

**PROCEEDINGS
SPECIAL TOWN MEETING
MARCH 29, 2010**

On Monday, March 29, 2010, Town Clerk, Maxwell G. Gould opened the Special Town Meeting at 7:03PM. "With 62 RTM members present, we have a quorum."

Pledge of Allegiance to our Flag.

Moment of silence for our men and women serving overseas in the Armed Forces.

Town Moderator, Steve Dalrymple, read the warrant.

**NORTH ATTLEBOROUGH WARRANT
FOR THE REPRESENTATIVE SPECIAL TOWN MEETING
MONDAY, MARCH 29, 2010
THE COMMONWEALTH OF MASSACHUSETTS**

Bristol, ss.

To either Constables 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 29th of MARCH 2010 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 at least ten public places in said Town and also 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 February 25, 2010.

North Attleborough Board of Selectmen
Paul J. Belham, Sr., Chairman
Mark Williamson, Vice-Chairman
Michael S. Thompson
John C. Rhyno
Christopher L. Sweet

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 attested copies of this warrant in nineteen (19) public places in said town twenty-one (21) days before the time of said meeting.

Chief Michael P. Gould, Sr., Constable
Town of North Attleborough

1. Central Fire Station
2. Town Clerk's Office (leave 3 copies)
3. Nissan Village
4. Housing for the Elderly - Center
5. Housing for the Elderly - Elm Terrace
6. Boch Toyota South
7. Shaws Supermarket
8. Cumberland Farms - Kelley Boulevard
9. Allen Avenue Fire Station
10. Richards Memorial Library
11. Hockomock YMCA
12. Falls Post Office
13. A&J Restaurant – 560 Kelley Boulevard
14. Housing for the Elderly - Circle Court
15. Sharon Credit Union
16. Bristol County Savings Bank
17. Cushman Union Church - 2 May Street
18. Bank of America - Center
19. Stop & Shop

Charles Beale (P9) made a motion as follows:

That the RTM adopt the Bourne Amendment which states that any RTM Member wishing to increase the money amount of an article that has been recommended by the Finance Committee must specify the source of the additional monies.

Motion seconded.

Motion carried.

Charles Beale (P9) made a motion as follows:

That the RTM adopt the procedural rule that the count of a super-majority vote, when it is obvious to the Moderator, shall not be taken by the Moderator, unless requested by seven or more RTM members.

Motion seconded.

Motion carried.

Motion made by Richard Peterson (P2) to move Article 10 out of sequence and consider it before Article 1.

Motion seconded.

The RTM members unanimously approved the motion.

ARTICLE 10 Accept Legal Proceeds for Bond Interest

Planning Board

To see if the town will vote to accept the legal proceeds for the bond interest in the amount of \$20,230.41 from Cedar Ridge Development Corp and transfer it from the bond escrow account held by the Treasurer to a special Revenue account to only be allocated by the Planning Board for the sole purpose of finishing Robert V. Beaupre Circle and Richard H. Pinsonnault Avenue.

Or to do or act in any manner relative thereto.

PURPOSE AND JUSTIFICATION

To accept the proceeds of the legal settlement between the Planning Board and Cedar Ridge Development Corp and apply the funds to finishing Robert V. Beaupre Circle and Richard H. Pinsonnault Avenue part of the Hickory Woods subdivision.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to accept the legal proceeds for the bond interest in the amount of \$20,230.41 from Cedar Ridge Development Corp and transfer it from the bond escrow account held by the Treasurer to a special Revenue account to only be allocated by the Planning Board for the sole purpose of finishing Robert V. Beaupre Circle and Richard H. Pinsonnault Avenue.

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

The RTM members approved the Finance Committee’s recommendation as read.

ARTICLE 1 Rescind Authorized Un-issued Balances - \$1,432,303

Treasurer/Collector

To see if the town will vote to rescind the unissued balances of the following votes of the Town, which amounts are no longer needed to pay costs of completing the projects for which they were approved:

Article	Date Authorized	Original Amount Auth.	Purpose	Auth./Unissued Balance to Rescind
<u>SCHOOL</u>				
Art. 6, Part 3	5/19/03 ATM	76,000	Roof Repairs (Various Schools)	37,595
Art. 6, Part 3	5/19/03 ATM	2,280	Roof Repairs (Various Schools)	2,280
Art. 4	5/17/04 ATM	110,000	Roof Repairs (Falls School)	26,000
Art. 12	5/15/06 ATM	278,802	Remodeling – Comm/Falls School	302
<u>BUILDING</u>				
Art. 10–Item 36	5/29/08 ATM	75,000	HVAC Town Hall – Chiller Replace	15,000
<u>OTHER</u>				
Art. 33	1992 ATM	5,675,000	Landfill	26,825
Art. 17	5/16/2005	67,420	Issuance Costs	67,420
<u>SEWER</u>				
Art. 6 Part 3	5/19/03 ATM	400,000	Inflow & Infiltration	826
Art. 6 Part 3	5/19/03 ATM	12,000	Issuance Costs	12,000
Art. 6 Part 3	5/19/03 ATM	1,563,100	WWTF Improvements	153,823
Art. 6 Part 3	5/19/03 ATM	46,893	Issuance Costs	46,893
Art. 6 Part 3b	5/17/07 ATM	1,500,000	WWTF Improvements – Phase VI	761,356
Art. 6	4/22/02 ATM	385,000	Falls Pumping Station Upgrade	156,606
Art. 18	6/06/05 STM	375,377	Sewer – Phase III Add’l Funding	125,377
				1,432,303

Or to do or act in any manner relative thereto.

Treasurer/Tax Collector

PURPOSE AND JUSTIFICATION

The actual costs of these projects and issuance costs were less than the amounts authorized. Town Meeting action is required to remove these authorized unissued balances from the Town’s books.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to rescind the un-issued balances of the following votes of the Town, which amounts are no longer needed to pay costs of completing the projects for which they were approved:

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<u>OTHER</u>				
Art. 33	1992 ATM	5,675,000	Landfill	26,825
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Art. 6	4/22/02 ATM	385,000	Falls Pumping Station Upgrade	156,606
Art. 18	6/06/05 STM	375,377	Sewer – Phase III Add'l Funding	125,377
				1,432,303

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

The RTM members approved the Finance Committee’s recommendation as read.

ARTICLE 2 Transfer \$2,500 from Free Cash to Street Lighting

Board of Selectmen

To see if the town will vote to amend Article 5 of the FY2010 Annual Town Meeting by transferring the sum of \$2,500.00 from available free cash to Line 424 Street Lighting.

Or to do or act in any manner relative thereto.

Board of Selectmen

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to appropriate the sum of \$2,500.00 from available free cash to Department 424A Street Lighting General Expenses.

FINANCE COMMITTEE REASON: Recent projections show that this account will need to be supplemented in order to pay the remaining year’s electric bill.

PURPOSE AND JUSTIFICATION

Increased expenditures related to litigation

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to transfer the sum of \$8,000.00 from Department 150A Labor Negotiator General Expenses, to Department 151A Town Counsel, Salaries.

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

The RTM members approved the Finance Committee’s recommendation as read.

ARTICLE 6 Transfer \$75,000 from Unemployment to Health Insurance

Board of Selectmen

To see if the town will vote to amend Article 5 by transferring the sum of \$75,000.00 from Line 913A Unemployment to Line 914A Health Insurance.

Or to do or act in any manner relative thereto.

Board of Selectmen

PURPOSE AND JUSTIFICATION

The transfer is necessary to meet the town’s obligation per the law in the ARRA that requires towns to pay 65% of the Cobra premium for laid off workers.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to transfer the sum of \$75,000.00 from Department 913A Unemployment General Expenses to Department 914A Health Insurance General Expenses.

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

The RTM members approved the Finance Committee’s recommendation as read

ARTICLE 7 Transfer \$25,000 from Liability Insurance to Self Insurance

Board of Selectmen

To see if the town will vote to amend Article 5 of the FY 2010 Annual Town Meeting to transfer the sum of \$25,000 from Line 945A Liability Insurance to Line 946A Self Insurance.

Or to do or act in any manner relative thereto.

Board of Selectmen

PURPOSE AND JUSTIFICATION

The deductible amounts are paid through this account for motor vehicle accident repairs, property damage and litigation.

FINANCE COMMITTEE VOTE: 7-0

MAJORITY VOTE

FINANCE COMMITTEE RECOMMENDATION: That the Town vote to transfer the sum of \$25,000 from Department 945A Liability & Property Insurance General Expenses to Department 946A Self Insurance General Expenses.

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

The RTM members approved the Finance Committee’s recommendation as read.

authorized Wastewater Facility Upgrade Articles (in excess of 1 million dollars) and a request re-appropriation of any unused bond proceeds to be used toward the final design and construction.

FINANCE COMMITTEE VOTE: 7-0

2/3 ROLL CALL VOTE

FINANCE COMMITTEE RECOMMENDATION: That the town vote to appropriate \$1,730,000 or any other sum, by taxation, by transfer from available funds, by borrowing, or otherwise, for the purpose of funding the costs of the designing of the Wastewater Treatment Facility (WWTF) National Pollutant Discharge Elimination System (NPDES) Permit Upgrades and for the payment of all other costs incidental or related thereto; and that to meet such appropriation, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow the sum of \$1,730,000 at one time or from time to time, under and pursuant to Chapter 44 Section 7(21), of the General Laws, as amended and supplemented, or any other enabling authority, and issue bonds or notes of the Town therefore, or take any action relative thereto (to be repaid in the first instance from the Sewer Enterprise Revenues).

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

Leonard Pierce (P5) made a motion to Move the Question

Motion seconded.

Motion Carried

By a Roll Call Vote the RTM members approved the Finance Committee Recommendation.

74 members voting. 2/3 vote requirement 50. "Yes" votes numbered 55. "No" votes numbered 19.

ARTICLE 10 Accept Legal Proceeds for Bond Interest

Planning Board

Article 10 was considered before Article 1.

The Special Town Meeting adjourned Sine Die at 8:00 PM.