

**PROCEEDINGS
SEMI-ANNUAL TOWN MEETING
OCTOBER 17, 2016**

On October 17, 2016, Town Clerk, Kevin Poirier, opened the Semi-Annual Town Meeting at 7:05pm by announcing , “with 103 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 SEMI ANNUAL TOWN MEETING**

Monday October 17, 2016

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 17th of October 2016, A.D.

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

Given our hands and seal of the Town of North Attleborough on this August 18, 2016.

NORTH ATTLEBOROUGH BOARD OF SELECTMEN

Patrick Reynolds, Chairman

Anne Lonzo, Vice-Chairman

Paul Belham

John C. Rhyno

Michael Lennox

Town Moderator, Deborah Kohl, then read the Return:

BRISTOL,ss

Pursuant to this within warrant, I have notified the inhabitants of the Town of North Attleborough within described, to meet at the time and place for the purpose within mentioned by posting an attest 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 fore 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.

Motion made as follows:

I move that we table Article 1 until after Article 13.

Motion seconded

Motion carried. 2/3 declared

ARTICLE 1 – MASS COP DISPATCHERS 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 Dispatchers Association Local 436 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: 8-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town 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 Dispatchers Association Local 436 and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds or otherwise.

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

By a Majority Vote, the RTM members defeated the Finance Committee’s recommendation.

ARTICLE 2 – LABORERS’ 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 By-laws, as a result of collective bargaining and otherwise for salary increases for Laborers Local 272 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: 6-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate \$14,000.00 to supplement the budgets of various departments for the purpose of financing any changes made in the Personnel By-Laws, as a result of Collective Bargaining for salary increases for Laborers’ Local 272. \$6,800.00 to be paid from Free Cash, \$2,800.00 to be transferred from Sewer Retained Earnings and \$4,400.00 from Water Retained Earnings.

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

By a Majority Vote, the RTM members approved the Finance Committee’s recommendation.

ARTICLE 3 – MASS COP PATROLMEN’S 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: 8-0

MAJORITY VOTE

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

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

By a Majority Vote, the RTM members approved the Finance Committee’s recommendation.

ARTICLE 4 – 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: 8-0

MAJORITY VOTE

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

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

By a Majority Vote, the RTM members approved the Finance Committee’s recommendation

ARTICLE 5 – USW CONTRACT

HUMAN RESOURCES

To see if the town will vote to appropriate a sum of money to supplement budgets of various departments for the purpose of financing any changes made in the Personnel By-laws, as a result of collective bargaining and otherwise for salary increases for United Steelworkers of America, and 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: 8-0

MAJORITY VOTE

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

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

By a Majority Vote, the RTM members approved the Finance Committee’s recommendation

ARTICLE 6 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 By-laws, as a result of collective bargaining and otherwise for salary increases for Firefighters Local 1992 and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds or otherwise. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

To fund contract effective July 1, 2015

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 the contract had not been settled.

By a Majority Vote, the RTM members approved the Finance Committee's recommendation

ARTICLE 7 – AFSCME 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 to the Personnel By-laws, as a result of collective bargaining and otherwise for salary increases for AFSCME Local 1702 and to determine how said appropriation shall be raised, whether by taxation, transfer from available funds or otherwise. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

To fund contract effective July 1, 2016

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 the contract had not been settled.

By a Majority Vote, the RTM members approved the Finance Committee's recommendation

ARTICLE 8 – ACCEPT PROVISIONS OF SECT. 30 CHAPT. 176

RETIREMENT BOARD

To see if the town will vote to accept provisions of Section 30 of Chapter 176 of the Acts of 2011. This would provide that the normal monthly member-survivor allowance, under Option (d) of Section 12 of Chapter 32 of the General Laws to a spouse of a deceased member of the Retirement System, shall not be less than \$500 per month, or take any other action thereto.

PURPOSE AND JUSTIFICATION

This provision provides a benefit to a spouse when a member dies in service prior to attaining vested rights (10 years of creditable service) – currently the monthly benefit is \$250.00 per month and has never been increased. The Retirement Board has voted to accept this provision as part of the approval process.

FINANCE COMMITTEE VOTE: 6-2

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept provisions of Section 30 of Chapter 176 of the Acts of 2011. This would provide that the normal monthly member-survivor allowance, under Option (d) of Section 12 of Chapter 32 of the General Laws to a spouse of a deceased member of the Retirement System, shall not be less than \$500 per month.

FINANCE COMMITTEE REASON: The majority of the members felt that the increase was appropriate and the financial impact on the Town's Retirement system would be de minimis.

By a Majority Vote, the RTM members approved the Finance Committee's recommendation

ARTICLE 9 – ACCEPT PROVISIONS OF SECT. 27 & 28 OF CHAPT. 131

RETIREMENT BOARD

To see if the town will vote to accept provisions of Sections 27 & 28 of Chapter 131 of the Acts of 2010. The Act, which will increase the minimum benefit being paid under M.G.L., Chapter 32, section 101 to “surviving spouses: (i.e. widows/ widowers), allows by local option for the minimum base of those receiving benefits under G.L. Chapter 32, Section 101 be increased from \$6,000.00 annually to \$12,000.00 annually, or take any action relative thereto.

PURPOSE AND JUSTIFICATION

This provision covers surviving spouse benefits granted upon the death of Accidental Disability Retirees. These individuals were not given the opportunity to select the Option C benefit upon their Retirement. This benefit has never been increased from the current annual amount of \$6,000.00. The Retirement Board voted to accept this provision as part of the approval process.

FINANCE COMMITTEE VOTE: 7-1

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept provisions of Sections 27 & 28 of Chapter 131 of the Acts of 2010. The Act, which will increase the minimum benefit being paid under M.G.L., Chapter 32, section 101 to “surviving spouses: (i.e. widows/ widowers), allows by local option for the minimum base of those receiving benefits under G.L. Chapter 32, Section 101 be increased from \$6,000.00 annually to \$12,000.00 annually.

FINANCE COMMITTEE REASON: According to the Retirement Board there will be no fiscal impact on the Town for this increase because we are reimbursed for this expense.

By a Majority Vote, the RTM members approved the Finance Committee’s recommendation

ARTICLE 10 –AMEND TOWN BY-LAWS ARTICLE X, ANIMAL CONTROL

TOWN CLERK

To see if the town will vote to amend the Town By-Laws, Article X, Animal Control, Section 2d, Dog Licenses to read as follows:

b) The annual license period shall commence on April 1 of each year and terminate thereafter March 31. During the license period, the owner or keeper of the licensed dog shall cause it to wear around its neck or body a collar or other suitable material to which is securely attached a tag in the form established by the Animal Control Officer and upon which shall appear the license number, license year, and name of the Town. A substitute tag for lost tag can be obtained from the Town Clerk for a fee of one dollar (\$1.00). Or to do or act in any manner relative thereto.

The license fee shall be

Male dog	\$20.00
Female dog	\$20.00
Spayed female or male dog	\$10.00

PURPOSE AND JUSTIFICATION

The fee for a spayed or neutered dog has not had an increase in over 25 years. The increase will be the same as other communities collect in our area.

FINANCE COMMITTEE VOTE: 8-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the Town By-Laws, Article X, Animal Control, Section 2, paragraph b, Dog Licenses to read as follows:

b) The annual license period shall commence on April 1 of each year and terminate thereafter March 31. During the license period, the owner or keeper of the licensed dog shall cause it to wear around its neck or body a collar or other suitable material to which is securely attached a tag in the form established by the Animal Control Officer and upon which shall appear the license number, license year, and name of the Town. A substitute tag for lost tag can be obtained from the Town Clerk for a fee of one dollar (\$1.00)

The license fee shall be

Male dog	\$20.00
Female dog	\$20.00
Spayed female or neutered male dog	\$10.00

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

By a Majority Vote, the RTM members approved the Finance Committee’s recommendation

Motion made to waive the reading, for Article 11.

Motion seconded

Motion carried

To see if the town will vote to amend the fee schedule for the Town Clerk’s office in accordance with the provision of the Massachusetts General Laws, Chapter 262, Section 34 clause 1-79

NORTH ATTLEBOROUGH TOWN CLERK’S FEE SCHEDULE

CLAUSE	DESCRIPTION	
(1)	For filing and indexing assignment for the benefit of creditors	\$10.00
(12)	For correcting errors in a record of birth	\$10.00
(13)	For furnishing certificate of a birth	\$10.00
(14)	For entering delayed record of birth	\$10.00
(20)	For filing certificate of a person conducting business under any title other than his/her real name.	\$40.00
(21)	For filing by a person conducting business under any title other than his real name of a statement of change of his/her residence, or of his/her discontinuance, retirement or withdrawal from or change of location of such business	\$20.00
(22)	For furnishing certified copy of certificate of person conducting business under any title other than his real name or a statement by such person of his discontinuance, retirement or withdrawal from such business	\$5.00
(24)	For recording the name and address, the date and number of the certificate issued to a person registered for the practice of podiatry in the Commonwealth.	\$20.00
(29)	For correcting errors in a record of death	\$10.00
(30)	For furnishing a certificate of death	\$10.00
(42)	For entering notice of intention of marriage and issuing certificates thereof.	\$25.00
(43)	For entering certificate of marriage filed by persons married out of the Commonwealth.	\$ 5.00
(44)	For issuing certificate of marriage	\$10.00
(45)	For correcting errors in a record of marriage	\$10.00
(54)	For recording power of attorney	\$10.00
(57)	For recording certificate of registration granted to a person to engage in the practice of optometry, or issuing a certified copy, thereof.	\$20.00
(58)	For recording the name of the owner of a certificate of registration as a physician or osteopath in the Commonwealth	\$20.00
(62)	For recording order granting locations of poles, piers, abutments or conduits, alterations or transfers thereof, and increase in number of wires and cable or attachments under the provisions of Chapter 166, section 22.	\$40.00
	add'l Streets	\$10.00
(66)	For examining records or papers relating to birth, marriage or deaths upon the application of any person, the actual expense thereof, but not less than.	\$ 5.00
(67)	For copying any manuscript or record pertaining to a birth, marriage or death.	
	Per page	\$ 5.00
(69)	For receiving and filing a complete inventory of all items to be included in a “close out sale”, etc.	
	First Page	\$10.00
	Add'l page	\$ 2.00
(75)	For filing a copy of written instrument or declaration of trust by trustees of any association, Chapter 182, Section 2.	\$20.00
(79)	Recording any other documents. First Page	\$10.00
	Add'l page	\$ 2.00

PURPOSE AND JUSTIFICATION

No fees are increasing we are just removing additional copies for vitals.

FINANCE COMMITTEE VOTE: 8-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the fee schedule for the Town Clerk’s office in accordance with the provision of the Massachusetts General Laws, Chapter 262, Section 34 clause 1-79 as follows:

CLAUSE	NORTH ATTLEBOROUGH TOWN CLERK’S FEE SCHEDULE DESCRIPTION	
(1)	For filing and indexing assignment for the benefit of creditors	\$10.00
(12)	For correcting errors in a record of birth	\$10.00
(13)	For furnishing certificate of a birth	\$10.00
(14)	For entering delayed record of birth	\$10.00
(20)	For filing certificate of a person conducting business under any title other than his/her real name.	\$40.00
(21)	For filing by a person conducting business under any title other than his real name of a statement of change of his/her residence, or of his/her discontinuance, retirement or withdrawal from or change of location of such business	\$20.00
(22)	For furnishing certified copy of certificate of person conducting business under any title other than his real name or a statement by such person of his discontinuance, retirement or withdrawal from such business	\$5.00
(24)	For recording the name and address, the date and number of the certificate issued to a person registered for the practice of podiatry in the Commonwealth.	\$20.00
(29)	For correcting errors in a record of death	\$10.00
(30)	For furnishing a certificate of death	\$10.00
(42)	For entering notice of intention of marriage and issuing certificates thereof.	\$25.00
(43)	For entering certificate of marriage filed by persons married out of the Commonwealth.	\$ 5.00
(44)	For issuing certificate of marriage	\$10.00
(45)	For correcting errors in a record of marriage	\$10.00
(54)	For recording power of attorney	\$10.00
(57)	For recording certificate of registration granted to a person to engage in the practice of optometry, or issuing a certified copy, thereof.	\$20.00
(58)	For recording the name of the owner of a certificate of registration as a physician or osteopath in the Commonwealth	\$20.00
(62)	For recording order granting locations of poles, piers, abutments or conduits, alterations or transfers thereof, and increase in number of wires and cable or attachments under the provisions of Chapter 166, section 22.	\$40.00
	add’l Streets	\$10.00
(66)	For examining records or papers relating to birth, marriage or deaths upon the application of any person, the actual expense thereof, but not less than.	\$ 5.00
(67)	For copying any manuscript or record pertaining to a birth, marriage or death.	Per page \$ 5.00
(69)	For receiving and filing a complete inventory of all items to be included in a “close out sale”, etc.	First Page \$10.00 Add’l page \$ 2.00
(75)	For filing a copy of written instrument or declaration of trust by trustees of any association, Chapter 182, Section 2.	\$20.00
(79)	Recording any other documents. First Page	\$10.00

FINANCE COMMITTEE REASON: As stated in the Purpose and Justification.

By a Majority Vote, the RTM members approved the Finance Committee's recommendation

ARTICLE 12 – APPROPRIATION OF FUNDS FOR VARIOUS CAPITAL PROJECTS BOARD OF SELECTMEN

To see if the town will vote to appropriate \$223,000 for various capital projects and equipment as shown below, to be expended under the direction of Town Board/ Official Indicated. Said sum to be raised by General Tax or available funds; and provided further that any funds appropriated hereunder shall remain within the capital budget under the jurisdiction of the Town Board/ Official indicated, until expended or released, unless transferred by Town Meeting. Or to do or act in any manner relative thereto.

<u>Department</u>	<u>Item</u>	<u>Amount</u>
1. School	Upgrade to Energy Efficient Lighting	\$50,000
2. Fire	Replace Emergency Generator – Station 3	\$35,000
3. School	Repair & Resurface Tennis Courts	\$50,000
4. Park & Rec	Playground Equipment – Mason	\$32,000
5. BOS	Record Management System (Phase 3)	\$7,000
6. Fire	Replace Inspection Vehicle	\$30,000
7. Park & Rec	Guardrail & Speedbumps – WW1 Park	\$19,000
	TOTAL	\$223,000

PURPOSE AND JUSTIFICATION:

FINANCE COMMITTEE VOTE: 8-0

MAJORITY ROLL CALL

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate \$195,300.00 for various capital projects and equipment as shown below, to be expended under the direction of Town Board/ Official Indicated. The sum of \$169,000.00 to be taken from Free Cash and the balance of \$26,300.00 from the remaining funds from the June 2015, ATM Article 6-1 (Joint Dispatch).

<u>Department</u>	<u>Item</u>	<u>Amount</u>
1. School	Upgrade to Energy Efficient Lighting	\$50,000
2. Fire	Replace Emergency Generator – Station 3	\$26,300
3. School	Repair & Resurface Tennis Courts	\$50,000
4. Park & Rec	Playground Equipment – Mason	\$32,000
5. BOS	Record Management System (Phase 3)	\$7,000
6. Fire	Replace Inspection Vehicle	\$30,000
	TOTAL	\$195,300.00

FINANCE COMMITTEE REASON: These were items that were unfunded in June due to lack of revenue but need to be completed.

By a Majority Roll Call Vote, the RTM members approved the Finance Committee's recommendation. Yes-92 / No-11

ARTICLE 13 – APPROPRIATION OF FUNDS TO VARIOUS OPERATING BUDGETS BOARD OF SELECTMEN

To see if the town will vote to appropriate a sum of money to supplement various Fiscal Year 2017 departmental operating budgets. Said sum to be funded from free cash or transfer from available funds. Or to do or act in any manner relative thereto.

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

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to raise and appropriate \$78,150.00; \$1,744.00 to Board of Selectmen Salaries (Dept. 121A), \$7,986.00 to Treasurer/Collector Salaries (Dept. 145A), \$3,218.00 to Human Resources Salaries (Dept. 152A), \$65,202.00 to School Transportation (Dept. 300C), and make budgetary transfers of \$68,000.00 from Liability and Property Insurance (Dept. 945A) to the following Accounts:

Legal Counsel Expenses (Dept. 151B)	\$50,000.00
Police Department Salaries (Dept. 210A)	\$18,000.00

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

Motion made to amend article 13 as follows:

That the Town appropriate \$78,150.00; from taxation. \$1,744.00 to Board of Selectmen Salaries (Dept. 121A), \$7,986.00 to Treasurer/Collector Salaries (Dept. 145A), \$3,218.00 to Human Resources Salaries (Dept. 152A), \$65,202.00 to School Transportation (Dept. 300C), and make budgetary transfers of \$68,000.00 from Liability and Property Insurance (Dept. 945A) to the following Accounts:

Legal Counsel Expenses (Dept. 151B)	\$50,000.00
Police Department Salaries (Dept. 210A)	\$18,000.00

Motion seconded

Motion carried

After much discussion a motion was made to move the question and go directly to a vote on the Amended Finance Committee's recommendation.

Motion seconded

Motion Failed with 103 RTM members voting , 2/3 require = 69 (Yes-68 / No-35)

After more discussion a Motion was made to amend the amended recommendation as follows:

That the Town appropriate \$78,150.00; from free cash. \$1,744.00 to Board of Selectmen Salaries (Dept. 121A), \$7,986.00 to Treasurer/Collector Salaries (Dept. 145A), \$3,218.00 to Human Resources Salaries (Dept. 152A), \$65,202.00 to School Transportation (Dept. 300C), and make budgetary transfers of \$68,000.00 from Liability and Property Insurance (Dept. 945A) to the following Accounts:

Legal Counsel Expenses (Dept. 151B)	\$50,000.00
Police Department Salaries (Dept. 210A)	\$18,000.00

Motion seconded

Motion failed

Motion was made to move the question and go directly to a vote on the Finance Committee's recommendation as originally amended.

Motion seconded

Motion carried

By a Majority Vote, the RTM members approved the Amended Finance Committee's recommendation

Motion made to take Article 1 off the table.

Motion seconded

Motion carried

ARTICLE 14 – PAY CURRENT YEAR AND PRIOR YEAR BILLS

BOARD OF SELECTMEN

To see if the town will vote to appropriate a sum of money needed to pay current year and prior year(s) unpaid bills. Said sum to be from Free Cash or transferred from available funds. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

Invoices received after the close of the fiscal year are paid through this article

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 were no unpaid bills.

By a Majority Vote, the RTM members approved the Finance Committee’s recommendation

ARTICLE 15 – BETTERMENT STABILIZATION

BOARD OF SELECTMEN

To see if the town will vote to appropriate the sum of \$_____ to the Betterment Stabilization Fund. Said sum to be funded from Free Cash or transferred from available funds. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

There is an annual appropriation made to the Betterment Stabilization Fund as a result of the free cash certification. The amount derived from those local receipts collected during the Fiscal Year 16 for special assessments.

FINANCE COMMITTEE VOTE: 8-0

2/3 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$62,812.00 to the Betterment Stabilization Fund. Said sum to be funded from Free Cash

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

By a 2/3 Majority Vote declared, the RTM members approved the Finance Committee’s recommendation

ARTICLE 16 – STABILIZATION FUND

BOARD OF SELECTMEN

To see if the town will vote to appropriate a sum of \$_____ to the Stabilization Fund. Said sum to be funded from Free Cash or transferred from available funds. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

This article is submitted to return funds to the Stabilization Account that was used to fund the operating budgets at the Annual Town Meeting for Fiscal year 2016.

FINANCE COMMITTEE VOTE: 7-1

2/3 MAJORITY ROLL CALL

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate a sum of \$617,385.00 to the Stabilization Fund. Said sum to be funded from Free Cash.

FINANCE COMMITTEE REASON: This article is submitted to place funds into the Stabilization Account per the town’s Free Cash Policy.

**By a 2/3 Majority Roll Call Vote, the RTM members unanimously approved the Finance Committee’s recommendation.
1 RTM member abstained**

**ARTICLE 17 – APPROPRIATION TO THE SEWER ENTERPRISE INFILTRATION
AND INFLOW REMOVAL PROGRAM STABILIZATION FUND**

BOARD OF PUBLIC WORKS

To see if the town will vote to appropriate the sum of \$127,680 from Sewer Retained Earnings to the Sewer Enterprise Infiltration and Inflow Removal Program Stabilization Fund. Said sum is the collected FY16 for the Sewer Infiltration and Inflow Capacity Fee. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

These funds were collected in FY2016 for the specific purpose of funding for the removal of Infiltration and Inflow from the system to accommodate the new flows. These funds will be appropriated to the Stabilization fund to mitigate costs of future Infiltration and Inflow projects, which reduces the extraneous groundwater and rain water flows from our sewer system. The removal of these flows lower or transport and treatment costs within the system.

FINANCE COMMITTEE VOTE: 7-0

2/3 MAJORITY ROLL CALL

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$127,680.00 from Sewer Retained Earnings to the Sewer Enterprise Infiltration and Inflow Removal Program Stabilization Fund.

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

By a 2/3 Majority Roll Call Vote, the RTM members unanimously approved the Finance Committee's recommendation.

ARTICLE 18 – INFILTRATION AND INFLOW REMOVAL PROGRAM CIP

BOARD OF PUBLIC WORKS

To see if the town will vote to appropriate the sum of \$1,000,000 to fund the sewer Infiltration and Inflow program, including design, engineering, construction and installation costs incidental and related thereto, to be financed by Retained Earnings from the Sewer Enterprise Funds or other funds shown below:

And that to meet this appropriation, \$755,000 to be appropriated from Retained Earnings and the sum of \$245,000 to be funded from remaining balances in the following projects:

\$12,051.29 – 2007 May ATM Art. 6 #78 (NPDES Permit Requirements)

\$28,411.15 – 2010 March STM Art. 9 (Design Upgrades to WWTF)

And

\$204,537.56 From Sewer I & I Stabilization Fund.

Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

This is an annual request for funding the Town's Infiltration and Inflow Removal Program, which removes extraneous groundwater flows from the sewer system, which lowers transport and treatment costs of clean water through our wastewater treatment plant.

FINANCE COMMITTEE VOTE: 7-0

2/3 MAJORITY ROLL CALL

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$1,000,000.00 to fund the sewer Infiltration and Inflow program, including design, engineering, construction and installation costs incidental and related thereto, to be financed by Retained Earnings from the Sewer Enterprise Funds or other funds shown below:

And that to meet this appropriation, \$755,000 to be appropriated from Retained Earnings and the sum of \$245,000 to be funded from remaining balances in the following projects:

\$12,051.29 – 2007 May ATM Art. 6 #78 (NPDES Permit Requirements)

\$28,411.15 – 2010 March STM Art. 9 (Design Upgrades to WWTF)

And

\$204,537.56 From Sewer I & I Stabilization Fund.

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

By a 2/3 Majority Roll Call Vote, the RTM members unanimously approved the Finance Committee's recommendation.

ARTICLE 19 – WATER MAIN REPLACEMENT PROGRAM

BOARD OF PUBLIC WORKS

To see if the Town will vote to appropriate the sum of \$860,000 for various water main replacement projects, including design, engineering, construction and installation costs, and all other costs incidental and related thereto, and that to meet this appropriation, (i) the sum of \$55,648.00 be applied to Water Main Replacement to be funded from remaining balances in the following projects:

\$39,629.00 - 1998 April ATM Art. 20 #4 (Kelley Well #2 Replacement)

\$6,642.00 - 2002 April ATM Art. 6 #1 (Elmwood Street Tank Restoration)

\$9,377.00 - 2009 January STM Art. 13 (Water Filter Media),

and (ii) that the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow the sum of \$804,352.00, under and pursuant to Chapter 44, Section 8(5) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the town therefor; and that the requested total sum of \$860,000 be expended for project costs by the Board of Public Works. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

This is a follow-on article for the Town's FY2017 Capital Improvement Plan to include Water and Sewer projects.

FINANCE COMMITTEE VOTE: 7-0

2/3 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$860,000.00 for various water main replacement projects, including design, engineering, construction and installation costs, and all other costs incidental and related thereto,

and that to meet this appropriation, (i) the sum of \$55,648.00 be applied to Water Main Replacement to be funded from remaining balances in the following projects:

\$39,629.00 - 1998 April ATM Art. 20 #4 (Kelley Well #2 Replacement)

\$6,642.00 - 2002 April ATM Art. 6 #1 (Elmwood Street Tank Restoration)

\$9,377.00 - 2009 January STM Art. 13 (Water Filter Media),

and (ii) that the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow the sum of \$804,352.00, under and pursuant to Chapter 44, Section 8(5) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the town therefor; and that the requested total sum of \$860,000 be expended for project costs by the Board of Public Works.

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

By a 2/3 Majority Vote, the RTM members approved the Finance Committee's recommendation.

ARTICLE 20 - ELIMINATE THE PRELIMINARY ELECTION

PRIVATE PETITIONER

To see if the town will vote to amend the town By-law to eliminate the need to have preliminary elections in North Attleboro, or remove legislative act Ch. 751 enacted in 1977. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

Cost justification – saving of \$12,000 - \$13,000 annually.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to authorize the Board of Selectmen to submit a "Home Rule Petition" on behalf of the Town of North Attleborough, to the Massachusetts General Court, for the purpose of eliminating "Preliminary Elections", by rescinding St. 1977 c. 751 ("An Act Establishing Preliminary Elections in the Town of North Attleboro")

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

Motion made and seconded to amend article 20 as follows:

Move to refer article 20 to be studied by an ad-hoc study committee of up to 5 residents appointed by the RTM Coordinating Committee. The Ad-hoc committee would report us an article recommendation to the RTM at the next Annual Town Meeting with a recommendation.

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

Motion seconded

Motion carried.

The RTM members defeated the motion to amend article 20 as read.

After more discussion a motion was made to move the question and go directly to a vote on the Finance Committ's recommendation.

Motion Seconded.

Motion Carried.

By a Majority Vote, the RTM members defeated the Finance Committee's recommendation.

ARTICLE 21 – AMEND BY-LAW ARTICLE X, ANIMAL CONTROL, SECTION 2 BY LAW STUDY COMMITTEE

Amend By-Law Article X, Animal Control, Section 2 Dog Licensing

c. Any license purchased on or after May 1 of each year shall include a late charge of twenty-five dollars (\$25.00), unless proof, such as a bill of sale or affidavit or similar document, can be shown that the dog was purchased or brought into Town within the previous sixty (60) days. No license fee or part thereof is refundable.

There shall be no license fee charged for

- (i) a service dog specifically trained provided a certificate is provided by a medical or governmental authority;
- (ii) dog owners over the age of seventy (70);
- (iii) Disabled veterans and/or their surviving spouse (as defined by VA benefits).

Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

To waive the dog licensing fees for Disabled Veterans. Studies have proven that pets provide many health and psychological benefits such as relief from anxiety and pain. There could be 100 disabled veterans who own dogs. However, there is no precise measurement available.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to Amend By-Law Article X, Animal Control, Section 2.c Dog Licensing as follows:

c. Any license purchased on or after May 1 of each year shall include a late charge of twenty-five dollars (\$25.00), unless proof, such as a bill of sale or affidavit or similar document, can be shown that the dog was purchased or brought into Town within the previous sixty (60) days. No license fee or part thereof is refundable.

There shall be no license fee charged for

- (i) a service dog specifically trained provided a certificate is provided by a medical or governmental authority;
- (ii) dog owners over the age of seventy (70);
- (iii) Disabled veterans and/or their surviving spouse (as defined by VA benefits).

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

By a Majority Vote, the RTM members approved the Finance Committee's recommendation

Moderator, Deb Kohl, read the Planning Board's recommendation letter into the record.

September 16, 2016

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

Re: Articles 22-28 of the SATM

Dear Ms. Kohl:

The Planning Board held a public hearing on September 15, 2016, to discuss Articles 22-28 of the Semi-Annual Town Meeting. Their votes on each article are as follows:

Articles 22 & 23 – Mobile Home Parks – The Planning Board voted 4-0 to recommend Indefinite Postponement of these articles for further study.

Article 24 – Signs Permitted in any other “C” District – The Planning Board voted 4-0 to recommend this article as presented.

Article 25 – Signs Applicability – The Planning Board voted 3-0 to recommend this article as presented.

Article 26 – Lot Frontage Requirement – The Planning Board voted 4-0 to recommend Indefinite Postponement of this article for further study.

Article 27 – Reduction of Buffer Zone for Marijuana Facilities – The Planning Board voted 3-1 to recommend this article as presented.

Article 28 – Build Factor Formula – The Planning Board voted 2-2, therefore does not recommend this article by default. On Behalf of the Planning Board,

Nancy Runkle, Town Planner

ARTICLE 22 – AMEND ZONING BY-LAWS

PLANNING BOARD

To see if the Town will vote to amend the North Attleborough Zoning Bylaws, Section V, Use Regulations, Schedule B, Principal Use, Residential # 6, as follows:

Current:

	R-10	R-10S	R-15	R-20	R-40	C-7.5	C-60	OP-60	IC-30	I-60
**6. Mobile Home Parks (see Section VI E)	--	--	--	--	--	--	S	--	--	--

Proposed:

	R-10	R-10S	R-15	R-20	R-40	C-7.5	C-60	OP-60	IC-30	I-60
**6. Mobile Home Parks (see Section VI E) (10/2016)	--	--	--	--	--	--	--	--	--	--

Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

The Planning Board is proposing to disallow new mobile home parks via the Special Permit process. The Planning Board feels this change is necessary because the C-60 Area is the Town’s prime commercial area and the amount of taxes generated by Mobile Home Parks is significantly less than what an actual commercial business typically generates. Additionally the Town has an abundance of existing mobile home parks. It should be noted that the use could still be granted by seeking a variance from the Zoning Board of Appeals although the threshold for approval is higher than that of a Special Permit.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of the article be Indefinitely Postponed.

FINANCE COMMITTEE REASON: At the Planning Board request this item should be postponed for further study.

By a Majority Vote, the RTM members approved the Finance Committee’s recommendation

ARTICLE 23 – AMEND ZONING BY- LAWS

PLANNING BOARD

To see if the Town will vote to amend the North Attleborough Zoning Bylaws, Section VI.E Mobilehome Parks as follows:

E. Mobilehome Parks

For the ~~construction~~, enlargement or alteration of a mobilehome park ~~in the C-60 districts~~, the regulations set forth below shall be met in addition to all others ~~as may be set by the Board of Appeals in granting the special exception.~~

1. Permits and Licenses

- a. It shall be unlawful for any person to ~~construct~~, enlarge, or alter any mobilehome park, whether charges are levied or not, who does not apply for and receive a special permit from the Board of Appeals as set forth in Section VIII of this Bylaw. Such permit shall be in addition to all other permits and licenses required by state law.
- b. Application for such permit shall be made in writing to the Board of Appeals, shall be in duplicate and signed by the owner, and shall contain the following:
 - (1) Name and address of applicant; and name and address of responsible party if other than applicant.
 - (2) A site plan made showing present sites and proposed additional sites, park, roads, size, shape, and identification number of the mobilehome lots, and location of sanitary provisions, shall be filed with and approved by the Planning Board.
 - (3) Certification of approval of the Health Board and the State Board of Health as to compliance with sanitary requirements set forth in Paragraph 4.
 - (4) Proof of ownership, option or valid lease.
 - (5) Evidence that all other bylaws and regulations of the town are met.
 - (6) Such further information as may be required by the Board to enable them to determine whether the plans and specifications conform to these regulations.

2. Issuance of Permit

- a. Upon approval of an application by the Board of Appeals, the Building Inspector shall, on payment of the required fee and upon approval by the local Board of Health, as required by state law, issue a permit to execute the approved plans and specifications.
- b. The fee for said permit shall be a minimum of \$40 plus \$3 for each space in excess of 10.

3. General Requirements for Operation of Mobilehome Park.

Each Mobilehome Park shall conform to the following requirements:

- a. The park shall be located on a site graded to ensure drainage of surface and sub surface water, and sewage and freedom from stagnant pools.
- b. A minimum of 6,000 square feet shall be provided for each mobilehome lot with a minimum frontage of fifty (50) feet. The boundaries of each lot shall be designated by permanent markers such as stone monuments or iron pipes placed in the ground at each corner, and shall be shown on the plans. Each lot shall contain parking space for one automobile. Each lot shall be kept free from dense growth of brush or weeds. As used in this section, the term "mobilehome lot" or "lot" shall mean the defined area intended for occupancy by a single mobilehome.
- c. There shall be a minimum of fifteen (15) feet of clearance between each mobilehome and the lot boundary. In establishing this clearance awnings, vestibules, or other attached building components, accessory buildings, and patios shall be considered an integral part of a mobilehome.
- d. All mobilehome lots shall abut on a roadway of not less than 40 feet right of way width and 24 feet pavement width.

- e. All roads within the park shall be well drained, provided with hard surfaces, be maintained in good condition, and shall conform to accepted practices of good design as set forth in the Subdivision Regulations of the Town of North Attleborough.
- f. No mobilehome shall be located closer than 30 feet from the traveled portion of any way.
- g. No more than one mobilehome shall be located on a mobilehome lot. No mobilehome shall be situated closer to any property line than would otherwise be allowed by following the side and rear yard requirements appropriate to the zoning district in which the mobilehome park is located.
- h. In no case shall the gross density of a mobilehome park exceed the gross density allowed in the ~~district for other residential uses.~~ **(add in the following phrase) nearest residential district as determined by the building inspector.**
- i. Every mobilehome park shall be provided with adequate street lighting facilities, and shall be kept lighted in accordance with the timetable for the lighting and extinguishing of public street lights.

4. Sanitary Requirement for Operation of Mobilehome Parks.
Each mobilehome park shall conform to the following requirements:

- a. A supply of 300 gallons of potable water per mobilehome lot per day shall be provided from a source approved by the Health Board.
- b. The water supply system shall be connected by pipes to all buildings and all mobilehome spaces. All water piping shall be designed, constructed and maintained in accordance with state and local law and sound engineering practices. The water piping system shall not be cross connected with non potable or questionable water supplies, nor be subject to the hazards of back flow or back siphonage.
- c. Individual water service connections which are provided for direct use by mobilehomes shall be so constructed that they will not be damaged by the parking of mobilehomes.
- d. Every mobilehome park shall provide a proper and acceptable sewer and sewage disposal system either by connection to the town sewer system when available or to a septic tank or other means of treatment and disposal approved by the Board of Health. All fixtures of any kind discharging water or other liquids shall be properly trapped and connected with the sewage disposal system in such a manner as to comply fully with all regulations of the Board of Health and the State Board of Health.
- e. Each mobilehome lot shall be provided with an approved electrical connection.
- f. Licensees shall furnish at least one refuse can with tight fitting cover for each occupied mobilehome lot or use any approved collection method in accordance with the State Health Sanitation Laws. Refuse shall be collected and removed regularly and in such manner that no nuisance shall be maintained. It shall be the responsibility of each licensee to maintain proper sanitary conditions with respect to waste and refuse disposal.

5. Registration of Mobilehomes. Each licensee shall keep a register in which the following shall be recorded forthwith upon the renting of each mobilehome lot:

- a. Full name of mobilehome owner, lot number and location.
- b. Make, model, size, serial number, year of mobilehome and automobiles.
- c. State in which registered and registration number, if any.
- d. Date of arrival and departure of each mobilehome.

e. The parks shall keep the register available for inspection at all times by law enforcement officers, public health officials, and other officials whose duties may necessitate acquisition of the information contained in the register.

6. Fire Protection

a. The mobilehome park shall be subject to the rules and regulations of the Town of North Attleborough Fire Protection Authority. Mobilehome park areas shall be kept free of all litter, rubbish, and other flammable materials.

b. Fire protection measures, as recommended by the fire prevention authority, shall be taken by the mobile park operator.

7. Supervision. A responsible attendant or caretaker shall be in charge at all times to keep the park, its facilities, and equipment in a clean, orderly, and sanitary condition and shall be answerable with the licensee for any violation of these regulations.

The amended sections would now read as follows:

E. Mobilehome Parks

For the enlargement or alteration of a mobilehome park, the regulations set forth below shall be **met in** addition to all others.

1. Permits and Licenses

a. It shall be unlawful for any person to enlarge, or alter any mobilehome park, whether charges are levied or not, who does not apply for and receive a special permit from the Board of Appeals as set forth in Section VIII of this Bylaw. Such permit shall be in addition to all other permits and licenses required by state law.

b. Application for such permit shall be made in writing to the Board of Appeals, shall be in duplicate and signed by the owner, and shall contain the following:

(1) Name and address of applicant; and name and address of responsible party if other than applicant.

(2) A site plan made showing present sites and proposed additional sites, park, roads, size, shape, and identification number of the mobilehome lots, and location of sanitary provisions, shall be filed with and approved by the Planning Board.

(3) Certification of approval of the Health Board and the State Board of Health as to compliance with sanitary requirements set forth in Paragraph 4.

(4) Proof of ownership, option or valid lease.

(5) Evidence that all other bylaws and regulations of the town are met.

(6) Such further information as may be required by the Board to enable them to determine whether the plans and specifications conform to these regulations.

2. Issuance of Permit

a. Upon approval of an application by the Board of Appeals, the Building Inspector shall, on payment of the required fee and upon approval by the local Board of Health, as required by state law, issue a permit to execute the approved plans and specifications.

b. The fee for said permit shall be a minimum of \$40 plus \$3 for each space in excess of 10.

3. General Requirements for Operation of Mobilehome Park.

Each Mobilehome Park shall conform to the following requirements:

- a. The park shall be located on a site graded to ensure drainage of surface and sub surface water, and sewage and freedom from stagnant pools.
- b. A minimum of 6,000 square feet shall be provided for each mobilehome lot with a minimum frontage of fifty (50) feet. The boundaries of each lot shall be designated by permanent markers such as stone monuments or iron pipes placed in the ground at each corner, and shall be shown on the plans. Each lot shall contain parking space for one automobile. Each lot shall be kept free from dense growth of brush or weeds. As used in this section, the term "mobilehome lot" or "lot" shall mean the defined area intended for occupancy by a single mobilehome.
- c. There shall be a minimum of fifteen (15) feet of clearance between each mobilehome and the lot boundary. In establishing this clearance awnings, vestibules, or other attached building components, accessory buildings, and patios shall be considered an integral part of a mobilehome.
- d. All mobilehome lots shall abut on a roadway of not less than 40 feet right of way width and 24 feet pavement width.
- e. All roads within the park shall be well drained, provided with hard surfaces, be maintained in good condition, and shall conform to accepted practices of good design as set forth in the Subdivision Regulations of the Town of North Attleborough.
- f. No mobilehome shall be located closer than 30 feet from the traveled portion of any way.
- g. No more than one mobilehome shall be located on a mobilehome lot. No mobilehome shall be situated closer to any property line than would otherwise be allowed by following the side and rear yard requirements appropriate to the zoning district in which the mobilehome park is located.
- h. In no case shall the gross density of a mobilehome park exceed the gross density allowed in the nearest residential district as determined by the building inspector.
 - i. Every mobilehome park shall be provided with adequate street lighting facilities, and shall be kept lighted in accordance with the timetable for the lighting and extinguishing of public street lights.

4. Sanitary Requirement for Operation of Mobilehome Parks.
Each mobilehome park shall conform to the following requirements:

- a. A supply of 300 gallons of potable water per mobilehome lot per day shall be provided from a source approved by the Health Board.
- b. The water supply system shall be connected by pipes to all buildings and all mobilehome spaces. All water piping shall be designed, constructed and maintained in accordance with state and local law and sound engineering practices. The water piping system shall not be cross connected with non potable or questionable water supplies, nor be subject to the hazards of back flow or back siphonage.
- c. Individual water service connections which are provided for direct use by mobilehomes shall be so constructed that they will not be damaged by the parking of mobilehomes.
- d. Every mobilehome park shall provide a proper and acceptable sewer and sewage disposal system either by connection to the town sewer system when available or to a septic tank or other means of treatment and disposal approved by the Board of Health. All fixtures of any kind discharging water or other liquids shall be properly trapped and connected with the sewage disposal system in such a manner as to comply fully with all regulations of the Board of Health and the State Board of Health.
- e. Each mobilehome lot shall be provided with an approved electrical connection.

- f. Licensees shall furnish at least one refuse can with tight fitting cover for each occupied mobilehome lot or use any approved collection method in accordance with the State Health Sanitation Laws. Refuse shall be collected and removed regularly and in such manner that no nuisance shall be maintained. It shall be the responsibility of each licensee to maintain proper sanitary conditions with respect to waste and refuse disposal.

5. Registration of Mobilehomes. Each licensee shall keep a register in which the following shall be recorded forthwith upon the renting of each mobilehome lot:
 - a. Full name of mobilehome owner, lot number and location.
 - b. Make, model, size, serial number, year of mobilehome and automobiles.
 - c. State in which registered and registration number, if any.
 - d. Date of arrival and departure of each mobilehome.
 - e. The parks shall keep the register available for inspection at all times by law enforcement officers, public health officials, and other officials whose duties may necessitate acquisition of the information contained in the register.

6. Fire Protection
 - a. The mobilehome park shall be subject to the rules and regulations of the Town of North Attleborough Fire Protection Authority. Mobilehome park areas shall be kept free of all litter, rubbish, and other flammable materials.
 - b. Fire protection measures, as recommended by the fire prevention authority, shall be taken by the mobile park operator.

7. Supervision. A responsible attendant or caretaker shall be in charge at all times to keep the park, its facilities, and equipment in a clean, orderly, and sanitary condition and shall be answerable with the licensee for any violation of these regulations. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

Since the use of the Mobilehome Park by Special Permit is being removed in the Use Schedule (Section V) we needed to adjust the section of the by-law that refers to mobilehome regulations & licensing in reference to “construction”.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of the article be Indefinitely Postponed.

FINANCE COMMITTEE REASON: At the Planning Board request this item should be postponed for further study.

By a Majority Vote, the RTM members approved the Finance Committee’s recommendation

ARTICLE 24 – AMEND ZONING BY-LAWS

PLANNING BOARD

To see if the Town will vote to amend the North Attleborough Zoning Bylaws, Section VI.G.4. Signs Permitted in Any Other “C” District as follows:

Current:

4. Signs Permitted in Any Other “C” District

Proposed Change:

4. Signs Permitted in Any Other “C” or “IC” District
Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

Signs in the IC-30 district aren't addressed clearly in the current zoning by-law and the Building Commissioner asked the Planning Board to specifically include the "IC" District with the "C" District for clarification purposes.

FINANCE COMMITTEE VOTE: 7-0

2/3 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the North Attleborough Zoning Bylaws, Section VI.G.4. Signs Permitted in Any Other "C" District as follows:

4. Signs Permitted in Any Other "C" or "IC" District

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

By a 2/3 Majority Vote, the RTM members approved the Finance Committee's recommendation.

ARTICLE 25 – AMEND ZONING BY-LAWS

PLANNING BOARD

To see if the Town will vote to amend the North Attleborough Zoning Bylaws, Section VI.G.1. Signs, Applicability, to include the following paragraph:

A 501(c)(3) non-profit organization that has approval from the Board of Selectman or the appropriate authority having jurisdiction to beautify and maintain town owned land will be allowed to erect one sign on each area of beautified land. The sign shall not exceed six square feet. The sign, with approval from the Board of Selectman or the authority of jurisdiction, will include the name of the non-profit organization and name only of the contributor that will provide the ongoing landscape maintenance. The sign will be permanently placed and maintained by the non-profit organization on the beautified town owned land.

The updated Section VI.G.1 would now read:

1. Applicability. No signs shall be attached, erected or otherwise installed on any property without first obtaining a sign permit from the Building Inspector, such permit to be granted only in accordance with the following regulations:

Temporary political signs shall be permitted and shall be exempt from obtaining a sign permit from the Building Inspector.

A 501(c)(3) non-profit organization that has approval from the Board of Selectman or the appropriate authority having jurisdiction to beautify and maintain town owned land will be allowed to erect one sign on each area of beautified land. The sign shall not exceed six square feet. The sign, with approval from the Board of Selectman or the authority of jurisdiction, will include the name of the non-profit organization and name only of the contributor that will provide the ongoing landscape maintenance. The sign will be permanently placed and maintained by the non-profit organization on the beautified town owned land. (10/2016) Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

The addition of this paragraph would allow "credit" to be given to an individual or company who donates time and/or money to maintain a Town owned parcel of land.

FINANCE COMMITTEE VOTE: 6-1

2/3 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the North Attleborough Zoning Bylaws, Section VI.G.1. Signs, Applicability as follows:

1. Applicability. No signs shall be attached, erected or otherwise installed on any property without first obtaining a sign permit from the Building Inspector, such permit to be granted only in accordance with the following regulations:

Temporary political signs shall be permitted and shall be exempt from obtaining a sign permit from the Building Inspector.

A 501(c)(3) non-profit organization that has approval from the Board of Selectman or the appropriate authority having jurisdiction to beautify and maintain town owned land will be allowed to erect one sign on each area of beautified land. The

sign shall not exceed six square feet. The sign, with approval from the Board of Selectman or the authority of jurisdiction, will include the name of the non-profit organization and name only of the contributor that will provide the ongoing landscape maintenance. The sign will be permanently placed and maintained by the non-profit organization on the beautified town owned land. (10/2016)

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

By a 2/3 Majority Vote, the RTM members approved the Finance Committee’s recommendation.

ARTICLE 26 – AMEND ZONING BY-LAWS

PLANNING BOARD

To see if the Town will vote to amend the Town of North Attleborough Zoning By-laws, Section IX, Definitions of “Lot Frontage” by adding the words “materially approved”:

Current definition:

Lot Frontage. That portion of a lot fronting upon a street or public way, to be measured continuously along one street line between its side lot lines and their intersection with the street line.

Proposed definition:

Lot Frontage. That portion of a lot fronting upon a materially improved street or public way, to be measured continuously along one street line between its side lot lines and their intersection with the street line. (10/2016)

Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

The addition of the words “materially approved” helps to clarify in what physical condition the “street” needs to be to be considered for Lot Frontage.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of the article be Indefinitely Postponed.

FINANCE COMMITTEE REASON: At the Planning Board request this item should be postponed for further study.

By a Majority Vote, the RTM members approved the Finance Committee’s recommendation

ARTICLE 27 – AMEND ZONING BY-LAWS

PLANNING BOARD

To see if the Town will vote to amend the North Attleborough Zoning Bylaws, VI.Q.5. Medical Marijuana Dispensaries and Cultivation Centers Buffers and Screening, as follows:

A buffer area of five hundred (500) feet three-hundred (300) feet shall be provided at the perimeter of the property where it abuts residentially zoned districts, schools, churches, gymnasiums, playgrounds or any other area where children congregate, including driveways or streets necessary for access and egress to and from the site. No vegetation in this buffer area will be disturbed, destroyed or removed, except for normal maintenance. Buffer areas shall be continually maintained by the owners.

The updated version would read:

A buffer area of three-hundred (300) feet shall be provided at the perimeter of the property where it abuts residentially zoned districts, schools, churches, gymnasiums, playgrounds or any other area that children congregate. No vegetation in this buffer area will be disturbed, destroyed or removed, except for normal maintenance. Buffer areas shall be continually maintained by the owners. (10/2016) Or to do or act in any manner relative thereto.

PLEASE SEE ATTACHED MAPS

PURPOSE AND JUSTIFICATION

This article would reduce the required buffer strip for Marijuana facilities from 500 feet to 300 feet. Please see the two attached maps. The buffer reduction would make a few more properties available for medical marijuana cultivation and/or distribution and still only in the I-60 area.

FINANCE COMMITTEE VOTE: 5-2

2/3 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the North Attleborough Zoning Bylaws, VI.Q.5. Medical Marijuana Dispensaries and Cultivation Centers Buffers and Screening, as follows:

A buffer area of three-hundred (300) feet shall be provided at the perimeter of the property where it abuts residentially zoned districts, schools, churches, gymnasiums, playgrounds or any other area that children congregate. No vegetation in this buffer area will be disturbed, destroyed or removed, except for normal maintenance. Buffer areas shall be continually maintained by the owners. (10/2016)

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

By a 2/3 Majority Vote, the RTM members approved the Finance Committee's recommendation.

ARTICLE 28 – AMEND ZONING BY-LAWS

PLANNING BOARD

To see if the Town will vote to amend the North Attleborough Zoning Bylaws, Section III.A, Application of District Regulations, Minimum Requirements, by adding new subsection “e” as follows (see attachments):

e. Lots endorsed after January 1, 2017 shall be subject to a maximum Build Factor of 23. A lot endorsed after this date which does not comply with this requirement shall not be considered a buildable lot. This Build Factor shall mean a ratio of lot perimeter to lot area which limits the degree to which a lot may have an irregular shape according to the following formula:

$$\frac{\text{Lot Perimeter}^2}{\text{Actual Lot Area}} \div \frac{\text{Actual Lot Area}}{\text{Minimum Lot Area}}$$

The Build Factor for lots containing exactly two (2) acres and having frontage of 150 feet shall be 24.5 or less. (10/2016) Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

This section will prevent “pork chop” or “dog legged” lots from being created as a circumvention of the existing zoning laws.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That consideration of the article be Indefinitely Postponed.

FINANCE COMMITTEE REASON: At the Planning Board request this item should be postponed for further study.

By a Majority Vote, the RTM members approved the Finance Committee's recommendation

ARTICLE 29 – AMEND TOWN BY-LAWS

PRIVATE PETITIONER

To see if the Town will vote to amend Town By-Laws, Article I Section 4(h) Rules of Town Meeting, by adding the following provision from MGL Chapter 43A Section 5 to be the first sentence of Article I Section 4(h):

Subject to such conditions as may be determined from time to time by the members of the representative town meeting, any registered voter of the town who is not a town meeting member may speak at any representative town meeting, but shall not vote.

The amended section then shall read as follows:

h. Subject to such conditions as may be determined from time to time by the members of the representative town meeting, any registered voter of the town who is not a town meeting member may speak at any representative town meeting, but shall not vote. No person shall address the meeting without first being recognized by the Moderator. No person shall speak for more than ten (10) minutes at one time on any question unless his time shall be enlarged by vote of the meeting, and no person shall speak more than once on any question to the exclusion of any other who may desire to speak.

Purpose and Justification

The purpose of this amendment is to codify in our Town By-laws, as the voters of the Town approved in 1974 when they voted to adopt the Representative Town Meeting form of government (see the following) and as provided in Massachusetts General Law, a provision clearly stating the right of registered voters of the town to participate in debate or discussions at Town Meeting.

“Section 5. Any registered voter of the town may speak on any article or items on the warrant or agenda, provided that he shall have first been recognized by the moderator”. (Acts of 1973 Chapter 1045. AN ACT ESTABLISHING A FORM OF REPRESENTATIVE TOWN GOVERNMENT BY LIMITED TOWN MEETINGS IN THE TOWN OF NORTH ATTLEBOROUGH).

While this issue never was a concern in the first 37 years after the adoption of our RTM Act, the absence of such a provision in our Rules of Town Meeting, as codified in our Town By-Laws, has in recent years led to confused positions being taken on this issue by some town officials and RTM members.

Note that the reference to “recognition by the moderator” is derived from General Law for all town meetings, open and representative, and speaks to the responsibility of the moderator to maintain order. It does not give a power to the moderator to make distinctions between any classes of voters (MGL C.39 §17: “No person shall address a town meeting without leave of the moderator, and all persons shall, at the request of the moderator, be silent”).

The wording of this proposed amendment is neither new nor radical:

- The same wording was approved 101 years ago by our state legislature in the first charter for a Representative Town Meeting, which then was called Limited Town Meeting (*Acts of 1915 Chapter 250, AN ACT TO PROVIDE FOR PRECINCT VOTING, LIMITED TOWN MEETINGS, TOWN MEETING MEMBERS, A REFERENDUM AND AN ANNUAL MODERATOR IN THE TOWN OF BROOKLINE*).
- The same wording was enacted into Massachusetts General Law in 1931 (MGL Chapter 43A Section 5, *STANDARD FORM OF REPRESENTATIVE TOWN MEETING GOVERNMENT*).
- Of the 34 other towns which have Representative Town Meeting, 28 have exactly this same wording in their statutes. The other six have expanded the right to speak beyond only registered voters so as to provide variations which include any resident, any citizen, taxpayers, or inhabitants.
- Our parliamentary guide, *TOWN MEETING TIME (§14)*, speaks to exactly this same wording as being provided in both the general laws and the special statutes.
- The US Circuit Court of Appeals, First Circuit, in the well reported case *Curnin vs. Town of Egremont*, No. 07-1876 (see footnote #1) cited the same wording in describing the distinction between open and representative town meetings.

Or to do or act in manner relative thereto.

PURPOSE AND JUSTIFICATION

Some may ask why this provision should be added to our Rules of Town Meeting. Those rules are the foremost reference for our citizens to learn and to understand the proper proceedings for Town Meeting. While our RTM Act and the General Laws can provide important additional information in that regard, this provision potentially affects any registered voter and therefore should be clearly and prominently shown in our Rules of Town Meeting.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote amend Town By-Laws, Article I Section 4(h) Rules of Town Meeting, by adding the following provision from MGL Chapter 43A Section 5 to be the first sentence of Article I Section 4(h) as follows:

h. Subject to such conditions as may be determined from time to time by the members of the representative town meeting, any registered voter of the town who is not a town meeting member may speak at any representative town meeting, but shall not vote. No person shall address the meeting without first being recognized by the Moderator. No person shall speak for more than ten (10) minutes at one time on any question unless his time shall be enlarged by vote of the meeting, and no person shall speak more than once on any question to the exclusion of any other who may desire to speak.

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

After much discussion, a motion was made to move the question and go directly to a vote on the finance committee's recommendation.

Motion seconded.

Motion carried.

By a Majority Vote, the RTM members approved the Finance Committee's recommendation

ARTICLE 30 – APPROPRIATE FUNDS FOR CONSULTANTS FOR COMMUNITY RATING SYSTEM

PETITIONER

To see if the town will vote to appropriate the sum of up to \$13,600, Said sum to fund the consultant or consultants for hire in assisting the town of North Attleboro in applying for the Community Rating System under FEMA's Flood Insurance Rate Reduction Program, Said sum to be funded from free cash, stabilization, bond, taxation, or by grants or by other available funds. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

The Federal Emergency Management Agency is providing this program. The appropriation of the requested funds is a one time fee. \$1,600.00 Fee is for SRPEDD and \$12,000.00 is for the consultants. This is a voluntary program through FEMA that recognizes community efforts that go beyond requirements of the National Flood Insurance Program (NFIP). Joining the CRS program gives our community and annual rate reduction to lower the flood insurance rates.

FINANCE COMMITTEE VOTE: 6-1

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of up to \$13,600.00. Said sum to fund the consultant or consultants for hire in assisting the town of North Attleboro in applying for the Community Rating System under FEMA's Flood Insurance Rate Reduction Program, Said sum to be funded 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

By a majority vote the RTM members approved a motion to adjourn Sine Die at 9:55pm on October 17, 2016.