD; MAP 54 LOT 25	TEMP.	1324 ±
TE-33	TOWN OF SOUTHBOROUGH LIBRARY 25 MAIN STREET; MAP 54 LOT 7	TEMP.	2132 ±

TE-34	TOWN OF SOUTHBOROUGH PUBLIC SAFETY COMPLEX 19 MAIN STREET; MAP 54 LOT 26	TEMP.	2395 ±
TE-40	TOWN OF SOUTHBOROUGH WOODWARD SCHOOL 28 CORDAVILLE ROAD; MAP 54 LOT 92	TEMP.	319 ±
TE-53	TOWN OF SOUTHBOROUGH WOODWARD SCHOOL 28 CORDAVILLE ROAD; MAP 54 LOT 92	TEMP.	1960 ±
TE-64	TOWN OF SOUTHBOROUGH TOWN COMMON; MAP 54 LOT 6	TEMP.	5326 ±

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

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

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

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation: At Town Meeting

Advisory Committee Recommendation: At Town Meeting

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

MOTION MADE: To indefinitely postpone the article.

MOTION FAILED.

MOTION MADE: To combine Articles 4 and 5 for purposes of discussion.

MOTION RULED OUT OF ORDER BY THE MODERATOR.

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

Said acquisition of such easements comprising of 122 parcels of land located in the Town of Southborough as listed in the warrant.

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

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

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

Requires a 2/3 vote.

MOTION PASSED. 467 IN FAVOR. 170 OPPOSED.

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

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

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

Board of Selectmen Recommendation: Not Support

Advisory Committee Recommendation: At Town Meeting

Summary: *This Citizen's Petition proposes to promptly repair Main Street in the same way the Town would repair any similar street, and not enlarge the road to meet Federal Highway Standards.*

MOTION MADE: To indefinitely postpone the article.

MOTION PASSED.

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

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

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

Proposed by: FREDERICA GILLESPIE and SAM STIVERS

Board of Selectmen Recommendation: At Town Meeting

Advisory Committee Recommendation: At Town Meeting

Summary: *This is a citizen's petition to eliminate the use variance from Southborough's zoning code. We believe that the Zoning Board's ability to issue a use variance (i.e., to allow uses in zoning districts that otherwise are not allowed - such as building a commercial project in the middle of a residential neighborhood) is counter to the best interests of the Town. Most Towns in Massachusetts do not permit use variances as use variances are considered to be in conflict with thoughtful master planning and zoning district guidelines. The sponsors believe that overriding the intent of the Town's master plan and zoning districts is an important issue that should be voted on by Town Meeting, rather than by four members of an appointed Zoning Board.*

MOTION MADE: That the Town of Southborough vote to amend Chapter 174 of the Code of the Town of Southborough, Massachusetts, Zoning, by deleting section 174-25 A(3) and replacing it with a new section as printed in the warrant.

Requires a 2/3 vote.

MOTION PASSED: 481 IN FAVOR. 25 OPPOSED.

Approved by the Attorney General on December 8, 2016.

PRESENTATION BY FREDDIE GILLESPIE

PRESENTATION BY DAVID MCKAY, ECONOMIC DEVELOPMENT COMMITTEE

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

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

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

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

Board of Selectmen Recommendation: Not Support

Advisory Committee Recommendation: At Town Meeting

Summary: *This is a citizen’s petition. The sponsors believe that the Town’s approval of the decades-old legislation creating the long-dormant Industrial Commission and the Industrial Development and Financing Authority should be rescinded. The original rationale for these groups (creation of industrial jobs to deal with high unemployment and development of industrial activity in Town) is no longer necessary or appropriate for Southborough. The important function of supporting economic development in Southborough can be fully accomplished by the existing Economic Development Committee - without revival of these long-dormant groups. One of many additional concerns about reviving the Industrial Development and Finance Authority is its ability to issue revenue bonds to finance development projects - outside of the normal Town budget process and outside of the usual necessary approval of Town Meeting for bonding decisions.*

MOTION MADE: That the Town vote to:

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

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

MOTION PASSED.

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

- a. At the future time when traffic from the currently proposed Park Central development or any development may begin to access Flagg Road, the Town will close Flagg Road at the culvert near the Rt 9 end (at a point near the

parcels at #72 and #77 Flagg Road), just northeast of the connector road. Traffic to/from the Park Central development will be routed only onto the southwestern "stub" of Flagg Road to Rt 9 without access to the northeastern part of Flagg Road beyond the closure point.

- b. Notify the Park Central neighborhood residents and the Park Central developer that the town is making the aforementioned change to Flagg Road, and that access will not be available from the development.
- c. Install a locked gate at the closure location in order to allow access for Town emergency vehicles, school buses and other Town vehicles, as has been done at similar locations in Town.

Proposed by: DEBORAH DeMURIA & KEVIN FARRINGTON

Board of Selectmen Recommendation: At Town Meeting

Advisory Committee Recommendation: Support

Summary: *This article proposes a conditional request from the Town to the Board of Selectmen to consider closing Flagg Road, near Route 9, in the event of traffic flowing from the Park Central site onto Flagg Road. The purpose of this citizen request is to address the increased danger for pedestrians (including school children in and near school zones), bicyclists and vehicles, with any Park Central traffic.*

Conditioned upon the event of any development at Park Central, closing Flagg Road to the Park Central development would prevent cut-through traffic on narrow, winding residential roadways, including Flagg Road (past school zones for two of the town's four public schools), Deerfoot Road, Lovers Lane, Lynbrook Road, and Clifford Road. These narrow, winding State-designated scenic roadways, which embody the character of Southborough, are sensitive residential roadways that are lined with stone walls and mature trees. This article enables the Selectmen to gauge the level of support within the Town to take measures to preserve the safety of our children and residents on these winding, narrow residential roadways.

MOTION MADE: That the vote to strongly request that the appropriate authorities, including Board of Selectmen and Planning Board:

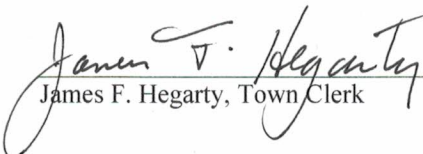
- a. At the future time when traffic from the currently proposed Park Central development or any development may begin to access Flagg Road, the Town will close Flagg Road at the culvert near the Rt 9 end (at a point near the parcels at #72 and #77 Flagg Road), just northeast of the connector road. Traffic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

MOTION PASSED: 232 IN FAVOR. 103 OPPOSED.

At 11:44 PM, it was voted unanimously to dissolve the SPECIAL TOWN MEETING.

True Copy

Attest:


James F. Hegarty, Town Clerk