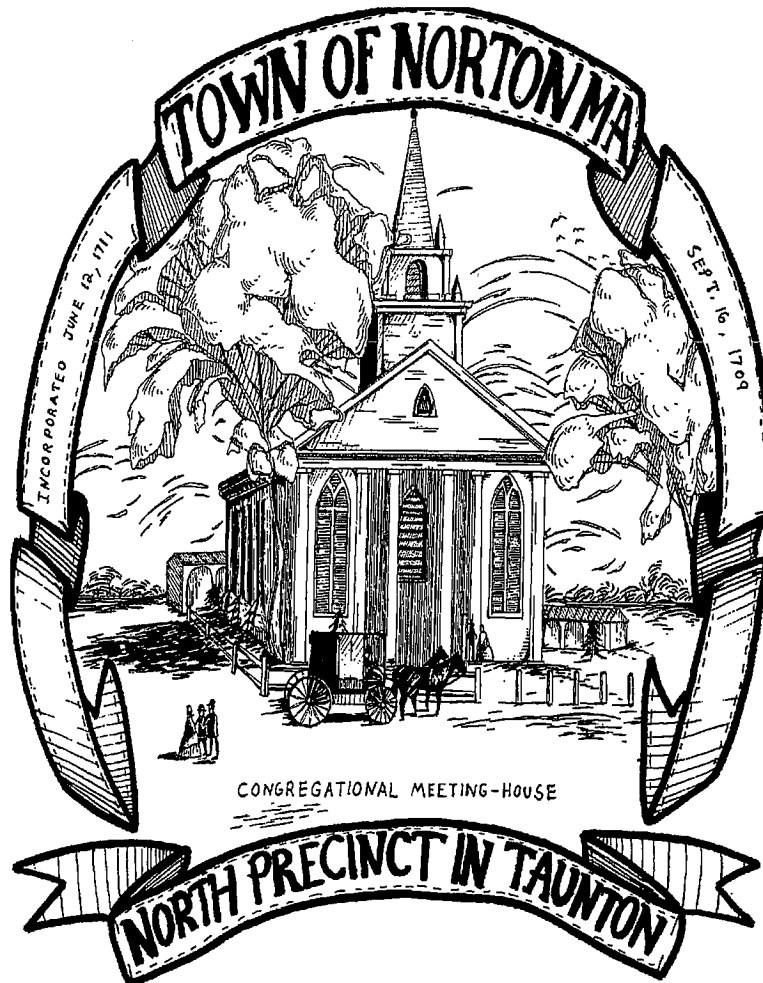


# TOWN OF NORTON



WARRANT FOR THE SPECIAL TOWN MEETING  
WITH FINANCE COMMITTEE RECOMMENDATIONS

WEDNESDAY, JANUARY 19, 2011



**TOWN OF NORTON  
WARRANT FOR THE SPECIAL TOWN MEETING  
JANUARY 19, 2011  
BRISTOL, SS.**

To Dale Clark, or either of the Constables of the Town of Norton:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Norton, qualified to vote in Norton affairs, to meet in the Henri A. Yelle Elementary School Gymnasium, West Main Street, in said Norton, on Wednesday, the 19th day of January, 2011, A.D., at seven o'clock in the evening, then and there to act on the following articles, viz:

ARTICLE 1

To see if the Town will transfer and/or appropriate from available funds, a sum of money to pay unpaid bills for which obligation was incurred in prior fiscal years, or take any other action relative thereto.

(BOARD OF SELECTMEN)

**FINANCE COMMITTEE:** Recommended to transfer the amount of \$281.50 from Free Cash for the following unpaid bills for which obligation was incurred in prior fiscal years:

\$ 252.50	Planning	MCLE
\$ 29.00	Fire Department	High Tech Automotive

\$ 281.50

## ARTICLE 2

To see if the Town will transfer and/or appropriate from available funds a sum of money to fund and implement a Collective Bargaining Agreement between the Town and the International Association of Fire Fighters, Local 2678, and/or for general collective bargaining settlement purposes, or take any other action relative thereto.

(BOARD OF SELECTMEN)

**FINANCE COMMITTEE:** Recommended to fund and implement a Collective Bargaining Agreement between the Town and the International Association of Firefighters Local #2678 for the period of July 1, 2008, through June 30, 2011, by transferring the sum of \$39,200.00 from Account No. 001-122-606-5802-09-602 (Article 2 of the June 8, 2009, Special Town Meeting), \$54,218.00 from Account No. 001-910-511-5171, and the balance of \$31,269.00 from Free Cash.

## ARTICLE 3

To see if the Town will transfer and/or appropriate from available funds a sum of money to supplement the Fiscal Year 2011 operating budget appropriated under Article 25 of the June 7, 2010, Annual Town Meeting, or otherwise amend said vote, or take any other action relative thereto.

(BOARD OF SELECTMEN)

**FINANCE COMMITTEE:** Recommended to amend the vote taken under Article 25 of the June 7, 2010, Annual Town Meeting Warrant by increasing appropriations for certain line items and transferring others and to do so, by transferring the additional amount of \$5,000.00 from Free Cash to 001-241-570 and by transferring the amount of \$8,000.00 from 019-293-100 to 001-155-570 as follows:

Account	Department	Use	Amount
001-241-570	Inspection	Expense	\$ 5,000.00

**TOTAL SUPPLEMENTS:** \$ 5,000.00

001-155-570	Data Processing	Transfer from 019-293-100 to 001-155-570-5850	\$ 8,000.00
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**TOTAL TRANSFERS:** \$ 8,000.00

#### ARTICLE 4

To see if the Town will accept the provisions of Massachusetts General Laws Chapter 138, Section 33B, to authorize the Board of Selectmen to permit licensees under Massachusetts General Laws Chapter 138, Section 12, such as restaurants, taverns and bars, to sell alcoholic beverages between the hours of 10:00 A.M. and 12:00 Noon on Sundays, the last Monday in May, and on Christmas Day, or on the day following when said day occurs on Sunday, or take any other action relative thereto.

(BOARD OF SELECTMEN)

**FINANCE COMMITTEE: Recommended.**

#### ARTICLE 5

To see if the Town will transfer the sum of \$5,000.00 from the Water Pollution Abatement Trust Program Reserve for Appropriation Account for bond-related administration costs associated with the Massachusetts Water Pollution Abatement Trust (WPAT) program, or take any other action relative thereto.

(BOARD OF HEALTH)

**FINANCE COMMITTEE: Recommended, to transfer \$5,000.00 from the Massachusetts Water Pollution Abatement Trust Interest Earnings account for bond-related administrative costs of the loan program.**

#### ARTICLE 6

To see if the Town will authorize the Board of Selectmen to acquire by gift or eminent domain a water main easement from Robert W. Kimball and Paula J. Kimball upon a parcel of land located on the westerly side of 51 Pine Street, Norton, MA, shown as Assessors Map 23, Parcel 57, and described as "Proposed 15 Ft. Wide Water Main Easement" on a plan entitled "Plan of Proposed Water Main Easement 51 Pine St., Norton, Massachusetts Prepared for Town of Norton Water Department," dated November 11, 2010, prepared by Yarworth Engineering Company, Inc., on file with the Town Clerk, upon such terms and conditions as the Board of Selectmen shall deem appropriate, or take any other action relative thereto.

(WATER AND SEWER COMMISSIONERS)

**FINANCE COMMITTEE: Not recommended at this time.**

## ARTICLE 7

To see if the Town will vote to transfer a sum of money from the Water Surplus Account for the purpose of conducting a Drinking Water Feasibility Study, or take any other action relative thereto.

(WATER AND SEWER COMMISSIONERS)

**FINANCE COMMITTEE: Recommended, to transfer the sum of \$20,000.00 from the Water Surplus Account.**

## ARTICLE 8

To see if the Town will vote to transfer a sum of money from the Sewer Miscellaneous Receipts Account to the Sewer Stabilization Account, or take any other action relative thereto.

(WATER AND SEWER COMMISSIONERS)

**FINANCE COMMITTEE: Not recommended.**

## ARTICLE 9

To see if the Town will vote to transfer a sum of money from the Sewer Stabilization Account to the 2011 Fiscal Year Sewer Budget for the purpose of upgrading the existing SCADA System in the Town's sewer stations, or take any other action relative thereto.

(WATER AND SEWER COMMISSIONERS)

**FINANCE COMMITTEE: Not recommended.**

## ARTICLE 10

To see if the Town will vote to transfer a sum of money from the Sewer Stabilization Account to the 2011 Fiscal Year Sewer Budget for legal and engineering services needed to finalize and implement the Mansfield/Norton Foxboro Regional Sewer District and related inter-municipal agreement, including, but not limited to, continued negotiations and preparation of regional and local project costs for future extensions in Norton, or take any other action relative thereto.

(WATER AND SEWER COMMISSIONERS)

**FINANCE COMMITTEE: Not recommended.**

## ARTICLE 11

To see if the Town will vote to amend its by-laws under the chapter entitled "Dog Control" as follows:

- (1) By inserting, prior to the text in Section 9, the following new sentence:

The annual dog license period shall run from January 1<sup>st</sup> to December 31<sup>st</sup>, inclusive, of each calendar year.

and

- (2) By changing the date on which late fees will begin to accrue from June 1 to March 1, by deleting in Section 9 all references to "June 1", and inserting in place thereof "March 1", so that the by-law will provide as follows:

Should any owner or keeper of a dog fail to license that dog before March 1<sup>st</sup>, that owner or keeper shall pay a late fee of five dollars plus an additional fee of one dollar per month beginning March 1, before obtaining said license, excepting a dog brought into the Town as provided in Section 138 of Chapter 140, Massachusetts General laws, this late fee shall be applicable from the 61<sup>st</sup> day after arrival of such dog. Any person maintaining a kennel in the Town of Norton, who fails to license as proscribed by this section and the Laws of the Commonwealth, shall pay a late fee of ten dollars plus an additional fee of two dollars per month beginning March 1. All late fees shall be retained by the Town Treasurer in the Reserve Appropriation for Norton Dog System established under Article 16 of the Special Town Meeting of May 21, 1986.

or take any other action relative thereto.

(TOWN CLERK)

**FINANCE COMMITTEE: Recommended.**

## ARTICLE 12

To see if the Town will vote, pursuant to G.L. c.40, §59, and G.L. c.23A, §3F, to:

- (a) approve a Tax Increment Financing ("TIF") Plan and Agreement between the Town, Horizon Beverage Company, Inc., ("Company"), and E/R Properties Limited Partnership, in the form substantially as on file with the Town Clerk,

for property located at 45 Commerce Way, shown as: Assessors Map 25, Parcel 1; Assessors Map 25, Parcel 92; Assessors Map 24, Parcel 115; which TIF Plan and Agreement provide for real estate tax exemptions over a thirteen (13) year period at the exemption rate schedule set forth therein;

- (b) confirm the Board of Selectmen's selection of the location of the project in the Norton Commerce Center Economic Opportunity Area ("EOA"), as amended, and approve the Company's Certified Expansion Project application;
- (c) authorize the Board of Selectmen to execute the TIF Agreement, and approve submission to the Massachusetts Economic Assistance Coordinating Council of the TIF Agreement and Plan and Certified Expansion Project application, all relating to the project as described in the TIF Agreement, and any necessary documents relating thereto, and to take such other actions as are necessary or appropriate to obtain approval of the TIF Plan and Agreement, Certified Expansion Project application, and related submissions, including, as may be necessary or appropriate, the Economic Opportunity Area and TIF Zone, and, subsequent to the EACC's approval, to implement the TIF Agreement;

or take any other action relative thereto.

(BOARD OF SELECTMEN, TIF COMMITTEE, AND  
INDUSTRIAL DEVELOPMENT COMMISSION)

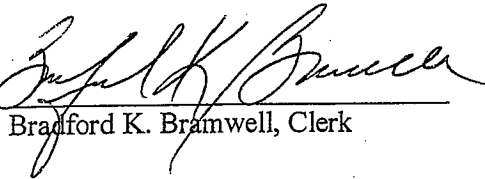
**FINANCE COMMITTEE: Recommended to approve a Tax Increment Financing Agreement with Horizon Beverage Company, Inc., and E/R Properties Limited Partnership for a period of thirteen years. The Finance Committee feels that economic benefits to the town and the surrounding business area outweigh the tax benefit on the added value that the TIF provides to the company.**

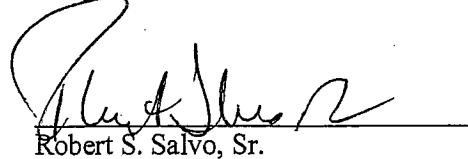
And you are hereby directed to serve this Warrant by posting attested copies of the body of same at Chartley Post Office, Norton Post Office, Trinitarian Church, Unitarian Church, Norton Library, and three other public places within the limits of said Town, fourteen days at least, before the time of holding said meeting. Hereof, and fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of holding said meeting. Given under our hands this 30th day of December in the year Two Thousand Ten.

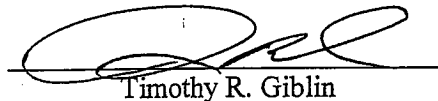
TOWN OF NORTON BOARD OF SELECTMEN, BY:

Robert W. Kimball, Jr., Chairman

Mary T. Steele, Vice Chair

  
Bradford K. Brainwell, Clerk

  
Robert S. Salvo, Sr.

  
Timothy R. Giblin

Norton, Massachusetts

I have served this Warrant by posting attested copies at Chartley Post Office, Norton Post Office, Trinitarian Church, Unitarian Church, Norton Library, and three other public places within the limits of said Town, fourteen days at least, before the time of holding said meeting.

ATTEST:

Ronald A. Benaski CONSTABLE Norton DATE 1/4/11