

**PROCEEDINGS**  
**SPECIAL TOWN MEETING**  
**JUNE 5, 2000**

Bill Moffitt, Town Clerk opened the June 5, 2000 Special Town Meeting at 7:05 PM with 89 RTM members present. We have a quorum.

Pledge of Allegiance to the Flag

Moderator, Michael Duggan read the Warrant.

**NORTH ATTLEBOROUGH**  
**WARRANT**  
**FOR THE REPRESENTATIVE**  
**SPECIAL TOWN MEETING**  
**MONDAY, JUNE 5, 2000**

**AT 7:00 P.M.**

**THE COMMONWEALTH OF MASSACHUSETTS**

**Bristol, ss.**

**To either of the 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, 564 Landry Avenue, in said North Attleborough on**

**MONDAY, THE FIFTH OF JUNE, 2000 A.D.**

**At 7:00 P.M., then and there to act upon the following articles to wit:**

Point of Order: J. Wood (P7) made a verbal motion to move Article 39 out of Order and put before Article one. Motion was seconded.

2/3 vote called by moderator – 95 RTM members voting 63 Yes – 32 No-the motion was **defeated** (64 votes needed).

Point of Order: J. Dromsky(P3) and J. Leite(P3) question the 2/3 vote-taking Article 39 out of order. Referring to the Town Meeting Times that is a Majority Vote.

Explanation from Moderator – our Town By-Laws states 2/3 vote which supercedes the Town Meeting Times.

**ARTICLE 1 CLERICAL CONTRACT**

**PERSONNEL BOARD**

To see if the Town will vote to raise and appropriate a sum of money to supplement the budgets of various departments, who employ personnel under the Clerical Union, to fund all contracts as a result of collective bargaining and to finance any changes made in the Personnel By-Laws as a result of collective bargaining and to determine how said appropriation shall be raised, whether by taxation, appropriation or otherwise. Effective 7/1/00.

Or to do or act in any manner thereto.

Personnel Board

**PURPOSE AND JUSTIFICATION:**

Fund contract effective 7/1/00.

**FINANCE COMMITTEE VOTE: 5-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** The contract negotiations had not concluded at the time of our voting.

T. Simms (P7) request the body to overturn the Finance Committee’s recommendation so that he could present an Affirmative Action.

**RTM members defeated the Finance Committee’s recommendation.**

T. Simms(P7) present an Affirmative Action motion as follows:

That the Town vote to appropriate the sum of \$42,313 to supplement the budgets of various departments, who employ personnel under the Clerical Union, to fund all contracts as a result of collective bargaining and to finance any changes made in the Personnel By-Laws as a result of collective bargaining. Said sum shall be transferred from available free cash. Effective 7/1/00.

The Affirmative Action motion was seconded.

**RTM members approved the above Affirmative Action motion.**

**ARTICLE 2 PROFESSIONAL POLICE OFFICER’S CONTRACT**

**PERSONNEL BOARD**

To see if the Town will vote to raise and appropriate a sum of money to supplement the budget of the Police Department for the purpose of financing any changes made in the Personnel By-Laws as a result of collective bargaining and otherwise, and to determine how said appropriation shall be raised whether by taxation, appropriation or otherwise. Effective 7/1/00

Or to do or act in any manner thereto.

Personnel Board

**PURPOSE AND JUSTIFICATION:**

Fund contract effective 7/1/00.

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was indefinitely postponed at the request of the Petitioner.

**RTM members approved the recommendation.**

**ARTICLE 3 LABORER’S CONTRACT**

**PERSONNEL BOARD**

To see if the Town will vote to raise and appropriate a sum of money to supplement the budget of various departments who employ personnel under the Laborers' Union, to fund all contracts as a result of collective

bargaining and to finance any changes made in the Personnel By-Laws as a result of collective bargaining and to determine how said appropriation shall be raised, whether by taxation, appropriation or otherwise. Effective 7/1/00.

Or to do or act in any manner thereto.

Personnel Board

PURPOSE AND JUSTIFICATION:

Fund contract effective 7/1/00.

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was indefinitely postponed at the request of the Petitioner.

**RTM members approved the recommendation.**

**ARTICLE 4 PATROLMEN'S CONTRACT**

**PERSONNEL BOARD**

To see if the Town will vote to raise and appropriate a sum of money to supplement the budget of the Police Department for the purpose of financing any changes in the Personnel By-Laws as a result of collective bargaining and otherwise, and to determine how said appropriation shall be raised whether by taxation, appropriation or otherwise. Effective 7/1/00.

Or to do or act in any manner thereto.

Personnel Board

PURPOSE AND JUSTIFICATION:

Fund contract effective 7/1/00.

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was indefinitely postponed at the request of the Petitioner.

**RTM members approved the recommendation.**

**ARTICLE 5 FIRE CONTRACT (EFF. 7/1/99)**

**PERSONNEL BOARD**

To see if the Town will vote to raise and appropriate a sum of money to supplement the budgets of Fire and Ambulance departments for the purpose of financing any changes made in the Personnel By-Laws as a result of collective bargaining and to determine how said appropriation shall be raised, whether by taxation, appropriation or otherwise. Effective 7/1/99.

Or to do or act in any manner thereto.

Personnel Board

PURPOSE AND JUSTIFICATION:

Fund contract effective 7/1/99.

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was previously acted upon at the April Annual Town Meeting.

**RTM members approved the recommendation.**

**ARTICLE 6 FIRE CONTRACT (EFF. 7/1/00)**

**PERSONNEL BOARD**

To see if the Town will vote to raise and appropriate a sum of money to supplement the budgets of Fire and Ambulance departments for the purpose of financing any changes in the Personnel By-Laws as a result of collective bargaining and to determine how said appropriation shall be raised whether by taxation, appropriation or otherwise. Effective 7/1/00.

Or to do or act in any manner thereto.

Personnel Board

**PURPOSE AND JUSTIFICATION:**

Fund contract effective 7/1/00.

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was previously acted upon at the April Annual Town Meeting.

**RTM members approved the recommendation.**

**ARTICLE 7 FY2001 LIABILITY INSURANCE  
SUPPLEMENT**

**SELECTMEN**

To see if the Town will vote to amend Article 5 of the Fiscal 2001 Annual Town Meeting by appropriating the sum of \$20,000.00 to supplement line 69 Liability Insurance, and to determine whether said sum shall be raised by taxation, transfer of available funds, by borrowing or otherwise.

Or to do or act in any manner thereto.

Board of Selectmen

**PURPOSE AND JUSTIFICATION:**

Anticipated increase in insurance costs

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was indefinitely postponed at the request of the Petitioner.

**RTM members approved the recommendation.**

**ARTICLE 8 POLICE FACILITY: INTERIOR  
DEMOLITION & BUILDING COMMITTEE**

**POLICE FACILITY  
STUDY COMM.**

To see if the Town will vote to raise and appropriate the sum of \$600,000.00 or any other sum, including issuance costs for the demolition of and related costs for the interior of the building at 102 South Washington Street, as deemed necessary by the Police Facility Building Committee; to determine how said appropriation shall be raised, whether by taxation, borrowing, transfer of available funds or otherwise; to authorize the Board of Selectmen to appoint the Police Facility Building Committee consisting of seven (7) registered voters for the purpose of procuring architectural services for the aforesaid purposes and for carrying out the construction of the police facility; and that the expenditure of funds for the aforesaid purposes be under the control of the Police Facility Building Committee, which shall be authorized to apply for and accept any and all State or Federal aid and/or reimbursements that may become available for said purposes.

Or to do or act in any manner thereto.

Police Facility Study Committee

**FINANCE COMMITTEE VOTE: 5-0**

**2/3 ROLL CALL VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to appropriate the sum of \$400,000 for the demolition of and related costs for the interior of the building at 102 South Washington Street, as deemed necessary by the Police Facility Building Committee. Said appropriation to be transferred from the Stabilization Fund. And to authorize the Board of Selectmen to appoint the Police Facility Building Committee consisting of seven (7) registered voters for the purpose of procuring architectural services for the aforesaid purposes and for carrying out the construction of the police facility; and that the expenditure of funds for the aforesaid purposes be under the control of the Police Facility Building Committee, which shall be authorized to apply for and accept any and all State or Federal aid and/or reimbursements that may become available for said purposes.

**FINANCE COMMITTEE REASON:** This article will permit the demolition work to begin on the Barrows Building.

**After much discussion, the RTM members approved the recommendation with a 2/3 Roll Call vote. 103 members voted with 96 Yes and 7 No (69 needed).**

J. Wood(P7) suggested either through the Selectmen or Moderator that recognition be given to the former Police Facility Committee. A show of appreciation was given by those present.

**ARTICLE 9 COLA TO NONCONTRIBUTORY PENSIONS**

**TREASURER**

To see if the Town will vote to accept paragraph (h) of Section 103 of Chapter 32 of the General Laws, previously accepted by the Town, that would allow cost of living adjustments to noncontributory pensions of former employees. Said paragraph (h) reads as follows:

(h) Whenever a cost of living adjustment is granted pursuant to the provisions of paragraph ( c ) a former employee of a county, city, town, district, or authority, or spouse or other beneficiary of such employee, who is receiving a noncontributory pension from such governmental unit under the provisions of this chapter or under corresponding provisions of earlier laws or any general or special law, shall receive the same cost of living adjustment from such government unit in accordance with the applicable provisions of this chapter or under corresponding provisions of earlier laws or any other general or special law, if the legislative body of such government unit accepts this paragraph by a majority vote. For purposes of this paragraph, legislative body shall mean in the case of a city, the City Council in accordance with its charter, in the case of a town the town meeting, in the case of a county the county retirement board advisory council, in the case of a district the district members, and in the case of an authority the governing body.

Or to do or act in any manner thereto.

Town Treasurer

**PURPOSE AND JUSTIFICATION:**

The Town has one noncontributory retiree that could be effected by this affirmative action. The present annual cost to the Town would be \$360.00. A cost of living adjustment cannot exceed 3% of the first \$12,000 of pension under state law.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to accept paragraph (h) of Section 103 of Chapter 32 of the General Laws, previously accepted by the Town, that would allow cost of living adjustments to noncontributory pensions of former employees. Said paragraph (h) reads as follows:

(h) Whenever a cost of living adjustment is granted pursuant to the provisions of paragraph ( c ) a former employee of a county, city, town, district, or authority, or spouse or other beneficiary of such employee, who is receiving a noncontributory pension from such governmental unit under the provisions of this chapter or under corresponding provisions of earlier laws or any general or special law, shall receive the same cost of living adjustment from such government unit in accordance with the applicable provisions of this chapter or under corresponding provisions of earlier laws or any other general or special law, if the legislative body of such government unit accepts this paragraph by a majority vote. For purposes of this paragraph, legislative body shall mean in the case of a city, the City Council in accordance with its charter, in the case of a town the town meeting, in the case of a county the county retirement board advisory council, in the case of a district the district members, and in the case of an authority the governing body.

**FINANCE COMMITTEE REASON:** This will allow a COLA for noncontributory Town retirees.

**After a brief discussion the RTM members approved the recommendation.**

**ARTICLE 10 UNEXPENDED PROCEEDS FROM  
SALE OF BONDS**

**TREASURER**

To see if the Town will vote to appropriate the unexpended proceeds from the sale of bonds for payment of the principal of such loan for the following loan authorizations and amounts:

<u>Article</u>	<u>Town Meeting Date</u>	<u>Purpose</u>	<u>Amount</u>
28	10/16/95	Computer Purchases	\$ 66.23
19	4/28/97	Fire Truck	\$ 23.52
19	4/28/97	Park Truck	\$726.53
40	4/28/97	Wheel Chair Van	\$742.00

Or to do or act in any manner thereto.

Town Treasurer

**PURPOSE AND JUSTIFICATION:**

Close out old bond projects

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to appropriate the unexpended proceeds from the sale of bonds for payment of the principal of such loan for the following loan authorizations and amounts:

<u>Article</u>	<u>Date</u>	<u>Purpose</u>	<u>Amount</u>
28	10/16/95	Computer Purchases	\$ 66.23
19	4/28/97	Fire Truck	\$ 23.52
19	4/28/97	Park Truck	\$726.53
40	4/28/97	Wheel Chair Van	\$742.00

**FINANCE COMMITTEE REASON:** This will close out old bond projects.

**RTM members approved the recommendation.**

**ARTICLE 11 TRANSFER: MIS SALARY & WAGES TO MIS**  
**MIS GENERAL EXPENSES**

To see if the Town will vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting, MIS, by transferring the amount of \$8,000.00 from Line 14A, Salaries, to Line 14B, General Expenses.

Or to do or act in any manner thereto.

MIS Director

**PURPOSE AND JUSTIFICATION:**

A transfer of unused funds in the Salary and Wages account is needed to supplement the Maintenance of Computer Equipment account for unforeseen Y2K equipment upgrades and to supplement the Telephone account for phone circuit charges.

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting, MIS, by transferring the sum of \$8,000 from Line 14A, Salaries, to Line 14B, General Expenses.

**FINANCE COMMITTEE REASON:** This is a Departmental transfer to reflect needed expenditures.

**RTM members approved the recommendation.**

**ARTICLE 12 RETIREMENT BOARD ANNUAL STIPEND** **RETIREMENT**

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 32, Section 20(6) for the purpose of authorizing the payment of an annual stipend to the elected and appointed members of the Retirement Board.

Or to do or act in any manner thereto.

Retirement Board  
See Attached

**PURPOSE AND JUSTIFICATION:**

To compensate the Retirement Board members in the amount of \$3,000.00 per year/member; to be paid through the Investment Income account of the Retirement System for their extensive time involved with the ongoing and new issues dealing with the many changes and growth of the Retirement System.

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was indefinitely postponed at the request of the Petitioner.

**RTM members approved the recommendation.**

**ARTICLE 13 ACCOUNTANT TRANSFER: SALARY & WAGES TO GENERAL EXPENSES**

**ACCOUNTANT**

To see if the Town will vote to amend Article 5 of the FY 2000 Annual Town Meeting by transferring the sum of \$1,500 from Line 7A Salaries to Line 7B General Expenses.

Or to do or act in any manner thereto.

Town Accountant

**PURPOSE AND JUSTIFICATION:**

The resignation of the Assistant Town Accountant has necessitated unanticipated advertising costs in excess of 25% of the entire expense budget.

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend

Article 5 of the Fiscal Year 2000 Annual Town Meeting by transferring the sum of \$1,500 from Line 7A, Salaries to Line 7B, General Expenses.

**FINANCE COMMITTEE REASON:** This is a Departmental transfer to reflect needed expenditures.

**RTM members approved the recommendation.**

**ARTICLE 14 MEDICARE TAX SUPPLEMENT**

**TREASURER**

To see if the Town will vote to transfer from available funds the sum of \$15,600 to supplement Line 9C Medicare Tax of the FY2000 budget.

Or to do or act in any manner thereto.

Town Treasurer

**PURPOSE AND JUSTIFICATION:**

Matching employer costs for School Department employees is 14.5% higher than the previous year.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This has been funded through a Reserve Fund Transfer.

**RTM members approved the recommendation.**

**ARTICLE 15 CHARTER SCHOOL TUITION**

**SELECTMEN**

To see if the Town will vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting by appropriating the sum of \$25,000.00 to supplement Line 42e School Department, Charter School Tuition, and to determine whether said sum shall be raised by taxation, transfer of available funds or otherwise.

Or to do or act in any manner thereto.

Board of Selectmen

**PURPOSE AND JUSTIFICATION:**

Potential assessment in excess of original appropriation.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was indefinitely postponed at the request of the Petitioner.

**RTM members approved the recommendation.**

**ARTICLE 16 TOWN COUNSEL EXPENSE SUPPLEMENT**

**SELECTMEN**

To see if the Town will vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting by appropriating the sum of \$5,000.00 to supplement Line 11B Town Counsel and to determine whether said sum shall be raised by taxation, transfer of available funds, by borrowing or otherwise.

Or to do or act in any manner thereto.

Board of Selectmen

PURPOSE AND JUSTIFICATION:

Non retainer fees for April, May and June are estimated at \$11,000.00. Non retainer expenses are estimated at \$1000.00, which includes transcript costs. Projected shortage in this account is \$5,000.00

**FINANCE COMMITTEE VOTE: 5-1**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting by appropriating the sum of \$5,000.00 to supplement Line 11B Town Counsel. Said sum to be transferred from available Free Cash.

**FINANCE COMMITTEE REASON:** This funding is needed for additional legal expenses resulting from the number of outstanding cases.

**RTM members approved the recommendation.**

**ARTICLE 17 LABOR NEGOTIATIONS SUPPLEMENT**

**SELECTMEN**

To see if the Town will vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting by appropriating the sum of \$15,000.00 to supplement Line 24, Labor Negotiations and to determine whether said sum shall be raised by taxation, transfer of available funds, by borrowing, or otherwise.

Or to do or act in any manner thereto.

Board of Selectmen

PURPOSE AND JUSTIFICATION:

Anticipated legal fees through the end of the fiscal year.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting by appropriating the sum of \$13,000 to supplement Line 24, Labor Negotiations. Said sum to be transferred from Reserve for Expenditures/State Aid Fund.

**FINANCE COMMITTEE REASON:** This funding is the result of the number of labor contracts negotiated during the fiscal year.

**RTM members approved the recommendation.**

**ARTICLE 18 LIABILITY INSURANCE SUPPLEMENT**

**SELECTMEN**

To see if the Town will vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting by appropriating the sum of \$4,000.00 to supplement Line 69, Liability Insurance and to determine whether said sum shall be raised by taxation, transfer of available funds, by borrowing, or otherwise.

Or to do or act in any manner thereto.

Board of Selectmen

PURPOSE AND JUSTIFICATION:

Anticipated legal fees through the end of the fiscal year

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This has been funded through a Reserve Fund Transfer.

**RTM members approved the recommendation.**

**ARTICLE 19 HEALTH INSURANCE SUPPLEMENT**

**SELECTMEN**

To see if the Town will vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting by appropriating the sum of 100,000.00 to supplement Line 67, Health Insurance and to determine whether said sum shall be raised by taxation, transfer of available funds, by borrowing, or otherwise.

Or to do or act in any manner thereto.

Board of Selectmen

**PURPOSE AND JUSTIFICATION:**

Health Insurance premiums have increased

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting by transferring the sum of \$40,000 from Line 63, Maturing Debt to supplement Line 67, Health Insurance.

**FINANCE COMMITTEE REASON:** This is necessary to fund additional health insurance costs.

**RTM members approved the recommendation.**

**ARTICLE 20 SELECTMEN TRANSFER: FY00 ATM  
GENERAL EXPENSES TO SALARIES**

**SELECTMEN**

To see if the Town will vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting by transferring the amount of \$920.00 from Line 4b General Expenses to Line 4a Salaries.

Or to do or act in any manner thereto.

Board of Selectmen

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was indefinitely postponed at the request of the Petitioner.

**RTM members approved the recommendation.**

**ARTICLE 21 PARK & REC. TRANSFER: SALARY & WAGES  
TO GENERAL EXPENSES**

**PARK &  
REC.**

To see if the Town will vote to amend Article 5 of the FY2000 Annual Town Meeting by transferring the sum of \$4,000.00 or any other sum from Line 60A to Line 60B.

Or to do or act in any manner thereto.

Park Commissioners

**PURPOSE AND JUSTIFICATION:**

Monies left over from Salary and Wages as a result of a Workman's Compensation situation will help to offset unforeseen expenses in our General Expenses account.

**FINANCE COMMITTEE VOTE: 5-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting by transferring the sum of \$2,000 from Line 60A, Salary & Wages to Line 60B, General Expenses.

**FINANCE COMMITTEE REASON:** This is a Departmental transfer to reflect needed expenditures.

**RTM members approved the recommendation.**

**ARTICLE 22 WWI MEMORIAL PARK ZOO RENOVATIONS**

**PARK & REC.**

To see if the Town will vote to approve the sum of \$5,000 or any other sum to be expended by and under the direction of the Park Commission for the purpose of completing the renovations to the World War I Memorial Park Zoo building, and for costs incidental and related thereto. Said sum to be raised by taxation or transfer of available funds or otherwise.

Or to do or act in any manner thereto.

Park Commissioners

**PURPOSE AND JUSTIFICATION:**

This project was constructed by the students at the Tri-County Regional Vocational High School. They have done a phenomenal job. There were some cost overruns for many reasons not limited but including the closing of the school's plumbing department before the bathrooms were completed. This caused us to have outside contractors complete that portion of the project at costs considerably higher than anticipated.

**FINANCE COMMITTEE VOTE: 5-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to appropriate the sum of \$4,000 to be expended by and under the direction of the Park Commission for the purpose of completing the renovations to the World War I Memorial Park Zoo building, and for costs incidental and related thereto. Said appropriation to be transferred from the J. Frank Mason Park Trust Fund.

**FINANCE COMMITTEE REASON:** This will permit payment for renovations at the WWI Memorial Park Zoo. Recognition was given to the group who helped with the renovations of the WWI Memorial Park & Zoo.

**After a brief discussion, the RTM members approved the recommendation.**

**ARTICLE 23 N. A. JR. FOOTBALL ASSOC. 20-YR. LEASE**

**PARK & REC.**

To see if the Town will vote to authorize the Park Commission to enter into a twenty year lease with the North Attleborough Junior Football Association for the exclusive right to operate the concession stand and to use the storage area to be constructed by the North Attleborough Junior Football Association at Community Field.

Or to do or act in any manner thereto.

Park Commissioners

**PURPOSE AND JUSTIFICATION:**

The Junior Football Association will be spending \$50,000.00 on a new facility complete with handicap accessible restrooms and deserves the continued right to operate the concession stand as they have for the past twenty five years.

**FINANCE COMMITTEE VOTE: 4-1**

**2/3 VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to authorize the Park Commission to enter into a twenty-year lease with the North Attleborough Junior Football Association for the exclusive right to operate the concession stand and to use the storage area to be constructed by the North Attleborough Junior Football Association at Community Field.

**FINANCE COMMITTEE REASON:** This will authorize an extension of the lease period to 20 years for the newly constructed facility

**Moderator this is a 2/3 vote. All those voting in the negative rise. In the Moderator's opinion 2/3's having voted the recommendation of the Finance Committee is adopted.**

**ARTICLE 24 UNEMPLOYMENT INSURANCE SUPPLEMENT**

**HUMAN  
RESOURCES**

To see if the Town will vote to raise and appropriate the sum of \$15,000 or any other sum to increase Article 5, Line 66, of the FY 2000 Annual Town Meeting, Unemployment. Said sum to be raised by taxation, transfer of available funds or otherwise.

Or to do or act in any manner thereto.

Human Resources

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This has been funded through a Reserve Fund Transfer.

**RTM members approved the recommendation.**

**ARTICLE 25 COMPUTER SOFTWARE LICENSING**

**MIS DEPT.**

To see if the Town will vote to appropriate the sum of \$16,000 for the purpose of purchasing Computer Software Licensing and to determine whether said sum shall be raised by taxation, transfer of available funds, by borrowing or otherwise.

Or to do or act in any manner thereto.

MIS Department

**PURPOSE AND JUSTIFICATION:**

Funds will be used to purchase Client Licensing for all Microsoft Windows Software components for existing PC's.

**FINANCE COMMITTEE VOTE: 6-1**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** Licensing should await a determination of future software purchases.

T. Simms (P7) request that you overturn the Finance Committee's recommendation so that an Affirmative Action can be submitted.

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

T. Simms (P7) made an Affirmative Action motion as follows:

That the Town vote to appropriate the sum of \$16,000 for the purpose of purchasing Computer Software Licensing and to transfer said sum from Reserve for Expenditures State Aid.

The Affirmative Action motion is seconded.

**After further discussion, the RTM members approved the above Affirmative Action.**

**ARTICLE 26 LANDFILL TRANSFER: RETAINED EARNINGS**

**LANDFILL**

**TO LANDFILL RESERVE FOR CLOSURE**

To see if the Town will vote to transfer the sum of \$200,000 from Landfill Retained Earnings to Landfill Reserve for Closure, Article 5, Budget Line Item 71n.

Or to do or act in any manner thereto.

Board of Selectmen

**PURPOSE AND JUSTIFICATION:**

Said amount will properly fund the Landfill Reserve for Closure fund, consistent with previous municipal presentations involving the capping and closure of the former landfill site.

**FINANCE COMMITTEE VOTE: 5-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was indefinitely postponed at the request of the Petitioner.

**After some discussion, the RTM members approved the recommendation.**

**ARTICLE 27 LANDFILL GENERAL EXPENSES SUPPLEMENT**

**LANDFILL**

To see if the Town will vote to amend Article 5, Line Item 71b, increasing Landfill General Expenses by \$8,743.42. Said sum to be transferred from the Landfill Enterprises Retained Earnings.

Or to do or act in any manner thereto.

Board of Selectmen

**PURPOSE AND JUSTIFICATION:**

Said amount is to be used to pay legal fees incurred by the Town of North Attleborough, Town Counsel for settlement and collection of past unpaid landfill tipping fees in the amount of \$31,640.34

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting by appropriating the sum of \$8,743.42 to Line 71b, Landfill General Expenses. Said sum to be transferred from Landfill Enterprise Retained Earnings.

**FINANCE COMMITTEE REASON:** This is a needed transfer of funds.

**RTM members approved the recommendation.**

**ARTICLE 28 LANDFILL TRANSFER: GENERAL EXPENSES  
TO SALARY & WAGES**

**LANDFILL**

To see if the Town will vote to amend Article 5, Line Item 71a by increasing the Landfill Salaries in the amount of \$500.19. Said sum to be transferred from the Landfill General Expenses Article 5, Line Item 71b.

Or to do or act in any manner thereto.

Board of Selectmen

Purpose and Justification

Said amount is to be used to pay the wages of a temporary employee utilized by the Landfill Department to provide coverage for permanent part-time employees. Also to pay the wages of permanent part-time employees that worked holidays.

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend Article 5, of the Fiscal Year 2000 Annual Town Meeting by transferring the sum of \$500.19 from Line 71B Landfill General Expenses to Line 71A Landfill Salaries.

**FINANCE COMMITTEE REASON:** This is a necessary transfer to reflect actual expenses.

**RTM members approved the recommendation as read.**

**ARTICLE 29 CONSERVATION TRANSFER: SALARY  
& WAGES TO GENERAL EXPENSES**

**CONSERVATION**

To see if the Town will vote to amend Article V of the FY2000 Annual Town Meeting by transferring \$18,000.00 from Line 18A Salary & Wage Account to Line 18B General Expense.

Or to do or act in any manner thereto.

Conservation Commission

PURPOSE AND JUSTIFICATION:

To be used for herbicide treatment at Whiting's Pond and Falls Pond and maintenance of areas under the Commission's jurisdiction.

**FINANCE COMMITTEE VOTE: 4-1**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend Article V of the Fiscal Year 2000 Annual Town Meeting by transferring \$11,000 from Line 18A Salary & Wages Account to Line 18B General Expenses.

**FINANCE COMMITTEE REASON:** This is a necessary transfer to reflect actual expenses.

M. Clarner (P1) introduced and RTM members welcomed the first Conservation Agent, Derek Saari.

M. Clarner (P1) made a motion to amend the Finance Committee's recommendation as follows:

That the Town vote to amend Article V of the Fiscal Year 2000 Annual Town Meeting by transferring \$18,000 from Line 18A Salary and Wages Account to Line 18B General Expenses.

The above amendment is seconded.

After some discussion, the RTM members approved the motion to amend the Finance Committee's recommendation.

RTM members approved the amendment as follows:

That the Town vote to amend Article V of the Fiscal Year 2000 Annual Town Meeting by transferring \$18,000 from Line 18A Salary and Wages Account to Line 18B General Expenses.

**ARTICLE 30 FIRE SALARY & WAGES SUPPLEMENT**

**FIRE DEPT.**

To see if the Town will vote to appropriate the sum of \$58,000.00 to Supplement Article 5, line 30A of the FY2000 Annual Town Meeting. Said sum to be raised by taxation, appropriation, transfer of available funds.

Or to do or act in any manner thereto.

Fire Commissioners

**PURPOSE AND JUSTIFICATION:**

Two long term on the job injuries involving surgery and one unexpected retirement as well as several off duty serious medical illnesses have created a budget shortfall to maintain adequate staffing levels in accordance with Safety Standards and Labor contract.

**FINANCE COMMITTEE VOTE: 7-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to transfer the sum of \$50,053 from Article 5, Line 63, Maturing Debt to Supplement Article 5, Line 30A of the Fiscal Year 2000 Annual Town Meeting.

**FINANCE COMMITTEE REASON:** This is a necessary transfer to reflect actual expenses.

After some discussion, the RTM members approved the Finance Committee's recommendation.

**ARTICLE 31 AMBULANCE SALARY & WAGES SUPPLEMENT**

**FIRE  
DEPT.**

To see if the Town will vote to raise and appropriate the sum of \$2,500.00 or any other sum to increase Article 5, line 31A Ambulance Salary and Wage of the FY2000 Annual Town Meeting. Said appropriation to be raised by transfer from the Ambulance revolving fund or any other available funds.

Or to do or act in any manner thereto.

Fire Commissioners

See Attached

**PURPOSE AND JUSTIFICATION:**

Increase funding for operation of our part time second Ambulance in order to reduce excessive use of Out of Town Ambulance due to back to back Emergency Medical Incidents.

**FINANCE COMMITTEE VOTE: 6-1**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to appropriate the sum of \$2,500 to increase Article 5, of the Fiscal Year 2000 Annual Town Meeting, Line 31A, Ambulance Salary and Wages. Said sum to be transferred from the Ambulance Revolving Fund.

**FINANCE COMMITTEE REASON:** This is a necessary transfer to reflect actual expenses.

RTM members approved the recommendation.

**ARTICLE 32 POLICE TRANSFER: SALARY & WAGES  
TO GENERAL EXPENSES**

**POLICE DEPT.**

To see if the Town will vote to amend Article V of the FY2000 Annual Town Meeting by transferring \$37,500 from Line 29A - Salary & Wage Account (1-210-510-5103) Police Department - to Line 29B General Expenses, as follows:

Building Maintenance	(1-210-520-5241)	\$12,500
Training Account	(1-210-520-5318)	\$25,000

Or to do or act in any manner thereto.

Police Department

**PURPOSE AND JUSTIFICATION:**

To continue regular maintenance program to include but not limited to: painting, rugs & cleaning/window replacement in room without heat, parking lot repairs, repairs to cell blocks (compliance issue from state) etc. The training account continues to be impacted by education reimbursement requests as mandated through labor contract. Further training of officers is planned for the remainder of the fiscal year.

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend

Article V of the Fiscal Year 2000 Annual Town Meeting by transferring \$37,500 from Line 29A - Salary & Wages, Police Department - to Line 29B General Expenses.

**FINANCE COMMITTEE REASON:** This is a necessary transfer to reflect actual expenses.

**RTM members approved the recommendation.**

**ARTICLE 33 ELECTIONS TRANSFER: SALARY & WAGES  
TO GENERAL EXPENSES**

**ELECTIONS**

To see if the Town will vote to amend Article 5 of the FY2000 Annual Town Meeting by transferring from Line 17A, Salary and Wages, the amount of \$2,800.00 to line 17B, General Expenses.

Or to do or act in any manner thereto.

Elections Commissioners

**PURPOSE AND JUSTIFICATION:**

The Election Commission was not required to conduct a February 2000 Town Preliminary Election; therefore, the commission requests this transfer to use some of that funding to purchase durable signage (e.g. direction to elderly/handicapped access, voter parking and polling place control) to replace and/or supplement the hand made and/or unserviceable signs needed at the additional polling locations. The transfer would also be to fund \$600.00 in additional postage and \$400.00 for office supplies.

**FINANCE COMMITTEE VOTE: 6-1**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend Article 5 of the Fiscal Year 2000 Annual Town Meeting by transferring the sum of \$2,800 from Line 17A, Salary and Wages, to Line 17B, General Expenses.

**FINANCE COMMITTEE REASON:** This is a necessary transfer to reflect actual expenses.

**RTM members approved the recommendation.**

**ARTICLE 34 BPW TRANSFERS**

**BOARD OF PUBLIC WORKS**

To see if the Town will vote to amend Article V of the FY2000 Annual Town Meeting by transfer of the following items:

Item 49a (Sewer Collection) \$12,000 Salary and Wages to  
Item 49b (Sewer Collection) General Expenses

Item 49a (Sewer Collection) \$1,000.00 Salary and Wages to  
Item 44a (Administration) Salary and Wages

Item 49a (Sewer Collection) \$2,000.00 Salary and Wages to  
Item 44b (Administration) General Expenses

Item 50a (WWTF) \$6,000.00 Salary and Wages to  
Item 50c (WWTF) Chemicals

Item 40a (Forestry) \$20,000 Salary and Wages to

Item 40b (Forestry)                      General Expenses

Or to do or act in any manner thereto.

Board of Public Works

**FINANCE COMMITTEE VOTE: 5-0**

**MAJORITY VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to amend Article V of the Fiscal Year 2000 Annual Town Meeting by transfer of the following items:

Item 49a (Sewer Collection)              \$12,000 Salary and Wages to  
Item 49b (Sewer Collection) General Expenses;

Item 49a (Sewer Collection)              \$1,000.00 Salary and Wages to  
Item 44a (Administration) Salary and Wages;

Item 49a (Sewer Collection)              \$2,000.00 Salary and Wages to  
Item 44b (Administration) General Expenses;

Item 50a (WWTF)                              \$6,000.00 Salary and Wages to  
Item 50c (WWTF)                              Chemicals;  
Article 34 Page 2

Item 40a (Forestry)                          \$10,000 Salary and Wages to  
Item 40b (Forestry)                          General Expenses.

**FINANCE COMMITTEE REASON:** This is a necessary transfer to reflect actual expenses.

**RTM members approved the recommendation.**

**ARTICLE 35 SNOW & ICE SUPPLEMENT**

**BOARD OF PUBLIC WORKS**

To see if the Town will vote to amend Article V of the Fiscal 2000 Annual Town Meeting, line 46, Snow & Ice and to appropriate the sum of \$19,256.72. Said sum shall be raised by transfer of available funds or otherwise.

Or to do or act in any manner thereto.

Board of Public Works

**PURPOSE AND JUSTIFICATION:**

To cover actual expenditures and to remove currently existing deficit balance

**FINANCE COMMITTEE VOTE: 6-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This has been funded through a Reserve Fund Transfer.

**RTM members approved the recommendation.**

**ARTICLE 36 SEWER USE RULES & REGULATIONS**  
**AMENDMENT**

**BOARD OF**  
**PUBLIC WORKS**

To see if the Town will vote to amend the Rules and Regulations for Sewer Use, as originally approved in Article 40 of the 1973 Annual Town Meeting, amended by Article 5 of the June 1985 Special Town Meeting, amended by Article 3 and 4 of the February 1992 Special Town Meeting, amended by Article 16 of the June 1995 Special Town Meeting, and amended by Article 44 of the October 1995 Annual Town Meeting as set forth as follows:

Article 3A, Section 18 - Delete the "MAXIMUM ALLOWABLE INDUSTRIAL DISHCARGE CONCENTRATIONS MG/L" table in its entirety and Replace with the following:

<u>Constituents</u>	Maximum Allowable Industrial Discharge Concentrations (mg/l) <sup>1</sup> <u>Concentration Limits (mg/l)</u>
Aluminum	2.5

Arsenic	0.4
BOD <sup>2</sup>	-
Cadmium	0.2
Chromium	1.5
Copper	1.0
Cyanide (Total)	0.25
Lead	2.0
Mercury	0.06
Nickel	1.0
Oil & Grease (Total)	100
Phosphorus	9.0
Silver	0.17
TSS <sup>2</sup>	-
Zinc	2.5
ph	5.5-9.5

1. Values are daily averages based on composite samples except as otherwise prohibited by accepted laboratory procedures.
2. Industry monitoring only at this time.

Or to do or act in any manner thereto.

Board of Public Works

**FINANCE COMMITTEE VOTE: 5-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** This article was indefinitely postponed at the request of the Petitioner.

B. Norton(P3) addressed the body to request the IP be overturned so that an Affirmative Action can be presented.

**RTM members defeated the recommendation.**

B. Norton(P3) presented the Affirmative Action as follows:

~~To see if~~ **That** the Town ~~will~~ vote to amend the Rules and Regulations for Sewer Use, as originally approved in Article 40 of the 1973 Annual Town Meeting, amended by Article 5 of the June 1985 Special Town Meeting, amended by Article 3 and 4 of the February 1992 Special Town Meeting, amended by Article 16 of the June 1995 Special Town Meeting, and amended by Article 44 of the October 1995 Annual Town Meeting as set forth as follows:

Article 3A, Section 18 - Delete the "MAXIMUM ALLOWABLE INDUSTRIAL DISCHARGE CONCENTRATIONS MG/L" table in its entirety and Replace with the following:

Maximum Allowable Industrial Discharge Concentrations (mg/l)<sup>1</sup>

<u>Constituents</u>	<u>Concentration Limits (mg/l)</u>
Aluminum	2.5
Arsenic	0.4
BOD <sup>2</sup>	-
Cadmium	0.2
Chromium	1.5
Copper	1.0
Cyanide (Total)	0.25
Lead	2.0
Mercury	0.06

Nickel		1.0
Oil & Grease	(Total)	100
Phosphorus		9.0
Silver		0.17
TSS <sup>2</sup>		-
Zinc		2.5
ph		5.5-9.5

1. Values are daily averages based on composite samples except as otherwise prohibited by accepted laboratory procedures.
2. Industry monitoring only at this time.

~~Or to do or act in any manner thereto.~~

Board of Public Works

Affirmative Action was seconded.

Discussion began and a request was made to read into the record the letter from the US Environmental Protection Agency that the DPW received.

B. Norton(P3) read the following letter:

May 24, 2000

Tom Houle  
 Pretreatment Coordinator  
 North Attleborough STP  
 240 Smith Street  
 North Attleborough, MA 02760

RE: Approval of Local Limits for the Town of North Attleborough's Pretreatment Program

Dear Mr. Houle:

As you know, the Environmental Protection Agency (EPA) public notice its intent to approve the Town of North Attleborough's (Town) Local Limits as part of its approved pretreatment program. The purpose of the public notice was to provide interested parties an opportunity to comment on the proposed Local Limits as required by 40 CFR 403.18. As indicated in our letter to you dated April 18,2000, the proposed Local Limits would be approved without further notice if no comments were received.

The purpose of this letter is to notify the Town that our office did not receive any comments on the original public notice, and as such, the proposed Local Limits are hereby approved without further public notice.

Please note that the Town's Local Limits are effective upon approval and should be implemented into the Town's pretreatment program.

In the event the POTW regulates categorical industrial users, the industrial user permit should reflect the more stringent of local limits vs. categorical pretreatment standards.

If you have any questions regarding this letter, please contact Justin Pimpare at (617) 918-1531.

Sincerely,  
 Anthony V. DePalma, Manager  
 Municipal Assistance Unit.

CC: Joe Canzano, EPA, John Reinhardt, MA DEP(Boston), Michael K. Stankovich, North Attleborough, Don Freeman, CDM

Further discussion continued.

**RTM members approved the Affirmative Action as read.**

**ARTICLE 37 UTILITY EASEMENT:**

**BOARD OF PUBLIC WORKS**

**JAMES & JUDITH CLOHERTY**

To see if the Town will vote to authorize the Board of Selectmen to acquire on behalf of the Town for municipal utility purposes, by purchase or by gift, from James M. Cloherty and Judith M. Cloherty a permanent easement over, under and across the land located on the southerly side of Oakcrest Drive and shown as Proposed 30' wide Utility Easement on a plan entitled "Easement Relocation Plan of Land in North Attleborough, MA, Prepared for James Cloherty by W.T. Whalen Engineering Co. November 6, 1999 Scale: 1"=20'. A copy of said plan is on file with the Town Clerk; and to appropriate the sum of \$150.00 by transfer of available funds or otherwise. Said easement area to be under the control and custody of the Department of Public Works.

Or to do or act in any manner thereto.

Board of Public Works  
See Attached

**PURPOSE AND JUSTIFICATION:**

This will provide an easement for existing utilities across private property

**FINANCE COMMITTEE VOTE: 5-0**

**2/3 VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to authorize the Board of Selectmen to acquire on behalf of the Town for municipal utility purposes, by purchase or by gift, from James M. Cloherty and Judith M. Cloherty a permanent easement over, under and across the land located on the southerly side of Oakcrest Drive and shown as Proposed 30' wide Utility Easement on a plan entitled "Easement Relocation Plan of Land in North Attleborough, MA, Prepared for James Cloherty by W.T. Whalen Engineering Co. November 6, 1999 Scale: 1"=20'. A copy of said plan is on file with the Town Clerk; and to appropriate the sum of \$150.00 to be transferred from available Free Cash. Said easement area to be under the control and custody of the Department of Public Works.

**FINANCE COMMITTEE REASON:** This will allow the Town to obtain an easement.

**After much discussion, the RTM approved unanimously (2/3 vote required).**

**ARTICLE 38 10-ACRES OF TOWN FOREST FOR ACTIVE  
RECREATION (POSSIBLE YOUTH SPORTS  
COMPLEX)**

**TOWN  
FOREST**

To see if the Town will vote to approve the filing of a petition in General Court under the provisions of Section 8, Article 89 of the Amendments to the Constitution for an Act to authorize the Park & Recreation Commission to utilize ten acres on the westerly side of the Town Forest for active recreation, involving but not limited to a youth sports complex.

Or to do or act in any manner thereto.

Town Forest

**PURPOSE AND JUSTIFICATION:**

An outstanding opportunity exists to apply for a grant from Major League Baseball for the construction of a youth sports complex. In order to apply for the grant, a location needs to be secured.

**FINANCE COMMITTEE VOTE:5-0**

**2/3 VOTE**

**FINANCE COMMITTEE RECOMMENDATION:** That the Town vote to approve the filing of a petition in General Court under the provisions of Section 8, Article 89 of the Amendments to the Constitution for an Act to authorize the Park & Recreation Commission to utilize ten acres on the westerly side of the Town Forest for active recreation, involving but not limited to a youth sports complex.

**FINANCE COMMITTEE REASON:** This will allow the Town to make 10 acres available as a potential area for a youth sports complex.

T. Simms(P7) made a motion to amend the recommendation from 10 to 15 acres. Motion 2<sup>nd</sup>.

Moderator read the amendment as follows:

That the Town vote to approve the filing of a petition in General Court under the provisions of Section 8, Article 89 of the Amendments to the Constitution for an Act to authorize the Park & Recreation Commission to utilize ~~ten~~ fifteen acres on the westerly side of the Town Forest for active recreation, involving but not limited to a youth sports complex.

**After much discussion, the RTM members approved the amendment.**

**After further discussion, J. Donahue motioned to move the question and 2<sup>nd</sup>. This motion carried.**

Moderator: This will be a 2/3 vote on the above amendment.

**RTM members approved the above amendment with 100 RTM members voting / 87 Yes and 13 No. (67 votes needed).**

**At 10pm a motion to adjourn until 7pm on Wednesday June 7, 2000 was seconded. Motion carried.**

The Town Clerk opened the adjourned session at 7pm on June 7, 2000 with 81 RTM members present. We have a quorum.

Pledge of Allegiance.

**ARTICLE 39 GOVERNMENT STUDY**  
**COMMITTEE CHARTER**

**PETITIONER**

To see if the Town will vote to petition the Legislature (as authorized by Section 8 of Article 89 of the Amendments to the State Constitution) for the enactment of a special law consisting of a charter establishing a mayor-council form of government for the Town of North Attleborough in the form contained in the draft charter prepared by the Government Study Committee, copies of which are on file and copies of which have been available for distribution to the voters requesting the same at the office of the Town Clerk and at the circulation desk at the Public Library and that the said Government Committee be authorized to consult with the members of the General Court to respond to any questions posed by said body and to consent to such changes, if any, as the General Court may deem to be necessary or desirable to make. Said special act charter to be presented to the voters as a ballot question at the election to be held on November 7, 2000 and to take effect only if approved by a majority of the voters voting thereon at said election.

Or to do or act in any manner thereto.

Petition

See Attached

**PURPOSE AND JUSTIFICATION:**

To put the following article in the warrant for the June 5 Special Town Meeting.

**FINANCE COMMITTEE VOTE: 5-0**

**MAJORITY VOTE**

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

**FINANCE COMMITTEE REASON:** Due to legal questions regarding the initiation of the proposed charter and based on the lack of comment period, the Finance Committee recommends that the proposal be indefinitely postponed at this time. A proposed charter should be resubmitted at a future time.

Point of Order by J. Dromsky (P3) regarding Conflict of Interest was regarded by the Moderator as out of order.

J. Wood (P7) requested that the body overturn the recommendation of the Finance Committee.

After some clarification on the number of motions on the floor discussion began on this article.

J. Wood through the chair asked that the Attorney for the Government Study Committee be able to speak as necessary. Moderator without objection this request is granted.

Without objection the Ad Hoc has a presentation that will go longer than the 10 minutes allowed. Moderator without objection this request is granted.

After much discussion, a motion to take a break and 2<sup>nd</sup> carried.

Without objection the Board of Selectmen may speak over the 10-minute rule.

Moderator suggests to hear two RTM members each Pro and Con and than go to a vote.

Point of Order: J. Magnan (P7) by doing what you suggest you would be cutting off debate.

After further discussion, M. Clarner (P1) made the following verbal motion:  
Move that Article 39 be committed to study by a committee comprised of:

- 1 Representative of Ad Hoc Government Study
- 1 Representative of the Board of Selectmen
- 1 Representative of the Finance Committee
- 3 Representative from RTM drawn by lottery from those names submitted to the Town Clerk.
- 3 Representatives from **Registered Voters from the Town** drawn by lottery from those names submitted to the Town Clerk.

Said committee shall be directed by the Town Moderator to hold an initial meeting at a day and time designated. Said committee shall prepare a final article to be part of the Semi-Annual Town Meeting Warrant. Said article shall include a revised charter document with documentation outlining financial impacts and transition periods.

Motion is seconded.

Moderator a motion to **commit** is the third ranking motion behind the motion to **indefinitely postpone**.

Point of Order: D. Manoogian(P6) the custom is to vote the motion to Commit to Study without voting on the Finance Committee's recommendation to indefinitely postpone.

Moderator called for a break to consult with Town Counsel on clarification on which motion is on the floor.

After the consultation with Town Counsel it is deemed that the motion on the floor is the motion to commit and may be voted on without voting down the Finance Committee's recommendation to indefinitely postpone.

In the opinion of the chair the motion was properly presented.

The moderator read the written motion submitted by M. Clarner (P1). This is the motion on the floor as follows:

**Move that Article 39 be committed to study by a committee comprised of:**

- 1 Representative of Ad Hoc Government Study**
- 1 Representative of the Board of Selectmen**
- 1 Representative of the Finance Committee**
- 3 Representative from RTM drawn by lottery from those names submitted to the Town Clerk.**
- 3 Representatives of Citizens drawn by lottery from those names submitted to the Town Clerk.**

**Said committee shall be directed by the Town Moderator to hold an initial meeting at a day and time designated.**

**Said committee shall prepare a final article to be part of the Semi-Annual Town Meeting Warrant. Said article shall include a revised charter document with documentation outlining financial impacts and transition periods.**

After further discussion, R. Bruckner (P5) made a motion to move the question and 2<sup>nd</sup>.

RTM members approved the motion to move the question with a 2/3 vote. 74 Yes and 36 No - total of 110 RTM members voting. (74 votes required)

RTM members approved the Motion to Commit which was 2<sup>nd</sup> earlier in this discussion. Total number of RTM members was 104 votes – 58 Yes and 46 No.

**Motion made and seconded to adjourn. Motion Carried.**

**Sine Die at 10:03pm on June 7, 2000.**