

**TOWN OF NORTHBRIDGE
BOARD OF SELECTMEN'S MEETING
NORTHBRIDGE TOWN HALL**

April 23, 2018 at 7:00 PM

PLEDGE OF ALLEGIANCE

- I. APPROVAL OF MINUTES: A. 1)** March 26, 2018 **2)** April 9, 2018 Executive Session
- II. PUBLIC HEARING**
- III. APPOINTMENTS/Resignations**
- IV. CITIZENS' COMMENTS/INPUT**
- V. DECISIONS:**
B. Spring Annual Town Meeting [May 1, 2018] / Vote positions on Articles 9, 24 and 29 / **Present:** Denis Latour, Chairman, Bylaw Review Committee
C. Annual Town Election [May 15, 2018] / Vote to sign warrant
D. Pleasant Street Christian Reformed Church/Request to hang banner over Church Street July 8, 2018 to July 15, 2018 to advertise the 2018 Whitinsville SERVE [July 7, 2018 - July 14, 2018] **Present:** Annika Bangma
E. Purgatory Beer Company/Request for an indoor weekday entertainment license/**Present:** Brian Distefano
F. Northbridge Veterans' Council/**1)** Request to hold the Memorial Day Parade in Whitinsville on Monday, May 28, 2018 at 10:00 AM. **2)** Request permission to use the Memorial Park for Memorial Day exercises.
G. Monetary Donation/Vote to accept monetary donation to benefit the Northbridge Police Department and the Northbridge Fire Department from Daniel O'neill
- VI. DISCUSSIONS:**
H. Whitinsville Water Company/Water Rate Filing Update
I. Whitinsville Water Company/Church Street Project Update
- VII. TOWN MANAGER'S REPORT:**
J. 1) Meetings Attended
2) School Building Project Update
3) DPW Garage Project
4) Fire Station Project (Feasibility Study)
5) Other ongoing tasks
- VIII. SELECTMEN'S CONCERNS**
- IX. ITEMS FOR FUTURE AGENDA**
- X. CORRESPONDENCE**
- XI. EXECUTIVE SESSION**

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THIS AGENDA IS SUBJECT TO CHANGE

BOARD OF SELECTMEN'S MEETING
March 26, 2018

AI

A meeting of the Board of Selectmen was called to order by Chairman Charles Ampagoomian at 7:00 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA. Present: Messrs. Ampagoomian, Athanas, Melia, and Nolan. **Also Present:** Adam D. Gaudette, Town Manager.

The Pledge of Allegiance was recited by those present.

Chairman Ampagoomian announced that Selectman Marzec is not present at this meeting due to his resignation, which was read aloud by Chairman Ampagoomian.

APPROVAL OF MINUTES: 1) **February 12, 2018.** A motion/Mr. Melia, seconded/Mr. Ampagoomian to approve the February 12, 2018 meeting minutes with the readings omitted. Vote yes/Messrs. Ampagoomian, and Melia. Abstain: Mr. Athanas, and Mr. Nolan. 2) **February 26, 2018.** A motion/Mr. Melia, seconded/Mr. Nolan to approve the February 26, 2018 meeting minutes with the readings omitted. Vote yes/Messrs. Ampagoomian, Athanas, Melia and Nolan

PUBLIC HEARING: None

APPOINTMENTS: By the Town Manager: 1) **Rochelle Thompson, Inspector of Animals/Vote to nominate** [*Note: Appointment is subject to certification by the State*]. A motion/Mr. Melia, seconded/Mr. Nolan to vote affirm the Town Managers appointment to nominate Rochelle Thompson as the Inspector of Animals. Vote yes/Messrs. Ampagoomian, Athanas, Melia and Nolan. 2a) **Kaitlyn Laflash, Student Police Officer.** 2b) **Tyler Mitchell, Student Police Officer/****Present: Police Chief Walter Warchol.** Chief Warchol stated that the Police Department has two full time vacancies and they have completed the process for filling those vacancies. The process consisted of an outside interview panel made up of Chief Ross Atstupenas of Blackstone, Chief Albert Salvatore of the Westminster Police Department, and Chief Loring Barret Jr. of the Ashburnham Police Department. Upon completion of the interviews and reviewing the resumes Chief Warhol is recommending Kaitlyn Laflash and Tyler Mitchell, both of Whitinsville, be appointed as Student Police Officers. Chief Warchol stated that both candidates have excellent qualities and training. Chief Warchol stated that the appointments would be contingent upon the conditions included in his report and begin on June 4, 2018. Ms. Laflash stated that she was born and raised in Northbridge, and graduated from Northbridge High School in 2007, from there she went to Worcester State, majoring in Criminal Justice and completing college in 2011. After college Ms. Laflash served six and a half years in the Airforce. Ms. Laflash stated she looks forward to serving for the Town of Northbridge. Mr. Mitchell stated he went to Millbury High School and also served on the Fire Department in Millbury and upon graduating went to Worcester State for his bachelor's degree in Criminal Justice. After graduating college he began dispatching in Northbridge, and completed the Reserve Academy. Mr. Mitchell looks forward to serving the Town. A motion/Mr. Melia, seconded/Mr. Nolan to affirm the Town Managers appointment of Kaitlyn Laflash and Tyler Mitchell to Student Police Officer beginning June 4, 2018. Vote yes/Messrs. Ampagoomian, Athanas, Melia and Nolan.

By the Board of Selectmen: 1) **School Building Committee/Vote to appoint member as Representative of Office.** Chairman Ampagoomian explained that this position became available due to the resignation of Selectman Marzec. Selectman Melia stated he would be interested in the position if the Board so choses to vote for him. A motion/Mr. Nolan, seconded/Mr. Athanas to nominate Selectman Thomas Melia to the School Building Committee as a Representative of Office. Vote yes/Messrs. Ampagoomian, Athanas, Melia and Nolan.

CITIZENS' COMMENTS/INPUT: None

Whitinsville Uxbridge American Youth Football/Cheer League (AYF) 1) request to hold a Boot Drive for the AYF [Football] on August 11, 2018 from 9 AM to 3 PM [Rain date: August 18, 2018]. 2) request to hold a boot drive for AYF [Cheer] on October 6, 2018 from 9 AM to 3 PM [Rain date: October 13, 2018]. Paul Cassasanta the Director of the Northbridge/Uxbridge AYF was present to discuss the request. Mr. Cassasanta explained that the boot drive would help for Football registration and those families who may not be able to afford the cost, and to help repair equipment. For the Cheer league the funds would be utilized for upcoming competitions. A motion/Mr. Melia, seconded/Mr. Athanas to approve the request to hold a boot drive for AYF Football on August 11, 2018 from 9 AM to 3 PM and for AYF Cheer on October 6, 2018 from 9 AM to 3 PM subject to the safety requirements of the Police Chief. Vote yes/Messrs. Ampagoomian, Athanas, Melia and Nolan.

Pine Grove Cemetery Deed/John Karagosian [Lot No. 42, Yew Ave North]. A motion/Mr. Melia, seconded/Mr. Melia to approve the sale of Lot No. 42, Yew Ave North to John Karagosian. Vote yes/Messrs. Ampagoomian, Athanas, Melia and Nolan

Spring Annual Town Meeting [May 1, 2018]/Vote to sign warrant upon completion and final review by Town Counsel (This agenda item includes presentations on 3 petition articles). Town Manager Gaudette stated that included in the packet is the draft Town Meeting Warrant with the petition articles towards the end of the Warrant. **Article 1 [Prior Year Bills]:** Town Manager Gaudette stated there are currently two prior year Bills. **Article 2 [Transfers]:** Town Manager Gaudette stated that this is for transfers to balance the current fiscal year. **Article 3 [Health Insurance Stabilization]:** Town Manager Gaudette stated that this is the operation budget. **Article 4 [Retained Earning Account]:** Sewer enterprise Operating Budget. **Article 5 [Retained Earnings Account]:** Water enterprise operating budget. **Article 6 [Chapter 90]:** Town Manager Gaudette stated that this is to authorize the spending of Chapter 90 grants. **Article 7 [Compensated Balances]:** Town Manager Gaudette stated that this is authorization for the Treasurer/Collector. **Article 8 [Revolving Fund Authorization]:** Town Manager Gaudette stated that this article is for spending limits. **Article 9 [Compensated Absences Fund]:** Town Manager Gaudette stated that this article is to transfer funds to cover the Compensated Absences Fund, which there currently are none. **Article 10 [Pine Grove Cemetery]:** Town Manager Gaudette stated that his is for the budget for Pine Grove Cemetery. **Article 11 [Health Insurance Stabilization]:** Town Manager Gaudette stated that this article is to transfer funds from Healthcare Reimbursement to Health Insurance stabilization. **Article 12 [Senior Tax Work-off]:** Town Manager Gaudette explained that his article is to increase the amount of money available to the Senior Tax Work-off Volunteers. **Article 13 [Vision Governmental Solutions]:** Town Manger Gaudette stated that this article would allow the transfer of surplus funds in several Assessors accounts to cover a software upgrade. **Article 14 [DPW Capital]:** Town Manger Gaudette explained this article includes a sidewalk maintenance program, repair of fencing and guardrails along town ponds, a pavement maintenance program, and a heavy duty dump truck with sander and plow. It is noted that one item based on the fact that available free cash is being used up by transfer for snow and ice, we did eliminate the purchase of a pickup truck from this article. **Article 15 [Building Maintenance Fund Capital]:** Town Manager Gaudette stated that the money that funds these accounts comes from the previously approved solar pilots. **Article 16 [Sewer Capital]:** Town Manger Gaudette stated that this article includes a new truck and Wastewater Management Plan Program improvements. **Article 17 [Ambulance Receipts]:** Town Manager Gaudette stated that this would replace rescue 1. **Article 18 [Amend School Capital]:** Town Manager Gaudette stated that this article is an amendment to the School Capital Article from the Fall 2017 Annual Town Meeting, which approve capital repairs for Northbridge Public Schools. This will allow for student lockers. **Article 19 [School Capital]:** Town Manager Gaudette stated that this is for School Capital Projects. **Article 20 [Subdivision Open Space]:** Town Manager Gaudette stated this article is for the acceptance of open space relating to the Hills project. **Article 21 [Transfer Subdivision Open Space]:** Town Manager Gaudette explained that this article would take the receipt of open space and transfer it to the Conservation Commission for oversight. **Article 22 [Proposed Zoning Amendment]:** Town Manager Gaudette stated this article will be contingent upon the ballot question to opt out of medical marijuana.

Article 23 [General Bylaw]: Town Manager Gaudette explained that as part of the opting out process in the previous article would also include a bylaw change, contingent upon passage of the ballot question.

Article 24 [Bylaw Recommendation]: Town Manager Gaudette stated that this article includes recommended changes to the bylaw by the Bylaw Review Committee.

Article 25 [Solar Pilot]: Town Manager Gaudette stated that this is in relation to the Special Town Meeting held on February 6, 2018.

Article 26, and Article 27 [Petition Article]: Town Manager Gaudette stated that this article is for the proposed Solar Pilot Agreements, which representatives from Syncarpha Solar are present to discuss. Town Manager Gaudette explained that Article 26 is for a parcel off of Church Street and Article 27 is located off of Providence Road. Keith Akers with Syncarpha Solar, and Brian Kopperl with Renewable Energy, Massachusetts spoke about the article's details. Mr. Akers explained that both sites in question are located off of Church Street and Providence Road and are owned by Whitinsville Redevelopment Trust. Over the past months discussion has been on evaluating the potential for solar at these locations. One of the onsite issue is due to a previous logger that clear cut the properties, which created a lot of issues for the land owners and the abutters. Mr. Aker explained that anything they are proposing to do they want to first make sure they can, in their best efforts, restore the damage that had been done. In December they met with Town Planner, Gary Bechtholdt, and Conservation Agenda David Pickart, to walk the site to visually inspect the damage caused. Mr. Aker stated that they wanted to hear from the Conservation Commission's point of view and the Town's on what would need to be done to restore the land to be in a proper mitigation. The site plans have been drafted since performing the site walk, and are beginning to take form. Mr. Aker stated they are hoping to get a permit package before the Conservation Commission Agent in the next two to three weeks and within a week or two go before the Planning Board with the site plan. Mr. Aker Stated that what makes the properties unique is that they are located in an industrial 1 zone, which makes them permitted as of right, pending a site plan review by the Planning Board. The solar panels would bring many benefits to the Northbridge residents, commercial businesses, and the tax revenue through the pilot payments. Selectman Athanas asked what the Town would need to do before we can consider moving forward with this project. Mr. Pickart stated that they have met with their consultant and reviewed the violations. After that meeting they came back with a preliminary plan with efforts to restore all of the violations. The plan was extremely thorough, and also addressed two of the three enforcement orders that have been an issue to have the land owner's to repair. Town Counsel indicated that the two issues rectifying the violations and analyzing the proposed project could occur concurrently. Given that up until this point the Conservation Commission has made no progress the idea of tying it to something that has a set timeline appears to be the most effective means to get the wetlands fixed. Selectman Melia asked how much of the acreage would be used for solar panels. Mr. Kopperl stated that it would be about twenty five to thirty acres on each of the parcels. Selectman Melia asked what the remaining acres would be used for. Mr. Kopperl stated that there would be an access road leading to the panels and the rest of the land would be undisturbed. Selectman Melia asked if the solar farm would have an impact on the smaller parcel in regards to the potential for homes being built in that area. Mr. Aker stated that they met with the owners of the land parcels to discuss the planned uses. Mr. Aker explained that when the plans were discussed the owner did not have an issue with the plans, and to his knowledge it would not affect his plans with his residential development. Selectman Nolan asked what the impact would be for site lines in regards to the current homes that are there. Mr. Aker stated that the biggest property in question is the property off of Church Street. Mr. Aker explained that in the beginning stages of the project they had solar panels relatively close to some of the abutting parcels, but for obvious reasons they want to move those as far south away from the abutters, and there are wetlands in that area. Mr. Aker stated that it should not affect the neighbors along Church Street and Linwood Avenue, as it is far enough offset. Selectman Ampagoomian asked what the impact would be for the abutters to the Providence Road site. Mr. Aker stated that they try to keep in mind to have as little impact on the abutters as possible. Mr. Aker continued stating that the more challenging facts to that site is dealing with the grade, and the amount of ledge there. Mr. Kopperl stated that the construction would begin in August and be completed by year end. After the construction phase there would only be a couple of mows throughout the year, and a van to check the panels, other than that there is no heavy traffic caused by the solar panels. Selectman Melia asked if there were any issues with vandalism. Mr. Kopperl stated that

they have not had any issues and the property is fenced off. **Article 28 [Bylaw Amendment]:** Town Manager Gaudette stated that this article is to amend the code of bylaws relating to Chapter 8: Regulation of Animals. Robert Knapik of the law office of W. Robert Knapik, P.C. was present on behalf of Crootof & Sawyer to discuss this petition article. Also present is Dr. Sean Sawyer. Mr. Knapik explained that previously the Zoning Bylaw was amended for the former Milford Regional Medical Center and they obtained a special permit allowing use of the building as a veterinary facility. Mr. Knapik continued stating that they acquired the property and embarked on renovations for their proposed use. Mr. Knapik stated that knowing one element of their business and proposed use is as a boarding facility and doggie day care was going to be limited by the Kennel Bylaw. The Kennel Bylaw is a general bylaw that limits the number of dogs that can be kept at a kennel to 25. The proposed boarding facility is a kennel and would be subject to this bylaw. Mr. Knapik explained that they would like to have more dogs than that, and could accommodate more than that and are designing the building with that in mind. Mr. Knapik explained that to do so, would require amending the current bylaw. Mr. Knapik stated that they have submitted an amendment by petition to change the language to allow kennels of greater than 25 dogs but only if the boarding facility or kennel is housing primarily within a building and only if there is at least 100 square feet of gross area per dog. Mr. Knapik described the exterior premises as a fenced in area used for intermittent short interval exercise. Dr. Sawyer and Dr. Crootof have made substantial investment in the building and the Town and believe that this amendment would benefit not only the applicant but the Town as well for a number of reasons such as resuming the use of a previous vacant building, and increase tax revenue, allow an established Northbridge business to remain in Northbridge. Selectman Melia stated that he thought the original plan was for an animal hospital and asked if it was now changing to be a kennel. Mr. Sawyer stated that the hospital is on the bottom floor and the veterinary boarding and daycare facility both on the ground floor and on the first floor. Dr. Sawyer explained that they are in hopes of pairing with Blackstone Valley Tech. to provide some educational facilities upstairs. Selectman Athanas asked what the additional sound barrier if needed would entail. Dr. Sawyer stated that it would depend on what level of sound is at the border, the currently plan is a six foot vinyl fence, which they feel will be a significant help. Dr. Sawyer explained that the play time would be from 9 AM to 5 PM in shifts, in addition there is also a 2500 sq. ft. area for indoor play for those more vocal dogs. Selectman Nolan asked what the high end number of allowable dogs would be for this facility based on the passage of the amendment to the Bylaw to instead be a square footage based formula. Dr. Sawyer stated that they have approximately 11,000 square feet for boarding purposed, the proposed amount is somewhere between fifty and one-hundred dogs. Chairman Ampagoomian asked if the monitoring would be via cameras, or people. The Board of Selectmen decided to take no action at this meeting. **Article 29 [Undesignated Fund Balance]:** Town Manger Gaudette stated that this article which would transfer and extra surplus revenue to the stabilization fund, which there is none proposed at this time. This completes the 2018 Spring Annual Town Meeting Warrant. Town Manager Gaudette stated that this still needs to be finalized by Town Counsel. The Finance Committee will be making their recommendations on Wednesday. Selectman Melia asked to put a hold on Article 24 since there are changes but no details. Town Manager Gaudette stated he recommends holding off on the recommendation and ask the Bylaw Review Committee to come to a future meeting and vote on a position at that time. A motion/Mr. Melia, seconded/Mr. Athanas to sign the warrant and recommend upon completion and final review by Town Counsel with the acceptance of Articles 9, 24 and 29. Vote yes/Messrs. Ampagoomian, Athanas, Melia and Nolan.

Local Historic District Study Committee - Town Properties/Present: R. Gary Bechtholdt, Town Planner and Kenneth Warchol, Historical Commission, Chairman. Town Planner, Gary Bechtholdt stated that the Town was the recipient of a property owner letter to be considered in the Local Historic District. There will be a property owners meeting next month Tuesday, April 24th at 6 PM at the Town Hall in hopes of gauging and gathering input from the property owners. The property owners have been given a simplistic survey to gauge their initial thoughts relative to creating a historical district and if it is pursued what types of exemptions they would like to see included in the bylaw. Mr. Bechtholdt stated that Town meeting action would be required. Mr. Bechtholdt continued stating that it is the Local Historic District

Committees intention to present this in time for the fall Town Meeting. Chairman Ampagoomian asked how the Board could help get more people involved to be a part of the Local Historic District Study Committee. Mr. Bechtholdt stated that any resident that may have questions about the committee can contact him and if they are willing to participate he would be willing to review that with them. Mr. Bechtholdt stated that they are working to hire a consultant to help alleviate some of the work load from the committee as well, which would result in less time commitment for members.

School Building Committee Update/Present: Joe Strazzulla, Chairman, School Building Committee.

Mr. Strazzulla stated that they are said to receive a slight increase for the reimbursement rate from the Massachusetts School Building Authority. In addition, there are other percentage points, which they were able to gain with the Certified Lead Green Energy Solutions. Mr. Strazzulla stated that the MSBA Board voted on February 14, 2018 approving to proceed to the Schematic Design Phase. Mr. Strazzulla explained they would be hiring a construction manager who will work with architects to scope out cost estimates. The design team is working with everything from landscape architects to civil engineers working on how the building will be fitted for technology, plumbing, mechanical etc. Mr. Strazzulla stated that they are currently about halfway through the schedule, with May 9th being the final date to submit the schematic design. The summer will be spent promoting and getting information out to the public. Mr. Strazzulla stated that the wetlands on the site have been noted and they have met with the Conservation Commission as well. Mr. Strazzulla stated that they are gaining field space on the site, and Vail field will not change. Mr. Strazzulla stated that the drop off and pick up loop is a big improvement over what is currently in place. Mr. Strazzulla continued, stating that the bus and car circulation are separated, bike and pedestrians have minimal crossing points, there will be access to parking lots at all times, and plenty of parking spaces. Chairman Ampagoomian asked if Mr. Strazzulla could inquire with the architect about why flat roofs are still being used, and explained the Town has had a history of them leaking. Mr. Strazzulla explained it may add to the cost and may put them over their gross square footage, which has strict requirements. Mr. Strazzulla stated he would definitely inquire. Mr. Strazzulla explained that there is a platform between the cafeteria and the gym for multiple uses. Mr. Strazzulla explained that the hallways were create larger with the intent of use as an extended classroom space. Mr. Strazzulla stated that the MSBA reimbursement rate went up from 57.11% to 59.21% and is still held to the site cost over 8%. The base building cost went up to \$333 per square foot from \$326. The total reimbursement rate is approximately 63.78% from the MSBA. The total construction cost it approximately 105.1 million and the approximate cost to Northbridge is 55.2 million. The tax impact options are Option 1: a 30 year borrowing at a 5% interest rate or option 2: a 20 year tear at a 5% interest rate. Option 1 would be a \$2 increase per \$1000 valuation and option 2 would be a \$2.58 per \$1000 valuation. Mr. Strazzulla explained these discussions would need to be had amongst the School Building Authority and the Finance Committee. Mr. Strazzulla stated that they will also be meeting with Unibank to discuss terms and look ahead at the rates and can adjust accordingly. Mr. Strazzulla stated the opening date if passed is planned to be August of 2021. Selectmen Nolan asked what CM at Risk meant, which was on a slide as part of the presentation under the estimated project reimbursement rate. Mr. Strazzulla stated that CM at Risk shifts the responsibility of the project and put it on the Construction Manager. Mr. Strazzulla explained that a Construction Manager delivers the project, but the CM at Risk forfeits some of the benefits if they do not perform to the standard that was agreed to. Chairman Ampagoomian asked about the meeting with Unibank. Town Manger Gaudette stated that they do have a meeting scheduled with the Town Accountant, several School Representatives, and himself to meet with a representative from Unibank. Chairman Ampagoomian stated that he has concerns regarding the core samples and unexpected materials, which would then lead to additional costs. Mr. Strazzulla assured the Selectmen that the core samples were taken right from where the proposed building would go. Mr. Strazzulla reiterated that you can't predict what is there once you get past the core sample. Mr. Strazzulla stated that they did find ledge during the core sampling and it is factored into the budget. Mr. Strazzulla added that a discussion was had regarding the possibility that the Northbridge Elementary School ending up being vacant. Mr. Strazzulla continued, it was agreed upon to hold a stakeholders meeting on what to do with the building moving forward.

TOWN MANAGER'S REPORT: 1) **Meetings Attended:** Tuesday, February 27, 2018 – Police Union and DPW Union negotiations. Wednesday, February 28, 2018 – Attended a Regional Town Managers Meeting. Wednesday, February 28, 2018 – Attended the Finance Committee Meeting (Police, Fire, DPW). Thursday, March 1, 2018 – Met with CMRPC staff regarding TIP program. Friday, March 2, 2018 – Firefighters Union Negotiations. Monday, March 5, 2018 – Met with the Upton Town Manager. Tuesday, March 6, 2018 – Attended a MMA Fiscal Policy Committee Meeting. Wednesday, March 14, 2018 – Met with the MIA Rep David Labonte. Thursday, March 15, 2018 – Met with BVNHCC Chairman Harry Whitin. Friday, March 16, 2018 – Held a Department Managers Meeting. Friday, March 16, 2018 – Firefighters Union Negotiations. Tuesday, March 20, 2018 – DPW Union Negotiations. Tuesday, March 20, 2018 – Attended the Finance Committee Meeting (BVT). Wednesday, March 21, 2018 – Attended a CMRPC Legislative Affairs Meeting. 2) **School Building Project Update:** The MSBA Board recently voted to accept the Town's Preferred Design Plan and in addition has recently certified the proposed enrollment for the new school project at 1,030 students. The School Building Committee is currently conducting the review for the services of a Construction Manager (CM) and will be voting next Wednesday, March 28, 2018 to make their selection. The next regular meeting of the School Building Committee is Tuesday, April 3, 2018. 3) **DPW Garage Project:** The project continues to move forward; 2 passage doors, 6 overhead doors and louvre vents are now complete and multiple crafts continue performing miscellaneous carpenter framing/wall insulation/protection systems, electrical, plumbing, fire protection, etc. work. The emergency generator was received and set on the pad. The exterior steel bollards and concrete aprons for each of the overhead doors were formed and await placement of concrete. As a result of a 3rd week of snow events - outside work activities have slowed down and therefore the remaining work will extend well into April 2018. Jamie Luchini added that National Grid was on site today and plan to run their lines by the end of next week, which is ahead of schedule. 4) **Fire Station Project (Feasibility Study):** The Town Manager has been working with staff and the OPM, as well as committee representatives, on the Site Selection Evaluation Process. In addition, the group will be developing an RFQ for Designer (Architect) Selection in hopes of advertising mid-winter/early spring. The project will experience some delay due to the OPM representative leaving for another position with a new company. 5) **Other ongoing tasks: FY 2019 Budget Development:** To date Town Manager Gaudette has received all FY 2019 budget and capital requests and have presented the initial FY 2019 Budget and Capital Plan to the Finance Committee and to the Board of Selectmen. In addition, Town Manager Gaudette met with Finance Committee for their Public Meeting on the budget. We have also heard the budget presentation from Blackstone Valley Tech, which is seeking a 22.76% increase (\$314,000). The Northbridge Public Schools will be making their Finance Committee presentation on Wednesday, March 28, 2018, and in addition the Committee will be voting their positions on the Warrant Articles.

VIII. SELECTMEN'S CONCERNS: Selectman Melia 1) stated that at the last meeting it was discussed that those who endured flat tires from the Whitinsville Water Company Church Street project should contact the WWC to file a claim. Selectman Melia explained that the resident who complained to him initially did so, and was told that was not the case and they were told the police needed to be notified. Selectman Melia stated he has given the information to Mr. Luchini to give it another try. Selectman Melia suggested going forward with future contracts to be sure to be strict with the verbiage in the contracts. 2) asked if the community has any plans to instill plans in the Schools for active shootings or anything new being done in light of what has been going on the past few months. Police Chief Warchol stated that Office DeJordy has visited all the schools and has gone over the Alice program, which Chief Warchol explained is an active shooter program, which was done with the staff and students. Chief Warchol stated that he also assigned a project to Officer Patrinelli and Officer DeJordy to come up with a comprehensive school plan not only for active shooters but should there be other incidents and how to react, evacuation routes, staging areas, etc. Dr. Stickney added that more detailed arrangement would be included in the comprehensive plan. Dr. Stickney also added that this afternoon the Northbridge Coalition thought that for the spring time event it would be a good opportunity to have a public wide, and do a mini training, and potentially hold a drill. 3) asked when the new road project will begin. Mr. Shuris explained that they like to begin the road projects

after school is out for the summer, otherwise it leads to traffic issues. **Selectman Ampagoomian 1)** asked if the Whitin Machine Works has been contacted for the repair of the rock wall in the parking lot. Town Manager Gaudette stated that we have been in discussion with the person involved in damaging the rock wall and they are working on getting the repairs done. **2)** asked if Mr. Shuris could contact Mass Highway to repair the potholes on route 122. Mr. Shuris stated that he has contacted Mass DOT for those potholes and explained that they in fact make some of the repairs. Mr. Shuris added that a meeting has been set up for this week regarding the Whitinsville Water Company Church Street project to discuss making permanent repairs. **3)** asked Mr. Shuris if he had a schedule for branch pickup after the last storm that knocked a lot of tree limbs down. Mr. Shuris stated that they began today and starting on the main snow routes, and going through with the chipper, a dump truck and saws. **4)** asked when the listing of road repairs would be compiled. Mr. Shuris stated that he and Mr. Luchini, Highway Superintendent have developed a road plan, however it is always changing. The primary roads to be completed are the remaining portions of Hill Street, Old Quaker Street, and Church Street.

IX. ITEMS FOR FUTURE AGENDA

X. CORRESPONDENCE

XI. EXECUTIVE SESSION

A motion/Mr. Melia, seconded/Mr. Nolan to adjourn the public meeting. Vote yes/ Messrs. Ampagoomian, Athanas, Melia, and Nolan.

Meeting Adjourned: 9:08 PM

Respectfully submitted,

James Athanas, Clerk

/mjw

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING - OPEN SESSION

March 26, 2018

PLEDGE OF ALLEGIANCE

I. APPROVAL OF MINUTES:

A. 1) February 12, 2018

-Copy of February 12, 2018 meeting minutes

2) February 26, 2018

-Copy of February 26, 2018 meeting minutes

II. PUBLIC HEARING: None

II. APPOINTMENTS:

B. By the Town Manager: 1) Rochelle Thompson, Inspector of Animals/Vote to nominate
[Note: Appointment is subject to certification by the State]

-Copy of letter requesting nomination for Inspector of Animals

-Copy of nomination form

2a,b) Student Police Officers

-Copy of letter recommending appointment of Student Police Officers

2a) Kaitlyn Laflash, Student Police Officer

-Copy of resume of Kaitlyn Laflash

2b) Tyler Mitchell, Student Police Officer

-Copy of resume of Tyler Mitchell

C. By the Board of Selectmen: 1) School Building Committee/Vote to appoint member as Representative of Office/No documentaion

IV. CITIZENS' COMMENTS/INPUT

V. DECISIONS:

D. Whitinsville Uxbridge American Youth Football/Cheer League (AYF) 1) request to hold a Boot Drive for the AYF [Football] on August 11, 2018 from 9 AM to 3 PM [Rain date: August 18, 2018] 2) request to hold a boot drive for AYF [Cheer] on October 6, 2018 from 9 AM to 3 PM [Rain date: October 13, 2018]

-Copy of letter requesting a boot drive

-Copy of AYF football boot drive request form

-Copy of AYF cheer boot drive request form

E. Pine Grove Cemetery Deed/John Karagosian [Lot No. 42, Yew Ave North]

-Copy of Pine Grove Cemetery Deed

F. Spring Annual Town Meeting [May 1, 2018]/Vote to sign warrant upon completion and final review by Town Counsel (This agenda item includes presentations on 3 petition articles)

- Copy of Spring Annual Town Meeting draft Warrant
- Copy of FY 2019 Capital Program
- Copy of letter from syncarpha Capital regarding the warrant article for Community Shared Solar Panels
- Copy of property record card for proposed location # 1
- Copy of map of proposed location # 1
- Copy of layout of proposed location # 1
- Copy of property record card for proposed location # 2
- Copy of map of proposed location # 2
- Copy of layout of proposed location # 2
- Copy of letter from the Law Office of Robert Knapik regarding the proposed article to amend article 8-100 Section 8-112.A to allow 1 dog per 100 square feet.

VI. DISCUSSIONS:

G. Local Historic District Study Committee – Town Properties/Present: R. Gary Bechtholdt, Town Planner and Kenneth Warchol, Historical Commission, Chairman

- Copy of letter regarding a property Owner's meeting for Town owned property to be considered a part of the Local Historic District [Whitinsville Social Library]
- Copy of letter regarding a property Owner's meeting for Town owned property to be considered a part of the Local Historic District [Aldrich School - Town Hall Annex]
- Copy of letter regarding a property Owner's meeting for Town owned property to be considered a part of the Local Historic District [Northbridge Memorial Town Hall]
- Copy of letter regarding a property Owner's meeting for Town owned property to be considered a part of the Local Historic District [Town Common/Memorial Square]
- Copy of a map of the draft historical district locations

H. School Building Committee Update/Present: Joe Strazzulla

- Copy of School Building Committee power point update

VII. TOWN MANAGER'S REPORT:

- 1) Meetings Attended/No documentation**
- 2) School Building Project Update/No documentation**
- 3) DPW Garage Project/No documentation**
- 4) Fire Station Project (Feasibility Study)/No documentation**
- 5) Other ongoing tasks/No documentation**

VIII. SELECTMEN'S CONCERNS/No documentation

X. ITEMS FOR FUTURE AGENDA: None

X. CORRESPONDENCE: None

XI. EXECUTIVE SESSION: None

Art 24

To see if the Town will vote to amend its general by-laws in accordance with the recommendations of its By-law Review Committee as follows:

B

Move that the Town vote to amend the Northbridge Code of Bylaws with changes as follows:

Chapter 2-100 Town Election

Sections 101, 105, 301, 302, 602, 700, 800

Chapter 3-100 Town Meeting

Sections 102B, 106, 202, 203C

Chapter 4-300 Administrative Organization

Section 306

Chapter 6 Use of Streets and Sidewalks

Section 6-101

Chapter 7 Regulations Governing the Use of Private Property

Sections 7-600, 7-700

Chapter 2. Town Elections and Elected Town Officers

SECTION 2-100: TOWN ELECTIONS

§ 2-101. Officers to be elected.

[Amended 10-24-2006 ATM, Art. 23]

The offices to be filled by the voters are a Board of Selectmen, a nine-member School Committee, a five-member Planning Board, a Board of Trustees of Soldiers', Sailors' and Marines' Memorials, four members of the Housing Authority, a Town Moderator, a Redevelopment Authority and such other representatives to regional authorities, districts or committees as may be required to be elected by law or by interlocal agreement. (Charter Sections 3-1, 3-7)

§ 2-102. Eligibility for elective office.

[Amended 10-24-2006 ATM, Art. 23]

Any voter shall be eligible to hold any elective town office but no person shall simultaneously hold more than one elected town office.

§ 2-103. Date of annual town election.

The annual town election for the election of town officers and for the determination of all other matters to be referred to voters shall be held on the third Tuesday in May.

§ 2-104. Polling hours.

[Amended 10-24-2006 ATM, Art. 23; 10-25-2011 ATM, Art. 7]

The polls shall be opened for all elections at 7:00 o'clock in the morning and shall remain open until 8:00 o'clock in the evening.

§ 2-105. Terms of office.

[Amended 10-24-2006 ATM, Art. 23]

The term of office of all elected town officers except the members of the Housing Authority is three years. The term of office of the members of the Housing Authority is five years. The term of office of elected town officials begins on the day following the election and continues ing until a their successors is are qualified. Vacancies in elected offices shall be filled in the manner provided in Charter Section 3-1(g).

Chapter 2. Town Elections and Elected Town Officers

SECTION 2-300:. SCHOOL COMMITTEE

§ 2-301. Composition, term of office.

There shall be a School Committee consisting of five members elected for terms of three years each so arranged that the terms of three members shall expire each year. [Charter Section 3-3(a)]

§ 2-302. Powers and duties.

The School Committee shall have the power to select, fix the compensation of and to terminate the Superintendent, shall review and approve budgets for public education in the Town, and shall establish educational goals and policies for the schools in the Town consistent with the requirements of law and statewide goals and standards established by the Board of Education.

Chapter 2. Town Elections and Elected Town Officers

SECTION 2-600:. TOWN MODERATOR

[Amended 10-24-2006 ATM, Art. 23]

§ 2-601. Term of office.

There shall be a Town Moderator elected for a term of three years. [Charter Section 3-4(a)]

§ 2-602. Powers and duties.

The Town Moderator shall be the presiding officer of the Town Meeting, as provided in Charter Section 2-2, regulate its proceedings and perform such other duties as may be provided by general law, by charter, by bylaw or by other Town Meeting vote.

The Town Moderator shall appoint the Finance Committee, three members of Building, Planning and Construction Committee, all other standing committees of the Town Meeting, and all committees authorized by the Town Meeting for a primarily legislative purpose.

SECTION 2-700:. HOUSING AUTHORITY

SECTION 2-800:. REDEVELOPEMENT AUTHORITY

Chapter 3. Town Meetings

[HISTORY: Adopted by the Annual Town Meeting 10-28-1997, Art. 26. Amendments noted where applicable.]

GENERAL REFERENCES

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SECTION 3-100: TOWN MEETINGS

Section 3-101. Annual Town Meeting dates.

The spring session of the Annual Town Meeting shall be held on the first Tuesday in May, and the fall session of the Annual Town Meeting shall be held on the fourth Tuesday in October.

Section 3-102. Closing, publication and posting of Town Meeting warrants.

A.
The warrant for the spring and fall sessions of the Annual Town Meeting shall close not later than at 12:00 o'clock noon on the seventh Friday preceding the date set by bylaw for the said session to convene. The warrant for any Special Town Meeting which is to be called shall close not later than at 12:00 o'clock noon on the fifth (5) Friday preceding the date such Special Town Meeting is to convene. Notwithstanding the date set in any warrant for a Town Meeting, no Town Meeting shall be convened by the Town Moderator until six (6) weeks following the closing of the

warrant for an Annual Town Meeting and until four weeks following the closing of the warrant for a Special Town Meeting.

B.

Notice of every Town Meeting shall be given at least twenty-eight (28) days before an annual meeting (spring or fall session) and at least twenty-one (21) days before any special meeting, by posting a copy of the warrant for such meeting in the office of the Town Clerk, on the Town bulletin board, and in at least one public place in each precinct, by mailing a copy of the warrant to the Town Moderator and to the Chair of the Finance Committee and by publication in a local newspaper of notice of the date, time and place that the Town Meeting will be held, together with a summary, prepared by the Town Manager, of the subject matter of each article contained in the warrant for such meeting sufficient for identification.

[Amended 10-24-2006 ATM, Art. 23; 10-25-2011 ATM, Art. 7]

Section 3-103. Notice of adjourned Town Meeting sessions.

[Amended 10-24-2006 ATM, Art. 23]

Whenever a Town Meeting votes to adjourn to another date, the Town Clerk shall cause notice of such adjournment to be published in a local newspaper. If there is insufficient time to publish such notice, notice of the date, time and place at which the meeting will reconvene shall be given by posting such notice in the office of the Town Clerk, on the town bulletin board, and in one or more public places in each precinct, by delivering such notice to the Town Moderator and to the Chair of the Finance Committee and by posting such notice on the government access channel of the cable television system.

Section 3-104. Reconsideration of articles voted upon.

[Amended 10-24-2006 ATM, Art. 23]

After an article in the warrant has once been acted on, it shall not be again considered at that meeting except by a two-thirds vote to reconsider said article.

Section 3-105. Notice required to move reconsideration.

[Amended 10-24-2006 ATM, Art. 23]

No vote passed at any meeting shall be reconsidered at any adjournment of that meeting unless notice is given in writing to the Moderator at the meeting that a motion to reconsider will be made at the adjournment thereof.

Section 3-106. Moderator authorized to declare two-thirds votes.

Whenever a two-thirds vote is required on any matter and whether such quantum of vote is required by state statute, town charter, town bylaw, by the usual rules of parliamentary procedure, or otherwise, the Moderator may, without an actual count, declare that such matter has been adopted by a vote of 2/3 of the number of persons present and voting, and such declaration shall stand as final unless such declaration is immediately challenged by ten (10) or more voters rising in their place to so indicate. If such challenge is made a count of the vote to verify, or to overturn, the declaration of the Moderator shall be conducted, forthwith.

Section 3-107. Quorum.

Fifty voters shall constitute a quorum for the transaction of business at any Annual or Special Town Meeting.

Section 3-108. Quantum of votes required on financial matters at Special Town Meetings.

At any Special Town Meeting, a two-thirds vote shall be required to raise money by taxation or to appropriate or transfer money from available funds (including free cash or surplus revenue) of the town.

Section 3-109. Method of voting.

[Amended 10-24-2006 ATM, Art. 23; 10-25-2011 ATM, Art. 7]

Votes on all motions may be taken in the first instance by a voice vote, including motions requiring a two-thirds or greater majority. If the Moderator is in doubt, he may call for a standing vote. If the Moderator is still in doubt after such standing vote, or if the vote as declared by the Moderator is immediately challenged by seven , or more voters rising in their place for such purpose, the vote shall be taken by a "yes" or "no" ballot. A vote by ballot shall be taken in the first instance if requested by at least seven / 3 voters present.

Section 3-110. Ballot voting.

Ballot voting shall be under the direction of the Moderator and officially designated tellers appointed by the Moderator. The Town Clerk shall furnish the ballots.

Section 3-111. Admission to Town Meeting.

[Amended 10-24-2006 ATM, Art. 23]

At any Town Meeting held for the transaction of town business, no person whose name is not on the list of voters shall be admitted to the floor of the hall. This shall not apply to Town Meetings held solely for the election of town officers. The Town Moderator shall determine the bounds of the floor of the hall. Any person not on the list of voters shall be allowed into the hall in areas designated by the Moderator as outside the bounds of the floor. Any person who is not a voter of the town shall address the Town Meeting only with the consent of the Moderator.

Section 3-112. Addressing a Town Meeting.

No person shall address the meeting without first being recognized by the Moderator. When two or more persons rise to speak at the same time, the Moderator shall name the one entitled to speak.

Section 3-113. Procedural guide for the conduct of Town Meetings.

[Amended 10-24-2006 ATM, Art. 23]

Unless some other provision is made by law, by Town Charter or by town bylaw, the Town Moderator shall be guided in rulings on procedure by the rules of procedure contained in the most recent edition of Town Meeting Time (a publication of the Massachusetts Moderators Association).

Section 3-114. Hours of Town Meeting sessions.

[Amended 10-24-2006 ATM, Art. 23]

All evening sessions of Annual and Special Town Meetings shall begin as soon as a quorum of the body is present after the time set in the warrant calling the meeting and shall be adjourned by the Town Moderator at 10:30 o'clock in the evening, or as near that hour as may be according to the nature of the business then pending. The Town Meeting may, by a two-thirds vote, suspend the operation of this bylaw. Nothing in this section shall be construed to prohibit the holding of a Town Meeting during the daytime.

Section 3-115. Motions to be in writing.

[Amended 10-24-2006 ATM, Art. 23]

All motions offered for the consideration of the meeting shall be in writing.

SECTION 3-200: FINANCE COMMITTEE

[Amended 5-4-1999 ATM, Art. 14; 10-24-2006 ATM, Art. 23]

Section 3-201. Composition; term of office.

The Finance Committee consists of seven (7) members, each to serve for a period of three (3) years without compensation.

Section 3-202. Appointments and vacancies.

The Moderator shall make an appointment to fill any vacancies in the Finance Committee within thirty (30) days after such vacancies occur.

Section 3-203. Responsibilities.

A.

The Finance Committee shall ask for and receive budget reports and recommendations from all departments in the town and shall consider all articles in the warrant for Annual and Special Town Meetings and report its findings in printed form to the Town Meeting which considers such articles.

B.

The Finance Committee shall have access to all facts, figures, records and other information relating to all fiscal affairs of town departments, town officers and town agencies, and the same shall be furnished forthwith to the Finance Committee by town departments, town officers and town agencies whenever so requested by the Finance Committee.

C.

The Finance Committee shall mail, or cause to be delivered to the residence of each registered voter, not less than seven (7) days before the date of annual or special Town Meetings, a post card designating each town meeting date, place and time with detailed information on how a copy of the warrant information can be obtained.

Chapter 4. Administrative Organization

SECTION 4-300. MULTIPLE-MEMBER BODIES

§ 4-306. Bylaw Review Committee.

- (1) The Bylaw Review Committee is appointed periodically as required by the Charter. The term of office shall be from October 1 in a year ending in one zero or six five to no later than the Fall Annual Town Meeting in the succeeding year at which their report is presented as required by Section 7-8(b), Bylaw Review, of the Northbridge Town Charter.
- (2) The Board of Selectmen may, at their discretion and for reasons beyond their control which cause an unavoidable delay in completion of the bylaw review, extend the term of the Bylaw Review Committee for a period of no longer than six months.

Editor's Note: Former § 4-306, Capital Planning Committee, was repealed 5-4-1990 ATM, Art. 16.

Interrelationships.

- (1) Board of Selectmen: The Disability Commission consults with the Board of Selectmen to advise it on policies designed to meet the needs of the disabled and keep it informed of new developments in state and federal laws and regulations relating to the disabled.
- (2) Town Manager: The Disability Commission consults with the Town Manager to ensure that town programs and activities, as well as facilities, serve the disabled, and come into compliance with state and federal standards. The Commission receives administrative support through the Town Manager.
- (3) Other town agencies: The Disability Commission interacts with the Planning Board, Zoning Board of Appeals, Conservation Commission, Board of Health, Historical Commission, Building, Planning and Construction Committee, Northbridge Housing Authority, and others as necessary, or needed, to assure compliance with relevant laws, rules and regulations concerning disabled persons.

§ 4-311. Health, Board of.

- A. Establishment. The Board of Health consists of five members, one of whom shall be a health care professional. (See MGL c. 111, §§ 26 to 32.) [Amended 10-24-2006 ATM, Art. 23]
- B. Mode of appointment. The members of the Board of Health are appointed by the Board of Selectmen. [Amended 10-24-2006 ATM, Art. 23]
- C. Authorities and responsibilities.

- (1) The Board of Health seeks to preserve and maintain the town's public health standards and protect its environmental resources by educational means and by strict enforcement of various regulations, bylaws, State Health Codes (CMR), General Laws, in particular MGL c. 111, and federal law. The Board of Health carries out duties and responsibilities assigned by either state or local legislation, as these primarily concern public health standards and protection of environmental resources. The Board of Health establishes policies and programs for implementation by the Health Department. The Board of Health is an advisory and regulatory committee of the Town.

*this was here
all the time*

- (2) No town agency, board, commission or officer shall enter into an agreement with a private vendor, the purpose of which would be to provide for town-wide residential trash collection services; however, nothing in this subsection shall limit in any way the authority of the Board of Health, under state law, to regulate the issuance of solid waste collection permits as it deems to be in the town's best interest.

D. Interrelationships.

- (1) Board of Selectmen: The Board of Health provides the Board of Selectmen with all needed or required information concerning issues related to the public health in the Town. [Amended 10-24-2006 ATM, Art. 23]

Chapter 6

Use of Streets, Sidewalks and Other Public Places

- § 6-100 Temporary closing of streets.
- § 6-101 Permit required to obstruct streets or sidewalks.
- § 6-102 Permit required to excavate streets.
- § 6-103 Use of streets by animals is restricted.
- § 6-104 Permit required to place objects over streets and sidewalks.
- § 6-105 Metal treads on vehicles prohibited.
- § 6-106 Discharges into streets and sewers restricted.
- § 6-107 Gates and doors not to open onto streets and sidewalks.
- § 6-108 Tampering with warning signals and lights.
- § 6-109 Authority of police to move property from streets.
- § 6-110 Authority to require indemnification.
- § 6-111 Entering closed streets or sidewalks prohibited.
- § 6-112 Authority to order repair of private drains.
- § 6-113 General street specifications.
- § 6-114 Maintenance and repair of private ways.
- § 6-115 Traffic signs, signals and other devices.
- § 6-116 Permit required to conduct parade.
- § 6-117 Snow and ice removal.
- § 6-118 Noncriminal penalties.
- § 6-200 SCENIC ROADS
- § 6-201 Definitions.
- § 6-202 Purpose.
- § 6-203 Scenic roads.
- § 6-204 Control.
- § 6-205 Public Shade Tree Act.
- § 6-206 Enforcement.
- § 6-207 Designations of scenic roads.

[History: Adopted by the Annual Town Meeting 10-28-1997, Art. 26. Amendments noted where applicable.]

§ 6-100. Temporary closing of streets.

- A. Director of Public Works. The Director of Public Works is hereby authorized to temporarily close any street or sidewalk if, in the opinion of the Director of Public Works, public necessity, convenience or safety so requires. **[Amended 10-24-2006 ATM, Art. 23]**
- B. Police Chief. The Chief of Police is hereby authorized to temporarily close any street or sidewalk in an impending or existing emergency or for any lawful assemblage, demonstration or procession, provided that there is reasonable justification for the closing. **[Amended 10-24-2006 ATM, Art. 23]**
- C. Fire Chief. The Chief of the Fire Department is hereby authorized to temporarily close any street or sidewalk in an impending or existing emergency, provided that there is reasonable justification for the closing. **[Amended 10-24-2006 ATM, Art. 23]**
- D. Vehicles parked in places where parking is temporarily prohibited may be removed under the direction of a police officer to some convenient place by an independent contractor selected by the Chief of Police, and the owner of any vehicle so moved shall be liable for the cost of removal and storage. **[Amended 10-24-2006 ATM, Art. 23; 10-25-2011 ATM, Art. 7]**

E. This section shall not apply to a vehicle legally parked prior to an impending or existing emergency insofar as the cost of removal and storage is concerned.

§ 6-101. Permit required to obstruct streets or sidewalks.

A. No person shall place, permit or cause to be placed in any street or sidewalk any merchandise, signs, furniture, tree, post, fence, curbstone, dirt, rubbish, wood, timber, snow, ice or material of any kind tending to obstruct or create a hazardous condition on a street or sidewalk without first obtaining a written permit from the Director of Public Works.

B. Every owner or person in control of a building abutting or adjacent to a street or sidewalk shall erect and maintain suitable barriers or take other suitable measures to prevent the falling of snow, ice or water from such building upon said street or sidewalk.

§ 6-102. Permit required to excavate streets. [Amended 10-24-2006 ATM, Art. 23]

No person shall break or dig up the ground in any street or sidewalk or set up any post, fence, tree, curbstone or other obstruction in any street or sidewalk without first obtaining a written permit from the Director of Public Works. The term "street" shall include any land located within the layout of the public roadway whether it is within the paved portion of the roadway or sidewalk or not.

§ 6-103. Use of streets by animals is restricted. [Amended 10-24-2006 ATM, Art. 23]

No person shall permit horses, cattle, sheep, or other animals upon any street unless the same are securely fastened to some safe hitching place or in the charge of a suitable keeper, and no horse shall be ridden on any sidewalk. (See § 8-102 relating to dogs.)

§ 6-104. Permit required to place objects over streets and sidewalks.

No person, unless required by law so to do, shall, without a written permit from the Board of Selectmen, post, display, place or affix in any manner any sign, banner, placard, shade or awning on or over any street or sidewalk.

Suggested Changes to Section 7-600: Licensing of Junk Dealers and Collectors

To be placed under section 7-603

Add the following in section A:

the full name, current address, date of birth and identification number from an acceptable form of identification under these rules and regulations.

To be added as subsequent paragraphs in section A:

The second hand dealer must require the following identification from any person selling, bartering, consigning or exchanging personal property or articles:

- A. A valid Massachusetts Motor Vehicle Driver's License, Massachusetts Liquor Identification Card, a United States Military Identification Card or a United States Passport that includes the date of birth, matching photograph, and physical description of the person offering the identification; or,
- B. Two other forms of current identification, one of which is issued by a governmental agency and one of which includes the name and address of the presenter and their photograph.

CERTIFIED SCALES

- A. All weighing or measuring devices used by a licensee in the conduct of the licensed business shall be tested and sealed by the Sealer of Weights and Measures for the Town of Northbridge.

HOLDING PERIOD FOR PERSONAL PROPERTY AND ARTICLES – ARTICLES TO REMAIN ON THE PREMISES OF THE SECOND HAND DEALER

- A. All second hand personal property or articles shall be maintained on the second hand business premises for thirty (30) days after the date of purchase, barter, or exchange. No second hand personal property or article shall be sold, encumbered by sales contract, transferred altered in its appearance, or otherwise disposed of, within the said thirty (30) day period.

SECTION 7-700: WETLANDS PROTECTION BYLAW

[Amended 5-5-1998 ATM, Art. 21; 5-5-1998 ATM, Art. 22; 5-6-2008 ATM, Art. 21]

Chapter 7: Regulations Governing the Use of Private Property

SECTION 7-700 WETLANDS PROTECTION BYLAW

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Section 7-701 Purpose.

The purpose of this chapter is to protect the wetlands, water resources, flood-prone areas and adjoining upland areas in the Town of Northbridge by controlling activities deemed by the Northbridge Conservation Commission likely to have a significant or cumulative effect upon resource area values, including but not limited to the following:

- public or private water supply, groundwater supply, flood control, erosion and sedimentation control, storm damage prevention, water quality, prevention and control of pollution, fisheries, wildlife habitat, rare species habitat including rare plant and animal species, recreation, agriculture and aquaculture value (collectively, the "wetland values protected by this chapter").

This bylaw is intended to utilize the Home Rule authority of Northbridge so as to protect the resource areas under the Wetlands Protection Act (MGL c. 131, § 40; the Act) to a greater degree, to protect additional resource areas beyond the Act recognized by the Town as significant, to protect all resource areas for their additional values beyond those recognized in the Act, and to impose in local regulations and permits additional standards and

procedures stricter than those of the Act and regulations thereunder (310 CMR 10.00), subject, however, to the rights and benefits accorded to agricultural uses and structures of all kinds under the laws of the Commonwealth and other relevant bylaws of the Town of Northbridge.

Section 7-702 Jurisdiction.

Except as permitted by the Conservation Commission or as provided in this chapter, no person shall commence to remove, fill, dredge, build upon, degrade, discharge into or otherwise alter the following resource areas:

- any freshwater wetlands, marshes, wet meadows, bogs, swamps, vernal pools, springs, banks, beaches, reservoirs, lakes, ponds of any size, and lands under water bodies;
- intermittent streams, brooks and creeks;
- land adjoining these resource areas out to a distance of one hundred 100 feet known as the buffer zone;
- perennial rivers, streams, brooks and creeks;
- lands adjoining these resource areas out to a distance of two hundred 200 feet, known as the riverfront area;
- and lands subject to flooding or inundation by groundwater or surface water;

(collectively the "resource areas protected by this chapter"). Said resource areas shall be protected whether or not they border surface waters.

The jurisdiction of this bylaw shall not extend to uses and structures of agriculture that enjoy the rights and privileges of laws and regulations of the Commonwealth governing agriculture, including work performed for normal maintenance or improvement of land in agricultural or aquacultural uses as defined by the Wetlands Protection Act regulations, found at 310 CMR 10.04.

Section 7-703 Exemptions and exceptions.

A.

The permit and application required by this chapter shall not be required for maintaining, repairing or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public to provide electric, gas, water, telephone, telegraph, or other telecommunication services, provided that the structure or facility is not substantially changed or enlarged, provided that written notice has been given to the Commission prior to commencement of the work, and provided that the work conforms to performance standards and design specifications in regulations adopted by the Commission.

B.

The application and permit required by this chapter shall not apply for emergency projects necessary for the protection of the health and safety of the public:

- provided that the work is to be performed by or has been ordered to be performed by an agency of the Commonwealth or a political subdivision thereof;
- provided that advance notice, oral or written, has been given to the Commission prior to commencement of work or within twenty-four 24 hours after commencement;
- provided that the Conservation Commission or its agent certifies the work as an emergency project;
- provided that the work is performed only for the time and place certified by the Conservation Commission for the limited purposes necessary to abate the emergency; and
- provided that within twenty-one 21 days of commencement of an emergency project a permit application shall be filed with the Commission for review as provided by this chapter.

Upon failure to meet these and other requirements of the Commission, the Commission may, after notice and a public hearing, revoke or modify an emergency project approval and order restoration and mitigation measures.

C.

The application and permit required by this chapter shall not be required for work performed for normal maintenance or improvement of land in agricultural use as defined by the Wetlands Protection Act Regulations at 310 CMR 10.04.

D.

The application and permit required by this chapter shall not be required for single-family home lots in existence prior to the adoption of this chapter.

E.

Other than stated in this section, the exceptions provided in the Wetlands Protection Act (MGL c. 131 § 40) and Regulations (310 CMR 10.00) shall not apply under this chapter.

Section 7-704 Permit applications; requests for determination.

A.

Written application shall be filed with the Commission to perform activities affecting resource areas protected by this chapter. The application shall include such information and plans as are deemed necessary by the Commission to describe proposed activities and their effects on the resource areas protected by this chapter. No activities shall commence without receiving and complying with a permit issued pursuant to this chapter.

B.

The Commission in an appropriate case may accept as the application and plans under this chapter the Notice of Intent any application and plans filed under the Wetlands Protection Act (MGL c. 131, § 40) and Regulations (310 CMR 10.00), but the Commission is not obliged to do so.

C.

Any person desiring to know whether or not a proposed activity or an area is subject to this chapter may, in writing, request a determination from the Commission. Such a Request for Determination of Applicability (RDA) or Abbreviated Notice of Resource Area Delineation (ANRAD) filed under the Act shall include information and plans as are deemed necessary by the Commission.

D.

At the time of an application or request the applicant shall pay a filing fee specified in regulations of the Commission. This fee is in addition to that required by the Wetlands Protection Act (MGL c. 131, § 40) and Regulations. The Commission may waive the filing fee and costs and expenses for an application or request filed by a government agency and shall waive them for a request for determination filed by a person having no financial connection with the property which is the subject of the request.

E.

Pursuant to MGL c. 44, § 53G and regulations promulgated by the Commission, the Commission may impose reasonable fees upon applicants for the purpose of securing outside consultants including engineers, wetlands scientists, wildlife biologists or other experts in order to aid in the review of proposed projects. Such funds shall be deposited with the Town Treasurer, who shall create an account specifically for this purpose. Additional consultant fees may be requested where the requisite review is more expensive than originally calculated or where new information requires additional consultant services. Only costs relating to consultant work done in connection with a project for which a consultant fee has been collected shall be paid from this account, and expenditures may be made at the sole discretion of the Commission. Any consultant hired under this provision shall be selected by, and report exclusively to, the Commission. The Commission shall provide applicants with written notice of the selection of a consultant, identifying the consultant, the amount of the fee to be charged to the applicant, and a request for payment of that fee. Notice shall be deemed to have been given on the date it is mailed or delivered. The applicant may withdraw the application or request within five (5) business days of the date notice is given without incurring any costs or expenses.

F.

The entire fee must be received before the initiation of consulting services. Failure by the applicant to pay the requested consultant fee within ten (10) business days of the request for payment shall be cause for the Commission to declare the application administratively incomplete and deny the permit without prejudice, except in the case of an appeal. The Commission shall inform the applicant and Department of Environmental Protection (DEP) of such a decision in writing.

G.

The applicant may appeal the selection of an outside consultant to the Board of Selectmen, who may disqualify the consultant only on the grounds that the consultant has a conflict of

interest or is not properly qualified. The minimum qualifications shall consist of either an educational degree or three or more years of practice in the field at issue, or a related field. The applicant shall make such an appeal in writing, and it must be received within ten (10) business days of the date that request for consultant fees was made by the Commission. Such appeal shall extend the applicable time limits for action upon the application.

Section 7-705 Notice and hearings.

A.

Any person filing a permit or other application or a Request for Determination of Applicability (RDA) or Abbreviated Notice of Resource Area Delineation (ANRAD) or other request with the Commission at the same time shall give written notice thereof, by certified mail (return receipt requested) or hand delivery to all abutters according to the most recent records of the Board of Assessors, including owners of land directly opposite on any public or private street or those across a traveled way, and abutters to the abutters within three-hundred (300) feet of the property line of the applicant, including any in another municipality or across a body of water. The notice shall state a brief description of the project or other proposal and the date of any Commission hearing or meeting date if known. The notice to abutters shall enclose a copy of the application or request, with plans, or shall state where copies may be examined and obtained by abutters. An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. When a person requesting a determination is other than the owner, the request, the notice of the hearing and the determination itself shall be sent by the Commission to the owner as well as to the person making the request.

B.

The Commission shall advertise a public hearing on any permit application, RDA or ANRAD with written notice given, at the expense of the applicant, at least five (5) working days prior to the hearing, in a newspaper of general circulation in the Town of Northbridge.

C.

The Commission shall commence the public hearing within twenty-one (21) calendar days from receipt of a completed permit application, RDA or ANRAD.

D.

The Commission shall issue its permit, other order or determination in writing within twenty-one (21) calendar days of the close of the public hearing thereon unless an extension is authorized in writing by the applicant.

E.

The Commission in an appropriate case may combine its hearing under this chapter with the hearing conducted under the Wetlands Protection Act (MGL c. 131, § 40) and Regulations (310 CMR 10.00).

F.

The Commission shall have the authority to continue the hearing to a specific date announced at the hearing, for reasons stated at the hearing, which may include receipt of

additional information offered by the applicant or others, information and plans required of the applicant, deemed necessary by the Commission in its discretion, or comments and recommendations of boards and officials listed in § 7-706. In the event that the applicant objects to a continuance or postponement, the hearing shall be closed, and the Commission shall take action on such information as is available.

Section 7-706 Coordination with other boards.

Any person filing a permit application, Request for Determination of Applicability or ANRAD with the Conservation Commission shall provide an electronic copy thereof at the same time to the Conservation Commission for distribution to the Board of Selectmen, Planning Board, Board of Appeals, Board of Health, and Building Inspector. An electronic copy shall be provided in the same manner to the Conservation Commission of the adjoining municipality, if the application or RDA pertains to property within three-hundred (300) feet of that municipality. An affidavit of the person providing notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. The Commission shall not take final action until such boards and officials have had fourteen (14) days from receipt of notice to file written comments and recommendations with the Commission, which the Commission shall take into account but which shall not be binding on the Commission. The applicant shall have the right to receive any such comments and recommendations, and to respond to them at a hearing of the Commission, prior to final action.

Section 7-707 Permits, determinations and conditions.

A.
If the Commission, after a public hearing, determines that the activities which are subject to the permit application or the land and water uses which will result therefrom are likely to have a significant individual or cumulative effect on the resource area values protected by this chapter, the Commission, within twenty-one (21) days of the close of the hearing, shall issue or deny a permit for the activities requested. The Commission shall take into account the extent to which the applicant has avoided, minimized and mitigated any such effect. The Commission also shall take into account any loss, degradation, isolation, and replacement or replication of such protected resource areas elsewhere in the community and the watershed, resulting from past activities, whether permitted, unpermitted or exempt, and foreseeable future activities. If it issues a permit, the Commission shall impose conditions which the Commission deems necessary or desirable to protect said resource area values, and all activities shall be done in accordance with those conditions.

B.
Where no conditions are adequate to protect said resource area values, the Commission is empowered to deny a permit for failure to meet the requirements of this chapter. It may also deny a permit: for failure to submit necessary information and plans requested by the Commission; for failure to comply with the procedures, design specifications, performance standards, and other requirements in regulations of the Commission; or for failure to avoid, minimize or mitigate unacceptable significant or cumulative effects upon the resource area values protected by this chapter. Due consideration shall be given to any demonstrated

hardship on the applicant by reason of denial, as presented at the public hearing. The Commission may waive specifically identified and requested procedures, design specifications, performance standards, or other requirements set forth in its regulations, provided that: the Commission finds in writing after said public hearing that there are no reasonable conditions or alternatives that would allow the proposed activity to proceed in compliance with said regulations; that avoidance, minimization and mitigation have been employed to the maximum extent feasible; and that the waiver is necessary to accommodate an overriding public interest or to avoid a decision that so restricts the use of the property as to constitute an unconstitutional taking without compensation.

C.

In reviewing activities within the buffer zone, the Commission shall presume the buffer zone is important to the protection of other resource areas because activities undertaken in close proximity have a high likelihood of adverse impact, either immediately, as a consequence of construction, or over time, as a consequence of daily operation or existence of the activities. These adverse impacts from construction and use can include, without limitation, erosion, siltation, loss of groundwater recharge, poor water quality, and loss of wildlife habitat. The Commission may establish, in its regulations, design specifications, performance standards, and other measures and safeguards, including setbacks, no-disturb areas, no-build areas, and other work limits for protection of such lands, including without limitation strips of continuous, undisturbed vegetative cover, unless the applicant convinces the Commission that the area or part of it may be disturbed without harm to the values protected by this chapter.

D.

In reviewing activities within the riverfront area, the Commission shall presume the riverfront area is important to all the resource area values unless demonstrated otherwise, and no permit issued hereunder shall permit any activities unless the applicant, in addition to meeting the otherwise applicable requirements of this bylaw, has proved by a preponderance of the evidence that (1) there is no practicable alternative to the proposed project with less adverse effects, and that (2) such activities, including proposed mitigation measures, will have no significant adverse impact on the areas or values protected by this chapter. The Commission shall regard as practicable an alternative which is reasonably available and capable of being done after taking into consideration the proposed property use, overall project purpose (e.g., residential, institutional, commercial, or industrial), logistics, existing technology, costs of the alternatives, and overall project costs.

E.

To prevent resource area loss, the Commission shall require applicants to avoid alteration wherever feasible; to minimize alteration; and, where alteration is unavoidable and has been minimized, to provide full mitigation. The Commission may authorize or require replication of wetlands as a form of mitigation, but only with specific plans, professional design, proper safeguards, adequate security, and professional monitoring and reporting to assure success, because of the high likelihood of failure of replication. The Commission may require a wildlife habitat study of the project area, to be paid for by the applicant, whenever

it deems appropriate, regardless of the type of resource area or the amount or type of alteration proposed. The decision shall be based upon the Commission's estimation of the importance of the habitat area considering (but not limited to) such factors as proximity to other areas suitable for wildlife, importance of wildlife "corridors" in the area, or actual or possible presence of rare plant or animal species in the area. The work shall be performed by an individual who at least meets the qualifications set out in the wildlife habitat section of the Wetlands Protection Act regulations (310 CMR 10.60).

F.

The Commission shall presume that all areas meeting the definition of "vernal pools" under § 7-709 of this chapter, including the adjacent area, perform essential habitat functions. This presumption may be overcome only by the presentation of credible evidence which, in the judgment of the Commission, demonstrates that the basin or depression does not provide essential habitat functions. Any formal evaluation should be performed by an individual who at least meets the qualifications under the wildlife habitat section of the Wetlands Protection Act regulations.

G.

A permit, Determination of Applicability (DOA), or Order of Resource Area Delineation (ORAD) shall expire three years from the date of issuance. Notwithstanding the above, the Commission in its discretion may issue a permit expiring five (5) years from the date of issuance for recurring or continuous maintenance work, provided that annual notification of time and location of work is given to the Commission. Any permit may be renewed once for an additional one-year period, provided that a request for a renewal is received in writing by the Commission prior to expiration. Notwithstanding the above, a permit may identify requirements which shall be enforceable for a stated number of years, indefinitely, or until permanent protection is in place, and shall apply to all present and future owners of the land.

H.

For good cause the Commission may revoke or modify any permit, Determination of Applicability (DOA), Order of Resource Area Delineation (ORAD) or any other order, determination or other decision issued under this chapter after notice to the holder, the public, abutters, and town boards, pursuant to § 7-705 and § 7-706, and after a public hearing.

I.

Amendments to permits, DOAs or ORADs shall be handled in the manner set out in the Wetlands Protection Act regulations and policies thereunder.

J.

The Commission, in an appropriate case, may combine the decision issued under this chapter with the Order of Conditions, permit, DOA, ORAD or Certificate of Compliance (COC) issued under the Wetlands Protection Act and Regulations.

K.

No work proposed in any application shall be undertaken until the permit or ORAD issued by the Commission with respect to such work has been recorded in the registry of deeds or, if the land affected is registered land, in the registry section of the Land Court for the district wherein the land lies, and until the holder of the permit certifies in writing to the Commission that the document has been recorded. If the applicant fails to perform such recording, the Commission may record the documents itself and require the applicant to furnish the recording fee therefor, either at the time of recording or as a condition precedent to the issuance of a COC.

Section 7-708 Promulgation of regulations.

A.

After public notice and public hearing, the Commission shall promulgate rules and regulations to effectuate the purposes of this chapter, effective when voted and filed with the Town Clerk. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this chapter.

B.

At a minimum, these regulations shall reiterate the terms defined in this chapter, define additional terms not inconsistent with the chapter, and impose filing and consultant fees.

Section 7-709 Definitions.

The following definitions shall apply in the interpretation and implementation of this chapter.

The term "AGRICULTURE" shall refer to the definition provided by G.L. Ch. 128 § 1A.

The term "ALTER" shall include, without limitation, the following activities when undertaken to, upon, within or affecting resource areas protected by this chapter:

- A. Removal, excavation, or dredging of soil, sand, gravel, or aggregate materials of any kind.
- B. Changing of preexisting drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns, or flood retention characteristics.
- C. Drainage, or other disturbance of water level or water table.
- D. Dumping, discharging, or filling with any material which may degrade water quality.
- E. Placing of fill, or removal of material, which would alter elevation.
- F. Driving of piles or erection, expansion or repair of buildings, or structures of any kind.
- G. Placing of obstructions or objects in water.
- H. Destruction of plant life, including cutting or trimming of trees and shrubs.
- I. Changing temperature, biochemical oxygen demand or other physical, biological or chemical characteristics of any waters.
- J. Any activities, changes, or work which may cause or tend to contribute to pollution of any body of water or groundwater.
- K. Incremental activities which have, or may have, a cumulative adverse impact on the resource areas protected by this chapter.

The term "BANK" shall include the land area which normally abuts and confines a water body; the lower boundary being the mean annual low flow level, and the upper boundary being the first observable break in the slope or the mean annual flood level, whichever is higher.

The term "PERSON" shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to Town bylaws, administrative agency, public or quasi-public corporation or body, the Town of Northbridge and any other legal entity, its legal representatives, agents, or assigns.

The term "POND" shall follow the definition of 310 CMR 10.04 except that the size threshold of ten-thousand (10,000) square feet shall not apply.

The term "RARE SPECIES" shall include, without limitation, all vertebrate and invertebrate animals and all plant species listed as endangered, threatened, or of special concern by the Massachusetts Division of Fisheries and Wildlife, regardless of whether the site in which they occur has been previously identified by the Division.

The term "VERNAL POOL" shall include, in addition to scientific definitions found in the Regulations under the Wetlands Protection Act, any confined basin or depression not occurring in existing lawns, gardens, landscaped areas or driveways which, at least in most years, holds water for a minimum of two continuous months during the spring and/or summer, contains at least two-hundred (200) cubic feet of water at some time during most years, is free of adult predatory fish populations, and provides essential breeding and rearing habitat functions for amphibian, reptile or other vernal pool community species, regardless of whether the site has been certified by the Massachusetts Division of Fisheries and Wildlife. The boundary of the resource area for vernal pools shall be the mean annual high-water line defining the depression.

Except as otherwise provided in this chapter or in regulations of the Conservation Commission, the definitions of terms and procedures in this chapter shall be as set forth in the Wetlands Protection Act (MGL c. 131, § 40) and Regulations (310 CMR 10.00).

Section 7-710 Security.

As part of a permit issued under this chapter, in addition to any security required by another municipal or state board, agency, or official, the Commission may require that the performance and observance of the conditions imposed hereunder (including conditions requiring mitigation work) be secured wholly or in part by one or more of the methods described below:

A.

By a proper bond or deposit of money or negotiable securities under a written third-party escrow arrangement, or other undertaking of financial responsibility sufficient, in the opinion of the Commission, to be released in whole or in part upon issuance of a Certificate of Compliance (COC) for work performed pursuant to the permit.

B.

By accepting a conservation restriction, easement, or other covenant enforceable in a court of law, executed and duly recorded by the owner of record, running with the land to the benefit of the Town of Northbridge, whereby the permit conditions shall be performed and observed before any lot may be conveyed other than by mortgage deed. This method shall be used only with the consent of the applicant.

Section 7-711 Enforcement.

A.

No person shall remove, fill, dredge, build upon, degrade, or otherwise alter resource areas protected by this chapter, or cause, suffer, or allow such activity, or leave in place unauthorized fill, or otherwise fail to restore illegally altered land to its original condition, or fail to comply with a permit or an enforcement order issued pursuant to this chapter.

B.

The Northbridge Conservation Commission, its agents, officers, and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this chapter and may make or cause to be made such examinations, surveys or sampling as the Commission deems necessary subject to the constitutions and laws of the United States and the Commonwealth.

C.

The Commission shall have authority to enforce this chapter, its regulations, and permits issued thereunder by letters, phone calls, electronic communication and other informal methods, violation notices, noncriminal citations under MGL c. 40, § 21D, and civil and criminal court actions. Any person who violates the provisions of this chapter may be ordered to restore the property to its original condition and take other action deemed necessary to remedy such violations, or may be fined, or both.

D.

Upon request of the Commission, the Board of Selectmen and Town Counsel shall take legal action for enforcement under civil law. Upon request of the Commission, the Chief of Police shall take legal action for enforcement under criminal law. Town of Northbridge boards and officers, including any police officer or other officer having police powers, shall have authority to assist the Commission in enforcement.

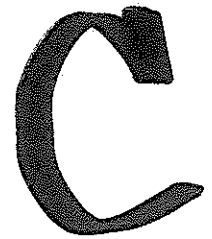
E.

As an alternative to criminal prosecution in a specific case, the Commission may issue citations with specific penalties pursuant to the noncriminal disposition procedure set forth in MGL c. 40, § 21D, which has been adopted by the Town of Northbridge in § 1-109 of the general bylaws.

F.

Any person who violates any provision of this chapter, regulations thereunder or permits or administrative orders issued thereunder, shall be punished by a fine of not more than three-hundred (\$300). Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the chapter, regulations, permits, or administrative orders violated shall constitute a separate offense.

COMMONWEALTH OF MASSACHUSETTS
TOWN OF NORTHBRIDGE
WARRANT FOR ANNUAL TOWN ELECTION
TUESDAY, MAY 15, 2018



WORCESTER, ss:
To any Constable of the **TOWN OF NORTHBRIDGE:**

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the Town of Northbridge, qualified to vote in the **ANNUAL TOWN ELECTION** to vote at:

**Northbridge High School
427 Linwood Avenue**

For Precincts 1, 2, 3, and 4

on Tuesday, May 15, 2018 from 7:00 a.m. to 8:00 p.m. for the following purpose:

To cast their votes in the Annual Town Election for candidates for the following offices and questions:

OFFICES

BOARD OF SELECTMEN.....ONE SEAT / THREE-YEAR TERM
SCHOOL COMMITTEE.....TWO SEATS / THREE-YEAR TERMS
PLANNING BOARD.....ONE SEAT / THREE-YEAR TERM
PLANNING BOARD.....ONE SEAT / TWO-YEAR TERM
TRUSTEES OF SOLDIERS' MEMORIALS-VETERAN.....ONE SEAT / THREE-YEAR TERM
NORTHBRIDGE HOUSING AUTHORITY.....ONE SEAT / FIVE-YEAR TERM
NORTHBRIDGE HOUSING AUTHORITY.....ONE SEAT / THREE-YEAR TERM
REDEVELOPMENT AUTHORITY.....ONE SEAT / FIVE-YEAR TERM
REDEVELOPMENT AUTHORITY.....ONE SEAT / FOUR-YEAR TERM
REDEVELOPMENT AUTHORITY.....ONE SEAT / THREE-YEAR TERM
REDEVELOPMENT AUTHORITY.....ONE SEAT / TWO-YEAR TERM

QUESTION 1

Shall the Town of Northbridge adopt the following By-Law?

Summary: Massachusetts General Laws, Chapter 94G, Section 3, allows a town, through adoption of by-laws, to prohibit all or certain types of marijuana establishments from operating in that town. In a town such as Northbridge that voted "yes" on Question 4 at the November 8, 2016 State Election in favor of allowing adult use of marijuana and lawful operation of marijuana establishments, a ballot question is also required for such prohibition. In this case, the Zoning By-law amendment set forth below, which is on the warrant for the 2018 Spring Annual Town Meeting, would prohibit marijuana establishments, as that term is defined in G.L. c.94G, §1, in the Town.

Section 173-2, Definitions:

RECREATIONAL MARIJUANA ESTABLISHMENTS

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical "marijuana establishments" as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratories, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses.

Section 173-18.6, "Recreational Marijuana Establishments:"

§173-18.6 Recreational Marijuana Establishments.

Recreational Marijuana Establishments shall be prohibited within the Town of Northbridge. In addition, the sale of marijuana accessories, as defined in G.L. c.94G, §1 and any other applicable law or regulation, shall be prohibited within the Town of Northbridge.

Section 173-12, Table of Use Regulations:

§173-12 Table of Use Regulations

USE	ZONING DISTRICT											
	R-1	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	I-1	I-2	H
Retail Services												
Recreational Marijuana Establishments, including marijuana social consumption operations ⁷	--	--	--	--	--	--	--	--	--	--	--	--

⁷ Notwithstanding the provisions of Section 173-48 or any other provision of this Zoning Bylaw, no use

variance for a Recreational Marijuana Establishment or sale of marijuana accessories shall be permitted.

QUESTION 2

“Shall this Town accept sections 3 to 7 inclusive, of Chapter 44B of the General Laws, as approved by its legislative body, a summary of which appears below?”

Summary: Sections 3 to 7 of Chapter 44B of the General Laws of Massachusetts, also known as the “Community Preservation Act” (hereinafter “CPA” or “Act”), establish a dedicated funding source to enable the Town to: (1) acquire, create or preserve open space, including land for recreational use; (2) acquire, preserve, rehabilitate and restore historic resources and artifacts; and (3) acquire, create, preserve and support community housing; and (4) rehabilitate or restore open space and community housing that is acquired or created as provided for in the Act. In the Town of Northbridge, the Community Preservation Act will be funded by a surcharge of 1% on the annual property tax assessed on real property, beginning in fiscal year 2019, and by annual distributions made by the state from a trust fund created by the Act.

The following exemption from the surcharge, permitted under Section 3(e) of the Act, will apply: (1) \$100,000 of the value of each taxable parcel of residential real property.

Upon acceptance of the CPA by the voters, a Community Preservation Committee will be established by by-law to study community preservation needs, possibilities, and resources, and to submit annual spending recommendations to Town Meeting for approval. At least 10% of the funds for each fiscal year must be spent or reserved for later spending on each of the Act’s three community preservation purposes: (1) open space (2) historic resources and (3) community housing.

Town Meeting voted on May 2nd, 2017 to accept said sections 3 to 7, acting on Article 26 of the warrant, as follows:

to accept Sections 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, by approving a surcharge on real property for the purposes permitted by said Act, including the acquisition, creation and preservation of open space, the acquisition, preservation, rehabilitation and restoration of historic resources, the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use, the acquisition, creation, preservation and support of community housing, and the rehabilitation and restoration of such open space and community housing that is acquired or created as provided under said Act; to designate the amount of such surcharge on real property as one percent (1%) of the annual real estate tax levy against real property, with such surcharge to commence in fiscal year 2019; and to accept exemption (3) from such surcharge under Section 3(e) of said Chapter 44B - \$100,000 of the value of each taxable parcel of residential real property.

And you are directed to serve this warrant by posting attested copies thereof at the Whitinsville Post Office and the Salvation Army, both in Precinct 1; Gary’s Variety and the Northbridge Post Office in Northbridge, both in Precinct 2; Town Clerk’s Office and 1Quickstop in Whitinsville, both in Precinct 3; and the Whitinsville Social Library and Town Hall Annex in Whitinsville, both in Precinct 4; seven (7) days at least before the time and place of election aforesaid.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting. Given under our hands this 23rd day of April, 2018.

SELECTMEN OF NORTHBRIDGE

Charles Ampagoomian, Jr., Chairman

James J. Athanas

Thomas J. Melia

Daniel J. Nolan

WORCESTER, SS
Northbridge

By virtue of this warrant, I have this day notified the inhabitants of the Town of Northbridge qualified to vote in Town elections and Town affairs to vote at the time and place and for the purpose stated in this warrant by posting attested copies thereof as within directed.

Constable, Town of Northbridge

Date

(Warrant must be posted at least *seven days prior* to May 15, 2018.)

Melissa Wetherbee

From: Annika Bangma <annika@pscrc.org>
Sent: Wednesday, April 11, 2018 2:29 PM
To: Melissa Wetherbee
Subject: Re: Banner Approval

D

Hi Melissa,

I would like to formally request again that we hang the "Serve" Banner again!

This will be the same exact banner in years past for over Church St, the requested dates are: July 8 - 15th (2018).

Please let me know what other steps need to be taken!

✓
Available

Annika Bangma
Director of Student Ministries
Pleasant St CRC
25 Cross St, Whitinsville MA 01588
Mobile: (508) 887-6498

On Jul 7, 2017, at 11:55 AM, Melissa Wetherbee <mwetherbee@northbridgemass.org> wrote:

Good afternoon Annika,

Attached is a copy of the banner approval for your request. I know the banner is up now, but I wanted to get you a copy of this letter for your records.

Thank you and have a great weekend.

Melissa Wetherbee, Adm. Assistant
Town Manager's Office
Town of Northbridge
7 Main Street Whitinsville, MA 01588
Phone: 508-234-2095

<Banner Approval Letter Pleasant St. CRC.pdf>

**THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF NORTHBRIDGE**

APPLICATION FOR ENTERTAINMENT LICENSE [WEEKDAYS ONLY]

The undersigned hereby applies for a License in accordance with the provisions of the Statutes relating thereto.

NAME OF APPLICANT, FIRM, OR CORPORATION: PURGATORY BEER COMPANY

TO: Obtain an Entertainment License for:

Type: (Check all that apply):	<input type="checkbox"/> Concert	<input type="checkbox"/> Dance	<input type="checkbox"/> Exhibition	<input type="checkbox"/> Cabaret Public Show
	<input checked="" type="checkbox"/> Live band	<input type="checkbox"/> Other: _____		
Includes:	<input checked="" type="checkbox"/> Dancing by patrons	<input type="checkbox"/> Dancing by entertainers or performers	<input type="checkbox"/> Recorded music	
	<input checked="" type="checkbox"/> Live music	<input checked="" type="checkbox"/> Amplification System	<input type="checkbox"/> Floor show	
	<input type="checkbox"/> Light show	<input type="checkbox"/> Theatrical exhibition, play or moving picture show	<input type="checkbox"/> Other dynamic audio or visual show (whether live or recorded)	
<input checked="" type="checkbox"/> INDOOR <input type="checkbox"/> OUTDOOR <input type="checkbox"/> BOTH				

GIVE LOCATION BY STREET AND NUMBER:

AT: 670 LINWOOD AVENUE, BLDG C WHITINSVILLE, MA 01588

in said Town of Northbridge in accordance with the rules and regulations made under authority of said Statutes.

Please check the day(s) and list the hours of the proposed entertainment

Sunday**

- ☐ Monday: _____
- ☐ Tuesday: _____
- ☐ Wednesday: _____
- ☒ Thursday: Between 12pm – 8pm
- ☒ Friday: Between 12pm – 9pm
- ☒ Saturday: Between 12pm – 9pm

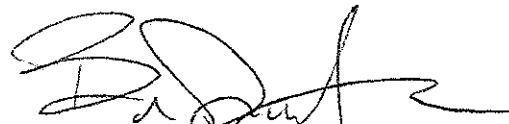
Print Name: Brian Distefano

Address: 670 Linwood Avenue BLDG C

City: Whitinsville

State, Zip: MA 01588

Official Use:	
Received: <u>11/23/18</u>	<u>3 PM</u>
<small>(Date)</small>	<small>(Time)</small>
_____ Date License Granted	

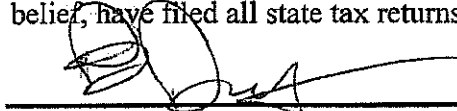


 (Signature of Applicant)

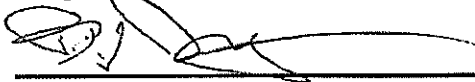
****Please note a separate application is needed for Sunday Entertainment**

**MASSACHUSETTS DEPARTMENT OF REVENUE
REVENUE ENFORCEMENT AND PROTECTION (REAP) ATTESTATION**

I hereby declare under the penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and paid all state taxes required under law.



*Signature of individual or Corporate Names (Mandatory)



By: Corporate Officer (Mandatory, if applicable)

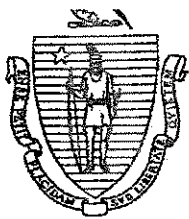
47-5573447

** Social Security Number or Federal Identification Number

* This license will not be issued unless this certification clause is signed by the applicant.

**Your Social Security Number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation.

This request is made under the authority of M.G.L. Chapter 62C, Section 49A.



Department of Industrial Accidents
Office of Investigations
600 Washington Street
Boston, MA 02111
www.mass.gov/dia

Form must be filled
out completely

If you carry Workers Comp. Insurance, you
must provide proof to the Town in the form
of a Certificate of Insurance.

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: Purcumb Beer Co.

Address: 3670 LINWOOD AVE WHITINSVILLE MA

City/State/Zip: 01588 Phone #: 508 596 2194

Are you an employer? Check the appropriate box:

1. ☒ I am an employer with 5 employees (full and/or part-time).*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. ☐ Retail
6. ☒ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☐ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☐ Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: The Hartford

Insurer's Address: 1 Hartford Plaza

City/State/Zip: Hartford CT 06155

Policy # or Self-ins. Lic. # 76 WEG AC1475 Expiration Date: 11/20/18

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [Signature] Date: 1/24/18

Phone #: 774 545 0243

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: Northbridge Permit/License # _____

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office
6. Other _____

Contact Person: Melissa Wetherbee Phone #: 508-234-2095

NTM License Slips

Row 1

Current Status On Selectmen's Agenda for April 23rd

Done ☐

License ID: NTM#16045

License Type: Indoor Entertainment License

Description: Indoor entertainment license for:
Thursday 12 PM - 8 PM
Friday 12PM - 9 PM
Saturday 12 PM - 9 PM

Type:
Live Band; dancing by patrons; live music; amplification system

Business: Purgatory Beer Company

Applicant: Brian Distefano

Address: 670 Linwood Avenue, Bldg. C, Whitinsville

Approval Target 04/19/18

Slip Started on: 04/13/18 10:42 AM

**PLANNING
Approve:** ☐

**PLANNING
Comments:** N/A -per discussion with Bldg Insp & PB Chair.

**POLICE
Approve:** ☒

**POLICE
Comments:** Establishment should keep their entry/exit doors closed while entertainment is occurring

FIRE Approve: ☒

**FIRE
Comments:** Subject to fire inspection and meeting the applicable fire codes

**BUILDING
ZONING
Approve:** ☒

**BUILDING
ZONING
Comments:** Max. occupancy of 49

**CONSERVATION
Approve:** ☒

CONSERVATION
Comments:

HEALTH
Approve: ☒

HEALTH
Comments: Health regulations not applicable

ASSESSORS
Approve: ☒

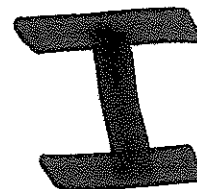
ASSESSORS
Comments: No issues.

TREASURER
COLLECTOR
Approve: ☒

TREASURER
COLLECTOR
Comments:

Melissa Wetherbee

To: Adam Gaudette
Subject: RE: WWC Church Street Project



From: Randy Swigor [<mailto:rswigor@whitinsvillewater.com>]
Sent: Wednesday, April 18, 2018 3:14 PM
To: Adam Gaudette <agaudette@northbridgemass.org>
Cc: James Shuris <jshuris@northbridgemass.org>; Jamie Luchini <jluchini@northbridgemass.org>
Subject: RE: WWC Church Street Project

Hi Adam: Sure, I can give you an update at this point. We are working out there this week getting the final two water services onto the new main and then getting the one leak repaired. We will have this work done either Friday or Monday (depending on weather). From there, it is a matter of hiring a firm to do the final paving. We are currently working on an RFP to send out to firms to get proposals for the paving. Legally, we must give ME Smith 10 business days before they are in default. That will be 4/24. After this, we are free to hire another firm to come in and complete the paving. As this is a change in our project, we must put together new RFP (new specifications) and go through a solicitation process to hire a new firm to complete the required paving. We hope to have a new RFP complete by end of next week and will start soliciting firms soon after. We will have to give firms some time to review and provide proposals, so realistically it will probably be sometime in mid-May (at earliest) before we can get them started. Please let me know if you have any further questions or need further details.

Regards,
Randy Swigor
General Manager
Whitinsville Water Company
PO Box 188, 44 Lake Street
Whitinsville, MA 01588
(508)234-7358

From: Adam Gaudette [<mailto:agaudette@northbridgemass.org>]
Sent: Wednesday, April 18, 2018 1:42 PM
To: Randy Swigor
Cc: James Shuris; Jamie Luchini
Subject: Church Street Project
Importance: High

Randy, could you get me something in writing before the end of the week as far as an update on the WWC Church Street Project?

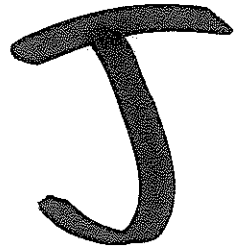
I have been asked by the BOS to provide an update at every BOS meeting moving forward until complete. The next one is this Monday.

Thanks

Adam

Adam D. Gaudette
Town Manager

Town Manager's Report for the Period of April 9, 2018 – April 20, 2018



1. Meetings Attended:

- Monday, April 9, 2018 – Met with Planning Board Chair and staff to discuss subdivision coordination.
- Monday, April 9, 2018 – Met with G. Bechtholdt and new Economic Development Committee member Brian Murphy.
- Monday, April 9, 2018 – Attended the Board of Selectmen Meeting.
- Tuesday, April 10, 2018 – Firefighter Union Negotiations.
- Thursday, April 12, 2018 – Met with DPW staff and Mark Smith from ME Smith, contractor for Whitinsville Water Company's Church Street Project.
- Thursday, April 12, 2018 – Attended Sergeant Steven Zollin's retirement luncheon.
- Friday, April 13, 2018 – Police Union Negotiations.
- Wednesday, April 18, 2018 – Met with Selectman Melia to prepare for School Building Committee.
- Wednesday, April 18, 2018 – Attended the School Building Committee Meeting.
- Friday, April 20, 2018 – Met with Chris P. from Barry Insurance – Town Broker.

2. **Balmer School Building Project:** The School Building Committee (SBC) met on Tuesday, April 3, 2018 and voted to hire Fontaine Brothers for the services of a Construction Manager (CM). They also met this week on April 18, 2018 and voted to submit the Schematic Design Project Cost to the MSBA for approval. There is a joint meeting of the Building Committee, School Committee, Board of Selectmen and Finance Committee to be held at 6:30 pm on Thursday, May 3, 2018 at the High School Media Center.
3. **DPW Garage Project:** Things continue to progress on site. Remaining electrical, communications and fire alarm installation is ongoing. Site related activities include installation of the main gate, loaming, rough grading of all area in preparation for placement of binder asphalt course next week. The shaping of the retention pond and adjacent sloped areas are substantially complete. Although the project will be substantially complete by the end of this month, miscellaneous punch list items will continue into May.
4. **Fire Station Project (Feasibility Study):** I have been working with staff and the OPM, as well as committee representatives, on the Site Selection Evaluation Process. In addition, the group will be developing an RFQ for Designer (Architect) Selection in hopes of advertising this summer. The project has experienced some delay due to the OPM representative leaving for another position with a new company.
5. **Budget Development/Town Meeting preparation:** The FY2019 Budget Development process has been completed and the Annual Town Meeting Warrant has been posted. The Annual Town Meeting is scheduled for Tuesday, May 1, 2018 at 7 p.m.