

**PROCEEDINGS
SEMI ANNUAL TOWN MEETING
OCTOBER 19, 2015**

On October 19, 2015, Town Clerk, Kevin Poirier, opened the Semi-Annual Town Meeting at 7:01pm by announcing , “with 101 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 19, 2015

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 19th of October 2015, 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 in one place in each of the voting precincts within the Town at least twenty-one days before the time of said meeting. Hereof, fail not, and make due return of this warrant with your doings thereon to the Town Clerk on or before the time of said meeting.

Given our hands and seal of the town of North Attleborough on this August 27, 2015

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.

John Donohue (P7) made a motion as follows:

I move that we table Article 1 to the end of the warrant.

Motion seconded.

Motion carried.

ARTICLE 1 – APPROPRIATE A SUM OF MONEY TO THE STABILIZATION FUND

B.O.S.

To see if the town will vote to appropriate the sum of \$_____ to the Stabilization Fund. Said sum to be funded from Free Cash or transferred from available funds. 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 2015

FINANCE COMMITTEE VOTE: 7-0

2/3 MAJORITY ROLL CALL

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$997,355.47 into the Stabilization Fund. Said sum to be funded from Free Cash.

FINANCE COMMITTEE REASON: The Committee feels that it is important to return funds to the account that were used to pay snow & ice deficits and operating budgets from the prior fiscal year.

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

ARTICLE 2 – APPROPRIATE A SUM OF MONEY TO THE BETTERMENT STABILIZATION FUND

B.O.S.

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 is derived from those local receipts collected during Fiscal Year 15 for special assessments.

FINANCE COMMITTEE VOTE: 7-0

2/3 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$91,744.00 to the Betterment Stabilization Fund. Said sum to be funded from Free Cash.

FINANCE COMMITTEE REASON: The Committee feels that it is important to set aside money for betterments.

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

ARTICLE 3 – APPROPRIATE A SUM OF MONEY TO PAY PRIOR YEAR’S BILLS

B.O.S.

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.

PUPROSE AND JUSTIFICATION

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

FINANCE COMMITTEE VOTE: 7-0

9/10 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate a total of \$2028.53 from free cash to pay prior fiscal year invoices. Specifically, \$1760.00 to the Police Department General Expenses (Dept 210B), \$164.18 to the Treasurer General Expenses (Dept. 145B), \$87.08 to Highway/Forestry/Fleet General Expenses (Dept. 422B) and \$17.27 to the Human Resource Dept. General Expenses (Dept. 152B).

FINANCE COMMITTEE REASON: It is necessary to process these unpaid invoices.

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

**ARTICLE 4 – APPROPRIATE A SUM OF MONEY TO SUPPLEMENT VARIOUS
FY 2016 DEPARTMENTAL OPERATING BUDGETS**

B.O.S.

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: 7-1

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate \$50,000 to the Police Department Salaries (Dept. 210A) from Free Cash & Appropriate \$204,253.08 to the Sewer Fund Debt Service (Line 440D) from Sewer Retained Earnings; and make budgetary transfers of \$596,420 by transferring \$224,456.92 from Veterans Services General Expenses (Dept. 543B) and by transferring \$371,963.08 from Debt Service General Expense (710A) into the following Departmental Accounts:

<u>DEPARTMENT</u>	<u>SUPPLEMENTAL FUNDS BEING ADDED</u>
Board of Selectmen Salaries (Dept. 122A)	\$4,091.00
Finance Committee Expenses (Dept. 131B)	\$471.00
Reserve Fund (Dept. 132A)	\$12,443.00
Town Accountant Salaries (Dept. 135A)	\$6,000.00
Treasurer Salaries (Dept. 145A)	\$6,000.00
Legal Counsel Expenses (Dept. 150B)	\$4,993.00
Human Resource Salaries (Dept. 152A)	\$6,000.00
Information Technology Salaries (Dept. 155A)	\$6,000.00
Town Clerk Salaries (Dept. 161A)	\$3,057.00
Planning Board Salaries (Dept. 175A)	\$2,500.00
Zoning Board Salaries (Dept. 176A)	\$527.00
Police Dept. Salaries (Dept. 210A)	\$120,000.00
Police Dept. General Expenses (Dept. 210B)	\$30,000.00
Fire Dept. Salaries (Dept. 220A)	\$120,000.00
Fire Dept. General Expenses (Dept. 220B)	\$30,000.00
Building Inspector Salaries (Dept. 241A)	\$6,000.00
Animal Control Salaries (Dept. 292A)	\$5,000.00

School Department (Dept. 300A)	\$188,000.00
Highway Dept. General Expenses (Dept. 422B)	\$20,000.00
Board of Health Salaries (Dept. 511A)	\$6,000.00
Council on Aging Salaries (Dept. 541A)	\$6,000.00
Library Salaries (Dept. 610A)	\$6,000.00
Park & Pool Salaries (Dept. 650A)	\$6,000.00
Historical Commission Expenses (Dept. 691B)	\$38.00
Self Insurance General Expenses (Dept. 946B)	\$1,300.00

FINANCE COMMITTEE REASON: The Committee feels that since there is money that could be reallocated within the budget for varying reasons that it was prudent to try and give back some funds into the budgets of departments who made staffing cuts.

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

ARTICLE 5 – APPROPRIATE \$123,000 FOR THE MAINTENANCE AND REHABILITATION TOWN ACCOUNTANT OF THE FALLS POND DAM

To see if the town will vote to appropriate \$123,000 to be expended under the jurisdiction of the Conservation Commission for the Maintenance and Rehabilitation of the Falls Pond Dam as included in the 2016 Capital Improvement plan (Art 6c #2); and thereby rescind \$123,000 in borrowing authorization. The amount to come from Free Cash. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

An amount of \$123,000 in mitigation funds from Liberty Utilities was received in fiscal year 2015 to offset the remediation plan for the Falls Pond Dam. This unanticipated receipt in 2015 is part of our current free cash balance.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY ROLL CALL VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate \$123,000.00 from Free Cash, to be expended under the jurisdiction of the Conservation Commission for the Maintenance and Rehabilitation of the Falls Pond Dam as included in the 2016 Capital Improvement plan (Art 6c #2); and thereby rescind \$123,000.00 in borrowing authorization.

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

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

ARTICLE 6 – APPROPRIATE \$180,030 FROM SEWER RETAINED EARNINGS TO SEWER ENTERPRISE INFILTRATION AND INFLOW REMOVAL PROGRAM STABILIZATION FUND

D.P.W.

To see if the town will vote to appropriate the sum of \$180,030 from Sewer Retained Earnings to the Sewer Enterprise Infiltration and Inflow Removal Program Stabilization Fund. Said sum is the collected FY14 and FY15 Revenues 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 FY2014 and FY2015 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 projects.

FINANCE COMMITTEE VOTE: 8-0

2/3 MAJORITY ROLL CALL VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$180,030.00 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 unanimous vote, the RTM members approved the Finance Committee's recommendation.

**ARTICLE 7 – APPROPRIATE \$92,390 FROM SEWER RETAINED EARNINGS
TO SEWER ENTERPRISE BETTERMENT STABILIZATION FUND**

D.P.W.

To see if the town will vote to appropriate the sum of \$92,390.00 from Sewer Retained Earnings to the Sewer Enterprise Betterment Stabilization Fund. Said sum is the collected FY15 Revenue for special assessments/betterments. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

The Department of Revenue has recommended the use of a special purpose Stabilization Funds as a mechanism to help communities manage debt. This article will apply the prior fiscal year collected revenues from betterments, via a vote of retained earnings, to offset the upcoming year’s annual debt payments associated with the Sewer betterment programs. Or to do or act in any manner relative thereto.

FINANCE COMMITTEE VOTE: 8-0

2/3 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$92,390.00 from Sewer Retained Earnings to the Sewer Enterprise Betterment Stabilization Fund.

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

**ARTICLE 8 – APPROPRIATE \$52,151.00 FROM WATER RETAINED EARNINGS
TO THE WATER ENTERPRISE BETTERMENT STABILIZATION FUND**

D.P.W.

To see if the town will vote to appropriate the sum of \$52,151.00 from Water Retained Earnings to the Water Enterprise Betterment Stabilization Fund. Said sum is the collected FY15 Revenue for special assessments/betterments. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

The Department of Revenue has recommended the use of a special purpose Stabilization Funds as a mechanism to help communities manage debt. This article will apply the prior fiscal year collected revenues from betterments, via a vote of retained earnings, to offset the upcoming year’s annual debt payments associated with the water betterment program.

FINANCE COMMITTEE VOTE: 8-0

2/3 MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to appropriate the sum of \$52,151.00 from Water Retained Earnings to the Water Enterprise Betterment Stabilization Fund.

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

**ARTICLE 9 – APPROPRIATE \$230,344 TO SUPPLEMENT ARTICLE 5 LINE 300A
OF THE FY 16 ATM**

SCHOOL DEPT.

To see if the town will vote to appropriate the sum of \$230,344, or any other sum, to supplement Article 5 Line 300A – School Department General Expenses of the Annual Town Meeting for the Fiscal Year 2016. Said sum to be appropriated either by transfer from Free Cash, transfer from Stabilization, transfer of available funds, taxation, or otherwise. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

The town received a reimbursement of **\$50,344** from the State for Homeless Transportation expenses incurred by the School Department. In order for the School Department to access these funds, it must be appropriated back to the School Department. This receipt was deposited to the Town’s General Fund and is included in the amount certified as available “Free Cash”. The School

Department is requesting this \$50,344 to be appropriated to its FY2016 Operating Budget to be used for Homeless Transportation expenses.

The town received reimbursements totaling \$474,869 from Medicaid-eligible expenses incurred by the School Department. The Town budgeted an anticipated revenue of \$244,132. The resulting revenue surplus of \$230,737 is included in the amount certified as available "Free Cash". The School Department is requesting \$180,000 to be appropriated to its FY2016 Operating Budget to be used for Foreign Language teachers at the Middle School. Four (4) Foreign Language teacher positions were eliminated from the FY2016 budget due to budget cuts. This will result in a complete restructuring of the Middle School class schedules, increased class sized (some up to 34) and reduced opportunities for students (such as Algebra) which will carry forward through their High School years. The School Department will utilize these funds to restore those four (4) Foreign Language teacher positions.

FINANCE COMMITTEE VOTE: 8-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: The Committee supplemented the School Department's Budget as part of Article 4.

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

ARTICLE 10 –APPROPRIATE \$28,000, OR ANY OTHER SUM, TO SUPPLEMENT

SCHOOL DEPT.

ARTICLE 5 LINE 300A OF THE FY 16 ATM

To see if the town will vote to appropriate the sum of \$28,000, or any other sum, to supplement Article 5 Line 300A – School Department General Expenses of the Annual Town Meeting for the Fiscal Year 2016. Said sum to be appropriated either by transfer from Free Cash, transfer from Stabilization, transfer of available funds, taxation, or otherwise. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

The town received reimbursements totaling \$474,869 from Medicaid-eligible expenses incurred by the School Department. The town budgeted an anticipated revenue of \$244,132. The resulting revenue surplus of \$230,737 is included in the amount certified as available "Free Cash". The School Department is requesting \$28,000 to be appropriated to its FY2016 Operating Budget to be used for High School Department Head Stipends. These positions were eliminated from the FY2016 budget due to budget cuts. The Department Heads oversee Curriculum and supervise other Teachers in each Department and are valuable educators. The School Committee is requesting that if funding is available in October, that these positions are reinstated. We will utilize this funding to restore Appendix B Stipend Positions of High School Department Heads.

FINANCE COMMITTEE VOTE: 8-0

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: The Committee supplemented the School Department's budget as part of Article 4.

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

ARTICLE 11 – AMEND SECTION 11 OF THE RTM ACT

RTM COORDINATING COMMITTEE

To see if the Town will vote to approve the filing of a petition in the General Court, under the provisions of Section 8 of Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts, for an Act to amend Chapter 88 of the Acts of 1999 (An Act Relative to the Form of Representative Town Government in the Town of North Attleborough) as follows:

Delete the current Section 11 in its entirety and replace with the following new section:

Section 11. A vote passed at any representative town meeting enacting any of the following measures shall be subject to the provisions of this section:

- a) Authorizing the expenditure of \$75,000 or more as a special article appropriation, including a line item appropriation to an omnibus capital improvements budget or to supplement the operating budget, but excluding the annual operating budget article.
- b) Establishing a new board or office, or abolishing an old board or office, or merging two or more boards or offices.

- c) Fixing the terms of office of town officers, where such term is optional.
- d) Increasing or reducing the number of members of a board.
- e) Adopting a new by-law, or amending an existing by-law.

Any such vote shall not be operative until the expiration of ten days, excluding Saturdays, Sundays, and holidays, from the dissolution of the meeting:

If within said ten days, a petition signed by not less than 30 registered voters from each precinct, totaling not less than 5 per cent of the registered voters of the town, containing their names and addresses, is filed with the selectmen asking that the question or questions involved in such a vote be submitted to the registered voters of the town at large, then the selectmen, upon certification of the petition signatures, shall forthwith call a special election, for the sole purpose of presenting to the registered voters at large the question or questions so involved.

The polls shall be opened at eight o'clock in the forenoon and shall be closed not earlier than eight o'clock in the evening, and all votes upon any question so submitted shall be taken by ballot, and the check list shall be used in the same manner as in the election of town officers.

The question so submitted shall be determined by a majority vote of the registered voters of the town voting thereon, but no action of the representative town meeting shall be reversed unless at least 15 percent of the registered voters shall vote in said election.

Each question so submitted shall be in the form of the following question which shall be placed upon the official ballot: "Shall the town vote to approve the action of the representative town meeting whereby it was voted (here insert brief description of the substance of the vote)?"

If such petition is not filed within said ten days, the vote of the representative town meeting shall become operative and effective upon expiration of said period. Absentee ballots shall be used at such election in accordance with the provisions of Chapter 54 of the General Laws.

PURPOSE AND JUSTIFICATION

Changes in wording are proposed to make the requirements for invoking this referendum provision easily understood, eliminating wording which recently has caused confusion among both town officials and voters, and to add a provision modeled on MGL. Chapter 43A Section 10, *STANDARD FORM OF REPRESENTATIVE TOWN MEETING GOVERNMENT*.

FINANCE COMMITTEE VOTE: 5-3

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: The Committee was split between supporting the article as written which includes a provision that "at least 15 percent of the registered voters shall vote in said election" versus the By-law Study recommendation, which wanted that threshold removed.

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

Motion seconded.

Motion Carried.

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

Bob Nerz (P7) made a motion as follows:

Affirmative Action Motion:

That the Town vote to approve the filing of a petition in the General Court, under the provisions of Section 8 of Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts, for an Act to amend Chapter 88 of

the Acts of 1999 (An Act Relative to the Form of Representative Town Government in the Town of North Attleborough) as follows:

Delete the current Section 11 in its entirety and replace with the following new section:

Section 11. A vote passed at any representative town meeting enacting any of the following measures shall be subject to the provisions of this section:

- a) Authorizing the expenditure of \$75,000 or more as a special article appropriation, including a line item appropriation within an omnibus capital improvements article, but excluding the annual operating budget article passed at the Annual Town Meeting.
- b) Establishing a new board or office, or abolishing an old board or office, or merging two or more boards or offices.
- c) Fixing the terms of office of town officers, where such term is optional.
- d) Increasing or reducing the number of members of a board.
- e) Adopting a new by-law, or amending an existing by-law.
- f) For purpose of this section, the term "board" shall mean a board, commission, committee, council, authority or a group of individuals appointed or elected as enumerated in the by-laws of the town of North Attleborough.

Any such vote shall not be operative until the expiration of ten days, excluding Saturdays, Sundays, and holidays, from the dissolution of the meeting.

If within said ten days, a petition signed by not less than 30 registered voters from each precinct, totaling not less than 5 per cent of the registered voters of the town, containing their names and addresses, is filed with the selectmen asking that the question or questions involved in such a vote be submitted to the registered voters of the town at large, then the selectmen, upon certification of the petition signatures, shall forthwith call a special election, for the sole purpose of presenting to the registered voters at large the question or questions so involved.

The polls shall be opened at eight o'clock in the forenoon and shall be closed not earlier than eight o'clock in the evening, and all votes upon any question so submitted shall be taken by ballot, and the check list shall be used in the same manner as in the election of town officers.

The question so submitted shall be determined by a majority vote of the registered voters of the town voting thereon, but no action of the representative town meeting shall be reversed unless at least 15 percent of the registered voters shall vote in said election.

Each question so submitted shall be in the form of the following question which shall be placed upon the official ballot: "Shall the town vote to approve the action of the representative town meeting whereby it was voted (insert: brief description of the substance of the vote and by what vote thereon if such vote was tabulated)?"

If such petition is not filed within said ten days, the vote of the representative town meeting shall become operative and effective upon expiration of said period. Absentee ballots shall be used at such election in accordance with the provisions of Chapter 54 of the General Laws.

REASON AND JUSTIFICATION

Changes in wording are proposed to make the requirements for invoking this referendum provision easily understood, eliminating wording which recently has caused confusion among both town officials and voters, and to add a provision modeled on MGL. Chapter 43A Section 10, *STANDARD FORM OF REPRESENTATIVE TOWN MEETING GOVERNMENT*.

After much discussion a motion was made to move the question and go directly to a vote on the Affirmative Action motion.

Motion seconded.

Motion Carried.

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

Moderator, Deborah Kohl read the vote of the planning board into the record.

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

Re: Article 12 & 13 of the October 19, 2015, Semi-Annual Town Meeting

Dear Ms. Kohl:

At their meeting held on Thursday, September 17, 2015, the Planning Board voted unanimously (4-0) to NOT recommend Article 13, the proposed Zoning Change.

At their meeting held on May 7, 2015, the Planning Board voted unanimously (3-0) to recommend the street Acceptance of John Moriarty Drive – Article 12.

On Behalf of the Planning Board

Thomas E. Welch
Chairman

ARTICLE 12 – ACCEPT JOHN MORIARTY DRIVE AS A PUBLIC WAY

PLANNING BOARD

To see if the town will vote to accept John Moriarty Drive as a public way. Said Street having been constructed as per the Department of Public Works, Highway Department and Planning Board specifications.

John Moriarty Drive is located within the definitive subdivision of Woodridge Estates which was approved by the Planning Board on December 17, 2009 and located off of Paine Road, Southerly of Sheldonville Road and Northerly of Cumberland Avenue as extends 900+/ft. to cul-de-sac as shown on the as-built plans dated November 18, 2014, drawn by Commonwealth Engineering and approved by the Planning Board on May 7, 2015. (see attached plan) Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

To have the Town accept the completed roadway as a public way.

FINANCE COMMITTEE VOTE: 8-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to accept John Moriarty Drive as a public way.

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

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

ARTICLE 13 – AMEND ZONING MAP

PETITIONER

To see if the town will vote to amend the Zoning Map for the town of North Attleborough, Massachusetts by changing Assessors’ Map 26, Lots 142, 143, 144, 145, 146, 147, 148, and 149 as shown on the portion of said Assessors’ Map 26 attached hereto and made a part hereof as if fully set forth hereat Exhibit A from the R-40 zoning district to the C-30 zoning district. Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

This amendment will conform the subject property to the zoning of adjacent properties as well as eliminate the existence of two different zoning districts within land controlled by the owner of the parcels which are the subject of this petition.

FINANCE COMMITTEE VOTE: 7-0-1

MAJORITY VOTE

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

FINANCE COMMITTEE REASON: The Committee felt that both the owner of this property and the abutters all purchased their properties with the knowledge of the Zoning laws and restrictions. If these parcels were now to become commercial the Committee feels the neighboring residences would be adversely affected. Additionally, the owner of the lots still maintains the right to seek a use variance through the Zoning Board of Appeals.

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

The RTM members voted on article 1 after article 13. See article 1 for vote.

By a majority vote the RTM members approved a motion to adjourn Sine Die at 8:11pm on October 19, 2015