

**TOWN OF NORTHBOROUGH
ANNUAL TOWN MEETING WARRANT
APRIL 28, 2008**

At the Annual Town Meeting duly called and held in the ALGONQUIN REGIONAL HIGH SCHOOL 79 Bartlett Street, Northborough, MA on MONDAY, the TWENTY-EIGHTH day of April 2008 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: 207 voters

Checkers:

Robbie Powers
Nancy Casaceli
Doris Crossman
Pauline Brodeur
Genevieve Earle
Maureen Walker
Nancy Hart
Al Bonazoli
Joan Bonazoli

Tellers:

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

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

Moderator George outlined the guidelines of Town Meeting, reviewed safety procedures and made note of emergency exits, and reviewed the traffic plan for the end of the meeting.

Moderator George led the audience in the pledge of allegiance. The Rev. Bales of the Church of Jesus Chris of Later Day Saints gave the invocation.

Moderator George reminded those in attendance that “this is your meeting”. Town Officials were introduced along with Town Counsel Jonathan Silverstein of Kopelman and Paige, P.C.

The Board of Selectmen presented certificates to those volunteers who have served on Boards, Committees and/or Commissions for one full term or more. Below is a list of volunteers who were awarded Certificates of Appreciation at the April Annual Town Meeting because of their dedication to the community:

- Dale Rains
Appropriations Committee – 3 yrs.
- Cathy Peterson
Council on Aging – 4 yrs.
- Charles Anderson
Industrial Development Finance Authority – 21 yrs.

- Merrill Bergstrom
Personnel Board – 29 yrs.
- Gregory Young
Scholarship Committee – 7 yrs.
- Mary Maher
Youth Commission – 9 yrs.
- Carol Pettine
Youth Commission – 6 yrs.

The Board of Selectmen made a special presentation to retiring Town Administrator Barry M. Brenner; the board thanked Mr. Brenner for his 11 years of dedicated service to the community.

Moderator Fred George read the return of the Town Meeting Warrant.

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 Gerald Hickman 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

Frances Bakstran, Selectman, moved that 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, if necessary.

Presentation made by June Hubbard-Ward, Treasurer-Collector
No discussion

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.

Frances Bakstran, Selectman moved to **pass over** this article.

Explanations by Barry M. Brenner, Town Administrator – there are no unpaid bills from prior years.

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 4

Barry M. Brenner, Town Administrator, moved that the Town vote to raise and appropriate and transfer from available funds the sum of Fifteen Million Forty Nine Thousand Five Hundred Forty Three Dollars (\$15,049,543) 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 Purchases	\$	85,235
Conservation Commission Fees	\$	9,500
Transfer from Police Revolving Account	\$	102,500
Transfer from Fire Emergency Medical		
Services Revolving Account	\$	63,741
Transfer from Expendable Trust Fund Income		
to offset Health, Cemetery, Parks, and		
Family & Youth Services Departments	\$	58,428
Phillip G. Morrison Fund	\$22,000	
Elijah S. Hastings Fund	\$23,500	
Henry J. Barnes Fund	\$ 4,500	
Dr. Albert Wood Fund	\$ 3,200	
Joseph P. Davis Fund	\$ 5,228	
Transfer from Recreation Revolving Account	\$	124,865
Transfer from Dog Control Revolving Account	\$	20,000
Overlay Surplus	\$	3,250
Transfer from State Reimbursement for		
Transportation for Norfolk Agricultural High		
School Student	\$	18,900
Free Cash	\$	470,000

for a total of Nine Hundred Ninety Five Thousand Six Hundred Twelve Dollars (\$995,612), and that the sum of Fourteen Million Fifty Three Thousand Nine Hundred Thirty One Dollars (\$14,053,931) be raised by taxation.

Mr. Brenner gave a detailed presentation
 Appropriations Committee – recommends approval
 No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 5

Barry M. Brenner, Town Administrator, moved that the Town vote to raise and appropriate and transfer from available funds the sum of Three Million Seven Hundred Sixty One Thousand Five Hundred Eighty Three Dollars (\$3,761,583) 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	\$ 36,137
Sewer Fund Free Cash	\$100,000

for a total of One Hundred Thirty Six Thousand One Hundred Thirty Seven Dollars (\$136,137) and that the sum of Three Million Six Hundred Twenty Five Thousand Four Hundred Forty Six Dollars (\$3,625,446) be financed from Water/Sewer and Solid Waste Revenues.

Water Fund	\$1,825,846
Sewer Fund	\$1,140,967
Solid Waste	<u>\$ 794,770</u>
	\$3,761,583

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

Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 6

Cecil Adderley, Northborough School Committee, moved that the Town vote to raise and appropriate by taxation the sum of Seventeen Million One Hundred Fifty Six Thousand Three Hundred Sixty Nine Dollars (\$17,156,369) for the operation of the Northborough Public Schools.

Presentation made by Dr. Charles Gobron, Superintendent of Schools
Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 7

Shirley Lundberg, Northborough School Committee, moved that the Town vote to raise and appropriate by taxation the sum of One Hundred Thirty One Thousand Five Sixty Six Dollars (\$131,566) 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

Presentation made by Dr. Charles Gobron, Superintendent of Schools
Appropriation Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 8

Susan Sartori, 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 Two Hundred Seventy Nine Thousand Four Hundred Eleven Dollars (\$9,279,411).

Presentation made by Dr. Charles Gobron, Superintendent of Schools
Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 9

Michael Casaceli, Assabet Valley Regional Vocation School District 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 Seven Hundred Eight Thousand Eight Hundred Dollars (\$708,800).

Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 10

Leslie Rutan, Selectman, 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 61 of the Acts of 2007, 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 made by Michelle Rehill, Library Trustee
Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 11

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

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

Presentation made by Barry M. Brenner, Town Administrator
Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 12

Barry M. 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.

Presentation made by Barry M. Brenner, Town Administrator
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

Dawn Rand, Selectman, moved that the Town vote to appropriate the sum of Five Million Five Hundred Thousand Dollars (\$5,500,000) for the use of the Northborough Senior Center for construction, furnishing and equipping of the new Senior Center and any associated costs, including design services; and to meet said appropriation, the sum of Five Million Five Hundred Thousand Dollars (\$5,500,000) 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 Board of Selectmen, 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.

Presentations made by Senior Center Building Committee members; Jerry Anderson, Kelly Burke, Jeff Leland, and Court Street Architects

Appropriations Committee – recommends approval
Financial Planning Committee – recommends approval
Lengthy debate

2/3rd Vote Required

I DECLARE THE MOTION CARRIES BY THE REQUIRED 2/3RD VOTE

Motion to reconsider Article 20 for the purpose for locking in the vote
Motion to reconsider fails

ARTICLE 21

William Pantazis, Selectman, moved that the Town vote to raise and appropriate the sum of One Million Five Hundred Thousand Dollars (\$1,500,000) to pay costs of environmental remediation of the Town’s property located at 119 Bearfoot Road (formerly known as 119 Colburn Street) and 167 Bearfoot Road, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow said amount and to issue bonds or notes of the Town therefor, provided, however, that no sums shall be borrowed or expended hereunder unless and until the General Court shall have passed legislation to permit the Town to borrow for this purpose; and further, to authorize the Board of Selectmen to petition the General Court for the passage of special legislation to permit the Town of Northborough to borrow money from time to time to pay the cost of environmental remediation and all other costs incidental and related thereto.

- The State Department of Environmental Protection has required the Town to complete the environmental remediation.

Presentations made by; Barry Brenner, Adam Last, Rick Leif, John Campbell, and William Pantazis
Appropriations Committee – recommends approval
Financial Planning – recommends approval

2/3rd Vote Required

I DECLARE THE MOTION CARRIES BY THE REQUIRED 2/3RD VOTE

11:02pm motion made to adjourn the meeting.

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

**TOWN OF NORTHBOROUGH
ANNUAL TOWN MEETING
APRIL 29, 2008**

**Adjourned Session
Tuesday, April 29, 2008**

At the adjourned session of the Annual Town Meeting duly called and held in the Algonquin Regional High School, Northborough, MA on Tuesday April 29, 2008 at 7:30pm the following ARTICLES were voted on in a legal manner.

Quorum Required: 100 voters

Voters Present: 141 voters

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

ARTICLE 22

Barry M. Brenner, Town Administrator, moved that the Town vote to accept the layouts as public ways of Fairway Drive and Mulligan Way as shown on the plan titled "Plan of Acceptance Fairway Drive & Mulligan Way Northborough, MA (Worcester County) As-Built Plan," dated January 15, 2008, prepared by Waterman Design Associates, Inc., a copy of which is on file in the office of the Town Clerk, such layout not to include Parcel A as shown on said Plan, and to place these streets on the Official Town Map as public ways, and to authorize the Board of Selectmen to accept or take by eminent domain deeds or easements for such public ways, or take any action relative thereto.

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

Barry M. Brenner, Town Administrator, moved that the Town vote to accept the layout as a public way of Winn Terrace, including "Parcel A" and "Parcel B," as shown on the plan titled "Winn Terrace Acceptance Plan in Northborough, Massachusetts," dated November 19, 2007, prepared by Thompson-Liston Associates, Inc., a copy of which is on file in the office of the Town Clerk, and to place this street on the Official Town Map as a public way, and to authorize the Board of Selectmen to accept or take by eminent domain deeds or easements for such public way, or take any action relative thereto.

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 24

Kara Buzanoski, DPW Director, moved that the Town vote to appropriate the sum of Five Hundred Thousand Dollars (\$500,000) for the design and construction of improvements to the Town Water Wells, and to meet said appropriation, the sum of Five Hundred Thousand Dollars (\$500,000) 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 Board of Selectmen, be authorized to issue bonds or notes therefor.

- Improvements to the Town Water Well at Brigham Street including treatment. 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
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 25

Kara Buzanoski, DPW Director, moved that the Town vote to appropriate the sum of Sixty Five Thousand Dollars (\$65,000) for the use of the Northborough Public Works Department Water Division to purchase departmental equipment to replace the 1995 Utility Truck, and to meet said appropriation, the sum of Sixty Five Thousand Dollars (\$65,000) 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 Board of Selectmen, be authorized to issue bonds or notes therefor.

- The cost of this Project will be financed by Water Fund Fees and charges.

Presentation made by DPW Director, Kara Buzanoski
Financial Planning Committee – recommends approval
Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 26

Leslie Rutan, Selectman, moved that the Town vote to appropriate the sum of Fifty Five Thousand Dollars (\$55,000) for the use of the Northborough Fire Department to purchase departmental equipment to replace the 2001 Command/Communications Vehicle and related equipment, and to meet said appropriation, the sum of Fifty Five Thousand Dollars (\$55,000) 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 Board of Selectmen, be authorized to issue bonds or notes therefor.

- This Article provides funds for the replacement of the 2001 Fire Department Command/Communications Vehicle. Upon replacement, the 2001 vehicle will be assigned to the Fire Marshall/Building Inspector to replace the 1993 Fire Department vehicle which has been taken off the road due to not passing State Inspection.

Presentation made by Northborough Fire Chief, David Durgin
Appropriations Committee - recommends approval
Financial Planning Committee - recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 27

Kara Buzanoski, DPW Director, moved that the Town vote to appropriate the sum of Three Hundred Fifty Six Thousand Dollars (\$356,000) for repairs and improvements to the Public Works Department Highway Garage, and to meet said appropriation, the sum of Three Hundred Fifty Six Thousand Dollars (\$356,000) 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 Board of Selectmen, be authorized to issue bonds or notes therefor.

- This Project repairs and replaces the underground gasoline and diesel fuel tanks at the Public Works Department Highway Garage.

Presentation made by DPW Director, Kara Buzanoski
Financial Planning Committee – recommends approval
Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 28

Leslie Rutan, Selectman, moved that the Town vote to appropriate the sum of One Hundred Fifty Thousand Dollars (\$150,000) for the use of the Northborough Public Works Department to purchase departmental equipment to replace the 1988 Dump Truck with Plow and Sander, and to meet said appropriation, the sum of One Hundred Fifty Thousand Dollars (\$150,000) 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 Board of Selectmen, be authorized to issue bonds or notes therefor.

Presentation made by DPW Director, Kara Buzanoski
Appropriations Committee – recommends approval
Financial Planning Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 29

Frances Bakstran, Selectman, moved that the Town vote to amend Section 1-12-120 of the Code of the Town of Northborough by adding thereto the following paragraph C:

C. Fees. Pursuant to Section 32B of Chapter 40 the Massachusetts General Laws, the fee for an annual Recreational Camp Permit shall be Fifty Dollars (\$50.00) and the fee for an annual Motel License shall be Fifty Dollars (\$50.00). Pursuant to Section 32B of Chapter 14 of the Massachusetts General Laws, the fee for an annual Stable Permit shall be Forty Dollars (\$40.00).

Presentation made by Glenn French, Board of Health
Municipal Code and Bylaw Committee – recommends approval
Appropriations Committee – recommends approval
Some debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 30

Kara Buzanoski, DPW Director, moved that the Town vote to amend the Code of the Town of Northborough, by adding a new Chapter 4-12, entitled, “Illicit Discharges to the Municipal Storm Drain System”, 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 30 – Illicit Discharges to the Municipal Storm Drain System Bylaw – 2008 Annual Town Meeting”.

- This Article provides for adoption of a bylaw prohibiting illicit discharges to the Town’s Storm Drain System as recommended by the U. S. Environmental Protection Agency as part of the Federal Stormwater Program.

Presentation made by DPW Director Kara Buzanoski
Municipal Code and Bylaw Committee – recommends approval
Brief debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 31

Rick Leif, Planning Board, moved that the Town vote to amend the Northborough Town Zoning Bylaw, Chapter 7-04 General Provisions, Section 7-04-040 Nonconforming Uses and Structures, B.(4), by deleting the wording found within brackets [] and adding the wording as shown in brackets and underlined [_]:

B. (4.) The proposed construction will not exceed [fifty percent (50%)] [eighty percent (80%)] of the existing gross floor area.

- Article submitted by Planning Board.

Presentation made by Planning Board member Rick Leif

Planning Board – recommends approval
Municipal Code and Bylaw Committee – recommends approval
No debate

2/3rd Vote Required

I DECLARE THE MOTION CARRIES BY THE REQUIRED 2/3RD VOTE

ARTICLE 32

Rick Leif, Planning Board, moved that the Town vote to amend the Northborough Town Zoning Bylaw, Chapter 7-20 Special Regulations, Section 7-20-030 Signs, by deleting the wording found within brackets [] and adding the wording as shown in brackets and underlined [_]:

E. Business District A

(1) Type, number and size. There shall be not more than the following for each lot:

(a) Lot with two (2) or less tenants:

(2) Wall sign:

[(a) Without freestanding sign on lot: one (1) wall sign, size not to exceed thirty-two (32) square feet.]

[(a) Without freestanding sign on lot: one wall sign per business, size not to exceed thirty-two (32) square feet or two wall signs per business with a combined total area not to exceed thirty-two (32) square feet.]

(b) With freestanding sign on lot: wall sign, size not to exceed sixteen (16) square feet.

[Exception: If there are direct entrances into the store in walls other than the storefront, there may be an additional wall sign not to exceed sixteen (16) square feet attached to such wall.]

(b) Lot with three (3) or more tenants:

[(2) Wall sign: not more than one (1) wall sign for each business attached to the wall of that store. The area of the sign not to exceed thirty-two (32) square feet. Exception: If there are direct entrances into the store in walls other than the storefront, there may be an additional wall sign not to exceed sixteen (16) square feet attached to such wall.]

[(2) Wall sign: one (1) wall sign per business not to exceed thirty-two (32) square feet, or two (2) wall signs per business with a combined total area not to exceed thirty-two (32) square feet.]

F. Business District B

(1) Type, number and size. There shall be not more than the following for each lot:

(a) Lot with two (2) or fewer tenants:

(2) Wall sign:

[(a) Without freestanding sign on lot: one (1) wall sign, size not to exceed thirty-two (32) square feet.

Exception: If there are direct entrances into the store in walls other than the storefront, there may be an additional wall sign not to exceed sixteen (16) square feet attached to such wall.]

[(a) Without freestanding sign on lot: one (1) wall sign per business, size not to exceed thirty-two (32) square feet or two (2) wall signs per business with a combined total area not to exceed thirty-two (32) square feet.]

(b) With freestanding sign on lot: wall sign, size not to exceed sixteen (16) square feet. If there are direct entrances into the store in walls other than the storefront, there may be an additional wall sign not to exceed sixteen (16) square feet attached to such wall.

(b) Lot with three (3) or more tenants:

[(2) Wall sign: not more than one (1) wall sign for each business attached to the wall of that store. The area of the sign not to exceed thirty-two (32) square feet. Exception: If there are direct

entrances into the store in walls other than the storefront, there may be an additional wall sign not to exceed sixteen (16) square feet attached to such wall.]

[(2) Wall sign: one (1) wall sign per business not to exceed thirty-two (32) square feet, or two (2) wall signs per business with a combined total area not to exceed thirty-two (32) square feet.]

- Article submitted by Planning Board.

Presentation made by Planning Board member Rick Leif
Municipal Code and Bylaw Committee – recommends approval
Planning Board – recommends approval
Some debate

2/3rd Vote Required

I DECLARE THE MOTION CARRIES BY THE REQUIRED 2/3RD VOTE

ARTICLE 33

John Campbell, Community Preservation Committee, 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 Town Clerk for the preservation of Town records, dating from 1766 to the present.

Presentation made by Community Preservation Committee member John Campbell
Appropriations Committee – recommends approval
Financial Planning Committee – recommends approval
Brief discussion

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 34

John Campbell, Community Preservation Committee, moved that the Town vote to appropriate the sum of Two Thousand Dollars (\$2,000) from the Community Preservation Fund revenues to the Northborough Historical Commission for the purchase of signs for the Meeting House Common Historic District at the junctions of Church, Howard, Pleasant and Whitney Streets.

Presentation made by Community Preservation Committee member John Campbell
Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 35

Leslie Rutan, Selectman, moved that the Town vote to appropriate the sum of Twenty Thousand Dollars (\$20,000) from the Community Preservation Fund revenues to the Northborough Historical Society for renovations to the Northborough Historical Society building at 52 Main Street including the installation of a handicap ramp and handicap bathroom.

Presentation made by Community Preservation Committee member John Campbell

Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 36

John Campbell, Community Preservation Committee, moved that the Town vote to appropriate the sum of Seventy Thousand Dollars (\$70,000) from the Community Preservation Fund revenues and place said amount in the Community Preservation Historic Resources Reserve for the purpose of future historical property preservation or acquisitions.

Presentation made by Community Preservation Committee member John Campbell
Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 37

John Campbell, Community Preservation Committee, moved that the Town vote to appropriate the sum of Three Thousand Dollars (\$3,000) from the Community Preservation Fund revenues to the Northborough Affordable Housing Corporation for the reorganization and amending of its Bylaws and Articles of Organization.

Presentation made by Community Preservation Committee member John Campbell
Appropriations 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 One Hundred Three Thousand Dollars (\$103,000) from the Community Preservation Housing Reserve Fund and to appropriate the sum of One Hundred Ninety Seven Thousand Dollars (\$197,000) from the Community Preservation Fund revenues to the Northborough Affordable Housing Corporation for the acquisition of affordable housing units and costs associated with the purchase of said units.

Presentation made by Community Preservation Committee member John Campbell
Appropriations Committee – split vote/no recommendation
Financial Planning Committee – no recommendation
Significant debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 39

Jeff Amberson, Selectman, moved that the Town vote to appropriate the sum of Two Hundred Twenty Five Thousand Dollars (\$225,000) from the Community Preservation Fund revenues and place said amount in the Community Preservation Open Space Reserve for the purpose of future open space preservation or acquisitions.

Presentation made by Community Preservation Committee member John Campbell
Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 40

John Campbell, Community Preservation Committee, moved that the Town vote to appropriate the sum of Twenty One Thousand Four Hundred Fifty Dollars (\$21,450) from the Community Preservation Fund revenues to the Northborough Fire Department for the purchase of a Trails, Fire, and Rescue Vehicle to aid in the preservation of the Northborough Trails network.

Presentation made by Community Preservation Committee member John Campbell
Appropriations Committee – recommends approval
Brief debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 41

John Campbell, Community Preservation Committee, moved that the Town vote to appropriate the sum of Five Thousand Dollars (\$5,000) from the Community Preservation Fund revenues to the Northborough Trails Committee, a subcommittee of the Northborough Open Space Committee, for construction materials for new trails.

Presentation by Community Preservation Committee member John Campbell
Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 42

John Campbell, Community Preservation Committee, moved that the Town vote to appropriate the sum of Twenty Thousand Dollars (\$20,000) 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 2009.

Presentation made by Community Preservation Committee member John Campbell
Appropriations Committee – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 43

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 43 - Consolidated Personnel Bylaw Amendments – 2008 Annual Town Meeting.”

Presentation made by Assistant Town Administrator John Coderre
Municipal Code & Bylaw Committee – recommends approval
Personnel Board – recommends approval
No debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 44

Jeff Amberson, Selectman, moved that the Town vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the issuance of one (1) additional all-alcoholic beverage pouring license with substantially the following form:

“Notwithstanding the provisions of Section 17 of Chapter 138 of the Massachusetts General Laws, the licensing authority of the Town of Northborough is hereby authorized to issue one (1) additional license for the sale of all-alcoholic beverages to be consumed on the premises under the provisions of Section 12 of said Chapter 138. Said license shall be restricted to the property at 290 West Main Street, shown on Northborough Assessors’ Map 82, Parcel 10, to promote economic vitality. Said license shall be subject to all provisions of said Chapter 138, except Section 17; provided, however, that the licensing authority shall not approve the transfer of said license to any other location.”

Presentation by Attorney Michael Edmonds
Brief discussion

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 45

Jeff Amberson, Selectman, moved that the Town vote to accept the provisions of Massachusetts General Laws, Chapter 138, Section 12, paragraph 14 to permit the sale of cordials and liqueurs by common victuallers who also hold a license to sell wine and malt beverages subject to all other licensing provisions of Massachusetts General Laws, Chapter 138.

- Acceptance of this law would allow the Town to authorize the sale of Cordials and Liqueurs by common victuallers who are holders of a wine and malt beverages license.

Presentation by Attorney Michael Edmonds
Brief discussion

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 46

Dawn Rand, Selectman, moved that the Town vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the issuance of an additional license for the sale of wine and malt beverages not to be consumed on licensed premises in substantially the following form:

“Notwithstanding the provisions of Section 17 of Chapter 138 of the Massachusetts General Laws, the licensing authority of the Town of Northborough is hereby authorized to issue a license for the sale of wines and malt beverages, as the case may be, not to be consumed on the premises under the provisions of Section 15 of said Chapter 138. Said license shall be restricted to the property on Route 20, near Route 9, to be used for a Commercial Center as shown on Northborough Assessors’ Maps as follows, to promote economic vitality:

<u>Map</u>	<u>Parcel</u>
108	3
109	15
107	1
106	5
106	6
106	3
106	7
98	2

Said license shall be subject to all provisions of said Chapter 138, except Section 17; provided, however, that the licensing authority shall not approve the transfer of said license to any other location.”

Presentation made by Attorney Marshall Gould
Some discussion

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 47

Nancy Berglund, Northborough School Committee, moved that the Town vote to appropriate the sum of Nine Hundred Twenty Five Thousand Dollars (\$925,000) for a roof replacement project at the

Lincoln Street School, 76 Lincoln Street, Northborough, Massachusetts, for which the Town may be eligible for a School Construction Grant from the Massachusetts School Building Authority (“MSBA”), which project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and to meet said appropriation the sum of Nine Hundred Twenty Five Thousand Dollars (\$925,000) 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 Board of Selectmen, be authorized to issue bonds or notes therefor; that the Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; provided further that any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty percent (50%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any amounts received or expected to be received from the MSBA prior to the issuance of any bonds or notes under this vote.

- Replace Roof at Lincoln Street School \$925,000

Presentation made by Superintendent of Schools, Dr. Charles Gobron
Appropriations Committee – recommends approval
Financial Planning Committee – recommends approval
Brief debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 48

Nancy Berglund, Northborough School Committee, moved that the Town vote to appropriate the sum of Forty Thousand Dollars (\$40,000) 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 Lincoln Street School, and to meet said appropriation, the sum of Forty Thousand Dollars (\$40,000) 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 Board of Selectmen, be authorized to issue bonds or notes therefor.

- Replace Floor Tile at Lincoln Street School \$40,000

Presentation made by Superintendent of Schools, Dr. Charles Gobron
Appropriations Committee – recommends approval
Financial Planning Committee – recommends approval
Brief debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 49

Cecil Adderly, Northborough School Committee, moved that the Town vote to appropriate the sum of Twenty Five Thousand Three Hundred Dollars (\$25,300) 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 Melican Middle School, and to meet said appropriation, the sum of Twenty Five Thousand Three Hundred Dollars (\$25,300) 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 Board of Selectmen, be authorized to issue bonds or notes therefor.

- Replace Gym Floor at Melican Middle School \$25,300

Presentation made by Superintendent of Schools, Dr. Charles Gobron
Appropriations Committee – recommends approval
Financial Planning Committee – recommends approval
Brief debate

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 50

Shirley Lundberg, Northborough School Committee, moved that 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, Peaslee 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 Board of Selectmen, 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 Superintendent of Schools Dr. Charles Gobron
Appropriations Committee – does not approve
Financial Planning Committee – does not approve

Majority Vote Required

Motion Fails (vote yes: 49 no: 37)

ARTICLE 51 - CITIZENS' PETITION

Robert Rosenberg, Northborough Resident, moved that the Town vote to amend the Northborough Town Bylaw Chapter 1-12 Administrative Division, Section 1-12-090 Board of Appeals by adding the words as shown in brackets and underlined [] and deleting the words as shown in brackets[]:

A. Composition, mode of appointment, term of office. There shall be a Board of Appeals composed of [five (5)] [three (3)] members and one (1) or more alternates as required by the zoning bylaws, to be appointed by the Board of Selectmen. The term of office of each member shall be for three (3) years, such terms so arranged that as nearly an equal number of terms as is possible shall expire each year.

Presentation made by Northborough Resident Robert Rosenberg
Planning Board – takes no position, the Article was not presented to them
Municipal Code and Bylaw Committee – recommends approval
Some debate

Quorum questioned by resident Peter Chandler
The Moderator requested the Counters tally the numbers of voters present in the hall. **88 voters** were counted as being present.

10:34pm Motion made to adjourn

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

**TOWN OF NORTHBOROUGH
ANNUAL TOWN MEETING
APRIL 30, 2008**

**Adjourned Session
Wednesday, April 30, 2008**

At the adjourned session of the Annual Town Meeting duly called and held in the Algonquin Regional High School, Northborough, MA on Wednesday April 30, 2008 at 7:30pm the following ARTICLES were voted on in a legal manner.

Quorum Required: 100 voters

Voters Present: 39 voters

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

Moderator Fred George read the following statement:

Action having been completed on 50 of the 52 Articles of the Warrant, Article 52 relating to only the hearing of reports, the absence of a quorum having been determined during debate on Article 51 during the April 29, 2008 session of the Meeting, the Meeting having been adjourned to April 30, 2008 at 7:30pm there being no quorum present as of 7:50pm on April 30, and the Moderator having determined that the presence of a quorum for the April 30 session, or any subsequent session, of

the Meeting is unlikely, the Moderator will accept a motion that the 2008 Annual Town Meeting be dissolved.

Motion made and seconded,
All in favor?

Majority Vote Required

Motion carried in the affirmative by a unanimous vote.

ARTICLE 52

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.

Town Meeting adjourned at 7:50 pm April 30, 2008.

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