

**PROCEEDINGS
SPECIAL TOWN MEETING
FEBRUARY 13, 2006**

Town Clerk, Maxwell Gould, opened the Special Town Meeting on February 13, 2006 at 7:06P.M. With 73 RTM members present, we have a quorum.

Pledge of Allegiance to the Flag.

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

Town Moderator Steve Dalrymple read the Warrant.

**NORTH ATTLEBOROUGH WARRANT
FOR THE REPRESENTATIVE SPECIAL TOWN MEETING
FEBRUARY 13, 2006
AT 7:00 P.M.
THE COMMONWEALTH OF MASSACHUSETTS**

Bristol, ss.

To either of the 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 THIRTEENTH OF FEBRUARY, 2006 At 7:00 P.M., then and there to act upon the following articles to wit:

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

Given our hands and seal of the Town of North Attleborough on this January 12, 2006.

**John C. Rhyno, Chairman
Marjorie A. Kraskouskas, Vice-Chairman
David Chee
William A. Moffitt
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 eighteen (18) public places in said town twenty-one (21) days before the time of said meeting.

**Chief Michael P. Gould, Sr.
Constable
Town of North Attleborough**

- 1. Central Fire Station**
- 2. Richards Memorial Library**
- 3. Town Offices**
- 4. Cushman Union Church**

5. **Oldetown Church**
6. **Bristol County Savings Bank**
7. **Falls Post Office**
8. **Cumberland Farms – Kelley Boulevard**
9. **Registry of Motor Vehicles**
10. **Housing for the Elderly (Circle Court)**
11. **Housing for the Elderly (Center)**
12. **Housing for the Elderly (Elm Terrace)**
13. **Boch Toyota**
14. **Fleet Bank (Center)**
15. **Fireside Nissan**
16. **Department of Public Works (Smith Street)**
17. **North Attleborough Federal Credit Union**
18. **Rockland Federal Credit Union**

Charles Mottinger (P1) made a motion as follows:

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

Motion seconded.

Motion carried unanimously.

Charles Mottinger (P1) made a motion as follows:

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

Motion seconded.

Motion carried unanimously.

ARTICLE 1 FIREFIGHTERS' CONTRACT

HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budgets of Fire Department and Ambulance for the purpose of financing any changes made in the Personnel ByLaws, as a result of Collective Bargaining and otherwise for salary increases for Firefighters Local 1992 and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds, transfer from Article 3, Line 4C Salary Reserve of the FY2006 Annual Town Meeting. Or to do or act in any manner relative thereto. Human Resources

PURPOSE AND JUSTIFICATION

To fund contract retroactive to 7/1/04.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$303,582 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. To meet said appropriation the sum of \$58,317 shall be transferred from "Prior Year Liability Insurance" expenses, the sum of \$10,300 shall be transferred from "Prior Year Tax Title" expenses, the sum of \$37,077 shall be transferred from available Free Cash and the following sums shall be transferred from Article 3 of the FY 2006 Annual Town Meeting: \$166,302 shall be transferred from Line Item No. 4c, "Salary Reserve", and \$31,586 shall be transferred from Line Item No. 65, "Liability Insurance".

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 2 USWA, UNIT A CONTRACT

HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budgets of various departments for the purpose of financing any changes made in the Personnel ByLaws as a result of Collective Bargaining and otherwise for salary increases for United Steelworkers of America, Unit A, and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds, transfer from Article 3, Line 4C Salary Reserve of the FY 2006 Annual Town Meeting or otherwise. Or to do or act in any manner relative thereto. Human Resources

PURPOSE AND JUSTIFICATION

To fund contract retroactive to July 1, 2004

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

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

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

Don Bates (P8) presented the following Affirmative Action motion:

That the Town vote to appropriate the sum of \$43,379 to supplement the budgets of the appropriate town departments for the purposes of financing any changes made in the Personnel ByLaws as a result of Collective Bargaining and otherwise for salary increases for United Steelworkers Union of America, Unit A. To meet said appropriation, the sum of \$43,379 shall be transferred from Article 3 of the FY2006 Annual Town Meeting, Line 4c-Board of Selectmen Salary Reserve line item.

Motion seconded.

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

ARTICLE 3 USWA, UNIT B CONTRACT

HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budgets of various departments for the purpose of financing any changes made in the Personnel ByLaws, as a result of Collective Bargaining and otherwise for salary increases for United Steelworkers of America, Unit B, and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds, transfer from Article 3, Line 4C Salary Reserve of the FY 2006 Annual Town Meeting or otherwise. Or to do or act in any manner relative thereto. Human Resources

PURPOSE AND JUSTIFICATION

To fund contract retroactive to July 1, 2004

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

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

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

Don Bates (P8) presented the following Affirmative Action motion:

That the Town vote to appropriate the sum of \$81,829 to supplement the budgets of the appropriate town departments for the purposes of financing any changes made in the Personnel ByLaws as a result of Collective Bargaining and otherwise for salary increases for United Steelworkers Union of America, Unit B. To meet said appropriation, the sum of \$81,829 shall be transferred from Article 3 of the FY2006 Annual Town Meeting, Line 4c-Board of Selectmen Salary Reserve line Item.

Motion seconded.

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

ARTICLE 4 PLANNING BOARD CLERK – SALARY

HUMAN RESOURCES

To see if the town will vote to appropriate the sum of \$2096.00 or any other sum to supplement Article 3 of the FY 2006 Annual Town Meeting Line 19A Planning Board Salaries, for an additional adjustment due to a clerical

position reclassification and to determine how said appropriation shall be raised whether by taxation, transfer from available funds or otherwise. Or to do or act in any manner relative thereto. Human Resources

PURPOSE AND JUSTIFICATION

To increase the amount of money appropriated at the Semi-Annual October Town Meeting in order to fund the upgrade of the Planning Board Grade 4 AFSCME Clerical position to the new classification and step at Grade 6 maximum.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 3 of the FY 2006 Annual Town Meeting by transferring the sum of \$2,096 from available Line Item No. 65, "Liability Insurance" to Line Item No. 19a, "Planning Board Salary & Wages" for the purpose of an additional adjustment due to a clerical position reclassification.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 5 SENIOR HOUSING BY LAW

PLANNING BOARD

To see if the town will vote to amend the Zoning By-Laws by making the following changes regarding "Senior Housing Development": Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

To provide additional housing opportunities for the Town's aging population and to provide additional open space in housing developments.

FINANCE COMMITTEE VOTE: 4-2

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: We feel that we are not qualified to make an educated recommendation of this article.

Motion made and seconded to place this Article on the table until such time that the Attorney for the Planning Board arrived to speak on behalf of this Article.

The RTM members approved the motion to table this Article. 2/3's vote obvious to the Moderator.

(Note: The vote on Article 5 appears after Article 19)

ARTICLE 6 AMEND SECTION V, USE REGULATIONS

D. MANOOGIAN, PETITIONER

To see if the town will vote to amend the Zoning-By-laws of the Town of North Attleborough as follows:

To amend Section V – USE REGULATIONS SCHEDULE B RETAIL AND SERVICE NUMBER 11 from:

Medical center including accessory medical research and associated facilities to: Medical Center and/or day surgical center including accessory medical research and associated facilities and medical offices; and to also amend Section V – USE REGULATIONS SCHEDULE B RETAIL AND SERVICE NUMBER 11 from: 1-60 - - - to: 1-60 P. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

This amendment would allow an additional compatible use in the I-60 zoning district and help insure continued use of industrial land within the Town.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: The petitioner has advised the committee that he wishes to withdraw the petition from the Town Meeting Warrant.

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

ARTICLE 7 AUGMENT FY06 ENERGY EXPENSES

BOARD OF SELECTMEN

To see if the Town will vote to amend Article 3 of the FY 2006 Annual Town Meeting by appropriating the sum of \$355,565 or some other sum to increase the following:

- Line 18B Conservation Commission General Expenses by \$153.00
- Line 29B Police Department General Expenses by \$31,819
- Line 30B Fire Department General Expenses by \$19,533
- Line 31B Ambulance Department General Expenses by \$2,949
- Line 32B Building Department General Expenses by \$231.00
- Line 38B Animal Control General Expenses by \$368.00
- Line 42A School Department General Expenses by \$185,582
- Line 45B Highway Department General Expenses by \$18,091
- Line 46 Snow & Ice by \$511
- Line 47 Street Lighting Expenses by \$28,455
- Line 49B Board of Health General Expenses by \$682.00
- Line 55B Library General Expenses by \$2,717
- Line 56B Park Department General Expenses by \$1,957
- Line 58B WWII Pool General Expenses by \$99.00
- Line 66B Sewer Enterprise General Expenses by \$48,259
- Line 67B Water Enterprise General Expenses by \$12,858
- Line 68B Landfill Enterprise General Expenses by \$1,301

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

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 3 of the FY 2006 Annual Town Meeting by appropriating the sum of \$355,565 to the following line items:

- Line 18B Conservation Commission General Expenses increased in the amount of \$153.00
- Line 29B Police Department General Expenses increased in the amount of \$31,819
- Line 30B Fire Department General Expenses increased in the amount of \$19,533
- Line 31B Ambulance Department General Expenses increased in the amount of \$2,949
- Line 32B Building Department General Expenses increased in the amount of \$231.00
- Line 38B Animal Control General Expenses increased in the amount of \$368.00
- Line 42A School Department General Expenses increased in the amount of \$185,582
- Line 45B Highway Department General Expenses increased in the amount of \$18,091
- Line 46 Snow & Ice increased in the amount of \$511
- Line 47 Street Lighting Expenses increased in the amount of \$28,455
- Line 49B Board of Health General Expenses increased in the amount of \$682.00
- Line 55B Library General Expenses increased in the amount of \$2,717
- Line 56B Park Department General Expenses increased in the amount of \$1,957
- Line 58B WWII Pool General Expenses increased in the amount of \$99.00
- Line 66B Sewer Enterprise General Expenses increased in the amount of \$48,259
- Line 67B Water Enterprise General Expenses increased in the amount of \$12,858
- Line 68B Landfill Enterprise General Expenses increased in the amount of \$1,301

The aggregate sum of \$294,067 for the funding of the above-referenced line items shall be transferred from Article 3 of the FY 2006 Annual Town Meeting as follows:

- Line Item 65, "Insurance Liability" decreased in the amount of \$66,318;
- Line Item 30A, "Fire Department Salary & Wages" decreased in the amount of \$19,533
- Line Item 31A Ambulance Salary & Wages" decreased in the amount of \$2,949;
- Line Item 56A "Park & Recreation Salary & Wages" decreased in the amount of \$34,150
- Line Item 29A, "Police Department Salary & Wages" decreased in the amount of \$110,000;
- Line Item 66D, "Sewer Enterprise Debt Service" decreased in the amount of \$48,259; and
- Line Item 67A, "Water Enterprise Salary & Wages" decreased in the amount of \$12,858

And funding for the above-referenced line items shall also come from the following articles:

- From the 2000 SATM, Article 13, Capital Improvement Plan, Item No. 12 "Engineering and Specifications of School Building Roofs" decreased in the amount of \$36,914 and
- From 1999 SATM, Article 7, Item No. 2, "Woodcock ADA Accessibility Improvements" decreased in the amount of 23,283 and From Landfill Enterprise Retained Earnings decreased in the amount of \$1,301.

ARTICLE 10 LABOR NEGOTIATOR'S FY06 SALARY

BOARD OF SELECTMEN

To see if the town will vote to amend Article 3 of the FY 2006 Annual Town Meeting by appropriating the sum of \$15,000 from Free Cash to supplement Line #24, Labor Negotiators. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

This funding is needed for anticipated and additional legal expenses through the end of this fiscal year.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 3 of the FY 2006 Annual Town Meeting by transferring the sum of \$15,000 from available Free Cash to Line Item No. 24, "Labor Negotiators".

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 11 AMEND VETERANS FY06 BUDGET

BOARD, SELECTMEN

To see if the town will vote to appropriate the sum of \$8,000 to be transferred from Free Cash to Article 3, Line 52c, Veterans' Benefits under Article 3 of the FY 2006 Annual Town Meeting. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

These funds are needed in order to pay invoices for medical services provided to our veterans.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 3 of the FY 2006 Annual Town Meeting by transferring the sum of \$8,000 from available Free Cash to Line No. 52c, "Veterans' Benefits".

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 12 AMEND BUILDING INSPECTOR'S FY06 BUDGET

BOARD, SELECTMEN

To see if the town will vote to appropriate the following sums to be transferred from Free Cash: \$8,000 to Article 3, Line 33 – Gas Inspector Salaries and Wages of the FY 2006 Annual Town Meeting \$12,000 to Article 3, Line 34 – Plumbing Inspector Salaries and Wages of the FY 2006 Annual Town Meeting \$14,000 to Article 3, Line 35 - Electrical Inspector Salaries and Wages of the FY 2006 Annual Town Meeting \$12,200 to Article 3, Line 37 – Mechanical Inspector Salaries and Wages of the FY 2006 Annual Town Meeting Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

These transfers are necessary because revenue and corresponding fees were underestimated when constructing the FY 06 budget for the office of the Building Inspector.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 3 of the FY 2006 Annual Town meeting by transferring the sum of \$8,000 from available Free Cash to Line Item No. 33, "Gas Inspector Salaries & Wages; by transferring the sum of \$12,000 from available Free Cash to Line Item No. 34, "Plumbing Inspector Salaries & Wages"; by transferring the sum of \$14,000 from available Free cash to Line Item No. 35, "Electrical Inspector Salaries and Wages"; and by transferring the sum of \$12,200 from available Free Cash to Line Item No. 37, "Mechanical Inspector Salaries and Wages"

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 13 TOWN COUNSEL FY06 SALARY

BOARD, SELECTMEN

To see if the town will vote to amend Article 3 of the FY 2006 Annual Town Meeting by appropriating the sum of \$10,000 from Free Cash to supplement Line #12b, Town Counsel, General Expenses. Or to do or act in any manner relative thereto. Board of Selectmen

PURPOSE AND JUSTIFICATION

This funding is needed for anticipated and additional legal expenses through the end of this fiscal year

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 3 of the FY 2006 Annual Town Meeting by transferring the sum of \$10,000 from available Free Cash to Line Item No. 12b, "Town Counsel -General Expenses".

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 14 FY06 CAPITAL IMPROVEMENT PLAN

BOARD, SELECTMEN

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

PART 1. MUNICIPAL CIP ON-GOING MAINTENANCE EFFORTS FUNDED BY RETAINING EARNINGS/ENTERPRISE FUNDS

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

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to appropriate the sum of \$24,000 from the Landfill Enterprise Retained Earnings Account for referenced projects of the Town's Landfill/Convenience Center, including but not limited to adding to and/or purchasing equipment or software, including costs incidental and related to such projects or to take any other action relative to the forgoing matters.

ITEM	AMOUNT	DESCRIPTION	REQUESTOR	SOURCE OF FUNDS
15.	\$ 8,000	Containers	Solid Waste Dept.	Landfill Enterprise Retained Earnings
16.	\$12,000	Scale Software Upgrade	Solid Waste Dept.	Landfill Enterprise Retained Earnings
18.	\$ 4,000	Computer Equipment	Solid Waste Dept.	Landfill Enterprise Retained Earnings

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

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

PART 2 To authorize any of the above named boards, departments, committees or commissions to apply for, accept and expand any state or federal grants that are or may become available for these purposes.
Or to do or act in any manner relative thereto. Board of Selectmen

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: Every year the RTM must empower the Town government with the authority to apply for and/or accept any state and/or federal grants.

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

ARTICLE 15 AMEND VETERANS' COUNCIL FY06 BUDGET

BOARD OF SELECTMEN

To see if the town will vote to supplement Article 3 of the FY06 Annual Town Meeting Line Item No. 53, Veterans' Council, in the amount of \$1,500 or any other sum. And to determine how said appropriation shall be raised, by taxation, by transfer of available funds, by borrowing or otherwise. Or to do or act in any manner relative thereto.
Office of Veterans' Affairs

PURPOSE AND JUSTIFICATION

Traditionally, this line item has been funded at \$3,000 but was reduced to \$1,500. We use this line item to publicly honor our veterans (i.e. cemetery flags, 3rd grader presentation, the Memorial Day Parade and/or any other veterans' ceremony). The additional funding is necessary to meet these obligations to our veterans.

FINANCE COMMITTEE VOTE: 4-0-1

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 3 of the FY 2006 Annual Town Meeting by transferring the sum of \$1,500 from available Free Cash to Line Item No. 53, "Veterans' Council".

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 16 SUPPLEMENT FY06 OPERATING BUDGET

PLANNING BOARD

To see if the town will vote to supplement Article 3 of the FY06 Annual Town Meeting Line Item No. 19b. Planner & Planning Board General Expenses, in the amount of \$5,000.00 or any other sum. And to determine how said appropriation shall be raised, by taxation, by transfer of available funds, by borrowing or otherwise. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

Necessary expenditures, particularly relating to engineering, legal services, and advertising of legal ads over the course of FY06 to date have depleted the amount of funds in the Planning Board's general expenses line item allocated by Town Meeting. Consequently, additional funds are needed to supplement Planning Board's general expenses line item in order to pay for supplies and services needed during the remainder of FY06.

FINANCE COMMITTEE VOTE: 4-2

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 3 of the FY 2006 Annual Town Meeting by transferring the sum of \$5,000 from available Free Cash to Line Item No. 19b, "Planner & Planning Board General Expenses".

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 17 TRANSFER OF FUNDS

CONSERVATION COMM.

To see if the town will vote to amend Article 3 of the FY2006 Annual Town Meeting by the transfer of \$2,500 from Item 18A Conservation Commission salary and wages to Item 18B Conservation Commission General Expenses. Or to do or act in any manner relative thereto. Conservation Commission See Attached

PURPOSE AND JUSTIFICATION

The part-time clerk for the Conservation Commission will be on maternity leave for approximately 12 weeks. This transfer is to allow the use of an employee from a “temp agency” to work 6-8 hours per week in the Conservation Commission office and to attend the Commission meetings and take and then transcribe minutes. We did place an advertisement in the paper (copy attached) but received no applications. Further, additional funds are needed to treat Whittings Pond for an invasive weed and there are insufficient funds currently budgeted.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Article 3 of the FY2006 Annual Town Meeting by the transferring the sum of \$2,500 from Item 18A, “Conservation Commission Salary & Wages” to Item 18B, “Conservation Commission General Expenses”.

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 18 REAPPROPRIATE EXCESS PROCEEDS

TOWN TREASURER

To see if the town will vote to re-appropriate the following sums of excess proceeds from the following projects to pay the principal of the original loan as follows:

ART 1 March 7, 1994 Town Meeting	Middle School	\$ 30.68
ART 14 April 27, 1998 Town Meeting	Fire Dept. Radio System Upgrade	\$ 58.00
ART 14 April 27, 1998 Town Meeting	Technology Equipment Upgrades	\$.08
ART 14 April 27, 1998 Town Meeting	DPW Truck	\$ 20.00
ART 6 April 26, 1999 Town Meeting	School Engineering	\$177.53
ART 18 October 16, 2000 Town Meeting	LeStage Land Acquisition	\$183.19
ART 4 May 17, 2004 Town Meeting	One Ton Dump Truck	\$424.30

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

FINANCE COMMITTEE VOTE: 5-0

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to re-appropriate the following sums of excess proceeds from the following projects to pay the principal of the original loan as follows:

ART 1 March 7, 1994 Town Meeting	Middle School	\$30.68
ART 14 April 27, 1998 Town Meeting	Fire Dept. Radio System Upgrade	\$58.00
ART 14 April 27, 1998 Town Meeting	Technology Equipment Upgrades	\$.08
ART 14 April 27, 1998 Town Meeting	DPW Truck	\$20.00
ART 6 April 26, 1999 Town Meeting	School Engineering	\$177.53
ART 18 October 16, 2000 Town Meeting	LeStage Land Acquisition	\$183.19
ART 4 May 17, 2004 Town Meeting	One Ton Dump Truck	\$424.30

FINANCE COMMITTEE REASON: It is good financial management to ‘clean up’ these line items.

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

Without any objection from the RTM members, Town Clerk Max Gould acted as Moderator *Pro Tempore* for the purposes of Article 19.

ARTICLE 19 AMEND FY06 STIPEND

TOWN MODERATOR

To see if the town will vote to appropriate sums of money to supplement the budget of the Moderator for the purpose of increasing the stipend of the moderator from \$150.00 per year to \$100.00 per representative town meeting evening and to determine how said appropriation shall be raised whether by taxation, appropriation, or otherwise. Or to do or act in any manner relative thereto. Petition

FINANCE COMMITTEE VOTE: 4-2

MAJORITY VOTE

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

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

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

That the Town vote to amend Article 3 of the FY2006 Annual Town Meeting by transferring the sum of \$1,050.00 from Available Free Cash to the Town Moderator salary line item account.

Motion seconded.

Don Bates (P8) presented an Amended Affirmative Action as follows:

To be paid at the rate of \$100.00 per meeting to a maximum of \$600.00 per year. A meeting is defined as the duration of a session regardless of the number of evenings involved.

Motion seconded.

After some discussion, Darla Leighton (P8) made a motion to move the question.

Motion seconded.

Motion carried.

The RTM members defeated the Amendment as presented.

Judy Lewis (P9) presented an Amended Affirmative Action as follows:

And that the Town Moderator be paid at the rate of \$100.00 per town meeting session with an annual cap of \$1,200.00

Motion seconded.

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

Motion seconded.

Motion carried.

The RTM members approved the Amendment as presented.

The Amended Affirmative Action is as follows:

That the Town vote to amend Article 3 of the FY2006 Annual Town Meeting by transferring the sum of \$1,050.00 from Available Free Cash to the Town Moderator's salary line item account. And that the Town Moderator be paid at the rate of \$100.00 per town meeting session with an annual cap of \$1,200.00.

The RTM members approved the Amended Affirmative Action as presented. 2/3's vote obvious to the Moderator.

After the conclusion of Article 19, Town Moderator, Steve Dalrymple, returned to conduct the remainder of the Town Meeting.

ARTICLE 5 SENIOR HOUSING BY LAW

PLANNING BOARD

To see if the town will vote to amend the Zoning By-Laws by making the following changes regarding "Senior Housing Development": Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

To provide additional housing opportunities for the Town's aging population and to provide additional open space in housing developments.

FINANCE COMMITTEE VOTE: 4-2

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: We feel that we are not qualified to make an educated recommendation of this article.

Motion made and seconded to place this Article on the table until such time that the Attorney for the Planning Board arrived to speak on behalf of this Article.

The RTM members approved the motion to table this Article. 2/3's vote obvious to the Moderator.

Motion made to remove Article 5 from the table for further discussion.
Motion seconded.

The RTM members approved the motion to remove Article 5 from the table.

Before discussion began on Article 5, there was a question of a quorum. With 74 RTM members being present and 69 needed, Town Clerk Max Gould declared there was a quorum.

After some discussion on Article 5, Charles Beale (P9) made a motion to move the question.
Motion seconded.
Motion carried. 2/3's obvious to the Moderator.

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

Thomas Stoltz (P5) presented an Affirmative Action as follows:

Insert new 2nd sentence in Section 4, Procedures Page 3 within 5 days of receipt of the application, the Planning Board shall send a copy to the Zoning Board of Appeals for review and recommendations. Failure to respond within 25 days shall be deemed a lack of opposition thereto.

Motion seconded.

Motion made by George Forte (P7) as follows:

Move to commit Article 5 "Senior Housing By-Law" to a study committee composed of individuals appointed by the Moderator consisting of 7 members. Two of whom shall be members of the Planning Board, 2 of whom shall be members of the Zoning Board and three of whom shall be RTM members. The Planning Board, Zoning Board and RTM coordinating committee shall forward names to the Moderator before March 1, 2006. Upon receiving the names of the members of the committee the Moderator shall notify the persons named to the committee of the date for an organizational meeting. The committee shall cause an article to be inserted in the 2006 SATM suitable to receive a report from the Committee.

Motion seconded.

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

Motion seconded.

Motion carried unanimously.

By a vote of 41-yes & 37-no, David Manoogian (P8) abstaining, the RTM members approved the motion to commit Article 5 to study.

Motion made to extend past 10:00PM

Motion seconded.

Motion carried.

To see if the town will vote to accept Chipping Stone Road as a public way. Said street having been constructed and completed as per Department of Public Works, the Highway Department, and the Planning Board specifications. The section of Chipping Stone Road proposed for acceptance starts at the intersection of Cedar Ridge Road and runs approximately 654.77 to a cul-de-sac, and is shown on a plan entitled As-Built Plan and Profile Sheldonville Heights in North Attleborough, MA, drawn by Risser Engineering Company, 44 East Street, North Attleborough, MA, dated February 5, 1999. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

Chipping Stone Road, 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: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept Chipping Stone Road as a public way. Said street having been constructed and completed as per Department of Public Works, the Highway Department, and the Planning Board specifications. The section of Chipping Stone Road proposed for acceptance starts at the intersection of Cedar Ridge Road and runs approximately 654.77 to a cul-de-sac, and is shown on a plan entitled As-Built Plan and Profile Sheldonville Heights in North Attleborough, MA, drawn by Risser Engineering Company, 44 East Street, North Attleborough, MA, dated February 5, 1999.

FINANCE COMMITTEE REASON: Pursuant to the planning board's purpose and justification.

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

ARTICLE 21 STREET ACCEPTANCE

PLANNING BOARD

To see if the town will vote to accept Rosemary Road from Station 7+00 to Station 8+80.85 and White Oak Way from Station 6+15 +/- to Station 11+84.62 as public ways, said streets having been completed as per Planning Board specifications. The portion of Rosemary Road described above runs easterly for approximately 181 feet from the portion of Rosemary Road that coincides with the property line of the Cliffs Village subdivision to White Oak Way, and the portion of White Oak Way as described above runs southerly for approximately 569 feet from the portion of White Oak Way that coincides with the property line of the Northwoods Estate subdivision to a cul-de-sac.

Said streets are shown on the plans entitled "Cliffs Village II As Built Plan of Rosemary Road from Station 7+00 to Station 8+80.85 in North Attleborough, MA prepared for Allen O. Riley by W.T. Whalen Engineering Co., 39 Elm Street, North Attleborough, MA, Scale 1" = 40' Horiz. 1" = 4' Vert.", and "Cliffs Village II As Built Plan of White Oak Way from Station 6+15.95 to Station 11+84.62 in North Attleborough, MA prepared for Allen O. Riley by W.T. Whalen Engineering Co., 39 Elm Street, North Attleborough, MA, Scale 1" = 40' Horiz. 1" = 4' Vert.", both dated August 17, 2004, both of which are on file with the Planning Board. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

The portions of Rosemary Road and White Oak Way as described above, having been built to town requirements and specifications and available to use by all persons, should be classified as "Public Ways".

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept Rosemary Road from Station 7+00 to Station 8+80.85 and White Oak Way from Station 6+15 +/- to Station 11+84.62 as public ways, said streets having been completed as per Planning Board specifications. The portion of Rosemary Road described above runs easterly for approximately 181 feet from the portion of Rosemary Road that coincides with the property line of the Cliffs Village subdivision to White Oak Way, and the portion of White Oak Way as described above runs southerly for approximately 569 feet from the portion of White Oak Way that coincides with the property line of the Northwoods Estate subdivision to a cul-de-sac. Said streets are shown on the plans entitled "Cliffs Village II As Built Plan of Rosemary Road from Station 7+00 to Station 8+80.85 in North Attleborough, MA prepared for Allen O. Riley by W.T. Whalen Engineering Co., 39 Elm Street, North Attleborough, MA, Scale 1" = 40' Horiz. 1" = 4' Vert.", and "Cliffs Village II As Built Plan of White Oak Way from Station 6+15.95 to Station 11+84.62 in North Attleborough, MA prepared for Allen O. Riley by W.T. Whalen Engineering Co., 39 Elm Street, North Attleborough, MA, Scale 1" = 40' Horiz. 1" = 4' Vert.", both dated August 17, 2004, both of which are on file with the Planning Board

FINANCE COMMITTEE REASON: Pursuant to the planning board's purpose and justification.

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

ARTICLE 22 STREET ACCEPTANCE

PLANNING BOARD

To see if the town will vote to accept Kathryn Way from Station 0+00 approximately Station 5 + 70 as a public way, said street having been completed as per Planning Board specifications. Kathryn Way as described above runs easterly for approximately 570 feet from the terminus of Bob Larsen Lane to a cul-de-sac. Said street is shown on the plan entitled "proposed Plan and Profile of Kathryn Way North Attleborough, Mass. May 1984, Scale 1" = 40' Horiz. 1" = 4' Vert., W.T. Whalen Engineering Co. N Attleborough, Mass. NOTE: THIS SHEET CONTAINS NOTES AND "AS-BUILT" TIES SUPPLIED BY CONTRACTOR, ADDED 5/29/87" which is on file with the Town. Or to do or act in any manner relative thereto. Planning Board See Attached

PURPOSE AND JUSTIFICATION

Kathryn Way as described above, having been built to town requirements and specifications, and available to use by all persons, should be classified as a "Public Way"

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept Kathryn Way from Station 0+00 approximately Station 5 + 70 as a public way, said street having been completed as per Planning Board specifications. Kathryn Way as described above runs easterly for approximately 570 feet from the terminus of Bob Larsen Lane to a cul-de-sac. Said street is shown on the plan entitled "proposed Plan and Profile of Kathryn Way North Attleborough, Mass. May 1984, Scale 1" = 40' Horiz. 1" = 4' Vert., W.T. Whalen Engineering Co. N Attleborough, Mass. NOTE: THIS SHEET CONTAINS NOTES AND "AS-BUILT" TIES SUPPLIED BY CONTRACTOR, ADDED 5/29/87" which is on file with the Town.

FINANCE COMMITTEE REASON: Pursuant to the planning board's purpose and justification.

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

ARTICLE 23 MASON AVENUE-OLD POLICE STATION

BOARD, SELECTMEN

To see if the town will vote to authorize the Board of Selectmen to convey by Quitclaim Deed the Town's right, title and interest in the land, with the building (Police Station) and improvements thereon, situated on the northerly side of Mason Avenue and shown as Lots 168, 255 and 36 on Assessors' Plat 5, consisting of approximately 14,873 sq. ft. of land, in consideration of a sum not less than \$226,200.00 Or to do or act in any manner relative thereto. Board of Selectmen See Attached

PURPOSE AND JUSTIFICATION

As the North Attleborough Police Department has moved to its new facility, the Mason Avenue property is available for sale. The property has most recently been reassessed for current market value.

FINANCE COMMITTEE VOTE: 5-0

2/3 VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to authorize the Board of Selectmen to convey by Quitclaim Deed the Town's right, title and interest in the land, with the building (Police Station) and improvements thereon, situated on the northerly side of Mason Avenue and shown as Lots 168, 255 and 36 on Assessors' Plat 5, consisting of approximately 14,873 sq. ft. of land, in consideration of a sum not less than \$226,200.00

FINANCE COMMITTEE REASON: Per purpose and justification.

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

ARTICLE 24 SUPPLEMENT FY06 SNOW & ICE

BOARD, SELECTMEN

To see if the town will vote to amend Article 3 of the FY 2006 Annual Town Meeting by appropriating the sum of \$ _____ or some other sum to increase Line 46, Snow and Ice and to determine whether said sum shall be raised, whether by taxation, transfer from available funds, or otherwise. Or to do or act in any manner relative thereto.

Board of Selectmen

PURPOSE AND JUSTIFICATION

To supplement the Snow & Ice Budget.

FINANCE COMMITTEE VOTE: 5-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: We can not calculate costs at this time.

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

ARTICLE 25 STABILIZATION FUND

BOARD, SELECTMEN

To see if the town will vote to transfer the sum of \$ ____ from Free Cash 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: 5-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to transfer the sum of \$500,000 from available Free Cash to the Stabilization Fund.

FINANCE COMMITTEE REASON: This money will be utilized to balance the FY07 Omnibus Operating Budget.

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

Motion made to adjourn the Special Town Meeting Sine Die.

Motion seconded.

Motion carried.

The Special Town Meeting adjourned Sine Die at 10:40 P.M. on Monday, February 13, 2006.