

**TOWN OF NORTHBRIDGE
BOARD OF SELECTMEN'S MEETING
NORTHBRIDGE TOWN HALL
7 MAIN STREET - WHITINSVILLE, MA 01588
January 28, 2013 AT 7:00 P.M.**

PLEDGE OF ALLEGIANCE

I. APPROVAL OF MINUTES

A. 1) November 26, 2012 2) December 17, 2012 3) January 7, 2013

II. PUBLIC HEARINGS

III. APPOINTMENTS/RESIGNATIONS:

IV. CITIZENS' COMMENTS/INPUT

V. DECISIONS

- B. Spring Annual Town Meeting [May 7, 2013]/Vote to close the warrant on Friday, March 8, 2013 at Noon
- C. Annual Town Election Warrant [May 21, 2013]/Vote to give notice to the Town Clerk to place vacancies from elected boards on the Town Election Warrant.
- D. Ashton Place LLC/Vote to approve Grant of Easements
- E. Operation Graduation [Fred & Maureen Beauregard]/Request approval to hold a Boot Drive at Memorial Square and Oviaan Square on Saturday, April 6, 2013 from 9:00 A.M. to 1:00 P.M. [Rain Date: Saturday, April 13, 2013, 9:00 A.M. – 1:00 P.M.].
- F. Northbridge Education Foundation [Robert Knapik]/ 1) Request permission to hold their 2nd annual 5K Road Race & Walk on Saturday, March 30, 2013 @ 9:00 A.M. 2) Request permission to hang a banner across Church Street from March 3, 2013 to March 17, 2013 to advertise their race.
- G. Medical Marijuana/Vote to sponsor moratorium
- H. 2013 Preservation Award [Mass. Historical Commission]/Vote to issue Letter of Support for the Nomination of Linwood Mill
- I. Worcester Regional Transit Authority/Vote to join the WRTA

VI. DISCUSSIONS

- J. Donation of Basketball Hoops [Tot Lot area]/Present: John Crawford
- K. Adhoc Committee/Update Open Space & Recreation Plan

VII. TOWN MANAGER'S REPORT

- L. 1) Marine Corps League/Certificate of Appreciation
- 2) Road & Bridges Update
- 3) Central Mass. Regional Planning Commission Manager's Meeting
- 4) Mass. Municipal Association Meeting

VIII. SELECTMEN'S CONCERNS

IX. ITEMS FOR FUTURE AGENDA

X. CORRESPONDENCE

XI. EXECUTIVE SESSION

**Board of Selectmen's Meeting
November 26, 2012**

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. Melia, Ampagoomian, Marzec and Athanas. **Also Present:** Theodore D. Kozak, Town Manager.

The Pledge of Allegiance was recited by those present.

Special Guest: Congressman James McGovern. Congressman McGovern announced that he's happy to be back as Congressman and looks forward to working with Northbridge again. Selectman Melia welcomed Congressman McGovern back and asked what could be expected from the Obama administration within the next six to twelve months. Congressman McGovern reported that President Obama has an ambitious agenda to pursue but he's not sure how much of it will be accomplished. That being said, he mentioned that his administration is committed to helping communities like Northbridge to continue receiving grants for the Police and Fire Department. He mentioned that he's hoping the President will focus on jobs, getting a more robust infrastructure bill passed because of the aging roads and bridges, and balancing the budget. Selectman Ampagoomian asked if he would be holding office hours and Congressman McGovern replied yes. Chairman Nolan welcomed Congressman McGovern asked how the Town can take advantage of grants and stimulus money. He mentioned that in order to receive funding for projects in town you have to be shovel-ready and Northbridge doesn't have the money to be shovel-ready. Congressman McGovern stated that's how the program was designed but will see what he can do because he feels that it's important and necessary for towns to receive stimulus money.

Appointments/By the Board of Selectmen. Christine Fung A Fat, Cultural Council. Ms. Fung A Fat has lived in Town for twelve years and is a stay at home mom. She attended a few cultural council meetings and enjoyed it. A motion/Mr. Melia, seconded/Mr. Ampagoomian to appoint Christine Fung A Fat to the Cultural Council. Vote yes/Unanimous. **Justin Arbuckle, Conservation Commission. Present: John Brown, Chairman—Conservation Commission.** Mr. Brown explained that after meeting and talking to Mr. Arbuckle, his experience and background will be a great asset to the Conservation Commission. Mr. Arbuckle announced that he has lived in town since 1978. He went to UMASS, then to North Carolina State and received his Masters in Architecture. A motion/Mr. Ampagoomian, seconded/Mr. Marzec to appoint Justin Arbuckle to the Conservation Commission. Vote yes/Unanimous. **William Dausey, Earth Removal Board [Conservation Comm. Rep.].** Selectman Ampagoomian recused himself from voting because he is the Chairman of the Earth Removal Board. A motion/Mr. Marzec, seconded/Mr. Melia to appoint William Dausey to the Earth Removal Board, Conservation Commission Representative. Vote yes/Messrs. Melia, Nolan, Marzec and Athanas. Abstain/Mr. Ampagoomian.

Citizens' Comments/Input. None.

Northbridge Girl Scouts Cadette Troop #11530/Present: Julie Cray, Maria Cray and Meagan Kelly. Request permission to use Memorial Park on Saturday, December 8, 2012 from 8 AM to 12 Noon for a mitten, scarf, glove, hat and sock drive. Julie Cray explained that one of the goals for the Girl Scouts this year is to do as much community service projects as possible. When Hurricane Sandy hit a few weeks ago the girls realized it would be a tough winter for some folks and decided to use the Evergreen Tree at Memorial Park to hang scarf's, mittens, gloves, hats and socks. Mrs. Cray stated that a rain/snow date would be the following Saturday, December 15, 2012. A motion/Mr. Athanas, seconded/Mr. Ampagoomian to grant permission to the Northbridge Girl Scouts Cadette Troop #11530 to use Memorial Park on Saturday, December 8, 2012 from 8AM to 12 Noon for a mitten, scarf, glove, hat and sock drive. Vote yes/Unanimous.

A motion/Mr. Marzec, seconded/Mr. Athanas to move the DPW Facility Update from Discussion to Decision. Roll Call Vote: Mr. Athanas/Yes, Mr. Marzec/Yes, Mr. Nolan/Yes, Mr. Ampagoomian/Yes and Mr. Melia/Yes.

DPW Facility Update/Present: James Shuris, DPW Director and BPCC Members, Patrick Moynihan and Tim Doiron. Mr. Shuris explained that the proposal is to purchase the former Old Colony Stationary at 371 Douglas Road for \$995,000. The estimate to refurbish the 29,200 square foot building for DPW use and make some repairs to the current DPW facility on Fletcher Street, is \$2.1 million. Another \$132,500 would be spent on work at the current DPW station, including door replacements, new siding and painting on the salt and sand shed and the demolition of some structures. A complete breakdown of the costs can be found on the town's website. Mr. Shuris mentioned that because of the location of the facility, he facilitated two neighborhood meetings, through the Building, Planning and Construction Committee, and then expanded the invitation to the entire sub-division so they could discuss their proposal to the entire neighborhood. Mr. Shuris then mentioned that the Town needs this facility badly. Mr. Doiron stated that the Building, Planning and Construction Committee supports the proposal as it stand right now at the Old Colony Building. Mr. Moynihan thanked Mr. Shuris for all his hard work and for providing his committee with feedback so that they can provide a plan and proposal that meets the needs of the town. Selectman Melia asked Mr. Shuris and/or Town Manager Kozak if they could provide a figure on what it would cost the average homeowner. Theodore Kozak announced that the debt exclusion will cost taxpayers with homes valued at \$265,000 an average of \$38.53 per year for the 20-year life of the loan. He also noted that if the project passes at the special town meeting, voters will be asked to approve a Proposition 2 ½ override for the cost to purchase and retrofit the Douglas Road property and to demolish or renovate the current DPW structures on Fletcher Street at a Special Election set for Monday, December 17, 2012.

Special Town Meeting [December 4, 2012]/Vote position on warrant articles. Present: Sal D'Amato, Chairman of the Finance Committee. Article 1 on the warrant asks voters to authorize the Board of Selectmen to acquire, by purchase, gift or eminent domain, an easement on property at 2-4 Fletcher St. for accessing and maintaining Douglas Road and the Douglas Road Bridge, which currently is being reconstructed. The Finance Committee voted unanimously to support Article 1. A motion/Mr. Ampagoomian, seconded/Mr. Marzec to support Article 1. Vote yes/Unanimous.

Article 2 on the two-article town meeting warrant – to acquire land/building at 371 Douglas Road for \$995,000; further fund the cost to retrofit the building for use as a DPW facility and to cover the costs for demolition/site improvements, etc. at the current DPW facility on Fletcher Street. Authorize the Board of Selectmen to borrow the entire appropriation subject to a debt exclusion. The Finance Committee voted unanimously to support this article but not to exceed 3.1 million dollars. A motion/Mr. Ampagoomian, seconded/Mr. Athanas to support Article 2. Roll Call Vote: Mr. Athanas/Yes, Mr. Marzec/No, Mr. Nolan/Yes, Mr. Ampagoomian/Yes, Mr. Melia/Yes. Mr. Ampagoomian asked Selectman Marzec if he would reconsider his “no” vote and go to Town Meeting as a unified board. Selectman Marzec replied no.

Special Town Meeting [December 4, 2012] /Vote to sign election warrant. A motion/Mr. Ampagoomian, seconded/Mr. Melia to sign election warrant. Roll Call Vote: Mr. Athanas/Yes, Mr. Marzec/Yes, Mr. Nolan/Yes, Mr. Ampagoomian/Yes, Mr. Melia/Yes.

Whitinsville Golf Club, Inc. [Liquor License]/Request Change of Manager from Christopher Hulme to Francis Iannetta /Withdrawn by applicant

Chatsworth Antiques [Renee Jewel]/Application for Junk Dealer's License. Present: Renee Jewel. Ms. Jewel mentioned that she lives in Sturbridge and would like to open Chatsworth Antiques and Collectibles at 199 Church Street. Selectman Ampagoomian asked what her hours of operation would be and Ms. Jewel replied: 10 A.M. to 5 P.M. Monday thru Friday, and 11 A.M. to 4 P.M. on Saturday and Sunday. A motion/Mr. Marzec, seconded/Mr. Melia to grant Chatsworth Antiques [Renee Jewel] a Junk Dealer's license. Vote yes/Unanimous.

Alex Rogozenski/Request to hold the first annual "1st Day 5K" run/2.5K walk on January 1, 2013 at 11:00 A.M. subject to the conditions set forth by the Northbridge Police Department requiring the use of police details for traffic. Mr. Rogozenski explained that he and his wife got involved in triathlons several years ago and would like to hold their first day 5k run and 2.5k walk in Northbridge. A motion/Mr. Melia, seconded/Mr. Athanas to grant permission to Alex Rogozenski to hold the first annual "1st Day 5K" run/2.5K walk on January 1, 2013 at 11 A.M. subject to the conditions set forth by the Northbridge Police Department requiring the use of police details for traffic. Vote yes/Unanimous.

American Legion License Agreement/Vote to approve. A motion/Mr. Athanas, seconded/Mr. Melia to approve the American Legion License Agreement. Vote yes/Unanimous.

Riverdale Cemetery Deed/Glen Haringa – Lot 133A. A motion/Mr. Ampagoomian, seconded/Mr. Melia to sign the Riverdale Cemetery Deed for Lot #133A – Glen Haringa. Vote yes/Unanimous.

Walmart and Shaws Monetary Donations /Vote to accept monetary donations. Chairman Nolan explained that the town received monetary donations for the open house at the DPW Facility. The monetary donations came from Shaw's Supermarket and Walmart. He also mentioned that Marty Green provided signage, McDonald's donated coffee, danish, and coffee supplies, and Whitinsville Water Company provided bottled waters. A motion/Mr. Ampagoomian, seconded/Mr. Melia to accept Walmarks monetary gift of \$250.00. Vote yes/Unanimous. A motion/Mr. Ampagoomian, seconded/Mr. Melia to accept Shaws monetary gift of \$20.00. Vote yes/Unanimous.

Community Innovation Challenge Grants: Electronic Permitting, Housing Production Plan, and Stormwater Coalition. Town Manager Kozak mentioned that Central Mass. Regional Planning Commission is working with communities on these three grant opportunities and there are several communities who are interested in applying for the grant funds. The Planning Commission is looking for the Board of Selectmen to support the 2013 Community Innovation Challenge Grant Program. A motion/Mr. Marzec, seconded/Mr. Melia to move Agenda Item J to decisions. Roll Call Vote: Mr. Melia/Yes, Mr. Ampagoomian/Yes, Mr. Nolan/Yes, Mr. Marzec/Yes, and Mr. Athanas/Yes. A motion/Mr. Marzec, seconded/Mr. Athanas to participate in the grant submittals. Vote yes/Unanimous. A motion/Mr. Marzec, seconded/Mr. Ampagoomian to submit letters of support to Central Mass. Regional Planning Commission. Vote yes/Unanimous. A motion/Mr. Marzec, seconded/Mr. Melia to authorize the Town Manager to sign the grant applications on the Board's behalf. Vote yes/Unanimous.

Regional Emergency Planning Committee Presentation/Present: Fire Chief Gary Nestor. Chief Nestor thanked Congressman McGovern for stating earlier that Homeland Security starts at the local level. That being said, on November 14, 2012 at the Emergency Management Office they held a table top exercise with the major departments [Police, Fire, Department of Public Works, Schools, Emergency Management, Board of Health and Town Manager Kozak]. A discussion took place on what the town would do should a major disaster occur and what each department's responsibilities would be. They also discussed a comprehensive emergency plan and received input from each department. Chief Nestor mentioned that he and others of the Emergency Management Team started meeting with representatives from the Town of Grafton and the Town of Upton to form a regional emergency planning committee. He stated that the Town of Millbury and Sutton both asked to join the committee. He then asked the Board

of Selectmen to support the Blackstone Valley Regional Emergency Planning Committee. That said, there is a cost associated with this and the annual fee is \$500.00. Representatives from each department will have to commit to attend these meetings. A motion/Mr. Ampagoomian, seconded/Mr. Marzec to move item K from discussion 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 support the Blackstone Valley Regional Emergency Planning Committee. Vote yes/Unanimous.

Riverdale Mills/Update on Hydraulic Study. Present: James Shuris, DPW Director. Mr. Shuris mentioned that the Riverdale Water Company, LLC is still moving forward with their permitting process with DEP and have contacted the Department of Public Utilities by giving them a final hydraulic study report. He explained there were four scenarios to choose from and it looks like they are leaning towards scenario #1, which is basically providing water to the residents in Rockdale section of town. Mr. Shuris explained that the Riverdale Water Company will submit all the required documents to the DEP by the end of the month for their permitting process. Town Manager Kozak mentioned that once the engineering part is completed then the next step would be to look at the cost benefit analysis for both the town system and the Whitinsville Water Company.

Liquor License Rules and Regulations/Discuss proposed revision. Present: Walter Warchol, Police Chief. Chief Warchol explained that Town Manager Kozak asked him to do a study on alcohol intervention training programs in surrounding communities. Section 10 of the town's rules and regulations governing liquor establishments requires that all managers and employees of liquor establishments be trained in an alcohol intervention program approved by the Chief of Police or his designee. The police department investigated several options including online alcohol intervention training programs and identified two programs that would fill the requirements of Section 10 of the town's rules and regulations governing liquor establishments: Alcohol Intervention Methods, Campbell Trent, 5 Olive Avenue, Shrewsbury, MA 01545, and JBS Professional Services, James B. Staples, 2 Neptune Road, Suite 307, Boston, MA 02128. The cost of the training program is \$25.00, for each participant, and each participant will receive a 3 year certification following the completion of the training. He mentioned that because the town is requiring Section 10 liquor establishments [managers and employees] to be trained this has created a hardship for some of the establishments and then suggested the Town of Northbridge host an annual Alcohol Intervention Training program for all liquor establishments. He stated that the Northbridge Police Department would gladly coordinate and host this yearly training, prior to the renewal of the licenses. He feels that by hosting the training it would create a uniform training procedure for the community. Selectman Melia stated that he supports Chief Warchol's proposal and then suggested that the establishments be given 90 days to comply with the training requirements. Chief Warchol mentioned that he would have Lieutenant Labrie create a letter advising the liquor establishments of this change and then hand deliver the letter to each of them. Town Manager Kozak asked the Board of Selectmen to amend their policy but first move this item from Discussion to Decision. A motion/Mr. Athanas, seconded/Mr. Ampagoomian to move Item N from discussions to decisions. Roll Call Vote: Mr. Melia/Yes, Mr. Ampagoomian/Yes, Mr. Nolan/Yes, Mr. Marzec/Yes, and Mr. Athanas/Yes. A motion/Mr. Athanas, seconded/Mr. Melia to amend the liquor license rules and regulations to allow the establishments 90 days to comply with the training requirements. Vote yes/Unanimous.

December 3rd Selectmen's Meeting/Discuss possible cancellation. Town Manager Kozak mentioned that he discussed cancelling the December 3rd Selectmen's Meeting with the Chairman of the Board because of Town Meeting being on December 4th. He explained that if the Board has any business they wish to take up they can do so prior to the Town Meeting. Town Manager Kozak then informed the Selectmen that his office always posts a Board of Selectmen's Meeting prior to the Town Meeting in case they need to discuss or vote on an issue. A motion/Mr. Athanas, seconded/Mr. Marzec to move Item O

from discussions to decisions. Roll Call Vote: Mr. Melia/Yes, Mr. Ampagoomian/Yes, Mr. Nolan/Yes, Mr. Marzec/Yes, and Mr. Athanas/Yes. A motion/Mr. Athanas, seconded/Mr. Marzec to cancel the December 3rd Board of Selectmen's Meeting and post a Board of Selectmen's Meeting on December 4th at 6:30 P.M. before Town Meeting. Vote yes/Unanimous.

Town Manager's Report/1) Northbridge Elementary School/Fairy Tale and Fable Parade: This is an annual event held for the kindergarten students at Northbridge Elementary School. The parade is a chance for the kindergarten students to make and show off their costumes reflecting the theme of a fairy tale or fable. **2) Trinity Episcopal Church/Thank you note to the Dept. of Public Works and Town Manager:** Town Manager Kozak received a note thanking him and the DPW for assistance with relocating the state's electronic sign board as well as for assistance with tree trimming. **3) Toys for Kids and Teens Campaign [Bill Audette]:** The annual Toys for Kids and Teens campaign, sponsored by the Marine Corps League, is beginning this week. Donation boxes are located in the Town Hall, Town Hall Annex and various other locations around town. **4) Legislative Breakfast:** Town Manager Kozak attended the Central Mass. Regional Planning Commission legislative breakfast and State Auditor Suzanne Bump was present to discuss local mandates and how cities and towns can challenge laws that they feel are unfunded mandates. Recent challenges include transportation costs for homeless families in shelters, dam safety laws, and permitting of solid waste disposal facilities. Other topics discussed included Chapter 74 [Regional Vocational Schools, Chapter 70 [Anti-bullying requirements for School Departments] and Charter School's requirements. **5) Rededication of the Thomas S. Perron Memorial:** Attended the rededication ceremony, which was held on November 10th at the Honor Roll on Linwood Avenue. The ceremony was conducted by the Trustees of Soldiers' Memorials Committee. **6) 237th U.S. Marine Corps Birthday Celebration:** Attended this celebration, which was held at the Uxbridge VFW Hall on Saturday, November 10, 2012, and Bill Audette was also honored at this event. **7) Visit to Operation Suitcase:** The Police Chief, Fire Chief, and Town Manager toured Operation Suitcase. This operation is located upstairs in the shop complex next door to Town Hall and is operated by Megan Riley. Operation Suitcase is a non-profit program that provides clothing to families in need. Donations can be dropped off at the entrance to Access TCA where the UPS/Fedex boxes are located.

Selectmen's Concerns. Selectman Athanas /Asked for an update on the two bridges. Mr. Shuris replied that the Ross Rajotte Bridge is moving ahead and Town Manager Kozak stated that they are trying to lower the water capacity. Town Manager Kozak advised that the next step for the Douglas Road Bridge is the abutments for the temporary bridge. **Selectman Ampagoomian 1)** Asked if the town has heard from the Worcester Regional Transit Authority regarding bus transportation in Northbridge and Town Manager Kozak responded that he is meeting with representatives from the WRTA this Friday. **2)** Mentioned that the concrete guard rails on Mendon Road have been wiped out again and asked Mr. Shuris if they could be replaced with steel ones. Mr. Shuris stated that he didn't even know they were down again and will look into replacing them. **3)** Asked Town Manager Kozak to check with the Trustees of Soldiers' Memorials or the Veteran's Agent (Ronald Tetreau) to see if someone can find the honor roll in Linwood that was taken down several years ago.

Town Manager Kozak reminded the public on Tuesday, December 4, 2012 is the Special Town Meeting at the Northbridge Middle School.

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

Meeting Adjourned: 9:24 P.M.

Respectfully submitted,

James Athanas, Clerk

/dmg

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING – OPEN SESSION

November 26, 2012

Special Guest: Congressman James McGovern. – No documentation.

I. APPROVAL OF MINUTES

None

II. PUBLIC HEARING:

None

III. APPOINTMENTS/By the Selectmen:

- A. 1) Copy of Chris Fung A Fat's Talent Bank Form & Registered Voter Information
- 2) Copy of Justin Arbuckle's Talent Bank Form
- 3) No documentation

IV. CITIZENS' COMMENTS/INPUT

None

V. DECISIONS

B. Special Town Meeting [December 4, 2012]/Copy of articles

C. Special Town Election [December 17, 2012] /Copy of warrant

D. Northbridge Girl Scouts Cadette Troop #11530/Present: Julie Cray - Request permission to use Memorial Park on Saturday, December 8, 2012 from 8 AM to 12 NOON for a mitten, scarf, glove, hat and sock drive – 1) Copy of invitation. 2) Copy of the Police Chief's response

E. Whitinsville Golf Club, Inc. [Liquor License]/Request Change of Manager from Christopher Hulme to Francis Iannetta – Withdrawn

F. Chatsworth Antiques [Renee Jewel] /Application for Junk Dealer's License

1) Copy of application. 2) Copy of license routing slips.

G. Alex Rogozenski/Request to hold the first annual "1st Day 5K" run /2.5K walk on January 1, 2013 at 11:00AM subject to the conditions set forth by the Northbridge Police Department requiring the use of police details for traffic. - 1) Copy of notice and route. 2) Copy of email dated 11/12/12 from Alex Rogozenski requesting permission to hold 5K run. 3) Copy of Police Chief's Response. 4) Copy of DPW's Response

H. American Legion License Agreement - Copy of lease

I. Riverdale Cemetery Deed/Glen Haringa – Lot 133A – Copy of cemetery deed

II. Walmart and Shaws Monetary Donations – 1) Copy of memo from DPW to Town Accountant, 2) Copy of Acknowledgement of donations, 3) Copy of Walmart Grant Application & Check

VI. DISCUSSIONS

J. Community Innovation Challenge Grants: Electronic Permitting, Housing Production Plan, and Stormwater Coalition – 1) Copy of motion. 2) Copy of Certificate's of Vote. 3) Copy of letter dated November 27, 2012, from Vera Kolias. 4) Copy of application. 5) Copy of Planning Board letter dated November 20, 2012.

K. Regional Emergency Planning Committee Presentation/Present: Fire Chief Gary Nestor – Copy of Blackstone Valley Regional Emergency Planning Committee Questions & Answers.

- L. DPW Facility Update/Present:** James Shuris, DPW Director and Tim Doiron, BPCC Member – **No documentation.**
- M. Riverdale Mills/Update on Hydraulic Study** – **No documentation.**
- N. Liquor License Rules and Regulations / Discuss proposed revision** – **1) Copy of letter dated November 20, 2012 from the Chief of Police. 2) Copy of City/Town Training.**
- O. December 3rd Selectmen's Meeting / Discuss possible cancellation** – **No documentation.**

VII. TOWN MANAGER'S REPORT

- P. 1) Northbridge Elementary School/Fairy Tale and Fable Parade** – **Copy of invitation**
- 2) Trinity Episcopal Church/Thank you note to the Dept. of Public Works and Town Manager** – **Copy of note**
- 3) Toys for Kids and Teens Campaign [Bill Audette]** – **Copy of Mr. Audette's email requesting to place Toys for Kids and Teens boxes in Town Hall Buildings.**
- 4) Legislative Breakfast** – **No documentation**
- 5) Rededication of the Thomas S. Perron Memorial** – **No documentation**
- 6) 237th U.S. Marine Corps Birthday Celebration** – **No documentation**
- 7) Visit to Operation Suitcase** – **Copy of flyer**

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
December 17, 2012**

A meeting of the Board of Selectmen was called to order by Chairman Nolan at 6:32 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA. **Present:** Messrs. Melia, Ampagoomian, Marzec and Athanas. **Also Present:** Theodore D. Kozak, Town Manager.

The Pledge of Allegiance was recited by those present.

Executive Session. A motion/Mr. Ampagoomian, seconded/Mr. Marzec to go into Executive Session under M.G.L. Chapter 30A, S. 21#3 - To discuss strategy with respect to litigation--and to reconvene in open session. Roll Call Vote: Mr. Melia/Yes, Mr. Ampagoomian/Yes; Mr. Marzec/Yes, Mr. Athanas/Yes and Mr. Nolan/Yes.

Open Session Adjourned: 6:34 PM

Executive Session Convened: 6:36 PM

Executive Session Adjourned: 6:43 PM

Open Session Reconvened: 7:00 PM

Chairman Nolan took a moment to read aloud a statement he prepared in wake of the shooting tragedy in Newtown, Connecticut. He mentioned that an entire nation grieves with Newton and we can never comprehend the depth of their pain. He then offered his condolences, along with the entire Northbridge Board of Selectmen to the families of the victims that lost their lives in this horrific tragedy.

Eagle Scout Awards Presentation: 1) Andrew J. Belanger 2) Christopher J. Giard. **Present:** Howard Carlson, Scout Master for Troop 155 and Andrew Belanger, Eagle Scout. **Mr. Giard was not present.** Chairman Nolan announced that he and other members of the Board weren't aware of an Eagle Scout presentation this evening and then apologized to Mr. Howard Carlson, Eagle Scout Master and Andrew Belanger, Eagle Scout for the mix-up in communication. He then asked them to come forward so he could recognize Mr. Belanger. Mr. Carlson mentioned that it's been a difficult and trying year for the Eagle Scouts but they are still doing what they can to produce scouts of high caliber. Mr. Belanger announced that his Eagle Scout project was to fix up the Mumford River walkway. Chairman Nolan congratulated Mr. Belanger on his accomplishment and each of the Selectman congratulated Mr. Belanger and Mr. Giard (not present) on their Eagle Scout Award. The Town Manager's Office will prepare a certificate for the Board of Selectmen to sign and then forward Mr. Belanger and Mr. Giard a certificate for their Eagle Scout accomplishment.

Approval of Minutes. October 15, 2012 –A motion/Mr. Marzec, seconded/Mr. Melia to approve the October 14, 2012 minutes as presented with the readings omitted. Vote yes/Unanimous.

November 5, 2012 –A motion/Mr. Melia, seconded/Mr. Ampagoomian to approve the November 5, 2012 minutes as presented with the readings omitted. Vote yes/Messrs. Melia, Ampagoomian, Athanas, and Nolan. Abstain/Mr. Marzec.

December 4, 2012 [Special Town Meeting] –A motion/Mr. Marzec, seconded/Mr. Ampagoomian to approve the December 4, 2012 Special Town Meeting minutes as presented with the readings omitted. Vote yes/Unanimous.

Appointments/By the Town Manager. Joseph Atchue, Alternate Building Inspector. Present: James Sheehan, Building Inspector and Joseph Atchue. Mr. Sheehan explained that Mr. Atchue will be an Alternate for him and called upon when he is out the office. Mr. Atchue will be paid by the hour and mentioned that he lives in Northbridge and is very well qualified. Mr. Atchue mentioned that he is working on his bachelor degree at Wentworth College for construction management and holds an Associates degree in architectural engineering from New England Tech. A motion/Mr. Melia, seconded/Mr. Ampagoomian to affirm the appointment of Joseph Atchue as the Alternate Building Inspector. Vote yes/Unanimous. **By the Board of Selectmen. Devin Stevens, Fields Committee [Student Rep]. Present: Robert A. Parker, Jr.** Mr. Parker introduced Devin Stevens and asked the Board of Selectmen to appoint him as the Student Rep. for the Fields Committee. A motion/Mr. Marzec, seconded/Mr. Athanas to appoint Devin Stevens to the Fields Committee as the Student Representative. Vote yes/Unanimous.

Citizens' Comments/Input. None.

2013 Annual Liquor License Renewals/Vote to approve. Selectman Melia mentioned that there is a letter addressed to Chairman Nolan from Laurieann's Restaurant asking for relief from the cost of renewing her liquor license. **Present: Laurieann Kayhart, Owner and Brian Caterino.** Mrs. Kayhart mentioned she has put her whole life savings into the restaurant, including borrowing money from family and friends just to keep it going. There are days she has to shut the restaurant down because the parking lot is blocked with heavy equipment and her patrons can't park anywhere. She noted that due to the bridge construction project there have been times they've had to throw all their food away and close the restaurant. Selectman Melia mentioned that this is a unique situation and feels that the state is responsible for their issues and recommends that the Board of Selectmen waive the fee for their alcohol license. He also suggested contacting the state Senators and Representatives to ask them to come to a future meeting for a discussion on the bridge project. Each Selectman concurred with Selectman Melia to support waiving the alcohol fee. Town Manager Kozak did explain this is a unique situation and pointed out to the Select Board that they have never waived a liquor license fee and could be setting a precedent for future license holders. Chairman Nolan advised that the Select Board is not looking to set a precedent but stated each case that comes before them will be taken on a case by case basis. A motion/Mr. Melia, seconded/Mr. Ampagoomian to waive the annual liquor license fee for Laurieann's Restaurant and Bar, Inc., however they are still subject to the payment of all outstanding monies due the Town and receipt of a Certificate of Inspection signed by the Fire Chief and Building Inspector. Vote yes/Unanimous. Selectman Ampagoomian mentioned there is an email in their packet to discuss Mill House Wine & Spirits, Inc. liquor license. **Present: Rob Knapik, Attorney and Alexis Giannopoulos, Manager of Mill House Wine & Spirits, Inc.** Chairman Nolan mentioned that the Board has received inquiries about the opening of the Mill House Wine & Spirits and their liquor license. He noted that the license was granted to Mill House Wine & Spirits, Inc. over a year ago and would like to know the status. Attorney Knapik explained that Mill House Wine will be opening in the Spring of 2013, and then advised the Board that the developer of the project would construct the residential part first and then the commercial. Selectman Ampagoomian stated that it would have been nice to be apprised of this earlier on. Chairman Nolan advised Attorney Knapik and Alexis Giannopoulos to keep the town abreast of their progress. A motion/Mr. Melia, seconded/Mr. Ampagoomian to approve the 2013 Annual Liquor License Renewals subject to the payment of all outstanding monies due the Town and receipt of a Certificate of Inspection signed by the Fire Chief and Building Inspector. Vote yes/Unanimous.

2013 Miscellaneous License Renewals [Common Victualler, Class II, Class III, Automatic Amusement Devices, Entertainment, etc.]/Vote to approve. A motion/Mr. Melia, seconded/Mr. Marzec to approve the 2013 Miscellaneous License Renewals subject to the payment of all outstanding monies due the Town. Vote yes/ Unanimous.

Certificate of Adoption: Pre-Disaster/Hazard Mitigation Plan/Vote to sign resolution.

Town Manager Kozak briefly explained that several months ago, representatives from Central Mass. Planning reviewed the Pre-Disaster/Hazard Mitigation Plan and asked the Board to place on a future agenda for approval. Town Manager Kozak noted that he met with the public safety personnel to review the plan and after doing so, they agreed to move forward with adopting the plan. A motion/Mr. Ampagoomian, seconded/Mr. Athanas to adopt the Pre-Disaster/Hazard Mitigation Plan. Vote yes/Unanimous.

Whitinsville Golf Club, Inc. [Liquor License]/Request Change of Manager from Christopher Hulme to Francis Iannetta. Present: Francis Iannetta. Mr. Iannetta announced that the Whitinsville Golf Club, Inc. is undergoing some contractual issues in the past year and they have changed some roles. A motion/Mr. Melia, seconded/Mr. Ampagoomian to approve the Change of Manager from Christopher Hulme to Francis Iannetta. Vote yes/Unanimous.

Linda Usher/Request permission to hold the 25th Annual "Whitin Five Mile Road Race" on Thursday, November 28, 2013 (Thanksgiving Day) at 8 A.M. . A motion/Mr. Ampagoomian, seconded/Mr. Melia to grant permission to Linda Usher to hold the 25th Annual "Whitin Five Mile Road Race" on Thursday, November 28, 2013 at 8 A.M., subject to the safety requirements of the Police Department. Vote yes/Unanimous.

Ad-hoc Open Space & Recreation Plan Update Committee. Present Barbara Gaudette, Chairman of the Planning Board & R. Gary Bechtholdt, II, Town Planner.

DPW Project. Present: Selectman James Marzec. Selectman Marzec expressed his concerns with holding a Special Election during a Board of Selectmen's Meeting. Selectman Marzec stated that he would not support another town meeting regardless of the outcome at the polls this evening and will not support wasting taxpayers money on another special town meeting knowing full well that a two-thirds majority is very hard to obtain in this town. Residents were asked this evening whether or not they supported a debt exclusion for the purchase of the Old Colony Stationery property at 371 Douglas Road for \$995,000, plus the appropriation of \$2.1 million to retrofit the building for use as the town's new DPW facility. Town Manager Kozak mentioned that because the project failed to receive the two-thirds majority vote needed at the December 4th Special Town Meeting, it wasn't exactly dead. If the project had passed at the special election, Town Manager Kozak mentioned that the town had "a reasonable amount of time" to bring it back to voters at another town meeting. Since the special election was scheduled before the project failed at town meeting, it had to happen by law. Selectman Marzec said several citizens complained about the election occurring after the voters had already nixed the idea. Selectman Athanas stated that he wouldn't support another special town meeting, for different reasons. He mentioned that the DPW has been voted down three times and he has no interest in bringing it up in the foreseeable future. Selectman Melia concurred. Selectman Nolan stated that since the topic of a new DPW facility has become such a contentious and divisive issue in town, it's best to let it go for a while. Selectman Melia said people have become enemies over this project and concurs with Selectman Nolan that the best thing to do is take a break from this project for a while. Selectman Melia stated that what bothers him the most is that the DPW facility problem is not going to go away. Are we going to wait for someone to get injured? Are we going to wait for the ceiling to collapse? What are we going to do? The place is a mess and no one should be working under those conditions.

Town Manager's Report/1) Sutton Street Reconstruction Project Update: The project is still moving forward. The Conservation Commission approved the wetland requirements and the DPW Director is scheduling a tree hearing sometime in January. Town Manager Kozak mentioned that about 61 trees need to be taken down. The State wants to advertise the project in February. **2) Town Hall Renovation Update:** The masonry and painting work has been completed and only a small punch list of work

remains to be done. We received quotes to repair the windows and a company has been chosen. **3) Budget Reports:** Requested draft budgets from Department Heads to be submitted this week. I will put together projections of revenue and prepare a draft budget in the beginning of January. He mentioned that because he doesn't have any numbers from the Governor's office, he has asked the Department Heads to be conservative and level fund their budgets. **4) Toys for Kids and Teens Campaign:** Announced that residents can still drop off toys at the Town Hall and will be picking up the toys on Friday, December 21, 2012. Town Manager Kozak noted that if any family in town has a need for toys, they will be distributed at 111 South Main Street, Uxbridge on Saturday, December 22, 2012, between the hours of 10 AM and 4 PM. Town Manager Kozak then mentioned that he received the annual wreath from the Evergreen Center and it will be placed outside at the Town Hall. **5) Regional Bus Transportation:** Met with representatives from the Central Mass. Regional Planning Commission and the Worcester Regional Transportation Authority to discuss possible bus routes for the town. We will be able to use the MBTA assessment to provide the bus transportation. Representatives from Central Mass. Regional Planning Commission and the Worcester Regional Transportation Authority will be attending a Board meeting in January to further discuss this matter. **6) Drug Paraphernalia Regulation:** The Board of Health working with the Police Chief has adopted regulations regarding drug paraphernalia sold in stores in town. This will go into effect in January.

Selectmen's Concerns. **Selectman Melia 1)** mentioned that he received a letter from Walter Warchol, Chief of Police, commending Sergeant Brian Patrinely for solving the armed robbery cases in Northbridge/Uxbridge. **2)** Wished all the Northbridge residents a Merry Christmas and Happy New Year. **3)** Sent condolences to all the Newtown families who lost their loved ones in the Connecticut tragedy. **Selectman Ampagoomian 1)** Suggested moving forward with looking to build a new Fire Station. **2)** Asked Town Manager Kozak to stay on top of the Ross Rajotte Bridge issue. **3)** Thanked Town Manager Kozak for getting in touch with the appropriate people to lower the flags in honor of the victims in the Connecticut tragedy. **Selectman Nolan/Concurred** with Selectman Ampagoomian on the Ross Rajotte Bridge issue because the Sutton Street project is beginning soon and then there could be a bottleneck issue. **Selectman Athanas/ DPW facility** – suggested putting a shed roof on to an existing structure to cover up some of the equipment, ex. chipper. **Selectman Marzec 1)** Sent his condolences to Newtown, CT. **2)** Wished everyone a Merry Christmas and Happy New Year.

Town Manager Kozak announced that the Superintendent of Schools will be scheduling a Crisis Intervention meeting as soon as possible due to the Connecticut tragedy.

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

Meeting Adjourned: 8:27 P.M.

Respectfully submitted,

James Athanas, Clerk

/dmg

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING – OPEN SESSION

December 17, 2012

Copy of Chairman Nolan's statement.

I. APPROVAL OF MINUTES

- A. 1) Copy of October 15, 2012 minutes
- 2) Copy of November 5, 2012 minutes
- 3) Copy of December 4, 2012 Special Town Meeting minutes.

II. PUBLIC HEARING:

None

III. APPOINTMENTS/By the Town Manager:

- B. 1) Copy of Joseph Atchue's Resume
- By the Board of Selectmen:**
- 2) Devin Stevens - No documentation

IV. CITIZENS' COMMENTS/INPUT

None

V. DECISIONS

C. 2013 Annual Liquor License Renewals/Vote to approve subject to the payment of all monies due the Town – **1) Copy of Motion. 2) Copy of liquor license establishments. 3) Copy of email regarding Mill House Liquor License Renewal. 4) Copy of letter from Laurieann's Restaurant.**

D. 2013 Miscellaneous License Renewals [Common Victualler, Class II, Class III, Automatic Amusement Devices, Entertainment, etc.]/Vote to approve subject to the payment of all monies due the Town – **Copy of miscellaneous license renewals listing**

E. Certificate of Adoption: Pre-Disaster/Hazard Mitigation Plan-**Copy of certificate and mitigation plan**

F. Whitinsville Golf Club, Inc. [Liquor License]/Request Change of Manager from Christopher Hulme to Francis Iannetta – **1) Copy of Form 43. 2) Copy of Transmittal/application form. 3) Copy of license routing slips.**

G. Linda Usher/Request to hold the 25th Annual Whitin Five Mile Road Race, Thursday, November 28, 2013 @ 8 A.M. – **1) Copy of email requesting permission from the Board of Selectmen to hold their race. 2) Copy of DPW's response. 3) Copy of Police Chief's response.**

VI. DISCUSSIONS

H. Ad-hoc Open Space & Recreation Plan Update Committee/Present: Barbara Gaudette, Chairman of the Planning Board & R. Gary Bechtholdt II, Town Planner. – **Copy of email**

I. DPW Project/Present: Selectman James Marzec – **No documentation.**

VII. TOWN MANAGER'S REPORT

- J. 1) Sutton Street Reconstruction Project Update – **Copy of email**
- 2) Town Hall Renovation Update – **No documentation**

- 3) Budget Reports – No documentation**
- 4) Toys for Kids and Teens Campaign – No documentation**
- 5) Regional Bus Transportation – No documentation**
- 6) Drug Paraphernalia Regulation – Copy of bylaw**

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
January 7, 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. Melia, Ampagoomian, Marzec and Athanas. **Also Present:** Theodore D. Kozak, Town Manager.

The Pledge of Allegiance was recited by those present.

Approval of Minutes. December 17, 2012 [Executive Session] – A motion/Mr. Melia, seconded/Mr. Marzec to approve but not release the September 10, 2012 Executive Session minutes as presented with the readings omitted. Vote yes/Unanimous.

Citizens' Comments/Input. None.

Riverdale Cemetery Deed/Barbara Nydam – Lot #1A, Grave #2. A motion/Mr. Ampagoomian, seconded/Mr. Marzec to sign the Riverdale Cemetery Deed for Lot #1A, Grave #2 – Barbara Nydam. Vote yes/Unanimous. **Riverdale Cemetery Deed/John Cugno – Lot #1A, Grave #5.** A motion/Mr. Marzec, seconded/Mr. Ampagoomian to sign the Riverdale Cemetery Deed for Lot #1A, Grave #5 – John Cugno. Vote yes/Unanimous.

Chairman Nolan announced that they need to move Discussion Item D before Discussion Item C. A motion/Mr. Melia, seconded/Mr. Marzec to move Discussion Item D – Ross Rajotte Bridge Reconstruction Project before Discussion Item C. Vote yes/Unanimous.

Ross Rajotte Bridge Reconstruction Project/Present: Sen. Richard Moore, Sen. Michael Moore, Rep. George N. Peterson, Jr., and Mass. Department of Transportation Workers Mark Johnson and Mark Hartnett. Chairman Nolan mentioned that the Town has received numerous requests regarding the status of the Ross Rajotte Bridge. The project was expected to be completed in August, but contractual and unexpected structural problems have caused several months of delays, even weeks of no work. The Selectmen warned state legislators and transportation officials that the bridge is not only more than six months behind schedule, but the delay hurt a local business and may cause further havoc when a nearby road project begins this summer. Delays in the \$3.6 million state bridge project began last year with a contract dispute and most recently with newly discovered high bedrock and a rock-lined channel. Selectman Melia stated that the bridge project has caused a reduction to one lane of traffic over the Blackstone River and regulation by a traffic signal, has had a significant impact on Laurieann's Restaurant and Bar, situated on Providence Road at the corner of the bridge, and the project's Jersey barriers and other construction-related materials occupy a portion of the restaurant's parking lot. He noted that the Selectmen have received numerous complaints, mostly about the inactivity at the site in recent weeks. In acknowledgement of the hardship the restaurant has faced because of the construction, the Selectmen at their last meeting waived the \$1,150.00 liquor license fee. Selectman Melia then asked the state legislators for help. Mr. Hartnett explained that much of the delay was due to bedrock that was higher than expected, as well as repairs to the foundation, which prevented construction workers from being able to stabilize the foundation. None of those issues were discovered during the test borings before the start of the project. Both discoveries forced a redesign of the project, causing a delay of six month or more. Mr. Hartnett said workers will try to recover as much time as they can by staying through the winter, weather permitting, and will try to have Phase 1 open by spring, shifting the lane of open traffic but he thinks it will take an awful lot to open the bridge fully this year. Mr. Hartnett stated that the other side of the bridge is expected to be completed by August. Selectman Marzec said there has got to be some way we can at least help Laurieann's Restaurant & Bar. He mentioned that he was disappointed at the pace of the project and that the restaurant has lost business and continues to lose business through

no fault of their own. Selectman Marzec stated that if that business closes, we will be back here again, and it's not going to be pleasant. Senator Richard Moore said he has been in contact with the state transportation department about the project and said he would help the business contact state agencies that may help it, but stopped short of pledging outright support. Senator Moore said helping this business is more complex because the state is not in the practice of helping businesses. He provided examples by saying the state didn't help Millville out (where a long-delayed bridge project literally cut the town in half) and it didn't happen during the Big Dig (which impacted many businesses), however, he will look to Mass Development to see if there is anything to help them that does not set a precedent. Selectman Ampagoomian said Route 122 is the main road of Rockdale and the main truck route for that section of town. He noted the construction project poses a hazard for local residents who walk to the nearby Laundromat and the project has even caused some local landlords to lose tenants, and therefore income. Selectman Nolan stated if everything goes as planned the Sutton Street project will be beginning this summer and that will create a bottleneck in that area. Mr. Marzec noted that a resident told him that Hoover Dam was built faster than the Ross Rajotte Bridge and then said he wanted this bridge construction project done once and for all.

Worcester Regional Transit Authority/Present: Stephen O'Neil & Mary Ellen Blunt (Central Mass. Regional Planning Commission). Several months ago, the Board of Selectmen asked Town Manager Kozak to look into the possibility of public transportation in Northbridge. The Selectmen were concerned because Northbridge has been paying an assessment of \$102,000 to the Massachusetts Bay Transportation Authority for many years, despite a lack of public transportation. Town Manager Kozak stated he asked representatives of the Worcester Regional Transportation Authority and the Central Mass. Regional Planning Commission to tonight's meeting for an update on this matter. Mr. O'Neil said there is no money on the table that isn't being used and though bus service is still in the planning stage, he is looking at 4.5 round trips to Millbury five days a week and service to the Grafton commuter rail station on an unknown schedule. Ms. Blunt stated that the Town of Northbridge and Grafton would share the cost of the bus to the commuter rail station. Town Manager Kozak asked what the cost would be and Ms. Blunt replied that the estimated cost would be around \$67,000 for the trips to the Shoppes and \$19,000 for the Northbridge share of the trips to Grafton. The WRTA is also talking with the Council on Aging to determine how bus service could help that group's transportation issues. Mr. O'Neil said final service schedules will be determined after meetings with focus groups and discussions with residents. Chairman Nolan mentioned that the Board of Selectmen will need to vote to join the WRTA board. Town Manager Kozak stated that the vote can be taken at the next Board of Selectmen's Meeting [January 28, 2013].

Storm Update [December 29, 2012]/Present: James Shuris, Director. Mr. Shuris provided the board with an update to the December 29, 2012 storm. On December 29, 2012, the Highway Department had 24 pieces of equipment out. He then referred to the Town of Northbridge's "Snow and Ice" brochure, which he produced, so that Northbridge residents could understand the process. He stated that when the snowfall starts, the DPW immediately begins to sand and salt the roads to prevent the snow from being compacted and frozen on the road surface. Top priority is given to the Town's main streets and bus routes. He noted that the drivers plow their assigned routes to "open-up" each road in a pre-determined sequence. He mentioned that his workers were out there for 24 hours and they spent about \$17,000.00 on salt for this storm. He then stated that town spent about \$7,000.00 on their snow contractors and about half of that for their own guys. That said, the snow storm started on December 29, 2012, at 1:00 P.M. and ended on December 30, 2012, at 1:00 P.M. Mr. Shuris explained that as of right now he has spent about \$115,000.00 on storms [mostly on replenishing their salt]. Selectman Athanas mentioned that he received several complaints regarding the shape of the roads in town, especially Hill Street. He asked Mr. Shuris if they focus on plowing the heavily travelled roads first and Mr. Shuris replied yes. Mr. Shuris explained that their first priority is to plow the Main Roads, hills and emergency routes. Town Manager Kozak reminded the public to contact the Highway Department during and after a storm if they have any questions or problems.

Town Manager's Report/1) Town Hall Update: A contract has been awarded for the window repair work and the work will begin shortly. **2) Sutton Street Update:** Public hearings are being held for tree removal and letters have gone out to homeowners requesting permission to allow temporary and permanent easements. The public hearing for tree removal is scheduled for January 9, 2013, at 2 PM, in the Board of Selectmen's Room. **3) Double Poles:** Announced he contacted National Grid for an update on the progress of the removal of all double poles. Currently 18 locations are outstanding and there will be a joint meeting with National Grid, Verizon and Charter Communications to implement. **4) Mass. Municipal Association Conference:** Reminded everyone that the Town Manager and Board of Selectmen will be attending the MMA Conference on January 25th and 26th.

Selectmen's Concerns. Selectman Athanas/ Asked if there is a way to keep medical marijuana out of Northbridge. Walter Warchol, Chief of Police mentioned that he had a discussion with R. Gary Bechtholdt II, Town Planner, regarding regulations and then advised the Board that a meeting has been scheduled on Thursday, January 10th to discuss the issue. Town Manager Kozak mentioned that he received correspondence from Town Counsel, which will be discussed at Thursday's meeting. The Police Chief mentioned that as he learns more about this issue, he will advise the Selectmen. **Selectman Marzec/**Advised the Board that David Miedema, Owner of Sunshine Haven passed away and sent his condolences to the family. **Selectman Ampagoomian 1)** Reminded residents not to pile snow on the town sidewalks. **2)** Discussion on building a new Fire Station and having a feasibility study done. **Selectman Melia/** School Resource Officer – Police Chief Walter Warchol advised Selectman Melia that the School Superintendent has informed him that they will pay for half the salary of having a School Resource Officer in FY 14.

Selectman Ampagoomian asked Town Manager Kozak to contact the State Senators/Representatives to see if there is any federal funding to pay for the School Resource Officer. Town Manager Kozak will look into this and report back to the Selectmen.

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

Meeting Adjourned: 8:04 P.M.

Respectfully submitted,

James Athanas, Clerk

/dmg

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING – OPEN SESSION

January 7, 2013

I. APPROVAL OF MINUTES

A. 1) Copy of December 17, 2012 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 Town Manager:

None

IV. CITIZENS' COMMENTS/INPUT

None

V. DECISIONS

B. 1) Riverdale Cemetery Deed/Barbara Nydam – Copy of deed 2) Riverdale Cemetery Deed/John Cugno – Copy of deed

VI. DISCUSSIONS

C. Worcester Regional Transportation Authority – **No documentation**
D. Ross Rajotte Bridge Reconstruction Project – **No documentation**
E. Storm Update – **No documentation**

VII. TOWN MANAGER'S REPORT

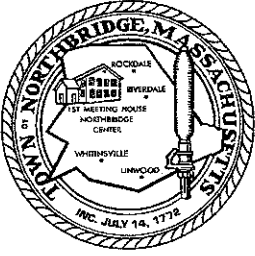
F. 1) Town Hall Update – **No documentation**
2) Sutton Street Update – **No documentation**
3) Double Poles – **No documentation**
4) Mass. Municipal Association Conference – **No documentation**

VIII. SELECTMEN'S CONCERNS - No documentation

IX. ITEMS FOR FUTURE AGENDA- No documentation

X. CORRESPONDENCE- No documentation

XI. EXECUTIVE SESSION-None



Theodore D. Kozak
Town Manager

TOWN OF NORTHBRIDGE
OFFICE OF THE TOWN MANAGER
NORTHBRIDGE TOWN HALL
7 MAIN STREET
WHITINSVILLE, MASSACHUSETTS 01588
Phone- (508) 234-2095 Fax- (508) 234-7640
www.northbridgemass.org

MEMORANDUM

DATE: January 22, 2013

TO: Board of Selectmen

FROM: Sharon L. Susienka, Exec. Asst. to the Town Manager *sls*

SUBJECT: Annual Town Election (May 21, 2013) - Notice of Vacancies

Please be advised that per MGL Chapter 41, Section 10, the Board of Selectmen must notify the Town Clerk's Office of all vacancies on elected boards/committees to be included on the annual town election warrant at least 64 days prior [no later than March 18, 2013] to the annual town election.

"No election shall be held for any office pursuant to this section unless the selectmen file with the town clerk notice of an election for such office not less than fifteen days before the last day to submit nomination papers to the registrars of voters for certification, before the election or any preceding primary, caucus, or preliminary election."

FYI:

- The last day to submit nomination papers is 49 days before the annual town election or April 2, 2013.
- Fifteen days before April 2, 2013 is March 18, 2013.

Therefore, please vote to notify the Town Clerk of the vacancies shown on the memo attached hereto.

Thank you.

c: Theodore D. Kozak, Town Manager

TO: Sharon Susienka, Assistant to the Town Manager
FROM: Doreen A. Cedrone, Town Clerk
DATE: January 7, 2012
SUBJECT: Board of Selectmen notice to Town Clerk regarding an election for
vacancies in Town Offices (per MGL Chapter 41 Section 10)

Sharon, as Town Clerk, I certify that, at this time, we have the following vacancies on elected Town boards/committees, and upon receipt of notice from the Board of Selectmen, I will include these seats on the ballot for the May 21, 2013 Annual Town Election:

1. **Redevelopment Authority: one seat (2-year term; term for this seat expires in May 2015)**
- *Failure to Elect* at the May 15, 2012 Annual Town Election.
2. **Redevelopment Authority: one seat (3-year term; term for this seat expires in May 2016)**
- *Failure to Elect* at the May 15, 2012 Annual Town Election.
3. **Redevelopment Authority: one seat (4-year term; term for this seat expires in May 2017)**
- *Failure to Elect* at the May 15, 2012 Annual Town Election.

Thank you, Sharon!


Doreen

D.

(space above this line reserved for the Registry of Deeds)

GRANT OF EASEMENTS

Grant of Easements (this "Easement") is entered into by **Ashton Place LLC**, a Massachusetts limited liability company, of 15 Juniper Lane, Grafton, Massachusetts 01519 ("Grantor"), the owner of a parcel of land located off Providence Road (a/k/a Route 122), Northbridge, Massachusetts, described in a deed recorded with the Worcester South Registry of Deeds in Book 49605, Page 63 (the "Property"), and the **Town of Northbridge**, acting by and through its Board of Selectmen, having an address of 7 Main Street, Whitinsville, Massachusetts 01588 (the "Town").

Whereas, stormwater from Providence Road is presently drained through a stone culvert and other drainage appurtenances onto the Property (collectively, the "Drainage Facilities");

Whereas, the Town has requested the Grantor to grant a drainage easement upon a portion of the Property for the collection and transmission of stormwater; and

Whereas, the Grantor is amenable to granting a drainage easement upon a portion of the Property, subject to the terms set forth herein.

Now, therefore, for consideration paid of One Dollar (\$1.00), the parties agree as follows:

1. Grantor hereby grants and conveys to the Town, with Quitclaim Covenants, a permanent, non-exclusive, drainage easement on a portion of the Property shown as "Proposed Drainage Easement Area = 685 +- SF" shown on a plan entitled "Easement Plan of Land in Northbridge, MA," dated October 24, 2012, said plan recorded with the Worcester South Registry of Deeds in Plan Book ____, Plan ____ (the "Easement Premises").

2. The Town shall have the right to construct, install, inspect, repair, remove, replace, relocate, operate, and forever maintain and abandon in place the Drainage Facilities, including, without limitation, a stormwater drain or drains, together with any pipes, conduits, culverts, channels and other appurtenances in, over, under and across the Easement Premises, as deemed necessary or convenient in the sole discretion of the Town, together with the right of entry upon and passage over the Easement Premises, by foot and motor vehicle, including heavy equipment, from time to time, for the purposes stated herein and uses incidental thereto. This grant of easements includes the right of the Town to remove any structures, objects or vegetation

(including trees and shrubs) from the Easement Premises as may be necessary or convenient to exercise the easement rights granted herein.

3. The Drainage Facilities constructed or placed on the Easement Premises by or on behalf of the Town shall be the property of the Town, and the Town shall maintain and repair said Drainage Facilities, as necessary, so that they continue to function as designed.

4. Grantor agrees, for itself and its successors and assigns, not to interfere unreasonably with the rights granted to the Town hereunder. Grantor shall not construct, install or place any temporary or permanent buildings, structures, objects, or utilities on, under, or within the Easement Premises, and shall repair, at its sole cost and expense, any damage caused to the Drainage Facilities by Grantor or its agents, employees, or invitees. The only ground cover allowed in the Easement Premises is vegetation, unless otherwise permitted by the Town. Grantor agrees not to grant any other easements, leases or licenses to the Easement Premises which will interfere with the Town's perpetual easement on the Easement Premises without the prior written permission of the Town. Any easements, leases or licenses granted in violation of this provision shall be null and void.

5. In return for the perpetual rights and easement described herein, the Town agrees that any area disturbed by the Town's exercise of the rights granted herein will be restored, as near as possible, to its original condition at the expense of the Town, except that trees and shrubs, and structures placed within the Easement Premises in violation of the terms hereof, shall not be replaced.

6. Grantor's liability is limited to the repair of any damage caused to the Drainage Facilities by Grantor, or its agents, employees or representatives. In no event is Grantor liable for any incidental or consequential damages.

All rights and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

For Grantor's title, see deed recorded with the Worcester South Registry of Deeds in Book 49605, Page 63.

The Town's Acceptance of this easement is attached hereto and incorporated herein.

[Signature Page Follows]

Executed as a sealed instrument this _____ day of January, 2013.

GRANTOR:
Ashton Place LLC

By: _____
David W. Brossi, Manager

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this _____ day of January, 2013, before me the undersigned Notary Public, personally appeared David W. Brossi, Manager of Ashton Place LLC, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My commission expires:

ACCEPTANCE OF EASEMENT

The Town of Northbridge, acting by and through its Board of Selectmen, pursuant to the authority granted under the provisions of G.L. c. 83, § 1 and any and every other authority appertaining, hereby accepts the foregoing Grant of Easements from Ashton Place LLC on this 28th day of January, 2013.

TOWN OF NORTHBRIDGE,
By its Board of Selectmen

Daniel Nolan

Thomas Melia

James Marzec

James Athanas

Charles Ampagoomian

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

On this _____ day of January, 2013, before me the undersigned Notary Public, personally appeared Daniel Nolan, Thomas Melia, James Marzec, Charles Ampagoomian, and James Athanas, members of the Northbridge Board of Selectmen, as aforesaid, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the Town of Northbridge.

Notary Public
My commission expires:

Donna Gosselin

From: Fred and Maureen [fbmbcbjb@charter.net]
Sent: Monday, January 14, 2013 8:55 PM
To: ssusienka@northbridgemass.org; dgosselin@northbridgemass.org
Subject: Operation Graduation 2013-Boot Drive

Hello Sharon and Donna,

OpGrad 2013 is asking for permission to conduct a Boot Drive on Saturday April 6 , 2013. We would like to conduct the boot drive at both locations-Memorial Square and Ovia Square from 9am-1pm. The rain date would be Saturday, April 13, 2013, 9-1pm at both locations. We understand we have to go in front of the Selectman to get this approved. Please put us on their agenda for the January 28, 2013 meeting.

Thank you so much,
Fred and Maureen Beauregard
Operation Graduation Chairpersons

Please verify that the meeting we would attend for this is 1/28/13 at 7pm-please email us

Donna Gosselin

Chief Warchol's Response

From: Walter Warchol [wwarchol@northbridgemass.org]
Sent: Tuesday, January 15, 2013 8:52 AM
To: dgosselin@northbridgemass.org
Subject: RE: Operation Graduation 2013-Boot Drive

Donna:

I do not anticipate any problems as long as they comply with the Boot Drive Policy

Chief Warchol

-----Original Message-----

From: Donna Gosselin [mailto:dgosselin@northbridgemass.org]
Sent: Tuesday, January 15, 2013 8:27 AM
To: wwarchol@northbridgemass.org; James Shuris
Subject: FW: Operation Graduation 2013-Boot Drive

Good morning Gentlemen: Please see the request below and provide me with your comments before January 23rd. Thanks

-----Original Message-----

From: Fred and Maureen [mailto:fbmbcbjb@charter.net]
Sent: Monday, January 14, 2013 8:55 PM
To: ssusienka@northbridgemass.org; dgosselin@northbridgemass.org
Subject: Operation Graduation 2013-Boot Drive

Hello Sharon and Donna,

OpGrad 2013 is asking for permission to conduct a Boot Drive on Saturday April 6 , 2013. We would like to conduct the boot drive at both locations-Memorial Square and Ovia Square from 9am-1pm. The rain date would be Saturday, April 13, 2013, 9-1pm at both locations. We understand we have to go in front of the Selectman to get this approved. Please put us on their agenda for the January 28, 2013 meeting.

Thank you so much,
Fred and Maureen Beauregard
Operation Graduation Chairpersons

Please verify that the meeting we would attend for this is 1/28/13 at 7pm-please email us

Sharon Susienka

OPW's
Response

From: Sharon Susienka [ssusienka@northbridgemass.org]
Sent: Friday, January 18, 2013 10:49 AM
To: 'dgosselin@northbridgemass.org'
Subject: FW:

From: Sharon Susienka [mailto:ssusienka@northbridgemass.org]
Sent: Friday, January 18, 2013 10:49 AM
To: 'dgosselin@northbridgemass.org'
Cc: 'James Shuris'
Subject:

Per Jim Shuris:

"I have no issues with the Boot Drive event that will occur on Saturday, April 6, 2013 [rain date of April 13, 2013] from 9AM to 1PM. This sounds like a great event!!"

Sharon L. Susienka
Exec. Asst. to the Town Manager
Town of Northbridge
Phone: 508-234-2095
Fax: 508-234-7640

OK
18 Jan 2013

Donna Gosselin

From: Rob Knapik [rob@knapiklaw.com]
Sent: Tuesday, January 22, 2013 9:45 AM
To: dgosselin@northbridgemass.org
Cc: 'Kathy Ducey'; 'Lori&Larry Brown'
Subject: Northbridge Education Foundation 5K Road Race and Walk, March 30, 2013
Attachments: 012213 Letter to Northbridge Board of Selectmen.pdf

Good morning Donna,

Thanks for all of your help and information! Attached, as we discussed, is NEF's formal request to the Board of Selectmen to a) hold the second annual 5K Road Race and Walk on March 30, 2013; and b) hang a banner over Church Street from March 3, 2013 through March 17, 2013.

I understand that these requests will be placed on the Agenda for the next Board of Selectmen on January 28, 2013, and I am happy to appear at that meeting to make the requests in person.

Thank you,

Rob

NORTHBRIDGE **EDUCATION FOUNDATION**

January 22, 2013

Northbridge Board of Selectmen
Northbridge Town Hall
7 Main Street
Whitinsville, MA 01588
Attention: Daniel Nolan, Chairman

Re: Northbridge Education Foundation, Inc. 5K Race and Walk

Dear Chairman Nolan:

On Saturday, March 30, 2013, Northbridge Education Foundation, Inc. (NEF) will hold the second annual "Northbridge Education Foundation 5K Road Race and Walk" beginning at 9:00 a.m. The event is NEF's largest fundraiser this year and will allow NEF to provide grants to the Northbridge Public Schools for the 2013-2014 school year.

The race and walk will begin and end at Northbridge High School and will traverse a 5 kilometer course through the village of Whitinsville on public roads as shown on the attached map. Volunteers will be located at the start/finish line and along the route to assist and direct the participants. NEF will also contact the Northbridge Police Department for necessary assistance and police detail. The route will not require that any roadway or intersection be closed. This letter is to respectfully request that the Board of Selectmen grant permission for NEF to hold the 5K Road Race and Walk on Saturday, March 30, 2013.

To publicize and promote the 5K Road Race and Walk, NEF seeks permission to hang a banner over Church Street, at the customary banner location near the Armenian Apostolic Church, from Sunday, March 3, 2013 through Sunday, March 17, 2013. Accordingly, this letter is also to respectfully request that the Board of Selectmen grant permission for NEF to hang a banner over Church Street from Sunday, March 3, 2013 through Sunday, March 17, 2013 (or until such date as the Board of Selectmen or Northbridge Fire Department may allow).

Thank you in advance for your anticipated cooperation and assistance.

Sincerely,

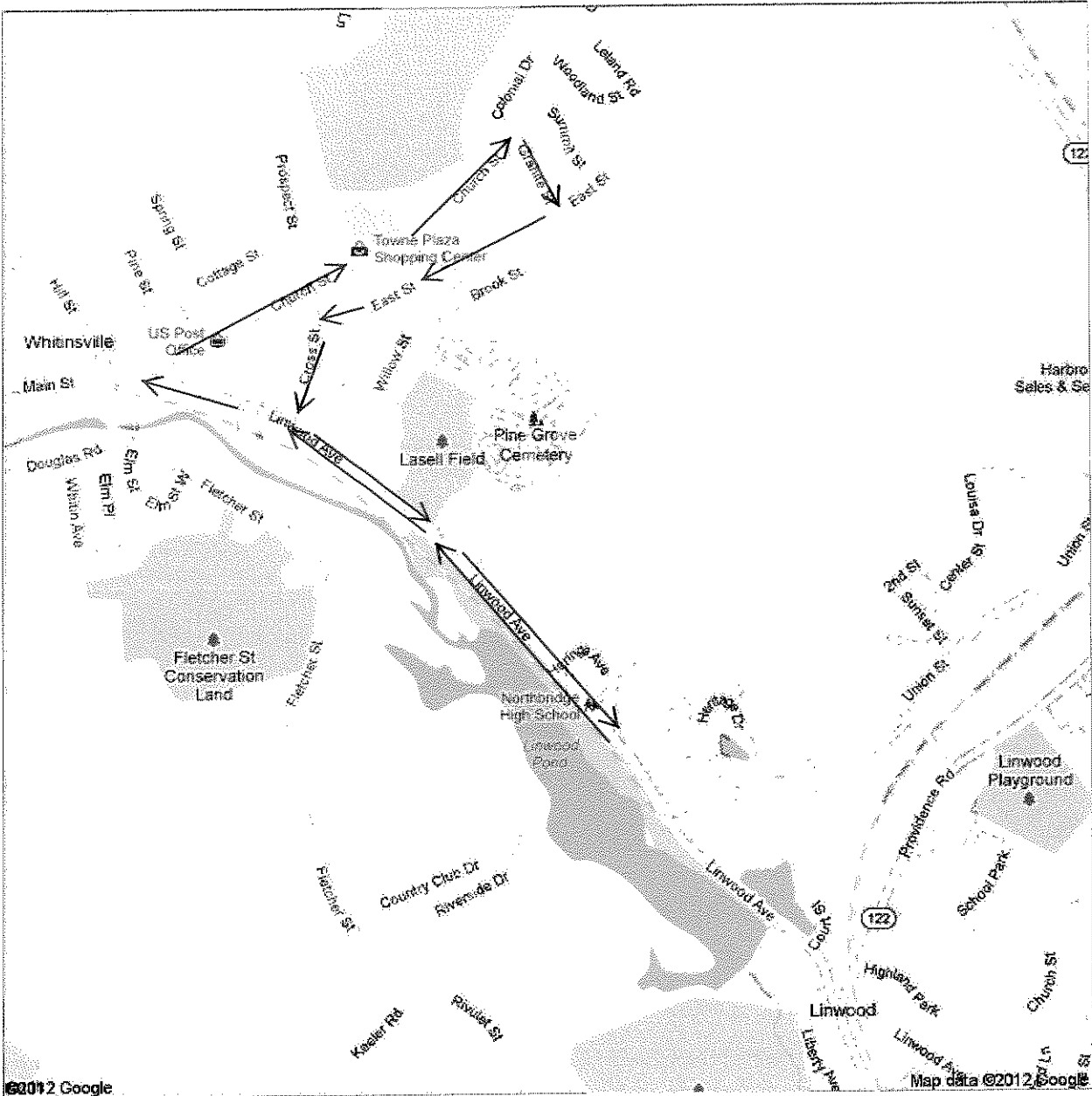
Northbridge Education Foundation, Inc. Board of Directors



Address Northbridge, MA

Get Google Maps on your phone

Text the word "GMAPS" to 466453



Donna Gosselin

*Police
chief's
Response*

From: Walter Warchol [wwarchol@northbridgemass.org]
Sent: Tuesday, January 22, 2013 10:32 AM
To: dgosselin@northbridgemass.org; James Shuris
Cc: rob@knapiklaw.com
Subject: RE: Northbridge Education Foundation 5K Road Race and Walk, March 30, 2013

Donna:

Unless the runners intend to stay on the sidewalks, there will be temporary road closings for Linwood Ave & Church St; with the proper police details we can accomplish the task as we did last year. As with previous event requests, I would ask that the NEF needs to comply with the recommendations of the police department. Mrs. Ducey has been in contact with the police department to discuss the logistics of the race and I am sure there will be no issues.

Chief

From: Donna Gosselin [mailto:dgosselin@northbridgemass.org]
Sent: Tuesday, January 22, 2013 10:15 AM
To: wwarchol@northbridgemass.org; James Shuris
Subject: FW: Northbridge Education Foundation 5K Road Race and Walk, March 30, 2013

Good morning Gentlemen: Please send me your thoughts on this as soon as possible. Thank you.

From: Rob Knapik [mailto:rob@knapiklaw.com]
Sent: Tuesday, January 22, 2013 9:45 AM
To: dgosselin@northbridgemass.org
Cc: 'Kathy Ducey'; 'Lori&Larry Brown'
Subject: Northbridge Education Foundation 5K Road Race and Walk, March 30, 2013

Good morning Donna,

Thanks for all of your help and information! Attached, as we discussed, is NEF's formal request to the Board of Selectmen to a) hold the second annual 5K Road Race and Walk on March 30, 2013; and b) hang a banner over Church Street from March 3, 2013 through March 17, 2013.

I understand that these requests will be placed on the Agenda for the next Board of Selectmen on January 28, 2013, and I am happy to appear at that meeting to make the requests in person.

Thank you,

Rob
=

Donna Gosselin

DPW's
Response

From: James Shuris [jshuris@northbridgemass.org]
Sent: Tuesday, January 22, 2013 4:46 PM
To: dgosselin@northbridgemass.org
Subject: FW: Northbridge Education Foundation 5K Road Race and Walk, March 30, 2013
Attachments: 012213 Letter to Northbridge Board of Selectmen.pdf

Donna:

This sounds like a great community event – and I have no comments or questions.

Jim Shuris

From: Donna Gosselin [mailto:dgosselin@northbridgemass.org]
Sent: Tuesday, January 22, 2013 10:15 AM
To: wwarchol@northbridgemass.org; James Shuris
Subject: FW: Northbridge Education Foundation 5K Road Race and Walk, March 30, 2013

Good morning Gentlemen: Please send me your thoughts on this as soon as possible. Thank you.

From: Rob Knapik [mailto:rob@knapiklaw.com]
Sent: Tuesday, January 22, 2013 9:45 AM
To: dgosselin@northbridgemass.org
Cc: 'Kathy Ducey'; 'Lori&Larry Brown'
Subject: Northbridge Education Foundation 5K Road Race and Walk, March 30, 2013

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I understand that these requests will be placed on the Agenda for the next Board of Selectmen on January 28, 2013, and I am happy to appear at that meeting to make the requests in person.

Thank you,

Rob

Donna Gosselin

From: Gary Bechtholdt [gbechtholdt@northbridgemass.org]
Sent: Monday, January 14, 2013 5:46 PM
To: tkozak@northbridgemass.org
Cc: dgosselin@northbridgemass.org; ssusienka@northbridgemass.org;
wwarchol@northbridgemass.org; 'Barbara Gaudette'
Subject: BOS mtg -JAN 28 2013

Ted:

Can you include on the next BOS agenda (JAN 28 2013) under Decisions –Vote to Sponsor Moratorium (Medical Marijuana) 2013 SATM

That way the Planning Board can start the public hearing process required prior to Town Meeting.

I am putting together a memo to the BOS re: meeting held earlier this month.

I will plan on attending to review –I will also check with Chief Warchol to see if he is able as well.

Can you also include under Discussions –Ad-Hoc Open Space & Recreation Plan Update Committee

Thanks,

-Gary

R. Gary Bechtholdt II
Northbridge Town Planner

COMMUNITY PLANNING & DEVELOPMENT

Town of Northbridge
7 Main Street
Whitinsville, MA 01588
(508)234-2447

Donna Gosselin

From: Gary Bechtholdt [gbechtholdt@northbridgemass.org]
Sent: Tuesday, January 15, 2013 9:31 AM
To: ssusienka@northbridgemass.org; dgosselin@northbridgemass.org
Cc: tkozak@northbridgemass.org
Subject: BOS mtg (1/28) -Vote to Sponsor Medical Marijuana Moratorium
Attachments: SKMBT_22313011510180.pdf

Donna/Sharon:

Please find attached memorandum to the BOS –please include in their packets for the Jan 28 2013 meeting.

Arrangements have been made for the BOS to consider a temporary moratorium on Medical Marijuana

Please include under Decisions –Vote to Sponsor Medical Marijuana Moratorium (2013 SATM)

Chief Warchol & I plan to attend.

Thanks,

-Gary

R. Gary Bechtholdt II
Northbridge Town Planner

COMMUNITY PLANNING & DEVELOPMENT

Town of Northbridge
7 Main Street
Whitinsville, MA 01588
(508)234-2447



COMMUNITY PLANNING & DEVELOPMENT

R. Gary Bechtholdt II, Town Planner

7 Main Street Whitinsville, MA 01588

Phone: (508) 234.2447 Fax: (508) 234.0814

gbechtholdt@northbridgemass.org

MEMORANDUM

Date: January 14, 2013

To: Mr. Daniel Nolan, Chairman Northbridge Board of Selectmen

From: R. Gary Bechtholdt II, Town Planner

RE: **MEDICAL MARIJUANA**
Temporary Zoning Moratorium

On Thursday, January 10, 2013 a meeting was convened to discuss the state's medical marijuana law; attendees included Theodore Kozak, Town Manager; Police Chief Warchol; Jeanne Gniadek, Board of Health Administrator; James Sheehan, Building Inspector; Barbara Gaudette, Planning Board Chair; and R. Gary Bechtholdt II, Town Planner.

The purpose of this meeting was to discuss how Northbridge may address the newly enacted medical marijuana law at the local level. Attached to this memorandum is a copy of the medical marijuana law (Acts of 2012 Chapter 369) –An Act for the Humanitarian Medical Use of Marijuana.

The Department of Public Health (DPH) is in the process of developing regulations that will allow qualified patients with certain medical conditions to obtain and use medical marijuana. Under the ballot measure approved by voters, DPH has until May 01, 2013 to issue regulations and DPH will not issue any registration cards or allow any medical marijuana dispensaries to open until the regulations are in effect. The Department is partnering with a wide range of stakeholders in public safety, the medical community and municipal governments to develop the regulations and will learn from other states' experiences to put a system in place that is right for Massachusetts. During the time DPH is crafting its regulations, the ballot measure allows the written recommendation of a qualifying patient's physician to act as a medical marijuana card. Similarly, the law allows a qualifying patient to cultivate their own limited supply of marijuana during this period -statement from DPH (12/31/2012).

In addition to the above noted, DPH has issued a FAQ –Frequently Asked Questions sheet regarding Medical Marijuana in Massachusetts (copy included for your review).

The medical marijuana law allows for the establishment of up to 35 dispensaries within the state the first year (with a maximum of 5 per county). Many communities, like Northbridge are currently reviewing their options for zoning changes in preparation for Town Meeting /local adoption. Some municipalities have already revised their zoning bylaw/ordinances to prohibit medical marijuana dispensing sites (Reading, Wakefield and Melrose to name a few), while others have considered moratoriums.

Town Counsel has been asked to review and offer an opinion whether or not prohibiting such use (medical marijuana dispensaries) similar to Reading, Wakefield and Melrose is likely to be upheld if appealed or challenged.

In addition to discussing possible siting for medical marijuana dispensaries attendees questioned if licensed growers/suppliers would fall under the state's Agricultural Exemption; there are still many unknowns at this time.

At the conclusion of our meeting participants agreed to recommend that the Board of Selectmen sponsor an article for the 2013 Spring Annual Town Meeting (May 07 2013) to consider a temporary zoning moratorium. The moratorium would allow Northbridge the opportunity to review the Department of Public Health's regulations (scheduled to be released May 01, 2013) and to prepare a local zoning bylaw appropriate for the Town of Northbridge.

In an email communication received (attached), Town Counsel provided draft language for a temporary zoning moratorium for Northbridge's consideration. Because this proposed moratorium will be considered a zoning amendment it is important that the Board of Selectmen vote to sponsor the article sooner than later; that way the Planning Board can hold its required public hearing and provide its report and recommendation at Town Meeting.

Due to the time sensitivity of a zoning bylaw amendment it is suggested the Board of Selectmen vote to place an article for the Spring Annual Town Meeting at its meeting of January 28, 2013.

If you should require any additional information or have any questions please do not hesitate to contact the Planning office.

Cc: Ted Kozak, Town Manager
Jeanne Gniadek, BOH Admin
J. Sheehan, Building Insp
Chief Warchol, NPD
Planning Board
/File



Acts

2012

CHAPTER 369 AN ACT FOR THE HUMANITARIAN MEDICAL USE OF MARIJUANA.

Be it enacted by the People, and by their authority, as follows:

Section 1. Purpose and Intent.

The citizens of Massachusetts intend that there should be no punishment under state law for qualifying patients, physicians and health care professionals, personal caregivers for patients, or medical marijuana treatment center agents for the medical use of marijuana, as defined herein.

Section 2. As used in this Law, the following words shall, unless the context clearly requires otherwise, have the following meanings:

(A) "Card holder" shall mean a qualifying patient, a personal caregiver, or a dispensary agent of a medical marijuana treatment center who has been issued and possesses a valid registration card.

(B) "Cultivation registration" shall mean a registration issued to a medical marijuana treatment center for growing marijuana for medical use under the terms of this Act, or to a qualified patient or personal caregiver under the terms of Section 11.

(C) "Debilitating medical condition" shall mean:

Cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), hepatitis C, amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease, multiple sclerosis and other conditions as determined in writing by a qualifying patient's physician.

(D) "Department" shall mean the Department of Public Health of the Commonwealth of Massachusetts.

(E) "Dispensary agent" shall mean an employee, staff volunteer, officer, or board member of a non-profit medical marijuana treatment center, who shall be at least twenty-one (21) years of age.

(F) "Enclosed, locked facility" shall mean a closet, room, greenhouse, or other area equipped with locks or other security devices, accessible only to dispensary agents, patients, or personal caregivers.

(G) "Marijuana," has the meaning given "marihuana" in Chapter 94C of the General Laws.

(H) "Medical marijuana treatment center" shall mean a not-for-profit entity, as defined by Massachusetts law only, registered under this law, 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.

(I) "Medical use of marijuana" shall mean the acquisition, cultivation, possession, processing, (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfer, transportation, sale, distribution, dispensing, or administration of marijuana, for the benefit of qualifying patients in the treatment of debilitating medical conditions, or the symptoms thereof.

(J) "Personal caregiver" shall mean a person who is at least twenty-one (21) years old who has agreed to assist with a qualifying patient's medical use of marijuana. Personal caregivers are prohibited from consuming marijuana obtained for the personal, medical use of the qualifying patient.

An employee of a hospice provider, nursing, or medical facility providing care to a qualifying patient may also serve as a personal caregiver.

(K) "Qualifying patient" shall mean a person who has been diagnosed by a licensed physician as having a debilitating medical condition.

(L) "Registration card" shall mean a personal identification card issued by the Department to a qualifying patient, personal caregiver, or dispensary agent. The registration card shall verify that a physician has provided a written certification to the qualifying patient, that the patient has designated the individual as a personal caregiver, or that a medical treatment center has met the terms of Section 9 and Section 10 of this law. The registration card shall identify for the Department and law enforcement those individuals who are exempt from Massachusetts criminal and civil penalties for conduct pursuant to the medical use of marijuana.

(M) "Sixty-day supply" means that amount of marijuana that a qualifying patient would reasonably be expected to need over a period of sixty days for their personal medical use.

(N) "Written certification" means a document signed by a licensed physician, stating that in the physician's professional opinion, the potential benefits of the medical use of marijuana would likely outweigh the health risks for the qualifying patient. Such certification shall be made only in the course of a bona fide physician-patient relationship and shall specify the qualifying patient's debilitating medical condition(s).

Section 3. Protection from State Prosecution and Penalties for Health Care Professionals

A physician, and other health care professionals under a physician's supervision, shall not be penalized under Massachusetts law, in any manner, or denied any right or privilege, for:

- (a) Advising a qualifying patient about the risks and benefits of medical use of marijuana; or
- (b) Providing a qualifying patient with written certification, based upon a full assessment of the qualifying patient's medical history and condition, that the medical use of marijuana may benefit a particular qualifying patient.

Section 4. Protection From State Prosecution and Penalties for Qualifying Patients and Personal Caregivers

Any person meeting the requirements under this law shall not be penalized under Massachusetts law in any manner, or denied any right or privilege, for such actions.

A qualifying patient or a personal caregiver shall not be subject to arrest or prosecution, or civil penalty, for the medical use of marijuana provided he or she:

(a) Possesses no more marijuana than is necessary for the patient's personal, medical use, not exceeding the amount necessary for a sixty-day supply; and

(b) Presents his or her registration card to any law enforcement official who questions the patient or caregiver regarding use of marijuana.

Section 5. Protection From State Prosecution and Penalties for Dispensary Agents.

A dispensary agent shall not be subject to arrest, prosecution, or civil penalty, under Massachusetts law, for actions taken under the authority of a medical marijuana treatment center, provided he or she:

(a) Presents his or her registration card to any law enforcement official who questions the agent concerning their marijuana related activities; and

(b) Is acting in accordance with all the requirements of this law.

Section 6. Protection Against Forfeiture and Arrest

(A) The lawful possession, cultivation, transfer, transport, distribution, or manufacture of medical marijuana as authorized by this law shall not result in the forfeiture or seizure of any property.

(B) No person shall be arrested or prosecuted for any criminal offense solely for being in the presence of medical marijuana or its use as authorized by this law.

Section 7. Limitations of Law

(A) Nothing in this law allows the operation of a motor vehicle, boat, or aircraft while under the influence of marijuana.

(B) Nothing in this law requires any health insurance provider, or any government agency or authority, to reimburse any person for the expenses of the medical use of marijuana.

(C) Nothing in this law requires any health care professional to authorize the use of medical marijuana for a patient.

(D) Nothing in this law requires any accommodation of any on-site medical use of marijuana in any place of employment, school bus or on school grounds, in any youth center, in any correctional facility, or of smoking medical marijuana in any public place.

(E) Nothing in this law supersedes Massachusetts law prohibiting the possession, cultivation, transport, distribution, or sale of marijuana for nonmedical purposes.

(F) Nothing in this law requires the violation of federal law or purports to give immunity under federal law.

(G) Nothing in this law poses an obstacle to federal enforcement of federal law.

Section 8. Department to define presumptive 60-day supply for qualifying patients.

Within 120 days of the effective date of this law, the department shall issue regulations defining the quantity of marijuana that could reasonably be presumed to be a sixty-day supply for qualifying patients, based on the best available evidence. This presumption as to quantity may be overcome with evidence of a particular qualifying patient's appropriate medical use.

Section 9. Registration of nonprofit medical marijuana treatment centers.

(A) Medical marijuana treatment centers shall register with the department.

(B) Not later than ninety days after receiving an application for a nonprofit medical marijuana

treatment center, the department shall register the nonprofit medical marijuana treatment center to acquire, process, possess, transfer, transport, sell, distribute, dispense, and administer marijuana for medical use, and shall also issue a cultivation registration if:

1. The prospective nonprofit medical marijuana treatment center has submitted:

(a) An application fee in an amount to be determined by the department consistent with Section 13 of this law.

(b) An application, including:

(i) The legal name and physical address of the treatment center and the physical address of one additional location, if any, where marijuana will be cultivated.

(ii) The name, address and date of birth of each principal officer and board member.

(c) Operating procedures consistent with department rules for oversight, including cultivation and storage of marijuana only in enclosed, locked facilities.

2. None of the principal officers or board members has served as a principal officer or board member for a medical marijuana treatment center that has had its registration certificate revoked.

(C) In the first year after the effective date, the Department shall issue registrations for up to thirty-five non-profit medical marijuana treatment centers, provided that at least one treatment center shall be located in each county, and not more than five shall be located in any one county. In the event the Department determines in a future year that the number of treatment centers is insufficient to meet patient needs, the Department shall have the power to increase or modify the number of registered treatment centers.

(D) A medical treatment center registered under this section, and its dispensary agents registered under Section 10, shall not be penalized or arrested under Massachusetts law for acquiring, possessing, cultivating, processing, transferring, transporting, selling, distributing, and dispensing marijuana, products containing marijuana, and related supplies and educational materials, to qualifying patients or their personal caregivers.

Section 10. Registration of medical treatment center dispensary agents.

(A) A dispensary agent shall be registered with the Department before volunteering or working at a medical marijuana treatment center.

(B) A treatment center must apply to the Department for a registration card for each affiliated dispensary agent by submitting the name, address and date of birth of the agent.

(C) A registered nonprofit medical marijuana treatment center shall notify the department within one business day if a dispensary agent ceases to be associated with the center, and the agent's registration card shall be immediately revoked.

(D) No one shall be a dispensary agent who has been convicted of a felony drug offense. The Department is authorized to conduct criminal record checks with the Department of Criminal Justice Information to enforce this provision.

Section 11. Hardship Cultivation Registrations.

The Department shall issue a cultivation registration to a qualifying patient whose access to a medical treatment center is limited by verified financial hardship, a physical incapacity to

access reasonable transportation, or the lack of a treatment center within a reasonable distance of the patient's residence. The Department may deny a registration based on the provision of false information by the applicant. Such registration shall allow the patient or the patient's personal caregiver to cultivate a limited number of plants, sufficient to maintain a 60-day supply of marijuana, and shall require cultivation and storage only in an enclosed, locked facility. The department shall issue regulations consistent with this section within 120 days of the effective date of this law. Until the department issues such final regulations, the written recommendation of a qualifying patient's physician shall constitute a limited cultivation registration.

Section 12. Medical marijuana registration cards for qualifying patients and designated caregivers.

(A) A qualifying patient may apply to the department for a medical marijuana registration card by submitting

1. Written certification from a physician.

2. An application, including:

- (a) Name, address unless homeless, and date of birth.

- (b) Name, address and date of birth of the qualifying patient's personal caregiver, if any.

Section 13. Department implementation of Regulations and Fees.

Within 120 days of the effective date of this law, the department shall issue regulations for the implementation of Sections 9 through 12 of this Law. The department shall set application fees for non-profit medical marijuana treatment centers so as to defray the administrative costs of the medical marijuana program and thereby make this law revenue neutral.

Until the approval of final regulations, written certification by a physician shall constitute a registration card for a qualifying patient. Until the approval of final regulations, a certified mail return receipt showing compliance with Section 12 (A) (2) (b) above by a qualifying patient, and a photocopy of the application, shall constitute a registration card for that patient's personal caregiver.

Section 14. Penalties for Fraudulent Acts.

(A) The department, after a hearing, may revoke any registration card issued under this law for a willful violation of this law. The standard of proof for revocation shall be a preponderance of the evidence. A revocation decision shall be reviewable in the Superior Court.

(B) The fraudulent use of a medical marijuana registration card or cultivation registration shall be a misdemeanor punishable by up to 6 months in the house of correction, or a fine up to \$500, but if such fraudulent use is for the distribution, sale, or trafficking of marijuana for non-medical use for profit it shall be a felony punishable by up to 5 years in state prison or up to two and one half years in the house of correction.

Section 15. Confidentiality

The department shall maintain a confidential list of the persons issued medical marijuana registration cards. Individual names and other identifying information on the list shall be

exempt from the provisions of Massachusetts Public Records Law, M.G.L. Chapter 66, section 10, and not subject to disclosure, except to employees of the department in the course of their official duties and to Massachusetts law enforcement officials when verifying a card holder's registration.

Section 16. Effective Date.

This law shall be effective January 1, 2013.

Section 17. Severability.

The provisions of this law are severable and if any clause, sentence, paragraph or section of this measure, or an application thereof, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section or application adjudged invalid.

ELECTION, 2012.



FAQ Regarding Medical Marijuana in Massachusetts

In November 2012, Massachusetts voters approved a ballot question which allows qualifying patients with certain medical conditions to obtain and use medical marijuana. While the ballot question makes medical marijuana legal in the state, the Massachusetts Department of Public Health must consider several important issues to ensure safe and responsible use.

To that end, DPH has been meeting internally to begin the process of developing these regulations. DPH is partnering with a wide range of stakeholders in public safety, patient advocacy groups, the medical community, and municipal governments and will learn from other states' experiences to put a system in place that is right for Massachusetts.

The following are a series of frequently asked questions about the current status and planned timeline for the implementation of regulations required by the new law:

What happens on January 1, 2013?

The medical marijuana law takes effect on January 1, 2013. At that point, the Department will have 120 days (until May 1, 2013) to issue regulations. Until regulations are in place, medical marijuana dispensaries cannot open, and DPH cannot issue any registration cards. DPH's regulations will reflect input from various stakeholders, and the Department will hold a hearing and comment period to allow for further public input before the regulations are finalized.

Are qualifying patients eligible for medical marijuana under the new law starting January 1 while DPH is drafting its regulations?

During the time DPH is crafting its regulations, the ballot measure allows the written recommendation of a qualifying patient's physician to act as a medical marijuana registration card. Similarly, the law allows a qualifying patient to cultivate their own limited supply of marijuana during this period. Under the law, until DPH issues its regulations, it is not involved in regulating any medical marijuana recommendations between physicians and patients, or in defining the limited cultivation registration.

How do I qualify as a patient?

The patient must obtain a written certification from a physician for a debilitating medical condition. The law specifies: cancer, glaucoma, AIDS, hepatitis C, amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease, multiple sclerosis and other conditions as determined in writing by a qualifying patient's physician. The law allows qualified patients to possess up to a 60-day supply of marijuana for their personal medical use. The law directs DPH to define a 60-day supply through regulation.

What must DPH decide before dispensaries can be registered and registration cards can be issued?

Beginning on January 1, DPH will have 120 days to issue regulations governing numerous sections of the law. Some of the provisions include: setting application fees for non-profit medical marijuana treatment centers to fully cover the cost to the state; defining the quantity of marijuana that constitutes a 60-day supply; setting rules for cultivation and storage of marijuana, which will be allowed only in enclosed, locked facilities; creating registration cards for qualified patients; and defining rules around registration cards, personal caregivers, employees of medical marijuana treatment centers and individuals who qualify for a hardship cultivation registration.

I want to operate a medical marijuana dispensary. Can I apply for registration while regulations are being written?

No, because the regulations will specify what information and fee must be submitted for an application to be considered. In the first year, the law allows DPH to register up to 35 non-profit treatment centers across the state, with at least one but no more than five centers per county. The non-profit treatment centers would be registered under the law to grow, process and provide marijuana to qualified patients.

Will Massachusetts give guidance to health care providers on the medical marijuana law?

The Board of Registration in Medicine is collaborating with DPH to determine how to ensure that physicians understand the law and its provisions. The Board welcomes the recommendations of the Massachusetts Medical Society and other interested stakeholders, and will collaborate with DPH to successfully implement the law and promote patient safety.

Will health insurers or governments be required to cover medical marijuana?

No. Nothing in the law requires any health insurance provider, or any government agency or authority, to reimburse any person for the expenses of the medical use of marijuana.

Published 12/31/2012

Gary Bechtholdt

From: Ted Kozak [tkozak@northbridgemass.org]
Sent: Thursday, January 03, 2013 4:17 PM
To: gbechtholdt@northbridgemass.org
Subject: FW: K&P E-Update -- Medical Marijuana Update - Temporary Zoning Moratorium
Attachments: Adobe Acrobat PDF Format - Temporary Marijuana Moratorium Bylaw.pdf; Microsoft Word Doc Format - Temporary Marijuana Moratorium Bylaw.DOC

Follow Up Flag: Follow up
Due By: Monday, January 14, 2013 4:00 PM
Flag Status: Flagged

FYI

Theodore D. Kozak
Town Manager
P: 508-234-2095
F: 508-234-7640
tkozak@northbridgemass.org

From: KopelmanAndPaigePC [<mailto:KopelmanAndPaigePC@k-plaw.com>]
Sent: Thursday, January 03, 2013 4:02 PM
To: KopelmanAndPaigePC
Subject: K&P E-Update -- Medical Marijuana Update - Temporary Zoning Moratorium



KOPELMAN AND PAIGE, P.C.



THE LEADER IN MUNICIPAL LAW
ATTORNEYS AT LAW

MEDICAL MARIJUANA UPDATE

TEMPORARY ZONING MORATORIUM

The Medical Marijuana Act went into effect on January 1, 2013. While some legislators will be seeking to postpone implementation of the law, we recommend that each municipality prepare now for the possibility that medical marijuana treatment centers may be registered and ready to open as early as the summer of 2013.

Some municipalities may wish to immediately allow the siting of one or more treatment centers; however, many municipalities may wish to adopt zoning bylaws or ordinances to regulate where and how such a center may be sited. If a proposed bylaw or ordinance already has been developed, then the zoning amendment process should begin as soon as possible.

Some municipalities may desire time to study whether and how to create zoning provisions to regulate medical marijuana treatment centers. If so, the municipality may consider enacting a zoning moratorium that would temporarily prohibit issuance of building and occupancy permits for medical marijuana treatment centers for a specific and limited period of time. Such zoning moratoria have withstood legal challenge. W.R. Grace & Co.-Conn. v. City Council of Cambridge, 56 Mass. App. Ct. 559 (2002) (A two-year moratorium was upheld and found to be reasonable under the circumstances). To withstand a challenge,

however, the moratorium must identify the particular issue to be addressed by the moratorium and state the rational basis for its adoption. The moratorium also must be limited in duration and the duration must be reasonable in relation to the planning process necessary to be undertaken.

If a moratorium is challenged, the reviewing court will examine the circumstances under which it was adopted and require the municipality to establish the rational basis for the moratorium. Sturges v. Chilmark, 38 Mass. 246, 252 (1980). More specifically, a municipality must be ready to demonstrate its reasons for adopting the moratorium and be prepared to present the specific, tangible concerns that are to be addressed. For example, a municipality could describe the potential impact that location of a medical marijuana treatment center would have on local law enforcement and public safety needs.

It must be emphasized that the duration of the moratorium must have a rational relationship to the proposed planning process. During the moratorium, officials should undertake a study of the issues and then take the necessary steps to develop and present a proposed bylaw or ordinance to the legislative body, so as to address the identified issues.

We stand ready to assist you and your municipality, should you choose to propose a moratorium or draft a zoning bylaw or ordinance regulating medical marijuana treatment facilities under the new state law.

Attached is a sample moratorium warrant article in both Adobe Acrobat (.pdf) format and in Microsoft Word (.doc) format. Please note that we inserted a proposed moratorium expiration date of June 30, 2014; however, the date may be changed to another date that fits your community's planning needs, provided that the duration of the moratorium period is reasonable. We provided June 30, 2014, as an example because it allows communities slightly over twelve months after the date the Department of Public Health will issue its regulations to formulate bylaws or ordinances regulating medical marijuana treatment centers.

For more information, please contact Attorney Kay Doyle at 617-556-0007.

We hope you find our e-updates informative. If you no longer wish to receive e-updates from K&P, please send us a message, write Unsubscribe in the Subject line and we will remove you from future mailings in this area of law. As always, if you have any other questions or concerns, please do not hesitate to contact us.

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MODEL MEDICAL MARIJUANA MORATORIUM
WARRANT ARTICLE BYLAW

ARTICLE:

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section ___, **TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS**, that would provide as follows, and further to amend the Table of Contents to add Section ___, "Temporary Moratorium on Medical Marijuana Treatment Centers:"

Section _____. PURPOSE

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 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 *[as applicable]* 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. 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.

Section _____ DEFINITION

"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."

Section _____. TEMPORARY MORATORIUM

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 action relative thereto.

464702/80000/0034

H.

Donna Gosselin

From: Gary Bechtholdt [gbechtholdt@northbridgemass.org]
Sent: Tuesday, January 15, 2013 3:13 PM
To: tkozak@northbridgemass.org
Cc: dgosselin@northbridgemass.org; ssusienka@northbridgemass.org
Subject: BOS mtg (JAN 28) -Linwood Mill Nomination
Attachments: SKMBT_22313010913580.pdf

Ted:

Can you include under Decisions (BOS mtg 1/28) –Vote to issue Letter of Support for the Nomination of Linwood Mill - 2013 Preservation Award (Mass Historical Commission)

As I am sure you would agree -the restoration and reuse of this mill property is certainly worthy of such consideration.

Attached is the nomination form –as background information regarding MHC’s Preservation Awards program.

As you may recall the Whitin Mill (Alternatives complex) received similar Preservation Award in 2009.

I met with Matt Mittelstadt (EA Fish Dev) earlier today –he and the Giannopoulos are excited about the prospects of such recognition.

The Planning Board and Historical Commission will be asked to provide same -nominations are due February 15, 2013.

-Gary

R. Gary Bechtholdt II
Northbridge Town Planner

COMMUNITY PLANNING & DEVELOPMENT

Town of Northbridge
7 Main Street
Whitinsville, MA 01588
(508)234-2447

William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, Massachusetts 02125

000 262288910



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2013 Preservation Awards

Nomination Deadline: Friday, February 15, 2013

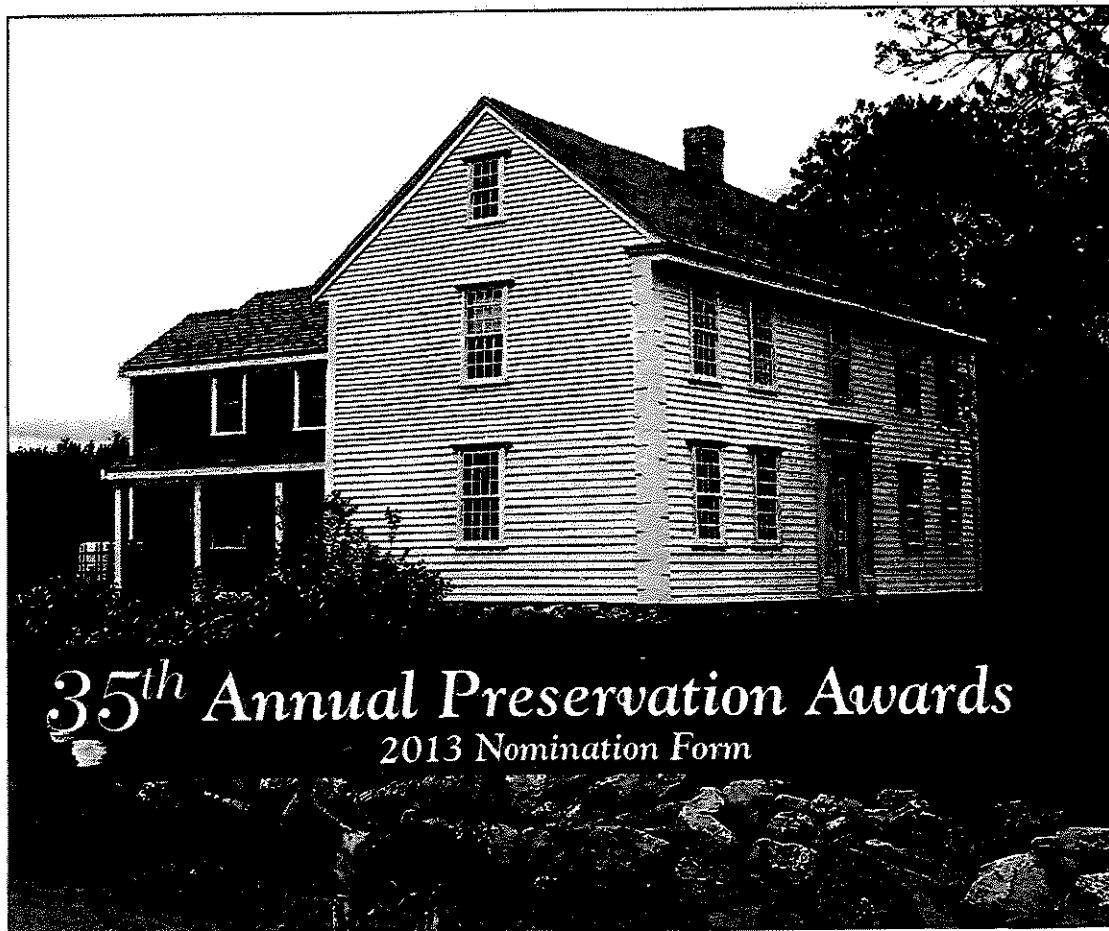
Theodore D Kozak
TOWN MANAGER
TOWN OF NORTHBRIDGE
TOWN HALL, 7 MAIN STREET
WHITINSVILLE, MA 01588



MASSACHUSETTS
HISTORICAL
COMMISSION

William Francis Galvin
Secretary of the Commonwealth

220 Morrissey Boulevard
Boston, MA 02125
617-727-5470
www.sec.state.ma.us/mhc



35th Annual Preservation Awards
2013 Nomination Form

MASSACHUSETTS HISTORICAL COMMISSION

NOMINATION REQUIREMENTS & CHECKLIST

A complete nomination has several parts. All nominations should be bound in a thin report cover with the enclosed nomination form included as the first page.

A complete nomination must include the following items in the order listed:

- ☐ A Completed Nomination Form
- ☐ Statement of Achievement
 - Projects – Describe in detail:
 - The historical significance of the nominated resource;
 - The architectural, landscape, or archaeological significance;
 - The elements of the preservation project and the historic preservation accomplishments that make this a deserving project.
 - Individuals – Describe the individual's career achievements and contributions to historic preservation in a local community or in Massachusetts.
- ☐ List of Contributors – On a separate sheet of paper, provide the names and contact information of all contributing organizations with a significant role in the accomplishment of the achievement. This may include volunteers, nonprofit organizations, municipal or state offices, architects, contractors, craftspeople, consultants, and other professionals.
- ☐ Letter(s) of Support – Please include letters of support for the nomination. Every effort should be made to obtain a letter of support from the local historical commission. Other possible sources include nonprofit organizations, municipal officials, and community leaders. Please do not include letters of support from paid contractors to the project.
- ☐ Photographs – Please include “before” and “after” photos of the nominated project or a portrait of the nominated individual. Please note which photos are from “before” and which are from “after” the project, in addition to identifying (whether by file name or photo key) what is shown in each photograph. The photos should highlight the project's preservation achievements. Photos should be clear, well-composed, and taken in good weather conditions. Please provide photographs in print and digital files. Please do not send digital photographs embedded in a Power Point presentation, Word document, or PDF file. Send each digital image as a separate file (jpg or tiff preferred). Selected projects will be asked to submit photographs to be used for publicity purposes. Publicity photos must be either traditional 8x10, color glossy photographs (printed from film), or high resolution (1200ppi, 8x10, tiff format) digital images. These may be submitted with the nomination.
- ☐ Additional Information – Include brochures, pamphlets, and other descriptive material relating to the nominated project.

NOMINATION GUIDELINES & ADDITIONAL INFORMATION

- All materials, including photographs, must be clearly identified with the name of the nominated project or individual. Photos must include a description and applicable photo credits and copyright information.
- Only activities completed between January 1, 2009, and December 31, 2012, may be nominated for an award.
- Massachusetts Historical Commission staff may contact other people or organizations, including the local historical commission, regarding the nomination.
- The MHC reserves the right to change the category in which a project/person is nominated.
- Additional materials may be requested.
- All submitted materials become the property of the Massachusetts Historical Commission and will not be returned.
- Nominator warrants that he/she is legal owner of all right, title, and interest in submitted nomination materials, and grants to the Massachusetts Historical Commission a license to use the materials for presentation and publicity purposes and warrants that such rights have not been previously licensed, pledged, assigned, or encumbered and that this license does not infringe on the rights of any person. Appropriate credit will be given.
- Award winners will be notified by mail.
- Nominations must be for historic preservation, archaeology, landscape preservation projects, or individuals who have contributed in these areas. General history projects, such as town histories, as well as document preservation or historical research, are not eligible for consideration.

NOMINATION FORM

Project Name or Name of Individual _____

Property Address (if applicable) _____

Category(s) *(MHC reserves the right to change the category in which a project/person is nominated)*

- | | |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Archaeology | <input type="checkbox"/> Local Preservationist |
| <input type="checkbox"/> Adaptive Reuse | <input type="checkbox"/> Rehabilitation & Restoration |
| <input type="checkbox"/> Education & Outreach | <input type="checkbox"/> Individual Lifetime Achievement (20 or more years of exemplary service) |
| <input type="checkbox"/> Landscape Preservation | <input type="checkbox"/> Stewardship |

Project Contact _____

Person principally responsible for nominated activity

Title _____

Organization _____

Mailing Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

E-mail _____

Month and year in which nominated achievement was completed _____

Please provide the following information about yourself so that we may contact you if we need additional information regarding the nomination.

Your Name _____

Title _____

Organization _____

Mailing Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

E-mail _____

The 2013 Massachusetts Preservation Awards Nomination Form has been financed in part with Federal funds from the National Park Service, U.S. Department of the Interior. However, the contents and opinions do not necessarily reflect the views or policies of the Department of the Interior. This program receives Federal financial assistance for identification and protection of historic properties. Under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, as amended, the U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, disability or age in its federally assisted programs. If you believe you have been discriminated against in any program, activity or facility as described above, or if you desire further information please write to: Office of Equal Opportunity, National Park Service, 1849 C Street, N.W., Washington, D.C., 20240.

2013 PRESERVATION AWARDS

Secretary of the Commonwealth William Francis Galvin
and the
Massachusetts Historical Commission
are pleased to announce the
2013 Preservation Awards Competition

THE PRESERVATION AWARDS PROGRAM

We enjoy a cultural heritage rich in historic resources. In recognition of the challenge of preserving our national legacy, the Massachusetts Historical Commission (MHC) founded the Preservation Awards program 35 years ago. Awards are presented annually to preservation projects or individuals that have displayed an outstanding commitment to historic preservation in Massachusetts. Nominations must be for projects completed in 2009, 2010, 2011 or 2012.

2013 PRESERVATION AWARD CATEGORIES

Adaptive Reuse

Archaeology

Education & Outreach

Individual Lifetime Achievement

(20 or more years of exemplary service to historic preservation in Massachusetts)

Landscape Preservation

Local Preservationist

Rehabilitation & Restoration

Stewardship

DEADLINE FOR SUBMISSION OF NOMINATION PACKAGES:

Nominations must be received no later than 5:00pm on Friday, February 15, 2013.

PLEASE MAIL OR DELIVER NOMINATIONS TO:

2013 Preservation Awards
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125-3314

For further information, please visit www.sec.state.ma.us/mhc, or contact the MHC (mhc@state.ma.us) at 617-727-8470.

*On the Cover: Wheeler-Minot House / Thoreau Farm, Concord — 2012 Winner for Education & Outreach and Rehabilitation & Restoration.
Photo by Lawrence A. Sorli*

**MOTION FOR
AGENDA ITEM I.**

I. Worcester Regional Transit Authority/Vote to join the WRTA.

**I MAKE A MOTION THAT THE TOWN OF NORTHBRIDGE JOIN THE WORCESTER
REGIONAL TRANSIT AUTHORITY.**

TOWN MANAGER'S REPORT – JANUARY 28, 2013

1) Marine Corps League/Certificate of Appreciation: Received a Certificate of Appreciation from the Marine Corps League for hosting a site for the Toys for Tots Program.

2) Roads and Bridges Update: Sutton Street – Letters requesting right of entry permission and donation of easements were sent to residents on Sutton Street for a second time. A number of residents have granted these donations. We are planning on starting the taking process for those residents who have not responded. Work continues on both the Douglas Road and Ross Rajotte bridge projects.

3) Central Mass Regional Planning Commission Manager's Meeting: Attended the CMRPC Manager's Meeting in which they discussed joint purchase of DPW supplies and GIS services for towns.

4) Mass. Municipal Association Conference: Attended the MMA Conference on January 25th and 26th and went to various workshops and the trade show.

Marine Corps League



Blackstone Valley Detachment 944

Certificate of Appreciation

to

Northbridge Town Hall

In appreciation and gratitude for your support of the

Toys for Kids & Teens

Campaign, December, 2012

Robert Mulhearn

*Robert Mulhearn
Commandant*

Gerald Sheehan

*Gerry Sheehan
Coordinator*

William Marvelli Jr.

*William Marvelli
Campaign Chairman*