

TOWN OF NORTHBOROUGH
ANNUAL TOWN MEETING WARRANT
APRIL 24, 2023

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 24th day of April 2023 at 6:00 p.m., to act on the following warrant articles:

Moderator Fred George announced that a quorum of at least 100 voters was present in the hall, explained the rules of the meeting and reviewed the consent agenda process. The meeting was called to order at 6:01pm.

Consent Agenda 1:

Article 1 – Appoint Deputy Moderator: Article 1 ratifies the routine appointment by the Moderator of Gerry Hickman to serve as Deputy Moderator in the event the Moderator is unable to continue.

Article 2 – Authorize Compensating Balance Agreements: This annual Article provides authorization for the Town to enter into a compensating balance agreement in order to obtain banking services. A compensating balance agreement is an arrangement by which a town maintains municipal funds on deposit in return for banking services.

Article 3 – Prior Years’ Bills: There are no prior years’ bills, so this Article will be passed over.

Article 10 – Authorize Revolving Fund Limits for FY2024: This is a housekeeping article that sets expenditure limits for special funds used to hold fees associated with providing certain Town services which are then used to offset the cost of providing the services (e.g., ambulance services).

Moderator Fred George read each article included in the consent agenda. No articles were held.

Vote: **The Moderator declared the consent agenda passed by majority vote**

ARTICLE 1: Appointing Deputy Moderator

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.

MOTION ARTICLE 1: Appointing Deputy Moderator

I move the Town vote to ratify the appointment by the Moderator of Gerry Hickman as Deputy Moderator, as provided by Article II, Section 2-2 of the Northborough Home Rule Charter.

Vote: **Included in consent agenda, passed by majority vote**

ARTICLE 2: Compensating Balance Agreement

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 authorization for the Town to enter into a compensating balance agreement 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.

MOTION ARTICLE 2: Compensating Balance Agreement

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

Vote: **Included in consent agenda, passed by majority vote**

ARTICLE 3: Prior Years’ Bills

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.

MOTION ARTICLE 3: Prior Years’ Bills

I move the Town vote to pass over this article.

Vote: **Included in consent agenda, passed by majority vote**

ARTICLE 4: Town Budget

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Twenty-Five Million Twelve Thousand One Hundred Twenty-Nine Dollars (\$25,012,129) for Town Government as displayed in the warrant booklet, and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Transfer from Cemetery Sale of Lots	\$13,500
Transfer from Debt Exclusion Premium Reserve	\$500
Transfer from DPU Transportation Fund	\$2,278
Transfer from Conservation Commission Fees	\$2,478
Transfer from Fire Emergency Medical Services Revolving Fund	\$384,016
Transfer from Recreation Revolving Fund	\$159,969
Transfer from Animal Control Revolving Fund	\$28,000
Transfer from PEG Access Cable Related Fund	\$301,085
Free Cash	\$500,000

for a total of One Million Three Hundred Ninety-One Thousand Eight Hundred Twenty-Six Dollars (\$1,391,826) and that the sum of Twenty-Three Million Six Hundred Twenty Thousand Three Hundred Three Dollars (\$23,620,303) be raised by taxation.

MOTION ARTICLE 4: Town Budget

Kristen Wixted, Board of Selectmen, moved that the Town vote to raise and appropriate and transfer from available funds the sum of Twenty-Five Million Twelve Thousand One Hundred Twenty-Nine Dollars (\$25,012,129) for Town Government as displayed in the warrant booklet distributed at this Town Meeting, and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Transfer from Cemetery Sale of Lots	\$13,500
Transfer from Debt Exclusion Premium Reserve	\$500
Transfer from DPU Transportation Fund	\$2,278
Transfer from Conservation Commission Fees	\$2,478
Transfer from Fire Emergency Medical Services Revolving Fund	\$384,016
Transfer from Recreation Revolving Fund	\$159,969

Transfer from Animal Control Revolving Fund	\$28,000
Transfer from PEG Access Cable Related Fund	\$301,085
Free Cash	\$500,000

for a total of One Million Three Hundred Ninety-One Thousand Eight Hundred Twenty-Six Dollars (\$1,391,826) and that the sum of Twenty-Three Million Six Hundred Twenty Thousand Three Hundred Three Dollars (\$23,620,303) be raised by taxation.

Recommendations: Board of Selectmen, Appropriations Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 5: Water, Sewer and Solid Waste Enterprise Funds

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Six Million Three Hundred Twenty-One Thousand Nine Hundred Sixty Dollars (\$6,321,960) 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	\$222,795
Solid Waste Fund Free Cash	\$165,524

Raise and Appropriate by Taxation:

Solid Waste General Fund Subsidy	\$345,160
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for a total of Seven Hundred Thirty-Three Thousand Four Hundred Seventy-Nine Dollars (\$733,479) and that the sum of Five Million Five Hundred Eighty-Eight Thousand Four Hundred Eighty-One Dollars (\$5,588,481) be financed from Water, Sewer and Solid Waste Revenues, with said sums to be allocated as follows:

Water Fund	\$2,772,795
Sewer Fund	\$2,508,481
Solid Waste	<u>\$1,040,684</u>
Total	\$6,321,960

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

Scott Rogers, Board of Selectmen, moved that the Town vote to raise and appropriate and transfer from available funds the sum of Six Million Three Hundred Twenty-One Thousand Nine Hundred Sixty Dollars (\$6,321,960) for the operation of the Water, Sewer and Solid Waste Utilities, in the amounts of Two Million Seven Hundred Seventy Two Thousand Seven Hundred Ninety-Five Dollars (\$2,772,795) for the Water Fund, Two Million Five Hundred Eight Thousand Four Hundred Eighty-One Dollars (\$2,508,481) for the Sewer Fund, and One Million Forty Thousand Six Hundred Eighty-Four Dollars (\$1,040,684) for the Solid Waste Fund; and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Water Fund Free Cash	\$222,795
Solid Waste Fund Free Cash	\$165,524

Raise and Appropriate by Taxation:

Solid Waste General Fund Subsidy	\$345,160
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for a total of Seven Hundred Thirty-Three Thousand Four Hundred Seventy-Nine Dollars (\$733,479) and that the sum of Five Million Five Hundred Eighty-Eight Thousand Four Hundred Eighty-One Dollars (\$5,588,481) be financed from Water, Sewer and Solid Waste Revenues.

Recommendations: Board of Selectmen, Appropriations Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 6: Northborough K-8 Schools Budget

To see if the Town will vote to raise and appropriate by taxation the sum of Twenty-Eight Million One Thousand Two Hundred Twenty-Seven Dollars (\$28,001,227) for the operation of the Northborough Public Schools, or take any action relative thereto.

MOTION ARTICLE 6: Northborough K-8 Schools Budget

Kelly Guenette, Northborough School Committee, moved that the Town vote to raise and appropriate by taxation the sum of Twenty-Eight Million One Thousand Two Hundred Twenty-Seven Dollars (\$28,001,227) for the operation of the Northborough Public Schools.

Recommendations: Board of Selectmen, School Committee, Appropriations

Vote: Moderator declared the motion carried by majority vote

ARTICLE 7: Algonquin Regional High School Budget

To see if the Town will vote to raise and appropriate by taxation the sum of Fourteen Million Seventy-Two Thousand Five Hundred Thirty-Nine Dollars (\$14,072,539) for Northborough's share of the

assessment for the operation and debt service of the Northborough-Southborough Regional School District, or take any action relative thereto.

MOTION ARTICLE 7: Algonquin Regional High School Budget

Joan Frank, Regional School Committee, moved that the Town vote to raise and appropriate by taxation Northborough's share of the assessment for the operation and debt service of the Northborough-Southborough Regional School District, the sum of Fourteen Million Seventy-Two Thousand Five Hundred Thirty-Nine Dollars (\$14,072,539).

Recommendations: Board of Selectmen, Regional School Committee, Appropriations

Vote: Moderator declared the motion carried by majority vote

ARTICLE 8: Assabet Valley Regional Vocational School District Budget

To see if the Town will vote to raise and appropriate by taxation the sum of One Million Three Hundred One Thousand Five Hundred Eighty-One Dollars (\$1,301,581) for Northborough's share of the assessment for the operation and debt service of the Assabet Valley Regional Vocational School District, or take any action relative thereto.

MOTION ARTICLE 8: Assabet Valley Regional Vocational School District Budget

Virginia Simms George, Assabet Valley School Committee, moved that the Town 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 One Million Three Hundred One Thousand Five Hundred Eighty-One Dollars (\$1,301,581).

Recommendations: Board of Selectmen, Appropriations Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 9: Establishment of Health Department Revolving Fund

To see if the Town will vote to amend Chapter 1-56 of the Northborough Town Code, section 1-56-051 Departmental revolving funds, paragraph E, by adding to the table of funds the text shown below so as to establish a revolving fund authorized to and for the use of the Northborough Health Department, and to set the annual expenditure limit for fiscal year 2024 at One Hundred Fifty Thousand Dollars (\$150,000); or take any action relative thereto.

<u>A</u> Revolving Fund	<u>B</u> Department, Board Committee, Agency or Officer Authorized to Spend from Fund	<u>C</u> Fees, Charges or Other Receipts Credited to Fund	<u>D</u> Program or Activity Expenses Payable from Fund
Health Department	Health Director	Medical insurance reimbursements and program fees	Program expenses

- The proposed revolving fund will hold fees associated with providing certain Health Department services which are then used to offset the cost of providing the services (e.g., vaccination clinics).

MOTION ARTICLE 9: Establishment of Health Department Revolving Fund

Julianne Hirsh, Board of Selectmen, moved that the Town vote to amend Chapter 1-56 of the Northborough Town Code, section 1-56-051 Departmental revolving funds, paragraph E, by adding to the table of funds the text as shown in the warrant so as to establish a revolving fund authorized to and for the use of the Northborough Health Department, and to set the annual expenditure limit for fiscal year 2024 at One Hundred Fifty Thousand Dollars (\$150,000).

Recommendations: Appropriations Committee, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 10: Revolving Funds Authorization of Expenditure Limits

To see if the Town will vote to authorize revolving fund annual expenditure limits for Fiscal Year 2024 as shown in the table below:

Revolving Fund	Annual Expenditure Limit
Fire Department (EMS and Haz Mat)	\$750,000
Animal Control	\$50,000
Family & Youth Services	\$20,000
Council on Aging	\$300,000
Community Affairs	\$20,000
Library	\$20,000

or take any other action relative thereto.

- Pursuant to the Town's Revolving Fund Bylaw and the provisions of Massachusetts General Laws Chapter 44, Section 53E½, an annual vote is required to establish expenditure limits for the revolving funds. The Recreation Department revolving fund is authorized under Massachusetts General Laws Chapter 44, Section 53D, and does not require annual reauthorization.

MOTION ARTICLE 10: Revolving Funds Authorization of Expenditure Limits

I move the Town vote to authorize revolving fund annual expenditure limits for Fiscal Year 2024 as shown in the table in the warrant and the warrant supplement distributed at this Town Meeting.

Vote: Included in consent agenda, passed by majority vote

ARTICLE 11: Appropriations Committee Reserve Fund

To see if the Town will vote to appropriate the sum of One Hundred Seventy-Five Thousand Dollars (\$175,000) 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 Seventy-Five Thousand Dollars (\$175,000) be transferred from Free Cash, 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.

MOTION ARTICLE 11: Appropriations Committee Reserve Fund

Julianne Hirsh, Board of Selectmen, moved that the Town vote to appropriate the sum of One Hundred Seventy-Five Thousand Dollars (\$175,000) 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 Seventy-Five Thousand Dollars (\$175,000) be transferred from Free Cash.

Recommendations: Appropriations Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 12: Stabilization Fund Contribution

To see if the Town will vote to appropriate the sum of Two Hundred Thousand Dollars (\$200,000) for transfer to the Stabilization Fund, and to meet said appropriation the sum of Two Hundred Thousand Dollars (\$200,000) be transferred from Free Cash, or take any action relative thereto.

- This Article provides for a contribution to the Stabilization Fund, or general savings account, for the Town.

MOTION ARTICLE 12: Stabilization Fund Contribution

Jason Perreault, Board of Selectmen, moved that the Town vote to appropriate the sum of Two Hundred Thousand Dollars (\$200,000) for transfer to the Stabilization Fund, and to meet said appropriation, the sum of Two Hundred Thousand Dollars (\$200,000) be transferred from Free Cash.

Recommendations: Appropriations Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 13: Appropriation of Opioid Settlement Funds

To see if the Town will vote to appropriate the sum of One Hundred Seven Thousand One Hundred Twenty-Three Dollars (\$107,123) for use by the Town Administrator, through the Board of Selectmen, to

provide for substance abuse abatement activities following the Town's participation in the Statewide Opioid Settlements negotiated by the Massachusetts Attorney General, and to meet said appropriation the sum of One Hundred Seven Thousand One Hundred Twenty-Three Dollars (\$107,123) be transferred from Free Cash.

- This Article provides funds to supplement and strengthen resources for substance abuse prevention, harm reduction, treatment, and recovery funded by direct payments received by the Town as a result of signing onto statewide settlements with opioid manufacturers, distributors, and/or pharmacies. In order to comply with settlement reporting requirements, the funds are being segregated from general revenues into a separate article.

MOTION ARTICLE 13: Appropriation of Opioid Settlement Funds

Julianne Hirsh, Board of Selectmen, moved that the Town vote to appropriate the sum of One Hundred Seven Thousand One Hundred Twenty-Three Dollars (\$107,123) for the use of the Town Administrator through the Board of Selectmen to provide for substance abuse abatement activities following the Town's participation in the Statewide Opioid Settlements negotiated by the Massachusetts Attorney General, and to meet said appropriation the sum of One Hundred Seven Thousand One Hundred Twenty-Three Dollars (\$107,123) be transferred from Free Cash.

Recommendations: Appropriations Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 14: Senior Tax Relief

To see if the Town will vote to increase the maximum qualifying gross receipts that seniors (persons 65 or older) may have in the prior calendar year to be eligible to defer property taxes under Massachusetts General Laws Chapter 59, section 5, clause 41A from \$20,000 to \$64,000; and to change the rate of interest that accrues on property taxes deferred under said clause 41A from 8% to 4%, with such rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2023, or take any action relative thereto.

- The senior property tax deferral program, known as Clause 41A, allows people 65 or older to defer their property taxes until their home is sold or conveyed, up to a limit of 50% of the owner's share of the value of the property. This Article is designed to reduce the statutory interest rate that accrues on the deferred tax balance and to increase the income limits of the applicants.

MOTION ARTICLE 14: Senior Tax Relief

Mitch Cohen, Board of Selectmen, moved that the Town vote to increase the maximum qualifying gross receipts that seniors (persons 65 or older) may have in the prior calendar year to be eligible to defer property taxes under Massachusetts General Laws Chapter 59, section 5, clause 41A from \$20,000 to \$64,000; and to change the rate of interest that accrues on property taxes deferred under said clause 41A from 8% to 4%, with such rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2023.

Recommendations: Board of Selectmen

Vote: Moderator declared the motion carried by majority vote

ARTICLE 15 (CIP): Police – Police Cruiser Replacements (3)

To see if the Town will vote to appropriate the sum of One Hundred Ninety Thousand Dollars (\$190,000) for the use of the Police Department for the purchase of three new police vehicles, and to meet said appropriation the sum of One Hundred Ninety Thousand Dollars (\$190,000) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- This Article provides funds for the purchase of two replacement patrol vehicles and one replacement detective vehicle. This article supports the continued annual replacement of police vehicles on an established schedule of three vehicles one year, then two the next.

MOTION ARTICLE 15 (CIP): Police – Police Cruiser Replacements (3)

Jason Perreault, Board of Selectmen, moved that the Town vote to appropriate the sum of One Hundred Ninety Thousand Dollars (\$190,000) for the use of the Police Department for the purchase of three new police vehicles, and to meet said appropriation the sum of One Hundred Ninety Thousand Dollars (\$190,000) be transferred from Free Cash for expenditure in Fiscal Year 2023.

Recommendations: Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 16 (CIP): Police – Police Station Exterior Repairs & Painting

To see if the Town will vote to appropriate the sum of Seventy Thousand Dollars (\$70,000) for the use of the Police Department to fund the repair and painting of the exterior of the Northborough Police Station, and to meet said appropriation the sum of Seventy Thousand Dollars (\$70,000) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- This Article provides funds needed to repair and paint the exterior of the Police Station. The last time the exterior was painted was approximately 10 years ago. The Town is required to pay prevailing wages under state procurement laws which significantly add to project costs.

MOTION ARTICLE 16 (CIP): Police – Police Station Exterior Repairs & Painting

Julianne Hirsh, Board of Selectmen, moved that the Town vote to appropriate the sum of Seventy Thousand Dollars (\$70,000) for the use of the Police Department to fund the repair and painting of the exterior of the Northborough Police Station and to meet said appropriation the sum of Seventy Thousand Dollars (\$70,000) be transferred from Free Cash for expenditure in Fiscal Year 2023.

Recommendations: Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 17 (CIP): Fire – Engine 1 Replacement

To see if the Town will vote to appropriate the sum of Nine Hundred Thousand Dollars (\$900,000) for the use of the Fire Department for the purchase of a new Fire Engine, and to meet said appropriation the sum of Nine Hundred Thousand Dollars (\$900,000) be raised by borrowing, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 7(1) or any other enabling authority, and the Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds or notes therefor.

- This Article provides funds for the replacement of a 2005 fire engine. At the time of replacement, it will have exceeded its expected useful life, including approximately 10 years of front-line service, 5 years back-up service and 5 years reserve.

MOTION ARTICLE 17 (CIP): Fire – Engine 1 Replacement

Mitch Cohen, Board of Selectmen, moved that the Town vote to appropriate the sum of Nine Hundred Thousand Dollars (\$900,000) for the use of the Fire Department for the purchase of one new Engine 1, and to meet said appropriation the sum of Nine Hundred Thousand Dollars (\$900,000) be raised by borrowing, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 7(1) or any other enabling authority, and the Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds or notes therefor.

Recommendations: Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by the required 2/3rds majority vote

ARTICLE 18 (CIP): DPW – Road Improvements and Maintenance

To see if the Town will vote to appropriate the sum of Three Hundred Thousand Dollars (\$300,000) for Road Improvements and Maintenance, and to meet said appropriation the sum of Three Hundred Thousand Dollars (\$300,000) be raised by taxation, transferred from available funds, borrowed or otherwise appropriated.

- This Article provides funds in addition to the State's Chapter 90 transportation funding to maintain current road conditions in accordance with the Pavement Management Plan.

MOTION ARTICLE 18 (CIP): DPW – Road Improvements and Maintenance

Jason Perreault, Board of Selectmen, moved that the Town vote to appropriate the sum of Three Hundred Three Thousand Dollars (\$300,000) for Road Improvements and Maintenance, and to meet said appropriation the sum of Three Hundred Thousand Dollars (\$300,000) be transferred from Free Cash for expenditure in Fiscal Year 2023

Recommendations: Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 19 (CIP): DPW – 20-Ton Dump Truck with Spreader & Plow Replacement

To see if the Town will vote to appropriate the sum of Three Hundred Fifty-Five Thousand Dollars (\$355,000) for the use of the Department of Public Works for the purchase of a 20-ton dump truck with spreader and plow, and to meet said appropriation the sum of Three Hundred Fifty-Five Thousand Dollars (\$355,000) be raised by taxation, transferred from available funds, borrowed or otherwise appropriated.

- This Article provides funds for the purchase of a 20-ton dump truck with spreader and plow to replace a 2005 truck used for salting and sanding during snow events that has surpassed its useful life. As part of this vehicle replacement, an existing similar vehicle will be repurposed to extend its useful life.

MOTION ARTICLE 19 (CIP): DPW – 20-Ton Dump Truck with Spreader & Plow Replacement

Mitch Cohen, Board of Selectmen, moved that the Town vote to appropriate the sum of Three Hundred Fifty-Five Thousand Dollars (\$355,000) for the use of the Department of Public Works for the purchase of a 20-ton dump truck with spreader and plow, and to meet said appropriation the sum of Three Hundred Fifty-Five Thousand Dollars (\$355,000) be transferred from Free Cash for expenditure in Fiscal Year 2023.

Recommendations: Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 20 (CIP): DPW – Highway Garage Tight Tank DEP Compliance

To see if the Town will vote to appropriate the sum of Four Hundred Seventy-Five Thousand Dollars (\$475,000) for the use of the Department of Public Works to fund the installation of a tight tank at the highway garage located at 190 Main Street, and to meet said appropriation the sum of Four Hundred Seventy-Five Thousand Dollars (\$475,000) be raised by borrowing, in accordance with the provision of Massachusetts General Laws, Chapter 44, Section 7(1) or any other enabling authority, and the Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds or notes therefor.

- This Article provides funds for the installation of a tight tank at the highway garage. The existing garage was built in 1984 and no longer complies with State environmental regulations. The building is served by an onsite septic tank system which cannot accept discharge of truck wash. In accordance with MassDEP requirements, an underground holding tank is required for this wastewater.

MOTION ARTICLE 20 (CIP): DPW – Highway Garage Tight Tank DEP Compliance

Mitch Cohen, Board of Selectmen, moved that the Town vote to appropriate the sum of Four Hundred Seventy-Five Thousand Dollars (\$475,000) for the use of the Department of Public Works to fund the installation of a tight tank at the highway garage located at 190 Main Street, and to meet said appropriation the sum of Four Hundred Seventy-Five Thousand Dollars (\$475,000) be raised by borrowing, in accordance with the provision of Massachusetts General Laws, Chapter 44, Section 7(1) or any other

enabling authority, and the Treasurer, with the approval of the Board of Selectmen, be authorized to issue bonds or notes therefor.

Recommendations: Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by the required 2/3rds majority vote

ARTICLE 21 (CIP): DPW – One-Ton Truck with Plow Replacement

To see if the Town will vote to appropriate the sum of One Hundred Fifty Thousand Dollars (\$150,000) for the use of the Department of Public Works for the purchase of a one-ton truck with plow, and to meet said appropriation the sum of One Hundred Fifty Thousand Dollars (\$150,000) be raised by taxation, transferred from available funds, borrowed or otherwise appropriated.

- This Article provides funds for the purchase of a one-ton truck with plow, to replace a 2012 F350 with an F600 model. The 2012 truck will be past its useful life at the time of replacement. As part of this vehicle replacement, an existing similar vehicle will be repurposed to extend its useful life.

MOTION ARTICLE 21 (CIP): DPW – One-Ton Truck with Plow Replacement

Scott Rogers, Board of Selectmen, moved that the Town vote to appropriate the sum of One Hundred Fifty Thousand Dollars (\$150,000) for the use of the Department of Public Works for the purchase of a one-ton truck with plow, and to meet said appropriation the sum of One Hundred Fifty Thousand Dollars (\$150,000) be transferred from Free Cash for expenditure in Fiscal Year 2023.

Recommendations: Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 22 (CIP): DPW/WATER & SEWER – 15-Ton Dump Truck

To see if the Town will vote to appropriate the sum of Two Hundred Twenty-Five Thousand Dollars (\$225,000) for the use of the DPW, Water and Sewer Divisions, for the purchase a new 15-ton dump truck, and to meet said appropriation the sum of One Hundred Thirty-Five Thousand Dollars (\$135,000) be transferred from Water Enterprise Free Cash and the sum of Ninety Thousand Dollars (\$90,000) be transferred from Sewer Enterprise Free Cash, for a total of Two Hundred Twenty-Five Thousand Dollars (\$225,000).

- This Article provides funds for the purchase of a new 30,000 GVW dump truck for use by the Water and Sewer Divisions. The current fleet of vehicles consists of smaller, daily task vehicles. This truck is large enough to move department equipment and materials. The cost of the new dump truck is being split 60%/40% between the Water and Sewer Enterprise Funds.

MOTION ARTICLE 22 (CIP): WATER – 15-Ton Dump Truck

Scott Rogers, Board of Selectmen, moved that the Town vote to appropriate the sum of Two Hundred Twenty-Five Thousand Dollars (\$225,000) for the use of the DPW/Water and Sewer Division for the purchase of a new 15-ton dump truck, and to meet said appropriation the sum of One Hundred Thirty-Five Thousand Dollars (\$135,000) be transferred from Water Enterprise Free Cash and the sum of Ninety Thousand Dollars (\$90,000) be transferred from Sewer Enterprise Free Cash for a total of Two Hundred Twenty-Five Thousand Dollars (\$225,000) for expenditure in Fiscal Year 2023.

Recommendations: Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 23 (CIP): DPW/SEWER – SCADA Phase II

To see if the Town will vote to appropriate the sum of One Hundred Twenty-Five Thousand Dollars (\$125,000) for the use of the DPW Sewer Division to complete the final phase of the SCADA project, and to meet said appropriation the sum of One Hundred Twenty-Five Thousand Dollars (\$125,000) be raised by taxation, transferred from available funds, borrowed or otherwise appropriated.

- This Article provides funds to complete the Supervisory Control and Data Acquisition (SCADA) project by providing connectivity of the remaining sewer pump stations to the SCADA system, which will allow the Town to monitor and manage all of the Town's utility infrastructure. Northborough recently received an 80% federal grant (\$491,000) to fund this phase. This request seeks to fund the required 20% grant match from the Sewer Enterprise Fund Free Cash.

MOTION ARTICLE 23 (CIP): SEWER – SCADA Phase II

Scott Rogers, Board of Selectmen, moved that the Town vote to appropriate the sum of One Hundred Twenty-Five Thousand Dollars (\$125,000) for the use of the Sewer Division to complete the final phase of the SCADA project and to meet said appropriation, the sum of One Hundred Twenty-Five Thousand Dollars (\$125,000) be transferred from Sewer Enterprise Free Cash for expenditure in Fiscal Year 2023.

Recommendations: Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 24 (CIP): SCHOOL – Zeh Elementary School Rear Entrance Repair

To see if the Town will vote to appropriate the sum of Forty Thousand Dollars (\$40,000) for the use of the School Department to fund the repair of the concrete walkway area at the rear entrance of Zeh Elementary School, and to meet said appropriation the sum of Forty Thousand Dollars (\$40,000) be raised by taxation, transferred from available funds, borrowed or otherwise appropriated.

- This Article provides funds for the repair of the concrete area leading to the rear entrance of Zeh Elementary School, which has deteriorated. This project would also improve the transition to and from the parking lot, allowing easier access for all visitors.

MOTION ARTICLE 24 (CIP): SCHOOL – Zeh Elementary School Rear Entrance Repair

Kelly Guenette, Northborough School Committee, moved that the Town vote to appropriate the sum of Forty Thousand Dollars (\$40,000) for the use of the School Department to fund the repairs of the rear entrance of Zeh Elementary School, and to meet said appropriation the sum of Forty Thousand Dollars (\$40,000) be transferred from Free Cash for expenditure in Fiscal Year 2023.

Recommendations: School Committee, Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 25: Algonquin Regional High School Athletic Complex Project

To see if the Town will vote to approve the sum of Seven Million Nine Hundred Sixty Thousand Three Hundred Ninety-Three Dollars (\$7,960,393) borrowing authorized by the Regional District School Committee of the Northborough-Southborough Regional School District to pay costs of renovating and making extraordinary repairs and other improvements to the District's athletic facilities, including, but not limited to: replacing the current football field and junior varsity practice field with turf fields, replacing the existing track, replacing the existing tennis courts, replacing the existing bleachers and press box to ensure compliance with ADA requirements, construction of a new outdoor amphitheater, renovations to the amenities building, and for the payment of all costs incidental and related thereto, or to take any other action relative thereto.

- This Article would authorize the borrowing by the Regional District School Committee of the Northborough-Southborough Regional School District to pay the costs for the Algonquin Regional High School Athletic Complex Project. The project requires approval from both member communities. Northborough will be assessed its share of debt through annual assessment per the Regional School Agreement.

MOTION ARTICLE 25: Algonquin Regional High School Athletic Complex Project

Chris Covino, Regional School Committee, moved that the Town vote to approve the sum of Seven Million Nine Hundred Sixty Thousand Three Hundred Ninety-Three Dollars (\$7,960,393) borrowing authorized by the Northborough-Southborough Regional School District to pay costs of renovating and making extraordinary repairs and other improvements to the District's athletic facilities, including, but not limited to: replacing the current football field and junior varsity practice field with turf fields, replacing the existing track, replacing the existing tennis courts, replacing the existing bleachers and press box to ensure compliance with ADA requirements, construction of a new outdoor amphitheater, renovations to the amenities building, and for the payment of all costs incidental and related thereto.

Recommendations: Regional School Committee, Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 26: 13 Church Street Easement

To see if the Town will vote to accept an easement in, over and through a portion of the property located at and known as 44 West Main Street, Northborough for the purpose of access to and use, operation and maintenance of a Town-owned sewer pump station located thereon, with the easement area being generally shown as "Proposed Easement A" on a plan entitled "ANR & Easement Plan 13 Church Street Northborough Massachusetts 'Old Fire Station' Owned By Town of Northborough 63 Main Street Northborough, MA 01532" dated July 1, 2022 by Chappell Engineering Associates, LLC," a copy of which is on file in the office of the Town Clerk, and in connection with the provision of a Town sewer service connection for the property at 44 West Main Street; and to authorize the Board of Selectmen and the Water and Sewer Commissioners to take all actions and execute all documents necessary in connection therewith, or take any action relative thereto.

MOTION ARTICLE 26: 13 Church Street Easement

Kristen Wixted, Board of Selectmen, moved that the Town will vote to accept an easement in, over and through a portion of the property located at and known as 44 West Main Street, Northborough for the purpose of access to and use, operation and maintenance of a Town-owned sewer pump station located thereon, with the easement area being generally shown as “Proposed Easement A” on a plan entitled “ANR & Easement Plan 13 Church Street Northborough Massachusetts ‘Old Fire Station’ Owned By Town of Northborough 63 Main Street Northborough, MA 01532” dated July 1, 2022 by Chappell Engineering Associates, LLC,” a copy of which is on file in the office of the Town Clerk, and in connection with the provision of a Town sewer service connection for the property at 44 West Main Street; and to authorize the Board of Selectmen and the Water and Sewer Commissioners to take all actions and execute all documents necessary in connection therewith.

Recommendations: Board of Selectmen, Water & Sewer Commission

Vote: **Moderator declared the motion carried by the required 2/3rds majority vote**

ARTICLE 27: Change Name of Board of Selectmen to Select Board

To see if the Town will authorize the Board of Selectmen to petition the General Court for special legislation to change the name of the Board of Selectmen to Select Board, in the form set forth below; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition; or take any other action relative thereto.

An Act Relative to the Select Board of the Town of Northborough:

SECTION 1. Notwithstanding any general or special law to the contrary, the executive body of the town of Northborough, previously known as the board of selectmen, shall be known as the select board and shall have the powers and authority of a board of selectmen pursuant to any general or special law. The members of the select board, previously known as selectmen, shall be known as select board members.

SECTION 2. Notwithstanding sections 21 and 32 of chapter 40 of the General Laws or any other general or special law to the contrary, the select board of the town of Northborough may amend the general by-laws of the town by majority vote to revise all references to the board of selectmen and its members to select board and select board member, respectively, in accordance with section 1.

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

MOTION ARTICLE 27: Change Name of Board of Selectmen to Select Board

Kristen Wixted, Board of Selectmen, moved that the Town vote to authorize the Board of Selectmen to petition the General Court for special legislation to change the name of the Board of Selectmen to Select Board, in the form set forth in the warrant and warrant booklet distributed at this Town Meeting; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition.

Recommendations: Board of Selectmen, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 28: Remove Residency Requirement for Town Administrator

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for a special act amending the Northborough Home Rule Charter by deleting the fourth sentence of section 4-1 so as to eliminate the requirement that the Town Administrator be a resident of Northborough, in the form set forth below; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition; or take any action relative thereto.

An Act Amending the Charter of the Town of Northborough:

SECTION 1. Section 4-1 of article IV of the charter of the town of Northborough, which is on file in the office of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the General Laws, is hereby amended by striking out the fourth sentence.

SECTION 2. This act shall take effect upon its passage.

- The fourth sentence of section 4-1 reads as follows: "He need not be a resident of the town or of the commonwealth at the time of his appointment, but he must establish residence within the town within twelve (12) months following his appointment."

MOTION ARTICLE 28: Remove Residency Requirement for Town Administrator

Jason Perreault, Board of Selectmen, moved that the Town vote to authorize the Board of Selectmen to petition the General Court for a special act amending the Northborough Home Rule Charter by deleting the fourth sentence of section 4-1 so as to eliminate the requirement that the Town Administrator be a resident of Northborough, in the form set forth in the warrant and warrant booklet distributed at this Town Meeting; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition; or take any action relative thereto.

Recommendations: Board of Selectmen, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 29: Consolidated Personnel Bylaw

To see if the Town will vote to amend the Consolidated Personnel Bylaw as shown in the appendix to this warrant entitled “Article 29 – Consolidated Personnel Bylaw Amendments – 2023 Annual Town Meeting,” a copy of which is viewable on the Town’s website at <https://www.town.northborough.ma.us>.

MOTION ARTICLE 29: Consolidated Personnel Bylaw

Kristen Wixted, Board of Selectmen, moved that the Town vote to amend the Consolidated Personnel Bylaw as reflected in the appendix to the warrant entitled “Article 29 – Consolidated Personnel Bylaw Amendments – 2023 Annual Town Meeting,” and to authorize and approve payment of FY2024 wage increases pursuant to Section 1-64-040(H) of the Personnel Bylaw subject to and upon the settlement of union contracts for fiscal year 2024.

Recommendations: Personnel Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 30: Community Preservation Fund – White Cliffs Debt Service

To see if the Town will vote to appropriate the sum of One Hundred Eighty-Eight Thousand Dollars (\$188,000), or any other sum, from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for Fiscal Year 2024 debt service and expenses associated with the acquisition of the property at 167 Main Street, or take any other action relative thereto.

- This Article would fund the sixth debt service payment associated with the purchase of the White Cliffs facility at 167 Main Street.

MOTION ARTICLE 30: Community Preservation Fund – White Cliffs Debt Service

John Campbell, Community Preservation Committee, moved that the Town vote to appropriate the sum of One Hundred Eighty-Eight Thousand Dollars (\$188,000) from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for Fiscal Year 2024 debt service and expenses associated with the acquisition of the property at 167 Main Street.

Recommendations: Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 31: Community Preservation Fund – Administrative Fund

To see if the Town will vote to appropriate the sum of Thirty-Eight Thousand Five Hundred Dollars (\$38,500), 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 2024, or take any other action relative thereto.

- This Article would fund the administrative expenses of the Community Preservation Committee.

MOTION ARTICLE 31: Community Preservation Fund – Administrative Fund

John Campbell, Community Preservation Committee, moved that the Town vote to appropriate the sum of Thirty-Eight Thousand Five Hundred Dollars (\$38,500) from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for expenses associated with the implementation of the Community Preservation Act including but not limited to clerical assistance, office supplies, property surveys, appraisals, attorney's fees, and other professional services, recording fees, printing and all other necessary and proper expenses for the Fiscal Year 2024.

Recommendations: Appropriations Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 32: Community Preservation Fund – Affordable Housing Reserve

To see if the Town will vote to appropriate the sum of Seventy-Seven Thousand Dollars (\$77,000), or any other sum, from the Community Preservation Fund revenues and place said amount in the Community Preservation Affordable Housing Reserve Fund, or take any other action relative thereto.

- This Article would set aside funds for the future creation of affordable housing.

MOTION ARTICLE 32: Community Preservation Fund – Affordable Housing Reserve

I move the Town vote to appropriate the sum of Seventy-Seven Thousand Dollars (\$77,000) from the Community Preservation Fund revenues and place said amount in the Community Preservation Affordable Housing Reserve Fund.

Recommendations: Appropriations Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 33: Community Preservation Fund – Construction of Dog Park

To see if the Town will vote to appropriate the sum of Three Hundred Forty-Seven Thousand Five Hundred Dollars (\$347,500), or any other sum, from the Community Preservation Fund revenues to the Northborough Recreation Department and Department of Public Works for construction of a dog park, or take any other action relative thereto.

- This Article would fund the second phase of a three-phase project to construct a community dog park.

MOTION ARTICLE 33: Community Preservation Fund – Construction of Dog Park

John Campbell, Community Preservation Committee, moved that the Town vote to appropriate the sum of Three Hundred Forty-Seven Thousand Five Hundred Dollars (\$347,500) from the Community Preservation Fund revenues to the Northborough Recreation Department and Department of Public Works for construction of a dog park.

Recommendations: Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 34: Community Preservation Fund – Construction of ADA Accessible Trails at Senior Center

To see if the Town will vote to appropriate the sum of One Hundred Nineteen Thousand Dollars (\$119,000) from the Community Preservation Fund revenues and the sum of Two Hundred Fifty-One Thousand Dollars (\$251,000) from the Community Preservation Unreserved Fund, for the total sum of Three Hundred Seventy Thousand Dollars (\$370,000), to the Northborough Trails Committee and the Department of Public Works for construction of an ADA-compliant accessible trail located at the Northborough Senior Center, or take any other action relative thereto.

- This article would fund the next phase of this project to construct an ADA-compliant accessible trail at the Northborough Senior Center.

MOTION ARTICLE 34: Community Preservation Fund – Construction of ADA Accessible Trails at Senior Center

John Campbell, Community Preservation Committee, moved that the Town vote to appropriate the sum of One Hundred Nineteen Thousand Dollars (\$119,000) from the Community Preservation Fund revenues and the sum of Two Hundred Fifty-One Thousand Dollars (\$251,000) from the Community Preservation Unreserved Fund for the total sum of Three Hundred Seventy Dollars (\$370,000) to the Northborough Trails Committee and the Department of Public Works for the construction of an ADA-compliant accessible trail located at the Northborough Senior Center.

Recommendations: Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 35: Community Preservation Fund – Library Historic Marker

To see if the Town will vote to appropriate the sum of Five Thousand Sixty Dollars (\$5,060), or any other sum, from the Community Preservation Unreserved Fund to the Northborough Historic District Commission for the purchase and installation of a historic marker for the Northborough Free Library, or take any other action relative thereto.

- This Article would fund the purchase and installation of a bronze historic marker highlighting the role of Cyrus Gale Jr. and his influence on the Northborough Free Library.

MOTION ARTICLE 35: Community Preservation Fund – Library Historic Marker

John Campbell, Community Preservation Committee, moved that the Town vote to appropriate the sum of Five Thousand Sixty Dollars (\$5,060) from the Community Preservation Unreserved Fund to the Northborough Historic District Commission for the purchase and installation of a historic marker for the Northborough Free Library.

Recommendations: Appropriations Committee, Financial Planning Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 36: Town Code General Legislation, Chapter 2-28 Earth Removal, Section 2-28-030 and Section 2-28-040

To see if the Town will vote to amend Part 2 of the Northborough Town Code, General Legislation, Chapter 2-28 Earth Removal, Section 2-28-030, by adding the underlined text shown below, and Section 2-28-040 by deleting the text shown below in strikethrough, or take any action relative thereto.

2-28-030 Work for which permit required; exemptions

B. Exemptions.

(3) A permit shall not be required under this chapter provided that a Land Disturbance Permit has been issued for all construction activity or land disturbance that individually or as part of a

Common Plan of Development results in the disturbance of one acre (43,560 square feet) or more as required by the Northborough Town Code, General Legislation, Chapter 2-60 Stormwater Management and Land Disturbance.

2-28-040 Application procedure

An application for an earthwork permit shall be in writing and, among other things as required by the Earthwork Board, ~~or in the case of land in the Industrial zoning district, the Planning Board,~~ shall contain an accurate description of the portion of land from which earth is to be removed or to which earth is to be imported, shall state fully the purpose for the removal or importation thereof and shall include plans of the land involved in such form as the Earthwork Board may require. The Earthwork Board may charge reasonable fees for making an application for earthwork. Upon receipt of an application for a permit for removal of earth from any land, the Earthwork Board shall appoint a time and place for a public hearing, notice of which shall be given to the applicant and shall be published at least twenty-one (21) days before such hearing in a newspaper having a circulation in the town.

MOTION ARTICLE 36: Town Code General Legislation, Chapter 2-28 Earth Removal, Section 2-28-030 and Section 2-28-040

Janet Sandstrom, Earth Removal Board, moved that the Town vote to amend Part 2 of the Northborough Town Code, General Legislation, Chapter 2-28 Earth Removal, Section 2-28-030, by adding the underlined text, and Section 2-28-040 by deleting the text shown in strikethrough all as set forth in the Warrant.

Recommendations: Earthwork Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by majority vote

ARTICLE 37: Zoning Bylaw Section 7-02-040, Definitions

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-02-040, by adding the text shown below as underlined, or take any action relative thereto.

TRANSIENT – Occupancy of a dwelling unit or sleeping unit for not more than thirty (30) days.

MOTION ARTICLE 37: Zoning Bylaw Section 7-02-040, Definitions

Millie Milton, Planning Board, moved that the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-02-040, by adding the text shown as underlined, as set forth in the Warrant.

Recommendations: Planning Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by the required 2/3rds majority vote

ARTICLE 38: Zoning Bylaw Section 7-02-040, Definitions

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-02-040, by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

TEMPORARY STRUCTURE - A structure without any foundation or footings to be removed within a ~~twelve month~~ one hundred eighty (180) day time period. Said structure shall conform to the requirements of the Schedule of Density and Dimensional Requirements and shall require a building permit or a and an occupancy certificate ~~certificate of zoning compliance~~ from the Building Inspector. Exception: Temporary signs or other temporary outdoor advertising shall be in accordance with Section 7-09-040.

MOTION ARTICLE 38: Zoning Bylaw Section 7-02-040, Definitions

Millie Milton, Planning Board, moved that the Town pass over this article.

Vote: Moderator declared the motion to pass over carried by majority vote

ARTICLE 39: Zoning Bylaw Section 7-02-040, Definitions

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-02-040, by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

STRUCTURE – A combination of materials assembled at a fixed location to give support or shelter, such as a building, retaining wall which retains more than four (4) feet of unbalanced fill, tent of one hundred twenty (120) square feet or more and for the use of ten (10) or more persons, reviewing stand, platform, fence ~~six (6)~~ more than seven (7) feet ~~or more~~ in height, sign, flagpole, recreational tramway, mast for radio antenna, or the like.

MOTION ARTICLE 39: Zoning Bylaw Section 7-02-040, Definitions

Millie Milton, Planning Board, moved that the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-02-040, by deleting the text shown in strikethrough and adding the text shown as underlined, as set forth in the Warrant.

Recommendations: Planning Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by the required 2/3rds majority vote

ARTICLE 40: Zoning Bylaw Section 7-03-050, Site Plans, paragraph A.(2)

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-03-050, Site Plans, paragraph A.(2), by adding the text shown below as underlined, or take any action relative thereto.

A.(2) A special permit with site plan approval shall be required for any use requiring a special permit in accordance with Section 7-05-030, Table of Uses, in which case the special permit granting authority shall also act as site plan approval authority. Land clearing and grading activities for a use requiring a special permit shall be incorporated within the special permit with site plan approval.

MOTION ARTICLE 40: Zoning Bylaw Section 7-03-050, Site Plans, paragraph A.(2)

Anthony Ziton, Planning Board, moved that the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-03-050, Site Plans, paragraph A.(2), by adding the text shown as underlined, as set forth in the Warrant.

Recommendations: Planning Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by the required 2/3rds majority vote

10:04 motion made to adjourn the meeting to Tuesday April 25, 2023 6pm

Vote: Moderator declared the motion carried by majority vote

Town Meeting Adjourned Session
Tuesday April 25, 2023
Algonquin Regional High School 79 Bartlett St. Northborough, MA

Moderator Fred George announced a quorum of at least 100 voters was present in the hall and called the meeting to order at 6:30pm.

ARTICLE 41: Zoning Bylaw Section 7-03-050, Special permit with site plan approval, paragraph D.(1)

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-03-050, Special permit with site plan approval, paragraph D.(1), by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

D.(1) Procedures. The procedures and time lines for a special permit with site plan approval shall be the same as any other special permit and shall conform to the requirements of MGL C. 40A, 9, as amended, and the provisions of Section 7-03-040. Submission requirements shall be in accordance with the rules and regulations of the ~~special permit granting authority~~ Planning Board.

MOTION ARTICLE 41: Zoning Bylaw Section 7-03-050, Special permit with site plan approval, paragraph D.(1)

Anthony Ziton, Planning Board, moved that the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-03-050, Special permit with site plan approval, paragraph D.(1), by deleting the text shown in strikethrough and adding the text shown as underlined, as set forth in the Warrant.

Recommendations: Planning Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by the required 2/3rds majority vote

ARTICLE 42: Zoning Bylaw Section 7-05-020, Classification of uses, paragraph C.(4)(c)

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020, Classification of uses C.(4)(c), by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

C.(4)(c) The maximum gross floor area of the accessory dwelling unit shall not exceed ~~twenty-five percent (25%) of the gross floor area of the existing dwelling or eight~~ seven-hundred (8700) square feet, whichever is greater.

MOTION ARTICLE 42: Zoning Bylaw Section 7-05-020, Classification of uses, paragraph C.(4)(c)

Anthony Ziton, Planning Board, moved that the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020, Classification of uses C.(4)(c), by deleting the text shown below in strikethrough and adding the text shown below as underlined.

C.(4)(c) The maximum gross floor area of the accessory dwelling unit shall not exceed ~~twenty five percent (25%) of the gross floor area of the existing dwelling or eight seven-hundred (8700) square feet; whichever is greater.~~

Recommendations: Planning Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by the required 2/3rds majority vote

ARTICLE 43: Zoning Bylaw Section 7-05-020, Classification of uses, paragraph J.(2)(b)[3]

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020, Classification of uses, by deleting paragraph J.(2)(b)[3] and renumbering paragraph J.(2)(b)(4) as shown below, or take any action relative thereto.

~~[3] One dwelling unit per industrial establishment, on the same lot as and incidental to a permitted industrial use, occupied by the owner or an employee, such as a watchman's or caretaker's quarters.~~

[4] Solar photovoltaic installation, canopy-mounted: A solar photovoltaic system that is structurally mounted on a canopy over a parking area.

MOTION ARTICLE 43: Zoning Bylaw Section 7-05-020, Classification of uses, paragraph J.(2)(b)[3]

Amy Poretsky, Planning Board, moved that the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020, Classification of uses, by deleting paragraph J.(2)(b)[3] and renumbering paragraph J.(2)(b)(4), as set forth in the Warrant.

Recommendations: Planning Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by the required 2/3rds majority vote

ARTICLE 44: Zoning Bylaw Section 7-06-030, Table 2. Table of Density and Dimensional Regulations

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-06-030, Table 2. Table of Density and Dimensional Regulations, by adding the text shown below as underlined, or take any action relative thereto.

Table 2. Table of Density and Dimensional Regulations.¹

	Minimum Lot Area	Minimum Lot Frontage	Minimum Lot Width	Minimum Yard Setbacks			Maximum Front Setback ²	Maximum Lot Coverage	Minimum Open Space	Maximum Height	
District	(sq. ft.)	(feet)	(feet)	Front	Side	Rear				Stories	Feet
RA	80,000	200	200	30	15	25	-	<u>25%</u>	-	-	35
RB	40,000	150	150	30	15	25	-	<u>25%</u>	-	-	35
RC ³	20,000	100	100	30	15	25	-	<u>30%</u>	-	-	35
GR ³	15,000	100	100	30	15	25	-	30%	-	-	35
MSR ³	15,000	100	100	30	15	25	-	30%	-	-	35
DN ³	10,000	50	None	15	20	20	30	30%	20%	-	35
DB	4,000	50	None	6	None	None	20	-	15%	-	45
BE	20,000	150	None	15	20	25	75	-	20%	3.0	45
BW	20,000	150	None	15	20	25	75	-	20%	3.0	45
BS	40,000	150	None	40	25	25	-	-	25%	3.0	45
HB	40,000	150	None	50	25	25	-	-	25%	-	-
I ⁴	60,000	150	None	40	20	25	-	50%	25%	-	60

1 Additional requirements apply in some districts and for some classes of use. See Section 7-06-030, Supplemental regulations.

2 Maximum front setback applies only to new construction.

3 See Section 7-06-030(J)(5) for lot regulations that apply to two-family dwellings.

4 See Section 7-06-030(C)(4) for lot regulations that apply to industrial uses that abut residential districts.

(4-24-17 ATM; 4-27-09 ATM, Art. 31; 4-26-10 ATM, Art. 28; 4-24-12 ATM, Arts. 48, 49; 4-22-13 ATM; 4-23-18 ATM, Art. 39; 7-18-20 ATM, Arts. 43, 44, 45.)

MOTION ARTICLE 44: Zoning Bylaw Section 7-06-030, Table 2. Table of Density and Dimensional Regulations

Amy Poretsky, Planning Board, moved that the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-06-030, Table 2. Table of Density and Dimensional Regulations, by adding the text shown as underlined, as set forth in the Warrant.

Recommendations: Planning Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by the required 2/3rds majority vote

ARTICLE 45: Zoning Bylaw Section 7-07-010, Groundwater Protection Overlay District, paragraph C.(3)

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-07-010, Groundwater Protection Overlay District, paragraph C.(3), by adding the text shown below as underlined, or take any action relative thereto.

- (a) Where a lot is located partially in one groundwater protection area and partially in one or more other groundwater protection area(s), the minimum lot size requirement shall conform to the minimum lot size requirement of the groundwater protection area within which the building is located. If the building will be located partially in one groundwater protection area and partially within one or more other groundwater protection area(s), the minimum lot size requirement shall conform to the minimum lot size for the most restrictive groundwater protection area. No land area that lies within a more restrictive groundwater protection area shall be used to satisfy the land area requirement of a less restrictive groundwater protection area.

MOTION ARTICLE 45: Zoning Bylaw Section 7-07-010, Groundwater Protection Overlay District, paragraph C.(3)

Amy Poretsky, Planning Board, moved that the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-07-010, Groundwater Protection Overlay District, paragraph C.(3), by adding the text shown as underlined, as set forth in the Warrant.

Recommendations: Planning Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by the required 2/3rds majority vote

ARTICLE 46: Zoning Bylaw Section 7-09-020, Site design standards, paragraph C.(6)

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-09-020, Site design standards, by adding a new paragraph C.(6), as set forth in the text below as underlined, or take any action relative thereto.

- (6) Utilities. Utilities, including telephone, cable and electric services, shall be placed below ground.

MOTION ARTICLE 46: Zoning Bylaw Section 7-09-020, Site design standards, paragraph C.(6)

William Pierce, Planning Board, moved that the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-09-020, Site design standards, by adding a new paragraph C.(6), as set forth in the Warrant.

Recommendations: Planning Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by the required 2/3rds majority vote

ARTICLE 47: Zoning Bylaw Section 7-09-030, Off-Street parking and loading, paragraph B.(1)(c)

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-09-030, Off-street parking and loading, by adding a new paragraph B.(1)(c), as set forth in the text shown below as underlined, or take any action relative thereto.

(c) No driveway shall be installed, or expanded to, within five (5) feet of a side lot line.

MOTION ARTICLE 47: Zoning Bylaw Section 7-09-030, Off-Street parking and loading, paragraph B.(1)(c)

William Pierce, Planning Board, moved that the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-09-030, Off-street parking and loading, by adding a new paragraph B.(1)(c), as set forth in the text shown below as underlined.

(c) No driveway shall be installed, or expanded to, within five (5) feet of a side lot line.

Recommendations: Planning Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion failed to meet the required 2/3rds majority vote

ARTICLE 48: Zoning Bylaw Section 7-09-040, Signs, paragraph B, Definitions

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, paragraph B, Definitions., by adding the text shown below as underlined, or take any action relative thereto.

B. Definitions. For the purpose of this section, the following terms shall have the following meanings:

(12) EXTERNALLY ILLUMINATED SIGN – A sign which utilizes an external and stationary light source which is shielded and directed solely at the sign.

(19) INTERNALLY ILLUMINATED SIGN - A sign that is illuminated by a light source internal to the sign. Internally illuminated signs include signs which utilize translucent panels.

MOTION ARTICLE 48: Zoning Bylaw Section 7-09-040, Signs, paragraph B, Definitions

William Pierce, Planning Board, moved that the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-09-040 Signs, paragraph B, Definitions., by adding the text shown as underlined, as set forth in the Warrant.

Recommendations: Planning Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by the required 2/3rds majority vote

ARTICLE 49: Zoning Bylaw Section 7-07-010, Groundwater Protection Overlay District, paragraphs C.(5) and D

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-07-010, Groundwater Protection Overlay District, paragraphs C.(5) and D.(4), by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

C. Establishment and delineation.

(5) The special permit granting authority shall be the Zoning Board of Appeals, except that for wireless communications facilities applications, two-family dwelling unit applications, or any applications in the Industrial District, the special permit granting authority shall be the Planning Board. The special permit granting authority shall hear and act upon all cases of appeal and petitions for special permits which are brought under this chapter. ~~The special permit granting authority shall, within five (5) business days of receipt of application or filing, forward to the Groundwater Advisory Committee (consisting of one (1) member each or one (1) designee each from the Board of Selectmen, Conservation Commission, Board of Health, Planning Board, and Water/Sewer Commission) five (5) copies of said application or filing. Within sixty-five (65) days of receipt of application or filing, the special permit granting authority shall hold a public hearing. Prior to the public hearing, the Groundwater Advisory Committee shall report its findings and recommendation to the special permit granting authority. The special permit granting authority shall render its decision within ninety (90) days of the public hearing.~~

D. Use regulations.

(4) Procedures for issuance of special permit.

(c) Upon receipt of the special permit application, the Town Clerk shall transmit one (1) copy each to the Board of Selectmen, Conservation Commission, Planning Board, Board of Health, and Water and Sewer Commissioners ~~(Groundwater Advisory Committee)~~ for their written recommendations. Failure to respond in writing to the clerk of the special permit granting authority within twenty-one (21) days following receipt of the application by the applicable board or commission ~~public hearing~~ shall indicate no objection~~approval~~ by said board or commission~~committee~~.

(e) After notice and public hearing and after coordinating, clarifying and weighing the comments received~~and recommendations of the Groundwater Advisory Committee~~, the special permit granting authority may grant such a special permit; provided that it finds that the proposed use:

[1] Meets the purpose and intent of this chapter and will not derogate from the purpose of the Groundwater Protection Overlay Districts.

[2] Will not, during construction or thereafter, impair ambient groundwater quality or reduce existing recharge capacity beyond that allowed per this chapter.

[3] Will not adversely affect the quality or the yield of an existing or potential water supply.

MOTION ARTICLE 49: Zoning Bylaw Section 7-07-010, Groundwater Protection Overlay District, paragraphs C.(5) and D

Kerri Martinek, Planning Board, moved that the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw Section 7-07-010, Groundwater Protection Overlay District, paragraphs C.(5) and D.(4), by deleting the text shown in strikethrough and adding the text shown as underlined, as set forth in the Warrant.

Recommendations: Planning Board, Municipal Code & Bylaw Committee

Vote: Moderator declared the motion carried by the required 2/3rds majority vote

ARTICLE 50: Acceptance of M.G.L. Chapter 39, Section 23D

To see if the Town will vote to accept, for all boards, committees and commissions that hold adjudicatory hearings, and applicable to adjudicatory hearings that commence after the date of acceptance, Chapter 39, Section 23D of the Massachusetts General Laws relative to allowing board, committee and commission members to vote on matters subject to an adjudicatory hearing even if the member has a single absence during a hearing process.

MOTION ARTICLE 50: Acceptance of M.G.L. Chapter 39, Section 23D

Kerri Martinek, Planning Board, moved that the Town vote to accept, for all boards, committees and commissions that hold adjudicatory hearings, and applicable to adjudicatory hearings that commence after the date of acceptance, Chapter 39, Section 23D of the Massachusetts General Laws relative to allowing board, committee and commission members to vote on matters subject to an adjudicatory hearing even if the member has a single absence during a hearing process.

Recommendations: Planning Board

Vote: Moderator declared the motion carried by majority vote

ARTICLE 51: Reports

No reports were offered.

7:58 pm motion made to dissolve the meeting

Vote: Moderator declared the motion carried by majority vote

Attendance 4/24/2023: 489

Attendance 4/25/2023: 112

Total Registered Voters: 11538

A True Copy Attest:

Andrew T. Dowd

Andrew T. Dowd,
Town Clerk