

COMMONWEALTH OF MASSACHUSETTS  
TOWN OF NORTHBRIDGE  
WARRANT FOR SPRING ANNUAL TOWN MEETING  
TRANSACTION OF TOWN BUSINESS  
TUESDAY, MAY 7, 2013 - 7:00 P.M.

RECEIVED

13 APR -9 PM 2:48

NORTHBRIDGE TOWN CLERK  
DOUGLAS J. STURGEON

WORCESTER, ss:

To any Constable of the Town of Northbridge in said County,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the Inhabitants of the Town of Northbridge, qualified to vote in Town elections and Town affairs, to meet in the Northbridge Middle School Auditorium on Linwood Avenue, in Whitinsville, in said Northbridge, Massachusetts, on Tuesday, May 7, 2013 at 7:00 o'clock P.M., then and there to act on the following articles:

**ARTICLE 1: (Board of Selectmen)**

To see if the Town will vote to raise and appropriate and/or transfer from the unexpended appropriated funds of one of the departments of the Town the following sums of money and authorize the payment of prior year bills:

or take any other action relative thereto.

**ARTICLE 2: (Board of Selectmen)**

To see if the Town will vote to amend the votes taken under Article 3 of the 2012 Spring Session of the Annual Town Meeting (May 1, 2012), and under Article 2 of the 2012 Fall Session of the Annual Town Meeting (October 23, 2012), appropriations and transfers under the Omnibus Budget Article; or take any other action relative thereto.

**ARTICLE 3: (Finance Committee)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury and/or transfer from the Health Insurance Stabilization Fund such sums of money not to exceed \$38,124,337 to defray the necessary and usual expenses of the several departments of the Town for FY 2014, beginning July 1, 2013 and ending June 30, 2014; or take any other action relative thereto.

**ARTICLE 4: (Board of Selectmen)**

To see if the Town will vote to raise and appropriate and/or transfer from the Retained Earnings Account of the Sewer Enterprise Fund a sum of money to operate the Sewer Enterprise Operation of the Department of Public Works for FY 2014; or take any other action relative thereto.

**ARTICLE 5: (Board of Selectmen)**

To see if the Town will vote to raise and appropriate and/or transfer from the Retained Earnings Account of the Water Enterprise Fund a sum of money to operate the Water Enterprise Operation of the Department of Public Works for FY 2014; or take any other action relative thereto.

**ARTICLE 6: (Board of Selectmen)**

To see if the Town will vote to appropriate a sum of money and such additional funds as may become available from the Commonwealth's Department of Transportation, Chapter 90 Bond Issue proceeds, to be used by the Department of Public Works for the repair and maintenance of Town roads in conformance with MGL and further to see if the Town will vote to meet said appropriation by borrowing and to authorize the Treasurer/Collector, with approval of the Board of Selectmen, to issue bonds or notes of the Town therefor in anticipation of the receipt of said State Aid; or take any other action relative thereto.

**ARTICLE 7: (Board of Selectmen)**

To see if the Town will vote to authorize the Treasurer/Collector to enter into a compensating balance agreement or agreements for FY 2014, pursuant to Chapter 44, Section 53F of the M.G.L.; or take any other action relative thereto.

**ARTICLE 8: (Playground & Recreation Commission)**

To see if the Town will vote to reauthorize a revolving account pursuant to M.G.L. Chapter 44, Section 53E 1/2 for the Playground & Recreation Commission, to credit to such account any grants, donations, program user fees and fund raising proceeds received by said Commission and to authorize said Commission to expend from such account amounts required to maintain the Town's playgrounds and recreation fields, to make improvements thereto and to purchase, lease or rent equipment and support facilities for programs and activities taking place thereon provided, however, that the total amount which may be expended from the account in FY 2014 is \$20,000; or take any other action relative thereto.



**ARTICLE 9: (Board of Assessors)**

To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury a sum of money not to exceed \$16,050 for a Triennial Revaluation analysis of Personal Property of the Town of Northbridge in accordance with Massachusetts General Laws Chapter 40 section 56 and Chapter 58 sections 1, 1A, and 3; or take any other action relative thereto.

**ARTICLE 10: (Board of Selectmen)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury a sum of money for the purpose of financing the purchase of a Medium Duty Dump Truck with Swap Body, Plow and Accessories for use by the Highway Division of the Department of Public Works; and to determine whether such appropriation shall be subject to a capital outlay expenditure exclusion under Proposition 2½, so-called; or take any other action relative thereto.

**ARTICLE 11: (Board of Selectmen)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury a sum of money for the purpose of financing the purchase of a Back Hoe (JD 410 or equal) and Accessories for use by the Highway Division of the Department of Public Works; and to determine whether such appropriation shall be subject to a capital outlay expenditure exclusion under Proposition 2½, so-called; or take any other action relative thereto.

**ARTICLE 12: (Board of Selectmen)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury the sum of \$80,000.00 (EIGHTY THOUSAND AND 00/100 DOLLARS) for the purpose of financing the purchase of a bucket truck and accessories and equipment for use by the Fire Department; and to determine whether such appropriation shall be subject to a capital outlay expenditure exclusion under Proposition 2½, so-called; or take any other action relative thereto.

**ARTICLE 13: (Building, Planning & Construction Committee)**

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury and/or transfer from the Stabilization Fund a sum of money to fund a project for the repair of the concrete apparatus floor abutments at the Rockdale Fire Station, and all costs related thereto; said sum to be expended under the direction of the Building, Planning, and Construction Committee; or take any other action relative thereto.

**ARTICLE 14: (School Committee)**

To see if the Town will vote to transfer from the Stabilization Fund a sum of money for the purpose of repairing the gymnasium floor at the W. Edward Balmer School, said sum to be expended under the direction of the School Committee and/or the Building, Planning, and Construction Committee; or take any other action relative thereto.

**ARTICLE 15: (School Committee)**

To see if the Town will vote to transfer from the Stabilization Fund a sum of money for the purpose of installing approximately 25,000 square feet of sod at Lasell Field, said sum to be expended under the direction of the School Committee and/or the Building, Planning, and Construction Committee; or take any other action relative thereto.

**ARTICLE 16: (School Committee)**

To see if the Town will vote to raise and appropriate a sum of money to purchase and install safety and security items for the Northbridge Elementary School, W. E. Balmer School, Northbridge Middle School, and Northbridge High School, including door hardware, key card security locks, security cameras, and security window film, said sum be expended under the direction of the School Committee, contingent upon the passage of a capital outlay expenditure exclusion under the provisions of Proposition 2½ so called, MGL Chapter 59, Section 21C (i½), for FY 14 (July 1, 2013 to June 30, 2014); or take any other action relative thereto.

**ARTICLE 17: (School Committee)**

To see if the Town will vote to raise and appropriate, and/or transfer from the FY 13 Omnibus Budget, and/or transfer from the unexpended undesignated fund balance (free cash), and/or transfer from the Stabilization Fund a sum of money for the purpose of purchasing a Ford 550 DRW Cab/Chassis, said sum to be expended under the direction of the School Committee; or take any other action relative thereto.

**ARTICLE 18: (Building, Planning & Construction Committee)**

To see if the Town will vote to raise and appropriate and/or transfer from the undesignated fund balance (free cash) and/or transfer from Chapter 90 proceeds, a sum of money, to be expended by the Board of Selectmen, to acquire by purchase, gift, or eminent domain permanent easements and temporary construction easements over properties located on Sutton Street in conjunction with the reconstruction of Sutton Street, as authorized by the vote under Article 5 of the October 23, 2012 Fall Annual Town Meeting, the easement parcels being shown on plans on file in the Office of the Town Clerk, including a



plan entitled "The Preliminary Right-of-Way Plans for Sutton Street in the Town of Northbridge", Revision #2 dated 8/24/12; or take any other action relative thereto.

**ARTICLE 19: (Building, Planning & Construction Committee)**

To see if the Town will vote to transfer the unexpended balance of the amount appropriated under Article 22 of the 2012 May Annual Town Meeting for the purpose of engineering and architectural services for any Town owned buildings and facilities, said sum to be expended under the direction of the Building, Planning and Construction Committee; or take any other action relative thereto.

**ARTICLE 20: (Board of Selectmen)**

To see if the Town will vote to accept G.L. c. 59, Section 5N, authorizing the Board of Selectmen to establish a program to allow Veterans who qualify for participation to volunteer to provide services to the Town in exchange for a reduction in the real property tax obligations of that veteran on the veteran's tax bills, in addition to any exemption or abatement to which that person is otherwise entitled, not to exceed \$1,000.00 and credit for such participation not to exceed the current minimum wage of the Commonwealth per hour for the services provided; and further to see if the Town will vote to adjust the exemption by

- 1) allowing an approved representative for persons physically unable to provide such services to the Town; or
- 2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given year; rather than \$1,000.00;

or take any other action relative thereto.

**ARTICLE 21: (Board of Selectmen)**

To see if the Town will vote to amend the Zoning Bylaw by adding a new section 173-18.4, **Temporary Moratorium on Medical Marijuana Treatment Centers**, in **Article V - Use Regulations**, as follows:

**§ 173-18.4 Temporary Moratorium on Medical Marijuana Treatment Centers** [Added 05-07-2013 ATM, Art. 21]

**A. Authority and purpose.**

(1) By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town of Northbridge and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers.

(2) The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

**B. Definition.**

(1) "Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

**C. Temporary Moratorium.**

(1) For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30,

2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations Regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses;

Or take any other action relative thereto.

**ARTICLE 22: (Planning Board)**

To see if the Town will vote to accept as a public way, Gilmore Drive [South Sutton Commerce Park] as heretofore laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk, and further authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, purchase or eminent domain easements in said way for the purposes for which public ways are used in the Town, and to acquire certain utility, maintenance or related easements in connection therewith; or take any other action relative thereto.

**ARTICLE 23: (Petition)**

To see if the Town will vote to accept as a public way, the alteration and extension of Ash Street [portion to be discontinued] as heretofore laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk, and further authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, purchase or eminent domain easements in said way for the purposes for which public ways are used in the Town, including an associated drainage easement; or take any other action relative thereto.

**ARTICLE 24: (Petition)**

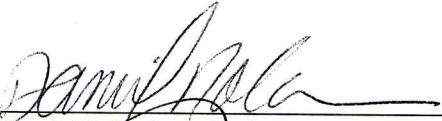
To see if the Town will vote to raise and appropriate by means of a capital expenditure, the sum of Fifty Thousand Dollars for the repair and restructure of both the baseball diamond and the softball diamond located at Lasell Field in order to bring both diamonds into safe playable facilities for the youth of this community; said funds to be expended under the direction of the maintenance director of the Northbridge Public School system; or take any other action relative thereto.

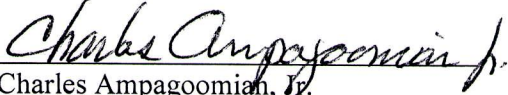


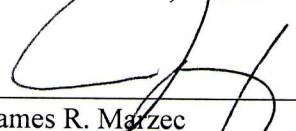
And you are directed to serve this warrant by posting attested copies thereof at the Whitinsville Post Office in Whitinsville and Brian's Restaurant in Linwood, in Precinct 1; Office of Polyfoam Corp., Gary's Variety and the Northbridge Post Office in Northbridge, all in Precinct 2; Town Clerk's Office and 1Quikstop in Whitinsville in Precinct 3; and the VFW Hall [875 Hill Street] and Town Hall Annex in Whitinsville in Precinct 4; twenty-eight (28) days at least before the time and place of meeting aforesaid.


WHEREOF FAIL NOT, and make due return of the warrant, with your doings thereon, to the Town Clerk at the time and place of said meeting. GIVEN under our hand this 8<sup>th</sup> day of April in the year Two Thousand Thirteen.


**SELECTMEN OF NORTHBRIDGE**

  
Daniel J. Nolan, Chairman

  
Charles Ampagoomian, Jr.

  
James R. Marzec


  
Thomas J. Melia

  
James J. Athanas

WORCESTER, SS Northbridge

date: April 9, 2013

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

  
Constable, Town of Northbridgd