

**PROCEEDINGS
SPECIAL TOWN MEETING
MARCH 28, 2016**

On March 28, 2016, Town Clerk, Kevin Poirier, opened the Special Town Meeting at 7:08 pm by announcing, “with 99 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

FOR THE REPRESENTATIVE SPECIAL TOWN MEETING

Monday, March 28, 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 28th of March 2016, 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 February 25, 2016

NORTH ATTLEBOROUGH BOARD OF SELECTMEN

Paul J. Belham, Sr. Chairman
Joan Marchitto, Vice-Chairman
John C. Rhyno
Patrick Reynolds
Anne Lonzo

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 – APPROPRIATE A SUM OF MONEY TO SUPPLEMENT BOARD OF SELECTMEN
VARIOUS FY 16 DEPARTMENTAL OPERATING BUDGETS**

To see if the town will vote to appropriate a sum of money to supplement various Fiscal Year 2016 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 appropriate \$60,566.99 to Interest on Abatements (Dept. 145D) from Overlay Surplus, appropriate \$50,000.00 to Legal Expenses (Dept. 151B) from Free Cash; and make budgetary transfers of \$64,000.00 from Health Insurance (Dept. 914A) to the following accounts:

Reserve Fund (Dept. 132A)	\$24,000.00
Unemployment Expenses (Dept. 913A)	\$40,000.00

FINANCE COMMITTEE REASON: The money is needed in these accounts to cover shortfalls within the budget.

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

ARTICLE 2 – PAY PRIOR YEAR (S) BILLS FIRE DEPARTMENT

To see if the town will vote to appropriate a sum of money needed to pay 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

9/10 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to authorize the payment of \$780.00 for the Fire Departments prior fiscal year unpaid invoice. Said sum to be paid from the Fire Departments current budget.

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

By a 9/10 majority vote, declared obvious by the Moderator, the RTM members approved the Finance Committee’s recommendation

ARTICLE 3 – 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 4 – 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 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, 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 5 – AFSCME

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 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, 2015

FINANCE COMMITTEE VOTE: 8-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to support the negotiated AFSCME Contract as a result of collective bargaining.

FINANCE COMMITTEE REASON: There were no monetary increases resulting from the negotiated one year agreement.

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

ARTICLE 6 – RESCIND BORROWING OF UNISSUED AMOUNT

TREASURER

To see if the town will vote to rescind the borrowing authorization for the following article and unissued amount for which borrowing authority is no longer required. Or to do or act in any manner relative thereto.

1/10/11 Vote to amend multiple articles to permit borrowing of any authorized/ unused amounts to pay costs of making fire safety system and other fire safety improvements – B.O.S. authorized for \$590,000, amount unissued and to be rescinded = \$61,400.

PURPOSE AND JUSTIFICATION

This was an article for School Fire Safety projects, under the jurisdiction of the Municipal Building Committee/ Board of Selectmen (B.O.S). All fire safety upgrades, improvements, etc. have been completed, thus the \$61, 400 remaining to be borrowed is not required.

FINANCE COMMITTEE VOTE: 8-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to rescind the borrowing authorization for the following article and unissued amount of \$61,400.00, for which borrowing authority is no longer required.

1/10/11 Vote to amend multiple articles to permit borrowing of any authorized/ unused amounts to pay costs of making fire safety system and other fire safety improvements – B.O.S. authorized for \$590,000, amount unissued and to be rescinded = \$61,400.

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

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

**ARTICLE 7 – APPROPRIATE A SUM OF MONEY TO SUPPLEMENT THE BOARD OF SELECTMEN
SNOW & ICE BUDGET**

To see if the town will vote to appropriate the sum of \$_____ to supplement Snow & Ice Salaries (Dept. 423A) and \$_____for Snow & 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: 6-2

2/3 ROLL CALL VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$19,280.00 to supplement Snow & Ice Salaries (Dept. 423A) and \$130,000.00 for Snow & Ice expenses (Dept. 423B). Said sum to be appropriated by a transfer from the Town’s General Stabilization account.

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

By a 2/3 roll call vote, the RTM members approved the Finance Committee’s recommendation.

103 Members Voting: 2/3 Majority Required = 69; Yes=102 / No=1

**ARTICLE 8 – DISPOSITION OF ARTICLE 97 LAND (616 TOWNE ST) BOARD OF SELECTMEN
- GRAHAM PROPERTY**

To see if the town will vote to support the disposition of Article 97 land (616 Towne Street, Assessors Plat 36, Lot 13A) and authorize the Board of Selectmen to convey or lease Lot 13A and all improvements thereon as described in deed of Virginia M. Graham to Inhabitants of North Attleborough recorded at Bristol County Registry of Deeds (Northern District) Book 12323, Page 185 dated June 26, 2003.

PURPOSE AND JUSTIFICATION

This was the house lot that was occupied by Virginia Graham until her death. She and her husband conveyed a total of 15 acres to the town for conservation purposes. Several years before her death, Virginia signed several instruments evidencing her wishes that Lot 13A (which was the house lot only) be sold or leased and all net proceeds go into her son’s trust fund for the preservation and maintenance of the land donated by them. She specifically deleted and made void the words, conveyance “for conservation purposes” as it relates to Lot 13A. Consequently, with this clear and unambiguous disclaimer by Virginia Graham, the Conservation Commission has requested an expedited process to satisfy the requirements of Article 97, which requires legislative approval for the sale of any conservation land.

In order to comply with the Executive Office of Environmental Affairs Article 97 Land Disposition Policy, a vote must occur authorizing the divestiture of the property from the purpose it was originally intended. Upon approval of the Legislation, the town will have the option to sell or lease the house lot.

FINANCE COMMITTEE VOTE: 8-0

2/3 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to support the disposition of Article 97 land (616 Towne Street, Assessors Plat 36, Lot 13A) and authorize the Board of Selectmen to convey or lease Lot 13A and all

improvements thereon as described in deed of Virginia M. Graham to Inhabitants of North Attleborough recorded at Bristol County Registry of Deeds (Northern District) Book 12323, Page 185 dated June 26, 2003.

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

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

By a majority vote the RTM members approved a motion to adjourn Sine Die at 7:31pm on March 28, 2016