

**PROCEEDINGS
SEMI-ANNUAL TOWN MEETING
OCTOBER 18, 2004**

Town Clerk, Maxwell Gould, opened the Semi-Annual Town Meeting on October 18, 2004 at 7:14 PM. With 96 members present, we have a quorum.

Pledge of Allegiance to the Flag.

Town Moderator, Steve Dalrymple read the Warrant.

**NORTH ATTLEBOROUGH WARRANT
FOR THE REPRESENTATIVE SEMI-ANNUAL TOWN MEETING
MONDAY, OCTOBER 18, 2004 AT 7:00 P.M.
THE COMMONWEALTH OF MASSACHUSETTS**

Bristol, ss.

To either Constables of North Attleborough:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the legal voters of the Town of North Attleborough to meet at the North Attleborough Middle School Cafetorium, 564 Landry Avenue, in said North Attleborough on: MONDAY, THE 18th OF OCTOBER 2004 A.D. At 7:00 P.M., then and there to act upon the following articles to wit:

And you are hereby directed to serve this warrant by posting up attested copies thereof in at least seventeen public places in said Town and also in one place in each of the voting precincts within the Town at least twenty-one days before the time of said meeting. Hereof, fail not, and make due return of this warrant with your doings thereon to the Town Clerk on or before the time of said meeting.

Given our hands and seal of the Town of North Attleborough on this August 26, 2004.

Marjorie A. Kraskouskas, Chairman
Mark C. Fisher, Vice-Chairman
David Chee
John C. Rhyno,
James C. Wood

BRISTOL, ss.

Pursuant to this within warrant, I have notified the inhabitants of the Town of North Attleborough within described, to meet at the time and place for the purpose within mentioned by posting attested copies of this warrant in seventeen (17) public places in said town twenty-one (21) days before the time of said meeting.

Chief Michael P. Gould, Sr.
Constable
Town of North Attleborough

1. Central Fire Station
2. Richards Memorial Library
3. Town Offices
4. Cushman Union Church
5. Oldetown Church
6. Bristol County Savings Bank
7. Falls Post Office
8. Cumberland Farms – Kelley Boulevard
9. Registry of Motor Vehicles
10. Housing for the Elderly (Circle Court)
11. Housing for the Elderly (Center)

- 12. **Housing for the Elderly (Elm Terrace)**
- 13. **Attleboro Toyota**
- 14. **Fleet Bank (Center)**
- 15. **Fireside Nissan**
- 16. **Department of Public Works (Smith Street)**
- 17. **North Attleborough Federal Credit Union**

A moment of silence was observed for our troops serving overseas.

Bart Steele (P7) made a motion to adopt the Bourne Amendment as follows:

Any RTM member wishing to increase money in any article that has been recommended by the Finance Committee, must specify where the additional monies will come from.

Motion seconded.

Motion carried.

Chris Sweet (P8) made a motion to adopt the Procedural Rule as follows:

That the RTM adopt the Procedural Rule that the count of a two-thirds vote, when it is obvious to the Moderator, shall not be taken by the Moderator unless requested by seven or more RTM members.

Motion seconded.

Motion carried.

ARTICLE 1 E-RATE RESERVE FUND

SCHOOL COMMITTEE

To see if the town will vote to appropriate the sum of \$10,250.19, or any other sum, for the purpose of providing technology, and/or telecommunication related supplies, equipment or services to the North Attleborough Public schools. Said sum to be transferred from the E-Rate reimbursement Reserved for Expenditures Fund. Or to do or act in any manner relative thereto. School Committee

PURPOSE AND JUSTIFICATION

The School Department has applied for and received federal E-Rate funds. These funds are designed to help schools improve or expand telecommunications and technology, including training for staff and students. The Town receives the funds from various vendors and Town meeting must then vote to allocate the funds to an article under the jurisdiction of the School Committee.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to appropriate the sum of \$10,250.19 for the purpose of providing technology, and/or telecommunication related supplies, equipment or services to the North Attleborough Public schools. Said sum to be transferred from the E-Rate reimbursement Reserved for Expenditures Fund.

FINANCE COMMITTEE REASON: This will permit the School Department to use these funds to purchase computer equipment.

The RTM members unanimously approved the Finance Committee’s recommendation as read.

ARTICLE 2 REDUCTION: FY05 CONTRIBUTORY RETIREMENT

TOWN TREASURER

To see if the town will vote to amend Article 18 of the FY 2005 Annual Town Meeting as follows:

	From	To
Line 60a. Contributory Retirement	\$1,339,184	\$1,307,733

resulting in a reduction to the appropriation of \$31,451. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

The North Attleborough Contributory Retirement board voted to modify the payment schedule which resulted in a decrease to the appropriation for FY 2005.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 18 of the FY 2005 Annual Town Meeting by reducing Line Item 60a, "Contributory Retirement", from \$1,339,184 to \$1,307,733; resulting in a reduction of \$31,451.

FINANCE COMMITTEE REASON: Due to good financial management, an early payment was made in August thus saving the Town money and creating a reduction in funding.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 3 BETTERMENT STABILIZATION FUND

BOARD, SELECTMEN

To see if the town will vote to transfer from available free cash the sum of \$177,452 or any other sum, to the betterment Stabilization Fund. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

At the May 17, 2004 Annual Town Meeting, the Town approved the establishment of the Betterment Stabilization Fund for the purpose of paying debt service projects authorized by the Town. This will transfer the excess betterment funds received in FY 2004 to the new Fund to pay for future debt service.

FINANCE COMMITTEE VOTE: 4-0

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to transfer the sum of \$177,452 from Free Cash to the Betterment Stabilization Fund

FINANCE COMMITTEE REASON: Excess betterment funds that were paid in 2004 to pay for bonding of sewer projects created prior to the Sewer Enterprise Fund should be set aside in this account to pay down debt service.

The RTM members approved the Finance Committee's recommendation as read. 2/3's vote obvious to the Moderator.

ARTICLE 4 RESCIND BONDING

TOWN TREASURER

To see if the town will vote to rescind the action taken on the following articles for the following unissued amounts authorized for borrowing:

- Article 15, June 16, 2004 Special Town Meeting - \$154,500 for an ambulance
- Item #25 of Part 3 of Article 4 of the May 17, 2004 Annual Town Meeting - \$88,000 for "Elm Street Station – Roof Masonry Repair/Replacement"

Or to do or act in any manner relative thereto. Town Treasurer

PURPOSE AND JUSTIFICATION

Original ambulance article was rejected by Bond Counsel and must be rescinded. State grant has been obtained to repair Elm Street Roof, so authorization to borrow is no longer needed.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to rescind the action taken on the following articles for the following unissued amounts authorized for borrowing: Article 15, June 16, 2004 Special Town Meeting - \$154,500 for an ambulance and Item #25 of Part 3 of Article 4 of the May 17, 2004 Annual Town Meeting - \$88,000 for "Elm Street Station – Roof Masonry Repair/Replacement"

FINANCE COMMITTEE REASON: Upon the advice of bond counsel the Town must rescind Article 15. Additionally, the Town received grant funding for the Elm Street roof and, therefore, did not need to borrow this amount of money.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 5 FY05 CAPITAL IMPROVEMENT PLAN

BOARD, SELECTMEN

To see if the Town will vote to appropriate a sum of money to be raised by taxation, by transfer from available funds, enterprise funds, by borrowing or otherwise, for various capital and special projects of the Town, including but not limited to constructing, reconstructing, adding to, equipping and furnishing public buildings, and other public facilities, purchasing equipment, constructing, reconstructing roads and other public ways, constructing

improvements to the Town's water and sewerage systems, purchasing equipment and undertaking other capital projects, including costs incidental and related to such projects, or to take any other action relative to the foregoing matters.

**PART 1. MUNICIPAL CIP ON- GOING MAINTENANCE EFFORTS
(ITEMS 1 INCLUSIVE PROJECTS' TOTAL: \$450,000, NOT INCLUDING BONDING)**

ITEM	AMOUNT	DESCRIPTION	REQUESTOR
1.	\$ 15,000	Protective Clothing	Fire Commissioners
2.	\$ 15,000	Breathing Apparatus	Fire Commissioners
3.	\$ 10,000	Hose Replacement	Fire Commissioners
4.	\$ 60,000	Bus	School Committee
5.	\$100,000	Hazardous Materials Removal and Abatement (Lead and Asbestos) from School Buildings	School Committee
6.	\$ 20,000	Computer Replacement	Management Information Services (MIS) Director
7.	\$ 30,000	Revaluation	Board of Assessors
8.	\$ 7,000	Town Hall - Copier Replacement	Town Administrator
9.	\$ 13,000	Playground Equipment Repair/Replacement/Playground cover/Fencing	Park Commissioners
10.	\$100,000	Roads & Sidewalks	Board of Public Works - Highway Department
11.	\$ 50,000	Vehicle Replacement - Truck	Board of Public Works - Highway Department
12.	\$ 30,000	Vehicle	Fire Commissioners

Said sum to be raised by General Tax, by transfer from available funds, by borrowing or otherwise and provided further that any funds appropriated hereunder shall remain within the capital budget under the jurisdiction of the Town Board/Official indicated, or Municipal Building Committee, if applicable, until expended or released unless transferred by Town Meeting

And that in the case of borrowing to meet the appropriation for this article, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow the sum of **\$463,500 (TOTAL OF PROJECTS LISTED IN PART 1 OF THIS ARTICLE, PLUS BONDING COSTS)**, or any other sum, and issue bonds or notes of town therefore; and the requested sum of **\$450,000** be expended by the Town Board/Official listed, or the **Municipal Building Committee, if applicable**, for project costs, and the sum of **\$13,500** be expended under the direction of the Town Treasurer for issuance costs; and that betterment assessments therefore shall be levied under the provisions of Town Bylaws where applicable.

**PART 2. ADDITIONAL FY 2005 CAPITAL MAINTENANCE EFFORTS
(ITEMS: 13-40, INCLUSIVE, PROJECTS' TOTAL: \$33,952,320, NOT INCLUDING BONDING)**

ITEM	AMOUNT	DESCRIPTION	REQUESTOR
13.	\$ 50,000	Engineering & Design Services	Council on Aging
14.	\$ 5,000	Town Monument Restoration Project – Phase I: Evaluation of Conditions and Cost Estimates	Park Commission
15.	\$1,100,000	Fales Road Water Project	BPW – Water Division 8(5)
16.	\$918,820	Sheldonville Road Water Project	BPW – Water Division 8(5)
17.	\$ 15,000	Elm St. Station – Roof-Masonry Repair/Replacement	Board of Fire Commissioners 7(3A)

18.	\$180,000	Rescue 1 - Ambulance Replacement	Board of Fire Commissioners	7(9)
19.	\$175,000	Ladder 1: Rehabilitation & Repairs	Board of Fire Commissioners	7(9A)
20.	\$700,000	Aerial Ladder Truck	Board of Fire Commissioners	7(9)
21.	\$444,000	Americans with Disabilities Improvements - Engineering & Design (Allen Avenue, Amvet, Community, Early Learning Center, Falls, Martin, NAMS, Roosevelt schools, Town Hall, Allen Avenue Fire Station, Community Field	Board of Selectmen	7(3A)
22.	\$ 70,000	Telephone & Telecommunications Systems Replacement - NAHS, Falls, Roosevelt, Allen Ave., Amvet and Early Learning Center schools	School Committee	7(9)
23.	\$20,000	NAHS - Remodeling of Main office & lobby	School Committee	7(3A)
24.	\$25,000	Vehicle	Conservation Commission	7(9)
25.	\$ 6,500	Holmes Hall Roof Replacement	Historic Commission	7(3A)
26.	\$170,000	Whitings Dam Repairs	Conservation	7(7)
27.	\$500,000	Ball Fields – Columbia Field & Town Forest	Park Commissioners	7(25)
28.	\$105,000	Repair of Bleachers @ NAHS	School Committee	7(9)
29.	\$190,000	Conversion Project Woodcock Adm. Bldg.	School Committee	7(3A)
30.	\$390,000	St. Mark's Pond Dam Rehabilitation	Conservation Commission	7(7)
31.	\$300,000	GIS - Phase III Systems	Management Information Systems (MIS) Director	7(29)
32.	\$5,430,000	Community School Conversion Project	School Committee	7(7)
33.	\$ 740,000	Vehicle Replacements' Program	BPW	7(9)
34.	\$2,000,000	Failed Roads Program	BPW	7(5)
35.	\$13,000,000	New Library	Board of Library Trustees	7(3A)
36.	\$ 1,613,000	Window/Door Replacement Program - Allen Avenue, NAHS, Roosevelt, Amvet and Community schools	School Committee	7(3A)
37.	\$ 2,432,000	Allen Avenue School Rehabilitation and Expansion Project	School Committee	7(3A)
38.	\$ 2,153,000	Early Learning Center Rehabilitation and Expansion	School Committee	7(3A)

39.	\$ 1,200,000	Project NAHS – Renovation of Science and Media Center Space	School Committee	7(3A)
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40.	\$ 20,000	Church Street Parking Lot	Board of Public Works	7(3A)
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Said sum for any project listed in Part 2 to be raised by General Tax, by transfer from available funds, by borrowing or otherwise.

And that in the case of borrowing to meet the appropriation for this article, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow the sum of **\$34,970,890 (TOTAL OF PROJECTS LISTED IN PART 2 OF THIS ARTICLE, PLUS BONDING COSTS)**, or any other sum, under and pursuant to the statutes cited above, or any other enabling authority, and issue bonds or notes of town therefore; and the requested sum of **\$33,952,320** be expended by the Town Board/Official listed, **or the Municipal Building Committee, if applicable**, for project costs, and the sum of **\$1,018,570** be expended under the direction of the Town Treasurer for issuance costs; and that betterment assessments therefore shall be levied under the provisions of Town Bylaws where applicable.

FINANCE COMMITTEE VOTE: 5-0 **ROLL CALL MAJORITY VOTE**

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate a sum of \$306,000 for various capital and special projects of the Town, including but not limited to constructing, reconstructing, adding to, equipping and furnishing public buildings, and other public facilities, purchasing equipment, constructing, reconstructing roads and other public ways, constructing improvements to the Town's water and sewerage systems, purchasing equipment and undertaking other capital projects, including costs incidental and related to such projects, or to take any other action relative to the foregoing matters:

PART 1. MUNICIPAL CIP ON- GOING MAINTENANCE EFFORTS

2.	\$10,000	Breathing Apparatus	Fire Commissioners
3.	\$10,000	Hose Replacement	Fire Commissioners
4.	\$45,000	Bus	School Committee
6.	\$20,000	Computer Replacement	Management Information Services (MIS) Director
7.	\$30,000	Revaluation	Board of Assessors
9.	\$13,000	Playground Equipment Repair/Replacement/Playground	Park Commissioners
12.	\$25,000	Vehicle	Fire Commissioners

PART 2. ADDITIONAL FY 2005 CAPITAL MAINTENANCE EFFORTS

14.	\$ 5,000	Town Monument Restoration Project – Phase I: Evaluation of Conditions and Cost Estimates	Park Commission
17.	\$15,000	Elm St. Station – Roof- Masonry Repair/Replacement	Fire Commissioners
22.	\$70,000	Telephone & Telecommunications Systems Replacement	School Committee
23.	\$20,000	NAHS - Remodeling of Main office & lobby	School Committee
24.	\$24,500	Vehicle	Conservation Commission
25	\$ 6,500	Holmes Hall Roof Replacement	Historic Commission
31.	\$12,000	GIS - Phase III (Flyover)	Management Information Systems (MIS) Director

And to meet said appropriation, the sum of \$199,527 shall be appropriated from “Supplemental State Aid”; the sum of \$93,640 shall be transferred from “Overlay Surplus; and the sum of \$12,833 shall be transferred from “Conservation Damages to Town Property” to offset Item No. 24 and the requested sum of \$306,000 be expended

by the Town Board/Official listed, or the Municipal Building Committee, if applicable for project costs, and that betterment assessments therefore shall be levied under the provisions of the Town Bylaws where applicable.

FINANCE COMMITTEE REASON: The proposed projects are based upon the needs of the various departments and the available financial resources. We believe these projects meet those criteria.

Marie Clarner (P1) made a motion to amend Article 5 FY05 Capital Improvement Plan, part 2 item #24 as follows: *By deleting the words "..., and the sum of \$12,833 shall be transferred from "Conservation Damages to Town Property" to offset Item No. 24. And to substitute the words: "And the sum of \$12, 833 shall be transferred from "Free Cash" to offset item no 24."*

Motion seconded.

The RTM members approved the motion to amend Article 5 FY05 CIP Part 2 Item #24.

Dave Manoogian (P8) made a motion as follows:

That the recommendation of the Finance Committee as contained in Article 5 2005 Capital Improvement Plan be amended as follows:

- 1. By changing the sum of \$306,000.00 as contained in the first line of the recommendation to \$626,000.00; and*
- 2. By adding to PART 2. ADDITIONAL FY 2005 CAPITAL MAINTENANCE EFFORTS the following:*
 - 37. \$181,500.00 Allen Avenue School Rehabilitation and School Committee
Expansion Project Engineering Study*
 - 38. \$138,500.00 Early Learning Center Rehabilitation and School Committee
Expansion Project Engineering Study*

and

- 3. That the last paragraph of PART 2. ADDITIONAL FY2005 CAPITAL MAINTENANCE EFFORTS be amended to read as follows:*

*And to meet said appropriation, the sum of \$199,527.00 shall be appropriated from "Supplemental State Aid"; the sum of \$93,640.00 shall be transferred from "Overlay Surplus"; the sum of \$12,833.00 shall be transferred from "Free Cash" to offset Item No. 24; **and the sum of \$320,000.00 shall be appropriated from free cash.***

and

- 4. the amount of \$306,000.00 be changed to \$626,000.00 as contained in the correction sheet issued by the Finance Committee pertaining to Article 5.*

Motion seconded.

After much discussion, Bart Steele (P7) made a motion to move the question and go directly to a vote on the amendment.

Motion seconded. Motion carried.

The RTM members defeated the motion to amend.

Raymond Stack (P8) made a motion as follows:

Motion to amend Article 5 Part 1 by adding item 10 from the original list roads and sidewalks \$100,000.00 and add that the funding come from free cash. And change the total to \$406,000.00.

Motion seconded.

The RTM members defeated the motion to amend.

AMENDED FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate a sum of \$306,000 for various capital and special projects of the Town, including but not limited to constructing, reconstructing, adding to, equipping and furnishing public buildings, and other public facilities, purchasing equipment, constructing, reconstructing roads and other public ways, constructing improvements to the Town's water and sewerage systems, purchasing equipment and undertaking other capital projects, including costs incidental and related to such projects, or to take any other action relative to the foregoing matters:

PART 1. MUNICIPAL CIP ON- GOING MAINTENANCE EFFORTS

2.	\$10,000	Breathing Apparatus	Fire Commissioners
3.	\$10,000	Hose Replacement	Fire Commissioners
4.	\$45,000	Bus	School Committee
6.	\$20,000	Computer Replacement	Management Information Services (MIS) Director
7.	\$30,000	Revaluation	Board of Assessors
9.	\$13,000	Playground Equipment	Park Commissioners
12.	\$25,000	Repair/Replacement/Playground Vehicle	Fire Commissioners

PART 2. ADDITIONAL FY 2005 CAPITAL MAINTENANCE EFFORTS

14.	\$ 5,000	Town Monument Restoration Project – Phase I: Evaluation of Conditions and Cost Estimates	Park Commission
17.	\$15,000	Elm St. Station – Roof-Masonry Repair/Replacement	Fire Commissioners
22.	\$70,000	Telephone & Telecommunications Systems Replacement	School Committee
23.	\$20,000	NAHS - Remodeling of Main office & lobby	School Committee
24.	\$24,500	Vehicle	Conservation Commission
25	\$ 6,500	Holmes Hall Roof Replacement	Historic Commission
31.	\$12,000	GIS - Phase III (Flyover)	Management Information Systems (MIS) Director

And to meet said appropriation, the sum of \$199,527 shall be appropriated from “Supplemental State Aid”; the sum of \$93,640 shall be transferred from “Overlay Surplus; **and the sum of \$12,833 shall be transferred from “Free Cash” to offset Item No. 24** and the requested sum of \$306,000 be expended by the Town Board/Official listed, or the Municipal Building Committee, if applicable for project costs, and that betterment assessments therefore shall be levied under the provisions of the Town Bylaws where applicable.

PART 3: To authorize any of the above named boards, departments, committees or commissions to apply for, accept, and expend any state or federal grants that are or may become available for these purposes. Or to do or act in any manner relative thereto Board of Selectmen

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to authorize any of the above named boards, departments, committees or commissions to apply for, accept, and expend any state or federal grants that are or may become available for these purposes.

FINANCE COMMITTEE REASON: The RTM must authorize all boards, departments, committees, or commissions every year to perform the above-stated duties.

The Moderator declared that unanimity would dispense with a Roll Call vote.

The RTM members unanimously approved Article 5 as amended.

ARTICLE 6 SUPPLEMENT FY05 SRPEDD APPROPRIATION

BOARD, SELECTMEN

To see if the town will vote to amend Article 18 of the FY05 Annual Town Meeting by appropriating the sum of \$350.00 or any other sum to supplement Line 20 SRPEDD expenses and to determine whether said sum shall be raised by taxation, transfer of available funds, borrowing or otherwise. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

To amend the budget based on the actual assessment to the Town.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to amend Article 18 of the FY05 Annual Town Meeting by appropriating the sum of \$350.00 to Line Item 20, "SRPEDD Expenses" and said sum shall be raised by taxation.

FINANCE COMMITTEE REASON: The Town has received the State's final assessment for services.

The RTM members approved the Finance Committee's recommendation as read.

ARTICLE 7 SUPPLEMENT FY05 RESERVE FUND APPROPRIATION

FINANCE COMM.

To see if the town will vote to amend Article 18 FY2005 Omnibus Budget, Line 6 – Reserve Fund, of the 2004 Annual Town Meeting by raising and appropriating the sum of \$97,000, or any other sum and to determine whether said sum shall be raised by transfer of available funds, taxation, borrowing or otherwise. Or to do or act in any manner relative thereto. Finance Committee

PURPOSE AND JUSTIFICATION

For the purpose of replacing said amount which was transferred to the School Department at the 2004 Annual Town Meeting. The Finance Committee requests the RTM to replace the transferred amount owing to its substantial size and considering the anticipated acute financial needs of the Town throughout the remainder of the fiscal year.

FINANCE COMMITTEE VOTE: 4-0

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 18 of the FY05 Annual Town Meeting, by appropriating the sum of \$100,000 to Line Item 6, "Reserve Fund", and of said sum the sum of \$75,443 shall be appropriated from "Supplemental State Aid" and the sum of \$24,557 to be raised by taxation.

FINANCE COMMITTEE REASON: It is necessary to replenish this account so that the Town may have adequate resources to meet unforeseen circumstances.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 8 SUPPLEMENT FY05 HEALTH INSURANCE

BOARD, SELECTMEN

To see if the town will vote to amend Article 18 of the FY05 Annual Town Meeting by appropriating the sum of \$160,000 or any other sum to supplement Line 62 Health Insurance and to determine whether said sum shall be raised by taxation, transfer of available funds, borrowing or otherwise. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

At the May 17, 2004 Annual Town Meeting, the town approved transferring \$160,000 out of the Health Insurance budget into the School Department budget. This will increase the Health Insurance budget back to the amount originally estimated.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 18 of the FY05 Annual Town Meeting by appropriating the sum of \$140,000 to supplement Line Item 62, "Health Insurance" and said sum shall be raised by taxation.

FINANCE COMMITTEE REASON: It is necessary to replenish this account so that the Town may have adequate resources to meet its obligation to provide health insurance to eligible town employees.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 9 SUPPLEMENT FY05 SALARY RESERVE

BOARD, SELECTMEN

To see if the town will vote to amend Article 18 of the FY05 Annual Town Meeting by appropriating the sum of \$ to supplement Line 4c Board of Selectmen Salary Reserve and to determine whether said sum shall be raised by taxation, transfer of available funds, borrowing or otherwise. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

To increase the Salary Reserve for contracts still in negotiations

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 18 of the FY05 Annual Town Meeting by appropriating the sum \$98,110 to supplement Line Item 4c, "Board of Selectmen Salary Reserve" and that said sum shall be raised by taxation.

FINANCE COMMITTEE REASON: This money must be put aside for contract negotiations.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 10 SALARY INCREASE: TREASURER & CLERK

BOARD, SELECTMEN

To see if the town will vote to amend the salary of Treasurer/Collector and Town Clerk as set forth in Article 6 of the Fiscal Year 2005 Annual Town Meeting as follows:

	From:	To:
Treasurer/Collector	\$72,821.00	\$74,984.00
Town Clerk	\$17,079.10	\$17,586.40

And to see if the Town will vote to amend Article 18 of the FY2005 Annual Town Meeting by appropriating the sum of \$2,670.30 to supplement the line items as follows:

- Increase Line 9a. Town Treasurer Salaries by \$1,081
- Increase Line 10a. Tax Collector Salaries by \$1,082
- Increase Line 15a. Town Clerk Salaries by \$507.30

And to determine whether said sum shall be raised by taxation, transfer from available funds or otherwise.

Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

To provide the incumbent Treasurer/Collector and Town Clerk with a salary increase equivalent to managers under the ATP classification.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to amend Article 6 of the FY05 Annual Town Meeting by amending the Treasurer/Collector's salary from \$72,821.00 to \$73,542.00 and by amending the Town Clerk's salary from \$17,079.10 to \$17,248.20. And to amend Article 18 of the FY 2005 Annual Town Meeting by appropriating the sum of \$360.00 to increase Line 9a, "Town Treasurer Salaries", appropriating the sum of \$361.00 to increase Line Item 10a "Tax Collector Salaries", and by appropriating the sum of \$169.00 to increase Line 15a, "Town Clerk Salaries" and that to meet said appropriations, the sum of \$890 shall be raised by taxation.

FINANCE COMMITTEE REASON: This reflects an additional one percent increase for a total of 2 percent from FY04, which is in line with other town positions.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 11 NON UNION ATP SALARY INCREASE HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budgets of various departments for the salary increases for personnel under the Personnel ByLaws, "ATP" classification and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds, transfer from Article 18, Line 4C Salary Reserve of the FY 2005 Annual Town Meeting or otherwise. Or to do or act in any manner relative thereto. Human Resources

PURPOSE AND JUSTIFICATION

Effective as of July 1, 2004

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to appropriate the sum \$3,160 supplement the budgets of various departments for the salary increases for personnel under the Personnel By Laws, "ATP" classification and said sum shall be transferred from FY05 Annual Town Meeting Article 18, Line 4c, "Salary Reserve".

FINANCE COMMITTEE REASON: This reflects an additional one percent increase for a total of 2 percent from FY04, which is in line with other town positions.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 12 PTS SALARY INCREASE HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budgets of various departments for the salary increases for personnel under the Personnel ByLaws, "PTS" Classification, to amend the "PTS" wage and salary scale by the percentage increase approved by the Town Meeting, and to determine how said appropriation shall be raised, whether by taxation transfer from available funds, transfer from Article 18, Line 4C Salary Reserve of the FY 2005 Annual Town Meeting or otherwise. Or to do or act in any manner relative thereto. Human Resources

PURPOSE AND JUSTIFICATION

To provide funds to allow an additional increase for the part-time and Seasonal Employees, retro to July 1, 2004.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to appropriate the sum of \$6,033 to supplement the budgets of various departments for the salary increases for personnel under the Personnel By Laws, "PTS" classification, to amend the "PTS" wage and salary scale by the percentage increase approved by the Town Meeting and that sum of \$5927 shall be transferred from FY05 Annual Town Meeting Article 18, Line Item 4c, "Salary Reserve" and that sum of \$106 shall be transferred from FY05 Annual Town Meeting Article 18, Line Item 67a, "Landfill Enterprise Salary and Wage".

FINANCE COMMITTEE REASON: This reflects an additional one percent increase for a total of 2 percent from FY04, which is in line with other town positions.

The RTM members approved the Finance Committee's recommendation as read.

ARTICLE 13 CLERICAL WORKERS' CONTRACT HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budgets of various departments for the purpose of financing any changes made in the Personnel ByLaws as a result of Collective Bargaining and otherwise for salary increases for AFSCME Local 1702 and to determine how said appropriation shall be raised whether by taxation transfer from available funds, transfer from Article 18, Line 4C Salary Reserve of the FY 2005 Annual Town Meeting or otherwise. Or to do or act in any manner relative thereto. Human Resources

PURPOSE AND JUSTIFICATION

To fund contract effective July 1, 2004

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of this article be indefinitely postponed.

FINANCE COMMITTEE REASON: At the time of voting, the contract negotiations had not been finalized.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 14 FIREFIGHTERS' CONTRACT

HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budgets of Fire Department and Ambulance for the purpose of financing any changes made in the Personnel ByLaws, as a result of Collective Bargaining and otherwise for salary increases for Firefighters Local 1992 and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds, transfer from Article 18, Line 4C Salary Reserve of the FY 2005 Annual Town Meeting. Or to do or act in any manner relative thereto. Human Resources

PURPOSE AND JUSTIFICATION

To fund contract effective 7/1/04.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of this article be indefinitely postponed.

FINANCE COMMITTEE REASON: At the time of voting, the contract negotiations had not been finalized.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 15 LABORERS' CONTRACT

HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budgets of various departments for the purpose of financing any changes made in the Personnel ByLaws as a result of Collective Bargaining and otherwise for salary increases for Laborers Local 1144 and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds, transfer from Article 18, Line 4C Salary Reserve of the FY 2005 Annual Town Meeting or otherwise. Or to do or act in any manner relative thereto. Human Resources

PURPOSE AND JUSTIFICATION

To fund contract effective 7/1/04.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of this article be indefinitely postponed.

FINANCE COMMITTEE REASON: At the time of voting, the contract negotiations had not been finalized.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 16 PATROLMEN'S' CONTRACT

HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budget of the police department for the purpose of financing any Changes in the Personnel ByLaws, as a result of Collective Bargaining and otherwise for salary increases for Police Officers Association Local 550 and to determine how said appropriation shall be raised, whether by taxation transfer from available funds, transfer from Article 18, Line 4C Salary Reserve of the FY 2005 Annual Town Meeting or otherwise. Or to do or act in any manner relative thereto. Human Resources

PURPOSE AND JUSTIFICATION

To fund contract effective 7/1/04.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of this article be indefinitely postponed.

FINANCE COMMITTEE REASON: At the time of voting, the contract negotiations had not been finalized.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 17 PROFESSIONAL POLICE OFFICERS' CONTRACT HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budget of the Police Department for the purpose of financing any changes made in the Personnel ByLaws, as a result of Collective Bargaining and otherwise for salary increases for Professional Police Officers' Association Local 280 and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds, transfer from Article 18, Line 4C, Salary Reserve of the FY 2005 Annual Town Meeting or otherwise. Or to do or act in any manner relative thereto.

Human Resources

PURPOSE AND JUSTIFICATION

To fund contract effective 7/1/04.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of this article be indefinitely postponed.

FINANCE COMMITTEE REASON: At the time of voting, the contract negotiations had not been finalized.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 18 ATP UNION CONTRACT HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budgets of various departments for the purpose of financing any changes made in the Personnel By Laws as a result of collective bargaining and otherwise for salary increases for United Steelworkers of America, Units A and B and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds, transfer from Article 18, Line 4C Salary Reserve of the FY 2005 Annual Town Meeting or otherwise. Or to do or act in any manner relative thereto. Human Resources

Resources

PURPOSE AND JUSTIFICATION

To fund contract effective July 1, 2004.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of this article be indefinitely postponed.

FINANCE COMMITTEE REASON: At the time of voting, the contract negotiations had not been finalized.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 19 ELECTION DEPARTMENT SALARY ELECTION COMM.

To see if the town will vote to appropriate the sum of \$600.00, or any other sum, to increase Line Item 16a. Election Salaries FY 2005 Annual Town Meeting, to \$73,616.00. And, to determine whether said sum shall be raised by taxation, transfer from available funds, or otherwise. Or to do or act in any manner relative thereto. Elections Commissioners

PURPOSE AND JUSTIFICATION

The increased funding will allow the Board of Elections Commissioners to hire a replacement for the full-time clerk two weeks prior to her departure allowing for some training to occur.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 18 of the FY05 Annual Town Meeting by appropriating the sum of \$1,200 to Line Item 16a, "Election Salary", and said sum shall be raised by taxation.

FINANCE COMMITTEE REASON: This additional money is needed to train the Clerk's replacement. This amount will provide the new hire with a month's training. We believe such an expenditure is in the Town's best interest.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 20 HEALTH DEPARTMENT SALARY BOARD, HEALTH

To see if the town will vote to amend Article 18 of the FY05 Annual Town Meeting by appropriating the sum of \$3,000.00 to Line Item 48A of the Board of Health's Salaries and Wages account of the full time clerical overtime line item due to extra meetings and to determine whether said sum shall be raised by taxation, transfer of available funds, borrowing or otherwise. Or to do or act in any manner relative thereto. Board of Health

PURPOSE AND JUSTIFICATION

The Board of Health members are meeting more than once a month. The overtime line item will deplete quickly with the new schedule. As a member of a collective bargaining unit, the full time clerical person receives overtime wages for the purpose of recording minutes at all Board meetings.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of this article be indefinitely postponed.

FINANCE COMMITTEE REASON: The Board of Health did not provide sufficient information that would justify appropriating additional funding to this line item.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 21 HOLMES HALL ROOF REPAIR

HISTORICAL COMMISSION

To see if the town will vote to appropriate the sum of \$6500 to replace the roof at the Holmes Memorial Hall on Hoppin Hill Ave. From available funds or taxation. Or to do or act in any manner relative thereto. Historical Commission

PURPOSE AND JUSTIFICATION

An unforeseen expense. Holes can be seen in the roof from the inside of the building. Existing asphalt roof to be replaced with asphalt. Age of roof is unknown. Roof replacement needed. As a first step to protect and preserve this town owned historic building. When building is restored, it can be used by the town and/or public.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of this article be indefinitely postponed.

FINANCE COMMITTEE REASON: This repair was funded via Article 5, FY05 Capital Improvement Program, of this warrant.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 22 VARIOUS EXPENDITURES

TOWN TREASURER

To see if the town will vote to appropriate \$2,222.69 for the following purposes:

\$222.69 for Item #4 of Part 3 of Article 6 of the April 9, 2001 Annual Town Meeting (NAHS Roof Repair and Replacement)

\$1,000 for Article 36 of the October 21, 1996 Semi-Annual Town Meeting (issuance costs for borrowing associated with a project to update the Town's "1983 Wastewater Facility Planning Report")

\$1,000 for Article 25 of the June 16, 1997 Special Town Meeting (issuance costs for borrowing associated with another Wastewater Facility project)

Said sum to be raised by general taxation or other available funds. Or to do or act in any manner relative thereto.

Town Treasurer

PURPOSE AND JUSTIFICATION

These are amounts that were spent on these projects for which funds were not borrowed. Appropriating these amounts from available cash will allow the accounts to be "zeroed out" in the most efficient manner.

FINANCE COMMITTEE VOTE: 4-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to appropriate \$222.69 to Item No. 4 of Part 3 of Article 6 of the April 9, 2001 Annual Town Meeting (NAHS Roof Repair and Replacement); and to appropriate \$1,000 to Article 36 of the October 21, 1996 Semi-Annual Town Meeting (issuance costs for borrowing associated with a project to update the Town's "1983 Wastewater Facility Planning Report"); and to appropriate \$1,000 to Article 25 of the June 16, 1997 Special Town Meeting (issuance costs for borrowing associated with another Wastewater Facility project) and to meet said appropriations, the sum of \$2,222.69 shall be raised by taxation.

FINANCE COMMITTEE REASON: It is good financial management to clear up these projects.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 23 NEW AMBULANCE FIRE COMMISSIONERS

To see if the town will vote to appropriate the sum of \$180,000 for the cost of a new ambulance to replace the primary transporting ambulance which is suffering maintenance issues. The town shall also determine if said sum shall be appropriated by taxation, transfer of available funds, bonding or otherwise.

Or to do or act in any manner relative thereto. Fire Commissioners

PURPOSE AND JUSTIFICATION

The status of the current Rescue 1 is a 1999 International Model 4700 with 69,000 miles and 5800 engine hours. A conservative conversion of engine hours to miles is 35:1 or a total of 203,000 miles.

Rescue 2 our reserve ambulance is a 1994 International model 4700 with 128,937 miles and 9807 engine hours. This would indicate 343,245 miles.

During the past year Rescue 1 has been out of service 10 occasions for more than 1-2 days at a time. Rescue 2, 8 occasions for more than 1-2 days at a time.

During the past 60 days there have been two occasions where both rescues have been out of service at the same time requiring us to use an Attleboro ambulance as our primary ambulance.

If an approval was granted the approximate order and bid and delivery time would be 10-12 months so it would be prudent to do this at this time.

FINANCE COMMITTEE VOTE: 4-0-1

2/3 ROLL CALL VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote that the sum of \$180,000 be hereby appropriated for the purchase of a new ambulance to replace the primary transporting ambulance, and for costs incidental and related thereto; and that to meet said appropriation, the Treasurer with the approval of the Board of Selectmen, is hereby authorized to borrow the sum of \$180,000 at one time or from time to time under and pursuant to Chapter 44, Section 7(9), of the General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the Town therefore. That such sum \$180,000 shall be expended under the direction of the Fire Commissioners for project costs.

FINANCE COMMITTEE REASON: Per purpose and justification.

Motion made and seconded to move the question and go directly to a vote on the recommendation.
Motion Carried.

The Moderator declared that according to Town By-laws, unanimity will dispense of the 2/3 Roll Call vote.

The motion to dispense with a Roll Call vote was defeated.

The RTM members, by roll call vote, unanimously approved the recommendation with a vote of 96-yes and 0-no.

ARTICLE 24 REPAIRS TO LADDER TRUCK FIRE COMMISSIONERS

To see if the town will vote to appropriate the sum of \$190,000 for the cost of necessary and existing repairs to maintain our primary aerial ladder in a safe working condition. The town shall also determine if said sum shall be appropriated by taxation, transfer of funds, bonding, or otherwise. Or to do or act in any manner relative thereto.

Fire Commissioners See Attached

PURPOSE AND JUSTIFICATION

The current ladder truck is 15 years old. There was an appropriation last year of \$75,000 to conduct a "refurbish" of the aerial. Some preliminary work such as brakes and springs were done, but the actual scope of work needed was far and above the appropriated amount so that amount was turned in at the end of last year and correct scope of work required was prepared.

At present we have been reduced to one ladder truck for service for the town and under any circumstances this expense would be reasonable and prudent to keep this truck in service safely so that it can be continued to operate as the primary unit, or serve as a second unit when a new one is purchased.

In addition to “mechanical” work such as motor etc., hydraulic systems, pistons and actual aerial ladder will be tested as well as all ground ladders.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of this article be indefinitely postponed.

FINANCE COMMITTEE REASON: The Finance Committee had not received comments to support this article.

The RTM members approved the Finance Committee’s recommendation as read.

ARTICLE 25

NEW VEHICLE

CONSERVATION COMM.

To see if the town will vote to raise and appropriate the sum of \$24,500, or any other sum, for the purchase of a four wheel drive vehicle and for costs incidental and related thereto for the Conservation Commission. And to determine how said appropriation shall be raised, by taxation, by transfer of available funds, by borrowing or otherwise. The funds to be expended under the direction of the Conservation Commission.

Or to do or act in any manner relative thereto. Conservation Commission See Attached

PURPOSE AND JUSTIFICATION

The Conservation Commission vehicle, a 1995 Explorer formerly used by the Police Department has developed serious mechanical problems, which makes it unsafe to drive. The car has 91,000 miles and needs a new transmission and other work. A four-wheel drive car is necessary to access construction sites.

FINANCE COMMITTEE VOTE: 5-1

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of this article be indefinitely postponed.

FINANCE COMMITTEE REASON: This vehicle was funded via Article 5, FY05 Capital Improvement Program, of this warrant.

The RTM members unanimously approved the Finance Committee’s recommendation as read.

ARTICLE 26 OAKRIDGE/BUNGAY SEWER SYSTEM

BOARD, PUBLIC WORKS

To see if the town will vote to raise and appropriate the sum of \$1,258,768 or any other sum, for the construction and inspection services for approximately 8,537 linear feet of sewer system and related appurtenances in Oakridge Avenue and Bungay Road. Said appropriation to be raised by taxation, transfer of available funds, or by borrowing under Chapter 44, as amended of the General Laws. And to authorize the Board of Public Works to apply for, accept, and expend any State or Federal grants available or that may become available for these purposes. The sum of \$1,222,105 to be expended under the direction of the Board of Public Works and the sum of \$36,663 to be expended by the Town Treasurer for issuance costs; and to assess 100% betterments under provisions of Article XVII of the Town By Laws. Or to do or act in any manner relative thereto. Board of Public Works

PURPOSE AND JUSTIFICATION

The residents of the Oakridge Avenue and Bungay Road have petitioned the Town to install sewer mains under the betterment process within the subdivision.

FINANCE COMMITTEE VOTE: 6-0

2/3 ROLL CALL VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote that the sum of \$1,258,768 be hereby appropriated for construction of approximately 8,537 linear feet of sewer system and related appurtenances in Oakridge Avenue and Bungay Road, and for costs incidental and related thereto; that to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow the sum of \$1,258,768, at one time or from time to time, under and pursuant to Chapter 44, Section 7(1), of the General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the Town therefore; that the Board of Public Works with the approval of the Board of Selectmen is authorized to apply for, accept and expend any State or Federal grants that may be available for such purposes; that of such sum \$1,222,105 shall be expended under the direction of the Board of Public Works for project costs and \$36,663 shall be expended by the Town Treasurer for issuance costs; and that betterment assessments therefore shall be levied under the provisions of Article XVII, of the Town By Laws.

FINANCE COMMITTEE REASON: The residents of the “Oakridge/Bungay” neighborhood have petitioned the Town to install a sewer system under the betterment process (i.e. residents pay for 100 percent betterment fee).

The Moderator declared that according to Town By-Laws, unanimity will dispense of the 2/3 Roll Call Vote requirement.

The RTM members unanimously approved the motion to dispense with a roll call vote.

The RTM members unanimously approved the recommendation as read.

ARTICLE 27 OAKRIDGE/BUNGAY EASEMENTS

BOARD, PUBLIC WORKS

To see if the town will vote to authorize the Board of Selectmen to acquire on behalf of the Town for municipal utility purposes, by purchase, by gift, or by eminent domain under Chapter 79 of the General laws, permanent and temporary easements in the following parcels of land as shown on plan entitled Easement Plan in North Attleborough, Massachusetts Prepared for North Attleborough Electric Department, 275 Landry Avenue, North Attleborough, MA 02760. Prepared by Tilton and Associates April 12, 2004, Scale 1"=30' and plan entitled Easement Plan of Land in North Attleborough, MA Scale 1" = 40' Dated August 12, 2004. Prepared for the Town of North Attleborough Prepared by Lanata & Associates, Inc. P.O. Box 1401, Arlington, MA. Said plans on file with the Town Clerk.

Owner	Plat/Lot		Location	Easement Type	Sq. Ft.
United States Dept. of Interior	38	427,428,435	144 Bungay Road	Permanent	35,700
United States Dept. of Interior	38	427,428,435	144 Bungay Road	Temporary	29,395
United States Dept. of Interior	38	447	144 Bungay Road	Permanent	100
Thomas E. & Linda E. Young	38	184	540 Oakridge Avenue	Permanent	4,376
				Temporary	530
				Temporary	1,018
				Permanent	6,915
Edmund J. Clavette	38	139	Bungay Road	Temporary	1,681
				Temporary	1,736
				Permanent	3,849
Debra R. Tucker	38	67	158 Bungay Road	Temporary	279
				Temporary	488
				Permanent	325
Lisanne C. Fogel	38	448	Bungay Road	Temporary	101
				Temporary	52
				Permanent	1,692
Joseph M. & April Rae Flynn	38	452	160 Bungay Road	Temporary	184
				Permanent	1,824
Rae L. & Scott A. Walsh	38	187	158 Bungay Road	Temporary	463
				Temporary	147

Said area to be under the control and custody of the Department of Public Works and to raise and appropriate a sum of \$3,008.00 or any other sum for the foregoing purposes by taxation, by transfer of available funds, or otherwise. Or to do or act in any manner relative thereto. Board of Public Works

PURPOSE AND JUSTIFICATION

To provide easements for future utility expansion.

FINANCE COMMITTEE VOTE: 6-0

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to authorize the Board of Selectmen to acquire on behalf of the Town for municipal utility purposes, by purchase, by gift, or by eminent domain under Chapter 79 of the General laws, permanent and temporary easements in the following parcels of land as shown on plan entitled Easement Plan in North Attleborough, Massachusetts Prepared for North Attleborough Electric Department, 275 Landry Avenue, North Attleborough, MA 02760. Prepared by Tilton and Associates April 12, 2004, Scale 1"=30' and plan entitled Easement Plan of Land in North Attleborough, MA Scale 1" = 40' Dated August 12, 2004. Prepared for the Town of North Attleborough Prepared by Lanata & Associates, Inc. P.O. Box 1401, Arlington, MA. Said plans on file with the Town Clerk.

Owner	Plat/Lot		Location	Easement Type	Sq. Ft.
United States Dept. of Interior	38	427,428,435	144 Bungay Road	Permanent	35,700
United States Dept. of Interior	38	427,428,435	144 Bungay Road	Temporary	29,395
United States Dept. of Interior	38	447	144 Bungay Road	Permanent	100
Thomas E. & Linda E. Young	38	184	540 Oakridge Avenue	Permanent	4,376
				Temporary	530
				Temporary	1,018
Edmund J. Clavette	38	139	Bungay Road	Permanent	6,915
				Temporary	1,681
				Temporary	1,736
Debra R. Tucker	38	67	158 Bungay Road	Permanent	3,849
				Temporary	279
				Temporary	488
Lisanne C. Fogel	38	448	Bungay Road	Permanent	325
				Temporary	101
				Temporary	52
Joseph M. & April Rae Flynn	38	452	160 Bungay Road	Permanent	1,692
				Temporary	184
Rae L. & Scott A. Walsh	38	187	158 Bungay Road	Permanent	1,824
				Temporary	463
				Temporary	147

Said area to be under the control and custody of the Department of Public Works and that the sum of \$3,008 shall be raised by taxation.

FINANCE COMMITTEE REASON: It is necessary to obtain these easements for the Oakridge/Bungay sewer project.

The RTM members unanimously approved the Finance Committee’s recommendation as read.

ARTICLE 28 “CLIFFS” SEWER SYSTEM

BOARD, PUBLIC WORKS

To see if the town will vote to raise and appropriate the sum of \$1,671,175 or any other sum, for the design, construction and inspection services for approximately 10,160 linear feet of sewer system and related appurtenances in Blackberry Road, Cliff Drive, Fieldstone Lane, Fieldstone Circle, Newell Drive, Woodcock Lane, Teaberry Lane, Westfield Drive, and a section of Kelley Boulevard, from Wintergreen Road to Westfield Drive.

Said appropriation to be raised by taxation, by transfer of available funds, or by borrowing under Chapter 44, as amended of the General Laws. And to authorize the Board of Public Works to apply for, accept, and expend any State or Federal grants available, or that may become available for these purposes. The sum of \$1,622,500 to be expended under the direction of the Board of Public Works and the sum of \$48,675 to be expended by the Town Treasurer for issuance costs; and to assess 100% betterments under provisions of Article XVII of the Town ByLaws. Or to do or act in any manner relative thereto. Board of Public Works

PURPOSE AND JUSTIFICATION

The residents of the above referenced streets have petitioned the Town to install sewer mains under the betterment process within the subdivision.

FINANCE COMMITTEE VOTE: 6-0

2/3 ROLL CALL VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote that the sum of \$1,671,175 be hereby appropriated for construction of approximately 10,160 linear feet of sewer system and related appurtenances in Blackberry Road, Cliff Drive, Fieldstone Lane, Fieldstone Circle, Newel Drive, Woodcock Lane, Teaberry Lane, Westfield Drive, and a section of Kelley Boulevard from Wintergreen Road to Westfield Drive, and for costs incidental and related thereto; that to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow the sum of \$1,671,175, at one time or from time to time, under and pursuant to Chapter 44, Section 7(1), of the General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the Town therefore; that the Board of Public Works with the approval of the Board of Selectmen is authorized to apply for, accept, and expend any State or Federal grants that may be available for such purposes; that of such sum \$1,622,500 shall be expended under the direction of the Board of Public Works

for project costs and \$48,675 shall be expended by the Town Treasurer for issuance costs; and that betterment assessments therefore shall be levied under the provisions of Article XVII, of the Town By Laws.

FINANCE COMMITTEE REASON: The residents of the “Cliffs” neighborhood have petitioned the Town to install a sewer system under the betterment process (i.e. residents pay for 100 percent betterment fee).

After some discussion, a motion was made and seconded to postpone this article to the end of the Warrant.

The RTM members defeated the motion to postpone the article.

At 10:04 PM the Moderator made a motion to adjourn to Wednesday, October 20, 2004 at 7:00 PM.

Motion seconded.

Motion carried.

On Wednesday October 20, 2004, Town Clerk Maxwell Gould opened the adjourned session of the Semi-Annual Town Meeting at 7:13 PM with 77 members present. We have a quorum.

Pledge of Allegiance to the Flag.

John Donahue (P7) made a motion to adjourn the meeting at 8 PM tonight.

Motion seconded.

The RTM members defeated the motion to adjourn.

Discussion continued on Article 28.

After some discussion, the RTM members defeated the Finance Committee’s recommendation as read.

Walter St. Lawrence (P2) made a motion to reconsider Article 27.

Motion seconded.

John Donahue (P7): Point of Order “I believe Mr. St. Lawrence actually means to reconsider Article 26.”

Moderator: “Let the record reflect it is in fact Article 26.” Motion seconded.

After some discussion Dave Manoogian (P8) made a motion to move the question.

Motion seconded.

Motion carried.

The RTM members defeated the motion to reconsider Article 26.

ARTICLE 29 MTBE CLASS ACTION LAW SUIT

BOARD, PUBLIC WORKS

To see if the town will vote to ratify the action of the Board of Public Works that entered in to a legal services agreement with Rodman. Rodman & Sandman, P.C. for representation with respect to claims and /or action for damages sustained by the Town for contamination for groundwater supplies and/or soil and for any costs incurred to remove containments from groundwater and/or soil. Or to do or act in any manner relative thereto. Board of Public Works.

PURPOSE AND JUSTIFICATION

This article would ratify the action of the North Attleborough Board of Public Works (BPW) which joined a lawsuit with other public water suppliers in Massachusetts who are and/or may have been experiencing MTBE contamination. This action would allow the BPW to preserve the inspection, monitoring, and remediation recovery rights for any damage caused by methyl tertiary butyl ether (MTBE). MTBE has been found to contaminate soil and groundwater in communities throughout the nation.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to ratify the action of the Board of Public Works that entered into a legal services agreement with Rodman. Rodman & Sandman, P.C. for representation with respect to claims and/or action for damages sustained by the Town for contamination for groundwater supplies and/or soil and for any costs incurred to remove contaminants from groundwater and/or soil.

FINANCE COMMITTEE REASON: Approval of this article will enable the Board of Public Works to participate in a Class Action Suit regarding MTBE contamination of soil and/or groundwater. Participation in this class action suit will enable the Town to access funding to clean up any MTBE contamination sites.

The RTM members unanimously approved the Finance Committee's recommendation as read.

ARTICLE 30 SHELDONVILLE WATER SYSTEM

BOARD, PUBLIC WORKS

To see if the town will vote to raise and appropriate the sum of \$824,000 or any other sum, for the design, construction and inspection services for approximately 7,000 linear feet of water system and related appurtenances in Cedar Ridge Road, Chipping Stone Road, Farm Hill Road, Rustwood Lane, Stone Ridge Road, and West Barn Road. Said appropriation to be raised by taxation, by transfer of available funds, or by borrowing under Chapter 44, as amended of the General Laws. And to authorize the Board of Public Works to apply for, accept and expend any State or Federal grants available, or that may become available for these purposes. The sum of \$800,000 to be expended under the direction of the Board of Public Works and the sum of \$24,000 to be expended by the Town Treasurer for issuance costs; and to assess 100% betterments under provisions of Article XVII of the Town ByLaws. Or to do or act in any manner relative thereto. Board of Public Works

PURPOSE AND JUSTIFICATION

The residents of the above-referenced streets have petitioned the Town to install water mains under the betterment process within the subdivision.

FINANCE COMMITTEE VOTE: 5-1

2/3 ROLL CALL VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote that the sum of \$800,000 be hereby appropriated for engineering and design services and construction of approximately 7,000 linear feet of water mains in Cedar Ridge Road, Chipping Stone Road, Farm Hill Road, Rustwood Lane, Stone Ridge Road, and West Barn Road, and for costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow the sum of \$800,000, under and pursuant to Chapter 44, Section 8(5), of the General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the town thereof; that the Board of Public Works with the approval of the Board of Selectmen is authorized to apply for, accept and expend any State or Federal grants or loans that may be available for such purposes; that such sum \$800,000 shall be expended under the direction of the Board of Public Works for project costs and that betterment assessments therefore shall be levied under the provisions of Article XVII, of the Town By Laws.

FINANCE COMMITTEE REASON: The residents of the "Sheldonville" neighborhood have petitioned the Town to install water mains under the betterment process (i.e. residents pay for 100 percent betterment fee).

After much discussion, John Donahue (P7) made a motion to move the question.

Motion seconded.

Motion carried.

The Moderator declared that according to Town By-laws, unanimity will dispense of the 2/3 Roll Call vote.

The motion to dispense with a Roll Call vote was defeated.

The RTM members, by roll call vote, unanimously approved the recommendation with a vote of 89-yes and 0-no.

ARTICLE 31 OUTSTANDING DEBT PAYMENT

BOARD, PUBLIC WORKS

To see if the town will vote to appropriate the sum of \$42,395 to supplement Article 6 of the January 23, 1991 Special Town Meeting for the purpose of laying and relaying water mains, including a water audit and leak detection survey and to determine whether to raise this appropriation by taxation, transfer of available funds, by borrowing or otherwise. Or to do or act in any manner relative thereto. Board of Public Works

PURPOSE AND JUSTIFICATION

The January 23, 1991 Special Town Meeting authorized \$1,250,000 for the purpose of laying and relaying water mains, including a water audit and leak detection survey. The Town borrowed \$718,500 in the November 1993

bond issue and expected to receive \$531,500 in State grants. The Town received \$489,105 from the State on these projects resulting in a balance due of \$42,395.

FINANCE COMMITTEE VOTE: 4-0

4/5 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to transfer the sum of \$42,395 from taxation to be used as another financing source for Article 6 of the January 23, 1991 Special Town Meeting for the purpose of laying and relaying water mains, including a water audit and leak detection survey.

FINANCE COMMITTEE REASON: It is prudent financial management to clear up this issue and remove this outstanding deficit from the Town's books.

Moderator declared that according to Town Counsel a majority vote is all that would be needed not 4/5 vote.

The RTM members approved the Finance Committee's recommendation as read.

ARTICLE 32 HUNTS BRIDGE ROAD

BOARD, PUBLIC WORKS

To see if the town will vote to accept the action taken by the Board of Selectmen to lay out as a public way a portion of Hunts Bridge Road shown as "Proposed Layout for Highway Purposes: on a certain plan entitled "Layout Alteration and Easement Plan", prepared for the North Attleborough Department of Public Works, Scale 1" = 250'. Prepared by Chas. H. Sells, Inc., Charlton, MA 01507-1351, May 28, 2004. A copy of which is on file with the Town Clerk's office. Or to do or act in any manner relative thereto. Board of Public Works See Attached

PURPOSE AND JUSTIFICATION

The acceptance of this new road layout will allow for the replacement of the existing bridge on Hunts Bridge Road over the Abbott Run River. The bridge, which is in poor condition, is being replaced by the Commonwealth of Massachusetts at no cost to the Town.

FINANCE COMMITTEE VOTE: 6-0

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to accept the action taken by the Board of Selectmen to lay out as a public way a portion of Hunts Bridge Road shown as "Proposed Layout for Highway Purposes: on a certain plan entitled "Layout Alteration and Easement Plan", prepared for the North Attleborough Department of Public Works, Scale 1" = 250'. Prepared by Chas. H. Sells, Inc., Charlton, MA 01507-1351, May 28, 2004.

FINANCE COMMITTEE REASON: The acceptance of this new road layout will allow for the replacement of the existing bridge on Hunts Bridge Road over the Abbott Run River. The bridge, which is in poor condition, is being replaced by the Commonwealth of Massachusetts at no cost to the Town.

Moderator declared that according to Town Counsel a majority vote is all that would be needed not 2/3 vote.

The RTM members approved the Finance Committee's recommendation as read.

Rose Sakach (P2) made a motion as follows:

I motion to change the order of Article #33 and Article #34 such that Article #34 is discussed and voted on before Article #33.

Motion seconded.

After much discussion, Kyle Kummer (P5) made a motion to move the question.

Motion seconded.

Motion carried.

The RTM members defeated the motion to advance Article 34 before Article 33.

ARTICLE 33 AMEND TOWN BY LAW: ARTICLE I, SEC. 2

RTM COORD. COMM.

To see if the town will vote to amend Section 2 of Article 1 of the Town ByLaws by deleting the second paragraph that states: The membership of the Representative Town meeting shall consist of eighteen members in each precinct with one-third of its members elected annually at the April Town election for a term of three years.

And by substituting in its place the following:

The membership of the Representative Town Meeting shall consist of eighteen (18) members in each precinct with one-third of its members elected annually at the April Town election for a term of three years; provided, however, effective at the April Town election in 2005 and each said election thereafter, the Town shall choose by ballot four (4) Representative Town Meeting members from each precinct for a three-year term such that each precinct shall have a total of sixteen (16) members after the election of 2005, fourteen (14) members after the election of 2006, and twelve (12) members after the election of 2007 and each year thereafter.

Or to do or act in any manner relative thereto. RTM Coordinating Committee See Attached

PURPOSE AND JUSTIFICATION

This article seeks to reduce the maximum number of seats at Representative Town Meeting by one-third, from the current 18 members per precinct to 12 members per precinct.

- Today, with 9 precincts, 162 RTM members are required to provide for a full RTM body. As of Election Day there have been up to 27 unfilled seats. This has left little or no competition resulting in little choice at the ballot box for the voter.
- Reducing the number of RTM seats has the following advantages:
 - Provide for competitive RTM member elections
 - Encourage better Town Meeting attendance
 - Give RTM members a greater stake in the town's legislative process
 - Afford increased accountability of RTM members to the voters of the town.
- It is felt that 12 members per precinct, rather than say 9 or 6, allows ample opportunity for those citizens earnestly seeking to run election to Representative Town Meeting

FINANCE COMMITTEE VOTE: 4-2

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Section 2 of Article 1 of the Town By Laws by deleting the second paragraph that states: The membership of the Representative Town meeting shall consist of eighteen members in each precinct with one-third of its members elected annually at the April Town election for a term of three years.

And by substituting in its place the following:

The membership of the Representative Town Meeting shall consist of eighteen (18) members in each precinct with one-third of its members elected annually at the April Town election for a term of three years; provided, however, effective at the April Town election in 2005 and each said election thereafter, the Town shall choose by ballot four (4) Representative Town Meeting members from each precinct for a three-year term such that each precinct shall have a total of sixteen (16) members after the election of 2005, fourteen (14) members after the election of 2006, and twelve (12) members after the election of 2007 and each year thereafter.

FINANCE COMMITTEE REASON: This issue requires the debate of Town meeting members; and ultimately the decision among the RTM body. We approved this article so that it will be open to discussion.

After much discussion, Dave Manoogian (P8), made a motion to move the question.

Motion seconded.

Motion carried.

Motion by 30 members to have a Roll Call Vote.

Motion seconded.

Motion carried.

The RTM members, by roll call vote, defeated the Finance Committee's recommendation with a vote of 37-yes and 49-no.

At 9:47 PM the Moderator made a motion to adjourn to Monday, October 25, 2004 at 7:00 PM.

Motion seconded.

Motion carried.

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Zoning bylaws, Section V, schedule B, Community Facilities, number 7, by adding the phrase “, including a library,” so that number 7 as amended would be as follows: “Town, State or Federal office building, including a library.”

FINANCE COMMITTEE REASON: The library is a town building and it seems logical that a library would be classified under this category

The Moderator read the following letter from the Planning Board into the record:

*September 27, 2004
Stephen Dalrymple
Town Moderator
43 South Washington St.
North Attleborough, MA 02760*

Re: Articles pertaining to Zoning By-Law Amendments for October 2004 Semi-Annual Town Meeting

Dear Mr. Dalrymple:

Articles 35, 36, 37, and 38 of the October 2004 Semi-Annual Town Meeting are to see if the Town will vote to amend the Zoning By-Laws.

Pursuant to Section 5 of Chapter 40A of the Massachusetts General Laws, the Planning Board held a duly called public hearing on these proposed amendments on September 23, 2004.

At their meeting held on September 27, 2004 the Board voted as follows to recommend the following to Town Meeting on these articles for amendments to the Zoning By-Laws:

- Article 35: The Board voted 3 in favor, 2 opposed, on the motion to recommend that the Town Meeting approve this article as submitted. Those three Board members who voted in favor of the motion felt that approval of the article would allow the Library Trustees to seek the most appropriate site in town for a library. Those two members who voted in opposition of the motion felt that approval of this article could lead to infringement on residential properties, and could lead to the eventual removal of viable draw to the downtown, the library, from the downtown area, thereby having a negative impact on the overall economic well-being of the downtown area.*
- Article 36: The Board voted 5 in favor, 0 opposed, on the motion to recommend that the Town Meeting vote to approve this article as submitted, with minor text changes suggested by Town Counsel. The Planning Board has worked on this article to make what the Board feels would provide some reasonable alternatives to businesses that must in limited circumstances utilize manufactured steel storage containers for outdoor storage and to businesses that are using these containers on a temporary basis while seeking alternatives to permanently provide for their storage needs.*
- Article 37: The Board voted 5 in favor, 0 opposed, on the motion to recommend that the Town Meeting vote to approve this article as submitted, with minor text changes suggested by Town Counsel and with the correction of a minor typographical error (changing “4a” to “23” in the line that begins with “4a”). The Planning Board and the Zoning Board of Appeal have worked on this article together in order to provide a system of zoning relief that would more properly address the needs of families who wish to have independent living facilities within the same dwelling for family members who may need or desire limited care provisions from their parents, children, or siblings, or who may wish to share a dwelling with family members while having their own separate living area.*
- Article 38: The Board voted 5 in favor, 0 opposed, to recommend that the Town Meeting vote to approve this article as submitted with the deletion of the text following the word “patio”, as suggested by Town Counsel, for clarification. This article would eliminate confusion as to what is meant by the term “lot coverage”, which has been used in Intensity Schedule A since the present bylaw’s inception, as voted by the Town Meeting in 1973 (see enclosed Intensity Schedule A, second column from the right, entitled “Max. lot cover (percent)”), but not*

defined; the term “building coverage” has apparently been used, perhaps incorrectly, for years, as a substitute. The Board has become increasingly concerned over the increase in the size of single-family homes and their accessory buildings and structures with associated impact on the quantity and quality of stormwater runoff in view of increased stormwater mitigation measures that have been required by the EPA since 2000.

Affirmative action motions for Articles 36, 37, and 38 as recommended by the Planning Board are enclosed with this letter.

For the Planning Board, Donald T. Johnson, Planning Board Agent

The RTM members approved the Finance Committee’s recommendation as read.

ARTICLE 36 STORAGE CONTAINERS PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws as follows: Or to do or act in any manner relative thereto. See Attached Planning Board

PURPOSE AND JUSTIFICATION

To modify the text of the Zoning ByLaws by addressing an item in the ByLaws that has been difficult for the Building Inspector to enforce, while still giving viable alternatives to the business and industrial community for allowing accessory storage in a fair and equitable manner.

FINANCE COMMITTEE VOTE: 4-0 2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Zoning By-Laws as follows:

- i) Amend Section V., Schedule B, ACCESSORY USE # 10, by deleting the words “structure such as a trailer” and replacing these words with the words “manufactured steel storage container”;
- ii) Amend Section V., Schedule B, ACCESSORY USE # 10, by adding the following #10a:

SCHEDULE B

	Residential District					Business District			Office and Business Park District	Industrial District	
Accessory Use	R-10	R-10S	R-15	R-20	R-40	C-7.5	C-30	C-60	OP-60	IC-30	I-60
10a. Accessory storage of recyclable beverage bottles and cans in a portable manufactured steel storage container not to exceed one such container of not more than 1,000 cubic feet in area per lot.	---	---	---	---	---	S	S	S	---	S	---

- iii) Amend Section V., Schedule B, ACCESSORY USE # 10, by adding the following #10b:

SCHEDULE B

	Residential District					Business District			Office and Business Park District	Industrial District	
Accessory Use	R-10	R-10S	R-15	R-20	R-40	C-7.5	C-30	C-60	OP-60	IC-30	I-60
10b. Accessory storage in a portable manufactured steel storage container for a temporary period, not to exceed 120 days, not to	---	---	---	---	---	S	S	S	---	S	S

exceed one such container of
not more than 2,000 cubic feet
in area per lot.

- iv) Amend Section V., Schedule B, ACCESSORY USE # 11, by adding in line one after the words “accessory outside storage” the phrase “,not within a portable manufactured steel storage container,”;
- v) Amend Section VI.H.3., by adding the phrase “proposed location(s) of accessory storage, if any;” after the words “...parking purposes expressed in square feet);” and before the words “and names and location of all...”
- vi) Amend Section VI.N.12.f., by adding the phrase “proposed location(s) of accessory storage, if any;” after the words “...parking purposes expressed in square feet);” and before the words “and names and location of all...”
- vii) Amend Section IX.B., **Selected Words and Terms**, by adding definitions of the following terms:
 - **Recyclable Beverage Bottles and Cans.** Any empty bottles and cans of any type of beverage that are sold by any permitted retail business, which are temporarily stored on the site of said business to be removed for recycling on a regularly scheduled basis.
 - **Manufactured Steel Storage Container, Portable.** Any vehicle, trailer, or container, either with or without wheels, that has no motive power of its own, but which can be drawn by, or placed on, or used in connection with, a motor vehicle, excluding a solid waste container.

FINANCE COMMITTEE REASON: Pursuant to the recommendation of the Planning Board.

Richard Thimot (P4) made an Affirmative Action motion as follows:

That the Town vote to amend the Zoning By-Laws as follows:

- i) *Amend Section V., Schedule B, ACCESSORY USE # 10, by adding the word “outside” between the words “Accessory” and “storage” and by deleting the words “structure such as a trailer” and replacing these words with the words “manufactured steel storage container”;*
- ii) *Amend Section V., Schedule B, ACCESSORY USE # 10, by adding the following #10a:*

SCHEDULE B

	<i>Residential District</i>					<i>Business District</i>			<i>Office and Business Park District</i>	<i>Industrial District</i>	
<i>Accessory Use</i>	<i>R-10</i>	<i>R-10S</i>	<i>R-15</i>	<i>R-20</i>	<i>R-40</i>	<i>C-7.5</i>	<i>C-30</i>	<i>C-60</i>	<i>OP-60</i>	<i>IC-30</i>	<i>I-60</i>
<i>10a. Accessory Outside storage of recyclable beverage bottles and cans in a portable manufactured steel storage container not to exceed one such container of not more than 1,000 cubic feet in volume per lot.</i>	---	---	---	---	---	<i>S</i>	<i>S</i>	<i>S</i>	---	<i>S</i>	---

- iii) *Amend Section V., Schedule B, ACCESSORY USE # 10, by adding the following #10b:*

SCHEDULE B

<i>Residential District</i>	<i>Business District</i>	<i>Office and Business Park</i>	<i>Industrial District</i>
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<i>Accessory Use</i>	<i>R-10</i>	<i>R-10S</i>	<i>R-15</i>	<i>R-20</i>	<i>R-40</i>	<i>C-7.5</i>	<i>C-30</i>	<i>C-60</i>	<i>District</i>	<i>OP-60</i>	<i>IC-30</i>	<i>I-60</i>
<i>10b. Accessory outside storage in a portable manufactured steel storage container for a temporary period, not to exceed 120 consecutive days per year, not to exceed one such container of not more than 2,000 cubic feet in volume per lot.</i>	---	---	---	---	---	S	S	S		---	S	S

- iv) Amend Section V., Schedule B, ACCESSORY USE # 11, by adding in line one after the words “accessory outside storage” the phrase “,not within a portable manufactured steel storage container,”;
- v) Amend Section VI.H.3., by adding the phrase “proposed location(s) of accessory storage, if any;” after the words “...parking purposes expressed in square feet);” and before the words “and names and location of all...”
- vi) Amend Section VI.N.12.f., by adding the phrase “proposed location(s) of accessory storage, if any;” after the words “...parking purposes expressed in square feet);” and before the words “and names and location of all...”
- vii) Amend Section IX.B., **Selected Words and Terms**, by adding definitions of the following terms:
 - **Recyclable Beverage Bottles and Cans.** Any empty bottles and cans of any type of beverage that are sold by any permitted retail business, which are temporarily stored on the site of said business to be removed for recycling on a regularly scheduled basis.
 - **Manufactured Steel Storage Container, Portable.** Any vehicle, trailer, or container, either with or without wheels, that has no motive power of its own, but which can be drawn by, or placed on, or used in connection with, a motor vehicle, excluding a solid waste container.

Motion seconded.
Motion to amend carried unanimously.

After much discussion, Jonathan Maslen (P6) made a motion to move the question.
Motion seconded.
Motion carried unanimously.

The RTM members approved the Finance Committee’s recommendation as amended. 2/3’s vote obvious to the Moderator.

ARTICLE 37 AMEND ZONING BY LAW SECTION V, SCHEDULE B PLANNING BOARD

To see if the town will vote to amend the North Attleborough Zoning ByLaws AS FOLLOWS:

1. Amend Section V. Use Regulations, Schedule B , Accessory Use, by inserting a new #23, In-Law Apartment, as follows:

4a. In-Law Apartment (see Section VI.P.)	<i>R-10</i>	<i>R-10S</i>	<i>R-15</i>	<i>R-20</i>	<i>R-40</i>	<i>C-7.5</i>	<i>C-30</i>	<i>C-60</i>	<i>OP-60</i>	<i>IC-30</i>	<i>IC-60</i>
	S	S	S	S	S	S	S	S	---	S	---

2. Amend Section VI. Supplementary Regulations, by adding a new Subsection P. In-Law Apartment, as follows:
P. In-Law Apartment

The Board of Appeal may issue a special permit for an in-law apartment within any existing or new single-family dwelling in any zoning district (other than the OP-60 and I-60 districts). In the issuance of such a special permit, the following conditions shall apply:

1. No more than one in-law apartment shall be allowed per single-family dwelling.
2. The application for the special permit shall include a detailed site plan and a detailed floor plan, showing the building both before and after construction of the proposed in-law apartment.
3. The floor area of the in-law apartment shall not exceed forty per cent (40%) of the gross habitable floor area (as gross habitable floor area is defined in the Massachusetts Building Code) of the entire habitable structure after construction, or 850 square feet, whichever is less.
4. The in-law apartment shall be occupied by a close family member of the owner(s) occupying the single-family dwelling. Rental of the single-family dwelling shall prohibit an in-law apartment; any such rental after issuance of a special permit shall forthwith terminate the special permit.
5. Adequate provisions shall be made for direct ingress and egress to the outside from such apartment and shall meet requirements of the Massachusetts Building Code.
6. The in-law apartment and related improvements or alterations to the single-family dwelling shall be constructed such that the exterior appearance of the total habitable structure shall not be objectionable or detrimental to the residential character of the neighborhood. The in-law apartment shall be designed so that the appearance of the building remains that of a one-family residence. In general, any new entrances shall be located on the side or rear of the habitable structure after construction whenever feasible; reasonable deviations from this condition shall be allowed in order to facilitate access and mobility for disabled persons.
7. Adequate provisions shall be made for off-street parking of not more than two motor vehicles for the in-law apartment, and said parking area shall not be objectionable or detrimental to the residential character of the neighborhood.
8. Where the structure is not connected to the public water and/or sanitary sewer systems, the applicant shall file a certificate with the Board of Health which shall verify the adequacy of the on-site well and/or on-site sewage disposal system to service the proposed structure.
9. Only one set of utilities shall be allowed on the property. Specifically, no more than one electric meter and one sewer/water hook up shall be allowed.
10. Any special permit granted under this sub-section shall lapse two (2) years from date of issue if construction has not begun by such date, except for good cause.
11. Any special permit granted under this sub-section shall terminate forthwith upon sale or transfer of ownership of the property.

3) Amend section IX.B. Selected Words and Terms, by adding a definition of the following term:

Close family member. A blood relative or relative by marriage specifically including only mother, father, mother in-law, father in-law, daughter, son, daughter in-law, son in-law, sister, brother, sister in-law, and brother in-law. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

To allow independent living facilities within the same dwelling for family members who may need or desire limited care provisions from their parents, children, or siblings, or who may wish to share a dwelling with family members while having their own separate living area.

FINANCE COMMITTEE VOTE: 4-0

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to amend the North Attleborough Zoning bylaws AS FOLLOWS:

1. Amend Section V. Use Regulations, Schedule B , Accessory Use, by inserting a new #23, **In-Law Apartment**, as follows:

23. In-Law Apartment (see Section VI.P.)	R-10	R-10S	R-15	R-20	R-40	C-7.5	C-30	C-60	OP-60	IC-30	IC-60
	S	S	S	S	S	S	S	S	----	S	----

Amend Section VI. Supplementary Regulations, by adding a new Subsection P. **In-Law Apartment**, as follows:

P. In-Law Apartment

The Board of Appeal may issue a special permit for an in-law apartment within any existing or new single-family dwelling in any zoning district (other than the OP-60 and I-60 districts). In the issuance of such a special permit, the following conditions shall apply:

1. No more than one in-law apartment shall be allowed per single-family dwelling.
2. The application for the special permit shall include a detailed site plan and a detailed floor plan, showing the building both before and after construction of the proposed in-law apartment.
3. The floor area of the in-law apartment shall not exceed forty per cent (40%) of the gross habitable floor area (as gross habitable floor area is defined in the Massachusetts Building Code) of the entire habitable structure after construction, or 850 square feet, whichever is less.
4. The in-law apartment shall be occupied by a close family member of the owner(s) occupying the single-family dwelling. Rental of the single-family dwelling shall prohibit an in-law apartment; any such rental after issuance of a special permit shall forthwith terminate the special permit.
5. Adequate provisions shall be made for direct ingress and egress to the outside from such apartment and shall meet requirements of the Massachusetts Building Code.
6. The in-law apartment and related improvements or alterations to the single-family dwelling shall be constructed such that the exterior appearance of the total habitable structure shall not be objectionable or detrimental to the residential character of the neighborhood. The in-law apartment shall be designed so that the appearance of the building remains that of a one-family residence. In general, any new entrances shall be located on the side or rear of the habitable structure after construction whenever feasible; reasonable deviations from this condition shall be allowed in order to facilitate access and mobility for disabled persons.
7. Adequate provisions shall be made for off-street parking of not more than two motor vehicles for the in-law apartment, and said parking area shall not be objectionable or detrimental to the residential character of the neighborhood.
8. Where the structure is not connected to the public water and/or sanitary sewer systems, the applicant shall file a certificate with the Board of Health which shall verify the adequacy of the on-site well and/or on-site sewage disposal system to service the proposed structure.
9. Only one set of utilities shall be allowed on the property. Specifically, no more than one electric meter and one sewer/water hook up shall be allowed.
10. Any special permit granted under this sub-section shall lapse two (2) years from date of issue if construction has not begun by such date, except for good cause.
11. Any special permit granted under this sub-section shall terminate forthwith upon sale or transfer of ownership of the property.

3) Amend section IX.B. Selected Words and Terms, by adding a definition of the following term:
 Close family member. A blood relative or relative by marriage specifically including only mother, father, mother in-law, father in-law, daughter, son, daughter in-law, son in-law, sister, brother, sister in-law, and brother in-law
FINANCE COMMITTEE REASON: Pursuant to the recommendation of the Planning Board

Richard Thimot (P4) presented an Affirmative Action Motion as follows:

That the Town vote to amend the North Attleborough Zoning By-Laws as follows:

1) Amend Section V. Use Regulations, Schedule B, Accessory Use, by inserting a new #23, In-Law Apartment, as follows: .

	R-10	R-10S	R-15	R-20	R-40	C-7.5	C-30	C-60	OP-60	IC-30	I-60
23. In-law Apartment (see Section VI.P.)	S	S	S	S	S	S	S	S	---	S	---

2) Amend Section VI. Supplementary Regulations, by adding a new Subsection P. In-Law Apartment, as follows:

P. In-Law Apartment

The Board of Appeal may issue a special permit for an in-law apartment within any existing or new single-family dwelling in any zoning district (other than the OP-60 and I-60 districts). In the issuance of such a special permit,

the following conditions shall apply:

- 1. No more than one in-law apartment shall be allowed per single-family dwelling.*
- 2. The application for the special permit for an existing single-family dwelling shall include a detailed site plan and a detailed floor plan, showing the building both before and after construction of the proposed in-law apartment.*
- 3. The floor area of the in-law apartment shall not exceed forty percent (40%) of the gross habitable floor area (as gross habitable floor area is defined in the Massachusetts Building Code) of the entire habitable structure after construction, or 850 square feet, whichever is less.*
- 4. The in-law apartment shall be occupied by a close family member of the owner(s) occupying the single-family dwelling. Rental of the single-family dwelling containing an in-law apartment shall be prohibited; and any such rental after issuance of a special permit shall forthwith terminate the special permit.*
- 5. Adequate provisions shall be made for direct ingress and egress to the outside from such apartment and shall meet requirements of the Massachusetts Building Code.*
- 6. The in-law apartment and related improvements or alterations to the single-family dwelling shall be constructed such that the exterior appearance of the total habitable structure shall be in harmony with the residential character of the neighborhood. The in-law apartment shall be designed so that the appearance of the building remains that of a one-family residence. In general, any new entrances shall be located on the side or rear of the habitable structure after construction whenever feasible; reasonable deviations from this condition shall be allowed in order to facilitate access and mobility for disabled persons.*
- 7. Adequate provisions shall be made for off-street parking of not more than two motor vehicles for the in-law apartment, and said parking area shall be in harmony with the residential character of the neighborhood.*
- 8. Where the structure is not connected to the public water and/or sanitary sewer systems, the applicant shall obtain certification from the Board of Health, which shall verify the adequacy of the on-site well and/or on-site sewage disposal system to service the proposed structure.*
- 9. Only one set of utilities shall be allowed on the property. Specifically, no more than one electric meter and one sewer/water hook-up shall be allowed.*
- 10. Any special permit granted under this sub-section shall lapse two (2) years from date of issue if construction has not begun by such date, except for good cause.*
- 11. Any special permit granted under this sub-section shall terminate forthwith upon sale or transfer of ownership of the property.*

*3) Amend Section IX.B., **Selected Words and Terms**, by adding a definition of the following term:*

Close family member. *A blood relative or relative by marriage specifically including only mother, father, mother in-law, father in-law, daughter, son, daughter in-law, son in-law, sister, brother, sister in-law, and brother in-law.*

Motion seconded.

After some discussion, John Donahue (P7) made a motion to move the question.

Motion seconded.

Motion carried unanimously.

The RTM members defeated the motion to amend Article 37.

Following more discussion, Dave Manoogian (P8) made a motion to move the question.
Motion seconded.
Motion carried unanimously.

The RTM members defeated the Finance Committee’s recommendation as read. 2/3’s vote obvious to the Moderator.

ARTICLE 38 AMEND ZONING BY LAW SECTION IX, B PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws as follows:
Amend Section IX.B. Selected Words and Terms, by adding a definition of the following term:
Lot Coverage. The portion of a lot covered by any portion of a building or any accessory structure thereto such as a detached storage shed or garage, a pool or patio and their appurtenances, or similar architectural features, which render any portion of a lot impervious.
Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

To modify the text of the Zoning ByLaws by adding this definition. This term is used in Intensity Schedule A, but it is not defined. The addition of this term will assist the Town in further addressing lot density and in designing the complex stormwater treatment systems that are now required by EPA.

FINANCE COMMITTEE VOTE: 4-0 2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to amend the Zoning bylaws as follows:
Amend Section IX.B. Selected Words and Terms, by adding a definition of the following term:
Lot Coverage. The portion of a lot covered by any portion of a building or any accessory structure thereto such as a detached storage shed or garage, a pool or patio and their appurtenances, or similar architectural features, which render any portion of a lot impervious.

FINANCE COMMITTEE REASON: Pursuant to the recommendation of the Planning Board.

The RTM members defeated the Finance Committee’s recommendation as read.

ARTICLE 39 AMEND FY05 VEHICLE APPROPRIATION PARK COMMISSIONERS

To see if the town will vote to amend Article 4, Part 3, Item 43 of the FY05 Annual Town Meeting as follows:

From:

Item 43	\$40,000	Vehicle Truck	Park Commissioners	7 (9)
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To:

Item 43	\$40,000	Vehicles Two Trucks	Park Commissioners	7(9)
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Or to do or act in any manner relative thereto. Park Commissioners

PURPOSE AND JUSTIFICATION

The Park Commissioners revisited the vehicles needs of the department. Rather than purchasing one heavy-duty truck, the department would best utilize these funds to purchase two mid-size trucks.

FINANCE COMMITTEE VOTE: 5-1 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to amend Article 4, Part 3, Item 43 of the FY05 Annual Town Meeting as follows:

From:

Item 43	\$40,000	Vehicle Truck	Park Commissioners	7(9)
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To:

Item 43	\$40,000	Vehicles Two Trucks	Park Commissioners	7(9)
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FINANCE COMMITTEE REASON: The monies for this expenditure were already approved at our last Town Meeting, however, the article referenced one vehicle. Therefore, the Park Department is obligated to go through Town Meeting to amend the original article (i.e. to two vehicles).

The RTM members unanimously approved the Finance Committee’s recommendation as read.

ARTICLE 40 STABILIZATION FUND

BOARD OF SELECTMEN

To see if the town will vote to appropriate from taxation or transfer of available funds a sum of money to the Stabilization Fund. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

To supplement the Town's Stabilization Fund.

FINANCE COMMITTEE VOTE: 5-1

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to transfer and appropriate the sum of \$1,209,146 to the stabilization fund; and of that said sum \$1,000,000 shall be transferred from available free cash and that the sum of \$209,146 shall be raised from taxation.

FINANCE COMMITTEE REASON: We believe it is prudent financial management to replenish the Stabilization fund whenever possible.

Dave Manoogian (P8) made a motion to amend the Finance Committee's recommendation as follows:

That the town vote to transfer and appropriate the sum of \$939,146 to the stabilization fund; and of that said sum \$730,000 shall be transferred from available free cash and that the sum of \$209,146 shall be raised from taxation.

Motion seconded.

After much discussion, Don Bates (P8) made a motion to move the question.

Motion seconded.

Motion carried.

The RTM members approved the motion to amend the Finance Committee's recommendation.

Moderator made a motion to change the method of voting from a Roll Call to a Hand Raised vote.

Motion seconded.

The RTM members defeated the motion to change the method of voting.

The RTM members, by roll call vote, approved the amended Finance Committee recommendation with a vote of 60-yes and 13-no. 49 votes needed. There was an acknowledgement by the Chair that there were some abstentions from voting.

Motion made to adjourn the Semi-Annual Town Meeting Sine Die.

Motion seconded.

Motion carried.

It is 9:50PM.