TOWN OF NORTON

CONGREGATIONAL MEETING-HOUSE

NORTH PRECINCT IN TAUNTON

WARRANT FOR THE ANNUAL TOWN MEETING
WITH FINANCE COMMITTEE RECOMMENDATIONS

WEDNESDAY, OCTOBER 12, 2011
TOWN OF NORTON
WARRANT FOR THE ANNUAL TOWN MEETING
OCTOBER 12, 2011

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

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Norton, qualified to vote in Norton affairs, to meet in the Norton Middle School Auditorium, 215 West Main Street, in said Norton, on Wednesday, the 12th day of October, 2011, A.D., at seven o’clock in the evening, then and there to act on the following articles, viz.

ARTICLE 1

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

(BOARD OF SELECTMEN)

FINANCE COMMITTEE: Recommended to transfer the amount of $2,167.76 from Free Cash for the following unpaid bills for which obligation was incurred in prior fiscal years:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
<th>Vendor</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 45.00</td>
<td>Fire Department</td>
<td>A &amp; I Radiator</td>
</tr>
<tr>
<td>$ 700.60</td>
<td>Fire Department</td>
<td>Mastria Auto Group</td>
</tr>
<tr>
<td>$ 145.56</td>
<td>Fire Department</td>
<td>Midway Auto Supply</td>
</tr>
<tr>
<td>$ 500.00</td>
<td>Fire Department</td>
<td>P&amp;E Auto Electric, Inc.</td>
</tr>
<tr>
<td>$ 630.86</td>
<td>Fire Department</td>
<td>Specialty Vehicles, Inc.</td>
</tr>
<tr>
<td>$ 145.74</td>
<td>Inspection</td>
<td>The Sun Chronicle</td>
</tr>
</tbody>
</table>

$ 2,167.76
ARTICLE 2

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 fund and implement a Collective Bargaining Agreement between the Town and the Salaried Employees of North America, Local 9158-A, for the period beginning July 1, 2011, through June 30, 2012, or any other Unions, and/or for general collective bargaining settlement purposes, or take any other action relative thereto.

(BOARD OF SELECTMEN)

FINANCE COMMITTEE: No action, pending further information from town counsel.

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 comply with the federally mandated Governmental Accounting Standards Board Statement #45, or take any other action relative thereto.

(TOWN ACCOUNTANT)

FINANCE COMMITTEE: Recommended to raise and appropriate the amount of $10,000.00. This study, mandated by the Federal Government, will seek to establish the Town's potential future liability in terms of retirement, health, and life insurance benefits for current town employees.

ARTICLE 4

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 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)

FINANCE COMMITTEE: Recommended to transfer the amount of $187,865.66 from Free Cash to fund contractual retirement sick leave and vacation buy-back provisions for two retiring members of the fire department and one retiring member of the library staff.
ARTICLE 5

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 address unforeseen damage to the Henri A. Yelle Elementary School gymnasium, located at 64 West Main Street, caused by a steam pipe leak under the bleachers, including but not limited to water leakage damage, repair and/or reconstruction of the gymnasium floor, and other necessary work created by such steam pipe leak, as well as all expenses incidental and related thereto, or take any other action relative thereto.

(SCHOOL COMMITTEE)

FINANCE COMMITTEE: No action, pending receipt of further information from insurance adjusters.

ARTICLE 6

To see if the Town will vote to accept the provisions of G.L. c.44, §53F½, for the purpose of establishing a separate account for the operation of the Water Department, to be known and classified as the “Water Enterprise Fund”, such account shall be maintained by the Treasurer, and all receipts, revenues and funds from any source derived from all activities of the Water enterprise shall be deposited in such separate account, to be operative beginning July 1, 2012, or take any other action relative thereto.

(WATER AND SEWER COMMISSIONERS)

FINANCE COMMITTEE: Recommended. This action will bring our present system into full conformance with state guidelines for a Water Enterprise Fund, which is currently not the case.

ARTICLE 7

To see if the Town will vote to accept the provisions of G.L. c.44, §53F½, for the purpose of establishing a separate account for the operation of the Sewer Department, to be known and classified as the “Sewer Enterprise Fund”, such account shall be maintained by the Treasurer, and all receipts, revenues and funds from any source derived from all activities of the Sewer enterprise shall be deposited in such separate account, to be operative beginning July 1, 2012, or take any action relative thereto.

(WATER AND SEWER COMMISSIONERS)
FINANCE COMMITTEE: Recommended. This action will enable the operation of the sewer section of the Water and Sewer Department to be a self-supporting enterprise account in accordance with the state guidelines for such an account. It will remove funding for sewer operations from inside the Proposition 2½ levy limit, creating a parallel accounting and revenue system with that of the water operations of the department. This action is one that the Finance Committee has been advocating for many years, and now it is finally possible.

ARTICLE 8

To see if the Town will vote to transfer from certified Free Cash to the Sewer Stabilization Fund an amount equal to the sums collected by the Town for Annual Assessments for Unused Sewer Flow Allocation, or take any other action relative thereto.

(WATER AND SEWER COMMISSIONERS)

FINANCE COMMITTEE: Recommended to transfer the amount of $124,600.00 from Free Cash.

ARTICLE 9

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift or eminent domain a water main easement from Robert W. Kimball and Paula J. Kimball upon a parcel of land located on the westerly side of 51 Pine Street, Norton, MA, shown as Assessors Map 23, Parcel 57, and described as “Proposed 15 Ft. Wide Water Main Easement” on a plan entitled “Plan of Proposed Water Main Easement 51 Pine St., Norton, Massachusetts Prepared for Town of Norton Water Department,” dated November 11, 2010, prepared by Yarworth Engineering Company, Inc., on file with the Town Clerk, upon such terms and conditions as the Board of Selectmen shall deem appropriate, and to raise and appropriate and/or appropriate and/or transfer from available funds, and/or borrow the sum of $14,000.00, more or less, for such purpose, or take any other action relative thereto.

(WATER AND SEWER COMMISSIONERS)

FINANCE COMMITTEE: Recommended to transfer the amount of $14,000.00 from the Water Surplus Account to fund a contractual agreement between the Town of Norton and Robert and Paula Kimball.
ARTICLE 10

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 purpose of having Household Hazardous Waste Collection day(s), or take any other action relative thereto.

(BOARD OF HEALTH)

FINANCE COMMITTEE: Recommended to raise and appropriate the amount of $10,000.00 for the Household Hazardous Waste Collection day(s).

ARTICLE 11

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 supplement the Fiscal Year 2012 operating budget appropriated under Article 16 of the May 9, 2011, Annual Town Meeting, and/or the Fiscal Year 2012 Water Budget appropriated under Article 12 of the May 9, 2011, Annual Town Meeting, or otherwise amend said votes, or take any other action relative thereto.

(BOARD OF SELECTMEN)

FINANCE COMMITTEE: Recommended to amend the vote taken under Article 16 of the May 9, 2011, Annual Town Meeting Warrant by increasing appropriations for certain line items and transferring others and to do so, by raising and appropriating the amount of $57,232.00, by transferring $862.00 from Free Cash, by transferring the amount of $2,000.00 from 019-293-100 to 001-155-570, and by transferring the amount of $5,000.00 from 001-543-570 to 001-543-510 as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Department</th>
<th>Use</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-241-570</td>
<td>Inspection Department</td>
<td>Expense</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>001-610-570</td>
<td>Library</td>
<td>Expense</td>
<td>$16,413.00</td>
</tr>
<tr>
<td>001-750-594</td>
<td>Interest</td>
<td>Expense</td>
<td>$6,681.00</td>
</tr>
<tr>
<td>001-911-570</td>
<td>Unemployment</td>
<td>Expense</td>
<td>$30,000.00</td>
</tr>
</tbody>
</table>

**TOTAL SUPPLEMENTS:** $58,094.00

<table>
<thead>
<tr>
<th>Account</th>
<th>Department</th>
<th>Use</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-155-570</td>
<td>Data Processing</td>
<td>Transfer from 019-293-100 to 001-155-570-5850</td>
<td>$2,000.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>001-543-510</td>
<td>Veterans' Services</td>
<td>Transfer from 001-543-570 to 001-543-510</td>
<td>$5,000.00</td>
</tr>
</tbody>
</table>

**TOTAL TRANSFERS:** $7,000.00
ARTICLE 12

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 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)

FINANCE COMMITTEE: Recommended that the Town transfer the amount of $769,400.00 from Free Cash. The Capital Improvements Account is used for the purchase of equipment and the maintenance of the Town’s infrastructure. This will bring the balance in the Capital Improvement Account to $946,988.00. Of this amount $324,073.04 will be used to fund Article 13 if approved, leaving a balance of $622,914.96 in the account for future capital improvement needs.

ARTICLE 13

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 supplement the Fiscal Year 2012 capital improvements budget appropriated under Article 15 of the May 9, 2011, Annual Town Meeting 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, Section 7(9), 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)

FINANCE COMMITTEE: Recommended in the amount of $461,405.59, by transferring the amount of $324,073.04 from the Capital Improvements Account, by transferring $83,000.00 from the Ambulance Reserve Account, and by transferring the amount of $54,332.55 from Article 4 of the May 12, 2008, Special Town Meeting - Account No. 001-171-605-5802-08-604, to purchase, or lease 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 as follows:

| Norton Reservoir Embankment Repairs | Conservation | $328,005.59 |
| Replacement Vehicle | Police Department | $31,000.00 |
| Ambulance #1 (Year 3 of 3) | Fire Department | $83,000.00 |
| Flyght Grinder Pump Replacement | Sewer Department | $10,000.00 |
| Utility Truck w/Grave | Sewer Department | $9,400.00 |

$461,405.59
## FISCAL YEAR 2012 CAPITAL PROJECTS LIST

### DATA PROCESSING (155)
- Town-Wide 25% Annual Replacement of Obsolete/Unrepairable Equipment
  - (e.g. Workstations, Laptops, Printers, Monitors, Software Upgrades...)
  - DEPARTMENT REQUEST: $30,000.00
  - TOWN MANAGER’S RECOMMENDATION: $ -
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $ -
  - FINANCE COMMITTEE RECOMMENDATION: $ -

### CONSERVATION (171)
- Norton Reservoir Embankment Repairs
  - DEPARTMENT REQUEST: $328,005.00
  - TOWN MANAGER’S RECOMMENDATION: $328,005.59
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $328,005.00
  - FINANCE COMMITTEE RECOMMENDATION: $328,005.59

### POLICE (210)
- Dodge Charger - Replacement Vehicle
  - DEPARTMENT REQUEST: $31,000.00
  - TOWN MANAGER’S RECOMMENDATION: $31,000.00
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $31,000.00
  - FINANCE COMMITTEE RECOMMENDATION: $31,000.00

### FIRE DEPARTMENT (220)
- Squad #1 Replacement
  - DEPARTMENT REQUEST: $130,000.00
  - TOWN MANAGER’S RECOMMENDATION: $ -
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $ -
  - FINANCE COMMITTEE RECOMMENDATION: $ -
- Squad #3 Chassis
  - DEPARTMENT REQUEST: $47,500.00
  - TOWN MANAGER’S RECOMMENDATION: $ -
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $ -
  - FINANCE COMMITTEE RECOMMENDATION: $ -
- Ambulance #1 (Year 3 of 3)
  - DEPARTMENT REQUEST: $83,000.00
  - TOWN MANAGER’S RECOMMENDATION: $83,000.00
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $83,000.00
  - FINANCE COMMITTEE RECOMMENDATION: $83,000.00
- Sedan Replacement
  - DEPARTMENT REQUEST: $25,000.00
  - TOWN MANAGER’S RECOMMENDATION: $ -
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $ -
  - FINANCE COMMITTEE RECOMMENDATION: $ -

### SEWER (440)
- Flygth Grinder Pump Replacement
  - DEPARTMENT REQUEST: $10,000.00
  - TOWN MANAGER’S RECOMMENDATION: $10,000.00
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $10,000.00
  - FINANCE COMMITTEE RECOMMENDATION: $10,000.00
- Automatic Pit Evacuator (KPS)
  - DEPARTMENT REQUEST: $12,000.00
  - TOWN MANAGER’S RECOMMENDATION: $ -
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $ -
  - FINANCE COMMITTEE RECOMMENDATION: $ -
- Utility Truck w/ Crane
  - DEPARTMENT REQUEST: $9,400.00
  - TOWN MANAGER’S RECOMMENDATION: $9,400.00
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $9,400.00
  - FINANCE COMMITTEE RECOMMENDATION: $9,400.00
- Completion of Planning/EIR (1)
  - DEPARTMENT REQUEST: $75,000.00
  - TOWN MANAGER’S RECOMMENDATION: $ -
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $ -
  - FINANCE COMMITTEE RECOMMENDATION: $ -
- Additional Capacity/Mansf. T.P.(2)
  - DEPARTMENT REQUEST: $1,400,000.00
  - TOWN MANAGER’S RECOMMENDATION: $ -
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $ -
  - FINANCE COMMITTEE RECOMMENDATION: $ -
- Reservoir St. Swr Syst. Extension
  - DEPARTMENT REQUEST: $650,000.00
  - TOWN MANAGER’S RECOMMENDATION: $ -
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $ -
  - FINANCE COMMITTEE RECOMMENDATION: $ -

### WATER (450)
- Replace 2001 Ford F250 Pick-up
  - DEPARTMENT REQUEST: $35,000.00
  - TOWN MANAGER’S RECOMMENDATION: $ -
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $ -
  - FINANCE COMMITTEE RECOMMENDATION: $ -

### TOTAL (W/O AMB RES, BORROWING,& WATER SURPLUS)
- DEPARTMENT REQUEST: $2,747,905.00
  - TOWN MANAGER’S RECOMMENDATION: $378,405.59
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $378,405.00
  - FINANCE COMMITTEE RECOMMENDATION: $378,405.59

### TOTAL AMBULANCE RESERVE FUND
- DEPARTMENT REQUEST: $83,000.00
  - TOWN MANAGER’S RECOMMENDATION: $83,000.00
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $83,000.00
  - FINANCE COMMITTEE RECOMMENDATION: $83,000.00

### TOTAL BORROWING
- DEPARTMENT REQUEST: $ -
  - TOWN MANAGER’S RECOMMENDATION: $ -
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $ -
  - FINANCE COMMITTEE RECOMMENDATION: $ -

### TOTAL WATER SURPLUS
- DEPARTMENT REQUEST: $35,000.00
  - TOWN MANAGER’S RECOMMENDATION: $ -
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $ -
  - FINANCE COMMITTEE RECOMMENDATION: $ -

### TOTAL (INC. AMB RES, BORROWING,& WATER SURPLUS)
- DEPARTMENT REQUEST: $2,865,905.00
  - TOWN MANAGER’S RECOMMENDATION: $461,405.59
  - CAPITAL IMPROVEMENTS COMMITTEE RECOMMENDATION: $461,405.00
  - FINANCE COMMITTEE RECOMMENDATION: $461,405.59
ARTICLE 14

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)

FINANCE COMMITTEE: No action, pending receipt of further information.

ARTICLE 15

To see if the Town will vote to accept as a public way under the provisions of Massachusetts General Law, Chapter 82, as amended, Johnson Road, as laid out by the Board of Selectmen and shown on a plan titled "As-Built Plan and Profile of Johnson Road within Todd Estates a Subdivision in Norton, MA.," dated September 11, 2008, revised September 21, 2011, drawn by RIM Engineering Co., Inc., and on file in the office of the Town Clerk; and further, to see if the Town will authorize the Board of Selectmen to acquire on behalf of the Town, by gift, purchase, or eminent domain an easement to use said street for all purposes for which public ways are used in the Town of Norton and other associated easements, and to appropriate therefore the sum on One Dollar, or take any other action relative thereto.

(PLANNING BOARD)

FINANCE COMMITTEE: No action, pending final action by the Board of Selectmen.

ARTICLE 16

To see if the Town will vote, in accordance with G.L. Chapter 41, §110A, to authorize the Town Clerk’s office to remain closed on all Saturdays and to treat Saturdays as a legal holiday for purposes of calculating the time frame for filing matters in that office, or take any action relative thereto.

(TOWN CLERK)

FINANCE COMMITTEE: Recommended.
ARTICLE 17

To see if the Town will vote to adopt a new Town By-Law entitled “Public Consumption of Marijuana or Tetrahydrocannabinol”, as set forth below, prohibiting the public consumption of marijuana and authorizing the Police Department to enforce the same or take any other action relative thereto:

PUBLIC CONSUMPTION OF MARIJUANA OR TETRAHYDROCANNABINOL

No person shall smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C, §1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public.

Whoever is found in violation of this by-law shall, when requested by an official authorized to enforce this bylaw, state his true name and address to said official.

This by-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to G.L. c.40, §21, or by noncriminal disposition pursuant to G.L. c.40, §21D, by any police officer of the Town. The fine for violation of this by-law shall be Three Hundred Dollars ($300.00) for each offense. Any penalty imposed under this by-law shall be in addition to any civil penalty imposed under G.L. c.94C, §32L.

(CHIEF OF POLICE AND BOARD OF SELECTMEN)

FINANCE COMMITTEE: Recommended.

ARTICLE 18

To see whether the Town will vote, in accordance with G.L. c.6, §172B½, to adopt a new by-law entitled “Civil Fingerprinting for Certain License Applicants”, which by-law requires the Police Department to conduct state and national fingerprint based criminal history checks for individuals applying for specified licenses, and further authorizes the Board of Selectmen, in consultation with the Chief of Police, to adopt appropriate policies and procedures to effectuate the purposes of the by-law, or take any other action relative thereto:
Criminal History Check Authorization

1. In accordance with the provisions of G.L. c.6, §172B½, the Police Department shall fingerprint the persons listed below and conduct state and national fingerprint-based criminal history checks for such individuals. To carry out these criminal history checks, the Police Department shall be authorized to utilize Federal Bureau of Investigation records; provided, however, that such records shall not be disseminated to unauthorized entities and shall be maintained and disclosed in accordance with law.

The licensing authority is hereby authorized to deny an application for any license specified herein, including renewals and transfers thereof, from any person who is determined unfit for the license due to information obtained pursuant to this by-law. Factors that shall be considered in making a determination of fitness shall include but not be limited to whether the record subject has been convicted of, or is under pending indictment for, a crime that bears upon the subject’s ability or fitness to serve in that capacity, including any felony or a misdemeanor that involved force or threat of force, possession of a controlled substance, or a sex-related offense.

2. All applicants for Hawkers and Peddlers, Door-to-Door Sales, Pawn Brokers, Solicitors, or Taxi and Livery licenses, and for any license to sell alcoholic beverages, including the “responsible manager” listed on the license application, shall be subject to the requirements of this by-law.

3. The Board of Selectmen, in consultation with the Chief of Police, shall promulgate regulations for the implementation of this by-law, which may include, but shall not be limited to; establishment of submission deadlines; procedures for making recommendations to the licensing authority or making a licensing decision as a result of such criminal history check; procedures for accessing, correcting or amending any such record; and criteria for fitness determinations in addition to those set forth in Section 1 of this by-law.

4. The Police Department shall charge a fee of one hundred dollars ($100.00) for each fingerprinting and criminal history check. A portion of the fee, as specified in G.L. c.6, §172B½, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee shall be retained by the Police Department for costs associated with the administration of the fingerprinting system.

5. This by-law shall take effect on May 4, 2012, and after compliance with all requirements of G.L. c.40, §32, have been met.

(CHIEF OF POLICE AND BOARD OF SELECTMEN)

FINANCE COMMITTEE: Recommended.
ARTICLE 19

To see if the Town will vote, pursuant to G.L. c.43B, §10(a), to amend the Town Charter as recommended by the Charter Review Committee as set forth in a document on file with the Town Clerk entitled, “Proposed Charter Amendments”, with text to be inserted underlined and text to be deleted shown by strikethrough, which amendments include, but are not limited to substantive changes to Section 2-1 time of annual town meeting, Section 3-1(d) eligibility for elected office, Section 3-1(g) recall of elected officials, Section 3-2(d) Board of Selectmen appointments, Sections 4-2(b) and (c) Town Manager appointments, Section 4-2(l) authority to negotiate contracts, Section 6-4 Capital Improvements Program, and bring various sections into conformity with Open Meeting Law, as well as to make certain ministerial, clerical amendments and grammatical corrections, or take any other action relative thereto.

(CHARTER REVIEW COMMITTEE)

FINANCE COMMITTEE: Recommended. This article includes all proposals for charter revision recommended by the Charter Review Committee with the exception of recommendations relating to the Town Clerk’s position and the Board of Water and Sewer Commissioners. The Charter Review Committee’s recommendations regarding the Board of Water and Sewer Commissioners is the subject of Article 20. The Charter Review Committee’s recommendations regarding the position of Town Clerk is the subject of Article 21.

ARTICLE 20

To see if the Town will vote, pursuant to G.L. c.43B, §10(a), to amend the Town Charter to change the position of Board of Water and Sewer Commissioners from elected to appointed, as follows:

1. In Article 3, Elected Officers, delete in Section 3-1(a) the words “a town board of water and sewer commissioners,” delete Section 3-9, Board of Water and Sewer Commissioners, in its entirety, and renumber the remaining sections of Article 3 accordingly;

2. In Section 3-2, insert a new subsection (f), entitled “Board of Water and Sewer Commissioners”, as follows;
(f) Board of Water and Sewer Commissioners - The Board of Selectmen shall appoint five persons to serve as members of a Board of Water and Sewer Commissioners. The regular term of each member shall be for three years, and the terms shall be arranged so that as nearly an equal number as is possible shall expire each year.

The Board of Water and Sewer Commissioners shall be in charge of policy matters related to the water and sewer department. The Board shall also participate in discussions with other communities regarding inter-municipal structuring of water use or sewage disposal, and advise the Board of Selectmen of their recommendations concerning these matters. The Board of Water and Sewer Commissioners 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 Board of Water and Sewer Commissioner's shall submit annual budget requests for water and sewer system operations and development to the Town Manager.

3. In Article 8, insert a new section after the last section of such Article, as follows:

APPOINTED BOARD OF WATER AND SEWER COMMISSIONERS

The vote under Article 20 of the October 12, 2011, Town Meeting to amend the charter to change the Board of Water and Sewer Commissioners from elected to appointed shall take effect immediately upon approval by the voters at the 2012 Annual Town Election, and the elected Board of Water and Sewer Commissioners shall thereupon be abolished. Provided, however, that any incumbent member of the Board of Water and Sewer Commissioners holding office as of the date of said election shall continue to serve as a member of the Board of Water and Sewer Commissioners until the expiration of their respective elected term or sooner resignation, retirement or recall. Upon the expiration of the term of an elected Water and Sewer Commissioner, the Board of Selectmen shall make an appointment in accordance with sections 3-2(f). Any individual elected to the position of Board of Water and Sewer Commissioner at the same election at which the
referenced charter amendments are approved by the voters of the town shall hold said office and perform the duties thereof only until the appointment to said office is made in accordance with section 3-2(f)(2) of the charter. To increase the Board to five members, immediately after the approval of the voters of the charter amendment the Board of Selectmen shall forthwith appoint one person to serve a two-year term and one for a three-year term.

or take any other action relative thereto.

(CHARTER REVIEW COMMITTEE)

FINANCE COMMITTEE: Recommended.

ARTICLE 21

To see if the Town will vote, pursuant to the provisions of G.L. c.43B, §10(a), to amend the Town Charter to change the Town Clerk from elected to appointed, as set forth below:

1. Amend Section 3-1(a) by deleting, after the words, “water and sewer commissioners,” the words “a town clerk.”

2. Delete Section 3-5, entitled, “Town Clerk,” in its entirety and renumber the remaining sections of Chapter 3 accordingly.

3. Insert in Section 4-2(b) in the list of appointments to be made by the Town Manager, after the words “a Fire Chief and other officers”, the words “a Town Clerk”;

4. Amend Article 8, Transitional Provisions, by inserting a new section at the end of such Article, as follows:
APPOINTED TOWN CLERK

The vote under Article 21 of the October 12, 2011, Town Meeting to amend the charter to change the position of Town Clerk from elected to appointed shall take effect immediately upon approval by the voters at the 2012 Annual Town Election, and the position of elected Town Clerk shall be abolished. Any individual elected to the position of Town Clerk at the same election at which the referenced charter amendments are approved by the voters of the town shall hold said office and perform the duties thereof only until the appointment to said office is made in accordance with section 4-2(b) of the town charter.

or take any other action relative thereto.

(CHARTER REVIEW COMMITTEE)

FINANCE COMMITTEE: Recommended.
And you are hereby directed to serve this Warrant by posting attested copies of the body of same at Chartley Post Office, Norton Post Office, Trinitarian Church, Unitarian Church, Norton Library, and three (3) other public places within the limits of said Town, seven (7) 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 and seals this 24th day of September, in the year Two Thousand Eleven.

TOWN OF NORTON BOARD OF SELECTMEN, BY:

Bradford K. Bramwell, Chairman

Mary T. Steele, Vice Chair

Timothy R. Giblin, Clerk

Robert S. Salvo, Sr.

Robert W. Kimball, Jr.

Norton, Massachusetts

I have served this Warrant by posting attested copies at Chartley Post Office, Norton Post Office, Trinitarian Church, Unitarian Church, Norton Library, and three (3) other public places within the limits of said Town, seven (7) days at least before the time of holding said meeting.

ATTEST    CONSTABLE    DATE 10-3-2011