

**TOWN OF NORTHBOROUGH  
ANNUAL TOWN MEETING WARRANT  
APRIL 23, 2012**

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-THIRD day of April 2012 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 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 Sixteen Million Nine Hundred Seventy Seven Thousand Forty Eight Dollars (\$16,977,048) for Town Government as displayed below, and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Transfer from Cemetery Trust Fund Income	\$ 10,000
Transfer from Cemetery Sale of Lots	\$ 23,000
Transfer from Debt Exclusion Premium Reserve	\$ 20,884
Transfer from Title V Reserve	\$ 4,534
Transfer from Conservation Commission Fees	\$ 10,000
Transfer from Police Revolving Account	\$ 72,500

Transfer from Fire Emergency Medical Services Revolving Account	\$ 77,447
Transfer from Recreation Revolving Account	\$ 120,000
Transfer from Animal Control Revolving Account	\$ 35,000
Free Cash	\$ 500,000

for a total of Eight Hundred Seventy Three Thousand Three Hundred Sixty Five Dollars (\$873,365), and that the sum of Sixteen Million One Hundred Three Thousand Six Hundred Eighty Three Dollars (\$16,103,683) 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 Four Million One Hundred Sixty Seven Thousand Six Hundred Fifty Two Dollars (\$4,167,652) 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	\$ 158,183
Water Fund Free Cash	\$ 191,983
Solid Waste Fund Free Cash	\$ 50,000

Raise and Appropriate by Taxation:

Solid Waste General Fund Subsidy	\$ 247,570
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for a total of Six Hundred Forty Seven Thousand Seven Hundred Thirty Six Dollars (\$647,736) and that the sum of Three Million Five Hundred Nineteen Thousand Nine Hundred Sixteen Dollars (\$3,519,916) be financed from Water, Sewer and Solid Waste Revenues.

Water Fund	\$2,017,630
Sewer Fund	\$1,368,932
Solid Waste	<u>\$ 781,090</u>
	\$4,167,652

**ARTICLE 6 MOTION PASSED**

To see if the Town will vote to raise and appropriate by taxation the sum of Nineteen Million Four Hundred Ninety Five Thousand Two Hundred Seventy Seven Dollars (\$19,495,277) 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 Nine Million Three Hundred Eighty Nine Thousand Four Hundred Fifteen Dollars (\$9,389,415), 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 Fifty Six Thousand Six Hundred Forty Five Dollars (\$656,645), or take any action relative thereto.

**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 M.G.L. Chapter 78, Sections 19A and 19B, and 605 CMR 4.00, as supplemented or amended by current state budget language, to be used by the Library Trustees for books, automation costs, or in any way that may benefit the library, and to apply for State aid for the coming fiscal year.

**ARTICLE 10 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 MOTION PASSED**

To see if the Town will vote to combine Articles 12 through 17 as follows:

Article 12 Reauthorizes Fire Department Revolving Fund Accounts;

Article 13 Reauthorizes Police Department Revolving Fund Accounts;

Article 14 Reauthorizes Animal Control 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;

And in so voting that the Town vote to establish and/or reauthorize revolving fund accounts as stated in Articles 12 through 17 of the Warrant, said revolving accounts being authorized to and for the use of the Fire Department, Police Department, Animal Control, Community Affairs Committee, Family and Youth Services Department, and Council on Aging 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/Emergency Medical Service 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 Animal Control Officer for the receipt of dog license fees and related fines, which sums shall be utilized to support the Animal Control Officer's expenditures; pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E½.

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

To see if the Town will vote to appropriate the sum of One Hundred Fifty Thousand Dollars (\$150,000) for a Reserve Fund to provide for extraordinary or unforeseen expenditures in accordance with Massachusetts General Laws Chapter 40, Section 6, and to meet said appropriation, the sum of One Hundred Fifty Thousand Dollars (\$150,000) be raised by taxation, transfer from available funds, borrowing or otherwise, or take any action relative thereto.

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

**ARTICLE 19 MOTION PASSED**

To see if the Town will vote to appropriate the sum of One Hundred Thousand Dollars (\$100,000) from General Fund Free Cash, to offset FY2012 Emergency Storm Spending, and to meet said appropriation, the sum of One Hundred Thousand Dollars (\$100,000) be raised by taxation, transfer from available funds, borrowing or otherwise, or take any action relative thereto.

- This Article provides an estimated 25% of the funding for the cost associated with the clean up after the October 29, 2011 Nor’easter. The Town also expects to receive a 75% reimbursement from Federal Emergency Management Agency (FEMA).

**ARTICLE 20 MOTION PASSED**

To see if the Town will vote to accept Chapter 200A, Section 9A of the Massachusetts General Laws in order to authorize a procedure for the disposition of abandoned funds held in the custody of the Town.

- Approval of this Article would provide the authorization for the Town to dispose of abandoned property, mainly checks which have been issued but remain outstanding, to be handled in the manner outlined in Chapter 200A, Section 9A. Basically, after one year, with the appropriate notice, the Town would be allowed to return the funds to the Town treasury.

**ARTICLE 21 MOTION PASSED**

To see if the Town will vote to rescind the authorization to borrow the following amounts, representing unused borrowing capacity no longer needed for the purposes for which borrowing was initially approved:

<u>Unissued Amount</u>	<u>Date of Approval</u>	<u>Warrant Article</u>	<u>Original Purpose</u>
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\$238,762	4/28/2008	#47	Lincoln Street School Roof
\$400,000	4/25/2006	#28	Fire Department Ladder Truck

- This Article seeks to clear the Authorized, Unissued portion of these two borrowing articles by rescinding the authority to borrow in order to finalize these projects.

**ARTICLE 22 (CIP) MOTION PASSED**

To see if the Town will vote to appropriate the sum of Three Hundred Fifty Thousand Dollars (\$350,000) for the use of the Northborough Fire Department to purchase a fire engine tender (tanker truck) and related equipment, and to meet said appropriation, the sum of Three Hundred Fifty Thousand Dollars (\$350,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides funds to replace the department’s 1984 engine which will be twenty-nine years old in 2013 and has far exceeded its useful life with a fire engine tender (tanker truck).

**ARTICLE 23 (CIP) MOTION PASSED**

To see if the Town will vote to appropriate the sum of Eighty Five Thousand Dollars (\$85,000) for the use of the Northborough Fire Department to purchase departmental equipment and related expenses to comply with the Federal Communications Commission’s narrow banding mandate, and to meet said appropriation, the sum of Eighty Five Thousand Dollars (\$85,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides funds for the purchase of new radio equipment and related conversion required in order to comply with the Federal Communications Commission mandate by January 1, 2013. This appropriation includes radio equipment replacement for the Fire Department, Police Department and Department of Public Works.

**ARTICLE 24 (CIP) MOTION PASSED**

To see if the Town will vote to appropriate the following unexpended amounts of money that were initially borrowed to finance capital projects that are now complete, and for which no further liability remains, to pay costs in the amount of Eight Hundred Two Thousand Dollars (\$802,000) for the repairs, renovation and restoration of the Town Offices Building, located at 63 Main Street as permitted by Chapter 44, Section 20 of the General Laws, or take any action relative thereto:

<u>Date of Approval</u>	<u>Warrant Article #</u>	<u>Original Purpose</u>	<u>Unexpended Amount</u>
4/28/2008	21	119 Colburn Street Remediation	\$705,941
4/28/2008	47	Lincoln Street School Roof	1,509
4/28/2008	48	Lincoln Street School Floors	2,711
4/24/2006	30	Police Station Repairs	35,098
4/24/2006	31	Highway Garage Improvements	469
4/24/2006	52	Middle School Elevator Repairs	141
4/24/2006	56	Peaslee School Roof	1,765
4/26/2005	33	School Pneumatic System	2,052
4/26/2004	37	School Technology Plan	54

4/26/2004	39	Peaslee School Cafeteria Equipment	21
4/26/2004	40	Lincoln Street School Exterior Doors	1,097
4/28/2003	19	Fire Rescue Pumper	85
4/22/2002	41	Middle School Heating System	900
4/23/2001	37	School Building Repairs	25,932
4/27/1998	24	Town Computer Network	4,842
4/28/1997	34	School Feasibility Study	19,383
	<b>TOTAL</b>		<b>\$802,000</b>

- This Article provides for the repurposing of the bond proceeds remaining from a variety of previously completed projects for use toward the Town Offices Building repair project. In addition to the \$802,000 requested to be appropriated in this article, the Community Preservation Committee is proposing an appropriation of \$350,000 in Article #37 for a total project cost of \$1,152,000. Under this proposed financing plan there will be no additional tax impact for this project.

**ARTICLE 25 (CIP) MOTION PASSED**

To see if the Town will vote to appropriate the sum of Ten Thousand Dollars (\$10,000) for the use of the Northborough Department of Public Works to repair the track at Ellsworth McAfee Park, and to meet said appropriation, the sum of Ten Thousand Dollars (\$10,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides funds for the repair and upgrade of the portion of the track at Ellsworth McAfee Park that was not repaired as part of the playground project in 2009. The \$10,000 appropriation will be combined with \$30,000 in donated funds for a total project cost of \$40,000.

**ARTICLE 26 (CIP) MOTION PASSED**

To see if the Town will vote to appropriate the sum of Fifty Six Thousand Dollars (\$56,000) for the use of the Northborough Department of Public Works – Highway Division to purchase a one-ton service truck and related equipment, and to meet said appropriation, the sum of Fifty Six Thousand Dollars (\$56,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides funds to replace a 2000 Ford F-350 truck with a one-ton service truck and plow.

**ARTICLE 27 (CIP) MOTION PASSED**

To see if the Town will vote to appropriate the sum of One Hundred Fifty Three Thousand Dollars (\$153,000) for the use of the Northborough Department of Public Works – Highway Division to purchase a sidewalk plow and related equipment, and to meet said appropriation, the sum of One Hundred Fifty Three Thousand Dollars (\$153,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides funds to purchase a new sidewalk plow to replace the existing 2002 piece of equipment which has reached the end of its useful life.

**ARTICLE 28 (CIP) MOTION PASSED**

To see if the Town will vote to appropriate the sum of Seventy Five Thousand Dollars (\$75,000) from Sewer Fund Free Cash and vote to appropriate the sum of Twenty Five Thousand Dollars (\$25,000) from General Fund Free Cash, for a total of One Hundred Thousand Dollars (\$100,000), to purchase a portable generator and related equipment for the use of various municipal facilities.

- This Article provides funds to purchase a portable generator that would serve as a back-up generator for the Hudson Street Sewer Pump Station. The article also includes the necessary wiring expenses at the various facilities so that the portable generator can serve as a backup for critical municipal operations.

**11:01 pm Meeting was adjourned.**

**Tuesday April 24<sup>th</sup> 2012 2nd night Annual Town Meeting**

**ARTICLE 29 (CIP) MOTION PASSED**

To see if the Town will vote to appropriate in FY2012, sums of money for the projects described below in the amounts described below; to determine whether these appropriations shall be raised by the transfer from available funds and/or in accordance with Chapter 44, Section 20 of the General Laws, as indicated below for each project, or otherwise; or to take any other action relative thereto:

<u>Project</u>	<u>Transfer</u>	<u>Transfer MGL Ch. 44, Sec. 20</u>	<u>Total</u>
Lyman Street Well Design & Construction, including costs incidental or related thereto	\$59,783 Water Enterprise Fund Free Cash	\$190,217 Article #23 - 4/23/2007 Town Meeting - Water Tank Improvements	\$250,000

- This Article provides funds for the immediate repair and upgrade in FY2012 of the Lyman Street Well as required by the Department of Environmental Protection.

**ARTICLE 30 (CIP) MOTION PASSED**

To see if the Town will vote to appropriate sums of money for the projects described below in the amounts described below; to determine whether these appropriations shall be raised by transfer from available funds and/or in accordance with Chapter 44, Section 20 of the General Laws, as indicated below for each project, or otherwise; or to take any other action relative thereto:

<u>Project</u>	<u>Transfer</u>	<u>Transfer MGL Ch. 44, Sec. 20</u>	<u>Total</u>
Melican Middle School Emergency Generator, including costs incidental or related thereto	\$286,000 General Fund Free Cash	\$114,000 Article #21 – 4/28/2008 Town Meeting - 119 Colburn Street Remediation	\$400,000



- This Article provides funds for an emergency generator replacement at the Melican Middle School. The replacement generator will power the school, which serves as the Town's primary emergency shelter site, in the event of a power outage .

### **ARTICLE 31 (CIP) MOTION PASSED**

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount 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, with the understanding that 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.

- This Article provides the authority to borrow \$500,000 for a feasibility study for a potential addition/renovation of the Lincoln Street School. Approximately 48% of the cost of the feasibility study will be reimbursed by a Massachusetts School Building Authority grant.

### **ARTICLE 32 MOTION PASSED**

To see if the Town will approve the \$62,434,488 borrowing authorized by the Assabet Valley Regional Vocational School District, for the purpose of paying costs of the Assabet Valley Regional Technical High School Repair/Renovation Project, located at 215 Fitchburg Street, Marlboro, MA, including the payment of all costs incidental or related thereto ("the Project") which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least (50) years, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the Assabet Valley Regional Technical High School Building Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-three and forty-eight one-hundredths percent (53.48%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

- This Article provides approval for the \$62.4 million repair/renovation project for the Assabet Valley Regional Vocational School building. The Massachusetts School Building Authority has approved the project and will contribute approximately \$33.4 million toward this project. The project requires approval from all seven member communities.

### **ARTICLE 33 PASSED OVER**

To see if the Town will vote to appropriate the sum of Sixty Thousand Dollars (\$60,000) for repair of a private way, servicing 232, 234A, 236 and 238 Church Street, pursuant to Chapter 9-120 of the Code of the Town of Northborough, and to authorize the Board of Selectmen to assess betterments for the total cost to the Town of such repair, in accordance with Massachusetts General Laws, Chapter 80, on a per parcel basis proportional to all parcels benefitting, 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(6) 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.

- This Article provides funds for the Town repair of a private way. In accordance with the Town Code, the total project cost will be assessed to the property owners through a betterment program.

#### **ARTICLE 34 MOTION PASSED**

To see if the Town will vote to authorize the Board of Selectmen to grant and convey access and utility easements on property owned by the Town and located at 211 Main Street, which property is shown on Assessors Map 53 as Lot 107, for the purpose of serving the telecommunications facility and equipment located on said property pursuant to the lease previously authorized under Article 39 of the April 2010, Annual Town Meeting, which easements shall be on such terms and conditions, and for such consideration, which may be nominal consideration, as the Board of Selectmen deems appropriate; or take any action relative thereto.

- This Article is regarding the use of a portion of Town-owned land for the operation and maintenance of a wireless communication tower and accessory equipment.

#### **ARTICLE 35 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 35 - Consolidated Personnel Bylaw Amendments – 2012 Annual Town Meeting".

#### **ARTICLE 36 MOTION PASSED**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-02-040 Definitions by deleting the text shown in brackets [ ] and replacing it with the text shown in brackets and underlined [ ], or take any action relative thereto.

Lot Width, Minimum – [The required minimum lot frontage extending from the front lot line to the rear building line of the main building on the lot.] [The required minimum lot frontage shall extend from the front lot line to the rear building line of the main building and shall be equal to or greater than the required minimum lot frontage dimension per 7-06-020 Table 2. If the lot has reduced frontage per 7-06-030B(2), the minimum lot width per 7-06-020 Table 2 shall apply from the front building line to the rear building line of the main building. If the lot has reduced frontage per 7-06-030B(3), the minimum lot width at the main building line shall not be less than 100'.]

- The proposed expanded definition is for clarification purposes only. The intent of the definition is not changing. There have been ongoing misinterpretations by the private sector when locating buildings on lots resulting in applicants seeking variances for minimum lot width. This improved definition will result in better understanding of where buildings need to be located on a lot in order to meet the minimum lot width.

#### **ARTICLE 37 (CPA) MOTION PASSED**

To see if the Town will vote to appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000), or any other sum, from the Community Preservation Fund revenues and the sum of

One Hundred Thousand Dollars (\$100,000), or any other sum, from the Community Preservation Unreserved Fund, for a total of Three Hundred Fifty Thousand Dollars (\$350,000), or another sum, to the Town Administrator for renovations and restorations to the Town Offices Building, 63 Main Street, for the purpose of upgrading the heating system, or take any action relative thereto.

- This Article will contribute \$350,000 from Community Preservation Funds and partially fund the upgrading of the Town Offices Building heating system.

**ARTICLE 38 (CPA) MOTION PASSED**

To see if the Town will vote to appropriate the sum of Fifty Thousand Dollars (\$50,000), or any other sum, from the Community Preservation Fund revenues and transfer said amount to the Conservation Fund for future open space preservation or acquisitions 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, or take any other action relative thereto.

- This Article will place funds into the Conservation Commission Fund which is used to assist with the acquisition of open space including purchase, surveys, and legal fees.

**ARTICLE 39 (CPA) MOTION PASSED**

To see if the Town will vote to appropriate the sum of Seven Thousand Two Hundred Dollars (\$7,200), or any other sum, from the Community Preservation Fund revenues to the Northborough Historical Society for the repair and restoration of the 1874 George Stevens Pipe Organ located in the Historical Society building at 52 Main Street, or take any action relative thereto.

- This Article is for the repair and restoration of the organ located in the Historical Society building.

**ARTICLE 40 (CPA) MOTION PASSED**

To see if the Town will vote to appropriate the sum of Five Thousand Dollars (\$5,000), or any other sum, from the Community Preservation Fund revenues to the Northborough Historical Commission for the inventory and assessment of colonial era gravestones at Howard Street Cemetery and Brigham Street Burial Ground, or take any other action relative thereto.

- This Article is for the first phase of a project for an inventory and an assessment of the condition of colonial era gravestones in the Town's cemeteries.

**ARTICLE 41 (CPA) MOTION PASSED**

To see if the Town will vote to appropriate the sum of Six Thousand Six Hundred Dollars (\$6,600), or any other sum, from the Community Preservation Fund revenues and Forty-Three Thousand Four Hundred Dollars (\$43,400), or any other sum, from the Community Preservation Unreserved Fund, for a total of Fifty Thousand Dollars (\$50,000), or another sum, and place said amounts in the Community Preservation Historic Resources Reserve for the purpose of future historical property preservation or acquisitions, or take any other action relative thereto.

- This Article places funds in the historic resources reserve account to be used at a later date for the acquisition and/or preservation of historic property.

**ARTICLE 42 (CPA) MOTION PASSED**

To see if the Town will vote to appropriate the sum of One Hundred Thousand Dollars (\$100,000), or any other sum, from the Community Preservation Fund revenues to the Northborough Housing Authority for the purpose of demolishing the former senior center at 1 Centre Drive, or take any other action relative thereto.

- This Article allocates funds to the Housing Authority for the demolition of the former senior center.

**ARTICLE 43 (CPA) MOTION PASSED**

To see if the Town will vote to appropriate the sum of Eleven Thousand Fifteen Dollars (\$11,015), or any other sum, from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for debt service and expenses associated with Open Space land acquisition for the Fiscal Year 2013, or take any other action relative thereto.

- This Article allocates funds to pay for the FY2013 debt service and associated costs for the purchase of the Open Space parcel located at 0 Green Street (Assessors Map 26, Parcel 2) approved at the 2011 Annual Town Meeting.

**ARTICLE 44 (CPA) MOTION PASSED**

To see if the Town will vote to appropriate the sum of Twenty Four Thousand Dollars (\$24,000), or any other sum, from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for expenses associated with the implementation of the Community Preservation Act, including but not limited to clerical assistance, office supplies, property surveys, appraisals, attorney's fees, and other professional services, recording fees, printing and all other necessary and proper expenses for the Fiscal Year 2013, or take any other action relative thereto.

- This Article allocates funds to the Community Preservation Committee for costs associated with administering the Community Preservation Act.

**ARTICLE 45 MOTION PASSED**

To see if the Town will vote to approve the following:

SECTION 1. The Town of Northborough, acting by and through its Board of Selectmen, may transfer two parcels of land, being portions of land owned by the Town of Northborough and held for playground purposes from the Parks and Recreation Commission to the Board of Selectmen for the purpose of conveyance. The land is described in a deed to the Town dated January 5, 1989 recorded in the Worcester South District Registry of Deeds in Book 12219, page 366. The parcels to be conveyed are shown as "Parcel C-2" and "Parcel C-3" on a 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".

SECTION 2. The Town of Northborough, acting by and through its Board of Selectmen, may convey the first parcel of land containing approximately 3,678 square feet, shown as "Parcel C-

2” on the plan referenced in Section 1, to abutters Robert A. DiGregorio and Joyce DiGregorio of 72 Valentine Road in the Town, being the site of an existing pool and appurtenant buildings. The consideration paid to the Town for such conveyance shall be in the amount of \$6,215.82. The Town, acting by and through its Board of Selectmen, may convey the second parcel of land containing approximately 3,680 square feet, shown as “Parcel C-3” on the plan referenced in said Section 1, to abutters Andrew D.W. McKie and Susan E. McKie of 68 Valentine Road in said Town, being the site of an existing driveway. The consideration paid to the Town for such conveyance shall be in the amount of \$6,219.20. The remainder of the property shown on such plan, approximately 3.1274 acres, shall continue to be held for playground purposes under the Parks and Recreation Commission of the Town of Northborough.

SECTION 3. This act shall take effect upon its passage.

- This Article allows the Town to transfer ownership of those portions of Town-owned property currently in use by the DiGregorios and the McKies. This article was previously approved at the 2009 Annual Town Meeting. However, the State Legislature failed to act in a timely manner and Town Meeting reauthorization is required.

#### **ARTICLE 46 MOTION FAILED**

To see if the Town will vote to amend Chapter 2-36, Historic Buildings, of the Northborough Town Code, Section 2-36-020, Definitions, by deleting the text shown in brackets [ ], or take any action relative thereto.

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.

- This Article will delete reference to the Inventory of Historic and Archaeological Assets as this inventory only serves to list buildings in Town that are over fifty (50) years old. The inventory makes no reference to the historic significance of the building.

#### **ARTICLE 47 – CITIZENS PETITION MOTION FAILED**

To see if the Town will vote to require voters to present photo identification before being allowed to cast a vote in State and National elections.

Proposed by: Barbara Sands

#### **ARTICLE 48 – CITIZENS PETITION MOTION PASSED**

To see if the Town will vote to amend the Northborough Town Zoning Bylaw Chapter 7-05-030 Table of Uses, Table 1. Table of Uses, Part B. Commercial and Industrial Districts Residential Uses Section A. Principle Uses, Sub-section Multifamily dwelling in Business East by removing may be allowed by special permit from the Zoning Board of Appeals and replace with “prohibited use”.

Proposed by: Carol Chione

**ARTICLE 49 – CITIZENS PETITION MOTION PASSED**

To see if the Town will vote to amend the Northborough Town Zoning Bylaw, Chapter 7-05-030 Table of Uses, Part B, Commercial and Industrial Districts, Section: Mixed Uses, Sub-section: Horizontal Mixed Use Development in Business East by removing the use allowed by Special Permit from the Zoning Board of Appeals and replace with “prohibited use”.

Proposed by: Carol Chione

**ARTICLE 50 – CITIZENS PETITION MOTION FAILED (71 yes, 59 no)**

To see if the Town will vote to amend the Northborough Town Zoning Bylaw, Chapter 7-06-030 Table 2. Table of Density and Dimensional Regulations for District Business East by changing existing Minimum Yard Setbacks of “twenty (20) feet to twenty-five (25) feet for Side; twenty-five (25) feet to thirty (30) feet for Rear.”

Proposed by: Karen Ares

**ARTICLE 51 – CITIZENS PETITION MOTION FAILED (45 yes, 69 no)**

To see if the Town will vote to amend the Northborough Town Zoning Bylaw, Chapter 7-06-030 Table 2. Table of Density and Dimensional Regulations for District Business East Minimum Open Space by removing twenty (20) percent and replacing with thirty (30) percent”.

Proposed by; Karen Ares

**ARTICLE 52 MOTION PASSED OVER**

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.

11:46pm Motion to dissolve the meeting. **MOTION PASSED**

**Attendance 4/23/2012: 246**

**Attendance 4/24/2012: 213**

**Total Registered Voters: 10,207**

A True Copy Attest:

Andrew T. Dowd,  
Town Clerk