

TOWN OF NORTHBOROUGH
ANNUAL TOWN MEETING WARRANT
APRIL 28, 2014

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-EIGHTH day of April, 2014 at 7:30 p.m. to act on the following warrant articles:

7:32pm Moderator Fred George called the meeting to order, a quorum of at least 100 registered voters was present in the hall.

ARTICLE 1: Appointing Deputy Moderator **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: Compensating Balance Agreement **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.

- This article provides the authorization for the Town to enter into a compensating balance agreement in order to obtain banking services. A compensating balance is an arrangement by which a town maintains municipal funds on deposit in return for banking services. Under such an arrangement, the earnings retained by the bank on the account balances “compensate” the bank for the services provided.

ARTICLE 3: Prior Year’s Bills **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 takes 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: Town Budget MOTION PASSED

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Eighteen Million Seven Hundred Eighty Nine Thousand Seven Hundred Seventy Five Dollars (\$18,789,775) for Town Government as displayed below, and to meet said appropriation, the following sums available for appropriation to be transferred:

From:

Transfer from Cemetery Trust Fund Income	\$ 2,080
Transfer from Cemetery Sale of Lots	\$ 12,000
Transfer from Debt Exclusion Premium Reserve	\$ 18,695
Transfer from Title V Reserve	\$ 4,534
Transfer from Conservation Commission Fees	\$ 8,630
Transfer from Fire Emergency Medical Services Revolving Account	\$300,142
Transfer from Recreation Revolving Account	\$110,000
Transfer from Animal Control Revolving Account	\$ 27,000
Transfer from Medicare Part D Subsidy	\$ 47,873
Free Cash	\$500,000

for a total of One Million Thirty Thousand Nine Hundred Fifty Four Dollars (\$1,030,954) and that the sum of Seventeen Million Seven Hundred Fifty Eight Thousand Eight Hundred Twenty One Dollars (\$17,758,821) be raised by taxation.

ARTICLE 5: Water, Sewer and Solid Waste Funds MOTION PASSED

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Four Million Five Hundred Twenty Three Thousand Nine Hundred Forty One Dollars (\$4,523,941) 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	\$ 66,314
Sewer Fund Free Cash	\$ 124,175

Solid Waste Fund Free Cash \$ 50,000

Raise and Appropriate by Taxation:

Solid Waste General Fund Subsidy \$ 217,160

for a total of Four Hundred Fifty Seven Thousand Six Hundred Forty Nine Dollars (\$457,649) and that the sum of Four Million Sixty Six Thousand Two Hundred Ninety Two Dollars (\$4,066,292) be financed from Water/Sewer and Solid Waste Revenues.

Water Fund \$ 2,174,510

Sewer Fund \$ 1,594,271

Solid Waste \$ 755,160

\$ 4,523,941

ARTICLE 6: Northborough K-8 Schools' Budget MOTION PASSED

To see if the Town will vote to raise and appropriate by taxation the sum of Twenty One Million Two Hundred Nine Thousand Two Hundred Sixteen Dollars (\$21,209,216) for the operation of the Northborough Public Schools.

ARTICLE 7: Algonquin Regional High School Budget 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 Six Hundred Sixty Three Thousand Five Hundred Seventy Seven Dollars (\$9,663,577), or take any action relative thereto.

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

To see if the Town will vote to raise and appropriate by taxation Northborough's share of the assessment for the operation and debt service of the Assabet Valley Regional Vocational School District, the sum of Eight Hundred Thirty Nine Thousand Seven Hundred Fifty Three Dollars (\$839,753), or take any action relative thereto.

ARTICLE 9: Library Grants 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, and 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: Authorization for Grant Applications **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: Revolving Accounts-Combine Articles 12-16 **MOTION PASSED**

To see if the Town will vote to combine Articles 12 through 16 as follows:

Article 12 Reauthorizes Fire Department Revolving Account;

Article 13 Reauthorizes Animal Control Revolving Fund Accounts;

Article 14 Reauthorizes Community Affairs Committee Revolving Fund Accounts;

Article 15 Reauthorizes Family and Youth Services Department Revolving Fund Accounts;

Article 16 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 16 of the Warrant, said revolving accounts being authorized to and for the use of the Fire 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: Reauthorize Fire Department Revolving Account

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; with annual expenditures for FY2015 not to exceed Four Hundred Thirteen Thousand Three Hundred Thirty-Nine Dollars (\$413,339), 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: Reauthorize Animal Control Revolving Account

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; with annual expenditures for FY2015 not to exceed Fifty Thousand Dollars (\$50,000), 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 14: Reauthorize Community Affairs Committee Revolving Account

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; with annual expenditures for FY2015 not to exceed Twenty Thousand Dollars (\$20,000), 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 15: Reauthorize Family & Youth Services' Department Revolving Account

To see if the Town will vote to reauthorize revolving fund accounts authorized to and for the use of 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; with annual expenditures for FY 2015 not to exceed Twenty Thousand Dollars (\$20,000), 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 16: Reauthorize Council on Aging Revolving Account

To see if the Town will vote to reauthorize revolving fund accounts authorized to and for the use of 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; with annual expenditures for FY2015 not to exceed Two Hundred Thousand Dollars (\$200,000), 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 17: Appropriations Committee Reserve Fund **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 18: Investment of OPEB Trust Fund **MOTION PASSED**

To see if the Town will vote to designate the board of trustees of the Health Care Security Trust (HCST), established under Massachusetts General Laws Chapter 29D, Section 4, to serve as custodian of the Town's Other Post-Employment Benefits (OPEB) Liability Trust Fund; to authorize the Town's Finance Director to execute and deliver the Custodian and Investment Agreement with the HCST board of trustees in substantially the form presented to the Town, a copy of which is on file in the Town Clerk's Office, to sign checks and wire OPEB Trust Funds to the HCST or to the Pension Reserves Investment Trust established under Massachusetts General Laws Chapter 32, Section 22, or as otherwise directed by the HCST, and to make withdrawals and investments and enter into such agreements and deliver such certificates and other documents as the HCST or the Pension Reserves Investment Management Board may direct.

- This Article allows the Town to invest its OPEB Trust Funds into the long-term, professionally managed state pension fund in order to maximize returns.

ARTICLE 19 (CIP): Lincoln St. School Addition/Renovation Construction **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 Lincoln Street School Building Committee for an addition/renovation project for the Lincoln Street School located at 76 Lincoln Street, Northborough, MA, 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 Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), with the Town's acknowledgement 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, and that any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) Fifty Two and Eighty Eight One Hundredths Percent (52.88 %) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA, said appropriation to be

contingent upon the approval, at an election, of a debt exclusion under Massachusetts General Laws Chapter 59, section 21C (Proposition 2 ½ so-called).

- At the April 2012 Annual Town Meeting, \$500,000 was approved to conduct a Feasibility Study of the Lincoln Street Elementary School. The study is now complete and a preferred design solution is being brought forward for Town Meeting approval. The proposed renovation/addition project has an estimated cost of \$25.5 million, with the Massachusetts School Building Authority (MSBA) providing a maximum grant of \$10.4 million. The Town share of the project cost is estimated to be \$15.1 million, but will be effectively reduced by the application of repurposed bond proceeds under Article 20 in the amount of \$268,721 for a final cost of \$14.85 million.

ARTICLE 20 (CIP): Repurposing of Bond Proceeds 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, in the total amount of Two Hundred Sixty Eight Thousand Seven Hundred Twenty One Dollars (\$268,721), to pay costs for the addition/renovation project for the Lincoln Street School at 76 Lincoln Street, said appropriation contingent upon the approval, at an election, of a debt exclusion under Massachusetts General Laws Chapter 59, section 21C (Proposition 2 ½ so-called).

Date of Approval	Warrant Article	Original Purpose	Unexpended Amount
April 23, 2007	#20	Library Construction	\$ 247,380
April 28, 2008	#20	Senior Center Construction	\$ 21,341
Total Repurposed Funds			\$ 268,721

- This Article provides for the repurposing of the bond proceeds remaining from the completed Library renovation/addition and Senior Center building project for use toward the Lincoln St. Elementary School Addition Renovation Project.

ARTICLE 21 (CIP): Fire Department - Car One Replacement MOTION PASSED

To see if the Town will vote to appropriate the sum of Sixty-Six Thousand Dollars (\$66,000) to purchase a command/communications vehicle, and related accessory items and equipment, including radio, lighting and command console, and to meet said appropriation, the sum of Sixty Six Thousand Dollars (\$66,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides funds for the replacement of the Fire Chief’s command/communications vehicle, and related accessory items and equipment, including radio, lighting, and command console.

ARTICLE 22 (CIP): Fire Department - Forestry One Replacement **MOTION PASSED**

To see if the Town will vote to appropriate the sum of One Hundred Seventy Five Thousand Dollars (\$175,000) for the purchase of a forestry/brush truck, and related accessory items and equipment, including radio, lighting and command console, and to meet said appropriation, the sum of One Hundred Seventy Five Thousand Dollars (\$175,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides for the purchase of a forestry/brush truck, and related accessory items and equipment, including radio, lighting, and command console, which is the primary response brush truck, equipped with a portable pump and 300-gallon water tank for rapid response to forest and brush fires.

ARTICLE 23 (CIP): Police Department – CCTV Replacement **MOTION PASSED**

To see if the Town will vote to appropriate the sum of Fifty Three Thousand Five Hundred Dollars (\$53,500) for the purchase of a police station closed circuit (CCTV) security system, and to meet said appropriation, the sum of Fifty Three Thousand Five Hundred Dollars (\$53,500) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides funding for the replacement of the existing closed circuit (CCTV) security system at the Police Station.

ARTICLE 24 (CIP): MIS/GIS - Wide-Area Fiber Network **MOTION PASSED**

To see if the Town will vote to appropriate the sum of One Hundred and Ten Thousand Dollars (\$110,000) for the purchase of a Wide-Area Fiber Network for network connectivity, and to meet said appropriation, the sum of One Hundred and Ten Thousand Dollars (\$110,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides for the installation of a new Wide-Area Fiber Network and related equipment in order to connect the Police Department, Town Hall, Library, Fire Department and Highway Garage along a one-mile stretch of Main Street.

ARTICLE 25 (CIP): DPW - Dump Truck w/Spreader & Plow **MOTION PASSED**

To see if the Town will vote to appropriate the sum of One Hundred Ninety Five Thousand Dollars (\$195,000) for the purchase of a Six-Wheel Dump Truck with Spreader and Plow, and to meet said appropriation, the sum of One Hundred and Ninety Five Thousand Dollars (\$195,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides for the replacement of a Dump Truck with Spreader & Plow for the purpose of snow removal, plowing and hauling materials during construction months.

ARTICLE 26 (CIP): DPW - Wing Mower **MOTION PASSED**

To see if the Town will vote to appropriate the sum of Fifty Five Thousand Dollars (\$55,000) for the purchase of a Wing Mower Replacement, and to meet said appropriation, the sum of Fifty Five Thousand Dollars (\$55,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides for the purchase of Wing Wide-Area Mower to be used at all the large, Town-owned fields including the cemetery and the fields at the elementary and middle schools.

ARTICLE 27 (CIP): DPW - All Purpose Tractor **MOTION PASSED**

To see if the Town will vote to appropriate the sum of Fifty Thousand Dollars (\$55,000) for the purchase of an All Purpose Tractor, and to meet said appropriation, the sum Fifty Five Thousand Dollars (\$55,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides for the purchase of an All-Purpose Compact Tractor to be used for backfilling graves and general clean-up in areas inaccessible to larger machines.

ARTICLE 28 (CIP): DPW - Church Street Culvert Replacement **MOTION PASSED**

To see if the Town will vote to appropriate the sum of One Hundred Twenty Thousand Dollars (\$120,000) for design services in connection with the replacement of the Church Street Culvert over Cold Harbor Brook, and to meet said appropriation, the sum of One Hundred Twenty Thousand Dollars (\$120,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides for the design work necessary for the replacement of the Church Street culvert crossing over Cold Harbor Brook near the center of Town. The engineering design will be the basis for solicitation of bids and a subsequent funding request of between \$900,000 and \$1 million in FY2016 to do the actual work.

10:58pm a motion was made to adjourn the meeting **MOTION PASSED**

April 29, 2014 **Adjourned Session of Annual Town Meeting**

7:33pm Moderator Fred George called the meeting to order, a quorum of at least 100 registered voters was present in the hall.

ARTICLE 29 (CIP): DPW - Otis Street Culvert Replacement **MOTION PASSED**

To see if the Town will vote to appropriate the sum of One Hundred Ten Thousand Dollars (\$110,000) for the purpose of replacing the Otis Street crossing over the Smith Pond outlet, and to meet said appropriation, the sum of One Hundred Ten Thousand Dollars (\$110,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides for the engineering and design work for the replacement of the Otis Street culvert crossing over the Smith Pond outlet. The engineering design will be the basis for solicitation of bids and a subsequent funding request of between \$900,000 and \$1 million in FY2016 to do the actual work.

ARTICLE 30 (CIP):DPW Sewer Hudson Street Pump Station Improvements **MOTION PASSED**

To see if the Town will vote to appropriate the sum of One Hundred Fifty Thousand Dollars (\$150,000) for the design of improvements to the Hudson Street Pump Station, 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.

- This Article provides for the design work necessary for improvements to the Hudson Street Sewer Pump Station, which discharges nearly all of the Town's sewage to the Marlborough Westerly Treatment Plant. The design will be used as the basis for an FY16 request for funds for construction costs of the improvement, which are estimated to be \$1 million.

ARTICLE 31 (CIP): DPW - Water Meter Replacement & Billing System **MOTION PASSED**

To see if the Town will vote to appropriate the sum of One Million Five Hundred Thousand Dollars (\$1,500,000) to purchase a water meter replacement & billing system, and to meet said appropriation, the sum of One Million Five Hundred Thousand Dollars (\$1,500,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides for the replacement of approximately 4,300 water meters which are reaching the end of their useful life. The new meters and related billing software will allow for the identification of leaks, tampering, reverse flow conditions and the recording of timed flow-interval data. Funding for the project will come from the water and sewer enterprise fund fees.

ARTICLE 32 (CIP): DPW Water - Edmunds Hill Tank Rehabilitation **MOTION PASSED**

To see if the Town will vote to appropriate the sum of Three Hundred Twenty Five Thousand Dollars (\$325,000) for the rehabilitation of the Edmunds Hill Water Tank, and to meet said appropriation, the sum of Three Hundred Twenty-Five Thousand (\$325,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides for the rehabilitation of the Edmunds Hill Tank as required by MassDEP to address the findings of the most recent tank inspections, which included the need for resurfacing to address corrosion. Funding for this project will come from the water enterprise fund fees.

ARTICLE 33 (CIP): DPW Water/Sewer - One-Ton Service Truck with Plow **MOTION PASSED**
To see if the Town will vote to appropriate the sum of Sixty Five Thousand Dollars (\$65,000) for the purchase of a one-ton service truck and plow, and to meet said appropriation, the sum of Sixty Five Thousand Dollars (\$65,000) be raised by taxation, transfer from available funds, borrowing or otherwise.

- This Article provides for the purchase of a one-ton service truck with plow to serve as a general response vehicle to all water and sewer division calls and to be used as a plow vehicle. It is proposed that funding for this item come from the retained earnings of the Water and Sewer Enterprise Funds with \$39,000 from Water and \$26,000 from Sewer for a total of \$65,000.

ARTICLE 34 (CIP): DPW Sewer - Vacuum/Jetter Combination Trailer **MOTION PASSED**
To see if the Town will vote to appropriate the sum of One Hundred Thousand Dollars (\$100,000) for the purchase of a trailer mounted vacuum/jetter, 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.

- This Article provides for the purchase of a trailer mounted vacuum/jetter to be used to clean and excavate various structures for the Sewer Division. It is proposed that funding for this project come from the Sewer Enterprise Fund Free Cash.

ARTICLE 35: Historic District - Establish Peter Whitney Historic District **MOTION PASSED**
To see if the Town will vote to amend Part 1 of the Northborough Town Code, Chapter 1-60 Historic District Commission, Section 1-60-050 Historic District established, by adding the text shown as underlined below, or take any action relative thereto.

1-60-050 Historic District established.

There is hereby established under the provisions of the Historic Districts Act, MGL C. 40C, as amended by Chapter 359 of the Acts of 1971, an Historic District to be known as the “Peter Whitney Parsonage Historic District”. Said district is described on the map entitled “Peter Whitney Parsonage Historic District” on file in the office of the Town Clerk.

ARTICLE 36: Historical Comm. – Serve as Local Historic District Commission **PASSED OVER**
To see if the Town will vote to amend Part 1 of the Northborough Town Code, Chapter 1-60 Historic District Commission, Section 1-60-010 Establishment, by deleting the text shown with a strikethrough and adding the text shown underlined, or take any action relative thereto.

1-60-010 Establishment.

There is hereby established, under the provisions of the Historic Districts Act, MGL C. 40C, as amended by Chapter 359 of the Acts of 1971, a Northborough Historic District Commission with all the powers and duties of an historic district commission as set forth by said statute. In accordance with MGL C. 40C § 14, the Historic District Commission shall have the powers and duties of an historical commission as provided in section eight D of chapter forty

ARTICLE 37: Historic Buildings Bylaw - Increase Demolition Delay Period **MOTION FAILED**
To see if the Town will vote to amend the Northborough Town Code, Part 2 General Legislation, Chapter 2-36 Historic Buildings, Section 2-36-030 Procedure, by deleting the wording shown in strikethrough and replacing it with the words shown as underlined, or take any action relative thereto.

2-36-030 Procedure

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

2. (a) Within thirty (30) days of the Commission's receipt of a demolition permit application, the Commission shall determine whether the structure is a significant building. The Commission shall hold a public hearing for that purpose, notice of which shall be posted in the Town Hall at least seven (7) days prior to the hearing. Written notice of the hearing shall also be provided to the owner and the Inspector. If the Commission determines the structure is not a significant building, the Commission shall notify the Selectman and Inspector in writing and the Inspector may issue a demolition permit.

If the structure is determined to be a significant building, the Commission shall so advise the owner, the Inspector and the Selectman in writing. The Inspector shall not issue a demolition permit for a period of ~~one hundred eighty (180)~~ three hundred sixty five (365) days from the date of application for such permit.

(b) During the ~~one hundred eighty (180)~~ three hundred sixty five (365) day period, the Commission will invite the applicant (and owner of record, if different from the applicant) to participate in an investigation of alternatives to demolition.

The Commission shall notify the Selectman and Inspector if the applicant and/or property owner has made a reasonable and unsuccessful effort to locate a purchaser for the building or structure who has agreed to preserve, rehabilitate, restore or relocate the same, or has agreed to alternatives to demolition, and the Commission is satisfied that there is no feasible alternative to demolition. This notice will be in writing, and may occur at any time during the ~~one hundred eighty (180)~~ three hundred sixty five (365) day period. The Inspector may then issue a permit to demolish in accordance with all applicable procedures.

ARTICLE 38: Zoning Bylaw – Registered Marijuana Dispensary **MOTION FAILED** (86 yes - 102 no)

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, as follows, or take any action relative thereto.

A) by adding paragraph G.(7)(g) to Section 7-05-020 of Chapter 7-05 Use Regulations, as shown below in the underlined text;

G.(7)(g) Registered Marijuana Dispensary: Also known as Medical Marijuana Treatment Center, is a not-for-profit entity registered under 105 CMR 725.100 that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products (“MIPs”), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation or marijuana.

B) by adding a new entry for “Registered Marijuana Dispensary” to Section 7-05-030 of said Chapter 7-05, Table 1. Table of Uses. Part B. Commercial and Industrial Districts, as shown below in the underlined text:

Table 1. Table of Uses. Part B. Commercial and Industrial Districts						
Uses	DB	BE	BW	BS	HB	I
Other Business Uses						
Veterinary Clinic	N	BA	BA	BA	BA	N
Kennel	N	N	BA	N	N	N
Funeral Home	BA	BA	BA	N	N	N
Adult Uses	N	N	N	N	BA	N
Commercial Storage Facility	N	N	BA	BA	N	PB
<u>Registered Marijuana Dispensary</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>N</u>

C) by adding to Chapter 7-10 Special Regulations, a new Section 7-10-070 Registered Marijuana Dispensary, as shown below in the underlined text:

7-10-070 Registered Marijuana Dispensary (RMD)

- A. Purpose. To provide for the placement of Registered Marijuana Dispensaries (RMDs) in accordance with the Humanitarian Medical Use of Marijuana Act, G.L.C.94C, App. §1-1, et seq., in locations suitable for lawful medical marijuana facilities and to minimize adverse impacts of RMDs on adjacent properties, residential neighborhoods, historic districts, schools, playgrounds and other locations where minors congregate by regulating the siting, design, placement, security, and removal of RMDs.
- B. Definitions. Where not expressly defined in the Northborough Zoning Bylaw, terms used in this Section 7-10-070 shall be interpreted as defined in the Humanitarian Medical Use of Marijuana Act, G.L. c.94C, App. §1-1, et seq. and the Department of Public Health Regulations promulgated thereunder, 105 CMR 725.001, et seq., and otherwise by their plain language.
1. Registered Marijuana Dispensary: also known as Medical Marijuana Treatment Center, means a not-for-profit entity registered under 105 CMR 725.100, that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products (“MIPs”), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise

specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

C. Location.

1. RMDs may be permitted in the Highway Business district by right.
2. RMDs may not be located within 300 feet of the following:
 - a. School, including a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university;
 - b. Licensed child care facility;
 - c. Library;
 - d. Playground;
 - e. Public park;
 - f. Youth center;
 - g. Public swimming pool;
 - h. Video arcade facility; or
 - i. Similar facility in which minors commonly congregate.
3. The distance under this section is measured in a straight line from the nearest point of the property line of the protected use identified in Section C.2. to the nearest point of the property line of the proposed RMD.
4. The distance requirement may be reduced by twenty-five percent or less, but only if:
 - a. The applicant demonstrates that the RMD would otherwise be effectively prohibited within the Town;
 - b. The applicant demonstrates that the RMD will employ adequate security measures to prevent diversion of medical marijuana to minors who are not qualifying patients pursuant to 105 CMR 725.004.

D. Procedure: An applicant proposing to operate a RMD shall submit with its building permit application the following information. If no building permit is required, the information shall be submitted with the request for an occupancy permit.

1. A copy of its registration as a RMD from the Massachusetts Department of Public Health (“DPH”);
2. A detailed floor plan of the premises that identifies the square footage available and describes the functional areas of the RMD, including areas for any preparation of MIPs;
3. A description of the security measures, including employee security policies, approved by DPH for the RMD;
4. A copy of the emergency procedures approved by DPH for the RMD;
5. A copy of the policies and procedures for patient or personal caregiver home-delivery approved by DPH for the RMD;
6. A copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between RMDs approved by DPH;

7. A copy of proposed waste disposal procedures;
8. A description of any waivers from DPH regulations issued for the RMD;
9. Hours of Operation, including dispatch of home deliveries.

E. Reporting.

1. The RMD shall file a copy of any Incident Report required under 105 CMR 725.110(F) with the Zoning Enforcement Officer within 24 hours of creation by the RMD. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations;
2. The RMD shall file a copy of any summary cease and desist order, cease and desist order, quarantine order, summary suspension order, order limiting sales, notice of hearing, or final action issued by DPH or the Division of Administrative Law Appeals, as applicable, regarding the RMD with the Zoning Enforcement Officer within 48 hours of receipt by the RMD;
3. The RMD shall provide to the Zoning Enforcement Officer and Chief of the Police Department, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the RMD; and
4. The RMD shall notify the Zoning Enforcement Officer in writing within 48 hours of the cessation of operation of the RMD or the expiration or termination of the permit holder's registration with DPH.

F. Prohibition against Nuisances. No use shall be allowed under this Section 7-10-070 which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

G. Severability. The provisions of this Bylaw are severable. If any provision, paragraph, sentence, or clause of this Bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Bylaw.

ARTICLE 39: Zoning Bylaw – Registered Marijuana Dispensary Moratorium **MOTION FAILED**
To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Chapter 7-10, Special Regulations, by adding the following new Section 7-10-070, as shown below in the underlined text, or take action relative thereto.

SECTION 7-10-070 - Temporary Moratorium on Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries

A. Purpose. By vote at the state election on November 6, 2012, the voters of the commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013. On May 8, 2013, the State Department of Public Health promulgated Regulations that are effective on May 24, 2013. Currently, under the Zoning Bylaw, a Medical Marijuana Treatment Center, identified in the State Regulations as a Registered Marijuana Dispensary, is not a permitted use in the Town of Northborough. The State Regulations are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries. The regulation of medical marijuana raises novel and complex legal, planning and public safety issues and the Town needs time to study and consider the regulation of such use and address such novel and complex issues, as well as to address the potential impact of the State Regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

Registered Marijuana Dispensary – Also known as Medical Marijuana Treatment Center, means a not-for-profit entity registered under 105 CMR 725.100, that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products (“MIPs”), tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

C. Temporary moratorium.

(1). For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center/Registered Marijuana Dispensary.

(2). The moratorium shall be in effect through December 31, 2014.

(3). During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the State Regulations and related uses, and shall consider adopting new Zoning Bylaws to address

the impact and operation of Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries and related uses.

ARTICLE 40: Zoning Bylaw - Large-Scale Ground-Mounted Solar Photovoltaic Installation

- **MOTION FAILED (101 yes - 72 no 2/3rds majority vote required)**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, as follows, or take any action relative thereto.

A) by adding to Chapter 7-05 Use Regulations, Section 7-05-020 Classification of uses, Subsection I Industrial uses, the underlined text shown below and renumbering the existing clauses (5) and (6) of said subsection as (6) as (7):

I.(5) Large-scale ground-mounted solar photovoltaic installation: A solar photovoltaic system that is installed on the ground and is not installed on an existing or planned structure’s roof, and has a rated nameplate capacity of at least two hundred-fifty kilowatts (250 kW) direct current (DC).

B) by adding a new entry for “Large-Scale Ground-Mounted Solar Photovoltaic Installation” to Section 7-05-030 of said Chapter 7-05, Table 1. Table of Uses. Part B. Commercial and Industrial Districts, as shown below in the underlined text:

Table 1. Table of Uses. Part B. Commercial and Industrial Districts						
Uses	DB	BE	BW	BS	HB	I
INDUSTRIAL USES						
Light manufacturing	N	N	N	BA	N	Y
Research and development	N	N	N	N	N	Y
Data processing center and records storage	N	N	N	BA	N	Y
Printing and publishing	N	N	N	N	N	Y
<u>Large-Scale Ground-Mounted</u>						
<u>Solar Photovoltaic Installation</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>

C) by adding to Chapter 7-10 Special Regulations, a new Section 7-10-060, as shown in the underlined text below:

7-10-060 Large-Scale Ground-Mounted Solar Photovoltaic Installation

A. Purpose.

The purpose of this bylaw is to allow the creation of new Large-Scale Ground-Mounted Solar Photovoltaic Installations by providing standards for the placement, design, construction,

operation, monitoring, modification and removal of such installations that address public safety, and minimize impacts on scenic, natural and historic community resources.

B. Applicability.

This section applies to Large-Scale Ground-Mounted Solar Photovoltaic Installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

Solar installations with a rated nameplate capacity of less than two hundred-fifty kilowatts (250 kW) of direct current (DC) are not subject to this Bylaw.

C. Definitions.

As used in this Section, the following terms shall have the meanings indicated:

Large-Scale Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that is installed on the ground and is not installed on an existing or planned structure's roof, and has a rated nameplate capacity of at least two hundred-fifty kilowatts (250 kW) direct current (DC).

Rated Nameplate Capacity: Maximum rated output of the complete proposed solar array project in kilowatts of direct current.

Solar Photovoltaic Array: An arrangement of solar photovoltaic panels.

D. General Requirements for all Large-Scale Ground-Mounted Solar Photovoltaic Installations.

The following requirements apply to all Large-Scale Ground-Mounted Solar Photovoltaic Installations:

1. Compliance with Laws, Bylaws and Regulations: The construction and operation of all Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed in accordance with the State Building Code and shall require a local building permit.
2. Site Plan Approval: Large-Scale Ground-Mounted Solar Photovoltaic Installations are subject to site plan approval by the Site Plan Approval Authority. Site plans shall contain the requirements of Section 7.0 Site Plan Regulations of the Planning Board's Rules and Regulations and, in addition, include:
 - a. A site plan detailing the array arrangement, control panels or enclosures, inverter assemblies, step-up transformers and the utility interconnection point.
 - b. A one-line diagram showing the array panel interconnections, inverter arrangement, step-up transformer connections and the utility interconnection including reclosure(s) (if required). The one line diagram shall identify all the protection devices in the circuit including electrical isolation disconnects.

- c. The site safety electrical grounding plan including the grid design and location of ground rods, fence and gate grounds.
 - d. A protection scheme coordination study shall be provided that indicates the equipment protection is properly coordinated.
 - e. An equipment table or documentation shall be provided detailing the various components, in particular oil filled apparatus (transformers or high voltage switches).
 - f. All provisions of the National Electrical Code and National Electrical Safety Code shall apply.
 - g. Details of the array foundations and structural mounting shall be provided.
 - h. Calculations shall be provided for all structural loading (including but not limited to wind and ice). Electrical cable, array interconnection and feeder calculations shall be provided, along with the grounding calculations.
 - i. The information provided above shall be certified as correct and stamped by a registered Professional Engineer from the Commonwealth of Massachusetts.
3. Site Control: The project Developer or operator shall submit documentation of actual or prospective access and control of the project site which is sufficient to allow for construction and operation of the proposed Large-Scale Ground-Mounted Solar Photovoltaic Installation.
4. Security: Security measures and fencing shall be provided for Large-Scale Ground-Mounted Solar Photovoltaic Installations in order to prevent unauthorized access. All equipment, stored materials, etc. within the fence perimeter shall be set back from the fence a minimum of 10 feet. Gates shall be locked at all times when not actually in use. The use of barbed wire or razor wire fencing is prohibited. The following signage shall be required: high voltage warning signs on the fence every 20 feet or in accordance with OSHA or other safety criteria, and the entry gate shall have signage using 2 inch or higher letters identifying the facility Developer or owner and providing emergency contact information.
5. Operations & Maintenance Plan: The project Developer or operator shall submit a plan for the operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation which shall include measures for maintaining safe access to the installation, storm water controls and general procedures for operations and maintenance of the installation. All electrical panels shall be labeled using 2 inch high numbers and letters with the highest voltage level within the panel or enclosure.
6. Notifications, Safety Reviews and Training:
 - a. The Developer shall meet with the Town of Northborough Police Chief or his designated representative to review the security plan and provide emergency call contact information.
 - b. The Developer shall meet with the Town of Northborough Fire Chief to review the installation including potential fire sources, including but not limited to oil

filled apparatus. Material Safety Data Sheets (MSDS) for any construction use or planned storage of hazardous materials including cleaning solvents, oils, etc. shall be provided to the Fire Chief.

- c. Annually the Developer or owner shall meet on-site or as mutually agreed with representatives of the Fire and Police departments to review any changes or concerns with the installation.
7. Utility Notification: No Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed until evidence has been given to the Site Plan Approval Authority that the utility company that operates the electrical grid where the Installation is to be located has approved, or provided evidence that the utility will approve, the Developer's proposed solar array interconnection. Off-grid Installations or systems shall be exempt from this requirement.
8. Appurtenant Structures: All appurtenant structures to Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be subject to provisions of the Zoning Bylaw concerning the bulk and height of structures, lot area, open space, parking and building coverage requirements, and sound or noise level generated by equipment. All such appurtenant structures, including but not limited to equipment shelters or enclosures, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Setbacks shall conform to Subsection E. of this bylaw.

E. Dimensional Requirements.

1. Front Yard Setback: The front yard shall have a depth of at least 40 feet provided, however, that where the lot abuts a Residential district or residential use within the district allowing Large-Scale Ground-Mounted Solar Photovoltaic Installations, the front yard shall not be less than 100 Feet.
2. Side Yard Setback: Each side yard shall have a depth of at least 20 feet provided, however, that where the lot abuts a Residential district or residential use within the district allowing Large-Scale Ground-Mounted Solar Photovoltaic Installations, the side yard shall not be less than 100 feet.
3. Rear Yard Setback: The rear yard shall have a depth of at least 25 feet provided, however, that where the lot abuts a Residential district or residential use within the district allowing Large-Scale Ground-Mounted Solar Photovoltaic Installations, the rear yard shall not be less than 100 feet.

F. Design Standards.

1. Lighting: Lighting of the Large-Scale Ground-Mounted Solar Photovoltaic Installation and appurtenant structures shall be limited to that required for safety, security, and operational purposes, and shall be of reasonable height and reasonably shielded from abutting properties. All lighting shall be switchable and not "on" unless required for security or operations purposes.

2. Signage: Signs appurtenant to the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall comply with the Town's Sign Bylaw. A sign consistent with the Town's Sign Bylaw shall be required to identify the owner and provide a 24-hour emergency contact phone number.
3. Screening/Landscape Buffer: At a minimum, half of the provided front, side and rear yard setback areas shall be designed to reduce the visual impact of the Solar Photovoltaic Array upon adjacent property by use of trees, shrubs, walls, fences, or other landscape elements with the exception of the location of the driveway access. Where the area to be developed abuts land developed for residential use, suitable landscaping shall consist of a substantial sight-impervious screen of evergreen foliage at least eight (8) feet in height or planting of shrubs and trees complemented by a sight-impervious fence of a maximum six (6) feet in height, or such other type of landscaping as may be required under site plan review.
4. Utility Connections: Reasonable efforts, as determined by the Site Plan Approval Authority, shall be made to place all utility cables from the Large-Scale Ground-Mounted Solar Photovoltaic Installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider.
5. Storm water Management: Best management practice shall be used for controlling and managing storm water run-off and drainage for the Large-Scale Ground-Mounted Solar Photovoltaic Installation in compliance with all applicable federal, state and local regulations.

G. Safety and Environmental Standards.

1. Upon request, the Developer or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be clearly marked. The Developer or operator shall identify a responsible person for public inquiries throughout the life of the installation.
2. Land Clearing, Soil Erosion and Habitat Impacts: Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation or otherwise prescribed by applicable laws, regulations and bylaws.

H. Modifications. All substantial modifications or changes to a Large-Scale Ground-Mounted Solar Photovoltaic Installation require site plan approval by the Site Plan Approval Authority.

I. Abandonment or Decommissioning. Any Large-Scale Ground-Mounted Solar Photovoltaic Installation which has failed to operate for more than one year, as determined by the interconnected utility's revenue metering equipment or billing records, without the written consent of the Site Plan Approval Authority shall be considered abandoned and shall be

removed. The Developer or operator shall physically remove the Installation no more than 150 days after the date of discontinued operations. The Developer or operator shall notify the Building Inspector by certified mail of the proposed date of discontinued operations and plans for removal. The Developer or operator shall be responsible for all associated decommissioning activities and associated costs. Decommissioning shall consist of:

1. Physical removal of all Large-Scale Ground-Mounted Solar Photovoltaic Installation structures, foundations, equipment, security barriers, control buildings or enclosures, underground wiring, cables or grounding conductors and the utility interconnection equipment and lines from the site;
2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
3. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Site Plan Approval Authority may allow the Developer or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

- J. Severability. The provisions of this Bylaw are severable. If any provision, paragraph, sentence, or clause of this Bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Bylaw.

ARTICLE 41: Zoning Bylaw – Signs **MOTION PASSED**

To see if The Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-09-040 Signs, by deleting the text shown below in strikethrough and replacing it with the next text shown as underlined, or take any action relative thereto.

7-09-040 Signs.

D. Basic requirements.

- (1) The only signs allowed in the Town of Northborough are signs that advertise, call attention to or indicate the person occupying the premises on which the sign is erected or maintained, or the business transacted thereon, or that advertise the property itself or any part thereof as for sale or rent and which contain no other matter.
- (2) Billboards and similar signs are specifically prohibited.
- (3) No sign shall be part of or attached to marquees or awnings.

- (4) Flashing, moving and animated signs are prohibited.
- (5) Signs containing electronic streaming messages are prohibited.
- (6) Changeable copy signs that provide a variable message, the content of which can be changed by manual or electronic means, are allowed.
- (7) No sign may be illuminated between 12:00 midnight and 6:00 a.m. except signs identifying police or fire stations or essential public services.
- (8) "No hunting, fishing, etc.," signs not to exceed one (1) square foot are allowed.
- (9) Construction, erection and location of all freestanding signs shall be subject to the approval of the Building Inspector. No freestanding signs shall be erected if they create a safety hazard to vehicular or pedestrian traffic, in the opinion of the Building Inspector.

G. Signs in business districts.

- (1) Type, size and number of signs. There shall be not more than the following on each lot:
 - (a) Downtown Business District:
 - [1] Lot with one (1) or two (2) tenants:
 - [a] Freestanding sign: one (1) freestanding sign; size not to exceed thirty-two (32) sq. ft., height not to exceed ten (10) feet as measured from the ground to the highest point of the sign or twelve (12) feet to the top of the sign structure. The freestanding sign shall indicate the name(s) of tenant(s) of the facility, in a fixed manner, and may have an additional sixteen (16) sq. ft. of space for changeable copy message.
 - [b] Wall sign: one (1) wall sign not to exceed thirty-two (32) sq. ft. in area or two (2) wall signs with a combined total area not to exceed thirty-two (32) sq. ft.
 - [c] Directory sign: one (1) directory of the tenants of the building, affixed to the exterior wall. The area of the directory sign shall not exceed one (1) sq. ft. for each tenant of the building.
 - [2] Lot with three (3) or more tenants.
 - [a] Freestanding sign: one (1) freestanding sign for each ten (10) tenants; size not to exceed forty (40) sq. ft., height not to exceed ten (10) feet as measured from the ground to the highest point of the sign or twelve (12) feet to the top of the

sign structure. The freestanding sign shall indicate the name of the facility in a fixed manner, and may include space for listing of individual tenants, and may have an additional twenty (20) sq. ft. of space for ~~or~~ changeable copy message. When more than one (1) freestanding sign on a lot, there shall be not less than fifty (50) feet between signs and no sign shall be located so as to obstruct the viewing of any other sign.

- [b] Wall sign: one (1) wall sign not to exceed thirty-two (32) sq. ft. for each tenant, attached to the wall of the store, or two (2) wall signs with a combined total area not exceeding thirty-two (32) sq. ft.
- [c] Directory sign: one (1) directory of the tenants affixed to the exterior wall of the building. Such directory sign shall not exceed an area determined on the basis of one (1) sq. ft. for each tenant of the building.

(b) Business East, Business West, and Business South Districts.

[1] Lot with one (1) or two (2) tenants.

- [a] Freestanding sign: one (1) freestanding sign, size not to exceed thirty-two (32) sq. ft. in area, height not to exceed ten (10) feet as measured from the ground to the highest point of the sign or twelve (12) feet to the top of the sign structure. The freestanding sign shall indicate the name(s) of the tenant(s), in a fixed manner, and may have an additional sixteen (16) sq. ft. of space for changeable-copy message.
- [b] Wall sign: one (1) wall sign not to exceed thirty-two (32) sq. ft. in area or two (2) wall signs with a combined total area not to exceed thirty-two (32) sq. ft.
- [c] Directory sign: one (1) directory of the tenants of the facility, affixed to the exterior wall. Such directory sign shall not exceed an area determined on the basis of one (1) sq. ft. for each tenant of the building.

[2] Lot with three (3) or more tenants.

- [a] Freestanding sign: one (1) freestanding sign for each ten (10) tenants located on the lot; size not to exceed fifty (50) sq. ft., height not to exceed ten (10) feet as measured from

the ground to the highest point of the sign or twelve (12) feet to the top of the sign structure. The freestanding sign shall indicate the name of the facility in a fixed manner and may have space for listings of individual tenants and may have an additional twenty-five (25) sq. ft. of space for ~~or~~ changeable-copy message. When there is more than one (1) freestanding sign on a lot, there shall be not less than fifty (50) feet between signs, and no sign shall be located to obstruct the viewing of any other sign.

- [b] Wall sign: one (1) wall sign not to exceed thirty-two (32) sq. ft. for each tenant, attached to the wall of the store, or two (2) wall signs with a combined total area not exceeding thirty-two (32) sq. ft.
- [c] Directory sign: one (1) directory of the tenants of the building affixed to the exterior wall of the building. Such directory sign shall not exceed an area determined on the basis of one (1) sq. ft. for each tenant of the building.

(c) Highway Business District.

[1] Lot with one (1) or two (2) tenants.

- [a] Freestanding sign. Not more than one (1) freestanding sign, size not to exceed one hundred (100) sq. ft., height not to exceed twenty (20) feet as measured from the ground to the highest point of the sign. The freestanding sign shall indicate the name(s) of the tenant(s), in a fixed manner, and may have an additional fifty (50) sq. ft. of space for changeable-copy message.
- [b] Wall sign: one (1) wall sign, size not to exceed one hundred (100) sq. ft. or two (2) wall signs with a combined total area not to exceed one hundred (100) sq. ft.
- [c] Directory sign: one (1) directory of the tenants of the building affixed to the exterior wall. Such directory sign shall not exceed an area determined on the basis of one (1) sq. ft. for each tenant of the building.

[2] Lot with three (3) or more tenants.

- [a] Freestanding sign. Not more than one (1) freestanding sign for each ten (10) tenants located on the lot; size not to exceed one hundred (100) sq. ft., height not to exceed

twenty (20) feet as measured from the ground to the highest point of the sign. The freestanding sign shall indicate the name of the facility in a fixed manner and may have space for listings of individual tenants and may have an additional fifty (50) sq. ft. of space for ~~or~~ changeable-copy message. When there is more than one (1) freestanding sign on a lot, there shall be not less than fifty (50) feet between signs, and no sign shall be located to obstruct the viewing of any other sign.

- [3] Wall sign: one (1) wall sign not to exceed one hundred (100) sq. ft. for each tenant, attached to the wall of the store, or two (2) wall signs with a combined total area not exceeding one hundred (100) sq. ft.
- [4] Directory sign. There may be not more than one (1) directory of the tenants of the building affixed to the exterior wall of the building. Such directory sign shall not exceed an area determined on the basis of one (1) sq. ft. for each occupant or tenant of the building.

(2) Location.

- (a) A freestanding sign shall be permitted only when erected on the property which is advertised, and no portion of the sign shall be located within the airspace above any other abutting property.
 - (b) A wall sign attached to a building shall be securely affixed to one (1) of the walls of the building. The sign shall not project beyond the face of any other wall of the building or above the top of the wall to which it is attached, nor shall it be located on the roof of any building. In the case of a sign parallel to the wall, the sign shall not project more than twelve (12) inches. In the case of a sign perpendicular to the wall, the sign shall not project more than six (6) feet from the face of the wall to which it is attached. If the sign is attached to a parapet, it shall not exceed the height of the parapet.
 - (c) In no case shall any sign or part thereof project over a property line or over a public way.
- (3) Temporary signs. Signs for the purpose of announcing a special day or event and not to exist more than ~~forty-five (45)~~ 56 (fifty-six) days per calendar year shall be permitted. The Board of Selectmen may grant an extension of this time period. One (1) exterior movable sign shall be limited to fifteen (15) sq. ft. One (1) temporary sign shall be permitted for each freestanding sign as permitted by this

section. Temporary signs shall be placed a minimum distance of thirty (30) feet apart from each other. Temporary signs affixed to the inside of a window shall not exceed thirty (30) percent of the window area of the storefront. To place a temporary sign on property other than that which is being advertised, the Applicant must have written permission from the landowner and the Board of Selectmen.

Signs in the Industrial District.

- (4) Signs shall be allowed that advertise the name of the firm or goods or services available or manufactured on the premises, provided that:
 - (a) No sign shall project over a street or way used by the public.
 - (b) The total area of all signs shall not exceed two hundred (200) sq. ft.
 - (c) No sign shall move or flash or be designed to attract the eye by intermittent or repeated motions.
 - (d) No sign shall be illuminated by exposed neon or fluorescent tubes.
 - (e) No sign shall constitute a hazard to vehicular traffic by the direction of and amount of its illumination
 - (f) The length of the sign shall not exceed thirty (30) percent of the total width of the wall to which it is attached.
 - (g) All lettering is to be open and the height of the letters shall be limited to eight (8) feet.
 - (h) Such signs shall be attached and parallel to a building wall or roof, and the top of the sign shall not project higher than forty-two (42) inches above the main cornice line of the building or extend beyond the end of the building or project more than twenty-four (24) inches out from the building wall.
- (5) No more than two (2) directional signs may be erected in any required front yard, and each shall be limited to four (4) sq. ft. in area.
- (6) Freestanding signs. Freestanding signs shall not exceed twenty (20) feet in height measured from the ground to the highest point of the sign or sign structure, and shall not exceed forty-two (42) sq. ft. in area. An additional 20 sq. ft. may be added for changeable copy message.

K. ~~Special signs.~~ Permit not required. The Following types of signs do not require a permit from the Building Inspector:

- (1) Real estate signs advertising rent, lease or sale are permitted, provided that:
 - (a) The sign shall not exceed thirty-two (32) sq. ft. in area.

- (b) The sign shall advertise only the premises on which it is located.
 - (c) The sign shall be removed no more than one week after the completion of the sale or rental.
- (2) Construction signs.
- (a) The sign shall not exceed thirty-two (32) sq. ft. in area.
 - (b) The sign shall be maintained on the premises during construction and shall be removed upon completion of the construction or issuance of a certificate of occupancy and use, whichever occurs first.
- (3) Real estate signs advertising an open house event.
- (a) The sign shall not exceed six square feet in area.
 - (b) The sign may be erected on private property provided permission from the property owner has been granted.
 - (c) The sign shall only be erected on the day of the open house and shall be removed at the conclusion of the open house each day.

~~Permit not required. The following types of signs do not require a permit from the Building Inspector:~~

- (4) Signs not exceeding one (1) sq. ft. in area and bearing only property numbers, post box numbers, or names of occupants of premises.
- (5) Flags and insignia of any government, except when displayed in connection with commercial promotion.
- (6) Legal notices, identification information or direction signs erected by governmental bodies.
- (7) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.
- (8) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.
- (9) Noncommercial message. Sign for non-profit organization; sign which displays no commercial message; "open" and "closed" signs; and/or similar type of sign which is subject to the approval of the Building Inspector.

ARTICLE 42: Zoning Bylaw - Floodplain Overlay District **MOTION PASSED**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Chapter 7-04 Zoning Districts, Section 7-04-030 Floodplain Overlay District; boundaries, A. by deleting the text shown below with a strikethrough and adding the text shown as underlined, or take any action relative thereto.

Section 7-04-030 Floodplain Overlay District: boundaries.

- A. The Floodplain Overlay District is herein established as an overlay district. The district includes all special flood hazard areas within the Town of Northborough designated as Zone A and AE, on the Worcester County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Worcester County FIRM that are wholly or partially within the Town of Northborough are panel numbers 25027C0629EF, 25027C0631EF, 25027C0632EF, 25027C0633EF, 25027C0634EF, 25027C0641EF, 25027C0642EF, 25027C0643EF, 25027C0651EF, 25027C0653EF, 25027C0654EF, 25027C0661EF and 25027C0662EF dated July 04 16, 2011-2014. The exact boundaries of the district may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Worcester County Flood Insurance Study (FIS) report dated July 04 16, 2011 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Building Department, Planning Department, and Engineering Department.

ARTICLE 43: Acceptance of South West Cut-Off Sewer Pump Station PASSED OVER

To see if the Town will vote to accept a parcel of land, and any related interests, structures, facilities and rights of access as determined necessary by the Board of Selectmen or the Board of Sewer Commissioners, from Equity One JV Sub Northborough LLC, said land being situated at 306 Southwest Cutoff (Route 20) in the Town of Northborough and more particularly described as Parcel G on a plan entitled “Plan of Land-Land on Route 20” by Waterman Design Associates, Inc. dated September 10, 2001, recorded in the Worcester Registry of Deeds in Plan Book 861 Plan 87, and to authorize the Board of Selectmen and the Board of Sewer Commissioners to execute all documents and take all actions necessary in connection therewith, or take any action relative thereto.

ARTICLE 44: Street Acceptances MOTION PASSED

To see if the Town will vote to accept the layouts as public ways of Cyrus Way, Weber Lane and a portion of Johnson Avenue as shown on the plans entitled “Acceptance Plan of Cyrus Way in Northborough, Massachusetts” dated December 17, 2013, prepared by R.W. Hart Associates Inc., Northborough, Massachusetts, and “Acceptance Plan of Weber Lane in Northborough, Massachusetts” dated December 2013, prepared by David E. Ross Associates, Inc. , Northborough, Massachusetts, and “Acceptance Plan of the Extension of Johnson Avenue in Northborough, Massachusetts” dated December 26, 2013, prepared by Thompson-Liston Associates, Inc., Northborough, Massachusetts, copies of which are on file in the Office of the Town Clerk, 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.

- This Article provides for the acceptance of Cyrus Way, Weber Lane and a portion of Johnson Ave as Town Streets and authorizes acquisition of related easements in connection with the subdivision approval process.

ARTICLE 45: Sidewalk Easement Whitney Street **MOTION PASSED**

To see if the Town will vote to accept a sidewalk easement, and such related easements, interests and rights of access as determined necessary by the Board of Selectmen from Cheriton Road Realty Corporation, in and about a portion of the property located at or near 1 Country Candle Lane and to authorize the Board of Selectmen to execute all documents and take all actions necessary in connection therewith, or take any action relative thereto.

- This Article provides for acceptance of a sidewalk easement along Whitney Street as constructed by the developer of the Laurence Falls Condominium project.

ARTICLE 46: Engineering-Roadway Widening, Alteration of Public Way, Otis St **MOTION PASSED**

To see if the Town will vote to accept three parcels of land along Otis Street from Wal-Mart Real Estate Business Trust, said parcels being more particularly described as Parcels A, B and C on a plan entitled “Plan of Land in the Town of Northborough” by Control Point Associates, Inc. dated February 2, 2013 for the purpose of widening the public way; and accept an alteration of the public way layout of Otis Street, as voted by the Board of Selectmen, a copy of which vote is on file in the office of the Town Clerk; and to amend the Official Town Map to reflect such alteration, or take any action relative thereto.

- This Article provides for the acceptance of three small parcels of land along Otis Street allowing for the widening of the right of way near the entrance and exits to improve access to the properties located at 184 and 200 Otis Street, and the associated alteration of the public way.

ARTICLE 47: Consolidated Personnel Bylaw **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 47 – Consolidated Personnel Bylaw Amendments – 2014 Annual Town Meeting”.

10:53pm Motion was made to adjourn **MOTION PASSED**

April 30, 2014 Adjourned Session of Annual Town Meeting

7:31pm Moderator Fred George called the meeting to order, a quorum of at least 100 registered voters was present in the hall.

ARTICLE 48: Community Preservation Fund – Informational Signs for Historic Commission **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 purchase of two signs to identify the historical burial grounds at Old Howard Street Burial Ground and Brigham Street Burial Ground, or take any other action relative thereto.

- Informational signs identifying the historic nature of the cemeteries will be placed at the Old Howard Street Burial Ground and the Brigham Street Burial Ground.

ARTICLE 49: Community Preservation Fund - Head and Footstone Restoration **MOTION PASSED**

To see if the Town will vote to appropriate the sum of Fifty Two Thousand Five Hundred Dollars (\$52,500), or any other sum, from the Community Preservation Fund revenues and the sum of Twenty Five Thousand Five Hundred Dollars (\$25,500), or any other sum, from the Community Preservation Historic Resources Reserve, for a total of Seventy Eight Thousand Dollars (\$78,000), to the Northborough Historical Commission for headstone and footstone restoration at the Howard Street Cemetery, or take any other action relative thereto.

- Funds to be used to preserve, restore, and reset the historic headstones and footstones in the colonial section of the Howard Street Cemetery.

ARTICLE 50: Community Preservation Fund-Historic Resources Reserve Fund **MOTION PASSED**

To see if the Town will vote to appropriate the sum of Seventy Five Thousand Dollars (\$75,000), or any other sum, from the Community Preservation Fund revenues and place said amount in the Community Preservation Historic Resources Reserve Fund for the purpose of future historical property preservation or acquisition, or take any other action relative thereto.

- Funds for future acquisition or preservation of historical property.

ARTICLE 51: Community Preservation Fund - Deck and Handicap Ramp at Memorial Field **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 the sum of Fifty Thousand Dollars (\$50,000), or any other sum, from the Community Preservation Unreserved Fund to the Northborough Department of Public Works for costs associated with the renovation of the observation platform, including but not limited to the addition of a handicap ramp, at Memorial Field, 0 East Main, Assessors' Map 53 Parcel 106, or take any action relative thereto.

- Replacement of the observation deck at Memorial Field and addition of handicap ramp.

ARTICLE 52: Community Preservation Fund - Basketball Court Improvements **MOTION PASSED**

To see if the Town will vote to appropriate the sum of One Hundred Ten Thousand Dollars (\$110,000), or any other sum, from the Community Preservation Fund revenues to the Northborough Youth Basketball Association for costs associated with the repair and update of basketball courts at one or more of the following schools: the Peaslee Elementary School, Zeh Elementary School, Proctor Elementary School, and Melican Middle School, or take any other action relative thereto.

- Repair and/or replace basketball rims and nets as needed; repair of playing surfaces to include repair of cracks, line painting, and court surface repair.

ARTICLE 53: Community Preservation Fund - Affordable Housing Reserve Fund **MOTION PASSED**

To see if the Town will vote to appropriate the sum of Fifty Two Thousand Five Hundred Dollars (\$52,500), or any other sum, from the Community Preservation Fund revenues to the Affordable Housing Reserve Fund, or take any other action relative thereto.

- Fund for future creation of affordable housing.

ARTICLE 54: Community Preservation Fund - Open Space Funding **MOTION PASSED**

To see if the Town will vote to appropriate the sum of Ninety One Thousand Four Hundred Dollars (\$91,400), or any other sum, from the Community Preservation Fund revenues and the sum of Three Hundred Eight Thousand Six Hundred Dollars (\$308,600), or any other sum, from the Community Preservation Unreserved Fund for a total of Four Hundred Thousand Dollars (\$400,000), and place said amount in the Conservation Commission Fund for the purpose of 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.

- Funds for future open space acquisitions.

ARTICLE 55: Community Preservation Fund - New Trails and Maintenance of Existing Trails **MOTION PASSED**

To see if the Town will vote to appropriate the sum of Fifteen Thousand Dollars (\$15,000), or any other sum, from the Community Preservation Fund revenues to the Northborough Trails Committee, a subcommittee of the Northborough Open Space Committee, for construction materials for the creation of new trails, a parking area on Davis Street for the Hop Brook Trail, and repair of existing trails, or take any other action relative thereto.

- Funds to be used for the creation of new trails and for the maintenance of existing trails.

ARTICLE 56: Community Preservation Fund - Debt Service for Open Space Acquisition (Green Street) **MOTION PASSED**

To see if the Town will vote to appropriate the sum of Forty Eight Thousand Six Hundred Dollars (\$48,600), or any other sum, from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for Debt Service and expenses associated

with the Open Space land acquisition for the Fiscal Year 2015, or take any other action relative thereto.

- Funds to pay for debt service associated with the purchase of the Green Street parcel.

ARTICLE 57: Community Preservation Fund - Administration of CPA MOTION PASSED

To see if the Town will vote to appropriate the sum of Twenty Five Thousand Dollars (\$25,000), 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 2015, or take any action relative thereto.

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

ARTICLE 58: Public Safety Bylaw MOTION FAILED

To see if the Town will vote to amend the Northborough Town Code, Part 3 Public Safety, by adding a new Chapter 3-52, Discharge of Firearms, as shown in the underlined text below, or take any action relative thereto.

Section 3-52-010 Discharge of Firearms Restricted

Within the Town of Northborough, no person shall, except in the performance of a legal duty or in the lawful defense of a person or property, discharge any firearm within 500 feet of a dwelling or other occupied structure, unless granted written permission by the owner of the land on which the dwelling or structure is located.

ARTICLE 59: Civil Fingerprinting MOTION PASSED

To see if the Town will vote, as authorized by Massachusetts General Laws, Chapter 6, Section 172B ½, to amend the Northborough Town Code, Part 2 General Legislation, by adding a new Chapter 2-56, Fingerprint-Based Criminal History Records Check, as shown in the underlined text below, to authorize the Police Department to conduct State and Federal Fingerprint-Based Criminal History records checks for individuals applying for the following licenses:

- Hawkers, Peddlers, and Solicitors/Canvassers
- Ice cream truck vendor
- Manager of Premises Licensed for Alcoholic Beverage Sales

, or take any action relative thereto.

Chapter 2-56 Fingerprint-Based Criminal History Records Check

Section 2-56-010. Purpose and Authorization.

In order to protect the health, safety, and welfare of the inhabitants of the Town of Northborough, and as authorized by Chapter 6, Section 172B½ of the Massachusetts General Laws, the Town shall require:

- (a) applicants for a license listed in Section 2. below to submit to fingerprinting by the Northborough Police Department,
- (b) the Police Department to arrange for the conduct of fingerprint-based criminal record background checks, and
- (c) the Town to consider the results of such background checks in determining whether to grant such a license.

The Town authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (DCJIS), and the Federal Bureau of Investigation (FBI), as may be applicable, to conduct on the behalf of the Town and its Police Department fingerprint-based state and national criminal history records checks, including FBI records, consistent with this bylaw. The Town authorizes the Police Department to receive and utilize state and FBI records in connection with such background checks, consistent with this bylaw. The Town shall not disseminate criminal record information received from the state or FBI to unauthorized persons or entities.

Section 2-56-020. Licenses Subject to Fingerprinting.

Any applicant for a license to engage in any of the following occupational activities shall have a full set of fingerprints taken by the Police Department for the purpose of conducting a state and national fingerprint-based criminal history records check:

Manager of Premises Licensed for Alcoholic Beverage Sales
Hawkers, Peddlers, and Solicitors/Canvassers
Ice Cream Truck Vendor

Section 2-56-030. Police Department Procedure.

The Police Department will forward the full set of fingerprints obtained pursuant to this Chapter either electronically or manually to the State Identification Section of the Massachusetts State Police.

The Police Department shall provide the applicant with a copy of the results of his or her fingerprint-based criminal background check and supply the applicant with an opportunity to complete, or challenge the accuracy of, the information contained in it, including the state and FBI identification record. Any applicant that wishes to challenge the accuracy or completeness of the record shall be advised that the procedures to change, correct, or update the record are set forth in Title 28 CFR 16.34 and any applicable DCJIS policy.

The Police Department shall communicate the results of the fingerprint-based criminal history records check to the applicable Town licensing authority (the “licensing authority”). The Police Department shall, in addition, render to the licensing authority its evaluation of the applicant’s suitability for the proposed occupational activity based on the results of the criminal records background check and any other relevant information known to it. In rendering its evaluation, the Police Department shall indicate whether the applicant has been convicted of, or under pending indictment for, a crime that bears upon his or her suitability for the proposed occupational

activity, or any felony or misdemeanor that involved force or threat of force, controlled substances, or a sex-related offense.

Section 2-56-040. Reliance by Licensing Authority on Results of Fingerprint-Based Criminal Records Background Checks.

The licensing authority shall utilize the results of any fingerprint-based criminal records background check performed pursuant to this Chapter for the sole purpose of determining the applicant's suitability for the proposed occupational activity. The licensing authority may deny an application for any license specified herein, including renewals and transfers thereof, if it determines that the results of the fingerprint-based criminal records background check render the applicant unsuitable for the proposed occupational activity.

No application shall be denied on the basis of information contained in a criminal record until the applicant has been afforded a reasonable time, as determined by the licensing authority, to correct or complete the information, or has declined to do so.

Section 2-56-050. Town Policy.

The Police Department, subject to the approval of the Board of Selectmen, will develop and maintain written policies and procedures for its licensing-related criminal record background check system.

Section 2-56-060. Fees.

Each applicant for a license listed in Section 2 shall pay a fee of \$100 for the background check. A portion of said fee, as specified by Chapter 6, Section 172B½ of the General Laws, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder shall be retained by the Town for costs associated with the administration of the system. This fee is in addition to any other fee associated with the license application.

ARTICLE 60: Reports – no reports offered

10:05pm Motion made to dissolve the meeting **MOTION PASSED**

Attendance 04/28/2014: 355
Attendance 04/29/2014: 224
Attendance 04/30/2014: 245

Total Registered Voters: 10,538

A True Copy Attest:

Andrew T. Dowd,
Town Clerk