

**PROCEEDINGS
SPECIAL TOWN MEETING
June 5, 2017**

On June 5, 2017, Town Clerk, Kevin Poirier, opened the Special Town Meeting at 7:06 pm by announcing , “with 97 RTM members present, we have a quorum.”

Town moderator , Deborah Kohl, led the membership in the Pledge of Allegiance to our Flag.
She then called for a moment of silence for the Men and Women service in our Armed Forces.

Town moderator, Deborah Kohl, read the warrant

**NORTH ATTLEBOROUGH WARRANT
FOR THE REPRESENTATIVE SPECIAL TOWN MEETING**

Monday June 5, 2017

THE COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

To either Constables of the Town of North Attleborough:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the legal voters of the Town of North Attleborough to meet at the North Attleborough Middle School Cafetorium, in said North Attleborough on:

Monday the 5th of June 2017, A.D.

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

And you are hereby directed to serve this warrant by posting up attested copies thereof at the Richards Memorial Library, and Town Hall 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 April 27, 2017.

NORTH ATTLEBOROUGH BOARD OF SELECTMEN

Michael Lennox, Chairman
Keith Lapointe, Vice-Chairman
John C. Rhyno
Paul Belham
Patrick Reynolds

Moderator read the return:

BRISTOL, ss.

Persuant to this within warrant, I have notified the inhabitants of the Town of North Attleborough within described, to meet at the time and place for the purpose within mentioned by posting an attested copy of this warrant in Town Hall Lobby, Richards Memorial Library and Town Website twenty-one (21) days before the time of said meeting.

Chief John J. Reilly, Constable
Town of North Attleborough

Robert Nerz (P7) made a motion as follows:

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

Motion seconded

Motion carried.

Robert Nerz (P7) made a motion as follows:

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

Motion seconded.

Motion carried.

ARTICLE 1 – MASS COP PATROL OFFICERS’ CONTRACT

HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budget of the Police Department for the purpose of financing any changes made in the Personnel By-Laws, as a result of collective bargaining and otherwise for salary increases for Police Officers’ Association Local 550 and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds or otherwise. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

To fund contract effective July 1, 2016

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: At the time of voting the contracts had not yet been settled.

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

Motion made for Affirmative Action.

Motion seconded

Motion carried

AFFIRMATIVE ACTION: That the town move to approve the contract between the Town of North Attleboro and Patrol offices Association dated May 30, 2017 and approved by the Board of Selectmen.

By a majority vote, the RTM members approved the Affirmative Action as read.

ARTICLE 2 – MASS COP PROFESSIONAL POLICE OFFICERS’ CONTRACT

HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budget of the Police Department for the purpose of financing any changes made in the Personnel By-Laws, as a result of collective bargaining and otherwise for salary increases for Professional Police Officers’ Association Local 280 and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds or otherwise. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

To fund contract effective July 1, 2016

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: At the time of voting the contracts had not yet been settled.

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

Motion made for Affirmative Action.

Motion seconded

Motion carried

AFFIRMATIVE ACTION: That the town move to approve the contract between the Town of North Attleboro and Professional Police offices Association dated May 30, 2017 and approved by the Board of Selectmen.

By a majority vote, the RTM members approved the Affirmative Action as read.

ARTICLE 3 – UNITED STEEL WORKERS CONTRACT

HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement the budget of various departments for the purpose of financing any changes made in the Personnel By-Laws, as a result of collective bargaining and otherwise for salary increases for United Steelworkers of America and 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.

PURPOSE AND JUSTIFICATION

To fund contract effective July 1, 2015

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: At the time of voting the contracts had not yet been settled.

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

Motion made to move article 6 before Article 4.

Motion seconded

Motion Carried.

ARTICLE 4 – FUND SNOW & ICE SALARIES AND EXPENSES

BOARD OF SELECTMEN

To see if the town will vote to appropriate a sum of \$_____to supplement Snow & Ice Salaries (Dept. 423A) and \$_____for Snow and Ice Expenses (Dept 423B). Said sum to be appropriated by a transfer from the Town’s General Stabilization account. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

Under the Town’s Stabilization policy, the town will fund all snow and Ice deficits from Stabilization. When Free Cash is certified the Stabilization Fund will be replenished.

FINANCE COMMITTEE VOTE: 8-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: This article was handled under article 6.

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

ARTICLE 5 – APPROPRIATE A SUM OF MONEY TO THE STABILIZATION FUND

BOARD OF SELECTMEN

To see if the town will vote to appropriate the sum of \$_____to the Stabilization Fund. Said sum to be funded from Free Cash or transferred from available funds.

PURPOSE AND JUSTIFICATION

This article is submitted to return unused free cash to the Stabilization Account.

FINANCE COMMITTEE VOTE: 8-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: At the time of voting there was no money being recommended into the stabilization account.

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

**ARTICLE 6 – APPROPRIATE A SUM OF MONEY TO SUPPLEMENT
VARIOUS FY 17 BUDGET LINE ITEMS**

BOARD OF SELECTMEN

To see if the town will vote to appropriate a sum of money to supplement various Fiscal Year 2017 budget line items. Said sum to be funded from free cash or transfer from available funds.

PURPOSE AND JUSTIFICATION

This article is being submitted to facilitate the operating expenses for various departments for the fiscal year.

FINANCE COMMITTEE VOTE: 8-0

ROLL CALL MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$465,800.00 into the Snow & Ice Account. Specifically, \$67,000.00 into Snow & Ice Salaries (Line 423A) & 398,800.00 into Snow & Ice General Expenses (Line 423B).

Said sum shall be raised by transferring \$25,000.00 from Tri County Regional (Line 391A), \$50,000.00 from Highway Salaries (Line 422A), \$40,000.00 from Unemployment Expenses (Line 913A) and \$350,800.00 from Free Cash.

FINANCE COMMITTEE REASON: It is important to pay off the snow and ice debt each year.

The RTM members approved the Finance Committee’s recommendation with a unanimous vote in favor of the recommendation.

ARTICLE 7 – FUNDING FOR CHARTER COMMISSION

BOARD OF SELECTMEN

To see if the town will vote to appropriate a sum of \$10,000, or any other sum, for General Expenses to be expended by the Charter Commission. And to determine whether said sum shall be raised by taxation, transfer of available funds, borrowing or otherwise.

PURPOSE AND JUSTIFICATION

This funding is needed to ensure sufficient funds for FY2018 Charter Commission obligations.

FINANCE COMMITTEE VOTE: 8-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$10,000, for General Expenses to be expended by the Charter Commission. Said sum to be transferred from Free Cash.

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

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

ARTICLE 8 – APPLICATION OF BOND PREMIUMS

TREASURER

To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

PURPOSE AND JUSTIFICATION

The Municipal Modernization Act (the “Act”) changed the rules regarding allocation of excess bond premium and specific language is required in borrowing authorization votes to take advantage of these rules.

Specifically, the Act amends current law by providing communities with a choice regarding how to treat bond premiums (net of issuance costs). Communities will be able to either apply it to the issuance on the day of the bond sale, thereby reducing the amount

needed to borrow, or place it in a separate fund and appropriate it for a capital project. It also amends current law by increasing the amount of surplus bond proceeds that can be applied to debt service from \$1,000 to \$50,000.

If a community wishes to apply this rule to cover past borrowing votes that do not contain this language, the Town must pass a blanket vote to authorize the application of sale premium to pay project costs.

FINANCE COMMITTEE VOTE: 6-2

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

FINANCE COMMITTEE REASON: The majority of members were in favor of this article, as it gives the Town more flexibility when determining where to apply the surplus bond proceeds.

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

ARTICLE 9 – RESCIND BORROWING OF UNISSUED AMOUNTS

TREASURER

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

6/1/2015 Annual Town Meeting Article 6C #14 – District Hazardous Material – School
Authorized for \$200,000.00, amount unissued and to be rescinded = \$17,964.00

6/2/2014 Annual Town Meeting Article 6C #12 – Street Scape Design, Design & Engineering and matching grant funds for
Downtown and East Street Improvements
Authorized for \$200,000.00, amount unissued and to be rescinded = \$174,000.00

6/7/2010 Annual Town Meeting Article 6, Part 3 #37 – WWTF NPDES Permit Required Construction
Authorized for \$38,000,000.00, amount unissued and to be rescinded = \$505,817.76

Total amount to be rescinded: \$697,781.76

PURPOSE AND JUSTIFICATION

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

FINANCE COMMITTEE VOTE: 8-0

MAJORITY VOTE

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

6/1/2015 Annual Town Meeting Article 6C #14 – District Hazardous Material – School
Authorized for \$200,000.00, amount unissued and to be rescinded = \$17,964.00

6/7/2010 Annual Town Meeting Article 6, Part 3 #37 – WWTF NPDES Permit Required Construction
Authorized for \$38,000,000.00, amount unissued and to be rescinded = \$505,817.76

Total amount to be rescinded: \$523,781.76

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

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

**ARTICLE 10 – AMEND TOWN BY-LAWS ARTICLE I, SECTION 2
TO REDUCE RTM MEMBERSHIP**

PRIVATE PETITIONER

Change By-Laws of the Town of North Attleborough as follows:

Delete current ARTICLE I, Section 2:

Section 2. NOTICE AND MEMBERSHIP

Notice of every Town Meeting shall be given by posting copies of the Warrant calling said meeting at least twenty-one days before the day appointed for said meeting in Town Hall Lobby, Richards Memorial Library, and on the Town web site. No action at Town Meeting shall be valid unless the subject matter thereof is contained in said Warrant.

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

and replace with the following such that ARTICLE I, Section 2 shall now read:

Section 2. NOTICE AND MEMBERSHIP

a. Notice of every Town Meeting shall be given by posting copies of the Warrant calling said meeting at least twenty-one days before the day appointed for said meeting in Town Hall Lobby, Richards Memorial Library, and on the Town web site. No action at Town Meeting shall be valid unless the subject matter thereof is contained in said Warrant.

b. The membership of the Representative Town Meeting shall consist of fifteen members in each precinct with one-third of its members elected annually at the April Town election for a term of three years; provided, however, effective at the April Town Election in 2018 and each said election thereafter, the Town shall choose by ballot four (4) Representative Town Meeting members from each precinct for a three-year term such that each precinct shall have a total of fourteen (14) members after the election of 2018, thirteen (13) members after the election of 2019, and twelve (12) members after the election of 2020 and each year thereafter.

PURPOSE AND JUSTIFICATION

Increase competition and reduce vacancies.

FINANCE COMMITTEE VOTE: 6-2

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: The majority of the Committee felt that the proposal to reduce the amount of RTM seats due to the current consistent vacancies within a couple of the precincts, wouldn't necessarily increase the involvement of more people to fill those precincts, however it would most certainly eliminate people from other precincts, that are consistently full, from being involved. Additionally the By-law Study Committee did not support this article.

After much discussion a motion was made to move the question.

Motion seconded

Motion Carried.

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

Motion was made to adjourn the Special Town Meeting and Open to Annual Town Meeting.

Motion seconded.

Motion carried.

Planning Board letter read into the record.

May 23, 2017

Deborah Kohl
Town Moderator
Town of North Attleborough
43 South Washington Street
North Attleboro, MA 02760

Re: Article 11 of the June 5, 2017 Special Town Meeting

Dear Ms. Kohl:

At their Meeting held on Thursday, May 18, 2017, the Planning Board voted (4-0_ to NOT support Article 11 of the Special Town Meeting Warrant which was a proposal to change the current Zoning designation of Plat 34 Lot 22 on Landry Avenue from OP-60 to I-60.

On behalf of the Planning Board

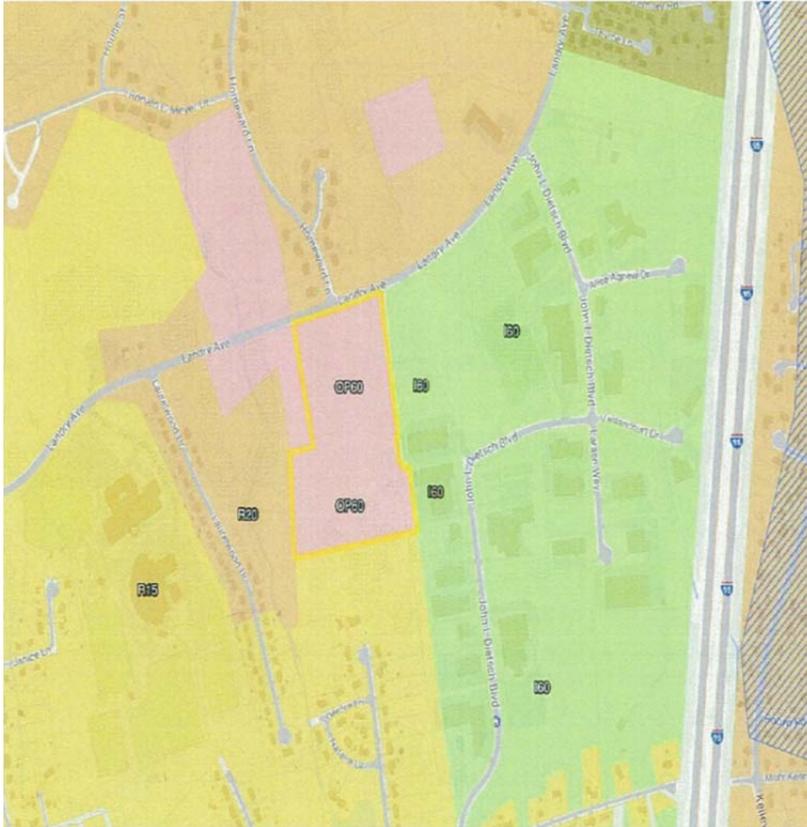
Nancy Runkle
Town Planner

ARTICLE 11 – AMEND ZONING MAP – LAND OFF OF LANDRY AVENUE **BOARD OF SELECTMEN**
To see if the Town will vote to amend the Zoning Map for the Town of North Attleborough, Massachusetts, by changing Assessors' Map 34, Lot 122, from "OP-60" to "I-60," as shown on the attached map.

PURPOSE AND JUSTIFICATION

This proposed change would permit this parcel to have the same use as the abutting parcels to the east. Both the existing and proposed zones require 60,000 square feet (about an acre and a half) minimum lot size, but permitted uses would be expanded, more in keeping with the neighboring industrial park.

PORTION OF ASSESSORS' MAP 34, SHOWING LOT 122 (PINK, "OP-60") AND PORTION OF INDUSTRIAL PARK



FINANCE COMMITTEE VOTE: 8-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: The committee did not support this article due to the neighborhood concerns and the lack of support from the planning Board.

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

By a majority vote the RTM members approved a motion to adjourn Sine Die at 7:42pm on June 5, 2017.