

TOWN OF NORTHBOROUGH
ANNUAL TOWN MEETING WARRANT
APRIL 24, 2017

WORCESTER, SS

GREETINGS:

To any Constable in the Town of Northborough, County of Worcester:

In the name of the Commonwealth of Massachusetts, you are hereby commanded to warn and notify the legal voters of the Town of Northborough to meet at THE ALGONQUIN REGIONAL HIGH SCHOOL 79 Bartlett Street Northborough Massachusetts on MONDAY, the TWENTY-FOURTH day of April 2017 at 7:30 p.m. to act on the following warrant articles:

7:38 p.m. Moderator Fred George announced a quorum was present in the hall; the meeting was called to order.

Moderator Fred George read the return of service of the warrant

ARTICLE 1: Appointing Deputy Moderator MOTION PASSED

To see if the Town will vote to ratify the appointment by the Moderator of Gerald Hickman as Deputy Moderator, as provided by Article II, Section 2-2 of the Northborough Home Rule Charter.

ARTICLE 2: Compensating Balance Agreement MOTION PASSED

To see if the Town will vote to authorize the Treasurer, with the approval of the Board of Selectmen, to enter into a Compensating Balance Agreement or Agreements pursuant to Massachusetts General Laws, Chapter 44, Section 53F, if necessary.

- This Article provides authorization for the Town to enter into a compensating balance agreement in order to obtain banking services. A compensating balance is an arrangement by which a town maintains municipal funds on deposit in return for banking services. Under such an arrangement, the earnings retained by the bank on the account balances “compensate” the bank for the services provided.

ARTICLE 3: Prior Years Bills MOTION PASSED OVER

To see if the Town will vote to raise and appropriate or transfer from unappropriated available funds in the Treasury, or other available funds, a sum of money to pay bills incurred in prior years, or take any action relative thereto.

- Town Meeting action is required to pay bills incurred in prior fiscal years. This Article will be passed over if no bills for goods and services incurred in prior fiscal years are presented to the Town.

ARTICLE 4: Town Budget MOTION PASSED

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Twenty Two Million Eighteen Thousand One Hundred Forty Three Dollars (\$22,018,143) for Town Government as displayed below, and to meet said appropriation, the following sums available for appropriation to be transferred:

From:

Transfer from Cemetery Trust Fund Income	\$5,398
Transfer from Cemetery Sale of Lots	\$17,000
Transfer from Debt Exclusion Premium Reserve	\$15,707
Transfer from Title V Reserve	\$4,532
Transfer from Conservation Commission Fees	\$5,770
Transfer from Fire Emergency Medical Services Revolving Fund	\$308,742
Transfer from Recreation Revolving Fund	\$161,259
Transfer from Animal Control Revolving Fund	\$27,000
Transfer from Medicare Part D Subsidy	\$9,659
Transfer from PEG Access Cable Related Fund	\$325,300
Free Cash	\$500,000

for a total of One Million Three Hundred Eighty Thousand Three Hundred Sixty Seven Dollars (\$1,380,367) and that the sum of Twenty Million Six Hundred Thirty Seven Thousand Seven Hundred Seventy Six Dollars (\$20,637,776) be raised by taxation.

ARTICLE 5: Water, Sewer and Solid Waste Enterprise Funds MOTION PASSED

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Five Million Two Hundred Eighty Thousand Two Hundred Thirty Nine Dollars (\$5,280,239) for Water, Sewer and Solid Waste Funds as displayed below for the operation of the Water, Sewer and Solid Waste Utilities, and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Water Fund Free Cash	\$ 52,602
Solid Waste Fund Free Cash	\$ 87,670

Raise and Appropriate by Taxation:

Solid Waste General Fund Subsidy	\$ 217,160
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for a total of Three Hundred Fifty Seven Thousand Four Hundred Thirty Two Dollars (\$357,432) and that the sum of Four Million Nine Hundred Twenty Two Thousand Eight Hundred Seven Dollars (\$4,922,807) be financed from Water, Sewer and Solid Waste Revenues.

Water Fund	\$2,436,381
Sewer Fund	\$2,051,028
Solid Waste	<u>\$ 792,830</u>
Total	\$5,280,239

ARTICLE 6: Northborough K-8 Schools Budget MOTION PASSED

To see if the Town will vote to raise and appropriate by taxation the sum of Twenty Three Million Four Hundred Forty Five Thousand Seventeen Dollars (\$23,445,017) for the operation of the Northborough Public Schools, or take any action relative thereto.

ARTICLE 7: Algonquin Regional High School Budget MOTION PASSED

To see if the Town will vote to raise and appropriate by taxation Northborough's share of the assessment for the operation of the Northborough-Southborough Regional School District, the sum of Eleven Million Seventy Five Thousand Four Hundred Forty Three Dollars (\$11,075,443), or take any action relative thereto.

ARTICLE 8: Assabet Valley Regional Vocational School District Budget MOTION PASSED

To see if the Town will vote to raise and appropriate by taxation Northborough's share of the assessment for the operation and debt service of the Assabet Valley Regional Vocational School District, the sum of Eight Hundred Ninety Two Thousand Eight Hundred Ninety Three Dollars (\$892,893), or take any action relative thereto.

ARTICLE 9: Library Grants MOTION PASSED

To see if the Town will vote to authorize the Library Trustees to accept and spend a sum of money received under the Library Incentive and Municipal Equalization Grants, and the Nonresident Circulation Offset program, under the provisions of M.G.L. Chapter 78, Sections 19A and 19B, and 605 CMR 4.00, and as supplemented or amended by current state budget language, to be used by the Library Trustees for books, automation costs, or in any way that may benefit the library, and to apply for State aid for the coming fiscal year.

ARTICLE 10: Authorization for Grant Applications MOTION PASSED

To see if the Town will vote to authorize the Board of Selectmen to make such application as may be necessary for Federal and/or State funds or grants, to accept such funds or grants and to expend those funds as required by the various acts, if and when such funds are received.

- Allows the Town to apply for grant funds through Federal and/or State agencies.

ARTICLE 11: Revolving Funds - Combine Articles 12-17 MOTION PASSED

To see if the Town will vote to combine Articles 12 through 16 as follows:

- Article 12 Reauthorizes the Fire Department Revolving Fund;
- Article 13 Reauthorizes the Animal Control Revolving Fund;
- Article 14 Reauthorizes the Family and Youth Services Department Revolving Fund;
- Article 15 Reauthorizes the Council on Aging Revolving Fund;
- Article 16 Reauthorizes the Community Affairs Committee Revolving Fund;
- Article 17 Authorizes the Library Revolving Fund

And in so voting that the Town vote to establish and/or reauthorize revolving fund as stated in Articles 12 through 17 of the Warrant, said revolving funds being authorized to and for the use of the Fire Department, Animal Control, Family and Youth Services Department, Council on Aging and Community Affairs Committee pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E½.

- Pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 53E½, it is required that revolving fund use be reauthorized annually.

ARTICLE 12: Reauthorize the Fire Department Revolving Fund

To see if the Town will vote to reauthorize the revolving fund authorized to and for the use of the Northborough Fire Department for the receipt of site assessment fees, hazardous materials charges, SARA compliance, training/education programs, alarm fees, Local Emergency Planning, replacement of lost and/or damaged equipment, water supply maintenance and development, and Advanced Life Support/Emergency Medical Service and rescue maintenance; with annual expenditures for FY2018 not to exceed Four Hundred Seventy Thousand Dollars (\$470,000), pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 53E½.

- Chapter 44, Section 53E½ of the Massachusetts General Laws authorizes the Northborough Fire Department to maintain the revolving fund for the purpose enumerated in this Article. Under this statute, revolving fund expenditures must be reauthorized annually.

ARTICLE 13: Reauthorize the Animal Control Revolving Fund

To see if the Town will vote to reauthorize the revolving fund authorized to and for the use of the Department of the Northborough Animal Control Officer for the receipt of dog license fees and related fines, which sums shall be utilized to support the Animal Control Officer's expenditures; with annual expenditures for FY2018 not to exceed Fifty Thousand Dollars (\$50,000), pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E½.

- Chapter 44, Section 53E½ of the Massachusetts General Laws authorizes the Department of the Northborough Animal Control Officer to maintain the revolving

fund for the purpose enumerated in this Article. Under this statute, revolving fund expenditures must be reauthorized annually.

ARTICLE 14: Reauthorize the Family & Youth Services Department Revolving Fund

To see if the Town will vote to reauthorize the revolving fund authorized to and for the use of the Family and Youth Services Department for the receipt of income, gifts and donations and any other monies and for expenditure in connection with its related expenses; with annual expenditures for FY2018 not to exceed Twenty Thousand Dollars (\$20,000), pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E½.

- Chapter 44, Section 53E½ of the Massachusetts General Laws authorizes the Northborough Family and Youth Services Department to maintain the revolving fund for the purpose enumerated in this Article. Under this statute, revolving fund expenditures must be reauthorized annually.

ARTICLE 15: Reauthorize the Council on Aging Revolving Fund

To see if the Town will vote to reauthorize the revolving fund authorized to and for the use of the Council on Aging for the receipt of income, gifts and donations and any other monies and for expenditure in connection with its related expenses; with annual expenditures for FY2018 not to exceed Two Hundred Thousand Dollars (\$200,000), pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E½.

- Chapter 44, Section 53E½ of the Massachusetts General Laws authorizes the Council on Aging to maintain the revolving fund for the purpose enumerated in this Article. Under this statute, revolving fund expenditures must be reauthorized annually.

ARTICLE 16: Reauthorize the Community Affairs Committee Revolving Fund

To see if the Town will vote to reauthorize the revolving fund authorized to and for the Community Affairs Committee for the receipt of income, gifts and donations and any other monies and for expenditure in connection with its related expenses; with annual expenditures for FY2018 not to exceed Twenty Thousand Dollars (\$20,000), pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E½.

- Chapter 44, Section 53E½ of the Massachusetts General Laws authorizes the Northborough Community Affairs Committee to maintain the revolving fund for the purpose enumerated in this Article. Under this statute, revolving fund expenditures must be reauthorized annually.

ARTICLE 17: Authorization for Library Revolving Fund

To see if the Town will vote to authorize a revolving fund authorized to and for the Library for the receipt of program revenues and for expenditure in connection with its related expenses; with annual expenditures for FY2018 not to exceed Twenty Thousand Dollars (\$20,000), pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E½.

ARTICLE 18: Appropriations Committee Reserve Fund MOTION PASSED

To see if the Town will vote to appropriate the sum of One Hundred Seventy Five Thousand Dollars (\$175,000) for a Reserve Fund to provide for extraordinary or unforeseen expenditures in accordance with Massachusetts General Laws Chapter 40, Section 6, and to meet said appropriation, One Hundred Seventy Five Thousand Dollars (\$175,000) be transferred from Free Cash, or take any action relative thereto.

- This Article provides the Town operations with an option for the funding of extraordinary or unforeseen expenditures during the year.

ARTICLE 19: Stabilization Fund Contribution MOTION PASSED

To see if the Town will vote to appropriate the sum of Two Hundred Thousand Dollars (\$200,000) for transfer to the Stabilization Fund, and to meet said appropriation, the sum of Two Hundred Thousand Dollars (\$200,000) be transferred from Free Cash, or take any action relative thereto.

- This Article provides for a contribution to the Stabilization or general savings account for the Town.

ARTICLE 20: Application of Bond Premium MOTION PASSED

To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, or take any action relative thereto.

- This Article provides for the flexibility to apply bond premiums to project costs at the time of issue of any bonds or notes (simultaneously reducing the par amount of bonds or notes being issued) for borrowing authorizations that have already been approved, but not yet permanently financed.

ARTICLE 21 (CIP): Fire – Forestry Truck MOTION PASSED

To see if the Town will vote to appropriate the sum of Sixty Five Thousand Dollars (\$65,000) for the use of the Fire Department for the purchase of one new forestry truck, and to meet said appropriation, the sum of Sixty Five Thousand Dollars (\$65,000) be transferred from Free Cash.

- This Article provides funds for the purchase of one new forestry truck to replace two existing 2005 forestry trucks. This acquisition will permanently reduce the Fire Department's fleet list by one vehicle.

ARTICLE 22 (CIP): Police – Police Cruiser Replacement MOTION PASSED

To see if the Town will vote to appropriate the sum of Eighty Seven Thousand Dollars (\$87,000) for the use of the Police Department for the purchase of two new patrol vehicles, and to meet

said appropriation the sum of Eighty Seven Thousand Dollars (\$87,000) be transferred from Free Cash.

- This Article provides funds for the purchase of two new patrol vehicles. Included in the funding request is the cost of outfitting the vehicles with ancillary equipment and mobile data terminals.

ARTICLE 23 (CIP): DPW – Six-Wheel Dump Truck with Spreader and Plow MOTION PASSED

To see if the Town will vote to appropriate the sum of Two Hundred Forty Thousand Dollars (\$240,000) for the use of the DPW Department for the purchase of a six-wheel dump truck with a spreader and plow, and to meet said appropriation the sum of Two Hundred Forty Thousand Dollars (\$240,000) be transferred from Free Cash.

- This Article provides funds for the purchase of one new six-wheel dump truck with a spreader and plow to replace a 1995 International truck. The 1995 International truck has surpassed its useful life expectancy of about 15 to 20 years.

ARTICLE 24 (CIP): DPW – One-Ton Dump Truck with Plow MOTION PASSED

To see if the Town will vote to appropriate the sum of Ninety Five Thousand Dollars (\$95,000) for the use of the DPW Department for the purchase of a one-ton dump truck with plow, and to meet said appropriation, the sum of Ninety Five Thousand Dollars (\$95,000) be transferred from Free Cash.

- This Article provides funds for the purchase of a one-ton dump truck with plow to replace a 2006 dump truck. The 2006 dump truck has surpassed its useful life expectancy of about 10 to 12 years. The one-ton dump trucks are the most heavily used equipment in the fleet.

ARTICLE 25 (CIP): DPW – One-Ton Dump Truck with Chip Body and Plow MOTION PASSED

To see if the Town will vote to appropriate the sum of Ninety Five Thousand Dollars (\$95,000) for the use of the DPW Department for the purchase of a one-ton dump truck with chip body and plow for the ; and to meet said appropriation, the sum of Ninety Five Thousand Dollars (\$95,000) be transferred from Free Cash.

- This Article provides funds for the purchase of one new one-ton dump truck with chip body and plow to replace a 2000 one-ton cab and chassis truck with a chip body. The 2000 one-ton cab and chassis truck has surpassed its useful life expectancy of about 15 to 20 years.

ARTICLE 26 (CIP): DPW – Chipper MOTION PASSED

To see if the Town will vote to appropriate the sum of Sixty Five Thousand Dollars (\$65,000) for the use of the DPW Department for the purchase of a chipper, and to meet said appropriation, the sum of Sixty Five Thousand Dollars (\$65,000) be transferred from Free Cash.

- This Article provides funds for the purchase of a chipper to replace a 2009 Brush Bandit Chipper.

ARTICLE 27 (CIP): DPW – Fisher Street Culvert Replacement Design MOTION PASSED

To see if the Town will vote to appropriate the sum of Fifty Thousand Dollars (\$50,000) for the use of the DPW Department to fund the design and construction bid documents for replacement of the Fisher Street culvert over Cold Harbor Brook, and to meet said appropriation, the sum of Fifty Thousand Dollars (\$50,000) be transferred from Free Cash.

- This Article provides funds for the design and construction bid documents for replacement of the Fisher Street culvert over Cold Harbor Brook. The current superstructure (structural support and decking) is in poor condition and needs to be replaced. Once the design and construction bid documents are complete, the second phase is to seek funding in FY2019 to construct the new culvert. Replacement of the culvert is part of a comprehensive roadway improvement plan.

ARTICLE 28 (CIP): DPW – Crawford Street Slope Easements & Retaining Wall MOTION PASSED

To see if the Town will vote to acquire, by gift, purchase, eminent domain, or otherwise, two easements for slope and related purposes, including, but not limited to, for access and installation, construction, maintenance, repair and replacement, on such terms and conditions as the Board of Selectmen deems to be in the best interests of the Town, on, upon, under and over property identified as 298 Crawford Street (Assessors' Map 57, Lot 20), described in a deed recorded with the Worcester South District Registry of Deeds in Book 22916, Page 331 and 300 Crawford Street (Assessors' Map 57, Lot 19), described in a deed recorded with the Worcester South District Registry of Deeds in Book 32742, Page 239, said easements shown on sketch plans, on file with the Town Clerk, and further authorize the Board of Selectmen to execute all documents and take all actions necessary in connection therewith;

and, further to appropriate the sum of Two Hundred Thousand Dollars (\$200,000) for the use of the DPW Department to fund the design and construction bid documents for the replacement of a retaining wall on Crawford Street, and to meet said appropriation, the sum of Two Hundred Thousand Dollars (\$200,000) be transferred from Free Cash.

- This Article provides for the acceptance of two easements along Crawford Street which will allow the Public Works Department to repair an existing stone retaining wall and to slope the land within the easements in a reasonable manner thereby reducing the height of the retaining wall; and
- also provides funds for the design and construction of a 200 linear foot replacement retaining wall on Crawford Street.

ARTICLE 29 (CIP): DPW – Road Improvements and Maintenance MOTION PASSED

To see if the Town will vote to appropriate the sum of Three Hundred Thousand Dollars (\$300,000) for Road Improvements and Maintenance, and to meet said appropriation, the sum of Three Hundred Thousand Dollars (\$300,000) be transferred from Free Cash.

- This Article provides funds in addition to the FY2018 Chapter 90 allocation in order to maintain current road conditions in accordance with the Pavement Management Plan.

ARTICLE 30 (CIP): Sewer – Sewer Inspection Camera System MOTION PASSED

To see if the Town will vote to appropriate the sum of One Hundred Ten Thousand Dollars (\$110,000) for the use of the DPW Department for the purchase of a Sewer Inspection Camera System, and to meet said appropriation, the sum of One Hundred Ten Thousand Dollars (\$110,000) be transferred from Sewer Enterprise Free Cash.

- This Article provides funds to purchase a skid-mounted sewer camera and recorder system that can fit into the back of a pickup truck. The camera is used to inspect sewer mains and laterals before and after cleaning, locate breaks/roots or cracks in pipes, measure the defects of the pipe on screen and aid in determining causes for sinkholes in the roadway without having to excavate – saving time, materials and disruption of services.

ARTICLE 31 (CIP): Sewer – West Main Street Sewer Pump Station Improvements MOTION PASSED

To see if the Town will vote to appropriate the sum of Four Hundred Thousand Dollars (\$400,000) for the use of the DPW Department to fund the design and construction of improvements to the West Main Street Sewer Pump Station, and to meet said appropriation, the sum of Four Hundred Thousand Dollars (\$400,000) be raised by borrowing, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 8 (14) or any other enabling authority, and the Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds or notes therefor.

- This Article provides funds for the design and construction improvements to the West Main Street Sewer Pump Station located adjacent to the Post Office on West Main Street. The station was built in 1996. In addition to the original design flows, it now receives sewage from all the restaurants in and around West Main Street as well as the assisted living facility and the Lincoln Street Sewer Pump Station. The station is significantly undersized because of the increased flows, therefore the alarm/notification system and pumps are in need of upgrading to more efficient and effective systems.

ARTICLE 32 (CIP): Water & Sewer – One-Ton Service Truck with Plow MOTION PASSED

To see if the Town will vote to appropriate the sum of One Hundred Thousand Dollars (\$100,000), for the use of the DPW Department for the purchase of a one-ton service truck with plow for the Water and Sewer Enterprise Divisions of the Department of Public Works, and to

meet said appropriation, the sum of Sixty Thousand Dollars (\$60,000) be transferred from Water Enterprise Free Cash and the sum of Forty Thousand Dollars (\$40,000) be transferred from Sewer Enterprise Free Cash, for a total of One Hundred Thousand Dollars (\$100,000).

- This Article provides funds for the purchase of a one-ton service truck with plow to replace a 2008 utility body truck with on-board fuel tank and crane. This vehicle is used daily to perform the regular inspections and general maintenance of the Town’s water and sewer system.

ARTICLE 33 (CIP): School Department – Proctor School Roof Repairs **MOTION PASSED**

To see if the Town will vote to appropriate the sum of Three Hundred Thousand Dollars (\$300,000), for the use of the School Department for roof repairs to the Proctor School, and to meet said appropriation, the sum of Three Hundred Thousand Dollars (\$300,000) be transferred from Free Cash.

- This Article provides funds for roof repairs to the Proctor School. This is the second phase of the roof project and involves replacement of the 13,000 square feet of shingled pitched roof with a metal roofing system carrying a warranty of 30 years and a projected life span of 50 years.

ARTICLE 34: FY2017 Water Meter Replacement & Billing System Debt Service **MOTION PASSED**

To see if the Town will vote to appropriate the sum of Five Hundred Thousand Dollars (\$500,000) in FY2017 to pay down costs approved under Article 31 of the April 2014 Annual Town Meeting, and to meet said appropriation, the sum of Five Hundred Thousand Dollars (\$500,000) be transferred from Water Enterprise Free Cash.

- This article seeks to transfer funds to pay down costs of the \$1,500,000 water meter replacement & billing system from current Water Enterprise Fund resources rather than issuing permanent bonds for the full amount of the project. The Town will issue debt for the balance authorized by the 2014 article that are not covered by this transfer. This article does not authorize additional spending, but only reduces what will be permanently borrowed which will reduce debt service costs and help stabilize future rates.

ARTICLE 35: Allen Street Sidewalk Easements **MOTION PASSED**

To see if the Town will vote to acquire, by gift, purchase, eminent domain or otherwise, two easements for sidewalk and related purposes, including, but not limited to, for access and installation, construction, maintenance, repair and replacement, on such terms and conditions as the Board of Selectmen deems to be in the best interests of the Town, on, upon, under and over property identified as 15 Allen Street (Assessors’ Map 46, Lot 136), described in a deed recorded with the Worcester South District Registry of Deeds in Book 17286, Page 333 and 21 Allen Street (Assessors’ Map 46, Lot 139), described in a deed recorded with the Worcester South

District Registry of Deeds in Book 42942, Page 288, said easements shown on sketch plans, on file with the Town Clerk, and further authorize the Board of Selectmen to execute all documents and take all actions necessary in connection therewith, or take any action relative thereto.

- This Warrant Article provides for the acceptance of two sidewalk easements along Allen Street which will allow the Public Works Department to extend the existing sidewalk on Allen Street to East Main Street.

ARTICLE 36: Consolidated Personnel Bylaw MOTION PASSED

To see if the Town will vote to amend the Consolidated Personnel Bylaw as shown in the handout (copies of which were available in the Town Clerk's Office continuously prior to the posting of the Warrant until the time of Town Meeting) entitled "Article 36 – Consolidated Personnel Bylaw Amendments – 2017 Annual Town Meeting."

ARTICLE 37: Open Space – Transfer of Town Owned Land to Conservation Commission MOTION PASSED

To see if the Town will vote to transfer the care, custody and control of the following described land: Assessors' Map 43 Parcel 13, 20.95 acres, 0 Church Street; Assessors' Map 43 Parcel 7, 1.64 acres, 0 West Street; Assessors' Map 56 Parcel 52, 0.92 acres, 0 West Street; Assessors' Map 56 Parcel 54, 0.92 acres, 0 West Street; Assessors' Map 56 Parcel 55, 1.19 acres, 0 West Street; Assessors' Map 56 Parcel 56, 1.05 acres, 0 West Street; and Assessors' Map 56 Parcel 57, 1.11 acres, 0 West Street to the Conservation Commission for open space and passive recreation purposes pursuant to General Laws Chapter 40 Section 8C, or take any other action relative thereto.

- The transfer of these seven parcels to the Conservation Commission permanently protects these parcels from development and will also add to the acreage of the existing open space and trail network.

ARTICLE 38: Open Space – Transfer of Town Owned Land to Conservation Commission MOTION PASSED

To see if the Town will vote to transfer the care, custody and control of the following described land: Assessors' Map 101 Parcel 139, 31.88 acres, 374 Davis Street to the Conservation Commission for open space and passive recreation purposes pursuant to General Laws Chapter 40 Section 8C, or take any other action relative thereto.

- The transfer of this parcel to the Conservation Commission permanently protects it from development and will also add to the acreage of the existing open space and trail network.

**ARTICLE 39: Open Space – Transfer of Town Owned Land to Conservation Commission
MOTION PASSED**

To see if the Town will vote to transfer the care, custody and control of the following described land: Assessors' Map 80 Parcel 27, 3.6 acres, 0 off Crawford Street to the Conservation Commission for open space and passive recreation purposes pursuant to General Laws Chapter 40 Section 8C, or take any other action relative thereto.

- The transfer of this parcel to the Conservation Commission permanently protects it from development and will also add to the acreage of the existing open space and trail network.

ARTICLE 40: Community Preservation Fund – Bartlett Pond Treatment MOTION PASSED

To see if the Town will vote to appropriate the sum of Thirty Thousand Dollars (\$30,000), or any other sum, from the Community Preservation Fund revenues to the Northborough Conservation Commission for the Whole Lake Sonar Treatment of Bartlett Pond, or take any other action relative thereto.

- Approximately every three years, Bartlett Pond is evaluated and treated for weeds. Systemic herbicide will be applied to reduce the infestation of invasive weed population.

ARTICLE 41: Community Preservation Fund – Trails Committee MOTION PASSED

To see if the Town will vote to appropriate the sum of Thirty Thousand Dollars (\$30,000), or any other sum, from the Community Preservation Fund revenues to the Northborough Trails Committee for trail maintenance operations; purchase of signs and kiosks for the trails; and upkeep of trails bridges and water bridges, or take any other action relative thereto.

- Funds for on-going maintenance and purchase of signs and kiosks.

ARTICLE 42: Community Preservation Fund – Transfer to Northborough Affordable Housing Corp MOTION PASSED

To see if the Town will vote to appropriate the sum of One Hundred Thousand Dollars (\$100,000), or any other sum, from the Community Preservation Fund revenues to the Northborough Affordable Housing Corporation, for the purpose of the creation of affordable housing, or take any other action relative thereto.

- Funds to be used by the Northborough Affordable Housing Corporation for future creation of affordable housing.

ARTICLE 43: Community Preservation Fund – Town Common MOTION PASSED

To see if the Town will vote to appropriate the sum of Seventy Thousand Dollars (\$70,000), or any other sum, from the Community Preservation Fund revenues and Three Hundred Seven Thousand Four Hundred Dollars (\$307,400), or any other sum, from the Community

Preservation Fund Unreserved Fund for a total of Three Hundred Seventy Seven Thousand Four Hundred Dollars (\$377,400) to the Northborough Department of Public Works, for Phase II of the project for creation of a Town Common at 0, 39 and 45 West Main Street as shown on Assessors' Map 63 as Parcels 159, 157 and 158, pursuant to the provisions of Massachusetts General Laws, Chapter 45, Section 3, as it may hereafter be amended, and any enabling authority related to public parks and playgrounds, said Town Common to be managed and controlled by the Department of Public Works; to authorize the Department of Public Works to file on behalf of the Town of Northborough any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897) as amended and any other law in any way connected with the scope of this Article; and to authorize the Department of Public Works to enter into all agreements and execute any and all instruments as may be necessary to accomplish said purchase, or take any other action relative thereto.

- This Article funds Phase II of the Town Common project, which entails the actual construction of the project. Phase I included land acquisition, site preparation and design.

ARTICLE 44: Community Preservation Fund – Green Street Debt Service MOTION PASSED

To see if the Town will vote to appropriate the sum of Forty Five Thousand Nine Hundred Dollars (\$45,900), or any other sum, from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for Debt Service and expenses associated with the Open Space land acquisition for the Fiscal Year 2018, or take any other action relative thereto.

- Final debt service payment associated with the purchase of the Green Street parcel.

ARTICLE 45: Community Preservation Fund – Historic Resources Reserve MOTION PASSED

To see if the Town will vote to appropriate the sum of Fifty Five Thousand Dollars (\$55,000), or any other sum, from the Community Preservation Fund revenues and place said amount in the Community Preservation Historic Resources Reserve Fund for the purpose of future historical property preservation or acquisition, or take any other action relative thereto.

- Funds for future acquisition or preservation of historical property.

ARTICLE 46: Community Preservation Fund – CPA Administration MOTION PASSED

To see if the Town will vote to appropriate the sum of Twenty Five Thousand Dollars (\$25,000), or any other sum, from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for expenses associated with the implementation of the Community Preservation Act including but not limited to clerical assistance, office supplies, property surveys, appraisals, attorney's fees, and other professional services, recording fees,

printing and all other necessary and proper expenses for the Fiscal Year 2018, or take any other action relative thereto.

- Funds used for the administration of the Community Preservation Act.

ARTICLE 47: Adoption of Stretch Energy Code (Green Community) MOTION PASSED

To see if the Town will vote to amend Part 2 of the Northborough Town Code, Part 2 General Legislation, by adding a new Chapter 2-18. “Stretch Energy Code”, shown below in underlined text and a copy of which is on file with the Town Clerk, for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of July 1, 2017, or take any other action relative thereto.

Chapter 2-18

STRETCH ENERGY CODE

§ 2-18-010 Definitions

§ 2-18-020 Purpose

§ 2-18-030 Applicability

§ 2-18-040 Stretch Code

§ 2-18-010 Definitions

International Energy Conservation Code (IECC) - The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

Stretch Energy Code - Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the Massachusetts Building Code, the Stretch Energy Code is an appendix to the Massachusetts Building Code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

§ 2-18-020 Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the Building Code for new buildings.

§ 2-18-030 Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with the applicable provisions of the Building Code, as indicated in 780 CMR 115.AA.

§ 2-18-040 Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is hereby incorporated by reference into the Town of Northborough General Bylaws, Chapter 2-18.

The Stretch Code is enforceable by the Inspector of Buildings or Building Commissioner and is effective as of July 1, 2017.

ARTICLE 48: Zoning Bylaw – 7-05-020, Classification of Uses 9 (Green Community) MOTION PASSED

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020 Classification of uses, I. Industrial uses, 2. Research and development, by adding the text shown below as underlined and deleting the text shown in strikethrough, or take any action relative thereto.

2. Research and development: An establishment or other facility for carrying on investigation in the natural, physical or social sciences, including, but not limited to, research and development of renewable or alternative energy technologies, or engineering and development as an extension of investigation with the objective of creating end products and the accessory development, fabrication, and light manufacturing of prototypes, or specialized machinery and devices integral to research or testing, provided such operations ~~employing only electric or other substantially noiseless and inoffensive motor power,~~ and are free from neighborhood disturbing agents such as odors, gas, fumes, smoke, cinders, refuse matter, electromagnetic radiation, heat, vibration, or noise, and further; provided that all accessory operations and storage of materials or finished goods are located entirely within an enclosed building ~~and there is no outside storage of materials or finished goods.~~

ARTICLE 49: Zoning Bylaw – 7-05-030, Table of Uses Part B MOTION PASSED

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part B. Commercial and Industrial Districts by deleting the text shown below in strikethrough and adding the text shown as underlined, or take any action relative thereto.

USES	DB	BE	BW	BS	HB	I
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Vehicle Sales and Service						
Auto filling or service station	N	N	N	N	BA	PB
Auto repair shop	N	<u>BA-N</u>	<u>BA-N</u>	BA	BA	PB
Auto body shop	N	N	<u>BA-N</u>	N	BA	PB
Auto sales	N	N	N	N	BA	PB
Commercial parking	N	BA	BA	N	BA	PB

ARTICLE 50: Zoning Bylaw – 7-05-030, Table of Uses Footnote 9 & 7-06-030 Supplemental Regulations **MOTION PASSED**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-030, Table of Uses, footnote 9, and Section 7-06-030, Supplemental Regulations, J. Supplemental density and dimensional regulations for certain use classes, by deleting the text shown below in strikethrough and adding the text shown as underlined, or take any action relative thereto.

Section 7-05-030 Table of Uses, footnote 9

9. The maximum number of multifamily units on a lot shall be ~~eight (8)~~ six (6) units by special permit in the Downtown Business and Business West Districts.

Section 7-06-030 J. Supplemental density and dimensional regulations for certain use classes

J. Supplemental density and dimensional regulations for certain use classes.

(1) Where vertical or horizontal mixed-use developments or multifamily or townhouse developments are allowed as of right or by special permit in a business district, the minimum lot area shall be determined as follows:

(a) In the Downtown Business District, for vertical or horizontal mixed-use developments, four thousand (4,000) square feet for the first two (2) units and two thousand five hundred (2,500) square feet per unit for each unit over two (2); and for

multifamily or townhouse developments, ten thousand (10,000) square feet for the first two (2) units and three thousand five hundred (3,500) square feet per unit for each unit over two (2).

(b) In the Business East District, for vertical mixed-use developments, twenty thousand (20,000) square feet for the first two (2) units and three thousand five hundred (3,500) square feet per unit for each unit over two (2).

(c) In the Business West ~~and Business South~~ Districts, for vertical or horizontal mixed-use developments, forty thousand (40,000) square feet for the first two (2) units and five thousand (5,000) square feet per unit for each unit over two (2); and for multifamily developments, twenty thousand (20,000) square feet for the first two (2) units and ~~three thousand five hundred (3,500)~~ seven thousand (7,000) square feet per unit for each unit over two (2).

(d) In the Business South District, for vertical or horizontal mixed-use developments, forty thousand (40,000) square feet for the first two (2) units and five thousand (5,000) square feet per unit for each unit over two (2).

ARTICLE 51: Zoning Bylaw – 7-10-020 Common Driveways MOTION PASSED

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-10-020 Common Driveways, by deleting the text shown below in strikethrough and adding the text shown as underlined, or take any action relative thereto.

~~A. Common driveways may be allowed by special permit by the Planning Board, subject to the requirements of this section.~~

~~(1) For a common driveway serving two (2) lots:~~

~~(a) The centerline intersection with the street centerline shall not be less than sixty degrees (60°);~~

~~(b) A minimum cleared width of twelve (12) feet shall be maintained over its entire length;~~

~~(c) A minimum roadway surface of four (4) inches of graded gravel, placed over a properly prepared base, graded and compacted to drain from the crown shall be installed; and~~

~~(d) The driveway shall be located entirely within the boundaries of the lots being served by the driveway.~~

~~(2) A common driveway serving three (3) or more lots shall conform to the minimum road construction standards in the Northborough Rules and Regulations of Subdivision Control.~~

~~(3) Proposed documents shall be submitted to the Planning Board demonstrating that, through easements, restrictive covenants, or other appropriate legal devices, the maintenance, repair, snow removal, and liability for the common driveway shall remain perpetually the responsibility of the private parties or their successors in interest.~~

A. Common driveways may be allowed by special permit by the Planning Board, subject to the requirements of Section 10-36-130 of the Northborough Subdivision Rules and Regulations.

ARTICLE 52: Zoning Bylaw – 7-10-060 Temporary Moratorium Recreational Marijuana MOTION PASSED

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-10, Special Regulations. by adding a new Section 7-10-060 **TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS**, that would provide as follows, and further, to amend the Table of Contents to add Section 7-10-060 “Temporary Moratorium on Recreational Marijuana Establishments”, or take any action relative thereto.

- A. Purpose. On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016; Chapter 351 of the Acts of 2016) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses on April 1, 2018. Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a “Recreational Marijuana Establishment”), as defined in G.L. c. 94G, §1, is not specifically addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana

Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

- B. Definition. "Recreational Marijuana Establishment" shall mean a "marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business."
- C. Temporary Moratorium. For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect through June 30, 2018 or until such time as the Town adopts Zoning Bylaw amendments that regulate Recreational Marijuana Establishments, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

ARTICLE 53: Zoning Bylaw – 7-10-070 Two-Family Dwelling Moratorium MOTION PASSED (Initial motion to pass over this article was defeated)

To see if the Town will vote to amend the Town’s Zoning Bylaw by adding a new Section 7-10-070, Temporary Moratorium On Two-Family Dwellings, that would provide as follows, and further, to amend the Table of Contents to add Section 7-10-070, “Temporary Moratorium on Two-Family Dwellings”, or take any action relative thereto.

SECTION 7-10-070 – Two-Family Dwelling Moratorium

A) Purpose. The Town of Northborough has recently seen a significant increase in the number of two-family dwelling units being constructed which potentially could affect the Town as a whole. Smaller single-family homes approximately 1000 square feet in size are being torn down and replaced with a two-family dwelling unit approximately 4000 square feet in size. There is an identifiable community need to establish long-term zoning regulations to ensure that such structures are consistent with the existing neighborhoods and the Town’s long term planning interests. The Town intends to adopt a temporary moratorium on the use of land and the construction of two-family dwelling units, and the issuance of special or building permits in connection with the same so as to allow the Town sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

B) Definitions.

Two-family dwelling: A detached residential building designed or intended or used exclusively as the home or residence of two (2) families. A two-family dwelling does not include a detached single-family dwelling with an accessory dwelling.

C) Temporary Moratorium

Notwithstanding any other provision in the Town of Northborough Zoning Bylaw to the contrary, no special or building permit may be issued for the construction of any two-family dwelling unit, until after May 1, 2018. The purpose of this temporary moratorium is to allow sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

ARTICLE 54: Zoning Bylaw – 7-03-050 Site Plans A PASSED OVER

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-03-050 Site Plans, A. Applicability, by adding the text shown below as underlined, or take any action relative thereto.

A. Applicability.

(1) Site plan approval by the Planning Board shall be required for the following uses or activities except where such uses or activities require a special permit:

(a) All new construction of any municipal, institutional, commercial, industrial, two-family or multifamily structure or purpose;

ARTICLE 55: Community Preservation Fund – White Cliffs Debt Service PASSED OVER

To see if the Town will vote to appropriate a sum of money from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for debt service and expenses associated with the White Cliffs property acquisition for the Fiscal Year 2018, or take any other action relative thereto.

- This Article provides funds to pay for debt service associated with the purchase of the White Cliffs property located at 167 Main Street.

ARTICLE 56: Reports PASSED OVER

11:26 p.m. motion made to dissolve the meeting. MOTION PASSED

Attendance 4/24/2017: 150

Total Registered Voters: 11,182

A True Copy Attest:

Andrew T. Dowd,
Town Clerk

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SS:

TO: either of the Constables of the Town of Northborough, in said county:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby commanded to warn and notify the legal voters of the Town of Northborough to meet at the Algonquin Regional High School, 79 Bartlett St. in said Town, on Monday, April the Twenty-Fourth day, in the year Two Thousand and Seventeen at 7:30 PM to act upon the following Articles of the Town Warrant.

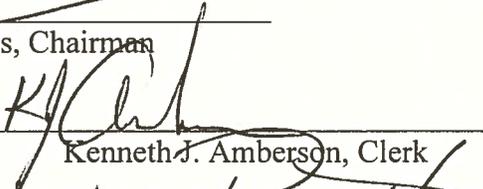
Hereof fail not and make due return of this warrant by your doings thereon to the Town Clerk, at or before the time of the meeting aforesaid.

Given under our hands, at Northborough, on Monday, this Twenty-Seventh day of March, in the year Two Thousand and Seventeen.

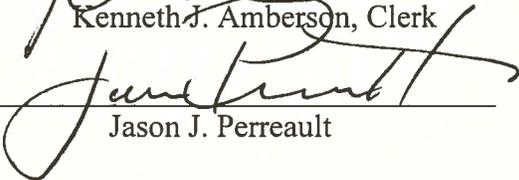
NORTHBOROUGH BOARD OF SELECTMEN

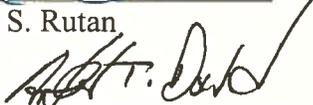

William J. Pantazis, Chairman


Dawn L. Rand, Vice-Chair


Kenneth J. Amberson, Clerk


Leslie S. Rutan

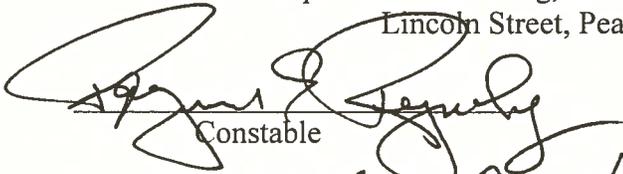

Jason J. Perreault

ATTEST: 
Andrew T. Dowd
Northborough Town Clerk

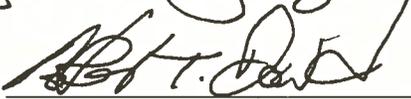
RETURN OF SERVICE

I HAVE SERVED THIS WARRANT BY POSTING ATTESTED COPIES OF SAME AT THE FOLLOWING PLACES:

Municipal Office Building, U. S. Post Office, Northborough Public Library,
Lincoln Street, Peaslee, Proctor, and Zeh Schools


Constable


Date 4/24/2017

ATTEST: 
Andrew T. Dowd
Northborough Town Clerk