

**PROCEEDINGS
ANNUAL TOWN MEETING
MAY 16, 2005**

Town Clerk, Maxwell Gould opened the Annual Town Meeting at 7:45PM, "With 100 RTM members present, we have a quorum".

The Town Clerk administered the oath of office to all newly elected and appointed RTM members.

Pledge of Allegiance to the Flag.

Moment of silence for the men and women serving in our Armed Forces.

Moderator Stephen Dalrymple read the warrant.

**NORTH ATTLEBOROUGH WARRANT
FOR THE REPRESENTATIVE ANNUAL TOWN MEETING
MONDAY, MAY 16, 2005 AT 7:30 P.M.
NORTH ATTLEBOROUGH MIDDLE SCHOOL CAFETORIUM
LANDRY AVENUE
NORTH ATTLEBOROUGH MA 02760
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, in said North Attleborough on:

MONDAY, THE 16TH OF MAY 2005

At 7:30 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 Tuesday, February 15, 2005

**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. Bank of America (Center)**
- 15. Fireside Nissan**
- 16. Department of Public Works (Smith Street)**
- 17. North Attleborough Federal Credit Union**

John Donahue (P7) made a motion to adopt the Bourne Amendment: *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.

John Donahue (P7) made a motion to 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.

Don Bates (P8) made the following motion: *Move that the following articles be placed at the end of the warrant. At that time the articles will be considered in their original order:*

Article 3 FY 2006 Operating Budget

Article 8 Create Outreach Worker

Article 9 PTS Salary Increase

Article 17 Capital Improvement Plan

Motion seconded.
Motion carried unanimously.

ARTICLE 2 ACCEPTANCE OF TOWN REPORTS

BOARD OF SELECTMEN

To see if the town will vote to consider and act upon the reports of the Town Officers and Committees.

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

PURPOSE AND JUSTIFICATION

As per Article V, Section 6a of the Town ByLaws, each Department, Board and Committee of the town shall annually present a full report of its acts for the previous year.

RTM members vote to accept the report at the Annual Town Meeting.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept the reports of the Town Officers and Committees.

FINANCE COMMITTEE REASON: This annual article accepts the Town Report.

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

ARTICLE 3 FY06 OMNIBUS BUDGET

BOARD OF SELECTMEN

To see if the town will vote to appropriate and raise by borrowing or otherwise, such sums of money as may be required to defray Town charges for the fiscal year ending June 30, 2006 and expressly for the following purposes to wit:

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 transfer the sum of \$31,837 from available free cash and to appropriate and raise the following sums of money as may be required to defray Town charges for the Fiscal year ending June 30, 2006, and expressly for the following purposes to wit:

FINANCE COMMITTEE REASON: See Christopher Sweet’s letter attached hereto.

Tabled to the end of the Warrant.

ARTICLE 4 COMPENSATION: BOARD/COMMITTEES

BOARD OF SELECTMEN

To see if the town will vote to determine the amount of compensation of members of the following boards, commissions or committees:

- Elections Commissioners
- Fire Commissioners
- Negotiating Committee

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 compensate the following board/committee members in the amount stated herein:

Election Commissioners	Fire Commissioners
Chairman: \$2,000.00	Members (3): \$750.00
Others (3) \$1,500.00	

FINANCE COMMITTEE REASON: The compensation of these boards and commissions remains consistent with that of prior years.

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

ARTICLE 5 COMPENSATION: TOWN OFFICERS

BOARD OF SELECTMEN

To see if the town will vote to determine the compensation of Town Officers.

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, in accordance with the provisions of Mass. Gen. Laws Ann. Ch. 141, Sec. 108, as amended, the compensation of elected Town Officials be as follows effective the beginning of the current fiscal year, July 1, 2005, the sums necessary for such compensation being provided for in respective departmental appropriations to be made under Article 3 of this Warrant.

Town Clerk:	\$18, 284.82	Board of Selectmen:	Board of Health:		
Treasurer/Collector:	\$77, 961.88	Chairman:	\$1,200.00	Chairman	\$500.00
Town Moderator:	\$ 150.00	Other (4):	\$1,000.00	Other (2)	\$375.00

Board of Assessors:		Municipal Light Board	School Committee:		
Chairman:	\$3,200.00	Chairman:	\$1,200.00	Chairman:	\$1,200.00
Other (2)	\$2,900.00	Other (2)	\$1,000.00	Other (6):	\$1,000.00

Board of Public Works		Planning Board:	
Chairman:	\$1,200.00	Chairman:	\$750.00
Other (2):	\$1,000.00	Other (4):	\$500.00

FINANCE COMMITTEE REASON: The salary of the Town Clerk and Treasurer/Collector reflects a three-percent increase. The compensation for the other Town Officers remains the same as prior years.

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

ARTICLE 6 COMPENSATION OF CENSUS TAKERS

ELECTION COMM.

To see if the town will vote pursuant to Section 21A of Chapter 268A of the Massachusetts General Laws to permit the Board of Election Commissioners to appoint the following Election Commissioners as compensated Census Takers:

Eleanor M. Ruest
Diane Brady Szpila

Or to do or act in any manner relative thereto.
Election Commissioners
See Attached

PURPOSE AND JUSTIFICATION

Election Commissioners have been Census Takers for the past 25 years plus. We will need the Election Commissioners to do the necessary follow-up work that remains after the Census mailing process is completed. The Commissioners are best suited for this follow-up work because they are familiar with the personal contact work involved to gather the required information.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote pursuant to Section 21A of Chapter 268A of the Massachusetts General Laws to permit the Board of Election Commissioners to appoint the following Election Commissioners as compensated Census Takers: Eleanor M. Ruest, Diane Brady Szpila

FINANCE COMMITTEE REASON This is a standard article allowing for the compensation of the Election Commissioners in their role as census takers.

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

ARTICLE 7 PTS SCHEDULE AMENDMENT

HUMAN RESOURCES

To see if the town will vote to amend the PTS Part-time and Seasonal Positions as follows:

Add under "Non-Classified Part-time" 3 more steps under "Recreation Program Coordinator".

\$13.66 \$14.71 \$15.76

Or to do or act in any manner relative thereto.

Human Resources

See Attached

PURPOSE AND JUSTIFICATION

The "non-classified" seasonal positions of Recreation Program Coordinator, Sports Program Assistant and Program Assistant in the Park and Recreation Department have only had a minimum and maximum rate with an approximate 33% difference between them. This action will allow the department the flexibility to offer more reasonable rates to those employees who return each season. (These positions are funded out of the department's revolving account.)

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to amend the PTS Part-time and Seasonal Positions as follows: Add under "Non-Classified Part-time" 3 more steps under "Recreation Program Coordinator": \$13.66, \$14.71, \$15.76.

FINANCE COMMITTEE REASON: Per purpose and justification

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

ARTICLE 8 CREATE/FUND OUTREACH WORKER

HUMAN RESOURCES

To see if the town will vote to create under the PTS Part-time and Seasonal Positions the following:

Add the position of "Outreach Worker" under the PTS 7 classification and to appropriate the sum of \$12,307 to supplement Article 3, Line 51A, Council on Aging salaries of FY 2006 Annual Town Meeting and to determine whether said sum shall be raised by taxation, transfer of available funds, by borrowing or otherwise.

Or to do or act in any manner relative thereto.

Human Resources

See Attached

PURPOSE AND JUSTIFICATION

The Outreach Worker has been employed with Council on Aging for over ten (10) years. However, due to the fact the position was grant funded, it had never appeared in the Town's PTS classifications. This action is taken at this time to ensure that all employees of the Town are properly classified regardless of the funding source.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to create under the PTS Part-time and Seasonal positions the following: Add the position of "Outreach Worker" under the PTS 7 classification and to raise and appropriate the sum of \$12,307 from taxation to supplement Article 3 Line 51A, Council on Aging Salaries of the FY 2006 Annual Town Meeting.

FINANCE COMMITTEE REASON: Per purpose and justification.

Tabled to the end of the Warrant.

ARTICLE 9 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 3, Line 4C Salary Reserve of the FY2006 Annual Town Meeting or otherwise.

Or to do or act in any manner relative thereto.

Human Resources

See Attached

PURPOSE AND JUSTIFICATION

To provide funds to allow an increase for the Part-time and Seasonal Employees, effective July 1, 2005.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$19,950 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. To meet said appropriation, the sum of \$19,334 shall be transferred from Article 3 Line 4C Salary Reserve and the sum of \$616 shall be transferred from Article 3 Line 68A Landfill Enterprise Salary and Wages of the Fiscal Year 2006 Annual Town Meeting.

FINANCE COMMITTEE REASON: This article will permit department heads the ability to provide salary increases to non-union personnel up to rates equal to those recently negotiated with union personnel, should they so chose.

Tabled to the end of the Warrant.

ARTICLE 10 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 or 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 3, Line 4C Salary Reserve of the FY 2006 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: 5-0

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 approved the Finance Committee's recommendation as read.

ARTICLE 11 PATROLMENS' 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 Police Officers Association, Local 550, and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds, transfer from Article 3, Line 4C Salary Reserve of the FY2006 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: 5-0

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 defeated the Finance Committee's recommendation as read.

Don Bates (P8) presented the following Affirmative Action: *That the Town vote to appropriate the sum of \$60, 664 to supplement the budget of the Police Department 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 Police Officers' Association Local 550. To meet said appropriation, the sum of \$60, 664 shall be transferred from Article 18 Line 4C Salary Reserve of the FY 2005 Annual Town Meeting.*

Motion seconded.

The RTM members approved the Affirmative Action as presented.

ARTICLE 12 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 3, Line 4C Salary Reserve of the FY 2006 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: 5-0

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 defeated the Finance Committee's recommendation as read.

Don Bates (P8) presented the following Affirmative Action: *That the Town vote to appropriate the sum of \$23, 436 to supplement the budget of the Police Department 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 Professional Police Officers' Association Local 280. To meet said appropriation, the sum of \$23, 436 shall be transferred from Article 18 Line 4C Salary Reserve of the FY 2005 Annual Town Meeting.*

Motion seconded.

The RTM members approved the Affirmative Action as presented.

ARTICLE 13 USWA – UNIT A 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 United Steelworkers of America, Unit A and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds, transfer from Article 3, Line 4C Salary Reserve of the FY2006 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: 5-0

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 approved the Finance Committee's recommendation as read.

ARTICLE 14 USWA – UNIT B 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 United Steelworkers of America, Unit B and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds, transfer from Article 3 Line 4C Salary Reserve of the FY 2006 Annual Town Meeting or otherwise.

Or to do or act in any manner relative thereto.
Human Resources

PURPOSE AND JUSTIFICATION

To funds contract effective July 1, 2004.

FINANCE COMMITTEE VOTE: 5-0

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 approved the Finance Committee's recommendation as read.

ARTICLE 15 BOND RESTRUCTURING

TOWN TREASURER

To see if the town will vote to appropriate funds resulting from restructuring the escrow investments associated with the March 1, 2004 refinancing of Town debt to pay for the following projects approved for borrowing as part of Article 4 of the May 17, 2004 Annual Town Meeting:

Item #30 Bus (school)	\$45,000
Item #31 Bus (park)	\$70,000
Item #35 One ton dump truck (DPW)	\$35,825.28
Item #36 6 Wheel dump truck (DPW)	\$75,000
Item #37 6 Wheel dump truck (DPW)	\$75,000
Item #43 Vehicle – truck (park)	\$40,000

Said appropriation for these purposes may not exceed the \$311,176.47 proceeds realized from these investments.

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

PURPOSE AND JUSTIFICATION

These funds were generated as a result of the refinancing of town debt during FY 2004 and they must be spent on projects for which the Town has authorized borrowing. Paying off vehicles, for which the Town would normally borrow for 5 years, will have the most advantageous impact on our maturing debt budget (\$75,000 to \$65,000 per year).

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: This issue was addressed at the April 25 Special Town Meeting.

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

ARTICLE 16 APPROPRIATION OF BOND PROCEEDS

TOWN TREASURER

To see if the town will vote to appropriate the remaining balance of proceeds from the sale of bonds of completed projects for the uses described below:

2001 Bond

Art. 38, 4/26/1999 Town Meeting – Mendon Road Water Mains \$47,984.91

2003 Bond

Art. 9 (Part 3, Item #2), 5/3/2000 Town Meeting – Landry Ave. Water Mains \$9,415.70

Art. 35, 6/10/2002 Town Meeting – Landry Ave Water Mains Supplement \$18,058.38

Art. 33, 6/10/2002 Town Meeting – Pasture Brook Water Main \$98,826.00

For a total of \$174,284.99 to offset expenditures for the following appropriated capital project:

Article 30, 10/18/2004 Town Meeting – Sheldonville Water mains.

Or to do or act in any manner relative thereto.

Treasurer/Collector

PURPOSE AND JUSTIFICATION

To re-appropriate unused proceeds from prior Water Enterprise fund projects to recently authorized Water Enterprise Projects reducing future borrowing.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: This issue was addressed at the April 25 Special Town Meeting.

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

ARTICLE 17 FY06 CAPITAL IMPROVEMENT PLAN

BOARD OF SELECTMEN

To see if the Town will vote:

CAPITAL IMPROVEMENT PROGRAM - FISCAL YEAR 2006

To see if the Town will vote to appropriate a sum of money to be raised by taxation, by transfer from available funds, by borrowing or otherwise, for various capital 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

That the sum of **\$576,000 (total below)**, or any other sum, hereby is appropriated for various capital and projects equipment as shown below, and expended under the direction of the Town Board/Official indicated, unless expended by the Municipal Building Committee, said sum to be raised by General Tax, other available funds, and provided further that any funds appropriated hereunder shall remain within the capital budget under the jurisdiction of the Town Board/Official indicated until expended or released unless transferred by Town Meeting

(ITEMS 1 INCLUSIVE PROJECTS’ TOTAL: \$576,000, 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.	\$ 55,000	Bus	School Committee
5.	\$155,000	Hazardous Materials Removal	School Committee

and Abatement (Lead and Asbestos) from School Buildings

6.	\$ 20,000	Computer Replacement	Management Information Services (MIS)
7.	\$ 30,000	Revaluation - Contractual Services	Board of Assessors
8.	\$ 7,000	Town Hall - Copier Replacement	Town Administrator
9.	\$ 15,000	Playground Equipment Repair/Replacement/ Playground cover/ Fencing	Park Commissioners
10.	\$100,000	Roads & Sidewalks	BPW - Highway Department
11.	\$ 50,000	Vehicle Replacement - Truck	BPW - Highway Department
12.	\$ 30,000	Vehicle	Fire Commissioners
13.	\$ 12,000	Leaf Vacuum	Park Commissioners
14.	\$ 50,000	Engineering & Design Services	Council on Aging
15.	\$ 12,000	Computer Equipment - Plotter	Planning Board

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Based upon the recommendation of the Board of Selectmen.

Tabled to the end of the Warrant.

ARTICLE 17- CAPITAL IMPROVEMENT PROJECT PART 2: RETAINED EARNINGS/ENTERPRISE

That the various capital projects and equipment purchases shown below and totaling \$296,000, or any other sum, shall be undertaken and financed by grants or other funds as shown below, such grants to be expended under the direction of the Town Board/Official indicated.

ITEM	AMOUNT	DESCRIPTION	REQUESTOR	ANTICIPATED SOURCE OF FUNDS
16.	\$168,000	Police Vehicles	Police Department	Police Reserve For Appropriation Fund
17.	\$ 25,000	Security Upgrades	Board of Public Works	Water Enterprise Retained Earnings

18.	\$ 45,000	Vehicle - Replacement	Board of Public Works -	Water Enterprise Retained Earnings & Sewer Revenues
19.	\$ 8,000	Containers	Solid Waste Department	Landfill Enterprise Retained Earnings
20.	\$ 50,000	Vehicle	BPW - Sewer Department	Sewer Revenues

FINANCE COMMITTEE VOTE: 5-0

MAJORITY ROLL-CALL VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote the various capital projects and equipment purchases shown below and totaling \$155,000, shall be undertaken and financed by grants or other funds as shown below, such grants to be expended under the direction of the Town Board/Official indicated.

ITEM	AMOUNT	DESCRIPTION	REQUESTOR	ANTICIPATED SOURCE OF FUNDS
16.	\$100,000	Police Vehicles	Police Department	Police Reserve For Appropriation Fund
17.	\$ 25,000	Security Upgrades	Board of Public Works	Water Enterprise Retained Earnings
18.	\$ 30,000	Vehicle - Replacement	Board of Public Works	Water Enterprise Retained Earnings & Sewer Revenues

FINANCE COMMITTEE REASON: Based upon the recommendation of the Board of Selectmen. Please Note: Item 18 and Item 20 included two additional vehicles for the BPW. Item 18 included \$15,000 for a vehicle to be split between the Water and Sewer departments. Item 20 included \$35,000 for a vehicle and the remaining \$15,000 for the split vehicle. Since the Sewer Enterprise Fund does not have any certified retained earnings, the BPW will request the additional vehicles at the Semi Annual Town Meeting.

ARTICLE 17- FY06 CAPITAL IMPROVEMENT PLAN- PART 3 (BONDING) BOARD OF SELECTMEN

Tabled to the end of the Warrant.

PART 3: That the sum of \$38,193,136 (Total Below) or any other sum be and here by is appropriated for various capital projects and equipment purchases, including design, engineering, construction and installation and for costs incidental and related thereto, as follows

ITEM	AMOUNT	DESCRIPTION	REQUESTOR	ANTICIPATED PROJECT STATUTORY CITATION, CHAPTER 44, SECTION () OR ANY OTHER ENABLING AUTHORITY
21.	\$1,947,316	WWTF - Upgrade Sludge Holding & Pumping systems. Update Process Chemical Feed Systems	BPW - Sewer Department	7(1)

22.	\$ 225,000	WWTF - Roofs	BPW - Sewer Department	7(3A)
23.	\$ 250,000	Vehicle - Vactor Truck	BPW - Sewer Department	7(9)
24.	\$ 300,000	Inflow & Infiltration Program - Replacement & Rehabilitation of System's infrastructure	BPW - Sewer Department	7(1)
25.	\$1,100,000	Fales Road Water Project	BPW – Water Division	8(5)
26.	\$ 918,820	Sheldonville Road Water Project	BPW – Water Division	8(5)
27.	\$ 25,000	Vehicle	Board of Health	7(9)
28.	\$ 190,000	Ladder 1: Rehabilitation & Repairs	Board of Fire Commissioners	7(9A)
29.	\$ 800,000	Aerial Ladder Truck	Board of Fire Commissioners	7(9)
30.	\$ 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)
31.	\$ 125,000	Vehicle - Sweeper	BPW - Highway	7(9)
32.	\$ 90,000	Vehicle - Six Wheel Dump Truck	BPW - Highway	7(9)
33.	\$ 233,000	Paving - Various Paving/Sidewalk repair projects - Municipal Properties	BPW	7(6)
34.	\$ 12,000	Roosevelt School - Surface Drainage	BPW	7(1)
35.	\$ 170,000	Whittings Dam Repairs	Conservation Commission,	7(7)

36.	\$ 500,000	Ball Fields – Columbia Field & Town Forest	Park Commissioners	7(25)
37.	\$ 195,000	Repair of Bleachers @ NAHS	School Committee	7(9)
38.	\$ 135,000	Replace Ventilation System @ Woodcock Adm. Bldg.	School Committee	7(3A)
39.	\$ 390,000	St. Mark's Pond Dam Rehabilitation	Conservation Commission	7(7)
40.	\$ 300,000	GIS - Phase III Systems	Management Information Systems (MIS) Director	7(29)
41.	\$5,430,000	Community School Conversion Project	School Committee	7(7)
42.	\$2,000,000	Failed Roads Program	BPW	7(5)
43.	\$14,000,000	New Library	Board of Library Trustees	7(3A)
44.	\$ 1,613,000	Window/Door Replacement Program - Allen Avenue, NAHS, Roosevelt, Amvet and Community schools	School Committee	7(3A)
45.	\$ 2,432,000	Allen Avenue School Rehabilitation and Expansion Project	School Committee	7(3A)
46.	\$ 2,153,000	Early Learning Center Rehabilitation and Expansion Project	School Committee	7(3A)
47.	\$ 2,195,000	NAHS – Renovation of Science and Media Center Space	School Committee	7(3A)
48.	\$ 20,000	Church Street Parking Lot	BPW	7(3A)

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 **\$39,338,930 (TOTAL OF PROJECTS LISTED IN PART 3 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 **\$38,193,136** be expended by the Town Board/Official listed, **or the Municipal Building Committee, if applicable**, for project costs, and the sum of **\$1,145,794** 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

2/3 ROLL CALL VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to the sum of \$40,497.36 (Total Below) be and hereby is appropriated for various capital projects and equipment purchases, including design, engineering, construction and installation and for costs incidental and related thereto, as follows:

ITEM	AMOUNT	DESCRIPTION	REQUESTOR	ANTICIPATED PROJECT STATUTORY CITATION, CHAPTER 44, SECTION () OR ANY OTHER ENABLING AUTHORITY
21.	\$ 1,947,316	WWTF- Upgrade Sludge Holding & Pumping systems, Update Process Chemical Feed Systems	Board of Public Works Sewer Division	7(1)
22.	\$ 225,000	WWTF -Roofs	Board of Public Works Sewer Division	7(3A)
23.	\$ 250,000	Vehicle - Vactor Truck	Board of Public Works Sewer Division	7(9)
24.	\$ 300,000	Inflow & Infiltration Program – Replacement & Rehabilitation of Systems Infrastructure	Board of Public Works Sewer Division	7(1)
29.	\$800,000	Aerial Ladder Truck	Board of Fire Commissioners	7(9)
31.	\$125,000	Vehicle - Sweeper	Board of Public Works Highway Division	7(9)
32.	\$ 90,000	Vehicle – Six Wheel Dump Truck	Board of Public Works Highway Division	7(9)
33.	\$233,000	Paving – Various Sidewalks repair Projects: municipal properties	Board of Public Works	7(6)
34.	\$ 12,000	Roosevelt School Surface Drainage	Board of Public Works	7 (1)

And that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow the sum of \$4,049,736 under and pursuant to the statutes stated above, or any other enabling authority, and to issue bonds or notes of the Town therefore at one time or from time to time; and the requested sum of \$3,982,316 be expended by the Town Board or Official listed, unless expended by the Municipal Building Committee, for project costs, and the sum of \$67,420 be expended under the direction of the Town Treasurer for issuance costs associated with Item #21 (WWTF Systems) and Item #24 (Inflow and Infiltration Program).

FINANCE COMMITTEE REASON: Per Board of Selectmen’s recommendations.

Tabled to the end of the Warrant

ARTICLE 17 FY06 CAPITAL IMPROVEMENT PLAN PART 4

To authorize any of the above named boards or departments 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

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to authorize any of the above named boards or departments 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 REASON: This is a standard article permitting acceptance of state or federal monies.

Tabled to the end of the Warrant.

ARTICLE 18 ELEMENTARY SCHOOL LOCKERS

SCHOOL DEPARTMENT

To see if the town will vote to appropriate the sum of \$67,000, or any other sum, to be expended under the jurisdiction of the School Committee to install student lockers in the Roosevelt Avenue, Martin, Allen Avenue and Falls Schools in response to North Attleborough Fire Chief's recommendations.

Said sum shall be appropriated either by transfer from Free Cash, transfer from Stabilization, taxation, transfer of available funds or otherwise.

Or to do or act in any manner relative thereto.

School Committee

PURPOSE AND JUSTIFICATION

Purchase of above items will allow the School Department to be in compliance with Fire Chief's directives.

FINANCE COMMITTEE VOTE:

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: The School Department has combined their "fire" articles and submitted them as one article in the June Special Town Meeting.

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

ARTICLE 19 COMPLIANCE WITH FIRE CODE

SCHOOL DEPARTMENT

To see if the town will vote to appropriate the sum of \$47,000, or any other sum, to be expended under the jurisdiction of the School Committee to implement changes in response to North Attleborough Fire Chief's recommendations including and related to replacing sprinkler heads at the Community School, installing a new fire alarm panel at the Allen Avenue School, replacing double set of exterior doors in cafeteria at Amvet Boulevard School, replacing door hardware at the Community School and High School, fire proofing stage curtains district-wide, and renovating stage/storage areas at the Roosevelt Avenue, Martin, and Amvet Boulevard Schools.

Said sum shall be appropriated either by transfer from Free Cash, transfer from Stabilization, taxation, transfer of available funds, or otherwise.

Or to do or act in any manner relative thereto.

School Committee

PURPOSE AND JUSTIFICATION

Installation, replacement, and purchase of above items will allow the School Department to be in compliance with Fire Chief's directives.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: The School Department has combined their “fire” articles and submitted them as one article in the June Special Town Meeting.

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

ARTICLE 20 ENGINEERING STUDY: EARLY LEARNING CENTER SCHOOL DEPARTMENT

To see if the town will vote to appropriate the sum of \$138,500., or any other sum, to be expended under the jurisdiction of the Municipal Building Committee for the completion of the architectural and engineering, and survey and geo technical analysis for the Early Learning Center rehabilitation and expansion project as recommended by the School Space Needs Committee.

Said sum shall be appropriated by taxation, transfer of available funds, bonding, or otherwise.

Or to do or act in any manner relative thereto.

School Department

PURPOSE AND JUSTIFICATION

The project is needed to assure adequate classroom space for the rapidly increasing population of students with serious special needs, ages three and four. An initial feasibility study for this project has been funded by RTM and completed by the Municipal Building Committee.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: The Commonwealth is overhauling the SBAB funding formulas. The school department has requested that this article be reconsidered once we are aware of the new guidelines for state reimbursement.

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

ARTICLE 21 ENGINEERING STUDY: ALLEN AVENUE SCHOOL SCHOOL DEPARTMENT

To see if the town will vote to appropriate the sum of \$181,500.00, or any other sum, to be expended under the jurisdiction of the Municipal Building Committee for the completion of the architectural and engineering, and survey and geo technical analysis for the Allen Avenue School rehabilitation and expansion project as recommended by the School Space Needs Committee.

Said sum shall be appropriated by taxation, transfer of available funds, bonding or otherwise.

Or to do or act in any manner relative thereto.

School Department

PURPOSE AND JUSTIFICATION

The Allen Avenue Elementary School does not have classroom space to allow for the enrollment of grade 5 students, as do our other elementary schools. The Allen Avenue School does not provide students with space for library, music, art, and special education services that are equitable with that provided in our other elementary schools. An initial feasibility study for this project has been funded by RTM and completed by the Municipal Building Committee.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: The Commonwealth is overhauling the SBAB funding formulas. The school department has requested that this article be reconsidered once we are aware of the new guidelines for state reimbursement.

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

ARTICLE 22 PURCHASE OPTICOM EQUIPMENT

PLANNING BOARD

To see if the Town will vote to disburse the sum of \$16,000 to be expended by the Police Department for the purchase and installation of Opticom equipment in the Town’s police cruisers, to access the emergency gate on Allen Avenue East. Said sum shall be appropriated/transferred from the Mitigation Fund that was established pursuant to Article 51 of the October 1993 Semi-Annual Town Meeting.

Or to do or act in any manner relative thereto.

Planning Board
See Attached

PURPOSE AND JUSTIFICATION

The “Mitigation Committee” that was established by Article 27 of the May 2003 Annual Town Meeting, provided a report to the Planning Board as required by that article, which recommended that this expenditure be drawn from the mitigation funds gifted to the Town pursuant to Article 51 of the October 1993 Semi-Annual Town Meeting in order to purchase Opticom equipment for police vehicles, which will make the gate at Allen Avenue East fully operational for the Town’s emergency vehicles including police cruisers. (The Fire Department’s vehicles are presently equipped with the necessary Opticom equipment.)

FINANCE COMMITTEE VOTE: 4-1

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$16,000 to be expended by the Police Department for the purchase and installation of Opticom Equipment in the Town’s police cruisers to access the emergency gate on Allen Avenue East. Said sum shall be appropriated from the Mitigation Fund that was established pursuant to Article 51 of the October 1993 Semi-Annual Town Meeting.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 23 PRELIMINARY DESIGN FOR LIBRARY

LIBRARY TRUSTEES

To see if the town will vote to accept the preliminary design for the North Attleborough Public Library Building.

Or to do or act in any manner relative thereto.

Library Trustees

PURPOSE AND JUSTIFICATION

This article’s approval is a requirement of the Massachusetts Board of Library Commissioners’ Construction Grant program. It does not require funding at this time, merely approval of the new library as an idea.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept the preliminary design for the North Attleborough Public Library Building

FINANCE COMMITTEE REASON: It is in the best interest of the Town that construction of a new library be considered.

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

ARTICLE 24 APPLY FOR STATE GRANTS

LIBRARY TRUSTEES

To see if the town will vote to authorize the Board of Library Trustees and/or the Municipal Building Committee to apply for any state grants or funds which might be available to defray all or part of the cost of the design, construction and equipping of the new library and to authorize the board of Library Trustees and/or the Municipal Building Committee to receive, accept, and expend any such funds when received without appropriation.

Or to do or act in any manner relative thereto.

Library Trustees

PURPOSE AND JUSTIFICATION

This article is required by the Massachusetts Board of Library Commissioners as part of their Construction Grant program. It will allow the town to recoup a portion of the total cost of constructing a new library.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to authorize the Board Library Trustees and/or the Municipal Building Committee to apply for any state grants or funds which might be available to defray all or a part of the cost of the design, construction, and equipping of the new library and to authorize the Board of Library Trustees and/or the Municipal Building Committee to receive, accept, and expends any such funds when received without appropriation

FINANCE COMMITTEE REASON: It is in the best interest of the Town that construction of a new library be considered.

Don Bates (P8) made the following motion to amend: *After the words “Municipal Building Committee to receive” delete remaining sentence and replace with “and accept any such funds and to authorize the Municipal Building Committee to expend such funds when received without appropriation.*

Shall now read: *That the Town vote to authorize the Board Library Trustees and/or the Municipal Building Committee to apply for any state grants or funds which might be available to defray all or a part of the cost of the design, construction, and equipping of the new library and to authorize the Board of Library Trustees and/or the Municipal Building Committee to receive and accept any such funds and to authorize the Municipal Building Committee to expend such funds when received without appropriation.*

Motion seconded.

Motion to amend carried.

The RTM members approved Article 24 as amended.

ARTICLE 25 ACCEPT MGL SEC. 4 C. 73

BOARD OF ASSESSORS

To see if the town will vote to accept Massachusetts General Laws Section 4 of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988, which allows an additional real estate tax exemption of one hundred percent (100%) of said exemption under Clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 41C of Section 5 of Chapter 59 of the Massachusetts General Laws.

Or to do or act in any manner relative thereto.

Board of Assessors

PURPOSE AND JUSTIFICATION

Passage of this article will return qualified property owners a tax exemption equal in value to exemptions established in 1979.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept Massachusetts General Laws Section 4 of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988 which allows an additional real estate tax exemption of one hundred percent (100%) of said exemption under Clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 41C of Section 5 of Chapter 59 of the Massachusetts General Laws.

FINANCE COMMITTEE REASON: This is an annual article that increases the real estate exemption for the elderly, blind, or veteran taxpayers.

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

ARTICLE 26 ACCEPTANCE OF C. 90 MONIES

BOARD, PUBLIC WORKS

To see if the town will vote to authorize the Board of Public Works to accept and enter into a contract for the expenditure of any allocated or to be allocated funds by the Commonwealth and/or County for the construction, reconstruction and improvements of Town roads. Said sum of money to be expended under the direction of the Board of Public Works.

Or to do or act in any manner relative thereto.

Board of Public Works

PURPOSE AND JUSTIFICATION

This article is a requirement of the Commonwealth of Massachusetts for the Town of North Attleborough to accept state funding.

FINANCE COMMITTEE VOTE:

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to authorize the Board of Public Works to accept and enter into a contract for the expenditure of any allocated or to be allocated funds by the Commonwealth and/or County for the construction, reconstruction and improvements of Town roads. Said sum of money to be expended under the direction of the Board of Public Works

FINANCE COMMITTEE REASON: This is an annual article that permits the Town to accept for the forthcoming fiscal year monies from the state under the provisions of Massachusetts General Laws Chapter 90.

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

ARTICLE 27 REVOLVING FUND FOR FLU CLINIC

BOARD OF HEALTH

To see if the town will vote to establish, pursuant to the provisions of Chapter 44, Section 53E ½ a revolving fund for the Board of Health for the purpose of depositing receipts received in connection with the conduct of the Town of North Attleborough Flu Clinic for the purpose of paying costs and expenses related thereto, said sum not to exceed \$3,000.00 in FY '06, said amount to be expended at the direction of the Public Health Nurse.

Or to do or act in any manner relative thereto.

Board of Health

PURPOSE AND JUSTIFICATION

To allow the Public Health Nurse to directly deposit and use funds generated from Medicare B billing and other sources to purchase necessary equipment, flu vaccine, and supplies to run public immunization clinics.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to establish, pursuant to the provisions of MGL. Chapter 44, Section 53E ½ revolving fund for the Board of Health for the purpose of depositing receipts received in connection with the conduct of the Town of North Attleborough Flu Clinic for the purpose of paying costs and expenses related thereto, said sum not to exceed \$3,000 in FY06, said amount to be expended at the direction of the Public Health Nurse.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 28 PROPOSED BALLOT QUESTION

TOWN TREASURER/COLLECTOR

To see if the town will vote, in accordance with M.G.L., Chapter 41, Section 1B (attached), to change the elected office of Treasurer-Collector to an appointed position, and to place the following question on the 2006 annual Town election ballot:

Shall the town vote to have its elected Treasurer-Collector become an appointed Treasurer-Collector of the town?
Yes _____ No _____

Or to do or act in any manner relative thereto.

Treasurer/Collector
See Attached

PURPOSE AND JUSTIFICATION

In accordance with MGL, Chapter 41, Section 1B, certain elected positions in a Town can be changed from elected to appointed by majority vote of Town Meeting and of the voters at an annual town election. If Town Meeting votes to change the position to appointed, the question required by statute would be placed on the 2006 annual town

election ballot. If passed by the voters in 2006, the Selectmen would appoint the next Treasurer-Collector in accordance with the statute.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to in accordance with M.G.L. Chapter 41, Section 1B(attached), to change the elected office of Treasurer-Collector to an appointed position, and to place the following question on the 2006 annual Town election ballot:

Shall the town vote to have its elected Treasurer-Collector become an appointed Treasurer-Collector of the town? Yes_____ No _____.

FINANCE COMMITTEE REASON: It is fiscally prudent and responsible to change this office position from elected to appointed.

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

ARTICLE 29 LESTAGE HOUSE LOTS

BOARD OF SELECTMEN

To see if the town will vote to authorize the Board of Selectmen to convey by Quitclaim Deed the Town's right, title and interest in Lots 4-8, situated on the easterly side of John J. Grimaldi Drive. Each lot, consistent with the plot plan prepared by W.T. Whalen Engineering Company, July, 2003 and titled "Conceptual Plan #1" once subdivided will have at least 20,000 +/- square feet and conform to all local by-laws, in consideration of a sum of not less than \$215,000 per lot.

Or to do or act in any manner relative thereto.

Board of Selectmen

See Attached

PURPOSE AND JUSTIFICATION

Approval by Town Meeting will allow the Board of Selectmen to sell six residential building lots (R-20 zone). The property has most recently been reassessed for current market value.

FINANCE COMMITTEE VOTE: 3-2

2/3 VOTE

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

FINANCE COMMITTEE REASON: It is unclear where the proceeds of the sale of these properties will be directed. The Finance Committee would like to know if there are any specific earmarked beneficiaries of the sale proceeds other than the Town's general fund.

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

Don Bates (P8) presented the following Affirmative Action: *That the Town vote to authorize the Board of Selectmen to convey by Quitclaim Deed the Town's right, title and interest in Lots 4-8, situated on the easterly side of John J. Grimaldi Drive. Each lot, consistent with the plot plan prepared by W.T. Whalen Engineering Company, July, 2003 and titled "Conceptual Plan #1" once subdivided, will have at least 20,000 +/- square feet and conform to all local by-laws, in consideration of a sum of not less than \$215,000 per lot.*

Motion seconded.

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

Motion seconded.

Motion carried.

Point of Order made by Walter St. Laurent (P2) requesting a Roll Call Vote.

With only seven RTM members standing in consideration of a Roll Call Vote, the motion was defeated. (18 members needed)

With 92 members having voted, 65-yes & 27-no (62 needed), the RTM members approved the Affirmative Action motion as presented.

ARTICLE 30 TAX INCREMENTAL FINANCING

BOARD OF SELECTMEN

To see if the town will vote to approve the Tax Increment Financing (TIF) Plan and Tax Increment Financing Agreement with Checon Corporation for the property located at 30 Larsen Way described in the Certified Project application, shown on Assessors Map Parcel ID#34/A, 14F pursuant to the provisions of MGL Chapter 40, Section 59 on file with the Board of Selectmen and Town Clerk.

Or to do or act in any manner relative thereto.

Board of Selectmen
See Attached

PURPOSE AND JUSTIFICATION

In order to provide Tax Incremental Financing for this corporation.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to approve the Tax Increment Financing (TIF) Plan and Tax Increment Financing Agreement with Checon Corporation for the property located at 30 Larsen Way described in the Certified Project application, shown on Assessors Map Parcel ID3 34/A, 14F pursuant to the provisions of MGL Chapter 40, Section 59 on file with the Board of Selectmen and Town Clerk.

FINANCE COMMITTEE REASON: This article embodies the one of the better examples of government working with business to foster job creation, tax base increase, building rehabilitation and utilization - a true win-win for all parties involved, the Town included.

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

ARTICLE 31 AMEND BY LAW ARTICLE XXI

BUILDING DEPARTMENT

To see if the town will vote to amend the Town ByLaws, ARTICLE XXI PENALTY FOR VIOLATION OF BY-LAWS, by adding the following in Section 3, NON-CRIMINAL VIOLATIONS:

Article IX, Section 1.d...Zoning By-Laws...

Penalty:

\$100 for the first violation in a twelve-month period

\$200 for the second violation in a twelve-month period

\$300 for the third and any subsequent violation(s) in a twelve-month period

Enforcing Officer: Building Inspector

Or to do or act in any manner relative thereto.

Building Inspector
See Attached

PURPOSE AND JUSTIFICATION

Any fine assessed by the court under the current bylaw, the money is deposited into the General Fund of the Commonwealth of Massachusetts. With this Bylaw amendment, the fines levied are paid directly to the Town of North Attleboro. This article also makes enforcement of the Town ByLaws much more efficient as it will eliminate many court appearances by Town Counsel and the Building Official.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Town By-Laws, Article XXI. Penalty for violation of By-Laws, by adding the following in Section 3, “Non Criminal Violations”: Article IX, Section 1.d...Zoning By-Laws... Penalty: \$100 for the first violation in a twelve-month period; \$200 for the second violation in a twelve-month period; \$300 for third and any subsequent violation(s) in a twelve-month period; Enforcing Officer: Building Inspector.

FINANCE COMMITTEE REASON Based upon the recommendation of the By Law Study Committee.

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

ARTICLE 32 AMEND BY LAW ARTICLE XIX HISTORICAL COMMISSION

To see if the town will vote to amend Article XIX of the Town ByLaws by adding the following under Section 3. Procedure, Demolition of Historically Significant Buildings:

- c. Any building or structure listed on the National Register of Historic Places as “contributing” shall not be demolished in whole or in part without a public hearing and a majority vote of the Historical Commission.

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

PURPOSE AND JUSTIFICATION

To protect our nationally recognized historical buildings.

FINANCE COMMITTEE VOTE: 5-0 MAJORITY VOTE

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

FINANCE COMMITTEE REASON: This article was postponed at the request of the petitioner.

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

ARTICLE 33 AMEND BY LAW ARTICLE XIII E. CASEY, PETITIONER

To see if the town will vote to amend its By-Laws (Article XIII) regarding Hawkers and Peddlers by adopting and revising the language of the existing law (Proposed language attached).

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

PURPOSE AND JUSTIFICATION

To prevent fraud upon and deception of the residents of North Attleborough; to promote the general welfare and health of said residents.

FINANCE COMMITTEE VOTE: 5-0 MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Based upon the recommendation of the By Law Study Committee.

After much discussion a motion was made by Bart Steele (P7) to table this Article to the end of the Warrant.

Motion seconded.
Motion carried.

ARTICLE 34 AMEND ZONING BY LAW SECTION IV PLANNING BOARD

To see if the town will vote to amend the Zoning By-Laws, Section IV – INTENSITY REGULATIONS, INTENSITY SCHEDULE A, by deleting under District Use C-7.5. “Mixed use apartments”, in its entirety.

Or to do or act in any manner relative thereto.
Planning Board
See Attached

PURPOSE AND JUSTIFICATION

The Planning Board feels that this particular density requirement is a hindrance to the revitalization of the Downtown and North End areas of town, which encompass the C-7.5 business districts. There are presently numerous mixed residential/commercial use buildings in town, particularly in the downtown area. If this

dimensional requirement were to be removed, mixed residential/commercial uses in the C-7.5 district are still allowed by special permit from the Zoning Board of Appeals, per uses listed in Schedule B of the Zoning ByLaws , which would not change. Due to the nature of the existing development patterns in the C-7.5 district, the Planning Board feels that this density issue would be better addressed on a case-by-case basis under the evidence presented at a hearing for a special permit rather than being applied for all building lots in the district. The Planning Board also feels that the further development of mixed use buildings is vital to the Town's ongoing downtown revitalization efforts and that it is essential to work with the existing building stock and lots to accomplish this.

FINANCE COMMITTEE VOTE: 4-1

2/3 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to amend the Zoning B-Laws, Section IV – INTENSITY REGULATIONS, INTENSITY SCHEDULE A, by deleting under District Use C-7.5 “Mixed use apartments”, in its entirety.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

After the Moderator read the letter with the recommendations of the Planning Board as required by statute, the RTM members revoted Article 34. The RTM members approved the recommendation of the Finance Committee. 2/3's vote obvious to the Moderator.

ARTICLE 35 AMEND ZONING BY LAW V, SCHEDULE B

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.

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: 5-0

2/3 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to indefinitely postpone this article.

FINANCE COMMITTEE REASON: Per recommendation of the Planning Board.

As required by statute the Moderator read the following letter from the Planning Board into the record:

From the Planning Board, 43 South Washington St. to Stephen Dalrymple, Town Moderator. Re: Articles pertaining to Zoning By-Law Amendments for May 2005 Annual Town Meeting.

Dear Mr. Dalrymple: Articles 34, 35, and 36 of the May 2005 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 April 11, 2005, which was continued to April 12, 2005. At their meeting held on April 12, 2005, the Board voted as follows to recommend the following to Town Meeting on these articles for amendments to the Zoning By-Laws:

- *Article 34: The Board voted 5 in favor, 0 opposed, on the motion to recommend that the Town Meeting approve this article as submitted. The Board views this article as a correction to ambiguous language in the Zoning By-Laws which, if removed, would help in ongoing downtown revitalization efforts. There was no evidence presented to the contrary at the hearing. The Planning Board recommends the following motion on this article:*

That the Town vote to amend the Zoning By-Laws, Section IV-Intensity Regulations, Intensity Schedule A, by deleting under District Use C-7.5 “Mixed use apartments”, in its entirety

Moderator made a motion to revisit Article 34 because the RTM members are required to have the recommendation of the Planning Board prior to voting on these articles.

The RTM members approved the Finance Committee’s recommendation on Article 34. 2/3’s obvious to the Moderator.

The Moderator then read the Planning Board’s recommendation for Article 35:

The Board voted 5 in favor, 0 opposed, on the motion to recommend that the Town Meeting indefinitely postpone this article. Evidence presented at the hearing, particularly in discussion between the Planning Board and members of the Zoning Board of Appeal, suggested that further work is needed on this article before it is ready for an affirmative vote.

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

ARTICLE 36 AMEND ZONING BY LAW SECTION VII.1.8 & VII.1.9 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.

Planning Board
See Attached

PURPOSE AND JUSTIFICATION

This amendment will bring the wording of duties of the Zoning Board of Appeals and the Planning Board presently specified in the Zoning ByLaws into greater conformance with the wording of the Zoning Act.

FINANCE COMMITTEE VOTE: 3-2

2/3 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Zoning By-Laws as follows: Amend Section VIII.1.8, by removing the last paragraph in said Section, and by substituting in its place the following:

“The Board shall within five days after receipt of an application for a special permit transmit one copy of such application and any accompanying site plan to the Planning Board. The Planning Board may, in its discretion, investigate the application and report in writing its recommendations to the Board as the Planning Board deems appropriate and shall send a copy thereof to the applicant **within 20 days of receipt of the application for a special permit. The Board shall not open a public hearing on any application for a special permit until at least 25 days have elapsed after the receipt by the Board of the application.**”

FINANCE COMMITTEE REASON: Per the recommendation of the Planning Board.

The Moderator read the Planning Board’s recommendation for Article 36:

The Board voted 5 in favor, 0 opposed, on the motion to recommend that the Town Meeting vote to approve this article with the deletion of the second paragraph of the article as submitted, which references Section VIII.1.9, and a deletion and an amendment to the first paragraph of the article as submitted, which references Section VIII.1.8 The Planning Board recommends the following motion on this article [with the changed/added text in bold print and highlighted]:

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

Amend Section VIII.1.8, by removing the last paragraph in said Section, and by substituting in its place the following:

“The Board shall within five days after receipt of an application for a special permit transmit one copy of such application and any accompanying site plan to the Planning Board. The Planning Board may, in its discretion, investigate the application and report in writing its recommendations to the Board as the Planning Board deems appropriate and shall send a copy thereof to the applicant **within 20 days of receipt of the application for a special**

permit. The Board shall not open a public hearing on any application for a special permit until at least 25 days have elapsed after the receipt by the Board of the application.”

The Zoning Board of Appeal sent a letter to the Planning Board at the public hearing expressing their concerns over the time frames originally put forth in the article and over the second paragraph of the article. The Town Planner contacted Town Counsel concerning the reduction in the Planning Board’s review time as given above, and Town Counsel indicated this would not be outside of the scope of the article. Evidence presented at the hearing, particularly in discussion between the Planning Board and members of the Zoning Board of Appeal, indicated that both Boards are satisfied with the time frame specified in the above amendment to the article and that it is ready for an affirmative vote as specified above. For the Planning Board, Donald T. Johnson, Planning Board Agent

After some discussion, Len Pierce (P5) made a motion to move the question.

Motion seconded.

Motion carried.

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

At 10:05 PM a motion was made to recess the Annual Town Meeting to Monday June 6, 2005 at 7PM.

Motion seconded.

Motion carried.

On Monday, June 6, 2005, Town Clerk Maxwell Gould opened the Town Meeting at 7:05 PM, “With 75 RTM members having signed in, we have a quorum”.

Pledge of Allegiance to the Flag.

Moment of silence for the Men and Women serving in the Armed Forces.

The Moderator read the Warrant for the Special Town Meeting.

A motion was made and seconded to recess the Special Town Meeting until the conclusion of the Annual Town Meeting.

Motion seconded.

Motion carried.

The Annual Town Meeting then resumed with Anne Sullivan (P2) making the following motion:

Motion to reconsider Article 29, the sale of the LeStage Property house lots on John Grimaldi Drive.

Motion seconded.

After much discussion, Bart Steele (P7) made a motion to move the question.

Motion seconded.

Motion carried.

The RTM members approved the motion to reconsider Article 29. 2/3’s vote obvious to the Moderator.

ARTICLE 29

LESTAGE HOUSE LOTS

BOARD OF SELECTMEN

To see if the town will vote to authorize the Board of Selectmen to convey by Quitclaim Deed the Town’s right, title and interest in Lots 4-8, situated on the easterly side of John J. Grimaldi Drive. Each lot, consistent with the plot plan prepared by W.T. Whalen Engineering Company, July, 2003 and titled “Conceptual Plan #1” once subdivided

will have at least 20,000 +/- square feet and conform to all local by-laws, in consideration of a sum of not less than \$215,000 per lot.

Or to do or act in any manner relative thereto.

Board of Selectmen

See Attached

PURPOSE AND JUSTIFICATION

Approval by Town Meeting will allow the Board of Selectmen to sell six residential building lots (R-20 zone). The property has most recently been reassessed for current market value.

FINANCE COMMITTEE VOTE: 3-2

2/3 VOTE

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

FINANCE COMMITTEE REASON: It is unclear where the proceeds of the sale of these properties will be directed. The Finance Committee would like to know if there are any specific earmarked beneficiaries of the sale proceeds other than the Town's general fund.

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

Don Bates (P8) presented the following Affirmative Action on May 16, 2005: *That the Town vote to authorize the Board of Selectmen to convey by Quitclaim Deed the Town's right, title and interest in Lots 4-8, situated on the easterly side of John J. Grimaldi Drive. Each lot, consistent with the plot plan prepared by W.T. Whalen Engineering Company, July, 2003 and titled "Conceptual Plan #1" once subdivided, will have at least 20,000 +/- square feet and conform to all local by-laws, in consideration of a sum of not less than \$215,000 per lot.*

Motion seconded.

Motion carried.

On June 6, 2005, following much discussion, Dave Manoogian (P8) made a motion to move the question.

Motion seconded.

Motion carried.

The RTM members defeated the Affirmative Action motion as presented.

ARTICLE 37 BUILDING MORATORIUM

C. BEALE, PETITIONER

To see if the town will vote to enact a moratorium prohibiting any further building of houses, condominiums, commercial buildings or any other type of new building not specifically for town use (such as schools, fire/police department buildings) or subdivision for a period of time not less than ten years.

Or to do or act in any manner relative thereto.

Petition

PURPOSE AND JUSTIFICATION

To put a halt to the runaway building and over crowding of our Town, not to mention the over burdening of our Town's resources: schools are overcrowded because builders and land developers are not being required to contribute to new school additions; our roads are over crowded because of all of the additional cars added to our Town (typically 2 per every new home); budgetary short falls because the tax base can not provide for the \$6,000 per student State requirement for every child being added to our classrooms every year.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: It does not appear that this article is supported by state law.

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

ARTICLE 38 VARIOUS STREET ACCEPTANCES

PLANNING BOARD

To see if the town will vote to accept the following streets as public ways, said streets having been completed as per Planning Board specifications:

- Wintergreen Drive, easterly from Kelley Boulevard to its terminus, a distance of approximately 538 feet;
- Scout Lane, southeasterly from its former terminus to its present terminus, a distance of approximately 689 feet;
- Pepperbush Lane, northwesterly from Scout Lane to its terminus, a distance of approximately 349 feet;
- Buckthorn Lane, southerly from Wintergreen Drive to Pepperbush Lane, a distance of approximately 656 feet;

As shown on the attached As-built Plan and Profile sheets, drawn for Allen Riley Real Estate by W.T. Whalen Engineering Company, dated November 1997, on file with the Planning Board.

Or to do or act in any manner relative thereto.

Planning Board
See Attached

PURPOSE AND JUSTIFICATION

Wintergreen Drive, Scout Lane, Buckthorn Lane, and Pepperbush Lane, as described above, having been built to town requirements and specifications, and available to use by all persons, should be classified as “Public Ways”.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept the following streets as public ways, said streets having been completed as per Planning Board specifications:

Wintergreen Drive, easterly from Kelley Boulevard to its terminus, a distance of approximately 538 feet;
Scout Lane, southeasterly from its former terminus to its present terminus, a distance of approximately 689 feet;
Pepperbush Lane, northwesterly from Scout Lane to its terminus, a distance of approximately 349 feet;
Buckthorn Lane, southerly from Wintergreen Drive to Pepperbush Lane, a distance of approximately 656 feet;
As shown on the attached As-Built Plan and Profile sheets, drawn for Allen Riley Real Estate by W.T. Whalen Engineering Company, dated November 1997, on file with the Planning Board

FINANCE COMMITTEE REASON: The Planning Board recommends approval of these streets. All the streets listed have been completed pursuant to the Planning Board specifications under the Planning Board’s Rules and Regulations Governing Subdivision of Land. As a result, the Planning Board has released the bonds and granted final approval of all the streets.

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

ARTICLE 39 ACCEPTANCE OF VALLEY VIEW TERRACE

W.TRAVERS, PETITIONER

To see if the town will vote to accept Valley View Terrace as a public way. Said street having been constructed and completed as per Dept. of Public Works, the Highway Dept., and the Planning Board specifications.

Valley View Terrace is located on the easterly side of Elmwood Street and runs easterly a distance of about 500 ft. to a cul-de-sac, and is shown on a plan entitled, “As-Built Plan And Profile of Valley View Terrace within Valley View A Subdivision in North Attleborough, MA. Scale: Hor. 1” = 40’ ver. 1” = 4’ August 9, 2004, RIM Engineering, Co., Inc. , 150 North Main St., Mansfield, MA 02048” on file with the town.

Or to do or act in any manner relative thereto.

Petition
See Attached

PURPOSE AND JUSTIFICATION

Valley View Terrace, having been built to town requirements and specifications, and available to use by all persons, should be classified as a “Public Way”.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to accept Valley View Terrace as a public way. Said street having been constructed and completed as per Dept. of Public Works, the Highway Dept., and the Planning Board specifications. Valley View Terrace is located on the easterly side of Elmwood Street and runs easterly a distance of about 500 ft. to a cul-de-sac, and is shown on a plan entitled, "As-Built Plan An Profile of Valley View Terrace Within Valley View A Subdivision in North Attleborough, MA

FINANCE COMMITTEE REASON: The Planning Board recommends approval of these streets. All the streets listed have been completed pursuant to the Planning Board specifications under the Planning Board's Rules and Regulations Governing Subdivision of Land. As a result, the Planning Board has released the bonds and granted final approval to Valley View Terrace.

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

ARTICLE 40 ACCEPTANCE OF WHITE BIRCH WAY

J. GRIMALDI, PETITIONER

To see if the town will vote to accept White Birch Way as a Public Way, said street having been constructed and completed as per Department of Public Works and the Planning Board specifications.

White Birch Way is located on the south side of Hickory Road and is shown on a plan titled "Hickory Village" as build plan of White Birch Way. Prepared for John & Louis Grimaldi. Drawn by W.T. Whalen Eng. Co.

Or to do or act in any manner relative thereto.

Petition
See Attached

PURPOSE AND JUSTIFICATION

White Birch Way, having been built to town requirements and specifications and available to use by all persons, should be classified as a "Public Way":.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept White Birch Way as a Public Way said street having been constructed and completed as per Dept. of Public Works and the Planning Board specifications. White Birch Way is located on the south side of Hickory Road and is shown on a plan titled "Hickory Village" as built plan of White Birch Way prepared for John and Louis Grimaldi drawn by W.T. Whalen Eng. Co.

FINANCE COMMITTEE REASON: The Planning Board recommends approval of these streets. All the streets listed have been completed pursuant to the Planning Board specifications under the Planning Board's Rules and Regulations Governing Subdivision of Land. As a result, the Planning Board has released the bonds and granted final approval of White Birch Way.

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

ARTICLE 41 ACCEPTANCE OF FARM COUNTRY ROAD

RKO HOMES, PETITIONER

To see if the town will vote to accept the following street as a public way, said street having been constructed and completed in accordance with the Planning Board and the Department of Public Works Specifications. FARM COUNTRY ROAD from station 0+00 to station 6+55.14 (more particularly described in Exhibit "A" attached hereto and made a part hereof.)

Or to do or act in any manner relative thereto.

Petition
See Attached

PURPOSE AND JUSTIFICATION

The purpose of this article is for street acceptance.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to accept the following street as a public way, said street having been constructed and completed in accordance with the Planning Board and the Department of Public Works Specifications FARM COUNTRY ROAD

FINANCE COMMITTEE REASON: The Planning Board recommends approval of these streets. All the streets listed have been completed pursuant to the Planning Board specifications under the Planning Board’s Rules and Regulations Governing Subdivision of Land. As a result, the Planning Board has released the bonds and granted final approval of Farm Country Road.

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

ARTICLE 42 ACCEPTANCE OF VARIOUS ROADS

D. CANNATA, PETITIONER

To see if the town will vote to accept the following streets as public ways, said streets having been completed as per Planning Board specifications:

- Pinebough Avenue from Mansfield Road to Mary Ann Way of a distance of approximately 895 feet.
- Lincoln Road from its Southwesterly terminus at Mt. Vernon Ave. to its northerly terminus of a distance if approximately 1074 ft.
- Kingsley Road from Mansfield Road to Lincoln Road of a distance of approximately 562 ft.

Or to do or act in any manner relative thereto.

Petition
See Attached

PURPOSE AND JUSTIFICATION

Pinebough Avenue, Lincoln Road and Kingsley Road, as described above, having been built to town requirements and specifications, and available to use by all persons, should be classified as “Public Ways”

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept the following streets as public ways, said streets having been completed as per Planning Board Specifications: Pinebough Avenue from Mansfield Road to Mary Ann Way a distance of approximately 895 ft. Lincoln Road from its Southwesterly terminus at Mt. Vernon Avenue to its northerly terminus a distance of approximately 1074 ft. Kingsley Road from Mansfield Road to Lincoln Road a distance of approximately 502 ft

FINANCE COMMITTEE REASON: The Planning Board recommends approval of these streets. All the streets listed have been completed pursuant to the Planning Board specifications under the Planning Board’s Rules and Regulations Governing Subdivision of Land. As a result, the Planning Board has released the bonds and granted final approval of all of the streets.

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

ARTICLE 43 LINE ITEM TRANSFER

TOWN TREASURER

To see if the town will vote to transfer the following sums:

FROM	Article 18 FY 2005 Annual Town Meeting Line 9a (Town Treasurer Salaries)	\$5,600
TO	Article 18 FY 2005 Annual Town Meeting Line 10a (Tax Collector Salaries)	\$5,600

Or to do or act in any manner relative thereto.

Treasurer/Collector

PURPOSE AND JUSTIFICATION

A long time employee retired from the Tax Collector's Office and is entitled, by union contract, to a lump sum payment (accrued vacation and sick leave buy-back) that was not budgeted. Funds for this are available in the Treasurer's budget due to staff turnover in that department.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: This issue was addressed at the April 25 Special Town Meeting

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

ARTICLE 44 SUPPLEMENT FY05 SNOW & ICE BUDGET

BOARD, PUBLIC WORKS

To see if the town will vote to appropriate the sum of \$290,000.00, or any other sum, to supplement Article 5, Line 45, Snow and Ice of the Annual Town Meeting for Fiscal Year 2005. Said sum shall be raised 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

The inordinate amount of snow storms this past winter has increased costs for snow and ice control, plus the snow and ice budget has not been adjusted for inflationary figures for over ten years, and finally the cost of road salt has increased approximately 38% since FY 04.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Per the recommendation of the director of public works.

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

ARTICLE 45 STABILIZATION FUND

BOARD OF SELECTMEN

To see if the town will vote to appropriate from taxation, transfer or 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: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: There is no available cash to put into the stabilization account.

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

ARTICLE 3 FY06 OMNIBUS BUDGET

BOARD OF SELECTMEN

To see if the town will vote to appropriate and raise by borrowing or otherwise, such sums of money as may be required to defray Town charges for the fiscal year ending June 30, 2006 and expressly for the following purposes to wit:

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 transfer the sum of \$31,837 from available free cash and to appropriate and raise the following sums of money as may be required to defray Town charges for the Fiscal year ending June 30, 2006, and expressly for the following purposes to wit:

FINANCE COMMITTEE REASON: See Christopher Sweet's letter attached hereto.

The Moderator advised the RTM members that the Budget would be divided into 4 parts. The General Government, Sewer Enterprise, Water Enterprise and Landfill Enterprise would be voted on separately.

Roger Horton (P6) made a motion as follows:

I move that the Town vote to amend Article 3, Line 56A, Park & Recreation Department Salaries by adding the amount of \$36,000. The new total for Line 56A Salaries be \$381,674 and the new total for Park & Recreation Department being \$460,235. This sum to be transferred from the Stabilization Fund.

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 line 56A Park & Recreation Salaries. 2/3's vote obvious to the Moderator.

At 10:05 PM the Moderator made a motion to recess the meeting to Monday June 13, 2005 at 7:00 PM.

Motion seconded.

Motion carried.

On Monday, June 13, 2005, Town Clerk Maxwell Gould opened the meeting at 7:05 PM, "With 78 RTM members having signed in, we have a quorum".

Pledge of Allegiance to the Flag.

Moment of silence for the men & women serving in the Armed Forces.

Don Bates (P8) made a motion as follows:

To Article 3 Annual Operating Budget for FY 2006:

- *Decrease Line 59 Maturing Debt from \$7,560,104 to \$7,320, 897, a decrease of \$239,207. And change the amount of \$63,040 appropriated from Ambulance Reserve for Appropriation Fund to \$27,040 contained in the verbiage under line 59*
- *Increase Line 7 Reserve Fund from \$100,000 to \$105,379, an increase of \$5,379.*
- *Increase Line 29B Police Department Expenses from \$359,897 to \$369,897, an increase of \$10,000.*
- *Increase Line 42A School Department Expenses from \$31,242,469 to \$31,562,136, an increase of \$319,667 of which \$131,839 shall be raised by taxation.*

This will amend the budgets based on the recommendation of the Board of Selectmen voted on May 5th and May 12th.

- *Increase Line 29A Police Department Salaries from \$3,568,641 to \$3,592,414. An increase of \$23,773.*
- *Decrease Line 4C Board of Selectmen Salary Reserve from \$334,617 to \$310,844. A decrease of \$23,773.*

This will increase the Police Department Salaries for the negotiated settlement approved in Article 12.

Motion seconded.

The RTM members approved the motion to amend.

Walter St. Lawrence (P2), made a motion as follows:

I like to make a motion on Article 3 to decrease it by \$200,00 to be returned to the Stabilization fund from 42A and change from \$1,200,000 to \$1,000,000 line 59.

Motion seconded.

After much discussion, Bart Steele (P7) made a motion to move the question.

Motion seconded.

Motion carried.

The RTM members defeated the motion to amend.

John Donahue (P7) made a motion to move the question and go directly to a vote on Article 3.

Motion seconded.

Motion carried.

Moderator Steve Dalrymple moved to vote on Line 59 (Maturing Debt) before the rest of Article 3 because it requires a 2/3's vote.

Motion seconded.

Motion carried.

The RTM members approved Line 59 of Article 3. 2/3's vote obvious to the Moderator.

The RTM members approved Part 1 of Article 3 (Total Town Government) as amended.

The RTM members approved Part 2 of Article 3-Sewer Enterprise Fund as presented.

The RTM members approved Part 3 of Article 3-Water Enterprise Fund as presented.

The RTM members approved Part 4 of Article 3-Landfill Enterprise Fund as presented.

ARTICLE 8 CREATE/FUND OUTREACH WORKER HUMAN RESOURCES

To see if the town will vote to create under the PTS Part-time and Seasonal Positions the following:

Add the position of "Outreach Worker" under the PTS 7 classification and to appropriate the sum of \$12,307 to supplement Article 3, Line 51A, Council on Aging salaries of FY 2006 Annual Town Meeting and to determine whether said sum shall be raised by taxation, transfer of available funds, by borrowing or otherwise.

Or to do or act in any manner relative thereto.

Human Resources

See Attached

PURPOSE AND JUSTIFICATION

The Outreach Worker has been employed with Council on Aging for over ten (10) years. However, due to the fact the position was grant funded, it had never appeared in the Town's PTS classifications. This action is taken at this time to ensure that all employees of the Town are properly classified regardless of the funding source.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to create under the PTS Part-time and Seasonal positions the following: Add the position of "Outreach Worker" under the PTS 7 classification and to raise and appropriate the sum of \$12,307 from taxation to supplement Article 3 Line 51A, Council on Aging Salaries of the FY 2006 Annual Town Meeting.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 9

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 3, Line 4C Salary Reserve of the FY2006 Annual Town Meeting or otherwise.

Or to do or act in any manner relative thereto.

Human Resources

See Attached

PURPOSE AND JUSTIFICATION

To provide funds to allow an increase for the Part-time and Seasonal Employees, effective July 1, 2005.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$19,950 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. To meet said appropriation, the sum of \$19,334 shall be transferred from Article 3 Line 4C Salary Reserve and the sum of \$616 shall be transferred from Article 3 Line 68A Landfill Enterprise Salary and Wages of the Fiscal Year 2006 Annual Town Meeting.

FINANCE COMMITTEE REASON: This article will permit department heads the ability to provide salary increases to non-union personnel up to rates equal to those recently negotiated with union personnel, should they so chose.

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

ARTICLE 17

FY06 CAPITAL IMPROVEMENT PLAN

BOARD OF SELECTMEN

To see if the Town will vote:

CAPITAL IMPROVEMENT PROGRAM - FISCAL YEAR 2006

To see if the Town will vote to appropriate a sum of money to be raised by taxation, by transfer from available funds, by borrowing or otherwise, for various capital 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 (TAXATION)

That the sum of **\$576,000 (total below)**, or any other sum, hereby is appropriated for various capital and projects equipment as shown below, and expended under the direction of the Town Board/Official indicated, unless expended by the Municipal Building Committee, said sum to be raised by General Tax, other available funds, and provided further that any funds appropriated hereunder shall remain within the capital budget under the jurisdiction of the Town Board/Official indicated until expended or released unless transferred by Town Meeting

(ITEMS 1 INCLUSIVE PROJECTS' TOTAL: \$576,000, 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.	\$ 55,000	Bus	School Committee
5.	\$155,000	Hazardous Materials Removal and Abatement (Lead and Asbestos) from School Buildings	School Committee
6.	\$ 20,000	Computer Replacement	Management Information Services (MIS)
7.	\$ 30,000	Revaluation - Contractual Services	Board of Assessors
8.	\$ 7,000	Town Hall - Copier Replacement	Town Administrator
9.	\$ 15,000	Playground Equipment Repair/Replacement/ Playground cover/ Fencing	Park Commissioners
10.	\$100,000	Roads & Sidewalks	BPW - Highway Department
11.	\$ 50,000	Vehicle Replacement - Truck	BPW - Highway Department
12.	\$ 30,000	Vehicle	Fire Commissioners
13.	\$ 12,000	Leaf Vacuum	Park Commissioners
14.	\$ 50,000	Engineering & Design Services	Council on Aging
15.	\$ 12,000	Computer Equipment - Plotter	Planning Board

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Based upon the recommendation of the Board of Selectmen.

The RTM members approved the Finance Committee's recommendation for Part 1 of Article 17 as read.

ARTICLE 17- CAPITAL IMPROVEMENT PROJECT PART 2:

RETAINED EARNINGS/ENTERPRISE

That the various capital projects and equipment purchases shown below and totaling \$296,000, or any other sum, shall be undertaken and financed by grants or other funds as shown below, such grants to be expended under the direction of the Town Board/Official indicated.

ITEM	AMOUNT	DESCRIPTION	REQUESTOR	ANTICIPATED SOURCE OF FUNDS
16.	\$168,000	Police Vehicles	Police Department	Police Reserve For Appropriation Fund
17.	\$ 25,000	Security Upgrades	Board of Public Works	Water Enterprise

				Retained Earnings
18.	\$ 45,000	Vehicle - Replacement	Board of Public Works -	Water Enterprise Retained Earnings & Sewer Revenues
19.	\$ 8,000	Containers	Solid Waste Department	Landfill Enterprise Retained Earnings
20.	\$ 50,000	Vehicle	BPW - Sewer Department	Sewer Revenues

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote the various capital projects and equipment purchases shown below and totaling \$155,000, shall be undertaken and financed by grants or other funds as shown below, such grants to be expended under the direction of the Town Board/Official indicated.

ITEM	AMOUNT	DESCRIPTION	REQUESTOR	ANTICIPATED SOURCE OF FUNDS
16.	\$100,000	Police Vehicles	Police Department	Police Reserve For Appropriation Fund
17.	\$ 25,000	Security Upgrades	Board of Public Works	Water Enterprise Retained Earnings
18.	\$ 30,000	Vehicle - Replacement	Board of Public Works	Water Enterprise Retained Earnings

FINANCE COMMITTEE REASON: Based upon the recommendation of the Board of Selectmen.

Please Note: Item 18 and Item 20 included two additional vehicles for the BPW. Item 18 included \$15,000 for a vehicle to be split between the Water and Sewer departments. Item 20 included \$35,000 for a vehicle and the remaining \$15,000 for the split vehicle. Since the Sewer Enterprise Fund does not have any certified retained earnings, the BPW will request the additional vehicles at the Semi Annual Town Meeting.

The RTM members unanimously approved the Finance Committee’s recommendation for Part 2 of Article 17 as read.

ARTICLE 17- FY06 CAPITAL IMPROVEMENT PLAN- PART 3 (BONDING) BOARD OF SELECTMEN

PART 3: That the sum of **\$38,193,136 (Total Below)** or any other sum be and here by is appropriated for various capital projects and equipment purchases, including design, engineering, construction and installation and for costs incidental and related thereto, as follows

ITEM	AMOUNT	DESCRIPTION	REQUESTOR	ANTICIPATED PROJECT STATUTORY CITATION, CHAPTER 44, SECTION () OR ANY OTHER ENABLING AUTHORITY
21.	\$1,947,316	WWTF - Upgrade Sludge Holding & Pumping systems. Update Process	BPW - Sewer Department	7(1)

22.	\$ 225,000	Chemical Feed Systems WWTF - Roofs	BPW - Sewer Department	7(3A)
23.	\$ 250,000	Vehicle - Vactor Truck	BPW - Sewer Department	7(9)
24.	\$ 300,000	Inflow & Infiltration Program - Replacement & Rehabilitation of System's infrastructure	BPW - Sewer Department	7(1)
25.	\$1,100,000	Fales Road Water Project	BPW – Water Division	8(5)
26.	\$ 918,820	Sheldonville Road Water Project	BPW – Water Division	8(5)
27.	\$ 25,000	Vehicle	Board of Health 7(9)	
28.	\$ 190,000	Ladder 1: Rehabilitation & Repairs	Board of Fire Commissioners	7(9A)
29.	\$800,000	Aerial Ladder Truck	Board of Fire Commissioners	7(9)
30.	\$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)
31.	\$125,000	Vehicle - Sweeper	BPW - Highway	7(9)
32.	\$ 90,000	Vehicle - Six Wheel Dump Truck	BPW - Highway	7(9)
33.	\$ 233,000	Paving - Various Paving/Sidewalk repair projects - Municipal Properties	BPW	7(6)
34.	\$12,000	Roosevelt School - Surface Drainage	BPW	7(1)
35.	\$170,000	Whitings Dam Repairs	Conservation Commission, Park	7(7)
36.	\$500,000	Ball Fields – Columbia Field & Town Forest	Commissioners	7(25)
37.	\$195,000	Repair of Bleachers @ NAHS	School Committee	7(9)
38.	\$135,000	Replace Ventilation System @ Woodcock Adm. Bldg.	School Committee	7(3A)
39.	\$390,000	St. Mark's Pond Dam Rehabilitation	Conservation Commission	7(7)
40.	\$ 300,000	GIS - Phase III Systems	Management Information Systems (MIS) Director	7(29)
41.	\$5,430,000	Community School Conversion Project	School Committee	7(7)

42.	\$2,000,000	Failed Roads Program	BPW	7(5)
43.	\$14,000,000	New Library	Board of Library Trustees	7(3A)
44.	\$ 1,613,000	Window/Door Replacement Program - Allen Avenue, NAHS, Roosevelt, Amvet and Community schools	School Committee	7(3A)
45.	\$ 2,432,000	Allen Avenue School Rehabilitation and Expansion Project	School Committee	7(3A)
46.	\$ 2,153,000	Early Learning Center Rehabilitation and Expansion Project	School Committee	7(3A)
47.	\$ 2,195,000	NAHS – Renovation of Science and Media Center Space	School Committee	7(3A)
48.	\$ 20,000	Church Street Parking Lot	BPW	7(3A)

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 **\$39,338,930 (TOTAL OF PROJECTS LISTED IN PART 3 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 **\$38,193,136** be expended by the Town Board/Official listed, **or the Municipal Building Committee, if applicable**, for project costs, and the sum of **\$1,145,794** 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

2/3 ROLL CALL VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote that the sum of \$4,049,736 (Total Below) be and hereby is appropriated for various capital projects and equipment purchases, including design, engineering, construction and installation and for costs incidental and related thereto, as follows:

ITEM	AMOUNT	DESCRIPTION	REQUESTOR	ANTICIPATED PROJECT STATUTORY CITATION, CHAPTER 44, SECTION () OR ANY OTHER ENABLING AUTHORITY
21.	\$ 1,947,316	WWTF- Upgrade Sludge Holding & Pumping systems, Update Process Chemical Feed Systems	Board of Public Works Sewer Division	7(1)
22.	\$ 225,000	WWTF -Roofs	Board of Public Works Sewer Division	7(3A)
23.	\$ 250,000	Vehicle - Vactor Truck	Board of Public Works Sewer Division	7(9)
24.	\$ 300,000	Inflow & Infiltration Program – Replacement & Rehabilitation of Systems Infrastructure	Board of Public Works Sewer Division	7(1)
29.	\$800,000	Aerial Ladder Truck	Board of Fire Commissioners	7(9)

31.	\$125,000	Vehicle - Sweeper	Board of Public Works Highway Division	7(9)
32.	\$ 90,000	Vehicle – Six Wheel Dump Truck	Board of Public Works Highway Division	7(9)
33.	\$233,000	Paving – Various Sidewalks repair Projects: municipal properties	Board of Public Works	7(6)
34.	\$ 12,000	Roosevelt School Surface Drainage	Board of Public Works	7(1)

And that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow the sum of \$4,049,736 under and pursuant to the statutes stated above, or any other enabling authority, and to issue bonds or notes of the Town therefore at one time or from time to time; and the requested sum of \$3,982,316 be expended by the Town Board or Official listed, unless expended by the Municipal Building Committee, for project costs, and the sum of \$67,420 be expended under the direction of the Town Treasurer for issuance costs associated with Item #21 (WWTF Systems) and Item #24 (Inflow and Infiltration Program).
FINANCE COMMITTEE REASON: Per Board of Selectmen’s recommendations.

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

The RTM members unanimously approved the motion to dispense of a Roll Call Vote.

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

ARTICLE 17 FY06 CAPITAL IMPROVEMENT PLAN PART 4

To authorize any of the above named boards or departments 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

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to authorize any of the above named boards or departments 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.

FINANCE COMMITTEE REASON: This is a standard article permitting acceptance of state or federal monies.

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

ARTICLE 33

AMEND BY LAW ARTICLE XIII

E. CASEY, PETITIONER

To see if the town will vote to amend its By-Laws (Article XIII) regarding Hawkers and Peddlers by adopting and revising the language of the existing law (Proposed language attached).

Or to do or act in any manner relative thereto.

Petition

See Attached

PURPOSE AND JUSTIFICATION

To prevent fraud upon and deception of the residents of North Attleborough; to promote the general welfare and health of said residents.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Based upon the recommendation of the By Law Study Committee.

Motion made and seconded to take Article 33 off the table.

The RTM members approved the motion.

After some discussion, the RTM members approved the Finance Committee's recommendation as read. 81 members voting 45-yes and 36-no.

Motion made to adjourn the Annual Town Meeting Sine Die.

Motion seconded.

Motion carried.

It is 8:41 PM.