## TOWN OF NORTON ANNUAL TOWN MEETING MAY 13, 2013

The Annual Town Meeting was called to order by Moderator William A. Gouveia at 7:00 PM at the Norton Middle School Auditorium. He introduced 3 Norton Police Officers who went to Boston to help after the bombings at the Boston Marathon to lead the crowd in the Pledge of Allegiance.

The Moderator reviewed some pre-meeting rules:

- If you wish to address this meeting, you must do so only after being recognized by the Moderator. There is a microphone located up front and one located in the center of the room. When speaking, please identify yourself by name and address for the record. Please try and keep your remarks brief and to the point, and confine them only to the matter under consideration at the time.
- All speakers at this meeting will be treated with courtesy by the Moderator and every one else in the room. No speaker will be
  allowed to use the meeting for personal attacks on any individual. All remarks will be directed towards the Moderator, and
  although questions to be asked of individuals will be allowed, cross-examination type discussions from the floor will not be
  allowed.
- In recognizing people to speak, the Moderator will call upon those who have not yet spoken on a topic before recognizing those who have already spoken. The Moderator will recognize motions to move the question, but if in the Moderators opinion there are still people waiting to speak who may add to the discussion, the Moderator will exercise his authority to not accept a motion to move the question under those circumstances.
- If a standing vote is required, you will be instructed to stand at your seats until your vote is counted. If a ballot vote is required, you will be given instructions by the Moderator as to how to proceed.
- If you wish to make an amendment to any motion, you must do so in writing and present it to the Moderator.
- I remind you all that no motion to reconsider any article will be accepted by the Moderator until at least three articles following the article being reconsidered have been acted upon by this meeting. If the article is one of the last three on the warrant, I will accept any motions to reconsider them prior to adjourning.

The Town Clerk read the call and return of service as written in the warrant.

The Annual Town Meeting was recessed during Article 19 at 8:00 PM for the Special Town Meeting and Reconvened at 9:24 PM.

## **ARTICLE 2** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to authorize the Board of Selectmen to accept and enter into contracts for the expenditure of any funds allotted, or to be allotted, by the Commonwealth and/or County for the construction, reconstruction and improvement of Town roads, and appropriate such sum or sums so allotted by the Commonwealth for the purpose of road and other municipal improvements within the Town of Norton which are eligible for reimbursement, subject to conditions detailed by the Massachusetts Department of Transportation, pursuant to Massachusetts General Laws Chapter 90.

#### DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

## **ARTICLE 3** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to transfer the amount of \$14,035.00 from Free Cash to pay all outstanding separation expenses associated with the retirement of various employees from the Town of Norton and to authorize the Town Accountant, in consultation with the Town Manager, to allocate amounts to appropriate departments.

#### DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

## **ARTICLE 4** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to approve Article 4 as written in the May 13, 2013, Annual Town Meeting Warrant, thereby approving, confirming, and authorizing, pursuant to G.L. c.40, §59, and G.L. c.23A, §3F, all of the actions set forth therein.

## **ARTICLE 4** as printed in the Warrant:

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 and South Shore Millwork, Inc. ("Company"), Brian Mathew, LLC, and Maple Street Rear LLC, (the "Property Owners") in the form substantially as on file with the Town Clerk, for improvements to portions of the property located at 7-11 Maple Street shown as Assessors Map 26, Parcel 251, and Map 26, Parcel 185, 0 Rear Maple Street; which TIF Plan and Agreement provide for real estate tax exemptions over an eleven (11) 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 Maple Street 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.

#### DECLARED VOTED BY MAJORITY BY THE MODERATOR

**ARTICLE 5 LOST FOR LACK OF MOTION** (MFN Regional Wastewater District)

**ARTICLE 6 LOST FOR LACK OF MOTION** (funds for water system and treatment plant)

## **ARTICLE 7** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to authorize the Board of Selectmen to acquire by gift and to accept the deed of a fee simple interest or less in the following described parcels of land currently owned by Dorrance Bristol Norfolk Realty, LLC, a Massachusetts limited liability company, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate:

Map	Parcel	Location	Book	Page	Acreage
30	23	Rear Maple Street	19910	69	6.700
31	142	John B. Scott Boulevard	19910	69	0.141
34	4	Rear West Hodges Street	19910	69	1.600
34	5	Rear West Hodges Street	19910	69	1.700
35	64	Rear Dean Street	19910	69	1.000
35	66	Rear Dean Street	19910	69	0.500
35	114	Rear Dean Street	19910	69	0.600
35	129	Rear Dean Street	19910	69	2.100
35	140	Rear Dean Street	19910	69	0.500
37	57	Rear Dean Street	19910	69	4.250

and further vote to authorize the Board of Selectmen and Town officers to enter into all agreements and execute any and all instruments and to take all related actions necessary or appropriate to effect the interest of the foregoing.

#### DECLARED VOTED BY MAJORITY BY THE MODERATOR

## **ARTICLE 8** (Requires 2/3 Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to approve Article 8 as printed in the May 13, 2013, Annual Town Meeting Warrant.

#### **ARTICLE 8 as printed in the Warrant:**

To see if the Town will vote to transfer the parcel of land shown on Assessors Map 3 as Lot 707 from the Board of Selectmen for the purpose of sale at a public auction to the Board of Selectmen for general municipal purposes and for the purpose of conveyance, and to authorize the Board of Selectmen to convey the fee to and/or access, utility and related easements on all or portions of said land, including, without limitation, a non-exclusive driveway and access easement to A. Brandt and Marie Henderson, owners of property at 25 South Lakeview Road, on approximately 1,617 square feet of said land as shown more particularly on a Plot Plan of 25 South Lakeview Road dated December 19, 2011, prepared by Hutchins-Trowbridge Associates, Inc., as on file with the Town Clerk, for the purpose of providing access to the handicap accessible additions to be constructed on 25 South Lakeview Road, such fee and/or easements to be conveyed on such terms and conditions, and for such consideration, which may be nominal, as the Board of Selectmen deems appropriate, or take any other action relative thereto.

#### DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

## **ARTICLE 9** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to approve Article 9 as written in the May 13, 2013, Annual Town Meeting Warrant thereby reauthorizing the revolving funds for certain Town departments, pursuant to Chapter 44, Section 53E-½, of the General Laws.

## **ARTICLE 9 as printed in the Warrant:**

Authorized to Spend:	Board of Selectmen			
1	Fees and other funds associated with use of the property commonly			
	known as the Wendell Jackson property and located at 237 Mansfield			
	Avenue, Norton, Massachusetts, including but not limited to revenue			
	resulting from leasing or licensing of the property, or public parking on the			
	property for access to the Norton Reservoir			
	Expenses directly related to use, rental, development, and maintenance of			
	the property, including creating and providing access to the Norton Reservoi			
	\$30,000.00			
1 0	Balance available for expenditure in the following fiscal year			
FORESTRY REVOLVING				
1	Norton Conservation Commission and Norton Tree Warden			
	Fees and other funds in connection with the sale and harvest of timber and			
	other forestry products from conservation and Town-owned land			
	Creation and implementation of Forest Stewardship Plans and other			
	forestry projects within the Town of Norton			
1 0	\$30,000.00			
	Balance available for expenditure in the following fiscal year			
HOME COMPOSTING B	IN DISTRIBUTION PROGRAM REVOLVING FUND			
Authorized to Spend:	Board of Health			
Revenue Source:	To receive revenue from home composting bin sales or donations			
	to the Home Composting Bin Distribution Program			
	For the purchase of additional Compost Bins, advertising, administrative			
	expenses, or other such expenses as are directly related to furthering the			
	Town's Home Composting Bin Distribution Program, and should funds			
	remain in this account after demand for compost bins has been satisfied,			
	such funds may be used for public education on home composting, or			
	another solid waste program approved by MassDEP			
	\$2,000.00			
	Balance available for expenditure in the following fiscal year			
RECYCLING REVOLVING				
Authorized to Spend:	Highway Superintendent			
Revenue Source:	To receive fees for processing recycled materials, including but not limited			
	to white goods, newspapers, tires, etc.			
Use of Fund:	To support recycling activities such as the operation of the Recycling			
	Center; public education efforts; seminars, workshops, information for the			
	comer, passic caacation citoria, seminaris, workshops, information for the			
	Highway Department; studies, and reports on recycling issues \$10,000.00			

CERTIFIED HAZARDOUS MATERIALS TECHNICIAN(S) REVOLVING FUND					
Authorized to Spend:	Norton Fire Department				
Revenue Source:	To receive funds from the Southeastern Massachusetts Fire Chief's				
	Hazardous Materials Committee and other available sources for				
	hazardous materials incidents attended by the Department's Hazardous				
	Materials Technician(s)				
Use of Fund:	To fund salaries and expenses related to the Norton Fire Department's				
	Certified Hazardous Materials Technician(s)				
Spending Limit:	\$10,000.00				
Fund Balance Disposition:	Balance available for expenditure in the following fiscal year				

#### DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

## **ARTICLE 10** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the total sum of \$3,204,447.00 be appropriated for the operation of the Water Enterprise for Fiscal Year 2014 from Water Enterprise Receipts (including but not limited to user charges, lease revenue, interest, and miscellaneous revenues), with \$2,928,148.00 of said sum being appropriated hereunder for direct costs of the enterprise, and \$276,299.00 of said sum to be appropriated in the General Fund under Article 14 for indirect costs and allocated to the Water Enterprise Fund for funding, as follows:

Personal Services	\$ 684,122.00
Other Charges and Expenditures	\$1,052,500.00
Debt Service	\$1,191,526.00
Indirect Costs – Charged to Enterprise Fund	
from General Fund and raised under Article 14	\$ 276,299.00
Total for Fiscal Year 2014 – Water	\$3,204,447.00

#### DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

## **ARTICLE 11** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the total sum of \$968,958.00 be appropriated for the operation of the Sewer Enterprise for Fiscal Year 2014, from Sewer Enterprise Receipts (including but not limited to fees, charges, interest, and miscellaneous revenues), with \$904,287.00 of said sum being appropriated hereunder for direct costs of the enterprise, and \$64,671.00 of said sum to be appropriated in the General Fund under Article 14 for indirect costs and allocated to the Sewer Enterprise Fund for funding, as follows:

Personal Services	\$ 153,287.00
Other Charges and Expenditures	\$ 751,000.00
Indirect Costs – Charged to Enterprise Fund	
from General Fund and raised under Article 14	\$ 64,671.00
Total for Fiscal Year 2014 – Sewer	\$ 968,958.00

#### DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

## **ARTICLE 12** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to transfer the sum of \$300,000.00 from Free Cash for the Capital Improvements Fund established by the By-Law entitled "Capital Improvements Fund," from which appropriations may be made by a two-thirds vote at any Town Meeting.

### DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

## **ARTICLE 13** (Requires 2/3 Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town appropriate the total sum of \$1,067,218.74, for the purchase, or lease with an option to purchase, for periods of time up to or in excess of three years, the following new and/or replacement capital items for various Town Departments and for the payment of all costs incidental and related thereto as follows; and, and to meet said appropriation, to transfer \$529,218.74 from the Capital Improvements Account, \$418,000.00 from the Water Enterprise Retained Earnings, and further, that the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$120,000.00 pursuant to G.L. c.44, §7 or 8 or any other enabling authority, and to issue bonds or notes therefor:

ARTICLE 13 as moved & detail grid as printed in the Warrant (with removal of the Sewer projects):

DATA PROCESSING (155)	Server System Update to Virtual System	\$ 96,843.00
MUNICIPAL BUILDING (192)	Police Station HVAC (Heat Exchangers Only)	\$ 17,000.00
POLICE (210)	Police Line Cruiser Replacement (One)	\$ 33,000.00
POLICE (210)	Police Utility Supervisor Cruiser (One)	\$ 37,000.00
FIRE (220)	Squad #1 Brush/Mini Pumper and Engine 4 Replacement (1st payment)	\$ 45,000.00
FIRE (220)	Engine 2 Hydraulic Generator	\$ 13,500.00
SCHOOLS (300)	AC Center Core & Main Offices	\$ 100,000.00
SCHOOLS (300)	Replace Ventilation Exhaust Fans	\$ 20,000.00
SCHOOLS (300)	High School Building Contingency Fund- Unforeseen Conditions	\$ 93,197.74
SCHOOLS (300)	District Grounds Vehicle	\$ 35,000.00
HIGHWAY (420)	Chevy 3500 Dump Truck with Plow (13,200 GVW)	\$ 44,000.00
HIGHWAY (420)	6 Wheeler w/ plow & sander (60,000 GVW) (2nd payment)	\$ 36,641.00
HIGHWAY (420)	Sweeper (1st payment)	\$ 50,000.00
HIGHWAY (420)	2.5 Front End Loader (4th payment)	\$ 28,037.00
SUBTOTAL:		\$ 649,218.74
WATER (450)	WTP for Well 4, 5, 6 Design	\$ 400,000.00
WATER (450)	Air Compressor w/Generator	\$ 18,000.00
SUBTOTALWATER PROJECTS:		\$ 418,000.00

#### DECLARED VOTED BY 2/3 BY THE MODERATOR

## **ARTICLE 14** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town raise and appropriate the sum of \$44,920,769.00, raise from Water receipts the sum of \$276,299.00, and raise from Sewer receipts the sum of \$64,671.00 to fund the Town's FY14 Operating Budget and to fix the salary compensation of the elected official of the Town, all as presented in the Finance Committee's recommendation as written in the May 13, 2013 Warrant under Article 14, and further, to transfer the sum of \$1,376,700.00 from the following funds for a total appropriation for the Fiscal Year 2014 operating budget of \$46,638,439.00:

Hicks Fund	\$ 100,000.00
Ambulance Receipts	\$ 500,000.00
Septic Betterments	\$ 60,000.00
Dog Fund	\$ 16,700.00
Free Cash	\$ 700,000.00

## **FY 2014 Operating Budget**

Board of Selectmen (122)   Personal Service   510	TT ZOIT OPCIALING BAUGET		
Charges & Expenditures       570 \$ 1,835.00         Totals       \$ 51,389.00         Town Manager (123)       Personal Service       510 \$ 191,538.00         Charges & Expenditures       570 \$ 9,300.00         Totals       \$ 200,838.00         Finance Committee (131)       570 \$ 3,500.00         Charges & Expenditures       570 \$ 3,500.00         Reserve Fund (132)       \$ 150,000.00         Totals       \$ 150,000.00         Town Accountant (135)       \$ 168,147.00         Personal Service       510 \$ 168,147.00         Purchase Of Services       520 \$ 23,500.00         Charges & Expenditures       570 \$ 2,650.00	Board of Selectmen (122)		
Totals \$ 51,389.00  Town Manager (123) Personal Service 510 \$ 191,538.00 Charges & Expenditures 570 \$ 9,300.00  Totals \$ 200,838.00  Finance Committee (131) Charges & Expenditures 570 \$ 3,500.00  Totals \$ 3,500.00  Reserve Fund (132) Appropriation \$ 150,000.00  Transfers 502  Totals \$ 150,000.00  Town Accountant (135) Personal Service 510 \$ 168,147.00 Purchase Of Services 520 \$ 23,500.00 Charges & Expenditures 570 \$ 2,650.00	Personal Service	510	\$ 49,554.00
Town Manager (123)         Personal Service         510 \$ 191,538.00           Charges & Expenditures         570 \$ 9,300.00           Totals         \$ 200,838.00           Finance Committee (131)         570 \$ 3,500.00           Charges & Expenditures         570 \$ 3,500.00           Totals         \$ 3,500.00           Reserve Fund (132)         \$ 150,000.00           Appropriation         \$ 150,000.00           Transfers         502           Totals         \$ 150,000.00           Town Accountant (135)         \$ 168,147.00           Personal Service         510 \$ 168,147.00           Purchase Of Services         520 \$ 23,500.00           Charges & Expenditures         570 \$ 2,650.00	Charges & Expenditures	570	\$ 1,835.00
Town Manager (123)         Personal Service         510 \$ 191,538.00           Charges & Expenditures         570 \$ 9,300.00           Totals         \$ 200,838.00           Finance Committee (131)         570 \$ 3,500.00           Charges & Expenditures         570 \$ 3,500.00           Totals         \$ 3,500.00           Reserve Fund (132)         \$ 150,000.00           Appropriation         \$ 150,000.00           Transfers         502           Totals         \$ 150,000.00           Town Accountant (135)         \$ 168,147.00           Purchase Of Services         520 \$ 23,500.00           Charges & Expenditures         570 \$ 2,650.00			
Personal Service       510 \$ 191,538.00         Charges & Expenditures       570 \$ 9,300.00         Totals       \$ 200,838.00         Finance Committee (131)       \$ 3,500.00         Charges & Expenditures       570 \$ 3,500.00         Totals       \$ 3,500.00         Reserve Fund (132)       \$ 150,000.00         Appropriation       \$ 150,000.00         Transfers       502         Totals       \$ 150,000.00         Town Accountant (135)       \$ 168,147.00         Personal Service       510 \$ 168,147.00         Purchase Of Services       520 \$ 23,500.00         Charges & Expenditures       570 \$ 2,650.00	Totals		\$ 51,389.00
Charges & Expenditures       570 \$ 9,300.00         Totals       \$ 200,838.00         Finance Committee (131)       \$ 3,500.00         Charges & Expenditures       570 \$ 3,500.00         Totals       \$ 3,500.00         Reserve Fund (132)       \$ 150,000.00         Appropriation       \$ 150,000.00         Transfers       502         Totals       \$ 150,000.00         Town Accountant (135)       \$ 168,147.00         Purchase Of Services       520 \$ 23,500.00         Charges & Expenditures       570 \$ 2,650.00	Town Manager (123)		
Totals \$ 200,838.00  Finance Committee (131) Charges & Expenditures 570 \$ 3,500.00  Totals \$ 3,500.00  Reserve Fund (132) Appropriation \$ 150,000.00  Transfers 502  Totals \$ 150,000.00  Town Accountant (135) Personal Service 510 \$ 168,147.00 Purchase Of Services 520 \$ 23,500.00 Charges & Expenditures 570 \$ 2,650.00	Personal Service	510	191,538.00
Finance Committee (131)       Charges & Expenditures       570 \$ 3,500.00         Totals       \$ 3,500.00         Reserve Fund (132)       \$ 150,000.00         Appropriation       \$ 150,000.00         Transfers       502         Totals       \$ 150,000.00         Town Accountant (135)       \$ 168,147.00         Personal Service       510 \$ 168,147.00         Purchase Of Services       520 \$ 23,500.00         Charges & Expenditures       570 \$ 2,650.00	Charges & Expenditures	570	\$ 9,300.00
Finance Committee (131)       Charges & Expenditures       570 \$ 3,500.00         Totals       \$ 3,500.00         Reserve Fund (132)       \$ 150,000.00         Appropriation       \$ 150,000.00         Transfers       502         Totals       \$ 150,000.00         Town Accountant (135)       \$ 168,147.00         Personal Service       510 \$ 168,147.00         Purchase Of Services       520 \$ 23,500.00         Charges & Expenditures       570 \$ 2,650.00			
Charges & Expenditures       570 \$ 3,500.00         Totals       \$ 3,500.00         Reserve Fund (132)       \$ 150,000.00         Appropriation       \$ 150,000.00         Transfers       502         Totals       \$ 150,000.00         Town Accountant (135)       \$ 168,147.00         Personal Service       510 \$ 168,147.00         Purchase Of Services       520 \$ 23,500.00         Charges & Expenditures       570 \$ 2,650.00	Totals		\$ 200,838.00
Totals         \$ 3,500.00           Reserve Fund (132)         \$ 150,000.00           Appropriation         \$ 150,000.00           Transfers         502           Totals         \$ 150,000.00           Town Accountant (135)         \$ 168,147.00           Personal Service         510 \$ 168,147.00           Purchase Of Services         520 \$ 23,500.00           Charges & Expenditures         570 \$ 2,650.00	Finance Committee (131)		
Reserve Fund (132)       \$ 150,000.00         Appropriation       \$ 150,000.00         Transfers       502         Totals       \$ 150,000.00         Town Accountant (135)       \$ 168,147.00         Personal Service       510 \$ 168,147.00         Purchase Of Services       520 \$ 23,500.00         Charges & Expenditures       570 \$ 2,650.00	Charges & Expenditures	570	\$ 3,500.00
Reserve Fund (132)       \$ 150,000.00         Appropriation       \$ 150,000.00         Transfers       502         Totals       \$ 150,000.00         Town Accountant (135)       \$ 168,147.00         Personal Service       510 \$ 168,147.00         Purchase Of Services       520 \$ 23,500.00         Charges & Expenditures       570 \$ 2,650.00			
Appropriation       \$ 150,000.00         Transfers       502         Totals       \$ 150,000.00         Town Accountant (135)       \$ 168,147.00         Personal Service       510 \$ 168,147.00         Purchase Of Services       520 \$ 23,500.00         Charges & Expenditures       570 \$ 2,650.00	Totals		\$ 3,500.00
Transfers         502           Totals         \$ 150,000.00           Town Accountant (135)         \$ 168,147.00           Personal Service         510 \$ 168,147.00           Purchase Of Services         520 \$ 23,500.00           Charges & Expenditures         570 \$ 2,650.00	Reserve Fund (132)		
Totals \$ 150,000.00  Town Accountant (135)  Personal Service 510 \$ 168,147.00  Purchase Of Services 520 \$ 23,500.00  Charges & Expenditures 570 \$ 2,650.00	Appropriation		\$ 150,000.00
Town Accountant (135)         Personal Service       510 \$ 168,147.00         Purchase Of Services       520 \$ 23,500.00         Charges & Expenditures       570 \$ 2,650.00	Transfers	502	
Town Accountant (135)         Personal Service       510 \$ 168,147.00         Purchase Of Services       520 \$ 23,500.00         Charges & Expenditures       570 \$ 2,650.00			
Personal Service         510 \$ 168,147.00           Purchase Of Services         520 \$ 23,500.00           Charges & Expenditures         570 \$ 2,650.00	Totals		\$ 150,000.00
Purchase Of Services         520 \$ 23,500.00           Charges & Expenditures         570 \$ 2,650.00	Town Accountant (135)		
Charges & Expenditures 570 \$ 2,650.00	Personal Service	510	168,147.00
	Purchase Of Services	520	23,500.00
Totals \$ 194,297.00	Charges & Expenditures	570	\$ 2,650.00
Totals \$ 194,297.00			
	Totals		\$ 194,297.00

Assessors (141)			
Personal Service	510	\$	122,618.00
Charges & Expenditures	570	\$	27,585.00
Talah		<b>,</b>	450 202 00
Totals		\$	150,203.00
Treasurer/Collector (147)	F40	<b>.</b>	404 626 00
Personal Service	510	\$	194,636.00
Charges & Expenditures	570	\$	48,290.00
Totals		\$	242,926.00
Legal Services (151)			
Charges & Expenditures	520	\$	100,000.00
Totals		\$	100,000.00
Data Processing (155)			
Personal Service	510	\$-	
Charges & Expenditures	570	\$	126,810.00
Totals		\$	126,810.00
Web Committee (156)		т	
Charges & Expenditures	570	\$-	
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Totals		\$-	
Tax Title Foreclosure (158)			
Charges & Expenditures	570	\$	40,000.00
Totals	570	\$	40,000.00
Town Clerk (161)	370	٧	40,000.00
Personal Service	510	\$	38,741.00
Salary - Elected Official	511	\$	60,263.00
Charges & Expenditures	570	\$ \$	3,905.00
Charges & Expenditures	370	ې	3,903.00
Totals		\$	102,909.00
Elections (162)			
Personal Service	510	\$	550.00
Charges & Expenditures	570	\$	17,520.00
Totals		\$	18,070.00
Conservation Comm (171)			
Personal Services	510	\$	81,101.00
Charges & Expenditures	570	\$	10,850.00
Totals		\$	Q1 Q51 OO
TULAIS		ې	91,951.00

Planning Board (175)			
Personal Services	510	\$	49,088.00
Charges & Expenditures	570	\$	3,150.00
			·
Totals		\$	52,238.00
SE REG Plan & Econ Dev (176)			
Assessment	560	\$	3,075.00
Totals		\$	3,075.00
Zoning Bd Of Appeals (177)			
Charges & Expenditures	570	\$	300.00
Totals		\$	300.00
Industrial Development Commission	n (182)		
Charges & Expenditures	570	\$-	
Totals		\$	-
Municipal Bldg Maint (192)			
Charges & Expenditures	570	\$	219,400.00
Totals		\$	219,400.00
Town Report (195)			
Printing	520	\$	3,200.00
Totals		\$	3,200.00
Postage -All Depts (199)		ې	3,200.00
' ' '	F70	۲	25 796 00
Charges & Expenditures	570	\$	35,786.00
Totals		\$	35,786.00
Police Department (210)		Ψ	33,700.00
Personal Service	510	\$	2,376,952.00
Charges & Expenditures	570	\$	179,794.00
Situações de Experiantar es	0.70	τ	275,7566
Totals		\$	2,556,746.00
Fire Department (220)		•	, ,
Personal Service	510	\$	2,726,953.00
Charges & Expenditures	570	\$	153,950.00
		•	·
Total		\$	2,880,903.00
Emergency Medl Serv (230)			
Charges & Expenditures	570	\$	82,000.00
Totals		\$	82,000.00

Francisco (240)			
Emergency Planning (240)	<b>570</b>		6.250.00
Charges & Expenditures	570	\$	6,250.00
Tatala		<u> </u>	C 250 00
Totals		\$	6,250.00
Inspection Dept (241)	-10		
Personal Service	510	\$	147,710.00
Charges & Expenditures	570	\$	14,795.00
			462 505 00
Totals		\$	162,505.00
Sealer Weights (244)			
Charges & Expenditures	570	\$	2,000.00
Totals		Ļ	2 000 00
		\$	2,000.00
Communication Center (290)	F40	_	520 500 00
Personal Service	510	\$	528,599.00
Charges & Expenditures	570	\$	109,463.00
Tatala		۸.	630,063,00
Totals		\$	638,062.00
Animal Control (292)	F10	<b>,</b>	47 700 00
Personal Service	510	\$	47,790.00
Charges & Expenditures	570	\$	8,865.00
Totals		\$	56,655.00
Tree Warden (294)			
Personal Service	510	\$	2,000.00
Totals		\$	2,000.00
School Department (300)			
Personal Services	510	\$	18,142,541.00
Charges & Expenditures	570	\$	5,519,326.00
Totals		\$	23,661,867.00
Southeastern Reg Voc (306)			
Assessments	560	\$	1,158,580.00
Totals		\$	1,158,580.00
Reg Agricultural Sch (308)			
Assessments	560	\$	26,000.00
Totals		\$	26,000.00
Highway (420)			
Personal Service	510	\$	594,399.00
Charges & Expenditures	570	\$	97,800.00

			1
Surface Treatment	580	\$	12,000.00
Repairs to Private Ways	581	\$	1,000.00
Totals		\$	705,199.00
Snow Removal (423)			
Charges & Expenditures	570	\$	80,000.00
			·
Totals		\$	80,000.00
Street Lighting (425)			•
Charges & Expenditures	570	\$	110,000.00
onar Bos et Entrementes	0.0	*	
Totals		\$	110,000.00
Sanitary Landfill (438)		т	
Charges & Expenditures	570	\$	6,700.00
Reserve Fund Supplement	370	Y	0,700.00
Reserve i una supplement			
Totals		\$	6,700.00
Sewer Division (440)		<u> </u>	0,700.00
Personal Service	510	\$-	
Charges & Expenditures	570	\$-	
Reserve Fund Supplement	370	Ą	
Reserve Fund Supplement			
Totals		\$-	
Board of Health (510)			
, ,		\$	127 106 00
Personal Service	510	Ÿ	127,186.00
	510 570	\$	127,186.00 6,775.00
Personal Service Charges & Expenditures			6,775.00
			•
Charges & Expenditures  Totals		\$	6,775.00
Charges & Expenditures		\$	6,775.00
Charges & Expenditures  Totals  Public Health Nurse (522)  Personal Service	570	\$ \$ \$	6,775.00 133,961.00 29,998.00
Charges & Expenditures  Totals  Public Health Nurse (522)	570	\$	6,775.00
Charges & Expenditures  Totals  Public Health Nurse (522)  Personal Service	570	\$ \$ \$ \$	6,775.00 133,961.00 29,998.00
Charges & Expenditures  Totals  Public Health Nurse (522)  Personal Service  Charges & Expenditures  Totals	570	\$ \$ \$	6,775.00 133,961.00 29,998.00 8,650.00
Charges & Expenditures  Totals  Public Health Nurse (522)  Personal Service  Charges & Expenditures  Totals  Council on Aging (541)	570 510 570	\$ \$ \$ \$	6,775.00 133,961.00 29,998.00 8,650.00 38,648.00
Charges & Expenditures  Totals  Public Health Nurse (522) Personal Service Charges & Expenditures  Totals  Council on Aging (541) Personal Service	510 570	\$ \$ \$ \$ \$	6,775.00 133,961.00 29,998.00 8,650.00 38,648.00 1,800.00
Charges & Expenditures  Totals  Public Health Nurse (522)  Personal Service  Charges & Expenditures  Totals  Council on Aging (541)  Personal Service  Charges & Expenditures	570 510 570	\$ \$ \$ \$	6,775.00 133,961.00 29,998.00 8,650.00 38,648.00
Charges & Expenditures  Totals  Public Health Nurse (522) Personal Service Charges & Expenditures  Totals  Council on Aging (541) Personal Service	510 570	\$ \$ \$ \$ \$	6,775.00 133,961.00 29,998.00 8,650.00 38,648.00 1,800.00
Charges & Expenditures  Totals  Public Health Nurse (522)  Personal Service  Charges & Expenditures  Totals  Council on Aging (541)  Personal Service  Charges & Expenditures	510 570	\$ \$ \$ \$ \$	6,775.00 133,961.00 29,998.00 8,650.00 38,648.00 1,800.00
Charges & Expenditures  Totals  Public Health Nurse (522) Personal Service Charges & Expenditures  Totals  Council on Aging (541) Personal Service Charges & Expenditures Reserve Fund Supplement  Totals	510 570	\$ \$ \$ \$ \$	6,775.00 133,961.00 29,998.00 8,650.00 38,648.00 1,800.00 7,660.00
Charges & Expenditures  Totals  Public Health Nurse (522)  Personal Service  Charges & Expenditures  Totals  Council on Aging (541)  Personal Service  Charges & Expenditures  Reserve Fund Supplement	510 570	\$ \$ \$ \$ \$ \$	6,775.00 133,961.00 29,998.00 8,650.00 38,648.00 1,800.00 7,660.00
Charges & Expenditures  Totals  Public Health Nurse (522) Personal Service Charges & Expenditures  Totals  Council on Aging (541) Personal Service Charges & Expenditures Reserve Fund Supplement  Totals  Veterans Agent (543) Personal Service	510 570 510 570	\$ \$ \$ \$ \$ \$	6,775.00 133,961.00 29,998.00 8,650.00 38,648.00 1,800.00 7,660.00 9,460.00
Charges & Expenditures  Totals  Public Health Nurse (522) Personal Service Charges & Expenditures  Totals  Council on Aging (541) Personal Service Charges & Expenditures Reserve Fund Supplement  Totals  Veterans Agent (543)	510 570 510 570	\$ \$ \$ \$ \$ \$	6,775.00 133,961.00 29,998.00 8,650.00 38,648.00 1,800.00 7,660.00

Posanio Fund Supplement			
Reserve Fund Supplement			
Totals		\$	272,000.00
Library (610)			
Other Charges & Expenditures	570	\$	345,000.00
Totals		\$	345,000.00
Recreation (630)			
Personal Service	510	\$-	
Charges & Expenditures	570	\$	10,000.00
Totals		\$	10,000.00
Historical Comm (691)			
Charges & Expenditures	570	\$	150.00
Tatala		<u> </u>	150.00
Totals		\$	150.00
Memorial & Vets Day (692)	F70	<b>د</b>	1 500 00
Other Charges & Expenditures	570	\$	1,500.00
Totals		\$	1,500.00
Historical Dist Comm (693)		٧	1,500.00
Charges & Expenditures	570	\$	100.00
Charges & Experialtures	370	Ų	100.00
Totals		\$	100.00
Maturing Debt (711)			
Maturing Principal on LT Debt	590	\$	1,393,233.00
Repayment of Temporary Loans	594	\$	62,500.00
Totals		\$	1,455,733.00
Interest (750)			
Interest on Long-Term Debt	590	\$	325,525.00
Interest on Notes	594	\$	111,032.00
Reserve Fund Supplement			
			406 00
Totals		\$	436,557.00
Employee Benefits (910)	E40	<b>.</b>	2 002 402 00
Personal Service	510	\$	2,003,483.00
Other Personal Service	511	\$	6,900,000.00
Charges & Expenditures	570	\$	350,000.00
Totals		\$	9,253,483.00
Unemployment Comp (911)		•	, -,
Charges & Expenditures	570	\$	80,000.00
		-	,

Totals		\$ 80,000.00
Miscellaneous (940)		
Fuel Expenses	540	\$ 172,000.00
Charges & Expenditures	570	\$ 507,488.00
Totals		\$ 679,488.00
GRAND TOTALS		\$ 46,638,439.00

#### DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

A MOTION was made (After Article 18 was tabled) by Tom DeLuca to reconsider Article 14. The Motion was 2<sup>nd</sup>.

MOTION TO RECONSIDER DECLARED FAILED BY MAJORITY

## **ARTICLE 15** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to amend the Town of Norton By-Laws for the purpose of adopting a new by-law entitled "Demolition Delay" as written in the May 13, 2013, Annual Town Meeting Warrant.

#### **ARTICLE 15** as printed in the Warrant:

#### **DEMOLITION DELAY**

Section 1. Intent and Purpose

The Demolition Delay by-law is enacted for the purpose of preserving and protecting significant buildings and structures within the Town of Norton. Such buildings reflect distinctive features of the architectural, cultural, economic, political or social history of the Town, and their preservation promotes the public welfare by helping the Town of Norton in maintaining its heritage.

The intent of the by-law is not to permanently prevent demolition, but rather, to provide an opportunity to develop preservation solutions for properties threatened with demolition. The by-law is intended to encourage owners and townspeople to seek out persons who might be willing to purchase, preserve, rehabilitate or restore such buildings rather than demolish them, and to limit the detrimental effect of demolition on the historical architectural resources of the Town. To achieve these purposes, the Norton Historical Commission is empowered to advise the Building Inspector with respect to the issuance of permits for demolition of significant buildings and to delay the demolition of such buildings and structures for six (6) months, and, where appropriate and consistent with the intent and purpose of this by-law, to allow demolition under conditions designed to minimize the loss of distinctive exterior features of significant buildings or structures.

Section 2. Definitions

For the purposes of this By-law, the following words and phrases have the following meanings:

Applicant: any person or entity who files an application for a demolition permit. If the applicant is not the owner of the premises upon which the building is situated, the owner must indicate on or with the application his/her assent to the filing of the application.

Application: a form provided by the Building Inspector pursuant to a demolition permit.

Application for Determination: a form provided by the Norton Historical Commission pursuant to a Determination of Applicability, Section 4 of the Demolition Delay By-law.

*Building:* an independent structure resting on its foundation and designed for the shelter or housing of persons, animals, chattels or property of any kind.

Building Inspector: the official or person authorized to by state law or the Zoning By-Law to issue demolition permits in the Town.

Commission: the Norton Historical Commission.

*Commission Staff:* the chairperson of the Commission, or any person to whom the Commission has delegated authority to act as Commission staff under this by-law.

*Demolition:* any act of pulling down, destroying, razing, removing, or relocating 25% or more of a building or structure as indicated on the Demolition Permit application.

Demolition Permit: the permit issued by the Building Inspector as required by the State Building Code for the full or partial demolition or removal of a building or structure from its lot, or the moving of the building or structure on its lot.

Historically or Architecturally Significant Building or Structure: any building or structure which is: (a) associated with one or more historic/prominent persons or events; (b) is associated with the architectural, cultural, economic, political or social history of the town of Norton, the Commonwealth of Massachusetts and/or the United States of America; (c) embodies the distinctive characteristics of a type, period, style or method of building, either by itself or in context of a group of buildings or structures; (d) any building or structure which is in whole or in part: (aa) listed on, or is within an area listed on, the National Register of Historic Places or the State Register of Historic Places, or the subject of a pending application for listing on either of said Registers; or (bb) located within 200 feet of a boundary line of any federal, state or local historic district; or (cc) included in the Inventory of the Historic Assets of the Commonwealth, or designated by the Commission for inclusion in said inventory including those buildings listed for which complete surveys may be pending; or (dd) determined by vote of the Commission to be historically or architecturally significant in terms of period, style, or method of building construction based on the following criteria:

 Buildings or structures listed on the National or State Register of Historic Places and the Inventory of Historic Assets of the Commonwealth for the Town of Norton. • Buildings or structures that appear on official maps of the Town of Norton, Massachusetts; 1835 to 1875.

*Historic District:* a historic district established by the town of Norton pursuant to Chapter 40C of the Massachusetts General Laws or special law.

*Inventory:* a list of buildings or structures on file with the Massachusetts Historical Commission that have been designated by the Commission to be Historically Significant.

*Preferably-preserved significant building or structure:* any Historically or Architecturally Significant Building or Structure which the Commission determines is in the public interest to be preserved or rehabilitated rather than to be demolished.

*Premises:* the entire parcel of land upon which the Historically or Architecturally Significant Building or Structure is or was located.

Removal: to transfer a building or structure from its existing location.

Structure: any combination of materials assembled, constructed, erected or maintained at a fixed location and placed permanently or temporarily in or on the ground.

#### Section 3. Demolition Permit Procedure

The procedure in obtaining a demolition permit is comprised of four parts which include; Application, Historical Significance Determination, Plan Review and Decision.

#### A. Application

Upon receipt of an application for a demolition permit for any building or structure, or portion thereof, the Building Inspector shall forward a copy thereof to the Commission within seven (7) days. No demolition permit shall be issued at that time.

#### B. Historical Significance Determination

Within twenty-one (21) days after the receipt of such application, the Commission shall determine whether the building or structure is historically or architecturally significant.

- a. If the Commission determines that the building or structure is not historically or architecturally significant, it shall notify the Building Inspector and the applicant in writing, and the Building Inspector may issue a demolition permit. If the Commission fails to notify the Building Inspector and the applicant of its determination within thirty (30) days after its receipt of the application, then the building or structure shall be deemed not historically or architecturally significant and the Building Inspector may issue a demolition permit.
- b. If the Commission determines that the building or structure is historically or architecturally significant, it shall notify the Building Inspector and the applicant in writing that a demolition plan review must be made prior to the issuance of a demolition permit.

Within forty-five (45) days after the applicant is notified that the Commission has determined that a building or structure is historically or architecturally significant, the applicant for the permit shall submit to the Commission seven (7) copies of a demolition plan which shall include the following information:

- 1. A map showing the location of the building or structure to be demolished with reference to lot lines and to neighboring buildings and structures;
- 2. Photographs of all street façade elevations of buildings or structures;
- 3. A description of the building or structure to be demolished;
- 4. The reason for the proposed demolition and data supporting the said reasons; and
- 5. A brief description of the proposed reuse of the parcel on which the building or structure to be demolished is located.

#### C. Plan Review

The Commission shall hold a public hearing, within forty-five (45) days of receipt of the applicant's submitted demolition plan, with respect to the application for a demolition permit, and shall give public notice of the time, place, and purposes thereof by publication in a newspaper of general circulation in the Town two times, with the first notice to be published at least fourteen (14) days before said hearing and the second notice published no more than seven (7) days prior to the hearing, and by mailing, postage prepaid, a copy of said notice to the applicant, to the owners of all adjoining property and other property deemed by the Commission to be materially affected thereby as they appear on the most recent real estate tax list of the Board of Assessors, to the Planning Board, to any person filing written request for notice of hearings, such request to be renewed yearly in December, and to such other persons as the Commission shall deem entitled to notice.

#### D. Decision

Within forty-five (45) days after the close of the public hearing, the Commission shall file a written report with the Building Inspector on the demolition plan which shall include the following: (a) a description of age, architectural style, historic association and importance of the building or structure to be demolished (b) a determination as to whether or not the building or structure should preferably be preserved. The Commission shall determine that a building or structure should preferably be preserved only if it finds that the building or structure is an Historically or Architecturally Significant Building or Structure which, because of the important contribution made by such building or structure to the Town's historical and/or architectural resources, it is in the public interest to preserve, rehabilitate, relocate or restore.

- a. If, following the demolition plan review, the Commission does not determine that the building or structure should preferably be preserved, or if the Commission fails to file a report with the Building Inspector within forty-five (45) days, then the Building Inspector may issue a demolition permit.
- b. If, following the demolition plan review, the Commission determines that the building or structure should preferably be preserved, then the Building Inspector shall not issue a demolition permit for a period of six (6) months from the date of the filing of the initial request for a demolition permit unless the Commission informs the Building Inspector prior to the expiration of such six (6) month period that it is satisfied that the applicant for the demolition permit has made a bona fide, reasonable and unsuccessful effort to locate a

purchaser for the building or structure who is willing to preserve, rehabilitate, relocate or restore the building or structure, or has agreed to accept a demolition permit on specific conditions approved by the Commission. During the six (6) month review period, the Commission shall invite the Applicant to participate in an investigation of alternatives to demolition.

#### Section 4. Determination of Applicability

An owner of a Historically or Architecturally Significant Building or Structure may petition the Commission for a determination of applicability of the by-law. Within sixty (60) days after the receipt of such application, the Commission shall determine whether the building or structure is historically or architecturally significant. The applicant for the permit shall be entitled to make a presentation to the Commission. The determination by the Commission of whether a building or structure is historically or architecturally significant shall be made in writing, signed by the Commission and shall be binding on the Commission for a period of five (5) years from the date thereof.

#### Section 5. Emergency Demolition

- A. If a building or structure poses an immediate threat to public health or safety due to its deteriorated condition, the owner of such building or structure may request issuance of an emergency demolition permit from the Building Inspector.
- B. Upon receipt of any application for an emergency demolition permit, the Building Inspector shall within five (5) days transmit a copy thereof to the Norton Historical Commission.
- C. As soon as is practicable, but within fourteen (14) days after receipt of such an application, the Building Inspector shall inspect the building or structure with a team consisting of the Board of Survey, Historical Commission Chair and two (2) other members of the Commission selected by the Chair, or the designees of said officials.
- D. Within five (5) days after inspection of the building or structure, and after consultation with other members of the inspection team, the Building Inspector shall determine: 1) whether the condition of the building or structure represents a serious and imminent threat to public health and safety, and; 2) whether there is any reasonable alternative to the immediate demolition of the building or structure which would protect public health and safety.
- E. If the Building Inspector finds: 1) that the condition of the building or structure poses a serious and imminent threat to public health and safety, and; 2) that there is no reasonable alternative to the immediate demolition of the building or structure, then the Inspector may issue an emergency demolition permit to the owner of the building or structure.
- F. If the Building Inspector finds: 1) that the condition of the building or structure does not pose a serious and imminent threat to public health and safety, and/or; 2) that there are reasonable alternatives to the immediate demolition of the building or structure which would protect public health and safety, then the Inspector may refuse to issue an emergency demolition permit to the owner of the building or structure.

G. Upon issuing an emergency demolition permit under the provisions of this section, the Building Inspector shall submit a brief written report to the Commission describing the condition of the building or structure and the basis for his/her decision to issue an emergency demolition permit.

Nothing in this section shall be inconsistent with the procedure for the demolition and/or securing of buildings and structures established by M.G.L. Chapter 143, Sections 6-10.

#### Section 6. Non-Compliance

- A. The Commission and the Building Inspector are each authorized to institute any and all proceedings in law to obtain compliance with the requirements of this by-law.
- B. (a) No building permit shall be issued with respect to any premises upon which a Historically or Architecturally Significant Building or Structure has been voluntarily demolished in violation of this by-law for a period of two (2) years after the date of the completion of such demolition.
  - (b) Notwithstanding the foregoing, whenever the Commission shall, on its own initiative, or on application of a landowner, determine that earlier reconstruction, restoration or other remediation of any demolition in violation of this by-law better serves the intent and purpose of this by-law, it may, prior to the expiration of said period of two (2) years, but no sooner than six (6) months from the date of completion of any demolition in violation of this by-law, authorize issuance of a building permit, upon such conditions as the Commission deems necessary or appropriate to effectuate the purposes of this by-law, and may so notify the Building Inspector.
- C. Upon a determination of the Commission that a building is a preferably-preserved significant building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the Building Inspector. Should the owner fail to secure the building, the loss of such building through fire or other cause shall be considered voluntary demolition for the purposes of Non-Compliance, paragraph B, above.
- D. Anyone who demolished a building or structure identified as a Historically or Architecturally Significant Building or Structure without first obtaining, and complying fully with the provisions of, a demolition permit, shall be subject to a fine of three hundred (\$300) dollars. Each day the violation exists shall constitute a separate offense; not to exceed sixty (60) days, until a faithful restoration of the demolished building is completed or unless otherwise agreed to by the Commission.

#### Section 7. Severability

If any section, paragraph or part of this by-law be for any reason declared invalid or unconstitutional by a court authority, every other section, paragraph and part shall continue in full force and effect.

or take any other action relative thereto.

#### DECLARED VOTED BY MAJORITY BY THE MODERATOR

**A MOTION** was made (After Article 19 was voted) by Ralph Stefanelli to reconsider Article 15. The Motion was 2<sup>nd</sup>.

MOTION TO RECONSIDER DECLARED FAILED BY MAJORITY

## **ARTICLE 16** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to accept the provisions of Massachusetts General Laws Chapter 40, Section 57, to authorize the Town to deny, revoke, or suspend local licenses and permits for failure to pay municipal taxes or charges, and further, to vote to amend the General By-laws by deleting the By-law entitled, "Licenses and Permits of Delinquent Taxpayers" and adopting the new By-law entitled, "Denial, Revocation or Suspension of Local Licenses and Permits for Failure to Pay Municipal Taxes or Charges", as written in the May 13, 2013, Annual Town Meeting Warrant.

## **ARTICLE 16 as printed in the Warrant:**

## DENIAL, REVOCATION OR SUSPENSION OF LOCAL LICENSES AND PERMITS FOR FAILURE TO PAY MUNICIPAL TAXES OR CHARGES

- (a) The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.
- (b) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with

respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

- (c) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.
- (d) The board of selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight A in the business or activity conducted in or on said property.
- (e) This By-law shall not apply to the following licenses and permits: open burning under G.L. c.48, \$13; bicycle permits under G.L. c.85, \$11A; sales of articles for charitable purposes under G.L. c.101, \$33; children work permits under G.L. c.149, \$69; clubs, associations dispensing food or beverage licenses under G.L. c.140, \$21E; dog licenses under G.L. c.140, \$137; fishing, hunting, trapping license under G.L. c.131, \$12; marriage licenses under G.L. c.207, \$28; and theatrical events, public exhibition permits under G.L. c.140, \$181.

#### DECLARED VOTED BY MAJORITY BY THE MODERATOR

## **ARTICLE 17** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to amend the section of the Town's Personnel By-Laws entitled "Employment Benefits, Longevity Pay" as written in the May 13, 2013, Annual Town Meeting Warrant and further, to transfer the amount of \$3,150.00 from Free Cash into the appropriate departmental operating budget lines.

#### **ARTICLE 17** as printed in the Warrant:

Amending the section of the Personnel By-Laws entitled "Employment Benefits, Longevity Pay" by removing the existing language which reads:

"The Town shall pay, in addition to all other compensation the following longevity pay:

After five (5) years	\$150.00
After ten (10) years	\$200.00
After fifteen (15) years	\$250.00
After twenty (20) years	\$300.00
After twenty-five (25) years	\$350.00

Said payments shall be made annually on the last pay period for the calendar year."

and replacing it with the following language effective July 1, 2013:

"The Town shall pay, in addition to all other compensation, the following longevity pay:

After five (5) years	\$550.00
After ten (10) years	\$650.00
After fifteen (15) years	\$750.00
After twenty (20) years	\$850.00

Said payment shall be made to an eligible employee on an annual basis during the pay period in which the anniversary of the employee's date of hire with the Town falls."

#### DECLARED VOTED BY MAJORITY BY THE MODERATOR

## **ARTICLE 18** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to revise, rescind or otherwise make amendments to the Town's Bylaws, as set forth in a handout entitled "Proposed Amendments to the Town's Bylaws", with text to be inserted underlined and text to be deleted shown by strikethrough, which amendments include, but are not limited to bringing various sections into conformity with State Law and the Town's Charter, as well making certain ministerial, clerical amendments and grammatical corrections.

Article 18 document titled "Proposed Amendments to the Town's Bylaws" referred to in this article is attached to these minutes as part of the minutes and recorded as addendum A.

#### DECLARED VOTED BY MAJORITY BY THE MODERATOR

#### RECORD OF ACTIONS TAKEN RELATIVE TO ARTICLE 18

**A MOTION** was made by Luke Grant to table Article 18 until after the conclusion of the Special Town Meeting. The Motion was 2<sup>nd</sup>.

MOTION PASSED

Article 18 was voted on after Article 20 of the Annual Town Meeting.

## **ARTICLE 19** (Requires 2/3 Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to amend the Town's Zoning Bylaw, Article IV – USE REGULATIONS, by adding a new Section Article IV – USE REGULATIONS 4.0 entitled, **TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS,** and further vote to amend the Zoning By-law Index to add Section 4.9, "Temporary Moratorium on Medical Marijuana Treatment Centers", all as written in the May 13, 2013, Annual Town Meeting Warrant.

## **ARTICLE 19 as printed in the Warrant:**

# TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS

#### A. PURPOSE

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to medical marijuana. The Town intends to and does hereby adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

#### B. DEFINITION

"Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

#### C. TEMPORARY MORATORIUM

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations regarding Medical Marijuana Treatment Centers and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

Joanne Haracz, Member of the Planning Board reported that the Planning Board met on this article and voted 7 - 0 in favor of Recommendation of Article 19.

#### DECLARED VOTED BY 2/3 BY THE MODERATOR

## **ARTICLE 20** (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to amend the Town of Norton By-Laws for the purpose of adopting a new By-Law entitled "Second Hand Articles" as written in the May 13, 2013, Annual Town Meeting Warrant.

## ARTICLE 20 as printed in the Warrant (removal of "Persons" from 1. as amended):

#### **Second Hand Articles**

- 1. Businesses, corporations, pawnbrokers, dealers who store (hereinafter referred to as "dealer"), keep for sale, deal, accept, sell, barter, in gold, silver, precious metals, junk or other second hand articles shall obtain a license therefor from the Board of Selectmen and shall register with the Norton Police Department. Applicants shall provide: the name of the business, owner, and store manager, if different; business address and residential addresses of the owner and store manager; business and personal phone numbers, email addresses and other relevant contact information for the owner and manager; and specify the proposed type of business.
- 2. For the purpose of this bylaw the term "precious metals" shall be defined as including gold, silver, sterling silver, platinum, palladium and rhodium. The term "precious gem" shall be defined as a cut or uncut and polished or unpolished precious stone or pearl including but not limited to diamond, opal, ruby, sapphire, emerald, pearl, amethyst, aquamarine, peridot and cat's eye.
- 3. Any dealer of the matters listed in Section 1 shall keep a legibly written record in the English language of every purchase or pawn transaction involving used precious metals made by such dealer, which shall contain the following information:
  - a. An account or description, including all distinguishing marks and or identifying numbers, of said jewelry, precious metals or precious metal items purchased;
  - b. The amount of money paid for such items, the time and date of purchase; and,
  - c. The name and address of the person selling such item(s).

Every such dealer shall furnish a correct record of such transactions, containing all such information once a week (or more often if desired by the business owner) to the Chief of Police or his designee. The preferred method of submission shall be determined by the Chief of Police.

- 4. Any dealer shall require any person selling or otherwise providing to such dealer any of the items described in Section 1, except clothes and furniture (hereinafter referred to as "seller"), to provide:
  - a. A photocopy of the seller's driver's license or photo identification card; and

Any dealer accepting goods from a seller shall:

- a. Prepare a sales slip that contains legibly written or printed description of the material purchased, date of purchase, printed name and signature of seller acknowledging that he/she legally owns the material offered for sale; and
- b. Photograph the material offered for sale and maintain a copy thereof for the dealer's records.
- 5. Any police officer shall be afforded access to the business to view the record book, sales slips, and photocopies of driver's licenses at any time during regular business hours.
- 6. All precious metals or gems, junk or other second hand articles other than clothes and furniture regulated by this by-law that are purchased or pawned shall be held by the dealer for a minimum of fourteen (14) days unless said pawn transaction is earlier terminated with the repayment pursuant to a pawn agreement.
- 7. Trade-In Exception: The "purchase" and "sale" of covered goods does not include retail transactions in which a retailer accepts from a customer covered goods and, rather than providing funds in exchange, credits the value of those goods to another purchase by the customer.
- 8. Compliance with this By-law shall be monitored and enforced by the Norton Police Department. Violations of any part of this bylaw shall be punished by a fine of \$50.00 for each offense pursuant to the Town of Norton's Non-Criminal Disposition By-law and M.G.L. Chapter 40, Section 21D. In addition to any other remedies available in law or in equity, the licensing authority may revoke, suspend or modify a license issued hereunder for any violation of the By-law.
- 9. The provisions of this By-law shall be severable, and if any of its provisions are held unconstitutional or invalid by any court of competent jurisdiction, the decision of said court shall not affect or impair any of the remaining provisions.

or take any other action relative thereto.

## (AMENDED MOTION) DECLARED VOTED BY MAJORITY BY THE MODERATOR

(NOTE: Article 20 appears as voted. See end of Article for Record of Amendments)

#### RECORD OF AMENDMENTS and MOTIONS FOR ARTICLE 20

**A MOTION** to Amend Article 20 was made by Alec Rich, Jr. to remove the first word "Persons" from 1. Motion was 2<sup>nd</sup>.

A counted vote was taken:

YES-51 NO-30

#### AMENDMENT – DECLARED PASSED BY MAJORITY BY THE MODERATOR

## ARTICLE 21 LOST FOR LACK OF MOTION (funds for Stabilization Fund)

The Annual Town Meeting was declared Adjourned at 9:48 PM.

ATTEST:

Danielle M. Sicard Town Clerk