

Town of Northborough



Annual Town Meeting Warrant 2021

2021 ANNUAL TOWN MEETING WARRANT

On the following pages you will find the Warrant for the 2021 Annual Town Meeting.

The Warrant sets the format for Annual Town Meeting which commences on Saturday, May 1, 2021 at 9:00 a.m. at the Algonquin Regional High School. This year's Warrant is composed of 40 Articles. An Article is the mechanism by which residents are asked to consider some form of action during Town Meeting. For example, Article 6 asks residents to consider acceptance of the Northborough School K-8 operational budget. Following some Articles, you will find a brief explanation (unless it is self-explanatory). Motions will be made at Town Meeting to move each Article to initiate discussion and voting.

As this document is sent to be printed each year in excess of a month before Town Meeting, it is possible that certain figures (and therefore certain motions) may change.

Included with this year's Warrant is a summary of the Town's operational budget, a summary of revenues and expenditures for the Town and Schools and the Financial Planning Committee's report. Details of the Town Budget are available in the Selectmen's Office as well as the Library and available on the Town's website. The Budgets of the Northborough Public Schools and Northborough-Southborough Regional School District are available at the Superintendent's Office at the Neary School, 53 Parkerville Road in Southborough and on the School's website. The Budget of the Assabet Valley Regional Vocational High School is available from the District Offices located at 215 Fitchburg Street in Marlborough.

I wish to recognize the efforts of the Town's Boards, Committees, Commissions and Town Departments in contributing to the preparation of the FY2022 Budget and the drafting of the Warrant.

Respectfully submitted,

John W. Coderre
Town Administrator

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TOWN OF NORTHBOROUGH
ANNUAL TOWN MEETING WARRANT
MAY 1, 2021

WORCESTER, SS

GREETINGS:

To any Constable in the Town of Northborough, County of Worcester:

In the name of the Commonwealth of Massachusetts, you are hereby commanded to warn and notify the legal voters of the Town of Northborough to meet at THE ALGONQUIN REGIONAL HIGH SCHOOL on SATURDAY the FIRST day of May 2021 at 9:00 a.m. to act on the following warrant articles:

ARTICLE 1: Appointing Deputy Moderator

To see if the Town will vote to ratify the appointment by the Moderator of Gerald Hickman as Deputy Moderator, as provided by Article II, Section 2-2 of the Northborough Home Rule Charter.

ARTICLE 2: Compensating Balance Agreement

To see if the Town will vote to authorize the Treasurer, with the approval of the Board of Selectmen, to enter into a Compensating Balance Agreement or Agreements pursuant to Massachusetts General Laws, Chapter 44, Section 53F, if necessary.

- This Article provides authorization for the Town to enter into a compensating balance agreement in order to obtain banking services. A compensating balance is an arrangement by which a town maintains municipal funds on deposit in return for banking services. Under such an arrangement, the earnings retained by the bank on the account balances “compensate” the bank for the services provided.

ARTICLE 3: Prior Years’ Bills

To see if the Town will vote to raise and appropriate or transfer from unappropriated available funds in the Treasury, or other available funds, a sum of money to pay bills incurred in prior years, or take any action relative thereto.

- Town Meeting action is required to pay bills incurred in prior fiscal years. This Article will be passed over if no bills for goods and services incurred in prior fiscal years are presented to the Town.

ARTICLE 4: Town Budget

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Twenty-Two Million Seven Hundred Twenty-Eight Thousand Five Hundred Seventy-Two Dollars (\$22,728,572) for Town Government as displayed in the warrant booklet, and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Transfer from Cemetery Trust Fund Income	\$19,495
Transfer from Cemetery Sale of Lots	\$12,000
Transfer from Debt Exclusion Premium Reserve	\$9,835
Transfer from DPU Transportation Fund	\$3,587
Transfer from Conservation Commission Fees	\$8,523
Transfer from Fire Emergency Medical Services Revolving Fund	\$351,240
Transfer from Animal Control Revolving Fund	\$27,461
Transfer from Medicare Part D Subsidy	\$39,039
Transfer from PEG Access Cable Related Fund	\$262,753
Free Cash	\$500,000

for a total of One Million Two Hundred Thirty-Three Thousand Nine Hundred Thirty-Three Dollars (\$1,233,933) and that the sum of Twenty-One Million Four Hundred Ninety-Four Thousand Six Hundred Thirty-Nine Dollars (\$21,494,639) be raised by taxation.

ARTICLE 5: Water, Sewer and Solid Waste Enterprise Funds

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Six Million Two Hundred Fifty-Four Thousand Two Hundred Seventy-Nine Dollars (\$6,254,279) for Water, Sewer and Solid Waste Funds as displayed below for the operation of the Water, Sewer and Solid Waste Utilities, and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Water Fund Free Cash	\$316,548
Solid Waste Fund Free Cash	\$ 93,984

Raise and Appropriate by Taxation:

Solid Waste General Fund Subsidy	\$337,160
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for a total of Seven Hundred Forty-Seven Thousand Six Hundred Ninety-Two Dollars (\$747,692) and that the sum of Five Million Five Hundred Six Thousand Five Hundred Eighty-Seven Dollars (\$5,506,587) be financed from Water, Sewer and Solid Waste Revenues.

Water Fund	\$2,961,675
Sewer Fund	\$2,373,460
Solid Waste	\$ 919,144
Total	\$6,254,279

ARTICLE 6: Northborough K-8 Schools Budget

To see if the Town will vote to raise and appropriate by taxation the sum of Twenty-Five Million Seven Hundred Ninety-Nine Thousand Six Hundred Seventy-Eight Dollars (\$25,799,678) for the operation of the Northborough Public Schools, or take any action relative thereto.

ARTICLE 7: Algonquin Regional High School Budget

To see if the Town will vote to raise and appropriate by taxation Northborough’s share of the assessment for the operation of the Northborough-Southborough Regional School District, the sum of Thirteen Million Six Hundred Fifty-Two Thousand Seven Hundred Fourteen Dollars (\$13,652,714), or take any action relative thereto.

ARTICLE 8: Assabet Valley Regional Vocational School District Budget

To see if the Town will vote to raise and appropriate by taxation Northborough’s share of the assessment for the operation and debt service of the Assabet Valley Regional Vocational School District, the sum of One Million Sixty-Eight Thousand Four Hundred Ninety Dollars (\$1,068,490), or take any action relative thereto.

ARTICLE 9: Revolving Funds Authorization of Expenditure Limits

To see if the Town will vote to authorize revolving fund annual expenditure limits for Fiscal Year 2022 as shown in the table below:

Revolving Fund	Annual Expenditure Limit
Fire Department (EMS and Haz Mat)	\$600,000
Animal Control	\$50,000
Family & Youth Services	\$20,000
Council on Aging	\$300,000
Community Affairs	\$20,000
Library	\$20,000

or take any other action relative thereto.

- Pursuant to the Town’s Revolving Fund Bylaw and the provisions of Massachusetts General Laws Chapter 44, Section 53E½, an annual vote is required to establish

expenditures limits for the revolving funds. The Recreation Department revolving fund is authorized under Massachusetts General Laws Chapter 44, Section 53D, and does not require annual reauthorization.

ARTICLE 10: Appropriations Committee Reserve Fund

To see if the Town will vote to appropriate the sum of One Hundred Seventy-Five Thousand Dollars (\$175,000) for a Reserve Fund to provide for extraordinary or unforeseen expenditures in accordance with Massachusetts General Laws Chapter 40, Section 6, and to meet said appropriation, One Hundred Seventy-Five Thousand Dollars (\$175,000) be transferred from Free Cash, or take any action relative thereto.

- This Article provides the Town operations with an option for the funding of extraordinary or unforeseen expenditures during the year.

ARTICLE 11 (CIP): Police – Police Cruiser Replacements (3)

To see if the Town will vote to appropriate the sum of One Hundred Fifty Thousand Dollars (\$150,000) for the use of the Police Department for the purchase of three new police vehicles, and to meet said appropriation the sum of One Hundred Fifty Thousand Dollars (\$150,000) be transferred from Free Cash.

- This Article provides funds for the purchase of three replacement patrol vehicles with three existing vehicles being traded-in. Included in the funding request is the cost of outfitting the vehicles with ancillary equipment.

ARTICLE 12 (CIP): Fire – Car 3 Pick-up Truck Replacement

To see if the Town will vote to appropriate the sum of Eighty Thousand Dollars (\$80,000) for the use of the Fire Department for the purchase of a new one-ton, four-wheel-drive crew cab pickup truck, and to meet said appropriation the sum of Eighty Thousand Dollars (\$80,000) be transferred from Free Cash.

- This Article provides funds for the replacement of a 2012 one-ton, four-wheel-drive crew cab pickup truck. This vehicle is used for emergency responses, inspections, investigations and fire alarm service. The current pickup will be traded-in.

ARTICLE 13 (CIP): Fire – Car 1 SUV Replacement

To see if the Town will vote to appropriate the sum of Seventy-Six Thousand Dollars (\$76,000) for the use of the Fire Department for the purchase of a new command vehicle, and to meet said appropriation the sum of Seventy-Six Thousand Dollars (\$76,000) be transferred from Free Cash.

- This Article provides funds for the purchase of a new command vehicle which is used by the Fire Chief and is a critical component of the Incident Command System. This

new vehicle will replace a 2015 Chevy Tahoe command vehicle, which will be repurposed to replace a 2008 Chevy SUV, which will be traded-in. The command vehicle provides vital communications and reference resources necessary to effective incident command.

ARTICLE 14 (CIP): DPW – Road Improvements and Maintenance

To see if the Town will vote to appropriate the sum of Three Hundred Ten Thousand Dollars (\$310,000) for Road Improvements and Maintenance, and to meet said appropriation the sum of Three Hundred Ten Thousand Dollars (\$310,000) be transferred from Free Cash.

- This Article provides funds in addition to the State’s Chapter 90 transportation funding in order to maintain current road conditions in accordance with the Pavement Management Plan.

ARTICLE 15 (CIP): DPW – One-Ton Dump Truck with Plow Replacement

To see if the Town will vote to appropriate the sum of One Hundred Fifteen Thousand Dollars (\$115,000) for the use of the Department of Public Works for the purchase of a one-ton dump truck with a plow, and to meet said appropriation the sum of One Hundred Fifteen Thousand Dollars (\$115,000) be transferred from Free Cash.

- This Article provides funds for the purchase of a one-ton dump truck with a plow to replace a 2006 one-ton dump truck that has surpassed its useful life. As part of this vehicle replacement, an existing similar vehicle will be repurposed to extend its useful life.

ARTICLE 16 (CIP): DPW – One-Ton Pickup Truck with Plow Replacement

To see if the Town will vote to appropriate the sum of Seventy-Four Thousand Dollars (\$74,000) for the use of the Department of Public Works for the purchase of a one-ton pickup truck with a plow, and to meet said appropriation the sum of Seventy-Four Thousand Dollars (\$74,000) be transferred from Free Cash.

- This Article provides funds for the purchase of a one-ton pickup truck with a plow to replace a 2003 one-ton pickup truck that has surpassed its useful life. As part of this vehicle replacement, an existing similar vehicle will be repurposed to extend its useful life.

ARTICLE 17 (CIP): DPW/Water & Sewer – Supervisory Control and Data Acquisition (SCADA) System

To see if the Town will vote to appropriate the sum of Five Hundred Thousand Dollars (\$500,000) for the use of the DPW/Water and Sewer Divisions to fund Phase 2, installation and implementation of the SCADA project, and to meet said appropriation the sum of Five Hundred

Thousand Dollars (\$500,000) be raised by transfer from available funds, borrowing or otherwise; or take any action relative thereto.

- This Article provides funds for Phase 2 of the SCADA project, needed to monitor and efficiently manage the Town’s utility infrastructure. Remote features to ensure adequate alarm response are critical to the health and well-being of the residents. Phase 1 entailed the completion of a radio study and assessment in FY2015. In FY2022, Phase 2 will consist of the installation and implementation of the system. The borrowing cost repayment is intended to be split 44%/56% between the Water and Sewer Enterprise Funds.

ARTICLE 18 (CIP): DPW/Water – Reservoir Dam Compliance

To see if the Town will vote to appropriate the sum of Fifty Thousand Dollars (\$50,000) for design and permitting to implement a breach of the Reservoir Dam, and to meet said appropriation the sum of Fifty Thousand Dollars (\$50,000) be raised by transfer from available funds, borrowing or otherwise; or take any action relative thereto.

- This Article provides funds for design and permitting necessary to permanently breach the Reservoir Dam which is owned by the Town and located between Shrewsbury and Boylston and no longer serves a purpose for the Town. This structure is a significant hazard, poor condition dam. The Massachusetts Office of Dam Safety has ordered the Town to either bring the dam into compliance or permanently breach the dam. The Town has submitted a grant application to fund 75% (\$150,000) of the design and permitting. This FY2022 request is for the remaining 25% (\$50,000) match.

ARTICLE 19 (CIP): DPW/Water & Sewer – Utility Tractor Replacement

To see if the Town will vote to appropriate the sum of Eighty Thousand Dollars (\$80,000) for the use of the DPW/Water and Sewer Divisions for the purchase of a utility tractor, and to meet said appropriation the sum of Thirty-Two Thousand Dollars (\$32,000) be transferred from Water Enterprise Free Cash and the sum of Forty-Eight Thousand Dollars (\$48,000) be transferred from Sewer Enterprise Free Cash, for a total of Eighty Thousand Dollars (\$80,000).

- This Article provides funds for the purchase of a replacement utility tractor with trailer to be used for water and sewer projects. The cost of the utility tractor is being split 40%/60% between the Water and Sewer Enterprise Funds and will be funded by user fees.

ARTICLE 20: Consolidated Personnel Bylaw

To see if the Town will vote to amend the Consolidated Personnel Bylaw as shown in the appendix to this warrant) entitled “Article 20 – Consolidated Personnel Bylaw Amendments – 2021 Annual

Town Meeting,” a copy of which is viewable on the Town’s website at <https://www.town.northborough.ma.us>.

ARTICLE 21: Stormwater Management and Land Disturbance Bylaw

To see if the Town will vote to amend the Code of the Town of Northborough, by adding a new Chapter 2-60, entitled, "Stormwater Management and Land Disturbance", as shown in the appendix to this warrant) entitled "Article 21 – Stormwater Management and Land Disturbance Bylaw – 2021 Annual Town Meeting," a copy of which is viewable on the Town’s website at <https://www.town.northborough.ma.us>; and vote, pursuant to section 58 of Chapter 40 of the General Laws, to establish and adopt a municipal charges lien for costs incurred by the Town to abate a violation of the Bylaw or perform remediation work, as authorized in section 2-60-110 of the Bylaw, or take any action relative thereto.

- This Article provides for adoption of a bylaw regulating post-construction stormwater runoff for both new and redevelopment projects which involve disturbance of one acre or more of land, and erosion and sediment control and stormwater runoff for construction sites as required by the U. S. Environmental Protection Agency as part of the Federal Stormwater Program.

ARTICLE 22: Northborough Wetlands Bylaw – Section 6-04-060 Notice; Hearings

To see if the Town will vote to amend the Town of Northborough Wetlands Bylaw Section 6-04-060 Notice; hearings, by adding the text shown below as underlined, or take any action relative thereto.

6-04-060 Notice; Hearings

A. Any person filing a notice of intention with the Commission at the same time shall give written notice thereof, by certified mail (return receipt requested), hand delivery or by first class mail with a USPS certificate of mailing, to all direct abutters at their mailing addresses shown on the most recent applicable tax list of the assessors. The notice to abutters shall enclose a copy of the application or request, with plans, or shall state where copies may be examined and obtained by abutters free of charge. An affidavit of the person providing such notice, a copy of the notice mailed or delivered and return receipts shall be filed with the Commission. When a person requesting a determination is other than the owner, the request, the plans, the notice of the hearing and the determination itself shall be sent by the applicant to the owner.

- This amendment will allow for the use of certificates of mailing for abutter notification. The Conservation Commission is proposing this change to make the notice process more convenient, and to reduce the financial burden on applicants, especially homeowners, by removing the requirement to use certified mail with return receipt, which currently costs approximately \$7 per article of mail, compared to approximately \$1.50 for a certificate of mailing.

ARTICLE 23: Community Preservation Fund – Pickleball Courts at Ellsworth McAfee Park

To see if the Town will vote to appropriate the sum of Two Hundred Ninety Thousand Two Hundred Fifty Dollars (\$290,250), or any other sum, from the Community Preservation Fund revenues to the Northborough Department of Public Works and the Northborough Parks and Recreation Department, for the construction of six outdoor pickleball courts at Ellsworth McAfee Park, or take any other action relative thereto.

- This Article would fund the construction of six outdoor pickleball courts at the Ellsworth McAfee Park, including site preparation and installation of drainage, landscaping and fencing.

ARTICLE 24: Community Preservation Fund –Exterior painting and cleaning of building located at 52 Main Street

To see if the Town will vote to appropriate the sum of Twenty Thousand Dollars (\$20,000), or any other sum, from the Community Preservation Historic Reserve Fund to the Northborough Historical Society for painting and cleaning of the exterior of the building located at 52 Main Street, or take any other action relative thereto.

- This work will include painting the exterior of the building; washing, removing mold and dirt; and cleaning debris from gutters and downspouts.

ARTICLE 25: Community Preservation Fund – Conservation Fund

To see if the Town will vote to appropriate the sum of Four Hundred Thousand Dollars (\$400,000), or any other sum, from the Community Preservation Unreserved Fund and transfer said amount to the Conservation Fund for future open space preservation or acquisitions, or take any other action relative thereto.

- This Article would deposit and set aside funds in the Conservation Fund for future open space preservation or acquisitions. The Conservation Fund is managed by the Conservation Commission with assistance from the Open Space Committee.

ARTICLE 26: Community Preservation Fund – Affordable Housing Reserve

To see if the Town will vote to appropriate the sum of Sixty-Five Thousand Two Hundred Dollars (\$65,200), or any other sum, from the Community Preservation Fund revenues and place said amount in the Community Preservation Affordable Housing Reserve Fund, or take any other action relative thereto.

- This Article would set aside funds for the future creation of affordable housing.

ARTICLE 27: Community Preservation Fund – White Cliffs Debt Service

To see if the Town will vote to appropriate the sum of Two Hundred Three Thousand Seven Hundred Eighty Dollars (\$203,780), or any other sum, from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for Fiscal Year 2022 debt service and expenses associated with the acquisition of the property at 167 Main Street, or take any other action relative thereto.

- This Article funds the fourth debt service payment associated with the purchase of the White Cliffs facility at 167 Main Street.

ARTICLE 28: Community Preservation Fund – CPA Administration

To see if the Town will vote to appropriate the sum of Thirty-Two Thousand Six Hundred Dollars (\$32,600), or any other sum, from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for expenses associated with the implementation of the Community Preservation Act including but not limited to clerical assistance, office supplies, property surveys, appraisals, attorney’s fees, and other professional services, recording fees, printing and all other necessary and proper expenses for the Fiscal Year 2022, or take any other action relative thereto.

- Funds used for the administration of the Community Preservation Act.

ARTICLE 29: Zoning Bylaw – Section 7-03-080.C, Enforcement – Penalty for Violation

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-03-080.C, Enforcement – Penalty for Violation, by adding the text shown below as underlined, or take any action relative thereto.

7-03-080.C, Enforcement – Penalty for Violation

C. Penalty for violation. Any person, firm or corporation who violates or refuses to comply with any applicable provision of this bylaw shall be fined a sum not to exceed three hundred dollars (\$300.00) for each such violation. This bylaw may be enforced by the non-criminal disposition method under MGL C. 40, § 21D, as set forth in section 1-04-020 of the Town Code, in which case the penalties shall be as follows: first violation - \$50, second violation - \$100, third and subsequent violations - \$300. Each day that any violation is permitted to exist after written notification thereof by the Building Inspector/Zoning Enforcement Officer shall constitute a separate offense. The town shall be the beneficiary of all fines and penalties paid, including the costs of prosecuting any legal action if allowable by law.

ARTICLE 30: Zoning Bylaw – Section 7-05-010, General Provisions

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-010 G. by adding the text shown below as underlined or take any action relative thereto.

G. Prohibited uses.

(4) All uses that pose a present or potential hazard to human health, safety, welfare, or the environment through emission of smoke, particulate matter, noise or vibration, or through fire or explosive hazard, or glare are expressly prohibited in all zoning districts. In addition, the following uses are expressly prohibited in all zoning districts:

- a) Abattoir and commercial slaughtering.
- b) Manufacturing and storage of corrosive, poisonous or malodorous acids and chemicals.
- c) Cement, lime, gypsum, and plaster-of-Paris manufacture.
- d) Fertilizer manufacture or fat rendering in manufacture of tallow, grease, and oils.
- e) Glue, size, and gelatin manufacture.
- f) Petroleum and kerosene refining or distillation and derivation of by-products.
- g) Smelting and reduction of metals or ores.
- h) Asphalt plants.
- i) Concrete batch plants.
- j) Reclamation and reprocessing of asphalt and/or concrete.
- k) Lumber mills.
- l) Raising and breeding of fur bearing animals.
- m) Yard for storage and sale of used building and junk materials
- n) Self-storage facility

No use variance shall be granted for any prohibited use set forth in this subsection, within any zoning district in the Town of Northborough. Nothing in this Zoning Bylaw shall prohibit or regulate any use in contravention of M.G.L. c. 40A, sec. 3 or any other applicable state or federal law.

ARTICLE 31: Zoning Bylaw – Section 7-05-020, Classification of uses

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020.I(6)(c), Contractor’s yard, by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

(c) Contractor’s yard: ~~Lumber yard, construction contractor’s yard or other open air establishment for the storage, distribution, or sale at wholesale or retail of materials (but not including salvage materials), merchandise, products or equipment, fabrication of sub-assemblies, or parking of wheeled equipment yards including administrative office and structures used by a builder, contractor, subcontractor, landscaper, tradesman, or similar business dedicated to the storage of their vehicles, equipment, machinery, tools, materials and fabrications;~~ provided, that all operations shall be such as to confine to the premises disturbing dust, noise, odors, or other objectionable effects; and provided further, that such use is not hazardous by reason of the potential for fire, explosion, radiation release or other casualty. All outside storage and parking of trucks, equipment and dumpsters shall be screened from view from the street and abutting properties by fences or plantings in perpetuity. Storage of salvage materials is prohibited.

ARTICLE 32: Zoning Bylaw – Section 7-05-030, Table of Uses, Table 1, Part A

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-030 Table of Uses, Table 1, Table of Uses, Part A. Residential Districts, by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part A. Residential Districts

USES	RA	RB	RC	GR	MSR	DN
Accessory Uses						
Accessory dwelling unit	BA <u>Y</u>	BA <u>Y</u>	Y	Y	Y	Y

ARTICLE 33: Zoning Bylaw – Section 7-05-030, Table of Uses, Table 1, Part B

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-030 Table of Uses, Table 1, Table of Uses, Part B. Commercial and Industrial Districts, by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part B. Commercial and Industrial Districts

USES	DB	BE	BW	BS	HB	I
Trade						
Wholesale trade	N	N	BA <u>N</u>	BA <u>N</u>	∕ <u>BA</u>	∕ <u>PB</u>

ARTICLE 34: Zoning Bylaw – Section 7-05-030, Table of Uses, Table 1, Part B

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-030 Table of Uses, Table 1, Table of Uses, Part B. Commercial and Industrial Districts, by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part B. Commercial and Industrial Districts

USES	DB	BE	BW	BS	HB	I
Other Business Uses						
Commercial storage facility	N	N	BA <u>N</u>	BA	N	PB

ARTICLE 35: Zoning Bylaw – Section 7-07-010, Groundwater Protection Overlay District, C. Establishment and delineation

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-07-010.C(5) by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

C(5) The special permit granting authority shall be the Zoning Board of Appeals, except that for wireless communication facilities applications, two-family dwelling unit applications, or any applications in the Industrial District, the special permit granting authority shall be the Planning Board. The special permit granting authority shall hear and act upon all cases of appeal and petitions for special permits which are brought under this chapter. The special permit granting authority shall, within five (5) business days of receipt of application or filing, forward to the Groundwater Advisory Committee (consisting of one (1) member each or one (1) designee each from the Board of Selectmen, Conservation Commission, Board of Health, Planning Board, and Water/Sewer Commission) five (5) copies of said application or filing. Within sixty-five (65) days of receipt of application or filing, the special permit granting authority shall hold a public hearing. Prior to the public hearing, ~~Within twenty one (21) days following the public hearing~~, the

Groundwater Advisory Committee shall report its findings and recommendations to the special permit granting authority. The special permit granting authority shall render its decision within ninety (90) days of the public hearing.

ARTICLE 36: Zoning Bylaw – Section 7-07-010, Groundwater Protection Overlay District, D. Use regulations

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-07-010.D((4)(b) and (e) by deleting the text shown below in strikethrough and adding the text shown as underlined, or take any action relative thereto.

(b) Each application for a special permit shall be filed with the Town Clerk for transmittal to the special permit granting authority and shall be accompanied by nine (9) copies of the plan (minimum scale of one (1) inch equal to one hundred (100) feet). ~~Such special permit shall be granted if the special permit granting authority determines that the intent of this chapter as well as its specific criteria are met. In making such determination, special permit granting authority shall give consideration to the simplicity, reliability and feasibility of the control measures proposed and the degree of threat to water quality which would result if the control measures failed.~~

(e) After notice and public hearing and after coordinating, clarifying and weighing the comments and recommendations of the Groundwater Advisory Committee, the special permit granting authority may grant ~~such a special permit~~ in accordance with section 7-03-040 and meeting the following additional criteria: provided, that it finds that the proposed use:

- [1] Meets the purpose and intent of this chapter and will not derogate from the purpose of the Groundwater Protection Overlay Districts.
- [2] Will not, during construction or thereafter, impair ambient groundwater quality or reduce existing recharge capacity beyond that allowed per this chapter.
- [3] Will not adversely affect the quality or the yield of an existing or potential water supply.

In making its determination, the special permit granting authority shall give consideration to the simplicity, reliability and feasibility of the control measures proposed and the degree of threat to water quality which would result if the control measures failed.

ARTICLE 37: Zoning Bylaw – 7-08-010 Applicability and 7-08-020 Special permit required

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Chapter 7-08 Nonconforming Uses and Structures, Sections 7-08-010.A and 7-08-020.A, by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

7-08-010 Applicability

- A. This bylaw shall not apply to structures or uses lawfully in existence begun, or to a building or special permit issued, before the first publication of notice of the public hearing required by MGL C. 40A sec. 5 at which this bylaw or any relevant part thereof was adopted. Such prior, lawfully existing nonconforming uses and structures may continue to the same extent and for the same purpose; provided, that no modification, extension or alteration of the use or structure is accomplished except as authorized hereunder.

7-08-20 Special permit required

- A. The Zoning Board of Appeals may grant a special permit to ~~change~~ extend or alter a nonconforming use in accordance with this section only if it determines that such ~~change or extension or alteration~~ is for a similar or less nonconforming detrimental use, and that it will not be substantially more detrimental than the existing nonconforming use to the neighborhood. ~~i~~n making such determination the Zoning Board of Appeals shall consider whether the proposed use is different in character or in its effect on the neighborhood or on the property in the vicinity.

ARTICLE 38: Property Tax Exemption for Gold Star Parents

To see if the Town will vote to accept the provisions of M.G.L c. 59, § 5, Clause Twenty-second H (inserted by Chapter 218 of the Acts of 2018, known as An Act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and Enforcement ("BRAVE Act")), signed into law August 28, 2018, which provides for a property tax exemption for real estate as follows: to the full amount of the taxable valuation of the real property of the surviving parents or guardians of soldiers and sailors, members of the National Guard and veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veterans Affairs or a branch of the armed forces that was a proximate cause of their death; (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the Armed Forces of the United States; provided, however, that the real estate shall be occupied by the surviving parents or guardians as the surviving parents' or guardians' domicile; and provided further that the surviving parents or guardians shall have been domiciled in the Commonwealth for the 5 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or veteran was domiciled in the Commonwealth for not less than 6 months before entering service.

Surviving parents or guardians eligible for an exemption pursuant to this clause shall be eligible regardless of when the soldier or sailor, member of the National Guard or veteran died or became missing in action with a presumptive finding of death; provided, however, that the exemption shall only apply to tax years beginning on or after January 1, 2019. Such exemption shall be available

until such time as the surviving parents or guardians are deceased. No real estate shall be so exempt which has been conveyed to the surviving parents or guardians to evade taxation.

- Acceptance of this clause by the Town creates a new real estate tax exemption to the full amount of the taxable valuation of real property of the surviving parents or guardians of a soldier, sailor, member of the National Guard, or veteran, who dies while on active duty or is missing in action and presumed dead. The Town will not receive any amount of reimbursement from the Commonwealth for each exemption under this clause if it is accepted.

ARTICLE 39: Compression Brake Prohibition Bylaw

To see if the Town will vote to amend Part 2 of the Northborough Town Code, Chapter 2-44 Peace and Good Order, by adding the text shown below as underlined, or take any other action relative thereto.

2-44-130 Compression Brake Use Restricted

No operator of a diesel truck shall use an engine brake, compression brake, dynamic brake or mechanical exhaust device, also known as exhaust or Jake braking, designed to assist in deceleration or braking, except for emergency use, while operating a vehicle on a public way, or designated portion of a public way, in the Town, where such use is prohibited by a traffic rule or regulation issued by the Board of Selectmen after a public hearing. Whoever violates this bylaw shall be punished by a fine of \$100 for the first offense and \$300 for second and subsequent offenses. The owner of the vehicle may be cited in lieu of the operator.

ARTICLE 40: Reports

FY2022 General Fund Budget Summary (Warrant Article 4)

TOWN GENERAL FUND BUDGET SUMMARY				
Department	FY2021 Budget	FY2022 Proposed Budget	\$ Change	% Change
GENERAL ADMINISTRATION				
<u>EXECUTIVE OFFICE</u>				
Selectmen	177,341	181,004	3,663	2.07%
Administrator	278,059	295,460	17,401	6.26%
Economic Development	1,325	1,325	-	0.00%
Town Reports	5,150	5,150	-	0.00%
<u>PUBLIC BUILDINGS</u>				
Town Hall/Public Bldgs.	504,586	598,961	94,375	18.70%
<u>FINANCE</u>				
Treasurer	311,508	317,419	5,911	1.90%
Board of Assessors	274,461	265,150	(9,311)	-3.39%
Town Accountant	188,031	191,719	3,688	1.96%
<u>MIS/GIS</u>				
MIS/GIS	488,693	543,666	54,973	11.25%
<u>TOWN/CLERKS OFFICE</u>				
Town Clerk	142,941	146,171	3,230	2.26%
Election/Registration	47,715	26,067	(21,648)	-45.37%
<u>ADVISORY BOARDS/SERVICES</u>				
Moderator	500	500	-	0.00%
Appropriations Committee	1,695	1,695	-	0.00%
Town Counsel	85,000	90,000	5,000	5.88%
Personnel Board	66,082	79,975	13,893	21.02%
<u>PLANNING & CONSERVATION</u>				
Conservation Commission	90,841	94,148	3,307	3.64%
Planning Board	188,511	200,113	11,602	6.15%
Zoning Board	5,254	5,306	52	0.99%
Earthwork Board	1,877	1,944	67	3.57%
PUBLIC SAFETY				
Police	2,986,114	3,032,302	46,188	1.55%
Fire	2,155,018	2,194,077	39,059	1.81%
Emergency Preparedness	2,000	7,000	5,000	250.00%
Building	181,971	187,234	5,263	2.89%
Gas Inspector	12,671	12,897	226	1.78%
Wire Inspector	22,671	23,052	381	1.68%
Sealer of Weights	8,000	8,000	-	0.00%
Board of Health	203,784	220,246	16,462	8.08%
Animal Control	41,484	42,729	1,245	3.00%
PUBLIC WORKS				
Highway Admin.	128,214	129,862	1,648	1.29%
Hwy. Const. & Maint.	1,578,034	1,610,922	32,888	2.08%
Parks	137,950	150,950	13,000	9.42%
Cemetery	151,147	165,987	14,840	9.82%
Engineering	194,275	196,605	2,330	1.20%
Snow & Ice	437,000	437,000	-	0.00%
Street Lighting	125,000	135,000	10,000	8.00%
Trees	46,000	51,000	5,000	10.87%
COMMUNITY SERVICES				
Council on Aging	302,029	312,262	10,233	3.39%
Library	865,875	886,565	20,690	2.39%
Recreation	104,021	145,591	41,570	39.96%
Youth Services	152,933	172,083	19,150	12.52%
Veterans Services	82,726	88,039	5,313	6.42%
Cable TV	304,246	262,753	(41,493)	-13.64%
Cultural Council	500	500	-	0.00%
Community Affairs Committee	500	500	-	0.00%
Historical Commission	500	500	-	0.00%

FY2022 General Fund Budget Summary Continued

Department	FY2021 Budget	FY2022 Proposed Budget	\$ Change	% Change
UNDISTRIBUTED EXPENSES				
<u>EMPLOYEE BENEFITS & INSURANCE</u>				
Health Insurance	5,997,041	6,122,824	125,783	2.10%
Transfer to OPEB Trust	-	-	-	
Life Insurance	8,930	8,930	-	0.00%
Other Benefits/FICA	488,258	489,904	1,646	0.34%
Workers Comp	141,330	134,702	(6,628)	-4.69%
Retirement Assessments	2,275,596	2,470,601	195,005	8.57%
<u>BUILDING & LIABILITY INSURANCE</u>				
Bldg. & Liability Insur.	269,862	283,557	13,695	5.07%
<u>DEBT SERVICE</u>				
Debt Service	2,202,532	2,130,726	(71,806)	-3.26%
<u>STATE ASSESSMENTS</u>				
State Assessments	273,418	255,768	(17,650)	-6.46%
<u>NORFOLK AGRICULTURAL HIGH SCHOOL</u>				
Tuition/Transportation	-	38,500	38,500	
<u>STABILIZATION FUND CONTRIBUTION</u>				
Stabilization Fund	-	-	-	
<u>RESERVE FUND</u>				
Reserve Fund	375,000	175,000	(200,000)	-53.33%
<u>SPECIAL WARRANT ARTICLES</u>				
Special Articles	712,775	805,000	92,225	12.94%
Solid Waste Subsidy	337,160	337,160	-	0.00%
OTHER NON-APPROPRIATED AMOUNTS				
Reserve for Abatements	650,299	404,661	(245,638)	-37.77%
Offsets	23,994	28,793	4,799	20.00%
ENTERPRISE FUNDS				
Water	2,600,970	2,961,675	360,705	13.87%
Sewer	2,296,295	2,373,460	77,165	3.36%
Solid Waste	873,550	919,144	45,594	5.22%
GROSS TOTAL TOWN	32,611,243	33,459,834	848,591	2.60%
CALCULATION OF NET TOTAL TOWN				
Less Water Fund	(2,600,970)	(2,961,675)		
Less Sewer Fund	(2,296,295)	(2,373,460)		
Less Solid Waste	(873,550)	(919,144)		
Less Other Funds	(755,886)	(733,933)		
Less Recap Adjustments	(220,180)			
Less Debt Exclusion	(1,862,888)	(1,852,012)		
Less Reserve Fund Article	(375,000)	(175,000)		
Less Transfer to OPEB Trust	-	-		
Less Transfer to Stabilization	-	-		
Less Special Articles	(712,775)	(805,000)		
NET TOTAL TOWN	22,913,699	23,639,610		3.17%
CALCULATION OF TOWN APPROPRIATION				
GROSS TOTAL TOWN	32,611,243	33,459,834		
Less County Assessments	(2,275,596)	(2,470,601)		
Less State Assessments	(273,418)	(255,768)		
Less Reserve for Abatements	(650,299)	(404,661)		
Less Offsets	(23,994)	(28,793)		
Less Reserve Fund Article	(375,000)	(175,000)		
Less Stabilization Transfer Article	-	-		
Less Special Articles	(712,775)	(805,000)		
Less Solid Waste Subsidy	(337,160)	(337,160)		
Less Enterprise Funds	(5,770,815)	(6,254,279)		
Net Town Warrant Article 4	22,192,186	22,728,572		

FY2022 Enterprise Funds Budget Summary (Warrant Article 5)

REVENUE	FY2021	FY2022	\$ Change	% Change
Water Fees, Charges & Betterments	2,386,032	2,645,127	259,095	10.86%
Transfer from Water Fund Free Cash (Operating)	214,938	316,548	101,610	47.27%
TOTAL WATER FUND REVENUES	2,600,970	2,961,675	360,705	13.87%
Sewer Fees, Charges & Betterments	2,296,295	2,373,460	77,165	3.36%
Transfer from Sewer Fund Free Cash (Operating)	0	0	0	
TOTAL SEWER FUND REVENUES	2,296,295	2,373,460	77,165	3.36%
Solid Waste Fees	488,000	488,000	0	0.00%
General Fund Subsidy	337,160	337,160	0	0.00%
Transfer from Solid Waste Free Cash	48,390	93,984	45,594	94.22%
SOLID WASTE FUND REVENUES	873,550	919,144	45,594	5.22%
WATER, SEWER & SOLID WASTE REVENUES	5,770,815	6,254,279	483,464	8.38%
EXPENDITURES	FY2021	FY2022	\$ Change	% Change
Wages, Benefits & Expenses	2,320,755	2,677,910	357,155	15.39%
Debt Service	280,215	283,765	3,550	1.27%
WATER FUND EXPENDITURES	2,600,970	2,961,675	360,705	13.87%
Wages, Benefits & Expenses	1,601,951	1,651,138	49,187	3.07%
Debt Service	694,344	722,322	27,978	4.03%
SEWER FUND EXPENDITURES	2,296,295	2,373,460	77,165	3.36%
SOLID WASTE FUND EXPENDITURES	873,550	919,144	45,594	5.22%
WATER, SEWER & SOLID WASTE EXPENDITURES	5,770,815	6,254,279	483,464	8.38%

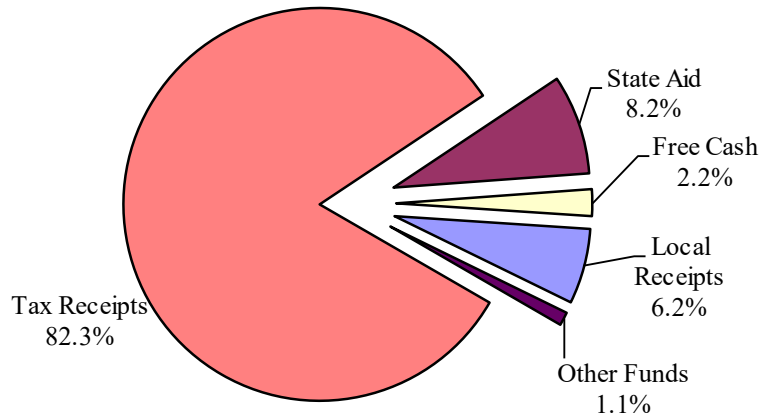
FY2022 Public Education Summary (Warrant Articles 6, 7 & 8)

PUBLIC EDUCATION	FY2021	FY2022	\$ Change	% Change
Northborough K-8	\$25,177,844	\$25,799,678	\$621,834	2.47%
Northborough K-8 Total (Article 6)	\$25,177,844	\$25,799,678	\$621,834	2.47%
Algonquin Regional HS 9-12	\$12,587,175	\$13,004,868	\$417,693	3.32%
Algonquin HS Debt Exclusion	\$632,229	\$647,846	\$15,617	2.47%
Algonquin Total (Article 7)	\$13,219,404	\$13,652,714	\$433,310	3.28%
Assabet Valley Regional HS	\$865,186	\$934,658	\$69,472	8.03%
Assabet Valley Debt Assessment	\$137,660	\$133,832	(\$3,828)	-2.78%
Assabet Total (Article 8)	\$1,002,846	\$1,068,490	\$65,644	6.55%
TOTAL PUBLIC EDUCATION	\$39,400,094	\$40,520,882	\$1,120,788	2.84%

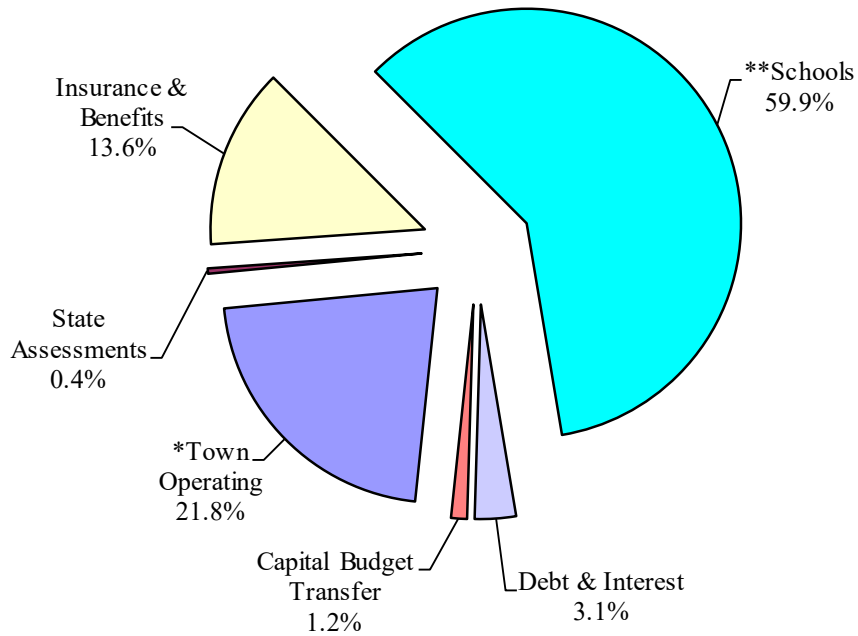
TOWN OF NORTHBOROUGH
REVENUE & EXPENDITURE SUMMARY FISCAL YEARS 2020--2022

LEVY LIMIT CALCULATION	FY2020	PROPOSED FY2021	REVISED FY2021	PROPOSED FY2022	% CHANGE
Prior Year Levy Limit	\$50,955,099	\$52,997,340	\$52,997,340	\$55,450,240	
Add 2.5%	\$1,273,877	\$1,324,934	\$1,324,934	\$1,386,256	
Add New Growth	\$768,364	\$776,250	\$1,127,966	\$684,800	
Add Overrides	\$0	\$0	\$0	\$0	
True Levy Limit	\$52,997,340	\$55,098,524	\$55,450,240	\$57,521,296	
Add Debt Excl - Zeh School	(\$32,041)	\$0	\$0	\$0	
Add Debt Excl - Colburn St.	\$0	\$0	\$0	\$0	
Add Debt Excl - Library	\$364,428	\$353,803	\$353,803	\$343,177	
Add Debt Excl - Senior Center	\$383,272	\$370,348	\$370,348	\$362,594	
Add Debt Excl - Algonquin	\$621,442	\$632,229	\$632,229	\$647,846	
Less Debt Excl -Settlement	(\$223,108)	(\$220,000)	(\$227,586)	(\$220,000)	
Add Debt Excl - Lincoln Street	\$1,075,199	\$1,050,837	\$1,050,837	\$1,026,182	
Add Debt Excl - Fire Station	\$0	\$17,098	\$17,098	\$52,750	
Adjusted Levy Limit	\$55,186,532	\$57,302,839	\$57,646,969	\$59,733,845	
REVENUES					
Adjusted Levy Limit	\$55,186,532	\$57,302,839	\$57,646,969	\$59,733,845	
Less Unused Levy Capacity	(\$2,166,828)	(\$2,333,425)	(\$3,399,223)	(\$3,913,557)	
Total Tax Receipts	\$53,019,704	\$54,969,414	\$54,247,746	\$55,820,288	2.90%
State Aid	\$5,412,370	\$4,492,267	\$5,434,115	\$5,521,216	1.60%
MSBA Payments	\$382,543	\$0	\$0	\$0	
Free Cash (Operating)	\$500,000	\$500,000	\$500,000	\$500,000	0.00%
Free Cash (Rtmt/Health Ins)	\$0	\$378,000	\$378,000	\$0	-100.00%
Free Cash (Reserve)	\$175,000	\$375,000	\$375,000	\$175,000	-53.33%
Free Cash (Stabilization)	\$200,000	\$0	\$0	\$0	
Free Cash (Capital/Other)	\$861,167	\$712,775	\$712,775	\$805,000	12.94%
Local Receipts	\$4,468,000	\$3,837,000	\$3,837,000	\$4,171,000	8.70%
Other Funds	\$952,083	\$755,886	\$755,886	\$733,933	-2.90%
TOTAL GENERAL FUND REVENUES	\$65,970,867	\$66,020,342	\$66,240,522	\$67,726,437	2.24%
Enterprise Funds	\$5,726,753	\$5,770,815	\$5,770,815	\$6,254,279	8.38%
TOTAL REVENUES	\$71,697,620	\$71,791,157	\$72,011,337	\$73,980,716	2.73%
EXPENDITURES					
Town	\$22,391,273	\$22,913,699	\$22,913,699	\$23,639,610	3.17%
Schools					
Northborough K-8	\$24,928,558	\$25,177,844	\$25,177,844	\$25,799,678	2.47%
Algonquin 9-12	\$12,252,514	\$12,587,175	\$12,587,175	\$13,004,868	3.32%
HS Debt Exclusion	\$621,442	\$632,229	\$632,229	\$647,846	2.47%
Assabet	\$694,822	\$865,186	\$865,186	\$934,658	8.03%
Assabet Renovation Project	\$141,488	\$137,660	\$137,660	\$133,832	-2.78%
Warrant Articles					
Reserve Fund	\$175,000	\$375,000	\$375,000	\$175,000	-53.33%
Transfer to Stabilization	\$200,000	\$0	\$0	\$0	
Capital / Other Articles	\$861,167	\$712,775	\$712,775	\$805,000	12.94%
Transfer to OPEB Trust	\$550,000	\$0	\$0	\$0	
Zeh School Debt Service	\$350,578	\$0	\$0	\$0	
Colburn Street Debt Service	\$62,315	\$59,923	\$59,923	\$57,475	-4.08%
Library Debt Service	\$364,928	\$354,248	\$354,248	\$343,567	-3.01%
Senior Center Debt Service	\$394,645	\$380,145	\$380,145	\$371,445	-2.29%
Lincoln Street Debt Service	\$1,075,875	\$1,051,475	\$1,051,475	\$1,026,775	-2.35%
Fire Station Debt Service	\$0	\$17,098	\$17,098	\$52,750	208.52%
Other Funds	\$952,083	\$755,886	\$755,886	\$733,933	-2.90%
Adjustments	(\$45,821)		\$220,180		
TOTAL GENERAL FUND EXPENDITURES	\$65,970,867	\$66,020,342	\$66,240,522	\$67,726,437	2.24%
Water Enterprise Fund	\$2,548,680	\$2,600,970	\$2,600,970	\$2,961,675	13.87%
Sewer Enterprise Fund	\$2,244,114	\$2,296,295	\$2,296,295	\$2,373,460	3.36%
Solid Waste Enterprise Fund	\$933,959	\$873,550	\$873,550	\$919,144	5.22%
TOTAL ALL FUNDS	\$71,697,620	\$71,791,157	\$72,011,337	\$73,980,716	2.73%

Fiscal Year 2022 Revenue Sources



Fiscal Year 2022 Expenditures



*Town Expenditures include Reserves for Abatements, Appropriation Reserve Fund, and Offsets
 **School Expenditures include Northborough K-8 School operations, Algonquin Regional High School operations, Algonquin Regional High School Debt Service & Assabet Valley Assessment

Article 20
Consolidated Personnel Bylaw Amendments
2021 Annual Town Meeting

The proposed amendment to the Consolidated Personnel Bylaw, Chapter 1-64 of the Town Code, consists of the following:

1. Adoption of the General Compensation scale in section 1-64-350, Schedule B. The proposed change is a 2% increase in compensation rates for non-union municipal employee positions effective July 1, 2021. The proposed increase is consistent with the average increase of the Town's collective bargaining units for FY2022 as required by the Town Personnel Bylaw.
2. Classification of a Data Collector Position in the Assessor's Office: This amendment seeks to add a new Data Collector position, classified as a Grade D, to section 1-64-340, Schedule A (Classification of Positions by Occupational Groups and Assignment to Compensation Grades).
3. Increase to Merit-Based Salary/Wage Adjustment range in section 1-64-360, Schedule D.

1-64-340 **Schedule A.**

**Classification of Positions by Occupational Groups
and Assignment to Compensation Grades**

Grade	Position Title
A	Board Secretary Cable Access Television Studio Assistant Custodian Financial Assistant Library Assistant Office Assistant Program Coordinator
B	Administrative Assistant Assessors Assistant Assistant Tax Collector Assistant Town Accountant Assistant Town Clerk Circulation Desk Supervisor Hazardous Materials Assistant Light Equipment Operator Recreation Program Supervisor
C	Conservation Agent Counselor Executive Assistant Heavy Equipment Operator Librarian Senior Center Outreach Coordinator Water & Sewer System Maintenance Worker
D	Assistant Town Engineer Assistant Treasurer/Collector Cable Access Director Cemetery Superintendent Data Collector Dog Officer Highway/Parks Supervisor Inspectors Mechanic Veterans' Agent Water & Sewer Supervisor

- E** Assessor
Assistant Director, Library
Assistant Director, Family & Youth Services

- F** Assistant Director MIS/GIS
Director, Recreation
Director, Family & Youth Services
Director, Senior Center
Health Agent
Highway/Parks Superintendent
Town Clerk
Water & Sewer Superintendent

- G** Assistant Town Administrator
Director, Library
Director MIS/GIS
Facilities Manager
Inspector of Buildings/Zoning Enforcement Officer
Police Lieutenant
Principal Assessor
Town Accountant
Town Planner
Treasurer/Collector

- H** Assistant Director, DPW
Deputy Fire Chief
Town Engineer

- I** Finance Director

- J** Director of Public Works
Fire Chief
Police Chief

General Compensation Effective July 1, 2021 (2% Increase)

HOURLY

GRADE	MINIMUM	MAXIMUM
A	\$21.04	\$27.35
B	\$23.29	\$30.28
C	\$25.78	\$33.52
D	\$28.54	\$37.11
E	\$31.60	\$41.08
F	\$34.98	\$45.48
G	\$38.73	\$50.34
H	\$42.87	\$55.73
I	\$45.87	\$59.64
J	\$49.08	\$63.81

ANNUAL

GRADE	MINIMUM	MAXIMUM
A	\$43,757.96	\$56,885.34
B	\$48,442.45	\$62,975.17
C	\$53,628.45	\$69,716.93
D	\$59,369.62	\$77,180.50
E	\$65,725.39	\$85,443.02
F	\$72,761.60	\$94,590.07
G	\$80,551.05	\$104,716.38
H	\$89,174.42	\$115,926.76
I	\$95,416.68	\$124,041.63
J	\$102,095.80	\$132,724.53

Miscellaneous Compensation

Merit-Based¹ - Eligible for General Salary/Wage Adjustment

Substitute Librarian	Minimum: \$25.79	Maximum: \$33.52/hour
Substitute Library Assistant	Minimum: \$21.03	Maximum: \$27.35/hour
Call Inspector	Minimum: \$28.54	Maximum: \$37.11/hour
Call Firefighter Trainee	Minimum: \$19.40	Maximum: \$25.25/hour
Call Firefighter	Minimum: \$21.50	Maximum: \$27.96/hour
Call Firefighter/EMT or Paramedic	Minimum: \$23.80	Maximum: \$30.94/hour
Special Police Officer	Minimum: \$18.93	Maximum: \$31.88/hour

Not Merit-Based – Pay rates/ranges adjusted as market conditions warrant

Assistant Dog Officer	Per call: \$4/phone call, \$20/call-out; \$30/kennel call	
Part-time Dispatcher	Rates per Union Contract	
Library Page	Minimum: \$12.75	Maximum: \$14.75/hour
Seasonal Staff A	Minimum: \$12.75	Maximum: \$15.75/hour
Seasonal Staff B	Minimum: \$13.75	Maximum: \$16.75/hour
Seasonal Staff C	Minimum: \$16.75	Maximum: \$19.75/hour
Seasonal Staff D	Minimum: \$25.00	Maximum: \$60.00/hour
Senior Center Van Driver	Minimum: \$13.50	Maximum: \$16.50/hour

Stipends:

Inspector of Animals	\$5,000 - \$6,000 per year
Emergency Preparedness Director	\$5,000 - \$6,000 per year
Sealer of Weights/Inspector of Measures	\$3,000 - \$4,000 per year
Assistant to the Emergency Preparedness Director	\$500 per year
Emergency Shelter Coordinator	\$500 per year

¹ Assuming satisfactory performance and minimum level of pay achieved.

Town of Northborough

Chapter 2-60

STORMWATER MANAGEMENT AND LAND DISTURBANCE

Sections:

- 2-60-00F Footnote to Chapter 2-60
- 2-60-010 Purpose and Objective
- 2-60-020 Definitions
- 2-60-030 Applicability
- 2-60-040 Authority
- 2-60-050 Responsibility for Administration
- 2-60-060 Waivers
- 2-60-070 Regulations
- 2-60-080 Permit
- 2-60-090 Consent to Entry onto Property
- 2-60-100 Inspection and Site Supervision
- 2-60-110 Enforcement
- 2-60-120 Severability
- 2-60-130 Surety
- 2-60-140 Final Reports

2-60-00F Footnote to Chapter 2-60.

Adopted May 1, 2021 ATM, Art. 21

2-60-010 Purpose and Objective.

- A. The purpose of this bylaw is to protect public health, safety, general welfare, and the environment by controlling the adverse effects of construction site stormwater runoff and post-construction stormwater runoff. Stormwater runoff can be a major cause of:
 - (1) Impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands, groundwater and drinking water supplies;
 - (2) Contamination of drinking water supplies;
 - (4) Alteration or destruction of aquatic and wildlife habitat;
 - (5) Overloading or clogging of municipal stormwater management systems; and
 - (6) Flooding.

- B. The objectives of this bylaw are to:
- (1) Protect water resources;
 - (2) Comply with state and federal statutes and regulations relating to stormwater discharges including total maximum daily load requirements, and with the General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems in Massachusetts, issued by the U.S. Environmental Protection Agency and the Massachusetts Department of Environmental Protection (“MS4 Permit”);
 - (3) Prevent and reduce pollutants from entering the Town of Northborough’s municipal separate storm sewer system (MS4);
 - (4) Establish minimum construction and post construction stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
 - (5) Establish provisions for the long-term responsibility for, and maintenance of, structural stormwater control facilities and nonstructural stormwater best management practices to ensure that they continue to function as designed, and pose no threat to public safety; and
 - (6) Recognize the Town of Northborough’s legal authority to ensure compliance with the provisions of this bylaw through inspection, monitoring, and enforcement.

2-60-020 Definitions.

Unless a different definition is indicated in other sections of this bylaw, the following definitions and provisions shall apply throughout this bylaw:

ALTERATION OF DRAINAGE CHARACTERISTICS: Any activity on an area of land that changes the water quality, force, direction, timing or location of runoff flowing from the area. Such changes include: change from distributed runoff to confined or discrete discharge; change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area.

APPLICANT: Any person requesting a Land Disturbance Permit.

AS-BUILT DRAWING: Drawings that completely record and document applicable aspects and features of conditions of a project following construction using Stormwater Management Plans derived from a Land Disturbance Permit.

BEST MANAGEMENT PRACTICES (BMPs): Schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to Waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control project site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENTATION CONTROL (CPESC): A certified specialist in soil erosion and sediment control. This certification program, sponsored by the Soil and Water Conservation Society in cooperation with the American Society of Agronomy, provides the public with evidence of professional qualifications.

CLEAN WATER ACT: The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

CLEARING: Any activity that removes the vegetative surface cover of land.

COMMON PLAN OF DEVELOPMENT: A plan of development for a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

DISCHARGE OF POLLUTANTS: The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the Waters of the United States or the Commonwealth from any source.

EROSION: The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

EROSION AND SEDIMENTATION CONTROL PLAN: A document containing narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbing activities.

GRADING: Changing the level or shape of the ground surface.

GROUNDWATER: Water beneath the surface of the ground.

GRUBBING: The act of clearing land surface by digging up roots and stumps.

HAZARDOUS MATERIAL: Any material which, because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as "toxic" or "hazardous" under MGL c. 21C and c. 21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

ILLICIT DISCHARGE: Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in Section 4-12-080 of the Town's *Illicit Discharges to The Municipal Storm Drain System* Bylaw, Chapter 4-12 of the Northborough Town Code.

IMPERVIOUS SURFACE: Any surface that prevents or significantly impedes the infiltration of water into the underlying soil. This can include but is not limited to: roads, driveways, parking areas and other areas created using nonporous material, buildings, rooftops, structures, artificial turf and compacted gravel or soil.

INFILTRATION: The act of conveying surface water into the ground, permitting groundwater recharge and the reduction of stormwater runoff from a project site.

LAND DISTURBANCE PERMIT: A permit issued by the Stormwater Authority pursuant to this bylaw prior to commencement of a Land Disturbing Activity.

LAND DISTURBING ACTIVITY: Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material; results in an increased amount of runoff or pollutants; measurably changes the ability of a ground surface to absorb waters; involves clearing, grading, or excavating, including grubbing; or results in an alteration of drainage characteristics.

LOW IMPACT DEVELOPMENT or LID: Site planning and design strategies that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and aesthetically appealing site drainage that treat stormwater as a resource rather than a waste product. LID practices include but are not limited to bioretention facilities, rain gardens, vegetated rooftops, rain barrels and permeable pavements.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Northborough.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

STORMWATER DISCHARGE PERMIT: A permit issued by the EPA, or jointly with the Commonwealth, that authorizes the discharge of pollutants to Waters of the United States.

OPERATION AND MAINTENANCE PLAN: A plan setting up the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

OWNER: A person with a legal or equitable interest in property.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department, or political subdivision of the Commonwealth or the Federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POINT SOURCE: Any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged.

PRE-CONSTRUCTION: All activity in preparation for construction.

POLLUTANT: Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, construction wastes and residues including discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes and industrial, municipal and agricultural waste discharged into water.

RECHARGE: The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

REDEVELOPMENT: Development, rehabilitation, expansion, demolition, construction, land alteration, or phased projects that disturb the ground surface, including impervious surfaces, on previously developed sites.

RUNOFF: Rainfall, snowmelt, or irrigation water flowing over the ground surface.

SEDIMENT: Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

SEDIMENTATION: The process or act of deposition of sediment.

SITE: The location, to its full areal extent, of construction activities, including but not limited to the creation of new impervious cover and improvement of existing impervious cover.

SOIL: Any earth, sand, rock, gravel, or similar material.

STORMWATER AUTHORITY: Town of Northborough Conservation Commission or its authorized agent(s).

STORMWATER: Stormwater runoff, snow melt runoff, and surface runoff and drainage.

STORMWATER MANAGEMENT PLAN: A document containing narrative, drawings, details and reporting requirements developed by a qualified professional engineer (PE), which describes structural and non-structural best management practices designed to control the discharge of pollutants from impervious surfaces and onsite activities as well as the volume and peak rate of surface runoff from a site on an ongoing basis after construction has been completed.

TOTAL MAXIMUM DAILY LOAD or TMDL: Section 303(d) of the Clean Water Act authorizes the EPA to assist states, territories and authorized tribes in listing impaired waters and developing Total Maximum Daily Loads (TMDLs) for these waterbodies. A TMDL establishes the maximum amount of a pollutant that a waterbody can accept and still meet water quality standards for protecting public health and maintaining the designated beneficial uses of those waters for drinking, swimming, recreation, and fishing. A TMDL includes waste load allocations for point source discharges, load allocations for nonpoint sources and/or natural background, and must include a margin of safety and account for seasonal variations.

WATERCOURSE: A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

WATERS OF THE COMMONWEALTH: All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, groundwater, and including, to the extent applicable, Waters of the United States as defined under the Federal Clean Water Act as hereafter amended.

2-60-030 Applicability.

- A. A Land Disturbance Permit is required for all construction activity or land disturbance that individually or as part of a Common Plan of Development results in land disturbance of one acre (43,560 square feet) or more.

- B. The following activities are exempt from the provisions of Chapter 2-60:
- (1) Maintenance of existing landscaping, gardens or lawn areas associated with a single-family dwelling conducted in such a way as not to cause a nuisance;
 - (2) Construction of fencing that will not substantially alter existing terrain or drainage patterns;
 - (3) Construction of utilities other than drainage (gas, water, electric, telephone, etc.) which will not alter terrain or drainage patterns or result in discharge of sediment or other pollutants to the MS4 or, directly or indirectly, to a Watercourse or Waters of the Commonwealth;
 - (4) Normal maintenance and improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act regulation at 310 CMR 10.04;
 - (5) Activities conducted in accordance with a Forest Cutting Plan approved by the Massachusetts Department of Conservation and Recreation; and
 - (6) Redevelopment activities that are exclusively limited to maintenance and improvement of existing public roadways (including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing drainage systems, and repaving projects) and that will improve existing conditions unless infeasible. Construction may not commence until issuance of EPA's approval of the NPDES Construction General Permit Notice of Intent and the final Stormwater Pollution Prevention Plan is posted at the site (if applicable), and best management practices are in place in accordance with the Massachusetts Stormwater Management Standard 8 related to construction related impacts. Roadway widening or improvements that increase the amount of impervious area on the redevelopment site by greater than or equal to a single lane width shall not be exempt.
- C. Any person that fails to follow the requirements of a Land Disturbance Permit and the related Erosion and Sedimentation Control Plan, and Operations and Maintenance Plan, shall be in violation of this bylaw.

2-60-040 Authority.

This bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Massachusetts home rule statute, and the regulations under the Federal Clean Water Act including 40 CFR 122.34.

2-60-050 Responsibility for Administration.

The Stormwater Authority shall administer, implement and enforce this bylaw. Any powers granted to or duties imposed upon the Stormwater Authority may be delegated in writing by the Stormwater Authority to employees or authorized agents of the Town.

2-60-060 Waivers.

The Stormwater Authority, or its authorized agent, may waive strict compliance with any requirement of this bylaw or the rules and regulations promulgated hereunder, where such action is:

- A. Allowed by federal, state and local statutes and/or regulations and the MS4 Permit; and
- B. In the public interest; and
- C. Not inconsistent with the purpose and intent of this bylaw.

2-60-070 Regulations.

- A. The Stormwater Authority may adopt, and may periodically amend, regulations, rules and/or written guidance relating to the terms, conditions, definitions, enforcement, fees, procedures and administration of this Stormwater Management Bylaw by majority vote after conducting a public hearing to receive comments. Such hearing shall be advertised in a newspaper of general local circulation, at least fourteen (14) days prior to the hearing date. Failure of the Stormwater Authority to issue such rules, or regulations, or a legal declaration of their invalidity by a court, shall not act to suspend or invalidate the effect of this bylaw.
- B. Stormwater Management regulations, rules or guidance shall identify requirements for Land Disturbance Permits required by this bylaw and shall be consistent with or more stringent than the relevant requirements of the most recent MS4 Permit.

2-60-080 Permit.

- A. A Land Disturbance Permit must be obtained prior to the commencement of any construction activity, tree clearing, or land disturbance for which such a permit is required. An applicant seeking a permit shall file an appropriate application with the Stormwater Authority in a form and containing information as specified in this bylaw and in regulations adopted by the Stormwater Authority.
- B. Each application must be accompanied by the appropriate application fee as established by the Stormwater Authority. Applicants shall pay the application fee before the review process commences. The Stormwater Authority is authorized to retain a Registered Professional Engineer (PE) or other professional consultant to advise the Stormwater Authority on any or all aspects of the application and/or the project's compliance with conditions of a Permit. The Stormwater Authority may require the applicant to pay reasonable costs to be incurred by the Stormwater Authority for the employment of outside consultants pursuant to Stormwater Authority regulations adopted as authorized by G.L. c.44, §53G.
- C. Required submittals to obtain a Land Disturbance Permit shall include (without limitation) an Erosion and Sedimentation Control Plan, a Stormwater Management Plan, and an Operation and Maintenance Plan. To obtain a Land Disturbance Permit, the applicant must show that site design, construction site stormwater runoff control and post-construction stormwater management will

meet the standards set by the Stormwater Authority under this bylaw, in its regulations, rules and/or guidance, which shall be at least as stringent as the relevant requirements of the MS4 Permit and may also address relevant environmental considerations including (without limitation) protection of aquifers and sensitive water bodies, climate resilience, and prevention of flooding.

- D. The Land Disturbance Permit shall include measures to ensure adequate long-term operation and maintenance of stormwater management design features and BMPs. The Stormwater Authority may impose requirements including (without limitation) the following:
- (1) A requirement that funds for future operation and maintenance be set aside in a dedicated fund or escrow account;
 - (2) A permanent permit condition requiring compliance with an Operation and Maintenance Plan;
 - (3) A permanent permit condition requiring that the property owner submit an annual report or certification regarding operation and maintenance;
 - (4) A requirement to record the Operation and Maintenance Plan (or notice thereof);
 - (5) A requirement that a legal instrument be put in place establishing responsibility for operation and maintenance of a stormwater BMP serving more than one lot; and
 - (6) A requirement that an easement be recorded allowing the Town to access the property to remedy any operational failure or maintenance problem.

2-60-090 Consent to Entry onto Property.

By signing the permit application, an applicant consents to the entry of members of the Stormwater Authority or its authorized agents in or on the site while the application is under review to verify the information in the application, and at any time after a Permit is issued to inspect for compliance with Permit conditions.

2-60-100 Inspection and Site Supervision.

The Stormwater Authority or its designated agent shall make inspections to verify and document compliance with the Land Disturbance Permit.

2-60-110 Enforcement.

The Stormwater Authority or its authorized agent shall enforce this bylaw, and any associated regulations, orders, violation notices, and enforcement orders; and may pursue all civil and criminal remedies for such violations.

- A. Criminal and Civil Relief.
- (1) Any person who violates the provisions of this bylaw, or any associated regulations, permit, or order issued thereunder, may be subject to criminal penalties and prosecution in a court of competent jurisdiction and/or a fine

of not more than \$300 per violation. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

- (2) As an alternative to criminal prosecution or civil action, the Town of Northborough may elect to utilize the noncriminal disposition procedure set forth in G.L. c.40, §21D, in which case designated agents of the Stormwater Authority, including the Conservation Commission Agent, Town Engineer, or Building Inspector, shall be the enforcing persons. The penalty for the first violation shall be a warning. The penalty for the second violation shall be \$100. The penalty for the third and subsequent violations shall be \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- (3) The Stormwater Authority may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

B. Orders.

- (1) The Stormwater Authority, or its authorized agent, may issue a written order to enforce the provisions of Chapter 2-60 or any associated regulations or permit. Violations which may be subject of such an order include, without limitation: failure to obtain a Land Disturbance Permit for an activity subject to this bylaw; and failure to follow the requirements of a Land Disturbance Permit and the related Erosion and Sedimentation Control Plan, or Operations and Maintenance Plan or any other authorization issued pursuant to this bylaw or regulations issued hereunder. The written order may require the violator to remediate the non-compliance and/or any adverse impact caused by it, including, without limitation:
 - (a) A requirement to cease and desist from the land-disturbing activity until there is compliance with the bylaw and provisions of the Land Disturbance Permit or other authorization;
 - (b) Maintenance, installation or performance of additional erosion and sediment control measures;
 - (c) Monitoring, analyses, and reporting;
 - (d) Remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity;
 - (e) Construction, reconstruction, repair or maintenance of stormwater BMPs or any other aspect of the post-construction stormwater management system;
 - (f) Remediation of adverse impacts resulting from improper construction or operation of the post-construction stormwater management system; and/or
 - (g) A requirement to eliminate discharges, directly or indirectly, into

the MS4, a watercourse or into the Waters of the Commonwealth.

- (2) If the Stormwater Authority or its authorized agent determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further provide that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Northborough may, at its option, undertake such work, and expenses thereof shall be charged to the violator.
 - (3) Within 30 days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town of Northborough, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Stormwater Authority within 30 days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within 30 days following a decision of the Stormwater Authority affirming or reducing the costs, or from a final decision of a court of competent jurisdiction affirming or reducing the costs, the costs may constitute a municipal charge for purposes of G.L. c.40, §58, and for which a lien may be imposed on the property for the amount of the unpaid charge, pursuant to G.L. c.40, §58. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. c.59, §57 on the 31st day after the costs first become due.
- C. Entry to perform duties under this bylaw. To the extent permitted by local, state or federal law, or if authorized by the owner or other party in control of the property, the Stormwater Authority, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this bylaw and regulations adopted hereunder and may make or cause to be made such examinations, surveys or sampling as the Stormwater Authority deems reasonably necessary.
 - D. Appeals. The decisions or orders of the Stormwater Authority shall be final. Further relief shall be appealed to a court of competent jurisdiction in an action filed within sixty (60) days thereof, in accordance with G.L. c.249, §4.
 - E. Remedies not exclusive. The remedies listed in this section are not exclusive of any other remedies available under any applicable federal, state or local law.

2-60-120 Severability.

The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

2-60-130 Surety.

The Stormwater Authority may require the applicant to post, before the start of land disturbance or construction activity, a surety bond, cash, or other acceptable security. The form of the security shall be approved by the Stormwater Authority and be in an amount deemed sufficient by the Stormwater Authority to ensure that the work will be completed in accordance with the permit. If the project is phased, the Stormwater Authority may release part of the security as each phase is completed in compliance with the permit. If the permittee defaults on any obligations imposed by the Land Disturbance Permit, the Stormwater Authority may (after notification of the permittee) inform the holder of the security (and the Town Treasurer if the Treasurer is not holding the funds) of the default, in which event the Town shall be entitled to the security.

2-60-140 Final Reports.

Upon completion of the work and no later than two (2) years after completion of construction, the holder of a Land Disturbance Permit shall submit a report (including certified as-built construction plans) from a Professional Engineer (PE) or Land Surveyor (PLS) certifying that the project has been completed in accordance with the conditions of the Land Disturbance Permit. The holder of a Land Disturbance Permit shall also include certification from a PE that the drainage system was constructed in accordance with the approved plans and will perform as designed. The as-built drawings must depict all on site controls, both structural and non-structural, designed to manage the stormwater associated with the completed site (post construction stormwater management). Any discrepancies from the approved permit plans shall be noted in writing in the report and as-built plans.