

**TOWN CLERK'S REPORT**  
**ANNUAL TOWN MEETING**

Monday, the Ninth Day of May 2016

The Annual Town Meeting of the Town of Foxborough convened at 7:34 PM in the auditorium of the Foxborough Senior High School, 120 South Street, Foxborough, Massachusetts with Town Moderator Francis J. Spillane presiding. Father Edward Cardoza of St. Mark's Church delivered the invocation. Heidi Krockta of the Advisory Committee led the Pledge of Allegiance. Hannah Kalcic, a Foxborough High School senior sang the National Anthem.

The assemblage recognized the presence of Police

Chief Edward T. O'Leary. Chief O'Leary was commended for his 39 year career in law enforcement in Foxborough of which the past 31 years he has served as chief. Chief O'Leary was thanked for his service and was given well wishes on his upcoming retirement. Town Clerk Robert E. Cutler, Jr., then read the Warrant and Return.

There were one hundred seventy-two (172) registered voters recorded as present [a quorum being one hundred (100) registered voters].

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**ARTICLE 1:** Town Clerk, Robert E. Cutler, Jr. reported on the election of Town Officials which was held on Monday, May 2, 2016. The results of the following positions were announced at the John J. Ahern Middle School by Kathleen M. Brady, Town Warden: one Moderator for three years; one Town Clerk for three years; 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; one Planning Board member for three years; one Planning Board member for one year; one Housing Authority member for five years; one Housing Authority member for four years.

**ARTICLE 2:** Town Clerk Robert E. Cutler, Jr., presented the 237th 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, 2015.

**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. Planning Board Director, Paige Duncan, reported on the progress of Southeastern Regional Planning and Economic Development District (SRPEDD) relative to a traffic study to be performed for the Route 140 area (from Commercial Street & Central Streets).

**ARTICLE 4:** MOVED, that the Town vote the compensation for elected officials and to raise and appropriate, transfer from available funds, the sums of money herein specified and requested for the operation of various Town boards, officers, commissions and departments of the Town during the Fiscal Year 2017, beginning July 1, 2016 and ending June 30, 2017 as follows:

Taxation, State Aid & Local Receipts	60,979,839.24
Free Cash	1,207,617.00
Ambulance Receipts	888,540.00
Recreation Revolving	11,700.00
Overlay Surplus	50,000.00
Water Receipts	4,622,192.63
Sewer Receipts	1,442,555.75
	<u>69,202,444.61</u>

**ITEMS NOT HELD**

<b><u>ADOPTED:</u></b>	136 Affirmative	0 Negative	8:07 PM
Item #915	136 Affirmative	0 Negative	8:11 PM

**FUNDING SOURCES**

<b><u>ADOPTED:</u></b>	138 Affirmative	0 Negative	8:13 PM
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**GENERAL GOVERNMENT:**

		FY2017	Funding Source(s)
122	SELECTMEN		
	Expenses	31,400	Taxation, State Aid & Local Receipts
123	ADMINISTRATION		
	Salaries	455,904	Taxation, State Aid & Local Receipts
	Expenses	87,228	Taxation, State Aid & Local Receipts
		543,132	
125	AUDIT TOWN FINANCIAL RECORDS		
	Annual Financial	39,500	Taxation, State Aid & Local Receipts
130	FINANCE		
	Salaries	848,956	Taxation, State Aid & Local Receipts
	Expenses	276,994	Taxation, State Aid & Local Receipts:
		1,125,950	176,994; Ambulance Receipts: 50,000; Overlay Surplus: 50,000
141	ADVISORY COMMITTEE		
	Expenses	2,500	Taxation, State Aid & Local Receipts
142	RESERVE FUND ( <i>Appropriated for Transfer, Not Expended.</i> )	75,000	Taxation, State Aid & Local Receipts
151	LEGAL	178,000	Taxation, State Aid & Local Receipts
156	GIS Department		
	Expenses	16,535	Taxation, State Aid & Local Receipts
161	TOWN CLERK		

	Compensation	84,326	Taxation, State Aid & Local Receipts
	Salaries	50,525	Taxation, State Aid & Local Receipts
	Expenses	12,925	Taxation, State Aid & Local Receipts
	Capital Outlay	2,500	Taxation, State Aid & Local Receipts
		150,276	
162	ELECTION & REGISTRATION		
	Salaries	52,161	Taxation, State Aid & Local Receipts
	Expenses	16,225	Taxation, State Aid & Local Receipts
	Capital Outlay	9,000	Taxation, State Aid & Local Receipts
		77,386	
171	CONSERVATION COMMISSION		
	Salaries	75,163	Taxation, State Aid & Local Receipts
	Expenses	3,230	Taxation, State Aid & Local Receipts
		78,393	
175	PLANNING BOARD		
	Salaries	170,281	Taxation, State Aid & Local Receipts
	Expenses	47,825	Taxation, State Aid & Local Receipts
		218,106	
176	APPEALS BOARD		
	Expenses	2,900	Taxation, State Aid & Local Receipts
192	MUNICIPAL BUILDING		
	Salaries	115,008	Taxation, State Aid & Local Receipts
	Expenses	402,515	Taxation, State Aid & Local Receipts
	Capital Outlay	5,000	Taxation, State Aid & Local Receipts
		522,523	
195	TOWN BUILDINGS		
	Expenses	25,000	Taxation, State Aid & Local Receipts
	<b>TOTAL GENERAL GOVERNMENT</b>	<b>3,086,601</b>	
<b>PUBLIC SAFETY:</b>			
210	POLICE		
	Salaries	3,522,150	Taxation, State Aid & Local Receipts
	Expenses	314,689	Taxation, State Aid & Local Receipts
	Capital Outlay	87,900	Taxation, State Aid & Local Receipts
		3,924,739	
220	FIRE		
	Salaries	3,045,815	Taxation: 2,307,275; Ambulance: 738,540

	Expenses	276,927	Taxation: 176,927; Ambulance 100,000
	Capital Outlay	32,420	Taxation, State Aid & Local Receipts
		3,355,162	
230	CENTRAL DISPATCH & SERVICES		
	Salaries	529,503	Taxation, State Aid & Local Receipts
	Expenses	25,400	Taxation, State Aid & Local Receipts
		554,903	
235	JOINT PUBLIC SAFETY BUILDING		
	Salaries	61,927	Taxation, State Aid & Local Receipts
	Expenses	7,200	Taxation, State Aid & Local Receipts
		69,127	
241	INSPECTION		
	Salaries	301,167	Taxation, State Aid & Local Receipts
	Expenses	8,704	Taxation, State Aid & Local Receipts
		309,871	
292	ANIMAL CONTROL		
	Salaries	52,525	Taxation, State Aid & Local Receipts
	Expenses	6,873	Taxation, State Aid & Local Receipts
		59,398	
	<b>TOTAL PUBLIC SAFETY</b>	<b>8,273,200</b>	
<b>EDUCATION:</b>			
300	FOXBOROUGH PUBLIC SCHOOLS		
	Salaries & Expenses	32,969,309	Taxation, State Aid & Local Receipts
390	SOUTHEASTERN REGIONAL	370,255	Taxation, State Aid & Local Receipts
	<b>TOTAL EDUCATION</b>	<b>33,339,564</b>	
<b>PUBLIC WORKS:</b>			
410	PUBLIC WORKS		
	Salaries	1,256,602	Taxation, State Aid & Local Receipts
	Expenses	413,888	Taxation, State Aid & Local Receipts
	Capital Outlay	6,500	Taxation, State Aid & Local Receipts
		1,676,990	
423	SNOW & ICE		
	Salaries	33,500	Taxation, State Aid & Local Receipts
	Expenses	170,800	Taxation, State Aid & Local Receipts

	Capital Outlay	11,000	Taxation, State Aid & Local Receipts
		215,300	
424	STREET LIGHTING	145,000	Taxation, State Aid & Local Receipts
430	SOLID WASTE (LANDFILL)		
	Salaries	2,300	Taxation, State Aid & Local Receipts
	Expenses	60,000	Taxation, State Aid & Local Receipts
		62,300	
433	SOLID WASTE (COLLECTION)	38,450	Taxation, State Aid & Local Receipts
450	WATER ENTERPRISE		
	Salaries	1,345,610	Water Receipts
	Expenses	1,528,806	Water Receipts
	Debt Service	1,073,594	Water Receipts
		3,948,010	
460	SEWER ENTERPRISE		
	Salaries	144,572	Sewer Receipts
	Expenses	1,094,780	Sewer Receipts
	Debt Service	92,603	Sewer Receipts
		1,331,955	
	<b>TOTAL PUBLIC WORKS</b>	<b>7,418,005</b>	
<b>HUMAN SERVICES:</b>			
510	BOARD OF HEALTH		
	Salaries	215,418	Taxation, State Aid & Local Receipts
	Expenses	7,569	Taxation, State Aid & Local Receipts
		222,987	
520	HEALTH AGENCIES		
	Expenses	38,171	Taxation, State Aid & Local Receipts
541	COUNCIL ON AGING/HUMAN SERVICES		
	Salaries	372,726	Taxation, State Aid & Local Receipts
	Expenses	28,154	Taxation, State Aid & Local Receipts
		400,880	
543	VETERANS		
	Salaries	103,106	Taxation, State Aid & Local Receipts
	Expenses	233,000	Taxation, State Aid & Local Receipts

		336,106	
	<b>TOTAL HUMAN SERVICES</b>	998,144	
<b>CULTURE &amp; RECREATION:</b>			
610	LIBRARY		
	Salaries	780,514	Taxation, State Aid & Local Receipts
	Expenses	239,750	Taxation, State Aid & Local Receipts
	Capital Outlay	3,000	Taxation, State Aid & Local Receipts
		1,023,264	
630	RECREATION		
	Salaries	63,345	Taxation, State Aid & Local Receipts
691	HISTORICAL COMMISSION		
	Expenses	14,175	Taxation, State Aid & Local Receipts
	<b>TOTAL CULTURE &amp; RECREATION</b>	1,100,784	
<b>DEBT SERVICE:</b>			
710	DEBT - PRINCIPAL	2,333,000	Taxation, State Aid & Local Receipts
751	DEBT - INTEREST	939,391	Taxation, State Aid & Local Receipts
760	DEBT - ISSUANCE & EXPENSES	25,000	Taxation, State Aid & Local Receipts
	<b>TOTAL DEBT SERVICE</b>	3,297,391	
<b>INSURANCE &amp; OTHER:</b>			
911	PENSIONS/RETIREMENT	3,655,092	Taxation, State Aid & Local Receipts:
913	WORKERS COMPENSATION	242,000	Taxation, State Aid & Local Receipts
914	UNEMPLOYMENT COMPENSATION	100,000	Taxation, State Aid & Local Receipts
915	GROUP HEALTH/LIFE INSURANCE	7,174,042	Taxation, State Aid & Local Receipts: 5,954,725; Free Cash: 1,207,617; and Recreation Revolving: 11,700
945	GENERAL INSURANCE	517,622	Taxation, State Aid & Local Receipts
	<b>TOTAL INSURANCE &amp; OTHER</b>	11,688,756	
	<b>TOTAL ALL OPERATING BUDGETS</b>	<u>69,202,445</u>	

**ARTICLE 5:** MOVED, that the Town 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 as listed in Appendix A in order to implement the CIP budget request for Town Departments for FY 2017 as follows:

DEPARTMENT	AdComm Recommend	Recommended Funding Sources
Information Systems	100,000	\$45,000 Overlay Surplus, \$55,000 Sale of Asset Receipts
Police	308,109	\$153,109 Free Cash, & \$155,000 Overlay Surplus
Fire	337,103	\$281,168 Ambulance Receipts, \$55,935 Fire Apparatus Revolving
Inspection	30,000	Free Cash
Public Schools	553,000	\$428,000 Free Cash, \$125,000 Sale of Asset Receipts
Highway	693,000	\$580,000 Free Cash, \$113,000 Taxation
Highway (Chapter 90)	619,904	Chapter 90 State Allocation
Highway (Roads)	217,058	\$165,620 from Meals Tax Receipts, & \$51,438 Free Cash
Water Enterprise	553,106	Water Receipts
Total	<u>3,411,280</u>	

**Funding Summary:**

Free Cash	1,242,547
Taxation	113,000
Overlay Surplus	200,000
Ambulance Receipts	281,168
Apparatus Revolving	55,935
Chapter 90	619,904
Meals Tax Receipts	165,620
FY 2016 Sale of Assets Receipts	180,000
Water Receipts	553,106
Total	<u>3,411,280</u>

**ADOPTED:**

133 Affirmative

1 Negative

8:17 PM

**ARTICLE 6:** MOVED, that Sixteen Million Seven Hundred Thousand Nine Hundred and Eighteen Dollars (\$16,700,918) be appropriated to be spent by the Water and Sewer Commissioners for the purpose of installing a new green sand water treatment plant at 25 Pumping Station Road, including replacement of Wells 1, 2A and 3, installing a new water main feeder from the plant to Mechanic Street, relining or replacing the existing 10 inch main from the plant to Payson Road, extending water mains, and appurtenances, rehabilitation and addition to the existing building at 25 Pumping Station Road, and including all testing, engineering, design, specifications, contract documents, permitting, construction and construction administration costs relating thereto, and to meet this appropriation, Two Hundred Thousand Nine Hundred and Eighteen Dollars (\$200,918) be transferred from the Oak Street Treatment Plant Capital Project account, and the

Town Treasurer, with the approval of the Board of Selectmen, be hereby authorized to borrow sixteen million five hundred thousand (\$16,500,000) pursuant to any applicable statute, under Mass G.L. Ch. 44 Sec. 7(3A), Sec. 8(4), 8(5), 8(6), 8(7), or any other enabling authority, and to issue bonds and notes of the town for this purpose as general obligations of the town with the intent that the principal and interest payments thereon shall be paid out of water revenues, and that One Million One Hundred Twenty-Seven Thousand and Five Hundred Dollars (\$1,127,500) be appropriated from water receipts for the purpose of paying the Fiscal 2017 debt service costs associated with this borrowing.

2/3rds Required

**ADOPTED:** 129 Aff. 2 Neg. 8:24 PM

**ARTICLE 7:** MOVED, that the Town transfer from available funds the amount of Seven Hundred Thousand (\$700,000) Dollars for the purpose of paying costs of undertaking a feasibility study for the Burrell Elementary School, located at 16 Morse Street, including the payment of all costs incidental or related thereto, and for which the Town may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the School Building Committee. To meet said appropriation, the amount of Seven-Hundred thousand (\$700,000) to be transferred from Free Cash. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town and further any amount appropriated shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the Town and the MSBA.

**MOTION TO AMEND** Amend Article 7 to replace \$300,000 wherever \$700,000 is stated in the motion.

**MOTION TO AMEND**

**NOT ADOPTED:** 1 Aff. 153 Neg. 8:52 PM

**MAIN MOTION**

**ADOPTED:** 152 Aff. 1 Neg. 8:53 PM

**ARTICLE 8:** MOVED, that the Town vote to raise and appropriate or transfer from available funds Sixty-Six Thousand Nine Hundred Eighty-Four dollars (\$66,984) to supplement the wage and salary amounts voted under Article 4 of the Warrant and in accordance with the "FY 2017 Non-Union Managerial and Seasonal Pay Plans", a copy of which is on file with the Town Clerk; and to determine whether to meet said appropriation by a transfer from Free Cash in the amount of Sixty-Three Thousand Six Hundred Eighty-Four dollars (\$63,684) and Two Thousand Seven Hundred Fifty dollars (\$2,750) from Water Receipts, and Five Hundred Fifty dollars (\$550) from Sewer Receipts.

**ADOPTED:** 152 Aff. 0 Neg. 8:58 PM

**ARTICLE 9:** MOVED, that the Town vote to raise and appropriate or transfer from available funds Seventy-Five Thousand Two Hundred Seventy-Four dollars (\$75,274) to fund the cost items for Fiscal Year 2016 and Fiscal Year 2017 in a collective bargaining contract between the Town of Foxborough (represented by the Board of Selectmen) and Foxborough Dispatcher Department, Massachusetts Coalition of Police AFL-CIO, Local 440, in accordance with Chapter 150E of the General Laws of the Commonwealth; and to meet said FY 2016 appropriation by a transfer from Free Cash in the amount of Twenty-Five Thousand Eight Hundred Seventy-Two dollars (\$25,872) and to meet said FY 2017 appropriation by a transfer from Free Cash in the amount of Forty-Nine Thousand Four Hundred Two dollars (\$49,402).

**ADOPTED:** 150 Aff. 0 Neg. 9:00 PM

**ARTICLE 10:** MOVED, that the Town vote to raise and appropriate or transfer from available funds Thirty-Nine Thousand Forty-Three dollars (\$39,043) to fund the cost items for Fiscal Year 2017 in a collective bargaining contract between the Town of Foxborough (represented by the Board of Selectmen) and the Foxborough Highway and Water Employees Union, AFSCME, in accordance with Chapter 150E of the General Laws of the Commonwealth; and to determine whether to meet said FY 2017 appropriation by a transfer from Free Cash in the amount of Nineteen Thousand Two Hundred Thirty-Five dollars (\$19,235) and Sixteen Thousand Four Hundred Seventy-Seven dollars (\$16,477) from Water Receipts and Three Thousand Three Hundred Thirty-One dollars (\$3,331) from Sewer Receipts.

**ADOPTED:** 148 Aff. 0 Neg. 9:01 PM

**ARTICLE 11:** MOVED, that the Town vote to raise and appropriate or transfer from available funds amounts requested to amend Article 4 of the May 11, 2015, FY 2016 Annual Operating Budget in order to fund the expenses associated with: 1)

Increased inspections by part-time inspectors associated with higher than planned development activity; 2) Reimbursement from a third party for electrical work at the Payson Road Laundry building paid for by the Town; as follows:

<u>Item #</u>	<u>Dept #</u>	<u>Department</u>	<u>Budget</u>	<u>Adjust</u>	<u>Revised FY '16 Budget</u>	<u>Funding Source</u>
1)	241	Inspection Salaries	301,774	125,000	426,774	Local Receipts
2)	410	Highway Expenses	431,392	3,500	434,892	Local Receipts

**ADOPTED:** 146 Affirmative 2 Negative 9:06 PM

**ARTICLE 12:** MOVED, to see what revolving funds the Town may authorize and reauthorize pursuant to Massachusetts General Laws Chapter 44,

Section 53E ½ for the Fiscal Year 2017, beginning July 1, 2016.

<i>Revolving Fund #</i>	<i>Name of Revolving Fund</i>	<i>Spending Authority</i>	<i>Revenue Sources</i>	<i>Use of Funds</i>	<i>FY '17 Spending Limit</i>
1	Recreation Revolving Fund	Board of Recreation	Funds from Program Participation	Recreation Department Programs	\$350,000
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	\$100,000
3	Highway Department Revolving Fund	Town Manager	Fee for services and various Town department payments	Highway department labor and/or materials costs	\$40,000
4	Council on Aging Senior Trips & Programs Fund	Town Manager	Funds from Program Participation	Council On Aging Department Programs	\$60,000

**ADOPTED:** 140 Affirmative 0 Negative 9:10 PM

**ARTICLE 13:** MOVED, to see if the Town will vote to raise and appropriate or transfer from available funds the sum of Eight Hundred Sixty-Four Thousand and Sixty-Nine Dollars (\$864,069) 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. \$800,000 to be funded from Meals Tax receipts and \$51,256 from Water Enterprise receipts and \$12,813 from Sewer Enterprise receipts.

**ADOPTED:** 139 Aff. 0 Neg. 9:13 PM

**ARTICLE 14:** 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:** 136 Aff. 0 Neg. 9:14 PM

**ARTICLE 15:** MOVED, that the Town authorize the Board of Selectmen to petition the General Court to adopt the following legislation. The Legislature may reasonably vary the form and substance of the request legislation subject to the approval of the Board of Selectmen who are hereby authorized to approve amendments within the scope of the general public objectives of this petition. In addition, the Board of Selectmen are authorized to pursue the general public objectives of this article through one or more separate petitions of a more limited or specific scope, offered at such time as the Board of Selectmen deem appropriate, to accomplish incrementally the general public objectives of this petition:

AN ACT AUTHORIZING THE TOWN OF  
FOXBOROUGH TO GRANT **FOUR**  
ADDITIONAL LICENSES FOR THE SALE OF  
ALL ALCOHOLIC BEVERAGES TO BE DRUNK  
ON THE PREMISES.

Be it enacted by the Senate and House of  
Representatives in General Court assembled, and by  
the authority of the same, as follows:

SECTION 1.

- (a) Notwithstanding section 12 and 17 of chapter 138 of the General laws or any other general or special law to the contrary, Foxborough Board of Selectmen may grant **FOUR** additional licenses for the sale of all alcoholic beverages to be drunk on the premises subject to the conditions set forth in this act.
- (b) The Board of Selectmen shall restrict all of the licenses to business entities located within that site identified as the development area to be known as ROUTE ONE, as more particularly shown on a plan which is on file with the Board of Selectmen. ("Site")
- (c) Notwithstanding said section 12 of said chapter 138, the additional licenses authorized by this act shall be subject to an original license fee of \$5,000 in addition to the annual fee for existing all alcoholic beverages licenses or wines and malt beverages licenses, as applicable, in the Town of Foxborough, such fee to be due and payable upon the original issuance of any such license and also upon the reissuance of such license pursuant to Section (e) below.
- (d) The Board of Selectmen shall determine reasonably whether an applicant or licensee meets the criteria set forth in this act consistent with the rules and regulations governing the issuance of liquor licenses promulgated by the Board of Selectmen from time to time and all other applicable law.
- (e) Any such license, if revoked or no longer in use, shall be returned physically, with all of the legal rights and privileges pertaining thereto, to the Board of Selectmen, which may grant any such returned license to a new applicant who meet the criteria set forth in this act whose business is located within the Site, such reissuance to be subject to the payment of the reissuance fee of \$5,000 as stated above.

SECTION 2. This act shall take effect upon its passage.

And further, to authorize the Board of Selectmen to take such actions and to enter into such additional instruments and agreements as they may deem appropriate and necessary to effectuate the purposes of this act; or to take any other action relative thereto.

**ADOPTED:** 128 Aff. 9 Neg. 9:22 PM

**ARTICLE 16:** MOVED, that the Town authorize the Board of Selectmen to petition the General Court to adopt the following legislation. The Legislature may reasonably vary the form and substance of the request legislation subject to the approval of the Board of Selectmen who are hereby authorized to approve amendments within the scope of the general public objectives of this petition. In addition, the Board of Selectmen are authorized to pursue the general public objectives of this article through one or more separate petitions of a more limited or specific scope, offered at such time as the Board of Selectmen deem appropriate, to accomplish incrementally the general public objectives of this petition:

AN ACT AUTHORIZING THE TOWN OF  
FOXBOROUGH TO GRANT **THREE**  
ADDITIONAL LICENSES FOR THE SALE OF  
ALL ALCOHOLIC BEVERAGES TO BE DRUNK  
ON THE PREMISES.

Be it enacted by the Senate and House of  
Representatives in General Court assembled, and by  
the authority of the same, as follows:

SECTION 1.

- (a) Notwithstanding section 12 and 17 of chapter 138 of the General laws or any other general or special law to the contrary, Foxborough Board of Selectmen may grant **three** additional licenses for the sale of all alcoholic beverages to be drunk on the premises subject to the conditions set forth in this act.
- (b) The Board of Selectmen shall restrict all of the licenses to business entities located within that site identified as the development area to be known as DOWNTOWN FOXBOROUGH, as more particularly shown

on a plan which is on file with the Board of Selectmen. ("Site")

- (c) Notwithstanding said section 12 of said chapter 138, the additional licenses authorized by this act shall be subject to an original license fee of \$5,000 in addition to the annual fee for existing all alcoholic beverages licenses or wines and malt beverages licenses, as applicable, in the Town of Foxborough, such fee to be due and payable upon the original issuance of any such license and also upon the reissuance of such license pursuant to Section (e) below.
- (d) The Board of Selectmen shall determine reasonably whether an applicant or licensee meets the criteria set forth in this act consistent with the rules and regulations governing the issuance of liquor licenses promulgated by the Board of Selectmen from time to time and all other applicable law.
- (e) Any such license, if revoked or no longer in use, shall be returned physically, with all of the legal rights and privileges pertaining thereto, to the Board of Selectmen, which may grant any such returned license to a new applicant who meet the criteria set forth in this act whose business is located within the Site, such reissuance to be subject to the payment of the reissuance fee of \$5,000 as stated above.

SECTION 2. This act shall take effect upon its passage.

And further, to authorize the Board of Selectmen to take such actions and to enter into such additional instruments and agreements as they may deem appropriate and necessary to effectuate the purposes of this act; or to take any other action relative thereto.

**ADOPTED:** 120 Aff. 8 Neg. 9:24 PM

**ARTICLE 17:** MOVED, that the Town authorize the Board of Selectmen to petition the General Court to adopt the following legislation. The Legislature may reasonably vary the form and substance of the request legislation subject to the approval of the

Board of Selectmen who are hereby authorized to approve amendments within the scope of the general public objectives of this petition. In addition, the Board of Selectmen are authorized to pursue the general public objectives of this article through one or more separate petitions of a more limited or specific scope, offered at such time as the Board of Selectmen deem appropriate, to accomplish incrementally the general public objectives of this petition:

**AN ACT AUTHORIZING THE TOWN OF FOXBOROUGH TO GRANT TWO ADDITIONAL LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES.**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

**SECTION 1.**

- (a) Notwithstanding section 12 and 17 of chapter 138 of the General laws or any other general or special law to the contrary, Foxborough Board of Selectmen may grant **two** additional licenses for the sale of all alcoholic beverages to be drunk on the premises.
- (b) The Board of Selectmen shall restrict all of the licenses to business entities located within that site containing a development to be known as South Rte. 140/Foxborough Blvd. Node, as more particularly shown on a plan which is on file with the Board of Selectmen. ("Site")
- (c) Notwithstanding said section 12 of said chapter 138, the additional licenses authorized by this act shall be subject to an original license fee of \$5,000 in addition to the annual fee for existing all alcoholic beverages licenses or wines and malt beverages licenses, as applicable, in the Town of Foxborough, such fee to be due and payable upon the original issuance of any such license and also upon the reissuance of such license pursuant to Section (e) below.

- (d) The Board of Selectmen shall determine reasonably whether an applicant or licensee meets the criteria set forth in this act consistent with the rules and regulations governing the issuance of liquor licenses promulgated by the Board of Selectmen from time to time and all other applicable law.
- (e) Any such license, if revoked or no longer in use, shall be returned physically, with all of the legal rights and privileges pertaining thereto, to the Board of Selectmen, which may grant any such returned license to a new applicant who meet the criteria set forth in this act whose business is located within the Site, such reissuance to be subject to the payment of the reissuance fee of \$5,000 as stated above.

**SECTION 2.** This act shall take effect upon its passage.

And further, to authorize the Board of Selectmen to take such actions and to enter into such additional instruments and agreements as they may deem appropriate and necessary to effectuate the purposes of this act; or to take any other action relative thereto.

**ADOPTED:** 123 Aff. 10 Neg. 9:28 PM

**ARTICLE 18:** MOVED, that the Town vote to discontinue a portion of Liberty Place as shown on a plan prepared for the Town of Foxborough by the Bay Colony Group, Civil Engineers and Land Surveyors, dated Jan 22, 2016 titled "Partial Discontinuance of Liberty Place." The discontinue of the portion of Liberty Place is located within the current location of the Town Hall parking lot located at 40 South Street.

2/3rds Required

**ADOPTED:** 123 Aff. 0 Neg. 9:30 PM

**ARTICLE 19:** MOVED, that the Town vote to allow the following parcels that have so requested to be incorporated in to the Sewer Service Area, and to amend the Sewer Service Area Map with the parcels so designated as follows:

<u>ADDRESS</u>	<u>Map</u>	<u>Lot</u>	<u>Estimated Capacity</u>
47 Mechanic Street	079	2318	200

**ADOPTED:** 129 Affirmative 0 Negative 9:32 PM

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**ARTICLE 20:** MOVED, that the Town vote to authorize the Treasurer with the approval of the Selectmen to appropriate from free cash the amount of \$74,758, for the purpose of renovating for recreation purposes a certain property together with buildings thereon, known as the Ella Hill Playground consisting of 0.36 acres, more or less, as shown on a plan entitled "Existing Conditions Plan of Land for Ella Hill Playground" in Foxborough, MA prepared by the Bay Colony Group dated 6/30/2015 that said land shall be used for public recreation as provided by Massachusetts statute and dedicated pursuant to Massachusetts General Laws Chapter 45 section 3, to be managed and controlled by the Town of Foxborough and the Selectmen be authorized to file on behalf of the Town of Foxborough any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the PARC Grant (Urban Self-Help Act 301 CMR 5.00) and enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Foxborough.

**ADOPTED:** 112 Aff. 15 Neg. 9:37 PM

**ARTICLE 21:** MOVED, that the Town vote to extend the Affordable Housing Trust, established by Article 20 at the May 13, 2013 Annual Town Meeting, from July 1, 2016 to July 1, 2019.

**ADOPTED:** 122 Aff. 2 Neg. 9:39 PM

**ARTICLE 22:** MOVED NO ACTION BE TAKEN ON ARTICLE# 22 (Chestnut Green/DCAMM Land).

**ADOPTED:** 119 Aff. 0 Neg. 9:40 PM

**ARTICLE 23:** MOVED, to accept as a public way Lawton Lane located within the "Highlawn Farm" subdivision, which has been constructed pursuant to the Planning Board Subdivision Control Regulations. Lawton Lane – from its intersection with North Street

generally westerly approximately 1,782 feet more or less to its terminus with North Street.

**ADOPTED:** 118 Aff. 0 Neg. 9:42 PM

**ARTICLE 24:** MOVED, to accept as a public way Mann Lane located within the "Highlawn Farm" subdivision, which has been constructed pursuant to the Planning Board Subdivision Control Regulations. Mann Lane – from its intersection with Lawton Lane generally westerly approximately 437 feet more or less to its terminus at a cul-de-sac.

**ADOPTED:** 121 Aff. 0 Neg. 9:42 PM

**ARTICLE 25:** MOVED, to accept as a public way Plimpton Road located within the "Highlawn Farm" subdivision, which has been constructed pursuant to the Planning Board Subdivision Control Regulations. Plimpton Road – from its intersection with Lawton Lane generally westerly approximately 453 feet more or less to its terminus at a cul-de-sac

**ADOPTED:** 118 Aff. 0 Neg. 9:43 PM

**ARTICLE 26:** MOVED, to accept as a public way Carleton Lane located within the "Fox Woods Estates" subdivision, which has been constructed pursuant to the Planning Board Subdivision Control Regulations. Carleton Lane – from its intersection with Cedar Street generally easterly approximately 525 feet more or less to its terminus at a cul-de-sac.

**ADOPTED:** 116 Aff. 0 Neg. 9:44 PM

**ARTICLE 27:** MOVED, to accept as a public way Sullivan Way located within the "Autumn Valley" subdivision, which has been constructed pursuant to the Planning Board Subdivision Control Regulations. Sullivan Way – from its intersection with Chestnut Street generally westerly approximately 1,585 feet more or less to its terminus at a cul-de-sac.

**ADOPTED:** 119 Aff. 0 Neg. 9:45 PM

**ARTICLE 28:** MOVED, that the Town vote to amend Chapter 213 - Signs, Section 213-3.C.(2) of the Code of the Town of Foxborough by deleting subsection "i" in its entirety and replacing it with a new subsection "i", to read:

- i) Any benefit that the Town of Foxborough, residents of the Town of Foxborough, and the general public may realize from the proposed sign.

And to insert a new subsection "j" to read:

- j) With respect to a Special Sign Permit for a billboard, whether there is a demonstrated need for the billboard.

**ADOPTED:** 112 Aff. 2 Neg. 9:49 PM  
*Approved by the A.G. June 1, 2016. REC*

**ARTICLE 29:** MOVED, NO ACTION BE TAKEN ON ARTICLE#29 (Amend Chapter 88 Definitions)

**ADOPTED:** 117 Aff. 0 Neg. 9:50 PM

**ARTICLE 30:** MOVED, that the Town vote to authorize, pursuant to G.L. c.164, §134, the Board of Selectmen to initiate the process to aggregate the electric load of interested electricity consumers within the Town of Foxborough and enter into agreements for services to facilitate the sale and purchase of electric energy and other related services.

**ADOPTED:** 112 Aff. 3 Neg. 9:58 PM

**ARTICLE 31:** MOVED, that the Town vote to authorize the Town Manager to enter into lease of space on an existing tower at Foxborough Public Safety Building, on property located at 8 Chestnut Street in the Town for the purpose of installing cellular/wireless telephone equipment in accordance with the terms set forth in the Invitation for Bids issued on March 9, 2016.

**ADOPTED:** 109 Aff. 1 Neg. 10:00 PM

The Annual Town Meeting was adjourned at 10:02 PM.

A True Record Attest:

Robert E. Cutler, Jr., Town Clerk

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