

**TOWN OF NORTHBOROUGH  
ANNUAL TOWN MEETING WARRANT  
APRIL 23, 2007**

At the Annual Town Meeting duly called and held in the ALGONQUIN REGIONAL HIGH SCHOOL, 79 Bartlett Street, Northborough, MA on MONDAY, the TWENTY-THIRD day of April 2007 at 7:30 p.m. to act on the following warrant articles which were voted on in a legal manner.

Quorum Required: 100 voters  
Voters Present: 382 voters

Checkers:

Robbie Powers  
  
Nancy Cassacelli  
Doris Crossman  
Pauline Brodeur  
Gen Earle  
Maureen Walker  
Nancy Hart  
Adele Beatty  
Joan Bonazoli  
Al Bonazoli

Tellers:

Terry Crean  
Nancy McNamara  
Larry Beatty  
Virginia George  
Claire Swan  
Nancy Jones

The Town Moderator, Frederick A. George Jr. called the meeting to order at 7:36 pm.

Moderator George led the audience in the pledge of allegiance. The Rev. Stephen Georgeson of the Rice Memorial Baptist Church gave the invocation.

Moderator George outlined the guidelines of Town Meeting for new members and veteran members. He also outlined the boundaries of the gym to include all of the floor area.

The Selectman awarded certificates of appreciation to the following people because of their dedication to the community.

- Jeff Ward  
Cable Television Advisory Committee – 3 yrs.
- Emily Cheng  
Community Affairs Committee – 3 yrs.
- Nicole Harding

Community Affairs Committee – 5 yrs.

- Paula Moore  
Council on Aging – 7 yrs.
- Frederick Mottle  
Board of Health – 24 yrs.
- Jacqueline Teeven  
Library Trustees – 7 yrs.
- Martin Murphy  
Parks & Recreation Commission – 12 yrs.
- Jason Schaufeld  
Youth Commission – 3 yrs.

The Selectman also recognized the following employees who have retired from the town during the past year and publicly thanked them for their years of service.

- Paul Desautels  
Firefighter – 40 yrs.
- John Schunder  
DPW Director – 25 yrs.
- Frank Mueller  
Police Sergeant – 30 yrs.

Moderator George read the receipt of the return of the posting of the warrant for the Annual Town Meeting by the Constable.

Selectman Dawn Rand Moved that the town vote to waive the reading of the Annual Town Meeting Warrant.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

#### **ARTICLE 1**

Dawn Rand, Selectman Moved that the Town vote to ratify the appointment by the Moderator of Kathleen Polanowicz as Deputy Moderator, as provided by Article II, Section 2-2 of the Northborough Home Rule Charter.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

#### **ARTICLE 2**

Dawn Rand, Selectman Moved that the Town will vote to authorize the Treasurer, with the approval of the Selectman, to enter into a Compensating Balance Agreement or Agreements pursuant to Massachusetts General Laws, Chapter 44, Section 53F, if necessary.

Treasurer/Collector June Hubbard-Ward made a brief presentation.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 3**

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 act in any way 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.

Barry Brenner, Town Administrator Moved that the town **pass over** this article as there are no outstanding bills.

4/5 vote required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 4**

Barry Brenner, Town Administrator Moved that the Town vote to raise and appropriate and transfer from available funds the sum of Fourteen Million One Hundred Eighty Two Thousand Eighty Dollars (\$14,182,080) for Town Government as displayed below, and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Expendable Trust Fund Income (Cemetery)	\$	39,193
Transfer from Cemetery Trust Fund for		
Equipment Purchase	\$	5,500
Conservation Commission Fees	\$	6,000
Transfer from Police Revolving Account	\$	102,500
Transfer from Fire Emergency Medical		
Services Revolving Account	\$	62,175
Transfer from Fire Detail Account	\$	15,000
Transfer from Recreation Revolving Account	\$	67,346
Transfer from Dog Control Revolving Account	\$	15,000
Overlay Surplus	\$	40,000
Free Cash		\$1,000,000

for a total of One Million Three Hundred Fifty Two Thousand Seven Hundred Fourteen Dollars (\$1,352,714), and that the sum of Twelve Million Eight Hundred Twenty Nine Thousand Three Hundred Sixty Six Dollars (\$12,829,366) be raised by taxation.

Barry Brenner, Town Administrator gave a detailed presentation on the budget. Appropriations Committee recommended approval.

Some debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 5**

Leslie Rutan, Selectman, Moved that the Town vote to raise and appropriate and transfer from available funds the sum of Three Million Five Hundred Seventy One Thousand Forty Two Dollars (\$3,571,042) 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	\$ 75,000
Sewer Fund Free Cash	\$180,000

for a total of Two Hundred Fifty Five Thousand Dollars (\$255,000) and that the sum of Three Million Three Hundred Sixteen Thousand Forty Two Dollars (\$3,316,042) be financed from Water/Sewer and Solid Waste Revenues.

Water Fund	\$1,721,548
Sewer Fund	\$1,079,414
Solid Waste	<u>\$ 770,080</u>
	\$3,571,042

Presentations made by Barry Brenner, Town Administrator, Kara Buzanoski, DPW Director, and Fred Litchfield, Town Engineer.

Appropriations Committee recommends approval.

Some debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 6**

Nancy Berglund, Northborough School Committee, Moved that the Town vote to raise and appropriate by taxation the sum of Sixteen Million Four Hundred Eighty Six Thousand Two Hundred Fifty Nine Dollars (\$16,486,259) for the operation of the Northborough Public Schools.

Presentation by acting School Superintendent Dr. Charles Gobron.

Appropriations Committee recommends approval.

Brief debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

## **ARTICLE 7**

Nancy Berglund, Northborough School Committee, Moved that the Town vote to raise and appropriate by taxation the sum of Fifty Thousand Dollars (\$50,000) for the operation of the Northborough Public Schools provided, however, that no sums for this purpose shall be expended unless and until the Town shall have voted to assess taxes in excess of the amount allowed pursuant to the provisions of Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2½).

- Override to Proposition 2½ to fund the Northborough K-8 Schools.

Presentations made by Dr. Charles Gobron, acting School Superintendent and Barry Brenner, Town Administrator.

Brief debate

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

## **ARTICLE 8**

Shirley Lundberg, Northborough/Southborough Regional School Committee Moved that the Town 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 Nine Million Four Hundred Fifty Seven Thousand Seven Hundred Thirty Five Dollars (\$9,457,735).

Presentation by acting School Superintendent Dr. Charles Gobron.  
Appropriations Committee recommends approval.

Brief Debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

## **ARTICLE 9**

Michael Casaceli, Assabet Valley Regional School Committee, Moved that the Town vote to raise and appropriate by taxation Northborough's share of the assessment for the operation of the Assabet Valley Regional Vocational School District, the sum of Six Hundred Ninety Seven Thousand Three Hundred Ninety Five Dollars (\$697,395).

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

## **ARTICLE 10**

Michelle Rehill, Library Trustee, Moved that the Town 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 Chapter 139, of the Acts of 2006, to be used by the Library Trustees for books, automation costs, or in any way that they may benefit the library, and to apply for State aid for the coming fiscal year.

Presentation by Michelle Rehill, Library Trustee.  
Appropriations Committee recommends approval.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 11**

William Pantazis, Selectman, Moved that the Town vote to authorize the Selectman 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.

Presentation made by Barry Brenner, Town Administrator.  
Appropriations Committee recommends approval.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 12**

Barry Brenner, Town Administrator Moved that the Town vote to combine Articles 13 through 19 as follows:

Article 13 Reauthorizes Fire Department Revolving Fund Accounts;

Article 14 Reauthorizes Police Department Revolving Fund Accounts;

Article 15 Reauthorizes Dog Officer Revolving Fund Accounts;

Article 16 Reauthorizes Community Affairs Committee Revolving Fund Accounts;

Article 17 Reauthorizes Family and Youth Services Department Revolving Fund Accounts;

Article 18 Reauthorizes Council on Aging Revolving Fund Accounts;

Article 19 Reauthorizes Applefest Committee Revolving Fund Accounts;

And in so voting that the Town vote to establish and/or reauthorize revolving fund accounts as stated in Articles 13 through 19 of the Warrant, said revolving accounts being authorized to and for the use of the Fire Department, Police Department, Dog Officer, Community Affairs Committee, Family and Youth Services Department, Council on Aging and Applefest 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 these revolving accounts be reauthorized annually

Barry Brenner, Town Administrator made a presentation.  
Appropriations Committee recommends approval.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 13**

To see if the Town will vote to reauthorize revolving accounts 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/EMS and rescue maintenance; 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 revolving fund accounts for the purposes enumerated in this Article. Under this statute, these revolving accounts must be reauthorized annually.

**ARTICLE 14**

To see if the Town will vote to reauthorize revolving fund accounts authorized to and for the use of the Northborough Police Department for the receipt of the Town's share of traffic enforcement fines and payment of expenses associated with traffic/radar enforcement; pursuant to Massachusetts General Laws, Chapter 44, Section 53E½.

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

**ARTICLE 15**

To see if the Town will vote to reauthorize revolving fund accounts authorized to and for the use of the Department of the Northborough Dog Officer for the receipt of dog license fees and related fines which sums shall be utilized to support the Dog Officer's expenditures; 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 Dog Officer to maintain revolving fund accounts for the purpose enumerated in this Article. Under this statute, such revolving accounts must be reauthorized annually.

**ARTICLE 16**

To see if the Town will vote to reauthorize revolving fund accounts 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; 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 revolving fund accounts for the purpose enumerated in this Article. Under this statute, such revolving fund accounts must be reauthorized annually.

**ARTICLE 17**

To see if the Town will vote to reauthorize revolving fund accounts authorized to and for 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; 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 revolving fund accounts for the purpose enumerated in this Article. Under this statute, such revolving fund accounts must be reauthorized annually.

#### **ARTICLE 18**

To see if the Town will vote to reauthorize revolving fund accounts authorized to and for 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; 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 revolving fund accounts for the purpose enumerated in this Article. Under this statute, such revolving fund accounts must be reauthorized annually.

#### **ARTICLE 19**

To see if the Town will vote to reauthorize revolving fund accounts authorized to and for the Applefest Committee for the receipt of income, gifts and donations and any other monies and for expenditure in connection with its related expenses; pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E½.

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

#### **ARTICLE 20**

Frances Bakstran, Selectman Moved that the Town vote to appropriate the sum of One Million Seven Hundred Thousand Dollars (\$1,450,000) for the use of the Northborough Free Library for expansion, construction, renovation, furnishing and equipping of the Library and any associated costs, including design services; and to meet said appropriation, the sum of One Million Four Hundred Fifty Thousand Dollars (\$1,450,000) be raised by borrowing in accordance with the provisions of Massachusetts General Laws, Chapter 44, Sections 7(3A), 7(21) or 7(22), or any other enabling authority, and the Treasurer, with the approval of the Selectman, be authorized to issue bonds or notes therefor; subject to the condition that the Town shall have voted at an election to exempt the amounts required to pay for such bonds or notes from the provisions of Proposition 2½.

- Funds to complete Library Expansion/Renovation Project approved at 2000 Annual Town Meeting (Article 37) subject to receipt of State Grant. State Grant award not received until 2004. Construction costs have increased significantly since 2000. Escalation costs on construction have averaged 10% annually in recent years at a pace beyond the rate that private fundraising can match.

Presentation made by Library Trustees Michelle Rehill and Richard Tucker.

Appropriations Committee gave no recommendation.  
Financial Planning Committee recommends approval.  
No debate.



2/3 vote required

**I declare the motion carries by the required 2/3 vote.**

Request reconsideration for the purpose of locking in the vote.

Motion to reconsider does not pass.

#### **ARTICLE 21**

Dawn Rand, Selectman Moved that the Town vote to raise and appropriate the sum of Four Hundred Ninety Five Thousand Dollars (\$495,000) for the use of the Northborough Senior Center for architectural design, with related engineering or other work that may be required for a new Senior Center, and to meet said appropriation, the sum of Four Hundred Ninety Five Thousand Dollars (\$495,000) be raised by borrowing in accordance with the provisions of Massachusetts General Laws, Chapter 44, Sections 7(21) or 7 (22), or any other enabling authority, and the Treasurer, with the approval of the Selectman, be authorized to issue bonds or notes therefor; subject to the condition that the Town shall have voted at an election to exempt the amounts required to pay for such bonds or notes from the provisions of Proposition 2½.

Presentation made by Senior Center building committee members; Jeff Leland and Jerry Anderson, along with Senior Center Director Kelly Burke

Appropriations Committee recommends approval.

Financial Planning Committee recommends approval.

Lots of debate.

2/3 vote required

**I declare the motion carries by the required 2/3 vote.**

Motion to reconsider for the purpose of locking in the vote.

Motion to reconsider does not pass.

#### **ARTICLE 22**

Barry Brenner, Town Administrator Moved that the Town vote to accept Buckhill Road, Stirrup Brook Lane and Jenkins Drive as public ways in accordance with the layouts on file in the office of the Town Clerk, and to place these streets on the Official Town Map, and to authorize the Selectman to accept or take by eminent domain deeds or easements for such public ways.

Presentation made by Town Engineer Fred Litchfield.

Planning Board recommends approval.

No debate

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

### **ARTICLE 23**

Kara Buzanoski, DPW Director Moved that the Town vote to appropriate the sum of Two Hundred Thirty Thousand Dollars (\$230,000) for the design and construction of improvements to the Town Water Tanks, and to meet said appropriation, the sum of Two Hundred Thirty Thousand Dollars (\$230,000) be raised by borrowing, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 8(3A) or 8(4), or any other enabling authority, and the Treasurer, with the approval of the Selectman, be authorized to issue bonds or notes therefor.

- Repairs and improvements to Water Tanks at Assabet Hill and Edmund Hill. The cost of this Project will be financed by Water Fund fees and charges.

Presentation made by DPW Director Kara Buzanoski  
Appropriations Committee recommends approval  
Financial Planning Committee recommends approval

2/3 vote required

**I declare the motion carries by the required 2/3 vote.**

### **ARTICLE 24**

Kara Buzanoski, DPW Director Moved that the Town vote to appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000) for the design and construction of sewers, and to meet such appropriation, the sum of Two Hundred Fifty Thousand Dollars (\$250,000) be raised by borrowing, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 8(15) or any other enabling authority, and the Treasurer, with the approval of the Selectman, be authorized to issue bonds or notes therefor.

- This Project provides for the final design and construction of sewers for Milk Porridge, Sunset and Brigham Streets. The cost of this Project will be financed by Sewer Fund fees and charges.

Presentation made by Kara Buzanoski, DPW Director.  
Appropriations Committee recommends approval  
Financial Planning Committee recommends approval

Considerable debate.

2/3 vote required

**I declare the motion carries by the required 2/3 vote.**

### **ARTICLE 25**

Leslie Rutan, Selectman Moved that the Town vote to appropriate the sum of One Hundred Ninety Thousand Dollars (\$190,000) for the use of the Northborough Fire Department to purchase departmental equipment to replace the 1998 Ambulance and related equipment, and to meet said appropriation, the sum of One Hundred Ninety Thousand Dollars (\$190,000) be raised by borrowing, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 7(9), or any other enabling authority, and the Treasurer, with the approval of the Selectman, be authorized to issue bonds or notes therefor.

- This Article provides funds for the replacement of the 1998 Ambulance. The debt service on the bonds for the Ambulance will be paid by the EMS Revolving Account. The EMS Revolving Account is funded by Ambulance Service fees and charges.

Presentation made by Fire Chief David Durgin.  
Appropriations Committee recommends approval.  
Financial Planning Committee recommends approval

No debate

2/3 vote required

**I declare the motion carries by the required 2/3 vote.**

#### **ARTICLE 26**

Barry Brenner, Town Administrator Moved that the Town vote to raise and appropriate the sum of One Hundred Twenty Thousand Dollars (\$120,000) to provide improvements to the Geographic Information System, and to meet said appropriation, the sum of One Hundred Twenty Thousand Dollars (\$120,000) be raised by borrowing in accordance with the provisions of Massachusetts General Laws, Chapter 44, Sections 7(9), 7(28) or 7(29), or any other enabling authority, and the Treasurer, with the approval of the Selectman, be authorized to issue bonds or notes therefor.

- This Project is to provide an update to the aerial photography taken in 1997 when the Geographic Information System was initiated.

Presentation made by David Kane MIS/GIS Director.

Appropriations Committee recommends approval.  
Financial Planning Committee recommends approval.

Some debate.

2/3 vote required

**I declare the motion carries by the required 2/3 vote.**

11:05pm Motion made to adjourn the meeting.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

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**Adjourned Session**  
**Tuesday, April 24, 2007**

At the adjourned session of the Annual Town Meeting duly called and held in the Algonquin Regional High School, Northborough, MA on Tuesday April 24, 2007 at 7:30pm the following

ARTICLES were voted on in a legal manner.

**Quorum Required: 100 voters**  
**Voters Present: 161 voters**

At 7:38pm Town Moderator Frederick A. George Jr. called the meeting to order.

**ARTICLE 27**

Kara Buzanoski, DPW Director Moved that the Town vote to appropriate the sum of Two Hundred Thousand Dollars (\$200,000) to provide repairs and improvements to the Public Works Department Highway Garage, and to meet said appropriation, the sum of Two Hundred Thousand Dollars (\$200,000) be raised by borrowing, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 7(3A), or any other enabling authority, and the Treasurer, with the approval of the Selectman, be authorized to issue bonds or notes therefor.

- This Project repairs the roof at the Public Works Department Highway Garage.

Presentation made by DPW Director Kara Buzanoski  
Appropriations Committee recommends approval.  
Financial Planning Committee recommends approval.

No debate.

2/3 vote required

**I declare the motion carries by the required 2/3 vote.**

**ARTICLE 28**

Kara Buzanoski, DPW Director Moved that the Town vote to appropriate the sum of Sixty Thousand Dollars (\$60,000) for the use of the Northborough Public Works Department to purchase departmental equipment to replace the 1995 Pick-up Truck with a One-Ton Dump Truck with Plow, and to meet said appropriation, the sum of Sixty Thousand Dollars (\$60,000) be raised by borrowing, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 7(9), or any other enabling authority, and the Treasurer, with the approval of the Selectman, be authorized to issue bonds or notes therefor.

Presentation made by DPW Director Kara Buzanoski  
Appropriations Committee recommends approval.  
Financial Planning Committee recommends approval.

Brief debate.

2/3 vote required

**I declare the motion carries by the required 2/3 vote.**

**ARTICLE 29**

Frances Bakstran, Selectman Moved that the Town vote to amend the Code of the Town of Northborough, Chapter 2, Section 36, Historic Buildings, by deleting the wording found within brackets [ ] in Section 2-36-010, Required Procedure, and substituting the words shown in brackets and underlined [ ]:

## **[2-36-010 Required Procedure**

No building in the Town of Northborough one hundred (100) years or older shall be demolished without first being examined by the Northborough Historical Commission to determine its historical, archeological, architectural and/or cultural significance for possible preservation and reports being submitted to the Selectman within fourteen (14) days of the receipt of application for a permit to demolish.]

### **[Sections:**

#### **2-36-01 Intent and Purpose**

This Bylaw is enacted for the purpose of protecting the historically and architecturally significant buildings within the Town and to encourage owners of such properties to seek out persons who might be willing to purchase, preserve, rehabilitate or restore such buildings rather than demolish them.

#### **2-36-02 Definitions**

**Demolition** - any voluntary act of pulling down, destroying, burning, removing, or razing of a building in whole or in part; commencing the work of destruction; or allowing the same to be done by others.

**Commission** - The Northborough Historical Commission

**Inspector** - Building Inspector

#### **Significant Building** -

(a) Any building in the Town of Northborough which is historical by reason of its age (in whole or in part one hundred (100) or more years) and

(i) Researched and found by the Commission to be historically significant, or architecturally significant or

(ii) Listed on the National Register of Historic Places or included in the Massachusetts Historical Commission Inventory of Historic and Archaeological Assets or a Town Historic District.

**Day** - any calendar day, including Saturdays, Sundays and holidays.

#### **2-36-03 Procedure**

1. Within seven (7) days of receipt of an application for a demolition permit for a structure that is, in whole or in part, one hundred (100) years or more old, the Inspector shall forward a copy thereof to the Commission. No demolition permit shall be issued at that time.

2. (a.) Within thirty (30) days of the Commission's receipt of a demolition permit application, the Commission shall determine whether the structure is a Significant Building. The Commission shall hold a public hearing for that purpose, notice of which shall be posted in the Town Hall at

least seven (7) days prior to the hearing. Written notice of the hearing shall also be provided to the owner and the Inspector. If the Commission determines the structure is not a Significant Building, the Commission shall notify the Selectman and Inspector in writing and the Inspector may issue a demolition permit.

If the structure is determined to be a Significant Building, the Commission shall so advise the owner, the Inspector and the Selectman in writing. The Inspector shall not issue a demolition permit for a period of one hundred eighty (180) days from the date of application for such permit.

(b.) During the one hundred eighty (180) day period, the Commission will invite the applicant (and owner of record, if different from the applicant) to participate in an investigation of alternatives to demolition.

The Commission shall notify the Selectman and Inspector if the applicant and/or property owner has made a reasonable and unsuccessful effort to locate a purchaser for the building or structure who has agreed to preserve, rehabilitate, restore or relocate the same, or has agreed to alternatives to demolition, and the Commission is satisfied that there is no feasible alternative to demolition. This notice will be in writing, and may occur at any time during the one hundred eighty (180) day period. The Inspector may then issue a permit to demolish in accordance with all applicable procedures.

### **2-36-04 Emergency Demolition**

Nothing in this Bylaw shall restrict or prevent the Inspector from ordering the immediate demolition of any building or structure that is determined to be imminently dangerous or unsafe to the public. The Inspector shall file a copy of any such order of emergency demolition with the Commission.

### **2-36-05 Severability**

In case any section, paragraph or part of this Bylaw be for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect.

### **2-36-06 Enforcement and Remedies**

The Commission and the Inspector are each authorized to enforce the provisions of this Bylaw. The Inspector shall not issue a building permit pertaining to any property on which a Significant Building has been demolished voluntarily in whole or in part without full compliance with the provisions of this Bylaw for a period of two (2) years from the date of such demolition.

### **2-36-07 Historic Districts Act.**

If any of the provisions of this Bylaw shall conflict with the Historic Districts Act, M.G.L. Chapter 40C, the state statute shall prevail.]

- Article submitted by Historical Commission.

Presentations made by Frances Bakstran, Selectman and Marie Nieber, Historical Commission.

Municipal Code and Bylaw Committee recommends approval.

Brief debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

### **ARTICLE 30**

Rick Leif, Planning Board Moved that the Town vote to amend the Northborough Town Zoning Bylaw as follows by adding the wording as shown in brackets and underlined [\_]:

Part I: In Chapter 7-12, Section 7-12-010 Schedule of Use Regulations, under Industrial District B, Uses Permitted by Right: to the item that currently reads “Retail store distributing merchandise to the general public,” add the words, [“not to exceed 5,000 square feet of gross floor area per individual retail establishment”] after “general public,” so that the amended item will read, “Retail store distributing merchandise to the general public, [not to exceed 5,000 square feet of gross floor area per individual retail establishment].”

Presentation made by Rick Leif, Planning Board.

Municipal Code & Bylaw recommends approval.

Some debate.

2/3 vote required

**I declare the motion carries by the required 2/3 vote.**

Request reconsideration for the purpose of locking in the vote.

Motion to reconsider does not pass.

### **ARTICLE 31**

Jeff Amberson, Selectman Moved that the Town vote to transfer the sum of One Hundred Seventy Five Thousand Dollars (\$175,000) from the Community Preservation Fund Open Space Reserve, and Three Hundred Seventy Two Thousand Five Hundred Dollars (\$372,500) from the Community Preservation Fund revenues to the Conservation Fund, and further, if such funds are used for the acquisition of real property, to authorize the Conservation Commission to grant a conservation restriction in said property meeting the requirements of Massachusetts General Laws Chapter 184 to the Commonwealth of Massachusetts, or to a charitable corporation or foundation selected by the Conservation Commission with the right to enforce the restriction.

Presentation made by John Campbell, Community Preservation Committee.  
Appropriations Committee recommended disapproval.

Significant debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

### **ARTICLE 32**

To see if the Town will vote to appropriate the sum of Three Hundred Seventy Two Thousand Five Hundred Dollars (\$372,500) from the Community Preservation Fund revenues and place said amount in the Community Preservation Open Space Reserve for the purpose of future open space acquisitions.

Jeff Amberson, Selectman, Moved to **pass over** this article due to the fact article 31 already transferred the money.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

### **ARTICLE 33**

Leslie Rutan, Selectman Moved that the Town vote to appropriate the sum of Sixty Eight Thousand Dollars (\$68,000) from the Community Preservation Fund revenues and place said amount in the Community Preservation Affordable Housing Reserve.

Presentation made by John Campbell, Community Preservation Committee.

Appropriations Committee recommends approval.

No debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

### **ARTICLE 34**

Frances Bakstran, Selectman Moved that the Town vote to appropriate the sum of Thirty Thousand Dollars (\$30,000) from the Community Preservation Fund revenues to the Northborough Historical Commission for phase two of a comprehensive survey of the Town's historical resources.

Presentation made by John Campbell, Community Preservation Committee.

Appropriations Committee recommends approval.

Financial Planning Committee recommends approval.

No debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

### **ARTICLE 35**

Frances Bakstran, Selectman Moved that the Town vote to appropriate the sum of Eighty Thousand Dollars (\$80,000) from the Community Preservation Fund revenues and place said amount in the Community Preservation Historic Resources Reserve for the purpose of future historical property acquisitions.

Presentation made by John Campbell, Community Preservation Committee.

Appropriations Committee recommends approval.



No debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 36**

Jeff Amberson, Selectman Moved that the Town vote to appropriate the sum of Fifty Two Thousand Five Hundred Dollars (\$52,500) from the Community Preservation Fund revenues to the Northborough Recreation Department for the replacement of the Town Hall gym floor.

Presentation made by John Campbell, Community Preservation Committee.

Appropriations Committee recommends approval.

Financial Planning Committee recommends approval.

No debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 37**

Jeff Amberson, Selectman Moved that the Town vote to appropriate the sum of Thirty Five Thousand Dollars (\$35,000) from the Community Preservation Fund revenues to the Northborough Baseball Association for the installation of an irrigation system and improvements to the Melican Middle School athletic fields.

Presentation made by John Campbell, Community Preservation Committee.

Appropriations Committee recommends approval.

Financial Planning Committee recommends approval.

No debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 38**

Jeff Amberson, Selectman Moved that the Town vote to appropriate the sum of Two Thousand Dollars (\$2,000) from the Community Preservation Fund revenues to the Northborough Trails Committee, a subcommittee of the Northborough Open Space Committee, for equipment and supplies associated with trail development.

Presentation made by John Campbell, Community Preservation Committee.

Appropriations Committee recommends approval.

Brief debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 39**

Frances Bakstran, Selectman Moved that the Town vote to appropriate the sum of Sixteen Thousand Dollars (\$16,000) 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, attorneys' fees, and other professional services, recording fees, printing and all other necessary and proper expenses for the Fiscal Year 2008.

Presentation made by John Campbell, Community Preservation Committee.  
Appropriations Committee recommends approval.

No debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 40**

Leslie Rutan, Selectman Moved that the Town vote to revoke the designation of 30 Bearfoot Road as an Economic Opportunity Area and GlaxoSmithKline (formerly ID Biomedical Corp.; formerly Shire Biologics, Inc.; formerly Bio Chem Pharma Inc.) as a Certified Project, as previously approved under Article 6 of the April 24, 2000 Annual Town Meeting; and to authorize the Selectman to petition the Economic Assistance Coordinating Council of the Commonwealth to revoke such designations pursuant to Section 3E of Chapter 23A of the Massachusetts General Laws, and take such other and further action as may be necessary or appropriate to carry out the purposes of this Article and terminate the associated Tax Increment Financing Agreement.

- Company has relocated operations out of State.

Presentation made by Assistant Town Administrator John Coderre.  
Industrial Development Commission recommends approval.

Short debate.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 41**

John Coderre, Assistant Town Administrator Moved that the Town vote to amend the Consolidated Personnel Bylaw as printed 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 41 - Consolidated Personnel Bylaw Amendments – 2007 Annual Town Meeting."

Presentation made by John Coderre, Assistant Town Administrator.  
Personnel Board recommends approval.  
Municipal Code and Bylaw Committee recommends approval.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

**ARTICLE 42**

Nancy Berglund, Northborough School Committee Moved that the Town vote to appropriate the sum of Thirty Five Thousand Dollars (\$35,000) for the use of the Northborough School Department for the purpose of making extraordinary repairs, renovations, and/or purchasing equipment of a capital nature at the Proctor School, and to meet said appropriation the sum of Thirty Five Thousand Dollars (\$35,000) be raised by borrowing in accordance with the provisions of Massachusetts General Laws, Chapter 44, Sections 7(3A) and 7(9), or any other enabling authority, and the Treasurer, with the approval of the Selectman, be authorized to issue bonds or notes therefor.

- Airlock Entry System with Security at Proctor School \$35,000

Presentation made by Dr. Charles Gobron, acting School Superintendent.  
Appropriation Committee recommends approval.  
Financial Planning Committee recommends approval.

No debate.

2/3 vote required

**I declare the motion carries by the required 2/3 vote.**

**ARTICLE 43**

Shirley Lundberg, Northborough School Committee Moved that the Town vote to appropriate the sum of Seventy Three Thousand Six Hundred Dollars (\$73,600) for the use of the Northborough School Department for the purpose of making extraordinary repairs, renovations, and/or purchasing equipment of a capital nature for the Northborough K-8 Schools, and to meet said appropriation, the sum of Seventy Three Thousand Six Hundred Dollars (\$73,600) be raised by borrowing in accordance with the provisions of Massachusetts General Laws, Chapter 44, Sections 7(3A) and 7(9), or any other enabling authority, and the Treasurer, with the approval of the Selectman, be authorized to issue bonds or notes therefor.

- Replace Kitchen Equipment at Lincoln Street School, Peaslee School, and Melican Middle School \$73,600

Presentation made by Dr. Charles Gobron, acting School Superintendent.  
Appropriation Committee recommends approval.  
Financial Planning Committee recommends approval.

No debate.

2/3 vote required

**I declare the motion carries by the required 2/3 vote.**

**ARTICLE 44**

Cecil Adderley, Northborough School Committee, Moved that To the Town vote to appropriate the sum of Fifty Two Thousand, Five Hundred Seventy Three Dollars (\$52,573) for the use of the

Northborough School Department for the purpose of making extraordinary repairs, renovations, and/or purchasing equipment of a capital nature at the Lincoln Street School and Melican Middle School, and to meet said appropriation, the sum of Fifty Two Thousand Five Hundred Seventy Three Dollars (\$52,573) be raised by borrowing in accordance with the provisions of Massachusetts General Laws, Chapter 44, Sections 7(3A) and 7(9), or any other enabling authority, and the Treasurer, with the approval of the Selectman, be authorized to issue bonds or notes therefor.

- Furniture replacement at Lincoln Street School, Peaslee School, and Melican Middle School  
\$52,573

Presentation made by Dr. Charles Gobron, acting School Superintendent.

Appropriation Committee recommends disapproval.

Financial Planning Committee recommends disapproval.

Some debate.

2/3 vote required

**I declare the motion carries by the required 2/3 vote.**

**(Vote: 71 yes, 31 no)**

#### **ARTICLE 45**

Susan Sartori, Northborough School Committee, Moved that the Town vote to appropriate the sum of Sixty Two Thousand Six Hundred Twenty Five Dollars (\$62,625) for the use of the Northborough School Department for computer equipment for the multi-year technology update for the Northborough School Department, and to meet said appropriation, the sum of Sixty Two Thousand Six Hundred Twenty Five Dollars (\$62,625) be raised by borrowing, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Sections 7(28) and 7(29), or any other enabling authority, and the Treasurer, with the approval of the Selectman, be authorized to issue bonds or notes therefor.

- Multi-year Technology Update  
\$62,625

Presentation made by Dr. Charles Gobron, acting School Superintendent.

Appropriation Committee recommends approval.

Financial Planning Committee recommends approval.

No debate.

2/3 vote required

**I declare the motion carries by the required 2/3 vote.**

#### **ARTICLE 46**

To see if the Town will vote to accept an easement granting rights of entry, repair, maintenance and operation for a shared Septic System to be located at 333 Howard Street.

- Shared Septic System Agreement under Title V serving private homes.

Leslie Rutan, Selectman Moved to pass over this article.

Barry Brenner, Town Administrator explained that the developer has withdrawn his request.

Majority Vote Required

**Motion to pass over this article carried in the affirmative by a unanimous vote.**

**ARTICLE 47**

To hear the reports of the several Town Officers and Committees and to act thereon; also to choose any committee the voters deem necessary, and to appropriate money for their use, or act in any way relative thereto.

No reports offered.

Motion made to adjourn the meeting.

Majority Vote Required

**Motion carried in the affirmative by a unanimous vote.**

Town Meeting adjourned at 10:01 pm April 24, 2007.

**Respectfully submitted,  
Andrew T. Dowd, Town Clerk**