

TOWN OF NORTHFIELD



Transcript of Articles in the Warrant for the
SPECIAL TOWN MEETING

**Monday, December 5, 2016
at 7:00 p.m.**

Please bring this report to the meeting for use in the proceedings at

Pioneer Valley Regional School
97 F. Sumner Turner Road

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- IMPORTANT -

This Warrant contains Articles, explanations, recommendations and/or appendices. Only the Articles are part of the “official” call to Town Meeting. The explanations and/or appendices are editorial and the recommendations expressed are those of the Finance Committee. Only the Articles are part of the official town meeting warrant.

TOWN OF NORTHFIELD



WARRANT

Special Town Meeting

Monday, December 5, 2016

At 7:00 o'clock in the evening at Pioneer Valley Regional School
97 F. Sumner Turner Road

Franklin, ss

To any of the Constables of the Town of Northfield, in said County of Franklin, Commonwealth of Massachusetts.

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Northfield, who being qualified to vote in elections and Town affairs, to meet at the Pioneer Valley Regional School, 97 F. Sumner Turner Road, in said Northfield, on Monday, the fifth day of December, 2016 at 7:00 p.m.; then and there to act upon the enclosed articles, to wit:

In case all articles in the foregoing Warrant shall not be acted upon at the Meeting called for on Monday, December 5, 2016, to meet in Adjourned Sessions at such time and place as the meeting shall determine.

This building is accessible to the handicapped and designated parking is provided. If requested, at least one week before the meeting, warrants with large print can be available. Please call the Town Clerk's office at least one week before the Town Meeting at 413-498-2901 x112.

Town of Northfield
Report of the Finance Committee

To the Citizens of Northfield:

A Special Town Meeting is an infrequent event. This meeting is especially important as we may see the culmination of three years of hard work in preparing a complete overhaul of our protective zoning bylaw. We have committed more than \$100,000 of community resources to put before the town meeting a zoning bylaw that supports the goals of the Town Master Plan, is in compliance with state law and hopefully will reinvigorate our efforts to improve Main Street and open opportunities for the proper development of the former Northfield School campus.

As cautious and as conservative as this Finance Committee is, we are nonetheless proud of the accomplishments of the last two years that not only include a more transparent town meeting warrant, but also projects that have long been in the wings finally see completion. A sample list includes renovations to the second floor and the restoration of the exterior of town hall. As of this writing, the bid documents for the long awaited, and much needed electrical rewiring project are being released. As a town we have paved the library parking, replaced the roof on the highway garage, launched a new website, built a salt shed, replaced an aging fire truck, approved the purchase of a new ambulance, and established a long-range capital plan. This is only a partial list.

However, there is no time to take a bow as we still have many challenges before us. In the coming months, we will be paying attention to our Elementary School's long-term maintenance needs aimed at preserving our most important investment. As a community, we have also started work on the possible replacement and consolidation of our emergency services into one facility.

Much has been accomplished; much remains to be done.

This Special Town Meeting is truly special, and we hope that you will support our recommendations.

Thank you.

Sincerely,

The Northfield Finance Committee,
Lois M. Stearns, Chairman
Daniel R. Campbell, Vice-Chairman
Bonnie Tucker L'Etoile
Chadwick Glover

Anthony Matteo
Bernhard Porada

Bethany Walker, Secretary

GLOSSARY OF TERMS

Appropriation: An authorization to make expenditures and to incur obligations for specific purposes. An appropriation is granted by Town Meeting and is usually limited in time and amount as to when it may be expended. Any part of the general appropriation not spent or encumbered by June 30 automatically reverts to surplus, which may become Free Cash. A specific appropriation is carried forward from year to year until spent for the designated purpose or transferred by Town Meeting vote to another account.

Assessed Valuation: A valuation set upon real or personal property by the Board of Assessors as a basis for levying taxes.

Budget: A plan of financial operation consisting of an estimate of proposed expenditures for a given period and the means of financing them. The budget is voted in the spring at Town Meeting for the fiscal year that begins the following July 1st.

Capital Budget: A plan of proposed capital outlays and the means of financing them for the current year.

Cherry Sheet: An annual statement received from the Massachusetts Department of Revenue detailing estimated payments to the town for the next fiscal year and the estimated state and county government charges payable by the town. The Assessors in setting the tax rate use these amounts. The actual receipts and charges may vary from the estimates.

Community Preservation Act (CPA): The Town adopted the Community Preservation Act (CPA) in 2002. This Act allows the town to collect up to a 3% surcharge (Northfield has voted 0.5%) on property tax bills (the funds can be matched up to 100% by the state when funds are available), which creates the Community Preservation Fund, to use for Community Preservation purposes. Each year, the town must appropriate, or reserve (but not necessarily spend), 10% of the funds for each of the three Community Preservation purposes: Open Space, Historic Resources, and Community Housing. The remaining 70% of the funds can be appropriated or reserved used for any of the three purposes and for Recreation and for administration.

Debt Service: Payment of interest and repayment of principal to holders of the Town's debt instruments.

Fiscal Year: A 12-month period, commencing July 1 and ending June 30, to which the annual budget applies. Fiscal years are often denoted FYXX with the last two numbers representing the calendar year in which it ends, for example, FY16 is the fiscal year ended June 30, 2016.

Free Cash: Free cash is the portion of unreserved fund balance available for appropriation. It is not cash but rather is approximately the total of cash and receivables less current liabilities and earmarked reserves also reduced by reserves for uncollected taxes. This is also referred to as "available cash". The amount is certified annually by the Massachusetts Department of Revenue.

General Fund: The major town-owned fund which is created with town receipts and which is charged with expenditures payable from revenues.

Grant: A contribution of assets by one governmental unit or other organization to another. Typically, these contributions are made to local governments from the state and federal governments. Grants are usually made for specific purposes.

Line-Item Budget: A format of budgeting that organizes costs by type of expenditure such as expenses, equipment, and salaries.

Overlay: The amount set aside to allow for uncollected property taxes. An amount for the overlay is added to the appropriations and other charges. Overlay Surplus – see below.

Overlay Surplus: The unused amount of the overlay for prior years, which may be transferred, by a vote of the Town, to the reserve account or used for extraordinary items.

Property Tax Levy: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed “per thousand dollars” of assessed valuation.

Reserve Fund: Money set aside by Town Meeting to be allocated by the Finance Committee for extraordinary or unforeseen expenditures.

Stabilization Fund: A special reserve funded by Town Meeting for future expenditures.

Terms associated with Proposition 2½:

Debt or Capital Exclusion: The Town can assess taxes in excess of the levy limit by voting a debt exclusion or capital outlay exclusion. This amount does not become a permanent part of the levy limit base but does allow the Town to assess taxes for a specific period in excess of the limit for payment of debt service costs or payment of capital expenditures.

Excess Levy Capacity: The difference between the Town's tax levy limit and its actual tax levy for the current year. It is the additional tax levy that could be raised without asking for an override.

New Growth: The amount of property tax revenue that the Town can add to its allowable tax levy as a result of new construction, alterations, subdivisions or change of use which increases the value of a parcel of land by more than certain amounts.

Override: An amount, voted by the Town, which is permanently added to the levy limit. A majority vote of the Selectmen allows an override question to be put on the ballot. Override questions must be presented in dollar terms and must specify the purpose of the override. Overrides require a majority vote of approval by the Town.

Tax Levy Limit: The maximum amount of the tax levy for a period under the restrictions of Proposition 2½. It is calculated as the prior year limit plus new growth plus 2.5% of the prior year levy limit.

Index of Articles for the Town Meeting

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TOWN OF NORTHFIELD



Commonwealth of Massachusetts

WARRANT FOR SPECIAL TOWN MEETING Monday, December 5, 2016

At Seven O'clock in the Evening
At the Pioneer Valley Regional School, 97 F. Sumner Turner Road

ARTICLE 1: To see if the Town will vote to waive the reading of the Warrant and the Notice to the Constables and act on the motions of the following articles, or take any other action thereon or in relation thereto.

Requested by the Selectboard

This article removes the requirement of the Moderator reading the entire warrant to Town Meeting at the start of the meeting.

ARTICLE 2: To see if the Town will vote to accept the recommendation of the Town Zoning Revision Committee by replacing the Protective Regulations By-Law, adopted in 1987 with the Northfield Zoning By-Law 2016, or take any other action relative thereon or in relation thereto.

Requested by the Selectboard
& Planning Board

This article requests the adoption of a global revision of the zoning regulation. The need to update the Town's protective regulations was identified in the Town Master Plan.

ARTICLE 3: To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money to codify the 2016 Northfield Zoning By-Law as adopted, for publication and to create, maintain, and access the By-Law on the website of the Town, or take any other action relative thereon or in relation thereto.

Requested by the Town Clerk

The Town needs a properly codified, searchable document, maintained on the website for Zoning reference.

The Finance Committee recommends this Article in the amount of \$10,000.00.

ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to augment Article 16 of the FY16 Annual Town Meeting to continue the review and update of the Town's Zoning By-Laws ("Protective Regulations By-Law"); or take any action relative there to.

Requested by the Planning Board
and the Selectboard

This Article would fund the further preparation and support services for the By-Law Revision process that was begun in 2015.

The Finance Committee had not completed its recommendations prior to the warrant going to press. The Committee will give its recommendation at Town Meeting.

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money for the payment of bill(s) incurred from prior years; or take any other action relative thereon or in relation thereto.

Requested by the Selectboard

The Board of Health submitted an invoice for service to the trash compactors after the fiscal year had closed.

The Finance Committee recommends this Article in the amount of \$3,090.35.

ARTICLE 6: To see if the Town will vote to re-establish an ad hoc Town Governance Study Committee to examine the government structure of the Town of Northfield for possible improvement. Members of this committee shall serve a term ending on the date of the 2018 Annual Town Meeting and be appointed as follows: two members by the Selectboard, one member by the Finance Committee, one member by the Town Moderator, and one member by the Planning Board. Once their first meeting is

convened, this committee shall have the option, within thirty days from that meeting date, to appoint two additional members. This committee shall issue a written report, including recommendations to the 2018 Annual Town Meeting, or take any other action relative thereon or in relation thereto.

Requested by the Selectboard

The Town Governance Study Committee completed its work in 2013 and had agreed to reconvene within three years of adoption of its recommendations to review the progress and to propose additional changes if any are warranted. This Article seeks to re-establish the committee.

ARTICLE 7: To see if the Town will vote to transfer unused funds from previous town meeting articles, specifically;

| <u>Acct #</u> | <u>Description</u> | <u>Amount</u> |
|---------------|-------------------------------|--------------------|
| 19265 | Town Hall Renovations | \$4,584.65 |
| 19267 | Town Hall Projects (05/07) | 295.52 |
| 19271 | Town Hall Interior Assessment | 3,600.00 |
| 19272 | Town Hall Repairs | 7,605.58 |
| 19275 | Town Hall South Balcony Room | 2,000.00 |
| <u>Total</u> | | <u>\$18,085.75</u> |

to a new account entitled, "Town Buildings – Maintenance, Furnishings & Repair," for the purpose of consolidating old, and unspent, remaining balances in previous articles and broadening the definition of use to include and accommodate all Town owned building needs, or take any other action relative thereon or in relation thereto.

Requested by the Selectboard

This Article will repurpose previous Town Meeting Article’s remaining balances and broaden the use and application of those funds.

The Finance Committee recommends in favor of this Article.

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to purchase and install an electric gate for the salt shed and a gate across the driveway of the town garage, or take any other action relative thereon or in relation thereto.

Requested by the Selectboard

This Article seeks funds to add a gate to the entrance of the new salt shed and to install a security gate at the main entrance of the town garage yard.

The Finance Committee recommends in favor of this article in the amount of \$28,000.

ARTICLE 9: To see if the Town will vote to accept the provisions of Chapter 218, Sections 193 and 194 of the Acts of 2016 which amends Chapter 90 and empowers the Board of Selectmen to establish a speed limit of 25 miles per hour on any roadway inside a thickly settled or business district in the town on any way that is not a state highway and further to establish a designated safety zone on, at or near any way in the town which is not a state highway with a speed limit of 20 miles per hour, or take any other action thereon or in relation thereto.

Requested by the Selectboard

By adopting this new law, the Selectboard will have the authority to establish speed limits on non-state roads within the Town.

ARTICLE 10: To see if the Town will vote to accept the provisions of Massachusetts General Law, Chapter 59, Section 5, the Fifty-fourth clause allowing the town to exempt up to \$2,500 of fair cash value on personal property accounts to be taxed beginning with fiscal year FY2018, or take any other action thereon or in relation thereto.

Requested by the Board of Assessors

This article will allow the Board of Assessors to exempt from taxation personal property that is less than \$2,500 in value. The administrative costs associated with billing these accounts are higher than the amount of revenue that could be generated.

The Finance Committee recommends in favor of this article.

ARTICLE 11: To see if the Town will vote to accept the provisions of Massachusetts General Law, Chapter 40, Section 57 as amended by Chapter 218 of the Acts of 2016 which will allow the town to deny, revoke, or suspend any local licenses and permits for failure to pay municipal taxes or charges, or take any other action thereon or in relation thereto.

Requested by the Selectboard

This article seeks to enable the town to take advantage of a statutory provision intended to assist the Town to collect delinquent local taxes, fees and assessments.

The Finance Committee recommends in favor of this article.

ARTICLE 12: To see if the Town will vote to approve a By-Law presented as Appendix 3 that supports the adoption of Chapter 40, Section 57 as amended by Chapter 218 of the Acts of 2016; or take any other action thereon or in relation thereto.

Requested by the Selectboard

Under MGL Chapter 40 Section 57, a town may enact a bylaw that allows the Town to refuse to issue or renew, or to revoke, certain licenses and permits if applicable local taxes, fees and assessments are not currently paid by the owner. The cost to the town, in time and expense, to collect unpaid accounts can be considerable; the right to withhold benefits of ownership to delinquent owners may provide the town with effective leverage to obtain payment.

ARTICLE 13: To see if the Town will vote to amend the Employee Compensation Plan to add an addition 1% to each grade and step, and to increase by the same percentage part-time hourly, non-classified employees, the elected Town Clerk, and Treasurer/Collector, such sums to be allocated to the departments by the Town Accountant, or take any other action thereon or in relation thereto.

Requested by the Selectboard

This article will modestly change the compensation plan to make a competitive market adjustment to the base wage scale of the Town.

The Finance Committee had not completed its recommendations prior to the warrant going to press. The Committee will give its recommendation at Town Meeting.

ARTICLE 14: To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money to waterproof the exterior walls of Town Hall, or take any other action thereon or in relation thereto.

Requested by the Selectboard

To waterproof the brickwork of Town Hall and protect the work that has been accomplished this year.

The Finance Committee recommends this article in the amount of \$8,000.

ARTICLE 15: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to purchase a Highway Department Dump Truck, or take any other action relative thereon or in relation thereto.

Requested by the Selectboard

The Capital Plan called for a replacement truck at the May annual town meeting. However, other priorities and a limit to funds available required a postponement of the request. The need remains and funds have been identified. It is important to follow the capital replacement plan whenever possible.

The Finance Committee recommends this article in the amount of \$170,000.

ARTICLE 16: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to purchase a Pickup Truck w/plow for the Town Maintenance Department, or take any other action relative thereon or in relation thereto.

Requested by the Selectboard

The Capital Plan called for a replacement truck at the May annual town meeting. However, other priorities and a limit to funds available required a postponement of the request. The request has been modified to purchase a smaller, less expensive vehicle. The need remains and funds have been identified. It is important to follow the capital replacement plan whenever possible.

The Finance Committee recommends this article in the amount of \$48,000.

ARTICLE 17: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums to maintain the historical markers in the town or take any other action relative thereon or in relation thereto.

Requested by the Historical Commission

The gift fund to maintain the historical markers has been depleted.

The Finance Committee recommends this article in the amount of \$1,000.

ARTICLE 18: To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$40,000 to purchase a Pickup Truck w/plow, or take any other action relative thereon or in relation thereto.

Requested by the Sewer Commission

The Sewer Department requires a utility truck in the performance of its maintenance duties. The truck must be reliable in all weather and able to plow the Sewer Plant facility and the access road.

The Finance Committee recommends this article in the amount of \$40,000.

ARTICLE 19: To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money to improve the playground and equipment at the Elementary School, or take any other action thereon or in relation thereto.

Requested by the Selectboard

This article funds some improvements to the equipment and environment at the Elementary School playground and supplements the efforts of the PTO to improve the playground and its accessibility.

The Finance Committee recommends this article in the amount of \$10,000.

APPENDIX 1: Town Meeting Parliamentary Procedure

Parliamentary procedure has a long history. Originating in the early English Parliaments, it came to America with the first European settlers and became uniform in 1876 when Henry Robert published his manual, known as “Robert’s Rules of Order.”

Parliamentary procedure means that everyone may be heard and to make decisions without confusion. It means democratic rule, flexibility, the protection of rights and most importantly a fair hearing for everyone.

The basic parts of parliamentary procedure provide for the presentation of motions, the seconding or the expression of support of another’s motion, an opportunity to debate and ability to make a decision.

There are five general types of motions:

- Main Motion: These introduce subjects for consideration.
- Subsidiary Motions: These change how the main motion is handled. (They are voted on before the main motion.)
- Privileged Motions: These concern special or important matters not related to the pending business. In general, they are considered before other types of motions.
- Incidental Motions: These are questions of procedure that arise out of other motions, and they must be considered before the other motion.
- Motions that bring a question again before the assembly: These enable certain items to be reconsidered. In general, they are brought up when no business is pending.

Some questions relating to motions:

- Is it in order? Your motion must relate to the business at hand and be presented at the right time. It must not be obstructive, frivolous or against the law.
- May I interrupt the speaker? Some motions are so important that the speaker may be interrupted to make them. The original speaker regains the floor after the interruption has been attended to.
- Do I need a second? Usually, yes, A second indicates that another member would like to consider your motion and it prevents spending time on a question that interests only one person.
- Is it debatable? Parliamentary procedure guards the right to free and full debate on motions. However, some subsidiary or privileged and incidental motions are not debatable.
- Can it be amended? Striking out or inserting wording, or both can change some motions. Amendments must relate to the subject as presented in the main motion.
- What vote is needed? Most require only a majority vote (more than half the members present and voting). But, motions concerning the rights of the town meeting, borrowing, and some other miscellaneous subjects may require “supermajorities” of $\frac{3}{4}$ or $\frac{9}{10}$'s depending on the applicable state law.
- Can it be reconsidered? Some motions can be debated again and revoted to give members a chance to change their minds. The motion to reconsider must come from the “winning” side.

How Do I Present My Motion?

Obtain the Floor:

- Wait until the previous speaker is finished.
- Rise and address the Moderator. Say, “Mr. Moderator.”
- Wait until you are recognized.
- State your name and address for the record.

Make your motion:

- Speak clearly and concisely.
- State your motion affirmatively. Say, “I move that we do...” Instead of “I move that we do not...”
- Stay on the subject and avoid personal attacks.

You wait for a second:

- Another member will say, “I second the motion.”
- Or the Moderator will call for a second.
- If there is no second, your motion will not be considered. (Motions made at the direction of a board or committee (more than one person) do not require a second.)

The Moderator states your motion:

- The Moderator must say, “It is moved and seconded that we...”
- After this happens, debate or voting can occur.
- Your motion is now “assembly property,” and you can’t change it without the consent of the body.

You expand on your motion:

- As the person who made the motion, you are allowed to speak first.
- Direct all comments to the Moderator
- Keep to the time limit for speaking.
- You may speak again after all other speakers are finished.
- You may speak a third time by a motion to suspend the rules with a 2/3 vote.
- The Moderator puts the question:
- The Moderator asks, “Are you ready for the question?”
- If there is no more debate, or if a motion to stop debate is adopted, a vote is taken.
- The Moderator announces the result.

The method of voting on a motion:

- Voice: The Moderator asks those in favor to say “aye” and those opposed to say “no.” A member may move for an exact count.
- General Consent: When a motion isn’t likely to be opposed, the chair says, “If there is no objection...” Members show consent by their silence. If someone says, “I object,” the matter must be put to a vote.
- Show of hands: Members raise their hands to verify a voice vote, or as an alternative to it. This does not require a count. A member may move for an exact count.
- Ballot: Members write their vote on a slip of paper and is done when secrecy is desired.

More Motions:

A motion to lay on the table: This motion is used to lay something aside temporarily to take care of more urgent matters. It should not be used to prevent debate or to kill a question. Members can “take from the table” a motion for reconsideration. This must happen by the end of the town meeting.

A motion to indefinitely postpone: This is a parliamentary strategy. It allows members to dispose of a motion without making a decision for or against. This is useful in case of a badly chosen main motion for which either a “yes” or “no” vote would have undesirable consequences.

APPENDIX 2: Finance Committee's Recommendations (Sources of Funds)

| # | Purpose | Department | Request | Finance Committee Recommends | SOURCE OF FUNDS | | | | | |
|----|-----------------------------------|------------------------------|-------------------|------------------------------|------------------|----------------|---------------------|-------------|------------------|-------------------|
| | | | | | Sewer Enterprise | EMS Enterprise | Raise & Appropriate | Free Cash | Transfer | Overlay Surplus |
| 1 | Waive Reading | Selectboard | - | - | | | | | | |
| 2 | Town Rezoning | Selectboard/Planning Board | - | - | | | | | | |
| 3 | Rezoning Codification | Town Clerk | 10,000 | 10,000 | | | | | | 10,000 |
| 4 | Town Zoning By-law Revision | Planning Board & Selectboard | 7,500 | n/a | | | | | | |
| 5 | Unpaid Bills | Selectboard | 3,091 | 3,091 | | | | | | 3,091 |
| 6 | Town Governance Study Committee | Selectboard | - | - | | | | | | |
| 7 | Establish Maintenance Fund | Selectboard | 19,127 | 19,127 | | | | | 19,127 | |
| 8 | Highway Department Gates | Selectboard | 28,000 | 28,000 | | | | | | 28,000 |
| 9 | Speed Limit Authorization | Selectboard | - | - | | | | | | |
| 10 | Exempt di minimis Value | Assessors | - | - | | | | | | |
| 11 | Suspend Local Licenses | Selectboard | - | - | | | | | | |
| 12 | Adopt Bylaw | Selectboard | - | - | | | | | | |
| 13 | Adjust Employee Compensation Plan | Selectboard | 6,000 | n/a | 439 | 364 | | | | 5,197 |
| 14 | Waterproof Town Hall | Selectboard | 8,000 | 8,000 | | | | | | 8,000 |
| 15 | Highway Dump Truck | Selectboard | 170,000 | 170,000 | | | | | | 170,000 |
| 16 | Highway Pick-up | Selectboard | 48,000 | 48,000 | | | | | | 48,000 |
| 17 | Historic Markers Fund | Historical Commission | 1,000 | 1,000 | | | | | | 1,000 |
| 18 | Sewer Truck | Sewer Commissioners | 40,000 | 40,000 | 40,000 | | | | | |
| 19 | NES Playground Equipment | Selectboard | 10,000 | 10,000 | | | | | | 10,000 |
| | Total | | \$ 350,718 | \$ 337,218 | \$ 40,439 | \$ 364 | \$ - | \$ - | \$ 19,127 | \$ 290,788 |

APPENDIX 3: GRANT OR RENEWAL OF LICENSE/PERMIT FOR NON-PAYMENT OF TAXES/FEEES

The town may, as authorized under the provisions of MGL Chapter 40, Section 57 and this By-Law, deny any application for, or revoke or suspend a building permit, or any local permit including renewals and transfers issued by any board, officer, department for any person, corporation or business enterprise, who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges, including amounts assessed under the provisions of MGL Chapter 40, Section 21D or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges.

- (a) The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually, and may periodically, provide delinquency lists to permit-issuing departments a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges, for a period of 90 days and that has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.
- (b) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and to the tax collector, as required by the applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, or other municipal charges, payable to the municipality as of the date of the issuance of said certificate.
- (c) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license or permit shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or

revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

- (d) The Board of Selectmen may waive such denial, suspension or revocation if it finds that there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of their immediate family, as defined in MGL Chapter 268A, Section 1 in the business or activity conducted in or on said property

This By-Law shall not apply to the following licenses: open burning (c.48 s.13); bicycle permits (c.85 s.11A); sales or articles for charitable purposes (c.101 s.33); children's work permits (c.149 s.69); clubs, associations dispensing food or beverage licenses (c.140 s.21E); dog licenses (c.140s.137); fishing, hunting, or trapping (c.131 s.12); marriage licenses (c.207 s.28); and theatrical events, public exhibitions (c.140 s.181).

You are directed to serve this Warrant by posting a copy thereof attended to by you in writing in each of five public places in the Town at least fourteen days before the time for holding and meeting called for in the Warrant. Hereof, fail not and make due return of the Warrant your doings thereon to the Town Clerk of said Town on or before the 8th day of November 2016.

Given under our hands at Northfield this 1st day of November in the year of our Lord, 2016.

THE BOARD OF SELECTMEN
Northfield, Massachusetts

John G. Spanbauer, Chairman

Tracy A. Rogers, Vice-Chair

Julia A. Blyth, Clerk

FRANKLIN, SS.

Pursuant to this Warrant, I have notified and warned the inhabitants of the Town of Northfield by posting attested copies of the same at the Town Hall, the United States Post Office in Northfield, the Dickenson Memorial Library, the Field Library, Northfield Farms, and the V.F.W., West Northfield, in said Town fourteen days at least before hereof, as herein directed.

Constable of Northfield, Massachusetts

Date: _____

MAY BE REMOVED AFTER DECEMBER 5, 2016