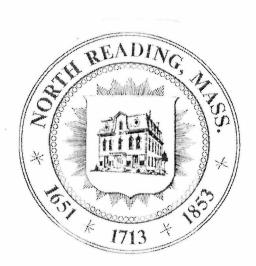
TOWN OF NORTH READING MASSACHUSETTS

OCTOBER TOWN MEETING WARRANT



MONDAY, OCTOBER 2, 2017

7:00 P.M.

Daniel H. Shay Performing Arts Center, North Reading High School, Park Street
Please bring this book with you to the Town Meeting.

PROCEDURE FOR TOWN MEETING

- 1. Moderator presides, using Roberts Rules of Order, except as provided by the General Laws, the Charter and By-Laws.
- 2. Articles in the warrant are considered in the order in which they appear, but voters may move to consider them out of order. (This takes a 4/5 vote of the Town Meeting.)
- 3. In order for an article to be considered by Town Meeting, it must be moved and seconded. The article is then open for debate by all in attendance.
- 4. To speak at Town Meeting, stand and say Mr. Moderator. After being recognized by the Moderator, state name and address before making any remarks.
- 5. Debate may be ended by a voter's "Move the guestion."
- 6. Amendments to original motion must be presented in writing to the Moderator. Upon being seconded and discussed, the Moderator calls for a vote. If passed, the original motion, as amended, is then voted.
- 7. Reconsideration of a vote is permitted only once and only at that session of Town Meeting.

The above information was prepared by the North Reading League of Women Voters.

A CITIZEN'S CHECKLIST FOR TOWN MEETING

To be considered on each vote:

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

TABLE OF CONTENTS

Each article is accompanied by a "Description..." of what each article does. Italicized information is explanatory in nature.

		<u>Page</u>
Article 1	Hear and Act on Reports of Town Officers and Committees	2
Article 2	Prior Year Bills	2
Article 3	Transfer Funds to Capital Improvement Stabilization Fund	3
Article 4	Appropriate Money to Stabilization Fund	3
Article 5	Transfer Funds to Other Post Employment Benefits Liability Trust Fund	4
Article 6	Amend FY2018 Operating Budget	4
Article 7	Fund Repairs to Town Buildings	4
Article 8	Fund Town Facilities Master Plan	5
Article 9	Appropriate Supplemental Funds for J.T. Berry/Lowell Road Property	5
Article 10	Appropriate Funds for Study and Design – Water/Wastewater Connection	6
Article 11	Authorize Intermunicipal Agreement with Town of Andover and Home-Rule Petition for Potable Water	6
Article 12	Fund Construction of Pump Station, Reading and North Reading Water System Improvements for MWRA Water Interconnection and Acceptance of Water from the MWRA	7
Article 13	Authorize Intermunicipal Agreement with Town of Reading and Home-Rule Petition for Potable Water	7
Article 14	Authorize Article 97 Legislation for Potable Water Interconnection with Town of Reading	8
Article 15	Amend Code – General By-laws – Social Host Responsibility	9
Article 16	Amend Code – General By-laws – Betterment Assessments	12
Article 17	Appropriate Money for Special Counsel Legal Expenses	14
Article 18	Sale of Land – 8 Devens Road (Map 42, Parcel 71)	15
Article 19	Acquire Property for Public Potable Water Main: 100 Lowell Road (Map 14, Parcel	9) 16

COMMONWEALTH OF MASSACHUSETTS

TOWN OF NORTH READING

TOWN MEETING

OCTOBER 2, 2017

7:00 P.M.

Middlesex, SS.

To either of the Constables of the Town of North Reading in the County of Middlesex, GREETINGS.

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in Town affairs, to meet at the Daniel H. Shay Performing Arts Center, North Reading High School, Park Street in said North Reading, on MONDAY, the SECOND DAY OF OCTOBER, 2017 at seven o'clock in the evening, then and there to act on the following articles:

Article 1 Hear and Act on Reports of Town Officers and Committees

To hear and act upon the reports of Town Officers and Committees.

Sponsor: Board of Selectmen

Description...

This is a customary article which provides for Officers and Committees so instructed to report to Town Meeting their progress or recommendations.

Recommendations ...

Selectmen: Recommended.

Finance Committee: No Action Required.

Article 2 Prior Year Bills

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from any available source of funds, a sum of money to pay prior year bills; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

This article provides for payment of prior fiscal year bills which were not submitted prior to the fiscal year ending on June 30, 2017. As of September 5, 2017, there are two bills for which action is anticipated to be requested. The requested amount for this and any other prior year bills will be available at Town Meeting. Requires 4/5 vote.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting

Article 3 Transfer Funds to Capital Improvement Stabilization Fund

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available source of funds a sum of money to be added to the Capital Improvement Stabilization Fund established under Article 5 of the October 2007 Town Meeting; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

The Board of Selectmen proposes to transfer surplus funds, if any, to the Town's Capital Improvement Stabilization Fund. The intended use of the fund includes capital purchases and debt financing. The current balance in the account is \$2,282,838. As of September 5, 2017, an amount of \$200,000 is proposed to be added to the Fund.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting. **Finance Committee:** Recommendation to be made at Town Meeting.

Article 4 Appropriate Money to Stabilization Fund

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available source of funds a sum of money to be added to the Stabilization Fund; or what it will do in relation thereto.

Sponsor: Finance Committee

Description...

The Board of Selectmen proposes to transfer surplus funds, if any, to the Town's Stabilization Fund. The Stabilization Fund may be used for any lawful purpose, however, it represents the Town's rainy day fund for unexpected emergencies. The current balance in the account is \$2,259,566. A recommendation for a transfer into the Fund, if any, will be available at Town Meeting.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Article 5 Transfer Funds to Other Post Employment Benefits Liability Trust Fund

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available source of funds a sum of money to be added to the Other Post Employment Benefits Liability Trust Fund established under Article 36 of the June 3, 2013 Town Meeting; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

The Board of Selectmen proposes to transfer surplus funds, if any, to supplement a reserve account to pay for future health and pension costs for retirees. The current balance in this Fund is \$1,142,547. A recommendation for a transfer into the Fund, if any, will be available at Town Meeting.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 6 Amend FY 2018 Operating Budget

To see if the Town will vote to amend the FY2018 Operating Budget voted under Article 15 of the June 5, 2017 Annual Town Meeting, including funding the first year of certain collective bargaining agreements, or otherwise amend said vote and to raise by taxation and appropriate, or appropriate and transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available funds or borrow a sum of money for such purposes; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

This article authorizes FY2018 operating budget adopted at the June Town Meeting. Specific lines to be amended, if any, will be available at Town Meeting.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 7 Fund Repairs to Town Buildings

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available funds, or borrow a sum of money for the repair of Town buildings, including any costs incidental or related thereto; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

The proposed article seeks funds to make non-capital improvements to various municipal buildings. A request not to exceed \$50,000 is anticipated.

Recommendations ...

Selectmen: Recommended.

Article 8 Fund Town Facilities Master Plan

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available funds, or borrow a sum of money to fund a Master Plan to address current and future Town facility needs, including any costs incidental or related thereto; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

The proposed article requests funds to create a Master Plan to prioritize and address current and future Town building needs.

Recommendations ...

Selectmen: Recommended.

Finance Committee: Recommendation to be made at Town Meeting.

Article 9 Appropriate Supplemental Funds for J.T. Berry/Lowell Road Property

To see if the Town will vote to raise by taxation and appropriate, appropriate and transfer from unexpended funds remaining in Warrant Articles of previous years, appropriate by transfer from available funds, and/or borrow a sum of money to be used for the maintenance and disposition of the former J.T. Berry/Lowell Road property, including any incidental and related costs, which acquisition and disposition was previously authorized under Article 10 of the October 2014 Town Meeting; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

The proposed article would provide supplemental funds for legal, engineering, maintenance, or other costs, if needed, for the maintenance/disposition of the former J.T. Berry/Lowell Road property.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Article 10 Appropriate Funds for Study and Design – Water/Wastewater Connection

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, appropriate by transfer from any other available funds, and/or borrow in accordance with any applicable law, a sum of money to study the Town's options for acquiring a supplemental supply of potable water to meeting North Reading's long-term needs, including but not limited to studying the feasibility of acquiring additional potable water from the Town of Andover, and the feasibility of establishing a wastewater interconnection with the Town of Andover; said expenditure to include but not be limited to, any studies, engineering, preparation of designs/plans, and any other costs incidental or related thereto; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

The proposed article seeks to provide funding for feasibility evaluation, design, engineering, surveying, additional cost estimation, and other costs associated with ongoing planning efforts to address the Town's long-term potable water and wastewater needs, including the evaluation of proposals from the Town of Andover.

Recommendations ...

Selectmen: Recommended.

Finance Committee: Recommendation to be made at Town Meeting.

Article 11 Authorize Intermunicipal Agreement with Town of Andover and Home-Rule Petition for Potable Water

To see if the Town will vote to authorize the Board of Selectmen to enter into an Intermunicipal Agreement with the Town of Andover for potable water for a term of up to 99 years on such terms and conditions that the Board determines are in the best interests of the Town; and further, to see if the Town will authorize the Board of Selectmen to take any and all action necessary to effectuate such agreement including, but not limited to, petitioning the General Court for a special act authorizing said Agreement; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

The proposed article would authorize the Board of Selectmen, pending the results of a feasibility evaluation, to enter into a long-term intermunicipal agreement for potable water with the Town of Andover.

Recommendations ...

Selectmen: Recommended.

Article 12 Fund Construction of Pump Station, Reading and North Reading Water System Improvements for MWRA Water Interconnection and Acceptance of Water from the MWRA

To see if the Town will vote to raise by taxation and appropriate, appropriate and transfer from unexpended funds remaining in Warrant Articles of previous years, appropriate by transfer from available funds, and/or borrow a sum of money to supplement the amounts appropriated under Article 14 of the June 5, 2017 Town Meeting for the purpose of constructing a pump station and providing water system improvements in Reading and North Reading for interconnection with the MWRA water system, including but not limited to the development of design plans for the project, the preparation of bid documents, the oversight of permitting, actual construction of such improvements, and for payment of any costs or fees associated with acceptance of water from the MWRA, including but not limited to the socalled MWRA entrance fee; and to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen, be authorized to borrow a sum or sums of money pursuant to Massachusetts General Laws Chapter 44 Section 7 or Section 8, or any other enabling authority, and to issue bonds or notes of the Town therefor; and further, to authorize the Board of Selectmen to execute a contract with the MWRA or other funding entity allowing the Town to borrow funds for, or otherwise make payments of, MWRA fees or assessments over a period of more than three years, or what it will do in relation thereto.

Sponsor:

Board of Selectmen

Description...

The article would authorize supplemental funding for an interconnection to the Massachusetts Water Resources Authority for potable water, which was approved at the June 2016 Town Meeting and funded at the June 2016 and 2017 Town Meetings, and authorize the Board of Selectmen to execute an agreement to pay assessments associated with joining the MWRA.

Recommendations ...

Selectmen: Recommended.

Finance Committee: Recommendation to be made at Town Meeting.

Article 13 Authorize Intermunicipal Agreement with Town of Reading and Home-Rule Petition for Potable Water

To see if the Town will vote to authorize the Board of Selectmen to enter into an Intermunicipal Agreement with the Town of Reading for potable water for a term of up to 99 years on such terms and conditions that the Board determines are in the best interests of the Town; and further, to see if the Town will authorize the Board of Selectmen to take any and all action necessary to effectuate such agreement including, but not limited to, petitioning the General Court for a special act authorizing said Agreement; or what it will do in relation thereto.

Sponsor:

Board of Selectmen

Description...

The proposed article would authorize the Board of Selectmen to enter into a long-term intermunicipal agreement for potable water with the Town of Reading.

Recommendations ...

Selectmen: Recommended.

Article 14 Authorize Article 97 Legislation for Potable Water Interconnection with Town of Reading

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain, upon such terms and conditions as it deems appropriate, easements or other interests in land for water supply purposes in certain parcels of land in the Town of North Reading located on Mill Street and identified as North Reading Assessors Map 21, Parcels 1 and 7, and in certain parcels of land in the Town of Reading located on Mill Street and identified as Reading Assessors Map 56, Parcels 101 and 106, said parcels of land being owned by the Town of Reading; and further, to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the Town to acquire such interests in land and provide for the construction of a water main and related facilities within such lands to provide potable water to the Town of North Reading, which authorization may include such approval as is required under Article 97 of the Amendments to the Massachusetts Constitution, notwithstanding the provisions of any applicable general or special law to the contrary, including but not limited to section 16 of chapter thirty B of the General Laws, provided that the General Court may make clerical or editorial changes of form only to the bill submitted by the Selectmen unless the Selectmen approve amendments to the bill before enactment by the General Court; or what it will do in relation thereto.

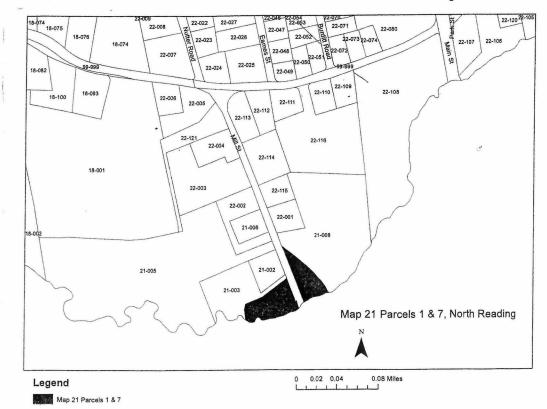
Sponsor: Board of Selectmen

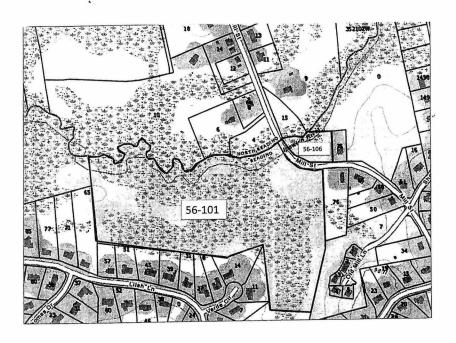
Description...

The proposed article would authorize the Board of Selectmen to acquire an interest in property along the border with the Town of Reading for purposes of constructing an interconnection with the Town of Reading to receive potable water from the MWRA.

Recommendations ...

Selectmen: Recommended.





Article 15 Amend Code – General By-laws – Social Host Responsibility

To see if the Town will vote to amend the Code of North Reading General By-Laws by adding a new Chapter 147 - Social Host Responsibility; and to amend the list of fines under Chapter 1, General Provisions § 1-5B(3), Violations and Penalties, to include those specified under Chapter 147, which provides as follows:

§ 147-1 Purpose.

It is the purpose of this chapter to protect the public interest, welfare, health and safety within the Town of North Reading by prohibiting the service to and consumption of alcoholic beverages and drugs by persons under the age of 21 at private premises located within the Town. The North Reading Community Impact Team finds that the occurrence of social gatherings at private premises where alcoholic beverages or drugs are served to or consumed by persons under the age of 21 is harmful to such persons themselves and a threat to public welfare, health and safety. The North Reading Community Impact Team finds further that persons under the age of 21 often obtain alcoholic beverages or drugs at such gatherings and that persons who rent, own, or otherwise control the premises at which such service and/or consumption is occurring will be more likely to ensure that alcoholic beverages and drugs are neither served to nor consumed by persons under the age of 21 at these gatherings when there are potential penalties for violations.

§ 147-2 Definitions.

For purposes of this chapter, the following terms shall be defined as follows:

ALCOHOLIC BEVERAGE

Any liquor, wine; beer, spirits, cider or other liquid or solid, patented or not, composed of or containing alcohol or spirits, whether or not brewed, fermented or distilled, and capable of being consumed by a person.

CONTROL

The authority and ability to regulate, direct, or dominate.

DRUG

Any substances recognized as drugs in the official United States Pharmacopeia of the United States or official National Formulary or any supplement to any of them; or any substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; or any substances, other than food, intended to affect the structure, or any function, of the body of man and animals. This definition expressly includes marijuana in any form.

OPEN HOUSE PARTY

A social gathering at a residence or other private property or premises with minors present.

PERSON

A human being and, where appropriate, a public or private corporation, an unincorporated association or a partnership.

PREMISES

A home, yard, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, whether occupied as a dwelling, or specifically for a party, or other social function, and whether owned, leased, rented, or used with or without compensation. The term "premises" shall also include private functions held at public facilities within the Town of North Reading.

§ 147-3 Prohibited activity.

Any person, regardless of age, who owns, rents or otherwise controls any premises regardless of age shall be responsible when an open house party takes place at said premises where that person knows, or has reason to know, that any alcoholic beverage or drug is being unlawfully possessed, served to or consumed by persons under the age of 21 at these gatherings at said premises.

§ 147-4 Exemptions.

The provisions of this chapter shall not apply to:

- A. The possession or consumption of a drug by an individual for which that individual has a current, valid prescription or as otherwise permitted by any other applicable law.
- **B.** The consumption of alcoholic beverages which occurs exclusively by a person under the age of 21 in the immediate presence of and so directed or authorized by his/her parent/grandparent or legal guardian.
- C. The practice of legally recognized religious observances.

§ 147-5 Violations and penalties; enforcement.

Failure to comply with § 147-3 herein shall constitute a violation of this chapter punishable by a fine or warning as outlined below. Fines may be assessed at the discretion of the enforcing officer by criminal complaint or by noncriminal disposition in accordance with § 1-5 of the Town Code.

A. Penalties.

- (1) A first violation of this chapter shall be punishable by a fine of \$100, which shall be issued by the North Reading Police Department plus an administrative recoupment of police expenses dealing with this violation in the amount of \$100.
- (2) A second violation of this chapter at the same premises or by the same person within a twelve-month period shall be punishable by a fine of \$200 plus an administrative recoupment of police expenses dealing with this violation in the amount of \$100.
- (3) A third or subsequent violation of this chapter at the same premises or by the same person within a twelve-month period shall be punishable by a fine of \$300.

B. Enforcement.

- (1) The enforcement of this chapter shall be delegated to the Chief of Police and/or his designee(s), which for the purposes of this section shall mean any sworn police officer of the North Reading Police Department.
- (2) This chapter does not preclude the Police Department from enforcing any provision(s) of applicable criminal law as may be independently applicable.

§ 147-6 Calculation of time for penalties.

The fine schedule prescribed as set forth in this chapter is based upon a rolling schedule, meaning that in calculating the fine payable, the Town of North Reading shall count backward starting from the date of the most recent violation of this chapter to determine how many previous violations of said chapter have taken place at the premises or have been committed by the same person during the statutory twelve-month period.

§ 147-7 Appeals.

Any person upon whom is imposed a fine/penalty pursuant to this chapter shall have the right to appeal the imposition of such fine/penalty in a noncriminal proceeding by making a written request within 21 days to the Clerk Magistrate in Woburn District Court.

§ 147-8 Effect on other laws; severability.

A. If any part or provision of this chapter shall be deemed to be inconsistent with any federal or state statute, law, rule, or regulation, then such statute, law, rule or regulation shall prevail.

<u>B.</u> If any part or provision of this chapter or the applicability thereof to any person or circumstance is adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this chapter or the application thereof to other persons or circumstances.

Sponsor: Board of Selectmen

Description...

This bylaw would place responsibility on parents, guardians, and other individuals to ensure that unlawful activity does not take place at parties or gatherings held at private residences and other locations, including motels, hotels and functions. While state laws govern underage drinking and illegal substance abuse activity, this local bylaw would regulate this activity at the local level while not impacting the criminal penalties for such behavior under state law or the potential for civil liability.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting. **Finance Committee:** Recommendation to be made at Town Meeting.

Article 16 Amend Code – General By-laws – Betterment Assessments

To see if the Town will vote to amend the Code of North Reading General By-laws Chapter 25 Assessments and by deleting the chapter in its entirety replacing it as follows:

§ 25-1 Betterment assessments.

The Town of North Reading may assess up to 100% of project cost for betterments approved through the processes outlined below.

§ 25-2 Streets, sidewalks, storm drains.

- <u>A.</u> Private streets. Street, sidewalk or storm drain betterments will be assessed using the Fixed Uniform Rate Method.
- (1) The Town of North Reading, based on the availability of funds, may assess up to 100% of project cost for street betterments.
- (2) At a public hearing, abutters on private streets must vote on whether they want their street converted to a public street. If a majority of the property owners residing on a street and representing a majority of the road frontage vote in favor of the conversion and the acceptance of costs for construction, the Public Works Department will recommend to the Board of Selectmen the placement of the street on a list for conversion as funds become available. At the public hearing abutters are given a not-to-exceed assessment cost estimate per linear foot of frontage
- (3) The final assessment is the lower of either the actual per-linear-foot cost based on the total construction costs divided by the assessable frontage, or the estimated assessment quoted at the public hearing. The date between its acceptance on the list by the Board of Selectmen and the date it is funded for conversion may be and is typically several years. After it is funded, the Department of Public Works shall prepare engineering and construction documents so that it may be put out to bid and constructed. Sometime between the date it is funded and the award of the conversion contract, the street is accepted as a public street by Town Meeting. Along with the Town Meeting vote of acceptance, a notice of assessment and a layout plan is filed at the Registry of Deeds. The filing allows for title companies to recognize that the street is to become a public street and assessments to be rendered at a future unknown date. However, the layout plan and notice of assessment will not show on a certificate of municipal liens because the work has not yet been undertaken and no costs have been assessed for the conversion of the street to public.

(4) After the street is accepted as a public street, the construction contract is awarded and construction takes place. It is not uncommon for the construction of private streets, sidewalks, or storm drains to span two full construction seasons. The current practice is for assessments to be calculated within six months following the completion of all work associated with the particular street being converted. This six-month allowance is in conformance with the statute. Therefore, abutters can expect to receive their assessments for street conversion within six months of completion of street construction.

§ 25-3 Public water supply; sewers.

<u>A.</u> Water main or sewer improvement betterments will be assessed using the Uniform Unit Method.

- (1) The Town of North Reading may assess up to 100% of the necessary funds for water or sewer betterments.
- (2) At a public hearing the abutters and property owners must vote on whether they want water or sewer mains constructed in the street. If a majority of the property owners residing on a street and representing the majority of the estimated usage vote in favor of the construction of the water or sewer improvement and the acceptance of costs for construction, the Public Works Department recommends to the Board of Selectmen, the placement of the street on a list for construction as funds become available. At the public hearing the abutters will be given a not-to-exceed assessment cost estimate based on estimated usage as defined in Title 5 of the State Environmental Code 310 CMR Section 15.203.
- (3) The final assessment is the lower of either the actual cost based on the total construction costs divided by the assessable usage, or the estimated assessment quoted at the public hearing. The date between acceptance on the list by the Board of Selectmen and the date funded may be and is typically several years. After funding, the Department of Public Works prepares engineering and construction documents so that the construction may be put out to bid and constructed. A notice of assessment and a layout plan is filed at the Registry of Deeds. The filing allows for title companies to recognize that assessments are to be rendered at a future unknown date. However the notice of assessment will not show on a certificate of municipal liens because the work has not yet been undertaken and no costs have been assessed for the construction or report of the sidewalks/drains.
- (4) The construction contract is awarded and construction takes place. It is not uncommon for the construction of water or sewer improvements to span multiple construction seasons. The current practice is for assessments to be calculated within six months following the completion of all work associated with the particular water main being constructed. This six-month allowance is in conformance with the statute. Therefore, abutters can expect to receive their assessments within six months of completion.

Sponsor: Board of Selectmen

Description...

This article would modify the existing bylaw relative to betterments by eliminating the requirement that the Town pay 50% of the cost of the project, allowing betterment projects to proceed in the absence of Town funds.

Recommendations ...

Selectmen:

Article 17 Appropriate Money for Special Counsel Legal Expenses

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available source of funds a sum of money for negotiation, mediation and/or litigation with PMA Consultants, LLC and Dore and Whittier Architects, Inc. concerning the Secondary School Building Project, including any costs incidental or related thereto; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

This article would provide additional funding for legal expenses related to the Secondary School Building Project.

Recommendations ...

Selectmen: Recommended.

Sale of Land - 8 Devens Road (Map 42, Parcel 128) Article 18

To see if the Town will vote to transfer the care, custody and control of that parcel of land located at 8 Devens Road and identified as Assessors Map 42, Parcel 128, from the tax title custodian for tax collection purposes, to the Board of Selectmen for general municipal purposes, including the purpose of conveyance, and authorize the Board to convey all or a portion of such property on such terms and conditions as it may deem appropriate; or what it will do in relation thereto .

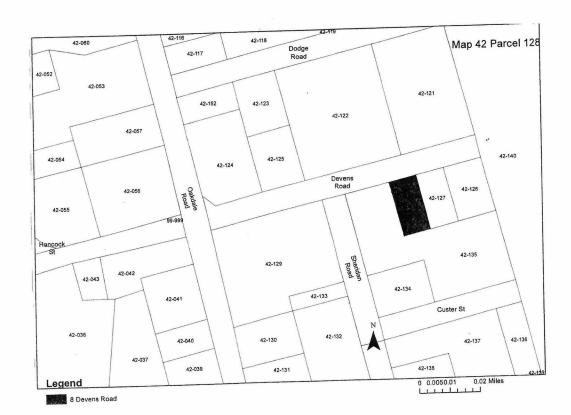
Sponsor: Board of Selectmen

Description...

The proposed article would authorize the Board of Selectmen to sell the above noted parcel of land by soliciting requests for proposals.

Recommendations ...

Selectmen: Recommended.



Acquire Property for Public Potable Water Main – 100 Lowell Road (Map Article 19 14, Parcel 9)

To see if the Town will authorize the Board of Selectmen to acquire by purchase, gift, swap or eminent domain, the fee, easement, or lesser interests in all or a portion of property located at 100 Lowell Road and identified as North Reading Assessors Map 14, Parcel 9, for purposes of constructing a public potable water main; or what it will do in relation thereto.

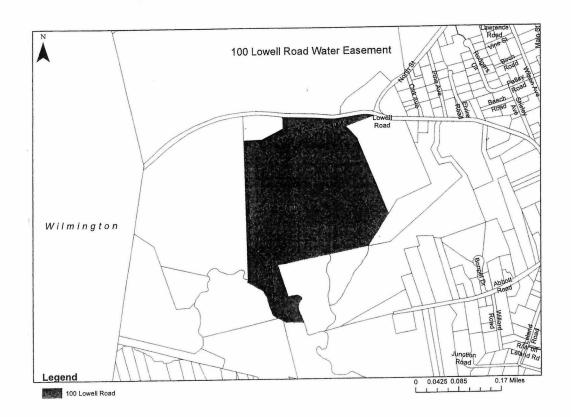
Board of Selectmen Sponsor:

Description...

The article authorizes the Board of Selectmen to obtain further interest in property located at 100 Lowell Road for purposes of constructing a public water main to serve adjacent property.

Recommendations ...

Selectmen: Recommended.



And you are directed to serve this Warrant by posting up attested copies, fourteen days at least before the time of holding said meeting, in accordance with the Code of the Town of North Reading.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given under our hands this fifth day of September in the year of our Lord two thousand and seventeen.

BOARD OF SELECTMEN

Michael A. Prisco, Chairman Kathryn M. Manupelli, Vice Chairman Andrew J. Shultz, Clerk Stephen J. O'Leary Robert J. Mauceri

A True Copy: Attest John J. Firriello, Constable