

**TOWN OF NORTON
SPECIAL TOWN MEETING
NOVEMBER 18, 2009**

The Special Town Meeting was called to order by Moderator William A. Gouveia at 7:00 PM at the Henri A. Yelle Elementary School Gym. Since a vacancy occurred in the office of the Town Clerk, the first order of business was to elect a Temporary Town Clerk. The Temporary Town Clerk will be required to record all votes of the Meeting. The Moderator, Mr. Gouveia, opened the floor for nominations. Mr. Timothy Giblin, Chairman of the Board of Selectmen, nominated Anne Rodrigues, Assistant Town Clerk, to be temporary Town Clerk for the Special Town Meeting, November 18, 2009. No other nominations were received and Chairman Giblin cast one ballot for Anne Rodrigues to the position of Temporary Town Clerk.

ARTICLE 1:

Motion was made by Wayne Graf, Chairman of the Finance Committee that the Town amend the vote taken under Article 11 of the June 8, 2009, Annual Town Meeting appropriating the FY 2010 Water Department budget, by transferring from the Water Surplus Account the sum of \$644,870.00 as an other funding source for the Water Department budget, and by reducing the appropriation from Water Revenue by a like amount.

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 2

Motion was made by Mr. Graf that the Town vote, pursuant to the provisions of G.L. c.43B, §10(a), to amend the Town Charter to change the elected Town Clerk position to an appointed position, as set forth below:

- (1) Amend Section 3-1(a) of the Town Charter by deleting, after the words, “water and sewer commissioners,” the words “town clerk.”
- (2) Amend Section 3-1(g) of the Town Charter, entitled “Filling of Vacancies,” by deleting subsection (3), entitled “Town Officer,” in its entirety.
- (3) Amend Section 3-5 of the Town Charter, entitled, “Town Clerk,” by deleting the section in its entirety and renumbering the remaining sections of Chapter 3 accordingly.

- (4) Amend Article 4 of the Town Charter, entitled, "Town Manager," by inserting a new section, Section 4-7, entitled "Town Clerk" as follows:
- (a) Appointment – There shall be a Town Clerk, appointed by the Town Manager.

Powers and Duties – The town clerk shall collect be the keeper of vital statistics for the town; the custodian of the town seal; shall administer the oath of office to all persons, elected or appointed, to any town office; shall issue such licenses and permits as are required by law to be issued by town clerks supervise and manage the conduct of all elections and other matters relating to elections; be the clerk of the town meeting, keep its records and in the absence of the town moderator or deputy town moderator to preside pending the election of a temporary town moderator. The Town Clerk shall have such other powers and duties as are given to town clerks by general law by this charter, by by-law, or by other vote of the town meeting.

- (5) Amend Article 8 of the Town Charter, entitled, "Transitional Provisions," by inserting a new section, Section 8-7, Appointed Town Clerk, as follows:

The vote to amend the Charter to change the position of town clerk from elected to appointed (by deleting in Section 3-1 (a) the words "town clerk," deleting in their entirety Sections 3-1(g)(3) and Section 3-5, and inserting a new Section 4-7), shall take effect immediately upon approval by the voters at the 2010 Annual Town Election; provided, however, that any individual elected as town clerk at the same election at which the referenced charter amendments are approved by the voters of the town shall hold said office and perform the duties thereof only until the appointment to said office is made in accordance with Section 4-7 of the charter. Upon appointment of a town clerk in accordance with Section 4-7, the position of elected town clerk shall be abolished. The town manager may make an appointment pursuant to Section 4-7 immediately upon the effective date of the amendments to Sections 3-1(a), 3-1(g)(3), 3-5 and 4-7 of the charter, notwithstanding the provisions of Section 7-10 of the charter.

**DECLARED VOTED BY A 2/3 MAJORITY VOTE BY THE
MODERATOR**

ARTICLE 3

Motion was made by Mr. Graf that Town (1) transfer from the Board of Selectmen for tax title purposes to the Board of Selectmen for purposes of conveyance, upon such terms and conditions as said Board deems appropriate, to a nonprofit corporation for affordable housing purposes, the land shown as Parcel 642 on Assessors Map 3 consisting of approximately 5,000 square feet off Hawthorne Road, such transaction to be undertaken in consultation with the Local Housing Partnership; and further, (2) transfer from the Board of Selectmen for tax title purposes to the Board of Selectmen for purposes of conveyance, upon such terms and conditions as said Board deems appropriate, the land shown as Parcel 126 on Assessors Map 3 consisting of approximately 3,000 square feet off Holly Road.

**DECLARED VOTED BY A 2/3 MAJORITY VOTE BY THE
MODERATOR**

Moderator William Gouveia declared the Special Town Meeting concluded at 7:35 P.M.

ATTEST:

**Anne Rodrigues
Temporary Town Clerk**