

**WARRANT FOR THE ANNUAL TOWN MEETING AND ELECTION
COMMONWEALTH OF MASSACHUSETTS**

WORCESTER, ss

To the Constable of the Town of Harvard:

Greetings:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the said Town, who are qualified to vote in Town affairs, to meet in The Bromfield School on Saturday, the sixth day of April, 2002 at 9:00 a.m. by the clock to act on the following articles:

ARTICLE 1: ANNUAL REPORTS

To hear the reports of the Selectmen, School Committee, and any other officers or committees that may be ready to make a report and act thereon.

(Inserted by Board of Selectmen)

ARTICLE 2: SUPPLEMENTAL APPROPRIATIONS - FISCAL YEAR 2002

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be added to certain line items appropriated under Article 5 of the warrant for the 2001 Annual Town Meeting of March 31, 2001 or pass any vote or votes in relation thereto.

(Inserted by Finance Committee)

ARTICLE 3: FUND TRANSFERS

To see if the Town will make certain transfers of money, or pass any vote or votes in relation thereto.

(Inserted by Finance Committee)

ARTICLE 4: REVOLVING FUNDS

To see if the Town will vote to

- 1) continue the Revolving Fund Account for Elm Commission Activities established at the Special Town Meeting of June 27, 1991 pursuant to Massachusetts General Laws Chapter 44 Section 53E½, and
- 2) authorize a Revolving Fund Account pursuant to Massachusetts General Laws Chapter 44, Section 53E½ for the purpose of Hazardous Materials Expense Replacement and determine that (a) all receipts from a Haz-Mat incident shall be used for replacement of supplies and expenses; (b) the Fire Chief will be authorized to expend monies from this

fund; (c) in no event shall the total expenditures from the Haz-Mat Revolving Account exceed five thousand dollars (\$5,000) in Fiscal Year 2003,

or pass any vote or votes in relation thereto.
(Inserted by Board of Selectmen)

ARTICLE 5: OMNIBUS BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, such sums of money as may be necessary to defray expenses for the ensuing fiscal year, or pass any vote or votes in relation thereto.
(Inserted by Finance Committee)

ARTICLE 6: RESERVE FUND

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be placed in the Reserve Fund Account for unforeseen and extraordinary expenses for the ensuing fiscal year, or pass any vote or votes in relation thereto.
(Inserted by Finance Committee)

ARTICLE 7: SCHOOLS WASTEWATER TREATMENT FACILITY

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be expended by the School Committee for the operating costs of the wastewater treatment facility to service the public schools, or pass any vote or votes in relation thereto.
(Inserted by School Committee)

ARTICLE 8: PUBLIC SAFETY BUILDING OPERATING COSTS

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be expended by the Police Chief for the operating costs of the new public safety building, or pass any vote or votes in relation thereto.
(Inserted by Board of Selectmen)

ARTICLE 9: MASTER PLAN IMPLEMENTATION

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money not to exceed \$30,000 for the purpose of providing professional consulting services to prepare zoning bylaw amendments as a result of the completion of the update of the Master Plan, or pass any vote or votes in relation thereto.
(Inserted by Planning Board)

ARTICLE 10: SCHOOLS PLANNING NEEDS ANALYSIS

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be expended by the School Committee for the purpose of developing a planning needs analysis for enrollment growth in the Harvard Public Schools, with unexpended funds as of June 30, 2004, being returned to their funding source, or pass any vote or votes in relation thereto.
(Inserted by School Committee)

ARTICLE 11: HARVARD ELEMENTARY SCHOOL AIR QUALITY

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be expended by the School Committee for improving the air quality at the Harvard Elementary School, with unexpended funds as of June 30, 2004, being returned to their funding source, or pass any vote or votes in relation thereto.
(Inserted by School Committee)

ARTICLE 12: MUNICIPAL FIRE ALARM SYSTEM

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for the purpose of purchasing and installing in the communications center of the new Public Safety Building an updated Municipal Fire Alarm system and for the replacement of the fire alarm cable between the new Public Safety Building and the Fire Station, with unexpended funds as of June 30, 2004, being returned to their funding source, or pass any vote or votes in relation thereto.
(Inserted by Board of Selectmen)

ARTICLE 13: RENOVATION PLANS FOR TOWN HALL

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for the planning and design of renovations to the Town Hall, with unexpended funds as of June 30, 2004, being returned to their funding source, or pass any vote or votes in relation thereto.
(Inserted by Board of Selectmen)

ARTICLE 14: BEEDE WASTE OIL SUPERFUND SITE

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be expended by the Board of Selectmen to fund the Town's share of the costs of cleaning up the Beede Waste Oil Superfund Site in Plaistow, New Hampshire, with unexpended funds as of June 30, 2004, being returned to their funding source, or pass any vote or votes in relation thereto.
(Inserted by Board of Selectmen)

ARTICLE 15: CONTRACT – DISPATCHER WAGES

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be added to line #22, Communications Department Personnel of Article 5 of this Warrant in order to fund the collective bargaining agreement negotiated with the Dispatchers Union, or pass any vote or votes in relation thereto.
(Inserted by Board of Selectmen)

ARTICLE 16: CONTRACT – PUBLIC WORKS EMPLOYEES WAGES

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be added to line #36, Public Works Personnel of Article 5 of this Warrant in order to fund the collective bargaining agreement negotiated with the Public Works Department Employees Union, or pass any vote or votes in relation thereto.
(Inserted by Board of Selectmen)

ARTICLE 17: COMMUNITY PRESERVATION COMMITTEE REPORT

To see if the Town will vote to hear the report and recommendations of the Community Preservation Committee on the Fiscal Year 2003 Community Preservation Budget, or pass any vote or votes in relation thereto.
(Inserted by Community Preservation Committee)

ARTICLE 18: ACQUIRE STONE LAND FOR CONSERVATION PURPOSES

To see if the Town will vote to a.) authorize the Board of Selectmen to acquire by purchase, eminent domain, gift or otherwise, for conservation purposes, the fee or any lesser interest in the parcel of land containing 5.6 acres of land, more or less, located off the southerly side of Old Mill Road in Harvard, Massachusetts shown on the Harvard Board of Assessors' Map 4, as Lot 55; and b.) appropriate a sum of money to be provided by taxation, transfer from available funds, transfer from funds already appropriated for another purpose, by borrowing pursuant to the provisions of Massachusetts General Laws Chapter 44 or otherwise for the acquisition of said parcel of land, or pass any vote or votes in relation thereto.
(Inserted by Conservation Commission & Community Preservation Committee)

ARTICLE 19: HILDRETH HOUSE LANDSCAPING

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for the landscaping of the Hildreth House with unexpended funds as of June 30, 2004, being returned to their funding source, or pass any vote or votes in relation thereto.
(Inserted by Board of Selectmen & Community Preservation Committee)

ARTICLE 20: PRESERVATION OF THE SHAKER DRYING SHED

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for the preservation of the Shaker Drying Shed located at 81 Shaker Road in Harvard, Massachusetts shown on the Harvard Board of Assessors' Map 5, as Lot 31, or pass any vote or votes in relation thereto.

(Inserted by Community Preservation Committee)

ARTICLE 21: COMMUNITY PRESERVATION FUND RESERVES

To see if the Town will vote to reserve for later appropriation and expenditure from the Community Preservation Fund a sum of money to acquire, preserve, and restore historic resources and create, preserve, and support community housing as permitted by the Community Preservation Act, or pass any vote or votes in relation thereto.

(Inserted by Community Preservation Committee)

ARTICLE 22: ACQUIRE LUONGO LAND FOR CONSERVATION PURPOSES

To see if the Town will vote to a.) authorize the Board of Selectmen to acquire by purchase, eminent domain, gift or otherwise, for conservation purposes, the fee or any lesser interest in the parcel of land containing 26.5 acres of land, more or less, located off the easterly side of Still River Road in Harvard, Massachusetts shown as Parcel "A" on a plan entitled "Plan of Land in Harvard, Mass. Prepared for Harvard Conservation Commission", Scale 1" = 100', dated September, 2001, by David E. Ross Associates, Inc., a copy of which plan is on file in the Office of the Town Clerk; and b.) appropriate a sum of money to be provided by taxation, transfer from available funds, transfer from funds already appropriated for another purpose, by borrowing pursuant to the provisions of Massachusetts General Laws Chapter 44 or otherwise for the acquisition of said parcel of land, or pass any vote or votes in relation thereto.

(Inserted by Conservation Commission)

ARTICLE 23: ACQUIRE DEAN'S HILL LAND FOR CONSERVATION PURPOSES

To see if the Town will vote to a.) authorize the Board of Selectmen to acquire by purchase, eminent domain, gift or otherwise, for conservation purposes, the fee or any lesser interest in the parcel of land containing 32 acres of land, more or less, located off the easterly side of Prospect Hill Road in Harvard, Massachusetts shown on the Harvard Board of Assessors' Map 16, as Lot 13, which parcel of land is known as "Dean's Hill", subject to a conservation restriction to be held by the Harvard Conservation Trust; and b.) appropriate a sum of money to be provided by taxation, transfer from available funds, transfer from funds already appropriated for another purpose, by borrowing pursuant to the provisions of Massachusetts General Laws Chapter 44 or otherwise for the acquisition of said parcel of land, or pass any vote or votes in relation thereto.

(Inserted by Conservation Commission)

ARTICLE 24: CONSERVATION FUND

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money not to exceed \$200,000 to be placed in the Conservation Fund or pass any vote or votes in relation thereto.

(Inserted by 10 or More Citizens)

ARTICLE 25: ACCEPTANCE OF GIFTS OF PROPERTY - CONSERVATION LAND

To see if the Town will vote to accept the gifts of land or interests in land for conservation or other land preservation related purposes, previously accepted by the Conservation Commission and approved by the Board of Selectmen, or pass any vote or votes in relation thereto.

(Inserted by Board of Selectmen)

ARTICLE 26: ACCEPTANCE OF HIGHWAY FUNDS

To see if the Town will vote to accept State funds to be used for reconstruction and improvements of public ways, or pass any vote or votes in relation thereto.

(Inserted by Board of Selectmen)

ARTICLE 27: AUTHORIZE SELECTMEN TO LEASE LAND ON BOLTON ROAD WATER RESERVOIR SITE FOR WIRELESS COMMUNICATIONS PURPOSES

To see if the Town will vote to a.) instruct the Board of Water Commissioners to transfer to care, custody, management and control of (i) the area of land located on the easterly side of Bolton Road, Harvard, Massachusetts shown as "PROPOSED LEASE AREA" on a copy of the plan entitled "Town of Harvard, Massachusetts Board of Water Commissioners Concrete Water Storage Reservoir and Appurtenant Work", Sheet No. 1 of 2, dated August 16, 1979, prepared by Weston & Sampson Engineers, Inc., with later drawings thereon by John Zimmer, which plan copy is on file in the Office of the Town Clerk, to the Board of Selectmen for the purpose of leasing said area of land for wireless communications purposes; and (ii) a temporary and nonexclusive easement for access, egress and utility purposes in, on, over, across and through the portion of the water storage reservoir access road leading from said Bolton Road to said area of land and the area of land shown on the aforementioned plan copy as "ACCESS EASEMENT CORRIDOR" to the Board of Selectmen for the purpose of granting a temporary and nonexclusive easement or easements to the lessee or lessees of said area of land to be leased for wireless communications purposes; and b.) authorize the Board of Selectmen to (i) lease the area of land shown on the aforementioned plan copy as "PROPOSED LEASE AREA" for wireless communications purposes for a term or terms of up to twenty (20) years; and (ii) sell, convey or otherwise dispose of to the lessee or lessees of said area of land to be leased for wireless communications purposes a temporary and nonexclusive easement or easements for access, egress and utility purposes in, on, over, across and through the portion of the water storage reservoir access road leading from said Bolton Road to said area of land to be leased for wireless communications purposes and the area of land shown on the aforementioned plan copy as "ACCESS EASEMENT CORRIDOR", or pass any vote or votes in relation thereto.

(Inserted by Board of Selectmen)

**ARTICLE 28: AMEND THE PROTECTIVE (ZONING) BYLAW – DEFINITION OF
“LOT”**

To see if the Town will vote to amend the Protective (Zoning) Bylaw to confirm the wording of the Definition of “Lot” as it has appeared in the published versions of the Bylaw since December 26, 1967 by correcting paper trail errors that may have led to the omission of the first sentence thereof in the report of the actions of the December 1967 Town meeting, so that the definition of Lot remains as it was published in the June 1999 printing of the Bylaw,

“**Lot.** All adjoining parcels of land held in common ownership constitute a single lot except as provided in Chapter 40A, G.L. A lot does not include area inside the street sideline.”

(Inserted by 10 or More Citizens)

ARTICLE 29: SENIOR CITIZEN PROPERTY TAX WORK-OFF ABATEMENT

To see if the Town will vote to accept the provisions of Section 5K of Chapter 59 of the Massachusetts General Laws to allow the Board of Selectmen to establish a program to allow persons over the age of 60 to volunteer to provide services to the town in exchange for a reduction in their property tax bills, or pass any vote or votes in relation thereto.

(Inserted by Board of Selectmen)

ARTICLE 30: CLAUSE 17D EXEMPTION BENEFIT INCREASE

To see if the Town will vote to accept the provisions of Section 1 of Chapter 181 of the Acts of 1995 to annually increase the abatement amount provided for under the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause 17D by an amount equal to the increase in the cost of living as determined by the Consumer Price Index for each year, or pass any vote or votes in relation thereto.

(Inserted by Board of Selectmen)

ARTICLE 31: INCREASING ASSET LIMIT FOR CLAUSE 17D EXEMPTION

To see if the Town will vote to accept the provisions of Clause 17E of Chapter 59, Section 5 of the Massachusetts General Laws to annually increase the amount of the whole estate, real and personal, as set forth in clauses 17D by an amount equal to the increase in the Consumer Price Index for such year, or pass any vote or votes in relation thereto.

(Inserted by Board of Selectmen)

**ARTICLE 32: INCREASING INCOME AND ASSET LIMIT FOR
CLAUSE 41C EXEMPTION**

To see if the Town will vote to accept the provisions of Clause 41D of Chapter 59, Section 5 of the Massachusetts General Laws to annually increase the amount of the gross receipts and whole estate, real and personal, as set forth in clauses 41C by an amount equal to the increase in the Consumer Price Index for such year, or pass any vote or votes in relation thereto.

(Inserted by Board of Selectmen)

ARTICLE 33: ELDERLY AND DISABLED TAXATION FUND

To see if the Town will vote to accept the provisions of Section 3D of Chapter 60 of the Massachusetts General Laws to allow the town to place on its tax bills or mail with its tax bills a form to allow residents to donate to a fund to defray the real estate taxes of elderly and disabled persons of low income, or pass any vote or votes in relation thereto.
(Inserted by Board of Selectmen)

**ARTICLE 34: HOME RULE PETITION SPECIAL ACT - EXEMPT FIRE CHIEF
FROM MANDATORY RETIREMENT AGE**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact a special act permitting Peter Warren to continue to be employed as the Town's Fire Chief for two years after his sixty-fifth birthday, notwithstanding any law to the contrary.
(Submitted by Board of Selectmen)

ARTICLE 35: GENERAL BYLAW – BOATING ON BARE HILL POND

To see if the Town will vote to amend its General Bylaws by adopting a new section relative to boating, motor craft and swimming rules and regulations for Bare Hill Pond establishing speed limits for motor craft, prohibiting the use of certain types of motor craft, prohibiting overnight occupancy of craft, establishing safe distance of operation between craft, establishing hours of operation, establishing procedures for launching and loading motor craft, establishing procedures for motor craft towing persons and objects, establishing swimming areas and establishing user fees and restrictions applicable to non-resident boaters, or pass any vote or votes in relation thereto.
(Submitted by Board of Selectmen)

ARTICLE 36: PERSONAL PROPERTY EXEMPTION

To see if the Town will vote to modify its acceptance of Chapter 59, Section 5, Clause 54 of the Massachusetts General Laws by establishing a minimum fair cash value of \$2,500 for personal property accounts to be taxed, or pass any vote or votes in relation thereto.
(Inserted by Board of Selectmen)

**ARTICLE 37: AUTHORIZE SELECTMEN TO GRANT UTILITY EASEMENTS ON
PUBLIC SAFETY BUILDING PARCEL**

To see if the Town will vote to a.) instruct the Board of Selectmen to transfer the care, custody, management and control of two perpetual utility easements in, on, over, across and through the areas of land, as deemed appropriate by the Board of Selectmen, comprising portions of the parcel of land located on the easterly side of Ayer Road in Harvard, Massachusetts shown as Lot 3 on a plan of land entitled "Plan of Land in Harvard, Massachusetts", dated July, 1999, prepared by Dillis and Mische, Inc., which plan is recorded with the Worcester District Registry of Deeds in Plan Book 747, Page 49, to the Board of Selectmen for the purpose of selling, conveying or otherwise disposing of said utility easements to utility companies for the purpose of providing utility services to the Public Safety Building; and b.) authorize the Board of Selectmen to sell,

convey or otherwise dispose of said utility easements to utility companies for the aforesaid purpose, or pass any vote or votes in relation thereto.
(Inserted by Board of Selectmen)

**ARTICLE 38: ACCEPTANCE OF MODIFIED LAYOUT OF LITTLETON COUNTY
ROAD @ LITTLETON COUNTY ROAD/SHERRY ROAD/
MASSACHUSETTS AVENUE INTERSECTION**

To see if the Town will vote to accept as a town way the modified layout of Littleton County Road at the Littleton County Road/Sherry Road/Massachusetts Avenue intersection as laid out by the Board of Selectmen, or pass any vote or votes in relation thereto.
(Inserted by Board of Selectmen)

* * * * *

And furthermore, in the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the said Town who are qualified to vote in Town affairs, to meet at The Bromfield School on Tuesday, the ninth day of April, 2002, to cast their ballots for the following officers and question:

Moderator, one for one year; Selectmen, two for three years; Cemetery Commissioner, one for three years; Community Preservation Committee, two for three years; Community Preservation Committee, one for two years; Community Preservation Committee, one for one year; Constable, one for three years; Harvard Board of Health, one for three years; Housing Authority, one for five years; Library Trustee, two for three years; Park and Recreation Commissioner, two for three years; Park and Recreation Commissioner, one for two years; Park and Recreation Commissioner, one for one year; Planning Board, two for three years; School Committee, two for three years; Tree Warden, one for one year; Warner Free Lecture Society Trustee, two for three years; Water Commissioner, one for three years; and Water Commissioner, one for two years.

QUESTION #1 - Community Preservation Act

Shall the Town of Harvard amend its acceptance of the provisions of sections 3 to 7, inclusive of Chapter 44B of the General Laws, as approved by its legislative body, a summary of which appears below?

YES _____ NO _____

(Requires a majority vote for passage.)

SUMMARY OF QUESTION #1 - Section 3 to 7 of Chapter 44B of the General Laws of Massachusetts, also known as the Community Preservation Act (Act), establish a dedicated fund to enable cities and towns to (1) acquire open space, which includes land for park and recreational uses and the protection of public drinking water well fields, aquifers and recharge areas, wetlands, farm land, forests, marshes, beaches, scenic areas,

wildlife preserves and other conservation areas, (2) acquire and restore historic buildings and sites, and (3) create affordable housing.

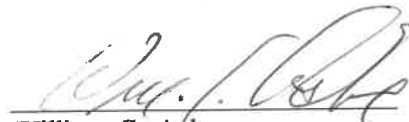
In the Town of Harvard, the funding source for these community preservation purposes will be a surcharge of three percent (3%) on the annual property tax assessed on real property and annual distributions made by the state by a trust fund created by the Act. If approved, the following will be exempt from the surcharge: (1) property owned and occupied as a domicile by any person who qualifies for low income housing or low or moderate income senior housing in the Town of Harvard, as defined in Section 2 of the Act; and (2) the first \$100,000 of the value of each taxable parcel of residential real property. Also, a taxpayer receiving a regular property tax abatement or exemption will also receive a pro rata reduction in surcharge. Last year, the Town of Harvard approved a surcharge of one and one-tenth percent (1.1%), without any exemptions.

A nine member Community Preservation Committee has been established to study community preservation resources, possibilities and needs and to make annual recommendations to the town meeting on spending the funds. At least ten percent (10%) of the funds for each fiscal year will be spent or reserved for later spending on each of the Act's three community preservation purposes: (1) open space; (2) historic resources; and (3) affordable housing.

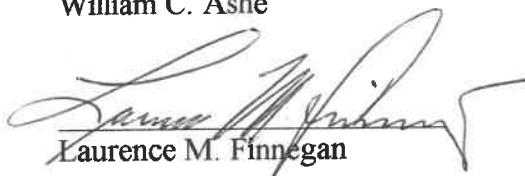
All of the above officers and questions to be on one ballot. The polls will be open from 7:00 a.m. to 8:00 p.m.

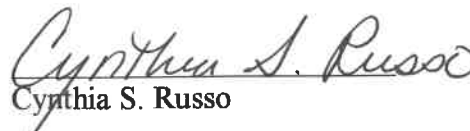
And you are directed to serve this Warrant by posting attested copies thereof, one at the Town Hall, one at the Post Office in Harvard, and one at the Post Office in Still River, as directed by vote of the Town, seven days at least before the time of holding said meeting. Hereof fail not, and make due 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 nineteenth day of March, Two Thousand and Two.


William C. Ashe


William J. Marinelli


Laurence M. Finnegan


Cynthia S. Russo


Lucy B. Wallace
Board of Selectmen

I hereby certify that I have posted three attested copies of the Warrant for the Annual Town Meeting, one at the Town Hall, one at the Post Office in Harvard, and one at the Post Office in Still River, as directed by vote of the Town, seven days at least before the time of holding said meeting.



Sylvio J. Brule, Constable

Date:

