
COMMONWEALTH OF MASSACHUSETTS

TOWN OF FRAMINGHAM

MIDDLESEX, SS

TOWN ELECTION AND MEETING WARRANT

To Steven B. Carl, one of the Constables of the Town of Framingham,

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the Inhabitants of the Town of Framingham qualified to vote in Elections and Town Affairs to meet at the following polling places:

Precinct 1	Hemenway School, 729 Water Street
Precinct 2	Potter Road School, 492 Potter Road
Precincts 3, 5	King Administration Building, 454 Water Street
Precincts 4, 7	Brophy School, 575 Pleasant Street
Precincts 6, 9	Juniper Hill School, 29 Upper Joclyn Avenue
Precincts 8, 13	McCarthy School, 8 Flagg Drive
Precincts 10, 11	Keefe Technical School, 750 Winter Street
Precincts 12, 14	Memorial Building, 150 Concord Street
Precincts 15, 18	St. Tarcisius Parish Center, 562 Waverley Street
Precincts 16, 17	Woodrow Wilson School, 169 Leland Street

On Tuesday, April 4, 2006

From 7:00 AM to 8:00 PM to bring in their votes in the Annual Town Election for the following offices:

One Moderator	One Year Term
One Selectmen	Three Year Term
Two School Committee Members	Three Year Terms
Two Planning Board Members	Three Year Terms
Four Library Trustees	Three Year Terms
One Library Trustee	One Year Term
Three Keefe Tech School Committee Members	Three Year Terms
One Edgell Grove Cemetery Trustee	Five Year Term
One Housing Authority Member	Five Year Term
Four Town Meeting Members from each Precinct	Three Year Terms

One Town Meeting Member from Precinct 3
One Town Meeting Member from Precinct 4
One Town Meeting Member from Precinct 9

Two Year Term
One Year Term
One Year Term

The polls will remain open from 7:00 AM to 8:00 PM

You are hereby further required to notify and warn the inhabitant of the Town of Framingham, and more particularly the elected Town Meeting Members, qualified to vote in elections and town affairs to meet in Nevins Hall in the Memorial Building in the Town of Framingham on Tuesday, April 25, 2006 AD, at half past seven o'clock PM, and to act on the following articles:

ARTICLE 1

To see if the Town will hear reports from various Departments, Boards, Committees and Commissions including **but not limited** to the following:

- 1) Report from the Town Clerk on the status of bylaw changes approved by Town Meeting,
- 2) Report from the Board of Selectmen on petitions to the Legislature approved by Town Meeting,
- 3) Report from the CFO on transfers in the FY2006 operating budget,
- 4) Report from the Director of Parks and Recreation or Council on Aging on the new Callahan Senior Center,
- 5) Report from the High School Building Committee on the High School building project,
- 6) Report from the Town Counsel on the taking of land at Temple Street,
- 7) Report from the Library Board on the purchase of land in the Pinefield Shopping Center,
- 8) Report from the Board of Selectmen regarding the Master Plan
- 9) Report from the Planning Board regarding plans and costs for development in the town,

Pass any vote or take any action relative thereto.

Sponsor: Standing Committee on Rules

ARTICLE 2

To see if Town Meeting will vote to amend the Town Bylaws, Article III, Section 1.8.1 governing the distribution of literature to Town Meeting members, by amending the current bylaw as follows:

1.8 Distribution of literature to Town Meeting Members.

- 1.8.1 Any committee, board or officer of the Town of Framingham or any sponsor of a warrant article may submit backup material to the Board of Selectmen at the time and in the manner

specified by the Board of Selectmen for inclusion in the Warrant and Background Material. Any material so submitted must bear the number of the warrant article to which it refers, and the name of the entity that submits the material. The Board of Selectmen shall be responsible for delivery of same to each Town Meeting Member not less than 7 days before the commencement of Town Meeting.

Pass any vote or take any action relative thereto.

Sponsor: Town Clerk

ARTICLE 3

To see if Town Meeting will vote to amend the Town Bylaws, Article III, section 1.3 by adding the following words after "the fourth Tuesday of April;":

unless the Board of Selectmen shall deem it necessary to defer adjournment until the first Tuesday in May;

Pass any vote or take any action relative thereto.

Sponsor: Town Clerk

ARTICLE 4

To see if the Town will vote to amend the town bylaws to reflect changes in committee and commission appointments as stated in (A) Article I, Section 1.3 and (B) Article II, Section 23.2.

Pass any vote or take any action relative thereto.

Sponsor: Government Study Committee

ARTICLE 5

To see if the Town will vote to amend the by-laws of the Town, Article VII, Section 5, Historic Districts 5.7.1, by recording under "Properties Included in the Framingham Centre Common Historic District" the following two properties, numbers 9 and 10 in the current by-law, with their proper addresses:

9. Plymouth Church, 87 Edgell Road

10. Otis Boynton House, 85 Edgell Road

and by striking the entire list of such properties included in the Framingham Centre Common Historic District, numbers 1 through 32, and restating said list as follows:

1. Framingham Centre Common
2. Village Hall
3. Memorial Library
- 3a. Civil War Monument

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4. Capt. Eliphalet Wheeler House, 18 Vernon Street
 5. The Jonathan Maynard School, 12 Vernon Street
 6. Framingham Academy, 14 Vernon Street
 7. First Parish Church, 24 Vernon Street
 8. First Parish House, 24 Vernon Street
 9. Plymouth Church, 87, Edgell Road
 10. Otis Boynton House, 85 Edgell Road
 11. The Crane House, 65 Edgell Road
 12. The O'Brien House, 63 Edgell Road
 13. The Grossman House, 61 Edgell Road
 14. The Shawmut Bank Branch, 39 Edgell Road
 15. The Framingham Trust Co. Branch, 35 Edgell Road
 16. Plymouth Parsonage, 125 Edgell Road
 17. The Williams House, 121 Edgell Road
 18. The Johnson House, 151 Edgell Road
 19. The Brandolini House, 2 Auburn Street
 20. The Dorr House, 4 Auburn Street
 22. Newsclipping Service, 5 Auburn Street
 23. The Maddocks House, 6 Vernon Street
 24. The Clark Builders Trust, 8 Vernon Street
 25. The Rinaldo House, 31 Grove Street
 26. The Merser House, 33 Grove Street
 27. The Tarbox House, 4 Warren Place
 28. The White's House, 3 Warren Place
 29. The Stalker House, 8 Warren Place
 30. The Larson House, 11 Warren Place
 31. The George A. Weeks House, 122 Edgell Road
 32. The General George Henry Gordon House, 936 Central Street

Pass any vote or take any action relative thereto.

Sponsor: Historic District Commission

ARTICLE 6

To see if the Town will vote to amend the by-laws of the Town, Article VII, Section 5, Historic Districts 5.7.1, by adding under "Properties Included in the Framingham Centre Common Historic District";

33. The Whitney-Wiggins House, 10 Auburn Street
34. The Train-Vernon House, 20 Vernon Street
35. Gordon's Corner, intersection of Edgell Road and Central Street

and by striking the entire list of such properties included in the Framingham Centre Common Historic District, numbers 1 through 32, and restating said list with the addition of these three properties.

Pass any vote or take any action relative thereto.

Sponsor: Historic District Commission

ARTICLE 7

I move that the Town amend the by-laws of the Town, Article VII, Section 5, by amending section 5.2 to establish a new Historic District to be known as the Sarah Claves Historic District and by adding a new section 5.9 entitled "Properties Included in the Sarah Claves Historic District", with the following property to be listed in that district:

1. The Sarah Claves House, 657 Salem End Road

Pass any vote or take any action relative thereto.

Sponsor: Historic District Commission

ARTICLE 8

To see if the Town will vote to amend the Bylaws of the Town by deleting the current Article V, Sections 10.2 and 10.3 and replacing it with the following:

Article V Section 10.2

"No person shall discharge a firearm in the Town except a law enforcement official in the performance of his/her duties. This bylaw shall not restrict the discharge of firearms on an established firing range, nor the discharge of a firearm in the legal defense of persons or property, nor any discharge of a firearm which has been specifically authorized by the Commonwealth on state-owned property."

Pass any vote or take any action relative thereto.

Sponsors: David Rosenthal and Eric Rosen

ARTICLE 9

To see if the Town will vote to amend the Bylaws of the Town by deleting the current Article V, Sections 10.2 and 10.3, accepting the provisions of the proposed Article V Section 10.2 above and adding:

Article V Section 10.3

"No person shall utilize archery in the Town. This bylaw shall not restrict archery in an established archery range authorized by the State nor any use of bow and arrow which has been specifically authorized by the Commonwealth on State-owned property."

Pass any vote or take any action relative thereto.

Sponsors: David Rosenthal and Eric Rosen

ARTICLE 10

To see if the Town will vote to amend the Bylaws of the Town by increasing the fine for violation of Article V Section 10 bylaws to "not to exceed \$2500."

The precise wording of these articles may be modified by the sponsors in response to comments and suggestions of the various boards and committees by which these articles are reviewed prior to Town meeting.

Pass any vote or take any action relative thereto.

Sponsors: David Rosenthal and Eric Rosen

ARTICLE 11

To see if the Town will vote to amend the town bylaws to add a new Section 24 in Article V Occupancy of Buildings.

Section 24. Occupancy of Buildings

24.1 Definitions.

As used in this Article, the following terms shall have the meanings indicated:

- PERSON** - The owner of any building and the owner's agent and employees, and includes an individual, partnership, corporation, trust or association.
- TENANT** - Tenant, lessee, holder of a lease and any licensee or invitee of such tenant, and includes an individual, partnership, corporation, trust or association.

24.2 Certificate of Registration Required; Posting

No person shall rent or lease, or offer to rent or lease, any building or any portion of a building to be used for human habitation without first registering with the Board of Health, which shall determine the number of persons such building or portion of a building may lawfully accommodate under the provisions of the Massachusetts State Sanitary Code and applicable Board of Health Regulations, and without first also conspicuously posting within such building or portion of a building a certificate of registration provided by the Board of Health specifying the number of persons such building or portion of a building may lawfully accommodate.

24.3 Number of Persons Restricted

No tenant shall lease, rent or occupy any building or any portion of a building subject to the provisions of this chapter if, at the time of such lease, rental or occupancy, the number of persons occupying such building or portion of a building exceeds the number of persons authorized to occupy such building or portion of a building by a certificate of registration, if issued and posted, the number of persons that may be lawfully accommodated as determined by the Board of Health under the Massachusetts State Sanitary Code.

24.4 Fee

There shall be a fee of fifty dollars (\$50.00) to procure a certificate of registration, which shall be valid for one (1) year or to December 31 of each year, whichever is sooner. Thereafter the permit shall be annually renewed at a fee of fifty dollars (\$50.00) per year.

24.5 Revocation or Suspension of Permit

A permit issued under this chapter shall be revoked if, at any time, the licensing authorities are satisfied that the licensee is unfit to hold the license. They may suspend and make inoperative, for such period of time as they may deem proper, the permit mentioned herein for any cause deemed satisfactory to them. The revocation and suspension shall not be made until after investigation and a hearing or after giving the licensee an opportunity to be heard. Notice of the hearing shall be delivered to the permittee not less than three (3) days before the time of said hearing.

24.6 Penalty

Any person or tenant violating any provision of this chapter shall be punished by a fine of not more than three hundred dollars (\$300.00). Each day's violation constitutes a separate offense.

24.7 Non-applicability

This chapter shall not apply to boarding and lodging houses licensed under Chapter 140, Sec. 23, of the General Laws; motels licensed under Chapter 140, Sec. 23, of the General Laws; establishments licensed under Chapter 140, Sec. 2, of the General Laws.

Pass any vote or take any action relative thereto.

Sponsor: Jim Rizoli

ARTICLE 12

To see if the Town will add to the Board of Health application, "Procedure for Opening a New Food Service Establishment Restaurant" the following paragraph:

As condition of this license, in the interest of public health, the licensee shall not employ or allow to work on the licensed premises any person not present in the United States in compliance with applicable law.

Pass any vote or any action relative thereto.

Sponsor: Jim Rizoli

ARTICLE 13

To see if the Town will vote to amend the Personnel Bylaw of the Town by striking the following pay plans:

Schedule M - Municipal Employees
Schedule T - Temporary Employees
Schedule DH - Division Heads

Schedule PSM – Public Safety Management
Schedule LO – Library Pages
Schedule DPS – Dispatchers
Schedule FF – Firefighters
Schedule FDC – Deputy Fire Chiefs
Schedule L – Library
Schedule PS – Police Superiors
Schedule PD – Police Officers
Schedule PW – Public Works Supervisors
Schedule W – General Local 1156
Schedule WH – Police and Fire Mechanics

And adopting in their places the proposed pay schedules as presented to the Special Town Meeting of June 7, 2005, effective July 1, 2006 and January 1, 2007:

Schedule M – Municipal Employees
Schedule T – Temporary Employees
Schedule DH – Division Heads
Schedule PSM – Public Safety Management
Schedule LO – Library Pages
Schedule DPS – Dispatchers
Schedule FF – Firefighters
Schedule FDC – Deputy Fire Chiefs
Schedule L – Library
Schedule PS – Police Superiors
Schedule PD – Police Officers
Schedule PW – Public Works Supervisors
Schedule W – General Local 1156
Schedule WH – Police and Fire Mechanics

Pass any vote or take any action relative thereto.

Sponsor: Human Resources

ARTICLE 14

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money, for certain hospital, medical and surgical, pharmaceutical and other related expenses incurred by retired fire fighters and or police officers after their retirement pursuant to the provisions of MGL Chapter 41, Section 100B.

Pass any vote or take any action relative thereto.

Sponsor: Human Resources

ARTICLE 15

This article authorizes the amendment of the Personnel By-Law as presented.

Pass any vote or take any action relative thereto.

Sponsor: Human Resources

ARTICLE 16

This article authorizes the Crossing Guards' Collective Bargaining Agreement covering July 1, 2005 through June 30, 2008.

Pass or take any action relative thereto.

Sponsor: Human Resources

ARTICLE 17

To see if the Town will vote to authorize the Board of Selectmen to accept and expend funds in accordance with the provisions of Title I of the Housing and Community Development Act of 1974, as amended, and regulations promulgated thereunder by the U.S. Department of Housing and Urban Development.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 18

To see if the Town will hear the Annual Report of the Board of Selectmen for the year preceding this Annual Meeting. Printed copies of this report shall be made available to the inhabitants of the town pursuant to MGL C. 40 §49.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 19

To see if the Town will vote to rescind various authorized, but unissued borrowing votes of the Town.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 20

To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money for the purpose of paying unpaid bills of prior years of the Town.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 21

To see if the Town will vote to determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operations of the Town of Framingham, including debt and interest for FY'06 (July 1, 2005 – June 30, 2006) and to see what budgets for Fiscal Year 2006 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 22

To see if the Town will vote to determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operations of the Water Department, including debt and interest for FY'06 (July 1, 2005 – June 30, 2006) and to see what budgets for Fiscal Year 2006 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 23

To see if the Town will vote to determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operations of the Sewer Department, including debt and interest for FY'06 (July 1, 2005 – June 30, 2006) and to see what budgets for Fiscal Year 2006 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 24

To see if the Town will vote to determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operations of the Arena Department, including debt and interest for FY'06 (July 1, 2005 – June 30, 2006) and to see what budgets for Fiscal Year 2006 will be reduced to offset said appropriations.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 25

To see if the Town will accept the settlement of litigation pending before the Massachusetts Commission Against Discrimination (MCAD) in the amount of \$55,000.00, as recommended by the School Committee.

Further, to see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to pay the cost of the aforementioned MCAD settlement.

Pass any vote or take any action relative thereto.

Sponsor: School Committee

ARTICLE 26

To see if the Town will vote to hear and act on reports and recommendations of the Selectmen and other officers and committees of the Town and Boards of Trustees and to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the support of the operations of the Town, for a Reserve Fund, for any other purposes included in said reports, for the payments of notes and bonds of the Town, if any, which mature before the next annual meeting, for the payment of pensions and for all other necessary expenses of the Town for the Fiscal Year 2007 (July 1, 2006 - June 30, 2007).

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 27

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the operation of the Water Department, including capital outlay and debt service, and for all other necessary expenses for the Fiscal Year 2007 (July 1, 2006 - June 30, 2007)

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 28

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the operation of the Sewer Department, including capital outlay and debt service, and for all other necessary expenses for the Fiscal Year 2007 (July 1, 2006 - June 30, 2007)

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 29

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the operation of the Loring Arena Department, including capital outlay and debt service, and for all other necessary expenses for the Fiscal Year 2007 (July 1, 2006 - June 30, 2007)

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 30

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for various capital projects including purchase of equipment, purchase of land, repair, rehabilitation, design or construction of buildings and infrastructure.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 31

To see if the Town will vote to authorize or re-authorize several revolving funds as defined by M.G.L, Chapter 44, Section 53 E ½ for FY 07 beginning July 1, 2006, including but not limited to the following:

- A) Town Owned Building Civic Use (Maynard Building) Fund;
- B) Town Owned Building Civic Use Fund;
- C) Town Owned Building Civic Use (Cushing Chapel) Fund;
- D) Concert on the Common Fund;
- E) School Bus Fees Fund;
- F) Pavement Management Fund;
- G) Town Wetland Protection Fund;

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 32

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to establish a Stabilization fund for the purposes for open space acquisition, pursuant to MGL Chapter 40 Section 5B.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 33

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to develop the Cochituate Rail Trail

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 34

To see if the Town will accept the provisions of Chapter 157 of the Acts of 2005, an Act that provides Section 7 accidental disability retirees with a veteran's benefit and to fund such acceptance.

Pass any vote or take any action relative thereto.

Sponsor: Retirement Board

ARTICLE 35

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to make retroactive payment due upon acceptance of Section 2 of Chapter 157 of the Acts of 2005.

Pass any vote or take any action relative thereto

Sponsor: Retirement Board

ARTICLE 36

To see if the Town will vote to place in the jurisdiction of the Park Commissioners to be used for recreational purposes Parcel C as described in a release deed from the Commonwealth of Massachusetts to the Town of Framingham dated July 30th, 1998, and described as Lot 9 on a plan entitled "Plan of Land Framingham, Middlesex Co., MA" dated May 8, 1995, and filed with the Middlesex South County Registry District of the Land Court as Plan No. 10940K, excluding the Chapel and the Land on which it is located which is under the jurisdiction of the Board of Selectmen, and to authorize the Board of Park Commissioners to enter into a non-exclusive license with the South Middlesex Regional Vocational Technical School District upon such terms and conditions as the Board of Park Commissioners deems appropriate and for a period of up to ten (10) years for the use of certain property as athletic, playground facilities, and parking, which properties are a portion of the properties described in the deed from Richard H. Long to the Town of Framingham dated January 8, 1914, and recorded with the Middlesex South District Registry of Deeds Book 3852, Page 85, and Parcel C as described above. The above authorization shall apply to such portion of said premises as the Board of Park Commissioners in its discretion deems appropriate.

Pass any vote or take any action relative thereto.

Sponsor: Board of Park Commissioners and South Middlesex Regional Vocational Technical School District Committee.

ARTICLE 37

To see if the Town will approve, in furtherance of the provisions of Chapter 86 and Chapter 546 of the Acts of 1946 and of Chapter 406 of the Acts of 1960, and pursuant to G.L. c. 40, §4A, the entering into an Intermunicipal Agreement with the Town of Ashland for twenty (20) years, with the option for an additional five (5) year extension, for the purposes of allowing the transport of wastewater from Ashland through the Framingham Sewerage System to the MWRA Sewerage System, at rates of compensation as described in said Intermunicipal Agreement.

Pass any vote or take any action relative thereto.

Sponsor: Board of Selectmen

ARTICLE 38

To see if the Town of Framingham will vote to approve the Community Economic Development Plan for the Fiscal Year 2007 submitted to it by the Economic Development and Industrial Corporation of the Town. Copies of the Community Economic Development Plan may be examined at the Office of the Board of Selectmen, Town Clerk, Planning Department and the Main Branch of the Library.

Pass any vote or take any action relative thereto.

Sponsor: Economic Development and Industrial Corporation

ARTICLE 39

To see if the Town will vote to amend the Zoning By-Law of the Town of Framingham as follows:

Amend Section III, Subsection F Light Manufacturing Districts to reformat and insert a new III.F.2.a. "Uses set forth in subsection 1. herein, with 8,000 or greater than 8,000 square feet of gross floor area." Thereby reclassifying the existing III.F.2.a as the new III.F.2.b.

And further amend Section III, Subsection G General Manufacturing Districts to insert a new III.G.3 "The following uses shall require a special permit from the Planning Board:" and III.G.3.a. "Uses set forth in subsection 1. herein, with 8,000 or greater than 8,000 square feet of gross floor area."

Pass any vote or take any action relative thereto.

Sponsor: Planning Board

And you are directed to serve this Warrant by publishing a copy of the same in one issue of a newspaper of general circulation in said Framingham, at least seven days before the date of said election, also by posting copies of said Warrant in ten or more public places in said Framingham eight days before the date of the election. Hereof fail not to make the return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 14th day of March in the year Two Thousand and Six.

Board of Selectmen
Town of Framingham

Katherine Murphy

Betsy

John Stasick

[Signature]

[Signature]

[Signature]

Steven B. Carl
Constable

MIDDLESEX, SS.

Framingham, MA
March 27, 2006

By virtue of this Warrant, I have notified the inhabitants of the Town of Framingham to meet as within directed by publishing a true and attested copy of the same in one issue of The MetroWest Daily News, a newspaper of general circulation in said Framingham, at least seven days before the date of said election, namely March 28, 2006; also by posting a true and attested copy of the same in more than ten public places eight days before the date of said election; namely on March 27, 2006.



Steven B. Carl
Constable

A True Copy Attest
Valerie Mulvey, Town Clerk