

# WESTFORD

MASSACHUSETTS

April 2009  
*Town Manager's Newsletter*



**Jodi Ross**  
Town Manager  
978-692-5501

**2009 Annual Town Meeting Warrant Abbreviated with Comments**

**Annual Town Meeting Saturday, May 9, 2009 at 10:00 AM**

**Abbot School Gymnasium  
25 Depot Street  
Westford, MA 01886**

**Visit [westfordma.gov](http://westfordma.gov) for current news and information.**

Dear Westford residents,

Spring is here, and many of you are attempting to rid yourselves of the last reminders of our December ice storm. The Board of Selectmen and Finance Committee have approved Northern Tree Service, Inc. to assist us with this clean-up. They are scheduled to begin on Monday, April 13th, and it is imperative that you have any storm-related debris placed beside the road (outside of the shoulder) when they drive by for pickup, or it will be your responsibility to dispose of it. This leaves one more weekend to pile up the debris if you would like assistance from the town in transporting it to the highway department. Please consult our website [www.westfordma.gov](http://www.westfordma.gov) for further details regarding this storm debris clean-up program.

Annual town meeting is just around the corner, scheduled for May 9th, and is the culmination of several months of work by town staff and officials. This month's newsletter is devoted to the town meeting warrant. You will find an abbreviated warrant with a brief summary of each article to help explain the purpose for each article. This annual town meeting promises to be interesting as there are several important articles on the warrant.

One such article will allow us to consolidate administrative functions with the school department; the goal being to reduce costs and improve operations (article 5). We also are proposing just under \$1.5 million in capital projects. We have two additional large capital items, the expansion and renovation of both the Cameron Senior Center and the Town Hall (articles 16 and 17). Another significant article includes implementing a waste reduction program (article 19). The goal of this program is to reduce waste by encouraging recycling, thus reducing tipping fees. The specifics of this program are available on our website. In these tough economic times, adoption of this new program could save the town significant expense, while encouraging us to increase our recycling.

The selectmen are recommending dissolving The Roudenbush Community Center Committee and transferring the care, custody and control of the buildings they occupy back to the selectmen. "Roudenbush" has been an enormously successful non-profit, one that is vital to the town. This action will allow them to continue doing the fabulous job they do, while clearing up some of the confusion as to whether they are actually a town department or not. This would allow us to lease the three buildings (article 21), and clear up any outstanding issues. This action has been unanimously approved by the Roudenbush Community Center Committee.

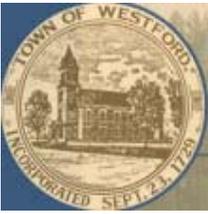
The Planning Board is asking the town to accept the Master Plan (article 32), something they have been working diligently on for the past 2 1/2 years. By accepting and implementing this plan, the town will be taking a step towards protecting the town's open space, public health, safety, and welfare of its residents, while supporting local economy and businesses.

Although you may have heard that I am proposing to create a Department of Public Works, the decision has been made to delay this until fall town meeting. Many folks were expressing an interest in seeing more specifics, such as cost savings and proposed personnel changes, prior to supporting this concept. For this reason, I have created a task force to pull together a more definitive plan for the fall town meeting.

As usual, I welcome any and all comments and opinions. See you at town meeting!

Sincerely,

Jodi Ross



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**2009 Annual Town Meeting Warrant *Abbreviated with Comments***  
**Visit [www.westfordma.gov/townmeeting](http://www.westfordma.gov/townmeeting) for Full Warrant**  
**and other Town Meeting Information**

**REPORTS**

**ARTICLE 1: Acceptance of Town Reports** *Town Manager*

To hear the Reports of Town Officers, Boards and Committees for the calendar year 2008;

**This article asks the town to accept 2008 Annual Town Reports.**

**FINANCIAL – FISCAL YEAR 2009**

**ARTICLE 2: Fiscal Year 2009 Supplemental Appropriations** *Town Manager*

To see if the Town will vote to transfer from available funds various sums in order to supplement operating budgets for the Fiscal Year ending June 30, 2009;

**Ongoing efforts to contain costs in the current fiscal year have paid off and as of today, no transfers are needed. We anticipate recommending dismissing Article 2.**

**ARTICLE 3: Fiscal Year 2009 Budget Transfers** *Town Manager*

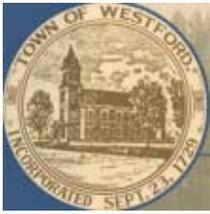
To see if the Town will vote to transfer various sums between and among various accounts for the Fiscal Year ending June 30, 2009;

**At this point, no transfers are necessary. We anticipate recommending dismissing Article 3.**

**ARTICLE 4: Unpaid Bills from Previous Fiscal Years** *Town Manager*

To see if the Town will vote to transfer from available funds a sum of money to pay unpaid bills from prior fiscal years for various Town departments in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 64;

**We have two unpaid bills from prior fiscal years for MacKay Hardware for \$56.71.**



**FINANCIAL-FISCAL YEAR 2010**

**ARTICLE 5: Acceptance of Chapter 71: Section 37M Consolidation of Administrative Functions of Town and School** *Board of Selectmen*

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 71, Section 37M to allow the Town to consolidate administrative functions, including but not limited to financial, personnel, and maintenance functions, of the School Committee with those of the Town;

**This article will allow the schools and town to combine administrative functions, in an effort to improve town-wide operations, reduce costs, increase efficiency, and maintain or provide better service. Although we attempted to do so by combining Human Resources and Information Technology in 2005, this statute, which is required for such action, was not brought to town meeting for approval. The School Committee, Board of Selectmen, and the Finance Committee have approved this article.**

**.ARTICLE 6: Amendments to the Wage and Classification Plan** *Town Manager*

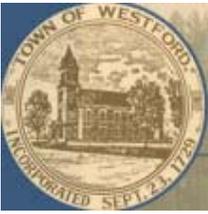
To see if the Town will vote to amend the Pay Classification Plan for non-unionized municipal employees, effective July 1, 2009:

**The Personnel Advisory Committee (PAC) is recommending that three non-union positions on the pay classification plan be adjusted. These positions were identified through requests from Department Heads.**

**The following data was used in assessing the proper pay band placement:**

- 1. Market Basket survey of wage or salary ranges**
- 2. Internal salary comparisons**
- 3. Recently updated job descriptions**
- 4. Previous PAC assessments of classification factors**

**After careful analysis, the PAC voted unanimously to recommend these adjustments.**



**ARTICLE 7: Fiscal Year 2010 Operating Budget**

*Town Manager*

To see if the Town will vote to appropriate by taxation, transfer from available funds, or borrow, or any combination thereof, for the operation and maintenance of Town Departments for the Fiscal Year July 1, 2009 through June 30, 2010, and that such sums be expended for such purposes under the direction of the respective Town Officers, Boards and Committees;

**The Town Manager's budget is posted on the web. The Board of Selectmen, Finance Committee, and School Committee have all voted to support the recommended budget.**

**ARTICLE 8: Property Tax Exemption Increase by 100% for the Blind, Elderly and for Disabled Veterans**

*Board of Assessors*

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 73, Section 4 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, by providing for additional property exemptions for qualified residents who may be blind, elderly, surviving spouses or minors, or who are disabled veterans, and to continue the present percentage increase of 100%;

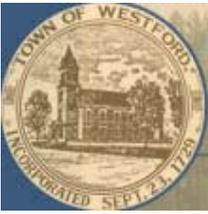
**This article doubles all statutory exemption amounts, so for example, an elderly exemption is set at \$500 by statute, and this allows us to double that exemption to \$1000. This exemption must be revoked annually by town meeting.**

**ARTICLE 9: Property Tax Deferral for Seniors: Amend and Increase Qualifying Income**

*Board of Assessors*

To see if the Town of Westford will vote to amend and increase the qualifying income for gross receipts as established under Massachusetts General Laws Chapter 62 Section 6 (k) as determined for the "Circuit Breaker" state income tax credit. This amount to be adjusted annually by the Commissioner of Revenue;

**This article allows the town to increase the qualifying income from \$40,000 to the income limits set by the "Circuit Breaker" state income tax credit, thus establishing a higher qualifying income. This new qualifying income would then be adjusted annually by the Commissioner of Revenue. For example, if this change were enacted for FY 2009, the qualifying income would have been \$48,000. Also, as of FY 2007, the interest on the tax deferrals is 0%. The Board of Assessors supports this local option as an increasing viable option, for senior citizens 65 years and older, by deferring their tax burden until such time that their property is sold.**



**ARTICLE 10: Revolving Funds**

*Town Manager*

- a) To see if the Town will vote to re-authorize revolving funds for the Fiscal Year July 1, 2009 - June 30, 2010, under the provisions of Massachusetts General Laws Chapter 44, Section 53 E ½ for the fiscal year beginning July 1, 2009 as follows:

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Recycling Revolving	Recycling Commission	Sale of bins and bulk stickers	Purchase of recycling supplies	\$20,000	Available for expenditure next year
Recreation Field Maintenance	Recreation Commission	Field user fees/permits	Field maintenance, hiring of necessary personnel and consulting services	\$150,000	Available for expenditure next year
School Parking	School Department	Parking fees	Maintenance and expansion of parking facilities	\$32,800	Available for expenditure next year
School Bus/Transportation	School Department	User bus fees	Student transportation costs	\$510,000	Available for expenditure next year

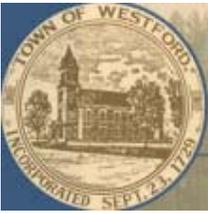
- b) To see if the Town will vote to authorize a revolving fund for the Fiscal Year July 1, 2009 - June 30, 2010, under the provisions of Massachusetts General Laws Chapter 44, Section 53 E ½ for the following:

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Health Department Clinic	Board of Health	Clinic fees	Professional services, clinical supplies and any other clinic related costs	\$30,000	Available for expenditure next year

**Massachusetts General Laws Chapter 44 Section 53 E ½ provide for the authorization of revolving funds for specific purposes. This article defines the types of revenue sources allowed to be deposited into each revolving fund, as well as the maximum expenditure limits. The law requires that each revolving fund be re-authorized by Town Meeting each year.**

**In a) these four revolving funds have been in existence for the past several years, and are supported by the Board of Selectmen and Finance Committee.**

**In b) the Board of Health has requested that the Board of Selectmen include a request to the voters for authorization of a *new* revolving fund. They are seeking this fund to allow them to keep the revenues they receive through clinic fees and flu shots to use to purchase clinic supplies, and assist them with other services and**



**programs. The Town Manager, Board of Selectmen and Finance Committee do not support creating a new revolving account at this time as the Board of Health's budget already contains funds for these purposes. If a special need arises, the Board of Health may seek additional funds from the Finance Committee.**

**ARTICLE 11: Highway Department Chapter 90 Funds**

*Town Manager*

To see if the Town will vote to appropriate a sum of money from the proceeds due to the Town under the provisions of Massachusetts General Laws Chapter 90; for the purposes of repair, construction, maintenance and preservation of the Town roads and bridges and other related costs which qualify under the State Aid Highway Guidelines adopted by the Massachusetts Highway Authority;

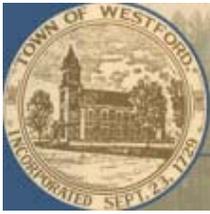
**Chapter 90 is a state reimbursement program for highway construction, preservation and improvement projects that create or extend the life of our roads. It was enacted on March 23, 1973 and entitles municipalities to reimbursement of documented expenditures for approved projects. Funds must be used for roadway projects, such as preliminary engineering, resurfacing, roadside drainage, structures, and other purposes. Last year the town received \$657,851 in Chapter 90 funds, and this year we have been granted \$659,023, or an increase of \$1,172.**

**ARTICLE 12: Transfer \$30,000 from Ambulance Enterprise Free Cash**

*Fire Department*

To see if the Town will vote to transfer thirty thousand dollars (\$30,000) (THIRTY THOUSAND DOLLARS) or some other sum from Ambulance Enterprise Free Cash to be expended for the contractual Advance Life Support and Medicare Services;

**The Fire Department is seeking a transfer from the Ambulance Enterprise Account for the continued support of the Emerson Hospital Paramedic Team. The hospital has committed to continuing Advanced Life Support (ALS) service for another two years, but due to low Medicare reimbursement rates, the hospital has asked the towns in its service area to provide them with financial assistance by paying \$250 per Medicare run. The Central Middlesex EMS Collaborative (consisting of 13 area towns) is presently exploring different models for a regional EMS system.**



## CAPITAL EXPENSES FY 2010

### **ARTICLE 13: Capital Requests**

*Town Manager*

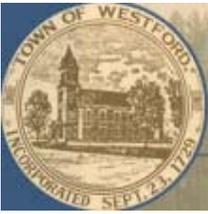
To see if the Town will vote to appropriate the sum of \$1,500,000.00 (ONE MILLION FIVE HUNDRED THOUSAND DOLLARS) or some other sum by taxation, by transfer from available funds, by borrowing, or any combination thereof, to provide for the following capital requests:

<i>DEPARTMENT</i>	<i>AMOUNT</i>	<i>PURPOSE</i>
Technology	\$260,000	Hardware, software, maintenance, and any other related costs
Police Department	\$ 5,600	Bullet Proof Vests
Police Department	\$ 73,316	Two cruisers and accessories and any other related costs
Police Department	\$ 30,903	Portable radios and any other related costs
Fire Department	\$465,000	Replace Engine 1 and any other related costs
Fire Department	\$ 78,000	Replace boiler at Fire Headquarters and any other related costs
School Department	\$325,000	Waste Treatment Facility Plant upgrades at Westford Academy and any other related costs
School Department	\$ 80,000	Exterior door replacement at Abbot School and any other related costs
Highway Department	\$ 25,000	Catch Basin Truck Unit and any other related costs
Library	\$ 8,870	Flooring repairs, carpet replacement, associated moving costs and any other related costs
Library	\$ 50,000	Repairs to and/or replacement of Library rear entry and any other related costs
Historical Commission	\$ 10,000	Repairs to roof at 2 Boston Rd and any other related costs
Historical Commission	\$ 2,000	Replacement of oil tank at 2 Boston Rd. and any other related costs

<i>DEPARTMENT</i>	<i>AMOUNT</i>	<i>PURPOSE</i>
Capital Stabilization	\$86,311	Appropriation to the Capital Stabilization Fund

**At the selectmen's request, I formed a Capital Planning Committee earlier this year which was charged with reviewing all capital requests, and making recommendations for inclusion in the FY10 budget. The highlights of this capital program include:**

- **Maintaining the town and school computer replacement program.**
- **Providing 20 digital portable radios to upgrade 1/2 of our police department radios from analog. Remaining 20 radios will be replaced next year.**



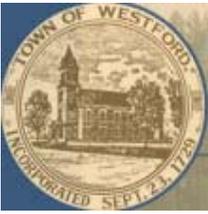
- **Replacing Fire Engine 1, a 1990 Pierce pumper, which is the front line Engine at the Rogers Station. Since the fire station was manned, the increased call volume has taken its toll on this 20 year old vehicle. Most of the concerns are safety-related; the frame has extensive rust, the exterior doors have rotted through, and maintenance costs are significant.**
- **A more efficient, cleaner burning, natural gas boiler system should replace the Fire Department's current oversized oil-fired hot water boiler that needs some costly repairs.**
- **The Westford Academy wastewater treatment plant upgrades are due to requirements by the Department of Environmental Protection.**
- **The Abbot School's exterior doors are original to the 1969 building, and do not close properly and pose a risk to building safety and security.**
- **The library roof over the back door needs repair. The roof becomes covered with ice which crashed down on the walkway/entrance during thaws in the winter. This poses an extreme hazard to patrons.**

<b>ARTICLE 14: Develop New Well Source-Stepinski Parcel</b>
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*Water Commissioners*

To see if the Town will vote to transfer the sum of \$75,000 (SEVENTY FIVE THOUSAND DOLLARS) or some other sum, from Water Enterprise Free Cash, to be expended under the direction of the Board of Water Commissioners, to pay for the costs of a pump test and required permitting and any other related costs, to develop a new well source, to be constructed on that portion of the so-called Stepinski parcel in the care, custody and control of the Water Department identified as "Parcel A";

**The Board of Water Commissioners is requesting \$75,000 from Water Enterprise free cash to pay for the costs of a pump test and required DEP permitting to develop a new well source on the Stepinski parcel. The Water Department recently contributed \$1million towards the purchase of the parcel to obtain about 30 acres for a high capacity, future well site. Preliminary pump tests proved the well capacity at 850 gallons per minute, which is more than twice the average capacity of our existing wells. Appropriations from the Water Enterprise Fund are paid for exclusively by the Westford water takers and do not affect the tax base.**



**ARTICLE 15: Perchlorate Expenses**

*Town Manager*

To see if the Town will vote to appropriate by taxation, transfer from available funds, or borrow the sum of \$100,000 (ONE HUNDRED THOUSAND DOLLARS), or any combination thereof, for the purpose of providing funds to address associated issues regarding perchlorate contamination;

**This article will insure the town has adequate resources to manage the perchlorate contamination with remediation measures.**

**ARTICLE 16: Authorization of Debt for Senior Center Renovations and Construction**

*Permanent Town Building Committee*

To see if the Town will vote to appropriate a sum of money to be expended under the direction of the Board of Selectmen to pay costs of renovations and / or an addition to the current Cameron Senior Center, including any other costs incidental and related thereto; and as funding therefore to raise and appropriate, transfer from available funds, or borrow pursuant to Massachusetts General Laws Chapter 44, Sections 7(3) and 7 (3A), Massachusetts General Laws Chapter 44B, Section 11, the Community Preservation Act, for historic preservation, rehabilitation, and restoration purposes, or pursuant to any other enabling authority, provided that to the extent said appropriation is raised by borrowing outside of the Community Preservation Act program, said borrowing to be excluded from the provisions of proposition two and one half (2 ½) so called.

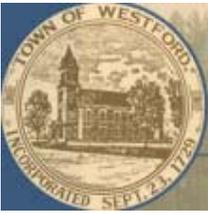
**The town voted in favor of borrowing up to \$4 million through a debt exclusion for the renovation and construction of an addition to the Cameron Senior Center. This article seeks the appropriation for this purpose.**

**ARTICLE 17: Authorization of Debt for Town Hall Renovations and Construction**

*Permanent Town Building Committee*

To see if the Town will vote to appropriate a sum of money to be expended under the direction of the Board of Selectmen to pay costs of renovations and / or an addition to the current Town Hall, including any other costs incidental and related thereto; and as funding therefore to raise and appropriate, transfer from available funds, or borrow pursuant to Massachusetts General Laws Chapter 44, Sections 7(3) and 7 (3A), and Massachusetts General Laws Chapter 44B, Section 11, the Community Preservation Act, for historic preservation, rehabilitation, and restoration purposes, or pursuant to any other enabling authority,

**This article seeks funding to renovate and add an addition on the Town Hall at 55 Main Street. The Community Preservation Committee voted to support this project by providing \$2.325 million from Community Preservation Funds. The remaining \$1 million balance would be borrowed and funded within the operating budget.**



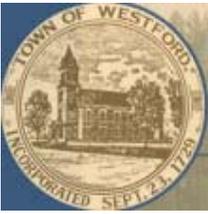
**CPA FUNDS**

**ARTICLE 18: Community Preservation Committee Recommendations** *Community Preservation Committee*

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2010 Community Preservation budget and to appropriate from the Community Preservation Fund a sum of money not exceeding 5% of the FY2010 estimated annual revenues to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2010; and further to reserve for future appropriation a sum of money from the Community Preservation Fund for open space, historic resources, and community housing purposes, and further to appropriate from the Community Preservation Fund or borrow pursuant to Massachusetts General Laws Chapter 44B, Section 11, or any other enabling authority, a sum or sums of money for Community Preservation projects or purposes, including acquisition of interests in land, all as recommended by the Community Preservation Committee;

**Every year the Community Preservation Committee recommends expenditures from the Community Preservation Fund for purposes such as open space, historic preservation, and community housing purposes. Their recommendation this year is as follows:**

<b>\$ 840,000</b>	<b>From Undesignated Fund Balance</b>  <b>For the rehabilitation of the Town Hall and any other related costs.</b>  <b>This allocation more than covers the required 10% for Historic Resources</b>	<b><i>Permanent Town Building Committee</i></b>
<b>\$ 460,000</b>	<b>From Historic Resources Reserve</b>  <b>For the rehabilitation of the Town Hall and any other related costs.</b>	<b><i>Permanent Town Building Committee</i></b>
<b>\$235,235</b>	<b>From Undesignated Fund Balance</b>  <b>To the Community Housing Reserve</b>  <b>This allocation more than covers the required 10% for Community Housing</b>	<b><i>Community Housing Reserve</i></b>

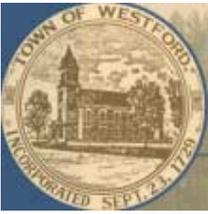


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<b>\$20,000</b>	<b>From Undesignated Fund Balance</b>  <b>For the refurbishment of six (6) Greek revival windows in the third-floor Mary Atwood Hall in the J.V. Fletcher Library</b>	<b><i>Board of Library Trustees</i></b>
<b>\$13,713.14</b>	<b>From Undesignated Fund Balance</b>  <b>For the 2009 Town Records Preservation Project and any other related costs</b>	<b><i>Records &amp; Archives Management Committee</i></b>
<b>\$ 14,062</b>	<b>From Undesignated Fund Balance</b>  <b>For the restoration and preservation of historic grave markers from four separate cemeteries.</b>	<b><i>Cemetery Commission</i></b>
<b>\$35,000</b>	<b>From Undesignated Fund Balance</b>  <b>For the Ronan McElligott Memorial Playground and any other related costs.</b>	<b><i>Westford Friends of Recreation / Westford Parks and Recreation Commission</i></b>
<b>\$35,000</b>	<b>From Undesignated Fund Balance</b>  <b>For the roof replacement at the Sargent School Housing in Graniteville and any other related costs.</b>	<b><i>Westford Housing Authority</i></b>
<b>\$190,000</b>	<b>From Undesignated Fund Balance</b>  <b>To the Conservation Trust Fund for future land purchases</b>	<b><i>Conservation Commission</i></b>
<b>\$15,000</b>	<b>From FY10 Community Preservation Revenue</b>  <b>For administrative expenses for the Community Preservation Committee</b>	<b><i>Community Preservation Committee</i></b>



**ADMINISTRATIVE**

**ARTICLE 19: Institute Waste Reduction Program**

*Board of Selectmen*

To see if the Town will vote to direct the Board of Selectmen to institute a waste reduction program, as part of the Town's curbside collection of solid waste and recyclables service, that would have the following elements: each household would be allowed to place at the curbside for pickup each week one 36 gallon container or bag containing non-recyclable, acceptable solid waste; additional 33 gallon bags, imprinted with an official identifier, for non-recyclable, acceptable solid waste may be placed at curbside for collection provided the resident purchases said bags from the Town at designated locations at a cost to be determined by the Board of Selectmen; an unlimited amount of recyclable materials may be placed at the curbside during the week regularly scheduled for recycling collection;

Or act in relation thereto.

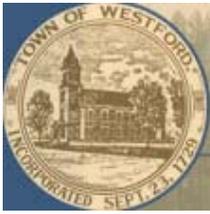
**The waste reduction program is being proposed to encourage Westford residents to increase recycling, thus reducing solid waste disposal. By increasing recycling and reducing solid waste, the town expects significant savings in solid waste disposal expenses. This proposal includes limiting the amount of solid waste that can be picked up at curbside as follows: each household will be allowed up to one 36 gallon barrel of solid waste, with additional trash placed in overflow bags that would be purchased from the town. The cost of the bags will be determined by the Board of Selectmen and will be available at hardware stores, grocery stores and the Town Clerk's office. Westford residents are already recycling, but the goal of this project is to get more people to recycle the items that should not be sent to the incinerators. The Recycling Committee estimates that our savings would be a minimum of \$130,000 in the first year, while the average resident might buy 5 bags per year, which would generate a net of \$63,750 for the town. The selectmen may offer "amnesty weeks" a couple of times a year to help with holiday excess trash, or assist with spring cleaning. Many towns have realized significant drops in their disposal fees after implementing waste reduction programs. Please see our website for further information.**

**ARTICLE 20: Renaming of Central Fire Station**

*Board of Selectmen*

To see if the Town will vote to name the Westford Center Fire Station in memory of Harold A Fletcher, Senior;

**A request was made to the Board of Selectmen to name the fire station in memory of Harold A. Fletcher, Sr., a life-long Westford resident who was a long-time public servant. He held many positions including water superintendent, water**



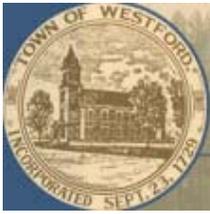
**commissioner, captain on the fire department, firefighter, EMT, and others. He added immensely to the operations of the town in many different ways.**

**ARTICLE 21: Dissolution of Roudenbush Community Center Committee  
& Transfer Care, Custody & Control of Town Buildings to  
Board of Selectmen, Authority to Enter Lease**

*Board of Selectmen*

To see if the Town will vote pursuant to Massachusetts General Laws Chapter. 40, Section 15A to transfer the care, custody, control, and management of the Roudenbush Community Center land and buildings, located at 65 Main Street and 73 Main Street (Assessors' Map No. 59, Parcel No. 42) and 170 Plain Road (Assessors' Map No. 74, Parcel No. 108) from the Roudenbush Community Center Committee to the Board of Selectmen to be held for general municipal purposes and for the purpose of leasing and to authorize the Board of Selectmen to lease in accordance with the provisions of Massachusetts General Laws Chapter. 30B, Section 16, as applicable, all or a portion of the real property known as the Roudenbush Community Center for a term not to exceed ten years with an intended purpose similar to that which is currently in operation as reasonably determined by the Board of Selectmen, on such terms and conditions as the Board of Selectmen deem to be in the best interests of the Town; and further to dissolve the Roudenbush Community Center Committee;

**The Roudenbush Community Center has been a long-time fixture in town, and has provided valuable programs to the residents of Westford for many years. Roudenbush is a non-profit that has grown into a \$2.4 million enterprise with 85 employees, who are not classified as town employees. Many years ago, town meeting transferred the care, custody and control of three town-owned buildings to Roudenbush, where they operate without a lease. This article seeks to create a clear distinction between the town and The Roudenbush Community Center by dissolving the town committee, who also function as Roudenbush Board of Directors, and allow the selectmen to issue a Request for Proposals with the intent of entering a lease (limiting the use to a similar purpose) on the three properties occupied by Roudenbush. The terms of the lease will be determined by the Board of Selectmen, and may include maintenance and capital expenses of the buildings, any rental payments expected, and any provisions about the property the buildings are housed on.**



**GENERAL BYLAW AMENDMENTS**

**ARTICLE 22: Change Town Meeting Date**

*Board of Selectmen*

To see if the Town will vote to amend Chapter 51, Section 51.1 A and 51.1 B of the Westford General Bylaws relating to the date of the Annual Town Meeting by deleting the current text and replacing it with the following text:

- A. Date and time of Annual Town Elections. [Amended 2-20-33 ATM Art. 13; 2-17-47 ATM Art. 35; 3-12-66 ATM Art. 36; 12-19-73 STM Art. 4. Replaced 10-2-90 STM Art. 10. Amended 5-11-02 ATM Art. 30] The Annual Meeting for the election of Town officers and the determination of matters as by law or vote of the Town are required to be elected or determined by ballot shall be held on the first Tuesday of May each year. The polls shall be open at 7:00 A.M. and shall remain open until 8:00 P.M.
- B. Date and time of Annual Town Business Meetings. All other business of the Annual Town Meeting shall be considered at 10:00 A.M. on the fourth Saturday in March, except that if the Board of Selectmen determines that such date conflicts with the traditional observance of a religious holiday, the Board of Selectmen may delay the Annual Town Meeting to a subsequent Saturday that does not conflict with any religious holiday;

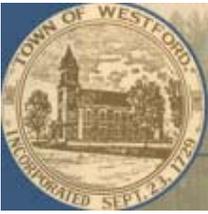
**The Representative Town Meeting Study Committee is recommending that town meeting date by moved to the last Saturday in March as they believe this will increase attendance. The Town Manager and the Finance Committee are not recommending moving the date to late March or early April as the state aid numbers are less definitive then, and this reduces the time period for the budget preparation. The Board of Selectmen has not voted on this article yet.**

**ARTICLE 23: Change Quorum Requirement for Special Town Meeting**

*Board of Selectmen*

To see if the Town will vote to amend Chapter 51, Section 51.2 B of the Westford General Bylaws relating to the quorum requirement at a Special Town Meeting by deleting the current text in its entirety and replacing it with the following text: “A quorum of 200 registered voters shall be required to convene a Special Town Meeting. Once a Special Town Meeting has been opened, there shall be no quorum requirement.”;

**The purpose of this article is to prevent a drop in quorum to end an active special town meeting while in session. There is no quorum for an annual town meeting.**



**ARTICLE 24: Conservation Land - Rules and Regulations Violations**

*Conservation Commission*

To see if the Town will vote to amend Chapter 1, Section 1.4 of the Westford General Bylaws (Penalties and enforcing person for violation of bylaws or regulations) as follows:

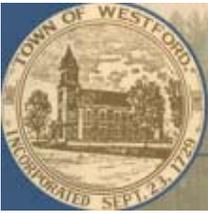
1. Under "Conservation Commission Regulations" : Amend "Use of Conservation Land" to read "Rules and Regulations for Use of Town of Westford Conservation Lands";
2. Under Enforcing Persons" delete "Planning/Conservation Coordinator" and replace it with " Westford Police, Town Bylaw Enforcement Officer, Conservation/Resource Planner;
3. Under "Offense" and "Fine", delete "1<sup>st</sup> Offense \$25" and "Subsequent offenses \$100.00" and replace with the following: "1<sup>st</sup> Offense \$50.00, 2<sup>nd</sup> offense \$75.00, third and subsequent offenses \$100.00";

Or act in relation thereto.

**Article 24 seeks to amend the section of Chapter 1 of the General Bylaws relating to enforcement and penalties for violations of the rules and regulations for the use of town conservation land. To properly provide for non-criminal enforcement under Massachusetts General Laws (MGL) Chapter 40, section 21D, the town bylaw has to specifically name the ordinance to be enforced, the persons authorized to enforce the particular regulation, and what the penalty will be.**

**The Conservation Commission has recently updated the regulations for conservation land, and they are shown in a document entitled, "Rules and Regulations for Use of Town of Westford Conservation Lands". The first part of the amendment is to change the name of the regulation to that title. (You can view these rules at the Commission's website at [www.westfordma.gov/conservation](http://www.westfordma.gov/conservation). Currently the enforcing person named for the regulations is "Planning/Conservation Coordinator, which is an obsolete job title for the Conservation Commission's staff person. Therefore, the second part of the amendment deletes that title and puts in the current Commission staff title of Conservation/Resource Planner, and adds the Town's Bylaw Enforcement Officer and the Westford Police as persons specifically named as enforcing officers. (The Commission consulted with the Chief of Police in developing the updated rules.) The final part of the amendment changes the fines from \$25 for the first offense and**

**\$100 for each subsequent offense to \$50 for the first offense, \$75 for the second offense, and \$100 for the third and subsequent offenses. The Conservation Commission Act, MGL Ch. 40 s. 8C authorizes Commissions to establish rules and**



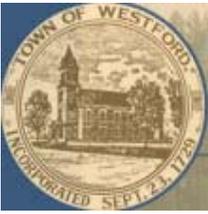
**regulations for use of land and waters under its control and limits the fines to a maximum of \$100 for each violation.**

**The Conservation Commission has nearly 1,700 acres of land under its care and custody, including East Boston Camps, Grassy Pond and the Emmet Conservation Land. A map of the town-owned lands, including conservations lands can be found online at the GIS Department's website: [www.westfordma.gov/gis](http://www.westfordma.gov/gis). Trail maps for many of these parcels can be found at the Westford Conservation Trust website at [www.westfordconservationtrust.org](http://www.westfordconservationtrust.org)**

**ARTICLE 25: Board of Health Fines** *Board of Health*

To see if the Town will vote to delete all Board of Health entries in Chapter 1, sec. 1.4 of the General Bylaws and replace them with the following:

<b>Board of Health Regulation/CMR</b>	<b>Enforcing Person</b>	<b>Offense</b>	<b>Fine</b>
Ambient air quality standards (310 CMR 6.00-8.00)	Board of Health	1st and each subsequent offense	\$100
<b>Animals</b>			
Piggeries	Board of Health	1st and each subsequent offense	\$25
Stables	Board of Health	1st and each subsequent offense and per day	\$25
Bathing beaches, minimum standards for (105 CMR 445.000)	Board of Health	1st and each subsequent offense	\$100
<b>Body art</b>			
Body art without permit	Board of Health	Per day	\$300 **
Body art on minor without written consent by parent or legal guardian	Board of Health	Per violation/person	\$300 **
Performing tattooing/branding/scarification on anyone under 18	Board of Health	Per violation/person	\$300 **
Discharges to municipal storm drain systems	Board of Health	1st offense	\$100
		2nd offense	\$200
		subsequent offenses	\$300

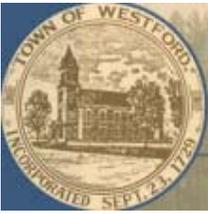


# WESTFORD

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Board of Health Regulation/CMR	Enforcing Person	Offense	Fine
Floor drains	Board of Health	1st offense 2nd offense subsequent offenses	\$200 \$300 ** \$300 **
Food establishments, minimum sanitation standards for (105 CMR 590.000)			
Minimum sanitation standards for food establishments	Board of Health	1st and each subsequent offense	\$25
Critical violations of minimum sanitation standards for food establishments	Board of Health	1st and each subsequent offense	\$50
Food borne illness interventions and risk factors	Board of Health	1st and each subsequent offense	\$100
Hazardous Materials Storage	Board of Health	1st and each subsequent offense	\$300
Hazardous wastes (310 CMR 30.000)	Board of Health	1st and each subsequent offense	\$100
Human habitation, minimum standards for (105 CMR 410.000)	Board of Health	1st and each subsequent offense	\$100
Mercury disposal	Board of Health	1st and each subsequent offense	\$100
Nuisance	Board of Health	1st and each subsequent offense	\$100
Recreational camps for children, minimum sanitation and safety standards for (105 CMR 430.000)	Board of Health	1st and each subsequent offense	\$100
Site assignment for dumping grounds	Board of Health	1st and each subsequent offense	\$100
Subsurface disposal of sanitary sewage (310 CMR 15.000)	Board of Health	1st and each subsequent offense	\$100
Swimming pools, minimum sanitation for (105 CMR 435.000)	Board of Health	1st and each subsequent offense	\$100



Board of Health Regulation/CMR	Enforcing Person	Offense	Fine
Tanning facilities (105 CMR 123.000)	Board of Health	1st offense	\$200
		2nd offense	\$300 **
		subsequent offenses	\$300**
Tobacco			
Sale of tobacco products to minors by proprietor	Board of Health	1st and each subsequent offense	\$300
Sale of tobacco products to minors by employee	Board of Health	1st and each subsequent offense	\$200
Smoking in a non-smoking area <b>Proprietor</b>	Board of Health	1st offense	\$200
		2nd offense	\$200
		subsequent offenses	\$300
Smoking in a non-smoking area <b>Individual</b>	Board of Health	1st offense	\$100
		2nd offense	\$200
		subsequent offenses	\$300
Water supply	Board of Health	1st and each subsequent	\$100

\*\*Town Meeting approved increasing fines in excess of \$300, but Massachusetts General Laws chapter 40, section 21D limits the amount of a fine that may be collected through noncriminal disposition to \$300.

Or act in relation thereto.

**The new proposed format will now be consistent with the rest of the general by-laws. In addition a few of the fines have been reduced because previous Town Meetings approved fines in excess of \$300, but Massachusetts General Laws chapter 40, section 21D limits the amount of a fine that may be collected through noncriminal disposition to \$300. Those that were in excess have been reduced and are specified in the article with an \*.**

**ARTICLE 26: Amend Chapter 68 Numbering of Buildings** *Planning Board*

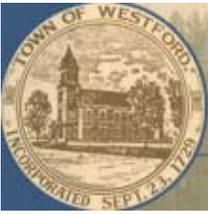
To see if the Town will vote to amend Chapter 68 of the General Bylaw as follows:

**Chapter 68: Numbering of Buildings**

[Adopted 3-18-61 Adj. ATM Art. 4. Amendments noted where applicable.]

**§ 68.1. Numbering of Buildings**

Every building in the Town of Westford, including but not limited to dwellings, apartment buildings, condominiums, and business establishments, shall have affixed thereto a number representing the address of such building. Said number shall be



situated on the building and/or appurtenant land so that it is visible from the nearest street or road providing vehicular access to such building.

**§ 68.21. Authority to determine and designate numbers.** [5-11-2002 ATM Art. 30]

~~The Board of Selectmen may determine and designate numbers for all buildings abutting upon or adjacent to public ways and so shall determine and designate numbers for these buildings.~~

The Board of Selectmen shall have the authority to determine and designate numbers for all buildings abutting upon or adjacent to public ways. The Board of Selectmen may, however, create and delegate said authority to an E911 Committee comprised of the Fire Chief, the Police Chief and the Building Commissioner or their designees.

**§ 68.3 Authority to adopt rules and regulations.**

An E911 Committee created by the Board of Selectmen shall adopt rules and regulations for the administration of this Chapter.

**§ 68.42. Compliance required.** [5-11-2002 ATM Art. 30]

No person shall refuse or neglect to affix to any building owned by him/her the street number designated by the Board of Selectmen or the E911 Committee, nor shall any person affix or suffer to remain on any building owned or occupied by him/her a street number other than the one designated by the Board of Selectmen or the E911 Committee ~~Selectmen.~~

**§ 68.53. Size and placement of numbers.** [5-11-2002 ATM Art. 30]

The Board of Selectmen or the E911 committee shall determine the appropriate size and visibility requirements for the placement of house numbers. At a minimum, residential house numbers must be 3 inches ~~All numbers must be at least 2 inches in height, and must be placed that they are visible from the street.~~

**§ 68.64. Violations and penalties** [5-11-2002 ATM Art. 30]

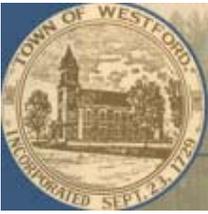
Owners who are found to be in violation will receive written notice of non-compliance and be ordered to comply within 30 days. Penalties will be assessed if owners fail to comply within 90 days of written notice. Any person or entity who violates this chapter shall be subject to a fine of \$25 ~~liable to the following fines for each day of the violation.~~

~~continues:-~~

~~For the first and each subsequent offense: \$25~~

Or act in relation thereto.

**The house numbering changes are being proposed to help make Westford residents safer by insuring their house number is easily readable by public safety personnel. This bylaw change is part of the strategic plan identified by a group of town officials in collaboration with the Planning Board to improve the management of house numbering. Other parts of plan were to increase public awareness of the**



**issue through mailings and web pages, and recommend changing the Planning Board review process. This bylaw will update the house numbering requirements and enable the Board of Selectmen to formally create a house number committee. This committee is referred to as the E911 Committee in the bylaw language due to the critical role that it plays in ensuring that houses follow the standards acceptable for emergency communications.**

**ARTICLE 27: Trench Regulations**

*Building and Fire Department*

To see if the Town will vote to amend the Town Bylaws by adopting a new bylaw authorizing the Building Commissioner and the Board of Selectmen to enact regulations establishing a permitting program for the issuance of trench opening permits pursuant to Massachusetts General Laws Chapter 82A and 520 Code of Massachusetts Regulation 14:00, as follows:

**Chapter 162: Trench Regulations**

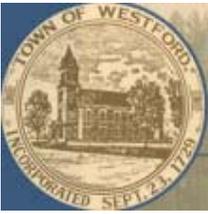
**§ 162.1. Authorization; notification of hearings.**

The Board of Selectmen and the Building Commissioner shall hereby be authorized to promulgate regulations relative to implementing a trench opening permitting program pursuant to Massachusetts General Laws Chapter 82A and 520 Code of Massachusetts Regulations 14.00. Prior to promulgation of the regulations, or to amendment thereof, the Board of Selectmen or Building Commissioner or Fire Chief shall hold a public hearing for which notice shall be provided at least one week prior to the hearing.

**§ 162.2. Enforcement; violations and penalties.**

Notwithstanding the provisions of Sections 1.1 through 1.3 of the Town Bylaws, violations of the regulations promulgated under authority of this bylaw may be enforced through any lawful means in law or in equity by the Board of Selectmen or the Building Commissioner or the Fire Chief, including but not limited to enforcement by non-criminal disposition in accordance with Massachusetts General Laws Chapter 40, Section 21D. Each day a violation exists shall constitute a separate violation. The regulations authorized by this section shall establish specific penalties for violation thereof in amounts not to exceed \$300.00 per violation;

**At the Special Town Meeting October 2008, it was approved that the Board of Selectman could designate a permitting authority for new Massachusetts Trench Regulations, and the Building Commissioner was appointed to be the designated permitting authority. Massachusetts Trench Regulations only gave towns permitting authorization, and left enforcement up to individual towns. This article would allow the Board of Selectman, Building Commissioner or Fire Chief to adopt and publish rules and regulations for the governing of trench regulations, and allow the town to**



**assess violators for costs accrued by the town to make an unattended open trench safe.**

**ARTICLE 28: Fire Alarm Bylaw**

*Fire Department*

To see if the Town will vote to amend the Town Bylaws by adopting a new bylaw authorizing the Board of Selectmen and Fire Chief, after a public hearing, to promulgate regulations relative to fire protection and safety in the Town, to set fees for services related thereto, and to impose penalties for violations thereof in amounts not to exceed \$300.00 per violation, as follows:

**Chapter 94: Fire Alarms**

**§ 94.1. Authorization; notification of hearings.**

The Board of Selectmen and Fire Chief shall hereby be authorized to promulgate regulations relative to fire protection and safety in the Town, including, but not limited to installation and operation of fire alarms and other fire protective systems and carbon monoxide alarms and to set fees for services incidental to permitting and monitoring such systems and alarms, provided, however, that such regulations must be consistent with applicable statutes, including the provisions of Massachusetts General Laws Chapter 148, the State Building Code (780 CMR), and the Massachusetts Fire Prevention Regulations promulgated by the State Board of Fire Prevention Regulations (527 CMR). Prior to promulgation of the regulations, or to amendment thereof, the Board of Selectmen and

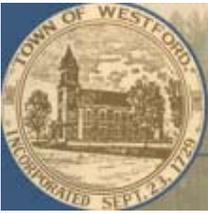
Fire Chief shall hold a public hearing for which notice shall be provided at least one week prior to the hearing.

**§ 94.2. Enforcement; violations and penalties.**

Notwithstanding the provisions of Sections 1.1 through 1.3 of the Town Bylaws, violations of the regulations promulgated by the Board of Selectmen and Fire Chief promulgated under authority of this bylaw may be enforced through any lawful means in law or in equity by the Board of Selectmen or the Fire Chief, including but not limited to enforcement by non-criminal disposition in accordance with Massachusetts General Laws Chapter 40, Section 21D. Each day a violation exists shall constitute a separate violation. The regulations authorized by this section shall establish specific penalties for violation thereof in amounts not to exceed \$300.00 per violation;

Or act in relation thereto.

**At the Annual Town Meeting in 1993, it was voted unanimously that the Board of Selectman and the Fire Chief be authorized to adopt and publish rules and regulations governing the installation of fire alarm systems in commercial buildings,**



as well as residential buildings with six or more living units. This will allow the town to assess a fine against the owner of a fire alarm system which has excessive false alarms due to a system malfunction.

**ZONING BYLAW AMENDMENTS**

**ARTICLE 29: Amendment to Section 6.3: Growth Management Bylaw** *Planning Board*

To see if the Town will vote to amend Chapter 173, Section 6.3 of the Westford Zoning Bylaw to extend the Growth Management Bylaw for an additional year to allow for the completion of the Comprehensive Master Plan update, as follows:

At §173-6.3.2.2 ADD and DELETE the following: (additions are underlined / deletions are crossed through)

§6.3.2.2 The provisions of this Section 6.3 shall expire on May 11, ~~2009~~2010; however, by vote of Town Meeting before said date, the provisions of this Section 6.3 may be extended for an additional five years, in order to continue comprehensive municipal planning studies necessary to promote orderly growth. In the event such action is taken by the Town Meeting prior to May 11, ~~2009~~2010, these provisions shall not be construed to have lapsed on such date;

**This article is asking voters to amend the expiration date of the Growth Management Bylaw that is set to expire on May 11, 2009. The proposed one year extension is to allow the Town of Westford to approve the 2009 Comprehensive Master Plan.**

**ARTICLE 30: Amendment to Section 3.2 Accessory Uses** *Planning Board/ZBA*

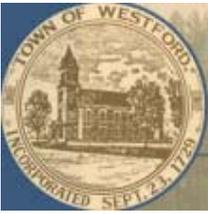
To see if the Town will vote to amend Chapter 173, Section 3.2 of the Westford Zoning Bylaw to define the number of garages allowed in residential areas, as follows;

At §173-3.2.1 6 Garage, ADD and DELETE the following: (additions are underlined / deletions are crossed through)

6. Garage. ~~Garage for not more than 3 motor vehicles.~~ - Attached to residential structures- no more than 4 bays to house motor vehicles, with a maximum of not more than 3 bays on any one face of the structure.

Whether a detached accessory building, or attached to a residential building, a garage with not more than four bays to house a maximum of four motor vehicles shall be permitted as an accessory use to a single or two-family dwelling, provided that:

- (a) No more than three bays may be on any one face of the building;
- (b) The maximum size of each bay shall be 14 feet by 26 feet, with a



maximum area of 364 square feet for a single bay and a maximum total area of 1,092 square feet for three contiguous bays; and  
(c) The total area of a garage shall not exceed 1,456 square feet for the purposes of housing vehicles.

Barns used to house motor vehicles shall be considered a garage use, unless it is used primarily for an exempt agricultural use under G.L. c. 40A, §3.

**This article will amend “garage” as defined under Residential Accessory Uses. The existing language is vague and doesn’t take into consideration the number of doors allowed or size limit threshold. The proposed change provides clearer direction for residents, the Building Commissioner, and board members. The rationale to increase from three (3) vehicles to four (4) is due to past variance applications from households having more than three (3) household vehicles and antique car collectors. The proposed change further defines "barns" due to concerns associated with the amount of vehicles which could potentially be stored within such a structure.**

**ARTICLE 31: Amendment to Section 8.2 Floodplain Overlay District**

*Planning Board*

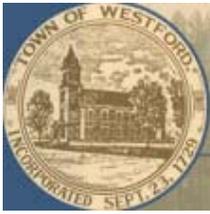
To see if the Town will amend Chapter 173 of the Code of the Town of Westford as follows

At §173-8.2.2 District Boundaries, ADD and DELETE the following: (additions are underlined / deletions are crossed through)

8.2.2 District Boundaries. The boundaries of the FOD are shown on the Flood Insurance Rate Map (FIRM), dated June 15, 1983, revised November 14, 2005, and amended through November 13, 2008 by the Federal Emergency Management Agency, which represent the one-hundred year flood elevations designated at Zone A and Zones A1 through A30. The boundaries of the floodway are shown on the Flood Boundary and Floodway Map, ~~dated June 15, 1983,~~ and further defined by the floodway data tables contained in the Flood Insurance Study.

Or act in relation thereto.

**This article is seeking to amend the date of the Flood Insurance Rate Map (FIRM) to include any and all amendments made through November 13, 2008 by the Federal Emergency Management Agency, which represent the one-hundred year flood elevations designated at Zone A and Zones A1 through A30.**



**LAND USE & LAND ACQUISITIONS**

**ARTICLE 32: Comprehensive Master Plan** *Planning Board*

To see if the Town will vote to accept the Comprehensive Master Plan prepared and adopted by the Planning Board pursuant to Massachusetts General Laws Chapter 41, Section 81D;

**The Planning Board is asking the town to accept the Master Plan that they have been working diligently on for the past 2 1/2 years. They have held numerous public meetings during that time, and have made changes to coincide with the opinions expressed. By accepting and implementing this plan, the town will be taking a step towards protecting the town's open space, public health, safety, and welfare of its residents, while supporting local economy and businesses.**

**ARTICLE 33: Allie Lane Land Gift** *Board of Selectmen*

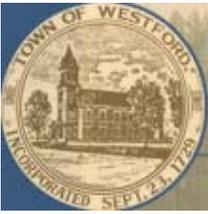
To see if the Town will vote to authorize the Board of Selectmen to accept a gift of land from Granite Hill Estates, LLC, which will transfer the care, custody and control of a certain parcel of land, containing approximately 15 +/- acres commonly known as the "Allie Lane" parcel which is more accurately described as Parcel 4, 4-2; Second in a deed running from Herbert E. Fletcher et.al. to Granite Hill Estates, LLC, dated December 9, 1999 and recorded with the Middlesex North Registry of Deeds at Book 10576, Page 123 to the inhabitants of the Town of Westford, and said land is to be under the care, custody and control of the Board of Selectmen for general municipal purposes;

**This is a parcel of land that was negotiated to be gifted to the town as part of the Graniteville Woods development, thereby limiting the size of the proposal. This land is to be held for municipal purposes.**

**ARTICLE 34: Lease of Day Agricultural and Conservation Land** *Board of Selectmen*

To see if the Town will vote to authorize the Conservation Commission to lease for agricultural use for up to ten years, a portion of the land under its care and custody located on Graniteville Road known as the Day Agricultural and Conservation Land (Assessors' Map 26 Parcel 37) and to authorize the Selectmen to file special legislation with the General Court, pursuant to Article 97, authorizing the Conservation Commission to lease the land known as the Day Agricultural and Conservation Land (Assessors' Map 26 Parcel 37) for agricultural use for up to ten years;

**The Day Agricultural and Conservation Land, which is located on Graniteville Road, just south of the intersection with Cold Spring Road is a 17 acre parcel which includes an approximately 6.5 acre tilled field area. The town acquired the land under the care, custody and control of the Conservation Commission in 1996. The**



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**town entered into an agreement in 1998 with local farmer George Fletcher, to have him farm the land for ten years. That agreement expired last year.**

**Because this land is under the control of the Conservation Commission, it is subject to Article 97 of the State constitution, which provides measures of protection of land acquired for preservation of open space and protection of natural resources. Recent case law has made it clear that longer term leases (more than 1 year) of agricultural land require both the approval of Town Meeting, as well as of the State Legislature.**

**The Commission has issued a Request for Proposals to license the land for this year, in order to keep the field active while they pursue the necessary approvals for a longer term lease, which will actually be more attractive to more farmers. The land has been farmed using organic farming principles for the past four years, and it will be required for this year's license, and for the longer term lease.**

**The land was acquired as part of the implementation of the 1995 Master Plan to meet the goal of preservation of the town's heritage and community character. Located on a busy thoroughfare, it provides a beautiful vista that preserves an element of Westford that was once common. With the growing interest in local produce, witnessed by the success of the Westford Farmer's market, it is hoped this will be a vital and productive farm field for years to come.**

**Please let me know if you have any questions, and I look forward to seeing you at town meeting.**

**Sincerely,**

A handwritten signature in black ink that reads "Jodi Ross".

**Jodi Ross**