

**MUNICIPAL CODE & BYLAW COMMITTEE**  
**MEETING MINUTES – April 10, 2018**  
**1:00 PM**

**MEMBERS PRESENT:** Lorraine Leland, Chair  
Andrea Leland  
Peter Brockmann  
Brian Strand

**OTHERS PRESENT:** Kimberly Foster, Assistant Town Administrator  
Kathy Joubert, Town Planner  
Jason Little, Town Accountant

The meeting was called to order at 1:03 PM.

**Approval of Minutes**

- A. Leland moved the Board accept the minutes of the April 12, 2017 Municipal Code and Bylaw Committee Meeting as presented; seconded by P. Brockmann; approved 3-0-1 with B. Strand abstaining.

**Election of Officers**

- A. Leland moved to retain Lorraine Leland as Committee Chair; P. Brockmann seconded the motion; approved unanimously.
- A. Leland moved to appoint Brian Strand as Secretary; motion seconded by P. Brockmann and approved unanimously.

**New Business: Review of Town Meeting Warrant Articles**

- Article 11 - Revolving Funds Bylaw and Authorization of Expenditure Limits. Town Accountant Jason Little explained that this article proposed a new general by-law to authorize revolving funds for use by certain Town departments, boards, committees, agencies or officers. This article is effectively a “housekeeping article” necessitated by the *Municipal Modernization Act of 2016*. A Revolving Fund allows a community to segregate from the General Fund receipts from a specific service, and to use those revenues without appropriation to support the activity, program or service that generated the receipts. He clarified that the legislative body (Town Meeting) will still annually vote on expenditure limits for each authorized fund.

P. Brockmann moved the Committee recommend approval of Article 11; seconded by A. Leland; approved 4-0.

- Article 24 - Consolidated Personnel Bylaw: The Assistant Town Administrator reviewed the proposed amendments to the Consolidated Personnel Bylaw 1-64. In accordance with the Personnel Bylaw, the general wage increase for non-union staff is determined based on the average increase granted to union personnel. Each of the

five municipal collective bargaining agreements (Police Patrol, Police Sergeants, Dispatchers, Fire and Northborough Municipal Employee Association) provides for a 2% wage increase in fiscal 2019.

P. Brockmann moved the Committee recommend approval of Article 24; seconded by A. Leland; approved 4-0.

- Article 25 - Finance Department Reorganization: The Assistant Town Administrator explained that the proposed amendment seeks to modify the Finance Department to allow either the Treasurer/Collector or the Town Accountant to serve as Finance Director. Currently, the bylaw limits the Finance Director to serving as the Treasurer/Collector.

P. Brockmann moved the Committee recommend approval of Article 25; seconded by A. Leland; approved 4-0.

- Article 35 - Zoning Bylaw 7-03-050, Site Plan Approval Amendment: Town Planner Kathy Joubert explained that this article proposes an amendment to correct a reference in the existing Code and does not change the intent of the existing section of Code.

A. Leland moved the Committee recommend approval of Article 35; seconded by B. Strand; approved 4-0.

- Article 36 - General Bylaw 2-14-010 & 2-14-020, Prohibition of Marijuana Establishments and Article 37 - Zoning Bylaw 7-05-010 & 7-05-030, Prohibition of Marijuana Establishments: Town Planner Kathy Joubert provided the Committee with an overview of the proposed Zoning and General Bylaw amendments seeking to prohibit all types of recreational and medical marijuana establishments in Northborough, as well as the processes by which multiple Boards and Committees sought public input on the proposed amendments over the past year. Following discussion of the proposed changes to the Zoning and General Bylaws, the Committee also discussed Article 38, and ultimately recommended all three articles. *See the motion as recorded below under Article 38.*

- Article 38 - Zoning Bylaw 7-05-020, 7-05-030, 7-10-080, Allowing Marijuana Establishments. Town Planner Kathy Joubert explained that this article would be taken up if Articles 36 and 37, which seek to prohibit marijuana establishments, are defeated. Article 38 would regulate marijuana establishments, allowing non-medical establishments in the Highway Business zoning district. The amendment also prohibits on-site social consumption in all zoning districts.

P. Brockmann moved the Committee recommend approval of Articles 36, 37 and 38; seconded by A. Leland; approved 4-0.

- Article 39 - Zoning Bylaw 7-05-030, 7-03-060, 7-06-030, Two-Family Dwelling Amendments: Town Planner Kathy Joubert explained that the article amends zoning

regulations following the adoption of a temporary moratorium on the construction of two-family dwelling units at the April 2017 Annual Town Meeting. The proposed regulations increase lot size and frontage requirements and requires site plan approval with a design review component.

A. Leland moved the Committee recommend approval of Article 39; seconded by B. Strand; approved 4-0.

- Article 40 - Citizen Petition to Ban Plastic Bags: Assistant Town Administrator Kim Foster explained that this article is a Citizen Petition to ban single-use plastic bags. Currently, the language in the article (which cannot be modified by the Town, and must be printed in the Warrant exactly as presented by the Petitioner) may require modification on Town Meeting floor to correct and strengthen some deficiencies. Additionally, the Petitioner is considering potentially withdrawing, whereby the Town would then seek pass over the article with the intent of working with the Petitioner to bring something back at next year's Town Meeting in the proper format, with appropriate Board and Committee input. Following discussion, and with the understanding that the article may be passed over, the Committee did not make a recommendation.

**Adjournment – 2:15p.m.** With no other business before the Committee, P. Brockmann moved the Committee adjourn; motion was seconded by B. Strand; approved 4-0. The next meeting will be scheduled as needed.

Respectfully Submitted,

Kimberly Foster  
Assistant Town Administrator

Documents used during meeting:

1. April 10, 2018 Meeting Agenda
2. April 12, 2017 Meeting Minutes
3. Information Packet – Proposed Code and Bylaw Amendments – 2018 Town Meeting (cover memo dated April 4, 2018)
4. 2018 Annual Town Meeting Warrant