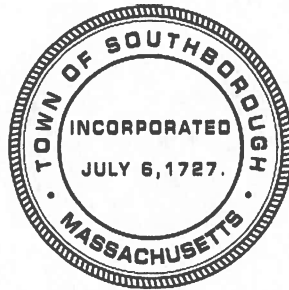


SPECIAL TOWN MEETING WARRANT

of the

TOWN OF SOUTHBOROUGH

MASSACHUSETTS



**For the Special Town Meeting
on**

Monday, September 30, 2024
7:00PM

**P. Brent Trottier Middle School
49 Parkerville Road**

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Town Finance Terminology

The following terms are frequently used in the Advisory Committee Report and at Town Meeting. For your convenience, we provide the following definitions:

Surplus Revenue: (Often referred to as "Excess and Deficiency")

The fund represents the amount by which the Cash, Accounts Receivable and other floating assets exceed the liabilities and reserves.

Available Funds: (Often referred to as "Free Cash")

The amount of the Unreserved Fund Balance (Surplus Revenue) account over and above uncollected taxes of prior years constitutes "free cash" or "available funds".

Overlay:

The Overlay is the amount raised by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover abatements and exemptions as granted.

Overlay Reserve:

This is the accumulated amount of the Overlay for various years not used or required to be held in the specific Overlay account for a given year, and may be used by vote of the town for extraordinary or unforeseen purposes or voted into the Reserve Fund.

Stabilization Fund:

An outside section of Chapter 138 of the Acts of 1991 (the FY92 State budget) modifies limitations on the Stabilization Fund appropriation process by enabling communities to appropriate from this fund for any non-capital, lawful purpose without Emergency Finance Board approval (section 333). Beginning in FY92, the Stabilization Fund will thus become a source of revenue for general operating expenses for communities.

The Stabilization Fund is a mechanism for setting aside money for capital projects. It equalizes the effect of capital expenditures over time, as capital appropriations can change considerably from year to year. The balance in the fund will build up during years when expenditures for capital items are low. During years with high capital expenditures, the community will transfer money from the fund to reduce the project's impact on the tax rate or the amount of borrowing required for the project.

A community may appropriate up to 10% of its tax levy each year, as long as the balance in the Stabilization Fund does not exceed 10% of the community's equalized valuation. Interest earned on any fund balance is retained as part of the fund.

Appropriations into a Stabilization Fund can be made at either an annual or special town or district meeting. Chapter 94 of the Acts of 1985 permits appropriations to be made from a Stabilization fund at a special town or district meeting, not just at the annual meeting. Regardless of the timing, appropriations from the Stabilization Fund require a two-thirds vote by the appropriating authority. Until the FY92 state budget, a community could only appropriate from the Stabilization Fund for a none-capital purpose with the approval of the Emergency Finance Board.

Reserve Fund:

This fund is established by the voters at the Annual Town Meeting only and may be composed of (a) an appropriation (not exceeding 5% of the tax levy of the preceding year), (b) money transferred from Overlay Reserve, or (c) both. Transfers from the Reserve fund may be made only by the Advisory Committee and are for "extraordinary or unforeseen expenditures" only.

Conservation Fund:

For land purchases and any other conservation use.

Introduction to the Rules of Town Meeting

Southborough's Town Meeting is an open town meeting in which all registered voters may participate. Town Meeting is a deliberative assembly, conducted via a defined process, charged with considering a maximum number of questions of varying complexity in a minimum amount of time and with full regard to the rights of the majority, strong minority, individuals, absentees and all of these together. In other words, we gather for the purpose of conducting the Town's business thoughtfully and efficiently.

AUTHORITY

The three elements of authority at Town Meeting are a quorum of one hundred (100) registered voters or more, the Clerk and the Moderator. Of these three, the quorum is the most important.

The Town Clerk is responsible for voter registration, certification of a quorum, setting up the hall and keeping the record of the proceedings. He may also officiate Town Meeting in the absence of a Moderator.

The Moderator presides at and regulates the proceedings, decides all questions of order, and makes declarations of all votes. No one may speak on an issue without being recognized by the Moderator. It is the Moderator's responsibility to approve the distribution of materials, and persons wishing to do so must seek his permission. The Moderator appoints Tellers and alternates for the purpose of counting votes of the meeting.

THE WARRANT

All matters to be considered at Town Meeting must be published in the Town Meeting Warrant, which is the responsibility of the Board of Selectmen. The primary and most important purpose of the Warrant is to notify voters in advance the nature of the business to be taken up at Town Meeting. By state law, Town by-law or custom, several business articles (such as budget appropriations) must be presented in the Town Warrant each year for consideration. Other items are added by warrant articles proposed by Town officials, committees, boards, or groups of ten or more registered voters. The Advisory Committee reviews the Warrant, making recommendations on all the items of business to be presented. In accordance with the Town by-laws, all articles in the Warrant are considered in the order in which they appear in the Warrant, unless the Town Meeting votes to change the order for reasons that reasonable people would entertain.

PARTICIPATION

Any voter wishing to participate in Town Meeting must go to one of the floor microphones and wait to be recognized by the Moderator. Upon recognition by the Moderator, first state your name and address, and then state your business.

Anyone whose name is not on the list of registered voters requires the approval of either the Moderator or a majority of the Meeting to sit in the voting area.

All remarks shall be limited to the subject then under discussion. It is improper to indulge in references to personalities, and all expressions of approval or disapproval, such as applause or booing, are out of order. The Moderator may request any person to keep silent. If after warning from the Moderator, a person refuses to be silent or persists in other disorderly behavior, the Moderator may order a person to withdraw and if he fails to withdraw, may order a police officer to remove such person from Town Meeting.

Individuals who have a personal or financial interest with respect to a matter may speak or vote thereon but should frankly disclose their interest. However, no Town Meeting voter should accept compensation for participating without disclosing that fact.

There is no fixed time limit to the debate of any question. However, out of consideration for the others in attendance and the need to give adequate time to all matters coming before Town Meeting, each individual who speaks should make an effort to be as brief as possible and avoid repeating facts, views or opinions already expressed by others.

Introduction to the Rules of Town Meeting (continued)

Anyone wishing to make a presentation with respect to any article must, prior to Town Meeting, obtain the Moderator's approval.

In order to give all a fair opportunity to speak, no one who has addressed any particular motion shall speak again, except to answer questions, until all others wishing to speak to the motion have done so.

HOW ARE MOTIONS CLASSIFIED?

Main Motions

Motions of this group are for the bringing of questions, or propositions, before Town Meeting for consideration. Only one main motion can be considered at a given time, and once introduced such a motion excludes all other main motions until it has been disposed.

Subsidiary Motions

Motions of this group have are for the modification or disposition of the main motion that is being considered. Their existence as motions depends entirely upon the principal motion to which they are subordinate. Since they relate to the question then under consideration, it is in order to propose them when a main motion is pending and to vote upon them before voting upon the main motion.

Privileged Motions

Motions of this group have no connection whatsoever with any main motion, but are motions of such importance that they are entitled to immediate consideration. These motions have the privilege of temporarily setting aside the main business then before Town Meeting.

Incidental Motions

Motions of this group have few characteristics in common, but for convenience have been grouped into one class. The name "incidental" applies because they arise only incidentally out of the business of Town Meeting.

RULES RELATIVE TO MOTIONS

A motion is the means of bringing a proposal or question for consideration by Town Meeting. When first put forward it is a motion; after it is seconded and acknowledged by the Moderator, it becomes the question or proposal. Except for complimentary resolutions (the presentation of which must be approved in advance by the Moderator), no main motion shall be entertained unless its substance is contained within the scope of a Warrant article. Upon completion of debate, articles will be voted upon.

The Moderator shall determine whether a motion, or any discussion relative to a motion, is within the scope of the Warrant article under consideration. That is, the motion and the debate must be relevant to the article as written in the Warrant, since the purpose of the Warrant is to apprise voters of the actions to be taken at Town Meeting.

Articles only give notice to the voters and do not initiate action; motions do. Motions may be withdrawn; articles may not be withdrawn – articles must be acted upon by Town Meeting.

There are four types of amendments: striking out, inserting, striking out and inserting, and substitution. Motions to amend may be hostile as long as they are germane. An amendment to a motion is an amendment of the first rank; an amendment to an amendment is of the second rank; there can be no amendment beyond that of the second rank.

Some motions do not lead to a final determination by Town Meeting. A motion to commit or to refer sends the matter to an existing board or committee or one to be established. The motion to postpone indefinitely disposes of the question without bringing it to a direct vote. The motion to postpone indefinitely should not be confused with the motion to table which only temporarily delays a vote. As previously stated, articles may not be withdrawn; so when the Meeting does not wish to act on a particular article, the proper motion is to postpone consideration indefinitely.

Introduction to the Rules of Town Meeting (continued)

Motions to reconsider shall be entertained when new information is available that is materially different than was presented (or could have been presented) at the time of the original vote on the article. Articles may be reconsidered only once. If a motion to reconsider is passed by the necessary 2/3 vote, it brings the original article back to the floor (which requires a new motion and additional debate); if the motion to reconsider is defeated, then the original article stands as previously voted and may not be reconsidered again. Actions to reconsider can be taken at the same session or any subsequent session of Town Meeting. A notice of reconsideration may be filed in advance with the Town Clerk stating that, at a specific point during the current Town Meeting, a voter will move for reconsideration on a particular article, and the Moderator will inform the hall of said action. Note that such a motion so noticed in advance must still be in order (i.e., must comply with all conditions required of any reconsideration motion).

All motions other than purely procedural motions must be in writing and signed by the sponsor.

CHART OF PRECEDENCE OF MOTIONS AND SUMMARY OF GOVERNING RULES

	May interrupt <u>a speaker</u>	Req. a <u>sec.</u>	<u>Debatable</u>	<u>Vote Required</u>	<u>Motions that may apply</u>
<u>PRIVILEGED MOTIONS</u>					
1. To dissolve	no	yes	no	majority	none
2. To adjourn	no	yes	limited	majority	amend
3. Point of no quorum	no	no	no	none	none
4. Recess	no	yes	limited	majority	amend
5. Question of privilege	yes	no	no	chair rules	none
<u>SUBSIDIARY MOTIONS</u>					
6. To lay on the table	no	yes	no	2/3	none
7. Previous question	no	yes	no	2/3	none
8. Limit or extend debate	no	yes	no	2/3	amend, reconsider
9. To postpone to time certain	no	yes	limited	majority	amend, reconsider
10. To commit or refer	no	yes	limited	majority	amend, reconsider
11. To amend	no	yes	yes	majority	amend, reconsider
12. To postpone indefinitely	no	yes	yes	majority	reconsider
<u>MAIN MOTIONS</u>					
Main Motions	no	yes	yes	majority*	all
To reconsider or rescind	no	yes	yes	2/3	table previous question postpone definitely
To take from the table	no	yes	no	majority	none
To advance an article	no	yes	yes	majority	amend, reconsider
<u>INCIDENTAL MOTIONS</u>					
Point of order	yes	no	no	chair rules	none
Division of a question	no	yes	no	majority	none
Separate consideration	no	yes	no	majority	none
To withdraw a motion	no	no	no	majority	reconsider
To suspend rules	no	yes	no	2/3	none
Orders of the day	yes	no	no	none	none

*The vote required to pass an affirmative main motion is a matter of substantive law, but is usually a majority.

Introduction to the Rules of Town Meeting (continued)

FORM USED IN MAKING MOTIONS

- | | |
|---------------------------------------|--|
| 1. Main Motion | Mr. Moderator, I move that...(statement of the proposal) |
| 2. Adjourn | Mr. Moderator, I move to adjourn to...(state time) |
| 3. Amend | Mr. Moderator, I move to amend by adding...
Mr. Moderator, I move to amend by inserting...before...
Mr. Moderator, I move to amend by striking out...
Mr. Moderator, I move to amend by striking out...and inserting...
Mr. Moderator, I move to substitute...for... |
| 4. Amend an Amendment | Mr. Moderator, I move to amend the pending amendment by (see above) |
| 5. Amend Something Previously Adopted | Mr. Moderator, I move to amend the resolution under Article...by... |
| 6. Commit or Refer | Mr. Moderator, I move that the proposal be referred to a committee of... |
| 8. Division of a Question | Mr. Moderator, I move to divide the question. |
| 9. Lay on the Table | Mr. Moderator, I move that the proposal be laid on the table. |
| 10. Point of Order | Mr. Moderator, I rise to a point of order. |
| 11. Postpone to a time certain | Mr. Moderator, I move to postpone the question to... |
| 12. Postpone Indefinitely | Mr. Moderator, I move that the question be postponed indefinitely. |
| 13. Previous Question | Mr. Moderator, I move the previous question. |
| 14. Question of Privilege | Mr. Moderator, I rise to a question of privilege. |
| 15. Recess | Mr. Moderator, I move to recess for... |
| 16. Reconsider | Mr. Moderator, I move to reconsider the vote under Article...
Mr. Moderator, I move to reconsider the vote on the amendment to... |
| 17. Separate Consideration | Mr. Moderator, I move for separate consideration. |
| 18. Suspend the Rules | Mr. Moderator, I move to suspend the rules which interfere with... |
| 19. Take from the Table | Mr. Moderator, I move to take from the table the motion relating to... |

INTERRUPTING A SPEAKER

No one may interrupt a speaker except for a point of order or a question of privilege.

POINT OF ORDER

A point of order is a question of the Moderator about whether the speaker is entitled to be speaking, or whether the current subject under discussion (or what the speaker is saying) is irrelevant, illegal or contrary to proper procedure. No other "point of order" is proper.

PREVIOUS QUESTION

To call or move the question is a request to stop discussion and to take an immediate vote. This requires a 2/3 vote.

VOTING

Voting is by hand vote and the Moderator declares the result of such votes. If seven or more voters immediately question the declared result, the Moderator shall determine the result by a standing count of votes by the Tellers. After the vote counted by the Tellers is presented to the Moderator and announced to the floor, any further motions for recount are out of order.

ADJOURNMENT AND DISSOLUTION

Sessions of Town Meeting normally adjourn at eleven o'clock in the evening but may adjourn at such earlier or later time as vote of the majority may determine. Town Meeting shall not dissolve until all articles in the warrant have been properly considered.

**TOWN WARRANT
COMMONWEALTH OF MASSACHUSETTS**

SPECIAL TOWN MEETING

Worcester, ss.

September 9, 2024

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

Monday, September 30, 2024

at 7:00 p.m., then and there to take action on the following Articles:

ARTICLE 1: To see if the Town will vote to amend the Personnel Salary Administration Plan, as specified in Chapter 31 of the Code of the Town of Southborough, entitled: PERSONNEL, as follows:

**PERSONNEL BYLAW
ENTITLED "THE SALARY ADMINISTRATION PLAN"
[revised at September 30, 2024 Special Town Meeting
Effective October 1, 2024 if warrant article is approved]**

SECTION 20: CLASSIFICATION SCHEDULE: *SCHEDULE A: GRADED POSITIONS*

Title	Grade
DPW Laborer	1
Library Page	1
Library Technician	1
Administrative Assistant	2
Library Assistant	2
Administrative Assistant	3
Library Associate	3
Business Administrator I	4
Library Supervisor	4
Maintenance Technician	4
Police Dispatcher**	4
Assistant Town Accountant	5
Business Administrator II	5
Clinician	5
EDC Coordinator	5
Executive Assistant to Select Board	5
Health Agent*	5
Program Coordinator	5
Youth Services Librarian	5
Assistant Library Director	6
Assistant Director, Youth & Family Services	6

Civil Engineer	6
Deputy Assessor	6
Deputy Town Clerk	6
Deputy Treasurer/Collector	6
Electrician	6
Local Inspector	6
Nurse	6
Outreach Coordinator	6
Police Business Administrator	6
Program Manager	6
Assistant Director/Nurse/Outreach	7
Conservation Agent	7
Recreation Director	7
Senior IT Specialist	7
Town Planner	7
Youth & Family Services Director	7

Assistant Town Administrator	8
Building Commissioner	8
Council on Aging Director	8
Director of Facilities	8
Health Director*	8
IT Manager	8
Library Director*	8
Police Lieutenant	8
Principal Assessor*	8
Town Accountant*	8
Finance Director/Treasurer-Collector*	9
Superintendent of Public Works*	9

*when not under contract

**effective March 25, 2024

SCHEDULE A

GRADE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
A-1	\$15.38	\$15.68	\$15.99	\$16.31	\$16.64	\$16.97	\$17.31	\$17.66	\$18.01	\$18.37	\$18.74	\$19.11	\$19.49	\$19.88	\$20.28
A-2	\$19.22	\$19.60	\$19.99	\$20.39	\$20.80	\$21.22	\$21.64	\$22.07	\$22.51	\$22.96	\$23.42	\$23.89	\$24.37	\$24.86	\$25.36
A-3	\$23.06	\$23.52	\$23.99	\$24.47	\$24.96	\$25.46	\$25.97	\$26.49	\$27.02	\$27.56	\$28.11	\$28.67	\$29.24	\$29.82	\$30.42
A-4	\$26.53	\$27.06	\$27.60	\$28.15	\$28.71	\$29.28	\$29.87	\$30.47	\$31.08	\$31.70	\$32.33	\$32.98	\$33.64	\$34.31	\$35.00
A-5	\$29.18	\$29.77	\$30.37	\$30.98	\$31.60	\$32.23	\$32.87	\$33.53	\$34.20	\$34.88	\$35.58	\$36.29	\$37.02	\$37.76	\$38.52
A-6	\$32.10	\$32.75	\$33.41	\$34.08	\$34.76	\$35.46	\$36.17	\$36.89	\$37.63	\$38.38	\$39.15	\$39.93	\$40.73	\$41.54	\$42.37
A-7	\$40.13	\$40.93	\$41.75	\$42.59	\$43.44	\$44.31	\$45.20	\$46.10	\$47.02	\$47.96	\$48.92	\$49.90	\$50.90	\$51.92	\$52.96
A-8	\$48.15	\$49.12	\$50.10	\$51.10	\$52.12	\$53.16	\$54.22	\$55.30	\$56.41	\$57.54	\$58.69	\$59.86	\$61.06	\$62.28	\$63.53
A-9	\$52.97	\$54.03	\$55.11	\$56.21	\$57.33	\$58.48	\$59.65	\$60.84	\$62.06	\$63.30	\$64.57	\$65.86	\$67.18	\$68.52	\$69.89

Municipalities are subject to the federal minimum wage law, not the state law.

SCHEDULE C: SEASONAL PERSONNEL

Positions
Grade 1
Camp Counselor*
Program Aide* (1:1)
Program Supervisor* (i.e. RAP Monitor)
Grade 2
Camp Assistant Supervisor*
Intern**
Grade 3
Camp Supervisor*
Assistant Coach*
Head Coach*
Grade 4
Program Instructor*

*Fee based personnel

**Effective October 1, 2024

Rates for Seasonal Personnel

Grade	Minimum		Midpoint		Maximum	
	Hourly	Annual	Hourly	Annual	Hourly	Annual
1	\$ 15.00	\$ 31,200.00	\$ 16.00	\$ 33,280.00	\$ 17.00	\$ 35,360.00
2	\$ 19.00	\$ 39,520.00	\$ 20.00	\$ 41,600.00	\$ 21.00	\$ 43,680.00
3	\$ 23.00	\$ 47,840.00	\$ 24.00	\$ 49,920.00	\$ 25.00	\$ 52,000.00
4	\$ 30.00	\$ 62,400.00	\$ 31.00	\$ 64,480.00	\$ 32.00	\$ 66,560.00

; or do or act anything in relation thereto.

Proposed by: PERSONNEL BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *The Personnel Board is recommending that the bylaw be amended to add several new positions to the Classification Schedule including Intern, Health Agent, Health Director, and DPW Laborer, as well as broadening the language for Seasonal Positions, which was previously restricted to Recreation. The Health Agent is proposed to be a shared position with the Town of Northborough.*

ARTICLE 2: To see if the Town will vote to amend §9-51 of the Town Code, Appointment of members., as it pertains to the membership of the PILOT Committee, by eliminating §9-51 in its entirety and replacing it as follows:

§9-51 Appointment of members.

No later than 45 days after the Attorney General's approval of this article, the Select Board will appoint members of this committee, consisting of five voting members, as follows:

- A. Three members representing the taxpayers of Southborough, without any financial relationship with St. Mark's, Fay School or New England Center for Children;
- B. One member of the Historic Commission, selected by the Historic Commission;
- C. One member of the Select Board, selected by the Select Board;
- D. Specifically excluding any ex officio members.

;or do or act anything in relation thereto.

Proposed by: SELECT BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *The PILOT Committee has requested a reduction in their membership from 7 to 5 members.*

ARTICLE 3: To see if the Town will vote to delete Chapter 9, Article I of the Town Code, Solid Waste Disposal Committee; or do or act anything in relation thereto.

Proposed by: SELECT BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *The Committee has been inactive for several years. The Board is reviewing the current list of boards and committees in an effort to streamline the overall number of ad-hoc committees.*

ARTICLE 4: To see if the Town will vote to delete Chapter 6, Article II of the Town Code, Consumer Advisory Commission; or do or act anything in relation thereto.

Proposed by: SELECT BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *The Committee has been inactive for several years. The Board is reviewing the current list of boards and committees in an effort to streamline the overall number of ad-hoc committees.*

ARTICLE 5: To see if the Town will vote to amend Town Code § 9-25 Meeting Minutes, by deleting it in its entirety and replacing it with:

Each board, committee, or commission shall submit minutes for each meeting to the Town Clerk within 45 days of the meeting, provided however that Executive Session minutes shall be submitted to the Town clerk within 45 days from the date that they are released for public disclosure.

- A. The requirements of this bylaw shall apply to every board, committee or commission meeting, whether held in person, virtually, or in a hybrid manner.
- B. Minutes shall be prepared and approved as required by the Attorney General's instructions on the Open Meeting Law ("OML"), MGL c. 30A, § 22.
 - 1) The Town Clerk shall provide every board, commission or committee member with a list of the Attorney General's OML instructions as they relate to meeting minutes on an annual basis and whenever there is a change in the instructions.
 - 2) The Town Clerk shall also maintain this information on the town website.
- C. Minutes submitted to the Town Clerk shall include, as reasonably possible, copies of all documents, as defined by the Attorney General's OML instructions. The last page of the minutes shall include a section labeled Documents Used at This Meeting and shall list the names of each document that was used at the meeting.
- D. Minutes shall indicate whether they have or have not been approved by the board, committee or commission when submitted to the Town Clerk. Minutes that have not been approved at the time of their receipt shall be labeled "Draft."
- E. The Town Clerk shall:
 - 1) Notify the board, committee or commission chair if minutes are overdue.
 - 2) Keep minutes and documents for the period of time as required by applicable state law.
 - 3) Maintain and publish a monthly summary of any instance when a board or committee has not complied with the provisions of this bylaw.

; or do or act anything in relation thereto.

Proposed by: TOWN CLERK

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *This Article clarifies that the existing requirements for a board, committee, or commission to maintain minutes and documents used at a meeting also applies to both in-person meetings, hybrid and fully virtual meetings. This Article also requires the town clerk to maintain and publish a monthly summary of board and committees that have not complied with the provisions of this bylaw. A recent review of board meetings revealed many instances where no documents were submitted by a board.*

ARTICLE 6: To see if the Town will vote to accept M.G.L c.200A, §9A to allow the Treasurer-Collector to collect unclaimed checks or “tailings”; or do or act anything in relation thereto.

Proposed by: SELECT BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *MGL Chapter 200A S9A provides for an alternative procedure for the disposing of abandoned funds known as tailings, held in the custody of the Town. Adopting this statute allows for a more efficient and expedited process for the disposing of abandoned funds, allowing the Treasurer to take these funds as General Fund revenue after there have been several attempts to notify the check recipient, once a full year has passed since the original issuance. Not passing this MGL means the Town must follow Massachusetts Unclaimed annual reporting guidelines whereby there is a 3-year waiting period and the funds transfer to the state not the Town.*

ARTICLE 7: To see if the Town will accept General Laws Chapter 44, Section 53F¾, which establishes a special revenue fund known as the Public Education Government (PEG) Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, and to allow the accounting officer to transfer any balance to the accepted fund to begin operation for fiscal year 2026, which begins on July 1, 2025, or do or act anything in relation thereto.

Proposed by: SELECT BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *The Town is paid user fees by the cable companies as a result of their contractual agreements with the Town. Those cable fees are then used to offset expenses Related to public access media operations. Recent changes in legislation require those funds to be placed into a special revenue fund prior to disbursement by the Town. This article creates the required special revenue fund.*

ARTICLE 8: To see if the Town will vote to add a new §174-10.3 MBTA Communities Overlay District (MCO) to the Town of Southborough’s Zoning Bylaws, amend the zoning map, amend certain other sections to integrate the new section into the current zoning bylaw, and make any minor modifications to the text required for consistency with the existing format of the bylaws or take any other action relative thereto.

Please note that text to be added is in **bold**, other than §174-10.3, where the proposed change is the addition of the entire section; deleted language is shown with ~~strike through~~.

Add the following definitions to §174-2. Definitions:

B. Definitions

AFFORDABLE UNIT

A multi-family housing unit that is subject to a restriction recorded in its chain of title limiting the sale price or rent or limiting occupancy to an individual or household of a specified income, or both.

AFFORDABLE HOUSING

Housing that contains Affordable Units as defined by §174-2.

AREA MEDIAN INCOME (AMI)

The median family income for the metropolitan statistical region that includes the Town of Southborough, as defined by the U.S. Department of Housing and Urban Development (HUD).

MULTIFAMILY HOUSING (WITHIN THE MCOB)

A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building.

Modify the following existing definitions in §174-2. Definitions:

B. Definitions

DWELLING UNIT

~~Living quarters for a single family.~~

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Add the following text to: §174-3. Districts enumerated:

N. MBTA Communities Overlay District, referred to as MCOB.

Add the following text to Article III. Use Regulations:

§174-8.13 MCOB MBTA Communities Overlay District

A. See §174-10.3

Add the following text to §174-10. A:

- (6) **All multi-family development within the MCOB (§174-10.3). The provisions of §174-11 Signs, §174-12 Parking and Loading, §174-12.1 Outdoor Illumination, §174-13 Landscaping, §174-13.3 Lower Impact Development, §174-13.4 Water Resource Protection, and §154 Stormwater and Erosion Control shall be included as a part of the MCOB site plan review process.**

Add the following text to §174-12.1. Outdoor Illumination:

E. (2) LZ-1: low ambient lighting

(b) Zoning Districts: Residence A, Residence B, and MCOB.

F. Table 1 – under the column LZ-1, add “MCOB” below Residential B.

Add the following new section under Article III. Use Regulations:

§174-10.3: MBTA Communities Overlay District.

A. Purpose.

The purpose of the MBTA Communities Overlay District (MCOB) is to allow multi-family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A). This zoning provides for as of right multi-family housing to accomplish the following purposes:

- (1) Encourage the production of a variety of housing sizes and typologies to provide equal access to new housing throughout the community for people with a variety of needs and income levels;
- (2) Support vibrant neighborhoods by encouraging an appropriate mix and intensity of uses to support an active public space that provides equal access to housing, jobs, gathering spaces, recreational opportunities, goods, and services within a half-mile of a transit station.
- (3) Locate housing within walking distance of public transit to promote general public health, reduce the number of vehicular miles traveled, support economic development, and meet community-based environmental goals, including reducing greenhouse gases and improving air quality.
- (4) Support public investment in public transit and pedestrian- and bike-friendly infrastructure.

B. Establishment and Applicability.

This MCOD is an overlay district having a land area of approximately 59.2 acres in size that is superimposed over the underlying zoning district(s) and is shown on the Zoning Map.

- (1) **Applicability of MCOD.** An applicant may develop multi-family housing within the MCOD as of right in accordance with the provisions of this §174-10.3. The MCOD shall be exempt from the requirement of §174-8. C. (2) to obtain a special permit for 2 buildings on one lot.
- (2) **Underlying Zoning.** The MCOD is an overlay district superimposed over underlying zoning districts. The regulations for use, dimensions, and all other provisions of the Town of Southborough's Zoning Bylaw governing the respective underlying zoning district(s) shall remain in full force, except for uses allowed as of right in the MCOD. Uses that are not identified in §174-10.3 are governed by the requirements of the underlying zoning district(s).
 - (a) The requirements of §174-13.2 Major Residential Development do not apply to the MCOD.
 - (b) The requirements of §174-13.3. E, Lower Impact Development for a special permit application and process shall not apply to a multifamily use within the MCOD, but the performance standards of §174-13.3. I, Lower Impact Development, Performance Standards: LID Criteria, shall be considered during site plan review.
 - (c) The requirements of §174-13.4.C, Water Resource Protection related to the special permit process shall not apply to a multifamily use within the MCOD, but compliance with the Massachusetts Surface Water Quality Standards (314 CMR 4.00) shall be considered during site plan review.
- (3) **Subdistricts:** The MCOD contains the following subdistricts, all of which are shown on the Zoning Map:
 - (a) MCOD Subdistricts #1a and 1b (Residence B Dimensional Standards)
 - (b) MCOD Subdistrict #2 (Industrial Park Dimensional Standards)
 - (c) MCOD Subdistrict #3 (Industrial Park Dimensional Standards)

For subdistrict dimensional standards, see §174-10.3. E. (1) Table of Dimensional Standards. For Sign regulations, see §174-11, and for provisions of Outdoor Illumination, see §174-12.1.

C. Definitions.

Terms used in this section but not otherwise defined herein or under §174-2 of the Zoning Bylaw shall be as defined in the Zoning Act.

D. Permitted Uses.

- (1) **Permitted Uses are as follows:** The following uses are permitted as of right within the MCOD.
 - (a) Multi-family housing
- (2) **Accessory Uses.** The following uses are considered accessory as of right to any of the permitted uses in Section D.1. above.
 - (a) Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use.
- (3) **Prohibited uses.** All uses which are not listed above, legally nonconforming, or otherwise allowable by the provisions of the underlying zoning regulations, are prohibited.

E. Dimensional standards are as follows:

- (1) **Table of Dimensional Standards.** The dimensional requirements applicable in the MCOD are as follows:

Dimensional Standards	MCOD Subdistricts #1a & 1b (Residence B Dimensional Standards)	MCOD Subdistrict #2 (Industrial Park Dimensional Standards)	MCOD Subdistrict #3 (Industrial Park Dimensional Standards)
(a) Minimum lot area (sq ft)	25,000	43,560	43,560
(b) Minimum frontage (ft)	125	200	200
(c) Minimum setbacks (ft)			
(i) Front	30	75*	50
(ii) Rear	35	50	50
(iii) Side	15	50	50
(d) Maximum height	2.5 stories or 35 feet	3 stories or 45 feet	3 stories or 45 feet
(e) Maximum floor area ratio (%)	0.3	0.6	0.6
(f) Maximum dwelling units per acre	15.0	16.0	15.0

*A 75-foot setback is required for buildings on Route 9.

- (2) **Multi-Building Lots.** In the MCOB, lots may have more than one principal building. A minimum distance of ten (10) feet is required between principal buildings.
- (3) **Exceptions:** (refer to §174-15).
- (4) **Exceptions: Renewable Energy Installations.** The Planning Board may waive the height and setbacks in §174-10.3. E. (1) Dimensional Standards to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building, as applicable, and the layout of the site. The installations shall not provide additional habitable space within the development.

F. Off-Street Parking.

These parking requirements are applicable to development in the MCOB.

- (1) **Number of parking spaces.** The following **minimum** numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Minimum Spaces
Multi-family	1.5 per unit

- (2) **Number of bicycle parking spaces.** The following **minimum** numbers of covered bicycle storage spaces shall be provided by use:

Use	Minimum Spaces
Multi-family	1 per unit

- (3) **Bicycle storage.** For a multi-family development of 15 units or more, covered parking bicycle parking spaces of no less than 25% of the total required spaces shall be integrated into the structure of the building(s).

G. General Development Standards.

- (1) Development standards are applicable to all multi-family development within the MCOB. These standards are components of the Site Plan Review process in §174-10.3.I. Site Plan Review.
- (2) **Site Design.**
 - (a) **Connections.** Sidewalks shall provide a direct connection among building entrances, the public sidewalk (if applicable), bicycle storage, and parking.
 - (b) **Vehicular access.** Where feasible, curb cuts shall be minimized, and shared driveways encouraged.
 - (c) **Mechanicals.** Mechanical equipment at ground level shall be screened by a combination of fencing and plantings. Rooftop mechanical equipment shall be screened if visible from a public right-of-way.
 - (d) **Dumpsters.** Dumpsters shall be screened by a combination of fencing and plantings. Where possible, dumpsters or other trash and recycling collection points shall be located within the building.
 - (e) **Stormwater management.** Stormwater Management shall comply with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Standards, the Massachusetts Stormwater Handbook, Massachusetts Erosion Sediment and Control Guidelines, and, the provisions under Town Code §154, Stormwater and Erosion Control. Provisions under Stormwater and Erosion Control shall be included as part of the Site Plan Review process but shall not supersede the requirements of §154.
 - (f) The following provisions shall be considered during site plan review:
 - (1) Screening for Parking (refer to Landscaping §174-13).
 - (2) Parking and Loading (refer to Parking and Loading §174-12, provided the required number of spaces shall be reduced as provided in F, above).
 - (3) Landscape and Plantings (refer to Landscaping §174-13).
 - (4) Lighting (refer to §174-12.1 Outdoor illumination).
 - (5) Signs (refer to §174-11).
 - (6) Lower Impact Development (refer to §174-13.3, provided section E shall not apply).
 - (7) Water Resource Protections (refer to §174-13.4, provided section C shall not apply).
 - (8) Stormwater and Erosion Control (refer to §154).
- (3) **Buildings: General.**
 - (a) **Position relative to the principal street.** The primary building shall have its principal façade and entrance facing the principal street. See also §174-10.3. G.6. Buildings: Corner Lots.
 - (b) **Entries.** Where feasible, entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.
 - (c) **Exterior Design.** The building(s) shall have an exterior design that is consistent with the styles of the surrounding residential neighborhood and the Town of Southborough in general.
- (4) **Buildings: Multiple buildings on a lot.**
 - (a) Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.
 - (b) A paved pedestrian network shall connect parking to the entries of all buildings and the buildings to each other.

- (c) The orientation of multiple buildings on a lot should reinforce the relationships among the buildings. All building façade(s) shall be treated with the same care and attention in terms of entries, fenestration, and materials.
- (d) The building(s) adjacent to the public street shall have a pedestrian entry facing the public street.
- (5) **Buildings: Shared Outdoor Space.** Multi-family housing shall have common outdoor space that all residents can access. Such space may be located in any combination of ground floor, courtyard or terrace.
- (6) **Buildings: Corner Lots.** A building on a corner lot shall indicate a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.
 - (a) Such entries shall be connected by a paved surface to the public sidewalk, if applicable.
 - (b) All façades visible from a public right-of-way shall be treated with similar care and attention in terms of entries, fenestration, and materials.
 - (c) Fire exits serving more than one story shall not be located on either of the street-facing façades.
- (7) **Buildings: Infill Lots.** If the adjacent buildings are set back at a distance that exceeds the minimum front yard requirements, infill buildings shall meet the requirements of §174-10.3.E.(1) Dimensional Standards. Otherwise, infill buildings may match the setback line of either adjacent building, or an average of the setback of the two buildings to provide consistency along the street.
- (8) **Buildings: Principal Façade and Parking.** Parking shall be subordinate in design and location to the principal building façade.
 - (a) **Surface parking.** Surface parking shall be located to the rear or side of the principal building. Parking shall not be located in the setback between the building and any lot line adjacent to the public right-of-way.
 - (b) **Integrated garages.** The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.
 - (c) **Parking structures.** Building(s) dedicated to structured parking on the same lot as one or more multi-family buildings shall be subordinate in design and placement to the multi-family building(s) on the lot.
- (9) **Waivers.** Upon the request of the Applicant and subject to compliance with the Executive Office of Housing and Livable Communities' (EOHLC's) Compliance Guidelines, the Planning Board may waive the requirements of this §174-10.3.G. General Development Standards, in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the MCOB.

H. Affordability Requirements.

- (1) **Purpose.**
 - (a) Promote the public health, safety, and welfare by encouraging a diversity of housing opportunities for people of different income levels;
 - (b) Provide for a full range of housing choices for households of all incomes, ages, and sizes;
 - (c) Increase the production of affordable housing units to meet existing and anticipated housing needs; and
 - (d) Work to overcome economic segregation, allowing the Town of Southborough to be a community of opportunity in which low and moderate-income households have the opportunity to advance economically.
- (2) **Applicability.** This requirement is applicable to all residential developments with five (5) or more dwelling units, whether new construction, substantial rehabilitation, expansion, reconstruction, or residential conversion (Applicable Projects). No project may be divided or phased to avoid the requirements of this section.

- (3) **Subsidized Housing Inventory.** All units affordable to households earning 80% or less of AMI created in the MCOB under this section must be eligible for listing on EOHLC's Subsidized Housing Inventory (SHI).
- (4) **Provision of Affordable Housing.** In Applicable Projects, not fewer than ten percent (10%) of housing units constructed shall be Affordable Housing Units. For the purpose of calculating the number of units of Affordable Housing required within a development project, a fractional unit shall be rounded up to the next whole number. The Affordable Units shall be available to households earning income up to eighty percent (80%) of the AMI.
- (5) **Alternative Methods.**
 - (a) As an alternative to the requirements of paragraph (3) of this section, and in certain exceptional circumstances, the Planning Board may, at the formal written request of the developer, consider an alternative method of compliance, as provided for in §174-13.2.E.(5).
- (6) **Affordability Development Standards.** Affordable Units shall be:
 - (a) Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
 - (b) Dispersed throughout the development;
 - (c) Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;
 - (d) Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;
 - (e) Distributed proportionately among unit sizes; and
 - (f) Distributed proportionately across each phase of a phased development.
 - (g) Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.
- (7) **Administration.**
 - (a) The Zoning Enforcement Officer shall be responsible for administering and enforcing the requirements in this section.

I. Site Plan Review.

- (1) **Applicability.** The requirements of §174.10 Site Plan Approval are applicable to any multi-family development within the MCOB, unless modified herein. An application for Site Plan Review shall be reviewed by the Planning Board for consistency with the purpose and intent of this §174-10.3.
- (2) **Site Plan Approval.** Site Plan approval for uses listed in §174-10.3(D) Permitted Uses shall be granted upon determination by the Planning Board that the following requirements have been satisfied. The Planning Board may impose reasonable conditions, at the expense of the applicant, to ensure that these requirements are satisfied.
 - (a) the Applicant has submitted the required fees and information as set forth in *the Town of Southborough's requirements for a Building Permit and Site Plan Review*; and
 - (b) the project as described in the application meets the development standards set forth in §174-10.3.G General Development Standards and the requirements of §174-10.3.D.(1) and §174-10.3.H Affordability Requirements.
- (3) **Project Phasing.** An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Planning Board, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of §174-10.3.H Affordability Requirements.

J. Severability.

If any provision of this §174-10.3 is found to be invalid by a court of competent jurisdiction, the remainder of §174-10.3 shall not be affected but shall remain in full force. The invalidity of any provision of this §174-10.3 shall not affect the validity of the remainder of the Town of Southborough's Zoning Bylaw.

Proposed by: PLANNING BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *The intent of this article is to comply with Chapter 40A §3A, MBTA Multi-family zoning. The MBTA Communities shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. This article includes the addition of a new overlay district, the MBTA Communities Overlay District (MCOD), changes to the zoning map to show the new overlay, and edits to the other sections of the zoning bylaw required to implement the MCOD overlay district. The proposed MCOD is comprised of 4 areas (as depicted on maps prepared by Bohler Engineering July 2024.*

ARTICLE 9: To see if the Town will vote to recommend that the Select Board should exercise its authority to enter into an Intermunicipal Agreement (“IMA”) with the Metrowest Regional Emergency Communications Center (the “RECC”) for the provision of public safety communications services (including 911 response and emergency public safety dispatch services)—in place of the services currently being provided locally by Town employees in the Public Safety Building dispatch center. This recommendation includes expectations that the IMA will provide reasonable local influence and control over the RECC services and that the Select Board’s plan for this process addresses local concerns regarding financial exposure to RECC financial assessments and staffing presence at the Public Safety Building; or do or act anything in relation thereto.

Proposed by: SELECT BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *Southborough residents have raised a number of questions and concerns about Southborough's joining a RECC. The Select Board agreed that before we commit to joining a RECC we would conduct additional evaluation of RECC participation and hold an advisory vote at a Town Meeting—which is the subject of this article. For the additional RECC evaluation work, we created an in-house team of our 2 Chiefs, our Town Administrator and 2 Select Board members. This team has: visited 3 operating RECC's and 2 other RECC's in the process of being formed; surveyed police chiefs and Greater Boston RECC's; interviewed several Fire Chiefs in other communities; evaluated a “Virtual RECC” concept; engaged in discussions with the State 911 managers; held discussions with several neighboring communities; and conducted several public meetings to collect public input on this topic. The evaluation team recently reported to the Select Board and made the recommendation that we join the MetroWest RECC (currently including Westborough and Grafton)—subject to successful agreement on an IMA for this purpose.*

ARTICLE 10: To see if the Town of Southborough will vote to amend Chapter 9 of the code of the Town of Southborough, entitled Committees, by amending Article IV, Section 9-16 Establishment (A); terms of the Community Preservation Committee by inserting the following changes, as noted in **BOLD** and striking those in *ITALICS*—with a strikethrough. Sections B-D are unchanged.

Section 9-16 Establishment, terms.

(A) There is hereby established a Community Preservation Committee consisting of nine voting members pursuant to the Massachusetts General Laws, Chapter 44B. ~~The Committee shall be appointed by the Select Board and shall consist of the following members:~~ **The composition of the Committee, the appointment authority and the term of office for the Committee Members shall be as follows:**

- (1) One member of the Historical Commission as designated by a **majority vote** of the Commission for an initial term of three years and thereafter for a term of three years.
- (2) One member of the Housing Authority as designated by a **majority vote** of the Authority for an initial term of one-year and thereafter for a term of three years.
- (3) One member of the Conservation Commission as designated by a **majority vote** of the Commission for an initial term of two years and thereafter for a term of three years.

- (4) One member of the Planning Board as designated by a **majority vote** of the Board for an initial term of two years and thereafter for a term of three years.
- (5) One member of the Recreation Commission as designated by a **majority vote** of the Commission for an initial term of one-year and thereafter for a term of three years.
- (6) One member of the Open Space Preservation Commission as designated by a **majority vote** of the Commission for an initial term of three years and thereafter for a term of three years.
- (7) One member of the Southborough Housing Opportunity Partnership Committee (SHOPC) as designated by a **majority vote** of by the ~~Commission~~ Committee for a term of three years.
- (8) Two members at large to be appointed by a **majority vote** of the Select Board, for an initial term of one-year and thereafter for a term of three years.

; or do or act anything in relation thereto.

Proposed by: COMMUNITY PRESERVATION COMMITTEE

Select Board Recommendation: Not Support

Advisory Committee Recommendation: At Town Meeting

Summary: *This is a citizen petition.*

ARTICLE 11: To see if the Town will vote to ratify action taken under Article IV at the Special Town Meeting on April 11, 2005, which voted to adopt a general bylaw to establish an Affordable Housing Trust, which such bylaw may not have been processed for review and approval by the Attorney General, and to make amendments to such bylaw, the entire language of which is as depicted below, and that upon the effective date of this article, the terms of the existing Board of Trustees shall be terminated, and the Select Board shall appoint a new Board of Trustees, who shall amend any existing trust documents accordingly:

Article V Southborough Affordable Housing Trust Fund

§ 6-13 Establishment

There shall be a board of trustees of the Southborough Affordable Housing Trust Fund established by the Vote under Article 4 of the Warrant for the 2005 Special Town Meeting and as ratified under Article 11 of the Warrant for the 2024 Special Town Meeting, in this section called the Board, which shall consist of five (5) members appointed by the Select Board for terms of 2 years. One member shall be a member of the Select Board as required by law. The other four (4) members shall be at-large members being residents of the Town of Southborough. It is desired but not required that at least 2 members of the Board of Trustees shall have experience in one of the following: Affordable Housing, Real Estate Development, Construction, Social Services or Finance.

§ 6-14 Purpose

The powers of the Board, all of which shall be carried on in furtherance of the purposes set forth in General Laws Chapter 44, § 55C, shall include, but are not limited to, the following:

- (1) to accept and receive property, whether real or personal, by gift, grant, devise, or transfer from any person, firm, corporation or other public or private entity, including without limitation grants of funds or other property tendered to the trust in connection with provisions of any zoning ordinance or by-law or any other ordinance or by-law;
- (2) to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;
- (3) to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to trust property as the board deems advisable notwithstanding the length of any such lease or contract;
- (4) to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the board engages for the accomplishment of the purposes of the trust;
- (5) to employ advisors and agents, such as accountants, appraisers and lawyers as the board deems necessary;
- (6) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the board deems advisable;

- (7) to apportion receipts and charges between incomes and principal as the board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;
- (8) to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;
- (9) to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the board may deem proper and to pay, out of trust property, such portion of expenses and compensation of such committee as the board may deem necessary and appropriate;
- (10) to carry property for accounting purposes other than acquisition date values;
- (11) to borrow money on such terms and conditions and from such sources as the board deems advisable, to mortgage and pledge trust assets as collateral;
- (12) to make distributions or divisions of principal in kind;
- (13) to comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the board may deem appropriate;
- (14) to manage or improve real property; and to abandon any property which the board determined not to be worth retaining;
- (15) to hold all or part of the trust property uninvested for such purposes and for such time as the board may deem appropriate; and
- (16) to extend the time for payment of any obligation to the trust.

, or do or act anything in relation thereto.

Proposed by: SELECT BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *This article ratifies approval of a bylaw that was adopted by the Town Meeting in 2005. The Town has been acting in accordance with that bylaw since its approval. However, there is no record that the bylaw was either submitted to, or approved by, the Attorney General. The bylaw proposed is the same language that was approved in 2005 and comports with State law and amends the composition of the board.*

ARTICLE 12: To see if the Town will vote to repeal Sections 6-11 and 6-12 of the Town Code, establishing the Southborough Housing Opportunity Partnership Committee; or do or act anything in relation thereto.

Proposed by: SELECT BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *The elimination of SHOPC is part of the reorganization of the Town's affordable housing committees, consolidating both SHOPC and the Affordable Housing Trust Fund Committee (AHTFC) into one committee. The Board of Trustees of the Affordable Housing Trust Fund Committee, acting in accordance with a previously approved bylaw, as ratified in the preceding article performs the necessary functions that SHOPPC would otherwise perform and has additional authority under State law to facilitate the development of affordable housing.*

ARTICLE 13: To see if the Town will vote to transfer the sum of \$17,068 from Assessor's Overlay Surplus for funding miscellaneous adjustments to the Fiscal Year 2025 budget as follows:

Department	Line Item	Amount
Treasurer-Collector - Personnel Services	145-51100	\$1,004
Select Board - Personnel Services	122-51100	\$1,004
Assessor's - Personnel Services	141-51100	\$2,987
Fire - Personnel Services	210-51100	\$1,847
Youth Commission - Personnel Services	542-51100	\$2,276
Recreation - Personnel Services	630-51100	\$ 250
Youth Commission - Other Charges & Expenses	542-57100	\$ 750
Treasurer-Collector - Other Charges & Expenses	145-57800	\$ 750
Assessors - Other Charges & Expenses	141-52540	\$6,200

; or do or act anything in relation thereto.

Proposed by: SELECT BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *This article funds salaries for various employees which were not finalized until after Annual Town Meeting was concluded. There were also minor adjustments to expense lines for Treasurer-Collector and Youth & Family Services based on liability renewals and/or requirements of a new position. The Assessor's database was due to be migrated to the cloud in FY26. However access to the server has created multiple problems that are adversely affecting the Department's operations, so the timetable has been moved up.*

ARTICLE 14: To see if the Town will vote to transfer from Assessor's Overlay Surplus the sum of \$27,929 to increase the weekly hours to forty (40) hours weekly and any related benefits for the Economic Development Coordinator position effective January 1, 2025; or do or act anything in relation thereto.

Proposed by: SELECT BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: Support

Summary: *Building Southborough's commercial tax base is a key factor in easing pressure on residential property tax rates. This can be done by attracting and retaining businesses in Southborough, which is a primary function of our Economic Development Coordinator. We have historically been underfunded in this area, with one part-time Economic Development Coordinator—and we have lost a number of important businesses to other towns who have much more robust economic development departments. These additional hours for our Economic Development Coordinator will make us more competitive in this area, and should produce additional commercial tax revenue.*

ARTICLE 15: To see if the Town will vote to appropriate \$2,127,960, or any other amount, to be expended with the approval of the Select Board, to pay additional costs of remediating pollution at the Breakneck Hill dumpsite, as required by an administrative consent order between the Town and the Department of Environmental Protection, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise provided, or do or act anything in relation thereto.

Proposed by: SELECT BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *Due to recently discovered site conditions, and to remain in compliance with the Administrative Consent Order from DEP, the total cost of the project has increased from what was originally voted to be borrowed under Article 9 of the March 2023 town meeting.*

ARTICLE 16: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$76,733 to add a second Lieutenant position to the Southborough Police Department, said funds to cover the cost of salary and benefits for the position beginning January 1, 2025. The implementation of this position is based on the recommendations of the Public Safety staffing study conducted by Municipal Resources, Inc. dated August 2024; or do or act anything in relation thereto.

Proposed by: SELECT BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *During the Fiscal Year 2025 budget preparation, the Police Chief had requested the addition of a second Lieutenant position for the Department. In lieu of adding the requested position for FY25, the Select Board agreed to first conduct a Public Safety staffing study that would include Police, Fire, and Communications (Dispatch). That study was concluded in July 2024, and included in its recommendation the addition of a second Police Lieutenant to assist with administrative and operational responsibilities in the Department. The Select Board unanimously agreed to add the position effective January 1, 2025, pending Town Meeting approval for the required funding of salary and benefits.*

ARTICLE 17: To see if the Town will vote to amend §41-1 of the Town Code, Date and time of Annual Town Meeting, by deleting it in its entirety and replacing it as follows:

“The Annual Town Meeting for the consideration of all business, other than the election of Town Officers or other matters to be determined by ballot, shall be held no later than the last Saturday in April at a date and time to be determined by the Select Board.”

; or do or act anything in relation thereto.

Proposed by: SELECT BOARD

Select Board Recommendation: Support

Advisory Committee Recommendation: At Town Meeting

Summary: *State law provides considerable flexibility for the timing of Annual Town Meetings. The “best” timing for a particular year depends on a variety of factors, including the annual departmental budgeting process, the town finance team budgeting process, the budgeting process for the schools, the Assessor’s calculation of variables related to tax rates, timing of data available from the State Department of Revenue, school schedules, holidays, etc. These factors can vary from year to year, so setting one permanent date for every Annual Town Meeting can create timing problems for one or more of the above factors. This article allows the Select Board the flexibility to determine the date each year that best addresses all of the above factors considered together.*

ARTICLE 18: It is hereby resolved that the citizens of Southborough require the Select Board to establish a legal and valid recall bylaw modeled upon what is legal and valid in Hopkinton, substituting language for Southborough in place of Hopkinton, and without substantially changing the intent or standards of any conditions or terms, which are acceptable to the Commonwealth of Massachusetts. The Select Board shall complete and post a draft of the bylaw for public view within 21 days of a successful vote in support of this petition, and furthermore submit a completed recall bylaw for any and all state legal scrutiny, process, and approval within 45 days from the time of the vote of this article. The Select Board is required to offer an update upon the status of the bylaw at every Select Board Meeting after 60 days from the passage of this petition, until the bylaw is legally established and included in publicly available town election materials.

Proposed by: JOSEPH PALMER, et al

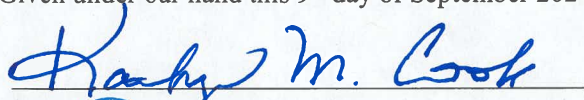
Select Board Recommendation: Not Support

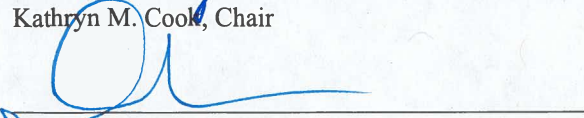
Advisory Committee Recommendation:


Summary: *This is a citizen petition.*

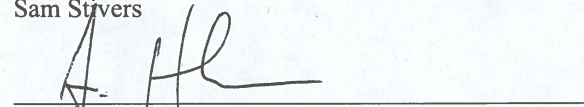
And you are to give notice hereby by posting true and attested copies of the Warrant on the Town website, the Southborough Town House, 17 Common Street, Southborough Senior Center, 9 Cordaville Road, Southborough Library, 25 Main Street, and Southborough Transfer Station, 147 Cordaville Road; fourteen (14) days at least before the time appointed for such meeting.

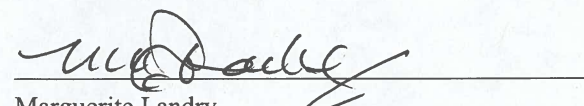
Given under our hand this 9th day of September 2024.


Kathryn M. Cook, Chair


Andrew R. Dennington, Vice-Chair


Sam Stivers


Alfred Hamilton


Marguerite Landry

SELECT BOARD OF THE TOWN OF SOUTHBOROUGH