

**PROCEEDINGS  
ANNUAL TOWN MEETING  
MAY 21, 2007**

On Monday, May 21, 2007, Town Clerk, Maxwell Gould opened the Annual Town Meeting at 7:40PM. "With 108 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.

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

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.

John Donahue, (P7) 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 obvious by the moderator, shall not be taken unless requested by seven or more RTM members.*

Motion seconded.

Motion carried.

Town Moderator, Steve Dalrymple read the Warrant.

**TOWN OF NORTH ATTLEBOROUGH WARRANT  
FOR THE REPRESENTATIVE ANNUAL TOWN MEETING  
MONDAY, MAY 21, 2007 AT 7:30 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 21st OF MAY 2007 A.D.**

**At 7:30 P.M., then and there to act upon the following articles to wit:**

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

Given our hands and seal of the Town of North Attleborough on this Thursday, February 15, 2007.

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 – Elm Street
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. TD Bank North (Center)
15. Nissan Village
16. Department of Public Works (Smith Street)
17. North Attleborough Federal Credit Union

**ARTICLE 2 TOWN REPORT**

**BOARD OF SELECTMEN**

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

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

**PURPOSE AND JUSTIFICATION**

As per Article V, Section 6a of the Town ByLaws, each Department, Board and Committees of the town shall annually present a full report of its acts for the previous year. RTM members vote to accept the report at the Annual Town Meeting.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the town vote to consider and act upon the reports of the Town Officers and Committees.

**FINANCE COMMITTEE REASON:** Approval of this article accepts the Town Report.

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

**ARTICLE 3 COMPENSATION OF TOWN OFFICERS**

**BOARD OF SELECTMEN**

To see if the Town will vote to determine the compensation for elected Town Officers. Or to do or act in any manner relative thereto. Board of Selectmen

**FINANCE COMMITTEE VOTE:**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to, in accordance with the provisions of Massachusetts General Laws Ann. Ch. 141, Sect. 108, as amended, the compensation of elected Town Officials be as follows effective the beginning of the current fiscal year, July 1, **2007**, the sums necessary for such compensation being provided for in respective departmental appropriations to be made under **5** of this Warrant:

Town Clerk:	\$18,478.00	Board of Selectmen:	Board of Health:
Treasurer/Collector:	78,776.00	Chairman: \$1,200.00	Chairman: \$500.00
Town Moderator:	1,200.00	Other (4): \$1,000.00	Other (2): \$375.00

Board of Assessors:  
Chairman: \$ 3,200.00  
Other (2): 2,900.00

Municipal Light Board:  
Chairman: \$1,200.00  
Other (2): 1,000.00

School Committee:  
Chairman: \$1,200.00  
Other (6): 1,000.00

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

Planning Board:  
Chairman: \$ 750.00  
Other (4): 500.00

**FINANCE COMMITTEE REASON:** The compensation for town officials must be approved by town meeting every year. The compensation of these boards and commissions remains consistent with that of prior years.

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

**ARTICLE 4 COMPENSATION OF APPOINTED BOARDS/COMM. BOARD OF SELECTMEN**

To see if the Town will vote to determine the compensation for the following appointed boards, commissions or committees: Elections Commissioners Fire Commissioners Negotiating Committee  
Or to do or act in any manner relative thereto. Board of Selectmen

**FINANCE COMMITTEE VOTE: 5-1**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the town vote to compensate the following board/committee members in the amount stated herein:

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

**FINANCE COMMITTEE REASON:** The compensation for town officials must be approved by town meeting every year. The compensation of these boards and commissions remains consistent with that of prior years.

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

**ARTICLE 5 FY08 OMNIBUS BUDGET BOARD OF SELECTMEN**

To see if the Town will vote to appropriate and raise by borrowing or otherwise, such sums of money as may be required to defray Town charges for the fiscal year ending June 30, 2008 and expressly for the following purposes, to wit: Or to do or act in any manner relative thereto. Board of Selectmen

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** See appendix pages xxx

**FINANCE COMMITTEE REASON:** See chairman's letter attached hereto.

John Donahue (P7) made a motion as follows:

*I move that Article 5 be divided into five parts, each part to be discussed and voted upon separately. Part 1- General Government and Schools; Part 2- Water Enterprise; Part 3-Landfill Enterprise; Part 4-Sewer Enterprise; Part 5- Electric Dept.*

Motion seconded.

Motion carried.

Dave Manoogian (P8) made a motion as follows:

*Motion to amend Article 5 School Department budget, General Expenses line item by increasing said line item by \$160,000.00 thereby changing said line item from \$33,395,261.00 to \$33,555,261.00 and that the amount of \$160,000.00 be transferred from the stabilization account, and that the entire school department budget as shown on Line 300 be set at \$35,036,376.00.*

Motion seconded.

After much discussion, Jay Maslen (P6) made a motion to move the question.  
 Motion seconded.  
 Motion carried. 2/3's vote obvious to the Moderator.

**The RTM members approved the Motion to Amend. With 102 members voting, 72-yes & 30-no. 68 votes needed.**

**The RTM members approved Line 710-Debt Service of Article 5 as presented. 2/3's vote obvious to the Moderator.**

**The RTM members approved Part 1 of Article 5-Total General Town Government and Schools as amended.**

**The RTM members approved Part 2 of Article 5-Landfill Enterprise Fund as presented.**

**The RTM members approved Part 3 of Article 5-Sewer Enterprise Fund as presented.**

**The RTM members approved Part 4 of Article 5-Water Enterprise Fund as presented.**

**The RTM members approved Part 5 of Article 5-Electric Dept as presented.**

Motion by Finance Committee Chairman to divide Article 6 into four parts to be voted on individually.  
 Motion seconded.  
 Motion carried.

**ARTICLE 6 CAPITAL IMPROVEMENT PLAN BOARD OF SELECTMEN**

To see if the Town will vote to appropriate a sum of money to be raised by taxation, by transfer from available funds, 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 \$955,390.00 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.

<b><u>ITEM</u></b>	<b><u>AMOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>REQUESTED BY</u></b>
1.	\$ 35,000	Revaluation for FY 2011	Board of Assessors
2.	\$ 30,000	Allen Avenue Exhaust System	Board of Fire Commissioners
3.	\$ 15,000	Breathing Apparatus	Board of Fire Commissioners
4.	\$ 45,000	Replace Protective Turnout Gear	Board of Fire Commissioners
5.	\$ 100,000	Hazardous Material Removal	School Committee
6.	\$ 52,000	Building Security	School Committee
7.	\$ 20,000	Server Upgrade	MIS Department
8.	\$ 30,000	Repair Town Hall LL Decking & Recaulk	Board of Selectmen
9.	\$ 10,000	Copier Replacement	Board of Selectmen
10.	\$ 30,000	Software Licenses	MIS Department
11.	\$ 80,000	New SPED Bus	School Committee
12.	\$ 33,390	Replace Pick-up Truck w/Plow	Board of Fire Commissioners
13.	\$ 26,000	Replace Pick-up Truck	Board of Health

14.	\$ 34,000	Replace Vehicle	Animal Control Officer
15.	\$ 41,000	Kelley Blvd Station Repairs	Board of Fire Commissioners
16.	\$ 10,000	Replace Waste Oil Burner-Fleet Bldg	Board of Public Works
17.	\$ 38,000	Architectural Svs for Highway/Fleet Bldg	Board of Public Works
18.	\$ 24,000	Upgrade Fleet Services Area	Board of Public Works
19.	\$ 33,000	New Truck-size Garage Doors (6)	Board of Public Works
20.	\$ 24,000	Skid Steer Brush Cutter	Park & Recreation Commission
21.	\$ 45,000	Mower	Park & Recreation Commission
22.	\$ 18,000	Community Field Repair Projects	Park & Recreation Commission
23.	\$ 33,000	Computer Training	MIS Department
24.	\$ 46,000	MuniNet Upgrade	MIS Department
25.	\$ 30,000	Network Switch Replacement	MIS Department
26.	\$ 20,000	Redesign Town Hall Parking Lot	Board of Selectmen
27.	\$ 35,000	F-250 Utility Truck w/Plow	Board of Public Works
28.	\$ 20,000	PC Upgrades	MIS Department
29.	\$ 18,000	Mason Field Fence Repair	Park & Recreation Commission

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** Consideration of these items should be postponed until our Semi Annual Town Meeting in October.

**The RTM members approved the Finance Committee’s recommendation for Part 1 of Article 6 as presented.**

**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 \$750,500.00, 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.

<b><u>ITEM</u></b>	<b><u>AMOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>REQUESTED BY</u></b>	<b><u>ANTICIPATED SOURCE OF FUNDS</u></b>
30.	\$ 168,000	Replace Vehicles	Chief of Police	Police Reserve
31.	\$ 8,000	Computer Hardware	Solid Waste Manager	Landfill Enterprise
				Retained Earnings
32.	\$ 2,500	Design & Engineer	Solid Waste Manager	Landfill Enterprise
		Remote Scale Bldg		Retained Earnings
33.	\$ 35,000	Replace Svs Truck (54)	Board of Public Works	Sewer Enterprise
				Retained Earnings
34.	\$ 26,000	Sewer Collections Camera Truck	Board of Public Works	Sewer Enterprise
				Retained Earnings
35.	\$ 35,000	Replace Pick-up Truck (24) w/Plow	Board of Public Works	Sewer Enterprise
				Retained Earnings
36.	\$ 40,000	Replace Boiler – Main Plant	Board of Public Works	Sewer Enterprise
				Retained Earnings
37.	\$ 15,000	Replace Boiler in Sewer Collections Bldg	Board of Public Works	Sewer Enterprise
				Retained Earnings
38.	\$ 17,500	Utility Truck (1/2 split w/Water Dept)	Board of Public Works	Sewer Enterprise
				Retained Earnings
39.	\$ 15,000	Mobile Technology for GIS	Board of Public Works	Sewer Enterprise
				Retained Earnings
40.	\$ 35,000	Replace Service Vehicle (38)	Board of Public Works	Water Enterprise
				Retained Earnings
41.	\$ 41,000	Kelley Treatment Plant SCADA Upgrades	Board of Public Works	Water Enterprise
				Retained Earnings
42.	\$ 65,000	Hillman & Adamsdale	Board of Public Works	Water Enterprise

43.	\$ 15,000	Wells Chemical Feed DPW Plumbing	Board of Public Works	Retained Earnings Water Enterprise
44.	\$ 17,500	Conservation Retrofits Utility Truck	Board of Public Works	Retained Earnings Water Enterprise
45.	\$ 200,000	(1/2 split w/Sewer Dept) Water Meter Replacement Program	Board of Public Works	Retained Earnings Water Enterprise
46.	\$ 15,000	Mobile Technology for GIS	Board of Public Works	Retained Earnings Water Enterprise

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY ROLL-CALL VOTE**

**FINANCE COMMITTEE RECOMMENDATION:**

That the various capital projects and equipment purchases shown below and totaling \$549,500.00 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>REQUESTED BY</u>	<u>ANTICIPATED SOURCE OF FUNDS</u>
30.	\$ 168,000	Replace Vehicles	Chief of Police	Police Reserve
31.	\$ 8,000	Computer Hardware	Solid Waste Manager	Landfill Enterprise Retained Earnings
32.	\$ 2,500	Design & Engineer Remote Scale Bldg	Solid Waste Manager	Landfill Enterprise Retained Earnings
40.	\$ 35,000	Replace Service Vehicle (38)	Board of Public Works	Water Enterprise Retained Earnings
41.	\$ 41,000	Kelley Treatment Plant SCADA Upgrades	Board of Public Works	Water Enterprise Retained Earnings
42.	\$ 65,000	Hillman & Adamsdale Wells Chemical Feed	Board of Public Works	Water Enterprise Retained Earnings
43.	\$ 15,000	DPW Plumbing Conservation Retrofits	Board of Public Works	Water Enterprise Retained Earnings
45.	\$ 200,000	Water Meter Replacement Program	Board of Public Works	Water Enterprise Retained Earnings
46.	\$ 15,000	Mobile Technology for GIS	Board of Public Works	Water Enterprise Retained Earnings

**FINANCE COMMITTEE REASON:** The funding for these projects comes out of the various retained earning accounts and does not impact other revenue sources.

At 9:55PM a motion was made and seconded to adjourn the Annual Town Meeting to Wednesday, May 23, 2007 @ 7:00 PM.

Motion carried.

At 7:02PM on Wednesday, May 23, 2007, Town Clerk, Maxwell Gould opened the adjourned session of the Annual Town Meeting. "With 63 RTM members present, we have a quorum."

Pledge of Allegiance to the Flag.

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

The Moderator declared that unanimity will dispense with the Majority Roll Call vote.

**With no RTM members in opposition, the motion to dispense with the Roll Call vote carries unanimously.**

**The RTM members unanimously approved the Finance Committee's recommendation for Part 2 of Article 6 as read.**

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

That the sum of \$19,952,666.00, 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.

<b><u>ITEM</u></b>	<b><u>AMOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>REQUESTED BY</u></b>	<b><u>ANTICIPATED PROJECT STATUTORY CITATION, CHAPTER 44, SECTION ( ) OR ANY OTHER ENABLING AUTHORITY</u></b>
47.	\$ 125,000	4 New Sander/Salter Mounted Units	Board of Public Works	7(9)
48.	\$ 185,000	New Underground Diesel Tank System	Board of Public Works	7(3A)
49.	\$1,778,800	Modular Addition – ELC	School Committee	7(3A)
50.	\$2,366,700	Addition – Allen Ave School	School Committee	7(3A)
51.	\$ 50,000	Whitings Dam Rehab Phase II	Conservation Commission	7(7)
52.	\$ 82,000	Engineering for St. Mark's Pond Dam Rehabilitation	Conservation Commission	7(7)
53.	\$ 536,841	Replace Roof (Old Bldg) – Martin School	School Committee	7(3A)
54.	\$ 100,000	Planning & Design – Central Fire Station	Board of Fire Commissioners	7(21)
55.	\$ 55,000	One Ton Dump Truck	Board of Public Works	7(9)
56.	\$ 471,295	Storage Facility	School Committee	7(3)
	\$ 50,000	Storage Facility – Engineering	School Committee	7(3)
57.	\$ 316,000	Heavy Equipment – Grader, Loader, Roller	Board of Public Works	7(9)
58.	\$ 70,000	2 F-250 Trucks w/Plows	Board of Public Works	7(9)
59.	\$ 296,700	Bridge/Culvert Management - Short Term Repairs	Board of Public Works	7(4)
60.	\$ 525,000	Reconstruction of Failed Roads – Phase I	Board of Public Works	7(5)
61.	\$ 500,000	Storm Water Mgmt Plan Impr	Board of Public Works	7(22)
62.	\$ 82,534	West Street Drain Line	Conservation Commission	7(1)
63.	\$ 308,000	St. Mark's Pond Dam Rehab	Conservation Commission	7(7)
64.	\$ 50,000	Mason Field House – ADA Upstairs	Park & Recreation Commission	7(3A)
65.	\$1,279,597	Conversion Project – Community School	School Committee	7(3A)
66.	\$ 287,500	Bridge/Culvert Management – Rehab	Board of Public Works	7(4)

67.	\$2,195,200	Fisher St Bridge Renovate Science Lab – NAHS	School Committee	7(3A)
68.	\$ 586,499	Renovate Media Center – NAHS	School Committee	7(3A)
69.	\$ 25,000	Replace Carpet w/VCT MS	School Committee	7(3A)
70.	\$ 25,000	Replace Telephone/ Intercom - Martin School	School Committee	7(3A)
71.	\$ 30,000	AC/Heater Unit – Amvet School	School Committee	7(3A)
72.	\$ 14,000	Replace Furniture - NAHS	School Committee	7(3A)
73.	\$ 500,000	Reconstruction of Failed Roads – Phase II	Board of Public Works	7(5)
74.	\$ 500,000	Bridge/Culvert Management - Replacement Phase I	Board of Public Works	7(4)
75.	\$ 550,000	Bridge/Culvert Management– Replacement Phase II	Board of Public Works	7(4)
76.	\$ 40,000	Town Forest Playing Fields – Site Preparation	Park & Recreation Commission	7(25)
77.	\$1,500,000	WWTF Phase VI Upgrade	Board of Public Works – Sewer Enterprise	7(1)
78.	\$ 95,000	NPDES Permit Requirements	Board of Public Works – Sewer Enterprise	7(1)
79.	\$3,000,000	WW Management Plan (Group A & B Areas)	Board of Public Works – Sewer Enterprise	7(1)
80.	\$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 \$19,952,666.00 (total of projects listed in Part 3 of this article) 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 \$19,952,666.00 be expended for project costs by the Town Board/Official listed, or the Municipal Building Committee if applicable; and that betterment assessments therefor shall be levied under the provisions of Town By-Laws where applicable.

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

**FINANCE COMMITTEE VOTE: 5-1**

**2/3 ROLL CALL VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the sum of \_\$566,000\_ 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  
ANY OTHER  
ENABLING  
AUTHORITY**

<u>ITEM</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>REQUESTED BY</u>	
47.	\$ 125,000	4 New Sander/Salter	Board of Public Works	7(9)

		Mounted Units		
55.	\$ 55,000	One Ton Dump Truck	Board of Public Works	7(9)
57.	\$ 316,000	Heavy Equipment – Grader, Loader, Roller	Board of Public Works	7(9)
58.	\$ 70,000	2 F-250 Trucks w/Plows	Board of Public Works	7(9)

**PART 3a:**

That said sum for any project listed in Part 3a be appropriated by borrowing; and that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow the sum of \$566,000 (total of projects listed in Part 3a of this article), and to issue bonds or notes of the Town therefore; be expended for project costs 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 betterment assessments, therefore, shall be levied under the provisions of Town By-Laws where applicable.

**John Donahue (P7) made a motion to combine the Roll Call Vote on 3a & 3b.**

**Motion seconded.**

**Motion carried.**

**PART 3b:**

**FINANCE COMMITTEE VOTE: 6-0**

**2/3 ROLL CALL VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the sum of \$1,912,000 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.

<u>ITEM</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>REQUESTED BY</u>	<u>ANTICIPATED PROJECT STATUTORY CITATION, CHAPTER 44, SECTION ( ) OR ANY OTHER ENABLING AUTHORITY</u>
48.	\$ 185,000	New Underground Diesel Tank System	Board of Public Works	7(3A)
51.	\$ 50,000	Whitings Dam Rehab	Conservation Commission	7(7)
52.	\$ 82,000	Engineering for St. Mark's Pond Dam Rehabilitation	Conservation Commission	7(7)
77.	\$1,500,000	WWTF Phase VI Upgrade	Board of Public Works – Sewer Enterprise	7(1)
78.	\$ 95,000	NPDES Permit Requirements Phase II	Board of Public Works – Sewer Enterprise	7(1)

That said sum for any project listed in Part 3b be appropriated by borrowing; and that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen is, hereby, authorized to borrow the sum of \$1,912,000 (total of projects listed in Part 3b of this article) 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 \$15,950 be appropriated and expended by the Treasurer for issuance costs for items 77 and 78; and that betterment assessments, therefore, shall be levied under the provisions of Town By-Laws where applicable.

**FINANCE COMMITTEE REASON:** These projects are necessary to the Town's infrastructure.

**By Roll Call Vote, the RTM members approved the Finance Committee's recommendation on Parts 3A & 3B of Article 6 as read. 83 members voting, 76-yes & 7-no. 56 votes needed.**

**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:** Town meeting must authorize grant applications annually.

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

**ARTICLE 7 BETTERMENT STABILIZATION BOARD OF SELECTMEN**

To see if the Town will vote to transfer from available free cash the sum of \$117,000.00, or any other sum, to the Betterment Stabilization Fund. Or to do or act in any manner relative thereto. Board of Selectmen

**PURPOSE AND JUSTIFICATION**

This will transfer the excess betterment funds received in FY2006 to the Betterment Stabilization Fund to pay for future debt service.

**FINANCE COMMITTEE VOTE: 6-0 MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the town vote to transfer from available free cash the sum of \$117,000.00 to the Betterment Stabilization Fund

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

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

**ARTICLE 8 RESCIND BORROWING UNISSUED AMOUNTS BOARD OF SELECTMEN**

To see if the Town will vote to rescind the borrowing authorization for the following articles and the following unissued amounts:

Meeting Date	Article #	Short Title	Project Authorization	Issue Cost Authorization	Total Authorization To Be Rescinded
2/24/2003	8	School addition engineering	\$24,000.00	0	\$24,000.00
5/19/2003	6	Amvet School Roof	\$60,378.82	0	\$60,378.82
5/19/2003	6	Roosevelt School Roof	\$68,703.18	0	\$68,703.18
5/19/2003	6	Integrated Financial Mgt Software		\$13,260	\$13,260
5/17/2004	4	Park Dept. Bus	\$0.81	0	\$0.81
10/18/2004	26	Oakridge Sewer	\$105.00	\$36,663.00	\$36,768.00
10/18/2004	30	Sheldonville Water Mains	\$138,715.01	0	\$138,715.01
12/6/2004	17	Dogwood Lane Sewer Main	\$2,600	0	\$2,600
12/6/2004	18	Blackberry/Teaberry Sewer	\$7,000	0	\$7,000
5/16/2005	17	Roosevelt School Drains	\$7,954.45	0	\$7,954.45

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

**PURPOSE AND JUSTIFICATION**

The actual costs of these projects and issuance costs were less than the amounts authorized. Town Meeting action is required to unissued amounts to remove them from the Town’s books.

**FINANCE COMMITTEE VOTE: 6-0 MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the town vote to rescind the borrowing authorization for the following articles and the following unissued amounts:

Meeting	Article	Short	Project	Issue Cost	Total Authorization
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Date	#	Title	Authorization	Authorization	To Be Rescinded
2/24/2003	8	School addition engineering	\$24,000.00	0	\$24,000.00
5/19/2003	6	Amvet School Roof	\$60,378.82	0	\$60,378.82
5/19/2003	6	Roosevelt School Roof	\$68,703.18	0	\$68,703.18
5/19/2003	6	Integrated Financial Mgt Software		\$13,260	\$13,260
5/17/2004	4	Park Dept. Bus	\$0.81	0	\$0.81
10/18/2004	26	Oakridge Sewer	\$105.00	\$36,663.00	\$36,768.00
10/18/2004	30	Sheldonville Water Mains	\$138,715.01	0	\$138,715.01
12/6/2004	17	Dogwood Lane Sewer Main	\$2,600	0	\$2,600
12/6/2004	18	Blackberry/Teaberry Sewer	\$7,000	0	\$7,000
5/16/2005	17	Roosevelt School Drains	\$7,954.45	0	\$7,954.45

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

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

**ARTICLE 9 UNION CONTRACT – FIREFIGHTERS’ HUMAN RESOURCES**

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

**PURPOSE AND JUSTIFICATION**

To fund contract effective July 1, 2007.

**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 our voting, this contract was not settled.

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

**ARTICLE 10 UNION CONTRACT – USWA HUMAN RESOURCES**

To see if the Town will vote to appropriate a sum of money to supplement the budgets of various departments for the purpose of financing any changes made in the Personnel ByLaws, as a result of Collective Bargaining and otherwise for salary increases for United Steelworkers of America, 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 Department

**PURPOSE AND JUSTIFICATION**

To fund contract effective July 1, 2007.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY ROLL-CALL VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the town vote to appropriate the sum of \$141,000 to supplement the budgets of various departments for the purpose of financing any changes made in the Personnel By-Laws, as a result of Collective Bargaining and otherwise for salary increases for United Steelworkers of America, and said sum shall be transferred from FY08 Omnibus Budget, Department 122, “Board of Selectmen, Salary Reserve”

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

After some discussion, Peter Gaudino (P8) made a motion to move the question.

Motion seconded.

Motion carried.

Motion made and seconded to waive the Roll Call Vote.

Motion defeated.

**By Roll Call Vote, the RTM members approved the Finance Committee's recommendation as read. 87 members voting, 72-yes & 15-no. 44 votes needed.**

**ARTICLE 11 UNION CONTRACT – AFSCME #1702**

**HUMAN RESOURCES**

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

**PURPOSE AND JUSTIFICATION**

To fund contract effective July 1, 2007.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**AMENDED FINANCE COMMITTEE RECOMMENDATION:** That the town vote to appropriate the sum of \$109,100 to supplement the budgets of various departments for the purpose of financing any changes made in the Personnel ByLaws, as a result of Collective Bargaining and otherwise for salary increases for AFSCME Local 1702 and said sum shall be transferred from FY08 Omnibus Budget, Department 122, "Board of Selectmen, Salary Reserve"

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

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

Motion seconded.

Motion carried.

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

**ARTICLE 12 UNION CONTRACT – LABORERS #1144**

**HUMAN RESOURCES**

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

**PURPOSE AND JUSTIFICATION**

To fund contract effect July 1, 2007.

**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 our voting, this contract was not settled.

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

**ARTICLE 13 FY08 PTS SALARY INCREASE**

**HUMAN RESOURCES**

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

**PURPOSE AND JUSTIFICATION**

To provide funds to allow an increase for the Part-time and Seasonal Employees, effective July 1, 2007.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the town vote to appropriate the sum of \$26,100 to supplement the budgets of various departments for the salary increases for personnel under the Personnel ByLaws, "PTS" Classification, to amend the "PTS" wage and salary scale by the percentage increase approved by the Town Meeting, and said sum shall be transferred from FY08 Omnibus Budget, Department 122, "Board of Selectmen – Salary Reserve".

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

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

**ARTICLE 14 FIRE ALARM SYSTEM REPLACEMENT/REPAIR SCHOOL COMMITTEE**

To see if the Town will vote to appropriate an additional \$380,000 to Article 11 of the May 15, 2006 Annual Town Meeting for the replacement and/or repair of the fire alarm systems, and other work related thereto at the schools listed: Allen Avenue School, Amvet Boulevard Elementary School, Community Elementary School, Early Learning Center, Falls Elementary School, North Attleboro High School, Martin Elementary School, Roosevelt Avenue Elementary School. Said sum to be appropriated by taxation, transfer from available funds, borrowing, or otherwise. Or to do or act in any manner relative thereto. School Committee

**PURPOSE AND JUSTIFICATION**

To implement changes in compliance with the North Attleborough Fire Chief's directives and/or recommendations to replace or upgrade fire alarm systems at the (8) eight schools listed above. Estimates for this work exceed the dollar amount originally allocated in Article 11 of the May 15, 2006 Annual Town Meeting.

**FINANCE COMMITTEE VOTE: 5-1**

**2/3 ROLL-CALL VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town appropriate the sum up to \_\$380,000\_ to be expended under the jurisdiction of the Municipal Building Committee for the replacement and/or repair of fire alarm systems, and other work related thereto, and for costs incidental and related thereto, in the following schools Allen Avenue School, Amvet Boulevard Elementary School, Community Elementary School, Early Learning Center, Falls Elementary School, North Attleboro High School, Martin Elementary School, Roosevelt Avenue Elementary School. And to meet said appropriation, the Town Treasurer with the approval of the Board of Selectmen is, hereby, authorized to borrow the sum up to \_\$380,000\_, at one time or from time to time, under and pursuant to Chapter 44, Section 7 (3A), of the General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the Town therefore.

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

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

Motion seconded.

Motion carried.

**By Roll Call Vote, the RTM members approved the Finance Committee's recommendation as read. 90 members voting, 84-yes & 6-no, 1-abstention. 60 votes needed.**

**ARTICLE 15 UPGRADE/INSTALLATION LOCKING EQUIPMENT SCHOOL COMMITTEE**

To see if the Town will vote to appropriate the sum of \$52,500, or any other sum, to be expended under the jurisdiction of the School Committee for the purchase replacement or upgrading and installation of locking hardware, door controls, key systems & other work related thereto in classrooms, assembly areas and offices which presently do not have this capability in: Allen Avenue Elementary School, Amvet Boulevard Elementary School, Community Elementary School, Early Learning Center, Falls Elementary School, Joseph W. Martin Elementary School, Roosevelt Avenue School, North Attleborough Middle School, and North Attleborough High School. Said sum shall be appropriated by taxation, transfer of available funds, bonding or otherwise. Or to do or act in any manner relative thereto. School Committee

**PURPOSE AND JUSTIFICATION**

The purchasing, upgrading and installation of the locking hardware, door controls and key systems will allow the principals in each building to implement an internal lockdown procedure in classrooms, assembly areas and offices which presently do not have this capability in the event of an emergency situation.

**FINANCE COMMITTEE VOTE: 5-1**

**2/3's VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to appropriate the sum up to \_\$52,500\_ to be expended under the jurisdiction of the School Committee for the purchase replacement or upgrading and installation of locking hardware, door controls, key systems & other work related thereto in classrooms, assembly areas and offices which presently do not have this capability in: Allen Avenue Elementary School, Amvet Boulevard Elementary School, Community Elementary School, Early Learning Center, Falls Elementary School, Joseph W. Martin Elementary School, Roosevelt Avenue School, North Attleborough Middle School, and North Attleborough High School. And that to meet said appropriation, the Town Treasurer with the approval of the Board of Selectmen is, hereby, authorized to borrow the sum up to \_\$52,500\_ at one time or from time to time, under and pursuant to Chapter 44, Section 7 (3A), of General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the Town therefore.

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

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

Motion seconded.

Motion carried.

**The RTM members approved the Finance Committee's recommendation as read. 2/3's obvious to the Moderator. There were 2 members in opposition.**

**ARTICLE 16 E-RATE TRANSFER**

**SCHOOL COMMITTEE**

To see if the Town will vote to appropriate the sum of \$10,526.63, 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: 5-1**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to appropriate the sum of \$10,526.63 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 transferred into the School Department's budget.

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

**ARTICLE 17 SUPPLEMENT FY07 SPED EXPENSES**

**SCHOOL COMMITTEE**

To see if the Town will vote to appropriate the sum of \$600,000, or any other sum to supplement article 6, line 44B, School Department General Expenses, of the FY 07 Annual Town Meeting. Said sum to be appropriated by taxation, transfer from available funds, borrowing or otherwise. Or to do or act in any manner relative thereto. School Committee

**PURPOSE AND JUSTIFICATION**

A shortfall in the School Department's FY07 special education budget, approximately \$600,000, is related to:

- o Students new to the Town of North Attleborough since the start of FY 07 who are serviced in out-of-district placements
- o North Attleborough students who have been transferred from in-district to out-of-district placements since the start of FY 07
- o Increases during FY 07 in costs related to special education services provided to in-district students with special needs

All of the services provided to these students are mandated by state and federal law. The School Department needs the funds requested in this article to address a percentage of these costs.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** We would like this delayed until the June Town Meeting. At which time, we will have an even clearer understanding of the amount of this deficit.

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

**ARTICLE 18 CHAPTER 90 FUNDING**

**BOARD OF PUBLIC WORKS**

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

**PURPOSE AND JUSTIFICATION**

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

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** It is necessary that each year the RTM authorize the Board of Public Works to accept Chapter 90 (road repair) funding from the state.

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

**ARTICLE 19 ACCEPT GIFT FROM EDGEWOOD DEVELOPMENT**

**BOARD, PUBLIC WORKS**

To see if the Town will vote to accept a gift in the amount of \$120,000.00 from Edgewood Development Company, LLC to mitigate the impact from their Chestnut Park Apartments development located at 244 Park Street on traffic in the immediate area. Said sum of money to be expended under the direction of the Board of Public Works. Or to do or act in any manner relative thereto. Board of Public Works

**PURPOSE AND JUSTIFICATION**

Said funds shall be used to offset engineering consulting costs associated with designing traffic safety improvements to the Route 1, Park Street, and Elmwood Street intersection area.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was vetoed because they have either defective language, and/or fiscal /legal impediments.

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

**ARTICLE 20 TRANSFER OF FUNDS: FY07 SNOW & ICE**

**BOARD, PUBLIC WORKS**

To see if the Town will vote to amend Article 6 of the FY2007 Annual Town Meeting by transfer of the following items:

Item 48a Snow and Ice     \$50,000.00     Salary and Wages     to

Item 48b Snow and Ice             General Expenses

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

**PURPOSE AND JUSTIFICATION**

The approved Snow and Ice budget of \$100,000 was inadvertently placed only in the Salaries account. The transfer of \$50,000 will allow the DPW to pay vendors out of the General Expenses account.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend Article 6, "FY07 Omnibus Budget", of the FY07 Annual Town Meeting by transferring \$50,000 from Line Item 48a, "Snow & Ice – Salary & Wages" to Line Item 48b, "Snow & Ice – General Expenses".

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

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

**ARTICLE 21 FY08 OUTSIDE CONSULTANT REVOLVING FUND**

**BOARD, PUBLIC WORKS**

To see if the Town will vote to authorize the Board of Public Works to establish an FY 2008 Outside Consultant(s) revolving fund in accordance with M.G.L. Chapter 44 Section 53E ½ for the collection of reasonable fees paid by applicants for hiring of outside consultant(s) deemed necessary by the Board of Public Works and to authorize expenditures of up to \$30,000.00 from such fund to review the applicant's plans and specifications relating to new and/or amended existing developments and/or site plans. Or to do or act in any manner relative thereto. Board of Public Works

**PURPOSE AND JUSTIFICATION**

This article will allow the DPW to recoup costs for outside engineering review of various subdivisions and/or site plans and their impacts to town assets under the review of the DPW. This would include development impacts outside of the subdivision perimeter on the public water system, sanitary sewer collection system, WWTF, storm drainage, etc. This is becoming necessary due to the increasingly complex development sites in town as well as new federal and state environmental laws that govern their development.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was vetoed because they have either defective language, and/or fiscal /legal impediments. The finance committee urges department heads to consult with Town's financial team and/or legal counsel prior to article submission; thus ensuring proper legal and/or fiscal practice.

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

John Donahue (P7) made a motion as follows:

*I make a motion to advance Article 31 in front of Article 22 and to discuss it now.*

Motion seconded.

Motion carried.

**ARTICLE 31 AMEND ARTICLE XXI, SECTION 3**

**BOARD OF HEALTH**

To see if the Town will vote to amend Article XXI, Section 3, Non-Criminal Violations to include the specific violations and penalties which apply to the section listed below and the Town's officers and employees whose titles are listed and who are deemed to be enforcing officers for said section:

Article VII, Section 3 – Board of Health

Penalty: \$100.00 first offense for any violation of the rules and regulations in a twelve month period

\$200.00 second offense for any violation of the rules and regulations in a twelve month period

\$300.00 third and subsequent violations(s) in a twelve month period.

Enforcing Officer: Board of Health or their designated agents.

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

**PURPOSE AND JUSTIFICATION**

Pursuant to M.G.L. c. 111 §31, et al, Boards of Health have statutory authority to produce regulations to protect the public health. The North Attleborough Board of Health has historically produced such documents regulating subjects from massage parlors to body art to septic systems, and continues to do so from time to time. Appeal and

penalty provisions vary, but one of the most effective and least expensive methods of enforcement is the *non-criminal* civil disposition of regulatory violations already provided for in Article XXI Section 3 of the Town ByLaws. Non-criminal proceedings provide sliding scale fines as an alternative to initiating full criminal proceedings through the court system, but the Town ByLaws must be specific about the authority for the violations and the penalties provided. This amendment asks that the Board of Health's rule make authority already existing in Article VII, Section 3 of the ByLaws be included in the list of other Town enforcement provisions eligible to use non-criminal civil proceedings to resolve violations of law.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the town vote to amend Article XXI, Section 3, Non-Criminal Violations to include the specific violations and penalties which apply to the section listed below and the Town's officers and employees whose titles are listed and who are deemed to be enforcing officers for said section: Article VII, Section 3 – Board of Health

Penalty: \$100.00 first offense for any violation of the rules and regulations in a twelve month period  
\$200.00 second offense for any violation of the rules and regulations in a twelve month period  
\$300.00 third and subsequent violations(s) in a twelve month period.

Enforcing Officer: Board of Health or their designated agents.

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

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

**ARTICLE 22 FY08 FINES & FORFEITURES REVOLVING FUND**

**BOARD OF HEALTH**

To see if the Town will vote to establish an FY 2008 Board of Health Revolving Fund for Fines and Forfeitures in accordance with MGL Chapter 44 Section 53E ½ and MGL Chapter 111 Section 188 for the collection of fines relative to violations of Board of Health regulations and to authorize expenditures authorized by the Board of Health of up to \$10,000 for public health purposes. Or to do or act in any manner relative thereto. Board of Health See Attached

**PURPOSE AND JUSTIFICATION**

Pursuant to M.G.L. Chapter 111 Section 31, et al, the Board of Health has statutory authority to produce regulations to protect the public health and set out enforcement and penalty mechanisms for those regulations. This amendment asks that a revolving fund be established to accept the fines and forfeitures incurred by the Board of Health or its agents under the general laws of the state, special laws applicable to the Town, and/or the bylaws and regulations of the Town relative to the protection of the community's public health.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was vetoed because they have either defective language, and/or fiscal /legal impediments.

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.**

**ARTICLE 23 FY08 OUTSIDE CONSULTANT REVOLVING FUND**

**BOARD OF HEALTH**

To see if the Town will vote to authorize the Board of Health to establish an FY 2008 Outside Consultant Revolving Fund in accordance with M.G.L. Chapter 44 Section 53E ½ for the collection of reasonable fees paid by applicants submitting site plans to the Board of Health and to authorize expenditures of up to \$50,000.00 from such fund to pay for outside consultant(s) deemed necessary by the Board of Health to review the applicant's plans and specifications relating to new and/or amended site plans. Or to do or act in any manner relative thereto. Board of Health See Attached

**PURPOSE AND JUSTIFICATION**

In consideration of the problems that can occur with the installation and repair of subsurface disposal and subdivision drainage systems in the Town, the Board of Health is requiring builders and developers to obtain independent reviews of their plans for such work from consulting engineers acceptable to the Board of Health, with the dollar-for-dollar cost of such plan reviews borne by the builder/developers proposing the work. This amendment asks that a revolving fund be established to act as a pass-through account wherein monies equal to the anticipated costs of such plan reviews will be received from the builder/developers then disbursed to the consulting engineers.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was vetoed because they have either defective language, and/or fiscal /legal impediments.

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

**ARTICLE 24 FY08 PLUMBING INSPECTOR REVOLVING FUND**

**BOARD, SELECTMEN**

To see if the Town will vote to reestablish for FY08 with continuing balances, a Plumbing Inspection Departmental Revolving Fund in accordance with MGL Chapter 44, Section 53E ½ for the collection of 75% of the plumbing inspection fees and to authorize expenditures of up to \$60,000 for payment to inspectors for performing these inspections. Or to do or act in any manner relative thereto. Board of Selectmen

**PURPOSE AND JUSTIFICATION**

To renew, as required annually, as per MGL Chapter 44, Section 53E ½

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to reestablish for FY08 with continuing balances, a Plumbing Inspection Departmental Revolving Fund in accordance with MGL Chapter 44, Section 53E ½ for the collection of 75% of the plumbing inspection fees and to authorize expenditures of up to \$60,000 for payment to inspectors for performing these inspections.

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

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

**ARTICLE 25 FY08 MECHANICAL INSPECTOR REVOLVING FUND**

**BOARD, SELECTMEN**

To see if the Town will vote to reestablish for FY08 with continuing balances, a Mechanical Inspection Departmental Revolving Fund in accordance with MGL Chapter 44, Section 53E ½ for the collection of 75% of the mechanical inspection fees and to authorize expenditures of up to \$70,000 for payment to inspectors for performing these inspections. Or to do or act in any manner relative thereto. Board of Selectmen

**PURPOSE AND JUSTIFICATION**

To renew, as required annually, as per MGL Chapter 44, Section 53E ½

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**AMENDED FINANCE COMMITTEE REASON:** This article was not reestablished at the request of the building inspector.

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

**ARTICLE 26 FY08 ELECTRICAL INSPECTOR REVOLVING FUND**

**BOARD, SELECTMEN**

To see if the Town will vote to reestablish for FY08 with continuing balances, an Electrical Inspection Departmental Revolving Fund in accordance with MGL Chapter 44, Section 53E ½ for the collection of 75% of the electrical inspection fees and to authorize expenditures of up to \$120,000 for payment to inspectors for performing these inspections. Or to do or act in any manner relative thereto. Board of Selectmen

**PURPOSE AND JUSTIFICATION**

To renew, as required annually, as per MGL Chapter 44, Section 53E ½

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to reestablish for FY08 with continuing balances, an Electrical Inspection Departmental Revolving Fund in accordance with MGL Chapter 44, Section 53E ½ for the collection of 75% of the electrical inspection fees and to authorize expenditures of up to \$120,000 for payment to inspectors for performing these inspections.

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

After some discussion Charles Beale (P9) made a motion to move the question.

Motion seconded.

Motion carried.

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

**ARTICLE 27 FY08 GAS INSPECTOR REVOLVING FUND**

**BOARD OF SELECTMEN**

To see if the Town will vote to reestablish for FY08 with continuing balances, a Gas Inspection Departmental Revolving Fund in accordance with MGL Chapter 44, Section 53E ½ for the collection of 75% of the gas inspection fees and to authorize expenditures of up to \$50,000 for payment to inspectors for performing these inspections. Or to do or act in any manner relative thereto. Board of Selectmen

**PURPOSE AND JUSTIFICATION**

To renew, as required annually, as per MGL Chapter 44, Section 53E ½

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to reestablish for FY08 with continuing balances, a Gas Inspection Departmental Revolving Fund in accordance with MGL Chapter 44, Section 53E ½ for the collection of 75% of the gas inspection fees and to authorize expenditures of up to \$50,000 for payment to inspectors for performing these inspections

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

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

**ARTICLE 28 FY08 TOWN EMERGENCY REVOLVING FUND**

**BOARD OF HEALTH**

To see if the Town will vote to renew for FY2008 the Town Emergency Fund in accordance with MGL Chapter 44 Section 53E ½ for the purpose of giving the Public Health Nurse the authority by the Board of Health to accept contributions and to spend monies from the fund for emergency needs of distressed inhabitants of North Attleborough. And to keep receipts that will be credited to the fund and establish a yearly expenditure limit that can be changed during the year by the Selectmen. Or to do or act in any manner relative thereto. Board of Health See Attached

**PURPOSE AND JUSTIFICATION**

This fund was established to enable the Public Health Nurse to utilize monetary donations that are graciously made and gratefully accepted throughout the year. Through the kindness and generosity of many residents and business people, the Town of North Attleborough has been able to utilize this fund to help its citizens in need since 1993.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to renew for FY2008 the Town Emergency Fund in accordance with MGL Chapter 44 Section 53E ½ for the purpose of giving the Public Health Nurse the authority by the Board of Health to accept contributions and to spend monies from the fund for emergency needs of distressed inhabitants of North Attleborough. And to keep receipts that will be credited to the fund and establish a yearly expenditure limit that can be changed during the year by the Selectmen.

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

**The Moderator ruled this Article Out of Order.**

**ARTICLE 29 FY08 FLU CLINICS REVOLVING FUND**

**BOARD OF HEALTH**

To see if the Town will vote to renew for FY 2008 the Board of Health Revolving Fund for Flu Clinics in accordance with MGL Chapter 44 Section 53E ½ for the purpose of depositing receipts received in connection with the conduct of flu clinics in the Town of North Attleborough for the purpose of paying certain costs and expenses related thereto, said sum not to exceed \$3,000, with said amount to be expended at the direction of the Public Health Nurse. Or to do or act in any manner relative thereto. Board of Health See Attached

**PURPOSE AND JUSTIFICATION**

This fund was established to allow the Public Health Nurse to directly deposit and utilize funds generated from Medicare B and other billing sources to purchase necessary equipment, flu vaccine and supplies to run public immunization clinics in the Town of North Attleborough.

**FINANCE COMMITTEE VOTE: 3-2**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to renew for FY 2008 the Board of Health Revolving Fund for Flu Clinics in accordance with MGL Chapter 44 Section 53E ½ for the purpose of depositing receipts received in connection with the conduct of flu clinics in the Town of North Attleborough for the purpose of paying certain costs and expenses related thereto, said sum not to exceed \$3,000, with said amount to be expended at the direction of the Public Health Nurse.

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

**The Moderator ruled this Article Out of Order.**

**ARTICLE 30 AMEND BYLAW ARTICLE IX, SECTION 5**

**BOARD OF SELECTMEN**

To see if the Town will vote to amend its Bylaw, Article IX Section 5 “Inspector of Electrical Wiring”, by revising the language of subsection e. by deleting all words after the word “Inspector.” The current wording of this section and the proposed change are as follows:

Current wording:

- e. The Inspector of Electrical Wiring shall report to the Building Inspector the violation of any code, rule or regulation or law relative to electrical wiring.

Proposed wording:

- e. The Inspector of Electrical Wiring shall report to the Building Inspector.

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

**PURPOSE AND JUSTIFICATION**

This change clarifies Article IX of the bylaw. Section 1d. states that the Building Inspector has “the power to establish rules and regulations for the administration of his department and carrying out his responsibilities”. This change makes it clear that all inspectors in the office report to the Building Inspector and he has final sign-off on occupancy permits.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend its Bylaw, Article IX Section 5 “Inspector of Electrical Wiring”, by revising the language of subsection e. by deleting all words after the word “Inspector.” The current wording of this section and the proposed change are as follows:

Current wording:

- e. The Inspector of Electrical Wiring shall report to the Building Inspector the violation of any code, rule or regulation or law relative to electrical wiring.

Proposed wording:

- e. The Inspector of Electrical Wiring shall report to the Building Inspector.

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

After some discussion, a motion was made and seconded to extend the meeting past 10:00PM.  
Motion carried.

Following more discussion, Kevin Nugent (P7) made a motion to move the question.  
Motion seconded.  
Motion carried.

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

At 10:07PM a motion was made and seconded to adjourn to Wednesday, May 30, 2007 at 7:00PM.  
Motion carried.

On Wednesday, May 30, 2007, Town Clerk, Maxwell Gould opened the adjourned session of the Annual Town Meeting at 7:06PM. “With 61 members present, we have a quorum.”

Pledge of Allegiance to the Flag.

Moment of silence for the men and women serving overseas.

Point of Order, Darla Leighton (P8).

Motion to reconsider Article 15 due to some new information in today’s newspaper.  
Motion seconded.

After some discussion, Bart Steele (P7) made a motion to move the question.  
Motion seconded.  
Motion carried.

**The RTM members defeated the motion to reconsider Article 15. 2/3’s obvious to the Moderator.**

John Donahue (P7) made a motion to reconsider Article 28.  
Motion seconded.

Following a brief discussion, John Donahue (P7) rescinded his motion to reconsider.

**ARTICLE 31 AMEND ARTICLE XXI, SECTION 3**

**BOARD OF HEALTH**

To see if the Town will vote to amend Article XXI, Section 3, Non-Criminal Violations to include the specific violations and penalties which apply to the section listed below and the Town’s officers and employees whose titles are listed and who are deemed to be enforcing officers for said section:

Article VII, Section 3 – Board of Health

- Penalty: \$100.00 first offense for any violation of the rules and regulations in a twelve month period
- \$200.00 second offense for any violation of the rules and regulations in a twelve month period
- \$300.00 third and subsequent violations(s) in a twelve month period.

Enforcing Officer: Board of Health or their designated agents.

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

**PURPOSE AND JUSTIFICATION**

Pursuant to M.G.L. c. 111 §31, et al, Boards of Health have statutory authority to produce regulations to protect the public health. The North Attleborough Board of Health has historically produced such documents regulating subjects from massage parlors to body art to septic systems, and continues to do so from time to time. Appeal and penalty provisions vary, but one of the most effective and least expensive methods of enforcement is the *non-criminal* civil disposition of regulatory violations already provided for in Article XXI Section 3 of the Town ByLaws. Non-criminal proceedings provide sliding scale fines as an alternative to initiating full criminal proceedings through the court system, but the Town ByLaws must be specific about the authority for the violations and the penalties provided. This amendment asks that the Board of Health’s rule make authority already existing in Article VII, Section 3 of the ByLaws be included in the list of other Town enforcement provisions eligible to use non-criminal civil proceedings to resolve violations of law.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the town vote to amend Article XXI, Section 3, Non-Criminal Violations to include the specific violations and penalties which apply to the section listed below and the

Town's officers and employees whose titles are listed and who are deemed to be enforcing officers for said section:  
Article VII, Section 3 – Board of Health

Penalty: \$100.00 first offense for any violation of the rules and regulations in a twelve month period  
\$200.00 second offense for any violation of the rules and regulations in a twelve month period  
\$300.00 third and subsequent violations(s) in a twelve month period.

Enforcing Officer: Board of Health or their designated agents.

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

**This Article (31) was advanced before Article 22, discussed and voted on.**

## **ARTICLE 32 AMEND BY LAW ARTICLE VIII**

## **BOARD OF PUBLIC WORKS**

To see if the Town will vote to amend Section 10. Municipal Building Committee of Article VIII of the Town ByLaws by adding the following after "at 102 South Washington Street", in sub-Section 10.b.: "except that the Board of Public Works shall be the awarding authority for the rehabilitation, remodeling, reconstruction or extraordinary repairs, including equipment, furnishings and related items to water and sewer infrastructure to include conveyance and treatment facilities such as water treatment plants, wastewater treatment facilities, pump stations and drinking water wells and their appurtenances."

So that the By-Law will now read "The Municipal Building Committee shall be responsible for every contract for the construction, reconstruction, alteration, or remodeling, as well as the furnishings and equipment herein, for all municipal buildings involving the expenditure of more than \$75,000.00 except that the Police Facility Building Committee shall be the awarding authority for the remodeling, reconstruction of extraordinary repairs including furnishings, equipment and related items to the building located at 102 South Washington Street and except that the Board of Public Works shall be the awarding authority for the rehabilitation, remodeling, reconstruction or extraordinary repairs, including furnishings, equipment and related items to water and sewer infrastructure to include conveyance and treatment facilities such as water treatment plants, wastewater treatment facilities, pump stations and drinking water wells and their appurtenances. Or to do or act in any manner relative thereto. Board of Public Works See Attached

### **PURPOSE AND JUSTIFICATION**

This article will allow the Board of Public Works (BPW) to oversee the rehabilitation, repairs and remodeling of critical water and sewer infrastructure within the Town.

Most of these facilities contain high technology and heavily engineered equipment/components within these structures. Items such as computerized controls, finely calibrated pumps, chemical feed apparatus, security and electronic systems have been designed and installed by engineering firms hired by the BPW. Many of these systems are interrelated within the structure of the building or could be negatively impacted by various future rehab projects. Having two different Town Boards managing these sophisticated assets can cause construction delays, violations of state and federal environmental permits, incompatible outcomes and potential errors resulting in inefficient management of these important resources. Additionally, these projects will be funded through the Water and Sewer Enterprise Funds which are overseen by the BPW.

### **FINANCE COMMITTEE VOTE: 6-0**

### **MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend Section 10. Municipal Building Committee of Article VIII of the Town ByLaws by adding the following after "at 102 South Washington Street", in sub-Section 10.b.: "except that the Board of Public Works shall be the awarding authority for the rehabilitation, remodeling, reconstruction or extraordinary repairs, including equipment, furnishings and related items to water and sewer infrastructure to include conveyance and treatment facilities such as water treatment plants, wastewater treatment facilities, pump stations and drinking water wells and their appurtenances."

So that the By-Law will now read "The Municipal Building Committee shall be responsible for every contract for the construction, reconstruction, alteration, or remodeling, as well as the furnishings and equipment herein, for all municipal buildings involving the expenditure of more than \$75,000.00 except that the Police Facility Building Committee shall be the awarding authority for the remodeling, reconstruction of extraordinary repairs including furnishings, equipment and related items to the building located at 102 South Washington Street and except that the Board of Public Works shall be the awarding authority for the rehabilitation, remodeling, reconstruction or extraordinary repairs, including furnishings, equipment and related items to water and sewer infrastructure to

include conveyance and treatment facilities such as water treatment plants, wastewater treatment facilities, pump stations and drinking water wells and their appurtenances.

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

After some discussion, Agnes Woodbury (P3) made a motion to move the question.

Motion seconded.

Motion carried.

**The RTM members approved the Finance Committee's recommendation as read. 69 members voting, 38-yes and 31-no. 35 members needed.**

**ARTICLE 33 CODDING/LESTAGE NEW LOT BOUNDARIES BOARD OF SELECTMEN**

To see if the Town will vote to authorize the Board of Selectmen to file with the Planning Board the attached ANR (Approval Not Required) Plan entitled "Plan of Land in North Attleborough prepared for the Town of North Attleborough, prepared by W.T. Whalen Engineering, January 25, 2007" in order to formally establish a new lot of approximately four acres around the existing Coddington/LeStage house and barn. Or to do or act in any manner relative thereto. Board of Selectmen See Attached

**PURPOSE AND JUSTIFICATION**

Filing for automatic Planning Board approval of this "Form A" subdivision plan will enable the Town to move forward with finding an appropriate use for the Coddington/LeStage house and barn while leaving untouched for future use (with proper access) the greater balance of the LeStage land now owned by the Town.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to authorize the Board of Selectmen to file with the Planning Board the attached ANR (Approval Not Required) Plan entitled "Plan of Land in North Attleborough prepared for the Town of North Attleborough, prepared by W.T. Whalen Engineering, January 25, 2007" in order to formally establish a new lot of approximately four acres around the existing Coddington/LeStage house and barn.

**FINANCE COMMITTEE REASON:** As stated in the purpose and justification.

After much discussion, Charles Beale (P9) made a motion to move the question.

Motion seconded.

Motion carried.

**The RTM members approved the Finance Committee's recommendation as read. 69 members voting, 39-yes and 30-no. 35 members needed.**

Motion from the Chair to revisit Article 5 (Omnibus Budget) for the specific purpose only of voting on Line #710 because the budget doesn't balance after a line was left out of the language.

Motion seconded.

Motion carried. 2/3's vote obvious to the Moderator.

The Motion for Line#710 reads as follows:

*Move to amend line 710 of the Omnibus Budget (Article 5) to add language as follows to the note: "and that the sum of \$100,000 be appropriated from the Betterment Stabilization Fund."*

Motion seconded.

**The RTM members approved the motion to amend line 710 as presented.**

**ARTICLE 34 STREET ACCEPTANCE: ORIOLE DRIVE PLANNING BOARD**

To see if the Town will vote to accept Oriole Drive from Station 0+20.34 to Station 8+27.38, Sparrow Circle from Station 8+38.81 to Station 11+41.62, Blue Jay Drive from Station 0+21.70 to Station 8+38.81, Cardinal Circle from

Station 0+20.41 to Station 2+99.63, and Mockingbird Lane from Station 1+66.16 to Station 6+32.89 as public ways, such streets having been completed as per Planning Board specifications.

The portion of Oriole Drive described above runs southerly from its intersection with Blue Jay Drive 807.04 feet; the portion of Sparrow Circle described above runs easterly from the intersection of Oriole Drive 302.81 feet; the portion of Blue Jay Drive described above runs easterly from the intersection of Mockingbird Lane 817.11 feet; the portion of Cardinal Circle described above runs northerly from the intersection of Blue Jay Drive 279.22 feet; and the portion of Mockingbird Lane described above runs northerly 466.73 feet from Station 1+66.16.

Said streets are shown on the plan entitled TITLE SHEET AS-BUILT PLANS AND PROFILES "CEDAR HILL" IN NORTH ATTLEBOROUGH, MASSACHUSETTS PREPARED FOR R&H DEVELOPMENT CORP. 20 NATALIE LANE NORTH ATTLEBOROUGH, MASSACHUSETTS 02760 SCALE: AS NOTED DATE: NOVEMBER 7, 2006 CONSISTING OF TITLE SHEET AND SHEETS 1 THROUGH 5 THEREOF prepared by Tilton & Associates, Inc., 81 John Dietsch Boulevard, P.O. Box 467, North Attleborough, MA 02761, which such plans are on file with the Town Clerk. Or to do or act in any manner relative thereto. Planning Board  
See Attached

#### **PURPOSE AND JUSTIFICATION**

Those portions of Oriole Drive, Sparrow Circle, Blue Jay Drive, Cardinal Circle and Mockingbird Lane described above have been built to Town requirements and specifications, and are available for use by all persons and therefore should be classified as "Public Ways".

#### **FINANCE COMMITTEE VOTE: 6-0**

#### **MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** At the time of our voting, there were some unresolved matters with regard to public street lighting.

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

May 18, 2007

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

Re: Articles Pertaining to Street Acceptances for May 21, 2007 Annual Town Meeting

Dear Mr. Dalrymple:

Articles 34, 35, 36, 37, 38, and 39 on the May 2007 Annual Town Meeting warrant are to see if the Town will vote to approve Street Acceptances.

At their meeting held on May 10, 2007, the Board voted to recommend the following to Town Meeting on these articles for Street Acceptances:

- Article 36: The Board voted 5 in favor, 0 opposed, on the motion to recommend that the Town Meeting vote to approve this article to accept Henry B. Riordan Way as a public way, from station 0+20 to station 12+50, subject to the receipt of written approval from the North Attleborough Department of Public Works
- Article 37: The Board voted 5 in favor, 0 opposed, on the motion to recommend that the Town Meeting vote to approve this article subject to the receipt of written approval from the North Attleborough Department of Public Works.
- Article 38: The Board voted 5 in favor, 0 opposed, on the motion to recommend that the Town Meeting vote to approve this article subject to the receipt of written approval from the North Attleborough Department of Public Works.
- Article 39: The Board voted 4 in favor, 0 opposed, 1 abstained, on the motion to recommend that the Town Meeting vote to approve this article subject to the receipt of written approval from the North Attleborough Department of Public Works.

At their meeting held on May 18, 2007, the Board voted to recommend the following to Town Meeting on these articles for Street Acceptances:

- Article 34: The Board voted 3 in favor, 0 opposed, on the motion to recommend that the Town Meeting vote to approve this article.
- Article 35: The Board voted 3 in favor, 0 opposed, on the motion to recommend that the Town Meeting vote to approve this article

For the Planning Board,

Mary E. Burgess

Town Planner

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

Motion made and seconded to wave the reading of the Affirmative Action motion.

Motion carried.

Dave Manoogian (P8) made an Affirmative Action motion as follows:

*That the Town vote to accept Oriole Drive from Station 0+20.34 to Station 8+27.38, Sparrow Circle from Station 8+38.81 to Station 11+41.62, Blue Jay Drive from Station 0+21.70 to Station 8+38.81, Cardinal Circle from Station 0+20.41 to Station 2+99.63, and Mockingbird Lane from Station 1+66.16 to Station 6+32.89 as public ways, such streets having been completed as per Planning Board specifications.*

*The portion of Oriole Drive described above runs southerly from its intersection with Blue Jay Drive 807.04 feet; the portion of Sparrow Circle described above runs easterly from the intersection of Oriole Drive 302.81 feet; the portion of Blue Jay Drive described above runs easterly from the intersection of Mockingbird Lane 817.11 feet; the portion of Cardinal Circle described above runs northerly from the intersection of Blue Jay Drive 279.22 feet; and the portion of Mockingbird Lane described above runs northerly 466.73 feet from Station 1+66.16.*

*Said streets are shown on the plan entitled TITLE SHEET AS-BUILT PLANS AND PROFILES "CEDAR HILL" IN NORTH ATTLEBOROUGH, MASSACHUSETTS PREPARED FOR R&H DEVELOPMENT CORP. 20 NATALIE LANE NORTH ATTLEBOROUGH, MASSACHUSETTS 02760 SCALE: AS NOTED DATE: NOVEMBER 7, 2006 CONSISTING OF TITLE SHEET AND SHEETS 1 THROUGH 5 THEREOF prepared by Tilton & Associates, Inc., 81 John Dietsch Boulevard, P.O. Box 467, North Attleborough, MA 02761.*

Motion seconded.

**The RTM members approved the Affirmative Action motion as presented.**

**ARTICLE 35 STREET ACCEPTANCE: HOMEWARD LANE**

**PLANNING BOARD**

To see if the Town will vote to accept Homeward Lane from Station 0+30.01 to Station 26+70.30, Constance Way from Station 0+22.50 to Station 15+57.27, Coach Road from Station 0+20.12 to Station 19+50.34, Jeffrey Drive from Station 0-52.00 to Station 5+33±, Kristen Circle from Station 0+23.29 to Station 4+27.18, and Oriole Drive from Station 0+22.59 to Station 1+90.13 as public ways, such streets having been completed as per Planning Board specifications.

The portion of Homeward Lane described above runs northerly 2,640.29 feet to the intersection of Coach Road; the portion of Constance Way described above runs westerly from Homeward Lane 1,534.77 feet to Coach Road; the portion of Coach Road described above runs westerly from its intersection with Jeffrey Drive 1,930.22 feet; the portion of Jeffrey Drive described above runs northerly from said Station 0-52.00 to Station 5+33± approximately 585 feet; the portion of Kristen Circle described above runs from the intersection of Homeward Lane northerly 403.89 feet; and the portion of Oriole Drive described above runs southerly from Station 0+22.59 to the intersection with Coach Road 167.54 feet.

Said streets are shown on the plans entitled TITLE SHEET AS-BUILT PLANS AND PROFILES WESTWOOD ESTATES IN NORTH ATTLEBOROUGH, MASSACHUSETTS consisting of Title Sheet and Sheets 1 through 10 Prepared for Walsh Realty Partnership 82 North Avenue, Attleboro, MA 02703 Scale: As Noted Date: November 10, 2006 Prepared by Tilton & Associates, Inc. 81 John Dietsch Boulevard P.O. Box 467 North Attleborough, MA 02761, which are on file with the Town Clerk.

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

**PURPOSE AND JUSTIFICATION**

Those portions of Homeward Lane, Constance Way, Coach Road, Jeffrey Drive, Kristen Circle and Oriole Drive described above have been built to Town requirements and specifications, and are available for use by all persons and therefore should be classified as "Public Ways".

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** At the time of our voting, there were some unresolved matters with regard to public street lighting.

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

Motion made and seconded to wave the reading of the Affirmative Action motion.

Motion carried.

Dave Manoogian (P8) made an Affirmative Action motion as follows:

*That the Town vote to accept Homeward Lane from Station 0+30.01 to Station 26+70.30, Constance Way from Station 0+22.50 to Station 15+57.27, Coach Road from Station 0+20.12 to Station 19+50.34, Jeffrey Drive from Station 0-52.00 to Station 5+33±, Kristen Circle from Station 0+23.29 to Station 4+27.18, and Oriole Drive from Station 0+22.59 to Station 1+90.13 as public ways, such streets having been completed as per Planning Board specifications.*

*The portion of Homeward Lane described above runs northerly 2,640.29 feet to the intersection of Coach Road; the portion of Constance Way described above runs westerly from Homeward Lane 1,534.77 feet to Coach Road; the portion of Coach Road described above runs westerly from its intersection with Jeffrey Drive 1,930.22 feet; the portion of Jeffrey Drive described above runs northerly from said Station 0-52.00 to Station 5+33± approximately 585 feet; the portion of Kristen Circle described above runs from the intersection of Homeward Lane northerly 403.89 feet; and the portion of Oriole Drive described above runs southerly from Station 0+22.59 to the intersection with Coach Road 167.54 feet.*

*Said streets are shown on the plans entitled TITLE SHEET AS-BUILT PLANS AND PROFILES WESTWOOD ESTATES IN NORTH ATTLEBOROUGH, MASSACHUSETTS consisting of Title Sheet and Sheets 1 through 10 Prepared for Walsh Realty Partnership 82 North Avenue, Attleboro, MA 02703 Scale: As Noted Date: November 10, 2006 Prepared by Tilton & Associates, Inc. 81 John Dietsch Boulevard P.O. Box 467 North Attleborough, MA 02761.*

Motion seconded.

**The RTM members unanimously approved the Affirmative Action motion as presented.**

**ARTICLE 36 STREET ACCEPTANCE: HENRY B. RIORDAN WAY**

**R. LOUGHLIN**

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, Highway Department and Planning Board specifications. Henry B. Riordan Way 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 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 our voting, there were some unresolved matters with regard to public works approval.

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

**ARTICLE 37 STREET ACCEPTANCE: CHARLES W. BARTH DRIVE**

**R.LOUGHLIN**

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, Highway Department and 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**

Charles W. Barth Drive having been built to town requirements and specifications and available 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 our voting, there were some unresolved matters with regard to public works approval.

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

**ARTICLE 38 STREET ACCEPTANCE: LEO J. RINGUETTE CIRCLE**

**R.LOUGHLIN**

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, Highway Department and 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**

Leo J. Ringuette Circle having been built to town requirements and specifications and available 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 our voting, there were some unresolved matters with regard to public works approval.

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

**ARTICLE 39 STREET ACCEPTANCE: RAYMOND SAMPSON DRIVE**

**S. MCCORMACK**

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 our voting, there were some unresolved matters with regard to public works approval.

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

Joan Marchitto (P3) made an Affirmative Action motion as follows:

*That the Town 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.*

Motion seconded.

**The RTM members approved the Affirmative Action motion as presented.**

**ARTICLE 40 STABILIZATION FUND**

**BOARD OF SELECTMEN**

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

**PURPOSE AND JUSTIFICATION**

To supplement the Town's Stabilization Fund.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** At this time, we do not have any available funds to place into the stabilization fund.

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

Motion made to adjourn the Annual Town Meeting Sine Die.

Motion seconded.

Motion carried.

It is 9:02PM.