

**PROCEEDINGS
SEMI-ANNUAL TOWN MEETING
OCTOBER 16, 2006**

On Monday, October 16, 2006, Town Clerk, Maxwell Gould opened the Semi-Annual Town Meeting at 7:42PM. "With 116 RTM members present, we have a quorum."

Pledge of Allegiance to our Flag.

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

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

Town Moderator, Steve Dalrymple, read the warrant.

**TOWN OF NORTH ATTLEBOROUGH WARRANT
FOR THE REPRESENTATIVE SEMI-ANNUAL TOWN MEETING
MONDAY, OCTOBER 16, 2006 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 16th OF OCTOBER 2006 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 Thursday, August 24, 2006.

**John C. Rhyno, Chairman
William A. Moffitt, Vice-Chairman
Marjorie A. Kraskouskas
Dale Langille
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 – Town Clerk**
- 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. **Boch 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:

Mr. Moderator, 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 by the moderator, shall not be taken unless requested by seven or more RTM Members.

Motion seconded.

Motion carried.

John Donahue (P7) made a motion as follows:

Mr. Moderator, 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.

ARTICLE 1 POLICE OFFICERS ASSOCIATION

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

PURPOSE AND JUSTIFICATION

To fund contract, effective 7/1/05

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to appropriate the sum of \$148,684.74 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 said sum shall be transferred from FY07 budget line item No. 4C Salary Reserve.

FINANCE COMMITTEE REASON: The police officers' contract has been settled.

Chris Sweet (P8) and Chairman of the Finance Committee, made a motion to Amend the Finance Committee's recommendation as follows:

That the town vote to appropriate the sum of \$133, 311.31 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 said sum shall be transferred from FY07 budget line item No. 4C Salary Reserve.

Motion seconded.

The RTM members approved the Motion to Amend.

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

ARTICLE 2 PROFESSIONAL POLICE OFFICERS

HUMAN RESOURCES

To see if the Town will vote to appropriate a sum 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, or otherwise. Or to do or act in any manner relative thereto. Human Resources

PURPOSE AND JUSTIFICATION

To fund contract, effective 7/1/05

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to transfer \$159,826.69 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 said sum shall be transferred from FY07 budget line item No. 4C Salary Reserve.

FINANCE COMMITTEE REASON: The professional police officers' contract has been settled.

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

ARTICLE 3 LINE ITEM TRANSFER FY07 BUDGET

COUNCIL ON AGING

To see if the Town will vote to amend Article 6 of the FY 2007 Annual Town Meeting by transferring \$6,980.00 from Line Item 53A-COA Salaries to Line Item 53B-COA General Expenses. Or to do or act in any manner relative thereto. Council on Aging See Attached

PURPOSE AND JUSTIFICATION

The funds are needed to pay for contracted services for the maintenance of the Council on Aging building located at 204 Elm Street. The cost of contracting the cleaning service is the same as hiring a part-time custodian.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 6 of the FY 2007 Annual Town Meeting by transferring \$6,980.00 from Line Item 53A-COA Salaries to Line Item 53B-COA General Expenses.

FINANCE COMMITTEE REASON: Per the purpose and justification.

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

ARTICLE 4 COMPUTER SOFTWARE

SOLID WASTE DEPT.

To see if the Town will vote to transfer a sum of money, \$15,000, from Landfill Retained Earnings to Solid Waste Expenses Computer Software. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

Due to continuing difficulties with the billing computer program the Solid Waste Department will be purchasing a new software package and incidentals.

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 Landfill Retained Earnings account was not certified. As a result, no monies could be expended from this account.

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

ARTICLE 5 E-RATE REIMBURSEMENT

SCHOOL DEPARTMENT

To see if the Town will vote to appropriate the sum of \$16,334.20, 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: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$16,334.20 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: Approval of this article will allow the e-rate funds that have been disbursed to the Town to be transferred into the School Department’s budget.

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

ARTICLE 6 FY07 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, by borrowing or otherwise, for the 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 or 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 PURCHASES AND ON-GOING MAINTENANCE EFFORTS FUNDED BY TAXES OR OTHER AVAILABLE FUNDS

That the sum of **\$663,290.00**, or any other sum, hereby is appropriated for various capital projects and equipment as shown below, to be expended under the direction of the Town Board/Official indicated, or Municipal Building Committee if applicable, said sum to be raised by General Tax or 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, or the Municipal Building Committee if applicable, until expended or released, unless transferred by Town Meeting.

<u>ITEM</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>REQUESTER</u>
1.	\$ 34,000	Revaluation for FY 2008	Board of Assessors
2.	\$ 24,000	Telephone Recording Equipment	Board of Fire Commissioners
3.	\$ 26,000	Vehicle Replacement – Pick-up Truck	Park & Recreation Commission
4.	\$ 33,390	Vehicle Replacement – Pick-up Truck/Plow	Board of Fire Commissioners
5.	\$ 90,000	Repave Parking Lots at Community School , Municipal Lot on Church St. and Town Hall	School Committee/Board of Selectmen
6.	\$ 25,000	Town-wide Heating Analysis	Board of Selectmen
7.	\$ 43,000	Security Work/Fencing at Community Field , Mason Field and Ruth Rhind Recreation Area	Park & Recreation Commission
8.	\$ 5,000	Lifeguard Stations Project	WW II Pool Committee
9.	\$ 10,000	Copier Replacements	Board of Selectmen
10.	\$ 18,000	Mower	Park & Recreation Commission
11.	\$ 20,000	Server Upgrades	MIS Department
12.	\$ 20,000	PC Upgrades	MIS Department
13.	\$ 8,000	Locker Room Replacements	WW II Pool Committee
14.	\$ 35,000	Carpeting – Middle School and Town Hall	School Committee/Board of Selectmen
15.	\$ 2,000	Engineer and Design Rear Walkway	Board of Selectmen

		Repair – Town Hall	
16.	\$ 100,000	New Sidewalks	Board of Public Works
17.	\$ 8,000	Playground/Walkway Cover	Park & Recreation Commission
18.	\$ 20,000	Vehicle Replacement – Pick-up Truck	Board of Health
19.	\$ 6,000	Sign Asset Management	Board of Public Works
20.	\$ 15,000	Software Licenses	MIS Department
21.	\$ 45,000	Training	MIS Department
22.	\$ 20,000	Exterior Painting – District-wide	School Committee
23.	\$ 20,000	Interior Painting – District-wide	School Committee
24.	\$ 8,900	Payroll Accrual and Maintenance	Board of Public Works
25.	\$ 15,000	Playground Equipment – Community Field	Park & Recreation Commission
26.	\$ 12,000	High School Furniture Replacement	School Committee

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 Free Cash account was not certified. As a result, no monies could be expended from this account.

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

PART 2: MUNICIPAL CIP PURCHASES AND ON-GOING MAINTENANCE EFFORTS FUNDED BY RETAINED EARNINGS/ENTERPRISE FUNDS

That the various capital projects and equipment purchases shown below and totaling **\$175,000.00**, or any other sum, shall be undertaken and financed by retained earnings, enterprise funds or other funds as shown below, such funds to be expended under the direction of the Town Board/Official indicated, or the Municipal Building Committee if applicable, until expended or released, unless transferred by Town Meeting.

<u>ITEM</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>REQUESTOR</u>	<u>ANTICIPATED SOURCE OF FUNDS</u>
27.	\$ 120,000	Replace Plainville #2 Drinking Water Well	Board of Public Works	Water Enterprise Retained Earnings
28.	\$ 15,000	Replace Boiler – Sewer Collections Building	Board of Public Works	Sewer Enterprise Retained Earnings
29.	\$ 40,000	Replace Boiler – WWTF Control Bldg	Board of Public Works	Sewer Enterprise Retained Earnings

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: At the time of voting, none of the above-referenced Retained Earnings accounts were certified. As a result, no monies could be expended from these accounts.

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

PART 3: MUNICIPAL CIP PURCHASES AND ON-GOING MAINTENANCE EFFORTS FUNDED BY BORROWING OR OTHER AVAILABLE FUNDS

That the sum of **\$3,525,200.00**, 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 listed below.

ANTICIPATED PROJECT STATUTORY CITATION, CHAPTER 44, SECTION () OR

<u>ITEM</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>REQUESTOR</u>	<u>ANY OTHER ENABLING AUTHORITY</u>
30.	\$ 90,000	Masonry – Community School	School Committee	7 (3A)
31.	\$ 158,750	Hazardous Material Removal and Abatement	School Committee	7(31)
32.	\$ 30,000	Building Security – District	School Committee	7(9)
33.	\$ 69,000	Underground Diesel Tank and Pump Replacement	Board of Public Works	7(3A)
34.	\$ 45,000	Brush Cutter	Park & Recreation Commission	7(9)
35.	\$ 30,000	Whitings Dam Rehab Phase II	Conservation Commission	7(7)
36.	\$ 82,000	St. Mark’s Pond Dam Rehab	Conservation Commission	7(7)
37.	\$ 38,000	Architectural Services – Repair of Highway Building	Board of Public Works	7(21)
38.	\$ 30,000	Network Switch Replacement	MIS Department	7(28)
39.	\$ 50,000	1-Ton Dump Truck Replacement – Highway	Board of Public Works	7(9)
40.	\$ 428,450	Storage Facility – District	School Committee	7(3)
41.	\$ 25,000	Bldg Handicap Accessibility (ramps, doors) – Amvet School	School Committee	7(3A)
42.	\$ 40,000	Bleacher Replacement – HS	School Committee	7(9)
43.	\$ 316,000	Heavy Equip: Grader, Loader, Roller – Highway	Board of Public Works	7(9)
44.	\$ 258,000	Bridge/Culvert Plan “Short Term Action” Repair – Highway	Board of Public Works	7(4)
45.	\$ 460,000	Reconstruction of Failed Roads	Board of Public Works	7(5)
46.	\$1,375,000	Fales Road Water Main Project	Board of Public Works – Water Enterprise	8(5)

That said sum for any project listed in Part 3 be raised by General Tax, by transfer from available funds, by borrowing or otherwise; and that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow the sum of **\$ 3,525,200.00** (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 to issue bonds or notes of the Town therefore; and that the requested sum of **\$3,525,200.00** be expended for project costs by the Town Board/Official listed, or the Municipal Building Committee if applicable, and the sum of **\$ -0-** be expended for issuance costs under the direction of the Town Treasurer; and that betterment assessments therefore shall be levied under the provisions of Town By-Laws where applicable.

FINANCE COMMITTEE VOTE: 5-0

2/3’S VOTE

FINANCE COMMITTEE RECOMMENDATION: That the sum of \$90,000 be hereby appropriated for Item No. 30 by transfer of available funds, by borrowing or otherwise for costs incidental and related thereto; and that to meet such appropriation, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow the sum of \$90,000, or any other sum, at one time or from time to time, under and pursuant Chapter 44, Sections 7(3A), of the General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes therefore; and that the requested sum of \$90,000 be expended for project costs by the School Committee or the Municipal Building Committee if applicable.

FINANCE COMMITTEE REASON: There is an immediate need to repair masonry at the Community School and the finance committee supports the recommendation that this work be done sooner than latter.

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

PART 4: STATE AND/OR FEDERAL GRANTS

To authorize any of the above named boards, commissions, committees or departments to apply for, accept and expend any state or federal grants that are or may become available for these purposes, under the provisions of Town By-Laws where applicable. 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, commissions, committees or departments to apply for, accept and expend any state or federal grants that are or may become available for these purposes, under the provisions of Town By-Laws where applicable

FINANCE COMMITTEE REASON: This article allows the town to apply for any federal or state grants.

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

ARTICLE 7 LESTAGE LAND SURVEY

BOARD OF SELECTMEN

To see if the Town will vote to appropriate a sum not to exceed \$5,000.00, or any other sum, by transfer of available funds, taxation or borrowing, or otherwise, for the purpose of performing surveying work and plan preparation necessary for the filing of a Form A subdivision plan for the house, barn and immediately surrounding land on the town property commonly known as 217 High Street (being Lot 29 on Assessors Plat 19 and Lots 1 and 6 on Plat 20). Said funds to be under the direction of the Board of Selectmen. Or to do or act in any manner relative thereto. Board of Selectmen See Attached

PURPOSE AND JUSTIFICATION

Approval of this article will provide funding for the preparation of the plan of land needed to subdivide an area of the LeStage property to include the house and barn. Creating a separate lot around the house and barn will enable the town to guarantee access to the back land now being held for future town use while continuing to consider proposed uses for the house and barn area. RTM approval would be necessary for submission of the actual subdivision request.

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 Free Cash account was not certified. As a result, no monies could be expended from this account.

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

ARTICLE 8 REPLACEMENT OF TOWN HALL DOORS

BOARD, SELECTMEN

To see if the Town will vote to appropriate the sum of \$10,000 or any other sum to be expended under the jurisdiction of the Board of Selectmen for the replacement of the rear inner doors to Town Hall located at 43 South Washington Street. Said sum shall be appropriated by taxation, transfer of available funds, bonding, or otherwise. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

This article will provide funds to complete the upgrade and repair to the doors at Town Hall so there will be handicap access from the parking lot to the building. The rear outer doors were upgraded two years ago but currently the rear inner doors are not connected to the opener and leave the handicapped individual trapped in the vestibule.

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 Free Cash account was not certified. As a result, no monies could be expended from this account.

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

ARTICLE 9 PURCHASE PICKUP TRUCK W/PLOW

PARK COMMISSION

To see if the Town will vote to appropriate the sum of \$26,000 to be expended by the Park Commission to purchase a 2007 Ford 250 with a plow for the Park and Recreation Department. Said sum shall be appropriated from: Free Cash, taxation, bonding, or available funds. Or to do or act in any manner relative thereto. Park Commissioners

PURPOSE AND JUSTIFICATION

The Park Commissioners have exhausted large sums of money in the last several years to repair a 1991 Ford-150 with 141,000 miles on it. To ensure that the truck is road worthy, it will require that we repair the frame, front end, & transmission. The cost would be over \$3,000 to fix. The department desperately needs to get a vehicle to replace it. The Park Commission would like to purchase a 2007 Ford 250 with a plow for the Park and Recreation Department at a cost of \$26,000.

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 Free Cash account was not certified. As a result, no monies could be expended from this account. However, this issue is to be addressed under the Capital Improvement Plan at a future town meeting.

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

ARTICLE 10 AMEND FY07 CASH AID LINE ITEM

VETERANS' AGENT

To see if the Town will vote to amend Article 6, "FY07 Omnibus Budget" of the FY 2007 Annual Town Meeting by raising and appropriating the sum of \$10,000 or some other sum to supplement Line Item No. 54b, "Veterans Expenses – Veterans benefits – Cash Aid" and to determine whether said sum shall be raised by taxation, transfer of available funds, borrowing or otherwise. Or to do or act in any manner relative thereto. Veterans' Agent

PURPOSE AND JUSTIFICATION

The Town is bound by State law to pay for qualified veterans' medical expenses. The State will reimburse the town 75 percent of costs throughout the year, and the money will go into the General Fund. If we do not pay these medical expenses, the State will withhold future aid to the Town.

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 Free Cash account was not certified. As a result, no monies could be expended from this account.

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

ARTICLE 11 AMEND FY07 REGULAR OVERTIME

VETERANS' AGENT

To see if the Town will vote to amend Article 6, "FY07 Omnibus Budget" of the FY 2007 Annual Town Meeting by raising and appropriating the sum of \$1,000 or some other sum to supplement Line Item No. 54a, "Veterans Salaries – Regular Overtime" and to determine whether said sum shall be raised by taxation, transfer of available funds, borrowing or otherwise. Or to do or act in any manner relative thereto. Veterans' Agent

PURPOSE AND JUSTIFICATION

The overtime budget for our current fiscal year has already been completely spent. We have one clerk in this department. We do not have additional "coverage" in the office. Therefore, our clerk must work overtime. If we do not have this money available, we may not have our office open and available to our veterans as much as we have in the past.

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 Free Cash account was not certified. As a result, no monies could be expended from this account.

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

ARTICLE 12 PURCHASE SOFTWARE LICENSE

BUILDING INSP.

To see if the Town will vote to raise and appropriate from available funds, or transfer the amount of \$8,000.00 or any other sum, to retain under the direction of the Building Inspector, software license for GEO TMS database software. 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. Building Inspector See Attached

PURPOSE AND JUSTIFICATION

The Building Department currently holds three licenses for two full time employees and three part-time employees. As of July 31, 2006, the department will have four full-time employees and one part-time employee. In September, the department is looking to hire another part-time employee and one full-time employee. As you can see there is going to be more hours spent entering data into the system and currently with three licenses only, that does not give the department the necessary capability to enter updated information in a timely manner.

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 Free Cash account was not certified. As a result, no monies could be expended from this account.

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

ARTICLE 13 AMEND FY07 EXPENSES

SCHOOL DEPT

To see if the Town will vote to appropriate the sum of \$100,000, or any other sum, to supplement Article 6, line 44B, School Department Expenses, of the Annual Town Meeting for Fiscal Year 2007. Said sum to be transferred from free cash or by transfer of available funds.Or to do or act in any manner relative thereto. School Committee

PURPOSE AND JUSTIFICATION

The School Department eliminated teaching positions and reduced supply line items to bring its FY07 budget in balance with the appropriation approved by Representative Town Meeting. The funds requested from available free cash would allow for the reestablishment of a percentage of those positions and augment depleted supply items.

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 Free Cash account was not certified. As a result, no monies could be expended from this account.

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

ARTICLE 14 UNEXPENDED BALANCE

BOARD, ASSESSORS

To see if the Town will vote to reappropriate the unexpended balance of \$3,456.00 from Article 32 May 19, 2003 Annual Town Meeting for Updating Personal Property Assessments Fiscal 2005, Schedule number 883 A21/04ATM, account number 5312. Or to do or act in any manner relative thereto. Board of Assessors See Attached

PURPOSE AND JUSTIFICATION

The available balance will be used for the Fiscal 2008 Revaluation and will reduce the amount that is requested in the CIP.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: This article will be resubmitted at a later town meeting.

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

ARTICLE 15 UNEXPENDED BALANCE

BOARD, ASSESSORS

To see if the Town will vote to reappropriate the unexpended balance of \$5,200 from Article 13 October 2003 Annual Town Meeting for Updating Real Estate Assessments Fiscal 2005, Schedule number 688 A13/04OTM, account number 5863. Or to do or act in any manner relative thereto. Board of Assessors See Attached

PURPOSE AND JUSTIFICATION

The available balance will be used for the Fiscal 2008 Revaluation and will reduce the amount that is requested in the CIP.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: This article will be resubmitted at a later town meeting.

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

ARTICLE 16 CHANGE ELECTION DAY

ELECTION COMM.

To see if the Town will vote to approve the filing of a petition in the General Court under the provisions of Section 8 of Article 89 of the Amendments to the Constitution for an Act to amend Chapter 751 of 1977. An Act establishing Preliminary Elections in the Town of North Attleborough as follows:

In Section 2, in the first sentence delete the day "Monday" and insert the word "Tuesday". Said change shall be implemented for the Preliminary Election of 2008. 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 Amendment change in order to be in uniformity with the Annual Town and State elections.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to approve the filing of a petition in the General Court under the provisions of Section 8 of Article 89 of the Amendments to the Constitution for an Act to amend Chapter 751 of 1977. An Act establishing Preliminary Elections in the Town of North Attleborough as follows: In Section 2, in the first sentence delete the day "Monday" and insert the word "Tuesday". Said change shall be implemented for the Preliminary Election of 2008.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 17 GOLF COURSE

BOARD, SELECTMEN

To see if the Town will vote to approve the filing of a petition in the General Court in accordance with the provisions of Section 8 of Article 89 of the Amendments to the Constitution for an act to authorize the Board of Selectmen to negotiate and, subject to the approval of the Representative Town Meeting, enter into a lease for fifty years with options for three additional ten-year periods with the North Attleboro Golf Group to develop and operate a public golf facility on land known as the Mount Hope Street Sanitary Landfill and adjacent property comprised of approximately fifty acres of land identified as Lot 128 and portions of Lots 63, 66, 67 and 131 on Assessors Plat 33 and Lots 576 on Plat 34. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

Because state approval is required for any lease of municipal land for a period longer than ten years, this article will allow the Board of Selectmen to negotiate and, subject to another RTM vote, enter into a fifty year lease with three ten-year renewal options with the North Attleboro Golf Group.

FINANCE COMMITTEE VOTE: 3-2

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to approve the filing of a petition in the General Court in accordance with the provisions of Section 8 of Article 89 of the Amendments to the Constitution for an act to authorize the Board of Selectmen to negotiate and, subject to the approval of the Representative Town Meeting, enter into a lease for fifty years with options for three additional ten-year periods with the North Attleboro Golf Group to develop and operate a public golf facility on land known as the Mount Hope Street Sanitary Landfill

and adjacent property comprised of approximately fifty acres of land identified as Lot 128 and portions of Lots 63, 66, 67 and 131 on Assessors Plat 33 and Lots 576 on Plat 34.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

Motion seconded.

Motion carried.

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

ARTICLE 18 ACCIDENTAL DEATH BENEFITS

RETIREMENT BOARD

To see if the Town will vote to accept Chapter 55 of the Acts of 2006 which would increase the Accidental Death benefit payable for Surviving Children to equal the benefit provided for Accidental Disability Dependent Children. Or to do or act in any manner relative thereto. Retirement Board See Attached

PURPOSE AND JUSTIFICATION

Currently the benefit for surviving children under Accidental Death is \$312/yr (or \$26/mon). With acceptance, this benefit would increase to \$648.53/yr (or \$54.04/mon) currently being paid for Accidental Disability dependent children. There is no provision for a retroactive payment. Currently no benefits are being paid for Accidental Death surviving children.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept Chapter 55 of the Acts of 2006 which would increase the Accidental Death benefit payable for Surviving Children to equal the benefit provided for Accidental Disability Dependent Children.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 19 ACCEPT MGL C. 79

PLANNING BOARD

To see if the Town will vote to accept Chapter 79 of the Acts of 2006, which amends Chapter 39 of the General Laws by inserting the following Section 23D. (a):

Section 23D. (a) Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

The adoption of this recently passed addition to the General Laws, which became law on August 10, 2006, will allow members of town boards, commissions and committees who may have missed one session of a hearing to vote on the subject of the hearing provided that the requirements of paragraph (a) above have been met. Presently all of the same members of the applicable board, commission, or committee must be present for all sessions of a hearing to vote on the subject matter of the hearing, and a member who misses even one session is disqualified from voting on the subject of the hearing.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept Chapter 79 of the Acts of 2006, which amends Chapter 39 of the General Laws by inserting the following Section 23D. (a) Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a

single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 20 AMEND ZONING BYLAW SECTION VI.H

PLANNING BOARD

To see if the Town will vote to amend the Zoning ByLaws by adding the following new subsection to Section VI.H., Site Plan Approval: Any decision of the Planning Board pursuant to this Section VI.H. shall be appealed in accordance with G.L. c.40A, s. 17 to a court of competent jurisdiction. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

This article will clarify and establish the process for the appeal of the Planning Board's decisions on site plans submitted under this Section of the Zoning ByLaws.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Per the recommendation of the Zoning Board of Appeals.

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

After the Moderator read the letter with the recommendations of the Planning Board as required by State Statute, the RTM members revoted Article 20. The RTM members approved the recommendation of the Finance Committee. (This vote was taken on October 19, 2006)

ARTICLE 21 AMEND ZONING BYLAWS SECTION V

D. MANOOGIAN, PETITIONER

To see if the Town will vote to amend the Zoning ByLaws of the Town of North Attleborough as follows: To amend Section V – USE REGULATIONS SCHEDULE B WHOLESALE TRANSPORTATION AND INDUSTRIAL Number 9 from: C-60 ---to C-60S. Or to do or act in any manner relative thereto. Petition See Attached

PURPOSE AND JUSTIFICATION

This Article is submitted in behalf of New Age Technologies, Inc. ("New Age"). New Age is engaged in the business of assembling computer boards and other high technology endeavors. New Age has identified suitable lease space for its manufacturing business on John L. Dietsch Boulevard; however, the premises are located within the C-60 zoning district. This Amendment would allow manufacturing uses within the C-60 zoning district, but only upon the grant of a special permit from the North Attleborough Zoning Board of Appeals. The special permit process would ensure any such proposed manufacturing use would be compatible with other uses allowed in the C-60 zoning district as a matter of right.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Both the Planning Board and Zoning Board of Appeals oppose this change to a very large district. The applicant does have recourse available to him through an existing appeal process.

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

After the Moderator read the letter with the recommendations of the Planning Board as required by State Statute, the RTM members revoted Article 20. The RTM members approved the recommendation of the Finance Committee. (This vote was taken on October 19, 2006)

ARTICLE 22 STREET ACCEPTANCE: BOB LARSEN LANE

PLANNING BOARD

To see if the Town will vote to accept Bob Larsen Lane (formerly known as Burden Court) northerly from +/- Station 2+00 on Burden Avenue at approximately the northern sideline of Ivy Street to +/- Station 4+20, as a public way, said street having been completed as per Planning Board specifications.

Bob Larsen Lane as described above runs northerly for approximately 220 feet from the terminus of Burden Avenue to a cul-de-sac.

Said street is shown on the plan entitled "Proposed Plan and Profile of Burden Court North Attleborough, Mass. May 1982, Scale 1"=40' Horizontal 1"=4' Vertical, W.T. Whalen Engineering Co., North Attleborough, Mass, which is on file with the Town (see attached reduced copy). Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

Bob Larsen Lane as described above, 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: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept Bob Larsen Lane (formerly known as Burden Court) northerly from +/- Station 2+00 on Burden Avenue at approximately the northern sideline of Ivy Street to +/- Station 4+20, as a public way, said street having been completed as per Planning Board specifications.

Bob Larsen Lane as described above runs northerly for approximately 220 feet from the terminus of Burden Avenue to a cul-de-sac.

Said street is shown on the plan entitled "Proposed Plan and Profile of Burden Court North Attleborough, Mass. May 1982, Scale 1"=40' Horizontal 1"=4' Vertical, W.T. Whalen Engineering Co., North Attleborough, Mass, which is on file with the Town.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 23 STREET ACCEPTANCE: MASHPEE DRIVE

PLANNING BOARD

To see if the Town will vote to accept Mashpee Drive from Station 0+00 to approximately Station 6+05 as a public way, said street having been completed as per Planning Board specifications.

Mashpee Drive as described above runs westerly from Cushman Road for approximately 605 feet to a cul-de-sac.

Said street is shown on the plan entitled "Jarvis Estates North Attleborough, MA Plan & Profile As-Built Scale 1"=40' Horizontal, 1"=4' Vertical, George J. Geisser Jr. Co. Consulting Engineers 227 Wampanoag Trail, Riverside, Rhode Island 02915 Revised 3/21/90" which is on file with the Town.

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

PURPOSE AND JUSTIFICATION

Mashpee Drive as described above, 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: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept Mashpee Drive from Station 0+00 to approximately Station 6+05 as a public way, said street having been completed as per Planning Board specifications.

Mashpee Drive as described above runs westerly from Cushman Road for approximately 605 feet to a cul-de-sac.

Said street is shown on the plan entitled "Jarvis Estates North Attleborough, MA Plan & Profile As-Built Scale 1"=40' Horizontal, 1"=4' Vertical, George J. Geisser Jr. Co. Consulting Engineers 227 Wampanoag Trail, Riverside, Rhode Island 02915 Revised 3/21/90" which is on file with the Town.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 24 STREET ACCEPTANCE: MEDBURY ROAD

PLANNING BOARD

To see if the Town will vote to accept Medbury Road from Station 0+00 to Station 7+15 +/-, Rolfe Road from Station 0+00 to Station 3+36 +/-, and Sully Lane from Station 3+36 +/- to Station 3+37.8 +/- as public ways, said streets having been completed as per Planning Board specifications.

The portion of Medbury Road described above runs easterly for approximately 715 feet from the easterly side of Francis J. Kelley Boulevard to the North Attleborough/Attleboro corporate line. Rolfe Road as described above runs southerly for approximately 336 feet from Medbury Road to its intersection with Sully Lane, and that portion of Sully Lane as described above runs approximately 18 feet easterly from its intersection with Rolfe Road to the North Attleborough/Attleboro corporate line.

Said streets are shown on the plans entitled "Martin Pines Subdivision Attleboro and North Attleboro, Massachusetts. Acceptance Plan of Medbury Rd. and Free Way (As-Built) E. Otis Dyer, R.P.E., R.P.L.S. 368 Fairview Avenue, P.O. Box 5, Rehoboth, Mass. 02769, dated January 5, 1996, Scale 1"=40' Horiz. 1"=4' Vert. Page 1 of 3" and "Martin Pines Subdivision Attleboro and North Attleboro, Massachusetts. Acceptance Plan of Rolfe Road & Sully Ln (As-Built)" E. Otis Dyer, R.P.E., R.P.L.S. 368 Fairview Avenue, P.O. Box 5, Rehoboth, Mass. 02769, dated January 5, 1996, Scale 1"=40' Horiz. 1"=4' Vert. Page 2 of 3", which are on file with the Town (see attached reduced copies). Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

The portion of Medbury Road, and Rolfe Road 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: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept Medbury Road from Station 0+00 to Station 7+15 +/-, Rolfe Road from Station 0+00 to Station 3+36 +/-, and Sully Lane from Station 3+36 +/- to Station 3+37.8 +/- as public ways, said streets having been completed as per Planning Board specifications.

The portion of Medbury Road described above runs easterly for approximately 715 feet from the easterly side of Francis J. Kelley Boulevard to the North Attleborough/Attleboro corporate line. Rolfe Road as described above runs southerly for approximately 336 feet from Medbury Road to its intersection with Sully Lane, and that portion of Sully Lane as described above runs approximately 18 feet easterly from its intersection with Rolfe Road to the North Attleborough/Attleboro corporate line.

Said streets are shown on the plans entitled "Martin Pines Subdivision Attleboro and North Attleboro, Massachusetts. Acceptance Plan of Medbury Rd. and Free Way (As-Built) E. Otis Dyer, R.P.E., R.P.L.S. 368 Fairview Avenue, P.O. Box 5, Rehoboth, Mass. 02769, dated January 5, 1996, Scale 1"=40' Horiz. 1"=4' Vert. Page 1 of 3" and "Martin Pines Subdivision Attleboro and North Attleboro, Massachusetts. Acceptance Plan of Rolfe Road & Sully Ln (As-Built)" E. Otis Dyer, R.P.E., R.P.L.S. 368 Fairview Avenue, P.O. Box 5, Rehoboth, Mass. 02769, dated January 5, 1996, Scale 1"=40' Horiz. 1"=4' Vert. Page 2 of 3", which are on file with the Town.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 25 STREET ACCEPTANCE: JOHN REZZA DRIVE

PLANNING BOARD

To see if the Town will vote to accept John Rezza Drive from Anthony Circle to Virginia Avenue, approximately Station 4+30 to approximately Station 23+50, as a public way, said street having been completed as per Planning Board specifications. The section of John Rezza Drive as described above runs westerly from Anthony Circle for approximately 1,920 feet to Virginia Avenue. Said street is shown on the four plan sheets prepared by Dunn Engineering showing As-Built Plans & Profiles of John Rezza Drive, Station 0+00 to Station 32+00, Scale 1"=40' Horizontal, 1"=4' Vertical, which are on file with the Town. (see attached reduced copy) Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

The section of John Rezza Drive as described above, 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: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept John Rezza Drive from Anthony Circle to Virginia Avenue, approximately Station 4+30 to approximately Station 23+50, as a public way, said street having been completed as per Planning Board specifications. The section of John Rezza Drive as described above runs westerly from Anthony Circle for approximately 1,920 feet to Virginia Avenue. Said street is

shown on the four plan sheets prepared by Dunn Engineering showing As-Built Plans & Profiles of John Rezza Drive, Station 0+00 to Station 32+00, Scale 1"=40' Horizontal, 1"=4' Vertical, which are on file with the Town.
FINANCE COMMITTEE REASON: Per purpose and justification.

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

The Moderator took a motion to dispense with the reading of the Finance Committee's recommendations on the Street Acceptance articles.

Motion seconded.

Motion carried.

ARTICLE 26 STREET ACCEPTANCE: RAYMOND SAMPSON DRIVE PETITIONER

To see if the Town will vote to accept Raymond Sampson Drive as a public way. Said street having been constructed and completed as per the Department of Public Works, the Highway Department, and the Planning Board specifications. Raymond Sampson Drive is located on the south side of Route 120 (Hickory Road) and extends 900 +/- ft to cul-de-sac as shown on plans by Tilton & Associates No. Attleboro, MA and approved by the North Attleborough Planning Board on March 4, 2004. Drawn for Stonebrook Development, LLC
Or to do or act in any manner relative thereto. Petition See Attached

PURPOSE AND JUSTIFICATION

Raymond Sampson Drive 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: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: At the time of voting this street had not met all the requisite criteria.

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

ARTICLE 27 STREET ACCEPTANCE: CHARLES W. BARTH DRIVE PETITIONER

To see if the Town will vote to accept Charles W Barth Drive as a public way. Said street having been constructed and completed as per the Department of Public Works, the Highway Department, and the Planning Board specifications. Charles W Barth Drive is located in the Sheldonville Preserve Subdivision on the easterly side of Sheldonville Road and shown on a plan by Tilton Associates North Attleboro Mass. Approved by the Planning Board on 8/16/2001. Prepared for Fred C. Bottomley & Allen G. Riley. Or to do or act in any manner relative thereto. Petition See Attached

PURPOSE AND JUSTIFICATION

Henry B Riordan 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: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: At the time of voting this street had not met all the requisite criteria.

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

ARTICLE 28 STREET ACCEPTANCE: LEO J RINGUETTE CIRCLE PETITIONER

To see if the Town will vote to accept Leo J Ringuette Circle as a public way. Said street having been constructed and completed as per the Department of Public Works, the Highway Department, and the Planning Board specifications. Leo J Ringuette Circle is located in the Sheldonville Preserve Subdivision on the easterly side of Sheldonville Road and shown on a plan by Tilton Associates North Attleboro Mass. Approved by the Planning Board on 8/16/2001. Prepared for Fred C. Bottomley & Allen G. Riley. Or to do or act in any manner relative thereto. Petition See Attached

PURPOSE AND JUSTIFICATION

Henry B Riordan 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: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: At the time of voting this street had not met all the requisite criteria.

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

ARTICLE 29 STREET ACCEPTANCE: HENRY B. RIORDAN WAY

PETITIONER

To see if the Town will vote to accept Henry B Riordan Way as a public way. Said street having been constructed and completed as per the Department of Public Works, the Highway Department, and the Planning Board specifications. Henry B Riordan Way is located in Sheldonville Preserve Subdivision on the easterly side of Sheldonville Road and shown on a plan by Tilton Associates North Attleboro Mass. Approved by the Planning Board on 8/16/2001. Prepared for Fred C. Bottomley & Allen G. Riley.

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

PURPOSE AND JUSTIFICATION

Henry B Riordan 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: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: At the time of voting this street had not met all the requisite criteria.

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

ARTICLE 30 LESTAGE COMMUNITY FARM

NA COMM. FARM ALLIANCE

To see if the Town will vote to authorize the Board of Selectmen to enter into a lease with the North Attleborough Community Farm, Inc., a non-profit corporation to be organized for the purpose of running a non-profit community farm within the land including building and improvements which is located on assessors' Plat 19, Lot 29, and described as follows:

Beginning at a point located at the southwesterly corner of "Parcel A" as shown on a "Plan of Land in North Attleborough, MA prepared by W. T. Whalen Engineering Co., dated July 3, 2003," which said purpose of the plan is to divide assessors' Plat 19, Lot 29,

Thence proceeding in a Northwesterly direction along the Northern side of High Street on a bearing of N61 deg 02 min 17 sec W for a distance of 538.59 feet;

Thence turning in a Northerly direction on a bearing of N 04 deg 50 min 10 sec W for a distance of 311.62 feet;

Thence turning in a Northeasterly direction for 52 feet +/- to intersect a point located 300 feet from a bound (to be set) near an oak tree on a bearing of S 74 deg 27 min 33 sec W from said bound;

Thence proceeding on a bearing of N 74 deg 27 min 33 sec E for a distance of 300 feet;

Thence turning to a bearing of S 15 deg 32 min 27 sec E for a distance of 473.95 feet;

Thence proceeding on a radius of 430 feet which turns toward the south for a distance of 132.53 feet;

Thence proceeding on a bearing of S 02 deg 07 min 07 sec W for a distance of 54.58 feet;

Thence proceeding on a radius of 40 feet which turns toward the East for a distance of 44.09 feet to the point of said beginning.

This description is intended only to describe the property to be leased and is not intended to convey or change any legal ownership of said property.

Said plan references "Plan of the Coddling Farm by Frank T. Westcott Co. May 1938."

The lease between North Attleborough Community Farm, Inc. and the Town of North Attleborough shall be written with conditions similar to those found in other lease agreements between other non-profit organizations and the Town of North Attleborough, and shall be executed no later than January 18, 2007. Said lease shall be for the sum of \$1.00 per year for a period of ten (10) years, with options for 3 additional periods of 10 (ten) years).

The options for 3 additional periods of 10 years may be cancelled only by a vote of the Representative Town Meeting members not less than 6 months prior to termination of the leasing period existing at that time, or by any entity in the future which would replace the RTM and its legislative and/or administrative functions. Or to do or act in any manner relative thereto. Petition See Attached

PURPOSE AND JUSTIFICATION

To allow a Non-Profit organization to establish and run a community farm in the Town of North Attleborough on property owned by the inhabitants of the Town as described with the attached article.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

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

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

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

ARTICLE 31 REDUCTION OF RTM MEMBERSHIP

TOWN CLERK

To see if the Town will vote to amend Section 2 of Article 1 of the Town By-Laws by deleting the second paragraph that states:

The membership of the Representative Town Meeting shall consist of eighteen members in each precinct with one-third of its members elected annually at the April Town election for a term of three years.

And substituting in its place the following:

The membership of the Representative Town Meeting shall consist of eighteen (18) members in each precinct with one-third of its members elected annually at the April Town election for a term of three years; provided, however, effective at the April Town Election in 2007 and each said election thereafter, the Town shall choose by ballot five (5) Representative Town Meeting members from each precinct for a three-year term such that each precinct shall have a total of seventeen (17) members after the election of 2007, sixteen (16) members after the election of 2008, and fifteen (15) members after the election of 2009 and each year thereafter.

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

PURPOSE AND JUSTIFICATION

This article seeks to reduce the maximum number of seats at Representative Town Meeting from the current 18 members per precinct to 15 members per precinct over a three year period.

- Today, with 9 precincts, full membership of the RTM is 162 members. This number will normally require that 54 RTM members be elected to RTM each year. As of Election Day in 2007 there will be 102 seats to be elected. Unless this continuing trend can be reversed there is little or no competition for the RTM and little choice for the voter at the ballot box.
- As there will be more than five vacancies in each of the nine precincts in the 2007 elections, the planned reduction will not disenfranchise any current members of the RTM. [Pct. 1 = 17; Pct 2 = 8; Pct. 3 = 12; Pct. 4 = 13; Pct. 5 = 15; Pct. 6 = 8; Pct 7 = 9; Pct 8 = 10; Pct 9 = 10.]
- It is intended that this reduction, spread over three years, will allow the RTM members and the voters to judge the impact of the new size and determine if the vacancy and attendance levels improve; as well as measure the effectiveness of the body. If warranted, similar amendments of the by-laws may be proposed in the future to continue to reduce the size of the membership over three year periods until a more effective number is achieved.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town amend Section 2 of Article 1 of the Town By-Laws by deleting the second paragraph that states:

The membership of the Representative Town Meeting shall consist of eighteen members in each precinct with one-third of its members elected annually at the April Town election for a term of three years.

And substituting in its place the following:

The membership of the Representative Town Meeting shall consist of eighteen (18) members in each precinct with one-third of its members elected annually at the April Town election for a term of three years; provided, however, effective at the April Town Election in 2007 and each said election thereafter, the Town shall choose by ballot five (5) Representative Town Meeting members from each precinct for a three-year term such that each precinct shall have a total of seventeen (17) members after the election of 2007, sixteen (16) members after the election of 2008, and fifteen (15) members after the election of 2009 and each year thereafter.

FINANCE COMMITTEE REASON: Per purpose and justification.

After much discussion, Leonard Pierce (P5) made a motion to move the question.

Motion seconded.

Motion carried.

The RTM members, by a Roll Call Vote, approved the Finance Committee's recommendation as read. With 110 members voting, 67-yes & 43-no. 56 votes needed.

At 10:05 PM, the Moderator took a motion to suspend the Semi-Annual Town Meeting to Wednesday, October 18, 2006 at 7:00 PM.

Motion seconded.

Motion carried.

On Wednesday, October 18, 2006, Town Clerk, Max Gould opened the suspended session of the Semi-Annual Town Meeting at 7:04PM. "With 85 RTM members having signed in, we have a quorum."

Pledge of Allegiance to our Flag.

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

The Moderator made a motion to revisit Article's 20 and 21 because the RTM members are required to have the recommendation of the Planning Board prior to voting on these articles.

Motion seconded.

Motion carried.

ARTICLE 20 AMEND ZONING BYLAW SECTION VI.H

PLANNING BOARD

To see if the Town will vote to amend the Zoning ByLaws by adding the following new subsection to Section VI.H., Site Plan Approval: Any decision of the Planning Board pursuant to this Section VI.H. shall be appealed in accordance with G.L. c.40A, s. 17 to a court of competent jurisdiction. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

This article will clarify and establish the process for the appeal of the Planning Board's decisions on site plans submitted under this Section of the Zoning ByLaws.

FINANCE COMMITTEE VOTE: 6-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Per the recommendation of the Zoning Board of Appeals.

September 15, 2006

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

Re: Articles Pertaining to Zoning By-Law Amendments for October 2006 Semi-Annual Town Meeting

Dear Mr. Dalrymple:

Articles 20 and 21 on the October 2006 Semi-Annual Town Meeting warrant are to see if the Town will vote to amend the Zoning By-Laws.

Pursuant to Section 5 of Chapter 40A of the Massachusetts General Laws, the Planning Board held a duly called public hearing on these proposed amendments on September 14, 2006.

At their meeting held on September 14, 2006, the Board voted as follows to recommend the following to Town Meeting on these two articles for amendments to the Zoning By-Laws:

- Article 20: The Board voted 4 in favor, 0 opposed (one member absent), on the motion to recommend that the Town Meeting vote to approve this article as submitted.
- Article 21: The Board voted 4 in favor, 0 opposed (one member absent), on the motion to recommend that the Town Meeting **not** approve this article. The Board feels that the article as submitted is too broad in scope; if the petitioner is only involved in one parcel he should seek relief from the Zoning Board of Appeal rather than change standards for the entire C-60 district. In general, the Planning Board feels that the C-60 district should remain commercial in nature throughout the district.

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

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

ARTICLE 21 AMEND ZONING BYLAWS SECTION V **D. MANOOGIAN, PETITIONER**
To see if the Town will vote to amend the Zoning ByLaws of the Town of North Attleborough as follows: To amend Section V – USE REGULATIONS SCHEDULE B WHOLESALE TRANSPORTATION AND INDUSTRIAL Number 9 from: C-60 ---to C-60S. Or to do or act in any manner relative thereto. Petition See Attached

PURPOSE AND JUSTIFICATION

This Article is submitted in behalf of New Age Technologies, Inc. (“New Age”). New Age is engaged in the business of assembling computer boards and other high technology endeavors. New Age has identified suitable lease space for its manufacturing business on John L. Dietsch Boulevard; however, the premises are located within the C-60 zoning district. This Amendment would allow manufacturing uses within the C-60 zoning district, but only upon the grant of a special permit from the North Attleborough Zoning Board of Appeals. The special permit process would ensure any such proposed manufacturing use would be compatible with other uses allowed in the C-60 zoning district as a matter of right.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Both the Planning Board and Zoning Board of Appeals oppose this change to a very large district. The applicant does have recourse available to him through an existing appeal process.

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

Dave Manoogian (P8) made a motion to dispense with the reading of the Finance Committee’s recommendations for Articles 32-43.

Motion seconded.

Kevin Nugent (P7) made a motion to amend Mr. Manoogian’s motion by reading Article 32 and not reading Articles 33-43.

Motion seconded.

Motion carried.

ARTICLE 32 AMEND TOWN BYLAW ARTICLE VIII **BYLAW STUDY COMM.**
To see if the Town will vote to amend the Town ByLaws, Article VIII, Appointed Boards and Committees, Section 6 Conservation Commission, part c by removing the words “not more than \$100” from said sentence, such that after

this amendment the sentence would read “The Commission may adopt rules and regulations governing the use of land and waters under their control and prescribe penalties by a fine of twenty five dollars (\$25.00) for a first offense in the calendar year, fifty dollars (\$50.00) for a second offense in the calendar year and one hundred dollars (\$100.00) for a third and subsequent offense in a calendar year for any violation thereof”.

And to see if the Town will vote to amend the Town ByLaws Article XXI Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article VIII, Section 6 – Conservation Commission, by removing the words “not more than \$100 for any violation of rules and regulations” from Penalty and replacing it with words such that after this amendment it would read,

“Penalty: \$25.00 first offense for any violation of rules and regulations in a calendar year.
 \$50.00 second offense for any violation of rules and regulations in a calendar year.
 \$100.00 third and subsequent offense for any violation of rules and regulations in a calendar year.”

Or to do or act in any manner relative thereto. ByLaw Study and Codification Committee See Attached

PURPOSE AND JUSTIFICATION

This amendment is in direct response to the State's Attorney General's office noting North Attleborough's Non-Criminal Fines and Penalties were not all in compliance to M.G.L. Chapter 40, Section 21D. This law calls for a specific penalty for the violation. See attached document from the State's Attorney General's office.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Town ByLaws, Article VIII, Appointed Boards and Committees, Section 6 Conservation Commission, part c by removing the words “not more than \$100” from said sentence, such that after this amendment the sentence would read “The Commission may adopt rules and regulations governing the use of land and waters under their control and prescribe penalties by a fine of twenty five dollars (\$25.00) for a first offense in the calendar year, fifty dollars (\$50.00) for a second offense in the calendar year and one hundred dollars (\$100.00) for a third and subsequent offense in a calendar year for any violation thereof”.

And that the Town vote to amend the Town ByLaws Article XXI Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article VIII, Section 6 – Conservation Commission, by removing the words “not more than \$100 for any violation of rules and regulations” from Penalty and replacing it with words such that after this amendment it would read,

“Penalty: \$25.00 first offense for any violation of rules and regulations in a calendar year.
 \$50.00 second offense for any violation of rules and regulations in a calendar year.
 \$100.00 third and subsequent offense for any violation of rules and regulations in a calendar year.”

FINANCE COMMITTEE REASON: Per purpose and justification

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

ARTICLE 33 AMEND TOWN BYLAW ARTICLE XXI

BY LAW STUDY COMM.

To see if the Town will vote to amend the Town ByLaws, Article XXI, Penalty for Violation of By-Laws, Section 3 Non-Criminal Violations, Article IX Section 3 – Building Permits by removing the words “not more than \$50.00 each day” from Penalty and replacing it with the words such that after this amendment it would read.

“Penalty: \$100.00 for the first violation in a twelve month period
 \$200.00 for the second violation in a twelve month period
 \$300.00 for the third and subsequent violations(s) in a twelve month period”

Or to do or act in any manner relative thereto. ByLaw Study and Codification Committee See Attached

PURPOSE AND JUSTIFICATION

This amendment is in direct response to the State's Attorney General's office noting North Attleborough's Non-Criminal Fines and Penalties were not all in compliance to M.G.L. Chapter 40, Section 21D. The law calls for a specific penalty for the violation. See attached document from the State's Attorney General's office.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Town ByLaws, Article XXI, Penalty for Violation of By-Laws, Section 3 Non-Criminal Violations, Article IX Section 3 – Building Permits by removing the words “not more than \$50.00 each day” from Penalty and replacing it with the words such that after this amendment it would read.

“Penalty: \$100.00 for the first violation in a twelve month period

\$200.00 for the second violation in a twelve month period
\$300.00 for the third and subsequent violations(s) in a twelve month period”

FINANCE COMMITTEE REASON: per purpose and justification.

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

ARTICLE 34 AMEND TOWN BYLAW ARTICLE XXI BY LAW STUDY COMM.

To see if the Town will vote to amend the Town ByLaws, Article XXI, Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XI, Streets and Ways, by removing the words “not more than \$300 per day” from Penalty and replacing it with the words such that after this amendment it would read.

”Penalty: \$300.00 per day”

Or to do or act in any manner relative thereto. ByLaw Study and Codification Committee See Attached

PURPOSE AND JUSTIFICATION

This amendment is in direct response to the State’s Attorney General’s office noting North Attleborough’s Non-Criminal Fines and Penalties were not all in compliance to M.G.L. Chapter 40, Section 21D. The law calls for a specific penalty for the violation. See attached document from the State’s Attorney General’s office.

FINANCE COMMITTEE VOTE: 6-1

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Town ByLaws, Article XXI, Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XI, Streets and Ways, by removing the words “not more than \$300 per day” from Penalty and replacing it with the words such that after this amendment it would read. Penalty: \$300.00 per day”

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 35 AMEND TOWN BYLAW ARTICLE XII BYLAW STUDY COMM.

To see if the Town will vote to amend the Town ByLaws, Article XII, Public Safety, Section 7 Waterfowl, part c by removing the words “up to \$50.00 at the discretion of the enforcing officer” from said sentence, such that after this amendment the sentence would read “c. Any person who violates this by-law may be punished by a fine of twenty five dollars (\$25.00) for a first offense in the calendar year, fifty dollars (\$50.00) for a second offense in the calendar year and one hundred dollars (\$100.00) for a third and subsequent offense in a calendar year”;

And to see if the Town will vote to amend the Town ByLaws, Article XXI. Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XII, Section 7 – Waterfowl, by removing the words “Up to \$50.00 per offense at the discretion of the enforcing officer” from Penalty and replacing it with the words such that after this amendment it would read,

“Penalty: \$25.00 first offense for any violation in a calendar year.

\$50.00 second offense for any violation in a calendar year.

\$100.00 third and subsequent offense for any violation in a calendar year.

Or to do or act in any manner relative thereto. ByLaw Study and Codification Committee See Attached

PURPOSE AND JUSTIFICATION

This amendment is in direct response to the State’s Attorney General’s office noting North Attleborough’s Non-Criminal Fines and Penalties were not all in compliance to M.G.L. Chapter 40, Section 21D. The law calls for a specific penalty for the violation. See attached document from the State’s Attorney General’s office.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town amend the Town ByLaws, Article XII, Public Safety, Section 7 Waterfowl, part c by removing the words “up to \$50.00 at the discretion of the enforcing officer” from said sentence, such that after this amendment the sentence would read “c. Any person who violates this by-law may be punished by a fine of twenty five dollars (\$25.00) for a first offense in the calendar year, fifty dollars (\$50.00) for a second offense in the calendar year and one hundred dollars (\$100.00) for a third and subsequent offense in a calendar year”;

And that the Town vote to amend the Town ByLaws, Article XXI. Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XII, Section 7 – Waterfowl, by removing the words “Up to \$50.00 per offense at

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Town ByLaws, Article XXI. Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XIIA – Waste Materials, by removing the words “not more than” from Penalty and replacing it with the words such that after this amendment it would read, “Penalty: \$300.00 per offense”

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 38 AMEND TOWN BYLAW ARTICLE XIIA BYLAW STUDY COMM.

To see if the Town will vote to amend the Town ByLaws, Article XIIA. Police Regulations, Section 7 part c by removing the words “not to exceed fifty dollars (\$50.00) for each offense.” From said sentence, such that after this amendment the sentence would read: Any person convicted for violation of this by-law shall be punished by a fine of fifty dollars (\$50.00) for each offense.”

Or to do or act in any manner relative thereto. ByLaw Study and Codification Committee See Attached

PURPOSE AND JUSTIFICATION

This amendment is in direct response to the State’s Attorney General’s office noting North Attleborough’s Non-Criminal Fines and Penalties were not all in compliance to M.G.L. Chapter 40, Section 21D. The law calls for a specific penalty for the violation. See attached document from the State’s Attorney General’s office.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Town ByLaws, Article XIIA. Police Regulations, Section 7 part c by removing the words “not to exceed fifty dollars (\$50.00) for each offense.” from said sentence, such that after this amendment the sentence would read: “Any person convicted for violation of this by-law shall be punished by a fine of fifty dollars (\$50.00) for each offense.”

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 39 AMEND TOWN BYLAW ARTICLE XIIA BYLAW STUDY COMM.

To see if the Town will vote to amend the Town ByLaws, Article XIIA. Police Regulations, Section 8 by removing the words “not to exceed” from said sentence, such that after this amendment the sentence would read, “Any person violating this Section shall be punished by a fine of fifteen dollars (\$15.00) per offense.”

And to see if the Town will vote to amend the Town ByLaws Article XXI. Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XIIA. Section 8 – Fire Lane, by adding the words “per offense” to said sentence, such that after this amendment the sentence would read,

“Penalty: \$15.00 per offense”.

Or to do or act in any manner relative thereto. ByLaw Study and Codification Committee See Attached

PURPOSE AND JUSTIFICATION

This amendment is in direct response to the State’s Attorney General’s office noting North Attleborough’s Non-Criminal Fines and Penalties were not all in compliance to M.G.L. Chapter 40, Section 21D. The law calls for a specific penalty for the violation. See attached document from the State’s Attorney General’s office.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Town ByLaws, Article XIIA. Police Regulations, Section 8 by removing the words “not to exceed” from said sentence, such that after this amendment the sentence would read, “Any person violating this Section shall be punished by a fine of fifteen dollars (\$15.00) per offense.”

And that the Town vote to amend the Town ByLaws Article XXI. Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XIIA. Section 8 – Fire Lane, by adding the words “per offense” to said sentence, such that after this amendment the sentence would read, “Penalty: \$15.00 per offense”.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 40 AMEND TOWN BYLAW ARTICLE XIIB

BYLAW STUDY COMM.

To see if the Town will vote to amend Town ByLaws, Article XIIB. Fire Regulations, Section 1 – Secured Key Access by removing the words “not more than fifty dollars (\$50.00) for each day violation of this Section continues.” From said sentence, such that after this amendment the sentence would read, “Upon written notice by the Chief to install the key box, the owner or person in control of the building will have a period of ninety (90) days to install the key box or be subject to a fine of fifty dollars (\$50.00) for each day the violation of this Section continues”;

And to see if the Town will vote to amend the Town ByLaws, Article XXI, Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XIIB Section 1 – Secured Key Access, by removing the words “not more than” from Penalty and replacing it with the words such that after this amendment it would read, “Penalty: \$50.00 for each day”

Or to do or act in any manner relative thereto. ByLaw Study and Codification Committee

PURPOSE AND JUSTIFICATION

This amendment is in direct response to the State’s Attorney General’s office noting North Attleborough’s Non-Criminal Fines and Penalties were not all in compliance to M.G.L. Chapter 40, Section 21D. The law calls for a specific penalty for the violation. See attached document from the State’s Attorney General’s office.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Town ByLaws, Article XIIB. Fire Regulations, Section 1 – Secured Key Access by removing the words “not more than fifty dollars (\$50.00) for each day violation of this Section continues.” from said sentence, such that after this amendment the sentence would read, “Upon written notice by the Chief to install the key box, the owner or person in control of the building will have a period of ninety (90) days to install the key box or be subject to a fine of fifty dollars (\$50.00) for each day the violation of this Section continues”;

And that the Town vote to amend the Town ByLaws, Article XXI, Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XIIB Section 1 – Secured Key Access, by removing the words “not more than” from Penalty and replacing it with the words such that after this amendment it would read, “Penalty: \$50.00 for each day”

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 41 AMEND TOWN BYLAW ARTICLE XIII

BYLAW STUDY COMM.

To see if the Town will vote to amend the Town ByLaws, Article XIII. Hawkers And Peddlers, Section 8 part a by removing the words “not more than” from said sentence, such that after this amendment the sentence would read, “Any transient vendor that does not comply with Chapter 101 shall be subject to a fine of twenty dollars (\$20.00) for each day on which he is in noncompliance”;

And to see if the Town will vote to amend the Town ByLaws, Article XXI. Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XIII, Section 8 – Street Vendors, by removing the words “not more than” from Penalty and replacing it with the words such that after this amendment it would read, “Penalty: \$20.00 per day” Or to do or act in any manner relative thereto. ByLaw Study and Codification Committee See Attached

PURPOSE AND JUSTIFICATION

This amendment is in direct response to the State’s Attorney General’s office noting North Attleborough’s Non-Criminal Fines and Penalties were not all in compliance to M.G.L. Chapter 40, Section 21D. The law calls for a specific penalty for the violation. See attached document from the State’s Attorney General’s office.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Town ByLaws, Article XIII. Hawkers And Peddlers, Section 8 part a by removing the words “not more than” from said sentence, such that after this amendment the sentence would read, “Any transient vendor that does not comply with Chapter 101 shall be subject to a fine of twenty dollars (\$20.00) for each day on which he is in noncompliance”;

And that the Town vote to amend the Town ByLaws, Article XXI. Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XIII, Section 8 – Street Vendors, by removing the words “not more than” from Penalty and replacing it with the words such that after this amendment it would read, “Penalty: \$20.00 per day”
FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 42 AMEND TOWN BYLAW ARTICLE XIIB BYLAW STUDY COMM.

To see if the Town will vote to amend the Town ByLaws, Article XIIB, Fire Regulations, Section 3 Hazardous Materials Permit To Store & Use, part c by removing the words “not more than” from said sentence, such that after this amendment the sentence would read, “c. Failure to obtain a permit shall be punishable by a fine of three hundred dollars (\$300.00) for each day the violation of this section continues.”;

And to see if the Town will vote to amend the Town ByLaws, Article XXI. Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XIIB Section 3 – Hazardous Materials Permit to Store and Use, by removing the words “not more than” from Penalty and replacing it with the words such that after this amendment it would read, “Penalty: \$300.00 per day”

Or to do or act in any manner relative thereto. ByLaw Study and Codification Committee

PURPOSE AND JUSTIFICATION

This amendment is in direct response to the State’s Attorney General’s office noting North Attleborough’s Non-Criminal Fines and Penalties were not all in compliance to M.G.L. Chapter 40, Section 21D. The law calls for a specific penalty for the violation. See attached document from the State’s Attorney General’s office.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Town ByLaws, Article XIIB, Fire Regulations, Section 3 Hazardous Materials Permit To Store & Use, part c by removing the words “not more than” from said sentence, such that after this amendment the sentence would read, “c. Failure to obtain a permit shall be punishable by a fine of three hundred dollars (\$300.00) for each day the violation of this section continues.”;

And that the Town vote to amend the Town ByLaws, Article XXI. Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XIIB Section 3 – Hazardous Materials Permit to Store and Use, by removing the words “not more than” from Penalty and replacing it with the words such that after this amendment it would read, “Penalty: \$300.00 per day”

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 43 AMEND TOWN BYLAW ARTICLE XVI BYLAW STUDY COMM.

To see if the Town will vote to amend the Town ByLaws, Article XVI. Refuse Collections, Section 3 by adding the words “per day” to said sentence, such that after this amendment the sentence would read, “If no separation takes place, the refuse will not be picked up and the household must remove the material within a twelve (12) hour period or suffer a fine of fifteen (\$15.00) per day”;

And to see if the Town will vote to amend the Town ByLaws, Article XXI. Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XVII, Section 3 – Trash Disposal Recycling, by removing the words “Article XVII” and replacing with “Article XVI” and removing the words “not more than” from Penalty and replacing it with the words such that after this amendment it would read,

“Penalty: \$15.00 per day”

Or to do or act in any manner relative thereto. ByLaw Study and Codification Committee

PURPOSE AND JUSTIFICATION

This amendment is in direct response to the State’s Attorney General’s office noting North Attleborough’s Non-Criminal Fines and Penalties were not all in compliance to M.G.L. Chapter 40, Section 21D. The law calls for a specific penalty for the violation. See attached document from the State’s Attorney General’s office.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Town ByLaws, Article XVI. Refuse Collections, Section 3 by adding the words “per day” to said sentence, such that after this amendment the sentence would read, “If no separation takes place, the refuse will not be picked up and the household must remove the material within a twelve (12) hour period or suffer a fine of fifteen dollars (\$15.00) per day”; And that the Town vote to amend the Town ByLaws, Article XXI. Penalty for Violation of By-Laws, Section 3. Non-Criminal Violations, Article XVII, Section 3 – Trash Disposal Recycling, by removing the words “Article XVII” and replacing with “Article XVI” and removing the words “not more than” from Penalty and replacing it with the words such that after this amendment it would read, “Penalty: \$15.00 per day”
FINANCE COMMITTEE REASON: Per purpose and justification

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

ARTICLE 44 AMEND TOWN BYLAW ARTICLE IX BUILDING INSPECTOR

To see if the Town will vote to amend Article IX of the Town ByLaws by deleting in its entirety section 1. Building Inspector (e) and substituting the following: Section 1. Building Inspector (e) The Building Inspector may appoint an additional person or persons as Local Building Inspector(s) to assist the Building Inspector in enforcing the State Building Code and Rules and Regulations of the Architectural Access Board. The qualifications shall be as defined in the Massachusetts General Laws. Or to do or act in any manner relative thereto. Building Inspector See Attached

PURPOSE AND JUSTIFICATION

This proposed ByLaw will bring consistency to all the ByLaws relative to the appointments of all inspectors of the Building Inspector.

FINANCE COMMITTEE VOTE: 4-3

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: The finance committee concurs with both the By Law Study Committee and the Board of Selectmen that further study of this article is required.

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

ARTICLE 45 AMEND TOWN BYLAW ARTICLE IX BUILDING INSPECTOR

To see if the Town will vote to amend Article IX. of the Town ByLaws by deleting in its entirety section 5.

Inspector of Electrical Wiring (a., b) and substituting the following:

Section 5: Inspector of Electrical Wiring (a.) The Building Inspector shall appoint annually in May one or more qualified electricians as Inspector of Electrical Wiring for a one – (1) year term. The qualifications shall be as defined in the Massachusetts General Laws c. 143, & 3L. (b) The Building Inspector may at any time appoint for such terms as the Building Inspector determines, but not to exceed one (1) year, one ore more Assistant Inspectors of Electrical Wiring to act in the disability or absence of the Inspector of Electrical Wiring and/or at the discretion of the Building Inspector or the Inspector of Electrical Wiring, and while so acting shall have and may exercise all the powers and duties of the Inspector of Electrical Wiring.

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

PURPOSE AND JUSTIFICATION

This proposed ByLaw will bring consistence to all the ByLaws relative to the appointments of all inspectors of the Building Department.

FINANCE COMMITTEE VOTE: 5-2

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article IX. of the Town ByLaws by deleting in its entirety section 5. Inspector of Electrical Wiring (a., b) and substituting the following:

Section 5: Inspector of Electrical Wiring (a.) The Building Inspector shall appoint annually in May one or more qualified electricians as Inspector of Electrical Wiring for a one – (1) year term. The qualifications shall be as defined in the Massachusetts General Laws c. 143, & 3L. (b) The Building Inspector may at any time appoint for such terms as the Building Inspector determines, but not to exceed one (1) year, one or more Assistant Inspectors of Electrical Wiring to act in the disability or absence of the Inspector of Electrical Wiring and/or at the discretion of the Building Inspector or the Inspector of Electrical Wiring, and while so acting shall have and may exercise all the powers and duties of the Inspector of Electrical Wiring.

FINANCE COMMITTEE REASON: The finance committee feels that approval of this article makes all inspection positions consistent with respect to hiring and reporting.

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

ARTICLE 46 CREATE TOWN BYLAW: RTM VOTING RECORDS ST. LAWRENCE, PETITIONER

To see if the Town will create a ByLaw requiring a posting (in the annual report) of the individual votes of RTM members in a roll-call vote at town meetings.

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

PURPOSE AND JUSTIFICATION

To provide a method for the citizens of the town to see how RTM members voted and to afford an opportunity to the taxpayers and voters an accountability of the members.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: The article was improperly written.

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

Motion seconded.

Motion carried.

The RTM members approved the Finance Committee’s recommendation as read. With 106 members voting, 67-yes & 39-no.

ARTICLE 47 AMEND TOWN BYLAW ARTICLE II, SECTION 2A D. BATES, PETITIONER

To see if the Town will vote to amend its ByLaw, Article II Section 2A. Town Administrator – Appointment and Removal” as follows: Delete Paragraph 1 and replace it with the following:

In accordance with MGL Chapter 41, Section 23A, the Selectmen shall appoint an executive secretary or town administrator who shall be appointed by them for a term of one or three years and to remove him at their discretion.

An executive secretary or town administrator appointed under the provisions of this section shall be sworn to the faithful performance of his duties. During the time that he holds office he shall hold no elective town office, but he may be appointed by the selectmen or, with their approval, by any other town officer, board, committee or commission, to any other town office or position consistent with his office. He shall receive such aggregate compensation, not exceeding the amount appropriated therefore, as the selectmen may determine. He shall act by and for the selectmen in any matter which they may assign to him relating to the administration of the affairs of the town or of any town office or department under their supervision and control, or, with the approval of the selectmen may perform such other duties as may be requested of him by any other town officer, board, committee or commission.

Delete Paragraph 2 except for the last sentence which reads “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”

Delete paragraphs 3, 4 Change the last paragraph from #6 to #3. Or to do or act in any manner relative thereto.

Petition See Attached

PURPOSE AND JUSTIFICATION

To simplify the bylaw and therefore the selection of a Town Administrator by accepting the state law. To increase the number of qualified applicants for the Town Administrator’s position.

FINANCE COMMITTEE VOTE: 4-2-1

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend its ByLaw, Article II Section 2A. Town Administrator – Appointment and Removal” as follows: Delete Paragraph 1 and replace it with the following:

In accordance with MGL Chapter 41, Section 23A, the Selectmen shall appoint a town administrator who shall be appointed by them for a term of one or three years and may remove him at their discretion. A town administrator appointed under the provisions of this section shall be sworn to the faithful performance of his duties. During the

time that he holds office he shall hold no elective town office, but he may be appointed by the selectmen or, with their approval, by any other town officer, board, committee or commission, to any other town office or position consistent with his office. He shall receive such aggregate compensation, not exceeding the amount appropriated therefore, as the selectmen may determine. He shall act by and for the selectmen in any matter which they may assign to him relating to the administration of the affairs of the town or of any town office or department under their supervision and control, or, with the approval of the selectmen may perform such other duties as may be requested of him by any other town officer, board, committee or commission.

Delete Paragraph 2 except for the last sentence which reads “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”

Delete paragraphs 3, 4 & 5. Change the last paragraph from #6 to #3.

FINANCE COMMITTEE REASON: The finance committee feels this article should be presented to the RTM for discussion at town meeting.

After much discussion, Walter St. Lawrence (P2) made a motion to move the question.

Motion seconded.

Mr. St. Lawrence withdrew his motion to move the question.

Peter Gaudino (P8) made a motion to move the question.

Motion seconded.

The RTM members defeated the motion to move the question. With 106 members voting, (2/3's required), 56-yes & 50-no. 71 votes needed.

David Chee (P8) made a motion to amend Article 47 as follows:

That the Town vote to amend its ByLaw, Article II Section 2A. Town Administrator – Appointment and Removal” as follows: Delete Paragraph 1 and replace it with the following:

In accordance with MGL Chapter 41, Section 23A, the Selectmen shall appoint a town administrator who shall be appointed by them for a term of one or three years and may remove him at their discretion. A town administrator appointed under the provisions of this section shall be sworn to the faithful performance of his duties. During the time that he holds office he shall hold no elective town office, but he may be appointed by the selectmen or, with their approval, by any other town officer, board, committee or commission, to any other town office or position consistent with his office. He shall receive such aggregate compensation, not exceeding the amount appropriated therefore, as the selectmen may determine. He shall act by and for the selectmen in any matter which they may assign to him relating to the administration of the affairs of the town or of any town office or department under their supervision and control, or, with the approval of the selectmen may perform such other duties as may be requested of him by any other town officer, board, committee or commission.

Delete Paragraph 2 except for the last sentence which reads “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”

Delete paragraphs 3, 4 & 5. Change the last paragraph from #6 to #3.

Implementation of amended bylaw to commence August 1, 2008

Motion seconded.

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

Motion seconded.

Motion carried.

The RTM members defeated the motion to amend Article 47.

The Moderator entertained a motion to extend past 10:00 PM.

Motion seconded.

Motion carried.

Judith Lewis (P9) made a motion to amend Article 47 as follows:

Delete Paragraph 1 and replace it with the following: That the Town vote to amend its ByLaw, Article II, Section 2A. Town Administrator-Appointment and Removal as follows: In accordance with MGL Chapter 41, Section 23A, the Selectmen,” **by an affirmative vote of at least 4 members**”, shall appoint a town administrator who shall be appointed by them for a term of one or three years and may remove him at their discretion. A town administrator appointed under the provisions of this section shall be sworn to the faithful performance of his duties. During the time that he holds office he shall hold no elective town office, but he may be appointed by the selectmen or, with their approval, by any other town officer, board, committee or commission, to any other town office or position consistent with his office. He shall receive such aggregate compensation, not exceeding the amount appropriated therefore, as the selectmen may determine. He shall act by and for the selectmen in any matter which they may assign to him relating to the administration of the affairs of the town or of any town office or department under their supervision and control, or, with the approval of the selectmen may perform such other duties as may be requested of him by any other town officer, board, committee or commission.

Delete Paragraph 2 except for the last sentence which reads “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”

Delete paragraphs 3, 4. Change paragraph 5 to 3 and paragraph 6 to paragraph 4.

Motion seconded.

Dave Manoogian (P8) made a motion to move the question and go directly to a vote on the amendment.

Motion seconded.

Motion carried.

The RTM members defeated the motion to amend Article 47 as presented.

Dave Manoogian (P8) made a motion to move the question and go directly to a vote on the Finance Committee’s recommendation for Article 47.

Motion seconded.

Motion carried.

The RTM members, by a Roll Call Vote, approved the Finance Committee’s recommendation as read. With 109 members voting, 69-yes & 40-no. 55 votes needed.

ARTICLE 48 STABILIZATION FUND

BOARD OF SELECTMEN

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

PURPOSE AND JUSTIFICATION

To supplement the current Stabilization Fund balance.

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 Free Cash account was not certified. As a result, no monies could be expended from this account.

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

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

Motion seconded.

Motion carried.

It is 10:38 PM.

