

**PROCEEDINGS
SEMI-ANNUAL TOWN MEETING
OCTOBER 17, 2005**

Town Clerk, Maxwell Gould, opened the Semi-Annual Town Meeting on October 17, 2005 at 7:17P.M.. With 114 RTM members present, we have a quorum.

Pledge of Allegiance to the Flag.

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

Town Moderator Steve Dalrymple read the Warrant.

**TOWN OF NORTH ATTLEBOROUGH
WARRANT
FOR THE REPRESENTATIVE SEMI-ANNUAL TOWN MEETING
MONDAY, OCTOBER 17, 2005
AT 7:00 P.M.
THE COMMONWEALTH OF MASSACHUSETTS**

Bristol, ss.

To either Constables of North Attleborough:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the legal voters of the Town of North Attleborough to meet at the North Attleborough Middle School Cafetorium, 564 Landry Avenue, in said North Attleborough on: MONDAY, THE 17th OF OCTOBER 2005 A.D. At 7:00 P.M., then and there to act upon the following articles to wit:

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

Given our hands and seal of the Town of North Attleborough on this August 22, 2005.

**John C. Rhyno, Chairman
Marjorie A. Kraskouskas, Vice-Chairman
David Chee
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

Charles Mottinger (P1) made a motion as follows:

I would like to make a motion to adopt the Bourne Amendment, which states that any RTM member wishing to increase money in an article that has been recommended by the Finance Committee, must specify where the additional monies will come from.

Motion seconded.

Motion carried.

Charles Mottinger (P1) made a motion as follows:

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

Motion seconded.

Motion carried.

ARTICLE 1 FIREFIGHTERS' CONTRACT

HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budgets of Fire Department and Ambulance for the purpose of financing any changes made in the Personnel ByLaws, as a result of Collective Bargaining and otherwise for salary increases for Firefighters Local 1992 and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds, transfer from Article 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: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: At the time of voting, this contract was not settled.

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

ARTICLE 2 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 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 7/1/04

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: At the time of voting, this contract was not settled.

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

ARTICLE 3 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 fund contract effective 7/1/04

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: At the time of voting, this contract was not settled.

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

ARTICLE 4 FY05 UNPAID INSPECTORS SALARY

HUMAN RESOURCES

To see if the town will vote to appropriate the sum of \$2,886 or some other sum under the provisions of Chapter 44, Section 64 of the Massachusetts General Laws for unpaid Mechanical Inspector Salaries for services incurred prior to June 30, 2005, and to determine whether said sum shall be raised, whether by taxation, transfer from available funds, or otherwise. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

The services rendered have exceeded the Mechanical Inspector Salaries appropriation in FY 2005. The services of the Inspector were provided, and the Building Inspector has determined that the services do represent a legitimate municipal obligation.

FINANCE COMMITTEE VOTE: 6-0

9/10 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to appropriate the sum of \$2,886 under the provisions of Chapter 44, Section 64 of the Massachusetts General Laws for unpaid Mechanical Inspector Salaries for services incurred prior to June 30, 2005, and such sum shall be raised by taxation.

FINANCE COMMITTEE REASON: The fees for mechanical inspections had been collected by the Town in FY05. However, the Building Inspector's FY05 salaries appropriation was not increased in parity with those collected fees.

The Moderator declared that unanimity would dispense with a count.

The RTM members approved the Finance Committee's recommendation as read with 105 members voting. 102-yes & 3-no. 95 votes needed.

ARTICLE 5 AUGMENT FY06 GENERAL FUND

BOARD OF SELECTMEN

To see if the town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$51,516.00, or some other sum, to be used as another financing source in the General Fund for FY 2006. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

To address the FY 2006 revenue shortfall due to an increase in state assessments, per the FY 2006 Cherry Sheet.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Due to the increase in the value of new growth estimate, the Town no longer has a revenue shortfall. Therefore, the funds from another available source are not needed.

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

The Moderator made a suggestion to divide Article 6 into 4 parts. The RTM members voiced no objections.

ARTICLE 6 CAPITAL IMPROVEMENT PLAN

BOARD OF SELECTMEN

To see if the Town will vote to appropriate a sum of money to be raised by taxation, by transfer from available funds, enterprise funds, by borrowing or otherwise, for various capital and special projects of the Town, including but not limited to constructing, reconstructing, adding to, equipping and furnishing public buildings, and other public facilities, purchasing equipment, constructing, reconstructing roads and other public ways, constructing improvements to the Town’s water and sewerage systems, purchasing equipment and undertaking other capital projects, including costs incidental and related to such projects, or to take any other action relative to the foregoing matters.

PART 1. MUNICIPAL CIP ON-GOING MAINTENANCE EFFORTS FUNDED BY TAXES OR OTHER AVAILABLE FUNDS

That the sum of **\$506,000** (total below), or any other sum, hereby is appropriated for various capital projects and 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.

Item	Amount	Description	Requestor
1.	\$ 15,000	Breathing Apparatus	Fire Commissioners
2.	\$155,000	Hazardous Materials Removal and Abatement (Lead and Asbestos)	School Committee
3.	\$ 33,000	Computer Equipment	Management Information Services (MIS)
4.	\$ 34,000	Revaluation – Contractual Services	Board of Assessors
5.	\$ 5,000	Town Hall Shredder/Copier Replacement	Town Administrator
6.	\$ 15,000	Playground Equipment/Cover Material Repair/Replacement	Park Commissioners
7.	\$ 12,000	Leaf Vacuum	Park Commissioners
8.	\$ 12,000	Computer Equipment – Plotter	Planning Board
9.	\$100,000	Roads & Sidewalks	BPW – Highway Dept.
10.	\$ 15,000	Protective Clothing	Fire Commissioners
11.	\$ 10,000	Hose Replacement	Fire Commissioners
12.	\$ 50,000	Vehicle Replacement – Truck	BPW – Highway
13.	\$ 50,000	Engineering & Design Services	Council on Aging

FINANCE COMMITTEE VOTE: 6-0

MAJORITY ROLL CALL VOTE

FINANCE COMMITTEE RECOMMENDATION:

That the Town vote that the sum of \$146,847 (total below), is appropriated for various capital projects and 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 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.

Item	Amount	Description	Requestor
2.	\$ 79,847	Hazardous Materials Removal and Abatement (Lead and Asbestos)	School Committee
3.	\$ 33,000	Computer Equipment	Management Information Services (MIS)
4.	\$ 34,000	Revaluation – Contractual Services	Board of Assessors

FINANCE COMMITTEE REASON: Based upon the recommendation by the Board of Selectmen and the acting Town Administrator.

The Moderator declared that unanimity would dispense with a Roll Call Vote. The RTM members defeated the motion to wave the Roll Call Vote.

The RTM members approved the Finance Committee’s recommendation for Part 1 as read. With 107 members voting, 103-yes & 4-no.

PART 2. OTHER MUNICIPAL CIP ON-GOING MAINTENANCE EFFORTS FUNDED BY RETAINED EARNINGS/ENTERPRISE FUNDS

That the various capital projects and equipment purchases shown below and totaling **\$89,000**, or any other sum, shall be undertaken and financed by grants or other funds as shown below, such grants or other funds to be expended under the direction of the Town Board/Official indicated, or Municipal Building Committee, if applicable, until expended or released unless transferred by Town meeting.

ITEM	AMOUNT	DESCRIPTION	REQUESTER	ANTICIPATED SOURCE OF FUNDS
14.	\$ 15,000	½ Shared Vehicle	BPW	Water Enterprise Retained Earnings
15.	\$ 8,000	Containers	Solid Waste Dept.	Landfill Enterprise Retained Earnings
16.	\$ 12,000	Scale Software Upgrade	Solid Waste Dept.	Landfill Enterprise Retained Earnings
17.	\$ 50,000	Vehicles	BPW	Sewer Enterprise Retained Earnings
18.	\$ 4,000	Computer Equipment	Solid Waste Dept.	Landfill Enterprise Retained Earnings

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Since the Town does not have a certified Free Cash number or certified retained earnings of the Enterprise Funds from the Department of Revenue (DOR), we have no ability to earmark funds for these items.

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

PART 3. OTHER MUNICIPAL CIP ON-GOING MAINTENANCE EFFORTS FUNDED BY BORROWING OR OTHER AVAILABLE FUNDS BOARD, SELECTMEN

That the sum of **\$33,753,000** (total below) or any other sum 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	Statutory Citation, Ch. 44 Sec () Or other Enabling Authority
19.	\$375,000	Eng. 5 Pumper – Replacement	Fire Comm.	7(9)
20.	\$300,000	GIS – Phase III	Management Information System MIS	7(29)
20.	\$1,100,000	Fales Road Water Project	BPW – Water Div.	8(5)
21.	\$ 25,000	Vehicle	Board of Health	7(9)
22.	\$190,000	Ladder 1 Rehabilitation & Repairs	Board of Fire Com.	7(9A)
23.	\$440,000	Americans with Disabilities Improvements – Engineering	Board of Selectmen	7(3A)

		& Design – Assorted Town Buildings		
24.	\$ 90,000	Vehicle – Six Wheel Dump Truck	BPW – Highway	7(9)
25.	\$170,000	Whitings Dam Repairs	Conservation Com.	7(7)
26.	\$500,000	Ball Fields – Columbia Field & Town Forest	Park Com.	7(25)
27.	\$195,000	Repair Bleachers @ NAHS	School Com.	7(9)
28.	\$135,000	Replace Ventilation System @ Woodcock Adm. Bldg.	School Com.	7(3A)
29.	\$390,000	St. Mark’s Pond Dam Rehab.	Conservation Com.	7(7)
30.	\$5,430,000	Community School Conversion Project	School Committee	7(7)
31.	\$2,000,000	Failed Roads Program	BPW	7(5)
32.	\$14,000,000	New Library	Board of Library Trustees	7(3A)
33.	\$1,613,000	Window/Door Replacement Program – Allen Ave., NAHS, Roosevelt, Amvet and Comm. Schools	School Committee	7(3A)
34.	\$2,432,000	Allen Ave. School Rehab. and Expansion Project	School Committee	7(3A)
35.	\$2,153,000	Early Learning Center Rehab. and Expansion Project	School Committee	7(3A)
36.	\$2,195,000	NAHS – Renovation of Science And Media Center Space	School Committee	7(3A)
37.	\$ 20,000	Church St. Parking Lot	BPW	7(3A)

Said sum for any project listed in Part 3 to be raised by General Tax, by transfer from available funds, by borrowing or otherwise

And that in the case of borrowing to meet the appropriation for this article, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow the sum **\$34,765,590** (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 **\$33,753,000** be expended by the Town Board/Official listed, or the Municipal Building Committee, if applicable, for project costs, and the sum of **\$1,012,590** 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 By-Laws where applicable.

FINANCE COMMITTEE VOTE: 6-0

2/3 ROLL-CALL VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote that the sum of **\$415,000** 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	Authority
19.	\$375,000	Eng. 5 Pumper – Replacement	Fire Comm.	7(9)
20.	\$ 40,000	GIS – Phase III	Management Information System MIS	

And to meet the appropriation for this article, the sum of **\$40,000** for Item No. 20, GIS – Phase III, shall be appropriated from funds resulting from restructuring the escrow investments associated with the March 1, 2004 refinancing of Town debt and further that the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow the sum **\$375,000** for Item No. 19, Engine 5 Pumper Replacement, 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 **\$375,000** be expended by the Town Board/Official listed, or the Municipal Building Committee, if applicable, for project costs, and that betterment assessments therefore shall be levied under the provisions of Town By-Laws where applicable.

FINANCE COMMITTEE REASON: Based upon the recommendation by the Board of Selectmen and the acting Town Administrator.

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

The RTM members unanimously voted to dispense with a Roll Call vote..

The RTM members unanimously approved the Finance Committee's recommendation for Part 3 as read.

PART 4: STATE AND/OR FEDERAL GRANTS BOARD, SELECTMEN

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

FINANCE COMMITTEE VOTE: 6-0 MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Approval of this article would provide the proper authorization for the Town to apply for, accept, and expend any state or federal grants.

The RTM members approved the Finance Committee's recommendation for Part 4 as read.

ARTICLE 7 FUNDING FOR JUDGMENT BOARD OF SELECTMEN

To see if the town will vote to raise and appropriate the sum of \$20,000.00 to settle the litigation of John Panchuk v. Town of North Attleborough, et al, Superior Court Civil Action NO. 2001-315, and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds, or otherwise. Or to do or act in any manner relative thereto. Board of Selectmen See Attached

PURPOSE AND JUSTIFICATION

As per the Agreement for Judgment, this sum of money is necessary in order to satisfy the town's legal obligation in this matter.

FINANCE COMMITTEE VOTE: 5-1 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to appropriate the sum of \$20,000.00 to settle the litigation of John Panchuk v. Town of North Attleborough, et al, Superior Court Civil Action NO. 2001-315, and such sum shall be raised by taxation.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 8 AUGMENT SALARY LINE ELECTION COMM.

To see if the town will vote to appropriate the sum of \$4,131.00 or any other sum, to increase Line Item 16a. Election Salaries FY 2006 Annual Town Meeting to \$62,143.25, and to determine whether said sum shall be raised by taxation, transfer from available funds, or otherwise. Or to do or act in any manner relative thereto. Elections Commissioners See Attached

PURPOSE AND JUSTIFICATION

The increased funding is necessary in order to balance the clerical salaries account. The Part-Time clerical employee continued working after her position was eliminated. From July 1, 2005 through July 15, 2005, the Part-Time clerical employee received her contractual pay increases and also 19.5 days of accrued vacation time. In addition, the Administrative Secretary salary is under funded by \$1,653.14.

FINANCE COMMITTEE VOTE: 6-0 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to amend Article 3 of the FY06 Annual Town Meeting by increasing Line Item 17a, "Election Salaries" by the sum of \$4,131 and said sum shall be raised by taxation.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 9 AUGMENT RENT EXPENSE

COUNCIL ON AGING

To see if the town will vote to amend Article 5 (51b) of the Fiscal Year 2005 Annual Town Meeting for the Council on Aging by appropriating the sum of \$1,164.00 to the Council on Aging’s General Expenses. A new rental agreement for the Howard Estate lease, which included the \$1,164.00 increase, was signed by the previous Executive Director and the Board of Selectmen for FY ’06. When determining the budget for FY’06, the rental increase was inadvertently considered to be for calendar year 2006. Or to do or act in any manner relative thereto.
Council on Aging

PURPOSE AND JUSTIFICATION

This appropriation is necessary in order to afford the contractual rental expense of the Council on Aging for FY06.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to amend Article 3 of the FY06 Annual Town Meeting by increasing Line Item 51b, “Council on Aging Expenses” by the amount of \$1,164.00 and said sum shall be raised by taxation.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 10 BARBARA ROAD REHABILITATION

CONSERVATION COMM.

To see if the town will vote to appropriate the sum of \$20,000 to be expended by the Conservation Commission for Barbara Road Beach rehabilitation and paving and to determine how said appropriation shall be raised, whether by taxation, by transfer from Item 33 of Article 17 Part 3 of the 2005 Annual Town Meeting, by transfer of available funds, by borrowing, or otherwise. Or to do or act in any manner relative thereto. Conservation Commission

PURPOSE AND JUSTIFICATION

The \$20,000 was submitted as the number one priority in the Conservation Commission’s CIP and was to be used to undertake engineering and construction on the Barbara Road Beach to reconfigure the area so as to prevent the constant erosion of the sand into the pond and to make the area handicapped accessible. The beach is the most utilized swimming area in town and each year a significant amount of sand is lost to erosion. The plan is to “flatten” the beach to eliminate the steep slopes and to thus slow down the loss of sand.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: This road repair was approved at the FY05 Annual Town Meeting via Article 17, Capital Improvement Plan, Part III, Item No. 33

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

ARTICLE 11 HOLMES MEMORIAL HALL REPAIRS

HISTORICAL COMM.

To see if the town will vote to appropriate the sum of \$9,000, or any other sum, to replace and/or repair the windows at the Holmes Memorial Hall. And to determine whether said sum shall be raised by taxation, transfer from available funds, transfer from Article 5, Item 25 of the October 18, 2004 Semi-Annual Town Meeting for Holmes Memorial Hall roof, borrowing or otherwise. Or to do or act in any manner relative thereto. Historical Commission
See Attached

PURPOSE AND JUSTIFICATION

The building has four windows missing and eight boarded up. This project is part of our plan to restore the building for use by the town. It is adjacent to the Holmes School and was used by the school and as a community meeting hall.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Due to limited funds, owing to the lack of certified free cash, funding for this article can not be recommended at this time. We recommend that this article be resubmitted for the next Town Meeting.

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

Anne Sullivan (P2) made a motion for an Affirmative Action as follows:

That the Town vote to appropriate the sum of \$1596.00 to replace and/or repair the windows at the Holmes Memorial Hall. Said sum shall be transferred from the October 18, 2004 Semi Annual Town Meeting Article 5, Item 25, "Holmes Memorial Hall Roof Replacement."

Motion seconded.

The RTM members approved the Affirmative Action as presented.

ARTICLE 12 E-RATE TRANSFER

SCHOOL DEPART.

To see if the town will vote to appropriate the sum of \$28,283.81, or any other sum, for the purpose of providing technology, and/or telecommunication related supplies, equipment or services to the North Attleborough Public Schools. Said sum to be transferred from the E-rate reimbursement Reserved for Expenditures Fund. Or to do or act in any manner relative thereto. School Committee

PURPOSE AND JUSTIFICATION

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

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to appropriate the sum of \$28,283.81 for the purpose of providing technology, and/or telecommunication related supplies, equipment or services to the North Attleborough Public Schools. Said sum to be transferred from the E-rate reimbursement Reserved for Expenditures Fund.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 13 RECLASSIFICATION OF CLERICAL POSITION

PLANNING BOARD

To see if the town will vote to appropriate the sum of \$214.00 for the purpose of increasing Article 3, Line Item 19.a. Planning Board Salaries of the FY 2006 Annual Town Meeting. Said sum to be raised by taxation, transfer of available funds, available free cash or otherwise. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

Due to a significant increase in the demands and responsibilities of the current clerical position, the Grade 4 status is not longer an appropriate classification for the position. The Planning Board is proposing a reclassification of the Grade 4 position to a Grade 6 position, and a supplemental appropriation will be needed in order to fund the increase in salaries.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to amend Article 3 of the FY06 Annual Town meeting by appropriating the sum of \$214 to Line Item 19a, "Planning Board Salaries". Said sum shall be raised by taxation.

FINANCE COMMITTEE REASON: This increase is in line with the union contract and has been approved by the Board of Selectmen. Refer further to purpose and justification.

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

ARTICLE 14 INCREASE TOWN MODERATOR STIPEND

BOARD, SELECTMEN

To see if the town will vote to amend the stipend of the Town Moderator from \$150.00 per year – as approved yearly at the Annual Town Meeting – to \$100.00 per meeting night. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

The Town Moderator's responsibilities have increased as more meetings are held. This change would more accurately reflect the value of the Town Moderator's services to the Town of North Attleborough.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Although philosophically in agreement with this article, we feel that all stipends should be reviewed and recommendations made to adjust them, as required.

The Moderator stepped aside for the purposes of this article and suggested Town Clerk, Max Gould be *Moderator Pro Tempore*.

The RTM members voiced no objection.

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

After the vote, Mr. Dalrymple resumed the Moderator's chair.

ARTICLE 15 TRANSFER OF FUNDS

BOARD, ASSESSORS

To see if the town will vote to amend Article 5 of the Fiscal Year 2005 Annual Town Meeting for the Assessors by transferring the sum of \$3,500 from 520 Capital Outlay to 510 General Expenses. Or to do or act in any manner relative thereto. Board of Assessors See Attached

PURPOSE AND JUSTIFICATION

The necessity to comply with Massachusetts General Laws Ch 59 Section 2A and complete an Interim Adjustment makes it necessary to forgo the purchase of a new printer, which was approved by Town Meeting.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to amend Article 3 of the FY06 Annual Town meeting by transferring the sum of \$3,500 from Line Item 9c, "Assessors' Capital Outlay" to Line Item 9b, "Assessors' General Expenses".

FINANCE COMMITTEE REASON: Per purpose and justification

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

ARTICLE 16 LESTAGE COMMUNITY FARM

E. FARMER, PETIT.

To see if the town will vote to authorize the use of the remainder of Plat 19, Lot 29 including buildings and the open pasture field of the adjacent Plat 20, Lot 6 of town-owned land, commonly known as the LeStage Property, to be used for a working community farm for a period of ten years renewable by a vote of the Town. Or to do or act in any manner relative thereto. Petition See Attached

PURPOSE AND JUSTIFICATION

This working farm to be under the professional management of a non-profit organization that will work the land, occupy and repair the house, conduct educational programs, provide garden space for residents to grow their own vegetables, and keep farm animals in part of the barn. The barn will also be used for hands on educational programs and as a destination for field trips by school children. Income generated by the farm from sales of farm products, private donations, grants, etc will be used to maintain the house and to continue to support the programs offered to the public.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: This article has been withdrawn by the petitioner.

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

ARTICLE 17 AMEND BY LAW ARTICLE XXI. SEC. 3

CONSERVATION COMM.

To see if the town will vote to amend Article XXI, Section 3 of the Town ByLaws that currently reads:

Article VIII, Section 6 – Conservation Commission

Penalty: not more than \$100 for any violation of rules and regulations
Enforcing Officer: Conservation Commission, Conservation Officers

To read:

Article VIII, Section 6 – Conservation Commission
Penalty: not more than \$100 for any violation of rules and regulations
Enforcing Officer: Conservation Commission, Conservation Officers, Police Officer

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

PURPOSE AND JUSTIFICATION

Article VIII, Section 6 of the by-laws allows the Conservation Commission to adopt rules and regulations for property under its control and jurisdiction. This authority stems from MGL, Chapter 40, Section 8C, which establishes the Conservation Commission and gives it its authority. Currently, the Commission's rules and regulations are enforced by the Commission and appointed Conservation Officers. Allowing a police officer to enforce these rules will make available an immediate, 24 hours a day, 7 days a week enforcement presence.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article XXI, Section 3 of the Town ByLaws that currently reads:

**Article VIII, Section 6 – Conservation Commission
Penalty: not more than \$100 for any violation of rules and regulations
Enforcing Officer: Conservation Commission, Conservation Officers**

To read:

**Article VIII, Section 6 – Conservation Commission
Penalty: not more than \$100 for any violation of rules and regulations
Enforcing Officer: Conservation Commission, Conservation Officers, Police Officer**

FINANCE COMMITTEE REASON: Allowing a police officer to enforce these rules will make available an immediate, 24 hours a day, 7 days a week enforcement presence.

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

ARTICLE 18 AMEND BY LAW ARTICLE V, SEC. 4.e.

HISTORICAL COMM.

To see if the town will vote to amend Article V, Section 4.e. of the By-Laws of the Town of North Attleborough by adding the following Commission to the list of those boards, commissions, and committees allowed to hold their meetings prior to 6:00 p.m. Or to do or act in any manner relative thereto. Historical Commission See Attached

PURPOSE AND JUSTIFICATION

As it is essential to meet on site to view various properties and buildings, it has now become necessary to schedule meetings during daytime hours to perform some of the tasks associated with this commission.

FINANCE COMMITTEE VOTE: 4-2

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: This issue requires further study.

The RTM members approved the Finance Committee's recommendation as read. 100 members voting 67-yes & 33-no.

ARTICLE 19 AMEND BY LAW ARTICLE II, SEC. 2A

R. HORTON, PETIT.

To see if the town will vote to amend its Bylaw, Article II Section 2A. "Town Administrator – Appointment and Removal", subsection (2.), by revising the language of this subsection as follows:

- Delete the last sentence, which currently reads "He shall not have served in an elective or appointive office in or for the Town of North Attleborough for at least twenty-four (24) months prior to his appointment"
- And replace it with "The eligibility of any elected or appointed Town of North Attleborough official to serve as Town Administrator shall be governed by applicable Massachusetts General Laws."

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

PURPOSE AND JUSTIFICATION

The current bylaw unnecessarily eliminates many knowledgeable Town residents from being considered for the Town Administrator position because they had served in an elected or appointed position in the last 24 months – the proposed language would bring the Town ByLaws to the same standard required by state statute – MGL Chapter 268A, Section 21A – by reducing this time to 30 days, or in some cases, 6 months.

FINANCE COMMITTEE VOTE: 5-1

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend its Bylaw, Article II Section 2A. “Town Administrator – Appointment and Removal”, subsection (2.), by deleting the last sentence, which currently reads “He shall not have served in an elective or appointive office in or for the Town of North Attleborough for at least twenty-four (24) months prior to his appointment” and replacing it with “The eligibility of any elected or appointed Town of North Attleborough official to serve as Town Administrator shall be governed by applicable Massachusetts General Laws.”

FINANCE COMMITTEE REASON: Per purpose and justification.

At 10:00 P.M. the Moderator made a motion to adjourn.
Motion seconded.

The RTM members approved the motion to adjourn to Wednesday, October 19, 2005 at 7:00P.M. 101 members voting 53-yes & 48-no.

On Wednesday, October 19, 2005, Town Clerk Maxwell Gould opened the adjourned session at 7:06 P.M. With 72 members present we have a quorum.

Pledge of Allegiance to the Flag.

Discussion continued on Article 19.

After some discussion, Agnes Woodbury (P3) made a motion to move the question.
Motion seconded.
The RTM members defeated the motion.

Following further discussion, Steven Bauersachs (P3) made a motion to move the question.
Motion seconded.
Motion carried.

Bart Steele (P7) made a motion for a Roll Call Vote.
There were more than 18 RTM members in agreement.

The RTM members approved the Finance Committee’s recommendation as read with a Roll Call Vote. 90 members voting, 49-yes & 41-no. (Majority vote)

ARTICLE 20 AMEND BY LAW ARTICLE XIII

B. THOMPSON, PETIT.

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: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: This petitioner has requested that this article be withdrawn.

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

ARTICLE 21 AMEND BY LAW ARTICLE 1, SEC. 1a

ELECTION COMM.

To see if the town will vote to amend Article I, Section 1a. of the Town ByLaws of the Town of North Attleborough by deleting “first Monday in April” and inserting “first Tuesday in April” and by deleting “8:00 o’clock in the morning” and inserting “7:00 o’clock in the morning”. Section 1a of Article I shall now read:

The Annual Town Meeting shall be held on the first Tuesday in April in each year, upon which day Town officers, required to be elected by ballot, shall be chosen. The polls shall be opened at seven o’clock in the morning and shall remain open until eight o’clock in the evening.

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

PURPOSE AND JUSTIFICATION

The Board of Elections Commissioners unanimously voted to request this by-law change in order to be in uniformity with state elections as well as to afford the townspeople with an additional hour during which to vote.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article I, Section 1a. of the Town By Laws of the Town of North Attleborough by deleting “first Monday in April” and inserting “first Tuesday in April” and by deleting “8:00 o’clock in the morning” and inserting “7:00 o’clock in the morning”. Section 1a of Article I shall now read:

The Annual Town Meeting shall be held on the first Tuesday in April in each year, upon which day Town officers, required to be elected by ballot, shall be chosen. The polls shall be opened at seven o’clock in the morning and shall remain open until eight o’clock in the evening.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 22 AMEND TAX DEFERRAL PROGRAM

TOWN TREASURER

To see if the town will vote to approve the filing of a petition in the General Court under the provisions of Section 8, Article 89 of the Amendments to the Constitution, for an act to allow the town to modify certain provisions of Chapter 59, Section 5, Clause 41A as it applies to its residents as shown on the attached petition.

Or to do or act in any manner relative thereto. Treasurer/Collector See Attached

PURPOSE AND JUSTIFICATION

To allow more of the Town’s senior citizens aged 65 and over to take advantage of the “Property Tax Deferral Program” by increasing the income limit from \$40,000 to \$60,000 and to lower the interest rate charged from 8 percent to 3 percent. This program affords seniors an opportunity to stay in their homes in periods of increasing property taxes. Currently one person in North Attleborough participates in this program. Similar legislation was approved for the Town of Wellesley on December 24, 2002 and about 45 residents participate in their deferral program.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That this article be indefinitely postponed.

FINANCE COMMITTEE REASON: The petitioner has requested that this article be withdrawn

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

ARTICLE 23 LAND GIFT: CEDAR RIDGE

DEPARTMENT, PUBLIC WORKS

To see if the town will vote to authorize the Board of Selectmen to acquire on behalf of the Town from Cedar Ridge Developers, Inc. of 555 Pleasant Street, Attleboro, Massachusetts, by gift the parcel of land situated on Harold W. Bishop Blvd. and shown as “2,000 square foot lot to be deeded to the North Attleborough Department of Public Works for Pump Station” on a plan entitled “Definitive Subdivision Lot Layout ‘Hickory Woods Estate’ in North Attleborough, MA dated April 26, 2001 rev. August 31, 2001” and recorded at the Bristol County Northern District Registry of Deeds in Plan Book 400 at Pages 42-48. Said parcel, being Lot #274 on Assessor’s Plat #31, to be under the control and custody of the Board of Public Works. Or to do or act in any manner relative thereto. Board of Public Works See Attached

PURPOSE AND JUSTIFICATION

The acceptance of this gift of land upon which a water booster pump station resides will allow the Town to provide public water supply to other areas of Town, which were previously beyond the hydraulic limits of the water system.

FINANCE COMMITTEE VOTE: 6-0

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to authorize the Board of Selectmen to acquire on behalf of the Town from Cedar Ridge Developers, Inc. of 555 Pleasant Street, Attleboro, Massachusetts, by gift the parcel of land situated on Harold W. Bishop Blvd. and shown as “2,000 square foot lot to be deeded to the North Attleborough Department of Public Works for Pump Station” on a plan entitled “Definitive Subdivision Lot Layout ‘Hickory Woods Estate’ in North Attleborough, MA dated April 26, 2001 rev. August 31, 2001” and recorded at the Bristol County Northern District Registry of Deeds in Plan Book 400 at Pages 42-48. Said parcel, being Lot #274 on Assessor’s Plat #31, to be under the control and custody of the Board of Public Works.

FINANCE COMMITTEE REASON: Town counsel has reviewed all legal documentation and has been recorded at the Bristol County Northern District Registry of Deeds.

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

By Law the Moderator is required to read the following letter from the Planning Board into the record.

September 23, 2005

Stephen Dalrymple
Town Moderator
43 South Washington Street
North Attleborough, MA 02760

Re: Articles Pertaining to Zoning By-Law Amendments for October 2005 Semi-Annual Town Meeting

Dear Mr. Dalrymple:

Articles 24 – 37 of the October 2005 Semi-Annual Town Meeting are to see if the Town will vote to amend the Zoning By-Laws.

Pursuant to Section 5 of Chapter 40A of the Massachusetts General Laws, the Planning Board held a duly called public hearing at a duly posted Planning Board meeting on these proposed amendments on September 8, 2005.

At their duly posted meeting held on September 22, 2005, the Board voted, as follows, to recommend the following to Town Meeting on these articles for amendments to the Zoning By-Laws:

- Article 24: Five members for, none against, to recommend that this article be approved as submitted.
- Article 25: Five members for, none against, to recommend that this article be approved as submitted.
- Article 26: Five members for, none against, to recommend that this article be approved as submitted.
- Article 27: Five members for, none against, to recommend that this article be approved as submitted.
- Article 28: Five members for, none against, to recommend that this article be approved as submitted.
- Article 29: Five members for, none against, to recommend that this article be approved as submitted.
- Article 30: Five members for, none against, to recommend that this article be approved as submitted.
- Article 31: Five members for, none against, to recommend that this article be approved as submitted.
- Article 32: Five members for, none against, to recommend that this article be approved as submitted.
- Article 33: Five members for, none against, to recommend that this article be approved with a change whereby the last three words in the second sentence of the proposed revised definition of open space, namely, “three (3) feet”, would be substituted with the words “eighteen (18) inches”. After this change the suggested motion for this article would read as follows (whereby the substituted words are in bold print and underlined):

That the Town will vote to amend the Zoning By-Laws, **Section IX – DEFINITIONS, B. Selected Words and Terms**, by removing the existing definition of the term **Open Space** in its entirety and inserting in its place the following definition of the term **Open Space**:

- **Open Space.** A landscaped area of land, expressed as a percentage of total lot area, associated with and located on the same tract of land as a major building or group of buildings in relation to which it serves to provide light and air, or scenic, recreational, or similar purposes. Open Space shall be open and unobstructed to the sky, it shall be land at grade, and shall consist of friable, permeable materials (including but not limited to loam, gravel, sand, crushed stone, and including naturally occurring soil, bedrock, and

incidental pipes and other underground utilities) having a minimum depth of **eighteen (18) inches**. Said land shall be capable of supporting the growth of trees, grass, ground cover, shrubs and similar vegetation. Such area may not include any portion of the lot used for streets and ways, parking and loading areas, access drives, or designated outdoor display or storage areas, or other hard surface areas, except walks and terraces designed and intended for non-vehicular use. Open Space shall, except as provided for below, consist entirely of living trees, grass, ground cover, bushes, shrubs, and/or similar vegetation, as well as water and other natural features of the site. However, in no case shall hard surfaced walks and terraces, or pervious ground covers like gravel, stone, and wood chips not being used as mulch beneath vegetation, exceed twenty-five (25) percent of the total required Open Space. Open Space may also include lot area(s) in which the surface material must be permeable but which surface material is not limited or restricted as to type. That surface material may include vegetation; rocks, pebbles, wood chips and similar landscaping materials; or unit pavers. All other materials (for example, continuously poured asphalt or concrete) are not allowed.

Note that this substitution of words is based on evidence presented at the public hearing that three feet of ground material may not be necessary and in some cases may not be feasible or possible in open space areas, and that eighteen inches of such material would in these cases be adequate.

- Article 34: Five members for, none against, to recommend that this article be approved as submitted.
- Article 35: Five members for, none against, to recommend that this article be approved as submitted.
- Article 36: Five members for, none against, to recommend that this article be approved as submitted.
- Article 37: Four members for, none against, one abstention, to recommend that this article be approved as submitted.

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

ARTICLE 24 AMEND ZONING BY LAW SECTION II PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws, Section II – DISTRICTS, A. Classes, by removing the word and number “ten (10)” and inserting in their place the word and number “eleven (11)”. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

To correct a typographical error

FINANCE COMMITTEE VOTE: 6-0 2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Zoning By Laws, Section II – DISTRICTS, A. Classes, by removing the word and number “ten (10)” and inserting in their place the word and number “eleven (11)”.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 25 AMEND ZONING BY LAWS, SECTION VI PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws, Section VI – SUPPLEMENTARY REGULATIONS, O. Special Permits for Adult Uses, Paragraph 4., last letter by removing the letter “N” and inserting in its place the letter “O”. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

To correct a typographical error. This section of the bylaw is Section VI.O, not Section VI.N.

FINANCE COMMITTEE VOTE: 6-0 2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Zoning By Laws, Section VI – SUPPLEMENTARY REGULATIONS, O. Special Permits for Adult Uses, Paragraph 4., last letter by removing the letter “N” and inserting in its place the letter “O”.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 26 AMEND ZONING BY LAW SECTION IX PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws, Section IX – DEFINITIONS, A. General Rules, second paragraph, third sentence, by removing the words “Standard Industrial Classification” and replacing those words with the words “North American Industry Classification System (NAICS)”. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

The Standard Industrial Classification Manual has been replaced by the North American Industry Classification System (NAICS) Manual.

FINANCE COMMITTEE VOTE: 6-0 2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Zoning ByLaws, Section IX – DEFINITIONS, A. General Rules, second paragraph, third sentence, by removing the words “Standard Industrial Classification” and replacing those words with the words “North American Industry Classification System (NAICS)”.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 27 AMEND ZONING BY LAW SECTION VIII PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws, Section VIII – ADMINISTRATION AND ENFORCEMENT, C. Previously Approved Permits, by removing the phrase “the Zoning Enabling Act, Section 11”, and inserting in its place the phrase “Section 6 of Chapter 40A of the Massachusetts General Laws” Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

The existing phrase refers to an outdated statute, and should be removed. The corrected phrase refers to the proper, current statute.

FINANCE COMMITTEE VOTE: 6-0 2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Zoning ByLaws, Section VIII – ADMINISTRATION AND ENFORCEMENT, C. Previously Approved Permits, by removing the phrase “the Zoning Enabling Act, Section 11”, and inserting in its place the phrase “Section 6 of Chapter 40A of the Massachusetts General Laws”.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 28 AMEND ZONING BY LAW SECTION IX PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws, Section IX – DEFINITIONS, B, Selected Words and Terms, Driveway., by deleting the words “open space” in the term's definition and replacing those words with the word “area”. The definition of Driveway, after this modification would read as follows:

Driveway. An area, located on a lot, which is not more than 24 feet in width built for access to a garage, or off-street parking or loading space.

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

PURPOSE AND JUSTIFICATION

A driveway is not classified as open space.

FINANCE COMMITTEE VOTE: 6-0 2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Zoning ByLaws, Section IX – DEFINITIONS, B, Selected Words and Terms, Driveway., by deleting the words “open space” in the term's definition and replacing those words with the word “area”. The definition of Driveway, after this modification would read as follows:

Driveway. An area, located on a lot, which is not more than 24 feet in width built for access to a garage, or off-street parking or loading space.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 29 AMEND ZONING BY LAW SECTION IV PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws, Section IV – INTENSITY REGULATIONS, INTENSITY SCHEDULE A, by deleting under District Use C-30 and District Use C-60 “Mixed use apartments”. in its entirety. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

These uses are erroneously listed for dimensional requirements in Intensity Schedule A and should be removed, as Mixed use apartments are not listed in the Zoning ByLaws as a permitted use in the C-30 and C-60 districts.

FINANCE COMMITTEE VOTE: 6-0

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Zoning ByLaws, Section IV – INTENSITY REGULATIONS, INTENSITY SCHEDULE A, by deleting under District Use C-30 and District Use C-60 “Mixed use apartments”. in its entirety.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 30 AMEND ZONING BY LAW SECTION IV PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws, Section IV – INTENSITY REGULATIONS, INTENSITY SCHEDULE A, by amending the footnote marked with one asterisk as follows:

- Remove the words “at any point” that are currently between the words “as measured” and between the”;
- Add the word “continuously” between the words “line shall” and “not be”;
- Add the phrase “and in the case of a corner lot as measured between the two side lot lines or between the side or rear lot line and either front lot line shall continuously not be less than that prescribed in this Intensity Schedule A,” between the words “Schedule A,” and “except that”.

After this modification said footnote would read as follows:

- In all districts the lot width as measured between the front lot line and the rear building line shall continuously not be less than that prescribed in this Intensity Schedule A, and in the case of a corner lot as measured between the two side lot lines or between the side or rear lot line and either front lot line shall continuously not be less than that prescribed in this Intensity Schedule A, except that between the front lot line and the required set back line, the lot width may be reduced to 80 percent of the width requirement subject to Planning Board approval; further that this shall be limited to a maximum of 3 lots on a turnaround.

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

PURPOSE AND JUSTIFICATION

This amendment would help to avoid the creation of odd shaped lots such as, as an example, lots 5A and 6A on the attached plan, and would require lots that are more rectangular in shape.

FINANCE COMMITTEE VOTE: 5-1

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Zoning ByLaws, Section IV – INTENSITY REGULATIONS, INTENSITY SCHEDULE A, by amending the footnote marked with one asterisk as follows:

- Remove the words “at any point” that are currently between the words “as measured” and between the”;
- Add the word “continuously” between the words “line shall” and “not be”;

- Add the phrase “and in the case of a corner lot as measured between the two side lot lines or between the side or rear lot line and either front lot line shall continuously not be less than that prescribed in this Intensity Schedule A,” between the words “Schedule A,” and “except that”.

After this modification said footnote would read as follows:

In all districts the lot width as measured between the front lot line and the rear building line shall continuously not be less than that prescribed in this Intensity Schedule A, and in the case of a corner lot as measured between the two side lot lines or between the side or rear lot line and either front lot line shall continuously not be less than that prescribed in this Intensity Schedule A, except that between the front lot line and the required set back line, the lot width may be reduced to 80 percent of the width requirement subject to Planning Board approval; further that this shall be limited to a maximum of 3 lots on a turnaround

FINANCE COMMITTEE REASON: Per purpose and justification.

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

Motion made by the Moderator to extend past 10:00 P.M.

Motion seconded.

Motion carried.

ARTICLE 31 AMEND ZONING BY LAW SECTION IX

PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws, Section IX – DEFINITIONS, B. Selected Words and Terms, by modifying the existing definition of the term Lot Frontage. as follows:

- Remove the phrase “and their intersection with the street line.” and replace it with the phrase and sentence “which provides primary and actual vehicular and pedestrian access from said street to the principal use of a lot. Main access to the principal use of a lot shall be through the legal frontage established under this bylaw and the subdivision control law.”.

The definition of Lot Frontage. after this modification would read as follows:

Lot Frontage. That portion of a lot fronting upon a street or public way, to be measured continuously along one street line between its side lot lines which provides primary and actual vehicular and pedestrian access from said street to the principal use of a lot. Main access to the principal use of a lot shall be through the legal frontage established under this bylaw and the subdivision control law.

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

PURPOSE AND JUSTIFICATION: This article will bring the definition of “lot frontage” within the Zoning ByLaws into conformance with the definition of “lot frontage” that the Planning Board must consider when performing their mandated duties under the Subdivision Control Law regarding access to building lots. As an example, this modification to the definition will help to avoid the creation of lots such as Lot 15 shown on the attached plan, where the legal frontage of a lot is on one street, but the driveway, and address for mailing and assessment purposes, may be on another street.

FINANCE COMMITTEE VOTE: 6-0

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Zoning ByLaws, Section IX – DEFINITIONS, B. Selected Words and Terms, by modifying the existing definition of the term Lot Frontage. as follows:

- Remove the phrase “and their intersection with the street line.” and replace it with the phrase and sentence “which provides primary and actual vehicular and pedestrian access from said street to the principal use of a lot. Main access to the principal use of a lot shall be through the legal frontage established under this bylaw and the subdivision control law.”

The definition of Lot Frontage. after this modification would read as follows:

Lot Frontage. That portion of a lot fronting upon a street or public way, to be measured continuously along one street line between its side lot lines which provides primary and actual vehicular and pedestrian access from said street to the principal use of a lot. Main access to the principal use of a lot shall be through the legal frontage established under this bylaw and the subdivision control law

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 32 AMEND ZONING BY LAW SEC. IV

PLANNING BOARD

To see if the town will vote to amend the Zoning By-Laws as follows:

- Amend Section IV – INTENSITY REGULATIONS, Intensity Schedule A, by changing the words “lot cover” to the words “building coverage” in the heading column within Intensity Schedule A as follows (see gray highlighted, bolded, and underlined words):

District Use	Minimum lot area (sq. ft.)	Lot frontage (ft.)	Lot width* (ft.)	Lot depth (ft.)	Minimum Yards Front (ft.)	Side (ft.)	Rear (ft.)	Max height (ft.)	Max no. of stories	Max building coverage (percent)	Min..... open space (percent)
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Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

To correct an ambiguity in the text of Intensity Schedule A within the Zoning ByLaws. Presently the term “lot cover” is used in Intensity Schedule A, but it is not defined in the definitions section of the Zoning ByLaws; however, “building coverage” is defined in the Zoning ByLaws, and has traditionally been interpreted to mean the same as lot cover. This change will eliminate any confusion and ambiguities, assisting the Town in properly addressing lot density.

FINANCE COMMITTEE VOTE: 5-1

2/3 VOTE

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

- Amend Section IV – INTENSITY REGULATIONS, Intensity Schedule A, by changing the words “lot cover” to the words “building coverage” in the heading column within Intensity Schedule A as follows (see gray highlighted, bolded, and underlined words):

District Use	Minimum lot area (sq. ft.)	Lot frontage (ft.)	Lot width* (ft.)	Lot depth (ft.)	Minimum Yards Front (ft.)	Side (ft.)	Rear (ft.)	Max height (ft.)	Max no. of stories	Max building coverage (percent)	Min..... open space (percent)
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FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 33 AMEND ZONING BY LAW SECTION IX

PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws, Section IX – DEFINITIONS, B. Selected Words and Terms, by removing the existing definition of the term Open Space in its entirety and inserting in its place the following definition of the term Open Space:

- Open Space. A landscaped area of land, expressed as a percentage of total lot area, associated with and located on the same tract of land as a major building or group of buildings in relation to which it serves to provide light and air, or scenic, recreational, or similar purposes. Open Space shall be open and unobstructed to the sky, it shall be land at grade, and shall consist of friable, permeable materials (including but not limited to loam, gravel, sand, crushed stone, and including naturally occurring soil, bedrock and incidental pipes and other underground utilities) having a minimum depth of three (3) feet. Said land shall be capable of supporting the growth of trees, grass, ground cover, shrubs and similar vegetation. Such area may not include any portion of the lot used for streets and ways, parking and loading areas, access drives, or designated outdoor display or storage areas, or other hard surface areas, except walks and terraces designed and intended for non-vehicular use. Open Space shall, except as provided for below, consist entirely of living trees, grass, ground cover, bushes, shrubs, and/or similar vegetation, as well as water and other natural features of the site. However, in no case shall hard surfaced walks and terraces, or pervious ground covers like gravel, stone, and wood chips not being used as mulch beneath vegetation, exceed twenty-five (25) percent of the total required Open Space. Open Space may also include lot area(s) in which the surface material must be permeable but which surface

material is not limited or restricted as to type. That surface material may include vegetation; rocks, pebbles, wood chips and similar landscaping materials; or unit pavers. All other materials (for example, continuously poured asphalt or concrete) are not allowed.

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

PURPOSE AND JUSTIFICATION

This article will upgrade the definition of “open space” within the Zoning ByLaws to clearly include only landscaped areas of building lots as open space.

FINANCE COMMITTEE VOTE: 5-1

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Zoning ByLaws, Section IX – DEFINITIONS, B. Selected Words and Terms, by removing the existing definition of the term Open Space in its entirety and inserting in its place the following definition of the term Open Space:

- Open Space. A landscaped area of land, expressed as a percentage of total lot area, associated with and located on the same tract of land as a major building or group of buildings in relation to which it serves to provide light and air, or scenic, recreational, or similar purposes. Open Space shall be open and unobstructed to the sky, it shall be land at grade, and shall consist of friable, permeable materials (including but not limited to loam, gravel, sand, crushed stone, and including naturally occurring soil, bedrock and incidental pipes and other underground utilities) having a minimum depth of 18 inches. Said land shall be capable of supporting the growth of trees, grass, ground cover, shrubs and similar vegetation. Such area may not include any portion of the lot used for streets and ways, parking and loading areas, access drives, or designated outdoor display or storage areas, or other hard surface areas, except walks and terraces designed and intended for non-vehicular use. Open Space shall, except as provided for below, consist entirely of living trees, grass, ground cover, bushes, shrubs, and/or similar vegetation, as well as water and other natural features of the site. However, in no case shall hard surfaced walks and terraces, or pervious ground covers like gravel, stone, and wood chips not being used as mulch beneath vegetation, exceed twenty-five (25) percent of the total required Open Space. Open Space may also include lot area(s) in which the surface material must be permeable but which surface material is not limited or restricted as to type. That surface material may include vegetation; rocks, pebbles, wood chips and similar landscaping materials; or unit pavers. All other materials (for example, continuously poured asphalt or concrete) are not allowed.

FINANCE COMMITTEE REASON: Per purpose and justification.

After some discussion on this article, a motion was made to adjourn the meeting to Monday, October 24,2005 at 7:00 P.M.

Motion seconded.

Motion carried.

On Monday, October 24, 2005, Town Clerk Maxwell Gould opened the meeting at 7:10 P.M. With 75 RTM members present, we have a quorum.

Pledge of Allegiance to the Flag.

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

Discussion continued on Article 33.

After much discussion, Robert Demarinis (P9) made a motion to move the question.

Motion seconded.

Motion carried.

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

ARTICLE 34 AMEND ZONING BY LAW SECTION IX

PLANNING BOARD

To see if the town will vote to will vote to amend the Zoning ByLaws, **Section IX – DEFINITIONS, B. Selected Words and Terms**, by adding the following definitions for the terms “Elderly.” and “Housing for the Elderly.”

- Elderly. A person who is at least 60 years of age or if under 60 must be receiving SSI benefits.
- Housing for the Elderly. Any residential premises available for lease by elderly or disabled individuals which is financed or subsidized in whole or in part by state or federal housing programs established primarily to furnish housing rather than housing and personal services, as set forth in a listing established by the Secretary of Elder Affairs, and which was never licensed under Chapter 111 of the Massachusetts General Laws

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

PURPOSE AND JUSTIFICATION

The term “Housing for the Elderly” is used in the Zoning ByLaws’ schedule of uses, but the term is not defined, and there are no provisions for the processing of permits for Housing for the Elderly. This amendment would address this issue.

FINANCE COMMITTEE VOTE: 6-0

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Zoning ByLaws, **Section IX – DEFINITIONS, B. Selected Words and Terms**, by adding the following definitions for the terms “Elderly.” and “Housing for the Elderly.”

- Elderly. A person who is at least 60 years of age or if under 60 must be receiving SSI benefits.
- Housing for the Elderly. Any residential premises available for lease by elderly or disabled individuals which is financed or subsidized in whole or in part by state or federal housing programs established primarily to furnish housing rather than housing and personal services, as set forth in a listing established by the Secretary of Elder Affairs, and which was never licensed under Chapter 111 of the Massachusetts General Laws

FINANCE COMMITTEE REASON: Per purpose and justification.

After much discussion a motion was made to move the question.

Motion seconded.

Motion carried.

The RTM members approved the Finance Committee’s recommendation as read. 80 members voting, 54-yes & 26-no. 54 votes needed.

ARTICLE 35 AMEND ZONING BY LAW SECTION II

PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws as follows:

- Amend Section II – DISTRICTS, A. Classes, OP60 – Office and Business Park District (60,000 square foot area), by removing the words “planned development of” from the first sentence of said OP-60 District description;
- Amend Section IV – INTENSITY REGULATIONS, B. Requirements, Sub-section 10, by deleting the words and the comma “planned developments,” from the first sentence in said Sub-section, and by removing the second sentence in said Sub-section in its entirety; and
- Amend Section IX – DEFINITIONS, B. Selected Words and Terms, by deleting the term “Planned Development” and the term’s definition in its entirety.

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

PURPOSE AND JUSTIFICATION

The term “planned development is ambiguous, and the term conflicts with the wording of other Sections of the Zoning ByLaws. The term is not necessary and should be removed to eliminate these ambiguities and conflicting language in the Zoning ByLaws.

FINANCE COMMITTEE VOTE: 6-0

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to amend the Zoning ByLaws as follows:

- Amend Section II – DISTRICTS, A. Classes, OP60 – Office and Business Park District (60,000 square foot area), by removing the words “planned development of” from the first sentence of said OP-60 District description;

- Amend Section IV – INTENSITY REGULATIONS, B. Requirements, Sub-section 10, by deleting the words and the comma “planned developments,” from the first sentence in said Sub-section, and by removing the second sentence in said Sub-section in its entirety; and
- Amend Section IX – DEFINITIONS, B. Selected Words and Terms, by deleting the term “Planned Development” and the term’s definition in its entirety.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 36 AMEND ZONING BY LAW SECTION V

PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws as follows:

- Amend Section V – USE REGULATIONS, by adding the following subsection F.:

F. Multi-Family Use

Special permits may be granted for multi-family residential uses in the IC-30 District where the public good would be served, and, where, after a finding by the special permit granting authority pursuant to the requirements of Section VIII.I.8. of this bylaw, that the IC-30 District would not be adversely affected by such a residential use.

The Planning Board shall be the Special Permit Granting Authority (SPGA) for special permits for all multi-family residential uses as listed in Schedule, Principal Use, Residential, No. 3. Multi-family dwelling. The submission of a site plan accompanying an application for a special permit under this paragraph shall supersede and alleviate the need to submit a separate site plan under Section VI.H of this bylaw. The site plan submitted to the SPGA under this paragraph shall conform to all of the requirements of said Section VI.H. The SPGA designated in this paragraph shall adopt and from time to time amend rules relative to the issuance of such permits, and shall file a copy of said rules in the office of the Town Clerk. Such rules shall prescribe a size, form, contents, style, and number of copies of plan and specifications and the procedure for a submission and approval of such permits.

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

PURPOSE AND JUSTIFICATION

To provide a uniform procedure in addressing opportunity for apartments and multi-family housing for North Attleborough residents and in rehabilitation of certain sites within the IC-30 districts that have become obsolete for industrial uses.

FINANCE COMMITTEE VOTE: 5-1

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: It would appear that checks and balances are removed with the implementation of this change. We recommend that further study be done to examine the impacts of this change.

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

ARTICLE 37 AMEND ZONING BY LAW SECTION IV

PLANNING BOARD

To see if the town will vote to amend the Zoning ByLaws, Section IV – INTENSITY REGULATIONS, Intensity Schedule A, pertaining to two-family and multi-family dwellings within the R-10 and R-10S zoning district, as follows:

- R-10 District, District Use: Delete Duplex in its entirety;
- R-10 District, District Use, Multifamily: Change the word “Multifamily” to the words “Dwelling, Multi-Family”;
- R-10 District, District Use, Multifamily, Minimum Lot Area (sq. ft.): Change the words “one unit” to the words “two units”;
- R-10 District, District Use, Multifamily, Lot Depth (ft.); Change “150” to “100”;
- R-10S District, District Use: Delete Duplex in its entirety;
- R-10S District, District Use, Multifamily: Change the word “Multifamily” to the words “Dwelling Multi-Family”

- R-10S District, District Use, Multifamily (3-4 unit), Minimum Lot Area (sq. ft.): Change the words “one unit” to the words “two units”;
- R-10S District, District Use, Multifamily (3-4 units), Lot depth (ft.): Change “150” to “100”;
- R-10S District, District Use, Multifamily (over 4 units), Minimum Lot Area (sq. ft.): Change the words “one unit” to the words “two units”;
- R-10S District, District Use, Multifamily (over 4 units), Lot frontage (ft.): Change “120” to “100”;
- R-10S District, District Use, Multifamily (over 4 units), Lot width* (ft.): Change “120” to “100”;
- R-10S District, District Use, Multifamily (over 4 units), Lot depth (ft.): Change “150” to “100”.

(See below, changes in bold, underlined and highlighted):

INTENSITY SCHEDULE A

District Use		Minimum lot area (sq. ft.)	Lot frontage (ft.)	Lot width* (ft.)	Lot depth (ft.)	Minimum Front (ft.)	Side (ft.)	Yards Rear (ft.)	Max. height (ft.)	Max. no. of stories	Max. lot cover (percent)	Min. open space (percent)
R-10	Boarding house	10,000 plus 1,500 per bedroom	100	100	150	30	15	30	30	2 ½	35	50
	Motor court, motel	10,000 plus 2,500 per rental unit	150	150	200	30	15	30	30	2 ½	35	50
Duplex [Note: this section is to be deleted in its entirety]												
	Dwelling, Multi-Family	10,000 plus 3,500 per unit in excess of two units	100	100	100	30	15	30	30	2 ½	35	50
	Any other permitted use	10,000	75	75	100	30	10	15	30	2 ½	35	50
R-10S	Boarding house	10,000 plus 1,500 per bedroom	100	100	150	30	15	30	40	4	35	50
	Motor court, motel	10,000 plus 2,500 per rental unit	150	150	200	30	15	30	40	4	35	50
Duplex [Note: this section is to be deleted in its entirety]												
	Dwelling, Multi-Family (3-4 unit)	10,000 plus 3,500 per unit in excess of two units	100	100	100	30	15	30	40	3	35	50
	Dwelling, Multi-Family (over 4 units)	10,000 plus 3,500 per unit in excess of two units	100	100	100	30	15	30	40	4	35	50

Any other permitted use	10,000	75	75	100	30	10	15	30	2 ½	35	50
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Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

This article will help to provide lower-cost housing opportunities and options to North Attleborough residents by lifting some existing restrictions on lot size for two-family homes and multi-family homes in the two zoning districts in which they are allowed by right (or, in the case of the R-10 district, two units by right and three units by special permit), eliminating an ambiguity in the text of the Zoning ByLaws, by removing the term “Duplex” (which actually refers to a type of structure, not to a type of land use), and by allowing more flexibility in the shape of lots for multi-family housing within the R-10 and R-10S districts.

FINANCE COMMITTEE VOTE: 3-2-1

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: It is not clear just what the impact of these changes will be. We recommend further study.

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

ARTICLE 38 STREET ACCEPTANCES

FIDELITY FINAN, PET.

To see if the town will vote to accept the following streets located in the Abbot Run Valley Estates, Sec. V Subdivision as public ways, said streets having been constructed and completed as per Department of Public Works, Highway Department and Planning Board specifications:

Lincolnshire Drive	From Mabel’s Way southerly a distance of approximately 852 feet
Mabel’s Way	From Lincolnshire Drive easterly a distance of approximately 300 feet
Kings Way	From Lincolnshire Drive easterly a distance of approximately 284 feet.
Camelot Drive	From Mabel’s Way southerly a distance of approximately 275 feet to King’s Way

Full size “as built” plan of the above streets are on file with the North Attleborough Department of Public Works and Planning Board Or to do or act in any manner relative thereto. Petition See Attached

PURPOSE AND JUSTIFICATION

Lincolnshire Drive, Kings Way, Camelot Drive, and Mabel’s Way, having been built to Town of North Attleborough specifications and requirements and available to use by all persons, should be classified as “public ways”.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: At the time of voting, the referenced streets had not met all of the Planning Board’s requirements.

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

ARTICLE 39 BETTERMENT STABILIZATION FUND

BOARD, SELECTMEN

To see if the town will vote to transfer from available free cash the sum of \$157,320.74, or any other sum, to the Betterment Stabilization Fund. Or to do or act in any manner relative thereto. Board of Selectmen See Attached

PURPOSE AND JUSTIFICATION

This will transfer the excess betterment funds received in FY 2005 to the Betterment Stabilization Fund to pay for future debt service.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Since the Town does not have a certified Free Cash number from the DOR, we have no ability to earmark funds for this article.

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

Motion made to adjourn the Special Town Meeting Sine Die.
Motion seconded.
Motion carried.

The Semi-Annual Town Meeting adjourned Sine Die at 8:19 P.M. on Monday, October 24, 2005.