



TOWN CLERK'S REPORT
ANNUAL TOWN MEETING

Monday, the Fourteenth Day of May, 2012

The Annual Town Meeting of the Town of Foxborough convened at 7:35 PM in the auditorium of the Foxborough Senior High School, 120 South Street, Foxborough, Massachusetts with Town Moderator Francis J. Spillane presiding. Rev. William Dudley, of the Union Church on South Street, delivered the invocation. Larry Thomas of the Advisory Committee led the Pledge of Allegiance, and Danielle Grassia, a Foxborough High School Senior, sang the National Anthem.

The Moderator reported that Town Clerk Robert E. Cutler, Jr., was in Florida for his son's college graduation. The Moderator made a motion at the begin of the meeting to elect Geraldine Gousie, Assistant Town Clerk, to be the Acting Town Clerk for the evening. The motion was seconded by Kevin Weinfeld, and the vote of the assemblage was unanimous. Geraldine Gousie, Acting Town Clerk, read the Warrant and Return.

Our State Representative, Jay Barrows, was in attendance and was introduced to the voters. There were two hundred seventeen (217) registered voters recorded as present [a quorum being one hundred (100) registered voters].

ARTICLE 1: The election of Town Officials was held on Monday, the seventh day of May 2012. The results of the following positions were announced at the John J. Ahern Middle School by Kathleen M. Brady, Town Warden: two Selectmen for three years; one Assessor for three years; two School Committee members for three years; one Water & Sewer Commissioner for three years; one Board of Health member for three years; two Boyden Library Trustees for three years; two Planning Board members for three years; and one Housing Authority member for two years.

ARTICLE 2: Acting Town Clerk, Geraldine Gousie, presented the 233rd Annual Report of the Town Officers of Foxborough, Massachusetts together with the report of the School Department and Town Accountant/Finance Director for the year ending December 31, 2011.

ARTICLE 3: Moved to hear the report of any committee and act thereon, and to choose any committee that may be wanted, and to see if the town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute such sums of money deemed necessary for expenses of any committee chosen under this article.

William E. Greider, Jr., Vice Chairman of the Planning Board, provided an update on the Planning Board's Master Plan Study. He reported that the two day open house workshop was well attended by the residents of the community and that the response to the survey has, also, been very good. The next step in the process is a public meeting which will be held at the Public Safety Building at 7 PM on Thursday, May 24th. There will be a review of the results of the survey along with citizen comments. All citizens and elected/appointed officials are encouraged to attend.

The Water and Sewer Commission Chairman, William C. Euerle, reported on the Oak Street Water Treatment Plant construction project. The construction costs are under the authorized loan amount approved in 2010; however, the interest costs are higher because we did not get State Revolving Fund assistance as anticipated. In spite of that, the project is still under budget. Article 19 of this year's warrant will request a permanent conservation easement to protect the Spotted Elfin Moth, an endangered species that is on the site. By the Fall of 2013, the project should be complete.

Chairman of the Permanent Municipal and School Building Committee, William F. Yukna, stated that, even with the inclusion of some additional items to the Foxborough High School Renovation Project, they will be able to return money to the Town. In addition to that they have filed and have been awarded rebates from National Grid and Columbia Gas for their energy conservation design. The committee trusts that the Town and it's residents will be pleased with the final results of this project which is scheduled to be completed by the middle of August.

ARTICLE 4: MOVED that the Town vote the compensation for elected officials and to raise and appropriate the sums of money herein specified and requested by the Board of Selectmen for the various departments for expenditures within the fiscal year July 1, 2012 through June 30, 2013 for the purposes herein mentioned and to meet said appropriations as follows:

Taxation, State Aid & Local Receipts	5,780,401.51
Free Cash	941,585.00
Ambulance Receipts	550,656.00
Recreation Revolving	7,130.00
Overlay Surplus	127,728.00
Water Receipts	3,754,865.35
Sewer Receipts	1,052,136.14
Solid Waste Receipts	959,583.00
Solid Waste Retained Earnings	100,000.00
	59,274,085.00

ITEMS NOT HELD ADOPTED

160 Affirmative

0 Negative

8:14 PM

HELD ITEMS ADOPTED

Line Item #123 – Administration - expenses	155 Affirmative	0 Negative	8:19 PM
Line Item #130 – Finance – expenses	170 Affirmative	2 Negative	8:25 PM
Line Item #195 – Town Buildings - expenses	174 Affirmative	0 Negative	8:29 PM
Line Item #220 – Fire Department – expenses	168 Affirmative	0 Negative	8:31 PM
Line Item #235 – Joint Public Safety Building – salaries	164 Affirmative	0 Negative	8:35 PM
Line Item #235 – Joint Public Safety Building – expenses	172 Affirmative	0 Negative	8:36 PM

GENERAL GOVERNMENT:

FY 13 BUDGET

Recommended Funding Source(s)

122	SELECTMEN		
	Expenses	10,006	Taxation, State Aid & Local Receipts
123	ADMINISTRATION		
	Salaries	343,001	Taxation, State Aid & Local Receipts
	Expenses	63,600	Taxation, State Aid & Local Receipts
		<u>406,601</u>	
124	SOUTHEAST REGIONAL SERVICES GROUP	0	
125	AUDIT TOWN FINANCIAL RECORDS		
	Annual Financial	38,000	Taxation, State Aid & Local Receipts
126	PRINT TOWN REPORTS	0	
130	FINANCE		
	Salaries	688,775	Taxation, State Aid & Local Receipts
	Expenses	303,662	Taxation, State Aid & Local Receipts:
		<u>992,437</u>	195,662; Ambulance Receipts: 48,000; Overlay Surplus: 60,000
141	ADVISORY COMMITTEE		
	Expenses	2,050	Taxation, State Aid & Local Receipts
	RESERVE FUND (<i>Appropriated for</i>		
142	<i>Transfer, Not Expended.</i>)	75,000	Taxation, State Aid & Local Receipts
151	LEGAL	115,000	Taxation, State Aid & Local Receipts

156	GIS Department		
	Expenses	8,834	Taxation, State Aid & Local Receipts
161	TOWN CLERK		
	Compensation	72,256	Taxation, State Aid & Local Receipts
	Salaries	50,686	Taxation, State Aid & Local Receipts
	Expenses	10,425	Taxation, State Aid & Local Receipts
	Capital Outlay	0	
		<u>133,367</u>	
162	ELECTION & REGISTRATION		
	Salaries	39,109	Taxation, State Aid & Local Receipts
	Expenses	14,875	Taxation, State Aid & Local Receipts
		<u>53,984</u>	
171	CONSERVATION COMMISSION		
	Salaries	48,212	Taxation, State Aid & Local Receipts
	Expenses	3,170	Taxation, State Aid & Local Receipts
		<u>51,382</u>	
175	PLANNING BOARD		
	Salaries	115,741	Taxation, State Aid & Local Receipts
	Expenses	32,283	Taxation, State Aid & Local Receipts
		<u>148,024</u>	
176	APPEALS BOARD		
	Expenses	2,900	Taxation, State Aid & Local Receipts
180	MUNICIPAL COMMITTEES	0	
192	MUNICIPAL BUILDING		
	Salaries	25,840	Taxation, State Aid & Local Receipts
	Expenses	55,500	Taxation, State Aid & Local Receipts
		<u>81,340</u>	
195	TOWN BUILDINGS		
	Expenses	25,110	Taxation, State Aid & Local Receipts
	TOTAL GENERAL GOVERNMENT	2,144,035	
PUBLIC SAFETY:			
210	POLICE		
	Salaries	2,710,468	Taxation, State Aid & Local Receipts
	Expenses	272,745	Taxation, State Aid & Local Receipts
	Capital Outlay	68,500	Taxation, State Aid & Local Receipts
		<u>3,051,713</u>	
220	FIRE		
	Salaries	2,485,422	Taxation: 2,012,766; Ambulance: 472,656
	Expenses	299,600	Taxation, State Aid & Local Receipts
	Capital Outlay	36,300	Taxation, State Aid & Local Receipts:
		<u>2,821,322</u>	6,300; Ambulance: 30,000
230	CENTRAL DISPATCH & SERVICES		
	Salaries	423,616	Taxation, State Aid & Local Receipts
	Expenses	21,050	Taxation, State Aid & Local Receipts
		<u>444,666</u>	
235	JOINT PUBLIC SAFETY BUILDING		
	Salaries	57,003	Taxation, State Aid & Local Receipts
	Expenses	185,301	Taxation, State Aid & Local Receipts
		<u>242,304</u>	

241	INSPECTION			
	Salaries	274,872		Taxation, State Aid & Local Receipts
	Expenses	<u>6,400</u>		Taxation, State Aid & Local Receipts
		281,272		
292	ANIMAL CONTROL			
	Salaries	47,558		Taxation, State Aid & Local Receipts
	Expenses	<u>8,980</u>		Taxation, State Aid & Local Receipts
		56,538		
	TOTAL PUBLIC SAFETY	6,897,815		

EDUCATION:

300	FOXBOROUGH PUBLIC SCHOOLS			
	Salaries & Expenses	<u>28,165,733</u>		Taxation, State Aid & Local Receipts
		28,165,733		
390	SOUTHEASTERN REGIONAL	288,566		Taxation, State Aid & Local Receipts
	TOTAL EDUCATION	28,454,299		

PUBLIC WORKS:

410	PUBLIC WORKS			
	Salaries	1,151,185		Taxation, State Aid & Local Receipts
	Expenses	413,190		Taxation, State Aid & Local Receipts
	Capital Outlay	<u>9,700</u>		Taxation, State Aid & Local Receipts
		1,574,075		
423	SNOW & ICE			
	Salaries	33,500		Taxation, State Aid & Local Receipts
	Expenses	170,800		Taxation, State Aid & Local Receipts
	Capital Outlay	<u>9,100</u>		Taxation, State Aid & Local Receipts
		213,400		
424	STREET LIGHTING	118,000		Taxation, State Aid & Local Receipts
425	ENGINEERING	0		
430	SOLID WASTE ENTERPRISE (LANDFILL)			
	Salaries	0		
	Expenses	<u>45,500</u>		Solid Waste Receipts
		45,500		

NOTE: Costs for Solid Waste Operation contained in other budgets:

123/125/192 Admin. & 130/156 Finance/GIS	35,737	Solid Waste Receipts
410 Public Works	28,926	Solid Waste Receipts
911/913/915/945 Insurance	<u>27,860</u>	Solid Waste Receipts
	92,524	

433	SOLID WASTE ENTERPRISE (COLLECTION)	925,129		Solid Waste Receipts: 825,129; and Solid Waste Retained Earnings: 100,000
450	WATER ENTERPRISE			
	Salaries	920,800		Water Receipts
	Expenses	972,590		Water Receipts
	Debt Service	1,341,564		Water Receipts
	Capital Outlay	<u>0</u>		
		3,234,954		

NOTE: Costs for Water Operation contained in other budgets:

123/125/192 Admin. & 130/156 Finance/GIS	89,812	Water Receipts
760 Debt Service	2,704	Water Receipts
911/913/915 Fringe Benefits	356,742	Water Receipts
945 Insurance	87,213	Water Receipts
	<u>536,472</u>	

460 SEWER ENTERPRISE

Salaries	116,510	Sewer Receipts
Expenses	768,655	Sewer Receipts
Debt Service	94,467	Sewer Receipts
	<u>979,632</u>	

NOTE: Costs for Sewer Operation contained in other budgets:

123/125/192 Admin. & 130/156 Finance/GIS	24,002	Sewer Receipts
911/913/915 Fringe Benefits	43,225	Sewer Receipts
945 Insurance	8,371	Sewer Receipts
	<u>75,599</u>	

TOTAL PUBLIC WORKS 7,090,690

HUMAN SERVICES:

510 BOARD OF HEALTH

Salaries	154,952	Taxation, State Aid & Local Receipts
Expenses	7,750	Taxation, State Aid & Local Receipts
	<u>162,702</u>	

520 HEALTH AGENCIES

Expenses	36,007	Taxation, State Aid & Local Receipts
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541 COUNCIL ON AGING/HUMAN SERVICES

Salaries	267,727	Taxation, State Aid & Local Receipts
Expenses	47,022	Taxation, State Aid & Local Receipts
	<u>314,749</u>	

543 VETERANS

Salaries	66,560	Taxation, State Aid & Local Receipts
Expenses	164,844	Taxation, State Aid & Local Receipts
	<u>231,404</u>	

TOTAL HUMAN SERVICES 744,862

CULTURE & RECREATION:

610 LIBRARY

Salaries	679,623	Taxation, State Aid & Local Receipts
Expenses	271,684	Taxation, State Aid & Local Receipts
Capital Outlay	3,000	Taxation, State Aid & Local Receipts
	<u>954,307</u>	

630 RECREATION

Salaries	54,879	Taxation, State Aid & Local Receipts
Expenses	34,135	Taxation, State Aid & Local Receipts
	<u>89,014</u>	

691	HISTORICAL COMMISSION		
	Expenses	16,000	Taxation, State Aid & Local Receipts
	Capital Outlay	6,395	Taxation, State Aid & Local Receipts
		<u>22,395</u>	
692	SPECIAL EVENTS	0	Taxation, State Aid & Local Receipts
	TOTAL CULTURE & RECREATION	1,065,716	
DEBT SERVICE:			
710	DEBT - PRINCIPAL	2,150,000	Taxation, State Aid & Local Receipts
751	DEBT - INTEREST	1,118,252	Taxation, State Aid & Local Receipts
760	DEBT - ISSUANCE & EXPENSES	25,000	Taxation, State Aid & Local Receipts
		<u>3,293,252</u>	
TOTAL DEBT SERVICE			
INSURANCE & OTHER:			
911	PENSIONS/RETIREMENT	2,492,582	Taxation, State Aid & Local Receipts:
913	WORKERS COMPENSATION	218,939	Taxation, State Aid & Local Receipts
914	UNEMPLOYMENT COMPENSATION	100,000	Taxation, State Aid & Local Receipts
915	GROUP HEALTH/LIFE INSURANCE	6,361,830	Taxation, State Aid & Local Receipts: 5,413,115; Free Cash: 941,585; and Recreation Revolving: 7,130
945	GENERAL INSURANCE	410,065	Taxation, State Aid & Local Receipts
	TOTAL INSURANCE & OTHER	9,583,416	
	TOTAL ALL OPERATING BUDGETS	<u>59,274,085</u>	

ARTICLE 5: MOVED, that the Town vote to adopt the recommendations of the Capital Improvement Planning (CIP) Committee and to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute the sums requested for the purposes herein mentioned in order to implement the CIP budget request for Town Departments for FY 2013.

<i>Department/Description</i>	<i>CIP FY 13</i>	<i>Recommended Funding Sources</i>
Finance/Information Systems	50,000	Free Cash
Police	58,500	\$33,500 Free Cash, \$25,000 Police Revolving
Fire	1,000,978	\$629,978 Ambulance Receipts, \$10,000 Fire Revolving, & a \$361,000 Free Cash "Loan"
Highway	186,000	Free Cash
Highway (Chapter 90)	594,113	Chapter 90 State Allocation
Highway (Roads)	148,646	\$100,000 Meals Tax Receipts; & \$48,646 Transfer from Mill St. Road Project
Board of Health	25,000	Free Cash
Public Schools	453,750	\$391,500 Free Cash, \$62,250 School Revolving
Water Enterprise	460,000	Water Receipts
Sewer Enterprise	220,530	Sewer Receipts
	<u>3,197,517</u>	

Funding Summary:	Free Cash	686,000
	Free Cash "Loan"	361,000
	Ambulance Receipts	629,978
	Police Apparatus Revolving	25,000
	Fire Apparatus Revolving	10,000
	School Revolving Account	62,250
	Chapter 90	594,113
	Meals Tax	100,000
	Transfer from Mill St. Road Project	48,646
	Water Receipts	460,000
	Sewer Receipts	220,530
	Total	3,197,517

NOT HELD ITEMS ADOPTED 156 Affirmative 0 Negative 8:44 PM

HELD ITEM

Fire 1,000,978 \$629,978 Ambulance Receipts, \$10,000 Fire Revolving,
& a \$361,000 Free Cash "Loan"

ADOPTED 163 Affirmative 0 Negative 8:50 PM

ARTICLE 6: MOVED, that the Town vote to fund the Revised Consolidated Personnel By-Law, in accordance with the terms and conditions of a document entitled "Revised Consolidated Personnel By-Law 2013", a copy of which is on file with the Town Clerk; and to appropriate the sum of \$95,885 of which \$90,310 shall be transferred from free cash, \$4,940 shall be funded from water receipts and \$635 shall be funded from sewer receipts, to supplement the wage and salary amounts voted under Article 4 of the Warrant.

ADOPTED 148 Affirmative 6 Negative 9:29 PM

ARTICLE 7: MOVED, that the Town vote no action be taken on the subject matter of Article 7. (Fire Contract)

ADOPTED 144 Affirmative 0 Negative 9:31 PM

ARTICLE 8: MOVED, that the Town vote no action be taken on the subject matter of Article 8. (Police Contract)

ADOPTED 138 Affirmative 0 Negative 9:32 PM

ARTICLE 9: MOVED, that the Town vote no action be taken on the subject matter of Article 9. (Highway Contract)

ADOPTED 142 Affirmative 0 Negative 9:32 PM

ARTICLE 10: MOVED that the Town vote to transfer from free cash the sum of Nine Thousand Nine Hundred Forty Three Dollars (\$9,943) to fund the cost items for Fiscal Year 2013 in a collective bargaining contract between the Town of Foxborough (represented by the Board of Selectmen) and the Boyden Library Employees Association, MLSA, AFT-MA, AFL-CIO in accordance with Chapter 150E of the General Laws of the Commonwealth.

ADOPTED 143 Affirmative 0 Negative 9:35 PM

ARTICLE 11: MOVED, that the Town vote the sums of money listed in the column below entitled "Adjust" be hereby appropriated to be added to the appropriations voted pursuant to Article 5 of the May 9, 2011 Annual Town Meeting, FY 2012 Annual Budget for the departments listed below in order to fund the expenses associated with: 1) Increased ambulance receipts collection costs; 2) Repairs to the Ladder Truck Stabilizers; 3) Veterans Agent Salary Adjustment; and 4) Regional Veterans District Assessment, and to meet such appropriations the amounts listed in the column below entitled "Adjust" be transferred from the Funding Sources listed in the column entitled "Funding Source", as follows:

<u>Item #</u>	<u>Dept #</u>	<u>Department</u>	<u>Budget</u>	<u>Adjust</u>	<u>Revised FY '12 Budget</u>	<u>Funding Source</u>
1)	130	Finance Expenses	216,195	20,000	236,195	Ambulance Receipts
2)	220	Fire Expenses	253,105	12,445	265,550	Ambulance Receipts
3)	543	Veterans Salaries	35,112	30,097	65,209	Debt Interest
4)	543	Veterans Expenses	105,630	16,814	122,444	Debt Interest

ADOPTED 143 Affirmative 2 Negative 9:45 PM

ARTICLE 12: MOVED, that the Town vote to reauthorize the following revolving funds pursuant to Massachusetts General Laws Chapter 44, Section 53E ½ for the Fiscal Year 2013, beginning July 1, 2012.

<u>Revolving Fund #</u>	<u>Name of Revolving Fund</u>	<u>Spending Authority</u>	<u>Revenue Sources</u>	<u>Use of Funds</u>	<u>FY '13 Spending Limit</u>
1	Recreation Revolving Fund	Board of Recreation	Funds from Program Participation	Recreation Department Programs	\$130,000
2	Police and Fire Apparatus Utilization Revolving Fund	Town Manager	Vehicle apparatus rental fees collected from vendors hiring Police and/or Fire details requiring the use of Police and/or Fire vehicles	Repair, replacement or purchase of equipment for Fire and Police vehicles	\$60,000
3	Highway Department Revolving Fund	Town Manager	Fee for services and various Town department payments	Highway department labor and/or materials costs	\$40,000

ADOPTED 144 Affirmative 0 Negative 9:48 PM

ARTICLE 13: MOVED, that the Town vote to raise and appropriate the sum of Four Hundred Forty-Seven Thousand Five Hundred and Twenty-Eight Dollars (\$447,528) of which \$400,000 shall be funded from local receipts meals tax revenue, \$38,022 shall be funded from water receipts and \$9,506 shall be funded from sewer receipts into the Other Post Employment Benefits (OPEB) Liability Trust fund to be used towards the unfunded actuarial liability of health care and other post-employment benefits for Town of Foxborough retirees.

ADOPTED 139 Affirmative 0 Negative 9:50 PM

ARTICLE 14: MOVED, that the Town vote to transfer Two Hundred Fifty Thousand Dollars (\$250,000) from free cash into the Town's general stabilization fund for reserve balance purposes.
2/3rds required

ADOPTED 136 Affirmative 0 Negative 9:52 PM

ARTICLE 15: MOVED, that the Town vote to transfer Four Hundred and Five Thousand Dollars (\$405,000) from free cash to supplement the appropriation voted pursuant to Article #6 of the May 10, 2010, Annual Town Meeting, for the renovation and expansion of the Boyden Library, and in addition, the amount that will be borrowed for the Library Building Project shall be reduced by Four Hundred and Five Thousand Dollars (\$405,000).

ADOPTED 141 Affirmative 0 Negative 9:54 PM

ARTICLE 16: MOVED, that the Town vote to transfer Three Hundred Eighty-Two Thousand Six Hundred Two Dollars and One Cent (\$382,602.01) from available funds to supplement the appropriation voted pursuant to Article #7 of the May 10, 2010, Annual Town Meeting, for the construction of the Oak Street Water Treatment facilities, and that 100% of said amount shall reduce the amount that will be borrowed for the Oak Street Water Treatment

Project. And to fund this appropriation by transferring Two Hundred Ninety-Two Thousand Three Hundred Fifty-Two Dollars and One Cent (\$292,352.01) from the Water Pressure District Capital Project account # 63450551 and Ninety Thousand Two Hundred Fifty Dollars (\$90,250) from the Water Reuse System Capital Project account # 63450552.

ADOPTED 138 Affirmative 0 Negative 9:58 PM

ARTICLE 17: MOVED, that the Town vote to authorize the Town Manager to expend any funds received or to be received from the State and/or County for the construction, reconstruction, improvements or other highway related activities.

ADOPTED 135 Affirmative 0 Negative 9:59 PM

ARTICLE 18: MOVED, that the Town vote that the Board of Selectmen be authorized to lease for a term not to exceed a total of 20 years all or any portions of the certain parcel of land, together with improvements thereon, commonly known as the "old dump" or "former landfill" located on East Belcher Road and identified as Assessor Map 108, Lot 3174, Map 94 Lot 2848, and Map 108 Lot 2847, subject to G.L. c. 30B or 25A, for the purposes of installing and operating solar panels and generation, storage and transmission of electricity.
2/3rds required

ADOPTED 138 Affirmative 0 Negative 10:02 PM

ARTICLE 19: MOVED, that the Town vote that the Board of Water and Sewer Commissioners be authorized to grant a permanent conservation restriction on all or any portions of Town-owned land consisting of approximately 91.8 acres, located northeasterly of Oak Street and known as Town Assessor Map 48, Parcel 1355 and Map 37 & 38, Parcel 918, and further described on that certain plan entitled "Conservation Easement Plan," dated February 17, 2012, and prepared by Bay Colony Group, Inc. for conservation and open space purposes.

ADOPTED 142 Affirmative 0 Negative 10:05 PM

ARTICLE 20: MOVED, that the Town vote that part of Oak Street shown as Parcel 3, 20,711 S.F., Discontinued, the plan of land entitled Plan and Profiles showing the Layout of a New Way, the Discontinuance of a portion of Oak Street and the Alteration of a portion of Cocasset Street, Foxborough as made by the County Commissioners by Return dated September 3, 1980, Scale 1" = 40', be discontinued; and that the Board of Selectmen be authorized to release any title or interest the Town may have to said portion of Oak Street for a minimum amount of \$1 or to abandon said portion of Oak Street, on such terms as the Selectmen may deem to be in the best interest of the Town.

ADOPTED 136 Affirmative 0 Negative 10:10 PM

ARTICLE 21: MOVED, that the Town vote that the Board of Selectmen be authorized to release any and all right, title and interest in and to the right of way across the land known as 207-209 Oak Street in Foxborough, being Map 82, Lot 2472, extending from Oak Street to lands located to the west of the said 207-209 Oak Street parcel and described in the deed to Bruce Mosher dated September 29, 1955 and recorded at the Norfolk County Registry of Deeds in Book 3421, Pages 258-260; and further that the Board of Selectmen be authorized to release for a minimum amount of \$1 or to abandon any and all such right, title and interest the Town may have in said right of way, on such terms as the Selectmen may deem to be in the best interest of the Town.

ADOPTED 132 Affirmative 0 Negative 10:14 PM

ARTICLE 22: MOVED, that the Town vote that the Revised General By-laws of the Town of Foxborough be amended by adding a new Article V, Section 22, entitled "Stretch Energy Code By-law" as printed in the Annual Town Meeting Warrant, for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the "Stretch Energy Code", including future editions, amendments or modifications, thereto

NOT ADOPTED 24 Affirmative 102 Negative 10:29 PM

ARTICLE 23: MOVED, that the Town vote that the Chapter 137, Section 1 of the Acts of 2003, An Act Relative To Public Employees Serving In The Armed Forces Of The United States, be accepted by the town.

NOT ADOPTED

65 Affirmative

70 Negative

11:02 PM

ARTICLE 24: MOVED, that the Town Vote that Article V, Section 1, Police Regulations, of the Revised General By-laws of the Town of Foxborough be amended by adding the following new last subsection after the subsection entitled "Police Protection Required at Certain Gatherings,":

Parking By-law

A. No person shall park, cause to be parked, or solicit any other person to park on any property any vehicle for a fee for any concert, dance, exhibition, cabaret, public show of any description, theatrical exhibition, public amusement, exhibition of every description, game, sport, fair, exposition, play, entertainment or public diversion for which the number of tickets available for sale exceeds 15,000 unless otherwise authorized by a license issued by the Board of Selectmen pursuant to the "Licensing Procedure And Regulations For Commercial Parking."

B. No person shall park, cause to be parked, or solicit any other person to park on any property any vehicle which parking causes or contributes to any risk to the safety, health and/or welfare of the public by contributing to traffic congestion, preventing or impeding access to any building, property or structure by emergency response vehicles, or by creating or contributing to a general nuisance to the neighborhood.

C. Any violation of this Parking By-law shall be punishable by a fine of One Hundred Dollars (\$100.00). Each vehicle parked in violation of this Parking By-law shall constitute a separate offense. Each day any vehicle is parked in violation of this Parking By-law shall constitute a separate offense.

D. In addition to any other available enforcement remedy and as an alternative to initiating criminal proceedings, this Parking By-law may be enforced by noncriminal disposition pursuant to M.G.L. c.40, Section 21D, in which case the enforcement persons shall be the Town of Foxborough Building Commissioner or any officer of the Town of Foxborough Police Department and the penalty for each violation shall be One Hundred Dollars (\$100.00).

ADOPTED

73 Affirmative

50 Negative

11:34 PM

RECONSIDERATION FAILED

7 Affirmative

115 Negative

11:35 PM

Kevin P. Weinfeld, Chairman of the Planning Board, moved **NO ACTION** on Articles #25, #26, #27, #28, and #29, collectively.

ARTICLE 25: MOVED NO ACTION BE TAKEN ON ARTICLE #25. (MOVED, that the Zoning By-Laws be amended by striking the words "except as provided for in Section 3.4 of these By-Laws" from the end of Section 10.2.2.3.)

ARTICLE 26: MOVED NO ACTION BE TAKEN ON ARTICLE #26. (MOVED, that the Zoning By-Laws be amended by striking Section 1.6 in its entirety and replacing it with "These By-Laws may be changed by amendment, addition or repeal pursuant to Massachusetts General Laws, Chapter 40A, Section 5.")

ARTICLE 27: MOVED NO ACTION BE TAKEN ON ARTICLE #27. (MOVED, that the Zoning By-Laws be amended as follows:

In Table 3-1, Table of Uses, Use Group L. 14., "Family Day Care, Large or Small" change from BA to Y so that the Table of Uses reads:

L.14. Family Day Care, Large or Small

R-15	R-40	GB	NB	HB	GI	LI	S-1
Y	Y	Y	Y	Y	Y	Y	N

and

by striking the existing Section 10.5.2 and the first section numbered 10.5.3 and replacing them with the following new Section 10.5.2:

10.5.2 Authority and Applicability. The Planning Board shall hear and decide all petitions for Site Plan Review in accordance with the provisions of this Section 10.5. Site Plan Review is required for:

1. Any new building, and any addition to or any change of use of a predominantly nonresidential building in any zoning district. This shall include the construction of a new building on a previously developed lot. When an addition is proposed to an existing building, the Planning Board reserves the right to review the existing structure and site.
2. Any alteration of land greater than 1,000 square feet or change of use of land except for one (1) and two (2) family residential, agricultural, horticultural, floriculture, or viticulture uses.
3. Family Day Care, Large or Small.)

ARTICLE 28: MOVED NO ACTION BE TAKEN ON ARTICLE #28. (MOVED, that Zoning By-Laws Section 9.2.2 be amended by adding Howard Avenue, Rockhill Street and Shaw Place in appropriate alphabetical order and by adding the phrase "(Main Street to Union Street)" after Granite Street.)

ARTICLE 29: MOVED NO ACTION BE TAKEN ON ARTICLE #29. (MOVED, that the Zoning By-Laws be amended by striking the existing Section 9.3 FLOOD PLAIN OVERLAY DISTRICT (FPOD) and substituting a new Section 9.3 FLOOD PLAIN OVERLAY DISTRICT (FPOD) as printed in the Annual Town Meeting Warrant.)

<u>MOTION ADOPTED</u>	102 Affirmative	0 Negative	11:55 PM
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Motion to adjourn was made.

<u>ADOPTED</u>	102 Affirmative	0 Negative	11:56 PM
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The Annual Town Meeting was adjourned at 11:56 PM.

A True Record Attest:

Robert E. Cutler, Jr., Town Clerk
