

**TOWN OF NORTON
WARRANT FOR THE ANNUAL TOWN MEETING
MONDAY, MAY 8, 2017
BRISTOL, SS.**

To Leon Dumont, or any 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 Norton High School Auditorium, 66 West Main Street in said Norton, on Monday, the 8th day of May, 2017, A.D., at seven o'clock in the evening, then and there to act on the following articles, viz.:

ARTICLE 2

To see if the Town will 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 to see if the Town will raise and appropriate, and/or appropriate and/or transfer from available funds a sum of money 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, or take any other action relative thereto.

(BOARD OF SELECTMEN)

ARTICLE 3

To see if the Town will vote to raise and appropriate, and/or appropriate, and/or transfer from available funds, a sum of money to pay all outstanding separation expenses associated with the retirement of various employees from the Town of Norton and authorize the Town Accountant, in consultation with the Town Manager, to allocate amounts to appropriate departments, or take any other action relative thereto.

(BOARD OF SELECTMEN)

ARTICLE 4

To see if the Town will vote to raise and appropriate, and/or appropriate, and/or transfer from available funds a sum of money to fund and implement Collective Bargaining Agreements between the Town and the Unions for the period beginning July 1, 2017, through June 30, 2020, and/or for general collective bargaining settlement purposes, or take any other action relative thereto.

(BOARD OF SELECTMEN)

ARTICLE 5

To see if the Town will vote to raise and appropriate, and/or appropriate, and/or transfer from available funds the sum of \$25,000.00 for tree services, including but not limited to the removal of hazardous trees, stump removal, and performance of additional preventative and emergency services Town wide, including crane rentals and other incidental and related expenses, or take any other action relative thereto.

(TREE WARDEN)

ARTICLE 6

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into a Payment in Lieu of Taxes, also known as a PILOT or "Tax Agreement", pursuant to the provisions of G.L. Chapter 59, Section 38H(b) and any other enabling authority, in the form substantially as on file with the Town Clerk or in such other form as is acceptable to the Board of Selectmen, between the Town of Norton and Norton Development, Inc., its successor, assignee, or affiliate, on such terms and conditions and for such term not to exceed twenty (20) years as negotiated by the Board of Selectmen for payment of taxes related to personal and/or real property associated with a solar renewable energy generation facility to be installed, owned, and operated by such entity on land owned by Norton Development, Inc., and described more particularly below, all as set forth in said PILOT; and further, to authorize the Board of Selectmen and Town Manager to take such action as many be necessary to carry out the vote taken hereunder, or take any other action relative thereto:

MAP	LOT	STREET
24	62-01	12 Hill Street

(BOARD OF SELECTMEN)

ARTICLE 7

To see if the Town will vote to raise and appropriate, and/or appropriate and/or transfer from available funds a sum of money for legal services and/or technical assistance relative to Chapter 40B (Comprehensive Permit) projects, or take any other action relative thereto.

(BOARD OF SELECTMEN)

ARTICLE 8

To see what sums the Town will vote to raise and appropriate, and/or appropriate, and/or transfer from available funds to pay Town debts and charges for the ensuing Fiscal Year, and fix the compensation of any elected official of the Town, as provided by the General Laws, Chapter 41, Section 108, and to appropriate monies for same, or take any other action relative thereto.

(BOARD OF SELECTMEN)

ARTICLE 9

To see if the Town will vote to amend the Norton Zoning Bylaw, Article III - Zoning Map and Districts and the Town of Norton Zoning Map adopted thereunder, which is entitled "Zoning Map Town of Norton, Massachusetts" and dated June 1999, last revised October 2013 as follows:

By changing from the Residential 80 Zoning District to Industrial Zoning District, an area of land along Leonard Street, East Main Street, and Burt Street containing approximately 188.25 +/- acres, comprising the following parcels of land as shown on the Town of Norton Assessor's Maps:

Assessor's Map 11, Parcel 22
Assessor's Map 11, Parcel 25
Assessor's Map 11, Parcel 25-01
Assessor's Map 11, Parcel 32
Assessor's Map 11, Parcel 33
Assessor's Map 11, Parcel 34
Assessor's Map 11, Parcel 35
Assessor's Map 11, Parcel 66
Assessor's Map 12, Parcel 15

The areas to be rezoned are shown on the map entitled "*Proposed Zoning Amendment – Residential 80 to Industrial along Leonard Street, I-495 and Route 123 – Spring Town Meeting 2017*" as on file with the Town Clerk and which shall, if this amendment is adopted, become part of the Zoning Map.

(PLANNING BOARD)

ARTICLE 10

To see if the Town will vote to amend the Norton Zoning Bylaw, Article III - Zoning Map and Districts and the Town of Norton Zoning Map adopted thereunder, which is entitled "Zoning Map Town of Norton, Massachusetts" and dated June 1999, last revised October 2013, as follows:

By changing from the Commercial Zoning District to the Village Commercial Zoning District, an area of land along Mansfield Avenue and Freeman Street containing 78.54 +/- acres, comprising the following parcels of land as shown on the Town of Norton Assessor's Maps:

Assessor's Map 9, Parcel 225	Assessor's Map 16, Parcel 86
Assessor's Map 9, Parcel 235	Assessor's Map 16, Parcel 93
Assessor's Map 9, Parcel 236	Assessor's Map 16, Parcel 127
Assessor's Map 9, Parcel 237	Assessor's Map 16, Parcel 129
Assessor's Map 9, Parcel 238	Assessor's Map 16, Parcel 129-01
Assessor's Map 9, Parcel 240	Assessor's Map 16, Parcel 130
Assessor's Map 9, Parcel 302	Assessor's Map 16, Parcel 131
Assessor's Map 16, Parcel 12	Assessor's Map 16, Parcel 132
Assessor's Map 16, Parcel 57	Assessor's Map 16, Parcel 133
Assessor's Map 16, Parcel 58	Assessor's Map 16, Parcel 134
Assessor's Map 16, Parcel 59	Assessor's Map 16, Parcel 135
Assessor's Map 16, Parcel 66	Assessor's Map 16, Parcel 137
Assessor's Map 16, Parcel 83	Assessor's Map 16, Parcel 138
Assessor's Map 16, Parcel 83-01	Assessor's Map 16, Parcel 140
Assessor's Map 16, Parcel 84	Assessor's Map 16, Parcel 141
Assessor's Map 16, Parcel 85	Assessor's Map 16, Parcel 259

And by changing from the Residential 40 Zoning District to the Village Commercial Zoning District an area of land along Mansfield Avenue containing 3.20 +/- acres, comprising the following parcel of land as shown on the Town of Norton Assessor's Maps:

Assessor's Map 16, Parcel 245

The area to be rezoned is shown on the map entitled "*Zoning Map Amendment – Commercial and Residential 40 to Village Commercial Along a Portion of Mansfield Avenue, Freeman Street, Robinson Lane and Reservoir Street – Spring Town Meeting 2017*" as on file with the Town Clerk and which shall, if this amendment is adopted, become part of the Zoning Map.

(PLANNING BOARD)

ARTICLE 11

To see if the Town will, pursuant to G.L. c.43B, §10, vote to amend the Town Charter to change the position of Board of Water and Sewer Commissioners from elected to appointed, as follows, or take any other action relative thereto:

1. In Article 3, Elected Officers:

- a. Delete in Section 3-1(b) the words "a board of water and sewer commissioners,"
- b. Delete, in its entirety, Section 3-8, Board of Water and Sewer Commissioners, and renumber the remaining sections of Article 3 accordingly;
- c. In Section 3-2(d), insert at the end of the existing list the words, "a water and sewer advisory board".
- d. In Section 3-2, insert a new subsection (f), entitled "Water and Sewer Advisory Board", as follows:

(f) Water and Sewer Advisory Board - The Board of Selectmen shall appoint five persons to serve as members of the Water and Sewer Advisory Board, who shall each serve for a term of three years, arranged so that as nearly an equal number as is possible shall expire each year. Any member of the Board may be removed for cause after opportunity for a hearing.

The Water and Sewer Advisory Board shall serve as an advisory board to the Board of Selectmen. The Board shall participate in discussions with other communities regarding inter-municipal structuring of water use or sewage disposal, and advise the Board of Selectmen of its recommendations concerning these matters. The Water and Sewer Advisory Board shall maintain a

plan and inventory of the Town's water and sewer infrastructure. It shall also develop and update, as needed, a master plan for future maintenance and growth of the town's water and sewer services. The Water and Sewer Advisory Board shall submit to the Town Manager, when and as requested, annual budget recommendations for water and sewer system operations and development.

2. In Article 8, insert a new section 8-6, as follows:

SECTION 8-6: TRANSITION TO APPOINTED
WATER AND SEWER ADVISORY BOARD

The vote under Article 11 of the May 2017 Annual Town Meeting to change the board of water and sewer commissioners from elected to appointed shall take effect immediately upon approval by the voters at the 2018 Annual Town Election, and the elected board of water and sewer commissioners shall thereupon be abolished and the terms of elected members terminated. The size of the Water and Sewer Advisory Board shall immediately increase from three members to five members, and the Board of Selectmen shall make the following initial appointments: 1 for a 1-year term; 2 for a 2-year term; and 2 for a 3-year term.

(BOARD OF SELECTMEN)

ARTICLE 12

To see if the Town will vote to raise and appropriate, and/or appropriate, and/or transfer from available funds a sum of money necessary to pay debts and charges of the Water Enterprise, as set forth below, for the fiscal year beginning July 1, 2017, or take any other action relative thereto:

WATER:

	Chapter 44, Section 53F½			
	2015 Expend	2016 Expend	2017 Approp.	2018 Dept. Request
Personnel Services	600,656	650,897	771,397	736,441
Indirect Expenses	270,538	276,477	381,431	403,530
Other Charges & Expenditures	547,627	599,552	1,059,250	1,119,450
Debt Service	1,163,098	1,131,590	1,101,208	1,070,605
Total:	2,581,919	2,658,516	3,313,286	3,330,026

(WATER AND SEWER COMMISSIONERS)

ARTICLE 13

To see if the Town will vote to raise and appropriate, and/or appropriate, and/or transfer from available funds a sum of money necessary to pay debts and charges of the Sewer Enterprise, as set forth below, for the fiscal year beginning July 1, 2017, or take any action relative thereto:

SEWER:

	Chapter 44,Section 53F½			
	2015 Expend	2016 Approp	2017 Approp	2018 Dept. Request
Personnel Services	137,094	135,619	150,110	156,568
Indirect Expenses	67,493	69,974	65,359	69,831
Other Charges & Expenditures	1,006,143	770,647	894,187	927,800
Debt Service	0	0	10,000	183,955
Total:	1,210,730	976,240	1,119,656	1,338,154

(WATER AND SEWER COMMISSIONERS)

ARTICLE 14

To see if the Town will vote to raise and appropriate, and/or appropriate, and/or transfer from available funds a sum of money 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, or take any other action relative thereto.

(BOARD OF SELECTMEN)

ARTICLE 15

To see if the Town will vote to raise and appropriate, and/or appropriate, and/or transfer from available funds, and/or borrow a sum of money to pay costs of purchasing, or leasing with an option to purchase for periods of time up to or in excess of three years, new and/or replacement capital items for various Town Departments and for the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow under and pursuant to Chapter 44, Sections 7 or 8, of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, or take any other action relative thereto.

(BOARD OF SELECTMEN)

ARTICLE 16

To see if the Town will vote pursuant to the provisions of G.L. c. 44, §53E½, as most recently amended, to amend the General Bylaws by inserting a new bylaw establishing various revolving funds, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each such fund, such bylaw to provide as follows:

DEPARTMENTAL REVOLVING FUNDS

1. There are hereby established in the Town of Norton pursuant to the provisions of G.L. c. 44, §53E ½, the following revolving funds:

237 MANSFIELD AVENUE (WENDELL JACKSON PROPERTY) REVOLVING FUND	
Authorized to Spend:	Board of Selectmen
Revenue Source:	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
Use of Fund:	Expenses directly related to use, rental, development, and maintenance of the property, including creating and providing access to the Norton Reservoir
FORESTRY REVOLVING FUND	
Authorized to Spend:	Norton Conservation Commission and Norton Tree Warden
Revenue Source:	Fees and other funds in connection with the sale and harvest of timber and other forestry products from conservation and Town-owned land
Use of Fund:	Creation and implementation of Forest Stewardship Plans and other forestry projects within the Town of Norton
HOME COMPOSTING BIN 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
Use of Fund:	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
RECYCLING REVOLVING FUND	
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 Highway Department; studies, and reports on recycling issues
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)
Fund Balance Disposition:	Balance available for expenditure in the following fiscal year
COUNCIL ON AGING REVOLVING FUND	
Authorized to Spend:	Council on Aging Department
Revenue Source:	To receive fees from programs
Use of Fund:	To fund expenses for programs
Fund Balance Disposition:	Balance available for expenditure in the following fiscal year

2. Expenditures from each revolving fund set forth herein shall be subject to the limitation established by Town Meeting or any increase therein as may be authorized in accordance with G.L. c.44, §53E½.

And, further, to set annual spending limits for such revolving funds as follows:

237 MANSFIELD AVENUE (WENDELL JACKSON PROPERTY) REVOLVING FUND	
Spending Limit:	\$60,000.00
FORESTRY REVOLVING FUND	
Spending Limit:	\$30,000.00
HOME COMPOSTING BIN DISTRIBUTION PROGRAM REVOLVING FUND	
Spending Limit:	\$2,000.00
RECYCLING REVOLVING FUND	
Spending Limit:	\$10,000.00
CERTIFIED HAZARDOUS MATERIALS TECHNICIAN(S) REVOLVING FUND	
Spending Limit:	\$10,000.00
COUNCIL ON AGING REVOLVING FUND	
Spending Limit:	\$10,000.00

or take any other action relative thereto.

(BOARD OF SELECTMEN)

ARTICLE 17

To see if the Town will vote to amend the General Bylaws pursuant to G.L. c. 44, §53G½, by adopting a new bylaw creating a separate account for deposit of financial guarantees to secure performance of any obligation by an applicant as a condition of a license, permit, or other approval or authorizations, which monies may be expended without further appropriation by Town Meeting, as follows:

PERFORMANCE DEPOSIT ACCOUNT BYLAW

1. There shall hereby be established in the Town of Norton pursuant to G.L. c. 44, §53G½, a performance deposit account into which shall be deposited cash, bonds, negotiable securities or other financial guarantees to secure an applicant's performance of any obligation as a condition of a license, permit or other approval or authorization. The funds in such account shall be used, consistent with the rules and regulations promulgated in accordance with Section 2 of this Bylaw, to complete the work or perform

the obligations, as provided in the bylaw or rule or regulation. Deposits or other financial sureties received under G.L. c. 41, §81U, or any other general or special law, shall not be subject to this bylaw.

2. The Board of Selectmen shall promulgate Rules and Regulations to implement the terms and conditions of this performance deposit account in accordance with the requirements of G.L. c. 44, §53G½, including but not limited to: (1) the type of financial guarantees required; (2) the treatment of investment earnings, if any; (3) the performance required and standards for determining satisfactory completion or default; (4) the procedures the applicant must follow to obtain a return of the monies or other security; (5) the use of monies in the account upon default; and (6) any other conditions or rules as the Town determines are reasonable to ensure compliance with the obligations.

or take any other action relative thereto.

(BOARD OF SELECTMEN)

ARTICLE 18

To see if the Town will vote to amend the Town's bylaw entitled "Denial, Revocation or Suspension of Local Licenses and Permits for Failure to Pay Municipal Taxes or Charges" adopted pursuant to the provisions of G.L. c. 40, §57, which statute allows municipalities to deny license or permits, among other things, when the applicant or owner of the property to which the license or permit relates owes municipal taxes or fees, to bring such bylaw into accord with the law as revised by the Municipal Modernization Act, by inserting the bold underlined language and deleting the strikethrough language to read as follows, or take any other action relative thereto:

- (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, **and may periodically,** 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.

(TOWN MANAGER)

ARTICLE 19

To see if the Town will vote to amend the General and Zoning Bylaws by making non-substantive, ministerial amendments for the purpose of recodifying the General and Zoning By-laws to create a more uniform presentation, organized topical structure, reader-friendly and convenient format for inserting future amendments, including renumbered outline format, insertion of headings and subheadings, providing for consistency with Massachusetts General Laws and internally with regard to spelling and use of various words, and updating references to existing Town offices and bodies; and

Further, to amend the General Bylaws to insert the following new bylaw:

Headings and Numbering; Authority for Town Clerk to Assign Alphanumeric References and Correct Internal Cross References:

The headings and section numbers that appear in this Bylaw are for convenience only and shall not be interpreted to limit or otherwise affect the provisions of article or section to which they refer. With the approval of the Town Manager, the Town Clerk may assign appropriate alphanumeric references to chapters, articles, sections, subsections, paragraphs, and subparagraphs of the General Bylaws, and may correct internal cross-references, and, in each case in which Town Meeting has assigned an alphanumeric reference, the assignment of such references or the making of such corrections as authorized under this bylaw shall be identified by a footnote or functionally similar editorial convention.

or take any other action relative thereto.

(TOWN CLERK)

ARTICLE 20

To see if the Town will vote to raise and appropriate and/or transfer and/or appropriate from available funds a sum of money to the "Other Post Employment Benefits Liability Trust Fund" established to cover the unfunded actuarial liability for retirees' health care and life insurance benefits, or take any other action relative thereto.

(TOWN MANAGER)

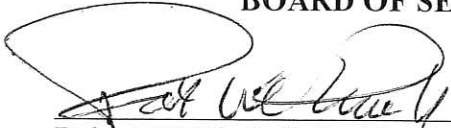
ARTICLE 21

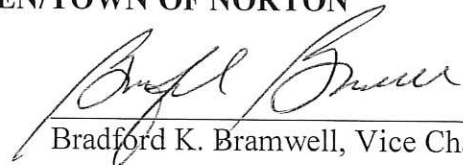
To see if the Town will vote to raise and appropriate and/or transfer and/or appropriate from available funds, a sum of money for the Stabilization Fund, in accordance with Chapter 40, Section 5B, of the General Laws, or take any other action relative thereto.

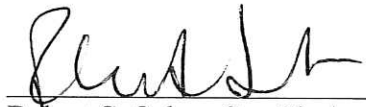
(BOARD OF SELECTMEN)

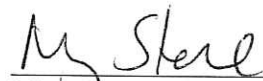
And you are hereby directed to serve this Warrant by posting attested copies of the body of same at Chartley Post Office, Norton Post Office, Norton Municipal Center, Norton Public Library, and three other public places within the limits of said Town, seven days at least, before the time of holding said 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 26th day of April in the year Two Thousand Seventeen.

BOARD OF SELECTMEN/TOWN OF NORTON


Robert W. Kimball, Jr., Chair


Bradford K. Bramwell, Vice Chair

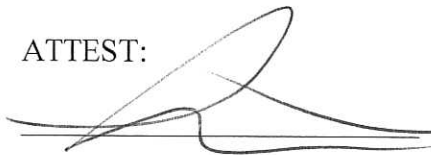

Robert S. Salvo, Sr., Clerk


Mary T. Steele

Norton, Massachusetts

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

ATTEST:


CONSTABLE NORTON DATE: 4/26, 2017