

COMMONWEALTH OF MASSACHUSETTS  
TOWN OF WESTFORD  
WARRANT

Middlesex, ss.

To the Constable of the Town of Westford, in said County,

GREETINGS:

You are required in the name of the Commonwealth aforesaid, to notify and warn all inhabitants of said Town qualified to vote in elections, and also in Town affairs, to meet at the Abbot School Gymnasium at Depot Street on the following date:

Monday, October 21, 2013

(voter registration deadline, Friday, October, 11, 2013 at 8:00pm)

at 7:30 o'clock in the evening, then and there to act upon the following articles:

FINANCIAL

ARTICLE 1: Fiscal Year 2014 Budget Adjustments Town Manager

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$222,900 (TWO HUNDRED TWENTY TWO THOUSAND NINE HUNDRED DOLLARS) in order to supplement the following Fiscal Year 2014 Operating Budgets:

- 151 Legal Services: expenses related to Newport Materials litigation \$200,000
- 432 Recycling: expenses related to hazardous materials collection \$ 2,900
- 543 Veterans Services: expenses related to Veterans benefits \$ 20,000

and further;

To see if the Town will vote to raise and appropriate the sum of \$13,187 (THIRTEEN THOUSAND ONE HUNDRED EIGHTY SEVEN DOLLARS) from Water Enterprise Retained Earnings in order to supplement the following Fiscal Year 2014 Operating Budget:

- 600 Water Department Enterprise Debt Service \$ 13,187;

Or act in relation thereto.

ARTICLE 2: Unpaid Bills from Previous Fiscal Year(s) Town Manager

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

Or act in relation thereto.

ARTICLE 3: Transfer From the Perchlorate Stabilization Fund for Perchlorate Expenses Board of Selectmen

To see if the Town will vote to transfer the remaining sum of \$85,045.11 (EIGHTY FIVE THOUSAND FORTY FIVE DOLLARS AND ELEVEN CENTS) from the perchlorate stabilization fund to the town manager perchlorate remediation account for the purpose of providing funds to address associated issues regarding perchlorate contamination;

Or act in relation thereto.

**ARTICLE 4: Appropriate Funds From Early Retiree Reinsurance Program Federal Grant** *Town Manager*

To see if the Town will vote to appropriate from Early Retiree Reinsurance Program Federal grant the sum of \$161,739.35 (ONE HUNDRED SIXTY ONE THOUSAND SEVEN HUNDRED THIRTY NINE DOLLARS AND THIRTY FIVE CENTS) for health care related expenses;

Or act in relation thereto.

**ARTICLE 5: Rescind Authorized and Unissued Debt** *Town Manager*

To see if the Town will vote to rescind the following amounts that have been authorized to be borrowed for the stated purposes, pursuant to the votes and articles as listed below, which amounts have not been issued and are no longer needed;

Unissued Amount	Date of Warrant Approval	Article #	Purpose
\$305	5/6/2000	13	Elementary School Construction
\$567,764	5/6/2000	17	Water Filtration Plants
\$6,615,321	11/13/2000	20	Middle School Construction
\$100,000	11/13/2001	5	Abbot Septic/Town Center Sewer Extension
\$50,000	5/13/2002	13	Brookside Mill Dam Repair
\$2,650,000	2/7/2005	1	Purchase Land – East Boston Camps
\$265,000	10/20/2008	6	Country Road Well

Or act in relation thereto.

**ARTICLE 6: Capital Appropriations for Fiscal Year 2014** *Capital Planning Committee*

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, or any combination thereof; the sum of \$75,000 (SEVENTY FIVE THOUSAND DOLLARS) to provide for the following capital requests;

DEPARTMENT	AMOUNT	PURPOSE
Engineering Department	\$75,000	Student Drop-off Safety Improvements and Drainage Improvements at the Abbot/Millennium Schools and related costs

Or act in relation thereto.

**ARTICLE 7: Authorize Appropriation for Design Phase and Bidding Phase Services Related to Window Replacement at the Day and Robinson Schools as Required by the Massachusetts School Building Authority Accelerated Repair Program** *School Committee*

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, or any combination thereof; \$350,000 (THREE HUNDRED FIFTY THOUSAND DOLLARS) more or less to be expended under the direction of the Permanent Town Building Committee for additional funds for completing the design and bidding of two window replacement projects at the Colonel John Robinson School located at 60 Concord Road and the Norman E. Day School located at 75 Prescott Street, and any related costs, which proposed repair projects would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town has applied for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town;

Or act in relation thereto.

ARTICLE 8: Authorize the Transfer of a Parcel Located on Boston Road and the Appropriation of Funds for Feasibility Study and Schematic Design Phase Services Related to Constructing a New Center Fire Station on Boston Road *Board of Selectmen*

To see if the Town will vote to transfer land from the Board of Selectmen currently held for the purposes of recreation and conveyance to the Board of Selectmen to be held for general municipal purposes, said land identified as Parcel A in a deed recorded with the Middlesex North Registry of Deeds in Book 7366, Page 211, and shown on a plan entitled "Definitive Subdivision Plan of Land Boston Road Westford, MA," dated August 27, 1993, recorded with the Middlesex North Registry of Deeds in Plan Book 187, Plan 86, on file with the Town Clerk; and further to see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, or any combination thereof; \$350,000 (THREE HUNDRED FIFTY THOUSAND DOLLARS) more or less for the purpose of paying the costs of architectural and engineering design services, including, without limitation, the hiring of an Owner's Project Manager related to constructing a new Center Fire Station on the aforementioned site on Boston Road and examining and recommending the reuse of the existing Center Fire Station;

Or act in relation thereto.

ARTICLE 9: Reduce Amount Raised by Taxes in Fiscal Year 2014 *Board of Selectmen*

To see if the Town will vote to take specific amounts from available funds and to direct the Assessors to reduce the net amount to be raised for Fiscal Year 2014;

Or act in relation thereto.

COMMUNITY PRESERVATION FUNDS

ARTICLE 10: 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 2014 Community Preservation budget and to appropriate from the Community Preservation Fund a sum of money not exceeding 5% of the FY2014 estimated annual revenues to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2014; 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;

Or act in relation thereto.

ADMINISTRATIVE

ARTICLE 11: Authorize Solid Waste Disposal Contract Amendment *Town Manager*

To see if the Town will vote to authorize the Board of Selectmen to enter an Amendment to the Service Agreement between the Town of Westford and Covanta Haverhill Associates with an effective date of July 1, 2010, for the disposal of solid waste, said amendment extends the term of the Service Agreement from five years to eight years so that the Service Agreement will expire on June 30, 2018, on such terms and conditions as the Board of Selectmen determine to be in the best interests of the Town;

Or act in relation thereto.

GENERAL BYLAW AMENDMENTS

<b>ARTICLE 12:</b>	<b>Amend Chapter 114: Junk Dealers</b>	<i>Board of Selectmen</i>
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To see if the Town will vote to amend General Bylaw Chapter 114: Junk Dealers in order to regulate the placement of unattended donation receptacles, referred to as "drop boxes," by requiring a junk dealer license and a permit to erect drop boxes in the town, and to establish standards for their placement and maintenance;

Or act in relation thereto.

<b>ARTICLE 13:</b>	<b>Amend Chapter 80: Demolition Delay Bylaw</b>	<i>Historical Commission</i>
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To see if the Town will vote to amend General Bylaw Chapter 80: Demolition Delay by adding new definitions, changing the wait period for issuance of a demolition permit from 6 months to 18 months, and to allow for investigation of alternatives to demolition with the owner of record of the building or structure proposed for demolition, among other changes;

Or act in relation thereto.

<b>ARTICLE 14:</b>	<b>Amend Chapter 61: Hazardous Materials Storage Bylaw</b>	<i>Board of Health</i>
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To see if the Town will vote to amend General Bylaw Chapter 61: Hazardous Materials Storage, as set forth in the hand-out on file at the office of the Town Clerk and also available in the Health Department office;

Or act in relation thereto.

<b>ARTICLE 15:</b>	<b>Adopt Stretch Energy Code Bylaw as Required by Green Communities</b>	<i>Board of Selectmen</i>
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To see if the Town will vote to adopt the Stretch Energy Code set forth in the State Building Code in 780 CMR Appendix 120.AA, a copy of which is on file with the Town Clerk, by inserting a new Chapter in the Town's General Bylaws which will provide the Town with a more energy efficient alternative to the base energy code set forth in the State Building Code by increasing the efficiency requirements for all new residential and many new commercial buildings, as well as for those residential additions and renovations that would normally trigger building code requirements;

Or act in relation thereto.

<b>ARTICLE 16:</b>	<b>Amend General Bylaws to add New Chapter Titled Feeding or Baiting Wildlife (Waterfowl or Bear)</b>	<i>Citizen Petition</i>
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To see if the Town will amend the General Bylaws of the Town to add a new Chapter titled Feeding or Baiting of Wildlife (Waterfowl and Bear), a copy of which is on file with the Town Clerk's office. "Feeding" is defined as the act of ground feeding, or any feeding situation seemed problematic by Westford Animal Control. The purpose of this bylaw is to help the Town of Westford maintain a healthy and safe balance among the Town's citizens and its wildlife, or act in relation thereto.

ZONING BYLAW AMENDMENT

<b>ARTICLE 17:</b>	<b>Amend Section 5.3 to Replace the Sign Bylaw in its Entirety</b>	<i>Planning Board</i>
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To see if the Town will amend Section 5.3 of the Westford Zoning Bylaw, a copy of which is on file with the Town Clerk;

Or act in relation thereto.

STREET ACCEPTANCES**ARTICLE 18: Accept Boxwood Road and Strawberry Lane as Public Ways***Board of Selectmen*

To see if the Town will vote to accept the layout as public ways of the roads known as Boxwood Road and Strawberry Lane, as heretofore laid out by the Board of Selectmen, and as shown on plans entitled "Street Acceptance Plan Boxwood Road Westford, MA," dated March 21, 2012, prepared by LandTech Consultants and "Street Acceptance Plan Strawberry Lane Westford, MA," dated March 21, 2012, prepared by LandTech Consultants, said plans on file with the Town Clerk, and to authorize the Board of Selectmen to acquire, by gift, purchase or eminent domain, the fee to or lesser interests in said roads and all related easements:

Or act in relation thereto.

**ARTICLE 19: Accept Sleigh Road as a Public Way***Board of Selectmen*

That the Town accept the layout as a public way of a portion of the road known as Sleigh Road, as heretofore laid out by the Board of Selectmen, and as shown on a plan entitled "Street Acceptance Plan, Sleigh Road," dated September 13, 2013, prepared by LandTech Consultants, said plan on file with the Town Clerk, and to authorize the Board of Selectmen to acquire, by gift, purchase or eminent domain, the fee to or lesser interests in said road and all related easements;

Or act in relation thereto.

CARE AND CUSTODY OF TOWN LAND**ARTICLE 20: Authorize Selectmen to Accept Easement on Broadway Street***Board of Selectmen*

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift an easement for all purposes for which public ways are used in the Town, said easement located at the corner of First Street and Broadway Street, as shown on a plan entitled "Use Easement Broadway/First Street," dated July 23, 2013, said plan on file with the Town Clerk, on such terms and conditions as the Selectmen deem appropriate;

Or act in relation thereto.

**ARTICLE 21: Authorize Acquisition of Parcel(s) Being Taken Out of Chapter 61 and 61a***Board of Selectmen*

To see if the Town will vote to authorize the Board of Selectmen to exercise its right of first refusal under the provisions of Massachusetts General Laws Chapter 61 and to acquire by gift, purchase or eminent domain, a parcel of land located at 15 Wing Road, consisting of approximately 48 acres, and being a portion of Tax Map 40, Parcel 6 and a portion of the premises described in a deed dated September 5, 2012, recorded with the Middlesex North District Registry of Deeds in Book 26386, Page 16; to exercise its right of first refusal under the provisions of Massachusetts General Laws Chapter 61A and to acquire by gift, purchase or eminent domain a parcel of land located at 16 Wing Road, consisting of approximately 30 acres, and being a portion of Tax Map 40, Parcel 4 and a portion of the premises described in a deed dated December 16, 1960, recorded with said Deeds in Book 1500, Page 153, which parcels are further shown on a plan entitled "Conceptual Conventional Subdivision Plan, Wing Road, Westford, MA," dated October 17, 2012, prepared by Alan Engineering, LLC, a copy of which is on file with the Town Clerk, for conservation, open space and/or passive recreational purposes, on such terms and conditions as the Board of Selectmen shall deem appropriate; and further to see if the Town will appropriate by taxation, by transfer from available funds, by borrowing, or any combination, a sum of money for the acquisition of said parcels and costs and expenses related thereto, including, without limitation, funds under the Community Preservation Act, and authorize the Treasurer, with the approval of the Board of Selectmen, to issue any bonds or

notes that may be necessary for that purpose pursuant to the provisions of Massachusetts General Laws c. 44, §7, Massachusetts General Laws c. 44B, §11, or any other enabling authority, and further to authorize the Board of Selectmen to enter into all agreements, apply for and accept any gifts, and execute on behalf of the Town any and all instruments as may be necessary or convenient to effectuate the purpose of this Article;

Or act in relation thereto.

ARTICLE 22:	<b>Transfer Care and Custody of the so-called Edwards Parcel 045-0099-0000 being 40 acres more or less from the Board of Selectmen to the Conservation Commission</b>	<i>Citizen Petition</i>
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To see if the Town will vote to transfer care and custody of the so-called Edwards Parcel 045-0099-0000 being 40 acres more or less. from the Board of Selectmen to the Conservation Commission .said parcel to be forthwith kept as conservation land and subject to the rules and regulations of the Conservation Commission for public use ,but not to be used by wheeled or motorized vehicles ,and further, that the town not go forward with any plans for housing on said parcel. or act in relation thereto.

FINAL STM WARRANT

And you, Constable, are directed to serve this warrant by posting a true and attested copy thereof at the Town Hall, Library and at each Post Office in said Town of Westford at least fourteen (14) days prior to the time of holding said meeting.

THEREOF FAIL NOT and make return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of holding the meeting aforesaid.

Given under our hands this 24th day of September in the Year of our Lord 2013.

Kelly J Ross  
Kelly Ross (Chair)

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Jim Sullivan (Vice-Chair)

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Andrea Peraner-Sweet (Clerk)

Valerie Wormell  
Valerie Wormell

Scott Hazelton  
Scott Hazelton

A TRUE COPY  
ATTEST:

Patricia L. Dubey  
Constable of Westford

DATE: 10/3/13

I HEREBY CERTIFY THAT I HAVE SERVED THE FOREGOING WARRANT BY POSTING A TRUE AND ATTESTED COPY THEREOF AT THE TOWN HALL, LIBRARY AND AT EACH POST OFFICE IN THE SAID TOWN OF WESTFORD AT LEAST FOURTEEN DAYS PRIOR TO THE TIME OF HOLDING SAID MEETING.

