

**PROCEEDINGS  
SPECIAL TOWN MEETING  
MARCH 24, 2014**

**On Monday, March 24, 2014, Town Clerk, Maxwell G. Gould, opened the Special Town Meeting at 7:08 PM announcing, “With 86 members present, we have a quorum.”**

Town Moderator, Deborah Kohl, led the membership in the Pledge of Allegiance to our Flag.

She then called for a moment of silence for our men and women serving overseas in the Armed Forces.

**Town Moderator, Deborah Kohl, read the warrant and return:**

**NORTH ATTLEBOROUGH WARRANT  
FOR THE REPRESENTATIVE SPECIAL TOWN MEETING  
MONDAY, MARCH 24, 2014  
THE COMMONWEALTH OF MASSACHUSETTS**

**Bristol, ss.**

**To either Constables of the Town of North Attleborough:**

**GREETINGS:**

**In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the legal voters of the Town of North Attleborough to meet at the North Attleborough Middle School Cafetorium, in said North Attleborough on: Monday, the 24<sup>th</sup> of March, 2014 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 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 February 20, 2014

**NORTH ATTLEBOROUGH BOARD OF SELECTMEN**

Paul J. Belham, Sr., Chairman  
Joan Marchitto, Vice-Chairman  
John C. Rhyno  
Michael S. Thompson  
Mark Williamson

**Town Moderator, Deborah Kohl, then read the Return:**

**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 an attested copy of this warrant in each of the nine (9) precincts in said town twenty-one (21) days before the time of said meeting.

Chief John J. Reilly,

Robert Nerz (P7) made a motion as follows:

*I move that the Town Meeting adopt the Bourne Amendment: That any motion to increase the amount of money recommended for an article must specify where the additional monies will come from.*

Motion seconded.

**Motion carried.**

Robert Nerz (P7) made a motion as follows:

*I move that the Town Meeting adopt the procedural rule: That the count of a super majority vote, when declared obvious by the Moderator, shall not be taken unless requested by seven or more RTM members.*

Motion seconded.

**Motion carried.**

**ARTICLE 1 APPROPRIATE FUNDS TO SUPPLEMENT VARIOUS BUDGETS B.O.S.**

To see if the Town will vote to appropriate a sum of money to supplement various FY14 departmental operating budgets. Said sum to be funded by free cash or available funds.

**PURPOSE AND JUSTIFICATION:** This article was submitted to facilitate the operating expenses for various departments for the fiscal year.

**FINANCE COMMITTEE VOTE: 7-0**

**2/3 MAJORITY ROLL CALL VOTE**

**FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate a total of \$458,700.00 to supplement the various departmental budgets with the amounts & funding sources outlined below:**

**To Appropriate \$700.00 from Free Cash into Dept. 122E – Public Property**

**To Appropriate \$73,000.00 from Free Cash into Dept. 423A - Snow & Ice (Salaries)**

**To Appropriate \$247,000.00 from the Stabilization Account into Dept. 423B – Snow & Ice (General Expenses)**

**To Appropriate \$50,000.00 from Free Cash into Dept. 543B – Veterans Services (General Expenses)**

**To Appropriate \$13,000.00 from Free Cash into Dept. 916 – Medicare Tax**

**To Transfer \$75,000.00 from Dept. 913 – Unemployment into Dept. 914 – Health Insurance**

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

**By a unanimous vote, the RTM members approved the Finance Committee’s recommendation.**

**ARTICLE 2 APPROPRIATE FUNDS FOR POND TREATMENTS CONSERVATION COMM.**

To see if the Town will vote to raise and appropriate the sum of \$10,250.00 for aquatic management of Falls Pond (Upper and Lower) and Whiting’s Pond including the treatment of non-native invasive plant species. And to determine how said appropriation, including issuance costs, if any, shall be raised – by taxation, by borrowing, by transfer of available funds or otherwise. Said sum to be expended by and under the direction of the Conservation Commission.

**PURPOSE AND JUSTIFICATION:** Invasive and non-native plant growth in Falls and Whiting’s Ponds has led to significantly decreased recreational access and alterations to open water and shoreline wildlife habitat. Based on recommendations from Aquatic Control Technologies, a pond management specialist, treatment of shoreline non-native vegetation and submersed weeds is necessary to control invasive species, maintain and improve wildlife habitat and provide enhanced recreational access for the public. The Commission has in-pond treatments scheduled for the Spring of 2014 (FY14 budget) however needs additional funding to implement the remainder of the recommended treatments for Falls and Whiting’s Ponds.

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$10,250.00 for aquatic management of Falls Pond (Upper and Lower) and Whiting's Pond including the treatment of non-native invasive plant species. Said sum to be paid from Free Cash.**

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

**By a majority vote, the RTM members approved the Finance Committee's recommendation.**

**ARTICLE 3 RESCIND \$596,545.34 IN BORROWING AUTHORIZATIONS**

**TREASURER/COLLECTOR**

To see if the Town will vote to rescind the borrowing authorization for the following articles and unissued amounts for which borrowing authority is no longer required, or take any other action relative thereto.

6/4/2012 Special Town Meeting Article 8 – Appropriate Funds for Feasibility Study for HS Lab Renovation  
Authorized for \$500,000, amount unissued and to be rescinded = \$411,910

1/7/2013 Special Town Meeting Article 7 – Appropriate Funds for Asbestos Expenses  
Authorized for \$200,000, amount unissued and to be rescinded = \$152,000

6/3/2013 Annual Town Meeting Article 6, Part 3 #14 – Town Hall Generator  
Authorized for \$50,000, amount unissued and to be rescinded = \$2,143

6/3/2013 Annual Town Meeting Article 6, Part 3 #28 – Bus – 42 Passenger – Diesel AC with Wheelchair Capacity, amended description 10/21/2013 Semi Annual Town Meeting Article 10 – Bus – Special Education  
Authorized for \$65,000, amount unissued and to be rescinded = \$14,076.34

6/3/2013 Annual Town Meeting Article 6, Part 3 #29 – Town Hall Automatic Temp. Control Phase 2  
Authorized for \$80,000, amount unissued and to be rescinded = \$3,560

6/3/2013 Annual Town Meeting Article 6, Part 3 #34 – Carpeting Middle Level and Upper Level Town Hall  
Authorized for \$55,000, amount unissued and to be rescinded = \$11,735

6/3/2013 Special Town Meeting Article 5 – Appropriate Funds for Board of Health Vehicle  
Authorized for \$29,596, amount unissued and to be rescinded = \$1,121

Total amount to be rescinded: \$596,545.34

**PURPOSE AND JUSTIFICATION:** Various projects/items have been completed/purchased leaving excess borrowing capacity. This excess capacity should be eliminated so that borrowing capacity is made available for other projects/items.

David Manoogian (P8) made a motion as follows:

*Waive the reading of the Finance Committee's Recommendations of line items in Article 3.*

Motion Seconded.

**Motion Carried.**

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION: That the Town vote to rescind the borrowing authorization for the following articles and unissued amounts for which borrowing authority is no longer required. For a total amount of \$596,545.34 to be rescinded:**

**6/4/2012 Special Town Meeting Article 8 – Appropriate Funds for Feasibility Study for HS Lab Renovation**

**Authorized for \$500,000, amount unissued and to be rescinded = \$411,910**

**1/7/2013 Special Town Meeting Article 7 – Appropriate Funds for Asbestos Expenses**

**Authorized for \$200,000, amount unissued and to be rescinded = \$152,000**

**6/3/2013 Annual Town Meeting Article 6, Part 3 #14 – Town Hall Generator**

**Authorized for \$50,000, amount unissued and to be rescinded = \$2,143**

**6/3/2013 Annual Town Meeting Article 6, Part 3 #28 – Bus – 42 Passenger – Diesel AC with Wheelchair Capacity, amended description 10/21/2013 Semi Annual Town Meeting Article 10 – Bus – Special Education**

**Authorized for \$65,000, amount unissued and to be rescinded = \$14,076.34**

**6/3/2013 Annual Town Meeting Article 6, Part 3 #29 – Town Hall Automatic Temp. Control Phase 2**

**Authorized for \$80,000, amount unissued and to be rescinded = \$3,560**

**6/3/2013 Annual Town Meeting Article 6, Part 3 #34 – Carpeting Middle Level and Upper Level Town Hall**

**Authorized for \$55,000, amount unissued and to be rescinded = \$11,735**

**6/3/2013 Special Town Meeting Article 5 – Appropriate Funds for Board of Health Vehicle**

**Authorized for \$29,596, amount unissued and to be rescinded = \$1,121**

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

**By a majority vote, the RTM members approved the Finance Committee’s recommendation.**

**ARTICLE 4      RESCIND \$115,000.00 IN BORROWING AUTHORIZATION      TREASURER/COLLECTOR**

To see if the Town will vote to rescind the borrowing authorization for the following article and unissued amount for which borrowing authority is no longer required, or take any other action relative thereto.

10/15/2012 Semi Annual Town Meeting Article 14 – Downtown Maintenance & Rehabilitation Project – Phase I  
(Design/Engineering)

Authorized for \$115,000, amount unissued and to be rescinded = \$115,000

**PURPOSE AND JUSTIFICATION:** Due to the reluctance of one of seven property owners to enter into a joint lease with the Town, this project is no longer viable.

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to rescind the borrowing authorization for the following article and unissued amount for which borrowing authority is no longer required.

10/15/2012 Semi Annual Town Meeting Article 14 – Downtown Maintenance & Rehabilitation Project – Phase I  
(Design/Engineering)

Authorized for \$115,000, amount unissued and to be rescinded = \$115,000

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

**By a majority vote, the RTM Members defeated the Finance Committee’s Recommendation on Article 4.**

**ARTICLE 5      ACCEPTANCE OF GRANT OF MUNICIPAL SEWER EASEMENT      BOARD OF PUBLIC WORKS**

To see if the Town will vote to authorize the Board of Selectmen to accept a grant of a municipal utility easement affecting the land located at 605 East Washington Street, North Attleborough, Massachusetts and also described as North Attleborough Assessors' Map 5, Lot 220 (hereinafter called the "Land") for nominal consideration of One Dollar (\$1.00), as said easement is shown and described on that plan of land entitled "EASEMENT PLAN OF LAND 605 EAST WASHINGTON STREET, NORTH ATTLEBOROUGH, MASSACHUSETTS SCALE 1"=40' FEBRUARY 5, 2014", prepared by O'Driscoll Land Surveying Co. and entitled "PROPOSED 20' WIDE MUNICIPAL UTILITY EASEMENT" thereon, said easement containing 7,125 square feet of land according to said plan, which said plan is attached hereto as is the proposed Utility Easement to be granted.

**PURPOSE AND JUSTIFICATION:** The Department of Public Works replaced an existing sewer main with a larger main in a different location at 605 East Washington Street a number of years ago, and abandoned and removed the old main. This article creates a new easement over the current sewer main. A separate Article has been submitted to abandon the previous sewer easements.

**FINANCE COMMITTEE VOTE: 7-0**

**2/3 MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to authorize the Board of Selectmen to accept a grant of a municipal utility easement affecting the land located at 605 East Washington Street, North Attleborough, Massachusetts and also described as North Attleborough Assessors' Map 5, Lot 220 (hereinafter called the "Land") for nominal consideration of One Dollar (\$1.00), as said easement is shown and described on that plan of land entitled "EASEMENT PLAN OF LAND 605 EAST WASHINGTON STREET, NORTH ATTLEBOROUGH, MASSACHUSETTS SCALE 1"=40' FEBRUARY 5, 2014", prepared by O'Driscoll Land Surveying Co. and entitled "PROPOSED 20' WIDE MUNICIPAL UTILITY EASEMENT" thereon, said easement containing 7,125 square feet of land according to said plan, which said plan is attached hereto as is the proposed Utility Easement to be granted.

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

By a 2/3's majority vote, declared obvious by the Moderator, the RTM members approved the Finance Committee's recommendation.

**ARTICLE 6 AUTHORIZATION TO ABANDON MUNICIPAL SEWER EASEMENT BOARD OF PUBLIC WORKS**

To see if the Town will vote to: Authorize the Board of Selectmen to abandon and release by release deed to K & J Noble Realty, LLC or any subsequent owners of record of the land described as 605 East Washington Street, North Attleborough, Massachusetts, Assessors' Map 5, Lot 220 (hereinafter called the "Land"), all of the Town's right, title and interest in and to **only those portions of the easements, both temporary and permanent, within the boundaries of said Land** as conveyed to the Town by instruments recorded at the Bristol County Northern District Registry of Deeds in Book 644, Page 396, Book 1860, Page 235, and Book 1883, Page 136 and shown a plan of land recorded at said Registry in Plan Book 172, Page 63 which said easements to be released and abandoned within the boundaries of the Land are also shown on that plan of land attached hereto and entitled "PLAN OF LAND FOR ABANDONMENT OF EASEMENTS 605 EAST WASHINGTON STREET, NORTH ATTLEBOROUGH, MASSACHUSETTS SCALE 1"=40' FEBRUARY 5, 2014", prepared by O'Driscoll Land Surveying Co. and shown on said plan as "1909 20' EASEMENT SEWER EASEMENT" ; "20' WIDE SEWER EASEMENT" and "20' WIDE TEMPORARY SEWER EASEMENT" to which reference is also made for a description of the easements to be released and abandoned, for nominal consideration of One Dollar (\$1.00).

**PURPOSE AND JUSTIFICATION:** The Department of Public Works replaced an existing sewer main with a larger main in a different location at 605 East Washington Street a number of years ago, and abandoned and removed the old main. This article removes the existing sewer easements. A separate Article has been submitted to create a new easement over the current sewer main.

David Manoogian (P8) made a motion as follows:

*Waive the reading of the Finance Committee Recommendations in Article 6.*

Motion Seconded.

**Motion Carried.**

**FINANCE COMMITTEE VOTE: 7-0**

**2/3 MAJORITY VOTE**

