2017
ANNUAL TOWN MEETING
MOTIONS

Saturday, March 25, 2017 10:00AM
Abbot School Gymnasium, 25 Depot Street

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From the Moderator:

" *Demeaning words should never be used as substitute for intelligent discourse.*"
- The Rev. Federico Serra-Lima 1996

REPORTS

ARTICLE 1: Accept Town Reports *Town Manager*

Motion: *(Majority Vote Required)*
That the Town accept the Reports of Town Officers, Boards and Committees for the Fiscal Year 2016.

Selectmen recommend (5-0) and Finance Committee recommends (5-0)

FINANCIAL - FISCAL YEAR 2017

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

Motion: *(Majority Vote Required)*
That the Town dismiss Article 2.

Selectmen recommend dismissal (4-0) and Finance Committee recommends dismissal (5-0)

ARTICLE 3: Approve Fiscal Year 2017 Supplemental Appropriations *Town Manager*

Motion: *(Majority Vote Required)*
That the Town appropriate from Free Cash the sum of $788,547 (SEVEN HUNDRED EIGHTY EIGHT THOUSAND FIVE HUNDRED FORTY SEVEN DOLLARS) in order to supplement the following operating budgets in Fiscal Year 2017:

131 Finance Committee Reserve Fund	$35,000
151 Legal Services	$45,600
220 Fire Department Personal Services	$50,000
423 Snow & Ice	$400,000
945 Other Post Employment Benefits Stabilization Fund	$257,947

And further

That the Town appropriate from Ambulance Enterprise Retained Earnings the sum of $15,000 (FIFTEEN THOUSAND DOLLARS) to supplement the following Fiscal Year 2017 Operating Budgets:

640 Ambulance Enterprise Personal Services	$15,000

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

ARTICLE 4: Approve Fiscal Year 2017 Budget Transfers *Town Manager*

Motion: *(Majority Vote Required)*
That the Town dismiss Article 4.

Selectmen recommend dismissal (4-0) and Finance Committee recommends dismissal (5-0)

ARTICLE 5: Appropriate to the Stabilization Fund *Town Manager*

Motion: *(Majority Vote Required*)
That the Town appropriate from Free Cash the sum of $500,000 (FIVE HUNDRED THOUSAND DOLLARS) to be deposited into the Stabilization Fund, established under Massachusetts General Laws, Chapter 40, Section 5B.

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

ARTICLE 6: Appropriate for Perchlorate Expenses *Town Manager*

Motion: *(Majority Vote Required)*

That the Town appropriate from Free Cash the sum of $104,090 (ONE HUNDRED FOUR THOUSAND NINETY DOLLARS) for the purpose of providing funds to address associated issues regarding perchlorate contamination.

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

Town Manager State of the Town Presentation.

CAPITAL APPROPRIATIONS - FISCAL YEAR 2017

ARTICLE 7: Approve Capital Appropriations *Capital Planning Committee*

First Motion: *(Majority Vote Required)*

That the Town appropriate from Free Cash the sum of $1,818,667 (ONE MILLION EIGHT HUNDRED EIGHTEEN THOUSAND SIX HUNDRED SIXTY SEVEN DOLLARS) to provide for the following capital requests and costs incidental and related thereto:

DEPARTMENT	*AMOUNT*	*PURPOSE*
Technology	$34,000	Town computer replacement
Technology	$300,000	School computer replacement
Technology	$60,000	Server & storage replacements
Technology	$25,000	Network upgrades
Technology	$75,000	Town copiers and any other related costs
Public Buildings	$60,000	Feasibility study for the town center replacement building at 51 Main Street
Public Safety Communications	$36,000	Construction and equipment expenses for the combined police and fire dispatch center
Fire Department	$13,880	Radios for Engine #4 and associated technology
Schools	$55,000	Pumps, piping, valves for the Blanchard Middle School heating system
Schools	$37,000	Emergency school to school communication network
Engineering	$56,250	Pre-design engineering work for the Boston Road reconstruction project
Engineering	$50,000	Appraisals for the Dunstable Road and Groton Road intersection improvement project
Engineering	$200,000	Groton Road and Oak Hill Road right of way acquisitions and nonparticipating landscaping costs
Highway	$45,000	Pickup truck, purchase and equip
Highway	$12,000	Equipment trailer, purchase and equip
Highway	$30,750	Salt brine maker and storage tank, purchase and install
Highway	$365,402	Road repairs and maintenance
Highway	$211,385	6-Wheel Plow Truck, purchase and equip
Board of Health	$30,000	Vehicle replacement, purchase and equip
Recreation	$100,000	Recreation feasibility study
Parks & Grounds	$22,000	Tractor, purchase and equip

And further

That the Town appropriate from Water Enterprise Retained Earnings the sum of $77,000 (SEVENTY SEVEN THOUSAND DOLLARS) to provide for the following capital requests and costs incidental and related thereto:

DEPARTMENT	AMOUNT	PURPOSE
Water Enterprise	$18,750	Pre-design engineering work for the Boston Road reconstruction project
Water Enterprise	$26,250	Utility truck bed replacement, purchase and install
Water Enterprise	$32,000	Vehicle replacement, purchase and equip

And further

That the Town appropriate from Ambulance Enterprise Retained Earnings the sum of $21,000 (TWENTY ONE THOUSAND DOLLARS) to provide for the following capital requests and costs incidental and related thereto:

DEPARTMENT	AMOUNT	PURPOSE
Ambulance Enterprise	$21,000	Automated External Defibrillator (AED) machines and related accessories

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

Second Motion: *(2/3 Majority Vote Required)*
That the Town appropriate the sum of $500,000 (FIVE HUNDRED THOUSAND DOLLARS) for upgrades to the Westford Academy Waste Water Treatment Plant, including costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow said amount under and pursuant to Massachusetts General Laws Chapter 44 Section 7 or Section 8, or any other enabling authority, and to issue bonds or notes of the Town therefor; provided further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

Third Motion: *(2/3 Majority Vote Required)*

That the Town appropriate the sum of $615,000 (SIX HUNDRED FIFTEEN THOUSAND DOLLARS) to purchase and equip a fire truck, including costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow said amount under and pursuant to Massachusetts General Laws Chapter 44 Section 7 or Section 8, or any other enabling authority, and to issue bonds or notes of the Town therefor; provided further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

Fourth Motion: *(2/3 Majority Vote Required)*

That the Town appropriate the sum of $3,200,000 (THREE MILLION TWO HUNDRED THOUSAND DOLLARS) for the replacement of the Prospect Hill Water Tank, including costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow said amount under and pursuant to Massachusetts General Laws Chapter 44 Section 7 or Section 8, or any other enabling authority, and to issue bonds or notes of the Town therefor; provided further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

COMMUNITY PRESERVATION FUNDS

ARTICLE 8: Approve Community Preservation Committee Recommendations *Community Preservation Committee*

Motion: *(Majority Vote Required)*
That the Town, pursuant to Massachusetts General Laws, Chapter 44B, or any other enabling authority, in accordance with the recommendations of the Westford Community Preservation Committee, appropriate from Community Preservation Funds the sum $978,710 (NINE HUNDRED SEVENTY EIGHT THOUSAND SEVEN HUNDRED TEN DOLLARS) as follows:

$225,876	From Undesignated Fund Balance to the Community Housing Reserve This allocation more than covers the required 10% for Community Housing.	Community Housing Reserve
$145,834	From Undesignated Fund Balance to the Historic Resources Reserve This allocation more than covers the required 10% for Historic Resources.	Historic Resources Reserve
$32,000	From Undesignated Fund Balance For the Community Gardens at Day Field expansion and any other related costs.	Agricultural Commission
$190,000	From Undesignated Fund Balance To the Conservation Trust Fund for future open space land purchases and any other related costs.	Conservation Commission
$35,000	From Historic Resources Fund Balance For the Stonewall Restoration at Pageant Field and any other related costs.	Westford Conservation Trust
$350,000	From Undesignated Fund Balance For the Westford Academy Community Track Renovation and any other related costs.	Westford Academy

Selectmen recommend (4-0), Finance Committee recommends (5-0), and Community Preservation Committee recommends appropriations 1 to 5 (8-0) and recommends WA Track (7-1)

ARTICLE 9: Authorization of Debt for the Rehabilitation, Preservation, and Accessibility Improvements for the Roudenbush Building Located at 65 Main Street *Community Preservation Committee*

Motion: *(2/3 Vote Required)*
That the Town appropriate the sum of $7,012,612 (SEVEN MILLION TWELVE THOUSAND SIX HUNDRED TWELVE DOLLARS) to be expended under the direction of the Board of Selectmen to pay costs of rehabilitating the Roudenbush building located at 65 Main Street, including all costs incidental and related thereto; that the Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow the sum of $6,300,000 (SIX MILLION THREE HUNDRED THOUSAND DOLLARS) pursuant to Massachusetts General Laws Chapter 44, Section 7, and Massachusetts General Laws Chapter 44B, Section 11 or any other enabling authority and to issue bonds and notes therefor, and that the Treasurer with the approval of the Board of Selectmen is authorized to borrow $712,612 (SEVEN HUNDRED TWELVE THOUSAND SIX HUNDRED TWELVE DOLLARS) pursuant to Massachusetts General Laws Chapter 44, Section 7(1), or any other enabling authority and to issue bonds and notes therefore; and to further authorize the Board of Selectmen to take any other action necessary to carry out this vote; provided further that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Selectmen recommend (4-0), Finance Committee recommends (5-0), and Community Preservation Committee recommends (7-1)

FINANCIAL-FISCAL YEAR 2018

ARTICLE 10:	Amend the General Bylaws to Accept the Provisions of Massachusetts General Laws. c.44, §53E1/2 to Establish Various Revolving Funds	*Town Manager*

Motion: *(Majority Vote Required)*

That the Town vote to amend the General Bylaws by inserting a new chapter 138.1, pursuant to the provisions of Massachusetts General Laws c.44, §53E½ as most recently amended by Section 86 of Chapter 218 of the Acts of 2016, establishing various revolving funds, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, such bylaw to provide as follows, and further to establish the revolving funds set forth below for the fiscal year beginning on July 1, 2017:

Revolving Funds

There are hereby established in the Town of Westford pursuant to the provisions of Massachusetts General Laws. c.44, §53E½, the following Revolving Funds:

Revolving Fund	Spending Authority	Revenue Source	Allowed Expenses
Lease of Town Buildings: 65 & 73 Main St & 170 Plain Rd	Board of Selectmen	Lease payment and other revenues from leased properties	Costs associated with maintenance, repairs and improvements to the leased properties
Recycling Revolving	Recycling Commission	Sale of bins	Purchase of recycling supplies
Recreation Field Maintenance	Recreation Commission	Field user fees/permits	Field maintenance, hiring of necessary personnel and consulting services
Senior Center Fitness Room	Council on Aging	Fees received for the Fitness Room	Fitness room maintenance supplies, equipment warranties, training, monitoring and purchase of replacement fitness equipment
Senior Center Programs	Council on Aging	Program fees	Costs associated for the operation of activities for Cameron to include supplies and wages
School Parking	School Department	Parking fees	Maintenance and expansion of parking facilities
School Bus/Transportation	School Department	User bus fees	Student transportation costs
East Boston Camps Maintenance	Conservation Commission	Revenue received for the lease, rental or licensing of camp facilities	Costs associated for the operation and maintenance of the East Boston Camps property located in the Stony Brook Conservation Land
Immunizations and Clinical Services	Board of Health	Fees received for immunizations and clinical services	Costs of supplies and technical services for immunization and clinical programs
Community Gardens	Agricultural Commission	Fees received for use of community gardens	Costs associated with maintenance, improvements, supplies and tools for the community gardens
Town Forest Management	Town Forest Committee	Revenue received from the sale of timber for the support and management of town forests	Costs associated with the management and maintenance of Town Forests

Expenditures from each revolving fund shall be subject to the annual limitation established by Town Meeting, and to any additional limitations as otherwise set forth in Massachusetts General Laws c.44, §53E½.

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

ARTICLE 11: Authorize Revolving Funds *Town Manager*

Motion: *(Majority Vote Required)*

That the Town vote, pursuant to Massachusetts General Laws c.44, §53E½ as most recently amended by Section 86 of Chapter 218 of the Acts of 2016, to establish limitations on expenditures from the revolving funds established by Chapter 138.1 of the General Bylaws, entitled, "Revolving Funds", and the vote taken under Article 10 at this Town Meeting, as follows:

Revolving Account	Expenditure Limit
Lease of Town Buildings: 65 & 73 Main St & 170 Plain Rd	$150,000
Recycling Revolving	$20,000
Recreation Field Maintenance	$150,000
Senior Center Fitness Room	$25,000
Senior Center Programs	$50,000
School Parking	$30,000
School Bus/Transportation	$694,590
East Boston Camps Maintenance	$60,000
Immunizations and Clinical Services	$50,000
Community Gardens	$10,000
Town Forest Management	$25,000

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

ARTICLE 12: Approve Fiscal Year 2018 Operating Budget *Town Manager*

Motion: *(Majority Vote Required)*

That the Town raise and appropriate the sum of $110,028,373 (ONE HUNDRED TEN MILLION TWENTY EIGHT THOUSAND THREE HUNDRED SEVENTY THREE DOLLARS) for the operation and maintenance of Town Departments for the Fiscal Year July 1, 2017 through June 30, 2018, such sums to be expended for such purposes under the direction of the respective town officers, boards and committees and further that all items be raised and appropriated except for the following:

Fund 240 Community Preservation Fund: $881,574 shall be appropriated from Community Preservation Fund Fiscal 2018 Revenue;

Fund 280 Town Revolving Funds: $3,414 shall be appropriated from Senior Center Fitness Room Revolving 53 E ½;

Fund 600 Water Enterprise Fund: $3,969,515 shall be appropriated from Water Enterprise Revenue and $285,994 shall be appropriated from Water Enterprise Retained Earnings;

Fund 630 Recreation Enterprise Fund: $1,203,742 shall be appropriated from Recreation Enterprise Revenue and $75,000 shall be appropriated from Recreation Enterprise Retained Earnings;

Fund 640 Ambulance Enterprise Fund: $800,000 shall be appropriated from Ambulance Enterprise Revenue $57,000 shall be appropriated from Ambulance Enterprise Retained Earnings.

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

ARTICLE 13:	Request for Proposition 2 ½ Override for Westford Public School Operations	*Board of Selectmen*

Motion: *(Majority Vote Required)*
That the Town will vote to raise and appropriate the sum of $1,600,000 to supplement the amount appropriated for the operation of Westford Pubic Schools for Fiscal Year 2018, provided that such appropriation shall be contingent on the passage of a Proposition 2 and ½ override ballot vote.

Selectmen recommend (3-0-1) and Finance Committee recommends (3-2)

ARTICLE 14:	Appropriate Chapter 90 Local Transportation Funds for Roadway Maintenance	*Town Manager*

Motion: *(Majority Vote Required)*
That the Town appropriate the proceeds due to the Town under the provisions of Massachusetts General Laws Chapter 90.

Selectmen recommend (5-0) and Finance Committee recommends (5-0)

ARTICLE 15:	Appropriate Funds from Water Enterprise Other Post Employment Benefits Stabilization Fund	*Water Commissioners*

Motion: *(2/3 Vote Required)*
That the Town transfer the sum of $17,265 (SEVENTEEN THOUSAND TWO HUNDRED SIXTY FIVE DOLLARS) from the Water Enterprise Other Post Employment Stabilization Fund to the Water Enterprise Expenses to pay for the FY18 retiree benefits.

Selectmen recommend (5-0) and Finance Committee recommends (5-0)

ARTICLE 16:	Authorization for the Board of Selectmen to Petition the General Court for Special Legislation Authorizing the Town of Westford to Establish a Means Tested Senior Citizen Property Tax Exemption	*Citizens' Petition*

Motion: *(Majority Vote Required) – To be made by a petitioner*
To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

AN ACT AUTHORIZING THE TOWN OF WESTFORD TO ESTABLISH A MEANS TESTED SENIOR CITIZEN PROPERTY TAX EXEMPTION.

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. With respect to each qualifying parcel of real property classified as Class 1, residential, in the town of Westford there shall be an exemption from the property tax equal to the total amount of tax that would otherwise be assessed without this exemption less the sum of: (i) 10 per cent of the total annual qualifying income for purposes of the state circuit breaker income tax credit; and (ii) the amount of the state circuit breaker credit the applicant was eligible to receive in the year before the application being filed. The percentage of total annual qualifying income may be raised by section 3. Property taxes shall not be reduced by more than 50 per cent by the exemption. The exemption shall be applied to the domicile of the taxpayer only. For the purposes of this act, a "parcel" shall be a unit of real property as defined by the board of assessors under the deed for the property and shall include a condominium unit.
SECTION 2. The board of assessors may deny an application for the exemption in section I if the board finds that the applicant has excessive assets that place the applicant outside of the intended recipients of the senior exemption created by this act. Real property shall qualify for the exemption under section I if the following criteria are met:
(i) the qualifying real property is owned and occupied by a person whose prior year's income would make the person eligible for the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws;

(ii) the qualifying real property is owned by a single applicant who is 65 years of age or older at the close of the previous year or owned jointly if 1 of the joint applicants is 65 years of age or older at the close of the previous year and the other joint applicant is 60 years of age or older;
(iii) the qualifying real property is owned and occupied by the applicant or joint applicants as their domicile;
(iv) the applicant or not less than 1 of the joint applicants has been domiciled in the town of Westford for not less than 10 consecutive years before filing an application for the exemption;
(v) the maximum assessed value of the domicile is not more than the town's median single-family residential assessed value of the prior fiscal year; and
(vi) The board of assessors has approved the application for the exemption.
SECTION 3. The exemption under section 1 shall be in addition to any other exemption allowable under the General Laws, except that there shall be a dollar cap on the total exemptions granted pursuant to this act equal to 0.5 per cent of the fiscal year's total residential property tax levy for the town of Westford, including the levy for the regional high school if not included in the town's tax levy at some subsequent date with the total exemption amount granted pursuant to this act allocated proportionally within the tax levy on all residential taxpayers. After the first year of the exemption, the total cap on the exemptions granted pursuant to this act shall be set annually by the select board within a range of 0.5 to 1 per cent of the residential property tax levy for the town. If benefits to the applicants may be limited because the percentage established annually by the select board would otherwise be exceeded, the benefits shall be allocated by raising the total annual qualifying income percentage as required in section 1 as necessary to not exceed the cap. If the cap exceeds the need for the exemption, the total cap on the exemptions granted pursuant to this act shall be reduced to meet the need.
SECTION 4. A person who seeks to qualify for the exemption under section 1 shall, before the deadline established by the board of assessors, file an application, on a form to be adopted by the board of assessors, with the supporting documentation of the applicant's income and assets as described in the application. The application shall be filed each year for which the applicant seeks the exemption.
SECTION 5. Acceptance of this act by the town of Westford shall be first by vote of approval at an annual town meeting, to be followed by an affirmative vote of a majority of the voters at any regular or special election at which the question of acceptance is placed on the ballot. Sections 1 to 4, inclusive, and sections 7 and 8 shall take effect 30 days after an affirmative vote by the town.
SECTION 6. This act may be revoked by an affirmative vote of a majority of the voters at any regular or special town election at which the question of revocation is placed on the ballot. Revocation of sections 1 to 4, inclusive, and sections 7 and 8 shall take effect 30 days after an affirmative vote of the town to revoke those sections.
SECTION 7. An exemption shall not be granted under this act until the department of revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the residential tax levy.
SECTION 8. This act shall expire after 3 years of implementation of the exemption.

Selectmen do not recommend (4-0) and Finance Committee do not recommend (5-0)
Resolution that the BOS establish a committee to examine a senior citizen property tax exemption and present their recommendation at next year's Annual Town Meeting

ARTICLE 17: Accept Massachusetts General Laws Chapter 59, Section 5C1/2 Related to Property Tax Exemption Increase by 100% for the Blind, Elderly and Disabled Veterans *Board of Assessors*

Motion: *(Majority Vote Required)*
That the Town accept the provisions of Massachusetts General Laws Chapter 59, Section 5C½, which provides for an additional real estate tax exemption for taxpayers who are granted personal exemptions on their domiciles under Massachusetts General Laws Chapter 59, Section 5, including certain blind persons, veterans, surviving spouses and seniors, and provide an additional exemption up to 100 percent of the personal exemption, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2017.

Selectmen recommend (5-0) and Finance Committee recommends (5-0)

ARTICLE 18: Rescind Authorized and Unissued Debt *Town Manager*

Motion: *(Majority Vote Required)*

That the Town 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 Number*	*Purpose*
$365,826	10/20/2008	7	Groton Road Route 40 Water Main
$579,576	07/30/2009	1	Nutting & Stepinski Wells WPAT
$175,000	03/26/2012	21	Water System Improvements Route 110
$73,516	03/23/2013	16	School Boilers

Selectmen recommend (5-0) and Finance Committee recommends (5-0)

ADMINISTRATIVE

ARTICLE 19: Authorization for the Board of Selectmen to Amend the Agricultural Preservation Restriction Recorded with Middlesex North District Registry of Deeds in Book 10124, Page 169 ("APR 3") for Property Located at 66-68 Boston Road, Westford *Citizens' Petition*

Motion: *(Majority Vote Required) – To be made by a petitioner*

That the Town vote to authorize the Board of Selectmen to amend the Agricultural Preservation Restriction recorded with Middlesex North District Registry of Deeds in Book 10124, Page 169 ("APR 3") and on file with the Town Clerk, in accordance with the agreement by and between the Town of Westford acting by and through its Board of Selectmen, a municipal corporation with a business address of 55 Main Street, Westford, Massachusetts and Westford Gateway, LLC, a Massachusetts limited liability company with a business address of 31 Progress Ave, Tyngsborough, Massachusetts, as successor in title to Ebrahim Masalehdan, which agreement is dated January 12, 2016, and as most recently amended. The two proposed amendments are as follows:

1. Add the following new subparagraph (7) to Article III, Section A, to allow the property owner to make the following use of the subject property:

   (7) The construction and operation of up to a 8,130 gross square foot building footprint farm to table restaurant with no more than 14,976 sq. ft of gross occupied floor area with related parking and utilities (including storm water management features and a septic system), to be used for restaurant purposes, as shown on the conceptual plan attached hereto and on file with the Town Clerk, provided that said use is related to and in support of the agricultural uses of the two contiguous parcels, which are described in the deeds recorded at the Middlesex North Registry of Deeds at Book 2201, page 621 and Book 2421, Page 433. The exercise of the rights retained in this paragraph are expressly contingent upon the aforementioned contiguous parcels being actively engaged in in agricultural use and said rights shall be forfeited if the use of said contiguous parcels is abandoned or changed. If the Grantor exercises the rights retained in this paragraph, there will be no change in use or transfer of any interest in the Premises without the express written approval of the Grantee.

2. Add the following to the end of subparagraph 2 of paragraph A of the Right of First Refusal attached to APR 3:

   provided, however, that if the Grantor has exercised the rights retained in Article III(A)(7) of the Agricultural Preservation Restriction, as amended, and in the event that such written notice of a bone fide offer is provided to the Grantee within five (5) years of the issuance of a permanent Certificate of Occupancy by the Town of Westford for the use described in said Article III(A)(7) of the Agricultural Preservation Restriction, as amended, the Grantor shall offer to sell the Premises to the Grantee at the

fair market value of the Premises as agricultural land, as determined by a Massachusetts Certified Real Estate Appraiser chosen by the Grantor and Grantee.

And further to authorize the Board of Selectmen to take all actions, enter into all agreements and execute on behalf of the Town any and all documents as may be necessary or convenient to effectuate the purposes of this Article;

Selectmen recommend dismissal (4-0)

ARTICLE 20: Authorization for the Board of Selectmen to Petition the General Court for one (1) Additional All Alcohol on Premises License to be Exercised by Westford Gateway, LLC Located at 66-68 Boston Road, Westford *Citizens' Petition*

Motion: *(Majority Vote Required) – To be made by a petitioner*
That the Town vote to authorize the Board of Selectmen to petition the General Court for one (1) additional all alcohol on premises license to be exercised by Westford Gateway, LLC located at 66 Boston Road, Westford, said license not to be transferred to any other location; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition.

The petition for special legislation shall take the following form, or a form substantially similar thereto:
AN ACT AUTHORIZING THE TOWN OF WESTFORD TO ISSUE ONE ADDITIONAL LIQUOR LICENSE.
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 17 of chapter 138 of the General Laws or any other general or special, rule or regulation to the contrary, the licensing authority of the town of Westford may grant one (1) additional license for the sale of all alcoholic beverages to be consumed on premises under section 12 of said chapter 138 to Westford Gateway, LLC, or it successor or assign, to be exercised at and located at 66 Boston Road, Westford. A license granted under this section shall be subject to all of said chapter 138 except said section 17.
(b) Once issued, the licensing authority shall not approve the transfer of the license issued under this section to any other location, but it may grant the license to a new applicant at the same location if the applicant files with the authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes
have been paid.
(c) If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

Selectmen recommend dismissal (4-0)

ARTICLE 21: Authorization for the Board of Selectmen to Petition the General Court for one (1) Additional All Alcohol on Premises License to be Exercised by Yule Development Co., Inc. Located at 22 Town Farm Road, Westford *Citizens' Petition*

Motion: *(Majority Vote Required) – To be made by a petitioner*
To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for one (1) additional all alcohol on premises license to be exercised by Yule Development Co., Inc or a related entity or its successor and/or assign, located at 22 Town Farm Road, Westford, said license not to be transferred to any other location; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, or take any action in relation thereto.

The petition for special legislation shall take the following form, or a form substantially similar thereto:
AN ACT AUTHORIZED THE TOWN OF WESTFORD TO ISSUE ON ADDITIONAL LIQUOR LICENSE.

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 17 of chapter 138 of the General Laws or any other general or special, rule or regulation to the contrary, the licensing authority of the town of Westford may grant one (1) additional license for the sale of all alcoholic beverages to be consumed on premises under section 12 of said chapter 138 to Yule Development Co., Inc or a related entity, or it successor or assign, to be exercised at and located at 22 Town Farm Road, Westford. A license granted under this section shall be subject to all of said chapter 138 except said section 17.
(b) Once issued, the licensing authority shall not approve the transfer of the license issued under this section to any other location, but it may grant the license to a new applicant at the same location if the applicant files with the authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.
(c) If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

Selectmen recommend (4-0-1) and Finance Committee recommends (5-0)

ARTICLE 22: Authorization for the Board of Selectmen to Petition the General Court for one (1) Additional All Alcohol on Premises License to be Exercised by Fox River, LLC Located Adjacent to 210 Littleton Road, Westford *Citizens' Petition*

Motion: *(Majority Vote Required) – To be made by a petitioner*
To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for one (1) additional all alcohol on premises license to be exercised by Fox River, LLC or a related entity or its successor and/or assign, located at 0 Littleton Road, Westford, said license not to be transferred to any other location; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, or take any action in relation thereto.

The petition for special legislation shall take the following form, or a form substantially similar thereto:
AN ACT AUTHORIZED THE TOWN OF WESTFORD TO ISSUE ON ADDITIONAL LIQUOR LICENSE.
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 17 of chapter 138 of the General Laws or any other general or special, rule or regulation to the contrary, the licensing authority of the town of Westford may grant one (1) additional license for the sale of all alcoholic beverages to be consumed on premises under section 12 of said chapter 138 to Fox River, LLC or a related entity, or it successor or assign, to be exercised at and located at 0 Littleton Road, Westford. A license granted under this section shall be subject to all of said chapter 138 except said section 17.
(b) Once issued, the licensing authority shall not approve the transfer of the license issued under this section to any other location, but it may grant the license to a new applicant at the same location if the applicant files with the authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.
(c) If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this section;
Or act in relation thereto.

Selectmen recommend (4-0-1) and Finance Committee recommends (5-0)

ARTICLE 23: Authorize Board of Selectmen to Accept Easements *Board of Selectmen*

Motion: *(Majority Vote Required)*
That the Town authorize the Board of Selectmen, during Fiscal Year 2018, to accept any and all easements for sidewalk, drainage, or other utility purposes, as they may deem in the Town's best interests.

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

ARTICLE 24:	Authorize Board of Selectmen to Acquire Easements for the Groton Road and Oak Hill Road Intersection Improvement Project	*Board of Selectmen*

Motion: *(Majority Vote Required)*

That the Town authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Board of Selectmen shall determine, permanent and/or temporary easements on the parcels of land shown on plans entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Route 40 (Groton Road) and Oak Hill Road," revised through February 3, 2017, as said plans may be amended, said plans on file with the Town Clerk, for public way purposes, including, but not limited to, the construction, alteration, maintenance, improvement, repair and/or replacement of sidewalks, and for drainage, utility and slope work, traffic signal improvements, driveway reconstruction and grading, tree protection and landscaping; and, further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisitions and other acts authorized herein.

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

ARTICLE 25:	Authorize Board of Selectmen to Acquire Easements for the Plain Road Sidewalk Project	*Board of Selectmen*

Motion: *(Majority Vote Required)*

That the Town authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Board of Selectmen shall determine, permanent and/or temporary easements on the parcels of land shown on plans prepared by the Town of Westford Engineering Department, dated December 14, 2016, as said plans may be amended, said plans on file with the Town Clerk, for the Plain Road sidewalk project, for public way purposes, including, but not limited to, the construction, alteration, maintenance, improvement, repair and/or replacement of sidewalks and drainage; and, further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisitions and other acts authorized herein.

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

ARTICLE 26:	Authorize Board of Selectmen to Acquire Easements for the Concord Road Sidewalk Project	*Board of Selectmen*

Motion: *(Majority Vote Required)*

That the Town authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Board of Selectmen shall determine, permanent and/or temporary easements on the parcels of land shown on plans prepared by TEC Inc., dated February 27, 2017, as said plans may be amended, said plans on file with the Town Clerk, for the Concord Road sidewalk project, for public way purposes, including, but not limited to, the construction, alteration, maintenance, improvement, repair and/or replacement of sidewalks and drainage; and, further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisitions and other acts authorized herein.

Selectmen recommend (4-0) and Finance Committee recommends (5-0)

CARE AND CUSTODY OF TOWN LAND

ARTICLE 27:	**Transfer Custody of Parcels on Acton Road, Tyngsboro Road and Cowdry Hill Road from the Tax Possession Sales Committee to the Conservation Commission**	*Tax Possession Sales Committee*

Motion: *(2/3 Majority Vote Required)*
That the Town will Vote to transfer the care, custody, control and management of the following parcels from the Tax Possession Sales Committee presently held for the purpose of tax title sale to the Conservation Commission for general conservation purposes:

Parcel ID	Acres	Street Address
007 0055 0000	0.93	54 Acton Road
045 0002 0000	2.25	50 Tyngsboro Road
029 0086 0000	0.92	Cowdry Hill Road

Selectmen recommend (4-0) and Finance Committee recommends (5-0)