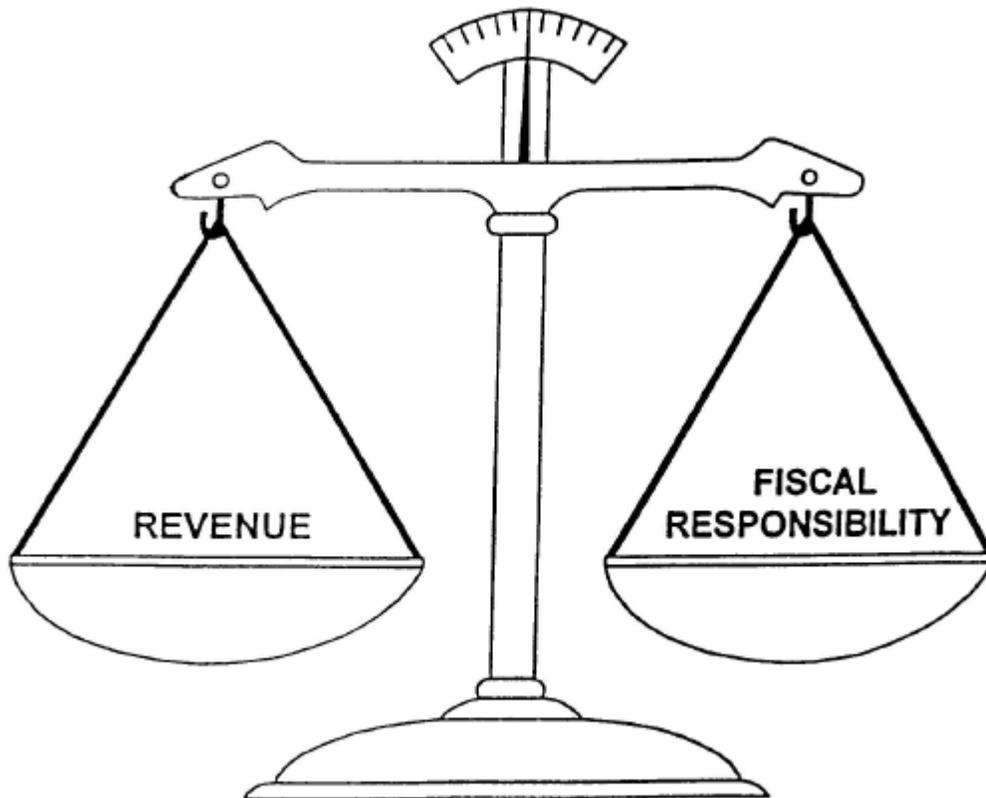


**REPORT AND RECOMMENDATIONS
OF THE
NORTHBRIDGE FINANCE COMMITTEE**



**Fall Annual Town Meeting
Tuesday, October 27, 2015
7:00 p.m.**

**Northbridge Middle School Auditorium
171 Linwood Avenue
Whitinsville, MA**

THINK

VOTERS CHECK LIST

To be considered on each vote:

1. IS IT NECESSARY? Or is it something that is not really needed or perhaps already being provided by a private or public group?
2. CAN WE AFFORD IT? Remember, there is no limit to what we would like, but there is a limit to what we can afford.
3. WHAT WILL IT COST ULTIMATELY? Many proposals are like icebergs - only a small fraction of the total is apparent on the surface.
4. HOW WILL IT AFFECT BASIC LIBERTIES? If it imposes unreasonable or illegal restraints on your life or that of others, it should be vigorously opposed.
5. IS IT IN THE BALANCED BEST INTEREST OF ALL? If it is designed to benefit a small group or special interests, while taking unfair advantage of others, work for its defeat.
6. IS IT A "FOOT-IN-DOOR" PROPOSITION? Compromising a little now may bring an oppressive burden later, either in more regulation or more taxes or a combination of both.
7. DOES IT PLACE TOO MUCH POWER IN THE HANDS OF ONE INDIVIDUAL OR GROUP? Once decisive power is granted to a non-elected public official, a commission or a municipal authority, the private citizens may lose effective control.
8. DOES IT RECOGNIZE THE IMPORTANCE OF THE INDIVIDUAL AND THE MINORITY? This is a cornerstone of our Republic.
9. IS ITS APPEAL BASED ON EMOTIONAL PROPAGANDA OR FACTS? The farther a proposition gets away from facts, the more critical one should be.
10. DOES IT SQUARE WITH YOUR MORAL CONVICTIONS? If so, fight for it. If not, oppose it.

From Finance Committee Handbook

October 2015

Dear Voters:

Enclosed is the warrant for the Fall Session of the Annual Town Meeting along with a short summary prepared by the Town Manager, and recommendations of the Finance Committee for each article.

The warrant addresses several financial and non-financial issues. Voters are being asked to consider budget appropriations and transfers, the funding of future employee benefits and the purchase of a new minibus for the senior center. There are planning board articles asking for the acceptance of a donation of 50 acres off Highland Street and a new street off Thurston Avenue. Also, there are proposals for a new DPW building and the restriction of certain activities of registered sex offenders, however these articles are expected to be passed over at the meeting for various reasons.

Please review the information in this booklet, make note of any questions you might have and bring the booklet with you to Town Meeting.

Respectfully submitted,

Plato Adams, Chairman
James Barron
Robert Brochu
Lisa Ferguson
Steven Gogolinski
Christopher Thompson

TOWN OF NORTHBRIDGE

**WARRANT FOR
FALL ANNUAL TOWN MEETING**

TUESDAY, OCTOBER 27, 2015 - 7:00 P.M.

ARTICLE 1: (Board of Selectmen)

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 unexpended appropriated funds of one or more 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'S SUMMARY: This article seeks authorization to pay a bill or bills of a prior year. If there are no bills of a prior year, this article will be passed over at town meeting.

FINANCE COMMITTEE'S RECOMMENDATION: The finance committee supports *passing over* this article because there are no prior year bills to be paid. Vote: The Finance Committee voted unanimously to pass over Article 1.

VOTER'S COMMENTS AND/OR QUESTIONS:

ARTICLE 2: (Board of Selectmen)

To see if the Town will vote to amend the votes taken under Article 3 of the 2015 Spring Session of the Annual Town Meeting (May 5, 2015), appropriations and transfers under the Omnibus Budget Article, to raise and appropriate, and/or to transfer a sum or sums of money from the undesignated fund balance (free cash) and/or the Health Insurance Stabilization Fund to supplement appropriations under the Omnibus Budget Article; or take any other action relative thereto.

TOWN MANAGER'S SUMMARY: The purpose of this article is to amend the FY 2016 Budget approved at the Spring Session of the Annual Town Meeting (May 5, 2015).

BUDGET ADJUSTMENTS:

**GENERAL GOVERNMENT:
CONSERVATION**

Line 9A: Conservation Personnel
By **raising and appropriating** the additional sum of \$15,000
Total General Government: \$15,000

**PUBLIC SAFETY:
FIRE DEPARTMENT**

Line 15A: Fire Dept. Personnel
By **transferring from Line 26A [Veterans Personnel]**
the additional sum of \$42,000
Total Public Safety: \$42,000

EDUCATION:

Line 20: School District

By **raising and appropriating** the additional sum of \$113,000
Total Education: \$113,000

BUILDING, PLANNING AND CONSTRUCTION COMMITTEE:

Line 21F: Building, Planning, & Construction Committee Expenses

By **raising and appropriating** the additional sum of \$30,000
Total Building, Plan & Construction Comm: \$30,000

CULTURE & RECREATION:

MEMORIALS

Line 30A: Soldiers Memorials

By **raising and appropriating** the additional sum of \$10,000
Total Culture & Recreation: \$10,000

Total Article 2: \$210,000

FINANCE COMMITTEE’S RECOMMENDATION: The Finance Committee *recommends passage* of this article. These budget adjustments will allow for a shared conservation agent, the hiring of one new fire position, additional Chapter 70 funds for the school district, architectural and engineering support for the BPCC and a new memorial and some restoration work for other memorials. Vote: The Finance Committee voted unanimously to support Article 2.

VOTER’S COMMENTS AND/OR QUESTIONS:

ARTICLE 3: (Board of Selectmen)

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 unexpended appropriated funds of one or more of the departments of the Town, a sum of money to the Stabilization Fund; or take any other action relative thereto.

TOWN MANAGER’S SUMMARY: This article seeks to raise and appropriate \$100,000 to place into the Stabilization Fund. The fund acts as a cushion in the event the Town experiences a drop in revenue or can be used for emergency situations that arise unexpectedly that were not budgeted for in a given year. At the close of Fiscal 2015, the balance in the Stabilization Fund was \$1,718,407.17.

FINANCE COMMITTEE’S RECOMMENDATION: The Finance Committee *recommends passage* of this article. These funds will allow for additional funds to be placed in the stabilization fund to be used to support any future needs of the community. Vote: The Finance Committee voted unanimously to support Article 3.

VOTER’S COMMENTS AND/OR QUESTIONS:

ARTICLE 4: (Board of Selectmen)

To see if the Town will vote to appropriate and transfer a sum of money from the Town Building Maintenance Fund, established pursuant to Chapter 438 of the Acts of 2012, for maintenance of Town-owned buildings and facilities in Fiscal Year 2016; or take any other action relative thereto.

TOWN MANAGER’S SUMMARY: This article seeks to transfer the sum of \$39,213 from the Town Building Maintenance Fund for the repair/maintenance of town-owned buildings and facilities in FY 2016.

FINANCE COMMITTEE’S RECOMMENDATION: The Finance Committee *recommends passage* of this article. These funds are derived from the payment in lieu of taxes on the existing solar farm. These funds are used to support maintenance of town buildings. Vote: The Finance Committee voted unanimously to support Article 4.

VOTER’S COMMENTS AND/OR QUESTIONS:

ARTICLE 5: (Board of Selectmen)

To see if the Town will vote to transfer a sum of money from Fund 8210, Health Insurance Trust Fund, to the Other Post Employment Benefits (OPEB) Trust Fund, for the purpose of initial funding of such benefits as they become due in the future; or take any other action relative thereto.

TOWN MANAGER’S SUMMARY: This article seeks to transfer the sum of \$187,000.79 from the Health Insurance Trust Fund to the Other Post Employment Benefits Trust Fund for the initial funding of such benefits as they become due in the future. Other Post Employment Benefits (OPEB) refer to benefits, other than pensions that government employees earn while actively working, but don’t receive until they retire. Typically included are insurance coverage for health, dental, vision, prescription drugs, etc. for retirees, their spouses and in some cases for their beneficiaries. Every two years, municipalities are required to complete an actuarial analysis to identify their total OPEB costs, which represents a future liability. This liability, most commonly referred to as the Unfunded OPEB cost, is currently \$69,576,470. Most often, cities and towns treat OPEB as an operating expense and as individual employees retire, cover the incremental cost in the annual budget. A few communities have chosen to set up and appropriate to reserve accounts in accordance with a plan to fully fund the liability over time.

Bond Rating agencies are actively looking at how Towns are addressing these liabilities. The lack of a plan will adversely affect our future bond ratings and ultimately drive up the interest rates we pay on our bonds. The passage of this article will address this future liability and start the Town on the right path of funding OPEB.

FINANCE COMMITTEE’S RECOMMENDATION: The Finance Committee *recommends passage* of this article. The transfer will allow the Town to begin to fund its future employee benefit costs. Vote: The Finance Committee voted unanimously to support Article 5.

VOTER’S COMMENTS AND/OR QUESTIONS:

ARTICLE 6: (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 for the Triennial Revaluation analysis of properties 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.

TOWN MANAGER'S SUMMARY: The purpose of this article is to transfer \$66,630 from Overlay Surplus to perform the Triennial Revaluation analysis of properties of the Town of Northbridge as required by Massachusetts General Laws Chapter 40, Section 56 and Chapter 58, Sections 1, 1A and 3. The Department of Revenue requires the local Board of Assessors to update all assessments within a community each year. Sales ratio analyses and statistical summaries through mass appraisal studies are conducted and submitted to the Department of Revenue for review and certification. The request is for independent appraisal firms, contracted by the Town to conduct these studies. The Board of Assessors conducts two interim year certifications between triennial revaluations. The prior triennial revaluation certification was completed in Fiscal Year 2014. The requested amount of \$66,630 consists of \$49,500 for Real Property and \$17,130 for Personal Property and will cover services for Fiscal Years 2017-2019.

FINANCE COMMITTEE'S RECOMMENDATION: The Finance Committee *recommends passage* of this article. These funds will be used to pay for cost related to the triennial revaluation analysis required by Massachusetts General Law. Vote: The Finance Committee voted unanimously to support Article 6.

VOTER'S COMMENTS AND/OR QUESTIONS:

ARTICLE 7: (Board of Selectmen)

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money for the purpose of purchasing a 2015 14-passenger Minibus for use by the Northbridge Senior Center of the Council on Aging; or take any other action relative thereto.

TOWN MANAGER'S SUMMARY: This article seeks to raise and appropriate the sum of \$50,000 to purchase a 2015 14-passenger minibus to be used by the Northbridge Senior Center.

FINANCE COMMITTEE'S RECOMMENDATION: The Finance Committee *recommends passage* of this article in the amount not to exceed \$50,000. These funds will be used to purchase a new Minibus for use by the Northbridge Senior Center. Vote: The Finance Committee voted unanimously to support Article 7.

VOTER'S COMMENTS AND/OR QUESTIONS:

ARTICLE 8: (Planning Board)

To see if the Town will vote to accept, as a donation, parcel(s) of land located off Highland Street, containing approximately 50.0 acres, being Assessors' Map parcels 15-86, 15-634, 15-635 and 15-636, said parcels also being shown on a plan entitled "Plan of Lots Highland Street Northbridge, Massachusetts" prepared by Heritage Design Group dated July 14, 2015, a copy of which is on file in the Office of the Town Clerk, and Assessors' Map parcel 15-83; and to authorize the Board of Selectmen and the Conservation Commission to take all actions and execute all documents necessary and appropriate for such acceptance and acquisition, including a conservation restriction regarding the use of such parcels; or take any other action relative thereto. NOTE: See Map on Page 15.

TOWN MANAGER'S SUMMARY: This article seeks town meeting approval to accept a land donation of approximately 50 acres off Highland Street.

FINANCE COMMITTEE'S RECOMMENDATION: The Finance Committee *recommends passage* of this article. This is a donation of approximately 50 acres off Highland Street. Vote: The Finance Committee voted unanimously to support Article 8.

VOTER'S COMMENTS AND/OR QUESTIONS:

ARTICLE 9: (Planning Board)

To see if the Town will vote to accept as a public way, Deane Way [Hillside Garden Estates] as heretofore laid out by the Board of Selectmen, a copy of which layout is on file with the Office of the Town Clerk, and further authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by purchase, eminent domain, gift or otherwise, easements in said way for the purpose for which public ways are used in the Town; or take any other action relative thereto.

TOWN MANAGER'S SUMMARY: This article seeks town meeting approval to accept Deane Way [Hillside Garden Estates] as a public way. The Planning Board will be making a recommendation for Town Meeting.

FINANCE COMMITTEE'S RECOMMENDATION: The Finance Committee *recommends passage* of this article. This is an acceptance of the public way. Vote: The Finance Committee voted unanimously to support Article 9.

VOTER'S COMMENTS AND/OR QUESTIONS:

ARTICLE 10: (Building, Planning and 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 unexpended appropriated funds of one or more of the departments of the Town a sum of money for the purpose of financing the design and construction of a DPW Building at 11 Fletcher Street, including renovation of the current administration building and garage, permitting, site improvements and soil remediation, said sum to be expended under the direction of the Building, Planning and Construction Committee, and that to meet this appropriation the Treasurer/Collector, with the approval of the Board of Selectmen, be authorized to borrow said sum under M.G.L. Chapter 44, section 7(3) and 3(A), as amended, or any other enabling authority, and to issue bonds or notes of the Town therefor; and to authorize the Building, Planning and Construction Committee to take any action necessary to carry out this construction and renovation project provided, however, that no debt shall be incurred hereunder unless and until the Town first votes to exempt from the provisions of M.G.L. Chapter 59, Section 21C (Proposition 2½, so-called), the amounts required to pay the principal and interest of said debt; or take any other action relative thereto.

TOWN MANAGER'S SUMMARY: This article seeks funding for financing the design and construction of a DPW building at 11 Fletcher Street, including the renovation of the current administration building and garage, permitting, site improvements and soil remediation. This article is also subject to a Proposition 2½ vote.

FINANCE COMMITTEE'S RECOMMENDATION: The finance committee supports *passing over* this article. Vote: The Finance Committee voted unanimously to pass over Article 10.

VOTER'S COMMENTS AND/OR QUESTIONS:

ARTICLE 11: (Petition)

To see if the Town will vote to amend its general bylaws by addition of the following: **6-119. Whitinsville Social Library.** The building located at 17 Church Street in the village of Whitinsville shown on Assessor’s map 15A parcel 135 shall be known only as the “Whitinsville Social Library”; or take any other action relative thereto.

TOWN MANAGER’S SUMMARY: This petition article seeks to amend the Town’s general bylaws by adding Section 6-119: Whitinsville Social Library, which stipulates that the building located at 17 Church Street in the village of Whitinsville shall be known only as the “Whitinsville Social Library”.

FINANCE COMMITTEE’S RECOMMENDATION: The Finance Committee *recommends passage* of this article. This article seeks to establish a town by-law naming the current library the “Whitinsville Social Library”. Vote: The Finance Committee voted unanimously to support Article 11.

VOTER’S COMMENTS AND/OR QUESTIONS:

ARTICLE 12: (Petition)

To see if the Town will vote to amend its general bylaws by addition of the following:

9-901. Sex Offender Residency

FINDINGS AND INTENT

A. It is the intent of this by-law to serve and to protect the Town’s compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the Town by creating areas around locations where children, or the elderly regularly congregate in concentrated numbers wherein certain registered sex offenders are prohibited from loitering and establishing temporary or permanent residence.

B. After careful consideration, the Town finds that this by-law is the most narrowly tailored means of limiting, to the fullest extent possible, the opportunity for registered sex offenders to approach or otherwise come in contact with children, or the elderly in places where children, or the elderly would naturally congregate, and that the protection of the health and safety of our children, and elderly is a compelling governmental interest.

C. By the enactment of this or any other by-law, the Town understands that it cannot remove the threat posed to or guarantee the safety of children, or the elderly, or assure the public that registered sex offenders will comply with the mandates of this statute. This by-law is intended to create a civil, non-punitive regulatory scheme in order to protect children, and the elderly to the extent possible under the circumstances and not as a punitive measure of any kind.

D. Registered sex offenders pose a clear threat to the children, and the elderly residing or visiting in the community. Because registered sex offenders are more likely than any other type of offender to reoffend for another sexual offense, the Town desires to impose safety precautions in furtherance of the goal of protecting the children and elderly. The purpose of this by-law is to reduce the potential risk of harm to children and the elderly the community by impacting the ability for registered sex offenders to be in contact with unsuspecting children and the elderly in locations that are primarily designed for use by or are primarily used by children and the elderly, the grounds of a public or private school for children, a center or facility that provides day care or children’s services, a park, other public recreational facility, elderly housing facilities or the Senior Citizens Center. The Town desires to add location restrictions to such offenders to the extent state law is silent.

DEFINITIONS

The following words, terms and phrases, when used in this by-law, shall have the meanings ascribed to them in this by-law, except where the context clearly indicates a different meaning:

CHILD or CHILDREN: Person or persons under 18 years of age.

DAY-CARE CENTER: Any establishment, whether public, private or parochial, which provides care for children and is registered with and licensed pursuant to the laws of the Commonwealth of Massachusetts by the Department of Early Education and Care.

ELDER or ELDERLY: Person or persons over 60 years of age.

ELDERLY HOUSING FACILITY/SENIOR CITIZENS CENTER/OVER 55 COMMUNITY: Includes any building or buildings which provides a group residence for the elderly or a location where the elderly gather and/or reside and is located within the Town of Northbridge.

ESTABLISHING A RESIDENCE: To set up or bring into being a dwelling place or an abode where a person sleeps, which may include more than one location, and may be mobile or transitory, by means of purchasing real property or entering into a lease or rental agreement for real property (including a renewal or extension of a prior agreement whether through written execution or automatic renewal).

LOITERING: To remain for more than fifteen (15) minutes within a five hundred (500) foot distance of the location in question.

PARK: Includes active and passive public land designated for recreational or athletic use by the Town of Northbridge and located within the Town of Northbridge.

PERMANENT RESIDENCE: A place where a person lives, abides, lodges or resides for 14 or more consecutive days.

RECREATIONAL FACILITY: Includes, but is not limited to, a playground, a forest preserve, conservation area, jogging trail or running track, hiking trail, beach, wading pool, soccer field, baseball field, football field, or basketball court, whether publicly or privately owned, to which the public has a right of access as an invitee and which is located within the Town of Northbridge.

REGISTERED SEX OFFENDER: For the purposes of this by-law shall mean: a) any person who is designated as a sexually violent predator pursuant to Chapter 6, § 178K(2)(c), of the Massachusetts General Laws and who is required to register as a sex offender pursuant to the guidelines of the Sex Offender Registry Board; b) any person who is required to register as a sex offender pursuant to Chapter 6, § 178C of the Massachusetts General Laws and for so long as such person is finally classified as a Level 3 offender pursuant to the guidelines of the Sex Offender Registry Board; and c) any person who is required to register as a sex offender pursuant to Chapter 6, § 178C of the Massachusetts General Laws, for so long as such person is finally classified as a Level 2 offender pursuant to the guidelines of the Sex Offender Registry Board, and who has committed a sex offense against a child, an elder and/or a mentally retarded person.

Level 1 Sex Offenders: Where the Sex Offender Registry Board determines that the risk of re-offense by an offender is low and the degree of dangerousness posed to the public by that offender is not such that a public safety interest is served by public availability, the Sex Offender Registry Board shall give that offender a Level 1 designation. Information on Level 1 offenders will not be available to the public. Neither the police nor the Sex

Offender Registry Board has authority to disseminate information to the general public identifying a Level 1 offender. Information identifying Level 1 offenders may only be given to the Department of Correction, any county correctional facility, the Department of Youth Services, the Department of Social Services, the Parole Board, the Department of Probation and the Department of Mental Health, all city and town police departments and the Federal Bureau of Investigation for law enforcement purposes.

Level 2 Sex Offenders: Where the Sex Offender Registry Board determines that the risk of re-offense is moderate and the degree of dangerousness posed to the public is such that a public safety interest is served by public availability of registration information, it shall give a Level 2 designation to the sex offender. The public shall have access to the information regarding a Level 2 offender through the Local Police Department and through the Sex Offender Registry Board.

Level 3 Sex Offenders: Where the Sex Offender Registry Board determines that the risk of re-offense is high and the degree of dangerousness posed to the public is such that a substantial public safety interest is served by active dissemination, it shall give a level 3 designation to the sex offender. The public shall have access to the information regarding a Level 3 offender through the Local Police Departments and through the Sex Offender Registry Board.

SCHOOL: Any public or private educational facility that provides educational instruction to children in grades pre-K through 12.

SCHOOL BUS STOP: Any area designated by the public school district or by a private or parochial school within the Town of Northbridge as a school bus stop.

SEX OFFENDER and SEX OFFENSE: The same meanings as provided for in MGL c. 6, § 178C.

TEMPORARY RESIDENCE: A place where a person lives, abides, lodges or resides for a period of less than 14 consecutive days or 14 days in the aggregate during any calendar year, which is not the person's permanent address or place where the person routinely lives, abides, lodges or resides and which is not the person's permanent residence; but "temporary residence," shall not include residence at a hospital or other health care or medical facility for less than 14 consecutive days or 14 days in the aggregate during any calendar year.

RESIDENCY RESTRICTIONS

A. Prohibition. A registered sex offender is prohibited from establishing a permanent residence or temporary residence within 1,000 feet of any school, day-care center, park, recreational facility, elderly housing facility, over 55 Community or Senior Citizens Center; provided, however, that the prohibition contained in this by-law shall not apply to any level 3 offender, to the extent and in the manner such Level 3 offender is already governed by MGL c. 6, § 178K(2)(e).

B. Evidentiary matters; measurements. For purposes of determining the minimum distance separation under this section, the distance shall be measured by following a straight line from the outer property line of the permanent or temporary residence to the nearest outer property line of any school, day-care center, park, recreational facility, elderly housing facility, over 55 Community or Senior Citizens Center.

C. Exceptions. A registered sex offender residing within 1,000 feet of any school, day-care center, park, recreational facility, elderly housing facility, over 55 Community or Senior Citizens Center does not commit a violation of this by-law if any of the following apply:

(1) The registered sex offender established the permanent residence prior to the effective date of this by-law, and:

(a) Permanent residence was established by purchasing the real property where the residence is established, as long as the registered sex offender continues to reside in and does not move to another restricted location in Northbridge different from the permanent residence established prior to the effective date of this bylaw;

(b) Permanent residence was established through a valid, fixed-term, written lease or rental agreement, executed prior to the effective date of this by-law, as long as the registered sex offender continues to reside within and does not move to another restricted location in Northbridge different from the permanent residence established prior to the effective date of this by-law; or

(c) Permanent residence was established through a verbal lease or rental agreement at the will of the landlord, as long as the registered sex offender continues to reside within and does not move to another restricted location in Northbridge different from the permanent residence established prior to the effective date of this by-law.

(2) The registered sex offender is a minor living with his or her parent(s) or legal guardian(s), which parent(s) or legal guardian(s) has (have) established a permanent residence.

(3) The school, day-care center, park, recreational facility, elderly housing facility, over 55 Community or Senior Citizens Center within 1,000 feet of the registered sex offender's permanent residence was opened after the registered sex offender established the permanent residence.

D. Forfeiture of exception. If, either after the effective date of this by-law or after a new school, day-care center, park, recreational facility, elderly housing facility, over 55 Community or Senior Citizens Center opens, a complaint or an indictment is issued by a court against a registered sex offender otherwise enjoying an exception under Subsection C that such sex offender has committed another sex offense, he/she will immediately forfeit that exception and be required to comply with this by-law.

E. Notice to move. A registered sex offender who resides on a permanent or temporary basis within 1,000 feet of any new school, day-care center, park, recreational facility, elderly housing facility, over 55 Community or Senior Citizens Center shall be in violation of this by-law and shall, within 30 days of receipt of written notice of the registered sex offender's noncompliance with this by-law, move from said location to a new location, but said location may not be within 1,000 feet of any new school, day-care center, park, recreational facility, elderly housing facility, over 55 Community or Senior Citizens Center. It shall constitute a separate violation for each day beyond the 30 days the registered sex offender continues to reside within 1,000 feet of any new school, day-care center, park, recreational facility, elderly housing facility, over 55 Community or Senior Citizens Center. Furthermore, it shall be a separate violation each day that a registered sex offender shall move from one location in the Town to another that is within 1,000 feet of any new school, day-care center, park, recreational facility, elderly housing facility, over 55 Community or Senior Citizens Center.

F. Penalties. Any violation of this section shall be enforced by noncriminal disposition pursuant to MGL c. 40, § 21D, as follows:

(1) First offense by registered sex offender: noncriminal fine of \$150 and notification to offender that he/she has 30 days to move.

(2) Subsequent offense by registered sex offender: noncriminal fine of \$300 and notification to offender's parole officer and/or probation officer, and the commonwealth's Sex Offender Registry Board, that the sex offender has violated a municipal by-law.

SAFETY ZONES

A. Prohibitions.

(1) A registered sex offender is prohibited from entering upon the premises of a school or day-care center unless previously authorized specifically in writing by the school administration or day-care center owner.

(2) A registered sex offender is prohibited from entering upon the premises of an elderly housing facility, over 55 Community or Senior Citizens Center, unless previously authorized in writing by the on-site manager of the elderly housing facility, over 55 Community or Senior Citizens Center.

(3) A registered sex offender is prohibited from entering upon the premises of a park or any recreational facility.

(4) A registered sex offender, after having received notice from the Northbridge Police Department that he/she is loitering by having remained for more than fifteen (15) minutes within five hundred (500) feet of a school, a day care center, a park, any recreational facility, elderly housing facility, over 55 Community or Senior Citizen Center, is prohibited from continuing to so loiter. For purposes of determining the minimum distance separation under this section, the distance shall be measured by following a straight line from the registered sex offender to the outer property line of the school, a day-care center, a park, any recreational facility, elderly housing facility, over 55 Community or Senior Citizens Center.

(5) A registered sex offender, after having received notice from the Northbridge Police Department that he/she is loitering by having remained for more than fifteen (15) minutes within five hundred (500) feet of a school bus stop, is prohibited from continuing to so loiter; provided, however, that this prohibition shall not apply on days when the schools within the Town of Northbridge are not in session.

B. Exceptions.

(1) The prohibitions defined in this by-law shall not be construed or enforced so as to prohibit a registered sex offender from exercising his or her right to vote in any federal, state or municipal election, conducting town and/or police business or from attending any religious service.

(2) The prohibitions defined in this by-law do not apply to a registered sex offender's place of residence when such residence is accepted under this by-law.

C. Penalties.

(1) Any violation of this section may be enforced by noncriminal disposition pursuant to MGL c. 40, § 21D, resulting in a noncriminal fine of \$150 for a first violation and a noncriminal fine of \$300 for each additional violation of this section. A registered sex offender commits a separate offense for each and every violation of this section.

EXEMPTIONS

The provisions of this by-law shall not be applicable to registered sex offenders incarcerated in any facilities owned, maintained and/or operated by the Town Of Northbridge and/or the State of Massachusetts.

ENFORCEMENT

A. The Northbridge Police Department shall be charged with the enforcement of this by-law.

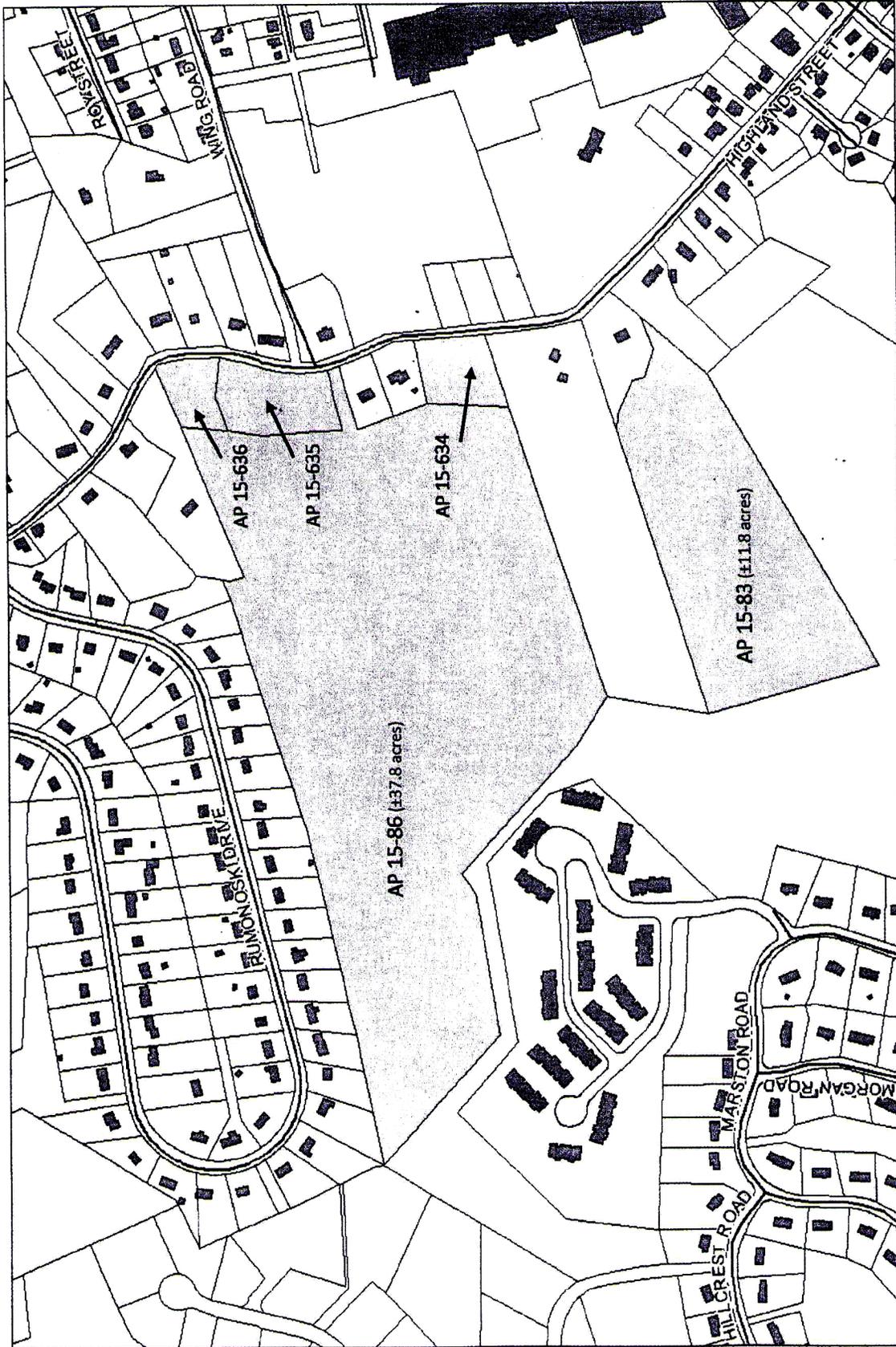
B. A written list describing the prohibited areas defined in this by-law inclusive of school bus stops, as well as a map depicting the residency restriction areas and a map depicting the safety zones exclusive of school bus stops, shall be created by the Town Planner and maintained by the Northbridge Police Department. As to school bus stops, the list and not the map depicting the safety zones shall govern. The Board of Selectmen shall review both the list and the maps no less than every October for changes, and upon said review shall vote to accept the list and the maps, including changes if any. The list, the maps and a copy of this by-law will be available to the public at the Northbridge Police Department and Northbridge Town Clerk's office, and on the Town of Northbridge's website;

Or take any other action relative thereto.

TOWN MANAGER'S SUMMARY: This petition article seeks to amend the Town's general bylaws by adding Section 9-901: Sex Offender Residency. According to the petitioner, it is the intent of this by-law to serve and to protect the Town's compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the Town by creating areas around locations where children, or the elderly regularly congregate in concentrated numbers wherein certain registered sex offenders are prohibited from loitering and establishing temporary or permanent residence.

FINANCE COMMITTEE'S RECOMMENDATION: The finance committee supports *passing over* this article. Vote: The Finance Committee voted unanimously to pass over Article 12.

VOTER'S COMMENTS AND/OR QUESTIONS:



Nbridge GIS – Parcel/Structure Data Layer(s)

SOME COMMON TOWN FINANCE TERMS

APPROPRIATION

An amount of money voted to be spent for specific purposes.

ARTICLES

Each of the numbered items of business in the Warrant is called an Article. Articles for a town meeting are submitted to the selectmen by boards, departments, and by citizens of Northbridge. All Articles must be voted upon; none can be withdrawn from the Warrant.

CHERRY SHEET

The cherry colored form received each year from the state listing the town's State Aid and county and state charge against the town.

FISCAL YEAR

July 1st through June 30th and normally designated by the year in which it ends.

FREE CASH – AVAILABLE FUNDS

Surplus revenue less all uncollected taxes from prior years. A source for funds at special town meetings, special projects, or lowering the tax rate. Actual amount is determined at the close of each fiscal year. Free Cash should be thought of as being the town's "Savings Account"

GENERAL FUND

The fund into which the general (not-earmarked) revenues of the town are deposited and from which money is appropriated to pay the general expenses of the municipality.

LOCAL RECEIPTS

Money collected by the town departments for Automobile Excise taxes, licenses issued by the clerk's office, Parks and Recreation activities, etc.

OVERLAY

The amount raised by the Assessors in excess of appropriations and other charges to cover abatements granted and avoiding fractions.

OVERLAY SURPLUS

The accumulated amount of the not used overlay for various years which may be used for extraordinary or unforeseen purposes or voted into the Reserve Fund.

OVERRIDE

A referendum question on the ballot in a general election which allows a town to assess taxes in excess of the allowable 2 ½ % yearly increased allowed by law. Override questions must specify the purpose of the override and require a majority vote for approval.

RESERVE FUND

A fund to provide for extraordinary or unforeseen expenditures. A sum may be appropriated at the Annual Town Meeting not to exceed 5% of the tax levy of the preceding year.

SPECIAL EDUCATION (SPED)

Special Education is a program that serves students who have disabilities that impair learning. The town is partially reimbursed through Chapter 70 based on availability of funds and through recently enacted circuit breaker legislation.

SURPLUS REVENUE

The amount by which cash, accounts receivable and other assets exceed liabilities and reserve (a bookkeeping item not be confused with Available Funds.) Actual amount is determined at the close of each fiscal year.

TAX LEVY

The revenue a community can raise through real estate and personal taxes. This is limited by Proposition 2 ½ but can be increased by an override.

TRANSFER

The authorization to use an appropriation for a different purpose or from the Reserve Fund for extraordinary or unforeseen expenditures.

WARRANT

The list of items, known as Articles, to be considered at the town meeting is called the Town Warrant. The only business that may be considered is that listed in the Town Warrant.

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Fall Annual Town Meeting

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