TOWN OF NORTHBRIDGE BOARD OF SELECTMEN'S MEETING NORTHBRIDGE TOWN HALL 7 MAIN STREET - WHITINSVILLE, MA 01588 May 20, 2013 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

I. APPROVAL OF MINUTES

A. 1) April 8, 2013

2) April 22, 2013

3) May 7, 2013 [Spring Annual Town Meeting]

II. PUBLIC HEARINGS

III. APPOINTMENTS/RESIGNATIONS:

- B. Appointment/By the Selectmen:
- 1) Zoning Board of Appeals [Associate Member] 2 vacancies w/2-year terms Randy Kibbe

Resignation/By the Board of Selectmen:

2) Conservation Commission - Cheryl Peckham/Vote to accept

IV. CITIZENS' COMMENTS/INPUT

V. DECISIONS

- C. Special State Election Warrant [June 25, 2013]/Vote to sign
- **D.** Armenian Apostolic Church/Request permission to hang a banner over Church Street from August 4, 2013 to August 18, 2013 to advertise their Annual Picnic to be held on Sunday, August 18, 2013.
- E. Northbridge Fire Department/Request permission to hang a banner over Church Street from June 16, 2013 to June 30, 2013 to advertise their annual Fourth of July Fireworks Event schedule for Friday, June 28, 2013.
- **F.** Blackstone Valley Pop Warner Football & Cheerleading [Doreen Malkasian]/Request permission to conduct a "boot drive" on Saturday, June 15, 2013 from 9:00 A.M. to 12:00 P.M., [Rain Date: June 16, 2013] at Memorial Square.
- G. Conservation Commission/Requests permission to use Elsa Mason Conservation Trust Fund monies to buy some gravel for the parking area at the community gardens/Vote to approve

VI. DISCUSSIONS

- H. Blackstone Valley Regional Recycling Center License Agreement/Vote to sign
- I. Lease Agreements: Rockdale Village Foundation, Oliver Ashton Post #343
- J. School Based Health Center/Present: Karen Kittredge, School Committee Member & Craig Maxim, Family Continuity Representative.
- K. Annual Town Election [May 21, 2013] /Ballot Question
- L. Northbridge Housing Authority/Act to Regionalize Housing Authorities Present: John Shannahan & Shelley Buma
- M. Town Manager's Evaluation

VII. TOWN MANAGER'S REPORT

- N. 1) Sen. Michael Moore & Sen. Richard Moore
- 3) Fire Department Spaghetti Supper
- 5) Memorial Day Activities

- 2) Dental Plan Proposal
- 4) Worcester Regional Transit Authority Bus Survey

VIII. SELECTMEN'S CONCERNS

IX. ITEMS FOR FUTURE AGENDA

X. CORRESPONDENCE

XI. EXECUTIVE SESSION

1) Under M.G.L. Chapter 30A, S21 #3 To discuss strategy with respect to Contract Negotiations

Board of Selectmen's Meeting April 08, 2013

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

The Pledge of Allegiance was recited by those present.

Approval of Minutes. March 11, 2013 – A motion/Mr. Ampagoomian, seconded/Mr. Marzec to approve the March 11, 2013 minutes as presented with the readings omitted. Vote yes/Messrs. Ampagoomian, Marzec and Melia. Abstain/Messrs. Athanas and Nolan. March 25, 2013 – A motion/Mr. Ampagoomian, seconded/Mr. Marzec to approve the March 25, 2013 minutes as presented with the readings omitted. Vote yes/Messrs. Athanas, Marzec, Nolan and Ampagoomian. Abstain/Mr. Melia. March 25, 2013 [Executive Session]—A motion/Mr. Marzec, seconded/Mr. Ampagoomian to approve but not release the March 25, 2013 minutes as presented with the readings omitted. Vote yes/Messrs. Athanas, Marzec, Nolan and Ampagoomian. Abstain/Mr. Melia.

Appointments/By the Selectmen. Annual Reappointment. Sandy Ovian, Board of Registrars [Democrat Designee]. A motion/Mr. Ampagoomian, seconded/Mr. Melia to reappoint Sandra Ovian as a Democratic Representative to the Board of Registrars. Vote Yes/Unanimous.

Citizens' Comments/Input. Ralph Andonian, 27 Haringa Ave, Whitinsville – Naming of bridge. Mr. Andonian advised the Board of Selectmen that Lance/Corporal Thomas S. Perron was killed in Beirut, Lebanon on Sunday, October 23, 1983. A monument was established for Mr. Perron at the intersection of Douglas Road and Fletcher Street but has since been moved because of the replacing of the bridge over the Mumford River. The monument now resides at the corner of Main Street and he feels this is not enough for him. Mr. Andonian mentioned that he has received permission from Representative George Peterson, Senator Richard Moore and the Department of Transportation to dedicate/name the bridge after Lance/Corporal Thomas S. Perron. That being said, he apologized to the Selectmen for not including them and is looking for their support and approval. Selectman Ampagoomian suggested moving this item to decision for approval and then turn it over to the Trustees of Soldiers' Memorials for them to coordinate all the paperwork and timeline for the dedication of the bridge. A motion/Mr. Marzec, seconded/Mr. Athanas to move this item "Naming of bridge" to decisions. Roll call Vote: Mr. Athanas/Yes, Mr. Marzec/Yes, Mr. Nolan/Yes, Mr. Ampagoomian/Yes, and Mr. Melia/Yes. A motion/Mr. Ampagoomian, seconded/Mr. Marzec to name the bridge over the Mumford River after Lance/Corporal Thomas S. Perron. Vote yes/Unanimous.

Police Contract/Vote to ratify contract. Town Manager Kozak mentioned that after lengthy negotiations with the Police Union a contract has been finalized and Town Counsel recommended the Board of Selectmen ratify their contract. Town Manager Kozak mentioned the contract runs from July 1, 2010 through June 30, 2013, Cost of Living Raise for FY 11 – 4.5%, FY 12 - 0%, FY 13 – 1% and terms include a strong drug & alcohol policy to be put in place for all police officers, including random testing of officers. He also mentioned that language recognizing civilian dispatchers in the Police Department to take over the dispatcher's responsibilities now being performed by the Fire Department personnel. A motion/Mr. Ampagoomian, seconded/Mr. Melia to ratify the Police contract as recommended by Town Counsel. Vote yes/Unanimous.

Spring Annual Town Meeting Warrant [May 7, 2013]/Vote position on warrant articles. Present: Salvatore D'Amato, Chairman of the Finance Committee. Chairman Nolan provided a brief synopsis for each article. ARTICLE 1: (Board of Selectmen) To see if the Town will vote to raise and

appropriate and/or transfer from the unexpended appropriated funds of one of the departments of the Town the following sums of money and authorize the payment of prior year bills: or take any other action relative thereto. Town Manager Kozak mentioned there are no bills from a prior year and asked the Finance Committee and Board of Selectmen to pass over Article 1. A motion/Mr. Ampagoomian, seconded/Mr. Marzec to pass over Article 1. Vote yes/Unanimous. The Finance Committee voted to pass over Article 1. ARTICLE 2: (Board of Selectmen) To see if the Town will vote to amend the votes taken under Article 3 of the 2012 Spring Session of the Annual Town Meeting (May 1, 2012), and under Article 2 of the 2012 Fall Session of the Annual Town Meeting (October 23, 2012), appropriations and transfers under the Omnibus Budget Article; or take any other action relative thereto. Town Manager Kozak mentioned that Article 2 are budgets transfers and stated that the Police Department has a large transfer because of the police contract that was recently settled. A motion/Mr. Marzec, seconded/Mr. Ampagoomian to support Article 2. Vote yes/Unanimous. The Finance Committee voted to support Article 2. ARTICLE 3: (Finance Committee) To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury and/or transfer from the Health Insurance Stabilization Fund such sums of money not to exceed \$38,124,337 to defray the necessary and usual expenses of the several departments of the Town for FY 2014, beginning July 1, 2013 and ending June 30, 2014; or take any other action relative thereto. Town Manager Kozak provided an overview of the balanced budget but mentioned that if the Governor's budget isn't approved this article may need to be revisited. Mr. D'Amato provided a copy of an operational and appropriation budget history of the Northbridge School Department and a copy of the projected FY 14 School Department budget. He then explained that the School Department and Municipality will be facing a deficit in Fiscal Year 15 based on their current level of spending and services required and needed (a copy of the handout can be found in the Town Manager's office). Mr. D'Amato announced that the Finance Committee voted unanimously to support and not exceed the amount of \$38,124, 337.00. Town Manager Kozak advised that the total budget is \$38,107,153.00. A motion/Mr. Marzec, seconded/Mr. Melia to support Article 3. Vote yes/Unanimous. The Finance Committee voted unanimously to support but not exceed the amount of \$38,124,337.00 for Article 3. ARTICLE 4: (Board of Selectmen) To see if the Town will vote to raise and appropriate and/or transfer from the Retained Earnings Account of the Sewer Enterprise Fund a sum of money [\$1,832,961.00] to operate the Sewer Enterprise Operation of the Department of Public Works for FY 2014; or take any other action relative thereto. A motion/Mr. Ampagoomian, seconded/Mr. Melia to support Article 4. Vote yes/Unanimous. The Finance Committee voted to support Article 4. ARTICLE 5: (Board of Selectmen) To see if the Town will vote to raise and appropriate and/or transfer from the Retained Earnings Account of the Water Enterprise Fund a sum of money [\$1,545,620.00] to operate the Water Enterprise Operation of the Department of Public Works for FY 2014; or take any other action relative thereto. A motion/Mr. Marzec, seconded/Mr. Athanas to support Article 5. Vote ves/Unanimous. The Finance Committee voted to support Article 5. ARTICLE 6: (Board of Selectmen) To see if the Town will vote to appropriate a sum of money and such additional funds as may become available from the Commonwealth's Department of Transportation, Chapter 90 Bond Issue proceeds, to be used by the Department of Public Works for the repair and maintenance of Town roads in conformance with MGL and further to see if the Town will vote to meet said appropriation by borrowing and to authorize the Treasurer/Collector, with approval of the Board of Selectmen, to issue bonds or notes of the Town therefor in anticipation of the receipt of said State Aid; or take any other action relative thereto. A motion/Mr. Marzec, seconded/Mr. Athanas to support Article 6. Vote yes/Unanimous. The Finance Committee voted to support Article 6. ARTICLE 7: (Board of Selectmen) To see if the Town will vote to authorize the Treasurer/Collector to enter into a compensating balance agreement or agreements for FY 2014, pursuant to Chapter 44, Section 53F of the M.G.L.; or take any other action relative thereto. A motion/Mr. Ampagoomian, seconded/Mr. Athanas to support Article 7. Vote ves/Unanimous. The Finance Committee voted to support Article 7. ARTICLE 8: (Playground & Recreation Commission) To see if the Town will vote to reauthorize a revolving account pursuant to M.G.L. Chapter 44, Section 53E 1/2 for the Playground & Recreation Commission, to credit to such account any grants, donations, program user fees and fund raising proceeds received by said Commission

and to authorize said Commission to expend from such account amounts required to maintain the Town's playgrounds and recreation fields, to make improvements thereto and to purchase, lease or rent equipment and support facilities for programs and activities taking place thereon provided, however, that the total amount which may be expended from the account in FY 2014 is \$20,000; or take any other action relative thereto. A motion/Mr. Melia, seconded/Mr. Marzec to support Article 8. Vote yes/Unanimous. The Finance Committee voted to support Article 8. ARTICLE 9: (Board of Assessors) To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury a sum of money not to exceed \$16,050 for a Triennial Revaluation analysis of Personal Property of the Town of Northbridge in accordance with Massachusetts General Laws Chapter 40 section 56 and Chapter 58 sections 1, 1A, and 3; or take any other action relative thereto. A motion/Mr. Melia, seconded/Mr. Ampagoomian to support Article 9. Vote yes/Unanimous. The Finance Committee voted to support Article 9. ARTICLE 10: (Board of Selectmen) To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury a sum of money for the purpose of financing the purchase of a Medium Duty Dump Truck with Swap Body, Plow and Accessories for use by the Highway Division of the Department of Public Works; and to determine whether such appropriation shall be subject to a capital outlay expenditure exclusion under Proposition 2½, so-called; or take any other action relative thereto. A motion/Mr. Marzec, seconded/Mr. Athanas to support Article 10. Vote yes/Unanimous. The Finance Committee voted to support Article 10. ARTICLE 11: (Board of Selectmen) To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury a sum of money for the purpose of financing the purchase of a Back Hoe (JD 410 or equal) and Accessories for use by the Highway Division of the Department of Public Works; and to determine whether such appropriation shall be subject to a capital outlay expenditure exclusion under Proposition 21/2, so-called; or take any other action relative thereto. A motion/Mr. Ampagoomian, seconded/Mr. Melia to support Article 11. Vote ves/Unanimous. The Finance Committee voted to support Article 11. ARTICLE 12: (Board of Selectmen) To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury the sum of \$80,000.00 (EIGHTY THOUSAND AND 00/100 DOLLARS) for the purpose of financing the purchase of a bucket truck and accessories and equipment for use by the Fire Department; and to determine whether such appropriation shall be subject to a capital outlay expenditure exclusion under Proposition 2½, so-called; or take any other action relative thereto. A motion/Mr. Melia, seconded/Mr. Athanas to support Article 12. Vote yes/Unanimous. The Finance Committee voted to support Article 12. ARTICLE 13: (Building, Planning & Construction Committee) To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury and/or transfer from the Stabilization Fund a sum of money to fund a project for the repair of the concrete apparatus floor abutments at the Rockdale Fire Station, and all costs related thereto; said sum to be expended under the direction of the Building, Planning, and Construction Committee; or take any other action relative thereto. A motion/Mr. Ampagoomian, seconded/Mr. Melia to support Article 13, but not to exceed \$32,000.00. Vote yes/Unanimous. The Finance Committee voted to support Article 13 but not to exceed \$32,000.00. ARTICLE 14: (School Committee) To see if the Town will vote to transfer from the Stabilization Fund a sum of money [\$8,793.00] for the purpose of repairing the gymnasium floor at the W. Edward Balmer School, said sum to be expended under the direction of the School Committee and/or the Building, Planning, and Construction Committee; or take any other action relative thereto. A motion/Mr. Melia, seconded/Mr. Athanas to support Article 14. Vote yes/Unanimous. The Finance Committee voted to support Article 14. ARTICLE 15: (School Committee) To see if the Town will vote to transfer from the Stabilization Fund a sum of money [\$35,950.00] for the purpose of installing approximately 25,000 square feet of sod at Lasell Field, said sum to be expended under the direction of the School Committee and/or the Building, Planning, and Construction Committee; or take any other action relative thereto. A motion/Mr. Athanas, seconded/Mr. Melia to support Article 15. Vote yes/Unanimous. The Finance Committee voted to support Article 15. ARTICLE 16: Committee) To see if the Town will vote to raise and appropriate a sum of money [\$250,000.00] to purchase and install safety and security items for the Northbridge Elementary School, W. E. Balmer School, Northbridge Middle School, and Northbridge High School, including door hardware, key card

security locks, security cameras, and security window film, said sum be expended under the direction of the School Committee, contingent upon the passage of a capital outlay expenditure exclusion under the provisions of Proposition 2½ so called, MGL Chapter 59, Section 21C (i½), for FY 14 (July 1, 2013 to June 30, 2014); or take any other action relative thereto. A motion/Mr. Athanas, seconded/Mr. Ampagoomian to support Article 16 but not exceed \$250,000.00. Vote yes/Unanimous. The Finance Committee voted to support Article 16. ARTICLE 17: (School Committee) Town Manager Kozak announced that he received a letter from the Chairman of the School Committee to remove Article 17 & 18. To see if the Town will vote to raise and appropriate, and/or transfer from the FY 13 Omnibus Budget, and/or transfer from the unexpended undesignated fund balance (free cash), and/or transfer from the Stabilization Fund a sum of money to purchase and install safety and security items for the Northbridge Elementary School, W. E. Balmer School, Northbridge Middle School, and Northbridge High School, including door hardware, key card security locks, security cameras, and security window film, said funds to be expended under the direction of the School Committee; or take any other action relative thereto. A motion/Mr. Ampagoomian, seconded/Mr. Melia to remove Article 17, upon request of the School Committee. Vote yes/Unanimous. The Finance Committee voted to pass over Article 17. ARTICLE 18: (School Committee) To see if the Town will vote to raise and appropriate a sum of money to purchase a replacement Ford F550 DRW Cab/Chassis, said sum to be expended under the direction of the School Committee, contingent upon the passage of a capital outlay expenditure exclusion under the provisions of Proposition 2 ½ so called, MGL Chapter 59, Section 21C (i½), for FY 14 (July 1, 2013 to June 30, 2014); or take any other action relative thereto. A motion/Mr. Ampagoomian, seconded/Mr. Melia to remove Article 18, upon request of the School Committee. Vote yes/Unanimous. The Finance Committee voted to pass over Article 18. ARTICLE 19: (School Committee) To see if the Town will vote to raise and appropriate, and/or transfer from the FY 13 Omnibus Budget, and/or transfer from the unexpended undesignated fund balance (free cash), and/or transfer from the Stabilization Fund a sum of money [\$69,710.00] for the purpose of purchasing a Ford 550 DRW Cab/Chassis, said sum to be expended under the direction of the School Committee; or take any other action relative thereto. A motion/Mr. Marzec, seconded/Mr. Ampagoomian to support Article 19. Vote yes/Unanimous. The Finance Committee voted to support Article 19. ARTICLE 20: (Building, Planning & Construction Committee) To see if the Town will vote to raise and appropriate and/or transfer from the undesignated fund balance (free cash) and/or transfer from Chapter 90 proceeds, a sum of money [\$40,000.00], to be expended by the Board of Selectmen, to acquire by purchase, gift, or eminent domain permanent easements and temporary construction easements over properties located on Sutton Street in conjunction with the reconstruction of Sutton Street, as authorized by the vote under Article 5 of the October 23, 2012 Fall Annual Town Meeting, the easement parcels being shown on plans on file in the Office of the Town Clerk, including a plan entitled "The Preliminary Right-of-Way Plans for Sutton Street in the Town of Northbridge", Revision #2 dated 8/24/12; or take any other action relative thereto. A motion/Mr. Athanas, seconded/Mr. Ampagoomian to support Article 20. Vote yes/Unanimous. The Finance Committee voted to support Article 20. ARTICLE 21: (Building, Planning & Construction Committee) To see if the Town will vote to transfer the unexpended balance of the amount appropriated under Article 22 of the 2012 May Annual Town Meeting for the purpose of engineering and architectural services for any Town owned buildings and facilities, said sum [\$97,500.00] to be expended under the direction of the Building, Planning and Construction Committee; or take any other action relative thereto. A motion/Mr. Ampagoomian, seconded/Mr. Marzec to support Article 21. Vote yes/Unanimous. The Finance Committee voted to support Article 21. ARTICLE 22: (Board of Selectmen) To see if the Town will vote to accept G.L. c. 59, Section 5N, authorizing the Board of Selectmen to establish a program to allow Veterans who qualify for participation to volunteer to provide services to the Town in exchange for a reduction in the real property tax obligations of that veteran on the veteran's tax bills, in addition to any exemption or abatement to which that person is otherwise entitled, not to exceed \$1,000.00 and credit for such participation not to exceed the current minimum wage of the Commonwealth per hour for the services provided; and further to see if the Town will vote to adjust the exemption by 1) allowing an approved representative for persons physically unable to provide such

services to the Town; or 2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given year; rather than \$1,000.00; or take any other action relative thereto. Town Manager Kozak recommended beginning the program with ten people. A motion/Mr. Melia, seconded/Mr. Athanas to support Article 22. Vote yes/Unanimous. The Finance Committee voted to support Article 22, with a cap of ten people, per Town Manager Kozak. ARTICLE 23: (Board of Selectmen) To see if the Town will vote to amend the Zoning Bylaw by adding a new section 173-18.4, Temporary Moratorium on Medical Marijuana Treatment Centers, in Article V - Use Regulations, as follows: § 173-18.4 Temporary Moratorium on Medical Marijuana Treatment Centers [Added 05-07-2013 ATM, Art. 23] A. Authority and purpose. (1) By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town of Northbridge and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. (2) The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives. B. Definition. (1) "Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers." C. Temporary Moratorium. (1) For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations Regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses; Or take any other action relative thereto. A motion/Mr. Marzec, seconded/Mr. Athanas to support Article 23. Vote yes/Unanimous. The Finance Committee voted to support Article 23. ARTICLE 24: (Blackstone Valley Regional Vocational School) To see if the Town will vote to approve the \$2,900,000 (TWO MILLION NINE HUNDRED THOUSAND AND 00/100 DOLLARS) debt authorized by vote of the Blackstone Valley Regional Vocational School District on March 7, 2013 to pay costs of renovating and reconfiguring the District High School, including the payment of all other costs incidental and related thereto, and to determine whether such approval shall be contingent upon a vote at an election to exclude the costs of the Town's share of such debt from the limitations of Proposition 21/2, so-called; or take any other action relative thereto. Town Manager Kozak mentioned that this article was submitted right before the warrant closed and it would allow the vocational school to increase its program to have students that might otherwise go to Norfolk Agriculture attend Blackstone Valley Vocational. Town Manager Kozak advised that because the surrounding communities didn't have enough time to absorb the information they asked the vocational school to hold off until a future Town Meeting. A motion/Mr. Melia, seconded/Mr. Athanas to remove Article 24. Vote yes/Unanimous. The Finance Committee voted not to support

Article 24. ARTICLE 25: (Planning Board) To see if the Town will vote to accept as a public way, Gilmore Drive [South Sutton Commerce Park] as heretofore laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk, and further authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, purchase or eminent domain easements in said way for the purposes for which public ways are used in the Town, and to acquire certain utility, maintenance or related easements in connection therewith; or take any other action relative thereto. A motion/Mr. Marzec, seconded/Mr. Ampagoomian to support Article 25. Vote yes/Unanimous. The Finance Committee voted to support Article 25. ARTICLE 26: (Petition) To see if the Town will vote to accept as a public way, the alteration and extension of Ash Street [portion to be discontinued] as heretofore laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk, and further authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, purchase or eminent domain easements in said way for the purposes for which public ways are used in the Town, including an associated drainage easement; or take any other action relative thereto. A motion/Mr. Melia, seconded/Mr. Ampagoomian to support Article 26. Vote yes/Unanimous. The Finance Committee voted to support Article 26. ARTICLE 27: (Petition) To see if the Town will vote to raise and appropriate by means of a capital expenditure, the sum of Fifty Thousand Dollars for the repair and restructure of both the baseball diamond and the softball diamond located at Lasell Field in order to bring both diamonds into safe playable facilities for the youth of this community; said funds to be expended under the direction of the maintenance director of the Northbridge Public School system; or take any other action relative thereto. Town Manager Kozak advised that there is no money to appropriate for this article and suggested to the petitioners that they hold off until a future meeting. A motion/Mr. Marzec, seconded/Mr. Athanas to pass over Article 27. Vote yes/Unanimous. The Finance Committee voted to pass over Article 27.

Spring Annual Town Meeting/Vote to sign the warrant. A motion/Mr. Ampagoomian, seconded/Mr. Marzec to sign the May 7, 2013 Spring Annual Town Meeting Warrant. Vote yes/Unanimous.

Ballot Questions/Vote to place ballot questions on the Annual Town Election Warrant. Town Manager Kozak provided the Board with 6 possible ballot questions: QUESTION 1: Shall the Town of Northbridge be allowed to assess an additional \$179,034 in real estate and personal property taxes for the purpose of financing the purchase of a Medium Duty Dump Truck with Swap Body, Plow and Accessories for use by the Department of Public Works Highway Division, for the fiscal year beginning July 1, 2013? QUESTION 2: Shall the Town of Northbridge be allowed to assess an additional \$114,000 in real estate and personal property taxes for the purpose of financing the purchase of a Back Hoe (JD 410 or equal) and Accessories for use by the Department of Public Works Highway Division, for the fiscal year beginning July 1, 2013? QUESTION 3: Shall the Town of Northbridge be allowed to assess an additional \$80,000 in real estate and personal property taxes for the purpose of financing the purchase of a bucket truck and accessories and equipment for use by the Fire Department, for the fiscal year beginning July 1, 2013? QUESTION 4: Shall the Town of Northbridge be allowed to assess an additional \$250,000 in real estate and personal property taxes for the purpose of financing the purchase and installation of safety and security items for the Northbridge Elementary School, W. E. Balmer School, Northbridge Middle School, and Northbridge High School, including door hardware, key card security locks, security cameras, and security window film, for the fiscal year beginning July 1, 2013? QUESTION 5: Shall the Town of Northbridge be allowed to assess an additional \$373,034 in real estate and personal property taxes for the purposes of financing the purchases of a bucket truck and accessories and equipment for use by the Fire Department; a Medium Duty Dump Truck with Swap Body, Plow and Accessories and a Back Hoe (JD 410 or equal) and Accessories for use by the Department of Public Works Highway Division, for the fiscal year beginning July 1, 2013? Town Manager Kozak recommended the all-in-one ballot question which included everything. QUESTION 6: Shall the Town of Northbridge be allowed to assess an additional \$623,034 in real estate and personal property taxes for the purposes of financing the purchases of a bucket truck and accessories and equipment for use by the Fire Department; a Medium Duty Dump Truck with Swap Body, Plow and Accessories and a Back Hoe

(JD 410 or equal) and Accessories for use by the Department of Public Works Highway Division; and the installation of safety and security items for the Northbridge Elementary School, W. E. Balmer School, Northbridge Middle School, and Northbridge High School, including door hardware, key card security locks, security cameras, and security window film, for the fiscal year beginning July 1, 2013? A motion/Mr. Ampagoomian, seconded/Mr. Melia to place ballot question #6, a capital overlay exclusion on the Annual Town Election Warrant. Vote yes/Unanimous.

Special State Primary. A motion/Mr. Marzec, seconded/Mr. Melia to sign the election warrant for the Special State Primary [April 30, 2013]. Vote yes/Unanimous.

CORI Policy. Town Manager Kozak explained that the State has a new Model CORI policy for the town's to adopt and is fairly similar to what the Town of Northbridge already has in place. He advised one of the changes is that if a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy-two hours notice that a new CORI check will be conducted. He also noted that the Town of Northbridge must maintain and keep a current list of each individual authorized to have access to, or view, CORI. He then mentioned that Sharon Susienka handles the CORI work for the Town, the School Department handles their own, and Walter Warchol, Chief of Police handles the Police Department. A motion/Mr. Marzec, seconded/Mr. Ampagoomian to move the CORI Policy out of Discussions and into Decisions for a vote. Roll Call Vote: Mr. Athanas/Yes, Mr. Marzec/Yes, Mr. Nolan/Yes, Mr. Ampagoomian/Yes, and Mr. Melia/Yes. A motion/Mr. Marzec, seconded/Mr. Melia to adopt the CORI Policy with the revisions as written. Vote yes/Unanimous.

Whitinsville Water Company [Randy Swigor, Manager]. Postponed until next Selectmen's Meeting 4/22/13.

Whitin Community Center [Denis Latour]. Mr. Latour announced that this year is the 90th birthday for the Whitin Community Center and then stated that there will be a lot of events and projects going on this year. He mentioned that he has discussed with the Whitin Community Center installing two handicap bathrooms next to the tennis shack. He stated that this is his summer goal. He then mentioned that over 100 years ago, the Whitin family started building a sewer system for Northbridge that is still in use today. Part of this system is still in the park and was probably the abandoned connection to the Whitin Home. Mr. Latour explained that the connection has been inspected and certified by the Northbridge Sewer Department for their use. He then stated that by installing two bathrooms it would require a commercial permit, which would cost around \$9200.00 to \$9300.00. With that being said, he is asking the Board of Selectmen to waive the fee or a substantial reduction to the fee. James Shuris, DPW Director, agreed with Mr. Latour and advised the board that the cost is \$9240.00 and then stated that the town would be generating income as the system is being used year after year. Selectman Athanas thanked Mr. Latour for all his generosity and explained that the Whitin Community Center does a lot for the town and suggested the Board of Selectmen waive the fee. Selectman Marzec concurred with Selectman Athanas. A motion/Mr. Athanas, seconded/Mr. Ampagoomian to move this item out of discussions and into decisions. Roll Call Vote: Mr. Athanas/Yes, Mr. Marzec/Yes, Mr. Nolan/Yes, Mr. Ampagoomian/Yes, and Mr. Melia/Yes. A motion/Mr. Athanas, seconded/Mr. Marzec to waive the sewer hook-up fees related to the construction of two (2) handicapped toilets near the tennis courts at the Whitin Community Center, contingent upon it costing the town no money. Vote yes/Unanimous.

Regional Stormwater Agreement. Town Manager Kozak announced that he and James Shuris, DPW Director attended a regional meeting on a stormwater grant that the town received. The Elite Community Spencer has prepared an agreement and Town Manager Kozak would like the Board to vote on it at their next Selectmen's Meeting. This agreement is to help share the cost of the unfunded grant portion. They applied for \$200,000.00 for about 30 communities and the state only funded \$115,000.00, which

\$2,300.00 will be appropriated to each community. Town Manager Kozak mentioned that at their next meeting he will ask the Board to support this agreement.

Town Manager's Report/1) Worcester Regional Transit Authority: Announced there will be a public hearing at the Town Hall on April 25, 2013, at 7:00 P.M. to discuss the proposed bus routes in town. The public is encouraged to attend. 2) Transportation Bond Bill: Received correspondence from Timothy Murray, Lieutenant Governor, of the pending transportation bond bill that will increase Chapter 90 funding to \$300 million dollars, which is a third higher than last year's amount. 3) Town Hall Project: Mr. Gary Bechtholdt, Town Planner, and I had the opportunity to visit the facility that is reconstructing the Town Hall windows. Work is progressing as scheduled. 4) St. Patrick's Annual Fall Festival to be held on Saturday, September 14, 2013: Announced the date of the Annual Fall Festival is a correction from the previous announcement made at the last Selectmen's meeting. The correct date of the event is September 14, 2013.

Selectmen's Concerns. Selectman Athanas/Asked if the bids have gone out for the Sutton Street Project and Mr. Shuris replied that one of the pre-requisites before they can go out to bid is that they need all the right-of-ways signed and sealed. He then mentioned they are still waiting for about 20 more residents. Selectman Marzec 1) Asked James Shuris, DPW Director about the snow and ice budget and Mr. Shuris responded there have been 24 snow events, 87 total inches of snow, and spent about \$490,000.00. 2) Asked when street sweeping would be taking place and Mr. Shuris replied it is already going on and that all the streets will be done before Memorial Day. 3) Swift Road - Asked Town Manager Kozak if NStar would be installing gas lines on this road. Town Manager Kozak mentioned that he would look into the status of this. 4) Sent his condolences to Wayne Plante's family on his recent passing. Selectman Ampagoomian 1) Asked Town Manager Kozak how the new Whitinsville Water Treatment plant facility was working out and Town Manager Kozak replied that the upgrade to the facility is almost completed. 2) Asked Mr. Shuris to look into the Crosswalk Sign at Ovian Square; light pole by Highland Farms; and the traffic signals at Memorial Square. 3) Asked Selectman Marzec about Memorial Day and Selectman Marzec replied that he needs to have a discussion with William Audette but will advise the Board once he gathers more information. 4) Asked Walter Warchol, Chief of Police if there is a plan in place should a crisis hit the Town of Northbridge. Chief Warchol mentioned that there is an emergency protocol should a special occurrence happen, but right now they are mainly focusing on a new protocol for an enhanced lockdown procedure to install in the fall.

A motion/Mr. Marzec, seconded/Mr. Ampagoomian to adjourn the meeting. Vote yes/Unanimous.

Meeting Adjourned: 9:02 P.M.

Respectfully submitted,

James Athanas, Clerk

/dmg

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING - OPEN SESSION

April 08, 2013

I. APPROVAL OF MINUTES

A. 1) Copy of March 11, 2013 minutes. 2) Copy of March 25, 2013 minutes. 3) Copy of March 25, 2013 Executive Session minutes. [Removed from backup documentation as they have not been released by Board of Selectmen]

II. PUBLIC HEARING:

None

III. APPOINTMENTS/By the Board of Selectmen:

B. Annual Reappointment: Sandy Ovian - No documentation.

IV. CITIZENS' COMMENTS/INPUT

C. Ralph Andonian, 27 Haringa Ave, Whitinsville – Copy of request to name the bridge over the Mumford River – United State Marine L/CPL Thomas S. Perron.

V. DECISIONS

- D. Police Contract Copy of Police Contract Overview
- E. Spring Annual Town Meeting Warrant [May 7, 2013] 1) Copy of warrant articles. 2) Copy of the Board of Selectmen and Finance Committee's position on each warrant articles. 3) Copy of Article 2 Budget Transfers. 4) Copy of Article 3 Budget Requests. 5) Copy of Article 4. 6) Copy of memo dated April 3, 2013, from the Northbridge School Committee regarding warrant article submission for 17 and 18. 7) Copy of letter dated April 8, 2013, from the Blackstone Valley Vocational Regional School District regarding Article 24. 8) Copy of the Northbridge School Department Operational and Appropriation Budget History. 9) Copy of Finance Committee Review/School Department Budget FY 2014.
- **F.** Spring Annual Town Meeting [May 7, 2013] Copy of warrant articles signed the Board of Selectmen.
- G. Ballot Questions -1) Copy of ballot questions for the Town Election, May 21, 2013. 2) Copy of possible ballot questions.
- H. Special State Primary Warrant Copy of signed warrant for the Special State Primary.

VI. DISCUSSIONS

- I. CORI Policy Copy of CORI Policy Requirement.
- J. Whitinsville Water Company/ Water Quality Postponed, No documentation.
- **K.** Whitin Community Center/ Sewer Hook-up Fees -1) Copy of letter to the Board of Selectmen. 2) Copy of map.
- L. Regional Stormwater Agreement No documentation.

VII. TOWN MANAGER'S REPORT

- M. 1) Worcester Regional Transit Authority Public hearing on April 25, 2013 No documentation.
- 2) Transportation Bond Bill Copy of letter from the Commonwealth of Mass. Office of the Governor.

- 3) Town Hall Project Copy of summary for the Northbridge Memorial Town Hall/Restoration Project.
- 4) St. Patrick's Annual Fall Festival to be held on Saturday, September 14, 2013 No documentation.
- VIII. SELECTMEN'S CONCERNS No documentation
- IX. ITEMS FOR FUTURE AGENDA- No documentation
- X. CORRESPONDENCE- No documentation
- XI. EXECUTIVE SESSION-None

Board of Selectmen's Meeting April 22, 2013

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

The Pledge of Allegiance was recited by those present.

Approval of Minutes. None

Public Hearings. None

Appointments/Resignations. None

Citizens' Comments/Input. Alex Rogozenski, MRA Multisport, 123 Adams Circle #2, Northbridge, MA, mentioned that the YMCA, in Winchendon, is coordinating a multi-town benefit run for The One Fund Boston on Saturday, May 11, 2013 at 8:30 A.M. and advised the Board that his organization, MRA Multisport would organize the run for Northbridge as part of this effort. The benefit run is called "Boston Strong" and is 2.62 miles. He mentioned that there is a \$20 entry fee and if you pre-register you get a t-shirt. That said, all proceeds to benefit "The One Fund Boston". A copy of the route was provided to the Selectmen, Walter Warchol, Police Chief, Town Manager Kozak and James Shuris, DPW Director. A motion was made and seconded to approve Mr. Alex Rogozenski's request to hold the Boston Strong 2.62 Mile Benefit Run on Saturday, May 11, 2013, @ 8:30 A.M., subject to the safety requirements of the Northbridge Police Department.

Annual Town Election Warrant [May 21, 2013]. A motion was made and seconded to sign the Annual Town Election Warrant [May 21, 2013]. Vote yes/Unanimous.

Melinda Demers d/b/a Grafton Taxi. A motion was made and seconded to grant a Taxi License to Melinda Demers d/b/a Grafton Taxi. Vote yes/Unanimous.

Fairlawn Christian Reformed Church [Gil Kitchen, Ministry Team Coordinator]/Request to use the town-owned "Tot Lot" from Sunday, June 23rd through Thursday, June 27th, from 6:00 P.M. to 9:00 P.M. to conduct a SuperKids program. A motion was made and seconded to grant permission to Fairlawn Christian Reformed Church [Gil Kitchen, Ministry Team Coordinator] to use the town-owned "Tot Lot" from Sunday, June 23rd through Thursday, June 27th, from 6:00 PM to 9:00 PM to conduct an outreach program contingent upon the "Tot Lot" being cleaned up. Vote yes/Unanimous.

Annual License Renewals [Junk Dealers, Pool Tables, Bowling & Billiards]/Vote to approve subject to the payment of all monies due the Town. A motion was made and seconded to approve the annual license renewals [Junk Dealers-Remember When Antiques, Blings & Things and Chatsworth Antiques, Bowling and Billiards — Sparetime Recreation, Inc.] subject to the payment of all outstanding liens. Vote yes/Unanimous.

Whitin Garden Club [Stuart DeJong]/Requests permission to use Elsa Mason Conservation Trust Fund monies to clean up the community gardens. A motion was made and seconded to grant the Whitin Garden Club permission to use the Elsa Mason Conservation Trust Fund monies to buy some equipment for the purpose of cleaning up of the community gardens. Vote yes/Unanimous.

Sutton Street Reconstruction Project. A motion was made and seconded to approve the order of

taking for the Sutton Street Reconstruction Project. Vote yes/Unanimous.

Trash Options. Present: Irene Congdon, Central Mass. Municipal Assistance Coordinator. Ms. Congdon provided a handout to the Board of Selectmen on trash and how to enhance recycling in town. She explained that the state actually has a waste ban law that prohibits throwing away easily recyclable items such as paper, glass, metal and plastic containers, leaves and yard waste, and appliances, but many residents aren't even aware of the law, let alone abide by it. She mentioned that 26 percent of the state's trash is paper, which is quote the waste. She said one ton of paper recycled could save 17 trees, enough kilowatt energy to power the average home for six months, 7,000 gallons of water, 664 quarts of oil, and 3 cubic yards of landfill space. Other recyclable items tossed in the trash, organics, which could be composted, while textiles, such as stained clothing or used sneakers, make up another 5 percent. She mentioned that people are still throwing out a tremendous amount of things which can be recycled or reused. There's a lot of material being disposed of in the trash that still has life to it. Currently, Northbridge residents choose from a host of private trash hauling companies for their waste collection, disposal and recycling. The average cost to households is between \$300 and \$400 a year, and the town collectively spends more than \$1.7 million a year on these services. Ms. Congdon mentioned that the Town of Northbridge is one of the only local municipalities that offers residents a place to easily get rid of hard to manage recyclables like electronics and metal. That being said, she offered some other options that could further encourage better recycling practices in town as well as cost saving for citizens. The town could contract with a single hauler and have residents pay a flat rate, find a location for a transfer station, or select a preferred hauler that might offer residents a low rate. Ms. Congdon also told the Select Board about various grants the town could apply for through DEP to help with these efforts. A smallscale grant could help the town by funding something as small as flyers to educate the public about recycling, to event and compost bins. The town could also get an "assistance" grant that would allow it to get free help from the DEP in finding the best approaches for making Northbridge a bit greener in this sense. The Selectmen seemed interested in the idea of securing grants and of exploring the options, particularly the idea of a preferred hauler. Selectman Athanas said it might be a good idea to work with the DEP to come up with a draft bid for a preferred hauler "with no strings attached" so that if they weren't pleased, they could scrap the plan. Selectman Marzec noted by saying that the town has at least six different trash haulers that are picking up almost every day and it might be time the town start limiting the number of trash haulers in town. He then stated that if we can get a better value and encourage recycling in the process, it's a win-win. Town Manager Kozak advised that he would work with the Board of Health in processing the application before the deadline.

Charter Communications/Cable License Renewal. Present: Harry Berkowitz, Chairman of the Cable Advisory Committee. Mr. Berkowitz mentioned that he and his committee went through the contract line for line and made some minor administrative changes. He then announced that the committee chose a ten-year contract instead of a five-year contract because they are not sure what will happen with cable in the future but this way the town is locked in. Mr. Berkowitz mentioned the reason for not looking at another provider is because Charter owns the entire infrastructure and if another cable company comes in they would have to wire the entire town, which would be costly. Town Manager Kozak recommended the ten-year contract along with Town Counsel. A motion/Mr. Ampagoomian, seconded/Mr. Marzec to move the Cable License Renewal to decisions. Roll Call Vote: Mr. Athanas/Yes, Mr. Marzec/Yes, Mr. Nolan/Yes, Mr. Ampagoomian/Yes and Mr. Melia/Yes. A motion/Mr. Ampagoomian, seconded/Mr. Melia to renew the Cable Television License for a ten-year term. Vote yes/Unanimous.

Whitinsville Water Company/Water Quality. Present: Randy Swigor, Manager. Mr. Swigor announced that the Whitinsville Water Company is experiencing a great loss. Mr. Wayne Plant, their Operations Manager, lost his battle to cancer at age 55. Mr. Swigor also mentioned that Wayne's father worked for the water company for many years and Wayne was born and raised in Northbridge. Mr.

Swigor also announced that the Whitinsville Water Company has started their hydrant flushing and it runs about five weeks to flush both the Town of Northbridge and Whitinsville Water Company systems. He mentioned that a notice has been placed in the local newspapers, cable, town's website and the Whitinsville Water Company's website. He then stated that they will be using the Reverse 911 system and have placed signs in various areas of the town. Mr. Swigor mentioned that the Whitinsville Water Company has completed construction of the filter plant at the Whitin Well Field and noted that the DEP came out last Tuesday to conduct an inspection. As a result of the inspection, they need to have the O & M Manuals and a certification letter, from their consultant Tate and Howard, before they put the filter plan online. That being said, the filter plan should be online by tomorrow. Selectman Athanas asked how the water level is and Mr. Swigor responded that they are at 95% full. Selectman Marzec mentioned that there was a lack of communication with the Whitinsville Water Company and town when a water main break occurred on Carpenter Road and asked why the Reverse 911 wasn't used to notify residents. He also noted the water quality after the event. Mr. Swigor explained that there have been multiple water main breaks on the lower part of Carpenter Road and advised that there is now a short-term and long-term plan in place. This year, the short-term plan is to install an additional valve just south of Shannon, which will allow them to isolate this small section so everyone north of there like Samuel and Shannon Drive will still have water. The long-term plan is to do a Capital Improvement Study for a system-wide study for the entire town, not just Whitinsville Water. They will also provide the town with an assessment of their distribution system and the report. He then noted that in 2015 the Whitinsville Water Company plans to replace the entire water main in that area. Selectman Marzec asked if this could be coordinated with the town to hookup sewer. Town Manager Kozak mentioned they will look into this. Selectman Marzec mentioned that there has been a chlorine smell in their water and some days it's stronger than others. Mr. Swigor explained that the level of chlorine is miniscule and won't harm anyone. He then apologized for not notifying the residents of the water main break but going forward they will be using the Reverse 911 system to keep residents informed of a problem.

Town Manager's Report/1) History of Castle Hill Farm: Jack Crawford will do a presentation on the history of Castle Hill Farms on Monday, April 29, 2013, at 7 PM at the Whitinsville Christian School Library Media Center. 2) Memorial Day Announcement: The American Legion Veterans will be holding a ceremony for Memorial Day at the American Legion in Rockdale on May 27, 2013, at 11:00 AM. The Northbridge High School Band will be there as well as student/guest speakers. Selectman Marzec announced that the Northbridge Veterans' Council will be holding a parade on May 27, 2013, at 10:00 A.M, beginning at the Pine Grove Cemetery and ending at the Memorial Town Common. 3) Worcester Regional Transit Authority: Announced there will be a public hearing at the Town Hall on Thursday, April 25, 2013, at 7:00 P.M. to discuss the proposed bus routes in town. The public is encouraged to attend. 4) Central Mass. Regional Planning Commission/Manager's Meeting: Attended Central Mass. Regional Planning Commission Manager's Meeting and the topics discussed were: new GIS program, update on M.O.R.E program, Homeland Security grant and new on-line shared information program. 5) Homeland Security Award: The town received \$18,168.00 from Homeland Security to purchase supplies for our emergency management program. He announced that the committee is looking to purchase a trailer, generators, and supplies. 6) Town Manager's Evaluation: The Town Manager notified the Board of his annual evaluation and asked the Board members to review goals and objectives for the past fiscal year and prepare new goals for the next fiscal year. He asked the Board of Selectmen to provide their input to the Chairman so he can review, compile and announce it at their next Selectmen's meeting.

Selectmen's Concerns. Selectman Melia 1) Offered his condolences to all the victims at the Boston Marathon tragedy and then congratulated the Law Enforcement for doing a great job in handling the situation. Selectman Ampagoomian 1) Asked Town Manager Kozak to have James Shuris, DPW Director, fix the potholes and road deterioration in town. 2) Asked Town Manager Kozak if the Town was financially in a better state to be able to turn the street lights back on. Town Manager Kozak replied "no"

and then explained that the Safety Committee is responsible for determining what lights can be turned on or off in Town. 3) Asked the status of the Walk/Don't Walk sign near Corner Pizza and Grill and the light pole that was knocked down near Highland Farms. Town Manager Kozak will look into this and get back to him. 4) Asked if the Town Hall Annex fence has been taken down and Town Manager Kozak replied that the Historical Commission has suggested that it be taken down. He mentioned that it will be removed sometime this summer. 5) Mentioned that the light signals at Memorial Square need to be revisited. Selectman Marzec/Mentioned that the Trustees of Soldiers' Memorials Committee never voted on the renaming of the Douglas Road Bridge and Mr. Harry Berkowitz replied that the naming of all bridges falls under the State legislature's jurisdiction.

A motion/Mr. Ampagoomian, seconded/Mr. Marzec to adjourn the meeting. Vote yes/Unanimous.

Meeting Adjourned: 9:02 P.M.

Respectfully submitted,

James Athanas, Clerk

/dmg

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING - OPEN SESSION

April 22, 2013

I. APPROVAL OF MINUTES

None.

II. PUBLIC HEARING:

None.

III. APPOINTMENTS/By the Board of Selectmen:

None.

IV. CITIZENS' COMMENTS/INPUT

Alex Rogozenski, MRA Multisport, 123 Adams Circle #2, Northbridge, MA – Copy of route for the Boston Strong 2.62 mile Benefit Run.

V. DECISIONS

- A. Annual Town Election [May 21, 2013] Copy of warrant
- B. Melinda Demers d/b/a Grafton Taxi/Application for Livery License 1) Copy of Taxi License; 2) Copy of Taxi Operator's License; 3) Copy of Application; 4) Copy of registration; 5) Copy of license routing slips.
- C. Fairlawn Christian Reformed Church [Gil Kitchen, Ministry Team Coordinator]/Request to use the town-owned "Tot Lot" from Sunday, June 23rd through Thursday, June 27th, from 6:00 P.M. to 9:00 P.M. to conduct a SuperKids program 1) Copy of letter requesting to use the "Tot Lot"; 2) Copy of DPW Response; 3) Copy of Chief of Police response.
- **D.** Annual License Renewals [Junk Dealers, Pool Tables, Bowling & Billiards] -1) Copy of memo to Kim Yargeau asking if the licensee's owe any monies to the Town; 2) Copy of licenses.
- E. Whitin Garden Club [Stuart DeJong]/Requests permission to use Elsa Mason Conservation Trust Fund monies to clean up the community gardens 1) Copy of Stuart DeJong's letter to the Chair of the Conservation Commission; 2) Copy of memo from Barbara Kinney; 3) Copy of letter from Neil Vaidya, Town Accountant.
- F. Sutton Street Reconstruction Project- Copy of Order of Taking

VI. DISCUSSIONS

- **G.** Trash Options/Present: Irene Congdon, Central Mass. Municipal Assistance Coordinator 1) Copy of presentation;
- H. Whitinsville Water Company/Water Quality Present: Randy Swigor, Manager
- I. Charter Communications /Cable License Renewal Present: Harry Berkowitz, Chairman of the Cable Advisory Committee

VII. TOWN MANAGER'S REPORT

- J. 1) History of Castle Hill Farm Copy of presentation.
- 2) Memorial Day Announcement Copy of email from American Legion.
- 3) Worcester Regional Transit Authority Announcement
- 4) Central Mass. Regional Planning Commission/Manager's Meeting
- 5) Homeland Security Award

- 6) Town Manager's Evaluation -1) Copy of performance evaluation. 2) Copy of FY '13 Goals and Objectives
- VIII. SELECTMEN'S CONCERNS No documentation
- IX. ITEMS FOR FUTURE AGENDA- No documentation
- X. CORRESPONDENCE- No documentation
- XI. EXECUTIVE SESSION-None

BOARD OF SELECTMEN'S MEETING SPRING ANNUAL TOWN MEETING

May 7, 2013

A meeting of the Board of Selectmen was called to order by Chairman Nolan at 6:50 PM, Northbridge Middle School Auditorium, 171 Linwood Avenue, Whitinsville, MA. **Present:** Messrs. Melia and Athanas. **Also Present:** Theodore D. Kozak, Town Manager and Sharon Susienka, Exec. Asst. to the Town Manager.

Town Meeting Business. There being no business before the Board, a motion/Mr. Athanas seconded/Mr. Melia, to adjourn the Selectmen's Meeting at the conclusion of the Spring Annual Town Meeting this evening. Vote yes/Unanimous.

Meeting Adjourned: 9:15 P.M.

Respectfully submitted,

James Athanas, Clerk

s/

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING - OPEN SESSION

May 7, 2013

APPROVAL OF MINUTES/None

PUBLIC HEARING/None

APPOINTMENTS/RESIGNATIONS/None

CITIZENS' COMMENTS/INPUT/None

DECISIONS

Town Meeting Business/No documentation

DISCUSSIONS/None

TOWN MANAGER'S REPORT/None

SELECTMEN'S CONCERNS/None

ITEMS FOR FUTURE AGENDA/None

CORRESPONDENCE/None

EXECUTIVE SESSION/None

4/20/13 & C: ZBA-1300S

TALENT BANK APPLICATION

please return to:

a Assoc. Men. posit a yr. terms

BOARD OF SELECTMEN Northbridge Town Hall 7 Main Street Whitinsville, MA 01588

yes per Town 4/10/13
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Pursuant to Town bylaw §4-209 (Eligibility for service), you must be a registered voter in order to serve.

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NAME: RANDY KIBBS PRECINCT#

Town of Northbridge

COMMITTEE INTEREST

ADDRESS: 130 SPEAGUEST

Indicate Committee preference

Telephone Home: 334-870) Office: 889-635/

1. BOARD OF OPPONES / ZOMNE

3

4. Short term projects

Present Interest or business affiliation (dates, places) EXCOOD REACTY (Prosident)

5. Interest in serving where needed

Date App't

COMMITTEE

Term Expired

Experience-volunteer, social service, business (dates, places)

CATHOLIC CHARITIOS - ASSUMPTION SCHOOL

Special skills and education (be specific)

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How experience relates to particular committee interest

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Please check the Annual Town Report for a complete listing of Committees and Committee reports, their appointive authorities, and terms of office.

ADDITIONAL COMMENTS:

Mail completed card to:

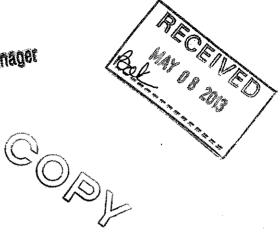
Northbridge Town Hall Office of the Town Manager 7 Main Street Whitinsville, MA 01588

RECEIVED

MAY 09 2013'

Northbridge Town Manager

May 8, 2013



Dear Conservation Commission:

Due to other commitments, I can no longer perform my duties and I regret that I must resign.

It has been a pleasure working with all of you and I am sure that I will have times of regret. If there is ever anything I can do to help any of you in the future, please let me know.

Il Peckhim

I wish you all the best,

Cheryl Peckham

COMMONWEALTH OF MASSACHUSETTS WILLIAM FRANCIS GALVIN SECRETARY OF THE COMMONWEALTH

TOWN OF NORTHBRIDGE WARRANT FOR THE SPECIAL STATE ELECTION TUESDAY, JUNE 25, 2013

WORCESTER, SS:

To any of the Constables of the TOWN OF NORTHBRIDGE

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said **NORTHBRIDGE** who are qualified to vote in the Special State Election to vote at:

Northbridge High School, 427 Linwood Avenue For Precincts 1, 2, 3, and 4.

on TUESDAY, THE TWENTY-FIFTH OF JUNE, 2013, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the Special State Election for the candidates for the following office:

SENATOR IN CONGRESS FOR THE COMMONWEALTH

And you are directed to serve this warrant by posting attested copies thereof at the following places seven (7) days at least before the time and place of election aforesaid:

- Whitinsville Post Office
- Brian's Restaurant
- Office of Polyfoam Corp.
- · Northbridge Post Office
- Gary's Variety and Spirits
- Town Clerk's Office
- 1Quikstop
- VFW Hall (875 Hill Street)
- Town Hall Annex

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 20TH day of MAY, 2013.

SELECTMEN OF NORTHBRIDGE

Danie	l J. Nolan, Chairman
Thomas J. Melia	James R. Marzec
Charles Ampagoomian, Jr.	James J. Athanas
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 warrant by posting attested copies thereof as within directed.

Constable, Town of Northbridge Date

May 20th agenda

Donna Gosselin

From:

Peter Bedigian [pbedigian@omnicontroltech.com]

Sent:

Friday, April 26, 2013 4:36 PM dgosselin@northbridgemass.org

To: Cc:

Joanne Khoury

Subject:

Church Picnic Banner

Good afternoon Donna:

OK- 8/Hin through 8/18th Just wanted to advise that this year's Armenian Picnic will be held on August 18th. We are looking to have our banner put up during the week of Aug. 4th and 11th if possible. If only one week is available, then the week of the 11th would be preferred.

Let me know.

Have a great weekend.

Pete Bedigian, CEO OMNI Control Technology, Inc. 1 Main St - PO BOX 444 Whitinsville, MA 01588

Ofc: 508.234.9121 ext. 15



1

Town of Northbridge uno conflict"



Gary A. Nestor Fire Chief

Fire Department

193 Main Street Whitinsville, MA 01588 (508) 234-8448

RECEWED

MAY 03 2013

Northbridge Town Manager

4-29-13

To the Board of Selectman, Town of Northbridge,

The members of the Northbridge Fire Dept. respectfully request permission to hang a banner over Church St for our annual Fourth of July Fireworks Event scheduled for Friday June 28th of this year. We would like to put the banner up on or around June 15th.

Respectfully yours,

Thomas Valdivia, Firefighter

Northbridge Fire Dept.

CC: W. Warchol / Police Chief + J. Shuris DPW Director

May 10, 2013

Northbridge Town Manager

OK - I per Ho. per policy.

Blackstone Valley Pop Warner Football and Cheerleading PO Box 813 Northbridge MA 01534

RE: Boot Drive

Date: June 15, 2013

Location: Memorial Square, Whitinsville MA

Dear Donna,

Blackstone Valley Pop Warner Football and Cheerleading would like to request approval for a "Boot Drive" located at Memorial Square, Whitinsville on June 15, 2013 from 9:00 AM - 12:00 PM. If inclement weather, we would like to hold the Drive on June 16, 2013 for the same time period.

We are a non-profit organization and our Tax ID# is 20-4715697. BVPW understands we must adhere to the guidelines of the Town of Northbridge and must contact the Northbridge Police Department for additional approval/guidelines.

Please let me know if you should need additional information. I can be reached at (508) 450-3860 or by e-mail doreen31002@yahoo.com.

I thank you in advance for your cooperation.

Doreen Malkasian

ROBUL HOLKASUR

BVPW Fundraising Coordinator

Donna Gosselin

From:

Walter Warchol [wwarchol@northbridgemass.org]

Sent: To: Monday, May 13, 2013 3:35 PM dgosselin@northbridgemass.org

Subject:

RE: Boot Drive

Donna:

They have conducted a boot drive previously and it should not be a problem as long as they comply with out boot drive policy.

Chief Warchol

From: Donna Gosselin [mailto:dgosselin@northbridgemass.org]

Sent: Monday, May 13, 2013 10:38 AM

To: wwarchol@northbridgemass.org; James Shuris

Subject: Boot Drive

Good morning – Please see the attached and provide me with your response by tomorrow, May 14, 2013. I have to place it on the May 20th agenda. Thank you.

Donna M. Gosselin Administrative Assistant Town of Northbridge 7 Main Street Whitinsville, MA 01588 P: 508-234-2095

F: 508-234-7640

dgosselin@northbridgemass.org

Donna Gosselin

From:

James Shuris [jshuris@northbridgemass.org]

Sent:

Monday, May 13, 2013 2:22 PM

To:

dgosselin@northbridgemass.org; wwarchol@northbridgemass.org

Subject:

RE: Boot Drive

Donna:

Sounds like a great event. Other than assuring that the public ways are kept clean and not disturbed/damaged – the Department of Public Works has no concerns.

3

Jim Shuris

From: Donna Gosselin [mailto:dgosselin@northbridgemass.org]

Sent: Monday, May 13, 2013 10:38 AM

To: wwarchol@northbridgemass.org; James Shuris

Subject: Boot Drive

Good morning – Please see the attached and provide me with your response by tomorrow, May 14, 2013. I have to place it on the May 20th agenda. Thank you.

Donna M. Gosselin Administrative Assistant Town of Northbridge 7 Main Street Whitinsville, MA 01588

P: 508-234-2095 F: 508-234-7640

dgosselin@northbridgemass.org





TOWN OF NORTHBRIDGE CONSERVATION COMMISSION

7 MAIN STREET
WHITINSVILLE, MASSACHUSETTS 01588
Telephone (508) 234-0817
Fax (508) 234-0814

MEMORANDUM

TO:

Board of Selectmen

FROM:

Barbara A. Kinney, Administrative Assistant

DATE:

May 1, 2013

RE:

Elsa Mason Maintenance

Please be advised at their meeting of April 24, 2013, the Conservation Commission reviewed the request for gravel (emails attached) at the Whitin Community Gardens for the parking area and voted unanimously to approve the expenditure of \$1,000.00 and to recommend to the Board of Selectmen that they approve it as well. This expenditure will be from the Elsa Mason account.

Also, attached is a letter from the Accounting Office explaining about what is expendable from the fund and who needs to approve the expenditures, etc.

Please let me know when this will be on the agenda so I can make sure Mr. DeJong is present and a representative of the Conservation Commission.

Barbara Kinney

From: Robert Van Meter [rvanmeter@northbridgemass.org]

Sent: Friday, April 12, 2013 10:41 AM

To: bkinney@northbridgemass.org

Cc: James Shuris

Subject: Garden area off Hill St

Hi Barbara,

CO DO I will be between \$1000.00 and \$1500.00 to create a parking lot up at the public gardening area. It's hard to pin down, the area they chose is all unsuitable soils for that purpose, and we might have to add some extra stone to keep things from getting too muddy.

Let me know how they want to proceed, we can get the work done pretty quickly once they say to move forward.

Rob

Robert Van Meter DPW Highway Superintendent Town of Northbridge MA 11 Fletcher St, P O Box 88 Whitinsville, MA 01588 508-234-3581 rvanmeter@northbridgemass.org "Moving Forward"

Barbara Kinney

From: Barbara Kinney [bkinney@northbridgemass.org]

Sent: Wednesday, March 20, 2013 3:57 PM

To: Shuris James (jshuris@northbridgemass.org); VanMeter Robert (rvanmeter@northbridgemass.org)

Subject: Whitin Gardens (Elsa Mason) & Gravel

Hi:

I have received a request from the Whitin Garden Community located on the town owned Elsa Mason property to have some gravel placed in their additional parking area. I told him I was not sure if we have any gravel, etc. but would pass along the request to you. Let me know if you have any questions.

Barbara Kinney Planning / Conservation Administrative Assistant



TOWN OF NORTHBRIDGE TOWN ACCOUNTANT NORTHBRIDGE TOWN HALL 7 MAIN STREET WHITINSVILLE, MA 01588 PH (508) 234-2263

FAX (508) 234-9605

April 10, 2013

Mrs. Barbara Kinney Conservation Administrative Assistant 7 Main Street Whitinsville, MA 01588

Re: - Elsa Mason Trust Fund

Dear Barbara:

This letter is a follow-up to your inquiry last week regarding the Elsa Mason Account and what can be spent as it relates to previous rules set in place that have since been rescinded.

The Trust, as it stands right now, can expend the interest that is earned on a yearly basis for any expenditure that is for maintenance of the conservation land that is off of Chestnut street as per Clause 1 of Elsa Whitin Mason's will. Provided, however, that before any expenditures can be incurred, both the Conservation Commission and the Board of Selectmen must authorize the funds be released for use.

For future reference, the account that holds the funds for the Trust is combined into one bank account. The Accounting Dept then segregates the funds into expendable(interest) and non-expendable(principal) to arrive at how much can be spent on a fiscal basis. This is allowable as the original By-law that was voted on in 1982 which stipulated that interest be added to the principal balance at the end of the Fiscal Year had been rescinded.

If you have any questions about this letter or the rules pertaining to the Trust, please do not hesitate to contact my office. Thanks for your attention to this matter.

Sincerely

cc:

Neil A. Vaidya

Town Accountant

Sharon Susienka, Executive Assistant to the Town Manager

Kim Yargeau, Treasurer/Collector

File

LICENSE AGREEMENT

This LICENSE AGREEMENT (hereinafter "License") is made as of the 10th day of June, 2013 by and between the TOWN OF NORTHBRIDGE, acting by and through its Board of Selectmen (hereinafter referred to as the "LICENSOR"), with an address of 7 Main Street, Whitinsville, Massachusetts 01588, and BLACKSTONE VALLEY REGIONAL RECYCLING CENTER, acting by and through the Board of Selectmen of the Town of Blackstone (hereinafter referred to as the "LICENSEE"), with an address of 15 St. Paul Street, Blackstone, Massachusetts 01504.

The LICENSOR is the owner of record of a certain parcel of land located in the Town of Northbridge known as 193 Main Street, shown on Northbridge Assessors' Map 2 as parcel 44 and described in a deed recorded at Book 6252, Page 31 in the Worcester District Registry of Deeds (hereinafter "Premises").

The LICENSOR hereby grants to the LICENSEE a right of entry and license to use that portion of the Premises shown on the sketch plan attached hereto as Exhibit A, being the area located to the rear of the Northbridge Fire Station, subject to the following terms and conditions:

1. USE, PURPOSE, TERM

Entry and use are limited to the area shown on Exhibit A (the "License Area"), a copy of which is on file with the Town Clerk of Northbridge.

Entry and use are specifically granted to the LICENSEE, its contractors, agents, representatives, employees, invitees, and licensees for the purpose of maintaining and operating a regional solid waste recycling collection center in connection with LICENSEE'S operation of a regional solid waste recycling program in accordance with the provisions of G.L. c. 40, §8H and any other enabling authority. This license is entered into pursuant to that certain intermunicipal agreement between the Town of Northbridge and the Town of Blackstone, dated <u>June</u>, 2008, for the operation of a regional recycling program, a copy of which is on file with the Town Clerk of Northbridge.

The term of this License ("Term") shall commence on July 1, 2013 and shall continue until June 30, 2014.

2. CONDITION OF PREMISES

The LICENSEE shall take the License Area "as is," in the condition in which it is at the start of the Term. The LICENSOR shall have no obligation to prepare or construct facilities on the License Area for the LICENSEE'S use thereof.

3. CONSIDERATION

The consideration for this License shall be a fee of one dollar (\$1.00), payable on the first day of July throughout the Term.

4. INSURANCE

The LICENSEE shall maintain public liability insurance, including coverage for bodily injury, wrongful death and property damage, including fire and extended coverage, in an amount acceptable to the LICENSOR, during the Term and any extension thereof.

5. MAINTENANCE OF LICENSE AREA

The LICENSOR shall provide snow removal and such other general maintenance for the License Area as it deems necessary for the operation of LICENSEE'S collection center. The LICENSOR shall not be under any obligation to provide a specific form or level of maintenance service.

6. ALTERATIONS

The LICENSEE shall not make any alterations to the License Area without the written consent of the LICENSOR, which shall not be unreasonably withheld.

7. LICENSEE'S CONDUCT, NON-INTEFERENCE

In the exercise of the rights hereby granted, the LICENSEE shall at all times conduct itself so as not to unreasonably interfere with the operations of the LICENSOR, and shall observe and obey all applicable laws and regulations, including the bylaws and regulations of LICENSOR. The LICENSEE acknowledges that the License Area is located adjacent to a municipal fire station. The LICENSEE shall not place within the License Area any container, storage bin or equipment so as to impede access to or egress from the fire station. The LICENSEE shall not handle or process any material or substance in such a manner as to create a risk of fire or explosion in or adjacent to the License Area or the fire station.

8. DAMAGE OR THEFT OF PERSONAL PROPERTY

LICENSEE agrees that all personal property brought onto the License Area shall be at the risk of LICENSEE only, and that the LICENSOR shall not be liable for the loss thereof or any damage thereto.

9. TERMINATION AND REVOCATION

Upon the termination of the License, the LICENSEE shall cease all use and occupancy of the License Area, and shall remove therefrom all its equipment, supplies and material. The LICENSEE shall restore the License Area as near as possible to its original condition at the commencement of the License Term, normal wear and tear, loss by fire or other casualty not

caused by LICENSEE, LICENSEE'S employees, agents, contractors or invitees, and condemnation excepted.

This License shall be revocable by the LICENSOR upon written notice of revocation given no later than the April 1 prior to the next succeeding July 1 anniversary date of the Term. Upon such notice, the License shall expire as of the next succeeding June 30. The LICENSOR shall also have the right to revoke this License, upon thirty (30) days written notice, a) for LICENSEE'S violation of any of the terms and conditions hereof, or b) in the event that the said intermunicipal agreement is terminated.

In the event that this License is revoked, the LICENSEE shall, at its own expense, remove all of its equipment, supplies and material from the License Area and restore the License Area as near as possible to its original condition at the commencement of the License Term.

10. MODIFICATIONS and AMENDMENTS

Any modifications or amendments to this License shall be in writing and duly executed by both parties hereto in order to be effective.

11. NOTICE

For purposes of this License, the parties shall be deemed duly notified in accordance with the terms and provisions hereof if written notices are mailed to the following addresses:

Licensor:

Board of Selectmen

Town Hall
7 Main Street

Whitinsville, MA 01588

Licensee:

Board of Selectmen Municipal Center 15 St. Paul Street Blackstone, MA 01504

These addresses are subject to change, and the parties hereto agree to inform each other of such changes as soon as practicable.

12. NO ESTATE CREATED

This License shall not be construed as creating or vesting in the LICENSEE any estate in the License Area, but only the limited right of possession and use as hereinabove stated.

13. FORCE MAJEURE

Each party shall be excused from performing an obligation or undertaking provided for in this License, other than the obligation of the LICENSEE to pay the consideration due hereunder, so long as such performance or undertaking is prevented or delayed by a strike, lockout, labor dispute, civil commotion, act of God, or other cause beyond such party's reasonable control.

14. EXHIBITS and ATTACHMENTS

Any and all exhibits and attachments referenced herein or attached hereto are duly incorporated within this License.

IN WITNESS WHEREOF, the parties hereto have caused this License Agreement to be executed as a sealed instrument and signed in duplicate by their duly authorized representatives, on the date first indicated above.

TOWN OF NORTHBRIDGE By its Board of Selectmen	BLACKSTONE VALLEY REGION RECYCLING CENTER By Town of Blackstone Board of Selectmen	

LEASE

This LEASE (hereinafter "Lease") is executed this <u>10th</u> day of <u>June</u> 2013 by and between the TOWN OF NORTHBRIDGE, acting by and through its Board of Selectmen (hereinafter referred to as the "TOWN"), and THE ROCKDALE VILLAGE FOUNDATION, a Massachusetts unincorporated association with an address of 198 Church Avenue, Northbridge, Massachusetts 01588 ("LESSOR").

The LESSOR is the owner of record of a certain parcel of land located in the Town of Northbridge, on Church Avenue, known as the Legion Ball Grounds, shown on Northbridge Assessors' Map 22A as parcel 152, described in a deed recorded in the Worcester District Registry of Deeds in Book 3315, Page 401, and also shown on a copy of a portion of said Map 22A and an annotated Google Maps aerial photograph attached hereto together as Exhibit A (hereinafter "Premises").

The LESSOR hereby leases the Premises to the TOWN, subject to the following terms and conditions:

USE, PURPOSE, TERM

I.

This Lease is intended to replace that certain "Legion Ball Grounds Lease" between LESSOR and the TOWN dated April 25, 1994.

The lease area is limited to the Premises, as shown on said Assessors' Map 22A.

Use of the Premises is specifically authorized by the TOWN, its contractors, agents, representatives, employees, invitees, and licensees, for the purpose of conducting all manner of athletic and recreational activities, specifically including but not limited to baseball and softball, and Pop Warner football, by and through the Playgrounds and Recreation Commission, or otherwise.

Such use by the TOWN, its contractors, agents, representatives, employees, invitees, and licensees may be exercised from the date of the execution of this Lease and shall continue until and through June 30, 2014.

II. CONSIDERATION

As consideration for the Lease rights granted hereunder, the TOWN shall maintain the Premises as a park, playground and meeting place for the residents of Northbridge and participants in the athletic and recreational programs and activities conducted by the TOWN. The TOWN shall use reasonable efforts to maintain the Premises in sufficiently good condition that they may properly be used for the playing of baseball and softball and for other athletic and recreational activities.

INSURANCE

III.

The TOWN shall maintain public liability insurance, including coverage for bodily injury, wrongful death and property damage, in an amount acceptable to the LESSOR and in an amount sufficient to support the obligations of the TOWN under the terms of this Lease.

IV. CONDUCT

During the term of this Lease, the TOWN shall at all times conduct itself so as not to unreasonably interfere with the operations of the LESSOR, and observe and obey applicable laws and regulations. The TOWN shall obtain the written authorization of the LESSOR prior to the erection of any structure or fixed equipment on the Premises. Any such structure or fixed equipment so erected by the TOWN shall remain the property of the TOWN, and the TOWN shall have the right to remove such structures or equipment upon the termination of this Lease, provided the Premises are restored, as near as possible, to a condition equal to their condition prior to the erection of such structures or equipment.

The TOWN shall not make or suffer any waste of the Premises.

V. TERMINATION

This Lease may be terminated by either party for failure of the other party to comply with its obligations hereunder (a "breach") upon written notice of termination at least ninety (90) days prior to the termination date stated within said notice and failure of the party receiving notice to commence and diligently prosecute a cure of the breach within that period. If the party receiving notice cures said breach within that period, the termination notice shall not be effective and the Lease shall continue in effect. If the breach is such that it may not reasonably be cured within 90 days, the party receiving notice shall have an additional 90 days to effect a cure, provided that it continues to act reasonably and diligently to do so.

Upon termination of the Lease, the TOWN shall quit and deliver up the Premises to the LESSOR peaceably and quietly and in as good order and condition as at the start of the Term, or as put into by the TOWN during the Term, reasonable use and wear thereof, fire and other unavoidable casualties excepted.

VI. MODIFICATIONS and AMENDMENTS

Modifications or amendments to this Lease shall be in writing and duly executed by both parties hereto in order to be effective. The TOWN shall not assign this Lease without the written approval of the LESSOR.

VII. NOTICE

For purposes of this Lease, the parties shall be deemed duly notified in accordance with the terms and provisions hereof, if written notices are mailed to the following addresses:

Town:	Board of S Town Hal 7 Main St Whitinsvi	1
Licensor:	198 Churc	dale Village Foundation ch Avenue lge, MA 01534
These addresses are changes as soon as j		and the parties hereto agree to inform each other of such
VIII.	EXHIBIT	TS and ATTACHMENTS
Any and all incorporated within		chments referenced herein or attached hereto are duly
	nd signed in duplica	parties hereto have caused this Lease to be executed as a ate by their duly authorized representatives, on the date
TOWN OF NORTH by its Board of Sele		THE ROCKDALE VILLAGE FOUNDATION by its Trustees
	· · · · · · · · · · · · · · · · · · ·	Charles Lachapelle

441407 v.5/NBRI/0001

Harry Berkowitz

John D. Lavallee



A)= OLIVER ASHTON POST 343 (LEGION)

B)= ROCKDALE VILLAGE FOUNDATION

This LEASE (hereinafter "Lease") is executed this 10th day of June 2013 by and between the TOWN OF NORTHBRIDGE, acting by and through its Board of Selectmen (hereinafter referred to as the "TOWN"), and OLIVER ASHTON POST #343, INC., a Massachusetts non-profit corporation and a post of the American Legion, with an address of 198 Church Avenue, Northbridge, Massachusetts 01534 ("LESSOR").

Pursuant to an Indenture between the LESSOR and the Trustees of the Rockdale Village Foundation dated August 21, 1956 and recorded with the Worcester District Registry of Deeds in Book 3800, Page 51, the LESSOR is the owner of record of a certain parcel of land located in the Town of Northbridge, on Church Avenue, described in said Indenture and shown on Northbridge Assessors' Map 22A as parcel 151, and including a lodge building and a parking lot.

The LESSOR hereby leases to the TOWN all of said land, including the parking lot, except that portion containing the lodge building, said land being shown on a copy of a portion of said Map 22A and an annotated Google Maps aerial photograph attached hereto together as Exhibit A, (the leased area being hereafter referred to as the "Premises"), together with such rights of access and passage to, in, over and through said Premises as are necessary or reasonable in connection with the use described herein and the TOWN's related use of that certain parcel of land known as the Legion Ball Grounds, adjacent to the Premises and indicated on Exhibit A, subject to the following terms and conditions:

USE, PURPOSE, TERM

Í.

Use of the Premises is specifically authorized by the TOWN, its contractors, agents, representatives, employees, invitees, and licensees, for the purpose of parking of vehicles, preparation and loading and unloading of equipment, viewing space for spectators, similar activities ancillary to the TOWN's use of the said Legion Ball Grounds for athletic and recreational activities, specifically including but not limited to baseball and softball, and Pop Warner football, and the conduct of such athletic and recreational activities on that portion of the Premises which is included within the layout of the fields on the Legion Ball Grounds and parking lot, by and through the Playgrounds and Recreation Commission, or otherwise.

Such use by the TOWN, its contractors, agents, representatives, employees, invitees, and licensees may be exercised from the date of the execution of this Lease and shall continue until and through June 30, 2014.

II. CONSIDERATION

As consideration for the Lease rights granted hereunder, the TOWN shall use reasonable efforts to maintain the Premises in good repair, including periodic cleaning of fields so as to protect against accumulation of trash or other debris.

In addition, the Town shall provide reasonable maintenance and repairs of the parking lot area.

INSURANCE

III.

V.

The TOWN shall maintain public liability insurance, including coverage for bodily injury, wrongful death and property damage, in an amount acceptable to the LESSOR and in an amount sufficient to support the obligations of the TOWN under the terms of this Lease.

IV. CONDUCT

During the term of this Lease, the TOWN shall at all times conduct itself so as not to unreasonably interfere with the operations of the LESSOR, and observe and obey applicable laws and regulations. The TOWN shall obtain the written authorization of the LESSOR prior to the erection of any structure or fixed equipment on the Premises. Any such structure or fixed equipment so erected by the TOWN shall remain the property of the TOWN, and the TOWN shall have the right to remove such structures or equipment upon the termination of this Lease, provided the Premises are restored, as near as possible, to a condition equal to their condition prior to the erection of such structures or equipment.

The TOWN shall not make or suffer any waste of the Premises.

TERMINATION

This Lease may be terminated by either party for failure of the other party to comply with its obligations hereunder (a "breach") upon written notice of termination at least ninety (90) days prior to the termination date stated within said notice and failure of the party receiving notice to commence and diligently prosecute a cure of the breach within that period. If the party receiving notice cures said breach within that period, the termination notice shall not be effective and the Lease shall continue in effect. If the breach is such that it may not reasonably be cured within 90 days, the party receiving notice shall have an additional 90 days to effect a cure, provided that it continues to act reasonably and diligently to do so.

Upon termination of the Lease, the TOWN shall quit and deliver up the Premises to the LESSOR peaceably and quietly and in as good order and condition as at the start of the Term, or as put into by the TOWN during the Term, reasonable use and wear thereof, fire and other unavoidable casualties excepted.

VI. MODIFICATIONS and AMENDMENTS

Modifications or amendments to this Lease shall be in writing and duly executed by both parties hereto in order to be effective. The TOWN shall not assign this Lease without the written approval of the LESSOR.

VII. NOTICE

	zith
For purposes of this Lease, the parties shall be deemed duly notified in accordance w	/1113
of purposes in the second partial and the following addresses:	
the terms and provisions hereof, if written notices are mailed to the following addresses:	

Town:

Board of Selectmen

Town Hall 7 Main Street

Whitinsville, MA 01588

Lessor:

Oliver Ashton Post #343, Inc.

198 Church Avenue

Northbridge, Massachusetts 01534

These addresses are subject to change, and the parties hereto agree to inform each other of such changes as soon as practicable.

VIII. EXHIBITS and ATTACHMENTS

Any and all exhibits and attachments referenced herein or attached hereto are duly incorporated within this Lease.

IN WITNESS WHEREOF, the parties hereto have caused this Lease to be executed as a sealed instrument and signed in duplicate by their duly authorized representatives, on the date first indicated above.

TOWN OF NORTHBRIDGE its Board of Selectmen	OLIVER ASHTON POST #343, INC. by its President and Treasurer	
	printed name:	
	printed name:	

446587 v. 5/NBRI/0001



A) = OLIVER ASHTON POST 343 (LEGION)

B) = ROCKDALE VILLAGE FOUNDATION

MEMORANDUM

DATE: April 9, 2013

TO: Doreen Cedrone, Town Clerk

FROM: Sharon L. Susienka, Executive Asst. to the Town Manager

CC: Theodore D. Kozak, Town Manager

SUBJECT: Ballot Questions - Town Election, May 21, 2013

In compliance with MGL Chapter 59, §21C (i), the Northbridge Board of Selectmen is hereby notifying you in writing that at their regularly scheduled meeting of April 8, 2013, they voted to place the following **Capital Outlay Expenditure Exclusion Question** on the ballot for the Town Election scheduled for May 21, 2013:

QUESTION 1:

Shall the Town of Northbridge be allowed to assess an additional \$623,034 in real estate and personal property taxes for the purposes of financing the purchases of a bucket truck and accessories and equipment for use by the Fire Department; a Medium Duty Dump Truck with Swap Body, Plow and Accessories and a Back Hoe (JD 410 or equal) and Accessories for use by the Department of Public Works Highway Division; and the installation of safety and security items for the Northbridge Elementary School, W. E. Balmer School, Northbridge Middle School, and Northbridge High School, including door hardware, key card security locks, security cameras, and security window film, for the fiscal year beginning July 1, 2013?

YES	NO	



Northbridge Housing Authority

12 Colonial Drive
Whitinsville, MA 01588
Tel 508-234-7736 • Fax 508-234-4996

May 2, 2013

Mr. Daniel Nolan, Chair Northbridge Board of Selectmen 7 Main Street Whitinsville, MA 01588

Dear Mr. Nolan,

On January 10, 2013, Governor Deval Patrick filed House bill 44 (H44) "Act to Regionalize Housing Authorities." The bill proposes to consolidate 240 local housing authorities into six regional authorities. Each of the regional entities would have full operational and financial control over the entire state and federal public housing portfolio. Local control would shift from current Executive Directors and Board of Commissioners of local authorities to regional Boards appointed by the Governor who would select a single Executive Director to manage the regional portfolio. This proposal would have major negative impact on our residents and the ability to locally respond to their needs.

The Northbridge Housing Authority (NBHA) requests support for a reform proposal that would result in greater cost efficiency and improved services for public housing residents while preserving the longstanding tradition of local decision making. The reform legislation, introduced by the Massachusetts Chapter of the National Association of Housing and Redevelopment Officials (MassNahro), would streamline the delivery of housing services to low-income families and senior citizens through a targeted regional approach based on shared collaborative functions among local housing authorities.

At the same time, the proposal would retain governance of the housing authorities by local communities and their Boards of Commissioners. NBHA believes this would be far preferable to legislation filed by Governor Patrick that would eliminate local control over public housing and shift the responsibility to six (6) regional authorities governed by the state. The NBHA is concerned that the Governor's proposal would negatively affect its residents by reducing the ability to locally respond to their needs. It would also have a negative community economic impact resulting from the loss of local jobs, while incurring high costs for the startup and ongoing operation of the new structure.

The needs of our residents would be better served by keeping these responsibilities in the hands of local people instead of turning them over to a regional bureaucracy. Every community has unique needs and locally appointed or elected board members who know the needs of their community best govern local housing authorities.

At the same time, the NBHA recognized the need for reforms to improve the efficiency and effectiveness of local housing authority management and operations while also maintaining local control. The legislation filed by MassNahro (House bill HD2025 and HD3238) and (Senate Bill SD1592) supported by the NBHA would accomplish this goal in the following areas:

- Larger Housing Authorities would serve as collaborative management and services agencies (CMSAs) for smaller housing authorities in their respective regions. The larger authorities would provide technical assistance, services in facilitating the turnover of vacant units, purchasing of goods, services and capital improvements.
- All housing authorities with state public housing units would be required to participate
 in a standardized and centralized application process enabling applicants for public
 housing to fill out application forms just once. A centralized waiting list would be
 administered by MassNahro, which already performs this service for 90 housing
 authorities receiving federal Section 8 funds.
- Incentives would be provided for two or more local housing authorities to administer their programs together as a consortium. While the separate boards would remain, these authorities would be able to reduce administrative burdens by functioning as a single entity for reporting, funding and oversight.
- All housing authorities would be required to conduct independent financial and compliance audits while also requiring DHCD to have the capability to receive financial information through a central automated financial data system.
- A performance based monitoring system would be created to allow for the early identification of troubled housing authorities and to trigger corrective actions at these agencies. Also, an accreditation system would require evaluations of local housing authority performance by independent housing professionals based on local conditions.

The reforms proposed by MassNahro would increase public trust in our authorities by improving the quality and cost effectiveness of services to our residents while requiring full transparency and accountability in our operations. Most importantly, our local housing authorities would continue to be owned and operated locally, supported by the community and responsive to the needs of the local residents for whom we were established to serve.

We are enclosing information from MassNahro that explains the Housing Authority position. If the Board of Selectmen could sign on to this letter in support of the Northbridge Housing

Authority, it will then be sent to Representat	tive George N. Peterson a	and Senator Richard T.
Moore and Senator Michael O. Moore.		
		_
Dan Nolan		
	•	<u></u>
Thomas Melia		
James Marzec		
James Athanas	-	
Charles Ampagoomian		
the second second		
	tion in an Angelmanian of FOO	224 7726 or omail of
Please feel free to contact the Northbridge In nbhousing@verizon.net if you should have any		-254-7750 or email at
Histousing@verizori.het ir you should have any	questions.	

John Shannahan Chair



Local Housing Agency Reform Fact Sheet

Background

By Executive Order in January 2012, Governor Deval Patrick created the Commission for Public Housing Sustainability and Reform. The goal was to develop recommendations for the sustainability and reform of state-aided public housing. Major policy recommendations included:

- > Seek funding to expand resident service and training programs and support resident organizations MassNAHRO supports
- > Strive to increase operating and capital resources MassNAHRO supports
- > Convene working group to recommend changes to state public housing laws and regulations Mass-NAHRO supports
- Mandatory training for Board members, increased transparency about staff and operating information and annual independent financial audits MassNAHRO supports
- > Creation of single unified housing property management system that would be centrally based Mass-NAHRO opposes implementation structure

On January 10, 2013, the Governor filed legislation entitled "An Act to Regionalize Housing Authorities". Rather than create a single centrally based housing management system, the bill would consolidate all of the state's 240 housing authorities into six regional housing authorities (RHAs) with full operational and financial control over the entire state and federal public housing portfolio, estimated to be approximately 84,000 units. Local control would shift from current Executive Directors and Boards of Commissioners of local housing authorities (LHAs) to regional Boards appointed by the Governor who would in turn select a single Executive Director to manage the regional portfolio.

MassNAHRO Position

MassNAHRO and our members agree with most of the general recommendations of the Commission, but disagree with the implementation of a regional housing authority system as proposed in the Governor's legislation. Major negative impacts of this structure include:

- Impact on residents and ability to locally respond to their needs with control transferred from local agencies to six regional bureaucracies
- · Impact on local employment through net loss of jobs and resulting community economic impacts
- High costs for start-up and ongoing operations of this structure
- Confrary to asset management best practices with accountability at property level

MassNAHRO Proposal and Legislation

MassNAHRO recognizes the need for reform and fully supports measures designed to improve the efficiency and effectiveness of LHA management and operations, while also maintaining local control. We have filed our own legislation entitled "An Act to Further Enhance Efficiency and Accountability of Operations at Local Housing Authorities". Our recommendations include:

11 Beacon Street Suite 722 Boston, MA 02108-3002 Phone: (617) 367-0008 Fax: (617) 720-2529 www.massnahro.org



The Commission vs. The Governor's Bill (Excerpted from February 2013 Newsletter)

The Commission was appointed by the Governor to provide him with recommendations on the reform of the state's public housing program. His bill, however, mentioned by Lizbeth, is not an "expansion" of those recommendations, but embodies major differences such as "consolidation of governance." That was clearly NOT recommended by the Commission. The members of the Commission felt strongly that locally elected or appointed LHA Boards should remain in place totally. 1200 locally elected and appointed public officials are charged by their communities with direct oversight, policy setting and asset management of their local authority. Those 1200 also advocate for subsidy and modernization funds. Please be clear: Local input and advice is NOT local control.

- The Commission said nothing about the state confiscating all local housing authority properties, land, equipment and assets. It is the Governor, not the Commission, who wants to seize \$14 billion in locally owned assets and bestow them upon 6 entities controlled by him.
- I am pleased to say that MassNAHRO supported all the recommendations of the Commission (see fact sheet) except recommendation 1, due to the lack of pertinent details. An Advisory Committee and later a Working Group were to work out those details. Our delegates believed our regional service agency concept, as approved previously by DHCD, was still under consideration. When regionalization was dismissed in favor of one central management entity, MassNAHRO drafted our proposal including a mandatory LHA collaboration.
- In another departure from the Commission, the Governor now proposes 6 regional entities, rather than the Commission's one-"Commonwealth Housing Management" entity.
- The Governor claims his bill "increases accountability and transparency." However, the accountability he
 speaks of is to him not local communities. Local housing authority board members accused of malfeasance
 can be removed by vote of the LOCAL selectmen or city council. Try and remove a Governor's
 appointment for poor job performance. What about the next Governor's appointments?
- Local housing authorities are already transparent as they must comply with open meeting, public record, public bid, designer selection and conflict of interest laws.
- The Governor's bill includes all federally-aided public housing units, even though HUD assisted units were
 exempted by the Commission. Section 8 is not addressed. Who gets the 57,000 federal vouchers under
 contract now to 133 local LHA?
- Ch. 121B of the General Laws requires that the dissolution of a local housing authority must be voted by the Town Meeting or the City Council. Section 44 of the Governor's bill dissolves 242 local authorities without any local consent. Local officials will lose control over their properties, buildings, programs, operating budgets, rents modernization and staffing. Local site staff will not be employees of a local public authority. Current LHA staff with on-site expertise will "have the opportunity to transition to positions" with the six new entities. What recourse do communities have if the six entities are non-performing? Let not put all eggs in six untested baskets.
- Housing authorities are operated by professionals with many years of experience. To say the bill will
 professionalize public housing management is an insult to every LHA employee and board member.
- A strong local-regional partnership does not mean eliminating the local authorities who currently "generate
 in-kind generosity and local financial support" for their local residents. 242 communities voted to establish
 a local housing authority. 242 communities know what is best. The \$5 million in the Governor's fiscal
 2014 budget for this radical step away from local control would be better spent on resident services or
 MRVP to directly benefit the most deserving of the Commonwealth's citizens.



Public Housing Legislative Priorities

House 1094/Senate 612 - An Act to Further Enhance Efficiency and Accountability of Operations at Local Housing Authorities: This MassNAHRO reform legislation is sponsored by 17 Senators and 62 Representatives. (Fact sheet in packets) Lead Sponsors: Senator Pacheco and Representatives Binienda, Rosa and Collins

House 1127 - An Act Financing the Production and Preservation of Housing for Low and Moderate Income Residents: This \$1.4 billion Housing Bond Authorization includes \$500 million for capital improvements at state aided public housing sites. Lead Sponsors: Senator Eldridge and Representative Honan

Senate 592 and House 1146 - An Act Relative to Public Housing Innovation Program: For a competitive demonstration using 10 housing authorities selected by DHCD based upon their action plans to streamline regulatory and statutory requirements and lessening reliance on subsidy. Includes rent reform and incentives for resident education and employment while incorporating entrepreneurial, innovative management strategies and reforms. Lead Sponsors: Senator Chandler and Representative Sanchez

Fiscal 2014 (7/1/13) Budget Items:

Operating Subsidy of \$71 million: The need for additional subsidy is well documented. The Governor's request of \$64.4 million level funds subsidy line item 7004-9005 basically for the fifth year in a row. Subsidy supplements public housing rents capped by law for seniors and families at 30% and 32% of net income respectively. Income eligibility is capped at 80% of median with many incomes under 30% of area median. Rents average \$327 a month. Subsidy provides only 25% of housing authority revenues. Utilities cost \$30 million more than subsidy. The average subsidy per apartment for the 33,000 units that require supplemental revenue is \$161 a month. Housing Authority spending is capped based on the appropriation in the budget, not on real operating costs. The spending caps are \$359 a month for family units and \$197 a month for elderly units. Two-thirds of units are elderly. Four studies proved subsidies should be \$50 million more a year. \$71 million would increase spending caps by 4% and allow more apartments to be reoccupied within acceptable time frames.

Supportive Senior Housing and Mixed Population Service Coordinators: MassNAHRO requests \$5 million for the expansion of supportive housing in line item 9110-1604 and \$1 million for the mixed population service coordinator program line item #7004-4314. Both programs greatly enhance the quality of life and maintain independent living for low income seniors.

Bill/Budget Items Opposed:

House 44: This legislation would abolish all 242 municipal housing authorities and remove the 1200 locally elected or appointed board members who govern them. All their locally owned assets (\$14B in properties, 57,000 vouchers) would be then confiscated and transferred to six mega-entities, each governed by a 9 member board, all appointed by the Governor.

Budget Line Item 7004-9319 - \$5 million for the cost of establishing 6 regional entities that will assume ownership and operating responsibility for all existing local housing authorities.

MassNAHRO Public Housing Reform Sponsors

Lead Sponsors:

Senator Marc Pacheco

Representative John Binienda Representative Nick Collins Representative Dennis Rosa

Senate Co-Sponsors:

Senator William Brownsberger Senator Gale D. Candaras Senator Harriette Chandler Senator Eileen M. Donoghue Senator Barry R. Finegold Senator Thomas P. Kennedy Senator Michael Knapik Senator Thomas M. McGee Senator Michael Moore Senator Richard Moore Senator Kathleen O'Connor Ives Senator Richard Ross Senator Michael Rush Senator Bruce E. Tair Senator James Timilty Senator James T. Welch

House Co-Sponsors:

Representative James Arciero Representative Cory Atkins Representative Bruce J. Ayers Representative F. Jay Barrows Representative Michael D. Brady Representative Paul Brodeur Representative Christine E. Canavan Representative Gailanne M. Cariddi Representative Tackey Chan Representative Thomas P. Conroy Representative Mark J. Cusack Representative Josh S. Cutler Representative Angelo L. D'Emilia Representative Viriato Manuel deMacedo . . . Representative Marcos A. Devers Representative Geoff Diehl Representative Stephen L. DiNatale

Representative James J. Dwyer Representative Carolyn C. Dykema Representative Christopher G. Fallon Representative Ryan C. Fattman Representative Kimberly N. Ferguson Representative Ann-Margaret Ferrante Representative Michael J. Finn Representative John P. Fresolo Representative William C. Galvin Representative Sean Garballey Representative Susan Williams Gifford Répresentative Anne M. Gobi Representative Patricia A. Haddad Representative Steven S. Howitt Representative Donald F. Humason, Jr. Representative Bradley H. Jones, Jr. Representative Louis L. Kafka Representative Mary S. Keefe Representative Peter V. Kocot Representative Kevin J. Kuros Representative John J. Mahoney Representative Christopher M. Markey Representative Paul McMurtry Representative James R. Miceli Representative Kevin J. Murphy Representative Harold P. Naughton, Jr. Representative Shaunna O'Connell Representative James J. O'Day Representative Keiko M. Orrall Representative George N. Peterson, Jr. Representative Elizabeth A. Poirier Representative Angelo J. Puppolo, Jr. Representative John H. Rogers Representative Jeffrey N. Roy Representative Tom Sannicandro Representative Paul A. Schmid, III . Representative John W. Scibak - Representative William Smitty Pignatelli Representative William M. Straus Representative Aaron Vega Representative Chris Walsh Representative Jonathan D. Zlotnik

TOWN MANAGER'S REPORT - May 20, 2013

- 1) <u>Sen. Michael Moore & Sen. Richard Moore</u>: Announced that Senators Michael Moore & Richard Moore will be attending the next Board of Selectmen's Meeting on June 10, 2013, to discuss the state budget.
- 2) <u>Dental Plan Proposal</u>: Currently working with the Health Insurance Advisor and the Insurance Advisory Committee on an employee voluntary dental plan. After reviewing several companies we have agreed on the Altus Dental Plan and meetings with employees will begin shortly.
- 3) <u>Fire Department Spaghetti Supper</u>: Attended the annual Northbridge Fire Department spaghetti supper.
- 4) <u>Worcester Regional Transit Authority Bus Survey</u>: Reminded everyone that the bus survey can be found at the following locations: Library, Senior Center, Treasurer/Collector's Office, and the town's website. Please return the survey to any of the forementioned locations.
- 5) Memorial Day Activities: Announced that the Northbridge Veterans' Council will be conducting their Memorial Day Parade on Monday, May 27, 2013, at 10 A.M., beginning at Pine Grove Cemetery and ending at the Memorial Town Common. The American Legion Veterans will be holding a Memorial Day ceremony at the American Legion in Rockdale on May 27, 2013, at 11:30 AM. The Northbridge High School Band will be there as well as student/guest speakers.