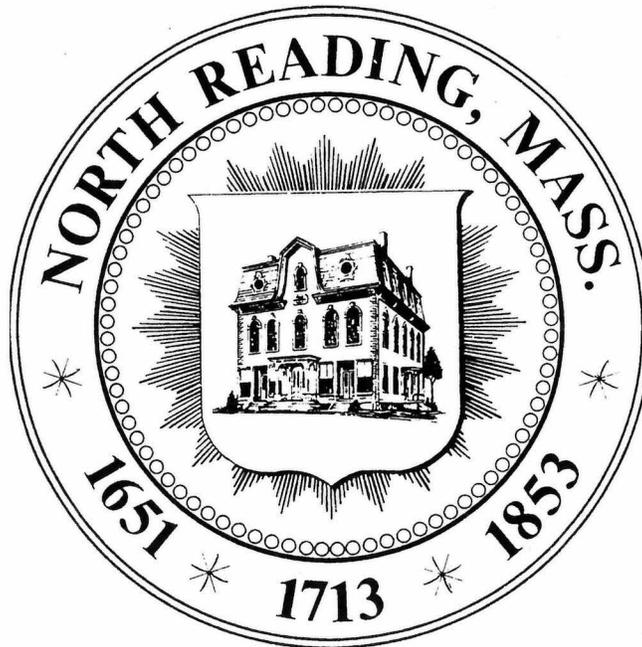


**TOWN OF NORTH READING
MASSACHUSETTS**

**OCTOBER
TOWN MEETING WARRANT**



MONDAY, OCTOBER 17, 2016

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 question."
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.

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Italicized information is explanatory in nature.*

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COMMONWEALTH OF MASSACHUSETTS

TOWN OF NORTH READING

TOWN MEETING

OCTOBER 17, 2016

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 **SEVENTEENTH DAY OF OCTOBER, 2016** 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, 2016. As of September 23, 2016, there are eleven 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: Recommended.

Finance Committee: Recommended.

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 \$983,962.42. As of September 23, 2016, an amount of \$200,000 is proposed to be added to the Fund.

Recommendations ...

Selectmen: Recommended.

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 \$2,052,192.23. As of September 23, 2016, an amount of \$200,000 is proposed to be added to the Fund.

Recommendations ...

Selectmen: Recommended.

Finance Committee: Recommended.

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 account is \$553,888.13.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 6 **Amend FY 2017 Operating Budget**

To see if the Town will vote to amend the FY2017 Operating Budget voted under Article 20 of the June 6, 2016 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...

The Town seeks to raise and appropriate and/or transfer from available funds sums of money to be added to the FY2017 operating budget adopted at the June town meeting.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 7 **Rescind Civil Service - Police**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation providing that the positions of Police Officers of all ranks, including Police Chief, shall not be subject to the Civil Service statute, all as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Board of Selectmen to approve such amendments:

AN ACT EXEMPTING THE POLICE CHIEF POSITION AND ALL POLICE OFFICER POSITIONS OF THE TOWN OF NORTH READING FROM THE CIVIL SERVICE LAW

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same as follows:

Section 1. Notwithstanding any general or special law to the contrary, all Police Officer positions, including Police Chief, within the police department of the Town of North Reading shall be exempt from Chapter 31 of the General Laws.

Section 2. Section 1 shall not impair the civil service status of any Police Officer, including the Police Chief, employed in the Town of North Reading on the effective date of this act.

Section 3. Pursuant to Memoranda of Agreement between the Town of North Reading and the respective unions representing the Patrol Officers, Sergeants, and Lieutenants, hiring and promotions that occur after the effective date of this Act shall be exempt from Chapter 31 of the General Laws but shall be covered by this Act, the Town Charter, the Town Bylaws, and any applicable collective bargaining agreement covering the respective positions: (1) patrol officers, (2) police sergeants, (3) police lieutenants, (4) police chief; and (5) all other police officer positions within the Police Department that are authorized to exercise police powers. All other applicable provisions of the General Laws shall be unaffected by this Act.

Section 4. This act shall take effect upon its passage.

or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

This article would authorize the town to file special legislation to exempt all ranks of the police department from the provisions of the Civil Service statute for newly hired Police Officers and promoted Police Officers / Officials. This article is a result of collective bargaining agreements with both of the Town's police unions.

Recommendations ...

Selectmen: Recommended.

Finance Committee: Recommended.

Article 8 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: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 9 Appropriate Money for Construction of Facilities at Arthur J. Kenney Field

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, or borrow a sum of money to fund the design, construction, reconstruction or remodeling of facilities at the Arthur J. Kenney Field including, but not limited to, public restrooms, including any costs incidental or related thereto; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

This article seeks a sum of money to construct public restroom facilities at the Arthur J. Kenney turf field to bring the facility into compliance with the state Building Code.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 10 Fund Redevelopment/Wastewater Plan for Section of Route 28 at Route 62

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 redevelopment concept plan, including but not limited to, wastewater treatment options, for a section of Route 28 in the vicinity of Route 62, and including any costs incidental or related thereto, in accordance with recommendations made in a land use and economic development study performed by Metropolitan Area Planning Council completed in 2015, a copy of which is on file with the Town Clerk's Office; or what it will do in relation thereto.

Sponsor: Community Planning Commission

Description...

The article requests funds to implement a key recommendation from the Short Term Economic Development Strategy (developed by the Town in conjunction with the Metropolitan Area Planning Commission in 2015), to explore the feasibility of establishing a shared privately-funded wastewater treatment facility for a limited area of Route 28, and to develop scenarios for future redevelopment opportunities in this area of the Town.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 11 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.

Finance Committee: Recommended.

Article 12 Amend Code – Zoning By-Laws - §200-39 - Changes to Highway Business Zoning District Bylaw

To see if the Town will vote to amend the North Reading Zoning Bylaw to make the following changes to §200-39: Highway Business (HB) District, a copy of which section in its entirety depicting the proposed changes is available for viewing at the Community Planning Office:

- In paragraph A.(1)(a), line 2, immediately following the word “services”, delete “and” and insert “,” and, immediately following “activities”, “,” and mixed-use development”.
- In paragraph A.(2)(b), delete “under circumstances specifically approved by the Community Planning Commission through site plan review or as approved through the relevant special permit”.
- In paragraph A.(2), delete section (f), “The maximum permissible floor area ratio (FAR) for any lot in the HB District shall be 2.0 unless otherwise provided for in Subsection **B** below.”, and renumber the section and all sections thereafter accordingly.
- In paragraph A.(2)(g)[1], immediately following “approved”, insert “by the Community Planning Commission through site plan review”.
- In paragraph A.(2)(g)[2], immediately following “approved”, insert “by the Community Planning Commission through site plan review”.
- Delete paragraph B.(1), Parking bonus, in its entirety, and renumber the section and all sections thereafter accordingly.
- In paragraph B.(2), delete “c. Floor area ratio = 2.0*” and renumber the section and all sections thereafter accordingly.
- In paragraph B.(2)d., Setbacks, delete “25 feet front” and insert “20 feet front” in its place
- In paragraph B.(2), delete “e. Minimum stories = 4***” and renumber the section and all sections thereafter accordingly.
- In paragraph B.(2), **, delete “No pavement, other than pedestrian or vehicular accessways shown on an approved site plan, shall be located within the minimum front setback”, and insert in its place, “No pavement, other than pedestrian or vehicular accessways shown on an approved site plan, shall be located ten (10) feet from the front lot line”.

- In paragraph C., Prohibited Uses, insert in numerical order “531130 – Lessors of miniwarehouses and self-storage units
- In paragraph C., Prohibited Uses, delete “451211 – Adult book stores”, “53110 – Operators of apartments buildings”, and “53110 – Operators of dwellings other than apartment buildings”.
- In paragraph C., Prohibited Uses, in item “812199 – Massage parlors, etc.” insert, immediately following “steambaths”: “, except by special permit as specified in §200-45, Adult uses, of the Zoning Bylaw”.
- In paragraph C., Prohibited Uses, insert in numerical order “721310 – Rooming and boarding houses”
- In paragraph C., Prohibited Uses, delete “81411 – Private households” and “541620 – Cloud seeding; weather modification (rain makers)”
- In paragraph D., Uses permitted by special permit, delete “561491 – Automobile repossession service”
- In paragraph D., Uses permitted by special permit, immediately following “54194 – Testing laboratories”, on the line below, insert “Adult uses as specified in §200-45, Adult uses, of the Zoning Bylaw
- In paragraph E., Permitted uses, delete “721 – Hotels, rooming houses, camps, and other lodging places”
- In paragraph E., Permitted uses, insert, immediately following “512 – Services not elsewhere classified”, on the line below: “In addition to the above, multi-family dwellings are permitted as a component of a mixed use development; provided, however, that residential uses cannot exceed eighty percent (80%) of the total square footage of buildings on any parcel. The remaining twenty percent (20%), at least, of total building square footage, must be occupied by another use allowed by right or by special permit.

55+ and assisted living facilities are permitted but may not exceed eighty percent (80%) of the total square footage of buildings on any parcel. The remaining twenty percent (20%), at least, of total building square footage, must be occupied by another use allowed by right or by special permit.”

or what it will do in relation thereto.

Sponsor: Community Planning Commission

Description...

This warrant article would enable mixed-use development within the Highway Business zoning district, including some residential development. The article also eliminates the need to obtain a separate Special Permit for mixed-use development, corrects inconsistencies with the existing Adult Use bylaw, and makes certain dimensional requirements more flexible. Self-storage businesses, currently not mentioned in the Highway Business zoning bylaw, are proposed to be listed as “prohibited”. Changes are together shown on a copy of the entire §200-39 on file with the Town Clerk and available for viewing at the Community Planning Office.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: No Action Required.

Article 13 Amend Code - Zoning By-Laws – Article XIII, §200-69 - Changes to Off Street Parking and Loading

To see if the Town will vote to amend the North Reading Zoning Bylaw, Article XIII, §200-69 Table of Off Street Parking and Loading Requirements, by adding a new line, as follows, and renumbering the section accordingly:

Use	Minimum Number of Off-Street Parking Spaces Per Unit
6. Medical office	Four (4) for each one thousand (1,000) gross square feet of floor space

and in "16. Mixed Use" delete "One (1) for each six hundred (600) square feet of gross floor area," or what it will do in relation thereto.

Sponsor: Community Planning Commission

Description...

This warrant article adds a parking requirement for Medical Offices; this parking requirement is currently not defined in the Zoning Bylaw. It also eliminates the need for additional parking for mixed use developments beyond what is triggered by each individual use.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: No Action Required.

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 nineteenth day of September in the year of our Lord two thousand and sixteen.

BOARD OF SELECTMEN

- Robert J. Mauceri, Chairman
- Stephen J. O’Leary, Vice Chairman
- Kathryn M. Manupelli, Clerk
- Michael A. Prisco
- Jeffrey R. Yull

A True Copy: Attest
John J. Firriello, Constable