

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 1

To see if the Town will hear the Annual Report of the Board of Selectmen for the year preceding this Annual Meeting. Printed copies of this report shall be 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

May 4, 2010 Voted: That the Annual Report of the Board of Selectmen for the year preceding this annual meeting be heard and that the printed copies of this report that have been made available to the inhabitants of the town pursuant to MGL, Ch. 40, § 49 be accepted.

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

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 2

To see if the Town will hear reports from various Departments, Boards, Committees and Commissions including, but not limited, to the following:

1. Report by the Town Clerk on the status of Bylaw changes approved by Town Meeting and sent to the Legislature in 2009.
2. Report of the CFO on Transfers in the FY2009 budget.
3. Report of the CFO on the status of pending Capital Budget projects.
4. Report by the director of Parks and Recreation on the Bowditch field project.
5. Report from the Planning Board on the status of the Master Plan, and on plans for development in the Town.
6. Report from the Greener Framingham Committee on their activities.
7. Report from the Rules Committee on Electronic voting.
8. Report on Eastleigh Farms water situation.
9. Any other reports as recommended by the Board of Selectmen.

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

Sponsor: Standing Committee on Rules

May 4, 2010 Voted: That reports from various departments, boards, committees, etc. be heard.

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

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 3

To see if the Town will vote to amend the previously approved FY 2010 Community Development Block Grant (CDBG) to authorize the Board of Selectmen to provide funds to implement a project sponsored by the Framingham Housing Authority to rehabilitate three units and make a related egress adaptation in the Memorial House Elderly Housing project on Hollis Street, introducing individual showers to those units, and to delete funds previously set aside in the FY2010 to cover the costs of infrastructure improvements in relation to the Pearl Harbor (Musterfield) Framingham Housing Authority sponsored public housing renovations.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

May 4, 2010 Voted: That the Board of Selectmen be authorized to amend the approved FY2010 CDBG grant by removing the sum of \$102,905 previously allocated to Pearl Harbor (Musterfield) Infrastructure Improvements and to allocate a sum of \$100,000 in funds to the Framingham Housing Authority to help renovate three units in Memorial House and provide a related means of egress and to allocate a sum of \$2,905 to a contingency category.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

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 any action relative thereto.

Sponsor: Board of Selectmen

May 4, 2010 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 2, 2010, 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.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 4 (ATTACHMENT)

B. PROJECTED USE OF FEDERAL FY 2010, LOCAL FISCAL YEAR 2011 (THIRTY SIXTH YEAR) FUNDS

The Town expects to have available an **estimated \$655,750** in CDBG funds in FY '11 (FFY '10).

1.0 ADMINISTRATION AND PLANNING \$126,840

Funding for staff, supplies, technical assistance and operating expenses necessary to administer and plan the Community Development Block Grant Program and other related grants.

2.0 HOUSING REHABILITATION

2.1 HOUSING REHABILITATION/ HOMEOWNERSHIP ASSISTANCE PROGRAM \$155,945

SPONSOR: Framingham Community and Economic Development Department

HRAP plans to assist lower-income owners of approximately 8-10 households of owner-occupied structures, and 2 to 3 rental units (the majority of which are occupied by lower income tenants), and owners of blighted properties in specified target neighborhoods to finance repairs to their properties. Small direct cash grants and loans will be provided ranging up to \$16,000, grant and low interest or deferred loan basis, for an owner occupied unit, to \$6,000 per renter occupied unit, on a loaned basis only (when matched dollar for dollar with owner private funds).. Additional grant funds will be made available to lower income homeowners and properties (where the majority of tenants are low income) in lower income neighborhoods to carry out exterior rehabilitation in tandem with code related rehab. Grant amounts, loan amounts, and repayment terms will vary according to number of dwelling units in the structure and the income of its residents. While use of funds to undertake broad repairs and improvements will be focused on specific target neighborhoods, funds can be used to address emergency repair needs, such as heating system and roofing repairs, of low income property owners and of owners of rental properties who agree to rent the majority of units in a structure to low income tenants for five years in any area of town. In addition to grants and loans, technical assistance on financial and rehabilitation matters is provided. Funding of this component provides capacity for the Town to receive MassHousing Home Improvement Loan Program funds and other programs. As a separate component funds will also be used to provide home ownership assistance through counseling and partial down payment and closing cost assistance and/or subsidies and guarantees. A special emphasis will remain on increasing ownership, investment, and stability in the Town's oldest and densest neighborhoods. These funds represent a "building block" resource that can be readily combined in a modular, complementary fashion to other resources, such as Neighborhood Stabilization (NSP) funds to save, stabilize and improve the Town's residential neighborhoods.

2.2 CODE ENFORCEMENT \$60,232

SPONSOR: Town of Framingham Inspectional Services

The Town of Framingham has identified a need for stronger code enforcement to address substandard housing and overcrowded housing conditions. The Town requests CDBG funds to pay for code enforcement in designated neighborhoods with many substandard or deteriorated buildings or areas with concentrated low- or moderate-income populations. CDBG funds will be used to pay for Town inspectors doing housing code inspections in low- to moderate-income neighborhoods. Housing code violations will

*Town of Framingham
Annual Town Meeting
May 4, 2010
ARTICLE 4 (ATTACHMENT)*

be required to be corrected by the property owners, and may work in cooperation with the Housing Rehabilitation Program with qualified properties.

3.0 PUBLIC IMPROVEMENTS

3.1 WINTHROP STREET SIDEWALKS ACCESSIBILITY IMPROVEMENTS \$180,370

SPONSOR: Town of Framingham Division of Public Works

Funding is requested to undertake an additional phase of sidewalk repairs along Winthrop Street to benefit residents of Coburnville and adjacent neighborhoods. The existing bituminous and concrete sidewalks are severely deteriorated and do not meet current Americans with Disability Act standards. The scope of work will involve field survey and engineering, demolition and removal of current materials, resetting and emplacement of curbing and walkways. All work will be designed and implemented in conformity to accessibility standards.

3.2 BUTTERWORTH PARK IMPROVEMENTS \$37,000

SPONSOR: Town of Framingham Division of Parks and Recreation

Funding is proposed to be used to carryout improvements to Butterworth Park to include: Installing a new underground utility feed to the existing use and play areas, including a new multi-circuit panel board and meter socket; grinding of the internal asphalt roadway; establishing a safe, off-street parking area for patrons, accessible to individuals with disabilities, including the installation of fencing to match the existing perimeter fencing at the park; and other related measures that will complement future planned phases of comprehensive improvements at the park.

4.0 PUBLIC SERVICES

4.1 LITERACY UNLIMITED \$15,000

SPONSOR: Framingham Public Library

Funding is requested to continue the work of an adult literacy training program which features training of volunteer tutors to teach basic reading, writing, and computational skills, to illiterate and learning disabled adults on a one-to-one basis. The range of activities include classroom training of tutors, one-to-one tutoring, tutoring in conversational English to limited English speakers, counseling, job development, General Equivalency Diploma (GED) preparation and materials, and student and maintenance of tutor support networks. In FY2009 479 Framingham students were served, including an additional 159 students through their English Survival group. 84.4% of the students enrolled were ESOL students, and 15.6% were ABE or GED preparation students. On-site tutoring will also be increased. CDBG funds support the administrative staff to recruit, train, and retain hundreds of volunteer tutors. The program will enhance basic literacy instruction by hiring a reading consultant to 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. The program will increase tutor support to retain tutors for more than one year. Group programs that were piloted include classes on coping with stress, U.S. Culture and a discussion group based on a Public Broadcasting System "novella" expressly developed for learning English and a group of people combining crafts and English conversation. In FY2009 two additional conversation groups were added to the already existing 5. LU will serve newcomers and low income

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 4 (ATTACHMENT)

residents in Framingham through establishment of a health and nutrition educational program, which will include supporting a community garden in collaboration with the Framingham Agricultural Board and providing special health and nutrition education to LU students.

4.2 FRAMINGHAM ADULT ESL PLUS PROJECT **\$24,000**
SPONSOR: Framingham Adult ESL Program

Partial funding 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, and the job market, customs, culture and the law. The program will improve student English skills in listening, speaking, reading, and writing. Funds will meet the cost of instruction and support for three full capacity classes of instruction for two semesters. This program will serve approximately 75 students.

4.3 COMMUNITY CONNECTIONS SUMMER WORK PROGRAM **\$26,000**
SPONSOR: Community Connections Action Team/Framingham Coalition

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 and a half weeks in which teens will learn responsibility and investment in their community by implementing appropriate landscaping, general clean up, painting, maintenance skills, and work together as a team by completing projects assigned to them. Because this will be a first job for most, teens will also learn the interview process and how to complete a job application. These sessions are supervised (on-site) by two adults who have numerous years of experience working with youth in both a school and community settings. The program will involve orientation and in later phase participation in enrichment sessions on safety and health issues provided by the Framingham police department, metro west medical Center, and Parks and Recreation.

4.4 RESILIENCY FOR LIFE **\$5,363**
SPONSOR: Resiliency for Life

Funding is requested to provide an intervention program serving under-achieving 60 at-risk students 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. Specific responsibilities for the position currently include academic monitoring of classroom expectations and homework, assembling progress reports, dealing with disciplinary situations, individual tutoring, and counseling services. This proposal seeks funds towards the Resiliency for Life Math/English Institute, a summer school program offering math and literacy skills and the semester-long MCAS and SAT prep classes. Students will attend the Summer Institute for four weeks in July 2010, from 9:00 am to 3:00 pm. Incoming RFL freshmen who need math and writing support will be referred into the program. Math programs will focus on important elements of Algebra I to facilitate a smooth transition to 9th grade math. Students will learn the essential tools of algebra, linear systems, functions and equations, matrices, and polynomial functions. English skills will focus on developing an analytical essay, reading and discussing 2 required summer reading selections, grammar, and vocabulary decoding skills. The MCAS and SAT prep

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 4 (ATTACHMENT)

classes, which meet in the spring, will prepare our sophomores and juniors for these standardized tests. Estimated enrollment is 15 RFL students in need of math/English remediation for the summer component, and 40 students for the MCAS and SAT prep classes.

4.5 HOMELESS PREVENTION PROGRAM \$15,000
SPONSOR: Metrowest Outreach Connection

Funds will provide assistance to those low-income families, including the elderly, who are in rental arrears, in danger of eviction, in need of funds for security and last months deposits to obtain permanent housing. Metrowest Outreach Connection and Catholic Charities, Metrowest Legal Services, the Advocates, and other agencies will work together to select recipients that best meet the criteria for these housing stabilization grants. Clients will be chosen for assistance who are able to financially sustain continued payment of their housing costs after intervention by the program. Metrowest Outreach Connection's mission includes the provision of assistance to victims of domestic violence.

4.6 H.O.P.E. (HEALTHY OPTIONS FOR PROGRESS THROUGH EDUCATION) \$10,000
SPONSOR: Pelham II Corporation

H.O.P.E. is requesting funding for their on-site community-based program, which is geared toward 15-21 year old youth that reside at Pelham Apartments. H.O.P.E. provides these youth with access to computer technology that allows them to achieve academic success and obtain better jobs. H.O.P.E. provides one-on-one mentoring, community engagement, healthcare information, and other social services that improve the quality of life for themselves and their families. Students may earn a monthly stipend through their documented work in a community agency related to their coursework. Monthly field trips to educational, cultural, and science institutions will be determined by the student's interests. The proposed program will be conducted during the evening hours of 6:00—9:00 p.m., eliminating transportation barriers that exist and offers a comprehensive approach, including familial support to the student. Concerted outreach efforts will be made to Hispanic and black youth to ensure participation. 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 program coordinator, program supplies, and costs associated with weekly programs speakers and instructors and related materials.

GRANT GRAND TOTAL \$655,750

Annual Town Meeting members should understand that the amounts of funding ultimately suggested for each activity in CDBG could be adjusted up or down proportionately to the change in actual funding available versus estimated funding available.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 5

To see if the Town of Framingham will vote to approve the Fiscal Year 2011 Work Plan submitted to it by the Economic Development and Industrial Corporation (EDIC) of the Town. The Fiscal Year 2011 Work Plan is included as background material. In addition, copies of the Fiscal Year 2011 Work Plan may be examined at the Office of the Board of Selectmen, Town Clerk, Planning and Economic Development Division and the Main Branch of the Library.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

May 4, 2010 Voted: That the Town of Framingham approve the Fiscal Year 2011 Work Plan submitted by the Economic Development and Industrial Corporation as presented in the background materials for Article 5 of the warrant for this Town Meeting.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 6

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift from the Framingham Housing Authority a permanent drainage easement off Arsenal Road, said easement being shown as "Drain Easement" on a plan entitled "Easement Plan of Land, Framingham, Mass., Scale: 1"= 40', Date: November 24, 2009, Prepared by: Framingham Department of Public Works - Engineering Division, Jeremy Marsette, P.E.", included in the background materials; and further to authorize the Board of Selectmen to take all actions to carry out the purposes of this Article.

Pass any vote or any action relative thereto.

Sponsor: Board of Selectmen

May 5, 2010 Voted: That the Board of Selectmen be authorized to acquire by gift from the Framingham Housing Authority a permanent drainage easement as printed under Article 6 background material of the warrant for this Town Meeting.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 7

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain an easement necessary for construction and drainage for the Carter Drive Outfall Improvements Project, the funding of said project having been approved under Article 39 of the 2009 Annual Town Meeting and the funds for acquisition of such easement to be expended from the previously appropriated project budget, and to authorize the Board of Selectmen and town officers to take all actions to carry out the purposes of this article.

Pass any vote or any action relative thereto.

Sponsor: Board of Selectmen

May 5, 2010 Voted: That the Board of Selectmen be authorized to acquire by purchase and to accept a deed from Gary D. Breitbord and Colleen M. Breitbord for an easement containing approximately 3,671 square feet, necessary for construction and drainage for the Carter Drive Outfall Improvements Project, the location of said easement being shown on a plan entitled “Drain Easement Plan at 43 Carter Drive, Framingham, Massachusetts” prepared by the Town of Framingham Department of Public Works, dated January 6, 2010, the funds for acquisition of said easement to be expended from the previously appropriated budget for said project pursuant to Article 39 of the 2009 Annual Town Meeting.

117 voting in favor, 0 opposed.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 8

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain, temporary and permanent easements and other interests in land for the construction, use, maintenance, repair and placement of structures in connection with the Danforth Street Bridge Over Sudbury River Project, said easements and interests in land being shown on a plan included in the background materials, and further to raise, appropriate, transfer from available funds, or borrow a sum of money for said purpose; and further to authorize the Board of Selectmen and town officers to take all actions to carry out the purposes of this Article.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

May 5, 2010 Voted: That the Board of Selectmen be authorized to acquire by gift, purchase, or eminent domain certain temporary easements shown on a plan entitled "Framingham Danforth Street Over Sudbury River, Preliminary Right of Way" Property Plan.

117 voting in favor, 0 opposed.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 9

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift or purchase a permanent utility easement in the portion of New York Avenue located within the Town of Southboro in the Framingham Technology Park, said easement being shown on a plan included in the background materials; and further to authorize the Board of Selectmen and town officers to take all actions to carry out the purposes of this Article.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

May 5, 2010 Voted: That this article be referred back to the Sponsor with the concurrence of the Sponsor.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 10

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift from Musterfield Place, LLC a permanent drainage easement off Pearl Harbor Road, said easement being shown as “20.00’ Wide Drain Easement” on a plan entitled “Drain Easement Plan, Pearl Harbor Road, Framingham, Massachusetts, Prepared by the Town of Framingham Department of Public Works Engineering and Transportation Division, Scale: 1”= 30’, Date: February 25, 2010, Jeremy T. Marsette, P.E., Town Engineer”, included in the background materials; and further to authorize the Board of Selectmen and town officers to take all actions to carry out the purposes of this Article.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

May 5, 2010 Voted: That the Board of Selectmen be authorized to acquire by gift from Musterfield Place, LLC a permanent drainage easement as printed under Article 10 of the warrant for this Town Meeting.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 11

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain, permanent easements and temporary construction easements or other interests in land for the Central Street Siphon Replacement Project, the funding of said project having been approved under Articles 40 and 41 of the April 28, 2009 Annual Town Meeting, as amended by Articles 11 and 12 of the October 27, 2009 Special Town Meeting, the funds for acquisition of such interests in land to be expended from the previously appropriated project budget, and to authorize the Board of Selectmen and town officers to take all actions to carry out the purposes of this article.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

May 5, 2010 Voted: That the Board of Selectmen be authorized to acquire by gift, purchase, eminent domain or otherwise, permanent easements and temporary construction easements or other interests in land for the Central Street Siphon Replacement Project, the funds for acquisition of said interests in land to be expended from the previously appropriated budget for said project as printed in the warrant.

116 voting in favor, 1 opposed.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 12

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

May 5, 2010 Voted: That the payment of the following unpaid bills of prior years of the Town be authorized. These bills are to be paid from the FY2010 departmental budget in which they were occurred.

Human Resources	Tyler Technologies	\$861.68
School Department	Karin Agte	\$1,170.00
School Department	Karin Agte	\$2,445.00

117 voting in favor, 0 opposed.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 13

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 2010 (July 1, 2009 – June 30, 2010) and to see what budgets for Fiscal Year 2010 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

Sponsor: Chief Financial Officer

May 5, 2010 Voted: That the following FY2010 budget adjustments be made:

Transfer \$364,000 from Health Insurance to Debt Service Principal & Interest on Bonds.

Appropriate \$22,000 from the Parking Meter receipt reserve account to the Building Services Department General Fund appropriation for the purchase of parking meters.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 14

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 2010 (July 1, 2009 – June 30, 2010) and to see what budgets for Fiscal Year 2010 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

Sponsor: Chief Financial Officer

May 5, 2010 Voted: That this article be referred back to the Sponsor with the concurrence of the Sponsor.

Town of Framingham
Annual Town Meeting
May 4, 2010

ARTICLE 15

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 2010 (July 1, 2009 – June 30, 2010) and to see what budgets for Fiscal Year 2010 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

Sponsor: **Chief Financial Officer**

May 5, 2010 Voted: That this article be referred back to the Sponsor with the concurrence of the Sponsor.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 16

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

May 5, 2010 Voted: That the following authorized, but unissued balances of Town borrowing votes be rescinded:

Town Meeting	Article/Project Name	Amount to be Rescinded
4/06 ATM	A30L Beaver Dam Stormwater Plan	\$6,514
4/08 ATM	A44I Saxonville Levy Accreditation	\$50,000
4/08 ATM	A44M Refuse Packer & Plow	\$13,360
4/08 ATM	A44Q Permits, License Inspection	\$2,000
4/08 ATM	A44R Wireless Access Public Safety	\$18,284
4/08 ATM	A46A 4Wheel Drive Cab & Chassis/Plow	\$173
4/08 ATM	A46H 4wd C&C Utility Body/Plow	\$35
4/03 ATM	A27M Boiler Replace-Walsh School	\$890
10/00 STM	A10B Waushakum Mains	\$55,820

Town of Framingham

Annual Town Meeting

May 4, 2010

ARTICLE 17

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 2011 beginning July 1, 2010, including but not limited to the following:

- A) Town Owned Building Civic Use (Maynard Building) Fund;
- B) Town Owned Building Civic Use Fund;
- C) Town Owned Building Civic Use (Cushing Chapel) Fund;
- D) Concert on the Common Fund;
- E) School Bus Fees Fund;
- F) Pavement Management Fund;
- G) Town Wetland Protection Fund;
- H) Vaccine Administration Fund
- I) Fluorescent Lamp/Mercury Recycling Fund
- J) Town Records Preservation Fund (new)
- K) Callahan Senior Center Fund (new)
- L) Emergency Management Equipment Fund (new)
- M) Animal Control Fund (new)

Pass any vote or take any action relative thereto.

Sponsor: Chief Financial Officer

May 5, 2010 Voted: That the Town authorize or re-authorize the following revolving funds as defined by MGL, Chapter 44, Section 53E ½ for FY11 beginning July 1, 2010:

<u>Fund</u>	<u>Manager</u>	<u>Purpose</u>	<u>FY10 Spending Ceiling</u>	<u>Disposition of FY09 Fund Balance</u>
Town Owned Building/Civic Use Fund - Maynard Building	Building Services Department of the General Government Division	To receive funds from rental fees and other similar charges for the use of the Jonathan Maynard Building and to authorize the Building Services Department to spend these funds for direct expenses associated with the general maintenance of this building such as custodial direct expenses associated with the general maintenance of this building such as custodial costs, utilities, maintenance supplies and other similar expenses.	\$50,000	Balance available for expenditure

Town of Framingham Annual Town Meeting

May 4, 2010

ARTICLE 17 (CONTINUED)

Town Owned Building/Civic Use Fund - Danforth and Memorial Buildings	Building Services 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 Building Services 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	\$90,000	Balance available for expenditure
Town Owned Building/Civic Use Fund - Cushing Chapel	Building Services 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 Building Services 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.	\$20,000	Balance available for expenditure
Town Owned Building/Civic Use Fund - Concerts on the Common	Building Services Department of the General Government Division	To receive funds from the sale of food and other similar charges during Concerts on the Common and to authorize the Building Services 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.	\$4,000	Balance available for expenditure
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.	\$380,000	Balance available for expenditure
Town Wetland Protection Fund	Conservation Commission	To receive and spend funds to pay services associated with processing Permits and Requests for Determination	\$20,500	Balance available for expenditure
Excavation (formally pavement) Management Fund	Department of Public Works	To account for revenue from fees generated by Town of Framingham's Street Opening Permit and if approved by Town Meeting, fees associated with the Excavation Management program. The intent of this revolving fund is to retain the revenue generated there from, within an account, that the Department of Public Works may access, as needed, for the administrative and operational costs associated with the management of this program.	\$75,000	Balance available for expenditure

Town of Framingham Annual Town Meeting May 4, 2010

ARTICLE 17 (CONTINUED)

Vaccine Administration Fund	Board of Health	To use funds secured from reimbursements from Medicare, other private insurance carriers and non-residents, for influenza vaccine administration to those citizens over 65 years of age. The funds will be used to buy additional vaccines and supplies to expand the program including but not limited to purchase of flu vaccine for town employees. Other programs could include the meningococcal vaccine for high school seniors and college freshmen and the new HPV vaccine for cervical cancer.	\$27,000	Balance available for expenditure
Fluorescent Lamp/Mercury Recycling	Department of Public Works	To use funds secured from the cost to dispose of Fluorescent lamps, compact fluorescents and other mercury containing items like thermometers, thermostats and button-cell batteries to offset the costs of disposal. In addition, we will encourage the proper disposal of these regulated items at or by a certified vendor using the correct containers.	\$5,000	Balance available for expenditure
Town Records Preservation	Town Clerk	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 record preservation.	\$34,000	Balance available for expenditure
Callahan Senior Center	Council on Aging	To use fees and revenues received from building rental, programming, and general services. The funds would be expended to cover associated costs and expenses of those services and for the advancement of Council on Aging's established mission statement. All expenditures would be compliant with MGL Chapters 44 section 53E1/2. Said expenditures shall be made by the Council on Aging and its professional staff and under the general direction of the Division Manager.	\$25,000	Balance available for expenditure

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 17 (CONTINUED)

Emergency Management Equipment	Framingham Emergency Management Agency	The revolving account is needed to collect fees assessed to NERAC (Northeast Regional Advisory Council for Homeland Security) communities for the use of centrally housed equipment for emergent situations. The monies collected will be used to provide upkeep and maintenance on the equipment in the cache.	\$2,500	Balance available for expenditure
Animal Control	Animal Control Department	To use fees collected from boarding animals and kennel rental fees for the purpose of offsetting kennel operating costs. Expenses include veterinary care, rabies clinics, and rabies testing, equipment purchase and office supplies.	\$4,500	Balance available for expenditure

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 18

To see if the Town will vote to appropriate the proceeds of any insurance policy reimbursements of costs incurred as a result of any covered loss, including without limitation any liability insurance, property insurance, casualty insurance, workers' compensation insurance, health insurance, disability insurance, automobile insurance, police and fire injury and medical costs, and any other insurance of any name and nature whatsoever.

Pass any vote or take any action relative thereto.

Sponsor: Chief Financial Officer

May 18, 2010 Voted: That the Town appropriate a sum not to exceed \$200,000 to be transferred from the receipt reserve for appropriation account insurance proceeds greater than \$20,000 for the purchase of a replacement fire pumper 7.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 19

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/Planning Board

May 5, 2010 Voted: That the Town appropriate the following sums of money received for off-site mitigation improvements or as otherwise agreed upon by the Town of Framingham Planning Board and Project Applicants 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).

\$30,000 received from General Growth Properties for off-site improvements per the settlement agreement related to the Natick Mall Expansion Project dated October 31, 2005.

\$10,000 received for off-site mitigation to be expended for improvements to the Framingham Center Town Common area as determined by the Planning Board site review decision for Genzyme, New York Avenue dated December 1, 2005.

\$31,000 received for off-site mitigation to be expended for general use improvements as determined by the Planning Board site review decision for Genzyme, New York Avenue dated December 1, 2005.

\$3,000 received for off-site mitigation to be expended for the purchase of open space as determined by the Planning Board site review decisions for Genzyme, New York Avenue dated December 1, 2005.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

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 to settle matters of pending litigation and approve said settlement(s) pursuant to Article II, Sec. 1.4 of the General Bylaws.

Pass any vote or take any action in relation thereto.

Sponsor: Board of Selectmen

May 6, 2010 Voted: That the sum of sixty thousand dollars (\$60,000.00) be approved for the settlement of a complaint filed against the Town of Framingham pending at the Massachusetts Commission Against Discrimination (MCAD), in the case of MCAD and John Lashua v. Framingham, Docket No. 03-BEM-01801 and that said sum be expended under the direction of the School Committee from the FY2009-2010 School Department appropriation.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 21

To see if the town will vote to amend Article IV (Personnel Bylaw) of the General Bylaws by deleting Sections 7.1 and 7.1.1 and inserting new Sections 7.1 and 7.1.1 as follows:

“7.1 The Town shall have a Human Resources Director. The Town Manager may designate an existing town position to include the Human Resources Director duties and title, or may appoint a Human Resources Director as a separate town position. In either case, the designation or appointment of the Human Resources Director shall be by the Town Manager, with the approval of the Board of Selectmen. The Town Manager may appoint an interim Human Resources Director to fill any vacancy.

7.1.1 The person appointed by the Town Manager shall possess ability and experience in the field of human resources or municipal administration.”

Pass any vote or any action relative thereto.

Sponsor: Board of Selectmen

May 6, 2010 Voted: That Article IV, the Personnel Bylaw of the General Bylaws, be amended by deleting Sections 7.1 and 7.1.1 and inserting new Sections 7.1 and 7.1.1 as follows:

7.1 The Town shall have a Human Resources Director who shall be appointed by the Town Manager, with the approval of the Board of Selectmen. The Town Manager may designate an existing town position to include the Human Resources Director duties and title, or may appoint a Human Resources Director as a separate town position. The Town Manager may appoint an interim Human Resources Director to fill any vacancy.

7.1.1 The person appointed by the Town Manager shall possess ability and management experience in the field of human resources.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 22

To see if the Town will vote to adopt for Fiscal Year 2011, the pay plans as listed:

Schedule M – Municipal Employees
Schedule T – Temporary Employees
Schedule DH – Division Heads
Schedule PSM – Public Safety Management
Schedule LO – Library Pages
Schedule DPS – Dispatchers
Schedule FF – Firefighters
Schedule FDC – Deputy Fire Chiefs
Schedule L – Library
Schedule PS – Police Superiors
Schedule PD – Police Officers
Schedule PW – Public Works Supervisors
Schedule V – Crossing Guards
Schedule W – General Local 1156
Schedule WH – Police and Fire Mechanics

Pass any vote or take any action relative thereto.

Sponsor: Chief Financial Officer

May 6, 2010 Voted: That the Town adopt for FY11, the pay plans as listed:

Schedule M – Municipal Employees
Schedule T – Temporary Employees
Schedule DH – Division Heads
Schedule PSM – Public Safety Management
Schedule LO – Library Pages
Schedule DPS – Dispatchers
Schedule FF – Firefighters
Schedule FDC – Deputy Fire Chiefs
Schedule L – Library
Schedule PS – Police Superiors
Schedule PD – Police Officers
Schedule PW – Public Works Supervisors
Schedule V – Crossing Guards
Schedule W – General Local 1156 (Parks Only)

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 22 (CONTINUED)

General Local 1156 (DPW)
Schedule WH – Police and Fire Mechanics

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 23

To see if the Town will vote to fund any collective bargaining agreements that have been settled and adopt any necessary changes to the pay plans for Fiscal Year 2011.

Pass any vote or take any action relative thereto.

Sponsor: Chief Financial Officer

May 18, 2010 Voted: That the Town approve the following Collective Bargaining Agreements that have been settled with Town employees:

Local 475, International Brotherhood of Police Officers, Superior Officers

Local 474, Framingham Police Officers' Union

Town of Framingham

Annual Town Meeting

May 4, 2010

ARTICLE 24

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 various capital projects including purchase of equipment, purchase of land, repair, rehabilitation, design or construction of buildings and infrastructure.

Pass any vote or take any action relative thereto.

Sponsor: Chief Financial Officer

May 18, 2010 Voted: That the Town raise and appropriate, transfer from available funds or borrow the sum of \$5,958,385 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 MGL, Chapter 44 for the purpose of the design and construction, including and related engineering, personnel, and legal services;

Budget Year	Project Title	Department	Cost	Vote
A24A	Replace Shift Command Cruiser	Fire Department	\$41,511	131 – 0
A24B	Replace Turnout Gear	Fire Department	\$291,300	131 – 0
A24C	Replace Engine 7 Pumper	Fire Department	\$325,000	131 – 0
A24D	Computerize Irrigation Systems	Parks & Recreation	\$58,627	131 – 0
A24E	Bobcat S185 Skid Steer Loader	Parks & Recreation	\$61,036	131 – 0
A24F	Playground Equipment/Handicap Accessibility Improvements – Phase 2 – Furber Park	Parks & Recreation	\$69,600	131 – 0
A24G	Police Communication Upgrade Phase III	Police Department	\$98,100	131 – 0
A24H	Roadway Improvements 2011	Highway	\$900,000	131 – 0
A24I	Sidewalk/Accessibility Improvements 2011	Highway	\$100,000	131 – 0
A24J	Sander with Underbody Scraper for Existing Vehicle	Highway	\$57,620	131 – 0
A24K	Maple Street Culvert Repairs	Engineering	\$200,000	131 – 0
A24L	Wickford Road Bridge – Evaluation & Rehabilitation Design	Engineering	\$90,000	131 – 0

Town of Framingham Annual Town Meeting May 4, 2010

ARTICLE 24 (CONTINUED)

Budget Year	Project Title	Department	Cost	Vote
A24M	Beaver Dam Brook/Farm Pond Phase 1 High Risk Structure Replacement	Engineering	\$150,000	131 – 0
A24N	IP Phone & Security System for School District	School Department	\$550,000	131 – 0
A24O	DDC Energy Conservation Controls, Phase 4 of 6	School Department	\$340,000	127 – 4
A24P	Barbieri Copper Roof Replacement	School Department	\$185,000	131 – 0
A24Q	Barbieri Elementary School Improvements	School Department	\$550,000	131 – 0
A24R	ADA Upgrades	School Department	\$300,000	131 – 0
A24S	Technology Upgrades	School Department	\$140,000	131 – 0
A24T	Replace Burners & Boilers	School Department	\$170,000	131 – 0
A24U	Memorial/Maynard Building Improvements	Capital Department	\$896,800	82 – 3
A24V	Main Library Building Improvements	Capital Department	\$150,000	131 – 0
A24W	Library Garage Improvements	Capital Department	\$70,000	85 – 0
A24X	Municipal Data Storage Upgrade	Tech Services	\$163,791	131 – 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, \$42,860 will be transferred from the following Capital Projects to fund items Maple Street Culvert Repairs, School ADA Upgrade and Main Library Building Improvements.

5/01 ATM A21C Stormwater Plan	\$1,431.72	Maple Street Culvert Repairs
5/02 ATM A15C Henry St Remediation	\$3,641.58	Maple Street Culvert Repairs
4/06 ATM A30L Beaver Dam Stormwater Plan	\$6,818.39	Maple Street Culvert Repairs
4/05 ATM A26Q Sanitary Line, Fuller	\$968.31	ADA Upgrades, School
4/07 ATM A49VV Library Generator	\$30,000.00	Main Library Building Improvements

And to meet said appropriation, 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 \$5,915,525 pursuant to the provisions of MGL, Chapter 44, Section 7 and 8 or any other enabling authority.

85 voting in favor, 0 opposed.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 25

To see if the town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of the design and construction, including any related engineering and legal services, of the following water projects, and the acquisition of any necessary permanent and/or temporary easements or other interests in land for said projects:

Other water projects as set forth in the background materials; and further to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain, permanent easements and temporary construction easements or other interests in land for said projects and as further described in the background materials; and further to authorize the Board of Selectmen and town officers to take all actions to carry out the purposes of this Article.

Pass any vote or to take any action relative thereto.

Sponsor: Chief Financial Officer

May 19, 2010 Voted: That the Town raise and appropriate, transfer from available funds, or borrow the sum of \$17,967,000 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 MGL, Chapter 44, for the purpose of the design and construction, including any related engineering, personnel and legal services of the following Water Department projects, and the acquisition of any necessary permanent and/or temporary easements or other interests in land for said projects:

A25A	North Concord Street Water Main Replacement – Construction	Water	\$9,619,000
A25B	Grant Street and Pond Street Area Water Main Replacement – Construction	Water	\$6,263,000
A25C	Technology Park Property Acquisition Fees	Water	\$150,000
A25D	Goodnow Water Pump Station – Construction	Water	\$1,385,000

Town of Framingham

Annual Town Meeting

May 4, 2010

ARTICLE 25 (CONTINUED)

A25E	Irving, Loring, Herbert Street Intersection Water Main Improvements	Water	\$150,000
A25F	Water Hydrant and Gate Valve Replacements 2011	Water	\$150,000
A25G	Water Main Replacement Various Locations	Water	\$250,000

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;

To meet said appropriation, \$376,265 will be transferred from the following Capital Projects to fund item North Concord Street Water Main Replacement Construction.

10/00 STM A10A Reline 8"	\$251,820.44	North Concord St Water Main Replacement – Construction
10/00 STM A10B Waushakum Mains	\$118,180.00	North Concord St Water Main Replacement – Construction
5/01 ATM A21Y Water Main Rehabilitation	\$4,017.93	North Concord St Water Main Replacement – Construction
4/04 ATM A21Q Water System Management P 2	\$1,620.00	North Concord St Water Main Replacement – Construction
4/04 ATM A21R Carter Drive Water Main Replacement	\$626.63	North Concord St Water Main Replacement – Construction

To meet said appropriation, 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 \$17,590,735 pursuant to the provisions of MGL, Chapter 44, Section 7 & 8 or any other enabling authority.

112 voting in favor, 0 opposed.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 26

To see if the town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of the design and construction, including related engineering and legal services, of the following sewer projects, and the acquisition of any necessary permanent and/or temporary easements or other interests in land for said projects:

Other sewer projects as set forth in the background materials; and further to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain, permanent easements and temporary construction easements or other interests in land for said projects and as further described in the background materials; and further to authorize the Board of Selectmen and town officers to take all actions to carry out the purposes of this Article.

Pass any vote or to take any action relative thereto.

Sponsor: Chief Financial Officer

May 19, 2010 Voted: That the Town raise and appropriate, transfer from available funds, or borrow the sum of \$7,402,000 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 MGL, Chapter 44, for the purpose of the design and construction, including and related engineering, personnel and legal services of the following Sewer Department projects, and the acquisition of any necessary permanent and/or temporary easements or other interests in land for said projects:

A26A	Grant Street and Pond Street Area Sewer Replacement – Construction	Wastewater	\$6,552,000
A26B	Technology Park Property Acquisition Fees	Wastewater	\$150,000
A26C	Sewer System Evaluation Survey (SSES) Phase 5	Wastewater	\$500,000
A26D	Sewer Main Replacement Various Locations	Wastewater	\$200,000

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 26 (CONTINUED)

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.

To meet said appropriation, \$48,990 will be transferred from the following Capital Projects to fund item Grant & Pond Street Area Sewer Replacement Construction.

4/04 ATM A21GG Howard St Sewer Replacement	\$32,769.18	Grant & Pond St Area Sewer Replacement – Construction
4/04 ATM A21HH I/I Study	\$14,056.20	Grant & Pond St Area Sewer Replacement – Construction
4/06 ATM A30DD Upgrade Sewer Inspection Equip	\$1,281.42	Grant & Pond St Area Sewer Replacement – Construction
4/06 ATM A30EE 15K GVW 4wd Body Truck	\$883.20	Grant & Pond St Area Sewer Replacement - Construction

To meet said appropriation, 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 \$7,353,010 pursuant to the provisions of MGL, Chapter 44, Section 7 & 8 or any other enabling authority.

112 voting in favor, 0 opposed.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 27

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 2011 (July 1, 2010 – June 30, 2011).

Pass any vote or take any action relative thereto.

Sponsor: Chief Financial Officer

May 27, 2010 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 2011 (July 2, 2010 – June 30, 2011).

Further, that the Town approve the plan to consolidate school/town payroll within the Accounting Department of the Finance Division of the Town as required by § 37M of Chapter 71 of the MGL.

Unclassified	\$37,411,205
Retirement	\$11,717,002
Debt Service	\$8,335,104
Framingham Public Schools	\$88,695,969
Keefe Technical Assessment	\$8,424,091
Fire	\$11,910,781
Police	\$11,925,830
Public Works	\$8,955,512
Framingham Public Library	\$2,575,840
Planning Board	\$200,877
Town Clerk / Stipend	\$87,980

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 27 (CONTINUED)

Town Clerk / Elections	\$338,289
General Government	\$2,822,527
Parks and Recreation / Cultural Affairs	\$3,017,645
Finance	\$1,699,693
Inspectional Services	\$1,375,700
Community & Economic Development	\$368,335
Technology Services	\$1,238,781
Human Resources	\$588,739
Stabilization Fund	\$1,461,086 86 voting in favor, 1 opposed
Reserve Fund	\$400,000
Snow & Ice	\$900,000
Total Town Meeting Appropriation	\$204,450,986

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

Transfer from Free Cash	\$1,606,328
Transfer From Parking Meter Receipts	\$66,000
Transfer From Stabilization Fund	\$198,958 86 voting in favor, 1 opposed
Transfer from Sewer Enterprise Fund Revenue	\$1,233,025
Transfer from Water Enterprise Fund Revenue	\$1,330,872
Transfer from Consumer and Merchant Protection Act Funds	\$23,000

And the balance to be raised from taxation.

Further, that \$400,000 from the incremental increase in Local Meals and Room Tax receipts for FY2011 be appropriated to the School Department budget appropriation to offset a portion of the current projected deficit in the School Department. Therefore, the appropriation is amended from \$88,295,969 to \$88,695,969. This \$400,000 is a one-time allocation in FY2011.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 27 (CONTINUED)

Further, that a committee be formed to study the structural deficit within the Operating Budget, report their findings at the 2011 Annual Town Meeting and incorporate their recommendations in the FY12 budget. The committee will consist of 1 member of the School Committee, 1 member of the Board of Selectmen, 1 member of the Finance Committee, Town Manager, Superintendent of Schools, CFO and School Director of Finance, creating a committee of 7 members.

Further, that the Town Clerk Stipend be \$87,980 for the Fiscal Year 2011. Further, that the Town Administration study whether the Clerk can be added to the pay plan and report back at the Fall 2010 Special Town Meeting.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 28

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 2011 (July 1, 2010 – June 30, 2011)

Pass any vote or take any action relative thereto.

Sponsor: Chief Financial Officer

May 19, 2010 Voted: That the Town expend \$13,278,384 in FY2011 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 the \$13,278,384 be raised from water receipts.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 29

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 2011 (July 1, 2010 – June 30, 2011)

Pass any vote or take any action relative thereto.

Sponsor: Chief Financial Officer

May 19, 2010 Voted: That the Town expend \$16,329,723 in FY2011 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 the \$16,329,723 be raised from sewer receipts.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 30

To see if the Town will vote to amend Article I, Section 3.4 of the General Bylaws by adding at the end of the sentence: “; with the exception of energy usage contracts, which may be contracted for a term of up to five years without Town Meeting vote provided applicable procurement rules and regulations are followed.”

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen & Chief Financial Officer

May 6, 2010 Voted: That Article I, Section 3.4 be amended by adding at the end of the sentence: “; with the exception of energy usage contracts, which may be contracted for a term of up to five years without Town Meeting vote provided applicable procurement rules and regulations are followed.”

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 31

To see if the Town will vote to amend the Town of Framingham General Bylaws, Article I, Section 2.3 to read as follows (changes in ***bold italic underline***):

“All meetings of all Town boards and committees elected or appointed, except the Framingham Retirement Board, Council on Aging, ***Registrars of Voters***, Cemetery Trustees and Finance Committee, shall commence no earlier than 7:00 p.m. except in emergency situations and for executive sessions, and for such emergency meetings and executive sessions the first order of business shall be the recording of the nature of the meeting. This provision shall not apply to any subcommittee, task force, or working group of an elected or appointed board, so long as the subcommittee, task force, or working group is not comprised of a quorum of members of the elected or appointed board.”

Pass any vote or any action relative thereto.

Sponsor: **Town Clerk**

May 6, 2010 Voted: That the Town of Framingham Bylaws, Article I, Section 2.3 be amended to read as follows (changes in ***bold italic underline***):

“All meetings of all Town boards and committees elected or appointed, except the Framingham Retirement Board, Council on Aging, ***Registrars of Voters***, Cemetery Trustees and Finance Committee, shall commence no earlier than 7:00 p.m. except in emergency situations and for executive sessions, and for such emergency meetings and executive sessions the first order of business shall be the recording of the nature of the meeting. This provision shall not apply to any subcommittee, task force, or working group of an elected or appointed board, so long as the subcommittee, task force, or working group is not comprised of a quorum of members of the elected or appointed board.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 32

To see if the Town will vote to amend Article II, Section 13 of the General Bylaws as it relates to the Council on Aging and included in the background materials, as follows: 1) to make the number of appointees by the Board of Selectmen a fixed number; 2) to allow the appointment of up to two non-residents; and, 3) to clear up language ambiguities and inconsistencies.

Pass any vote or any action relative thereto.

**Sponsor: Council on Aging
Board of Selectmen**

May 6, 2010 Voted: That Article II, Section 13 of the General Bylaws be amended as set forth in the column "Proposed Bylaw" in the background materials for this article; and in addition, wherever the word 'Chairman' appears in the "Proposed Bylaw", that it be replaced with the word 'Chair'.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 33

To see if the Town will vote to amend the Zoning By-Law to conform to FEMA requirements as follows:

Amend Section III(H) as follows:

Delete Section 1. "Establishment of Districts" in its entirety, including footnote 1, and replace it with the following:

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, AE, AH, or AO 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 25017C0501E , 25017C0502E , 25017C0503E , 25017C0504E, 25017C0506E, 25017C0508E, 25017C0509E, 25017C0511E, 25017C0512E, 25017C0514E, 25017C05016, 25017C0517E, 25017C0518E, and 25017C0519E, dated June 4, 2010. 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 June 4, 2010. 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.

Insert in Section 2. "Applicability" a new paragraph d to read as follows:

- 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
May 4, 2010*

ARTICLE 33 (CONTINUED)

Insert a new Section 6. "Notification of Watercourse Alteration" to read as follows:

6. Notification of Watercourse Alteration

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.

And further to amend the Official Zoning Map to reflect the new Floodplain Overlay District boundaries as shown on the map included in the background materials;

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

May 6, 2010 Voted: That Section III(H) of the Zoning Bylaw be amended and the Official Zoning Map be amended as printed under Article 33 in the warrant for this Town Meeting.

119 voting in favor, 2 opposed.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 34

To see if the Town will vote to amend Section I.E. of the Zoning By-Law of the Town of Framingham by inserting the following definition:

“Kennel, Commercial: A pack or collection of more than four (4) dogs on a single premises maintained for sale, commercial breeding, boarding, grooming, training, or any other commercial purposes unless otherwise provided for under General Laws chapter 40A, Section 3.”

Pass any vote or take any action relative thereto.

Sponsor: Standing Committee on Planning and Zoning

May 13, 2010 Voted: That this article be referred back to Sponsor with the concurrence of the Sponsor.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 35

To see if the Town will vote to amend Section IV.E. of the Zoning By-Law of the Town of Framingham by deleting the existing wording and replacing it to read as follows:

“Commercial Kennels

Commercial kennels may be permitted in General Manufacturing Districts by special permit of the Zoning Board of Appeals, and are subject to the regulations of the Board of Health. Kennels abutting residences will have setback requirements of 300 feet from any residential lot line and will be effectively sound-insulated or screened to protect the neighborhood.”

Pass any vote or take any action relative thereto.

Sponsor: Standing Committee on Planning and Zoning

May 13, 2010 Voted: That this article be referred back to Sponsor with the concurrence of the Sponsor.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 36

To see if the Town will vote to amend its Zoning By-law by adding the following:

Section I.F Wireless Communications Facilities Temporary Moratorium

1. Purpose and Intent

The increasing use of business and personal devices relying on personal wireless service facilities, often referred to as wireless communications facilities, particularly recent changes and trends in the wireless communications industry, such as the advent of 3G and 4G networks, new technologies for wireless communications facilities, and other advances, have generated a significant number of applications for the placement, construction and modification of such facilities in the Town in recent months. Given the rapidly evolving nature of the underlying technology, the Town needs time to review and analyze these changes, advances, and trends in a meaningful and thoughtful way and the range of land use and regulatory issues raised by such facilities.

Section IV.L of the Zoning By-law, which governs Wireless Communications Facilities, was enacted in 1997, soon after the enactment of the federal Telecommunications Act in 1996. Since then, the technology for wireless communications, and wireless communications facilities, has changed and advanced at a rapid pace. Recently, it has become clear that the provisions of Section IV.L need to be re-examined in a comprehensive manner to address these advances. The Board of Selectmen, in recognition of this, is committed to establishing a committee with the necessary expertise to analyze the current and projected future technology and to make comprehensive recommendations for regulating these facilities in compliance with the Telecommunications Act

By enacting a temporary, six month moratorium, the Town will have time to develop reasonable regulations regarding the placement, construction and modification of wireless communications facilities. The Town fully recognizes its responsibilities under the Telecommunications Act of 1996. Full and impartial compliance with the Act is best accomplished through thoughtful analysis and subsequent regulatory guidance. Therefore, in reliance on the Town's authority under General Laws chapter 40A and the Massachusetts State Constitution, and in keeping with the Town's responsibilities to protect public health, welfare, and safety, the Town hereby adopts this temporary moratorium.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

ARTICLE 36 (CONTINUED)

2. Temporary Moratorium

Notwithstanding any other provisions of this Zoning By-law to the contrary, for a period of six months from the effective date of this amendment, no building permit, special permit, or variance shall be issued for the construction, placement, installation, modification, alteration, or use of any building, structure, or land within the town for the purpose of a wireless communications facility, as defined in Section IV.L this By-law, within the town. Amateur radio towers, to the extent they are exempt from Zoning By-law requirements under General Laws chapter 40A §3, and wireless communication facilities for use by police, fire, or other emergency services are exempt from this moratorium.

Pass any vote or any action relative thereto.

Sponsor: Board of Selectmen

May 6, 2010 Voted: That the Zoning Bylaw be amended by adding a new Section I.F. (Wireless Communications Facilities Temporary Moratorium) as set forth in the warrant and background materials for this Annual Town Meeting.

116 voting in favor, 5 opposed.

*Town of Framingham
Annual Town Meeting
May 4, 2010*

RESOLUTION

May 6, 2010 Voted: Be it resolved that the ZBA would deny any appeals currently in the system until this evaluation is achieved and voted.

Kathleen McCarthy, Precinct 10

*Town of Framingham
Annual Town Meeting
May 4, 2010*

RESOLUTION

May 20, 2010 Voted: Be it resolved that Town Meeting urges the Town Manager and his administration and our Public Employee Committee to achieve significant savings in health insurance spending in FY11 and future years. To that end, we strongly advise that an employer/employee premium contribution percentage of at least 80/20% is reached in the successor agreement that begins January 1, 2011.

Elizabeth Funk, Finance Committee Chair