

**TOWN OF NORTHBOROUGH
ANNUAL TOWN MEETING WARRANT
APRIL 27, 2009**

WORCESTER, SS

GREETINGS:

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

In the name of the Commonwealth of Massachusetts, you are hereby commanded to warn and notify the legal voters of the Town of Northborough to meet at THE ALGONQUIN REGIONAL HIGH SCHOOL on MONDAY, the TWENTY-SEVENTH day of April 2009 at 7:30 p.m. to act on the following warrant articles:

ARTICLE 1 - Motion passed

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

ARTICLE 2 - Motion passed

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

ARTICLE 3 – Passed over

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

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

ARTICLE 4 - Motion passed

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Fifteen Million Five Hundred Ninety Thousand Eight Hundred Ninety Two Dollars (\$15,590,892) 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)	\$ 2,300
Conservation Commission Fees	\$ 9,500
Transfer from Police Revolving Account	\$102,500
Transfer from Fire Emergency Medical Services Revolving Account	\$ 66,078
Transfer from Recreation Revolving Account	\$113,364
Transfer from Dog Control Revolving Account	\$ 15,000
Overlay Surplus	\$100,000
Free Cash	\$700,000

for a total of One Million One Hundred Eight Thousand Seven Hundred Forty Two Dollars (\$1,108,742), and that the sum of Fourteen Million Four Hundred Eighty Two Thousand One Hundred Fifty Dollars (\$14,482,150) be raised by taxation.

ARTICLE 5 - Motion passed

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Three Million Seven Hundred Forty One Thousand Three Hundred Seven Dollars (\$3,741,307) 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:

Sewer Fund Free Cash	\$267,250
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for a total of Two Hundred Sixty Seven Thousand Two Hundred Fifty Dollars (\$267,250) and that the sum of Three Million Four Hundred Seventy Four Thousand Fifty Seven Dollars (\$3,474,057) be financed from Water/Sewer and Solid Waste Revenues.

Water Fund	\$1,726,102
Sewer Fund	\$1,216,737
Solid Waste	\$ 798,468
	<u>\$3,741,307</u>

ARTICLE 6 - Motion passed

To see if the Town will vote to raise and appropriate by taxation the sum of Seventeen Million Six Hundred Fifty Seven Thousand Seven Hundred Sixty Nine Dollars (\$17,657,769) for the operation of the Northborough Public Schools.

ARTICLE 7 - Motion passed

To see if the Town will vote to raise and appropriate by taxation Northborough's share of the assessment for the operation of the Northborough/Southborough Regional School District, the sum of Eight Million Eight Hundred Thirty Eight Thousand One Hundred Thirty One Dollars (\$8,838,131), or take any action relative thereto.

ARTICLE 8 - Motion passed

To see if the Town will vote to raise and appropriate by taxation Northborough's share of the assessment for the operation of the Assabet Valley Regional Vocational School District, the sum of Six Hundred Eleven Thousand One Hundred Fifty Dollars (\$611,150).

ARTICLE 9 - Motion passed

To see if the Town will vote to authorize the Library Trustees to accept and spend a sum of money received under the Library Incentive and Municipal Equalization Grants, and the Nonresident Circulation Offset program, under the provisions of Chapter 182 of the Acts of 2008, to be used by the Library Trustees for books, automation costs, or in any way that may benefit the library, and to apply for State aid for the coming fiscal year.

ARTICLE 10 - Motion passed

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

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

ARTICLE 11

To see if the Town will vote to combine Articles 12 through 18 as follows:

Article 12 Reauthorizes Fire Department Revolving Fund Accounts;

Article 13 Reauthorizes Police Department Revolving Fund Accounts;

Article 14 Reauthorizes Dog Officer Revolving Fund Accounts;

Article 15 Reauthorizes Community Affairs Committee Revolving Fund Accounts;

Article 16 Reauthorizes Family and Youth Services Department Revolving Fund Accounts;

Article 17 Reauthorizes Council on Aging Revolving Fund Accounts;

Article 18 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 12 through 18 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.

ARTICLE 12

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 13

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 14

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 15

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 16

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 17

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 18

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 19 - Motion passed

To see if the Town will vote to appropriate the sum of Fifty Thousand Dollars (\$50,000) for the use of the Highway Division of the Department of Public Works for the purchase of a chipper, and to meet said appropriation, the sum of Fifty Thousand Dollars (\$50,000) 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 one existing 1996 brush chipper, which has reached the end of its useful life expectancy.

ARTICLE 20 - Motion passed

To see if the Town will vote to appropriate the sum of Ninety Five Thousand Dollars (\$95,000) for the use of the Highway Division of the Department of Public Works for the purchase of a bucket truck, and to meet said appropriation, the sum of Ninety Five Thousand Dollars (\$95,000) 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 to purchase a new bucket truck with a 40' aerial boom to be used to perform tree work along the public roadways.

ARTICLE 21 - Motion passed

To see if the Town will vote to appropriate the sum of Seventy Thousand Dollars (\$70,000) for the use of the Sewer Division of the Department of Public Works for the purchase of a one-ton truck with plow, and to meet said appropriation, the sum of Seventy Thousand Dollars (\$70,000) 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 to replace a 1995 Ford F350, which is used for performing sewer and water work.

ARTICLE 22 - Motion passed

To see if the Town will vote to appropriate the sum of Four Million Dollars (\$4,000,000) for the use of the Water Division of the Department of Public Works for the construction of a water treatment plant for the Brigham Street well and garage, and to meet said appropriation, the sum of Four Million Dollars (\$4,000,000) be raised by borrowing, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Sections 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.

- Under Warrant Article 24 of the April 2008 Annual Town Meeting, funds were appropriated for the design of the Brigham Street well. This Article provides the funding for construction. The cost of this project will be financed by Water Fund fees and charges.

ARTICLE 23 – Passed over

To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Building Committee for a Feasibility Study for the Lincoln Street School located at 76 Lincoln Street, Northborough, MA, for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

ARTICLE 24 - Motion passed

To see if the Town will vote to appropriate the sum of Sixty Two Thousand Dollars (\$62,000) for the use of the Northborough School Department for an integrated telecommunications system for the Peaslee School, and to meet said appropriation, the sum of Sixty Two Thousand Dollars (\$62,000) 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, or take any action relative thereto.

ARTICLE 25 - Motion passed

To see if the Town will vote to amend the Northborough-Southborough Regional School Agreement by adding a new Section IV(h) as follows:

(h) With respect to the \$10,000,000 General Obligation Bonds, dated October 15, 2002, and \$14,724,539 General Obligation Bonds, dated August 1, 2008, issued by the District to finance an addition to and renovation of Algonquin Regional High School, beginning with the Fiscal Year 2011 and ending with the Fiscal Year 2027, the apportionment to each town of the installments of principal and interest on said bonds due in such fiscal year as determined in accordance with the preceding Section IV(d) shall be adjusted by reducing the amount apportioned to the Town of Northborough by \$40,372 and increasing the amount apportioned to the Town of Southborough by \$40,372. With respect to the apportionment of any external payments received by the District in association with the capital improvements for which said bonds were issued, the Town of Northborough and the Town of Southborough shall not initiate any litigation against each other, the Committee, the District, or any officers of the District.

ARTICLE 26 - Motion passed

To see if the Town will vote to accept Section 18 of Chapter 32B of the Massachusetts General Laws authorizing the Town to require all retirees, their spouses and dependents who are enrolled in Medicare Part A at no cost to the retiree, spouse or dependents, or eligible for coverage thereunder at no cost to the retiree, spouse or dependents, to be enrolled in a Medicare health benefits supplement plan offered by the Town, or take any action related thereto.

ARTICLE 27 – Passed over

To see if the Town will vote to accept Section 18A of Chapter 32B of the Massachusetts General Laws authorizing the Town to require all retirees, who retire after the acceptance of this Section, their spouses and dependents who have enrolled in Medicare Part A at no cost to the retiree, spouse or dependents, or are eligible for coverage thereunder at no cost to the retiree, spouse or dependents, to be enrolled in a Medicare health benefits supplement plan offered by the Town, or take any action related thereto.

ARTICLE 28 - Motion passed

To see if the Town will vote to approve an amendment to the Assabet Valley Regional Vocational School District Agreement that would permit the election of members of the Assabet Valley Regional School District Committee at District-wide elections to be held at the biennial state elections as permitted by Chapter 71, Section 14E(3) of the General Laws, and make various related changes to the Assabet Valley Regional School District Agreement, which amendment shall be in the form set forth below, or take any action related thereto.

AMENDMENT TO THE ASSABET VALLEY REGIONAL VOCATIONAL HIGH
SCHOOL DISTRICT AGREEMENT

The agreement providing for the establishment of the Assabet Valley Regional Vocational High School District, as amended, (the "District Agreement") is further amended as follows:

1. Strike out SECTION I and insert in lieu thereof the following:

SECTION I. THE REGIONAL DISTRICT SCHOOL COMMITTEE

(A.) Composition and Election

1. The powers and duties of the vocational regional school district shall be vested in and exercised by a vocational regional school district committee, hereinafter sometimes referred to as the "Committee", which shall have all the powers and duties conferred and imposed upon school committees and vocational school districts by general and special law and by this Agreement and which shall consist of seven members to be elected by all of the voters of the Assabet Valley Regional Vocational School District, hereinafter sometimes referred to as the "District", voting in a District election to be held at the biennial state elections. The term of office of each member shall be four years, commencing with the date of the biennial state election at which each such member was elected and thereafter, until their respective successors have been duly elected and qualified. One member of the Committee shall at all times be a resident of the City of Marlborough and of each of the Towns of Berlin, Hudson, Maynard, Northborough, Southborough and Westborough.

2. Vacancies which occur on the Committee shall be filled by majority vote of the Selectmen or the City Council, as the case may be, in the member town or city in which the vacancy arises. An appointee filling any such vacancy shall serve the unexpired portion of the term.

3. The members of the Committee incumbent on the effective date of this amendment from the Towns of Berlin, Hudson, and Maynard, and from the City of Marlborough shall hold office until the 2010 biennial state election, and until their successors have been elected and qualified as herein provided. The members of the Committee incumbent on the effective date of this amendment from the Towns of Northborough, Southborough and Westborough shall hold office until the 2012 biennial state election, and until their successors have been elected and qualified, as herein provided.

(B.) Nominations

Nominations for membership on the Committee shall be made in accordance with all the procedures prescribed by Massachusetts General Laws, Chapter 53, §122, as from time to time amended, and other pertinent provisions of law.

(C.) Organization

Annually, at the first regular meeting of the Committee following the first Tuesday next after the first Monday in November, the Committee shall organize and choose by ballot a chairman and a vice chairman from among its own membership.

(D.) Quorum

A quorum for the transaction of business shall consist of a majority of the Committee but a lesser number may adjourn.

(E.) Ballot Format

The names and addresses of the candidates shall be arranged on the ballot according to the city or town in which they reside with a separate category for each city or town, the seat for which on the district School Committee is being filled in that election. For each category, there shall be printed such directions as will instruct the voter to vote for the number of candidates to be elected in each town.

(F.) Powers and Duties

The Committee shall have all the powers and duties confirmed and imposed upon it by this Agreement and such other additional powers and duties as are specified in Chapter 5B of the Acts of 1966, and any amendments thereof or additions thereto, now or hereafter enacted, or as may be specified in any other applicable general or special law.

2. This amendment to the Regional District Agreement shall become effective upon acceptance of said amendment by each of the member municipalities (as defined in the District Agreement) as provided for in Section VII of said Agreement.

ARTICLE 29 - Motion passed

To see if the Town will vote to accept the layout as a public way of Galahad Road as shown on the plan titled "Street Acceptance Plan of Galahad Road in Northborough and Shrewsbury, MA" dated January 13, 2009, prepared by Graz Engineering, L.L.C., 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.

ARTICLE 30 - Motion passed

To see if the Town will vote to authorize the Board of Selectmen to grant a perpetual conservation restriction on land located at 481 Howard Street, shown on Assessors' Map 12, as Parcel 2, in accordance with the requirements of M.G.L. Chapter 44B, Section 12(a), and M.G.L. Chapter 184, Sections 31-33, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Northborough to effect said conservation restriction, or take any action relative thereto.

ARTICLE 31 - Motion passed (vote: 221 Yes, 82 No)

To see if the Town will vote to amend the Northborough Town Zoning Bylaw, Chapter 7, by replacing the text of the bylaw in its entirety with new text as found in the document labeled "Article 31 Zoning Bylaw," a copy of which is on file in the Office of the Town Clerk, and to amend the Zoning Map by deleting in its entirety the Zoning Map dated October 1975, amended in 1987 and 1996, and replacing it with the Zoning Map dated April 2009, a copy of which is on file in the Office of the Town Clerk, or take any action relative thereto.

Motion made to adjourn at 11:25pm - Motion passed

Town Meeting – 2nd night, April 28th, 2009

ARTICLE 32 - Motion passed

To see if the Town will vote to amend the Northborough Municipal Code 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[]:

Composition, mode of appointment, term of office. There shall be a Board of Appeals composed of [five (5)] [three (3)] members and [two (2)] [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.

or take any action relative thereto.

ARTICLE 33 - Motion passed

To see if the Town will 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, or take any action relative thereto.

ARTICLE 34 - Motion passed

To see if the Town will vote to appropriate the sum of Fifteen Thousand Dollars (\$15,000) from the Community Preservation Fund revenues to the Northborough Town Administrator's Office for the creation of a capital improvement plan for the preservation, rehabilitation, and restoration of the Town Office building, or take any action relative thereto.

ARTICLE 35 - Motion passed

To see if the Town will vote to appropriate the sum of Twenty Thousand Dollars (\$20,000) 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, or take any action relative thereto.

ARTICLE 36 - Motion passed

To see if the Town will vote to appropriate the sum of Twenty Thousand Dollars (\$20,000) from the Community Preservation Fund revenues to the Northborough Housing Partnership for the creation of an affordable housing needs analysis, or take any action relative thereto.

ARTICLE 37 - Motion passed

To see if the Town will vote to appropriate the sum of One Hundred Fifty Thousand Dollars (\$150,000) from the Community Preservation Revenue to the Northborough Affordable Housing Corporation for the acquisition and/or preservation of affordable housing units and costs associated with the purchase of said units, or take any action relative thereto.

ARTICLE 38 - Motion passed

To see if the Town will vote to appropriate the sum of One Hundred Fifty Thousand Dollars (\$150,000) 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 and/or acquisitions, or take any action relative thereto.

ARTICLE 39- Motion passed

To see if the Town will 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, or take any action relative thereto.

ARTICLE 40 - Motion passed

To see if the Town will vote to appropriate the sum of Twenty Four Thousand Five Hundred Dollars (\$24,500) 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 2010, or take any action relative thereto.

ARTICLE 41 - Motion passed

To see if the Town will vote to amend the Consolidated Personnel Bylaw as shown in the handout (copies of which were available in the Town Clerk's Office continuously prior to the posting of the Warrant until the time of Town Meeting) entitled "Article 41 - Consolidated Personnel Bylaw Amendments – 2009 Annual Town Meeting".

ARTICLE 42 - Motion passed

To see if the Town will vote to authorize the Board of Selectmen to petition the Senate and House of Representatives in General Court for special legislation authorizing the issuance of an additional license for the sale at retail of all alcoholic beverages, not to be drunk on the licensed premises, in substantially the following form and wording:

Notwithstanding the provisions of Section 17 of Chapter 138 of the General Laws, the licensing authority for the Town of Northborough is hereby authorized to issue a license for the sale at retail of all alcoholic beverages, not to be drunk on the premises, under the provisions of Section 15 of said Chapter 138. Said license shall be restricted to property on Route 20, near Route 9, to be used for a Commercial Center generally shown on Northborough Assessors' Maps as follows, to promote economic vitality:

<u>Map</u>	<u>Parcel</u>
106	6
106	7
106	21
107	1
109	15

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.

or take any action relative thereto.

ARTICLE 43 - Motion passed

To see if the Town will vote to transfer the care, custody, management and control of two (2) portions of a certain parcel of land, being Tax Map 215/044.0-0014-0000.0 Parcel "C", located on Valentine Road, and described in a deed dated January 5, 1989, recorded with the Worcester South District Registry of Deeds in Book 12219, Page 366, said portions shown on a survey plan entitled "Plan of Land in Northborough, Massachusetts, Owned by the Town of Northborough, Scale 1"=40', Date: February 17, 2009, Prepared by R.W. Hart Associates Inc., Northborough, Massachusetts, Registered Land Surveyors & Engineers," to be recorded with the Worcester South District Registry of Deeds from the Parks and Recreation Commission for playground purposes to the Board of Selectmen for the purpose of conveyance, and to authorize the Board of Selectmen to convey the fee ownership interest in said portions, one portion to Robert A. DiGregorio and Joyce DiGregorio, and the other portion to Andrew D.W. McKie and Susan E. McKie, on such terms and conditions as the Board of Selectmen shall deem appropriate, and, further, to see if the Town will vote to authorize the Board of Selectmen to petition the Massachusetts General Court to approve said transfer, change in use and conveyance pursuant to the provisions of Article 97 of the Articles of Amendment to the Massachusetts Constitution, or take any action relative thereto.

- This article allows the Town to transfer ownership of those portions of Town-owned property currently in use by the DiGregorios and the McKies.

ARTICLE 44 CITIZENS' PETITION – Passed over

To see if the Town of Northborough will vote to:

Amend the current leash law to allow for dogs under voice control and close supervision to be off leash in designated public areas. We request that the bylaw definitions be changed as below.

2-24-10 Definitions

RESTRAINT: A dog is under restraint within the meaning of this Article if he is controlled by a leash, is on or within a vehicle being driven or parked on the streets, is within the property limits of its owner or keeper, is within the property limits of another person with the knowledge and permission of such other person, [or is on designated off leash public lands].

EXCEPTIONS:

1. Any dog that is being used as a so-called “hunting dog” and is being supervised as such by a person competent to restrain such dog so that it shall not be a threat to public safety.
2. Any police dog that is acting in the line of duty.
3. Any certified service dog acting as an aid to a handicapped person.
- [4. Any dog that is in a designated off leash area and is under voice control and close supervision by a person competent to restrain such dog so that it shall not be a threat to public safety.]

Proposed by: Citizen’s group known as People Who Play With Pups

8:46pm, Motion made to dissolve the meeting - Motion passed