



# Town of Framingham Annual Town Meeting April 29, 2014

## ARTICLE 1

To see if the Town will hear a report of the Board of Selectmen for the calendar year preceding this Annual 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 29, 2014 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

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#### **ARTICLE 2**

To see if the town will vote to hear reports from various departments, boards, committees and commissions unless said report has been made in writing and placed on the table at town meeting for Town Meeting Members. Reports made in writing shall be posted on the Town website for this town meeting.

And after all reports are given, Town Meeting shall vote to dispose of this article.

Pass any vote or take any action relative thereto.

**Sponsor: Standing Committee on Rules**

**April 29, 2014 Voted:** That the Town hear reports from various departments, boards, committees and commissions unless said report has been made in writing and placed on the table at Town Meeting for Town Meeting Members. Reports made in writing shall be posted on the town website for this town meeting.

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



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 3**

To see if the Town will vote to amend the previously approved FY13 & FY14 Community Development Block Grant (CDBG) and to allocate unexpended carry-over funds for proposed projects as described in the background material handout regarding the Recommended FY2015 CDBG Budget as proposed in Article 4.

Pass any vote or take any action relative thereto.

**Sponsor: Board of Selectmen**

**April 29, 2014 Voted:** That Article 3 be referred back to Sponsor with the concurrence of the Sponsor.



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#### ARTICLE 4

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 29, 2014 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 5, 2014 with the amounts of funding increased or decreased proportionately to the percentage change in actual Entitlement Grant funding available versus estimated Entitlement Grant funding available. Said projected use of funds is shown on the attached pages.



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## ARTICLE 4 - ATTACHMENT

### PROPOSED USES OF FISCAL 2015 CDBG FUNDS

<b>1.0 ADMINISTRATION/PLANNING</b>		<b>\$ 103,509*</b>
<b>2.0 HOUSING REHABILITATION</b>		<b>\$203,232</b>
<b>2.1 HOUSING REHABILITATION</b>		<b>\$143,232</b>
<i>SPONSOR: COMMUNITY AND ECONOMIC DEVELOPMENT</i>		
<b>2.2 CODE ENFORCEMENT</b>		<b>\$ 60,000</b>
<i>SPONSOR: BUILDING &amp; INSPECTIONAL SERVICES</i>		
<b>3.0 PUBLIC FACILITIES IMPROVEMENTS</b>		<b>\$130,000</b>
<b>3.1 BOWDITCH BASEBALL FIELD (PHASE II) – ADA ACCESSIBLE BLEACHERS</b>		<b>\$ 70,000</b>
<i>SPONSOR: FRAMINGHAM PARKS AND RECREATION</i>		
<b>2.3 JOHN J. GALLAGHER IMPROVEMENTS</b>		<b>\$ 60,000</b>
<i>SPONSOR: FRAMINGHAM HOUSING AUTHORITY</i>		
<b>4.0 PUBLIC SERVICES</b>		<b>\$ 75,207**</b>
<b>4.1 LITERACY UNLIMITED</b>		<b>\$ 12,000</b>
<i>SPONSOR: FRAMINGHAM PUBLIC LIBRARY</i>		
<b>4.2 FRAMINGHAM ADULT ESL PLUS</b>		<b>\$ 20,000</b>
<i>SPONSOR: FRAMINGHAM ADULT ESL PROGRAM</i>		
<b>4.3 COMMUNITY CONNECTIONS SUMMER WORK PROGRAM</b>		<b>\$ 24,000</b>
<i>SPONSOR: FRAMINGHAM COALITION COMMUNITY CONNECTIONS</i>		
<b>4.4 RESILIENCY FOR LIFE PROGRAM SUMMER PROGRAM</b>		<b>\$ 6,346</b>
<i>SPONSOR: RESILIENCY FOR LIFE ADVISORY BOARD</i>		
<b>4.5 HEALTHY OPTIONS FOR PROGRESS THROUGH EDUCATION (HOPE)</b>		<b>\$ 7,861</b>
<i>SPONSOR: PELHAM APARTMENTS RESIDENTIAL SERVICES</i>		
<b>4.6 HOOPS FOR HOMEWORK</b>		<b>\$ 5,000</b>
<i>SPONSOR: SMOC</i>		
<b>5.0 DOWNTOWN IMPROVEMENTS</b>		<b>\$ 52,750</b>
<b>5.1 SOUTH FRAMINGHAM MAIN STREETS PROGRAM</b>		<b>\$ 50,000</b>
<i>SPONSOR: FRAMINGHAM DOWNTOWN RENAISSANCE</i>		
<b>5.2 DOWNTOWN COMMERCIAL IMPROVEMENT PROGRAM</b>		<b>\$ 2,750</b>
<i>SPONSOR: COMMUNITY DEVELOPMENT DEPARTMENT/FDC</i>		
<b>TOTALS</b>		<b>\$564,698</b>

\*Administration: The maximum amount of funds that may be budgeted to Administration is \$103,509\*, 20% of the



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sum of the Entitlement Grant plus Program Income realized in the program year.

\*\*Public Services: The maximum amount of funds that may be budgeted to Public Services is \$75,207, 15% of the sum of the Entitlement Grant plus Program Income realized in the program year.

#### **FISCAL 2015 CDBG PROJECT BACKGROUND**

##### **1.0 ADMINISTRATION AND 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** **\$103,509**  
*SPONSOR: FRAMINGHAM COMMUNITY DEVELOPMENT DEPARTMENT*

**SOURCES OF FUNDS: CDBG ENTITLEMENT GRANT** **\$103,509**

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)** **\$143,232**  
*SPONSOR: FRAMINGHAM COMMUNITY DEVELOPMENT DEPARTMENT*

**SOURCES OF FUNDS: CDBG ENTITLEMENT GRANT** **\$130,232**  
**PROGRAM INCOME:** **\$ 40,000**

In Fiscal 2015, 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. In addition to loans, technical assistance on financial and rehabilitation matters is provided. CDBG monies will also pay administrative and program delivery costs, including partial salary and benefits for a the Housing Quality Inspector position who manages the CDBG & HOME



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funded HRAP Program while also performing additional residential code enforcement and coordinating the Town's Code Enforcement Task Force.

Performance Target: 3-6 Dwelling Units; very low, low & moderate- income clientele

**2.2 NEIGHBORHOOD STABILIZATION/CODE ENFORCEMENT \$ 60,000**  
*SPONSOR: FRAMINGHAM INSPECTIONAL SERVICES DIVISION*

**SOURCES OF FUNDS: CDBG ENTITLEMENT GRANT \$ 60,000**

The Town has prioritized stronger residential code enforcement to address substandard and overcrowded housing conditions and provide neighborhood stabilization outcomes particularly to poorer neighborhoods. 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).

Performance Target: 400 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 BOWDITCH BASEBALL FIELD – ADA ACCESSIBLE BLEACHERS \$ 70,000**  
*SPONSOR: FRAMINGHAM PARKS & RECREATION DIVISION*

**SOURCES OF FUNDS: CDBG ENTITLEMENT GRANT \$ 47,850**  
**PRIOR YEAR FUNDS: \$ 22,150**

Phase II of the Bowditch Baseball Field to install a second set of ADA-accessible bleachers at the Bowditch Recreation Complex and complete making the facility ADA compliant. Phase I funded in FY2014 was completed and came under budget, those funds will be reallocated and applied to the Phase II costs.

Performance Target: 1 public facility serving residents with impaired mobility.

**3.2 JOHN J. GALLAGHER DRIVE – ADA IMPROVEMENTS \$ 60,000**  
*SPONSOR: FRAMINGHAM HOUSING AUTHORITY*

**SOURCES OF FUNDS: CDBG ENTITLEMENT GRANT \$ 60,000**

Funding to for road and sidewalk and accessible curb cuts improvements on John J. Gallagher Drive serving a 40 unit senior and disabled housing complex.

Performance Target: Improvements serving very low, low and moderate income elder



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and disable households.

#### 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**  
*SPONSOR: FRAMINGHAM PUBLIC LIBRARY*

**SOURCES OF FUNDS: CDBG ENTITLEMENT GRANT \$ 12,000**

Partial funding is sought 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 includes 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 hundreds of 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 FRAMNIGHAM ADULT ESL PLUS PROJECT** **\$ 20,000**  
*SPONSOR: FRAMINGHAM ADULT ESL PROGRAM*

**SOURCES OF FUNDS: CDBG ENTITLEMENT GRANT \$ 20,000**

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** **\$ 24,000**  
*SPONSOR: COMMUNITY CONNECTIONS/FRAMINGHAM COALITION*

**SOURCES OF FUNDS: CDBG ENTITLEMENT GRANT \$ 24,000**

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 for two, two and a half week sessions in



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which teens will learn responsibility and investment in their community by implementing appropriate landscaping, general clean up, painting, and 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 two adults who have numerous years of experience working with youth in both a school and community setting. The program will involve orientation and participation in enrichment sessions on safety and health issues.

Performance Target: Up to 30 very low, low & moderate-income clients

**4.4 RESILIENCY FOR LIFE PROGRAM \$ 6,346**  
*SPONSOR: RESILIENCY FOR LIFE*

**SOURCES OF FUNDS: CDBG ENTITLEMENT GRANT \$ 6,346**

Funding is requested to provide an intervention program serving under-achieving at-risk incoming freshmen at Framingham High School. The mission is to take students most at risk of academic failure, truancy, and delinquency and help them develop the skills and confidence they need to turn around their education and lives. This proposal seeks funds toward 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 9:00am to 3:00pm. English & Math programs will focus on important elements to facilitate a smooth transition to 9<sup>th</sup> grade math.

Performance Target: Up to 15-20 very low, low & moderate-income clients

**4.5 H.O.P.E. (HEALTHY OPTIONS FOR PROGRESS THROUGH EDUCATION) \$ 7,861**  
*SPONSOR: PELHAM II CORPORATION*

**SOURCES OF FUNDS: CDBG ENTITLEMENT GRANT \$ 7,861**

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 – 8:30pm. 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 FOR HOMEWORK \$ 5,000**  
*SPONSOR: SOUTH MIDDLESEX OPPORTUNITY COUNCIL (SMOC)*



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**SOURCES OF FUNDS: CDBG ENTITLEMENT GRANT \$ 5,000**

Educational and recreational after-school program for school age children located at the Pelham Apartments and the Carlson and Pusan Roads Community Rooms. Homework assistance, snack, onsite tutoring and recreational activities.

Performance Target: Up to 50 very low, low & moderate-income clients

#### 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 CROSSROAD NRSA THAT SERVE LOCAL RESIDENTS.**

**5.1 SOUTH FRAMINGHAM MAIN STREETS PROGRAM \$ 50,000**  
*SPONSOR: FRAMINGHAM DOWNTOWN RENAISSANCE (FDR)*

**SOURCES OF FUNDS: CDBG ENTITLEMENT GRANT \$ 25,000**  
**UNUSED PRIOR YEARS FUNDS: \$ 25,000**

FDR seeks partial funding a South Framingham "Main Streets" program for the Town's Downtown/Crossroads NRSA 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 and 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. Unused funds from the Façade and Sign Improvement Program from prior years has been reallocated to this project.

Performance Target: Up to 100 small, local businesses that serve clientele from LM areas and eight marketing events.

**5.2 DOWNTOWN COMMERCIAL IMPROVEMENT PROGRAM \$ 2,750**  
*SPONSOR: FRAMINGHAM COMMUNITY DEVELOPMENT DEPARTMENT/FDR*

**SOURCES OF FUNDS: CDBG ENTITLEMENT GRANT \$ 2,750**

Funding is requested for partial funding for downtown parking wayfinding signage needed during the Downtown Framingham Redesign project to assist businesses and patrons.

Performance Target: Up to 3-5 signs/banners.

**CDBG GRAND TOTAL, Fiscal 2015: \$564,698**



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## **ARTICLE 4 ADDITIONAL MOTIONS/AMENDMENTS**

**April 29, 2014 Failed:** I move that the Town 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, and in accordance with the “Proposed Statement of Community Development Objectives and Projected Use of Funds” approved by the Board of Selectmen on March 5, 2014 with the amounts of funding increased or decreased proportionately to the percentage change in actual Entitlement Grant finding available versus estimated Entitlement Grant funding available. Said projected use of funds is shown on the attached pages with an amendment proposed by the SCW&M to move \$70,000 from 3.1 (Bowditch Field Accessible Bleachers) to 2.1 (Housing Rehabilitation Assistance Program).

As voted 4/28/14 by a vote of 14-1-0

**Audrey Hall, Precinct 3**



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## ARTICLE 5

To see if the Town will vote to authorize the Board of Selectmen and School Committee to enter into a lease upon such terms and conditions as they deem appropriate for a period of up to five years for the use of certain property as administrative offices for the Framingham Public Schools.

Pass any vote or take any action relative thereto.

**Sponsor: School Committee**

**April 29, 2014 Voted:** That the Board of Selectmen and the School Committee be authorized to enter into a lease upon such terms and conditions as they deem appropriate for a period of up to five years for the use of certain property as administrative offices for the Framingham Public Schools.



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## **ARTICLE 6**

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$195,000 for the purpose of supporting Phase Two of a program of safety improvement within the school and municipal buildings and grounds, including but not limited to building improvements, equipment, staff training and awareness, or act in relation thereto.

Pass any vote or take any action relative thereto.

**Sponsor: School Committee**

**April 29, 2014 Voted:** That this article be referred back to Sponsor with the concurrence of the Sponsor.



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## ARTICLE 7

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 29, 2014 Voted:** That the Town authorize payment of the following unpaid bills of prior years of the Town. These bills are to be paid from the FY2014 departmental budget in which they were incurred.

Facilities Management	ENE Systems	\$1,552.32
Facilities Management	Tremco	\$ 615.25
School Department	Northeast Copier Systems	\$ 602.58

**Passed Unanimously**



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## ARTICLE 8

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 2015 beginning July 1, 2014.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**April 30, 2014 Voted:** That Town Meeting authorize or re-authorize several revolving funds as defined by MGL, Ch. 44, Section 53E ½ for FY15 beginning July 1, 2014, including, but not limited to the following:

<u>Fund</u>	<u>Manager</u>	<u>Purpose</u>	<u>FY15 Spending Ceiling</u>	<u>Disposition of FY14 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 Parks 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



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## ARTICLE 8 (CONTINUED)

<u>Fund</u>	<u>Manager</u>	<u>Purpose</u>	<u>FY15 Spending Ceiling</u>	<u>Disposition of FY14 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>\$75,000</b>	Balance available for expenditure
Housing Pre-Inspection Program Fund	Board of Health 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>	
Vaccine Administration Fund	Board of Health 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



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## ARTICLE 8 (CONTINUED)

<u>Fund</u>	<u>Manager</u>	<u>Purpose</u>	<u>FY15 Spending Ceiling</u>	<u>Disposition of FY14 Fund Balance</u>
Callahan Senior Center Fund	Council on Aging of the Parks 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>\$30,000</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>\$5,000</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



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## ARTICLE 9

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 29, 2014 Voted:** That this article be referred back to Sponsor with the concurrence of the Sponsor.



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#### ARTICLE 10

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 2014 (July 1, 2013 – June 30, 2014) and to see what budgets for Fiscal Year 2014 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**April 30, 2014 Voted:** That the following FY2014 budget adjustments be made:

<b><u>Transfer</u></b>	<b><u>To</u></b>	<b><u>From</u></b>
Salary Reserve Fund		\$143,847
General Government Division	\$35,000	
Human Resources Division	\$25,000	
Parks Division	\$30,000	
Town Clerk Stipend	\$1,847	
Town Clerk/Elections	\$7,000	
Library	\$45,000	
Police Division		\$100,000
Fire Division		\$200,000
Snow and Ice Deficit	\$300,000	
Free Cash		\$940,000
School Department	\$240,000	
Snow and Ice Deficit	\$700,000	
<b>TOTAL</b>	<b>\$1,383,847</b>	<b>\$1,383,847</b>



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## 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 Water Department, including debt and interest for Fiscal Year 2014 (July 1, 2013 – June 30, 2014) and to see what budgets for Fiscal Year 2014 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**April 29, 2014 Voted:** That this article be referred back to the Sponsor with the concurrence of the Sponsor.



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## ARTICLE 12

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 2014 (July 1, 2013 – June 30, 2014) and to see what budgets for Fiscal Year 2014 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**April 29, 2014 Voted:** That this article be referred back to Sponsor with the concurrence of the Sponsor.



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#### ARTICLE 13

To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) to replenish the funding within the Major Litigation Contingency Fund special warrant article appropriation established under Article 19 of the 2012 Annual Town Meeting, with such funding to be used with respect to any judicial, administrative or regulatory proceeding for which legal, expert or stenographer costs to the Town exceed Twenty Five Thousand and 00/100 Dollars (\$25,000.00) in a particular fiscal year, provided that the Board of Selectmen, Finance Committee and Standing Committee on Ways and Means are timely apprised of expenditures from such fund.

Pass any vote or take any action relative thereto.

**Sponsor: Board of Selectmen / Chief Financial Officer**

**April 30, 2014 Voted:** That the Town raise and appropriate the sum of One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) to replenish the funding of the Major Litigation Contingency Fund special warrant article appropriation established under Article 19 of the 2012 Annual Town Meeting, with said funding to be used with respect to any judicial, administrative or regulatory proceeding for which legal, expert or stenographer costs to the Town exceed Twenty-Five Thousand and 00/100 Dollars (\$25,000.00) in a particular fiscal year, provided that the Board of Selectmen, Finance Committee and Standing Committee on Ways and Means are timely apprised of expenditures from such fund.

**Passed unanimously**



# Town of Framingham Annual Town Meeting April 29, 2014

## ARTICLE 14

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 30, 2014 Voted:** That the Town approve the following Collective Bargaining Agreements that have been settled with Town employees:

Framingham Fire Deputy Chiefs, Local 1652  
Framingham Police Superiors Association (FPSOA)  
Framingham Librarians SEIU Local 888  
Framingham Parks and Recreation Supervisors, LIUNA, Local 1116

And, to adopt the salary schedules as attached, and further, transfer \$52,500 from the Salary Reserve Fund as follows:

\$40,000 to the Library Division  
\$12,500 to the Parks Division



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 15**

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, 2014 Voted:** That this article be referred back to Sponsor with the concurrence of the Sponsor.



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### ARTICLE 16

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 6, 2014 Voted:** That the Town raise and appropriate, transfer from available funds or borrow the sum of \$14,867,461 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 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;

Item #	Description	Department	Amount	Date Voted	Amount Voted	Vote
A16 A	Replace Engine 5	Fire	\$570,981	5/1/14	\$570,981	124-4-0
A16 B	Phase 2 – Protective Clothing Replacement	Fire	\$113,360	5/1/14	\$113,360	124-4-0
A16 C	Replace Signal Division Pick Up	Fire	\$57,695	5/1/14	\$57,695	124-4-0
A16 D	RFID Collection Security an Self-Check Stations	Library	\$194,560	5/1/14	\$194,560	124-4-0
A16 E	Edwards Cemetery Roadway Reconstruction	Cemeteries	\$126,975	5/1/14	\$126,975	124-4-0
A16 F	Callahan Senior Center-Front Entrance Redesign	Council on Aging	\$138,612	5/1/14	\$138,612	124-4-0
A16 G	Ford F650 J-Hook	Parks and Recreation	\$67,245	5/1/14	\$67,245	122-2-0
A16 H	F350 4x4 Crew Cab Pickup 10,000 GVW	Parks and Recreation	\$43,665	5/1/14	\$43,665	124-4-0
A16 I	F350 4x4 Regular Cab Pickup	Parks and Recreation	\$39,155	5/1/14	\$39,155	124-4-0



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

A16 J	Mary Dennison Master Plan & Skate Park Feasibility Study	Parks and Recreation	\$60,000	5/1/14	\$60,000	124-3-2
A16 K	Emergency Generator Phase 2	Police	\$349,000	5/1/14	\$349,000	128-0-0
A16 L	Annual Open Conveyance Drainage System & Water Quality Restoration Project – 2015	Public Works-Engineering	\$175,000	5/1/14	\$175,000	124-4-0
A16 M	Western Ave Fuel Island (general)	Public Works-Garage	\$16,150	5/1/14	\$16,150	125-3-0
A16 N	Annual Roadway Improvements 2015	Public Works – Highway	\$4,000,000	5/1/14	\$4,000,000	128-0-0
A16 O	Annual Traffic Calming – 2015	Public Works – Highway	\$200,000	5/1/14	\$200,000	118-10-0
A16 P	Replacement of a 8,800 GVW 4WD HD Cab and Chassis with Pickup Body and Snow Plow #402	Public Works – Highway	\$46,550	5/1/14	\$46,550	124-4-0
A16 Q	Replacement of a 15,000 GVW 4WD Rack Truck w/ Lift Gate and Plow #409	Public Works – Highway	\$73,300	5/1/14	\$73,300	124-4-0
A16 R	Replacement of a 18,000 GVW 4WD Cab and Chassis with Dump Body & Plow #411	Public Works – Highway	\$67,350	5/1/14	\$67,350	124-4-0
A16 S	Front End Loader Mounted Snow Blower #451A	Public Works - Highway	\$92,000	5/1/14	\$92,000	124-4-0
A16T	Replacement of a 3.5 CY Front End Loader with Plow #452	Public Works - Highway	\$242,650	5/1/14	\$242,650	124-4-0
A16 U	Annual Sidewalk/Accessibility Improvements 2015	Public Works - Highway	\$200,000	5-1-14	\$200,000	124-4-0
A16 V	Replacement of a 6 CY Material Spreader w/ Controls #442A	Public Works - Highway	\$40,480	5/1/14	\$40,480	124-4-0
A16 W	Replacement of a Sidewalk Tractor- Tracked #464	Public Works - Highway	\$167,400	5/1/14	\$167,400	123-5-0
A16 X	Replacement of a 40,000 GVW Cab and Chassis with Dump Body and Plow #421	Public Works - Highway	\$215,800	5/1/14	\$215,800	124-4-0
A16 Y	Replacement of a 6 CY Material Spreader w. Controls #421A	Public Works - Highway	\$40,800	5/1/14	\$40,800	124-4-0
A16 Z	Replacement of Catch Basin Cleaner/Flusher & Plow #449	Public Works – Highway	\$269,360	5/1/14	\$269,360	124-4-0
A16 AA	Purchase of Curbside Refuse Collection Carts	Public Works - Sanitation	\$1,000,000	5/6/14	\$1,000,000	Passed with 2/3 Vote
A16 AB	Replacement of (4) 68,000 GVW Cab and Chassis with Automatic Refuse Packer & Plow #511 #512 #513 #514	Public Works – Sanitation	\$1,337,440	5/6/14	\$1,337,440	Passed with 2/3 Vote
A16 AC	Technology Upgrades Throughout District – Phase (4)	School Department	\$950,000	5/6/14	\$950,000	118-17-5
A16 AD	King School Elevator	School Department	\$400,000	5/1/14	\$400,000	124-4-0
A16 AE	DDC (Digital Direct Control) Energy Conservation Program	School Department	\$235,000	5/6/14	\$235,000	Passed unanimously
A16 AF	Furnish New & Replace Outdated Furniture-Phased Project	School Department	\$300,000	5/1/14	\$300,000	124-4-0



# Town of Framingham Annual Town Meeting April 29, 2014

A16 AG	Replace Deteriorated Asbestos Floor Tile in Main Areas and in Corridors – Phase #2	School Department	\$370,000	5/1/14	\$370,000	124-4-0
A16 AH	Food Services Equipment – Phased Project #1	School Department	\$140,000	5/1/14	\$140,000	124-4-0
A16 AI	Masonry Repointing – Design and Bid Documentation Stapleton School	School Department	\$48,000	5/1/14	48,000	124-4-0
A16 AJ	Paving Replacement/Storm Water All Schools- Phased Project	School Department	\$600,000	5/1/14	\$600,000	124-4-0
A16 AK	ADA Upgrade to Curbs, Sidewalks, Ramps, Railings, Bathroom Partitions, Doors, Signage – Multiple Schools- Phased Project	School Department	\$300,000	5/1/14	\$300,000	124-4-0
A16 AL	Heating Ventilation Air Conditioning (HVAC)- Replace Rooftop Air Handling Units & Ventilation Equipment-Multiple School	School Department	\$400,000	5/6/14	\$400,000	Passed unanimously
A16 AM	Mechanical, Electrical, Plumbing Upgrades – All Schools-Multiple Systems-Phased Project	School Department	\$150,000	5/6/14	\$150,000	Passed unanimously
A16 AN	Rack Style Truck with Lift Gate- Vehicle Replacement	School Department	\$37,500	5/1/14	\$37,500	124-4-0
A16 AO	Utility Body Truck – Vehicle Replacement	School Department	\$43,000	5/6/14	\$43,000	Passed unanimously
A16 AP	Utility Body Truck – Vehicle Replacement	School Department	\$45,000	5/1/14	\$45,000	124-4-0
A16 AQ	Athletic Equipment	School Department	\$57,500	5/1/14	\$57,500	124-4-0
A16 AR	Fire Department Mobile Data Upgrade	Technology Services	\$78,375	5/1/14	\$78,375	124-4-0
A16 AS	Data Warehouse	Technology Services	\$145,789	5/1/14	\$145,789	124-4-0
A16 AT	Archived Document Scanning – Phase III	Technology Services	\$275,949	5/1/14	\$275,949	124-4-0
A16 AU	Computer Server Room Upgrade	Town Owned Buildings	\$293,000	5/6/14	\$293,000	Passed unanimously
A16 AV	Phase 2 Space Study-Danforth & Annex	Town Owned Buildings	\$52,500	5/6/14	\$52,500	136-4-0

And, 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 \$79,812 as follows:

Transfer		Town Meeting	Article
\$79,812	From	4/05 ATM	A26C Elevator Shaft & Pedestrian Ramp



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

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 \$14,787,649 pursuant to the provisions of M.G.L., Chapter 44, Section 7 and 8 or any other enabling authority.

**Passed with a 2/3 vote.**



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### **ARTICLE 16 ADDITIONAL MOTIONS/AMENDMENTS**

**May 1, 2014 Failed:** I move to amend the amount in Article 16J of the FY15 General Fund Capital Budget for Mary Dennison Park Design, Engineering and Feasibility Study from \$60,000 to \$210,000

**Judith Grove, Precinct 15**

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**May 1, 2014 Failed:** I move that the amount of \$16,150 for Western Ave. Fuel Island be deleted from the General Fund Capital Budget (Item 16M).

**Wolf Haberman, Precinct 10**

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**May 6, 2014 Failed:** I move to amend the main motion by adding wording to allow town spending up to only 25 percent of the approved dollar amount until such time as the Town Manager appraises Town Meeting Members as to the new FY15 Residential/Commercial Property tax numbers.

**Gerald Bloomfield, Precinct 1**

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**May 6, 2014 Failed:** I move that item A16AC, technology upgrades throughout the district-phase (4), be reduced from \$950,000 to \$500,000. The \$500,000 is the amount agreed upon between the Town and the Schools 4 years ago. This final \$500,000 will be the 4<sup>th</sup> year, totaling \$2,000,000.

**William McCarthy, Precinct 10**



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

## ARTICLE 17

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, 2014 Voted:** That the Town raise and appropriate, transfer from available funds, or borrow the sum of \$18,016,500 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:

A17 A	Replacement of a 11,000 GVW 4WD Cab and Chassis w/ Service Body and Plow #614	Water	\$55,000
A17 B	Replacement of a 15,000 GVW 4WD Cab and Chassis w/ Dump Body and Plow #625	Water	\$67,350
A17 C	Replacement of a 11,000 GVW 4WD Cab and Chassis w/ Service Body #601	Water	\$55,000
A17 D	Acquisition of a Mini Excavator #650	Water	\$78,000
A17 E	Main Street Area Water Main Improvements – Construction	Water	\$3,325,000
A17 F	Union Avenue Water Main Improvements – Construction	Water	\$12,145,000
A17 G	Water/Sewer Inventory Control Center-Design (Water)	Water	\$130,000 (Failed 57-37-6)
A17H	Annual Various Water Improvements Project 2015	Water	\$300,000
A17I	Speen Street & Cochituate Road Water Main Replacement – Design	Water	\$640,000



# Town of Framingham Annual Town Meeting April 29, 2014

A17J	Annual Various Hydrant & Valve Improvements Project-2015	Water	\$200,000
A17K	Salem End Road Water Main Lining	Water	\$690,000
A17 L	Dyer Street Water Main Replacement	Water	\$445,000
A17 M	Western Ave Fuel Island (water)	Water	\$16,500

And 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 is authorized, with the approval of the Board of Selectmen, to issue from time to time bonds or notes in the amount of \$18,016,500 pursuant to the provisions of M.G.L., Chapter 44, Section 7 and 8 or any other enabling authority.

**95 voting in favor, 6 opposed, 4 abstentions.**



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### ARTICLE 18

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, 2014 Voted:** That the Town raise and appropriate, transfer from available funds, or borrow the sum of \$9,005,344 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:

A18 A	Replacement of 11,000 GVW 4WD Cab & Chassis w/ Service Body & Plow #722	Sewer	\$55,000
A18 B	Replacement of 60,000 GVW Cab & Chassis w/ Flusher #740	Sewer	\$323,194
A18 C	Wastewater Master Plan	Sewer	\$250,000
A18 D	Wastewater Pump Station Capital Equipment Replacement	Sewer	\$400,000
A18 E	Water/Sewer Inventory Control Center – Design (Sewer)	Sewer	\$130,000 260,000 (as amended) Failed 79-53-4
A18 F	Waverly/Winthrop Intersection Sewer Realignment – Design and Construction	Sewer	\$1,400,000
A18 G	Main Street Area Sewer Improvements – Construction	Sewer	\$866,000
A18H	Union Ave Sewer Improvements – Construction	Sewer	\$1,880,000
A18I	Annual Various Sewer Improvements Project – 2015	Sewer	\$300,000



# Town of Framingham Annual Town Meeting April 29, 2014

A18J	Old Danforth Street Bridge Sewer Main Improvement	Sewer	\$700,000
A18K	Eastleigh, Little Farms and Flanagan Sewer Pumping Station Replacement – Design	Sewer	\$810,000
A18L	Western Ave Fuel Island (sewer)	Sewer	\$16,150
A18M	Elmfield Road Sewer Improvements	Sewer	\$1,585,000
A18N	Hop Brook Sewer Realignment	Sewer	\$420,000

And 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 \$9,005,344 pursuant to the provisions of M.G.L., Chapter 44, Section 7 and 8 or any other enabling authority.

**Passed Unanimously.**



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 18 ADDITIONAL MOTIONS/AMENDMENTS**

**May 7, 2014 Passed:** I move that the A18E monetary amount be increased to \$260,000

**Kevin P. Crotty, Precinct 7**

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**May 7, 2014 Passed:** I move that the DPW inact an inventory control system and report back to Fall Town Meeting with results.

**Jim Pillsbury, Precinct 6**

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# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### ARTICLE 19

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 2015 (July 1, 2014 – June 30, 2015).

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**May 14, 2014 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 2015 (July 1, 2014 – June 30, 2015).

Unclassified Appropriation	\$33,137,395
Retirement Appropriation	\$14,390,719
Debt Service Appropriation	\$12,074,669
Fire Division	\$13,501,034
Police Division	\$13,615,534
Public Works Division	\$9,748,760
Framingham Public Library	\$2,928,591
Planning Board	\$186,522
Town Clerk Stipend	\$94,207
Town Clerk/Elections Division	\$418,551
General Government Division	\$3,282,963
Parks & Recreation/Cultural Affairs Division	\$3,670,339
Finance Division	\$2,411,124
Inspectional Services Division	\$2,140,381



# Town of Framingham Annual Town Meeting April 29, 2014

Community & Economic Development Division	\$612,232
Technology Services Division	\$1,416,596
Human Resources Division	\$903,686
Framingham Public Schools	\$109,368,801
Keefe Technical Assessment	\$8,638,850
Stabilization Fund	\$639,574 <b>Unanimously voting in favor</b>
Capital Stabilization Fund	\$2,284,194 <b>Unanimously voting in favor</b>
Reserve Fund	\$400,000
Snow & Ice Appropriation	\$1,632,717
Total Town Meeting Appropriation	\$237,497,439

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

Transfer from Free Cash	\$3,837,446
Transfer from Parking Meter Receipts	\$50,000
Transfer from Sewer Enterprise Fund	\$1,389,128
Transfer from Water Enterprise Fund	\$1,499,362
Transfer from Consumer and Merchant Protection Act Funds	\$15,000

And the balance to be raised from taxation.

**Passed unanimously.**



# Town of Framingham Annual Town Meeting April 29, 2014

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

**May 8, 2014 Failed:** I move to reduce the operating budget of the Police Department by the amount budgeted for the additional new 7 police officers positions proposed for FY15 in the amount of \$248,775.

**Yael Steinsaltz, Precinct 11**

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**May 13, 2014 Failed:** I move to reduce the Board of Health budget by \$228,994 from \$1,046,953 to \$817,959, which is 5% above the FY14 budget of \$779,009.

**Yaakov Cohn, Precinct 5**

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# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 19 RESOLUTION A**

**May 8, 2014 Failed:** I move that the Police Department will not use a taser on a officer during training.

**Jim Pillsbury, Precinct 6**



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 19 RESOLUTION B**

**May 8, 2014 Passed:** Be it resolved that some of the \$14,537 appropriated for the establishment of a seasonal conservation trails crew be used to clean up debris dumped on the Conservation Land known as the Cedar Swamp which is located in Downtown Framingham and bordered by Waverly Street, Mellen Street, Cypress Street and Cedar Street.

**George Lewis, Precinct 18**



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 19 RESOLUTION C**

**May 8, 2014 Passed:** Be it resolved that the Facilities Department fly the POW MIA flag at the Memorial Building each day the American Flag is flown.

**Jim Pillsbury, Precinct 6**



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 19 RESOLUTION D**

**May 8, 2014 Failed:** Resolved, Town Meeting encourages that Legal Services be routinely publicly bidded.

**Jeffrey Cox, Precinct 14**



# Town of Framingham Annual Town Meeting April 29, 2014

## ARTICLE 20

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 2015 (July 1, 2014 – June 30, 2015).

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**May 14, 2014 Voted:** That the Town expend \$19,005,439 in FY2015 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 \$19,005,439 be raised from water receipts.

**105 voting in favor, 5 opposed.**



# Town of Framingham Annual Town Meeting April 29, 2014

## ARTICLE 21

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 2015 (July 1, 2014 – June 30, 2015).

Pass any vote or take any action relative thereto.

**Sponsor: Chief Financial Officer**

**May 14, 2014 Voted:** That the Town expend \$23,683,261 in FY2015 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 \$23,683,261 be raised from sewer receipts.

**108 voting in favor, 1 opposed.**



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### **ARTICLE 22**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money not to exceed \$ 5,965,757 for the purpose of energy conservation and energy related improvements to public buildings owned by the Town of Framingham, including payment of all costs incidental and related thereto; and further, that in addition to the methods of funding provided above, the Treasurer be authorized, with the approval of the Board of Selectmen, to enter into a lease financing agreement with respect to such improvements, said funding to be expended under the direction of the Board of Selectmen; and further to authorize a so-called performance based energy contract for a term of not more than 16 years for the purpose of making said energy conservation and energy related improvements and guaranteeing the projected financial savings from those improvements and upon such other terms and conditions as the Board of Selectmen may determine and as approved by the Owner's Agent.

Pass any vote or take any action relative thereto.

#### **Sponsor: Town Manager**

**May 14, 2014 Voted:** That the Town raise and appropriate, transfer from available funds, or otherwise provide a sum of money not to exceed \$5,965,757 for the purpose of energy conservation and energy related improvements to public buildings owned by the Town of Framingham, including payment of all costs incidental and related thereto; and further, that in addition to the methods of funding provided above, the Treasurer is authorized, with the approval of the Board of Selectmen, to enter into a lease financing agreement with respect to such improvements, said funding to be expended under the direction of the Board of Selectmen; and further, that a so-called performance based energy contract be authorized for a term of not more than 16 years for the purpose of making said energy conservation and energy related improvements and guaranteeing the projected financial savings from those improvements and upon such other terms and conditions as the Board of Selectmen may determine and as approved by the Owner's Agent.

**109 voting in favor, 1 opposed.**



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 23**

To see if the Town will vote to authorize the Board of Selectmen to enter into alternate energy net metering credit purchase agreements, including solar energy and related net electricity metering credits, for a term not to exceed 20 years on such terms and conditions as the Board of Selectmen deem in the best interest of the Town.

Pass any vote or take any action relative thereto.

**Sponsor: Town Manager**

**April 29, 2014 Voted:** That Article 23 be referred back to Sponsor with the concurrence of the Sponsor.



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 24 RESOLUTION A**

To see if Town Meeting will vote to address previously recognized issues concerning assessing practices.

Pass any vote or take any action relative thereto.

**Sponsor: Citizens' Petition (*Deborah Butler*)**

**May 14, 2014 Voted:** That Town Meeting request that the Town Manager to report on the follow up to the Matrix Consulting Group and Assessment Review Committee reports regarding the Town's assessing practices and report the status of the recommendations and documentation requests to Town Meeting at the Fall 2014 Town Meeting.



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### **ARTICLE 25 RESOLUTION**

WHEREAS, Global warming, caused primarily by the burning of fossil fuels and resulting increase in greenhouse gases in the atmosphere, is a serious threat to current and future generations in Framingham and around the world; and

WHEREAS, Global warming is already causing costly disruption of human and natural systems throughout the world, including the acidification of the oceans, melting of Arctic and glacial ice, rising sea levels, increasing heat waves, floods, drought, extreme weather, and corresponding food and water shortages, property damage, loss of biodiversity, and death; and

WHEREAS, The effects of global warming will further intensify with increased temperatures such that almost all governments in the world, including the United States, have agreed (through the 2009 Copenhagen Accord) that any warming above a 2°C (3.6°F) rise would be unsafe for human habitation; and

WHEREAS, Scientists estimate that humans can emit only approximately 565 more gigatons of carbon dioxide into the atmosphere and still retain a reasonable hope of not exceeding 2°C of global warming; and

WHEREAS, Proven coal, oil and gas reserves counted as assets of fossil fuel companies equal roughly 2,795 gigatons of CO<sub>2</sub>, or five times the maximum amount that can safely be released to prevent more than 2°C of global warming; and

WHEREAS, Fossil fuel companies continue to explore for even more fossil fuel deposits that cannot be burned without rendering Earth unfit for human habitation; and

WHEREAS, Fossil fuel companies operate under the imperative to create shareholder profit rather than for long term public benefit, use their considerable financial resources to mislead the public on the scientific consensus about the dangers of global warming, and to influence the government to maintain laws and regulations favorable to the continuing sale of their product, and

WHEREAS, The Town of Framingham has a moral duty to protect the lives and livelihoods of its inhabitants and of people around the world from the threat of global warming and believes that its investments should support a future without the catastrophic impacts of a warming environment; and

WHEREAS, The Town of Framingham has a duty to its employees and taxpayers to maintain the value of funds invested on their behalf and to avoid risky investments; and



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#### **ARTICLE 25 RESOLUTION CONTINUED**

WHEREAS, Investments in fossil fuel companies could prove highly risky given that 80% of their proven reserves could become "stranded" and unusable assets if governments act to protect a habitable climate; now

THEREFORE, BE IT RESOLVED THAT Framingham Town Meeting urges its Retirement Board and Town Treasurer to review their investment portfolios in order to identify any holdings that include direct or indirect investments in Fossil Fuel Companies, defined for purposes of this Resolution as any of the two hundred publicly-traded companies with the largest coal, oil and gas reserves (as measured by the gigatons of carbon dioxide that would be emitted if those reserves were extracted and burned) such as those companies listed in the Carbon Tracker Initiative's "Unburnable Carbon" report; and

Be it FURTHER RESOLVED, That Framingham Town Meeting urges its Retirement Board and the Town Treasurer to adopt policies to divest from such existing public equities, corporate bonds, or other direct holdings in Fossil Fuel Companies within five years and to preclude any new direct investments in Fossil Fuel Companies in the future, and

Be it FURTHER RESOLVED, That, for any investments of the Town of Framingham in commingled funds that are found to include Fossil Fuel Companies, Town Meeting urges the Retirement Board and Town Treasurer to contact the fund managers and request that the Fossil Fuel Companies be removed from such funds; and

Be it FURTHER RESOLVED, That the Town Treasurer and Retirement Board release annual updates, that are made available to the public, which detail progress made towards full divestment in Fossil Fuel Companies within five years; and

Be it FURTHER RESOLVED, That Town Meeting urges the Board of Selectmen, Town Treasurer and Retirement Board to endorse proposed state legislation requiring divestment of statewide retirement funds (Pension Reserve Investment Trust (PRIT)) from fossil fuel companies, and

Be it FURTHER RESOLVED, That the Town Clerk is requested to send copies of this Resolution to Governor Deval Patrick, State Treasurer Steven Grossman, State Senator Michael Barrett, and State Representative Cory Atkins, or take any other action relative thereto.

**Sponsor: Citizens' Petition (*Kenneth Weiss*)**

**May 15, 2014 Voted:** That the Town enact the resolution on Fossil Fuel Divestment as reflected in the Citizen's Petition article presented in this Annual Town Meeting Warrant.



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## **ARTICLE 25 ADDITIONAL MOTIONS/AMENDMENTS**

**May 15, 2014 Failed:** I move that the resolution associated with Article 25 be revised by striking all reference to the retirement board and retirement investment vehicles.

**R. Karl Rookey, Precinct 14**



# Town of Framingham Annual Town Meeting April 29, 2014

## ARTICLE 26

To see if the Town will vote to amend the Framingham Zoning Bylaw by adding new definitions to Section I.E. and by adding a new Section IV.S. Agriculture Preservation Development.

Pass any vote or take any action relative thereto.

### **Sponsor: Planning Board**

**May 15, 2014 Voted:** That the Framingham Zoning Bylaw be amended by adding new definitions to Section I.E. and by adding a new Section IV.S. Agriculture Preservation Development as set forth in the handout dated April 29, 2014 attached to this motion.

**99 voting in favor, 3 opposed, 4 abstentions.**



# Town of Framingham Annual Town Meeting April 29, 2014

## ARTICLE 26 - ATTACHMENT

**Article 26: Agriculture Preservation Development**

**Sponsor: Planning Board**

**Framingham Annual Town Meeting**

**Date: April 29, 2014**

**I move that the Town vote to amend the Framingham Zoning By-law by adding new definitions to Section I.E. and by adding a new Section IV.S. Agriculture Preservation Development as set forth in the handout dated April 29, 2014 attached to this motion.**

### **Section I.E. Definitions**

**Active Farm Parcel:** The portion of the Active Farm that shall have an Agriculture Preservation Restriction (APR) placed on the area in perpetuity. A minimum of 70 percent of the Active Farm shall remain as an Active Farm in perpetuity.

**Active Farm:** Land located in the Town of Framingham utilized for agriculture, having a minimum of 15 acres, located in a R-3 or R-4 Single Family Residential Zoning District, enrolled in M.G.L. c. 61 and/or 61A and consisting of one or more contiguous parcels in one ownership throughout or any combination of parcels of land consolidated under a Purchase and Sale Agreement where all such owners jointly apply for an Agriculture Preservation Development Special Permit and that do not have a Conservation Restriction or Agricultural Preservation Restriction on the Active Farm.

**Agriculture and/or Farm:** These terms shall include farming in all of its branches and the cultivation and tillage of soils; dairying; the production, cultivation, growing and harvesting of any agricultural, floriculture or horticultural commodities; the growing and harvesting of forest products upon forest land; the raising of livestock (including horses, the keeping of horses as a commercial enterprise, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes, bees and fur-bearing animals); and any forestry or lumbering operations performed by a farmer.

**Agricultural Preservation Restriction (APR):** A restriction and agreement in perpetuity with owners of an Active Farm Parcel, in accordance with M.G.L. c. 184, § 31. An APR is a legally binding set of restrictions that is monitored and enforced by the Massachusetts Department of Agricultural Resources, a town conservation commission and/or a land trust. Owners of Active Farms may voluntarily enter into these agreements by selling the APR for a negotiated price based on the appraised value of the restriction.

**Buildable Parcel:** The portion of the Active Farm that may be used for cluster development. The Active Farm Parcel shall not be included in this area.

**Common Open Space:** A portion of the Buildable Parcel that may be used for active, passive or leisure activities by the residents of the Agriculture Preservation Development.

**Farmer:** A person engaged in agriculture or farming as previously defined, or on a farm as an incident to or in conjunction with such farming operation, including preparations for market, delivery to storage or to



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market or to carriers for transportation to market.

#### **IV.S. Agricultural Preservation Development**

##### **1. Purpose and Intent**

The Agricultural Preservation Development (APD) By-law shall apply to parcels of land within the Town of Framingham that meet the definition of an Active Farm. The APD provides landowners with an opportunity to sell up to 30 percent of their land for a residential cluster development while protecting a minimum of 70 percent of the property as an Active Farm Parcel.

The intent of the APD is to:

- a. Promote and protect the Active Farm through conservation of those lands for future agricultural use and/or habitat;
- b. Maintain an adequate base of agricultural land and activity in Framingham to help ensure the continued economic viability of local farms and thereby contributing to the continued availability of agricultural supported services;
- c. Preserve land which, by virtue of its soil composition, acreage, location adjacent to and contiguous with other farmland or preserved open space forming discrete blocks of land, and its lack of protection under existing zoning or other laws, comprises the critical unprotected farmland of the Town of Framingham.
- d. Create a unique cluster development neighborhood setting while preserving important farming resources;
- e. Establish non-motorized vehicular connections between open space parcels, water resources, neighborhoods, and/or public amenities; and
- f. Promote land use consistent with the Town's Master Plan and Open Space & Recreation Plan.

##### **2. Active Farm Parcels**

###### **a. Applicability**

To qualify for a special permit under the APD as an Active Farm, the proposed land shall be:

- i. located in a R-3 or R-4 Single Family Residential Zoning District;
- ii. consistent with the definition of an Active Farm; and
- iii. not have been subdivided into smaller parcels, including Approval Not Required (ANR) within a 5-year period prior to submission of an application for Section IV.S, herein.

###### **b. Development Requirements**

The development of the Active Farm Parcel shall require the following conditions:

- i. The Applicant shall file with the Planning Board a Preliminary Plan conforming to the requirements of Section V.C. of the Framingham Subdivision Rules and Regulations. A Professional Land Surveyor or Engineer licensed in the Commonwealth of Massachusetts shall prepare the Preliminary Plan to determine the number of buildable lots that would be created under conventional zoning. The Preliminary Plan shall identify the quality of the land by identifying all wetlands, vernal pools and slopes over 15 percent. The number of lots shall also be consistent with Section IV.H. Land Disturbance by-law and shall be reviewed and approved as to accuracy by the Town Engineer.



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- ii. A minimum of 70 percent of the Active Farm shall be known as the Preserved Area and shall be preserved under an Agriculture Preservation Restriction (APR) in accordance with Section IV.S.4. and shall remain in private ownership of the Active Farmer.
- iii. A maximum of 30 percent of the Active Farm shall be known as the Buildable Parcel and may be utilized for residential development.
- iv. The Applicant shall submit a proposed site plan that may request a unit density bonus of up to 20 percent of the number of buildable lots determined under the Preliminary Plan. During a pre-application meeting, the Planning Board shall determine if the proposed density bonus is acceptable based on the quality of the preserved land. Factors that the Planning Board shall consider to determine the density bonus include the quality of the land preserved and locations of wetlands, vernal pools and slopes over 15 percent and the need for septic systems.

### 3. Agriculture Preservation Development Requirements

Areas allowed for residential development on the Buildable Parcel shall be required to meet the following conditions:

#### a. Dimensional Regulations

The APD shall comply with Section IV.S.3.a Table of Dimensional Regulations. However, the Planning Board may waive the requirements for Section IV.S.3.a Table of Dimensional Regulations by a four-fifth vote where such waivers will allow for better design and/or improved protection of natural and scenic resources.

**Table of Dimensional Regulations**

<b>Active Farm</b>	<b>R-3 &amp; R-4</b>
<b>Lot Frontage for the Buildable Parcel</b>	150 Feet
<b>Vegetated Buffer Surrounding the Development Adjacent to the Active Farm</b>	100 Feet
<b>Vegetated Buffer Surrounding the Development Adjacent to other land uses</b>	75 Feet
<b>Front Building Setback</b>	30 Feet
<b>Side Building Separation</b>	50 Feet
<b>Rear Building Separation</b>	75 Feet
<b>Maximum Number of Attached Units</b>	3
<b>Maximum Building Height</b>	3 stories/35'

#### b. Design Standards

The Buildable Parcel shall be consistent with the following Site Development and Building Design Standards.

- i. Dwelling Units: The APD shall be comprised of attached dwelling units and/or single-family dwelling units.
- ii. Design: The Neighborhood Cluster Development design standards found in Section IV.R.3.d.2., 4., 7., 9-12, 15-18, and the Affordable Housing requirements of Section IV.O. of the Framingham Zoning By-law apply to this section.



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- iii. Layout of buildings: To maintain the visual scale of the community, each dwelling unit shall have its own exterior entrances.
- iv. Streets and Utilities: All streets, whether public or private, shall be designed and constructed in accordance with the American Association of State Highway and Transportation Officials (AASHTO) "Guidelines for Geometric Design of Very Low-Volume Local Roads," dated 2001 and "Complete Streets Policies" of the Massachusetts Department of Transportation.
- v. Water and sewer facilities and systems and other utilities, whether public or private, shall be designed and constructed in accordance with the requirements set forth by the Department of Public Works and Board of Health and/or Department of Environmental Protection when required. Individual or community septic systems may be allowed, subject to Board of Health and/or Department of Environmental Protection approval, regulations, conditions and restrictions. Public water and sewer infrastructure shall not be constructed or paid for by the Town.
- vi. Drainage: The Planning Board shall require the use of non-structural stormwater management techniques and other drainage techniques that reduce impervious surface and enable infiltration utilizing "Low Impact Development Techniques" for stormwater management recommended by the Massachusetts Department of Environmental Protection where feasible.

#### c. Common Open Space

- i. An area within the Buildable Parcel shall be designated as Common Open Space for use by the residents of the APD. A minimum of ten percent of the entire Buildable Parcel excluding the vegetated buffers shall be designated as Common Open Space. Common Open Space may be used for active, passive or leisure activities.
- ii. Common Open Space shall meet the following minimum standards:
  - a. The wetlands or slopes greater than 15 percent shall not comprise more than 25 percent of the Common Open Space, as identified in Section IV.S.2.b.iv., herein.

#### d. Open Space and Connectivity

- i. A trail within the Active Farm Parcel accessible to the general public shall be established connecting the Buildable Parcel with abutting open space parcels, trail networks, water resources, public amenities, and/or neighborhoods.
- ii. A minimum of two parking spaces shall be provided for public use, to be utilized while using the trail. One of the two parking spaces shall be ADA compliant. "No Overnight Parking" signage shall be installed.
- iii. Public access details shall be determined during the public hearing process and written into the Agriculture Preservation Restriction (APR) documents and the homeowners and/or condominium association documents.

#### 4. Agriculture Preservation Restriction

The Active Farm Parcel shall be required to meet the following requirements:



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- a. The Town of Framingham acting through its Conservation Commission, a land trust, or the Commonwealth of Massachusetts may hold the APR. In no event may the land subject to the APR be combined, included or joined with or considered as part of the Buildable Parcel. The APR shall not be held under the Active Farm or Active Farmer. In all cases, the terms of the APR, including the nature and extent of public access and provisions for property maintenance, must be reviewed and approved by the Planning Board and Town Counsel.
- b. The entire Active Farm shall be placed under an APR in perpetuity prior to the issuance of the first building permit at the expense of the Applicant. The APR shall be held by the Town of Framingham and/or a non-profit land trust.
- c. Additional buildings for the use essential to the Active Farm such as barns, temporary structures, or other accessory buildings within the APR area may be allowed by modification of the approved plan by the Planning Board.
- d. All of the above restrictions must be written into the APR. The Active Farm subject to an APR may be sold or leased as an Active Farm to a farmer who will continue to maintain the agricultural use of the land.

#### **5. Application Review**

##### **a. Pre-Application Meeting**

The applicant shall be required to attend a pre-application meeting with the Planning Board prior to submitting a formal application for APD. Materials shall be submitted prior to the meeting with the Planning Board and shall include the Preliminary Plan as required in Section IV.S.2.b.i. and iv. The pre-application meeting, preliminary materials, and discussions within the conference shall not be binding upon the Planning Board or Applicant for the final approval of the project.

##### **b. Application Submittal**

Application: The Applicant shall apply for a Special Permit and Site Plan Review (Section IV.I.) from the Planning Board.

##### **c. Approval**

The review procedure shall be in conformance with M.G.L. c. 40A, §§ 9 and 11 and Section V.E. of the Framingham Zoning By-law and other permitting and approval processes as may be applicable. The Planning Board may require the Applicant to fund Project Review Consultants to assist in the technical review of the proposal in accordance with the Planning Board's Administrative Rules and Regulation and M.G.L. c.44, § 53G.

##### **d. Homeowners and/or Condominium Association Documentation**

Homeowner and/or Condominium Association Documentation shall be submitted to the Planning Board prior to the approval of an APD. Documentation shall include a statement regarding the acknowledgement of an existing working farm abutting the parcel, which shall not be deemed as a nuisance.

##### **e. Variance Limitations**



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The Planning Board may issue a special permit under this Section, subject to the requirements of this By-law, and in accordance with the additional requirements and standards specified within this Section IV.S., only if no variance has been issued from the requirements of this Section IV.S., herein. A variance under Section IV.S. shall render a property ineligible for the filing of an APD application and special permit under this section.

**g. No Alterations**

No substantial alteration to a parcel of land, which shall include tree removal, utility installations, ditching, grading or construction of roads, grading of land or lots, alteration of or near a wetland or vernal pool or excavation except for purposes of soil testing shall be done within 12 months prior to the filing of an APD application. The above activities shall render a property ineligible for the filing of an APD application and special permit under this section. For the purposes of soil testing and/or well testing the Applicant shall seek appropriate approvals through the Conservation Commission and the Board of Health.



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

**May 15, 2014 Passed:** I move to amend Article 26, Section IV.S.2.b.iv. by adding the words “and wells” at the end of the third sentence.

**Stephen Shull, Precinct 2**

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**May 15, 2014 Passed:** Motion to amend Article 26: Agriculture Preservation Development Bylaw with the proposed language changes to the sections below:

2.b.i.

The Applicant shall file with the Planning Board a Preliminary Plan conforming to the requirements of Section V.C. of the Framingham Subdivision Rules, the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and the Town of Framingham Wetlands Protection By-Law (article V, Section 18). A Professional Land Surveyor or Engineer licensed in the Commonwealth of Massachusetts shall prepare the Preliminary Plan to determine the number of buildable lots that would be created under conventional zoning. The Preliminary Plan shall identify the quality of the land by identifying all wetlands, **other resource areas**, and slopes over 15 percent. The number of lots shall also be consistent with Section IV.H. Land Disturbance by-law and shall be reviewed and approved as to accuracy by the Town Engineer. A copy of the preliminary plan and all documents shall be filed with the Conservation Commission for review. The Conservation Commission shall review the delineated wetlands, resource areas and buffer zones and issue an Order of Conditions under state and local regulations and make a recommendation to the Planning Board.

2.b.iv.

The Applicant shall submit a proposed site plan that may request a unit density bonus of up to 20 percent of the number of buildable lots determined under the Preliminary Plan. During a pre-application meeting, the Planning Board shall determine if the proposed density bonus is acceptable based on the quality of the Open Space Preserved Area. Factors that the Planning Board shall consider to determine the density bonus include the quality of the land preserved and locations of wetlands, vernal pools, and all other resources and buffer zones as reviewed by the Conservation Commission and slopes over 15 percent and any possible need for septic systems.

**Nicola Cataldo, Precinct 2**



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 26 RESOLUTION A**

**May 15, 2014 Passed:** Be it resolved, it is the will of Town Meeting that in the future any planning and zoning articles taken up at the Annual Town Meeting be discussed immediately after all budgetary articles.

**R. Karl Rookey, Precinct 14**

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# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 27**

To see if the Town will vote to amend the Framingham Zoning By-law by adding new definitions to Section I.E. and by adding a new Section IV.T. Open Space Preservation Development.

Pass any vote or take any action relative thereto.

### **Sponsor: Planning Board**

**May 20, 2014 Voted:** That the Framingham Zoning Bylaw be amended by adding new definitions to Section I.E. and by adding a new Section IV.T. Open Space Preservation Development as set forth in the handout date April 29, 2014 attached to this motion.

**87 voting in favor, 41 opposed, 4 abstentions.**



# Town of Framingham Annual Town Meeting April 29, 2014

## ARTICLE 27 ATTACHMENT

**Article 27: Open Space Cluster Development**  
**Sponsor: Framingham Planning Board**  
**Framingham Annual Town Meeting**  
**Date: April 29, 2014**

**I move that the Town vote to amend the Framingham Zoning By-law by adding new definitions to Section I.E. and by adding a new Section IV.T. Open Space Preservation Development as set forth in the handout dated April 29, 2014 attached to this motion.**

### **Section I.E. Definitions**

**Open Space Buildable Parcel:** The portion of the Open Space Parcel that may be used for cluster development. The Preserved Area shall not be included in this area.

**Common Open Space Area:** A portion of the Open Space Buildable Parcel that may be used for active, passive or leisure activities by the residents of the Open Space Cluster Development.

**Conservation Restriction (CR):** A restriction and agreement in perpetuity for the protection of Open Space, in accordance with M.G.L. c. 184, § 31. A CR is a legally binding set of restrictions that is monitored and enforced by the Massachusetts Department of Conservation Services, the Town's Conservation Commission and/or a land trust.

**Open Space Parcel:** Land consisting of 15 acres or more located within the Single Family Residential Zoning District (R-3 and R-4) that has not been protected from development, nor has a conservation restriction or easement placed upon it and consists of one or more contiguous parcels in one ownership throughout or any combination of parcels of land consolidated under a Purchase and Sale Agreement where all such owners jointly apply for Open Space Preservation Development Special Permit and that do not have a Conservation Restriction on the Open Space Preserved Area.

**Open Space Preserved Area:** The portion of the Open Space Parcel that shall have a Conservation Restriction (CR) placed on the area in perpetuity.



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#### **IV.T. Open Space Cluster Development**

##### **2. Purpose and Intent**

The Open Space Cluster Development (OSCD) By-law shall apply to parcels of land within the Town of Framingham that meet the definition of Open Space Parcel (OSP). The OSCD provides landowners with an alternative to conventional residential subdivision while protecting a large portion of the property in its current state or use.

The intent of the OSCD is to:

- g. Promote and protect the OSP through conservation of those lands in their natural condition, to preserve habitat and environmentally sensitive areas, or passive recreational opportunities;
- h. Preserve land which, by virtue of its soil composition, acreage, location adjacent to and contiguous with farmland or preserved open space forming discrete blocks of land, and its lack of protection under existing zoning or other laws, comprises the critical unprotected open space areas of the Town of Framingham.
- i. Create a unique cluster development neighborhood setting while preserving important open space resources;
- j. Establish non-motorized vehicular connections between open space parcels, water resources, neighborhoods, and/or public amenities; and
- k. Promote land use consistent with the Town's Master Plan and Open Space & Recreation Plan.

##### **2. Open Space Parcels**

###### **a. Applicability**

To qualify for a special permit under the OSCD the proposed land shall be:

- i. located in a R-3 or R-4 Single Family Residential Zoning District;
- ii. consistent with the definition of an Open Space Parcel; and
- iii. not have been subdivided into smaller parcels, including Approval Not Required (ANR) within a 5 year period prior to submission of an application for Section IV.T, herein.

###### **b. Development Requirements**

The development of the Open Space Parcel shall require the following conditions:

- i. The Applicant shall file with the Planning Board a Preliminary Plan conforming to the requirements of Section V.C. of the Framingham Subdivision Rules and Regulations. A Professional Land Surveyor or Engineer licensed in the Commonwealth of Massachusetts shall prepare the Preliminary Plan to determine the number of buildable lots that would be created under conventional zoning. The Preliminary Plan shall identify the quality of the land by identifying all wetlands, vernal pools and slopes over 15 percent. The number of lots shall also be consistent with Section IV.H. Land Disturbance by-law and shall be reviewed and approved as to accuracy by the Town Engineer.
- ii. A minimum of 60 percent of the Open Space Parcel shall be known as the Open Space Preserved Area and shall be preserved under a Conservation Restriction in accordance with Section 4.b.



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- iii. A maximum of 40 percent of the Open Space Parcel shall be known as the Open Space Buildable Parcel and may be utilized for residential development.
- iv. The Applicant shall submit a proposed site plan that may request a unit density bonus of up to 20 percent of the number of buildable lots determined under the Preliminary Plan. During a pre-application meeting, the Planning Board shall determine if the proposed density bonus is acceptable based on the quality of the Open Space Preserved Area. Factors that the Planning Board shall consider to determine the density bonus include the quality of the land preserved and locations of wetlands, vernal pools and slopes over 15 percent and any possible need for septic systems.

### 3. Open Space Cluster Development Requirements

Areas allowed for residential development on the Open Space Buildable Parcel shall be required to meet the following conditions:

#### a. Dimensional Regulations

The OSCD shall comply with Section IV.T.3.a Table of Dimensional Regulations. However, the Planning Board may waive the requirements for Section IV.T.3.a Table of Dimensional Regulations by a four-fifth vote where such waivers will allow for a better design and/or improved protection of natural and scenic resources.

**Table of Dimensional Regulations**

<b>Open Space Buildable Parcel</b>	<b>R-3 &amp; R-4</b>
<b>Lot Frontage for the Buildable Parcel</b>	150 Feet
<b>Vegetated Buffer Surrounding the Development Adjacent to the Active Farm</b>	100 Feet
<b>Vegetated Buffer Surrounding the Development Adjacent to other land uses</b>	75 Feet
<b>Front Building Setback</b>	30 Feet
<b>Side Building Separation</b>	50 Feet
<b>Rear Building Separation</b>	75 Feet
<b>Maximum Number of Attached Units</b>	3
<b>Maximum Building Height</b>	3 stories/35'

#### b. Design Standards

The Building Parcel shall be consistent with the following Site Development and Building Design Standards.

- i. Dwelling Units: The OSPD shall be comprised of attached dwelling units and/or single-family dwelling units.
- ii. Design: The Neighborhood Cluster Development design standards found in Section IV.R.3.d.2., 4., 7., 9-12, 15-18 and the Affordable Housing requirements of Section IV.O. of the Framingham Zoning By-law apply to this section.
- iii. Layout of buildings: To maintain the visual scale of the community, each dwelling unit shall have its own exterior entrances.



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- iv. Streets and Utilities: All streets, whether public or private, shall be designed and constructed in accordance with the American Association of State Highway and Transportation Officials (AASHTO) "Guidelines for Geometric Design of Very Low-Volume Local Roads," dated 2001 and "Complete Streets Policies" of the Massachusetts Department of Transportation.
- v. Water and Sewer facilities and systems and other utilities, whether public or private, shall be designed and constructed in accordance with the requirements set forth by the Department of Public Works and Board of Health and/or Department of Environmental Protection. At the request of an applicant the Planning Board, with approval of the Department of Public Works, may waive the Design Standards under the Subdivision Rules and Regulations provided the Board determines such exceptions are in the public interest, and that the waiver furthers the purposes of this Section. Individual or community septic systems may be allowed, subject to Board of Health and/or Department of Environmental Protection approval, regulations, conditions and restrictions. Public water and sewer infrastructure shall not be constructed or paid for by the Town.
- vi. Drainage: The Planning Board shall require the use of non-structural stormwater management techniques and other drainage techniques that reduce impervious surface and enable infiltration utilizing "Low Impact Development Techniques" for stormwater management recommended by the Massachusetts Department of Environmental Protection where feasible.

#### **c. Common Open Space Area**

- iii. An area within the Open Space Buildable Parcel shall be designated as Common Open Space Area for the use by the residents of the OSCD. At least 800 square feet per bedroom shall be designated as Common Open Space Area. Common Open Space Area may be used for active, passive or leisure activities.
- iv. Common Open Space Area shall meet the following minimum standards:
  - a. The wetlands or slopes greater than 15 percent shall not comprise more than 25 percent of the Common Open Space Area, as identified in the Preliminary Plan, Section IV.T.2.b.i. herein.

#### **d. Open Space and Connectivity**

- i. A trail within the Open Space Preserved Area accessible to the general public shall be established connecting the Open Space Parcel with abutting open space parcels, trail networks, water resources, public amenities, public ways and/or neighborhoods.
- ii. A minimum of two parking spaces shall be provided for public use, to be utilized while using the trail. One of the two parking spaces shall be ADA compliant. "No Overnight Parking" signage shall be installed.
- iii. Public access details shall be determined during the public hearing process and written into the Conservation Restriction (CR) documents and the homeowners and/or condominium association documents.

#### **4. Conservation Restriction**

The Open Space Preserved Area shall be required to meet the following requirements:



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- a. The Town of Framingham acting through its Conservation Commission, a land trust, or the Commonwealth of Massachusetts shall hold the CR. The CR of the Open Space Preserved Area shall not remain under Open Space Preserved Area Owner. In no event may the land subject to the CR be combined, included or joined with or considered as part of the Open Space Parcel nor shall the owner of the Open Space Preserved Area hold the CR. In all cases, the terms of the CR, including the nature and extent of public access and provisions for property maintenance, must be reviewed and approved by the Planning Board and Town Counsel.
- b. The entire Open Space Preserved Area shall be placed under a CR in perpetuity prior to the issuance of the first building permit at the expense of the Applicant, held by the Town of Framingham and a non-profit land trust.
- c. The CR shall be drafted to include the provision that no active recreational facilities shall occur on the Open Space Preserved Area. The holder of the CR may allow for passive recreation opportunities on the Open Space Preserved Area through consent with the owner of the land.
- d. All of the above restrictions must be written into the CR.

#### **5. Application Review**

##### **a. Pre-Application Meeting**

The applicant shall be required to attend a pre-application meeting with the Planning Board prior to submitting a formal application for OSCD. Materials shall be submitted prior to the meeting with the Planning Board and shall include preliminary plan and proposed Preliminary Plan as required in Section IV.T.2.b.i and iv. The pre-application meeting, preliminary materials, and discussions within the meeting shall not be binding upon the Planning Board or Applicant for the final approval of the project.

##### **b. Application Submittal**

Application: The Applicant shall apply for a special permit and site plan review (Sec IV.I.) from the Planning Board.

##### **c. Approval**

The review procedure shall be in conformance with M.G.L. c. 40A, §§ 9, 11 and Section V.E. of the Framingham Zoning By-law and other permitting and approval processes as may be applicable. The Planning Board may require the Applicant to fund project review consultants to assist in the technical review of the proposal in accordance with the Planning Board's Administrative Rules and Regulation and M.G.L. c.44, § 53G.

##### **d. Homeowners and/or Condominium Association Documentation**

Homeowner and/or Condominium Association Documentation shall be submitted to the Planning Board prior to the approval of an OSCD.

##### **f. Variance Limitation**

The Planning Board may issue a special permit under this Section, subject to the requirements of this By-law, and in accordance with the additional requirements and standards specified within this Section IV.T., only if no variance has been issued from the requirements of this Section IV.T.,



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## Annual Town Meeting

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herein. A variance under Section IV.T. shall render a property ineligible for the filing of an OSCD application and special permit under this section.

**g. No Alterations**

No substantial alteration to a parcel of land, which shall include tree removal, utility installations, ditching, grading or construction of roads, grading of land or lots, alteration of or near a wetland or vernal pool or excavation except for purposes of soil testing shall be done within 12 months prior to the filing of an OSCD application. The above activities shall render a property ineligible for the filing of an OSCD application and special permit under this section. For the purposes of soil testing and/or well testing the Applicant shall seek appropriate approvals through the Conservation Commission and the Board of Health.



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### **ARTICLE 27 ADDITIONAL MOTIONS/AMENDMENTS**

**May 20, 2014 Passed:** I move to amend Article 27, Section IV.T.2.b.iv. by adding the words “and wells” at the end of the third sentence.

**Stephen Shull, Precinct 2**

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**May 20, 2014 Failed:** I move Article 27 be referred back to the Planning Board and brought back to the Fall 2014 TM with revisions.

**Kathy Vassar, Precinct 1**

---

**May 20, 2014 Passed:** Motion to amend Article 27: Open Space Preservation Development By-law with the proposed language changes to the sections below:

2.b.i.

The Applicant shall file with the Planning Board a Preliminary Plan conforming to the requirements of Section V.C. of the Framingham Subdivision Rules, the Massachusetts Wetlands Protection Act (M.G.L. c. 131 s. 40) and the Town of Framingham Wetlands Protection By-law (article V, section 18). A Professional Land Surveyor or Engineer licensed in the Commonwealth of Massachusetts shall prepare the Preliminary Plan to determine the number of buildable lots that would be created under conventional zoning. The Preliminary Plan shall identify the quality of the land by identifying all wetlands, **other resource areas**, and slopes over 15 percent. The number of lots shall also be consistent with Section IV.H Land Disturbance by-law and shall be reviewed and approved as to accuracy by the Town Engineer. A copy of the preliminary plan and all documents shall be filed with the Conservation Commission for review. The Conservation Commission shall review the delineated wetlands, resource areas, and buffer zones and issue an Order of Conditions under state and local regulations and make a recommendation to the Planning Board.

2.b.iv.

The Applicant shall submit a proposed site plan that may request a unit density bonus of up to 20 percent of the number of buildable lots determined under the Preliminary Plan. During a pre-application meeting, the Planning Board shall determine if the proposed density bonus is acceptable based on the quality of the Open Space Preserved Area. Factors that the Planning Board shall consider to determine the density bonus include the quality of the land preserved and locations of wetlands, vernal pools, and all other resources and buffer zones as reviewed by the Conservation Commission and slopes over 15 percent and any possible need for septic systems.



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

## ARTICLE 28

To hear a report of the Board of Selectmen relative to the laying out, the widening of, or the alteration to Claudette Circle Extension from the limits of the 1968 acceptance of Claudette Circle to its end 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, 2014 Voted:** That a report of the Board of Selectmen be heard relative to the laying out, the widening of, or the alteration to Claudette Circle Extension from the limits of the 1968 acceptance of Claudette Circle to its end pursuant to Chapter 82 of the General Laws; and that the Town accept the laying out 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;

Further, that the Board of Selectmen be authorized to acquire by gift, purchase, eminent domain, or otherwise, and to accept the 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 other officers be authorized to take all related actions necessary or appropriate to carry out the purposes of this article.



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### **ARTICLE 29**

To hear a report of the Board of Selectmen relative to the laying out, the widening of, or the alteration to Currier Drive from the limits of the 1978 acceptance of Currier Drive to its eastern end 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, 2014 Voted:** That a report of the Board of Selectmen be heard relative to the laying out, the widening of, or the alteration to Currier Drive from the limits of the 1978 acceptance of Currier Drive to its eastern end pursuant to Chapter 82 of the General Laws; and that the Town accept the laying out 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;

Further, that the Board of Selectmen be authorized to acquire by gift, purchase, eminent domain, or otherwise, and to accept the 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.



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### ARTICLE 30

To hear a report of the Board of Selectmen relative to the laying out, the widening of, or the alteration to Walkup Circle from Claudette Circle Extension to its end 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, 2014 Voted:** That a report of the Board of Selectmen be heard relative to the laying out, the widening of, or the alteration to Walkup Circle from the Claudette Circle Extension to its end pursuant to Chapter 82 of the General Laws; and that the Town accept the laying out 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.

Further, that the Board of Selectmen be authorized to acquire by gift, purchase, eminent domain, or otherwise, and to accept the deed or deeds to 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 street, and that the Board of Selectmen and town officers be authorized to carry out the purposes of this article.



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### ARTICLE 31

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for a special act providing that legislation be adopted in the form set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court; and provided further that the Board of Selectmen be authorized to approve amendments which shall be within the scope of the general public objectives of the petition:

SECTION 1. Notwithstanding the provisions of Chapters 82 and 79 of the General Laws or any other general or special law to the contrary, the Town of Framingham may employ the procedure hereinafter set out for municipal acceptance of roads constructed within a subdivision in accordance with a definitive subdivision plan which has been approved under the Subdivision Control Law. The Board of Selectmen shall hold a public hearing, after first giving written notice by first-class mail, postage prepaid, to the owner of record of each property abutting the road or roads, as appears from municipal records, and giving notice by publication in a newspaper of local circulation at least seven days prior to the hearing. The sole purpose of the public hearing shall be to determine whether it is in the public interest to accept the road or roads as a public way. If the Framingham Board of Selectmen determines, after the public hearing, that it is in the public interest to accept the road or roads, they shall so-vote, by a majority vote, and place an article on the warrant for the next annual or special town meeting for acceptance of the road or roads. Upon a two-thirds vote of Town Meeting to accept the road or roads, the Board of Selectmen shall cause to be prepared for recording at the Middlesex County Registry of Deeds an Order of Acceptance setting forth the vote of the Town Meeting. The Order of Acceptance shall contain a description of or reference to a plan showing the boundaries and measurements of the road, which may be an existing approved and recorded definitive subdivision plan. The Order of Acceptance shall be recorded within thirty days following the Town Meeting vote and, upon recordation, shall operate to vest ownership of a permanent roadway easement in the road or roads for all purposes for which public ways are commonly used in the Town of Framingham, together with ownership of all utility, drainage access, and other easements shown on the plan and specifically identified in the Order of Acceptance, as well as all pipes, structures, and other improvements located therein, in the Town of Framingham with no additional notice or other action required. No owner or interest holder of land abutting a road so-accepted or subject to an easement shown on said plan shall have any claim for compensation against the Town on account of said acceptance.

SECTION 2. This act shall take effect upon its passage.

Pass any vote or take any action relative thereto.

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



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 31 CONTINUED**

**May 20, 2014 Voted:** That the Board of Selectmen be authorized to petition the General Court for a special act to adopt legislation providing for municipal acceptance of roads constructed within a subdivision in accordance with a definitive subdivision plan approved under the Subdivision Control Law as printed in the warrant; and further, that the Board of Selectmen be authorized to approve amendments which shall be within the scope of the general public objectives of the petition.

**120 voting in favor, 1 opposed.**



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### ARTICLE 32

To hear a report of the Board of Selectmen relative to the laying out, the widening of, or the alteration of Concord Road and School Street in the locations shown on a plan entitled “The Widening and Relocation of a Portion of Concord Road from Station 12+82.94 to Station 16+58.45 and School Street from Station 300+00.00 to Station 301+74.40” 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 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 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, 2014 Voted:** That a report of the Board of Selectmen be heard relative to the laying out, the widening of, or the alteration of Concord Street and School Street in the locations shown on a plan entitled “The Widening and Relocation of a Portion of Concord Street from Station 12+82.94 to Station 16+58.45 and School Street from Station 300+00.00 to Station 301+74.40” pursuant to Chapter 82 of the General Laws; and that the Town accept the laying out 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, 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.



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### **ARTICLE 33**

To hear a report of the Board of Selectmen relative to the laying out, the widening of, or the alteration of Edmands Road in the locations shown on a plan entitled "Town of Framingham Alteration to Roadway Layout of a Portion of Edmands Road" 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 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 21, 2014 Voted:** That a report of the Board of Selectmen be heard relative to the laying out, the widening of, or the alteration of Edmands Road in the locations shown on a plan entitled "Town of Framingham Alteration to Roadway Layout of a Portion of Edmands Road" pursuant to Chapter 82 of the General Laws; and that the Town accept the laying out 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, 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.



# Town of Framingham Annual Town Meeting April 29, 2014

## ARTICLE 34

To see if the Town will vote to authorize the Board of Selectmen to grant a drainage easement to Danforth Green, LLC, upon such terms and conditions as the Board of Selectmen deems appropriate, over, upon, across, and through the Town-owned property located off Riverpath Drive as shown in the background materials;

Pass any vote or take any action relative thereto.

**Sponsor: Town Manager / Department of Public Works**

**May 21, 2014 Voted:** That the Board of Selectmen be authorized to grant a drainage easement to Danforth Green, LLC, upon such terms and conditions as the Board of Selectmen deems appropriate, over, upon, across, and through the Town-owned property located off Riverpath Drive as shown in the background materials.



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### ARTICLE 35

To see if the Town will vote to amend the By-laws of the Town; Article II – Functions and Authority of Permanent Officers, Boards and Committees of the Town  
By adding the following;

##### Section 2 - Town Manager

2.7(g) Prepare and submit annually a warrant article for the Fall Town Meeting to present an assessment of the budgetary needs of the Town for the next fiscal year; and requesting the advise and consent of the Town Meeting on the maximum increase in the current year's tax levy which should be used in preparing the next fiscal year's budget presentation for the Annual Town Meeting.

Pass any vote or take any vote.

**Sponsor: Citizens' Petition** (*Theodore C. Anthony, Jr.*)

**May 21, 2014 Voted:** That the Town amend the By-laws of the Town;

Article II – Functions and Authority of Permanent Officers, Boards and Committees of the Town of Framingham

By adding the following;

##### Section 2 – Town Manager

2.7(g) Prepare and submit annually a warrant article for the Fall Town Meeting to present an assessment of the budgetary needs of the town for the next fiscal year; and requesting the advice and consent of the Town Meeting on the maximum increase in the current year's tax levy which should be used in preparing the next fiscal year's budget presentation for the annual Town Meeting.



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 35 ADDITIONAL MOTIONS/AMENDMENTS**

**May 21, 2014 Passed:** Amend Art. 35 to cross out words “and consent” and add after the words “annual town meeting”, the words “such a budget shall be presented as an option for the annual town meeting.”

**Martin Ned Price, Precinct 17**

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**May 21, 2014 Failed:** I move Article 35 be referred back to the Sponsor.

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

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# Town of Framingham Annual Town Meeting April 29, 2014

## ARTICLE 36

To see if the Town will vote to amend the By-laws of the Town;  
Article III – Town Meetings  
By adding the following at the end of paragraph 1.13.3;

The Chief Financial Officer shall also present an assessment of the budgetary needs of the Town for the next fiscal year including the anticipated change in the current year's tax levy recommended to be used in preparing the next fiscal year's budget

Pass any vote or take any vote.

**Sponsor: Citizens' Petition** (*Theodore C. Anthony, Jr.*)

**May 21, 2014 Voted:** That the Town amend the By-laws of the Town;

Article III – Town Meeting

By adding the following at the end of paragraph 1.13.3;

The Chief Financial Officer shall also present an assessment of the budgetary needs of the Town for the next fiscal year including the anticipated change in the current year's tax levy recommended to be used in preparing the next fiscal year's budget.



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 36 RESOLUTION A**

**May 21, 2014 Failed:** Be it resolved, it is the will of Town Meeting that the CFO present annually at the Fall Town Meeting an assessment of the budgetary needs of the Town for the next fiscal year including the anticipated change in the current year's tax levy recommended to be used in preparing the next fiscal year's budget; and Town Meeting further requests that the Town Manager prepare and submit a warrant article for the Fall Town Meeting requesting the advice and consent of Town Meeting on the maximum increase to the current year's tax levy which should be used in preparing the next fiscal year's budget.

**Audrey Hall, Precinct 3**  
**Standing Committee on Ways and Means Chair**

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# Town of Framingham Annual Town Meeting April 29, 2014

## ARTICLE 37

I move that the Town vote to amend Article I, Section 2.3 of the General Bylaws by adding the "Board of Assessors" after "Cemetery Trustees".

Pass any vote or take any action relative thereto.

**Sponsor: Board of Assessors**

**May 21, 2014 Voted:** That the Town amend Article I, Section 2.3 of the General Laws by adding the "Board of Assessors" after "Cemetery Trustees".



# Town of Framingham Annual Town Meeting April 29, 2014

## ARTICLE 38

I move that the Town vote to amend Article I, Section 2.3 of the General Bylaws by adding the “Veterans Council” after “Cemetery Trustees”.

Pass any vote or take any action relative thereto.

**Sponsor: Veterans Council**

**May 21, 2014 Voted:** That the Town amend Article I, Section 2.3 of the General Laws by adding the “Veterans Council” after “Cemetery Trustees”.



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### ARTICLE 39

To see if the town will amend the Town bylaws Article III, Section 1.5 by replacing the paragraph setting the requirements for publishing the Town warrant articles and motions.

Pass any vote or take any action relative thereto.

**Sponsor: Rules Committee**

**May 21, 2014 Voted:** That the Town amend the Town bylaws, Article III, Section 1.5 by replacing this section with the following:

- 1.5 The warrant for a Town Meeting and the motions under warrant articles shall be made available to residents of the town as described below.
  - 1.5.1 The warrant for a Town Meeting shall be posted at the Town Hall, at the Town Libraries, and on the Town website at least seven days before the date of the Annual Town Meeting for the election of town officers and determination of ballot questions, and at least fourteen days before the date of a Special Town Meeting.
  - 1.5.2 A notice that a Town Meeting Warrant is available on the Town website, at the Town Libraries, and at the Town Manager's office shall be printed in one issue of a newspaper of general circulation in the Town concurrent with the posting of the warrant as stated in 1.5.1 above plus one additional issue of the newspaper.
  - 1.5.3 At least twenty-one days before the first adjourned session of the Annual Town Meeting for the election of town officers and determination of ballot question, and at least fourteen days before the date of a Special Town Meeting, the warrant, together with motions and background material for all warrant articles shall be made available to all Town Meeting Members. This material shall be mailed to each Town Meeting Member unless another means of delivery is acceptable to a Town Meeting Member. In addition, this material shall also be available on the town website.



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### ARTICLE 40

To see if the town will amend the Town bylaws Article III, Section 1.15 by adding a new paragraph setting the required percentage of Town Meetings that a Town Meeting Member must attend to remain a Town Meeting Member.

Pass any vote or take any action relative thereto.

**Sponsor: Rules Committee**

**May 21, 2014 Voted:** That the Town amend the Town bylaws, Article III, Section 1.15 by replacing this section with the following:

1.15 A record available for public inspection shall be kept by the Town Clerk of the attendance of Town Meeting Members at each Town Meeting or adjourned Town Meeting thereafter.

1.15.1 No later than thirty (30) calendar days before nomination papers for Town Meeting representatives are due, the Town Clerk shall post on the Town website the attendance records of all Town Meeting Members for the previous year.

1.15.2 A Town Meeting Member who does not attend at least twenty-five (25) per cent of the Town Meeting sessions for which the person is qualified during the period beginning from the first day of the year, or beginning from the time the person is qualified, and ending on the last day of the year shall be deemed to have abandoned that office as of the last day of such period.



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 40 ADDITIONAL MOTIONS/AMENDMENTS**

**May 21, 2014 Failed:** I move to refer back to Sponsor

**Jeffrey M. Cox, Precinct 14**

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# Town of Framingham Annual Town Meeting April 29, 2014

## ARTICLE 41

To see if the Town will ask the Board of Selectmen to petition the legislature to amend Chapter 143 of the Acts of 1949 SECTION 7 regarding the attendance at Town Meeting of division heads or chairs of boards and committees.

Pass any vote or take any action relative thereto.

### **Sponsor: Rules Committee**

**May 21, 2014 Voted:** That the Board of Selectmen petition the Legislature to amend Section 7 of Chapter 143 of the Acts of 1949, an Act Establishing in the Town of Framingham Representative Town Government by Limited Town Meeting, by replacing the current text with the following:

It shall be the duty of the Town Counsel to attend all session of Town Meeting and, further, the chair of an elected or appointed board or committee of the Town, or their designee, shall attend all sessions of Town Meeting at which an article relevant to their position may be discussed.



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### ARTICLE 42

To see if the Town will ask the Board of Selectmen to petition the legislature to amend Chapter 143 of the Acts of 1949 SECTION 7 regarding the election of Town Meeting Members.

Pass any vote or take any action relative thereto.

#### **Sponsor: Rules Committee**

**May 21, 2014 Failed:** That the Board of Selectmen petition the Legislature to amend Section 2 of Chapter 143 of the Acts of 1949, An Act Establishing in the Town of Framingham Representative Town Government by Limited Town Meetings, by adding a new sentence after the following:

The provisions of the general laws relating to precinct voting at elections, so far as the same are not inconsistent with this act, shall apply to all elections and primaries in the town upon the establishment of voting precincts as above provided.

The new sentence would be as follows:

At any election of Town Meeting Members a registered voter must receive at least two votes to be elected.



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 42 ADDITIONAL MOTIONS/AMENDMENTS**

**May 21, 2014 Failed:** I move that the main motion of article 42 be amended by replacing “two votes” with “five votes” so that the final sentence reads “At any election of Town Meeting Members, a registered voter must receive at least five votes to be elected.”

**R. Karl Rookey, Precinct 14**



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### ARTICLE 43

To see if the Town will vote to amend the Zoning Bylaw by adding to Section IV, Special Regulations, G 3, Lot Area Regulations, 5 (b), Projections into Setbacks, subparagraph (b) a new class of exceptions defined in subparagraph (2) below in italics so that the entire 5 (b) section shall be as follows:

##### 5. Setback Regulations

(a.) Front and Side Setback Requirements where a minimum depth of setback is specified in Section IV, G, 2, no building or structure shall be erected within the specified distance from the applicable lot line, except as permitted hereunder.

(1.) Uncovered steps and ramps, and walls and fences no greater than six feet in height above the natural grade, may be permitted in a setback.

(2.) *A portico over a front or a side doorway, or both, including a pediment, triangular-shaped or otherwise, supporting columns and decorative pilasters, over a landing or an entrance area, open or enclosed; the entrance area not being more than fifty (50) square feet in area. Excluded from this exception are porticos in excess of one story in height.*

Pass any vote or take any action relative thereto.

#### **Sponsor: Zoning Board of Appeals**

**May 20, 2014 Voted:** That the Zoning By-law be amended by adding to Section IV, Special Regulations, Section IV.G.5.(b), Projections into Setbacks, a new paragraph (2) below in italics so that the entire Section 5(b) shall be as follows:

##### b. Projections into Setbacks

1. Uncovered steps and ramps, and walls and fences no greater than six feet in height above the natural grade, may be permitted in a setback.

2. *A portico over a front or a side doorway, or both, including a pediment, triangular-shaped or otherwise, supporting columns and decorative pilasters, over a landing or an entrance area, open or enclosed; the entrance area not being more than fifty square feet in area, may be permitted in a setback. Excluded from this exception are porticos in excess of one-story height.*

**122 voting in favor, 2 opposed, 0 abstentions.**



# Town of Framingham Annual Town Meeting April 29, 2014

## **ARTICLE 44**

To see if the Town will vote to amend the Framingham Zoning Bylaw by amending Section III.H. Flood Plain Districts and associated maps in accordance with the Federal Emergency Management Agency (FEMA) update.

Pass any vote or take any action relative thereto.

**Sponsor: Planning Board**

**May 20, 2014 Voted:** That the Town amend the Framingham Zoning By-Law by amending Section III.H. Flood Plain Districts and associated maps in accordance with the Federal Emergency Management Agency (FEMA) update as presented in the background information of the Town Meeting Warrant submitted to Annual Town Meeting and attached.

**120 voting in favor, 2 opposed, 0 abstentions.**



# Town of Framingham Annual Town Meeting April 29, 2014

## ARTICLE 44 ATTACHMENT

### H. FLOODPLAIN DISTRICTS

#### 1. Establishment of Districts

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Framingham designated as Zone A and AE on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Framingham are panel numbers 25017C0501F, 25017C0502F, 25017C0503F, 25017C0504F, 25017C0506F, 25017C0508F, 25017C0509F, 25017C0511F, 25017C0512F, 25017C0514F, 25017C0516F, 25017C0517F, 25017C0518F, and 25017C0519F, dated July 7, 2014. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated July 7, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Town Engineer, Building Department, Planning Department, and Conservation Commission.

#### 2. Applicability

- a. All proposed development in a Floodplain District shall require a permit from the Building Commissioner.
- b. In addition to a permit from the Building Commissioner, any construction, enlargement, extension, or substantial improvement of a new or existing building for human habitation, normally allowed by right or authorized by special permit in a land area underlying a Floodplain District, shall require a special permit from the Zoning Board of Appeals (ZBA).
- c. In the regulatory floodway, any development or encroachment, including fill, which would result in any increase in flood levels during the base flood shall be prohibited. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- d. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones. All subdivision proposals must be designed to assure that:
  - (1) Such proposals minimize flood damage;
  - (2) All public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
  - (3) Adequate drainage is provided to reduce exposure to flood hazards.



# Town of Framingham

## Annual Town Meeting

### April 29, 2014

#### **3. Application Procedure**

Prior to the filing of an application subject to this section, the applicant shall submit plans to the Building Commissioner. The Commissioner shall advise the applicant as to the pertinent sections of the Zoning By-Law and the State Building Code particularly Section 744 of such code which is incorporated herein by reference. If a special permit is required, the applicant shall then submit seven copies of the application to the ZBA, who shall forthwith transmit one copy each to the Town Clerk, the Conservation Commission, the Board of Health, the Engineering Department, the Planning Department, and the Planning Board. Such agencies shall, within 30 days of receiving said copy, submit a report containing recommendations and the reasons therefor to the ZBA, and may prescribe conditions deemed appropriate for the proposed use. The ZBA shall not render a decision on any such application until said recommendations have been received and considered, or until the 30-day period has expired, whichever is earlier. Failure of such agencies to submit their respective recommendations shall be deemed concurrence thereto.

To assist the ZBA in rendering its decision on the application, said application shall indicate at least the following:

- a.** All information normally required in a building permit application.
- b.** If approval for development must be obtained from the Commonwealth of Massachusetts or the United States Government or any agency or subdivision thereof, such approval shall be obtained, and a copy of the document setting forth such approval, and any conditions imposed thereon, shall be filed with the ZBA as part of this application.
- c.** The boundary of the special flood hazard area and the regulatory floodway shall be drawn on a plan of the site which shall also include contour lines at a maximum of two foot intervals. Base flood elevation on this site plan shall be certified by a registered professional engineer, architect, or surveyor. In unnumbered A zones base flood elevation data from sources other than the FIRM shall be obtained and reasonably utilized.
- d.** Location of existing and proposed sewer disposal facilities, leaching fields, and other utilities.
- e.** For any building to be occupied as a residence, certification by a registered professional engineer, architect, or surveyor that the proposed structure has been planned and designed to have the lowest floor, including the basement, elevated above the level of the base flood.
- f.** For any building not to be occupied as a residence, either certification as above that the lowest floor will be elevated above the level of the base flood, or certification by a registered professional engineer or architect that the building is planned and designed so that it will be watertight and anchored to resist forces associated with the base flood.
- g.** Other information as may reasonably be required by the ZBA to ensure compliance with the provisions of this section.

#### **4. Conditions for Approval**



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In rendering its decision, the ZBA shall evaluate the extent to which the application meets the following conditions:

- a. All other necessary permits have been received from those governmental agencies from which approval is required by Federal or State Law.
- b. New construction (including prefabricated buildings and mobile homes) and substantial improvements will be anchored to prevent flotation and lateral movement, and will be constructed with flood-resistant materials and methods.
- c. Proposed development, including utilities, drainage, and paved areas, is located and designed to be consistent with the need to minimize flood damage.
- d. The site plan includes all required information, including base flood elevation data.
- e. New water and sewer systems (including on-site systems) are located and designed to minimize infiltration.
- f. New and substantially improved residential buildings have been planned and designed to have the lowest floor (including basement) elevated to or above the base flood level.
- g. New and substantially improved non-residential buildings have been planned and designed to have the lowest floor (including basement) elevated to or above the base flood level; or be floodproofed to or above that level.
- h. Where floodproofing is used in lieu of elevation, the floodproofing methods used are adequate to withstand the forces associated with the base flood.
- i. Proposed development will not encroach on the regulatory floodway.

#### **5. Occupancy Permit**

No building newly constructed or substantially improved within a Floodplain District shall be occupied or used without an occupancy permit signed by the Building Commissioner which permit shall not be issued until the development complies in all respects with the site plan approved by the ZBA and any conditions imposed by the ZBA on the granting of a special permit for development in a Floodplain District. No occupancy permit shall be signed by the Building Commissioner until a Post Construction Elevation Certificate/Flood proofing Certificate has been submitted certifying that the building has been elevated above the level of the base flood or, for non-residential buildings, that the building has been floodproofed at least to the base flood elevation. In cases where a variance has been granted by the ZBA permitting construction below the base flood level and/or without adequate floodproofing, an occupancy permit may be granted in accordance with the conditions imposed by the ZBA on the granting of a variance.

#### **6. Notification of Watercourse Alteration**



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In a riverine situation, the Town Engineer shall notify the following of any alteration or relocation of a watercourse:

- a. Adjacent communities affected by the alteration of the watercourse;
- b. NFIP State Coordinator, Massachusetts Department of Conservation and Recreation; and
- c. NFIP Program Specialist, Federal Emergency Management Agency, Region I.