

**TOWN OF NORTHBRIDGE
BOARD OF SELECTMEN'S MEETING
NORTHBRIDGE TOWN HALL
7 MAIN STREET - WHITINSVILLE, MA 01588
March 28, 2022 at 7:00 PM**

PLEDGE OF ALLEGIANCE

I. APPROVAL OF MINUTES: A. 1) February 14, 2022 2) February 28, 2022

II. PUBLIC HEARING

III. APPOINTMENTS:

B. By the Board of Selectmen:

Board of Registrars (Annual Reappointments):

1) Linda Zywiec, Town Clerk (Republican)

2) Janet Burke (Democrat)

3) **Cultural Council:** a) Krystina Molt b) Ariel Lopez (Present – Yurima Guilarte-Walker, Chair)

IV. CITIZENS' COMMENTS/INPUT

V. DECISIONS:

C. Northbridge Veterans' Council /1) Request to hold the Memorial Day Parade in Whitinsville on Monday, May 30, 2022 at 10:00 AM. 2) Request permission to use Memorial Park for Memorial Day exercises

D. Armenian Church / Request to hang a banner across Church Street from Sunday, August 7, 2022 until Sunday, August 21, 2022 to advertise the annual Church Picnic to be held Sunday, August 21, 2022

E. Spring Annual Town Meeting [May 3, 2022] / Vote to sign warrant upon completion and final review by Town Counsel

F. Annual Town Election [May 17, 2022]/Vote to notify the Town Clerk to place questions on the Annual Town Election Ballot

a) Town Charter Amendments

b) Fire Station Project Funding (Debt Exclusion)

c) Civil Service Revocation

VI. DISCUSSIONS:

G. Cable TV License Renewal Process/**Present:** Harry Berkowitz, Chairman, Cable Advisory Committee

VII. TOWN MANAGER'S REPORT

VIII. SELECTMEN'S CONCERNS

IX. ITEMS FOR FUTURE AGENDA

X. CORRESPONDENCE

XI. EXECUTIVE SESSION

Town Clerk: 2 Hard copies

Web: Post time-stamped copy

A.1.

BOARD OF SELECTMEN'S MEETING

February 14, 2022

A meeting of the Board of Selectmen was called to order by Chairman Ampagoomian at 7:00 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA. Board Members Present: Ampagoomian, Collins and Melia. Also Present: Adam D. Gaudette, Town Manager. Selectman Athanas and Selectman Cannon were absent, and it is duly noted.

The Pledge of Allegiance was recited by those present.

Ms. Elster of the Whitin Community Center presented the Goerge Marston Whitin Community Award to Chairman Ampagoomian. Ms. Elster read the award aloud and noted that she feels it is the most prestigious award. Chairman Ampagoomian thanked Ms. Elster for selecting him for this award.

Presentation of Retirement Plaques to: 1) **Richard Brooks, Working Foreman (DPW)**. Chairman Ampagoomian announced that Mr. Brooks was not able to attend the meeting tonight. 2) **Steven Dupre, Dep. Fire Chief**. Chairman Ampagoomian stated that Mr. Dupre is retiring after 45 years of service on the Call Fire Department. Chairman Ampagoomian read aloud and presented the plaque to Mr. Dupre. Mr. Dupre thanked the Board for having him tonight.

APPROVAL OF MINUTES/1) October 18, 2021. A motion/Mr. Collins, seconded/Mr. Melia to approve the October 18, 2021 minutes as presented with the readings omitted. Vote yes/Board members: Ampagoomian, Collins and Melia. **2) November 8, 2021.** A motion/Mr. Collins, seconded/Mr. Melia to approve the November 28, 2021 minutes as presented with the readings omitted. Vote yes/Board members: Ampagoomian, Collins and Melia. **3) November 22, 2021.** A motion/Mr. Collins, seconded/Mr. Melia to approve the November 22, 2021 minutes as presented with the readings omitted. Vote yes/Board members: Ampagoomian, Collins and Melia. **4) December 6, 2021.** A motion/Mr. Collins, seconded/Mr. Melia to approve the December 6, 2021 minutes as presented with the readings omitted. Vote yes/Board members: Ampagoomian, Collins and Melia. **5) December 20, 2021.** A motion/Mr. Collins, seconded/Mr. Melia to approve the December 20, 2021 minutes as presented with the readings omitted. Vote yes/Board members: Ampagoomian, Collins and Melia. **6) January 24, 2022.** A motion/Mr. Collins, seconded/Mr. Melia to approve the January 24, 2022 minutes as presented with the readings omitted. Vote yes/Board members: Ampagoomian, Collins and Melia.

PUBLIC HEARING/None

APPOINTMENTS: By the Board of Selectmen/Vote to appoint: B. 1. Rev. Ethan Drutchas, Whitinsville Downtown Crossroads Historic District Commission (Historical Society Rep.). Mr. Drutchas told the Board that is currently the Senior Administer at the Village Congregational Church and has been there since October of 2018. Mr. Drutchas stated that one of his passions is history, especially local history and he also has his undergraduate degree in History. He has had great pleasure since arriving here in learning about the history of this community. A motion/Mr. Melia, seconded/Mr. Collins to appoint Mr. Drutchas to the Whitinsville Downtown Crossroads Historic District Commission and the Historical Society Rep.

2. Bryan Bradley, Zoning Board of Appeals (Assoc. Member) / Present: Doug Curving, ZBA Chair. Mr. Bradley is a recent Whitinsville resident, as of December. He spent nine years in the army and wanted to serve his community in a different way. Mr. Curving stated that after speaking with Mr. Bradley, he feels he will bring some great attributes to the Zoning Board. A motion/Mr. Collins, seconded/Mr. Melia to

appoint Bryan Bradley to the Zoning Board of Appeals as an Associate Member. Vote yes/Board Members: Ampagoomian, Collins and Melia.

By the Town Manager/Vote to affirm: C. 1. Jamie Luchini, Interim DPW Director/Present: Jamie Luchini/Highway Superintendent. Town Manager Gaudette explained that with the upcoming retirement of DPW Director James Shuris it made sense to transition Mr. Luchini into this position. Town Manager Gaudette commended Mr. Luchini for his hard work as the Highway Superintendent, his team player attitude and feels this will be a great fit for him. Mr. Shuris added that Mr. Luchini has a can-do attitude, gets along well with staff and residents and it is a pleasure to have him step into this position. Mr. Luchini thanked Mr. Shuris for everything that he has taught him over the last eight years, and he is excited to move to this next position. He added that it has been great working in this town, working with the Departments and looks forward to his future career here. A motion/Mr. Collins, seconded/Mr. Melia to affirm the Town Manager's appointment of Jamie Luchini as the Interim DPW Director. Vote yes/Board members: Ampagoomian, Collins and Melia.

2. Lillian Thompson, Assessors Clerk/Present: Robert Fitzgerald, Principal Assessor. Mr. Fitzgerald explained that they have been in need of an Assessors Clerk and looking forward to having Ms. Thompson fill that position. Ms. Thompson added that she lives in Uxbridge and has a son in college and a daughter in High School. Ms. Thompson noted that she previously worked for Uxbridge as a day care aid in the after-school program. A motion/Mr. Melia, seconded/Mr. Collins to affirm the Town Manager's appointment of Lillian Thompson as the Assessors Clerk. Vote yes/Board members: Ampagoomian, Collins and Melia.

Board of Health Department / Present: Jeanne Gniadek, Board of Health Administrator: 3a. Premasai Nagabhyrava, Regional Epidemiologist. Mrs. Gniadek explained that Ms. Nagabhyrava is being hired as the Regional Epidemiologist through a grant, which represents eight towns in the Blackstone Valley, Blackstone, Douglas, Hopedale, Mendon, Millville, Upton, Uxbridge and Northbridge. Ms. Nagabhyrava stated she and has lived in Shrewsbury her entire life, completed her undergrad at Boston University, received her Masters from Tulane University, where she majored in epidemiology, and is finishing her seconded Masters at Boston University in Masters in Medical Sciences. A motion/Mr. Melia, seconded/Mr. Collins to affirm the appointment of Premasai Nagabhyrava as the Regional Epidemiologist. Vote yes/Board members: Ampagoomian, Collins and Melia.

3b. Debra Vescera, Regional Public Health Nurse. Mrs. Gniadek introduced Ms. Vescera and explained that she is also being hired through a grant for contact tracing, which represents the same eight towns. Ms. Vescera will be assisting the Public Health Nurses for the eight communities. Ms. Vescera stated that she is a very seasoned Public Health Nurse, and explained she worked for the City of Worcester as the Public Health Nurse and eight towns in the Southern Worcester County area. She added that she is very passionate about her job, and she is completing her Masters in Public Health Nursing - Population Based Health from Worcester State University. She also teaches Public Health Clinical at Worcester State University. Ms. Vescera is looking forward to starting here in the Town of Northbridge. A motion/Mr. Melia, seconded/Mr. Collins to affirm the appointment of Debra Vescera as the Regional Public Health Nurse. Vote yes/Board members: Ampagoomian, Collins and Melia.

3c. Kaitlin Donahue, Part-Time Health Inspector, subject to pre-employment requirements. Mrs. Gniadek noted that Ms. Donahue is not part of a grant. Ms. Edmands had filled the position when Ms. Gilchrest retired last October, and since then Ms. Edmands was hired as the Full Time Regional Health Inspector. Ms. Gniadek added that she and Ms. Donahue worked at the vaccination clinic together where she saw her hard work ethic and she is looking forward to adding her on. Ms. Donahue stated that she is originally from Upton and now lives in Uxbridge. She is currently working in Uxbridge as their Health Inspector as well and is looking to fill the rest of her time in Northbridge. A motion/Mr. Melia,

seconded/Mr. Collins to affirm the appointment Kaitlin Donahue as the Part Time Health Inspector. Vote yes/Board members: Ampagoomian, Collins and Melia.

CITIZENS' COMMENTS/INPUT/None

Stone Hill Partners, LLC [Stone Hill Condos] /Vote to accept monetary gift in the amount of \$100,000.00 (Mumford Riverwalk improvements). Town Manager Gaudette explained that this represents the sixth payment to the Town as part of their special permit that was approved. These funds will be designated for construction improvements to the Mumford Riverwalk. A motion/Mr. Melia, seconded/Mr. Collins to accept the monetary gift in the amount of \$100,000 from the Stone Hill Partners, LLC to be used towards the Mumford Riverwalk Improvements. Vote yes/Board members: Ampagoomian, Collins and Melia.

TOWN MANAGER'S REPORT

E. Draft Spring Town Meeting Warrant (includes draft Capital Funding Plan). Town Manager Gaudette reviewed the budget calendar with the Board. Town Manager Gaudette then reviewed the draft warrant with the Board. Town Manager Gaudette informed the Board that the Fire Station Project, with the rising costs is now unfortunately over budget. After removing some items from the project, which was discussed at the previous Selectmen's meeting, the Board was supportive of going back to Town Meeting and the Ballot to request additional funding. At the last meeting, the plan was for Blackstone Valley Tech to build the outbuilding, but unfortunately BVT is backed up and the construction team felt it was not a good march for their students. Town Manager Gaudette asked the Board how they would like to go about asking for additional funds and explained they can use surplus revenue on the Capitol Plan or include it in the ballot question and a Town Meeting Article. Selectman Melia felt that the full amount should go to Town Meeting and on the Balot, since there are capitol projects that should not be postponed. Selectman Collins agreed. Town Manager Gaudette noted that for the next meeting he will revise the Capitol Plan. At the first meeting in March with the Building Planning and Construction Committee we should have a dollar amount to put into the article. The plan is to have the bid numbers in hand before Town Meeting. Selectman Ampagoomian asked about the possibility of petitioning the State to waive the prevailing wages. Town Manager Gaudette explained that it would not be possible since we are required to pay prevailing wage. Town Manager Gaudette noted that the ARPA funding and explained that he will go over that at a future meeting. **1) Key Meetings Attended:** Monday, January 24, 2022 – Weekly Conference Call for the Fire Station Project. Monday, January 24, 2022 – Attended the virtual BOS Meeting. Monday, January 24, 2022 – Conference Call with Town Counsel to discuss upcoming Civil Service appeal hearing. Tuesday, January 25, 2022 – Conference Call with M. Walker to discuss NPS capital projects. Wednesday, January 26, 2022 – Participated in Insurance Advisory Committee Meeting (virtual) with NFP to discuss Insurance Provider proposals. Friday, January 28, 2022 – Conference Call for the Fire Station Project to prep for following week's BPCC Meeting. Friday, January 28, 2022 – Conference Call with each Department Head to discuss the FY2023 line item budget. Monday, January 31, 2022 – Weekly Conference Call for the Fire Station Project. Tuesday, February 1, 2022 – Virtual Hearing with the State Dept of Human Resources (Civil Service) regarding our recent Lieutenant appointment. Tuesday, February 1, 2022 – Attended the virtual BPCC Meeting to discuss the Fire Station Project, NES Reuse Study and the 5-Year Capital Plan. Wednesday, February 2, 2022 – Virtual Conference Call with Heather Elster (WCC) and Mass Development regarding possible Annex Community Project. Thursday, February 3, 2022 – Virtual Meeting for the Library Strategic Plan. Thursday, February 3, 2022 – Met with Chief Labrie to discuss FY2023 Budget. Monday, February 7, 2022 – Weekly Conference Call for the Fire Station Project. Wednesday, February 9, 2022 – Met with Cheryl Tivnan to discuss a Cultural Council Grant. Wednesday, February 9, 2022 – Phone Call with Ross Smith re: the closing of West Hill Road. Friday, February 11, 2022 – Attended the virtual Massachusetts Managers Association Annual Meeting. **2) Fire Station Project:** The architect continues to work on the design which now again includes the Planning Wing. The Design Team has advertised an early site package this past week on February 9th in an effort to have a clear site for

construction bids. Pre-qualifications for Subs and GC's have been submitted and the group will be providing rankings to the BPCC for a vote at their next meeting on February 23rd. We also hope to have updated reconciled costs at this meeting as well. Unfortunately, we received some bad news that BVT won't be able to construct the Storage Building. The Town Manager will be discussing with the Board of Selectmen this coming Monday, February 14, 2022. **3) Northbridge Elementary School Reuse Study:** The BPCC held interviews this last week and will be looking to select the most qualified firm to perform the study at their next meeting on February 23rd. **4) Fire Department Radio Communications Study:** The RFP for this project was due on January 28th. We received five (5) proposals. Chief White, Chief Labrie, and the Town Manager are reviewing the proposals in preparation of making a consultant selection next week. **5) Fire Department Strategic Plan:** The Town Manager and Fire Chief selected the consultant CPSM for this project. The services agreement has been finalized and the Town Manager issued the Notice to Proceed. The Project is expected to be completed in the next 120 days. **6) Fallon Health Insurance Replacement:** The Town Manager has been working with the Finance Team and NFP to solicit pricing for health insurance plans as Fallon is getting out of the municipal market. The RFP was advertised and the Town received several responses. NFP and staff team had the providers proposing plans present to the IAC. The plan is to make a decision with the IAC in the next week or two. **7) American Rescue Plan Act (ARPA):** The Town will be receiving \$4.9M which can be used for projects/programs in response to the recovery effort brought on by the pandemic. The Town Manager issued Project Request application Documents to staff and area non-profit organizations for the purposes of accessing Federal Relief Funds issued to the Town through the American Rescue Plan Act. The Town Manager will provide a Funding Project Plan as part of the FY2023 Budget and Capital Planning Process starting with the Finance Committee on February 16, 2022. **8) FY2023 Budget and Capital Plan Development:** The Town Manager will provide the Board of Selectmen with a preliminary Draft Warrant on February 14th and will be meeting with the FinCom on February 16th to discuss the FY2023 Preliminary Budget.

SELECTMEN'S CONCERNS: Selectman Collins **1)** asked if there was any progress on the drainage at the School. Interim DPW Director Jamie Luchini replied that the talk weekly, and it is a work in progress. Selectman Melia **1)** congratulated both Mr. Brooks and Mr. Shuris on their retirement.

ITEMS FOR FUTURE AGENDA/None

CORRESPONDENCE/None

EXECUTIVE SESSION/None

A motion/Mr. Collins, seconded/Mr. Melia to adjourn the public meeting. Vote yes/Board members: Ampagoomian, Collins and Melia.

Meeting Adjourned: 7:50 PM

Respectfully submitted,

Russell D. Collins, Clerk

/mjc

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING - OPEN SESSION

February 14, 2022

Presentation of Retirement Plaques to: 1) **Richard Brooks, Working Foreman (DPW)**
2) **Steven Dupre, Dep. Fire Chief**

I. APPROVAL OF MINUTES:

A. 1) October 18, 2021

-Copy of October 18, 2021 meeting minutes

2) November 8, 2021

-Copy of November 8, 2021 meeting minutes

3) November 22, 2021

-Copy of November 22, 2021 meeting minutes

4) December 6, 2021

-Copy of December 6, 2021 meeting minutes

5) December 20, 2021

-Copy of December 20, 2021 meeting minutes

6) January 24, 2022

-Copy of January 24, 2022 meeting minutes

II. PUBLIC HEARING/None

II. APPOINTMENTS: By the Board of Selectmen/Vote to appoint:

B. 1. Rev. Ethan Drutchas, Whitinsville Downtown Crossroads Historic District Commission (Historical Society Rep.)/No documentation

2. Bryan Bradley, Zoning Board of Appeals (Assoc. Member) / Present: Doug Curving, ZBA Chair

-Copy of Talent Bank form for Bryan Bradley

By the Town Manager/Vote to affirm:

C. 1. Jamie Luchini, Interim DPW Director/Present: Jamie Luchini/Highway Superintendent

-Copy of memo from the Town Manager recommending the appointment of Jamie Luchini

2. Lillian Thompson, Assessors Clerk/Present: Robert Fitzgerald, Principal Assessor

-Copy of cover letter from Lillian Thompson

-Copy of Application of Lillian Thompson

-Copy of resume of Lillian Thompson

Board of Health Department / Present: Jeanne Gniadek, Board of Health Administrator:

3a. Premsai Nagabhyrava, Regional Epidemiologist

-Copy of resume of Premsai Nagabhyrava

3b. Debra Vescera, Regional Public Health Nurse

-Copy of resume of Debra Vescera

3c. Kaitlin Donahue, Part-Time Health Inspector, subject to pre-employment requirements

-Copy of memo recommending appointment of Kaitlin Donahue

-Copy of resume of Kaitlin Donahue

-Copy of application of Kaitlin Donahue

IV. CITIZENS' COMMENTS/INPUT

V. DECISIONS

D. Stone Hill Partners, LLC [Stone Hill Condos] /Vote to accept monetary gift in the amount of \$100,000.00 (Mumford Riverwalk improvements)

-Copy of memo regarding the monetary gift

VI. DISCUSSIONS/None

VII. TOWN MANAGER'S REPORT

E. Draft Spring Town Meeting Warrant (includes draft Capital Funding Plan)

-Copy of memo regarding the budget, capital, and warrant

-Copy of Spring Town Meeting calendar

-Copy of draft Spring Annual Town Meeting Warrant

-Copy of Capital Program

VIII. SELECTMEN'S CONCERNS/No documentation

IX. ITEMS FOR FUTURE AGENDA/None

X. CORRESPONDENCE/None

XI. EXECUTIVE SESSION/None

BOARD OF SELECTMEN'S MEETING

February 28, 2022

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

The Pledge of Allegiance was recited by those present.

Presentation of Retirement Plaques to: James Shuris, DPW Director. Town Manager Gaudette noted that Mr. Shuris has been great to work with, and a team player with all the Departments, especially with Highway Superintendent Mr. Luchini and Sewer Superintendent Mr. Kuras, who have been able to learn a lot from Mr. Shuris. He noted that we appreciate all that he has done for the town, including the Road program, grants such as Complete Streets and the Tip program. We appreciate all the hard work and wish him well on his retirement. The Selectmen gave their gratitude for all the hard work he has done and wished him the best in his retirement. Town Manager Gaudette read aloud and presented Mr. Shuris with a plaque. Mr. Shuris stated that the ten years here in Northbridge have been the best years of his life. Mr. Shuris added that he has enjoyed working with Mr. Kuras and Mr. Luchini in addition to the staff in Northbridge. Mr. Luchini added that the groundwork he laid will still continue to move them forward and he appreciates everything that Mr. Shuris has taught him over the years. Mr. Luchini wished him all the best in his retirement. Mr. Kuras commented that he has been great to work for and wished him a happy retirement.

APPROVAL OF MINUTES/None

PUBLIC HEARING/None

APPOINTMENTS/Resignations/None

CITIZENS' COMMENTS/INPUT: Gloria Grenier of 1945 Hill Street stated that she has a concern with her mailbox that continues to be destroyed every snowstorm. She is looking to see what can be done for the plow drivers to be more careful. Town Manager Gaudette sought clarification as to whether it is the plow blade hitting the mailbox or the snow. Ms. Grenier replied that in a previous storm she witnessed the blade hit the mailbox. Town Manager Gaudette explained that mailboxes are in the right of way and typically its from the spray of the snow, but he would take her packet of information and have the Interim DPW Director look into.

Blackstone Valley Chamber of Commerce/ 1) request permission to hold the Sidewalk Sale event on Church Street on Saturday, June 18, 2022 from 10 AM to 2 PM; 2) request permission to close Church Street on Saturday, June 18, 2022 from 9 AM to 3 PM beginning at Park Street to the intersection of Cross Street; 3) request for a one-day entertainment license for June 18, 2022 from 10 AM to 2 PM for a DJ; 4) request permission to hang a banner across Church Street from June 12, 2022 to June 19, 2022 to advertise the Sidewalk Sale on June 18, 2022 from 10 AM to 2 PM/ Present: Lesley Woods, Crafty Nest Owner & Heather Glode, Lulu's owner. Ms. Glode explained that she has been a part of one sidewalk sale, which she explained as a wonderful event and a huge boost for business. Ms. Woods stated that she has been a part of the Sidewalk Sale event since they brought it back and noted that it is wonderful to talk to the attendees. A motion/Mr. Melia seconded/Mr. Collins to approve the request to hold the Sidewalk Sale event on Church Street on Saturday, June 18, 2022 from 10 AM to 2 PM; close Church Street on Saturday, June 18, 2022 from 9 AM to 3 PM beginning at Park Street to the intersection of Cross Street; request for a one-day entertainment license for June 18, 2022 from 10 AM to 2 PM for a DJ; request permission to hang a banner across Church Street from June 12, 2022 to June 19, 2022 to advertise the Sidewalk Sale on June 18, 2022 from 10 AM to 2 PM. Vote yes/Unanimous.

Open Sky Community Services/Request to hang a banner across Church Street from Sunday, May 29, 2022 until Sunday June 12, 2022 to advertise their 37th Annual Valley Friendship Tour on June 11, 2022. A motion/Mr. Melia, seconded/Mrs. Cannon to approve the request to hang a banner across Church Street from Sunday, May 29, 2022 until Sunday June 12, 2022 to advertise their 37th Annual Valley Friendship Tour on June 11, 2022. Vote yes/Unanimous.

The following item has been moved out of order.

Insurance Claim/Present: Jeffrey Deiana. Mr. Deiana sought for payment for damages done to his van. He explained that he and his son witnessed the plow driver clearing the roadway and pushed heavy slushy into his van. Mr. Deiana did put a claim in with his insurance company, which came to \$2,700 in damages with a deductible of \$500 but has not had his van fixed. He stated he is looking for the reimbursement of the \$500 deductible. Mr. Deiana advised that he has filed a claim through the Towns insurance, which was denied. Selectman Melia noted that towns and cities are exempt from liability unless the claimant can show negligence. Town Manger Gaudette further explained that there is no line item in our budget for paying things like this out, we pay the insurance company and if it is determined that we were negligent then the insurance company would cover those costs. Mr. Deiana asked if the town paid out potholes. Town Manager Gaudette replied that we do not, and further explained that it is the same process where the claim is submitted to our insurance company to review and make a determination as to whether the town was negligent.

Spring Annual Town Meeting [May 3, 2022]/ Vote to place articles on the Warrant/Present: Town Manager, Adam Gaudette. Town Manager Gaudette provided the board with an update on the Spring Town Meeting Warrant. This Wednesday, March 2nd the Police, Fire and DPW will go before the Finance Committee to present their budget and begin talking about ARPA. This Friday, March 4, 2022 at noon the Spring Annual Town Meeting Warrant will close. There will be a public hearing with the Finance Committee on March 16th, and the Spring Town Meeting on May 3rd at 7 PM and after that will be the Annual Town Election on May 17, 2022. Town Manager Gaudette reported that the changes discussed at the last meeting have been updated to the Capitol Program. The decision was to pull out the Fire Department Storage building from the Capitol Program, and it will instead be a warrant article. With those changes some other items were able to be funded such as the Sidewalk and pavement maintenance in full, the remaining portion of funds for the complete streets match and the Police Department sewer connection. Town Manager Gaudette reviewed the articles. **Article 1 (Board of Selectmen)- prior year bills** – Town Manager Gaudette stated that we typically have a few small expense items as well as insurance related items. **Article 2 (Board of Selectmen) – Omnibus Budget** – this will approve appendments to articles from the May 4, 2021 meeting and the October 26, 2021 meeting. **Article 3 (Finance Committee)** – This is the overall budget for next year, FY23. **Article 4 (Board of Selectmen) – Sewer Enterprise Budget** – the Board of Selectmen act as Sewer Commissioners and this approved their budget. **Article 5 (Board of Selectmen) – Water Enterprise** – The Board of Selectmen also act as Water Commissioners, and this will approve the Water Enterprise budget. **Article 6 (Board of Selectmen)** – this will allow us to spend Chapter 90 funds to improve the roads in town. Selectman Athanas asked if there was an estimate on the Chapter 90 funding. Town Manager Gaudette replied that it is the same as in years past. **Article 7 (Board of Selectmen)** – this will allow the Treasurer/Collector to enter into compensating balance agreements. **Article 8 (Board of Selectmen) – Revolving Funds** – this will set the spending limits for the revolving funds, there are no changes to the amounts from last year. **Article 9 (Board of Selectmen) - Pine Grove Cemetery** – approval of the Pine Grove Cemetery funds. Selectman Athanas questioned the amount of cash in this account. Town Manager Gaudette replied that this specific article is left over money that is budgeted in past years. He further explained that there are two other accounts which is the capital has over a hundred thousand in it and the Trust has over three hundred thousand, which we stay away from using. **Article 10 (Community Preservation)** – this article will disburse the funds received from taxes into the different accounts. **Article 11 (Community Preservation Committee)** – this article will approve the spending of

funds on administrative tasks. **Article 12(Community Preservation Committee)** – this article contributes fund to the Linwood Basketball complex. **Article 13 (Board of Health)** – Quaker Street Landfill to meet DEP action plan requirements. **Article 14 (Board of Selectmen)** – improvements at Pine Grove Cemetery. **Article 15 (Board of Selectmen)** – Sewer enterprise for funding of programs. **Article 16 (Board of Selectmen)** – Water Enterprise for funding water main improvements in Linwood Avenue, Court Street, and Edgemere Avenue. **Article 17 (Board of Selectmen)** - Town Building Maintenance Fund. **Article 18 (School Committee)** - Building Maintenance Funds for improvements at the School. **Article 19 (Board of Selectmen)** – Capital Projects. **Article 20 (Board of Selectmen)**- Capital Projects. **Article 21 (Board of Selectmen)** – Additional funds for the Fire Station project. **Article 22 (Zoning Board of Appeals)** – MBTA Zoning permitting requirement. **Article 23 (Finance Committee)** – this article will transfer any remaining funds into stabilization. Selectmen Melia asked about the CPC looking into buying the Castle Hill Property and if any of the CPC articles are in relation to that. Town Manager Gaudette replied that they have not submitted an article on that as of yet. Selectmen Collins asked if the Turnout Gear that is X'd out on the Capital Program is being funded through something else. Town Manager Gaudette replied that it is being funded through ARPA. A motion/Mr. Collins, seconded/Mr. Melia to place articles on the Spring Annual Town Meeting Warrant. Vote yes/Unanimous.

VII. TOWN MANAGER'S REPORT: E. Fire Station Project Update. Town Manager Gaudette noted that Article 21 is for the additional funding of the Fire Station project. The process consists of the architect hiring and subbing out a cost estimator, which will price every little detail, and in addition the OPM will go through a pricing process as well. Once those are completed, they go through a reconciliation, which is how they come up with the projection. Currently the estimate is at twenty-three million, two hundred and thirty-three thousand, which includes a million-dollar contingency, the contracts we have for the architect, and funds for the OPM. Town Manager Gaudette informed the Board that this includes the planning wing and the storage building. Town Manager Gaudette recommended hold a public meeting with the Finance Committee and the Selectmen to discuss these numbers and the article. While the project is already approved, we will need to ask the Townspeople for additional funds needed.

1) Key Meetings Attended: Monday, February 14, 2022 – Weekly Conference Call for the Fire Station Project. Monday, February 14, 2022 – Attended the Board of Selectmen’s Meeting. Tuesday, February 15, 2022 – Zoom Conference call with G. Bechtholdt and B. Massey, Planning Board Chair. Wednesday, February 15, 2022 – Attended the Finance Committee Meeting. Thursday, February 16, 2022 – Met with Attorney Henry Lane and Developers Ed and Bill Renaud. Friday, February 18, 2022 – Conference Call with State Representative Muradian to discuss State ARPA funding. Wednesday, February 23, 2022 – Conference Call with NFP and Finance Team. Wednesday, February 23, 2022 – Virtual IAC Meeting to discuss Health Insurance provider selection. Wednesday, February 23, 2022 – Attended the BPCC Meeting to discuss Fire Station Project and select a firm to do the NES Reuse Study. Thursday, February 24, 2022 – Met with Bob Fitzgerald and Alan Clapp from Nexamp to discuss McQuades Lane Solar PILOT. Thursday, February 24, 2022 – Met with DPW Team to discuss WWTP Improvements. **2) Fire Station Project:** The pre-qualifications for Subs and GC’s were reviewed and ranked by the BPCC at their meeting this past week on February 23rd. The Design Team has advertised an early site package which is due next week March 2nd. After receiving this, the Construction documents will be finalized and then advertised in mid-April. The project budget has been reconciled and the Town Manager will give the BOS an update on the additional funds required at their meeting this coming February 28th. **3) Northbridge Elementary School Reuse Study:** The BPCC has interviewed two firms and this past week on February 23rd reviewed the proposed scope and fees. They will make a decision in early March and select a firm to do the study. **4) Fire Department Radio Communications Study:** The RFP for this project was due on January 28th. We received five (5) proposals. Chief White, Chief Labrie, and the Town Manager reviewed and ranked the proposals and selected CTA to perform the study. A Notice to Proceed will go out next week. **5) Fire Department Strategic Plan:** The Town Manager and Fire Chief selected the consultant CPSM for this project. The services agreement has been finalized and the Town Manager issued the Notice to Proceed.

The Project is expected to be completed in the next 90 days. **6) Fallon Health Insurance Replacement:** The Town Manager has been working with the Finance Team and NFP to solicit pricing for health insurance plans as Fallon is getting out of the municipal market. The RFP was advertised and the Town received several responses. NFP and staff team had the providers proposing plans present to the IAC. The IAC will be making a final recommendation next week. **7) American Rescue Plan Act (ARPA):** The Town will be receiving \$4.9M which can be used for projects/programs in response to the recovery effort brought on by the pandemic. The Town Manager issued Project Request application Documents to staff and area non-profit organizations for the purposes of accessing Federal Relief Funds issued to the Town through the American Rescue Plan Act. The Town Manager will provide a Funding Project Plan as part of the FY2023 Budget and Capital Planning Process starting with the Finance Committee on March 2, 2022. **8) FY2023 Budget and Capital Plan Development:** The Town Manager will be providing the Board of Selectmen with an updated Draft Warrant for their meeting this coming February 28th so they can vote to set their articles on the warrant. The FinCom will start hearing department presentations on their FY2023 Preliminary Budgets next week on March 2nd.

- VIII. SELECTMEN'S CONCERNS/None**
- IX. ITEMS FOR FUTURE AGENDA/None**
- X. CORRESPONDENCE/None**
- XI. EXECUTIVE SESSION/None**

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

Meeting Adjourned: 7:40 PM

Respectfully submitted,

Russell D. Collins, Clerk

/mjc

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING - OPEN SESSION

February 28, 2022

Presentation of Retirement Plaques to: James Shuris, DPW Director

I. APPROVAL OF MINUTES/None

II. PUBLIC HEARING/None

III. APPOINTMENTS/Resignations/None

IV. CITIZENS' COMMENTS/INPUT/None

V. DECISIONS:

A. Blackstone Valley Chamber of Commerce/ 1) request permission to hold the Sidewalk Sale event on Church Street on Saturday, June 18, 2022 from 10 AM to 2 PM; 2) request permission to close Church Street on Saturday, June 18, 2022 from 9 AM to 3 PM beginning at Park Street to the intersection of Cross Street; 3) request for a one-day entertainment license for June 18, 2022 from 10 AM to 2 PM for a DJ; 4) request permission to hang a banner across Church Street from June 12, 2022 to June 19, 2022 to advertise the Sidewalk Sale on June 18, 2022 from 10 AM to 2 PM/ Present: Lesley Woods, Crafty Nest Owner & Heather Glode, Lulu's owner.

-Copy of Requests

-Copy of DPW Signoffs

-Copy of Police Department sign offs

-Copy of One-day entertainment license application

-Copy of Revenue Enforcement and protection attestation

-Copy of Workers' Compensation Affidavit

-Copy of License Routing Slip

B. Open Sky Community Services/ Request to hang a banner across Church Street from Sunday, May 29, 2022 until Sunday June 12, 2022 to advertise their 37th Annual Valley Friendship Tour on June 11, 2022

-Copy of email request

C. Spring Annual Town Meeting [May 3, 2022]/ Vote to place articles on the Warrant/ Present: Town Manager, Adam Gaudette

-Copy of FY23 budget calendar

-Copy of Capital Projects listing

-Copy of Draft Town Meeting Warrant

VI. DISCUSSIONS:

D. Insurance Claim/ Present: Jeffrey Deiana

-Copy of email request

-Copy of images of damage to van

-Copy of snowplow claim reported to the Town's Insurance

-Copy of claim information provided by the Town's insurance company

-Copy of email regarding the plowing schedule

- Copy of denial letter from the insurance company
- Copy of timeline provided by Mr. Deiana
- Copy of affidavit of Jeffrey Deiana
- Copy of affidavit of Nate Deiana

VII. TOWN MANAGER'S REPORT

- E. Fire Station Project Update**
- Copy of cost projection table

VIII. SELECTMEN'S CONCERNS/None

X. ITEMS FOR FUTURE AGENDA/None

X. CORRESPONDENCE/None

XI. EXECUTIVE SESSION/None

DRAFT

B.3.a.

TALENT BANK APPLICATION

please return to:

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



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

-yes, per Town Clerk
12.21.21

Date: December 16, 2021

Name KRYSTINA D. MOLT

P. O. Box _____

Home Address 6 SWIFT ROAD

Email Address KRYSTINA.MOLT@GMAIL.COM

Telephone _____ Cell 774-2537271

Business _____

Address _____ Tel. _____

Current Occupation/Title Retired School Teacher

Education Master's in Human Services
Bachelors in (Human Services) Sociology
Education

Governmental, Civic & Community Activities _____

Teacher - Worcester Public Schools

Coordinator - Future Teachers in Worcester

Charitable & Educational Activities AFTER School Program
C.C.W. St. Patrick's

Town Committees or Offices Future Teachers Program Coordinator
Worcester Public Schools

I am interested in the following Committees: Cultural Committee

Please indicate whether the applicant and/or any family members are employed by the Town of Northbridge. NONE

NAME:

PRECINCT#

TOWN OF NORTHBRIDGE

COMMITTEE INTEREST (Indicate Committee preference)

- 1. *CULTURAL Committee* 4.
- 2. 5.
- 3. 6.

Present Interest or business affiliation (dates, places)

Marana, Salomon Pond Golf Center, Berlin, Ma 2020
ST. PATRICK'S - CCD. Classes (taught) Whitinsville
 Experience: Volunteer, social service, business (dates, places)

Education /
Posterior's Degree - Sociology - Master's Honor
 Special skills and education (be specific) *Service org.*

degrees relate to Sociology & betterment of
 How experience relates to particular committee interest
society & community.

ADDITIONAL COMMENTS:

Mail completed form to:
 Northbridge Town Hall
 Office of the Town Manager
 7 Main Street
 Whitinsville, MA 01588

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

yes, per Town Clerk
2.9.22

B.3.b.

Date: 14 MAR 2022

Name ARIEL LOPEZ

P. O. Box _____

Home Address 35 BROOK ST, WHITINSVILLE, MA 01588

Email Address ANOTHERPATRIOT77@GMAIL.COM

Telephone _____ Cell 207.291.0222

Business _____

Address _____ Tel. _____

Current Occupation/Title RETIRED

Education ASSOCIATE IN SCIENCE, GCC 2012

Governmental, Civic & Community Activities MEMBER OF CORNERSTONE CHURCH
MEMBER OF SEVERAL MINISTRIES @ CORNERSTONE CHURCH

Charitable & Educational Activities _____

Town Committees or Offices N/A

I am interested in the following Committees: CULTURAL COMMITTEE, VETERAN'S COMMITTEE,
DISABLED COMMITTEE

Please indicate whether the applicant and/or any family members are employed by the Town of Northbridge. NO

NAME: ARIEL LOPEZ PRECINCT# 1 TOWN OF NORTHBRIDGE

COMMITTEE INTEREST (Indicate Committee preference)

1. VETERAN
2. CULTURAL
3. DISABLED
4. I AM INTERESTED IN OTHER COMMITTEES
- 5.
- 6.

Present interest or business affiliation (dates, places)

Experience: Volunteer, social service, business (dates, places)

- TOWN MEETING MEMBER - MILFORD, MA 2020, 2021
- MULTIPLE MINISTRIES @ CORNERSTONE CHURCH 2019 - PRESENT
- VETERAN'S COUNCIL - MILFORD, MA 2021

Special skills and education (be specific)

- DEGREE IN HUMAN SERVICES

How experience relates to particular committee interest

- LIFETIME IN HUMAN SERVICES
- VETERAN OF USAF.

ADDITIONAL COMMENTS:

Mail completed form to: Northbridge Town Hall
Office of the Town Manager
7 Main Street
Whitinsville, MA 01588

C.

First, I wish to thank you for meeting with me today.

After two years without a Memorial Day, it is time to have a Memorial Parade for the public to honor those that gave so much.

The Blackstone Valley Veterans Association is requesting to be placed on the agenda of the upcoming board of selectman meeting. This is to request the permits to have the Memorial Day Parade in Northbridge as we have done in the past

The parade would be on Monday May 30th at 10:00 A.M.

If you have any questions, please do not hastate to contact me.

Dan Lessard 508 341-9559 or email

derbydan476@gmail.com

Thank You for all your help

Blackstone Valley Veterans Association

Melissa Ciaramitaro

From: Peter Bedigian <pbedigian@omnicontroltech.com>
Sent: Monday, March 14, 2022 9:39 AM
To: Melissa Ciaramitaro
Cc: Joanne Khoury (joanne.khoury@unibank.com)
Subject: Banner Request

Hi Melissa,

The following is the request for our church annual picnic banner for 2022:

Annual Picnic Banner in August with event being held on August 21.

We would like the banner up during the first part of August up to the event date – whatever availability would be possible.

[August 7, 2022 until August 21, 2022](#)

Thanks,

Best regards,

Pete Bedigian

Peter J. Bedigian
President/CEO
Omni Control Technology, Inc.
1 Main St
PO Box 444
Whitinsville, MA 01588
Office: (508) 234-9121 Ext. 102
Cell: (508) 269-1354
Fax: (508) 234-9512
www.omnicontroltech.com





FY2023 BUDGET CALENDAR
for
SPRING ANNUAL TOWN MEETING
May 3, 2022

-
- Nov. 22, 2021: BoS Meeting – Budget Goals for FY2023 for the Town Manager
- Dec. 3, 2021: Staff Meeting – Monthly Meeting: Discuss FY2023 Budget Development Process
- Jan. 10, 2022: Department Budgets and Capital Plan Updates due to Town Manager
- Jan. 21, 2022: Staff Meeting – Monthly Meeting: Budget Update
- Jan. 24, 2022: BoS Meeting – **Vote to Close the SATM Warrant on March 4, 2022 (7 Fridays)**
- Feb. 1, 2022: BPC Meeting – Review & Approve 5-year Capital Improvement Plan Update
- Feb. 1, 2022: Town Manager Submits Capital Improvement Plan to the BoS and FinCom (per Bylaws)
- Feb. 14, 2022: BoS Meeting – Introduce Draft Warrant Articles for Annual Town Meeting Warrant
- Feb. 16, 2022: FinCom Meeting – Preliminary FY2023 Budget Discussion / Introduce Draft Warrant
- Feb. 28, 2022: BoS Meeting – Preliminary FY2023 Budget Discussion and **Vote to Place Articles on the Spring Annual Town Meeting Warrant**
- Mar. 2, 2022: FinCom Meeting – Public Safety Budget Presentations (Police, Fire, and DPW)
- Mar. 4, 2022: Staff Meeting – Monthly Meeting: Preliminary FY2023 Budget Discussion
- Mar. 4, 2022: **Spring Annual Town Meeting Warrant Close Date** (at least 7 Fridays prior to SATM)
- Mar. 9, 2022: FinCom Meeting – NPS and BVT FY2023 Budget Presentations
- Mar. 14, 2022: BoS Meeting – Town Manager FY2023 Budget Update
- Mar. 16, 2022: FinCom Meeting – **Public Meeting: SATM Warrant/FY23 Budget/ARPA Presentation**
- Mar. 23, 2022: FinCom Meeting – Final Budget/Capital Plan Presentation & Vote Article Positions
- Mar. 25, 2022: Staff Meeting – Monthly Meeting – Budget and Warrant Update
- Mar. 28, 2022: BoS Meeting – **Vote to Place Questions on the Annual Election Ballot and Vote to Sign SATM Warrant pending Town Counsel Review**
- Apr. 1, 2022: **Last day to Post Warrant as required by Bylaw** (28 days prior to SATM is April 5)
- Apr. 1, 2022: **Last day to publish Town Manager’s Summary** (28 days prior to SATM is April 5)
- Apr. 8, 2022: FinCom Booklet Recommendations to the Town Manager’s Office
- Apr. 11, 2022: BoS Meeting – **Vote Positions on Town Meeting Warrant Articles**
- Apr. 11, 2022: **Last day to notify Town Clerk of Ballot Questions** (at least 35 days prior to Election)
- Apr. 15, 2022: FinCom Booklet to the Printer (mail postcards only – also post on-line when available)
- Apr. 27, 2022: Public Forum on Ballot Questions / Northbridge Town Hall
- May 3, 2022: **Spring Annual Town Meeting**
- May 17, 2022: **Annual Town Election**

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF NORTHBRIDGE
WARRANT FOR SPRING ANNUAL TOWN MEETING
TRANSACTION OF TOWN BUSINESS
TUESDAY, MAY 3, 2022 - 7:00 P.M.**

DRAFT #8 – 3.16.22

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 on Linwood Avenue, in Whitinsville, in said Northbridge, Massachusetts, on Tuesday, May 3, 2022 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 available funds in the Treasury and/or transfer from the unexpended appropriated funds of one or more of the departments of the Town the following sums of money and authorize the payment of prior year bills; or take any other action relative thereto.

ARTICLE 2: (Board of Selectmen)

To see if the Town will vote to amend the votes taken under Article 3 of the 2021 Spring Session of the Annual Town Meeting (May 4, 2021), and under Article 1 of the 2021 Fall Session of the Annual Town Meeting (October 26, 2021), 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 **\$50,460,922** to defray the necessary and usual expenses of the several departments of the Town for FY 2023, beginning July 1, 2022 and ending June 30, 2023; 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 2023; 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 2023; 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 2023, pursuant to Chapter 44, Section 53F of the M.G.L.; or take any other action relative thereto.

ARTICLE 8: (Board of Selectmen)

To see if the Town will vote to set the FY 2023 spending limits for the Town’s revolving funds under section 5-113 of the Northbridge Code as follows:

Program or Purpose	FY 2023 Spending Limit
Playgrounds and Recreation	\$20,000
Food Health and Safety	\$25,000
Compost Site	\$10,000

or take any other action relative thereto.

ARTICLE 9: (Board of Selectmen)

To see if the Town will vote to appropriate and transfer a sum of money from the Pine Grove Cemetery Trust to fund operations of the Pine Grove Cemetery for FY 2023 beginning July 1, 2022 and ending on June 30, 2023, said funds to be expended under the direction of the Director of Public Works; or take any other action relative thereto.

ARTICLE 10: (Community Preservation Committee)

To see if the Town will vote to appropriate or reserve for future appropriation from the Community Preservation Fund annual revenues, the amounts of money recommended by the Northbridge Community Preservation Committee for community preservation projects and other expenses for the Fiscal Year 2023, with each item to be considered a separate appropriation; or take any other action relative thereto.

Reserves:

1. a) From FY2023 estimated revenues for Historic Resources Reserve -the sum of \$20,000
2. b) From FY2023 estimated revenues for Community Housing Reserve -the sum of \$20,000
3. c) From FY 2023 estimated revenues for Open Space & Recreation Reserve -the sum of \$20,000
4. d) From FY 2023 estimated revenues for Budgeted Reserve -the sum of \$130,000

ARTICLE 11: (Community Preservation Committee)

To see if the Town will vote to appropriate a sum of money from the Community Preservation Fund reserves to the Northbridge Community Preservation Committee for expenses associated with the implementation of the Community Preservation Act, including but not limited to clerical assistance, office supplies, property surveys, appraisals, attorney fees, and other professional services, recording fees, printing and all other necessary and proper expenses for the Fiscal Year 2023; or take any other action relative thereto.

ARTICLE 12: (Community Preservation Committee)

To see if the Town will vote to appropriate the sum of One Hundred and Fifty Thousand Dollars, (\$150,000) from Community Preservation Funds, (\$73,000 from Open Space and Recreation CPC account and \$77,000 from Undesignated CPC account), such sum to be spent under the direction of the Playground and Recreation Commission for the renovation of the Linwood Basketball complex; or take any other action relative thereto.

ARTICLE 13: (Board of Health)

To see if the Town will vote to appropriate and transfer from available funds in the Treasury, the sum of \$25,000 to comply with the Immediate Response Action Plan submitted to the Massachusetts Department of Environmental Protection for activities at the Quaker Street Landfill; or take any other action relative thereto.

ARTICLE 14: (Board of Selectmen)

To see if the Town will vote to appropriate and transfer from the Pine Grove Cemetery Account 01022010-XXXXXX the sum of \$30,000 for the following cemetery maintenance projects: \$10,000 for Tree and Stump Removal and \$20,000 to make Cemetery Road Improvements, said sum to be expended under the direction of the Director of Public Works; or take any other action relative thereto.

ARTICLE 15: (Board of Selectmen)

To see if the Town will vote to transfer the sum of \$5,111 from the unexpended balance of the Sewer Department Capital Account (60001512-533000), and/or to appropriate and transfer the sum of \$359,889 from the Retained Earnings Account of the Sewer Enterprise Fund to be expended under the direction of the Director of Public Works for the following purposes: the sum of \$150,000 for the purpose of funding work recommended as a result of the Town’s Comprehensive Wastewater Management Plan (CWMP) and infiltration & inflow reports for the multi-year program to make physical improvements to the Town’s sewer collection system, including the sealing/replacement of leaking manhole structures and relining/replacement of deficient/cracked/broken sewer lines; the sum of \$30,000 for the purpose of undertaking a Wastewater Treatment Plant (WWTP) facilities upgrade study; the sum of \$35,000 to purchase a utility pick-up truck; and the sum of \$150,000 to upgrade the WWTP SCADA system; or take any other action relative thereto.

ARTICLE 16: (Board of Selectmen)

To see if the Town will vote to appropriate and transfer the sum of \$696,375 from the Retained Earnings Account of the Water Enterprise Fund, for the purpose of financing water infrastructure repairs, including the replacement of water mains, within the streets of Linwood Avenue, Court Street, and Edgemere Avenue; or take any other action relative thereto.

ARTICLE 17: (Board of Selectmen)

To see if the Town will vote to appropriate and transfer from the Town Building Maintenance Fund, established pursuant to Chapter 438 of the Acts of 2012, for maintenance of Town-owned buildings and facilities in Fiscal Year 2023, the following sums of money: \$35,000 for the Town’s Green Communities Energy Efficiency Projects Application; and \$10,000 to Replace the Entrance Heating Unit at the Town Hall; or take any other action relative thereto.

ARTICLE 18: (School Committee)

To see if the Town will vote to appropriate and transfer the sum of \$253,447 from the Town Building-Maintenance Fund, established pursuant to Chapter 438 of the Acts of 2012, for maintenance of Town-owned buildings and facilities in Fiscal year 2023, for the following purposes: \$52,519 for updating security cameras at the Middle School and High School; \$81,160 for replacing the intercom and clock system at the High School; \$119,768 for upgrading the network switches at the Middle School and High School; and to transfer the following unexpended amounts from prior year appropriations: \$17,109 from FY 2018 Plaster and Sound Systems at the Middle School account 01021804-XXXXXX for the purpose of updating security cameras at the Middle School and High School, and the amount of \$49,920 from FY 2022 Northbridge Elementary School Modular Classroom Demolition account 01022219-585831 for the purpose of replacing the cafeteria tables at the Middle School, for a total of \$67,029; or take any other action relative thereto.

ARTICLE 19: (Board of Selectmen)

To see if the Town will vote to fund the capital projects shown below by appropriating and transferring the total sum of \$1,243,646 from the undesignated fund balance (free cash);

<u>Project Title</u>	<u>Department</u>	<u>Amount</u>
Master Plan Study	Planning Board	\$ 65,000
Northbridge Elementary School Reuse Study – Add’l Funds	BPCC	\$ 50,000
Sidewalk Maintenance	Public Works	\$ 25,000
Pavement Maintenance	Public Works	\$200,000
Upton Town Line Guardrail	Public Works	\$ 3,489
Field Mower	Public Works	\$ 45,000
Heavy Duty Container	Public Works	\$ 12,000
2-Ton Asphalt Recycler & Hot Box Trailer	Public Works	\$ 40,000
Complete Streets Grant Match	Public Works	\$264,000
Headquarters UST – Phase 1	Fire Department	\$ 5,000
Replace Breathing Apparatus	Fire Department	\$160,000
Fire Department Turn-Out Gear	Fire Department	\$ 70,000
Fire Department Pick-Up Truck	Fire Department	\$ 80,000
Linwood Playground Basketball Court Upgrades	Parks & Recreation	\$200,000
Vital Records Preservation Project	Town Clerk	\$ 8,625
Lasell Field Driveway Curbing	Public Works/NMS	\$ 15,532

TOTAL: \$1,243,646

or take any other action relative thereto.

ARTICLE 20: (Board of Selectmen)

To see if the Town will vote to appropriate and transfer the following unexpended sums from appropriations of prior years for the purposes set forth below: \$9,041.75 from March 2006 Fire Station Site Testing account 01020608-530300; \$81,681 from FY2014 BPCC Engineering & Architectural Studies account 01021319-530300; \$7,000 from FY2020 Fire Station Feasibility account 01022017-530000; \$29,325.01 from FY2018 Building Maintenance Projects account 01021812-5XXXXX; \$10,000 from FY 2020 Town Hall Annex Slate Roof Repairs account 01022018-585324; \$4,500 from FY2020 Town Hall Slate Roof Evaluations account 01022018-585310; \$5,256.55 from FY2021 Town Hall First Floor Carpeting account 01022116-585330; \$4,077 from FY2021 DPW Pick-Up Truck with Plow account 01022116-585017; \$480 from FY2022 Northbridge Elementary School Modular Classroom Demolition account 01022219-585831; \$7.36 from FY2019 Northbridge Schools Zero-Turn Mower account 01021919-585016; \$1,226 from FY2020 2 Floor Burnishers account 01022018-585327; and \$6,249.92 from FY2018 Plaster and Sound Systems at Northbridge Middle School account 01021804-XXXXXX; for a total of \$158,844.59:

<u>Project Title</u>	<u>Department</u>	<u>Amount</u>
Upton Town Line Guardrail	Public Works	\$ 18,844.59
Public Gas Conversion (Library)	Public Works/Library	\$ 35,000.00
Public Sewer Conversion (Police Station)	Public Works/Police	\$ 60,000.00
Town Hall Electronic Sign Board	Public Works	\$ 45,000.00
	TOTAL:	\$158,844.59

or take any other action relative thereto.

ARTICLE 21: (Board of Selectmen)

To see if the Town will vote to raise and appropriate and/or transfer from available funds in the Treasury and/or transfer from the unexpended appropriated funds of one or more of the departments of the Town a sum of money for the purpose of financing the design and construction of a new Fire Station at 1681 Providence Road, including design services, permitting, and site improvements, to supplement the appropriation voted under Article 22 of the warrant for the 2020 Spring Annual Town Meeting, said sum to be expended under the direction of the Building, Planning and Construction Committee, and that to meet this appropriation the Treasurer/Collector, with the approval of the Board of Selectmen, be authorized to borrow said sum under M.G.L. Chapter 44, section 7, as amended, or any other enabling authority, and to issue bonds or notes of the Town therefor; and to authorize the Building, Planning and Construction Committee to take any action necessary to carry out this construction and renovation project provided, however, that no borrowing shall be made nor debt incurred hereunder unless and until the Town first votes to exempt from the provisions of M.G.L. Chapter 59, Section 21C (Proposition 2½, so-called), the amounts required to pay the principal and interest of said borrowing and debt; or take any other action relative thereto.

ARTICLE 22: (Finance Committee)

To see if the Town will vote to raise and appropriate, and/or to transfer from the undesignated fund balance (free cash), a sum of money to the Stabilization Fund; 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 and the Town Hall Annex, in Whitinsville, all in Precinct 1; the NCTV Cable Studio and the Northbridge Post Office, in Northbridge, all in Precinct 2; the Town Clerk's Office and 1Quickstop, in Whitinsville, all in Precinct 3; and the Veterans Hall (875 Hill Street), in Whitinsville, in Precinct 4; and Shaw's, in Whitinsville, in Precinct 5; 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 hands this 28th day of March in the year Two Thousand Twenty-Two.

SELECTMEN OF NORTHBRIDGE

Charles Ampagoomian, Jr., Chairman

Thomas J. Melia, Vice Chairman

James J. Athanas

Alicia M. Cannon

Russell D. Collins

WORCESTER, SS Northbridge

Date:

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 Northbridge

F.

BALLOT QUESTIONS FOR 2022 TOWN ELECTION

Question 1: Shall the Town of Northbridge be allowed to exempt from the provisions of Proposition two and one-half, so called, the amounts required to pay for the bond issued in order to pay the costs for design and construction of a new Fire Station at 1681 Providence Road, including design services, permitting, and site improvements?

Yes _____

No _____

Question 2: Shall this Town approve the Charter amendments proposed by the Town Meeting and summarized below?

Yes _____

No _____

Summary: The October 26, 2021 Fall Annual Town Meeting, acting under Article 8 of the warrant, approved amendments to the Northbridge Home Rule Charter relating to the following: membership of Finance Committee (Section 2-3(b)); Town officials at Town Meetings – technical correction (Section 2-8); appointments by Board of Selectmen (Section 3-2(d)); description of election of School Committee members (Section 3-3(a)); appointments by Moderator (Section 3-4(b)); Town Manager screening committee membership (Section 4-1(a)); School Committee budget procedure (Section 6-2(a)); posting of proposed Town operating budget (Section 6-3); and removals and suspensions of officers and board members – technical correction (Section 8-6)

Question 3: Shall this Town approve the Charter amendments proposed by the Town Meeting and summarized below?

Yes _____

No _____

Summary: The October 26, 2021 Fall Annual Town Meeting, acting under Article 9 of the warrant, approved amendments to the Northbridge Home Rule Charter relating to the following: grammatical and stylistic edits, as shown in the document available for review at the Town Meeting and on file with the Town Clerk.

Question 4: Shall the Town of Northbridge revoke its acceptance of Chapter 31 of the General Laws, the Civil Service law, for all positions in the Police Department?

Yes _____

No _____

F.a.

November 22, 2021

Northbridge Board of Selectmen
7 Main Street
Whitinsville, MA 01588

**Re: Northbridge Fall Annual Town Meeting of October 26, 2021 – Case # 10362
Warrant Articles # 8 and 9 (Charter)**

Dear Select Board Members:

Articles 8 and 9 - Pursuant to the provisions of G.L. c. 43B, § 10 we have reviewed the votes taken under Articles 8 and 9 at the October 26, 2021 Northbridge Fall Annual Town Meeting. General Laws Chapter 43B, Section 10 (c) requires the Attorney General to furnish “a written opinion setting forth any conflict between the proposed amendment and the constitution and laws of the commonwealth.” We do not find any conflict between the charter amendment votes adopted under Articles 8 and 9 and the Constitution or laws of the Commonwealth (“state law”).

Our review is confined to the proposed charter amendments reflected in Articles 8 and 9 and submitted to us for review and does not include a review of the existing text in the Town’s charter. However, we remind the Town to consult with Town Counsel to ensure compliance with the charter amendment procedures established under G.L. c. 43B, §§ 11 and 12, including the filing requirements for approved charter amendments in Section 12 which states in relevant part:

Section 12. Certificates in quadruplicate shall be prepared setting forth any charter that has been adopted or revised and any charter amendments approved and shall be signed by the city or town clerk. One such certificate shall be deposited in the office of the state secretary and shall be kept under the custody of the archivist of the commonwealth, one shall be deposited in the office of the director of housing and community development, one shall be deposited in the office of the attorney general and the other shall be recorded in the records of the city or town and deposited in its archives.

Very truly yours,
MAURA HEALEY
ATTORNEY GENERAL

Margaret J. Hurley

By: Margaret J. Hurley, Assistant Attorney General
Chief, Central Massachusetts Division
Director, Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600

cc: Town Counsel David J. Doneski
Town Clerk Linda B. Zywiec

Report of the Town of Northbridge Charter Review Committee 2021

Per the Town's Charter, *Section 8-9 (a) Charter Review: At least one in every ten years, in each year ending in a zero, a special committee to consist of nine members shall be established for the purpose of reviewing the Town Of Northbridge Charter and to make a report, with recommendations, not later than at the fall town meeting in the year following the year in which the said committee is appointed concerning any proposed amendments which said committee may determine to be necessary or desirable. The committee shall consist of nine members who shall be chosen as follows: the board of selectmen, the finance committee and the school committee shall each designate two persons, the planning board shall designate one person, and two persons shall be appointed by the town moderator. Persons appointed by the said agencies may, but need not, be members of the agency by which they are designated. The committee shall meet to organize forthwith following the final adjournment of the spring town meeting.*

The members of the 2020 Northbridge Charter Review Committee were appointed following the Fall 2020 Town meeting.

Committee Members

Glenn King, Moderators Appointment's: Chair
James Barron, Finance Committee's Appointment: Clerk
Kathryn Atchue, School Committee's Appointment
Robert Banning, Moderator's Appointment
Russell Collins, Selectman's Appointment
Robert Dearborn, Finance Committee Appointment
Steven Falconer, School Committee's Appointment
Rainer Forst, Planning Board's Appointment
Thomas Melia, Selectmen's Appointment

The committee met April 15, April 22, May 7, June 28, July 26, October 18 and developed the following recommendations to update the Northbridge Charter.

Northbridge Charter Review Committee change recommendations

Proposed under Article 8 of 2021 Fall Annual Town Meeting Warrant

1- Section 2-3(b), first sentence, appointment of Finance Committee members

Current: There shall be a finance committee the members of which shall be appointed by the moderator.

Change: *disperse appointing authority among board of selectmen, school committee and moderator*

New: There shall be a finance committee, the members of which shall be chosen as follows: the board of selectmen, the school committee and moderator shall each designate two persons, and the planning board shall designate one person.

Comment: The purpose of this change is to make the appointment of members of the Finance Committee consistent with other appointed boards.

2- Section 2-8, Availability of Town Officials at Town Meetings

Current: Every Town officer, the chairperson of each multiple member today, the head of each department ...

Change: correct typographical error

New: Delete "today" and insert "body" in its place

3- Section 3-2(d), Board of Selectmen Appointments

Current: The board of selectmen shall appoint a town manager, constables . . . personnel board, . . . and other members of multiple member bodies . . .

Change: eliminate personnel board

New: Delete "personnel board,"

Comment: The role of the Personnel Board (PB) is that of an advisory board to the Town Manager. The PB is charged with creating a Personnel Policy Manual for all town employees except those with employment contracts and unionized employees. The Personnel Board has not met in over 10 years. The board should be eliminated and responsibilities transferred.

4- Section 3-3(a), School Committee Composition, Term of Office, second, third and fourth paragraphs

Current: In the calendar year following the approval of the reduction in the number of members of the school committee, one school committee member shall be elected at the annual town election.

In the second calendar year following said approval, one school committee member shall be elected at the annual town election.

In the third calendar year following said approval, three school committee members shall be elected at the annual town election, one for a term of two years, and two for a term of three years.

Change- Delete paragraphs 2, 3 and 4,

Comment: since School Committee size transition is complete, wording no longer needed

5- Section 3-4(b), Town Moderator, Powers and Duties, second sentence

Current: The moderator shall appoint the finance committee, all other standing committees of the town meeting, and all committees authorized by the town meeting for a primary legislative purpose.

Change: eliminate finance committee

New: Delete "the finance committee,"

Comment: This change is required if recommendation 1 is approved

6- Section 4-1(a), Town Manager Screening Committee; Appointment; Qualification; Term, second paragraph

Current: Until such time as some other provision is made by bylaw the screening committee shall consist of five persons who shall be chosen as follows: the school committee and the personnel board shall each designate one person, and three persons shall be chosen by the town moderator.

*Change: **Delete “personnel board”**, and transfer appointing authority for that one additional position to school committee*

New: Until such time as some other provision is made by bylaw the screening committee shall consist of five persons who shall be chosen as follows: two persons shall be chosen by the school committee, and three persons shall be chosen by the town moderator.

Comment: The role of the Personnel Board (PB) is that of an advisory board to the Town Manager. The PB is charged with creating a Personnel Policy Manual for all town employees except those with employment contracts and unionized employees. The Personnel Board has not met in over 10 years. The board should be eliminated and responsibilities transferred.

7- Section 6-2(a), School Committee Budget, Public Hearing

Current: Public Hearing- At least seven days before the next meeting at which the school committee is to vote on its final budget request, the school committee shall cause to be published in a local newspaper a general summary of its proposed budget. The summary shall specifically indicate any major variations from the current budget and the reasons for such changes. It shall further indicate the time and places at which complete copies of its proposed budget are available for examination by the public, and the date, time and place when a public hearing will be held by the school committee on the proposed budget. The school committee shall take its final vote on its proposed budget not sooner than at its next regularly scheduled meeting following the public hearing.

*Change: **ADD new sentence before current last sentence**, making sections 6-2 and 6-3 consistent*

New: insert new sentence: A general summary shall be posted in the office of the Town Clerk, on the town bulletin board, town website, and in the Whitinsville post office and Whitinsville Social Library.

8- Section 6-3, Submission of Budget and Budget Message

Current: Within the time fixed by by-law, before the town meeting is to convene in its spring session, the town manager, after consultation with the board of selectmen, shall submit to the finance committee a proposed operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents. The town manager shall simultaneously cause to be posted in a public location conspicuously visible at all hours a notice indicating the times and places at which complete copies of the proposed operating budget are available for examination by the public. A general summary of the proposed budget shall be posted in the office of the Town Clerk, on the town bulletin board, town website, and in at least one public place in each precinct. The summary shall specifically indicate any major variations from the current operating budget and the reason for such changes.

*Change: **ADD posting sites of Post Office and Library in third sentence***

New: A general summary of the proposed budget shall be posted in the Office of the Town Clerk, on the town bulletin board, town website, in the Whitinsville post office and Whitinsville Social Library, and in at least one public place in each precinct.

9- Section 8-6, Removals and Suspensions, first sentence

Current: Any appointed town officer, member of a multiple body or employee of the town...

Change: Insert "member" to correct typographical error

New: Any appointed town officer, member of a multiple member body or employee of the town...

Proposed under Article 9 of 2021 Fall Annual Town Meeting Warrant

Various punctuation and grammatical edits

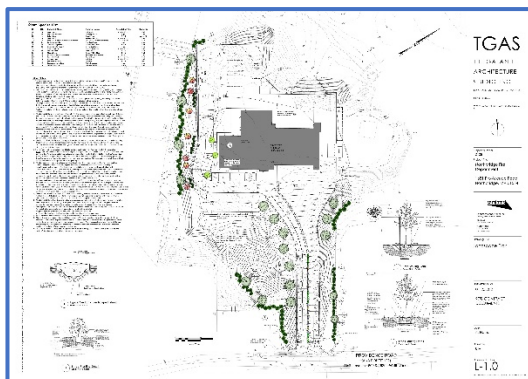
Comment: The Charter Review Committee utilized the services of a professional editor, Robert Banning of Turning Leaves Editorial, to review the existing document. Edits were made in Grammar, Punctuation, Word Usage, Format of Numbers, Dates and Serialization.



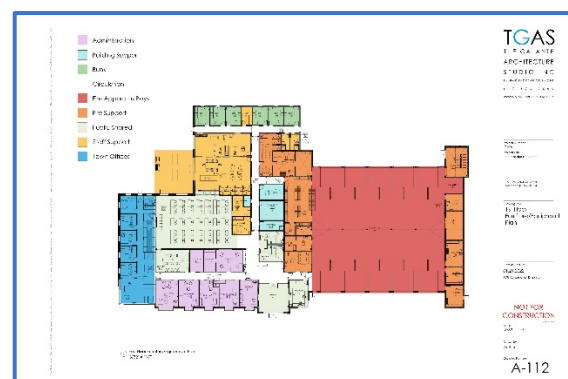
NORTHBRIDGE FIRE STATION PROJECT ADDITIONAL FUNDS REQUIRED AT F.b. TOWN MEETING & TOWN ELECTION



- ✓ The Town's voters previously voted to approve the project with **Town Meeting Borrowing Authorization** to borrow up to **\$18,968,000** as well as approving the **Election Ballot Debt Exclusion** in the Spring of 2020.
- ✓ The project is still proposed to be **located at 1681 Providence Road** (Goulet Playground/Riverdale Field).
- ✓ The project still proposes to replace the Main Street Fire Station Headquarters, Rockdale Substation, and Town Hall Annex Offices into **one Headquarters Station** with accompanying storage building.
- ✓ The project site has been cleared and the design is complete. The project will be competitively bid prior to the May 3, 2022, Spring Town Meeting night and **it is estimated that the new cost for the project will be \$23,200,000.**
- ✓ The additional cost is a result of the **dramatic rise in construction costs** (materials and labor) over the past two years as a result of the post pandemic economic conditions in this industry.
- ✓ Thus, in order to build the project, the voters of **Town Meeting** are being asked to approve an estimated **additional \$4,300,000 in borrowing** and the voters at the **Town Election** will be asked to **exclude this debt**. The motion at Town Meeting will be for the exact amount.



SITE LAYOUT PLAN



FLOOR PLAN

SEE REVERSE SIDE FOR ESTIMATED TAX RATE IMPACTS

**TOWN OF NORTHBRIDGE
TAX RATE IMPACTS BY DEBT EXCLUSIONS**

ALREADY APPROVED:

			FY2022		FY2023		FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
PROJECT	PAYOFF YEAR	2022 PAYMENT	TAX RATE IMPACT	2023 PAYMENT	TAX RATE IMPACT	2024 PAYMENT	TAX RATE IMPACT	TAX RATE IMPACT	TAX RATE IMPACT	TAX RATE IMPACT	TAX RATE IMPACT	TAX RATE IMPACT	TAX RATE IMPACT	TAX RATE IMPACT
TURF FIELD PROJECT	2023	\$1,017,701	\$0.50	\$1,017,701	\$0.37	\$765,000								
BVRHS EXPANSION	2025	\$67,916	\$0.03	\$67,916	\$0.03	\$67,916	\$0.03	\$0.03						
POLICE ROOF	2022	\$13,489	\$0.01	\$13,060	\$0.01	\$11,620	\$0.01	\$0.01	\$0.01	\$0.01				
M. SCHOOL ROOF	2022	\$140,233	\$0.07	\$135,826	\$0.07	\$131,306	\$0.06	\$0.06	\$0.06	\$0.06				
DPW BUILDING	2028	\$267,451	\$0.13	\$267,451	\$0.13	\$267,451	\$0.13	\$0.13	\$0.13	\$0.13	\$0.13			
NEW NES #1 (\$30 M)	2049	\$2,008,750	\$0.98	\$1,958,750	\$0.95	\$1,908,750	\$0.93	\$0.90	\$0.88	\$0.86	\$0.83	\$0.81	\$0.78	\$0.76
NEW NES #2 (\$7.15 M)	2051	\$402,312	\$0.21	\$435,945	\$0.21	\$423,944	\$0.21	\$0.20	\$0.19	\$0.19	\$0.19	\$0.18	\$0.17	\$0.17
NEW NES #3 (\$14.4 M)	2051	\$0	\$0.00	\$871,890	\$0.42	\$847,888	\$0.41	\$0.40	\$0.39	\$0.38	\$0.37	\$0.36	\$0.35	\$0.34
FIRE STATION (\$19 M)	2048	\$0	\$0.00	\$1,330,000	\$0.65	\$1,307,200	\$0.64	\$0.62	\$0.61	\$0.60	\$0.59	\$0.58	\$0.57	\$0.56
Total Tax from Debt:			\$1.93		\$2.84		\$2.42	\$2.35	\$2.27	\$2.23	\$2.11	\$1.93	\$1.87	\$1.83
Other 2022 Tax Rate:			\$11.84		\$11.84		\$11.84	\$11.84	\$11.84	\$11.84	\$11.84	\$11.84	\$11.84	\$11.84
Projected Tax Rate:			\$13.77		\$14.68		\$14.26	\$14.19	\$14.11	\$14.07	\$13.95	\$13.77	\$13.71	\$13.67

SEEKING APPROVAL:

			FY2022		FY2023		FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
PROJECT	PAYOFF YEAR	2022 PAYMENT	TAX RATE IMPACT	2023 PAYMENT	TAX RATE IMPACT	2024 PAYMENT	TAX RATE IMPACT	TAX RATE IMPACT	TAX RATE IMPACT	TAX RATE IMPACT	TAX RATE IMPACT	TAX RATE IMPACT	TAX RATE IMPACT	TAX RATE IMPACT
ADDITIONAL (\$4.3 M) FIRE STATION	2049	\$0	\$0.00	\$0	\$0.00	\$301,000	\$0.15	\$0.14	\$0.14	\$0.14	\$0.14	\$0.13	\$0.13	\$0.13
Total Projected Tax Rate:			\$13.77		\$14.68		\$14.41	\$14.33	\$14.25	\$14.21	\$14.09	\$13.90	\$13.84	\$13.80

**Assumes FY2022 Values (\$2,055,118,380) & FY2022 Tax Rate (\$13.77,*

**Estimated Borrowing Amount for NEW NES #3*

**Assumes Fire Station 25 years @ 3.00%*

**Will not borrow the additional \$4.3 Million until FY2024*

**\$19 Million over 25 years = Avg Impact of \$188.86/year on the average House Value of \$367,400*

**\$4.3 Million over 25 years = Avg Impact of \$42.74/year on the average House Value of \$367,400*

**\$4.3 Million over 25 years = \$5,977,000 total payments (incl \$1.677 M In interest)*

**Original estimate of Total Costs on \$30 M (1st NES Bond + Interest) when approved vs actual costs = \$5,823,33.33 in savings*



PROJECT TITLE: Northbridge Fire Station

Schematic /DD Estimate 11/20 Estimate 11/20 Estimate 2-22-2022

KBA Study **11/3/2021** **11/22/2021** **12.1.21** **2.22.22**
Projection **Projection** **Projection** **Projection** **Current Projection**

Administration

Legal Fees	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Owners Project Manager	\$526,000	\$495,000	\$495,000	\$495,000	\$495,000
OPM Additional Services	\$0	\$6,000	\$6,000	\$6,000	\$6,000
Advertising, Printing & Copying	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Site work, clearing, and demolition	By Others	By Others	By Others	By Others	By Others
Town Administration Expenses	By Town	By Town	By Town	By Town	By Town
Finance Costs/Bonding Costs	By Town	By Town	By Town	By Town	By Town
Builders Risk Policy	\$30,000	\$50,000	\$50,000	\$50,000	\$50,000
Moving Expenses	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Subtotal	\$581,000	\$576,000	\$576,000	\$576,000	\$576,000

Architecture and Engineering Fees

Basic Services

Design Fee	\$1,427,000	\$1,400,000	\$1,400,000	\$1,400,000	\$1,400,000
Cost Estimates	\$8,000	\$0	\$0	\$0	\$0

Additional A&E Expenses

	\$71,000	\$50,000	\$50,000	\$50,000	\$50,000
Subtotal	\$1,506,000	\$1,450,000	\$1,450,000	\$1,450,000	\$1,450,000

Testing & Commissioning

Geotechnical Engineer/Licensed Site Professional

Soil Testing and Exploration	\$10,000	\$20,000	\$20,000	\$20,000	\$20,000
Geotechnical Engineer/Licensed Site Professional	\$20,000	\$15,000	\$15,000	\$15,000	\$15,000
Electrical and Plumbing Inspections	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Land Survey	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000

Testing Services

On Site Testing and Inspections	\$75,000	\$50,000	\$50,000	\$50,000	\$50,000
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Commissioning

Independent Commissioning Agent	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Subtotal	\$150,000	\$130,000	\$130,000	\$130,000	\$130,000



PROJECT TITLE: Northbridge Fire Station

Schematic /DD

Estimate 11/20

Estimate 11/20

Estimate 2-22-2022

KBA Study

11/3/2021

11/22/2021

12.1.21

2.22.22

Projection

Projection

Projection

Projection

Current Projection

Construction Costs

Construction Cost Estimate (Including Out Building)	\$15,020,000	\$16,400,000	\$16,700,000	\$16,700,000	\$18,400,000
Alternate # 1-3	\$0	\$0	\$0	\$362,000	\$315,000
Early Package					\$100,000
Quality Improvements / Landscape Requirements			\$355,000	\$725,000	\$740,000
Material for OutBuilding (Trade School Constructs)			\$175,000	\$175,000	
Subtotal	\$15,020,000	\$16,400,000	\$17,230,000	\$17,962,000	\$19,555,000

Site Development

Utilities

Utility Company Charges	\$50,000	\$60,000	\$60,000	\$60,000	\$60,000
Land Clearing	\$10,000	\$15,000	\$15,000	\$15,000	\$15,000
Landscaping	\$5,000	\$7,500	\$7,500	\$7,500	\$7,500
Water and Sewer / Septic	\$40,000	In Base Contract	In Base Contract	In Base Contract	In Base Contract
Subtotal	\$105,000	\$82,500	\$82,500	\$82,500	\$82,500

Training Facility

Training Pads

4 Locations	\$0	\$0	\$0	\$0	\$0
Misc Equipment	\$0	\$0	\$0	\$0	\$0
Subtotal	\$0	\$0	\$0	\$0	\$0

Furniture and Equipment

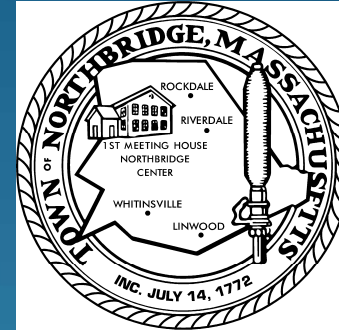
Furniture and Equipment	\$200,000	\$150,000	\$150,000	\$150,000	\$150,000
Equipment Contingency	\$51,000				
Dispatch Consoles / Equipment	\$55,000	\$55,000	\$55,000	\$55,000	\$55,000
Appliances	\$22,000	\$22,000	\$22,000	\$22,000	\$22,000
Washer / Dryer	\$3,000	\$2,500	\$2,500	\$2,500	\$2,500
Telephone Service	\$60,000	\$35,000	\$35,000	\$35,000	\$35,000
Security/ Access Control	\$65,000	In Base Contract	In Base Contract	In Base Contract	In Base Contract
Access Control	\$50,000	In Base Contract	In Base Contract	In Base Contract	In Base Contract
Life Safety Equipment	\$30,000	\$0	\$0	\$0	\$0
Vehicle Exhaust	\$55,000	In Base Contract	In Base Contract	In Base Contract	In Base Contract
Communication Equipment	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Antenna	\$62,000	\$125,000	\$125,000	\$125,000	\$125,000
Microwave Equipment	\$0	\$0	\$0	\$0	\$0
Tower Loading	\$0	\$0	\$0	\$0	\$0
Tower Lighting	\$0	\$0	\$0	\$0	\$0
Cascade Air Line Hook up	\$0	\$0	\$0	\$0	\$0
Subtotal	\$703,000	\$439,500	\$439,500	\$439,500	\$439,500



PROJECT TITLE: Northbridge Fire Station

	KBA Study Projection	Schematic /DD 11/3/2021 Projection	Estimate 11/20 11/22/2021 Projection	Estimate 11/20 12.1.21 Projection	Estimate 2-22-2022 2.22.22 Current Projection
Contingency					
Construction Contingency	\$751,000	\$750,000	\$750,000	\$1,000,000	\$1,000,000
Design Contingency	\$175,000				
<i>Subtotal</i>	<i>\$926,000</i>	<i>\$750,000</i>	<i>\$750,000</i>	<i>\$1,000,000</i>	<i>\$1,000,000</i>
PROJECT TOTAL	\$18,991,000	\$19,828,000	\$20,658,000	\$21,640,000	\$23,233,000

Town Vote Approval	\$ 18,997,000.00	\$ 18,997,000.00	\$ 18,997,000.00
Construction Costs 12.1.2021	\$20,658,000	\$21,640,000	\$23,233,000
Budget Deficiency	\$ (1,661,000.00)	\$ (2,643,000.00)	\$ (4,236,000.00) \$ (1,593,000.00) Planning Wing
	Without Alternates and Masonry, Entire Apparatus Epoxy	With Alternate and Masonry, Entire Apparatus and increase construction contingency	With Planning Wing, Epoxy Floor, Additional Contingency



Leaving Civil Service

Presentation by:
Adam Gaudette, Town Manager
Timothy Labrie, Chief of Police

March 28, 2022

What is the Massachusetts Civil Service System?

- The Massachusetts Civil Service is a unit within the states Human Resources Division (HRD).
- The testing of job applicants, or of current employees seeking promotion, is conducted by the Civil Service Unit of the commonwealth's Human Resources Division (HRD).
- The state's Civil Service Commission handles appeals from employees who have been disciplined or bypassed for promotion, and from applicants who have been bypassed for employment.

Civil Service has become Outdated

- The primary purpose of Civil Service when the Massachusetts legislature enacted the law, “Merit System”, in 1884 was designed to protect hiring and discipline from patronage and political interference.
- Today, departments have comprehensive policies and collective bargaining agreements that afford these protections to employees.

“The civil service system in Massachusetts is no longer up to the important task of helping government recruit and hire the most talented Personnel.”¹

Outdated continued:

- What a lot of towns have found is that, as HRD has been subjected to a series of budget reductions, it has delegated many of its functions to municipalities while retaining nominal control and oversight.
- Civil Service is no longer certifying appointments or promotions.
- A lot of employees have chosen to utilize arbitrators under the “just clause” language of Collective Bargaining Agreements rather than use HRD as the process can take years to resolve.
- Towns actually use the hiring of “provisional” hires as a way to sidestep testing and hiring rules entirely.

Outdated continued:

- The result of all the rules and rigidity of this central agency means they are unable to keep up with the testing and classification needs of agencies in the field.
- The system continues to make it difficult for specific agencies to compete for the best and brightest job candidates.
- Clearly, top job candidates aren't going to sit around and wait for civil service exams to be given, scores to be released, and lists to be developed when they can apply to non-civil service communities directly. When applying to these communities, candidates can be interviewed and offered jobs directly without State bureaucratic oversight.

Outdated continued:

- What government hiring authorities need today is the freedom to find and hire the people they want without extensive oversight and control from one central office.
- Due to the mass exodus from Civil service and issues that have arisen from Police Reform, the State has recently created a special task force to possibly overhaul a system that in its current form is overly bureaucratic and can be unresponsive due to its outdated rule-bound nature.

Question:

- Do we even need civil service laws to stop improper hiring, or to ensure that police and fire hire the most qualified people?
- The argument is that local governments are vastly more professional than they were at the turn of the century (or even just 30 years ago), and government ethics laws, tight press, and public scrutiny prevent these improper hires along with CBA language.

Benefits to the Town:

- Removing the Town from Civil Service would allow for greater flexibility within the hiring and promotional process.
- The exam score or rank does not have to be the only determining factor for who the department interviews and hires.
- The Department can determine the expiration date of the hiring and promotional lists.
- The Department can set minimum eligibility guidelines not allowed under Civil Service such as higher education levels.

Benefits Continued:

- The Town can determine what hiring preferences they want to acknowledge (residency, military experience, language proficiency, prior academy training).
- Instead of the candidate ratio of $(2N+1)$ departments would have a much larger candidate pool to select from.
- Departments can diversify their workforce without jumping through the hurdles that civil service presents when asking for a specialized certification.

Benefits Continued:

- Departments can recruit educated candidates from colleges to take their exam.
- Flexibility to hire lateral transfers or reinstatements.
- New officers without civil service status cannot transfer to a civil service department potentially reducing turnover.
- Ability to incorporate community and department specific criteria into promotional exams.

Benefits Continued:

- Ability to offer promotional exams that more accurately gauge an officer's suitability to become a supervisor.
- Attributes beyond test score, such as work product, contribution to the community and performance evaluation would factor into promotions.
- Ability to mandate a probationary period for promotions.

Benefits Continued:

- Current employees retain their civil service status, thus retaining their right to appeal discipline to the Civil Service Commission.
- Most employees that have been disciplined opt for their cases to be heard by an arbitrator rather than the commission.
- Under most contracts discipline, including termination, must be based on just cause.

Appointment and Promotion Policies

- The Town and Union have developed a written policy for promotion in collaboration.
- The Town will be required to strictly adhere to the appointment and promotional policies.
- Language has been provided changes cannot be made without approval of one another.

In the Spirit of Professionalism

- We can raise the level and competitiveness of the entire promotional process, and as a result, raise the level of Department as we look to face 21st Century challenges in our community.
- QUESTIONS:

CABLE TELEVISION LICENSE RENEWAL PROCESS

A PRACTICAL GUIDE

Updated March 2015

**Prepared by the Massachusetts Department of
Telecommunications and Cable**

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INTRODUCTION

This Practical Guide is presented by the Massachusetts Department of Telecommunications and Cable (“Department”) in our supervisory role with respect to cable television licensing. Under both federal and Massachusetts law, no cable operator may construct and/or operate a cable television system in a community without first obtaining a license. In Massachusetts, the city manager, mayor or board of selectmen is responsible for issuing a license and, hence, is designated as the Issuing Authority. Since Massachusetts law limits the term of a license, Issuing Authorities must periodically review and renew licenses. The Department oversees the licensing renewal process, which has been established under federal law, and supplemented by our regulations.

By establishing a formal renewal process, Congress sought to protect a municipality’s right to a cable system that is responsive to the needs and interests of the local community. Congress also sought to protect cable operators, which have invested in infrastructure in a community, from an unfair denial of a renewal license. The Department’s goal in developing this Practical Guide is to ensure that both municipalities and cable operators are aware of their rights and responsibilities as they contemplate license renewal and to guide them through the process.

In this Practical Guide, the Department first presents an overview of the role of government in cable television licensing. We describe each level of regulatory oversight with a focus on the resources available to Issuing Authorities. Next, the Department outlines the formal renewal process, highlighting the rights and responsibilities of each party under that process. Lastly, we discuss an alternative method by which parties may negotiate informally to reach an agreement. Since there are no procedural protections in informal negotiations, we recommend that this method be used only where there are no contested issues between the parties.

The guidance we provide herein offers both Issuing Authorities and cable operators direction on the most prudent manner in which to proceed under the rules established by Congress so that each party’s rights and interests are protected. The information in this Practical Guide is necessarily general in nature. The Practical Guide is not a substitute for particularized advice from an attorney. In addition, federal and Massachusetts laws and regulations are subject to change. Therefore, persons should refer to the current Massachusetts General Laws, the Code of Massachusetts Regulations, the federal Communications Act of 1934, as amended, or the appropriate federal rules and regulations, or they may consult the Department with case-specific questions.

THE ROLE OF GOVERNMENT

Licenses to construct and/or operate cable television systems are granted by the “Issuing Authority” of a city or town. Pursuant to section 1 of chapter 166A of the Massachusetts General Laws, the Issuing Authority is the mayor of a city, the board of selectmen of a town, or the city manager of a city with a plan D or E charter. The Issuing Authority decides initially whether to go forward with the licensing process, recommends services and terms to be included in the license, and decides whether to grant a license. Upon license renewal, the Issuing Authority reviews the performance of the cable operator, determines the services and terms to be included in the renewal license, and decides whether to grant a renewal license.

The Issuing Authority takes these actions within the framework provided by federal and state law. Congress has enacted a series of laws that establish many of the substantive and procedural requirements governing cable television licensing. For example, federal law requires that each operator obtain a license to service a particular area, and that the license be non-exclusive. Federal law also specifically addresses local access programming and franchise fees. Further, federal law establishes the process by which licenses are granted and renewed. The Federal Communications Commission (“FCC”) is charged with ensuring that cable operators and licensing authorities comply with federal law.

In addition to federal oversight regulation, many states have enacted laws regarding cable television regulation. In Massachusetts, the Department oversees cable television licensing and ensures that municipalities and cable operators comply with both federal and state law, particularly where state law is more restrictive than federal law. For example, state law limits the term of a license to 15 years for an initial license and ten years for a renewal license. The Department also acts as an appellate body, as a cable operator may appeal to the Department for review of an Issuing Authority decision.

Since it is the Department’s enabling legislation and regulations promulgated thereunder that establish the regulatory framework for Issuing Authorities to follow, the Competition Division has created the position of Municipal Liaison to bridge these two bodies. The Municipal Liaison’s chief function is to assist municipal officials as they work through the licensing process. The Municipal Liaison will meet with local governments to explain the statutory and regulatory requirements. The Department maintains, as public records available for inspection, a copy of each license granted in Massachusetts. In addition, we maintain, on our website, an electronic library of many of the licenses executed in Massachusetts. By providing this assistance, the Department seeks to ensure that Issuing Authorities act in compliance with federal and state law to obtain a license that best serves the needs of the community.

THE FORMAL RENEWAL PROCESS

Under federal and Massachusetts law, cable operators may not provide cable television service without obtaining a license from the Issuing Authority. Congress anticipated that cable operators would seek renewal licenses in order to continue providing cable television service in areas where money has been invested in infrastructure. Congress also recognized that municipalities should review the performance of a cable operator and ensure that the operator continues to meet the community's needs and interests. Thus, Congress established a formal renewal process that considers each of these interests. By following the formal renewal process, Issuing Authorities protect their right to a cable television system that serves the needs and interests of the community and cable operators protect their investment from a unfair denial of a renewal license. An Issuing Authority or cable operator must explicitly invoke the protections of the formal renewal process. Generally, each party must notify the other that it intends to proceed under the formal process.

The framework set forth by federal law provides a 36-month period in which to conduct license renewal proceedings. This 36-month period is often referred to as the "Renewal Window." The process consists of two phases: 1) reviewing the cable operator's performance under the current license and ascertaining the needs and interests of the community ("Ascertainment"); and 2) applying the results of the first phase to the review of the cable operator's proposal. The Department recommends that a municipality complete the first phase within 24 months. At most, the ascertainment phase should not extend longer than 30 months. This timeframe affords the municipality sufficient time to review and consider the cable operator's proposal and make a determination whether to grant renewal of the license before the current license expires.

PHASE I -ASCERTAINMENT

COMMENCEMENT

The formal renewal process must begin between 36 and 30 months prior to expiration of the license. The Issuing Authority may commence the formal renewal process on its own initiative and must inform the cable operator that it has done so. While there is no specific action that an Issuing Authority must take in order to demonstrate it has commenced the formal renewal process, the Issuing Authority should perform some tangible act to begin to ascertain the community's cable-related needs and interests. For example, the Issuing Authority could begin to survey the community or hold a public hearing.

Most often, the cable operator will request, in writing, that the Issuing Authority commence the renewal process. The cable operator will make this request between 36 and 30 months prior to the expiration of the license. If the cable operator requests that the Issuing Authority commence the renewal process, the Issuing Authority must begin ascertaining the community's cable-related needs and interests within six months of receiving the cable operator's request.

In either case, the letter requesting commencement of the formal license renewal process or advising that a community has commenced the formal renewal process is called a "Renewal Letter." The Renewal Letter is often referred to as the "626 letter" (626 refers to the section of the federal Communications Act that sets forth the franchise renewal process).

The protections of the formal renewal process must be invoked in a timely manner, that is between 36 and 30 months prior to the expiration of the current license. If neither the Issuing Authority nor the cable operator requests commencement of the formal process within this period, the

opportunity to conduct the renewal license under the formal renewal process expires and neither party is able to claim the protections provided by federal law.

ASCERTAINMENT

Ascertainment is a series of actions taken by the Issuing Authority by which the Issuing Authority reviews the cable operator's performance under the existing license and identifies the cable-related needs and interests of the community. Many Issuing Authorities find it helpful to appoint a committee to assist in gathering information about a cable operator's performance and the community's needs and interests. The size and make-up of the cable advisory committee ("CAC") is determined by the Issuing Authority, and its members may include both residents and non-residents of the community. A CAC is considered a governmental body within the purview of the Massachusetts conflict of interest laws, at General Laws chapters 268A and 268B, and is subject to the guidelines contained therein.

The Issuing Authority, in appointing a CAC, should define the CAC's role and duties. Under Massachusetts law, only the Issuing Authority may make the final licensing decision. However, this does not preclude the Issuing Authority from relying on the CAC's recommendations.

An Issuing Authority and its CAC may choose a wide variety of methods to assess the cable operator's past performance and determine the future needs and interests of the community. An Issuing Authority may:

- Hold a public hearing. While a public hearing is required after receipt of the cable operator's proposal as part of the Issuing Authority's deliberative process, some municipalities choose to hold additional hearings during the ascertainment phase to solicit input from the community with respect to the cable operator's performance as well as the future needs and interests of the community;
- Conduct a municipality-wide survey;
- Meet with community organizations such as schools, senior citizen centers, and police and fire services to determine their proposed needs;
- Review the current license held by the cable operator in the municipality to determine, for example, which terms and conditions have been particularly beneficial to the community;
- Review the cable operator's financial forms (CTV Forms 200 and 400);
- Review consumer complaint records, including CTV Form 500 and municipal records;
- Obtain and review a map of the service area (often referred to as a street or strand map) to determine, in part, whether there are unserved parts of the community;
- Tour the cable operator's technical facilities (i.e., headend) and PEG access studio; and
- Review licenses granted by other communities in Massachusetts (many have been filed electronically and are available at the Department's web page).

There is no law or regulation that explicitly establishes a deadline by which an Issuing Authority must complete ascertainment. The Department has interpreted federal law as requiring Issuing Authorities to complete ascertainment no later than six months prior to the current license expiration date. The better practice, however, is to ensure that ascertainment is complete 12 months prior to license expiration in order to maximize the amount of time an Issuing Authority has to review a cable operator's proposal. Under federal law, a cable operator may not submit a formal renewal proposal until the Issuing Authority has completed ascertainment. This timeline allows a cable operator to respond to the results of the ascertainment studies in preparing its proposal. Upon receipt of the proposal, an Issuing Authority has only four months, or until the expiration of the current license, whichever occurs first, to make a determination on the proposal. Prolonging completion of the ascertainment thus reduces the amount of time during which an Issuing Authority may review and deliberate on a cable operator's proposal.

Under Massachusetts regulations, the Issuing Authority must notify the cable operator in writing upon completion of ascertainment. In its written notification, the Issuing Authority must specifically state the date that ascertainment was complete. The Issuing Authority should provide its ascertainment results as a part of a Request for Proposals ("RFP"). Presenting the ascertainment results to the cable operator is critical in demonstrating the community's needs and without it, a proposal in response to an RFP may not accurately represent the community's needs.

As part of the RFP, the Issuing Authority may provide the cable operator with a draft license in its RFP that contains terms and conditions consistent with the ascertainment results. The Issuing Authority should provide a reasonable deadline for the cable operator to respond to the RFP, that is, to submit what is known as the Formal Renewal Proposal. Generally, a period of at least 30 days is considered a reasonable response time. However, in establishing a deadline for responses, the Issuing Authority must be aware of the length of time remaining before the current license expires.

PHASE II - REVIEW OF PROPOSAL

After the Issuing Authority has completed ascertainment, the cable operator may (on its own initiative) or must (within the time frame established by the Issuing Authority in the RFP) submit its renewal proposal. The cable operator submits its proposal on the Department's Form 100 and often supplements it with additional information.

Upon receipt of the proposal, the Issuing Authority must:

- 1) provide prompt public notice that the cable operator has submitted a renewal proposal; and
- 2) during the four-month period that begins upon the receipt of the proposal, renew the franchise or issue a preliminary assessment that the franchise should not be renewed; and
- 3) at the request of the cable operator or on its own, commence an administrative proceeding to consider whether:
 - A) the cable operator has substantially complied with the material terms of the existing franchise and with applicable law;
 - B) the quality of the cable operator's service, including signal quality, response to consumer complaints, and billing practices, but without regard to the mix or quality of cable services or other services provided over the cable system, has been reasonable in light of community needs;

- C) the cable operator has the legal, financial, and technical ability to provide the services, facilities, and equipment as set forth in the cable operator's proposal; and
- D) the cable operator's proposal is reasonable to meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

If the Issuing Authority determines, upon initial review of the proposal, that it will accept the cable operator's proposal and grant the license, there is no need to commence an administrative proceeding. Nonetheless, under the Department's regulations, the Issuing Authority must conduct a public hearing to allow the public an opportunity to comment on the cable operator's proposal.

The administrative proceeding is an evidence gathering proceeding that must be conducted so as to afford both the Issuing Authority and cable operator due process, including the right to introduce evidence, question witnesses, and require the production of evidence. If the Issuing Authority bases the preliminary denial of the renewal proposal on criteria (A) or (B), the Issuing Authority must provide the cable operator with notice of non-compliance and an opportunity to cure.

At the conclusion of the administrative proceeding, the Issuing Authority must issue a written decision granting or denying the cable operator's proposal for renewal.

GRANTING A RENEWAL LICENSE

If the Issuing Authority determines that the cable operator satisfies each of the four criteria, and decides to grant a renewal license to the cable operator, the Issuing Authority must issue a public, written statement detailing the reasons for the grant of the renewal. The Issuing Authority must file a copy of the issuing statement, renewal license, and license application (Form 100) with the Department within seven days of granting the license. In addition, the Department requests that the Issuing Authority also submit the license in electronic format.

DENYING A RENEWAL LICENSE

If the Issuing Authority determines that the cable operator has failed to satisfy one or more of the criteria, and has not cured any claimed non-compliance, the Issuing Authority must issue a written statement detailing the reasons for its denial within 14 days of the decision to deny. The written decision must include the basis for the denial, that is, identify which of the four criteria the cable operator did not satisfy. The Issuing Authority must file a copy of this statement along with the renewal proposal (Form 100) with the Department.

APPEAL OF ISSUING AUTHORITY DECISION

A cable operator who is aggrieved by a decision of an Issuing Authority to deny a renewal license may appeal to the Department for review of that decision. Any such appeal must be filed within 30 days of the date of the Issuing Authority decision.

INFORMAL NEGOTIATIONS

While Congress established the formal renewal process, Congress also determined that where Issuing Authorities and cable operators are able to negotiate an agreement outside of the formal renewal process, they should be allowed to do so in a manner that best fits the parties' needs. That is, where a municipality has a good working relationship with a cable operator and there are no compliance issues, the parties are not required to follow the formal process. Rather, the parties may negotiate an agreement informally. Since there are no procedural safeguards in informal negotiations, this method should be used only where there are no contested issues between the parties.

When negotiating informally, a cable operator may submit a proposal for the renewal of a license at any time, and the Issuing Authority may, after affording the public adequate notice and an opportunity to be heard, grant or deny such a proposal. By negotiating informally, parties avoid the time requirements of the formal process. For example, Issuing Authorities are not obligated to review a cable operator's proposal within 120 days, as required under the formal process. However, even with informal negotiations, state law requires that the Issuing Authority hold a public hearing on the cable operator's proposal.

There is no regulatory requirement that an Issuing Authority conduct ascertainment if it chooses to negotiate with a cable operator rather than follow the formal process. Nevertheless, the Issuing Authority's negotiating position can only be enhanced if it has ascertainment results to substantiate its requests. It is highly recommended that an Issuing Authority conduct some form of ascertainment prior to entering into negotiations with a cable operator.

In practice, cable operators in Massachusetts will often request an Issuing Authority to commence the formal renewal process, but simultaneously request that the parties negotiate informally. Thus, the parties actually enter into informal negotiations while conducting the formal renewal process. While this is acceptable, there are two potential areas where confusion may result:

1) The Nature of the Proposal - Formal Proposal versus Informal Proposal

There is a distinction between a proposal submitted for discussion purposes and one that is submitted as a formal renewal proposal, namely, the submission of the formal renewal proposal triggers the 120-day review period. In order to avoid any confusion or violation of process, an Issuing Authority negotiating informally should ensure that the cable operator identify any informal proposal submitted as "Informal" or "For Informational Purposes Only."

2) "Reservation of Rights"

As indicated above, often a cable operator will request that the parties negotiate informally, while "reserving its rights" under the formal renewal process. In essence, the cable operator protects itself from an unfair license denial, but is relieved of following the strict time requirements of the formal process. The Issuing Authority is similarly relieved of the strict requirements of the formal process, including the requirement to conduct ascertainment. However, it is unlikely that a decision to deny a license will stand without appropriate ascertainment to support it. Thus, it is recommended that an Issuing Authority conduct ascertainment even when negotiating informally. Moreover, if informal negotiations do not result in a renewal license, the cable operator may revert back to the formal process, and submit a formal renewal proposal for the Issuing Authority's consideration. The review is limited to 120 days under federal law. Therefore, in order to ensure that sufficient time exists

for the Issuing Authority to review a formal proposal, the Department recommends that an Issuing Authority complete ascertainment 12 months prior to the license expiration date, but absolutely no later than six months prior to the license expiration date.

Informal negotiations may be a productive and efficient means for many Issuing Authorities and cable operators to reach mutually agreeable license terms, particularly where the parties have developed a solid professional relationship. However, where a party which has agreed to proceed informally has “reserved its rights” under the formal renewal process, both parties should proceed with the understanding that the requirements of the formal process may become applicable.

REFERENCES

RELEVANT LAWS AND REGULATIONS

Massachusetts General Laws, Chapter 166A

Code of Massachusetts Regulations, 207 C.M.R. §§ 3.00-10.00

United States Code, 47 U.S.C. § 546

ADDITIONAL RESOURCES

Information regarding cable television licensing may be found on the Department's website at www.mass.gov/ocabr/government/oaca-agencies/dtc-lp/competition-division/cable-tv-division/municipal-info/. The Department's website also provides several licenses in electronic format that are available for download.

A comprehensive glossary of cable-related terms is available on the Department's website at www.mass.gov/ocabr/government/oaca-agencies/dtc-lp/competition-division/cable-tv-division/glossary-of-cable-television-terms.html.

Town Manager's Report for the Period of March 14, 2022 – March 25, 2022

1. Key Meetings Attended:

- Monday, March 14, 2022 – Weekly Fire Station Conference Call with Design Team.
- Monday, March 14, 2022 – Attended the Board of Selectmen Meeting.
- Tuesday, March 15, 2022 – Met with Dan Lassard from BV Veterans regarding Memorial Day plans.
- Wednesday, March 16, 2022 – Attended the Finance Committee Public Meeting to discuss the FY2023 Budget and ARPA.
- Thursday, March 17, 2022 – Met with Selectman Melia to discuss Agendas and Projects.
- Tuesday, March 22, 2022 – Attended the virtual Planning Board Meeting for the Fire Station Project.
- Wednesday, March 23, 2022 – Attended the Finance Committee Meeting for their voting on the Warrant Articles for SATM.
- Thursday, March 24, 2022 – Held a virtual Department Head Meeting.

2. **Fire Station Project:** The General bid has been advertised as plans are at 100%. A set is on the table in the Selectmen's Room for viewing. The subcontractor bids will be due April 14th and the general contractor bids will be due April 28th so that final numbers are available for Town Meeting. The Town Manager will hold a Public Forum on the project on Wednesday, April 27th at 7 pm..
3. **Northbridge Elementary School Reuse Study:** The BPCC has selected Abacus Architects to perform the study. The next step is to enter into an agreement and issue a Notice to Proceed. A project kick-off meeting will take place in April.
4. **Fire Department Radio Communications Study:** The firm CTA has been selected to perform the study and a Notice to Proceed was issued this past week. Chief White and Chief Labrie have recently participated in kick-off meeting.
5. **Fire Department Strategic Plan:** The Town Manager and Fire Chief selected the consultant CPSM for this project. The services agreement has been finalized and the Town Manager issued the Notice to Proceed. The Project is expected to be completed in the next 60 days
6. **American Rescue Plan Act (ARPA):** Now that the recommended Funding Project Plan has been approved, projects are able to move forward. The Town Manager is putting together contracts with the non-profits and departments will need to coordinate necessary procurements.
7. **FY2023 Budget and SATM Warrant:** The Finance Committee met this past week on March 23rd to vote their positions on the articles in order to prepare the Booklet for Town Meeting. This coming March 28th, the Board of Selectmen will vote to sign the Warrant pending Town Counsel Review and vote on any Ballot Questions for the Town Election in May.