



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 1

To see if the Town will hear a report from the Board of Selectmen for the calendar year preceding this Annual Town Meeting and receive the Annual Report made available to the inhabitants of the Town pursuant to Massachusetts General Laws Chapter 40, Section 49.

Pass any vote or take any action relative thereto.

**Sponsor: Board of Selectmen**

**April 28, 2015 Voted:** That the Town hear the Annual Report of the Board of Selectmen for the preceding calendar year and receive the Annual Report made available to the inhabitants of the town pursuant to Massachusetts General Laws, Chapter 40, Section 49.

Further, after this report is given, that this article be disposed.



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### ARTICLE 2

To see if the Town will vote to hear reports from various Departments, Boards, Committees and Commissions listed in this warrant article unless said reports have been made in writing and placed on the table at Town Meeting for Town Meeting Members and posted on the Town website.

**The requested reports are listed below (STM = Special Town Meeting):**

1. Report by the Planning Board on the status of:
  - a) Zoning Bylaw changes approved by Town Meeting and sent to the Attorney General in 2014. (Bylaws Article III Section 1.13.5.b)
    - i) Re-codification of the Zoning Bylaws (STM 2014 Art. 8)
    - ii) Modified Subdivision Control Zoning Bylaw (STM 2014 Art. 9)
  - b) The Master Plan, and on plans for development in the Town. (MGL Chapter 41, Section 71 and Bylaws Article III Section 1.13.4)
  - c) The Board of Selectmen and the Planning Board shall present the approved work plan for completing the process of re-codifying Framingham's Zoning Bylaw to the 2015 Annual Town Meeting (STM 2014 Art. 8 Resolution A)
2. Report from Town Manager on the following:
  - a) Streets that are in use by the public but not yet accepted by the Town as public ways and proposing a plan for these streets to be accepted as public ways. This report shall describe the methodology to insure that new streets are accepted in a timely manner (2013 FTM Resolution by Stephen Shull)
  - b) Status of Building Projects at the Village Hall in Framingham Center and the Athenaeum Hall in Saxonville
3. Report from the Chief Financial Officer on the following:
  - a) Land acquisition costs for purchase of easement approved at a Town Meeting in 2014 not otherwise reported (Bylaw Article III, Section 1.13.6b)
  - b) Use of mitigation funds received during the previous fiscal year and the status of unexpended mitigation funds not otherwise reported (Bylaw Article III, Section 1.13.6c)
  - c) Status of authorized but not completed Capital Budget projects not otherwise reported (Bylaw Article III, Section 1.13.6d)
    - i) Bins for trash collection
    - ii) Children's Grove at Cushing Park
  - d) Status of special appropriations approved by Town Meeting and not fully expended or not previously reported on. (Bylaw Article III, Section 1.13.2)
    - i) Appropriate funds to purchase SNOW property (STM 2014 Art. 15)
    - ii) Appropriate funds for the Mary Dennison Park Emergency Environmental Testing & Remediation Project (STM 2014 Art 17)
4. Report by the Director of Public Works on the status of special appropriations approved by Town Meeting and not fully expended or not previously reported on including but not restricted to the following: Birch Road well project (Bylaws Art. III Section 1.13.2)



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 2 (CONTINUED)

5. Report by the Town Clerk on the status of bylaw changes approved by Town Meeting and sent to the Attorney General in 2014. (Bylaws Article III Section 1.13.5. a)
  - a) Revised Nuisance Bylaw (STM 2014 Article 11
  - b) Deleted Motor Scooters Prohibited Bylaw (STM 2014 Article 12
  - c) Revised Moderator Section and Background Material Section of the Bylaws (STM 2014 Article 14
  
6. Report by the Board of Selectmen on
  - a) Petitions to the legislature approved by Town Meeting in 2014, if any.  
(Bylaws Article III Section 1.13.5. c)
  - b) Selectmen appointments that will expire on July 1. (Bylaws Article 1, Section 5.14)
  
7. Report from the Town Moderator on Moderator appointments that will expire on July 1. (Bylaws Article 1, Section 5.14)

And after the reports from a town official are given the Moderator shall allow a period of time for Town Meeting Members to ask questions on the reports and hear replies; then this article shall be disposed.

Pass any vote or take any action relative thereto.

### **Sponsor: Standing Committee on Rules**

**April 29, 2015 Voted:** That the Town hear reports from various departments, boards, committees and commissions listed in this warrant article unless said reports have been made in writing and placed on the table at Town Meeting for Town Meeting Members.

Further, after reports from a town official are given, the Moderator shall allow a period of time for Town Meeting Members to ask questions relating to the reports and hear replies.

Further, after all reports are given, that this article be disposed.



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### **ARTICLE 3**

To see if the Town will vote to authorize the Board of Selectmen to accept and expend funds in accordance with the provisions of Title I of the Housing and Community Development Act of 1974, as amended, and regulations promulgated thereunder by the U. S. Department of Housing and Urban Development.

Pass any vote or take any action relative thereto.

**Sponsor: Board of Selectmen**

**April 28, 2015 Voted:** That the Board of Selectmen be authorized to accept and expend funds in accordance with the provisions of Title I of the Housing and Community Development Act of 1974, as amended, and regulations promulgated thereunder by the U.S. Department of Housing and Urban Development, and in accordance with the "Proposed Statement of Community Development Objectives and Projected Use of Funds" approved by the Board of Selectmen on March 24, 2015. Said projected use of funds is shown on the attached pages.



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 3 ATTACHMENT

### RECOMMENDED USES OF FISCAL 2016 CDBG FUNDS

<b>1.0 ADMINISTRATION/PLANNING</b>	<b>\$102,267*</b>
<b>2.0 HOUSING REHABILITATION</b>	<b>\$220,368</b>
2.1 Housing Rehabilitation <i>Sponsor: Community and Economic Development</i>	\$158,868
2.2 Code Enforcement <i>Sponsor: Building &amp; Inspectional Services</i>	\$61,500
<b>3.0 PUBLIC FACILITIES IMPROVEMENTS</b>	<b>\$11,000</b>
3.1 Butterworth Park Bleacher Removal/ADA Replacement <i>Sponsor: Framingham Parks and Recreation</i>	\$11,000
<b>4.0 PUBLIC SERVICES</b>	<b>\$76,700**</b>
4.1 Literacy Unlimited <i>Sponsor: Framingham Public Library</i>	\$12,000
4.2 Framingham Adult ESL Plus <i>Sponsor: Framingham Adult ESL Program</i>	\$20,466
4.3 Community Connections Summer Work Program <i>Sponsor: Framingham Coalition Community Connections</i>	\$24,484
4.4 Resiliency for Life Program Summer Program <i>Sponsor: Resiliency for Life Advisory Board</i>	\$5,750
4.5 Healthy Options for Progress through Education (H.O.P.E.) <i>Sponsor: Pelham Apartments Residential Services</i>	\$9,000
4.6 Hoops & Homework <i>Sponsor: Hoops &amp; Homework</i>	\$5,000
<b>5.0 DOWNTOWN IMPROVEMENTS</b>	<b>\$101,000</b>
5.1 South Framingham Main Streets Program <i>Sponsor: Framingham Downtown Renaissance</i>	\$51,000
5.2 Downtown Wayfinding Sign Program <i>Sponsor: Community Development Department</i>	\$25,000
5.3 Downtown Commercial Sign & Façade Program <i>Sponsor: Framingham Downtown Renaissance</i>	\$25,000

<b>TOTALS</b>	<b>\$511,335</b>
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# Town of Framingham Annual Town Meeting April 28, 2015

\* Administration: The maximum amount of funds that may be budgeted to Administration is **\$102,267\***, 20% of the sum of the Entitlement Grant plus estimated Program Income realized in the program year.

\*\* Public Services: The maximum amount of funds that may be budgeted to Public Services is 15% of the sum of the Entitlement Grant plus Program Income realized in the program year.

## FISCAL 2016 CDBG PROJECT BACKGROUND

### 1.0 ADMINISTRATION & PLANNING

- Goal: *To administer the CDBG program effectively and equitably and to ensure that all members of the community can participate in or benefit from program activities.*

#### 1.1 CDBG PROGRAM ADMINISTRATION **\$102,267**

SPONSOR: Framingham Community Development Department

Sources of funds:      CDBG Entitlement Grant: **\$102,267**

Funds for the administration and planning costs of the CDBG program. No more than 20% of the grant allocation and program income earned can be allocated for administration.

### 2.0 HOUSING REHABILITATION

- Goal: *To arrest deterioration in the existing housing stock and to stabilize neighborhoods through ongoing financial and technical housing rehabilitation assistance to property owners.*

#### 2.1 HOUSING REHABILITATION ASSISTANCE PROGRAM (HRAP) **\$158,868**

SPONSOR: Framingham Community Development Department

Sources of funds:      CDBG Entitlement Grant: **\$133,868**

Program Income: **\$25,000**

In Fiscal 2016 HRAP will provide deferred, no-interest loans to repair code violations, improve energy efficiency and enhance ADA-accessibility in 2-4 owner-occupied homes with lower-income owners, and, if possible, 1 to 2 rental units occupied by lower-income tenants. Both CDBG and HOME funds will be used for loan capital. CDBG & HOME funds will be loaned to eligible owners, in any area of Town, to address emergency repair needs, such as heating system and roofing repairs. Rehabilitation funds will be loaned to eligible homeowners and multi-family residences in low-income target neighborhoods to fix housing code violations and to improve exterior appearances. CDBG monies will also pay for the program delivery



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

costs for the CDBG & HOME funded HRAP Program. **PERFORMANCE TARGET: 3-6 Dwelling Units; very low, low & moderate-income clientele.**

#### **2.2 NEIGHBORHOOD STABILIZATION/CODE ENFORCEMENT \$61,500**

SPONSOR: Framingham Inspectional Services Division

Sources of funds: CDBG Entitlement Grant: \$61,500

The Town will use CDBG funds to pay for housing inspections in targeted low/moderate-income (LM) neighborhoods. Housing code violations will be required to be corrected by the property owners, in partnership, where possible with the Housing Rehabilitation Assistance Program (HRAP). This program works in coordination with the Code Enforcement Task Force, an inter-department team who conducts monthly site visits of the neighborhoods to develop solutions and improvements from a holistic, inter-disciplinary approach. **PERFORMANCE TARGET: 400 – 500 inspections in LM areas.**

### **3.0 PUBLIC IMPROVEMENTS**

- *Goals: To improve infrastructure that will prolong the useful life of public facilities; and to remove architectural barriers to improve access to public and private facilities.*

#### **3.1 BUTTERWORTH PARK – ADA ACCESSIBLE BLEACHERS**

SPONSOR: Framingham Parks & Recreation Division

Sources of funds: CDBG Entitlement Grant: \$11,000

The Butterworth Park's current grandstand built in 1930's is deteriorated and a source of vandalism. The Parks and Recreation Division proposes to remove the non-compliant grandstand and replace it with a concrete pad to support an appropriate sized, aluminum handicapped bleacher which will be funded with CDBG funds. The entire improvement project consisting of demolition of the grandstand, the installation of an ADA compliant walkway, restoration of remaining area to green space and other aesthetic improvements will be funded through monies from the Parks, Recreation & Cultural Affairs Division.

**PERFORMANCE TARGET: 1 ADA public facility serving LM area.**

### **4.0 PUBLIC SERVICES**

- *Goal: To improve the quality of life for low and very low income residents of the Town through the provision of public services.*

#### **4.1 LITERACY UNLIMITED PROGRAM \$12,000**



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

SPONSOR: Framingham Public Library

Sources of funds: CDBG Entitlement Grant: \$12,000

Partial funding to continue the work of an adult literacy training program which features trained volunteer tutors to teach basic reading, writing, and computational skills, to illiterate and learning disabled adults on a one-to-one basis and in groups. The range of activities include classroom training of tutors, one-to-one tutoring, tutoring in conversational English to limited English speakers, counseling, job development, General Equivalency Diploma (GED) preparation and materials, and maintenance of student and tutor support networks. CDBG funds support the administrative staff to recruit and train volunteer tutors. The program will evaluate students initially and on an on-going basis, develop a learning plan for each low level literacy student, and provide guidance to tutors as they work with these students.

**PERFORMANCE TARGET: Up to 200 very low, low & moderate-income clients.**

#### **4.2 FRAMINGHAM ADULT ESL PLUS PROJECT \$20,466**

SPONSOR: Framingham Adult ESL Program

Sources of funds: CDBG Entitlement Grant: \$20,466

Partial funding is sought to provide free English-as-a-Second Language classes, training, and development to adult (ages 18 - 85) limited-English speakers to facilitate their integration into the community, prepare for their GED, Citizenship Preparation classes, the job market, customs, culture and the law. Funds will meet the cost of instructors, and counseling support for three full capacity classes of instruction for two semesters operated during the evening hours. **PERFORMANCE TARGET: Up to 60 very low, low & moderate-income clients.**

#### **4.3 COMMUNITY CONNECTIONS SUMMER WORK PROGRAM \$24,484**

SPONSOR: Community Connections/Framingham Coalition

Sources of funds: CDBG Entitlement Grant: \$24,484

Funding is being requested to provide a youth summer work program to employ a total of 30 teens (ages 14 to 17) that live in low socioeconomic Framingham neighborhoods. The program will operate during the summer months in which teens will learn responsibility and investment in their community by implementing appropriate landscaping, general clean up, painting, maintenance skills, and work together as a team by completing projects assigned to them. Because this will be a first job for most, teens will also learn the interview process and how to complete a job application. These sessions are supervised (on-site) by adults who have numerous years of experience working with youth in both a school and community settings. The program will involve orientation and participation in enrichment sessions on safety and health issues. **PERFORMANCE TARGET: Up to 40 very low, low & moderate-income clients.**



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### 4.4 RESILIENCY FOR LIFE PROGRAM

\$5,750

SPONSOR: Resiliency for Life

Sources of funds: CDBG Entitlement Grant: \$5,750

Funding is to provide an intervention program serving under-achieving at-risk incoming freshmen at Framingham High School. The mission is to assist students most at risk of academic failure and help them develop the skills and confidence for academic and personal success. This proposal seeks funds towards the Resiliency for Life Math/English Institute, a summer school program offering math and literacy skills and the semester-long MCAS and SAT prep classes. Students will attend the Summer Institute for four weeks, from 9:00 am to 3:00 pm. English & Math programs will focus on important elements to facilitate a smooth transition to 9th grade math. **PERFORMANCE TARGET: 15-20 very low, low & moderate-income clients.**

#### 4.5 H.O.P.E. (HEALTHY OPTIONS FOR PROGRESS THROUGH EDUCATION)

\$9,000

SPONSOR: Pelham II Corporation

Sources of funds: CDBG Entitlement Grant: \$9,000

H.O.P.E. is requesting funding for their on-site community-based program, which is geared toward 14-21 year old youth residing at the Pelham Apartments. H.O.P.E. provides access to computer technology that supports academic success and obtaining better jobs. H.O.P.E. provides one-on-one mentoring, community engagement, healthcare information, and other social services. Monthly field trips to educational, cultural, and science institutions will be organized. The proposed program will be conducted during the evening hours of 5:30–8:30 p.m. A family night will be offered once per month where student progress will be reported to the parent or legal guardian. The funds will directly pay the part-time bilingual program coordinator, program supplies, and costs associated with weekly programs and instructions and related materials. **PERFORMANCE TARGET: Up to 40 very low, low & moderate-income clients.**

#### 4.6 HOOPS & HOMEWORK

\$5,000

SPONSOR: HOOPS & HOMEWORK

Sources of funds: CDBG Entitlement Grant: \$5,000

Hoops & Homework is requesting funding for an educational and recreational after-school program for school age children located at the Carlson and Pusan Roads Community Rooms. Homework assistance, snack, on-site tutoring and recreational activities. **PERFORMANCE TARGET: Up to 50 very low, low & moderate-income clients.**



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### 5.0 DOWNTOWN IMPROVEMENTS

- Goal: *To improve the quality of life for low and moderate-income people by improving economic conditions for small businesses in Downtown Commercial Target area that serve local residents.*

#### 5.1 SOUTH FRAMINGHAM MAIN STREETS PROGRAM \$51,000

SPONSOR: Framingham Downtown Renaissance (F.D.R.)

Sources of funds: CDBG Entitlement Grant: \$51,000

F.D.R. seeks partial funding a South Framingham “Main Streets” program for the Town’s Downtown Commercial Target business district and surrounding residential neighborhoods, where 66% of residents have low or moderate-incomes. Funds will pay for staff who will promote the economic development of the area by providing marketing or other technical assistance to firms that serve neighborhood residents as well as small businesses owned by low or moderate-income people, hold community events, assist new businesses, and serve as liaison and support during the Downtown redesign and reconstruction project. **PERFORMANCE TARGET: Up to 200 small, local businesses that serve clientele from LM areas and eight marketing events.**

#### 5.2 DOWNTOWN COMMERCIAL WAYFINDING SIGN PROGRAM \$25,000

SPONSOR: Framingham Community Development Department

Sources of funds: CDBG Entitlement Grant: \$25,000

Funding is requested for the first phase of a comprehensive downtown gateway, vehicular and pedestrian wayfinding signage program for the Downtown commercial target area. This initial phase will include the design, location identification, construction documentation, and bid packet preparation for the production and installation phases. **PERFORMANCE TARGET: Downtown commercial improvements serving LM target area**

#### 5.3 DOWNTOWN COMMERCIAL SIGN AND FAÇADE PROGRAM \$25,000

SPONSOR: Framingham Community Development Department

Sources of funds: CDBG Entitlement Grant: \$25,000

Funding is requested to provide capital for partial rebates to help small businesses located in the Framingham Downtown Commercial District to install new signage and improve building



# Town of Framingham Annual Town Meeting April 28, 2015

facades. **PERFORMANCE TARGET: 3-5 grants to improve storefronts in the Downtown Commercial Target District.**

<b>CDBG GRAND TOTAL, Fiscal 2016:</b>	<b>\$511,335</b>
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# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 3 ADDITIONAL MOTIONS/AMENDMENTS**

**April 28, 2015 Failed:** I make a motion to move CDBG money in Article 3 – 4.2 ESL plus 20,466 and give it to Hoops for Homework.

**Jim Rizoli, Precinct 14**



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 4

To see if the Town will vote to: (a) approve the form of the Tax Increment Financing (TIF) Agreement by and between the Town of Framingham, Jack's Abby Brewing, LLC and Clinton 100 CPI LLC, pursuant to G.L. c. 40, § 59, on file with the Board of Selectmen; (b) authorize the Board of Selectmen to submit a Certified Project Application to the Massachusetts Economic Assistance Coordinating Council for approval; and (c) authorize the Board of Selectmen to execute the TIF Agreement and any other related documents and to take such other actions as may be necessary or appropriate to implement the TIF Agreement and take such other and further action as may be necessary or appropriate to obtain approval of the Certified Project Application or to carry out the purposes of this article.

Pass any vote or take any action relative thereto.

**Sponsor: Board of Selectmen**

**April 28, 2015 Voted:** That this article be referred back to Sponsor with concurrence of the Sponsor.



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 5

To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money for the purpose of paying unpaid bills of prior years of the Town.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**April 28, 2015 Voted:** That this article be referred back to Sponsor with concurrence of the Sponsor.



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### ARTICLE 6

To see if the Town will vote to authorize or re-authorize several revolving funds as defined by General Laws Chapter 44, Section 53 E ½ for Fiscal Year 2016 beginning July 1, 2015.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**April 29, 2015 Voted:** That Town Meeting authorize or re-authorize several revolving funds as defined by MGL, Ch. 44, Section 53E ½ for FY16 beginning July 1, 2015, including, but not limited to the following:

<u>Fund</u>	<u>Manager</u>	<u>Purpose</u>	<u>FY16 Spending Ceiling</u>	<u>Disposition of FY15 Fund Balance</u>
Town Owned Building/Civic Use Fund - Danforth and Memorial Buildings	Facilities Management Department of the General Government Division	To receive funds from rental fees and other similar charges for the use of the Danforth and Memorial Buildings and to authorize the Facilities Management Department to spend these funds for direct expenses associated with the general maintenance of these buildings such as custodial costs, utilities, maintenance supplies and other similar expenses.	<b>\$90,000</b>	Balance available for expenditure
Town Owned Building/Civic Use Fund - Cushing Chapel	Facilities Management Department of the General Government Division	To receive funds from rental fees and other similar charges for the use of Cushing Chapel and to authorize the Facilities Management Department to spend these funds for direct expenses associated with the general maintenance of these buildings such as custodial costs, utilities, maintenance supplies and other similar expenses.	<b>\$20,000</b>	Balance available for expenditure
Concerts on the Common Fund	Park and Recreation Department of the Park and Recreation Division	To receive funds from the sale of food and other similar charges during Concerts on the Common and to authorize the Park and Recreation Department to spend these funds for direct expenses associated with the sale of food and other concert-related charges such as staff costs, utilities, maintenance supplies and other similar expenses.	<b>\$4,000</b>	Balance available for expenditure



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 6 (CONTINUED)

<u>Fund</u>	<u>Manager</u>	<u>Purpose</u>	<u>FY16 Spending Ceiling</u>	<u>Disposition of FY15 Fund Balance</u>
School Bus Fees	Framingham School Committee - School Department	To receive and spend funds for direct expenses associated with the transportation of students to and from school.	<b>\$380,000</b>	Balance available for expenditure
Town Wetland Protection Fund	Conservation Commission of the Public Works Division	To receive fees and spend funds to pay for services associated with processing Permits and Requests for Determination.	<b>\$28,000</b>	Balance available for expenditure
Excavation Management Fund	Public Works Division	To account for revenue from fees collected for Street Opening Permits and the Excavation Management program for the administrative and operational costs associated with the management of this program.	<b>\$85,000</b>	Balance available for expenditure
Housing Pre-Inspection Program Fund	Building Inspection Department of the Inspectional Services Division	To use funds secured from rental inspections, housing application fees and re-inspection fees for the implementation of the housing pre-inspection program. The funds will be used for rental costs, salaries for administrative and field staff, printing costs, and the purchase of supplies and equipment.	<b>\$50,000</b>	Balance available for expenditure
Vaccine Administration Fund	Public Health Department of the Inspectional Services Division	To use funds secured from reimbursements for vaccine administration to citizens. The funds will be used to buy additional vaccines and supplies to expand the program including but not limited to the purchase of flu vaccine for town employees.	<b>\$27,000</b>	Balance available for expenditure
Fluorescent Lamp/Mercury Recycling Fund	Public Works Division	To use revenue secured from fees collected for the disposal of Fluorescent lamps, compact fluorescents and other mercury containing items like thermometers, thermostats and button-cell batteries to offset the costs of disposal.	<b>\$5,000</b>	Balance available for expenditure
Town Records Preservation Fund	Town Clerk of the Elected Boards Division	To use funds secured from vital records charges to preserve deteriorating records of the Town of Framingham. A specific charge of \$2 per record is collected and will be deposited in this fund to be used for any costs related to record preservation.	<b>\$80,000</b>	Balance available for expenditure



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 6 (CONTINUED)

<u>Fund</u>	<u>Manager</u>	<u>Purpose</u>	<u>FY16 Spending Ceiling</u>	<u>Disposition of FY15 Fund Balance</u>
Callahan Senior Center Fund	Council on Aging of the Park and Recreation Division	To use fees and revenues received from building rental, programming, and general services. The funds will be expended to cover associated costs and expenses of those services and for the advancement of Council on Aging's established mission statement.	<b>\$40,000</b>	Balance available for expenditure
Emergency Management Equipment Fund	Framingham Emergency Management Agency of the Police Division	To collect and expend fees assessed to NERAC (Northeast Regional Advisory Council for Homeland Security) communities for the use of centrally housed equipment for emergent situations and provide upkeep and maintenance on the equipment in the cache.	<b>\$15,000</b>	Balance available for expenditure
Animal Control Fund	Animal Control Department of the Police Division	To use fees collected from boarding and kennel rentals for the purpose of offsetting kennel operating costs.	<b>\$4,500</b>	Balance available for expenditure
Blighted Property Fund	Building Inspection Department of the Inspectional Services Division	To account for revenue from fees generated by the foreclosed property registration bylaw and municipal lien bylaw. Expenditures may be made for the administrative and operational costs associated with making distressed properties safe by demolishing, boarding-up, cleaning up, or securing from unauthorized intruders.	<b>\$10,000</b>	Balance available for expenditure



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 7**

To see if the Town will vote to appropriate a sum or sums of money for off-site mitigation improvements or as otherwise agreed upon by the Town of Framingham Planning Board and Project Applicant(s) pursuant to recorded Planning Board decision(s) to be managed by the Town Manager or designee in consultation with the Planning Board and consistent with said decision(s).

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**April 28, 2015 Voted:** That this article be referred back to Sponsor with concurrence of the Sponsor.



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 8

To see if the Town will vote to determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operations of the Sewer Department, including debt and interest for Fiscal Year 2015 (July 1, 2014 – June 30, 2015) and to see what budgets for Fiscal Year 2015 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**April 28, 2015 Voted:** That this article be referred back to Sponsor with concurrence of the Sponsor.



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 9**

To see if the Town will vote to determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operations of the Water Department, including debt and interest for Fiscal Year 2015 (July 1, 2014 – June 30, 2015) and to see what budgets for Fiscal Year 2015 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**April 28, 2015 Voted:** That this article be referred back to Sponsor with the concurrence of the Sponsor.



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 10

To see if the Town will vote to rescind various authorized, but unissued borrowing votes of the Town.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**April 29, 2015 Voted:** That the following various authorized, but unissued borrowing votes of the Town be rescinded:

<u>Town Meeting</u>	<u>Article</u>	<u>Amount to be Rescinded</u>
5/10 ATM	A42C Replace Engine 7 Pumper Truck	\$82,560
5/11 ATM	A41C Replace Multi Hazard Gas Meters	\$9
5/11 ATM	A31M Inground Fuel Tank Monitoring System Replacement	\$1,056
5/12 ATM	A31CC Village Hall Boiler Replacement	\$250
5/12 ATM	A31DD Maynard Drainage	\$25,000
5/13 ATM	A18C Pearl Street Garage Repairs	\$210,000
5/13 ATM	A18G Zamboni	\$3,674
5/13 ATM	A18I Toro Groundmaster 580-D 4x4	\$26
5/13 ATM	A18J F350 4x4 Crew Cab Pickup 10,000 GVW	\$670
5/13 ATM	A18V Sander Body with Compuspread and Calcium Controls #421a	\$39
5/13 ATM	A18Z Replacement 68,000 GVW Cab & Chassis w/ Rolloff Frame #519	\$300



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 11

To see if the Town will vote to determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operations of the Town of Framingham, including debt and interest for Fiscal Year 2015 (July 1, 2014 – June 30, 2015) and to see what budgets for Fiscal Year 2015 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**April 29, 2015 Voted:** That the following FY2015 budget adjustments be made:

<b><u>Transfer</u></b>	<b><u>To</u></b>	<b><u>From</u></b>
Miscellaneous/Unclassified- Group Health Insurance		\$2,450,000
Snow & Ice	\$2,450,000	
Miscellaneous/Unclassified- Group Health Insurance		\$100,000
Medicare/FICA	\$100,000	
Reserve Fund		\$240,000
School Department	\$240,000	
Police Department		\$25,000
Fire Department		\$25,000
Veteran's Department	\$50,000	
<b>TOTAL</b>	<b>\$2,840,000</b>	<b>\$2,840,000</b>



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

## ARTICLE 12

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for various capital projects including purchase of equipment, purchase of land, repair, rehabilitation, design or construction of buildings and infrastructure, including any related engineering, personnel and legal services, and the acquisition of any necessary permanent and/or temporary easements or other interests in land for said projects.

Pass any vote or take any action relative thereto.

### **Sponsor: Chief Financial Officer**

**May 7, 2015 Voted:** That the Town raise and appropriate, transfer from available funds or borrow the sum of \$19,522,710 for the projects listed below, to be spent under the direction of the Town Manager or his designee, with the exception of items proposed by the School Department, which will be spent under the direction of the School Superintendent or his designee, and further, that the Town Manager or School Superintendent shall be allowed to exceed the appropriation for individual capital projects to be spend under his direction as long as the total amount to be spent does not exceed the total amount appropriated and that such adjustments are in compliance with M.G.L., Chapter 44 for the purpose of the design and construction, including any related engineering, personnel and legal services;

Item #	Description	Department	Amount	Date Voted	Amount Voted	Vote
A12 A	Thermal Imaging Cameras (TICs)	Fire	\$68,450	04/29/15	\$68,450	149-0-0
A12 B	Phase 3 – Protective Clothing Replacement	Fire	\$121,280	04/29/15	\$121,280	149-0-0
A12 C	Replace SCBA Air Compressor	Fire	\$57,708	04/29/15	\$57,708	149-0-0
A12 D	Operating & Performance Management Software	CFO	\$150,000	04/29/15	\$150,000	149-0-0
A12 E	Cypress Street Woodland Improvement	DPW - Conservation	\$250,000	04/29/15	\$250,000	124-6-2
A12 F	Loring Arena Renovations	Loring Arena	\$5,660,000	04/29/15	\$5,660,000	106-36-7
A12 G	F350 4x4 Crew Cab Pickup Truck 10,000 GVW	Parks and Recreation	\$41,000	04/29/15	\$41,000	149-0-0
A12 H	Mary Dennison Park Remediation & General Improvements	Parks and Recreation	\$600,000	05/05/15	\$600,000	135-1-1
A12 I	Animal Control Vehicle	Animal Control	\$62,390	04/29/15	\$62,390	149-0-0
A12 J	Public Safety Technology & Maintenance Project	Police	\$87,000	04/29/15	\$87,000	149-0-0
A12 K	Pedestrian Safety	Police	\$73,140	04/29/15	\$73,140	149-0-0



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

A12 L	Salem End Road Bridge Replacement – Design	DPW-Engineering	\$125,000	04/29/15	\$125,000	149-0-0
A12 M	Fountain Street Roadway Improvements – Design	DPW-Engineering	\$190,000	04/29/15	\$190,000	149-0-0
A12 N	Union Avenue Roadway Improvements	DPW-Engineering	\$510,000	04/29/15	\$510,000	149-0-0
A12 O	Landham Pond Dam Removal – Design	DPW-Engineering	\$230,000	04/29/15	\$230,000	122-0-1
A12 P	Annual Traffic Calming – 2016	DPW-Engineering	\$200,000	04/29/15	\$200,000	86-24-3
A12 Q	Replacement of 6 CY Material Spreader #426A	DPW – Highway	\$40,480	04/29/15	\$40,480	149-0-0
A12 R	Replacement of 11,000 GVW 4 WD Cab & Chassis w/ Utility Body & Plow #419	DPW – Highway	\$58,235	04/29/15	\$58,235	149-0-0
A12 S	Replacement of 11,000 GVW 4 WD Cab & Chassis w/ Utility Body & Plow #418	DPW – Highway	\$58,235	04/29/15	\$58,235	149-0-0
A12T	Replacement of Backhoe/Loader and Plow #450	DPW – Highway	\$141,170	04/29/15	\$141,170	149-0-0
A12 U	Annual Roadway Improvements – 2016	DPW – Highway	\$4,500,000	04/29/15	\$4,500,000	149-0-0
A12 V	Annual Drainage System & Water Quality Projects – 2016	DPW - Highway	\$150,000	04/29/15	\$150,000	149-0-0
A12 W	Acquisition of two (2) 68,000 GVW Cab and Chassis with Automatic Refuse Packer & Plow	DPW - Sanitation	\$629,000	05/06/15	\$629,000	138-0-0
A12 X	Technology Upgrades Throughout the District	School Department	\$1,155,000	05/06/15	\$1,155,000	91-38-9
A12 Y	Asbestos Abatement – Stapleton School	School Department	\$325,000	04/29/15	\$325,000	149-0-0
A12 Z	School Department Security Enhancement Throughout the District	School Department	\$290,000	04/29/15	\$290,000	149-0-0
A12 AA	Food Service Equipment Upgrades – Phased Project	School Department	\$145,000	04/29/15	\$145,000	149-0-0
A12 AB	Mechanical, Electrical, Plumbing Upgrades – All Schools – Multiple Systems – Phased Project FY16	School Department	\$150,000	04/29/15	\$150,000	149-0-0
A12 AC	ADA Upgrades to Curbs, Sidewalks, Handicap Ramps, Railings, Bathroom Partitions, Door Hardware, Signage – Multiple Schools – Phased Project FY16	School Department	\$150,000	04/29/15	\$150,000	149-0-0
A12 AD	Heating Ventilation Air Conditioning (HVAC) – Replace Rooftop Air Handling Units (AHU's) and Ventilation Equipment – Multiple Schools	School Department	\$250,000	04/29/15	\$250,000	149-0-0
A12 AE	Farley Building Roof & Exterior Envelope Repairs – Athletic Wing	School Department	\$1,207,388	05/06/15	\$1,207,388	103-6-8
A12 AF	Furnish New and Replace Outdated Furniture – Phase 2	School Department	\$300,000	04/29/15	\$300,000	149-0-0
A12 AG	Utility Body Truck – Vehicle Replacement – Buildings and Grounds Department	School Department	\$55,000	04/29/15	\$55,000	149-0-0



# Town of Framingham Annual Town Meeting April 28, 2015

A12 AH	Cube Truck – Vehicle Replacement – Food Services Department	School Department	\$45,000	04/29/15	\$45,000	149-0-0
A12 AI	UCS Upgrade	Technology Services	\$206,707	04/29/15	\$206,707	149-0-0
A12 AJ	Archived Document Scanning – Phase IV	Technology Services	\$179,383	04/29/15	\$179,383	149-0-0
A12 AK	Replacement of the Callahan Senior Center Roof	Town Owned Buildings	\$575,894	05/06/15	\$575,894	116-0-0
A12 AL	Main Library Fire Alarm Replacement	Town Owned Buildings	\$225,250	04/29/15	\$225,250	149-0-0
A12 AM	Replacement of the Police Department Boilers	Town Owned Buildings	\$185,000	04/29/15	\$185,000	Passed unanimously
A12 AN	Site Selection Study for Fire Station #2 – Watson Place	Town Owned Buildings	\$75,000	05/06/15	\$75,000	104-2-1
	<b>General Fund Total Recommended</b>		<b>\$19,522,710</b>	<b>05/07/15</b>	<b>\$19,522,710</b>	<b>100-3-6</b>

Further, to amend Article 31 of the May 2011 ATM Item A31K Butterworth Phase 1-Tennis Lighting to insert after the words Tennis Lighting: Grandstand Replacement and Park Improvements.

Further, to amend Article 16 of the April 2014 ATM Item A16AB to replace the project title Replacement of (4) 68,000 GVW Cab and Chassis with Automatic Refuse Packer & Plow #511 #512 #513 #514 with the title Replacement of (4) 68,000 GVW Cab and Chassis with Automatic Refuse Packer & Plow #512 #513 #516 #517.

Further, that the Board of Selectmen be authorized to acquire by gift, purchase or eminent domain, permanent easements and temporary construction easements or other interests in land for said projects, and further, that the Board of Selectmen be authorized to take all actions necessary to carry out the purposes of this article.

And, to meet said appropriation, transfer \$24,353 to project A12AJ Archived Document Scanning – Phase IV from the following projects:

Transfer	Town Meeting	Article
\$23,912	5/02 ATM	A15J Financial Management Software
\$249	5/10 ATM	A24X Municipal Data Storage
\$192	5/13 ATM	A18PP Network Data Storage

Further, that the Treasurer be authorized, with the approval of the Board of Selectmen, to issue from time to time bonds or notes in the amount of \$19,498,357 pursuant to the provisions of M.G.L., Chapter 44, Section 7 and 8 or any other enabling authority.

**100 voting in favor, 3 opposed, 6 abstentions**



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### **ARTICLE 12 ADDITIONAL MOTIONS/AMENDMENTS**

**April 29, 2015 Failed:** I move to amend Article 12, Item A12E, by reducing the expense line to \$50,000 and that the intended project be only for cleanup of Cedar Swamp by Conservation. Furthermore, this track of land should remain in its natural state – no fences, no barriers between homeowners and the swamp. Note: Request a report at Fall TM on results of cleanup.

**Peter Pleshaw, Precinct 11**

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**April 30, 2015 Failed:** (A12F: Loring Arena Capital Budget) On the behalf of the Ways and Means Committee (9-3-0), I move to refer this article back to Sponsor.

**Harold Geller, Precinct 2**

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**May 5, 2015 Failed:** I move the Mary Dennison Park Remediation & General Improvements of \$600,000 be increased to \$800,000.

**Deborah Butler, Precinct 7**

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**May 6, 2015 Failed:** Move to reduce the School Technology item to \$700,000 from \$1,155,000.

**Jeanne Bullock, Precinct 5**

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**May 6, 2015 Failed:** I move that Town Meeting vote to fund from free cash of \$575,894 one time payment to Callahan Senior Center roof.

**Gerald Bloomfield, Precinct 1**

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**May 7, 2015 Failed:** I move to add Keefe Tech. School Repair Replacement @ approximately \$800,000 into the FY16 Capital Budget.

**Gerald Bloomfield, Precinct 1**

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# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 12 RESOLUTION A**

**April 30, 2015 Passed:** It is resolved that it is the will of Town Meeting that Parks and Receptions Department or other Town Departments find a way to have much of the debt service incurred by the \$5.7 million price tag for the renovation of Loring Arena to be paid for by entities other than the Framingham local taxpayers.

**William LaBarge, Precinct 16**



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 12 RESOLUTION B**

**May 6, 2015 Passed:** Be it resolved that the School Department report at the 2015 Fall Town Meeting on the overall plan and status for incorporating technology into the schools, including the use of computers and its integration/implementation with the curriculum.

**Harold Geller, Precinct 2**



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 13

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for various water department capital projects including purchase of equipment, purchase of land, repair, rehabilitation, design or construction of buildings and infrastructure, including any related engineering, personnel and legal services, and the acquisition of any necessary permanent and/or temporary easements or other interests in land for said projects.

Pass any vote or take any action relative thereto.

### **Sponsor: Chief Financial Officer**

**May 7, 2015 Voted:** That the Town raise and appropriate, transfer from available funds, or borrow the sum of \$10,290,923 for the projects listed below, to be spent under the direction of the Town Manager or his designee, and further, that the Town Manager shall be allowed to exceed the appropriation for individual capital projects to be spent under his direction as long as the total amount to be spent does not exceed the total amount appropriated and that such adjustments are in compliance with M.G.L., Chapter 44, for the purpose of design and construction, including any related engineering, personnel and legal services of the following Water Department projects:

A13A	Replacement of 33,000 GVW Cab and Chassis with Construction Body #643	Water	\$150,823
A13B	Replacement of 15,000 GVW Cab and Chassis with Service Body and Plow #609	Water	\$80,550
A13C	Replacement of 15,000 GVW Cab and Chassis with Service Body and Plow #606	Water	\$80,550
A13D	Water Meter Replacement Program – Water	Water	\$502,000
A13E	Annual Various Hydrant and Valve Improvements Project – 2016	Water	\$200,000
A13F	Annual Various Water Improvements Project – 2016	Water	\$300,000
A13G	Evergreen Street Area Water Main Improvements – Design and Construction	Water	\$3,160,000
A13H	Speen Street and Cochituate Road Water Main Replacement – Construction	Water	\$3,980,000
A13I	Worcester Road Water Main Replacement (Concord Street to Natick Line) – Design	Water	\$637,000
A13J	Arlington Street Water Line Rehabilitation – Design	Water	\$430,000
A13K	Indian Head Water Tank Rehabilitation – Design	Water	\$770,000



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 13 (CONTINUED)**

Further, that the Board of Selectmen be authorized to acquire by gift, purchase or eminent domain, permanent easements and temporary construction easements or other interests in land for said projects, and further, that the Board of Selectmen be authorized to take all actions necessary to carry out the purposes of this article; and further, that the Treasurer be authorized, with the approval of the Board of Selectmen, to issue from time to time, bonds or notes in the amount of \$10,290,923 pursuant to the provisions of M.G.L., Chapter 44, Section 7 and 8 or any other enabling authority.

**118 voting in favor, 1 opposed, 0 abstentions**



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### ARTICLE 14

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for various sewer department capital projects including purchase of equipment, purchase of land, repair, rehabilitation, design or construction of buildings and infrastructure, including any related engineering, personnel and legal services, and the acquisition of any necessary permanent and/or temporary easements or other interests in land for said projects.

Pass any vote or take any action relative thereto.

#### **Sponsor: Chief Financial Officer**

**May 7, 2015 Voted:** That the Town raise and appropriate, transfer from available funds, or borrow the sum of \$16,595,891 for the projects listed below, to be spent under the direction of the Town Manager or his designee, and further, that the Town Manager shall be allowed to exceed the appropriation for individual capital projects to be spent under his direction as long as the total amount to be spent does not exceed the total amount appropriated and that such adjustments are in compliance with M.G.L., Chapter 44, for the purpose of the design and construction, including any related engineering, personnel and legal services of the following Sewer Department projects:

A14A	Replacement of 70,000 GVW Cab and Chassis with Vector #738	Sewer	\$460,385
A14B	Replacement of 11,000 GVW 4WD Cab and Chassis with Service Body and Plow #721	Sewer	\$58,235
A14C	Replacement of 15,000 GVW 4WD Cab and Chassis with Service Body and Plow #725	Sewer	\$80,550
A14D	Interchange 12 Railway Sewer Alignment – Design and Construction	Sewer	\$9,810,000
A14E	Water Meter Replacement Program – Sewer	Sewer	\$502,000
A14F	Annual Various Sewer Improvements – 2016	Sewer	\$300,000
A14G	Wastewater Pump Station Capital Equipment Replacement	Sewer	\$400,000
A14H	Evergreen Street Area Sewer Improvements – Design and Construction	Sewer	\$648,000
A14I	Shawmut Terrace and John McQuinn Pump Stations and Woodland Force Main Improvements – Design	Sewer	\$1,100,000
A14J	Worcester Road Area Sewer Improvements – Design	Sewer	\$1,245,000
A14K	Lanewood Siphon Reconstruction – Design	Sewer	\$206,500
A14L	Speen Street Area Sewer Force Main Abandonment – Design and Construction	Sewer	\$1,410,000



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 14 (CONTINUED)

A14M	Replacement of 18,000 GVW Cab and Chassis with Closed Camera Body #742	Sewer	\$375,221
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Further, that the Board of Selectmen be authorized to acquire by gift, purchase or eminent domain, permanent easements and temporary construction easements or other interests in land for said projects, and further, that the Board of Selectmen be authorized to take all actions necessary to carry out the purposes of this article; and further, that the Treasurer be authorized, with the approval of the Board of Selectmen, to issue from time to time bonds or notes in the amount of \$16,595,891 pursuant to the provisions of M.G.L., Chapter 44, Section 7 and 8 or any other enabling authority.

**116 voting in favor, 3 opposed, 0 abstentions**



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 14 ADDITIONAL MOTIONS/AMENDMENTS**

**May 7, 2015 Failed:** I move to send back to Sponsor item number 738.

**Jim Pillsbury, Precinct 6**



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

## ARTICLE 15

To see if the Town will vote to act on reports and recommendations of the Selectmen and other officers and committees of the Town and Boards of Trustees and to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the support of the operations of the Town, for a Reserve Fund, for any other purposes included in said reports, for the payments of notes and bonds of the Town, if any, which mature before the next annual meeting, for the payment of pensions and for all other necessary expenses of the Town for the Fiscal Year 2016 (July 1, 2015 – June 30, 2016).

Pass any vote or take any action relative thereto.

### **Sponsor: Chief Financial Officer**

**May 14, 2015 Voted:** That the Town hear and act on reports and recommendations of the Selectmen and other officers and committees of the Town and Boards of Trustees and to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the support of the operations of the Town, for a Reserve Fund, for any other purposes included in said reports, for the payment of notes and bonds of the Town, if any, which mature before the next annual meeting, for the payment of pensions and for all other necessary expenses of the Town for the Fiscal Year 2016 (July 1, 2015 – June 30, 2016).

Unclassified Appropriation	\$32,821,856
Retirement Appropriation	\$14,899,645
Debt Service Appropriation	\$11,922,904
Fire Division	\$13,579,739
Police Division	\$14,913,780
Public Works Division	\$10,155,797
Framingham Public Library	\$3,039,418
Planning Board	\$223,124
Town Clerk Stipend	\$94,932
Town Clerk/Elections Division	\$371,789
General Government Division	\$3,579,983
Parks & Recreation/Cultural Affairs Division	\$3,806,038
Finance Division	\$2,409,886
Inspectional Services Division	\$2,218,284
Community & Economic Development Division	\$508,866
Technology Services Division	\$1,564,774
Human Resources Division	\$1,055,950
Framingham Public Schools	\$115,731,953
Keefe Technical Assessment	\$8,941,210



# Town of Framingham Annual Town Meeting April 28, 2015

Stabilization Fund	\$199,973 <b>2/3 voting in favor</b>
Capital Stabilization Fund	\$999,866 <b>2/3 voting in favor</b>
Reserve Fund	\$400,000
Snow & Ice Appropriation	\$1,636,288
Total Town Meeting Appropriation	\$245,076,055

And to meet said appropriations, the Town approves the following to support the budget:

Transfer from Free Cash	\$4,949,739
Transfer from Parking Meter Receipts	\$50,000
Transfer from Sewer Enterprise Fund	\$1,434,330
Transfer from Water Enterprise Fund	\$1,548,092
Transfer from Consumer and Merchant Protection Act Funds	\$15,000

And the balance to be raised from taxation.



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 15 ADDITIONAL MOTIONS/AMENDMENTS**

**May 13, 2015 Failed:** I move that Town Meeting reduce the Police budget by 54,000 thousand dollars for a budget total of 14,913,780.00 dollars.

**Jim Pillsbury, Precinct 6**

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**May 14, 2015 Failed:** On behalf of the Standing Committee on Education, I move that the budget line item for Framingham Public Schools be amended to \$116,517,639.

**Richard J. Weader, II, Precinct 4**

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# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 15 RESOLUTION A**

**May 13, 2015 Passed:** I move that Town Meeting insists that the Town Manager direct the Media Services Department make available all recorded government meetings on the government website in “on demand”. And, that all recorded government meetings maintain cable competitive production quality in sound and lighting and that only government meetings are recorded and aired.

**Jim Pillsbury, Precinct 6**



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 15 RESOLUTION B**

**May 13, 2015 Failed:** I move that we sell the mobile command center van and give the money to the skatepark.

**Jim Rizoli, Precinct 14**



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 15 RESOLUTION C**

**May 13, 2015 Passed:** I move that Loring Arena account for indirect expenses on an annual basis.

**Deborah Butler, Precinct 7**



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 15 RESOLUTION D**

**May 13, 2015 Failed:** I move for elimination of stipends equaling \$12k paid to members of the Board of Assessors.

**Deborah Butler, Precinct 7**



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 15 RESOLUTION E**

**May 13, 2015 Passed:** Be it resolved that the Framingham legislators submit a bill to the State Legislature to allow funding for vocational education to follow a student to an out-of-district school when an in-district vocational school does not have the capacity to enroll the student as is done with Charter school funding.

**Harold Geller, Precinct 2**



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 15 RESOLUTION F**

**May 14, 2015 Failed:** I move that Town Meeting vote by resolution to request that the Framingham Public Schools undertake measures to allow the currently abandoned tennis courts at Barbieri Elementary School to be used for a skateboard park.

**Deborah Butler, Precinct 7**



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 15 RESOLUTION G**

**May 14, 2015 Failed:** I move that Town Meeting vote, as a gesture of good faith to Framingham taxpayers to remove \$154,000, from the Capital Stabilization Fund representing a 1% cost of living allowance (COLA) for all non-bargaining municipal department employees.

**Deborah Butler, Precinct 7**



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 16

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the operation of the Water Department, including capital outlay and debt service, and for all other necessary expenses for the Fiscal Year 2016 (July 1, 2015 – June 30, 2016).

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**May 14, 2015 Voted:** That the Town expend \$18,941,466 in FY2016 in the Water Department for the cost of personnel, operating expenses, MWRA Assessment and debt service, under the direction of the Town Manager or his designee:

and that \$18,941,466 be raised from water receipts.



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 17

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the operation of the Sewer Department, including capital outlay and debt service, and for all other necessary expenses for the Fiscal Year 2016 (July 1, 2015 – June 30, 2016).

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**May 14, 2015 Voted:** That the Town expend \$24,267,042 in FY2016 in the Sewer Department for the cost of personnel, operating expenses, MWRA Assessment and debt service, under the direction of the Town Manager or his designee:

and that \$24,267,042 be raised from sewer receipts.



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 18

To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide \$120,000 to fund the economic development activities of the Framingham Economic Development Industrial Corporation (EDIC).

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**May 14, 2015 Voted:** That the Town raise and appropriate, transfer from available funds or otherwise provide \$120,000 to fund the economic development activities of the Framingham Economic Development Industrial Corporation (EDIC).



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### **ARTICLE 19**

To see if the Town will vote to transfer to the Board of Selectmen for general municipal purposes those parcels of land located at 618 Waverly Street (Rear) identified on the assessors map as parcel 100/138.0-0286-0008B.0 and 9999 Waverly Street identified on the assessors map as parcel 100/138.0-0286-0010.0, which were acquired by eminent domain for school purposes under Article 56 of the 1971 Annual Town Meeting, by Orders of Taking recorded with Middlesex South District Registry of Deeds at Book 12118, Page 221 and Book 12135, Page 60 respectively, and which were declared as no longer needed for school purposes pursuant to the School Committee vote.

Pass any vote or take any action relative thereto.

#### **Sponsor: Chief Financial Officer**

**May 14, 2015 Voted:** That the Town authorize the transfer to the Board of Selectmen for general municipal purposes those parcels of land located at 618 Waverly Street (Rear) identified on the assessors map as parcel 100/138.0-0286-0008B.0 and 9999 Waverly Street identified on the assessors map as parcel 100/138.0-0286-0010.0, which were acquired by eminent domain for school purposes under Article 56 of the 1971 Annual Town Meeting, by Orders of Taking recorded with Middlesex South District Registry of Deeds at Book 12118, Page 221, and Book 12135, Page 60 respectively, and which were declared as no longer needed for school purposes by vote of the School Committee; that the Board of Selectmen be authorized to prepare such plans and approvals as may be necessary to create Parcels A, B, C, Ca and D as shown on the background materials included herewith; and that the Board of Selectmen be authorized to dispose of any or all of Parcels A, B and Ca.

**96 voting in favor, 5 opposed, 2 abstentions**



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 19 ADDITIONAL MOTIONS/AMENDMENTS**

**May 14, 2015 Passed:** I move that the parcel (referred to as parcel "A") located at 9999 Waverly Street identified on assessors map parcel #100/138.0-0286-0008.A be removed from the motion.

**George Lewis, Precinct 18**



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 20

To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide \$709,245 for the one-time payment to Keefe Vocational Technical School for the Framingham share of the roof replacement project.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**May 19, 2015 Voted:** That Town Meeting vote to transfer \$709,245.04 from Free Cash for the one-time payment to Keefe Vocational Technical School for the Framingham share of the roof replacement project.

**105 voting in favor, 9 opposed, 2 abstentions.**



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 21

To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$75,000 for the purposes of studying, maintaining, improving or remediating open space and conservation lands in the Town of Framingham. These funds will be managed by the Town Manager or his designee.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**May 19, 2015 Voted:** That the Town raise and appropriate, transfer from available funds or otherwise provide the sum of \$75,000 for the purposes of studying, maintaining, improving or remediating open space and conservation lands in the Town of Framingham. These funds will be managed by the Town Manager or his designee.



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 22

To see if the Town will vote to amend the T Salary Schedule to comply with minimum wage laws and to amend the Classification Plan to include those positions formerly covered by the Public Safety Managers (PSM) bargaining unit.

Pass any vote or take any action relative thereto.

**Sponsor: Human Resources / Chief Financial Officer**

**May 19, 2015 Voted:** That the Town amend the T Salary Schedule, as presented in the background material, to comply with minimum wage laws; and further, to amend the Classification Plan to include those positions formerly covered by the Public Safety Managers (PSM) bargaining unit.



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 23**

To see if the Town will vote to fund any collective bargaining agreements that have been settled, and adopt any necessary changes to the Compensation Schedules.

Pass any vote or take any action relative thereto.

**Sponsor: Human Resources**

**April 28, 2015 Voted:** That this article be referred back to Sponsor with concurrence of the Sponsor.



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### ARTICLE 24

To see if the Town will vote to authorize the Board of Selectmen to negotiate, enter into, execute and approve an agreement for a payment in lieu of taxes agreement (PILOT Agreement) as authorized by MGL Chapter 59, section 38H with MA Solar Highway LLC, with respect to annual payments in lieu of real and personal property taxes for a term up to twenty years relative to solar electric generating facilities to be installed and located on land owned by the Massachusetts Department of Transportation (MassDOT) and located at Massachusetts Turnpike Exit 13 (north and south cloverleaf) and Framingham Service Plaza.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**May 19, 2015 Voted:** That the Board of Selectmen be authorized to negotiate, enter into, execute and approve a payment in lieu of taxes agreement (PILOT Agreement) as authorized by MGL, Chapter 59, Section 38H with MA Highway Solar LLC, with respect to annual payments in lieu of real and personal property taxes for a term up to twenty years relative to solar electric generating facilities to be installed and located on land owned by Massachusetts Department of Transportation (MassDOT) and located at Massachusetts Turnpike Exit 13 (north and south cloverleaf) and Framingham Service Plaza.



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 24 RESOLUTION A**

**May 19, 2015 Passed:** Be it resolved that the Town Manager give a report at the Fall 2015 Town Meeting on the status of the green energy/Green Community projects previously approved by Town Meeting. Also, report on the number of Green Community grants which the Town has applied for and the value of the grants received.

**Robert Bois, Precinct 5**



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 25 RESOLUTION A**

To see if Town Meeting will vote by resolution to request that the Superior Court of the Commonwealth of Massachusetts decide the legality of valuing commercial and industrial property in one manner and residential property in another.

Pass any vote or take any action relative thereto.

**Sponsor: Citizens' Petition (*D. Butler*)**

**May 19, 2015 Failed:** I move that Town Meeting request that the Superior Court of the Commonwealth of Massachusetts decide the legality of valuing commercial and industrial property in one manner and residential property in another.



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### ARTICLE 26

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow for the Framingham Skatepark Building Project.

Pass any vote or take any action relative thereto.

**Sponsor: Citizens' Petition (*J.Grove*)**

**May 19, 2015 Voted:** That the Town raise and appropriate, transfer from available funds or otherwise provide \$50,000.00 to pay for design and engineering services to conduct a site study, compile appropriate plans and specifications, and identify cost estimates for a Framingham Skate Park that would be operated under the auspices of the Framingham Parks and Recreation Department; said plans to include the costs of construction, furnishings, fixtures, construction management, and any incidental and related expenses for the Skate Park; and further, that the Town Manager and Parks and Recreation Commission be authorized to create an eleven (11) member advisory committee composed of three members who live in Framingham, one member of the Board of Selectmen, two members of the Parks and Recreation Commission, the Conservation Administrator, one member each of the Finance and Capital Budget Committees, the Director of Parks and Recreation or his designee and the Town Manager or his designee; and further, that said Skate Park Advisory Committee report to the Town Meeting no later than the 2016 Annual Town Meeting.



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 26 ADDITIONAL MOTIONS/AMENDMENTS**

**May 19, 2015 Failed:** I move to add two members from the Framingham School Administration to be appointed by the School Committee to the 11 member Skate Park Advisory Committee.

**Robert Bois, Precinct 5**



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 26 RESOLUTION A**

**May 19, 2015 Passed:** Be it resolved that in recognition of the work and expertise of the Sponsor of Article 26, that the Sponsor be appointed as one of the three Framingham members of the Skate Park Advisory Committee.

**Harold Geller, Precinct 2**



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 27

Youth in low-income areas are particularly prone to health issues related to lack of exercise due to the expense of equipment and travel, or lack of leisure time. For these communities a local skatepark is an effective tool that teaches healthy, athletic living. Skateboarding is physically active and requires, at times, great concentration. It encourages children to spend time outdoors, test their endurance, sharpen their senses and develop their creativity. Skateparks provide a place for local youth to meet, socialize and develop friendships based on a common, healthy interest.

Pass any vote or take any action relative thereto.

**Sponsor: Citizens' Petition (*J.Grove*)**

**April 28, 2015 Voted:** That this article be referred back to Sponsor with concurrence of the Sponsor.



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### ARTICLE 28

WHEREAS, the Commonwealth of Massachusetts has engaged in a process to establish a competitive market place through the restructuring of the electricity market; and

WHEREAS, citizens of Framingham have a substantial economic and social interest in terms of greater customer choice and opportunities for savings and purchasing Renewable energy in this restructured market; and

WHEREAS, The town of Framingham acknowledges the significance of Climate Change and its impact on the Town's budget as a result of more frequent snow storms, drought, floods and heat waves; and

WHEREAS, additional reliance on natural gas and natural gas infrastructure is detrimental for the environment, worsens Climate Change and is a risk to Framingham residents' safety; and

WHEREAS, The town of Framingham recognizes the significance of encouraging development of local renewable energy for future generations and for creating a strong independent Commonwealth energy economy; and

WHEREAS, the Town of Framingham hereby finds that it may be in the interest of its citizens who are electric ratepayers, both residential and commercial/industrial, to develop and secure such approvals and enter into appropriate agreements with consultants, experts and attorneys in connection with the establishment and operation of an electricity aggregation plan.

THEREFORE, The Town of Framingham authorize that the Board of Selectmen enters residents of the Town into a Community Choice Aggregation Program and contract for electric supply of 100% Renewable Energy for Framingham residents and businesses as defined in MGL 164, Section 134, or otherwise act thereon. With the understanding that if a power supply contract is executed, individual consumers would retain the option not to participate in the aggregation plan and, instead, to choose any electricity alternatives they desire.

**Sponsor: Citizens' Petition (K. Weiss)**

**May 19, 2015 Failed:** That the Board of Selectmen be authorized to enter into a Community Choice Aggregation Program and contract for electric supply of 100% Renewable Energy for Framingham residents and businesses as defined in MGL 164, Section 134.



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 29

To see if the Town of Framingham will vote to accept the provisions of Massachusetts General Law, Chapter 90-I, Section 1, as amended, the Complete Streets Program, to allow the Town to participate in, apply for, and receive funding pursuant to said section and Section 6121-1318, Chapter 79 of the Acts of 2014.

Pass any vote or take any action relative thereto.

**Sponsor: Planning Board**

**May 19, 2015 Voted:** That the Town accept the provisions of General Laws, Chapter 90-I, the Complete Streets Program.



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 29 ADDITIONAL MOTIONS/AMENDMENTS**

**May 19, 2015 Failed:** I move to send back to Sponsor.

**Jim Rizoli, Precinct 14**



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 30

To see if the Town will vote to amend the Framingham Zoning By-law by:

- (a) amending Section I.E, Definitions;
- (b) amending Sections II.A, Classes of Districts; II.B, Table of Uses; II.C, Prohibited Uses; II.F, Technology Park District; II.G, Accessory Uses, and II.H, Trailers;
- (c) amending Section III.E, Commercial Ground-Mounted Solar Photovoltaic Renewable Energy Installations Overlay District;
- (d) amending Section IV Dimensional Regulations;
- (e) deleting Section V.F, Open Space Residential Development in its entirety;
- (f) amending Section VI.F, Site Plan Review;
- (g) re-positioning, re-captioning and re-numbering Section V.L, Land Disturbance, to Section V.F, and Section V.N Open Space Cluster Development to Section V.L, and making amendments to those sections and the Table of Contents accordingly;
- (h) amending the following sections for clarification and consistency with the above changes:
  - (1) Section II.E.3.b, Planned Re-use;
  - (2) Section III.B.10.b.(5) Planned Unit Development District
  - (3) Section III.E.5.g.(3) Highway Overlay District Regulations
  - (4) Section V.B.5.c Historic Re-use
  - (5) Section V.C.7 Automatic Carwash and/or Self-Service Carwash
  - (6) Section V.G.3.f Mixed Use Regulations
  - (7) Section V.I.12.b Active Adult Housing
  - (8) Section V.M.2.b(i) Agricultural Preservation Development
  - (9) Section VI.D.2 Zoning Board of Appeals
  - (10) Section VII.A Incorporation of the Zoning Map

and (i) making other amendments for clarification and consistency, including references to Sections of the Zoning By-law that are effected by the amendments;

as set forth in the background materials, which shows those portions of the Zoning By-law to be changed or amended in “red-line” format, (new text is underlined and deleted text is stricken through), on file in the offices of the Planning Board and Town Clerk and also posted on the Town of Framingham website; excluding the “comments” which are not part of the proposed Zoning By-law amendments and are solely for informational purposes.

Pass any vote or take any action relative thereto.

**Sponsor: Planning Board**

**May 12, 2015 Voted:** That the Framingham Zoning Bylaws be amended by:

- (a) amending Section I.E, Definitions;



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 30 (CONTINUED)

- (b) amending Sections II.A, Classes of Districts; II.B, Table of Uses; II.C, Prohibited Uses; II.F, Technology Park District; II.G, Accessory Uses, and II.H, Trailers;
- (c) amending Section III.E, Commercial Ground-Mounted Solar Photovoltaic Renewable Energy Installations Overlay District;
- (d) amending Section IV Dimensional Regulations;
- (e) deleting Section V.F, Open Space Residential Development in its entirety;
- (f) amending Section VI.F, Site Plan Review;
- (g) re-positioning, re-captioning and re-numbering Section V.L, Land Disturbance, to Section V.F, and Section V.N Open Space Cluster Development to Section V.L, and making amendments to those sections and the Table of Contents accordingly;
- (h) amending the following sections:
  - (1) Section II.E.3.b, Planned Re-use;
  - (2) Section III.B.10.b.(5) Planned Unit Development District
  - (3) Section III.E.5.g.(3) Highway Overlay District Regulations
  - (4) Section V.B.5.c Historic Re-use
  - (5) Section V.C.7 Automatic Carwash and/or Self-Service Carwash
  - (6) Section V.G.3.f Mixed Use Regulations
  - (7) Section V.I.12.b Active Adult Housing
  - (8) Section V.M.2.b(i) Agricultural Preservation Development
  - (9) Section VI.D.2 Zoning Board of Appeals

as attached and as set forth in the handout for this town meeting dated April 28, 2015, which shows those portions of the Zoning By-law to be changed or amended in “red-line” format, (new text is underlined and deleted text is stricken through), on file in the offices of the Planning Board and Town Clerk; excluding the “comments” and highlighting which are not part of the proposed Zoning By-law amendments and are solely for informational purposes.

**131 voting in favor, 1 opposed, 0 abstentions.**



Town of Framingham  
Annual Town Meeting  
April 28, 2015

**ARTICLE 30 ATTACHMENT  
SEPARATE FILE**



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 31

To see if the Town will vote to amend the Framingham Zoning By-law by adding new definitions to Section I.E. Definitions related to the TDR By-law and further amending the Framingham Zoning By-law by adding a new Section V.O. Transfer of Development Rights By-law as presented in the background information of the Annual Town Meeting Warrant submitted to Annual Town Meeting.

Pass any vote or take any action relative thereto.

### **Sponsor: Planning Board**

**May 12, 2015 Voted:** That the Framingham Zoning Bylaw be amended by adding new definitions to Section I.E. Definitions related to the TDR Bylaw and further, that the Framingham Zoning Bylaw be amended by adding a new Section V.O. Transfer of Development Rights Bylaw as attached and presented on the back table of Annual Town Meeting.

**114 voting in favor, 14 opposed, 6 abstentions.**



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 31 ATTACHMENT

**Framingham Annual Town Meeting  
Sponsor: Framingham Planning Board  
Town Meeting Start Date: April 28, 2015  
Article 31: Transfer of Development Rights**

### Transfer of Development Rights

#### **Definitions**

**Developable Farm:** Land currently used for Agriculture and/or Farm as defined in Section I.E shall be considered a Developable Farm if said property has not utilized its Development Rights, nor has it been protected from development, nor has an Agricultural Preservation Restriction (APR) been placed on it. The Developable Farm shall consist of one or more contiguous parcels in one ownership throughout, or any combination of parcels of land consolidated under a joint development agreement.

**Developable Open Space Parcel:** Land that has not utilized its Development Rights, nor has it been protected from development, nor has a Conservation Restriction (CR) been placed on it. The land shall consist of one or more contiguous parcels in one ownership throughout, or any combination of parcels of land consolidated under a joint development agreement.

**Giving Parcel:** A Giving Parcel is a Developable Farm and/or Developable Open Space Parcel that is located within a Residential Zoning District and contains five or more buildable acres.

**Receiving Parcel:** A Receiving Parcel shall consist of one or more contiguous parcels in one ownership throughout, or any combination of parcels of land consolidated under a joint development agreement where all such owners jointly apply for a TDR special permit, which has been designated as a Chapter 43D: Priority Development site: 1672 Worcester Road, 1800 Worcester Road, 1898RR Worcester Road, 1900R Worcester Road, 1900RR Worcester Road, 100 Crossing Blvd, 149 Crossing Blvd, 150 Crossing Blvd, 175 Crossing Blvd, 200 Crossing Blvd, 225 Crossing Blvd, 150 Gates Street, 100 Staples Drive, 200 Staples Drive, 400 Staples Drive, 500 Staples Drive, 740 Cochituate Road, 750 Cochituate Road, and 156 Speen Street, 0 Pleasant Street Connector, 9 Pleasant Street Connector, 15 Pleasant Street Connector, 10 California Ave, 11 California Ave, 40 California Ave, 1 The Mountain Road, 5 The Mountain Road, 100 The Mountain Road, 0 Pennsylvania Ave, 100 Pennsylvania Ave, 105 Pennsylvania Ave, 115 Pennsylvania Ave, 125 Pennsylvania Ave, 135 Pennsylvania Ave, 137 Pennsylvania Ave, 145 Pennsylvania Ave, 0 New York Ave RR, 1 New York Ave, 2 New York Ave, 31 New York Ave, 33 New York Ave, 45 New York Ave, 47 New York Ave, 49 New York Ave, 51 New York Ave, 55 New York Ave, 74 New York Ave, 84 New York Ave, 86 New York Ave, 86R New York Ave, 88 New York Ave, and 92 New York Ave.

**Development Rights:** The total square footage of a residential building on a Giving Parcel to be considered to be transfer to a Receiving Parcel shall be in accordance with the Transfer of Development Rights Residential Parcel Chart. Accessory structures shall not be utilized for this calculation. The permitted residential building size allowed within the Transfer of Development Rights Residential Building Size Chart for the given zoning district that the Giving Parcel is located in shall be multiplied by the total number of lots allowed by-right as determined in the Transfer of Development Rights Yield Plan. One square foot of residential building area on a Giving Parcel shall equal one square foot of development potential on a Receiving Parcel.

**Transfer of Development Rights (TDR):** The Transfer of Development Rights from a Giving Parcel to a Receiving Parcel



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

to allow for the preservation of a Developable Farm and/or Developable Open Space Parcel and to increase development potential upon the Receiving Parcels. The Transfer of Development Rights is allowed by a special permit from the Planning Board.

**Peer Review Consultant:** A person who is not a Town employee who shall assist the Planning Board and/or Zoning Board of Appeals, in plan review, impact analysis, inspection or other technical or legal assistance necessary to ensure compliance with all relevant laws and regulations. Such consultants shall be selected and retained by the Planning Board and/or Zoning Board of Appeals, with the actual and reasonable cost for their services to be paid by the applicant.

**Transfer of Development Rights Yield Plan (TDR Yield Plan):** A conceptual site plan developed by a certified professional engineer and/or land surveyor licensed in the Commonwealth of Massachusetts that demonstrates the extent of development that could occur by-right on the Giving Parcel. The TDR Yield Plan shall identify all non-buildable areas, which include wetlands, wetland buffers, and Moderate Slopes, and deem this area as non-buildable; non-buildable areas shall not be considered as part of the developable area.

#### **SECTION V.O. Transfer of Development Rights**

##### **1. Purpose**

The purpose of the Transfer of Development Right (TDR) By-law is to provide an alternative for the preservation of Developable Farm and/or Developable Open Space Parcels; while encouraging economic development through an increase in the development potential within designated parcels. Through a TDR special permit a Developable Farm and/or Developable Open Space Parcel can sell its potential Development Rights to a Receiving Parcel; thereby allowing the Receiving Parcel to meet its companies' growth demands. The objective of the TDR is twofold: to serve as an economic development tool while promoting the preservation of Developable Farm and/or Developable Open Space parcel in exchange. The intent of the TDR special permit is consistent with the goals and objectives of the Town's Master Land Use Plan and Open Space & Recreation Plan.

##### **2. Applicability**

###### **a. The Giving Parcel**

1. The Planning Board shall determine the allowable Development Rights that may be transferred to a Receiving Parcel. To determine the total Development Rights allowed to be transferred, the owner of the Giving Parcel shall prepare a Transfer of Development Rights Yield Plan (TDR Yield Plan).
2. The owner of the Giving Parcel shall submit the TDR Yield Plan and an application to the Planning Board for review. The Planning Board may retain a Peer Review Consultant at the expense of the owner of the Giving Parcel to ensure the TDR Yield Plan represents a true and accurate representation of the Giving Parcel.
3. The TDR Yield Plan will be reviewed during a posted public hearing; notice of the public hearing shall be made in accordance with G.L. c. 40A, §11.
4. The total allowable Development Rights that the Giving Parcel is eligible to transfer shall be the total square footage of the residential building allowed as denoted in the Transfer of Development Rights Residential Building Size Chart within the specific zoning district that the Giving Parcel is located in. The size of the residential building as denoted in the Transfer of Development Rights Residential Building Size Chart shall be multiplied by the total number of building lots allowed by-right to determine the total area to be transferred to a Receiving Parcel and placed under an APR and/or CR.



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

**Transfer of Development Rights Residential Building Size Chart**

<b>Giving Parcel Zoning District</b>	<b>Residential Building Size</b>
Single Family Residential (R-4)	6,500 square feet
Single Family Residential (R-3)	6,000 square feet
Single Family Residential (R-2)	5,500 square feet
Single Family Residential (R-1)	5,000 square feet
General Residential (G)	4,500 square feet

5. The APR and/or CR placed on the Giving Parcel shall be as follows:
  - For Giving Parcels transferring all Development Rights: At the expense of the owner of the Giving Parcel, the entire Developable Farm and/or Developable Open Space Parcel shall be placed under an APR and/or CR in perpetuity. The entire Giving Parcel shall include all areas identified as non-buildable areas which include wetlands, wetland buffers, and Moderate Slopes, in addition to the buildable lots as identified in the TDR Yield Plan.
  - For Giving Parcels transferring a portion of Development Rights: At the expense of the owner of the Giving Parcel the portion of the Developable Farm and/or Developable Open Space Parcel associated with the square footage to be transferred shall be placed under an APR and/or CR. This shall include all building lot areas associated with the residential building unit square footage, infrastructure and roadways associated with the building lots, and all non-buildable areas including wetlands, wetland buffers, and Moderate Slopes as identified in the TDR Yield Plan. For fractions of residential building unit square footage, all fractions shall be rounded up to the nearest whole number. The portion of the land to be placed under an APR and/or CR shall be selected with the intent of creating contiguous tracks of land and where possible contiguous with abutting farm land and open space land.
6. All lands deemed non-buildable on the Giving Parcel, such as wetlands, wetland buffers, and Moderate Slopes as identified in the TDR Yield Plan, shall be placed under an APR and/or CR at the same time as the first Development Rights are placed under an APR and/or CR.

Development Rights on a Giving Parcel that have not been transferred to a Receiving Parcel shall remain eligible for future transfer or development.

**b. The Receiving Parcel**

1. The owner of the Receiving Parcel shall file an application for a TDR special permit with the Planning Board.
2. The owner of the Receiving Parcel shall enter into an agreement with the owner of the Giving Parcel for the transfer of the Development Rights prior to applying for a TDR special permit.
3. The Planning Board Administrator shall ensure that the APR and/or CR has been placed on the Giving Parcel by the Receiving Parcel prior to the issuance of any occupancy and use permit.



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

4. The owner of the Receiving Parcel may assemble Development Rights from multiple Giving Parcels. The resulting development on a Receiving Parcel shall not exceed the allowable dimensional requirement increases stated herein. Parcels of land that are pre-existing non-conforming lots that exceed allowed densities or that have received variances for building height, number of additional floors, lot coverage, and/or FAR are not eligible to receive transferred Development Rights.
5. The transferred Development Rights from the Giving Parcel may be used in a 1:1 ratio on a Receiving Parcel. Development Rights from the Giving Parcel that are used on a Receiving Parcel may be applied on the Receiving Parcel to increase the following dimensional regulations from those stated in Section IV.E.2. Table of Dimensional Regulations allowed by-right. Allowed increases as permitted in Section IV.E.2. should not create the need for an increase in parking that exceeds the capacity of the Receiving Parcel. If the increase as permitted in Section IV.E.2. requires more additional parking than the site can support, then the Receiving Parcel shall construct structured parking or establish alternative transportation options to the site such as carpool incentives, transportation from local public transportation hubs, etc.

	<b>Maximum Increase in Building Height/Additional Floors</b>	<b>Maximum Increase in Lot Coverage</b>	<b>Maximum Increase in FAR</b>
<b>Chapter 43D Priority Development Sites</b>	35%*	15%*	50%*

\* total height shall not exceed the allowed maximum for all structures, including roof top mechanical equipment or penthouses.

6. In the event of unused Development Rights the owner of the Receiving Parcel may be permitted to sell any unused Development Rights to another Receiving Parcel. The secondary Receiving Parcel shall be required to seek a Special Permit for the Transfer of Development Rights from the Planning Board prior to the use of the purchased Development Rights.

#### **c. Agriculture Preservation Restriction or Conservation Restriction Process**

The Giving Parcel must meet the following requirements:

1. Such parcel shall be placed under an APR and/or CR in perpetuity pursuant to state statute Chapter 184 Section 32 to ensure that said parcel will remain as agricultural land or open space. Once an APR and/or CR has been placed on the Giving Parcel no additional buildings can be built on nor can any land be used to yield additional Development Rights in the future, except as per c.2., below;
2. No buildings are allowed within the APR and/or CR area, except for existing buildings that have been constructed prior to the TDR Yield Plan. Farms shall be allowed to construct structures associated with the operations of the farm on up to 5 percent of the APR area. Structures associated with the farm may include: barns, farm store, housing for farm help, etc.;
3. The APR and/or CR may be held by the Town of Framingham, a land trust, or the Commonwealth of Massachusetts. The APR and/or CR is prohibited from being held by the owner of the Giving Parcel or the owner of the Receiving Parcel. The terms of the APR and/or CR shall be reviewed by Town Counsel at the expense of the owner of the Giving Parcel and approved by the Planning Board;



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

4. The Giving Parcel may develop a trail system within the APR and/or CR lands, which may be accessible for public use;
5. Farming rights on any land subject to the APR and/or CR may be sold or leased to another farmer for the purpose of continuing or creating Agricultural and/or Farm use of the land;
6. Developable Open Space may be utilized at a future date for Agriculture and/or Farm uses; and
7. All of the above restrictions shall be made part of and included as additional provisions contained within the APR and CR documentation.

#### **3. Application Review**

The review procedure for the TDR special permit application shall be in conformance with M.G.L. ch. 40A, Sections 9 and 11 and Section VI.E., and other permitting and approval processes as may be applicable. The Planning Board may require the Applicant to fund a Peer Review Consultant to assist in the technical review as outlined herein, in accordance with Article 16 of the Planning Board's Administrative Rules and Regulations and M.G.L. ch. 44, Section 53D.

#### **4. Variance Limitation**

The Planning Board may issue a TDR special permit in accordance with the additional requirements and standards specified within Section V.O., only if the receiving parcel is not a pre-existing non-conforming property and a variance has not ever been issued from the requirements of this Section V.O for the Receiving Parcel. A pre-existing non-conformity or a variance from the provisions of Section V.O. shall render a property ineligible for the filing of a TDR special permit application and TDR special permit.



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### ARTICLE 32

To see if the Town will vote to amend the Framingham Zoning Map by rezoning the following parcels: 3, 5/7 and 9 Vernon Street, 8 and 12 Library Street and abutting said lots to the center line of Library Street, Oak Street, and Vernon Street from Office and Professional (P) Zoning District and Business (B) Zoning District to Neighborhood Business (B-1) Zoning District, furthermore rezone parcel 18 Edgell Road from Single Family Residential (R-1) Zoning District to Single Family Residential (R-3) Zoning District as presented in the background information of the Annual Town Meeting Warrant submitted to Annual Town Meeting.

Pass any vote or take any action relative thereto.

#### **Sponsor: Planning Board**

**May 12, 2015 Voted:** That the Framingham Zoning Map be amended by rezoning the following parcels: 3, 5/7 and 9 Vernon Street, 8 and 12 Library Street and abutting said lots to the center line of Library Street, Oak Street, and Vernon Street from Office and Professional (P) Zoning District and Business (B) Zoning District to Neighborhood Business (B-1) Zoning District, furthermore to rezone parcel 18 Edgell Road from Single Family Residential (R-1) Zoning District to Single Family Residential (R-3) Zoning District as presented in the background information of the Annual Town Meeting Warrant submitted to Annual Town Meeting.

**Passed Unanimously**



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### ARTICLE 33

To see if the Town will vote to amend the by-laws of the Town, Article VII, Section 5, Historic Districts 5.7.1, by adding under "Properties Included in the Framingham Centre Common Historic District";

- Harriet Carter House, 3 Vernon Street, built 1853
- Julia Wight House, 5 Vernon Street, built circa 1860
- Caroline B. Clark House, 9 Vernon, built 1852-1853
- Lothrop Wight House, 8 Library, built circa 1860
- John and Sarah Clark House, 12 Library, built circa 1860
- Wight-Esty Block, 931-937 Worcester Road, built between 1832-1850
- Van Duzer Hardware Company Block, 939 Worcester Road, built circa 1935
- Tilton-Wheeler Store, 945 Worcester Road/1 Vernon Street, built by 1830

And by striking the entire list of such properties included in the Framingham Centre Common Historic District, and restating said list with the addition of these eight properties (Items 34-41).

The new list would read:

1. Framingham Center Common c.1735
2. Village Hall, 2 Oak Street, built 1834
3. Edgell Memorial Library, (Framingham History Center) 3 Oak Street, built 1872
- 3a. Civil War Monument at 3 Oak Street, erected 1872
4. The Capt. Eliphalet Wheeler House, 18 Vernon Street, built 1818
5. The Jonathan Maynard Building (Danforth Art), 12 Vernon Street, built 1916
6. Framingham Academy (Framingham History Center Museum), 14 Vernon Street, built 1837
7. First Parish Church, 24 Vernon Street, built 1926
8. First Parish House, 24 Vernon Street, built 1959
9. Plymouth Church, 87 Edgell Road, built 1968
10. The Otis Boynton House, 85 Edgell Road, built 1825
11. The Jason Hall House, 65 Edgell Road, built 1850
12. The O'Brien House, 63 Edgell Road, built 1961
13. The Grossman House, 61 Edgell Road, built 1960
14. The Framingham Bank, 39 Edgell Road, built 1833
15. Office/Bank Building, 35 Edgell Road, built 1969
16. The Charles Train House (Plymouth Parsonage), 125 Edgell Road, c. 1836
17. The E. Cloyes House, 121 Edgell Road, c. 1836
18. The Daniel Hemenway House, 151 Edgell Road, c. 1800
19. The Brandolini House, 2 Auburn Street, built 1955
20. The Stone Gardner's Cottage, 4 Auburn Street, c. 1850
21. Office Building, 5 Auburn Street, built 1970
22. The Whitney-Wiggins House, 10 Vernon Street, built 1826
23. The Edgar Wheeler House, 6 Vernon Street, c. 1850
24. The Clark Builders Trust House, 8 Vernon Street, built 1969



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 33 (CONTINUED)

25. The Train-Vernon House, 20 Grove Street, c. 1848
26. The Rinaldo House, 31 Grove Street, built 1970
27. The Mrs. Gordon House, 33 Grove Street, c. 1810
28. The Tarbox House, 4 Warren Place, built 1836
29. The J.J. Marshall House, 3 Warren Place, c. 1800
30. The Stalker House, 8 Warren Place, c. 1768
31. The John Mann House, 11 Warren Place, c. 1867
32. The George A. Weeks House, 122 Edgell Road, built 1865
33. The General George Henry Gordon House, 936 Central Street, built 182
34. Harriet Carter House, 3 Vernon Street, built 1853
35. Julia Wight House, 5 Vernon Street, built ca. 1860
36. Caroline B. Clark House, 9 Vernon, built 1852-1853
37. Lothrop Wight House, 8 Library, built ca. 1860
38. John and Sarah Clark House, 12 Library, built ca. 1860)
39. Wight-Esty Block, 931-937 Worcester Road, built between 1832-1850
40. Van Duzer Hardware Company Block , 939 Worcester Road, built ca. 1935
41. Tilton-Wheeler Store, 945 Worcester Road/1 Vernon Street, built by 1830

Pass any vote or take any action relative thereto.

### **Sponsor: Historic District Commission**

**May 12, 2015 Voted:** That the Bylaws of the Town, Article VII, Section 5, Historic Districts 5.7.1 be amended by adding eight properties under "Properties Included in the Framingham Centre Common Historic District":

34. Harriet Carter House, 3 Vernon Street, built 1853
35. Julia Wight House, 5/7 Vernon Street, built ca. 1860
36. Caroline B. Clark House, 9 Vernon, built 1852-1853
37. Lothrop Wight House, 8 Library, built ca. 1860
38. John and Sarah Clark House, 12 Library, built ca. 1860)
39. Wight-Esty Block, 931-937 Worcester Road, built between 1832-1850
40. Van Duzer Hardware Company Block , 939 Worcester Road, built ca. 1935
41. Tilton-Wheeler Store, 945 Worcester Road/1 Vernon Street, built by 1830

**131 voting in favor, 1 opposed, 0 abstentions.**



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### ARTICLE 34

To see if the Town will vote to hear a report of the Board of Selectmen relative to the laying out, the widening of, or the alteration to, and acceptance of the following streets, pursuant to Chapter 82 of the General Laws and Chapter 410 of the Acts of 2014; and to see if the Town will vote to accept said streets or the widening or alteration of said streets as a public way, as laid out by the Board of Selectmen and as shown on a plan or plans on file in the Office of the Town Clerk:

- A. That portion of Angelica Drive extending from the layout of Angelica Drive as a public way dated May 8, 1978 in accordance with the vote of the April 20, 1978 Annual Town Meeting to its terminus;**
- B. Lanewood Avenue from the northerly end of the 1978 street acceptance to its terminus**
- C. Walker's Way from the easterly location line of Lanewood Avenue to its terminus**
- D. Hialeah Lane from the northerly location line of Danforth Street to the southerly location line of Riverpath Drive a public way laid out in accordance with the vote under Article 1 of the March 19, 2003 Special Town Meeting**
- E. Jay Drive from the easterly location line of Hialeah Lane to that portion of Jay Road (now known as Jay Drive) that was laid out as a public way on April 15, 1963, in accordance with the vote under Article 9(i) of the 1963 Annual Town Meeting**
- F. Saratoga Lane from the northerly location line of Jay Drive to its terminus**

And, further, to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain, or otherwise, and to accept a deed or deeds to the Town of a fee simple interest or easements in any land necessary for said laying out, and any associated drainage, utility or other easements for said streets, and to authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out the purposes of this article.

Pass any vote or take any action relative thereto.

**Sponsor: Board of Selectmen / Department of Public Works**

**May 20, 2015 Voted:** That the Town hear a report of the Board of Selectmen relative to the laying out, the widening of, or the alteration to, and acceptance of the following streets, pursuant to Chapter 82 of the General Laws and Chapter 410 of the Acts of 2014; and that the Town accept said streets or the widening or alteration of said streets as a public way, as laid out by the Board of Selectmen and as shown on a plan or plans on file in the Office of the Town Clerk:

- A. That portion of Angelica Drive extending from the layout of Angelica Drive as a public way dated May 8, 1978 in accordance with the vote of the April 20, 1978 Annual Town Meeting to its terminus;
- B. Lanewood Avenue from the northerly end of the 1978 street acceptance to its terminus
- C. Walker's Way from the easterly location line of Lanewood Avenue to its terminus



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 34 (CONTINUED)

- D. Hialeah Lane from the northerly location line of Danforth Street to the southerly location line of Riverpath Drive a public way laid out in accordance with the vote under Article 1 of the March 19, 2003 Special Town Meeting
- E. Jay Drive from the easterly location line of Hialeah Lane to that portion of Jay Road (now known as Jay Drive) that was laid out as a public way on April 15, 1963, in accordance with the vote under Article 9(i) of the 1963 Annual Town Meeting
- F. Saratoga Lane from the northerly location line of Jay Drive to its terminus

Further, that the Board of Selectmen be authorized to acquire by gift, purchase, eminent domain, or otherwise, and to accept a deed or deeds to the Town of a fee simple interest or easements in any land necessary for said laying out, and any associated drainage, utility or other easements for said streets, and that the Board of Selectmen be authorized to take all realted actions necessary or appropriate to carry out the purposes of this article.

**Passed unanimously.**



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### **ARTICLE 35**

To see if the Town will vote to hear a report of the Board of Selectmen relative to the laying out, the widening of, or the alteration to a portion of Winch Street and Millwood Street to include within the layout of said Winch Street and Millwood Street that area identified as "Parcel 1-T WINCH CORPORATION, INC. AREA ABOUT 1,208 S.F." pursuant to Chapter 82 of the General Laws; and to see if the Town will vote to accept said streets or the widening or alteration of said streets as a public way, as laid out by the Board of Selectmen and as shown on a plan or plans on file in the Office of the Town Clerk.

And, further, to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain, or otherwise, and to accept a deed or deeds to the Town of a fee simple interest or easements in any land necessary for said laying out, and any associated drainage, utility or other easements for said streets, and to authorize the Board of Selectmen and town officers to take all related actions necessary or appropriate to carry out the purposes of this article.

Pass any vote or take any action relative thereto.

**Sponsor: Board of Selectmen / Department of Public Works**

**May 20, 2015 Voted:** That the Town hear a report of the Board of Selectmen relative to the laying out, the widening of, or the alteration to a portion of Winch Street and Millwood Street to include within the layout of said Winch Street and Millwood Street that area identified as "Parcel 1-T WINCH CORPORATION, INC. AREA ABOUT 1,208 S.F." pursuant to Chapter 82 of the General Laws; and that the Town accept said streets or the widening or alteration of said streets as a public way, as laid out by the Board of Selectmen and as shown on a plan or plans on file in the Office of the Town Clerk.

Further, that the Board of Selectmen be authorized to acquire by gift, purchase, eminent domain, or otherwise, and to accept a deed or deeds to the Town of a fee simple interest or easements in any land necessary for said laying out, and any associated drainage, utility or other easements for said streets, and that the Board of Selectmen and town officers be authorized to take all related actions necessary or appropriate to carry out the purposes of this article.

**Passed unanimously.**



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### ARTICLE 36

To see if the Town will vote to hear a report of the Board of Selectmen relative to the laying out, the widening of, or the alteration to a Portion of Riverpath Drive to include within the layout of said Riverpath Drive that area identified as "ROADWAY EASEMENT AREA = 703 S.F." and that area identified as ROADWAY EASEMENT AREA = 799 S.F." pursuant to Chapter 82 of the General Laws; and to see if the Town will vote to accept said street or the widening or alteration of said street as a public way, as laid out by the Board of Selectmen and as shown on a plan or plans on file in the Office of the Town Clerk;

And, further, to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain, or otherwise, and to accept a deed or deeds to the Town of a fee simple interest or easements in any land necessary for said laying out, and any associated drainage, utility or other easements for said streets, and to authorize the Board of Selectmen and town officers to take all related actions necessary or appropriate to carry out the purposes of this article;

Pass any vote or take any action relative thereto.

**Sponsor: Board of Selectmen / Department of Public Works**

**May 20, 2015 Voted:** That the Town hear a report of the Board of Selectmen relative to the laying out, the widening of, or the alteration to a portion of Riverpath Drive to include within the layout of said Riverpath Drive that area identified as "ROADWAY EASEMENT AREA = 703 S.F." and that area identified as ROADWAY EASEMENT AREA = 799 S.F." pursuant to Chapter 82 of the General Laws; and that the Town accept said streets or the widening or alteration of said streets as a public way, as laid out by the Board of Selectmen and as shown on a plan or plans on file in the Office of the Town Clerk.

Further, that the Board of Selectmen be authorized to acquire by gift, purchase, eminent domain, or otherwise, and to accept a deed or deeds to the Town of a fee simple interest or easements in any land necessary for said laying out, and any associated drainage, utility or other easements for said streets, and that the Board of Selectmen and town officers be authorized to take all related actions necessary or appropriate to carry out the purposes of this article.

**Passed unanimously.**



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### **ARTICLE 37**

To see if the town will vote to authorize the Board of Selectmen to acquire by gift a permanent easement for the purposes of installing, maintaining, repairing and replacing traffic signal equipment, conduits and appurtenant structures under, upon and over said land at 480 Concord Street, Framingham, as shown on a plan entitled titled "Easement Exhibit Plan 498 Concord Street – Framingham, MA" prepared by Odone Survey & Mapping and dated January 12, 2015 as Job No. 21030678, on such terms and conditions as the Board of Selectmen shall determine to be appropriate, and further to authorize the Board of Selectmen and town officers to take all actions to carry out the purposes of this Article.

Pass any vote or take any action relative thereto.

**Sponsor: Board of Selectmen / Department of Public Works**

**May 20, 2015 Voted:** That the Board of Selectmen be authorized to acquire by gift a permanent easement for the purposes of installing, maintaining, repairing, and replacing traffic signal equipment, conduits and appurtenant structures under, upon and over said land at 480 Concord Street, Framingham as shown on a plan entitled "Easement Exhibit Plan 498 Concord Street – Framingham, MA" prepared by Odone Survey & Mapping and dated January 12, 2015 as Job No. 21030678, on such terms and conditions as the Board of Selectmen shall determine to be appropriate, and further, that the Board of Selectmen and town officers be authorized to take all actions to carry out the purposes of this article.

**Passed unanimously.**



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### ARTICLE 38

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift from CR 21, LLC, and from Scott R. Hughes, Trustee of Welton Realty Trust, u/d/t/d September 14, 1990 which Trust is recorded with Middlesex South District Registry of Deeds at Book 20772, Page 24; and from CRP-3 FRAMINGHAM CORPORATE CENTER, LLC and from GMG 10 SPEEN STREET LLC, permanent easements to install, maintain, repair and replace traffic signal equipment, conduits and appurtenant structures, which easement areas are shown as "PARCEL NO. E-1-T"; "PARCEL NO. E-2-T" "PARCEL NO. E-3-T"; and "PARCEL NO. E-4-T" shown on the plan titled "EASEMENT PLAN OLD CONNECTICUT PATH" prepared by VHB, Inc. and dated Feb. 2015 as Job No. 12540, included in the background materials, and further to authorize the Board of Selectmen and town officers to take all actions to carry out the purposes of this Article.

Pass any vote or take any action relative thereto.

**Sponsor: Board of Selectmen / Department of Public Works**

**May 20, 2015 Voted:** That the Board of Selectmen be authorized to acquire by gift from CR 21, LLC, and from Scott R. Hughes, Trustee of Welton Realty Trust, u/d/t/d September 14, 1990 which Trust is recorded with Middlesex South District Registry of Deeds at Book 20772, Page 24; and from CRP-3 FRAMINGHAM CORPORATE CENTER, LLC and from GMG 10 SPEEN STREET LLC, permanent easements to install, maintain, repair and replace traffic signal equipment, conduits and appurtenant structures, which easement areas are shown as "PARCEL NO. E-1-T"; "PARCEL NO. E-2-T"; "PARCEL NO. E-3-T"; and "PARCEL NO. E-4-T" shown on the plan titled "EASEMENT PLAN OLD CONNECTICUT PATH" prepared by VHB, Inc. and dated Feb. 2015 as Job No. 12540, included in the background materials, and further, that the Board of Selectmen and town officers be authorized to take all actions to carry out the purposes of this article.

**Passed unanimously.**



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 39

To see if the Town will vote to amend Article II, Section 23.2 of the General Bylaws as follows, with deleted text shown as ~~strikeout~~ and added text in **bold, underlined** print:

**23.2** Said Commission shall consist of ~~nine (9)~~ **seven** members appointed by the Board of Selectmen.

Pass any vote or take any action relative thereto.

### **Sponsor: Disability Commission**

**May 20, 2015 Voted:** That the General Bylaws, Article II, Section 23.2 be amended as follows, with deleted text shown as ~~strikeout~~ and added text in **bold, underlined** print:

23.2 Said Commission shall consist of ~~nine (9)~~ **seven** members appointed by the Board of Selectmen.



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### **ARTICLE 40**

To see if the Town will amend Article I, Section 1.3 and Article III Section 3.4 of the General Bylaws, regarding the appointment and management of the Government Study Committee, to define the committee size, quorum, and official officers as noted in the Background Materials for this article.

Pass any vote or take any action relative thereto.

**Sponsor: Government Study Committee**

**May 20, 2015 Voted:** That the General Bylaws, Article I, Section 1.3 and Article III, Section 3.4 be amended as shown in the background material for this article and attached.



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 40 ATTACHMENT

For some years the Government study committee has been operating at a maximum appointed level of 9 or fewer members, and the quorum has been defined in the committee rules as “a simple majority of appointed meeting members, and no less than five.” The purpose of this article is to enact what has been the de facto state of the committee: 9 appointed members with a quorum of 5. While changing the bylaw, it makes sense to add the officers that have become traditional for the committee.

To enact these changes, the following modifications to the Town’s General Bylaws are required (indicated by **bold** text that is formatted with either an underline or ~~strike through~~):

### Article 1 Section 1.3

Board	Number of Members	Term of Office	Appointing Authority	Number Appointed / Yr.
Government Study Committee	<del>Twelve</del> <u>Nine</u> Members	Three Years	Moderator	<del>Four</del> <u>Three</u>

### Article III Section 3.4

#### 3.4 Quorum and Officers Organization

Quorum shall be 5 of the appointed members. At the first meeting of each fiscal year a chair ~~person, vice chair, and clerk~~ shall be elected by the members of the committee.



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 41**

To see if the Town will amend Article II, Section 16.3 of the General Bylaws, to modify the quorum requirements of the Real Property Committee, as noted in the Background Materials for this article.

Pass any vote or take any action relative thereto.

**Sponsor: Government Study Committee**

**May 20, 2015 Voted:** That the General Bylaws, Article II, Section 16.3 be amended as shown in the background material for this article and attached.



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 41 ATTACHMENT

Under the current quorum requirements of the Real Property Committee, 60% of the appointed Town Meeting Members need to be present, and it is possible to have 11 of the 16 members in attendance without having a quorum.

Considering the essential nature of the Real Property Committee's work, and the potential challenge posed by restricting the quorum to just Town Meeting Members, this proposal aims to loosen the restriction without changing the intent of the requirement. The Government Study Committee recommends the adoption of a new quorum of 7 appointed members, with at least 4 being Town Meeting members. This will mean that 40% of the TMMs need to be present, and in a worst case scenario there can be 9 of the 16 members in attendance without having a quorum.

To enact this change, the following modifications to the Town's General Bylaws are required (indicated by **bold** text that is formatted with either an underline or ~~striketrough~~):

### **Article II Section 16.3**

The Real Property Committee shall choose its own officers from the ten (10) Town Meeting Members. A quorum of said committee shall be ~~six seven~~ (67), ~~of the ten including at least four~~ (104) Town Meeting Members.



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 42**

To see if the Town will vote to amend Article I, Section 2.3 of the General Bylaws by adding the words, "Elderly and Disabled Tax Relief Committee" after Finance Committee.

Pass any vote or take any action relative thereto.

**Sponsor: Elderly & Disabled Tax Relief Committee**

**May 20, 2015 Voted:** That the General Bylaws, Article I, Section 2.3 be amended by adding the words, "Elderly and Disabled Tax Relief Committee" after Finance Committee.



# Town of Framingham Annual Town Meeting April 28, 2015

## **ARTICLE 43**

To see if the Town will vote to amend Article I, Section 2.3 of the General Bylaws by adding the words, "Foreclosure Committee" after Finance Committee.

Pass any vote or take any action relative thereto.

**Sponsor: Foreclosure Committee**

**April 28, 2015 Voted:** That this article be referred back to Sponsor with concurrence of the Sponsor.



# Town of Framingham Annual Town Meeting April 28, 2015

## ARTICLE 44

To see if the Town will vote to amend the Town bylaws Article I Section 5.10 and 5.11 by combining these sections into Section 5.10 and defining a new section 5.11 regarding executive sessions.

Pass any vote or take any action relative thereto.

### **Sponsor: Rules Committee**

**May 20, 2015 Voted:** That the Town bylaws, Article I, Section 5.10 and 5.11 be amended by combining these sections into Section 5.10 and defining a new section 5.11 as shown in the motion book for the 2015 Annual Town Meeting with the words "shall be kept by the clerk of the board, committee, or commission; or" inserted in section 5.11.5 before the words "shall be stored at the office of the board, or commission" as shown in the attached.



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### ARTICLE 44 ATTACHMENT

**Bylaw as changed by motion under Article 44 of the 2015 Annual Town Meeting:**

- 5.10 Each board, committee, or commission shall provide for keeping of minutes of its meetings. Committees that are required to provide minutes shall include Town Meeting Standing Committees. Each board, committee, or commission shall provide minutes to the Town Clerk in a timely manner according to the Open Meeting Law (MGL, c. 30A, sec. 18-25) practices of posting meeting minutes. All members present and all members absent shall be listed in minutes.
- 5.10.1 All votes taken shall be reported in the minutes. For boards elected by town wide election, the minutes shall include the name and vote of each member voting.
- 5.10.2 The minutes of each public meeting shall be prepared by the clerk or his or her designee of the respective board, commission or committee, and sent to the Town Clerk within 45 days of the meeting. The minutes shall indicate whether they have or have not been approved by the board, committee or commission when submitted to the Town Clerk. If a meeting is cancelled, or if no quorum is present at a scheduled meeting, the Town Clerk shall be notified.
- 5.10.3 The Town Clerk shall log the receipt of ~~the~~ minutes and send them to the Framingham Public Library in hard copy form, where they shall be kept for a period of ~~(7)~~seven (7) years. If minutes are provided to the Town Clerk in electronic form and they have been prepared according to the standards defined by the Town webmaster, they shall be posted on the town web site in addition to being sent to the library.
- 5.10.4 The Town Clerk shall note the receipt of minutes. If after 45 days from the date of a posted public meeting of a board, committee, or commission, the Town Clerk has not received a copy of the minutes, then the Town Clerk shall notify the chairperson of the board, committee, or commission that the minutes have not been received.
- 5.11A board, committee, or commission may hold an executive session according to the Open Meeting Law (MGL, c. 30A, sec. 18-25) practices and shall provide for keeping of minutes of executive sessions.
- 5.11.1 A board, committee, or commission shall notify the Town Clerk of all executive sessions that were held or will be held. If a board, committee, or commission adjourns a public meeting to go into executive session the Town Clerk shall be so



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

notified so that the executive session can be entered into the Town Clerk's log of meetings.

- 5.11.2 When a board, committee, or commission adjourns a public meeting to go into executive session the minutes of that public meeting shall indicate the reason of the executive session and the vote by each member to go into executive session.
- 5.11.3 Minutes of an executive session shall indicate the attendance at such meeting and how each member voted when a vote is taken. Minutes of an executive session may be withheld from the public record until they are released by a vote of the board, committee, or commission.
- 5.11.4 Annually the chair shall request that the board, committee, or commission vote to release previous minutes of executive sessions, or portions thereof, as a public record or to retain minutes of previous executive sessions as non-public records.
- 5.11.5 Executive session minutes of a board, committee, or commission, appropriately marked, **shall be kept by the clerk of the board, committee, or commission;** or shall be stored at the office of the board, committee, or commission, if available; or shall be sent to the Town Clerk who shall store these minutes separate from minutes of public sessions. For executive session minutes that have not yet been released, the Town Clerk may only release a copy to the chair of the board, commission or committee and shall do so when requested.
- 5.11.6 Executive session minutes that involve the Town Counsel shall be reviewed by the Town Counsel before being released. Release of executive session minutes that involve meetings with Town Counsel must be approved by the Board of Selectmen to waive the attorney-client privilege for specific communications per Selectmen policy.



# Town of Framingham

## Annual Town Meeting

### April 28, 2015

#### ARTICLE 45

To see if the Town will vote to amend the first sentence of General By-laws Article V, Section 1.4.1 by adding the following new wording shown below in **bold** print:

No person shall drink any alcoholic beverages as defined in Chapter 138, Section 1 of the Massachusetts General laws while on, in or upon any public way or upon any way to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, park or playground, except that the sampling and sale of wine during a farmers market held on the town common **and the sampling and sale of beer and wine during Metrofest held at Bowditch Athletic Complex are both** permitted if duly licensed by the Board of Selectmen and in accordance with the applicable provisions of **state law, including** General Laws chapter 138 section 15F, or private land or place without consent of the owner or person in control thereof.

Pass any vote or take any action relative thereto.

**Sponsor: Town Manager**

**May 20, 2015 Voted:** That the General Bylaws, Article V, Section 1.4.1 be amended by adding the following new wording shown below in **bold** print:

No person shall drink any alcoholic beverages as defined in Chapter 138, Section 1 of the Massachusetts General laws while on, in or upon any public way or upon any way to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, park or playground, except that the sampling and sale of wine during a farmers market held on the town common **and the sampling and sale of beer and wine during Metrofest held at Bowditch Athletic Complex are both** permitted if duly licensed by the Board of Selectmen and in accordance with the applicable provisions of **state law, including** General Laws chapter 138 section 15F, or private land or place without consent of the owner or person in control thereof