

Town of Northborough



Annual Town Meeting
May 1, 2021

Results

Moderator's Consent Agenda For Annual Town Meeting

In order to reduce the time during which the voters are gathered for the Annual Town Meeting during this time of the COVID-19 pandemic, and to account for the fact that a longer meeting in an outdoor setting poses possible discomfort for some voters and is subject to disruption by inclement weather, the Moderator will use a procedure known as a consent agenda. It is the bundling of articles considered to be non-controversial, and/or related by subject matter, into a single motion to be voted on by Town Meeting. This practice has been used in other towns, and in some towns it is a routine part of Town Meeting. A consent agenda can save time by eliminating the need for an individual motion, a second, an explanation and a vote on individual articles that are capable of being considered together.

What Articles Are Included?

There will be one consent agenda for this Town Meeting, as follows:

Consent Agenda 1:

Article 1 – Appoint Deputy Moderator: Article 1 ratifies the routine appointment by the Moderator of Gerry Hickman to serve as Deputy Moderator in the event the Moderator is unable to continue.

Article 2 – Authorize Compensating Balance Agreements: This annual Article provides authorization for the Town to enter into a compensating balance agreement in order to obtain banking services. A compensating balance agreement is an arrangement by which a town maintains municipal funds on deposit in return for banking services.

Article 3 – Prior Years' Bills: There are no prior years' bills, so this Article will be passed over.

Article 9 – Authorize Revolving Fund Limits for FY2022: This is a housekeeping article that sets expenditure limits for special funds used to hold fees associated with providing certain Town services which are then used to offset the cost of providing the services (e.g., ambulance services).

How The Consent Agendas Will Work

When the meeting reaches the first article to be included in the consent agenda, which will be Article 1, the Moderator will explain the process. The Moderator will read the title of each article included in the consent agenda. He will pause after each article to allow any voter who has a question on the article to say, "hold."

Held articles will be set aside for separate consideration, apart from the consent agenda. Voters who hold an article will be asked to identify themselves and should be prepared to speak to the article later in the meeting.

After the meeting agrees on which articles to include in the consent agenda, there will be no debate and the Moderator will immediately call for a vote. Every article included in the consent agenda will either pass or fail depending on the single vote taken.

The articles removed from the consent agenda by a hold will be taken up individually in the order in which they appear in the Warrant.

What Voters Should Do To Prepare

Town Meeting voters should review the Warrant in advance and be ready to state which article(s) in the consent agenda they wish to hold for individual consideration.

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TOWN OF NORTHBOROUGH
ANNUAL TOWN MEETING
MAY 1, 2021

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 St. Northborough, MA on SATURDAY the FIRST day of May 2021 at 9:00 a.m. to act on the following warrant articles:

9:13 a.m. Moderator Fred George called the meeting to order, a quorum of at least 100 voters was present. Moderator Fred George explained the rules of the meeting, reviewed the consent agenda process, and read the return of the warrant.

CONSENT AGENDA 1:

Passed

Articles 1, 2, 3, and 9 are included in the consent agenda. Moderator George read each article included in the consent agenda.

ARTICLE 1: Appointing Deputy Moderator

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.

MOTION ARTICLE 1: Appointing Deputy Moderator

Consent - Passed

I move the Town vote to ratify the appointment by the Moderator of Gerry Hickman as Deputy Moderator, as provided by Article II, Section 2-2 of the Northborough Home Rule Charter.

ARTICLE 2: Compensating Balance Agreement

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.

MOTION ARTICLE 2: Compensating Balance Agreement

Consent - Passed

I move the Town 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.

ARTICLE 3: Prior Years' Bills

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.

MOTION ARTICLE 3: Prior Years' Bills

Consent - Passed

I move the Town vote to pass over this article.

ARTICLE 4: Town Budget

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Twenty-Two Million Seven Hundred Twenty-Eight Thousand Five Hundred Seventy-Two Dollars (\$22,728,572) for Town Government as displayed in the warrant booklet, and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Transfer from Cemetery Trust Fund Income	\$19,495
Transfer from Cemetery Sale of Lots	\$12,000
Transfer from Debt Exclusion Premium Reserve	\$9,835
Transfer from DPU Transportation Fund	\$3,587
Transfer from Conservation Commission Fees	\$8,523
Transfer from Fire Emergency Medical Services Revolving Fund	\$351,240
Transfer from Animal Control Revolving Fund	\$27,461
Transfer from Medicare Part D Subsidy	\$39,039
Transfer from PEG Access Cable Related Fund	\$262,753
Free Cash	\$500,000

for a total of One Million Two Hundred Thirty-Three Thousand Nine Hundred Thirty-Three Dollars (\$1,233,933) and that the sum of Twenty-One Million Four Hundred Ninety-Four Thousand Six Hundred Thirty-Nine Dollars (\$21,494,639) be raised by taxation.

MOTION ARTICLE 4: Town Budget

Passed

I move the Town vote to raise and appropriate and transfer from available funds the sum of Twenty-Two Million Seven Hundred Twenty-Eight Thousand Five Hundred Seventy-Two Dollars (\$22,728,572) for Town Government as displayed in the warrant supplement distributed at this Town Meeting, and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Transfer from Cemetery Trust Fund Income	\$19,495
Transfer from Cemetery Sale of Lots	\$12,000
Transfer from Debt Exclusion Premium Reserve	\$9,835
Transfer from DPU Transportation Fund	\$3,587
Transfer from Conservation Commission Fees	\$8,523
Transfer from Fire Emergency Medical Services Revolving Fund	\$351,240
Transfer from Animal Control Revolving Fund	\$27,461
Transfer from Medicare Part D Subsidy	\$39,039
Transfer from PEG Access Cable Related Fund	\$262,753
Free Cash	\$500,000

for a total of One Million Two Hundred Thirty-Three Thousand Nine Hundred Thirty-Three Dollars (\$1,233,933) and that the sum of Twenty-One Million Four Hundred Ninety-Four Thousand Six Hundred Thirty-Nine Dollars (\$21,494,639) be raised by taxation

ARTICLE 5: Water, Sewer and Solid Waste Enterprise Funds

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Six Million Two Hundred Fifty-Four Thousand Two Hundred Seventy-Nine Dollars (\$6,254,279) 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	\$316,548
Solid Waste Fund Free Cash	\$ 93,984

Raise and Appropriate by Taxation:

Solid Waste General Fund Subsidy	\$337,160
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for a total of Seven Hundred Forty-Seven Thousand Six Hundred Ninety-Two Dollars (\$747,692) and that the sum of Five Million Five Hundred Six Thousand Five Hundred Eighty-Seven Dollars (\$5,506,587) be financed from Water, Sewer and Solid Waste Revenues.

Water Fund	\$2,961,675
Sewer Fund	\$2,373,460
Solid Waste	\$ 919,144
Total	\$6,254,279

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

I move the Town vote to raise and appropriate and transfer from available funds the sum of Six Million Two Hundred Fifty-Four Thousand Two Hundred Seventy-Nine Dollars (\$6,254,279) for the operation of the Water, Sewer and Solid Waste Utilities, in the amounts of Two Million Nine Hundred Sixty-One Thousand Six Hundred Seventy Five Dollars (\$2,961,675) for the Water Enterprise Fund, Two Million Three Hundred Seventy-Three Thousand Four Hundred Sixty Dollars (\$2,373,460) for the Sewer Enterprise Fund, and Nine Hundred Nineteen Thousand One Hundred Forty Four Dollars (\$919,144) for the Solid Waste Enterprise Fund; and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Water Fund Free Cash	\$316,548
Solid Waste Fund Free Cash	\$ 93,984

Raise and Appropriate by Taxation:

Solid Waste General Fund Subsidy	\$337,160
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for a total of Seven Hundred Forty-Seven Thousand Six Hundred Ninety-Two Dollars (\$747,692) and that the sum of Five Million Five Hundred Six Thousand Five Hundred Eighty-Seven Dollars (\$5,506,587) be financed from Water, Sewer and Solid Waste Revenues and allocated as stated.

ARTICLE 6: Northborough K-8 Schools Budget

To see if the Town will vote to raise and appropriate by taxation the sum of Twenty-Five Million Seven Hundred Ninety-Nine Thousand Six Hundred Seventy-Eight Dollars (\$25,799,678) for the operation of the Northborough Public Schools, or take any action relative thereto.

MOTION ARTICLE 6: Northborough K-8 Schools Budget **Passed**

I move the Town vote to raise and appropriate by taxation the sum of Twenty-Five Million Seven Hundred Ninety-Nine Thousand Six Hundred Seventy-Eight Dollars (\$25,799,678) for the operation of the Northborough K-8 Public Schools.

ARTICLE 7: Algonquin Regional High School Budget

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 Thirteen Million Six Hundred Fifty-Two Thousand Seven Hundred Fourteen Dollars (\$13,652,714), or take any action relative thereto.

MOTION ARTICLE 7: Algonquin Regional High School Budget Passed

I move the Town vote to raise and appropriate by taxation Northborough’s share of the assessment for the operation and debt service of the Northborough-Southborough Regional School District, the sum of Thirteen Million Six Hundred Fifty-Two Thousand Seven Hundred Fourteen Dollars (\$13,652,714).

ARTICLE 8: Assabet Valley Regional Vocational School District Budget

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 One Million Sixty-Eight Thousand Four Hundred Ninety Dollars (\$1,068,490), or take any action relative thereto.

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

I move the Town 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 One Million Sixty-Eight Thousand Four Hundred Ninety Dollars (\$1,068,490).

ARTICLE 9: Revolving Funds Authorization of Expenditure Limits

To see if the Town will vote to authorize revolving fund annual expenditure limits for Fiscal Year 2022 as shown in the table below:

Revolving Fund	Annual Expenditure Limit
Fire Department (EMS and Haz Mat)	\$600,000
Animal Control	\$50,000
Family & Youth Services	\$20,000
Council on Aging	\$300,000
Community Affairs	\$20,000
Library	\$20,000

or take any other action relative thereto.

- Pursuant to the Town’s Revolving Fund Bylaw and the provisions of Massachusetts General Laws Chapter 44, Section 53E½, an annual vote is required to establish expenditures limits for the revolving funds. The Recreation Department revolving fund is authorized under Massachusetts General Laws Chapter 44, Section 53D, and does not require annual reauthorization.

MOTION ARTICLE 9: Revolving Funds Authorization of Expenditure Limits Consent - Passed

I move the Town vote to authorize revolving fund annual expenditure limits for Fiscal Year 2022 as shown in the table in the warrant supplement distributed at this Town Meeting.

ARTICLE 10: Appropriations Committee Reserve Fund

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.

MOTION ARTICLE 10: Appropriations Committee Reserve Fund Passed

I move the Town 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.

ARTICLE 11 (CIP): Police – Police Cruiser Replacements (3)

To see if the Town will vote to appropriate the sum of One Hundred Fifty Thousand Dollars (\$150,000) for the use of the Police Department for the purchase of three new police vehicles, and to meet said appropriation the sum of One Hundred Fifty Thousand Dollars (\$150,000) be transferred from Free Cash.

- This Article provides funds for the purchase of three replacement patrol vehicles with three existing vehicles being traded-in. Included in the funding request is the cost of outfitting the vehicles with ancillary equipment.

MOTION ARTICLE 11 (CIP): Police – Police Cruiser Replacements (3) Passed

I move the Town vote to appropriate the sum of One Hundred Fifty Thousand Dollars (\$150,000) for the use of the Police Department for the purchase of three new police vehicles, and to meet said appropriation the sum of One Hundred Fifty Thousand Dollars (\$150,000) be transferred from Free Cash.

ARTICLE 12 (CIP): Fire – Car 3 Pickup Truck Replacement

To see if the Town will vote to appropriate the sum of Eighty Thousand Dollars (\$80,000) for the use of the Fire Department for the purchase of a new one-ton, four-wheel-drive crew cab pickup

truck, and to meet said appropriation the sum of Eighty Thousand Dollars (\$80,000) be transferred from Free Cash.

- This Article provides funds for the replacement of a 2012 one-ton, four-wheel-drive crew cab pickup truck. This vehicle is used for emergency responses, inspections, investigations and fire alarm service. The current pickup will be traded-in.

MOTION ARTICLE 12 (CIP): Fire – Car 3 Pickup Truck Replacement Passed

I move the Town vote to appropriate the sum of Eighty Thousand Dollars (\$80,000) for the use of the Fire Department for the purchase of a new one-ton, four-wheel-drive crew cab pickup truck, and to meet said appropriation the sum of Eighty Thousand Dollars (\$80,000) be transferred from Free Cash.

ARTICLE 13 (CIP): Fire – Car 1 SUV Replacement

To see if the Town will vote to appropriate the sum of Seventy-Six Thousand Dollars (\$76,000) for the use of the Fire Department for the purchase of a new command vehicle, and to meet said appropriation the sum of Seventy-Six Thousand Dollars (\$76,000) be transferred from Free Cash.

- This Article provides funds for the purchase of a new command vehicle which is used by the Fire Chief and is a critical component of the Incident Command System. This new vehicle will replace a 2015 Chevy Tahoe command vehicle, which will be repurposed to replace a 2008 Chevy SUV, which will be traded-in. The command vehicle provides vital communications and reference resources necessary to effective incident command.

MOTION ARTICLE 13 (CIP): Fire – Car 1 SUV Replacement Passed

I move the Town vote to appropriate the sum of Seventy-Six Thousand Dollars (\$76,000) for the use of the Fire Department for the purchase of a new command vehicle, and to meet said appropriation the sum of Seventy-Six Thousand Dollars (\$76,000) be transferred from Free Cash.

ARTICLE 14 (CIP): DPW – Road Improvements and Maintenance

To see if the Town will vote to appropriate the sum of Three Hundred Ten Thousand Dollars (\$310,000) for Road Improvements and Maintenance, and to meet said appropriation the sum of Three Hundred Ten Thousand Dollars (\$310,000) be transferred from Free Cash.

- This Article provides funds in addition to the State’s Chapter 90 transportation funding in order to maintain current road conditions in accordance with the Pavement Management Plan.

MOTION ARTICLE 14 (CIP): DPW – Road Improvements and Maintenance Passed

I move the Town vote to appropriate the sum of Three Hundred Ten Thousand Dollars (\$310,000) for Road Improvements and Maintenance, and to meet said appropriation the sum of Three Hundred Ten Thousand Dollars (\$310,000) be transferred from Free Cash.

ARTICLE 15 (CIP): DPW – One-Ton Dump Truck with Plow Replacement

To see if the Town will vote to appropriate the sum of One Hundred Fifteen Thousand Dollars (\$115,000) for the use of the Department of Public Works for the purchase of a one-ton dump truck with a plow, and to meet said appropriation the sum of One Hundred Fifteen Thousand Dollars (\$115,000) be transferred from Free Cash.

- This Article provides funds for the purchase of a one-ton dump truck with a plow to replace a 2006 one-ton dump truck that has surpassed its useful life. As part of this vehicle replacement, an existing similar vehicle will be repurposed to extend its useful life.

MOTION ARTICLE 15 (CIP): DPW – One-Ton Dump Truck with Plow Replacement Passed

I move the Town vote to appropriate the sum of One Hundred Fifteen Thousand Dollars (\$115,000) for the use of the Department of Public Works for the purchase of a one-ton dump truck with a plow, and to meet said appropriation the sum of One Hundred Fifteen Thousand Dollars (\$115,000) be transferred from Free Cash.

ARTICLE 16 (CIP): DPW – One-Ton Pickup Truck with Plow Replacement

To see if the Town will vote to appropriate the sum of Seventy-Four Thousand Dollars (\$74,000) for the use of the Department of Public Works for the purchase of a one-ton pickup truck with a plow, and to meet said appropriation the sum of Seventy-Four Thousand Dollars (\$74,000) be transferred from Free Cash.

- This Article provides funds for the purchase of a one-ton pickup truck with a plow to replace a 2003 one-ton pickup truck that has surpassed its useful life. As part of this vehicle replacement, an existing similar vehicle will be repurposed to extend its useful life.

MOTION ARTICLE 16 (CIP): DPW – One-Ton Pickup Truck with Plow Replacement Passed

I move the Town vote to appropriate the sum of Seventy-Four Thousand Dollars (\$74,000) for the use of the Department of Public Works for the purchase of a one-ton pickup truck with a plow, and to meet said appropriation the sum of Seventy-Four Thousand Dollars (\$74,000) be transferred from Free Cash.

ARTICLE 17 (CIP): DPW/Water & Sewer – Supervisory Control and Data Acquisition (SCADA) System

To see if the Town will vote to appropriate the sum of Five Hundred Thousand Dollars (\$500,000) for the use of the DPW/Water and Sewer Divisions to fund Phase 2, installation and implementation of the SCADA project, and to meet said appropriation the sum of Five Hundred Thousand Dollars (\$500,000) be raised by transfer from available funds, borrowing or otherwise; or take any action relative thereto.

- This Article provides funds for Phase 2 of the SCADA project, needed to monitor and efficiently manage the Town’s utility infrastructure. Remote features to ensure adequate alarm response are critical to the health and well-being of the residents. Phase 1 entailed the completion of a radio study and assessment in FY2015. In FY2022, Phase 2 will consist of the installation and implementation of the system. The borrowing cost repayment is intended to be split 44%/56% between the Water and Sewer Enterprise Funds.

MOTION ARTICLE 17 (CIP): DPW/Water & Sewer – Supervisory Control and Data Acquisition (SCADA) System Passed

I move the Town vote to appropriate the sum of Five Hundred Thousand Dollars (\$500,000) for funding Phase 2, installation and implementation of the SCADA project for the DPW/Water and Sewer Divisions, including the payment of costs incidental or related thereto; that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$500,000 under Chapter 44 of the General Laws or any other enabling authority; that the Board of Selectmen is authorized to contract for and expend any federal or state aid available for the project; and that the Select Board is authorized to take any other action necessary to carry out this project; and provided that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. chapter 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ARTICLE 18 (CIP): DPW/Water – Reservoir Dam Compliance

To see if the Town will vote to appropriate the sum of Fifty Thousand Dollars (\$50,000) for design and permitting to implement a breach of the Reservoir Dam, and to meet said appropriation the sum of Fifty Thousand Dollars (\$50,000) be raised by transfer from available funds, borrowing or otherwise; or take any action relative thereto.

- This Article provides funds for design and permitting necessary to permanently breach the Reservoir Dam which is owned by the Town and located between Shrewsbury and Boylston and no longer serves a purpose for the Town. This structure is a significant hazard, poor condition dam. The Massachusetts Office of Dam Safety has ordered the

Town to either bring the dam into compliance or permanently breach the dam. The Town has submitted a grant application to fund 75% (\$150,000) of the design and permitting. This FY2022 request is for the remaining 25% (\$50,000) match.

MOTION ARTICLE 18 (CIP): DPW/Water – Reservoir Dam Compliance Passed

I move the Town vote to appropriate the sum of Fifty Thousand Dollars (\$50,000) for design and permitting to breach the Reservoir Dam, including the payment of costs incidental or related thereto; that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$50,000 under Chapter 44 of the General Laws or any other enabling authority; that the Board of Selectmen is authorized to contract for and expend any federal or state aid available for the project; and that the Select Board is authorized to take any other action necessary to carry out this project; and provided that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. chapter 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ARTICLE 19 (CIP): DPW/Water & Sewer – Utility Tractor Replacement

To see if the Town will vote to appropriate the sum of Eighty Thousand Dollars (\$80,000) for the use of the DPW/Water and Sewer Divisions for the purchase of a utility tractor, and to meet said appropriation the sum of Thirty-Two Thousand Dollars (\$32,000) be transferred from Water Enterprise Free Cash and the sum of Forty-Eight Thousand Dollars (\$48,000) be transferred from Sewer Enterprise Free Cash, for a total of Eighty Thousand Dollars (\$80,000).

- This Article provides funds for the purchase of a replacement utility tractor with trailer to be used for water and sewer projects. The cost of the utility tractor is being split 40%/60% between the Water and Sewer Enterprise Funds and will be funded by user fees.

MOTION ARTICLE 19 (CIP): DPW/Water & Sewer – Utility Tractor Replacement Passed

I move the Town vote to appropriate the sum of Eighty Thousand Dollars (\$80,000) for the use of the DPW/Water and Sewer Divisions for the purchase of a utility tractor, and to meet said appropriation the sum of Thirty-Two Thousand Dollars (\$32,000) be transferred from Water Enterprise Free Cash and the sum of Forty-Eight Thousand Dollars (\$48,000) be transferred from Sewer Enterprise Free Cash, for a total of Eighty Thousand Dollars (\$80,000).

ARTICLE 20: Consolidated Personnel Bylaw

To see if the Town will vote to amend the Consolidated Personnel Bylaw as shown in the appendix to this warrant entitled “Article 20 – Consolidated Personnel Bylaw Amendments – 2021 Annual Town Meeting,” a copy of which is viewable on the Town’s website at <https://www.town.northborough.ma.us>.

MOTION ARTICLE 20: Consolidated Personnel Bylaw

Passed

I move the Town vote to amend the Consolidated Personnel Bylaw as shown in the appendix to the warrant entitled “Article 20 – Consolidated Personnel Bylaw Amendments – 2021 Annual Town Meeting,” but with Cable Access Director position classified as Grade E instead of Grade D in Schedule A, section 1-64-340

ARTICLE 21: Stormwater Management and Land Disturbance Bylaw

To see if the Town will vote to amend the Code of the Town of Northborough, by adding a new Chapter 2-60, entitled, "Stormwater Management and Land Disturbance", as shown in the appendix to this warrant) entitled "Article 21 – Stormwater Management and Land Disturbance Bylaw – 2021 Annual Town Meeting," a copy of which is viewable on the Town’s website at <https://www.town.northborough.ma.us>; and vote, pursuant to section 58 of Chapter 40 of the General Laws, to establish and adopt a municipal charges lien for costs incurred by the Town to abate a violation of the Bylaw or perform remediation work, as authorized in section 2-60-110 of the Bylaw, or take any action relative thereto.

- This Article provides for adoption of a bylaw regulating post-construction stormwater runoff for both new and redevelopment projects which involve disturbance of one acre or more of land, and erosion and sediment control and stormwater runoff for construction sites as required by the U. S. Environmental Protection Agency as part of the Federal Stormwater Program.

MOTION ARTICLE 21: Stormwater Management and Land Disturbance Bylaw Passed

I move the Town vote to amend the Code of the Town of Northborough, by adding a new Chapter 2-60, entitled, "Stormwater Management and Land Disturbance", as shown in the appendix to the warrant) entitled "Article 21 – Stormwater Management and Land Disturbance Bylaw – 2021 Annual Town Meeting," a copy of which is viewable on the Town’s website at <https://www.town.northborough.ma.us>; and vote, pursuant to section 58 of Chapter 40 of the General Laws, to establish and adopt a municipal charges lien for costs incurred by the Town to abate a violation of the Bylaw or perform remediation work, as authorized in section 2-60-110 of the Bylaw.

ARTICLE 22: Northborough Wetlands Bylaw – Section 6-04-060 Notice; Hearings

To see if the Town will vote to amend the Town of Northborough Wetlands Bylaw Section 6-04-060 Notice; hearings, by adding the text shown below as underlined, or take any action relative thereto.

6-04-060 Notice; Hearings

A. Any person filing a notice of intention with the Commission at the same time shall give written notice thereof, by certified mail (return receipt requested), hand delivery or by first class mail with

a USPS certificate of mailing, to all direct abutters at their mailing addresses shown on the most recent applicable tax list of the assessors. The notice to abutters shall enclose a copy of the application or request, with plans, or shall state where copies may be examined and obtained by abutters free of charge. An affidavit of the person providing such notice, a copy of the notice mailed or delivered and return receipts shall be filed with the Commission. When a person requesting a determination is other than the owner, the request, the plans, the notice of the hearing and the determination itself shall be sent by the applicant to the owner.

- This amendment will allow for the use of certificates of mailing for abutter notification. The Conservation Commission is proposing this change to make the notice process more convenient, and to reduce the financial burden on applicants, especially homeowners, by removing the requirement to use certified mail with return receipt, which currently costs approximately \$7 per article of mail, compared to approximately \$1.50 for a certificate of mailing.

MOTION ARTICLE 22: Northborough Wetlands Bylaw – Section 6-04-060 Notice; Hearings

Failed

I move the Town vote to amend the Town of Northborough Wetlands Bylaw Section 6-04-060 Notice; hearings, by adding the text shown as underlined, as set forth in the Warrant.

ARTICLE 23: Community Preservation Fund – Pickleball Courts at Ellsworth McAfee Park

To see if the Town will vote to appropriate the sum of Two Hundred Ninety Thousand Two Hundred Fifty Dollars (\$290,250), or any other sum, from the Community Preservation Fund revenues to the Northborough Department of Public Works and the Northborough Parks and Recreation Department, for the construction of six outdoor pickleball courts at Ellsworth McAfee Park, or take any other action relative thereto.

- This Article would fund the construction of six outdoor pickleball courts at the Ellsworth McAfee Park, including site preparation and installation of drainage, landscaping and fencing.

MOTION ARTICLE 23: Community Preservation Fund – Pickleball Courts at Ellsworth McAfee Park

Passed

I move the Town vote to appropriate the sum of Two Hundred Ninety Thousand Two Hundred Fifty Dollars (\$290,250) from the Community Preservation Fund revenues to the Northborough Department of Public Works and the Northborough Parks and Recreation Department, for the construction of six outdoor pickleball courts at Ellsworth McAfee Park.

ARTICLE 24: Community Preservation Fund –Exterior painting and cleaning of building located at 52 Main Street

To see if the Town will vote to appropriate the sum of Twenty Thousand Dollars (\$20,000), or any other sum, from the Community Preservation Historic Reserve Fund to the Northborough Historical Society for painting and cleaning of the exterior of the building located at 52 Main Street, or take any other action relative thereto.

- This work will include painting the exterior of the building; washing, removing mold and dirt; and cleaning debris from gutters and downspouts.

MOTION ARTICLE 24: Community Preservation Fund –Exterior painting and cleaning of building located at 52 Main Street Passed

I move the Town vote to appropriate the sum of Twenty Thousand Dollars (\$20,000) from the Community Preservation Historic Reserve Fund to the Northborough Historical Society for painting and cleaning of the exterior of the building located at 52 Main Street.

ARTICLE 25: Community Preservation Fund – Conservation Fund

To see if the Town will vote to appropriate the sum of Four Hundred Thousand Dollars (\$400,000), or any other sum, from the Community Preservation Unreserved Fund and transfer said amount to the Conservation Fund for future open space preservation or acquisitions, or take any other action relative thereto.

- This Article would deposit and set aside funds in the Conservation Fund for future open space preservation or acquisitions. The Conservation Fund is managed by the Conservation Commission with assistance from the Open Space Committee.

MOTION ARTICLE 25: Community Preservation Fund – Conservation Fund Passed

I move the Town vote to appropriate the sum of Four Hundred Thousand Dollars (\$400,000) from the Community Preservation Unreserved Fund and transfer said amount to the Conservation Fund for future open space preservation or acquisitions.

ARTICLE 26: Community Preservation Fund – Affordable Housing Reserve

To see if the Town will vote to appropriate the sum of Sixty-Five Thousand Two Hundred Dollars (\$65,200), or any other sum, from the Community Preservation Fund revenues and place said amount in the Community Preservation Affordable Housing Reserve Fund, or take any other action relative thereto.

- This Article would set aside funds for the future creation of affordable housing.

MOTION ARTICLE 26: Community Preservation Fund – Affordable Housing Reserve Passed

I move the Town vote to appropriate the sum of Sixty-Five Thousand Two Hundred Dollars (\$65,200) from the Community Preservation Fund revenues and place said amount in the Community Preservation Affordable Housing Reserve Fund.

ARTICLE 27: Community Preservation Fund – White Cliffs Debt Service

To see if the Town will vote to appropriate the sum of Two Hundred Three Thousand Seven Hundred Eighty Dollars (\$203,780), or any other sum, from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for Fiscal Year 2022 debt service and expenses associated with the acquisition of the property at 167 Main Street, or take any other action relative thereto.

- This Article funds the fourth debt service payment associated with the purchase of the White Cliffs facility at 167 Main Street.

MOTION ARTICLE 27: Community Preservation Fund – White Cliffs Debt Service Passed

I move the Town vote to appropriate the sum of Two Hundred Three Thousand Seven Hundred Eighty Dollars (\$203,780) from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for Fiscal Year 2022 debt service and expenses associated with the acquisition of the property at 167 Main Street.

ARTICLE 28: Community Preservation Fund – CPA Administration

To see if the Town will vote to appropriate the sum of Thirty-Two Thousand Six Hundred Dollars (\$32,600), 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 2022, or take any other action relative thereto.

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

MOTION ARTICLE 28: Community Preservation Fund – CPA Administration Passed

I move the Town vote to appropriate the sum of Thirty-Two Thousand Six Hundred Dollars (\$32,600) 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 2022.

ARTICLE 29: Zoning Bylaw – Section 7-03-080.C, Enforcement – Penalty for Violation

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-03-080.C, Enforcement – Penalty for Violation, by adding the text shown below as underlined, or take any action relative thereto.

7-03-080.C, Enforcement – Penalty for Violation

C. Penalty for violation. Any person, firm or corporation who violates or refuses to comply with any applicable provision of this bylaw shall be fined a sum not to exceed three hundred dollars (\$300.00) for each such violation. This bylaw may be enforced by the non-criminal disposition method under MGL C. 40, § 21D, as set forth in section 1-04-020 of the Town Code, in which case the penalties shall be as follows: first violation - \$50, second violation - \$100, third and subsequent violations - \$300. Each day that any violation is permitted to exist after written notification thereof by the Building Inspector/Zoning Enforcement Officer shall constitute a separate offense. The town shall be the beneficiary of all fines and penalties paid, including the costs of prosecuting any legal action if allowable by law.

MOTION ARTICLE 29: Zoning Bylaw – Section 7-03-080.C, Enforcement – Penalty for Violation Passed

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-03-080.C, Enforcement – Penalty for Violation, by adding the text shown as underlined, as set forth in the Warrant.

ARTICLE 30: Zoning Bylaw – Section 7-05-010, General Provisions

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-010 G. by adding the text shown below as underlined or take any action relative thereto.

G. Prohibited uses.

(4) All uses that pose a present or potential hazard to human health, safety, welfare, or the environment through emission of smoke, particulate matter, noise or vibration, or through fire or explosive hazard, or glare are expressly prohibited in all zoning districts. In addition, the following uses are expressly prohibited in all zoning districts:

- a) Abattoir and commercial slaughtering.
- b) Manufacturing and storage of corrosive, poisonous or malodorous acids and chemicals.
- c) Cement, lime, gypsum, and plaster-of-Paris manufacture.
- d) Fertilizer manufacture or fat rendering in manufacture of tallow, grease, and oils.
- e) Glue, size, and gelatin manufacture.
- f) Petroleum and kerosene refining or distillation and derivation of by-products.
- g) Smelting and reduction of metals or ores.

- h) Asphalt plants.
- i) Concrete batch plants.
- j) Reclamation and reprocessing of asphalt and/or concrete.
- k) Lumber mills.
- l) Raising and breeding of fur bearing animals.
- m) Yard for storage and sale of used building and junk materials
- n) Self-storage facility

No use variance shall be granted for any prohibited use set forth in this subsection, within any zoning district in the Town of Northborough. Nothing in this Zoning Bylaw shall prohibit or regulate any use in contravention of M.G.L. c. 40A, sec. 3 or any other applicable state or federal law.

MOTION ARTICLE 30: Zoning Bylaw – Section 7-05-010, General Provisions Passed

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-010 G. by adding the text shown as underlined, as set forth in the Warrant but with modifications to clauses (4)(a), (4)(d), and (4)(m) as shown in **bold** in the Warrant supplement distributed at this Town Meeting. [shown below]

G. Prohibited uses.

(4) All uses that pose a present or potential hazard to human health, safety, welfare, or the environment through emission of smoke, particulate matter, noise or vibration, or through fire or explosive hazard, or glare are expressly prohibited in all zoning districts. In addition, the following uses are expressly prohibited in all zoning districts:

- a) Abattoir and commercial slaughtering **of animals.**
- b) Manufacturing and storage of corrosive, poisonous or malodorous acids and chemicals.
- c) Cement, lime, gypsum, and plaster-of-Paris manufacture.
- d) Fertilizer manufacture **or fat rendering in manufacture of tallow, grease, and oils.**
- e) Glue, size, and gelatin manufacture.

- f) Petroleum and kerosene refining or distillation and derivation of by-products.
- g) Smelting and reduction of metals or ores.
- h) Asphalt plants.
- i) Concrete batch plants.
- j) Reclamation and reprocessing of asphalt and/or concrete.
- k) Lumber mills.
- l) Raising and breeding of fur bearing animals.
- m) ~~Yard for storage and sale of used building and junk materials Junkyard or automobile graveyard.~~
- n) Self-storage facility

No use variance shall be granted for any prohibited use set forth in this subsection, within any zoning district in the Town of Northborough. Nothing in this Zoning Bylaw shall prohibit or regulate any use in contravention of M.G.L. c. 40A, sec. 3 or any other applicable state or federal law.

ARTICLE 31: Zoning Bylaw – Section 7-05-020, Classification of uses

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020.I(6)(c), Contractor’s yard, by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

(c) Contractor’s yard: ~~Lumber yard, construction contractor’s yard or other open-air establishment for the storage, distribution, or sale at wholesale or retail of materials (but not including salvage materials), merchandise, products or equipment, fabrication of sub-assemblies, or parking of wheeled equipment~~ yards including administrative office and structures used by a builder, contractor, subcontractor, landscaper, tradesman, or similar business dedicated to the storage of their vehicles, equipment, machinery, tools, materials and fabrications; provided, that all operations shall be such as to confine to the premises disturbing dust, noise, odors, or other objectionable effects; and provided further, that such use is not hazardous by reason of the potential for fire, explosion, radiation release or other casualty. All outside storage and parking of trucks, equipment and dumpsters shall be screened from view from the street and abutting properties by fences or plantings in perpetuity. Storage of salvage materials is prohibited.

MOTION ARTICLE 31: Zoning Bylaw – Section 7-05-020, Classification of uses Passed

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020.I(6)(c), Contractor’s yard, by deleting the text shown in strikethrough and adding the text shown as underlined, as set forth in the Warrant but with the modifications shown in **bold** in the Warrant supplement distributed at this Town Meeting. [shown below]

(c) Contractor’s yard: ~~Lumber yard, construction contractor’s yard or other open air establishment for the storage, distribution, or sale at wholesale or retail of materials (but not including salvage materials), merchandise, products or equipment, fabrication of sub-assemblies, or parking of wheeled equipment~~ Yards including administrative office and structures used by a builder, contractor, subcontractor, landscaper, tradesman, or similar business dedicated to the storage of their vehicles, equipment, machinery, tools, materials and fabrications, **and sales of their materials, products and services;** provided, that all operations shall be such as to confine to the premises ~~disturbing~~ **disturbing** dust, noise, odors, or other objectionable effects; and provided further, that such use is not hazardous by reason of the potential for fire, explosion, radiation release or other casualty. All outside storage and parking of trucks, equipment, **materials, salvage materials, and dumpsters shall be screened from view from the street and abutting properties by fences or plantings in perpetuity. **Storage of salvage materials is prohibited.****

ARTICLE 32: Zoning Bylaw – Section 7-05-030, Table of Uses, Table 1, Part A

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 A. Residential Districts, by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part A. Residential Districts

USES	RA	RB	RC	GR	MSR	DN
Accessory Uses						
Accessory dwelling unit	BA <u>Y</u>	BA <u>Y</u>	Y	Y	Y	Y

MOTION ARTICLE 32: Zoning Bylaw – Section 7-05-030, Table of Uses, Table 1, Part A Passed

I move the Town 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 A. Residential Districts, by deleting the text shown in strikethrough and adding the text shown as underlined, as set forth in the Warrant.

ARTICLE 33: Zoning Bylaw – Section 7-05-030, Table of Uses, Table 1, Part B

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 below as underlined, or take any action relative thereto.

Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part B. Commercial and Industrial Districts

USES	DB	BE	BW	BS	HB	I
Trade						
Wholesale trade	N	N	BA <u>N</u>	BA <u>N</u>	¥ <u>BA</u>	¥ <u>PB</u>

MOTION ARTICLE 33: Zoning Bylaw – Section 7-05-030, Table of Uses, Table 1, Part B

I move the Town vote to pass over this Article.

Passed

ARTICLE 34: Zoning Bylaw – Section 7-05-030, Table of Uses, Table 1, Part B

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 below as underlined, or take any action relative thereto.

Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part B. Commercial and Industrial Districts

USES	DB	BE	BW	BS	HB	I
Other Business Uses						
Commercial storage facility	N	N	BA <u>N</u>	BA	N	PB

MOTION ARTICLE 34: Zoning Bylaw – Section 7-05-030, Table of Uses, Table 1, Part B **Passed**

I move the Town 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 in strikethrough and adding the text shown as underlined, as set forth in the Warrant.

ARTICLE 35: Zoning Bylaw – Section 7-07-010, Groundwater Protection Overlay District, C. Establishment and delineation

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-07-010.C(5) by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

C(5) The special permit granting authority shall be the Zoning Board of Appeals, except that for wireless communication facilities applications, two-family dwelling unit applications, or any applications in the Industrial District, the special permit granting authority shall be the Planning Board. The special permit granting authority shall hear and act upon all cases of appeal and petitions for special permits which are brought under this chapter. The special permit granting authority shall, within five (5) business days of receipt of application or filing, forward to the Groundwater Advisory Committee (consisting of one (1) member each or one (1) designee each from the Board of Selectmen, Conservation Commission, Board of Health, Planning Board, and Water/Sewer Commission) five (5) copies of said application or filing. Within sixty-five (65) days of receipt of application or filing, the special permit granting authority shall hold a public hearing. Prior to the public hearing, ~~Within twenty-one (21) days following the public hearing~~, the Groundwater Advisory Committee shall report its findings and recommendations to the special permit granting authority. The special permit granting authority shall render its decision within ninety (90) days of the public hearing.

MOTION ARTICLE 35: Zoning Bylaw – Section 7-07-010, Groundwater Protection Overlay District, C. Establishment and delineation Passed

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-07-010.C(5) by deleting the text shown in strikethrough and adding the text shown as underlined, as set forth in the Warrant.

ARTICLE 36: Zoning Bylaw – Section 7-07-010, Groundwater Protection Overlay District, D. Use regulations

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-07-010.D((4)(b) and (e) by deleting the text shown below in strikethrough and adding the text shown as underlined, or take any action relative thereto.

(b) Each application for a special permit shall be filed with the Town Clerk for transmittal to the special permit granting authority and shall be accompanied by nine (9) copies of the plan (minimum scale of one (1) inch equal to one hundred (100) feet). ~~Such special permit shall be granted if the special permit granting authority determines that the intent of this chapter as well as its specific criteria are met. In making such determination, special permit granting authority shall give consideration to the simplicity, reliability and feasibility of the control measures proposed and the degree of threat to water quality which would result if the control measures failed.~~

(e) After notice and public hearing and after coordinating, clarifying and weighing the comments and recommendations of the Groundwater Advisory Committee, the special permit granting authority may grant ~~such~~ a special permit in accordance with section 7-03-040 and meeting the following additional criteria: provided, that it finds that the proposed use:

- [1] Meets the purpose and intent of this chapter and will not derogate from the purpose of the Groundwater Protection Overlay Districts.
- [2] Will not, during construction or thereafter, impair ambient groundwater quality or reduce existing recharge capacity beyond that allowed per this chapter.
- [3] Will not adversely affect the quality or the yield of an existing or potential water supply.

In making its determination, the special permit granting authority shall give consideration to the simplicity, reliability and feasibility of the control measures proposed and the degree of threat to water quality which would result if the control measures failed.

MOTION ARTICLE 36: Zoning Bylaw – Section 7-07-010, Groundwater Protection Overlay District, D. Use regulations Motion Failed (80 yes, 71 no – 2/3rds required)

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-07-010.D(4)(b) and (e) by deleting the text shown in strikethrough and adding the text shown as underlined, as set forth in the Warrant.

ARTICLE 37: Zoning Bylaw – 7-08-010 Applicability and 7-08-020 Special permit required

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Chapter 7-08 Nonconforming Uses and Structures, Sections 7-08-010.A and 7-08-020.A, by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

7-08-10 Applicability

- A. This bylaw shall not apply to structures or uses lawfully in existence begun, or to a building or special permit issued, before the first publication of notice of the public hearing required by MGL C. 40A sec. 5 at which this bylaw or any relevant part thereof was adopted. Such prior, lawfully existing nonconforming uses and structures may continue to the same extent and for the same purpose; provided, that no modification, extension or alteration of the use or structure is accomplished except as authorized hereunder.

7-08-20 Special permit required

- A. The Zoning Board of Appeals may grant a special permit to ~~change~~ extend or alter a nonconforming use in accordance with this section only if it determines that such ~~change or extension or alteration~~ is for a similar or less nonconforming ~~detrimental~~ use, and that it will not be substantially more detrimental than the existing nonconforming use to the neighborhood. ~~In~~ making such determination the Zoning Board of Appeals shall consider whether the proposed use is different in character or in its effect on the neighborhood or on the property in the vicinity.

MOTION ARTICLE 37: Zoning Bylaw – 7-08-010 Applicability and 7-08-020 Special permit required Passed

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Chapter 7-08 Nonconforming Uses and Structures, Sections 7-08-010.A and 7-08-020.A, by deleting the text shown in strikethrough and adding the text shown as underlined, as set forth in the Warrant.

ARTICLE 38: Property Tax Exemption for Gold Star Parents

To see if the Town will vote to accept the provisions of M.G.L c. 59, § 5, Clause Twenty-second H (inserted by Chapter 218 of the Acts of 2018, known as An Act Relative to Veterans’ Benefits, Rights, Appreciation, Validation, and Enforcement (“BRAVE Act”)), signed into law August 28, 2018, which provides for a property tax exemption for real estate as follows: to the full amount of the taxable valuation of the real property of the surviving parents or guardians of soldiers and sailors, members of the National Guard and veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veterans Affairs or a branch of the armed forces that was a proximate cause of their death; (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the Armed Forces of the United States; provided, however, that the real estate shall be occupied by the surviving parents or guardians as the surviving parents’ or guardians’ domicile; and provided further that the surviving parents or guardians shall have been domiciled in the Commonwealth for the 5 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or veteran was domiciled in the Commonwealth for not less than 6 months before entering service.

Surviving parents or guardians eligible for an exemption pursuant to this clause shall be eligible regardless of when the soldier or sailor, member of the National Guard or veteran died or became missing in action with a presumptive finding of death; provided, however, that the exemption shall only apply to tax years beginning on or after January 1, 2019. Such exemption shall be available until such time as the surviving parents or guardians are deceased. No real estate shall be so exempt which has been conveyed to the surviving parents or guardians to evade taxation.

- Acceptance of this clause by the Town creates a new real estate tax exemption to the full amount of the taxable valuation of real property of the surviving parents or guardians of a

soldier, sailor, member of the National Guard, or veteran, who dies while on active duty or is missing in action and presumed dead. The Town will not receive any amount of reimbursement from the Commonwealth for each exemption under this clause if it is accepted.

MOTION ARTICLE 38: Property Tax Exemption for Gold Star Parents Motion Failed

I move the Town vote to accept the provisions of M.G.L c. 59, § 5, Clause Twenty-second H (inserted by Chapter 218 of the Acts of 2018, known as An Act Relative to Veterans’ Benefits, Rights, Appreciation, Validation, and Enforcement (“BRAVE Act”)).

ARTICLE 39: Compression Brake Prohibition Bylaw

To see if the Town will vote to amend Part 2 of the Northborough Town Code, Chapter 2-44 Peace and Good Order, by adding the text shown below as underlined, or take any other action relative thereto.

2-44-130 Compression Brake Use Restricted

No operator of a diesel truck shall use an engine brake, compression brake, dynamic brake or mechanical exhaust device, also known as exhaust or Jake braking, designed to assist in deceleration or braking, except for emergency use, while operating a vehicle on a public way, or designated portion of a public way, in the Town, where such use is prohibited by a traffic rule or regulation issued by the Board of Selectmen after a public hearing. Whoever violates this bylaw shall be punished by a fine of \$100 for the first offense and \$300 for second and subsequent offenses. The owner of the vehicle may be cited in lieu of the operator.

MOTION ARTICLE 39: Compression Brake Prohibition Bylaw

Passed

I move the Town vote to amend Part 2 of the Northborough Town Code, Chapter 2-44 Peace and Good Order, by adding the text shown as underlined, as set forth in the Warrant.

ARTICLE 40: Reports Passed Over

1:29pm motion made to dissolve the meeting

Motion Passed

Attendance 5/01/2021: 191

Total Registered Voters: 11,734

A True Copy Attest:

Andrew T. Dowd

**Andrew T. Dowd,
Town Clerk**