

**PROCEEDINGS
SPECIAL TOWN MEETING
JANUARY 18, 2017**

On January 18, 2017, Town Clerk, Kevin Poirier, opened the Special Town Meeting at 7:05 pm by announcing , “with 83 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**

Wednesday, January 18, 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:

Wednesday the 18th of January 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 November 17, 2016

NORTH ATTLEBOROUGH BOARD OF SELECTMEN

Patrick Reynolds, Chairman
Anne Lonzo, Vice-Chairman
John C. Rhyno
Paul Belham
Michael Lennox

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 – AFSME 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 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: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate a sum of \$8,800.00 from Free Cash 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.

FINANCE COMMITTEE REASON: The Town and AFSME Union came to a contract agreement and this money is necessary to honor the agreement.

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

ARTICLE 2 – FIREFIGHTER’S 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: 7-0

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 3 – MASS COP PATROLMAN’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: 7-0

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 – MASSCOP PROFESSIONAL POLICE OFFICER’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 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 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 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 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 contract had not been settled.

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

ARTICLE 6 – RESCIND BORROWING OF UNISSUED AMOUNT

TREASURER/COLLECTOR

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 take any other action relative thereto.

10/20/14 Semi Annual Town Meeting Article 29 – MSBA Grant Program – Boilers (Roosevelt Avenue School)

Authorized \$400,000.00, amount unissued and to be rescinded = \$203,751.69

Total amount to be rescinded \$203,751.69

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: 7-0

MAJORITY VOTE

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

10/20/14 Semi Annual Town Meeting Article 29 – MSBA Grant Program – Boilers (Roosevelt Avenue School)

Authorized \$400,000.00, amount unissued and to be rescinded = \$203,751.69

Total amount to be rescinded \$203,751.69

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 – SUPPLEMENT VARIOUS FY17 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: 7-0

MAJORITY VOTE

**FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate \$30,000.00 from Free Cash into the Reserve fund (Dept. 132A) and to appropriate \$20,000.00 from Free Cash into Tax Title Foreclosure Account (Dept. 145C).
FINANCE COMMITTEE REASON: The money is being used to replenish the Reserve Fund Account for unexpected items that may arise in between Town Meetings and the money in the Tax Title Foreclosure account is for expenses associated with collecting past due taxes.**

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

ARTICLE 8 – AMEND BY-LAW ARTICLE XIIA-POLICE REGULATIONS

COMM. ON DISABILITIES

To see if the town will vote to amend the current by-law Article XIIA-Police Regulations, Section 12 – Handicapped Parking to delete the amount of \$150.00 in paragraph c. and insert the amount of \$300.00 as related to the fine for unauthorized parking in a designated spot for persons with disabilities.

PURPOSE AND JUSTIFICATION

The fine of \$150.00 has been the standard fee since 2001 related to violating the use of designated parking spaces for persons with disabilities. The Mass RMV permits the fine to be set at a maximum rate of \$300.00 per offense. The Commission on Disabilities for the Town strongly believes the increase in the fee will be a more meaningful deterrent to the violator.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

**FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend the current by-law, Article XIIA-Police Regulations, Section 12 – Handicapped Parking by deleting the amount of \$150.00 in paragraph c. and inserting the amount of \$300.00 as related to the fine for unauthorized parking in a designated spot for persons with disabilities.
FINANCE COMMITTEE REASON: As stated in the purpose and justification.**

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

ARTICLE 9 – AMEND TOWN BY-LAW ARTICLE XVIII-GRANTING OR RENEWING CERTAIN LICENSES OR PERMITS

TREASURER/COLLECTOR

To see if the town will vote to amend Town By-law “Article VXIII. Granting or Renewing Certain Licenses and Permits” by deleting the last four words (“for over one year”) in the first sentence of Section I, paragraph a. (see attached)

PURPOSE AND JUSTIFICATION

Section 38 of Chapter 218 of the Acts of 2016 (Otherwise known as the Modernizing Municipal Finance and Government Law) permits the deletion of the “over one year” restriction when publishing a list of taxpayers who are overdue with their tax payments. Deleting the restriction will allow for more timely collection of past due taxes when those overdue taxpayers are applying for permits, licenses, etc. from various town departments and must prove they are taxpayers in “good standing”, that is, have paid their taxes.

FINANCE COMMITTEE VOTE: 6-1

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to amend Town By-law “Article XVIII, Granting or Renewing Certain Licenses and Permits” by deleting the last four words (“for over one year”) in the first sentence of Section I, paragraph a.

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-LAW ARTICLE XII SEC. 6-CARRIERS FOR HIRE BOARD OF SELECTMEN

To see if the town will vote to amend Town By-law to delete section 6a & b of Article XII.

PURPOSE AND JUSTIFICATION

To update the Town’s existing bylaws as they relate to the issuance of hackney carriage licenses to reflect current laws, trends and needs of the Town.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to delete Sections 6a and 6b of Article XII in its entirety and replace it with the following:

Section 6: CARRIERS FOR HIRE

6a. Selectmen to License

In accordance with M.G.L. Chapter 40, sec 22, no person or entity shall engage in the business of transporting persons for hire in a vehicle within the town without being licensed by the Board of Selectmen, exclusive of vehicles regulated under 540 C.M.R. 2.00. All operators of said vehicles must be suitable individuals of good character and comply with all rules & regulations promulgated by the Board of Selectmen.

The Board of Selectmen may license motor vehicles properly insured for the conveyance of persons for hire from place to place within the Town and they may revoke such licenses at their discretion and a record of all licenses so granted or revoked shall be kept by the Selectmen.

6b Penalty for Unlicensed Operation

No persons shall set up, use or drive in the town, any unlicensed hackney carriage or other motor vehicle for the conveyance of passengers for hire from place to place in the Town under a penalty established from time to time by the Board of Selectmen, but which shall never be less than One Hundred Dollars (\$100.00). Every vehicle unlicensed shall constitute a separate offense.

6c. Rules and Regulations

The Board of Selectmen may adopt, and may from time to time amend rules and orders for the regulation of vehicles used within the Town and may provide for and set penalties for the violation of such rules and orders and may set and receive an annual fee for each license granted. Such rules and orders may include, but not be limited to the establishment of the licensing period, license fee or fees, establishment of fares for both metered and unmetered vehicles, inspections and CORI checks.

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

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Ronald Lagasse, *made a motion to amend as follows: to add the words SORI after the word CORI.*

Motion Seconded

Motion Carried

John Donahue, *made a motion to amend as follows: to delete the words place to place in section 6a 2nd. paragraph, and 6b.*

Motion Seconded

Motion Carried

AMENDED FINANCE COMMITTEE RECOMMENDATION: That the Town vote to delete Sections 6a and 6b of Article XII in its entirety and replace it with the following:

Section 6: CARRIERS FOR HIRE

6a. Selectmen to License

In accordance with M.G.L. Chapter 40, sec 22, no person or entity shall engage in the business of transporting persons for hire in a vehicle within the town without being licensed by the Board of Selectmen, exclusive of vehicles regulated under 540 C.M.R. 2.00. All operators of said vehicles must be suitable individuals of good character and comply with all rules & regulations promulgated by the Board of Selectmen.

The Board of Selectmen may license motor vehicles properly insured for the conveyance of persons for hire from within the Town and they may revoke such licenses at their discretion and a record of all licenses so granted or revoked shall be kept by the Selectmen.

6b Penalty for Unlicensed Operation

No persons shall set up, use or drive in the town, any unlicensed hackney carriage or other motor vehicle for the conveyance of passengers for hire from in the Town under a penalty established from time to time by the Board of Selectmen, but which shall never be less than One Hundred Dollars (\$100.00). Every vehicle unlicensed shall constitute a separate offense.

6c. Rules and Regulations

The Board of Selectmen may adopt, and may from time to time amend rules and orders for the regulation of vehicles used within the Town and may provide for and set penalties for the violation of such rules and orders and may set and receive an annual fee for each license granted. Such rules and orders may include, but not be limited to the establishment of the licensing period, license fee or fees, establishment of fares for both metered and unmetered vehicles, inspections and CORI, SORI checks.

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

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

By a majority vote the RTM members approved a motion to adjourn Sine Die at 7:44pm on January 18, 2017.