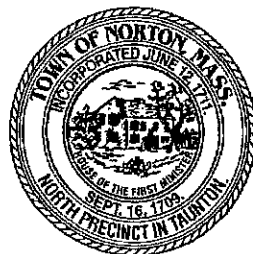


# TOWN OF NORTON



WARRANTS FOR THE ANNUAL AND SPECIAL TOWN MEETINGS  
WITH FINANCE COMMITTEE RECOMMENDATIONS

MONDAY, MAY 10, 2004



Dear Fellow Citizens of Norton:

This year's budget, as recommended by the Finance Committee, reflects the most severe economic downturn in our local economy since the early 1990's. Due to the limitations of Proposition 2½, new growth of only \$250,000 and local aid from the state only \$208,343 greater than last year, total revenues are only \$1,778,598 above last year's total revenues.

Conversely, fixed and shared expenses consisting primarily of debt repayment and employee benefits which include pensions, health insurance, and medicare have increased \$1,008,788 over last year. The result is a 2005 operating budget that fails to provide the same level of services as were provided in fiscal year 2004 on both the town and school sides of government. In fact, of the 56 town departments, 27 were either level funded or were under funded compared to last year's appropriation. The operating budget represents only a 5.1 percent increase in funding over fiscal year 2004; the largest component being an increase of \$620,408 for schools representing a 3 percent increase over last year.

In order to provide even this small increase in the budget, the Finance Committee is recommending using supplemental funds from the stabilization account. It has been the Committee's strongest tenet to avoid funding recurring expenses with nonrecurring funds. However, the Committee feels that using the stabilization fund now is the most prudent measure to take to insure public safety and a quality education for the residents of Norton.

The Committee believes that with the remaining \$950,000 in stabilization we are well positioned with a cushion of reserves that can absorb one more year of an economic downturn. Beyond this time frame, the town must realistically look to alternative funding sources which include but are not limited to a debt exclusion override. As the tax levy continues to be limited to a 2½ percent cap and costs continue to spiral upward for fixed and shared expenses, drastic action must be taken. The only alternative is to severely cut services in all areas of the government.

The Committee would like to thank the Town Manager, Jim Purcell, the School Superintendent, Dr. Lincoln DeMoura, and all department heads for their continued diligence and dedication in light of a very difficult year.

Respectfully submitted,

Tom Deluca  
Jackie DesRochers, Chairperson  
Angel Doyle  
Michael Fiore, Vice-Chairperson  
William Gouveia  
Paul Helmreich  
John Luti  
Donna Summerfield  
Michael Thomas  
Philip Zawasky

**TOWN OF NORTON  
WARRANT FOR THE ANNUAL TOWN MEETING  
MONDAY, MAY 10, 2004  
BRISTOL, SS.**

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

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Norton, qualified to vote in Norton affairs, to meet in the Henri A. Yelle Elementary School Gymnasium, West Main Street, in said Norton, on Monday, the 10<sup>th</sup> day of May, 2004, 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 raise and appropriate, and/or appropriate and/or transfer 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: Not recommended. The unpaid bills will be addressed on the Special Town Meeting Warrant, Article 1.**

ARTICLE 3

To see if the Town will 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, and/or borrow 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 Public Works pursuant to Chapter 90, Section 34(2a) of the Massachusetts General Laws, or take any other action relative thereto.

(BOARD OF SELECTMEN)

**FINANCE COMMITTEE: Recommended in the amount of \$270,400.00. This Article authorizes the Town to spend Chapter 90 funds received from the State.**

#### ARTICLE 4

To see what sums the Town will 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 salary compensation of all elected officials of the Town, as provided by the General Laws, Chapter 41, Section 108, as amended, and to appropriate monies for same, or take any other action relative thereto.

(BOARD OF SELECTMEN)

**FINANCE COMMITTEE: Recommended in the amount of \$38,521,790.00. The breakdown of the proposed Fiscal Year 2005 budget by department and/or account is as follows:**

ARTICLE 4

<u>FY 2005 Operating Budget</u>	<u>No.</u>	<u>FY03 Expense</u>	<u>FY04 Appropriation</u>	<u>FY05 Dept. Request</u>	<u>FY05 Town Mgr. Recommend</u>	<u>FY05 Fin Com Recommend</u>
<u>MODERATOR (114)</u>						
Other Personnel Services	510	0.00	0.00	0.00	0.00	0.00
Other Charges & Expenses	570	0.00	0.00	0.00	0.00	0.00
Total		0.00	0.00	0.00	0.00	0.00
<u>SELECTMEN (122)</u>						
Other Personnel Services	511	46,890.81	49,388.00	49,388.00	49,388.00	49,388.00
Other Charges & Expenses	570	9,991.93	4,600.00	4,600.00	4,600.00	4,600.00
Total		56,882.74	53,988.00	53,988.00	53,988.00	53,988.00
<u>TOWN MANAGER (123)</u>						
Personnel Services	510	125,927.28	134,076.00	134,855.00	134,855.00	134,855.00
Other Charges & Expenses	570	5,948.36	7,020.00	7,940.00	7,940.00	7,940.00
Total		131,875.64	141,096.00	142,795.00	142,795.00	142,795.00
<u>FINANCE COM. (131)</u>						
Other Charges & Expenses	570	3,695.93	3,065.00	3,355.00	3,355.00	3,355.00
<u>RESERVE ACCOUNT (132)</u>						
Reserve Account	502	0.00	150,000.00	150,000.00	150,000.00	150,000.00
<u>ACCOUNTING (135)</u>						
Personnel Services	510	97,282.52	103,391.00	107,838.00	103,391.00	103,391.00
Purchase of Services	520	12,200.00	20,000.00	20,000.00	20,000.00	20,000.00
Other Charges & Expenses	570	3,142.91	3,715.00	3,715.00	3,715.00	3,715.00
Total		112,625.43	127,106.00	131,553.00	127,106.00	127,106.00
<u>ASSESSORS (141)</u>						
Personnel Services	510	106,140.16	109,081.00	112,785.18	112,786.00	112,786.00
Purchase of Services	520	0.00	0.00	400.00	400.00	400.00
Other Charges & Expenses	570	13,726.55	14,100.00	14,601.87	13,202.00	13,202.00
Total		119,866.71	123,181.00	127,787.05	126,388.00	126,388.00

ARTICLE 4

<u>FY 2005 Operating Budget</u>	<u>No.</u>	<u>FY03 Expense</u>	<u>FY04 Appropriation</u>	<u>FY05 Dept. Request</u>	<u>FY05 Town Mgr. Recommend</u>	<u>FY05 Fin Com Recommend</u>
<u>TREAS/COLLECT (147)</u>						
Treasurer/Collector	510	50,999.92	52,530.00	54,105.90	54,106.00	54,106.00
Other Personnel Services	511	97,693.23	109,708.00	114,649.39	109,465.00	109,465.00
Other Charges & Expenses	570	15,116.07	36,645.00	51,771.00	51,771.00	51,771.00
Total		163,809.22	198,883.00	220,526.29	215,342.00	215,342.00
<u>LEGAL SERVICES (151)</u>						
Purchase of Services	520	75,923.33	78,177.00	80,000.00	80,000.00	80,000.00
<u>INFORMATION TECHNOLOGY (155)</u>						
Other Charges & Expenses	570	50,708.24	60,154.00	75,000.00	75,000.00	75,000.00
<u>WEB COMMITTEE (156)</u>						
Other Charges & Expenses		0.00	0.00	0.00	0.00	0.00
<u>TAX FORECLOSURE (158)</u>						
Other Charges & Expenses	570	12,483.22	20,000.00	20,000.00	15,000.00	15,000.00
<u>TOWN CLERK (161)</u>						
Town Clerk	510	30,010.82	38,640.00	39,800.00	39,800.00	39,800.00
Other Personnel Services	511	40,602.72	37,435.00	38,266.00	35,860.00	35,860.00
Purchase of Services	520	0.00	0.00	0.00	0.00	0.00
Other Charges & Expenses	570	2,300.74	2,525.00	2,725.00	2,725.00	2,725.00
Total		72,914.28	78,600.00	80,791.00	78,385.00	78,385.00
<u>ELECTION REGIS. (162)</u>						
Personnel Services	510	500.00	500.00	500.00	500.00	500.00
Other Charges & Expenses	570	21,303.13	20,425.00	26,317.00	26,317.00	26,317.00
Total		21,803.13	20,925.00	26,817.00	26,817.00	26,817.00

ARTICLE 4

FY 2005 Operating Budget

	<u>No.</u>	<u>FY03 Expense</u>	<u>FY04 Appropriation</u>	<u>FY05 Dept. Request</u>	<u>FY05 Town Mgr. Recommend</u>	<u>FY05 Fin Com Recommend</u>
<u>CONSERV. COMM (171)</u>						
Personnel Services	510	46,903.83	71,363.00	73,368.80	73,369.00	73,369.00
Other Charges & Expenses	570	3,859.24	3,860.00	3,860.00	3,860.00	3,860.00
Total		50,763.07	75,223.00	77,228.80	77,229.00	77,229.00
<u>PLANNING BOARD (175)</u>						
Personnel Services	510	62,854.49	64,945.00	77,573.00	64,945.00	64,945.00
Other Charges & Expenses	570	4,305.02	4,800.00	5,500.00	4,800.00	4,800.00
Total		67,159.51	69,745.00	83,073.00	69,745.00	69,745.00
<u>SERPENDD (176)</u>						
Assessment	560	2,913.36	2,914.00	2,914.00	2,914.00	2,914.00
<u>ZON. BD. OF APPEALS (177)</u>						
Other Charges & Expenses	570	2,289.02	3,300.00	3,300.00	3,300.00	3,300.00
<u>INDUS. DEV. COMM. (182)</u>						
Other Charges & Expenses	570	0.00	100.00	100.00	100.00	100.00
<u>MUNICIPAL BLDG. (192)</u>						
Personnel Services	510	8,526.00	8,950.00	9,214.00	9,214.00	9,214.00
Other Charges & Expenses	570	178,368.99	188,700.00	190,786.00	190,786.00	190,786.00
Total		186,894.99	197,650.00	200,000.00	200,000.00	200,000.00
<u>TOWN REPORTS (195)</u>						
Purchase of Services	520	2,966.88	3,500.00	3,500.00	3,500.00	3,500.00
<u>POSTAGE (199)</u>						
Purchase of Services	520	0.00	0.00	0.00	0.00	0.00
Other Charges & Expenses	570	32,307.65	30,400.00	33,000.00	33,000.00	33,000.00
Total		32,307.65	30,400.00	33,000.00	33,000.00	33,000.00

ARTICLE 4

<u>FY 2005 Operating Budget</u>	<u>No.</u>	<u>FY03 Expense</u>	<u>FY04 Appropriation</u>	<u>FY05 Dept. Request</u>	<u>FY05 Town Mgr. Recommend</u>	<u>FY05 Fin Com Recommend</u>
<u><b>POLICE (210)</b></u>						
Personnel Services	510	1,725,340.43	1,688,328.00	1,794,453.00	1,746,073.00	1,746,073.00
Other Charges & Expenses	570	153,977.04	140,647.00	165,414.00	159,264.00	159,264.00
Total		1,879,317.47	1,828,975.00	1,959,867.00	1,905,337.00	1,905,337.00
<u><b>FIRE (220)</b></u>						
Personnel Services	510	1,922,851.45	1,990,434.00	2,069,441.00	2,051,726.00	2,051,726.00
Other Charges & Expenses	570	109,544.79	115,800.00	121,300.00	118,500.00	118,500.00
Total		2,032,396.24	2,106,234.00	2,190,741.00	2,170,226.00	2,170,226.00
<u><b>EMERG. MEDICAL (230)</b></u>						
Other Charges & Expenses	570	52,236.99	60,800.00	64,100.00	60,800.00	60,800.00
<u><b>EMERGENCY MANAGEMENT (240)</b></u>						
Personnel Services		0.00	0.00	0.00	0.00	0.00
Purchase of Services		0.00	0.00	0.00	0.00	0.00
Other Charges & Expenses	570	2,043.10	7,492.00	0.00	7,492.00	7,492.00
Total		2,043.10	7,492.00	0.00	7,492.00	7,492.00
<u><b>INSPECTION DEPT. (241)</b></u>						
Personnel Services	510	112,070.02	120,868.00	128,363.28	115,321.00	115,321.00
Purchase of Services	520	0.00	0.00	0.00	0.00	0.00
Other Charges & Expenses	570	10,655.64	10,800.00	13,100.00	16,350.00	16,350.00
Total		122,725.66	131,668.00	141,463.28	131,671.00	131,671.00
<u><b>SEAL OF WGT'S &amp; MEAS.(244)</b></u>						
Other Charges & Expenses	570	1,750.00	4,000.00	2,500.00	2,500.00	2,500.00
<u><b>COMMUNICATIONS (290)</b></u>						
Personnel Services	510	266,450.45	279,660.00	364,051.00	298,472.00	298,472.00
Other Charges & Expenses	570	88,162.91	100,600.00	100,550.00	99,050.00	99,050.00
Total		354,613.36	380,260.00	464,601.00	397,522.00	397,522.00



ARTICLE 4

<u>FY 2005 Operating Budget</u>	<u>No.</u>	<u>FY03 Expense</u>	<u>FY04 Appropriation</u>	<u>FY05 Dept. Request</u>	<u>FY05 Town Mgr. Recommend</u>	<u>FY05 Fin Com Recommend</u>
<u>DOG OFFICER (292)</u>						
Personnel Services	510	22,971.98	24,362.00	24,854.80	24,855.00	24,855.00
Other Charges & Expenses	570	5,388.12	10,180.00	12,180.00	7,980.00	7,980.00
Total		28,360.10	34,542.00	37,034.80	32,835.00	32,835.00
<u>TREE WARDEN (294)</u>						
Other Charges & Expenses	570	0.00	0.00	0.00	0.00	0.00
<u>SCHOOL (300)</u>						
Operating Expenses	571	17,873,439.04	20,094,392.00	21,356,241.00	20,714,800.00	20,714,800.00
<u>ATHLETIC COMPLEX (304)</u>						
Other Charges & Expenses	570	0.00	0.00	0.00	0.00	0.00
<u>S.E.REG. VOC. TECH. (306)</u>						
Assessment	560	404,841.00	463,447.00	493,053.00	493,053.00	493,053.00
<u>COUNTY AG (308)</u>						
Assessment	560	8,119.52	14,210.00	17,254.00	17,254.00	17,254.00
<u>HIGHWAY (420)</u>						
Personnel Services	510	364,236.50	384,964.00	423,357.96	408,441.00	406,441.00
Other Charges & Expenses	570	113,825.34	117,250.00	124,950.00	123,150.00	123,150.00
Capital Outlay	580	0.00	62,000.00	62,000.00	32,623.00	34,623.00
Capital Improvements	581	478,061.84	3,000.00	3,000.00	3,000.00	3,000.00
Total		945,123.68	567,214.00	613,307.96	567,214.00	567,214.00
<u>SNOW REMOVAL (423)</u>						
Other Charges & Expenses	570	116,010.16	55,000.00	55,000.00	55,000.00	55,000.00
<u>STREET LIGHTING (425)</u>						
Purchase of Services	520	70,525.18	70,000.00	70,000.00	78,000.00	78,000.00

ARTICLE 4

<u>FY 2005 Operating Budget</u>	<u>No.</u>	<u>FY03 Expense</u>	<u>FY04 Appropriation</u>	<u>FY05 Dept. Request</u>	<u>FY05 Town Mgr. Recommend</u>	<u>FY05 Fin Com Recommend</u>
<u>SANITARY LANDFILL (438)</u>						
Other Charges & Expenses	570	1,978.00	2,300.00	3,956.00	3,956.00	3,956.00
<u>SEWER DEPT. (440)</u>						
Personnel Services	510	85,806.45	86,288.00	94,194.48	94,200.00	94,200.00
Other Charges & Expenses	570	300,866.01	424,661.00	444,661.00	444,661.00	444,661.00
Total		386,672.46	510,949.00	538,855.48	538,861.00	538,861.00
<u>BOARD OF HEALTH (510)</u>						
Personnel Services	510	78,704.27	102,486.00	104,849.00	90,884.00	90,884.00
Other Charges & Expenses	570	12,346.93	16,615.00	23,845.00	16,615.00	16,615.00
Total		91,051.20	119,101.00	128,694.00	107,499.00	107,499.00
<u>PUBLIC HEALTH NURSE (522)</u>						
Personnel Services	510	15,266.01	15,984.00	16,783.20	16,350.00	16,350.00
Other Charges & Expenses	570	3,013.12	3,380.00	4,218.94	4,219.00	4,219.00
Total		18,279.13	19,364.00	21,002.14	20,569.00	20,569.00
<u>HUMAN SERVICES (541)</u>						
Personnel Services	510	64,695.46	68,816.00	70,756.19	67,723.00	67,723.00
Other Charges & Expenses	570	11,725.38	12,267.00	13,360.00	13,360.00	13,360.00
Total		76,420.84	81,083.00	84,116.19	81,083.00	81,083.00
<u>VETERANS AGENT (543)</u>						
Personnel Services	510	27,818.54	29,436.00	30,318.00	30,318.00	30,318.00
Other Charges & Expenses	570	3,022.92	2,400.00	1,660.00	1,660.00	1,660.00
Other Expenses	579	222,959.05	220,000.00	200,000.00	200,000.00	200,000.00
Total		253,800.51	251,836.00	231,978.00	231,978.00	231,978.00
<u>HDGP. COMMISSION (549)</u>						
Other Charges & Expenses	570	0.00	0.00	500.00	100.00	100.00

ARTICLE 4

FY 2005 Operating Budget

<u>No.</u>	<u>FY03 Expense</u>	<u>FY04 Appropriation</u>	<u>FY05 Dept. Request</u>	<u>FY05 Town Mgr. Recommend</u>	<u>FY05 Fin Com Recommend</u>
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LIBRARY (610)

Personnel Services					
510					
Other Charges & Expenses	383,279.00	393,609.00	418,366.00	406,684.00	406,684.00
570	383,279.00	393,609.00	418,366.00	406,684.00	406,684.00
Total					

RECREATION (630)

Personnel Services					
510	35,699.85	36,771.00	37,874.00	37,874.00	37,874.00
Other Charges & Expenses	22,552.88	23,650.00	26,160.00	23,650.00	23,650.00
570	58,252.73	60,421.00	64,034.00	61,524.00	61,524.00
Total					

CULTURAL COUNCIL (650)

Other Charges & Expenses	0.00	0.00	0.00	0.00	0.00
570	0.00	0.00	0.00	0.00	0.00

HISTORICAL COMMISSION (691)

Other Charges & Expenses	0.00	200.00	0.00	100.00	100.00
570	0.00	200.00	0.00	100.00	100.00

MEMORIAL & VETS (692)

Other Charges & Expenses	1,128.41	1,500.00	1,500.00	1,500.00	1,500.00
570	1,128.41	1,500.00	1,500.00	1,500.00	1,500.00

HISTORIC DISTRICT COMMISSION (693)

Other Charges & Expenses	0.00	0.00	0.00	329.00	329.00
570	0.00	0.00	0.00	329.00	329.00

MATURING DEBT (711)

Purchase of Services					
520					
Other Charges and Expenses	1,040,728.85	1,002,102.00	32,000.00	32,000.00	32,000.00
570	1,040,728.85	1,002,102.00	32,000.00	32,000.00	32,000.00
Other Expenses	0.00	1,000.00	1,599,445.91	1,599,446.00	1,599,446.00
579	0.00	1,000.00	1,599,445.91	1,599,446.00	1,599,446.00
Debt Service	1,486,100.36	1,633,088.00	178,333.34	178,334.00	178,334.00
590	1,486,100.36	1,633,088.00	178,333.34	178,334.00	178,334.00
Short-Term Debt	0.00	0.00	1,809,779.25	1,809,780.00	1,809,780.00
594	0.00	0.00	1,809,779.25	1,809,780.00	1,809,780.00
Total	2,526,829.21	2,636,190.00			

INTEREST (750)

Other Charges and Expenses	0.00	0.00	20,000.00	20,000.00	20,000.00
570	0.00	0.00	20,000.00	20,000.00	20,000.00
Debt Service	25,672.48	35,000.00	979,858.03	979,858.00	979,858.00
590	25,672.48	35,000.00	979,858.03	979,858.00	979,858.00
Short-Term Debt	0.00	0.00	33,631.89	33,632.00	33,632.00
594	0.00	0.00	33,631.89	33,632.00	33,632.00
Total	25,672.48	35,000.00	1,033,489.92	1,033,490.00	1,033,490.00

ARTICLE 4

<u>FY 2005 Operating Budget</u>	<u>No.</u>	<u>FY03 Expense</u>	<u>FY04 Appropriation</u>	<u>FY05 Dept. Request</u>	<u>FY05 Town Mgr. Recommend</u>	<u>FY05 Fin Com Recommend</u>
<u>EMPLOYEE BENEFITS (910)</u>						
Contributory Retirement	510	931,126.00	961,588.00	1,189,526.00	1,189,526.00	1,189,526.00
Medical Insurance	511	3,181,437.38	3,590,705.00	4,192,143.00	4,192,143.00	4,192,143.00
Social Security & Medicare	570	210,391.92	230,000.00	230,000.00	230,000.00	230,000.00
Total		4,322,955.30	4,782,293.00	5,611,669.00	5,611,669.00	5,611,669.00
<u>UNEMPLOYMENT (911)</u>						
Other Charges & Expenses	570	84,480.38	80,000.00	80,000.00	85,000.00	85,000.00
<u>MISCELLANEOUS (940)</u>						
Gasoline & Diesel	540	80,319.71	80,000.00	80,000.00	90,000.00	90,000.00
Insurances	570	245,043.90	327,668.00	320,000.00	320,000.00	320,000.00
Total		325,363.61	407,668.00	400,000.00	410,000.00	410,000.00
<u>Grand Totals</u>		<u>33,148,485.27</u>	<u>36,637,755.00</u>	<u>39,408,831.16</u>	<u>38,521,790.00</u>	<u>38,521,790.00</u>

## ARTICLE 5

To see if the Town will raise and appropriate, and/or appropriate and/or transfer from available funds, a sum of money to purchase, or lease with an option to purchase, new and/or replacement capital items for various Town Departments, or take any other action relative thereto.

### (BOARD OF SELECTMEN)

**FINANCE COMMITTEE:** Recommended in the amount of \$407,500.00 with \$57,500.00 transferred from the Ambulance Account and the remaining \$350,000.00 transferred from the Capital Improvement Account for the following items:

<b>Information Technology/ Data Processing</b>	<b>\$18,000.00</b>	<b>Web Server Project</b>
<b>Municipal Building</b>	<b>\$25,000.00</b>	<b>Boiler Replacement, etc.</b>
<b>Police Department</b>	<b>\$56,000.00</b>	<b>Two Cruisers</b>
<b>Police Department</b>	<b>\$7,000.00</b>	<b>Repeaters</b>
<b>Fire Department</b>	<b>\$57,500.00</b>	<b>Ambulance</b>
<b>Fire Department</b>	<b>\$10,000.00</b>	<b>Hose Replacements</b>
<b>Fire Department</b>	<b>\$90,000.00</b>	<b>Pumper</b>
<b>J. C. Solmonese Elementary School</b>	<b>\$15,000.00</b>	<b>Replace Carpet</b>
<b>J. C. Solmonese Elementary School</b>	<b>\$12,000.00</b>	<b>Repair Lavatories</b>
<b>J. C. Solmonese Elementary School</b>	<b>\$5,000.00</b>	<b>Window Repair</b>
<b>Schools</b>	<b>\$42,000.00</b>	<b>Purchase SPED Bus</b>
<b>Highway</b>	<b>\$70,000.00</b>	<b>Purchase Truck</b>

# ARTICLE 5

## PROPOSED FY05 CAPITAL BUDGET

CAPITAL PROJECTS LIST	DEPARTMENT REQUEST	CAPITAL IMPROVEMENT COMMITTEE RECOMMENDATION	FINANCE COMMITTEE RECOMMENDATION
<b>INFORMATION TECHNOLOGY/DATA PROCESSING (155)</b>			
Web Server Project	18,000	18,000	18,000
<b>CONSERVATION (171)</b>			
Reservoir Dredging	12,000,000	0	0
<b>MUNICIPAL BUILDING (192)</b>			
Boiler Replacement, Locks, Miscellaneous Code Items	25,000	25,000	25,000
<b>POLICE DEPARTMENT (210)</b>			
Cruiser Replacements	86,000	56,000	56,000
Repeaters	7,000	7,000	7,000
<b>FIRE DEPARTMENT (220)</b>			
Ambulance	60,000	57,500	57,500
Hose Replacements	10,000	10,000	10,000
Pumper	95,000	90,000	90,000
Chief's Car	24,000	0	0
Chasis Replacement	36,135	0	0
<b>SCHOOLS (300)</b>			
<b>L. G. NOURSE ELEMENTARY SCHOOL</b>			
Classroom Furniture	20,000	0	0
Replace Toilet Partitions	4,000	0	0

# ARTICLE 5

CAPITAL PROJECTS LIST	DEPARTMENT REQUEST	CAPITAL IMPROVEMENT COMMITTEE RECOMMENDATION	FINANCE COMMITTEE RECOMMENDATION
J. C. SOLMONESE ELEMENTARY SCHOOL			
Replace Carpet with Tile	15,000	15,000	15,000
Repair Unit Lavatories	12,000	12,000	12,000
Window Repair	5,000	5,000	5,000
NORTON HIGH SCHOOL			
Reconstruct Athletic Fields	100,000	0	0
SYSTEMWIDE			
Purchase SPED Bus	42,000	42,000	42,000
Purchase Van	25,000	0	0
HIGHWAY (420)			
35,000 GVW Truck	70,000	70,000	70,000
Asphalt Recycler	25,000	0	0
LIBRARY (610)			
Technology	13,500	0	0
TOTAL (W/O AMBULANCE RESERVE)	12,632,635	350,000	350,000
TOTAL AMBULANCE RESERVE FUND	60,000	57,500	57,500
TOTAL (INC. AMBULANCE RESERVE)	12,692,635	407,500	407,500

## ARTICLE 6

To see if the Town will adopt the following resolution: "Be it resolved that the Water Department continue to be operated under the provisions of the Mass. General Laws, Chapter 41, Section 69B, for the Fiscal Year 2005" or take any other action relative thereto:

### WATER DIVISION:

	<u>2002 Expend</u>	<u>2003 Expend</u>	<u>2004 Approp.</u>	<u>2005 Requested</u>
Salaries	319,208	341,782	387,160	394,760
Expenses	467,394	506,278	550,000	550,000
Town Reim Serv	136,397	167,998	167,998	167,998
<u>Outstanding Debt</u>	<u>219,657</u>	<u>222,248</u>	<u>219,550</u>	<u>201,369</u>
Total	1,142,656	1,238,306	1,324,708	1,314,127

(WATER & SEWER COMMISSION)

**FINANCE COMMITTEE: Recommended in the amount of \$1,314,127.00 as follows:**

<b>Salaries</b>	<b>\$394,760.00</b>
<b>Expenses</b>	<b>\$550,000.00</b>
<b>Town Reim Serv</b>	<b>\$167,998.00</b>
<b>Outstanding Debt</b>	<b>\$201,369.00</b>
<b>Total:</b>	<b>\$1,314,127.00</b>

## ARTICLE 7

To see if the Town will appropriate and/or transfer from available funds a sum of money for the purpose of funding engineering and construction for the rehabilitation of Well #2, or take any other action relative thereto.

(WATER & SEWER COMMISSION)

**FINANCE COMMITTEE: Recommended in the amount of \$130,000.00 from the Water Surplus Account to rehabilitate Well #2.**



#### ARTICLE 8

To see if the Town will authorize the Water and Sewer Commission to enter into a Water Purchase Agreement dated as of February 11, 2004, between the Town of Norton and Aquaria, LLC, for an initial term of twenty (20) years, or take any other action relative thereto.

(WATER AND SEWER COMMISSION)

**FINANCE COMMITTEE: Recommended.**

#### ARTICLE 9

To see if the Town will appropriate and/or transfer from available funds a sum of money for the purpose of funding the Phase II engineering services for the Taunton River Desalinization Project – Norton Interconnecting Pipeline, or take any other action relative thereto.

(WATER & SEWER COMMISSION)

**FINANCE COMMITTEE: Recommended in the amount of \$80,000.00 from the Water Surplus Account to design the Norton Interconnecting Pipeline for the Taunton River Desalinization Project.**

#### ARTICLE 10

To see if the Town will raise and appropriate, and/or appropriate and/or transfer from available funds, a sum of money for the Fiscal Year 2006 triennial revaluation of property and for the assessment of personal property, or take any other action relative thereto.

(BOARD OF ASSESSORS)

**FINANCE COMMITTEE: Recommended in the amount of \$50,000.00 to fund the triennial revaluation of property.**

#### ARTICLE 11

To see if the Town will raise and appropriate, and/or appropriate and/or transfer from available funds, a sum of money for the Diagnostic and Feasibility Study for Lake Winnecunnet, or take any other action relative thereto.

(CONSERVATION COMMISSION AND LAKE WINNECUNNET ASSOCIATION)

**FINANCE COMMITTEE: Not recommended. This Article has been withdrawn by the petitioners.**

## ARTICLE 12

To see if the Town will continue a revolving account of the Board of Health. The purpose for this account is to allow the Board of Health to receive fees for processing recycled materials, including but not limited to white goods, newspapers, tires, etc., and allow the Board of Health to expend such funds to a maximum of \$10,000.00 in the fiscal year in support of recycling activities such as the operation of the Recycling Center; public education efforts; household hazardous waste collection day(s); seminars, workshops, information for Board of Health members; studies, reports on recycling issues, etc. In accordance with the requirements of G.L. Chapter 44, Section 53E-1/2, which allows such revolving accounts, the account and the maximum amount that may be spent from the account must be approved annually by Town Meeting, or take any other action relative thereto.

(BOARD OF SELECTMEN)

**FINANCE COMMITTEE: Recommended.**

## ARTICLE 13

To see if the Town will continue a revolving fund under Chapter 44, Section 53E-1/2, of the General Laws to fund salaries and expenses related to the Norton Fire Department's Certified Hazardous Materials Technician(s), 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), and to authorize the Department to expend up to \$10,000.00 per year from such fund during any fiscal year, or take any other action relative thereto.

(BOARD OF SELECTMEN)

**FINANCE COMMITTEE: Recommended.**

## ARTICLE 14

To see if the Town will authorize the establishment, pursuant to G.L. Chapter 44, Section 53E½, of a revolving account for the use of the Norton Cable Access to receive franchise, access, and license fees, to be expended by Norton Cable Access, with written approval of the Board of Selectmen, to expend such funds to a maximum of \$150,000.00 for Fiscal Year 2005 for purposes of providing local access programming and for payment of any expenses related thereto. In accordance with G. L. Chapter 44, Section 53E½, which allows such revolving accounts, the account and the maximum amount that may be spent from the account must be approved annually by Town Meeting, or take any other action relative thereto.

(NORTON CABLE ACCESS)

**FINANCE COMMITTEE: Recommended to establish a revolving account for Norton Cable Access.**

## ARTICLE 15

To see if the Town will vote to amend Section I of the Southeastern Regional School District Agreement as amended, to provide as follows:

Striking in its entirety, Section I: The Regional School District Committee, and inserting in place thereof the following:

### SECTION I: THE REGIONAL DISTRICT SCHOOL COMMITTEE

#### A. COMPOSITION

The Regional School District Committee, hereinafter referred to as the Committee, shall consist of ten members; two members shall be residents and registered voters of the City of Brockton, one member shall be a resident and registered voter of the Town of East Bridgewater, one member shall be a resident and registered voter of the Town of Easton, one member shall be a resident and registered voter of the Town of Foxborough, one member shall be a resident and registered voter of the Town of Norton, one member shall be a resident and registered voter of the Town of Mansfield, one member shall be a resident and registered voter of the Town of Sharon, one member shall be a resident and registered voter of the Town of Stoughton, one member shall be a resident and registered voter of the Town of West Bridgewater. The members of the Committee shall be appointed by the Board of Selectmen/City Council and the school committee, as the case may be, in each of the respective towns and city. For instance, the Sharon Board of Selectmen/City Council and the school committee will appoint the Sharon Committee member.

#### B. APPOINTMENT PROCEDURES:

Appointment to the District School Committees shall be done as follows:

(1) No later than August 31<sup>st</sup> of each year in which an appointment is to be made, the selectmen or city council of a town or city whose seats are up for appointment during that year will post notice of such vacancy in the city or town hall. Notice of the vacancy shall remain posted for at least thirty (30) days.

(2) Each individual interested in being appointed to the Committee shall submit a written statement of interest to the Board of Selectmen/City Council and school committee of the town or city in which he or she resides no later than October 1<sup>st</sup> during the year in which an appointment is scheduled to be made. The selectmen/city council and

school committee will review the statements of interest, conduct interviews of the candidates if they desire, and make their appointment decisions no later than October 31st.

(3) Interested applicants must be residents and registered voters of the town or city in which they wish to be appointed in order to be considered for appointment to the Committee.

(4) Should a mid-term vacancy occur on the Committee, the town or city in which the vacancy occurs need not follow the appointment process set forth herein and may appoint through its board of selectmen or city council a resident and registered voter whom it decides in its discretion would be best suited to act as an interim committee member. Should a mid-term vacancy occur in the positions of Chairman, Secretary or Treasurer, the Committee may immediately appoint by majority vote new individuals to fill the position(s) on an interim basis for the duration of the term of the departing officer without following the appointment procedure set forth in Section C (3). In no case, shall any of the positions set forth herein remain vacant for more than thirty (30) days.

**C. ORGANIZATION AND COMMENCEMENT OF TERMS OF OFFICE:**

(1) Initial Appointment -- No later than August 31, 2004, each city and/or town represented by the five seats whose term is set to expire in November 2004 shall post a notice in the city and/or town hall notifying the public of the impending vacancy and inviting interested parties to submit a statement of interest to the respective Board of Selectmen/City Council and school committee no later than October 1, 2004. The Selectmen or City Council shall make their appointment as soon as practicable, but in no event later than October 31, 2004. New appointees will typically be sworn in at the first Committee meeting in November 2004 and shall serve a term of four (4) years in duration. The remaining five seats will follow the same appointment process, except such process shall take place in calendar year 2006. The present committee members for the five municipalities who were duly elected in the November 2002 election will continue to hold their seats until 2006.

(2) Subsequent Appointments -- Each term shall be for four (4) years. Subsequent appointments shall be made in the same manner as initial appointments, with postings no later than August 31<sup>st</sup>, statements of interest provided no later than October 1<sup>st</sup> and appointment decisions made no later than October 31<sup>st</sup>. The individual appointed by the selectmen/city council and school committee shall begin to serve his or her term effective November 1<sup>st</sup>.

**(3) Appointment of Officers** -- On the date of the first School Committee meeting following the November appointment and every November thereafter, the Committee shall choose by majority voice vote a Chairman for a term of one year from its own membership. At the same meeting, or at any other meeting, the Committee shall choose by majority vote a Treasurer and a Secretary, who may be the same person but who need not be a member of the Committee, choose such other officers as it deems advisable all to serve for a term of one year, and describe the powers and duties of any of its officers, fix the time and place for its regular meetings and provide for the calling of special meetings.

**(D) POWER AND DUTIES**

The Committee shall have all the powers and duties conferred and imposed upon it by this Agreement and such other additional powers and duties as are specified in Chapter 489 of the Acts of 1963, and any amendments thereof or additions thereto, now or hereafter enacted, or as may be specified in any other applicable general or special law.

**(E) QUORUM:**

The quorum for the transaction of business shall be a majority of the Committee, but a number less than the majority may adjourn.

or take any other action relative thereto.

(SOUTHEASTERN REGIONAL VOCATIONAL-TECHNICAL SCHOOL COMMITTEE)

**FINANCE COMMITTEE:** Recommended. Passage of this Article will allow the Norton Board of Selectmen to appoint the Norton representative to the District School Committee.

**ARTICLE 16**

To see if the Town will vote in accordance with the fourth paragraph of Massachusetts General Laws Chapter 71, Section 16B, to reallocate the sum of its required contribution to the Southeastern Regional Vocational-Technical School (the "District") in accordance with the District's regional agreement, or take any other action relative thereto.

(SOUTHEASTERN REGIONAL VOCATIONAL-TECHNICAL SCHOOL COMMITTEE)

**FINANCE COMMITTEE:** Recommended. Passage of this Article will signify Norton's approval of a return to the method of calculating each member's community contribution by dividing the number of students into the budget sum and assigning each city or town an amount based on the number of students attending from that community.

## ARTICLE 17

To see if the Town will vote to accept the provisions of G.L. Chapter 59, Section 57C, to provide for quarterly tax payments in the Town, and to implement the quarterly tax payment system beginning July 1, 2005, or take any other action relative thereto.

(TREASURER/COLLECTOR)

**FINANCE COMMITTEE:** Recommended to implement the quarterly tax payment system beginning July 1, 2005.

## ARTICLE 18

To see if the Town will vote to accept the provisions of §1 of c. 137 of the Acts of 2003, allowing the Town to pay to an employee granted a military leave of absence, as defined in the statute, the employee's regular base salary, reduced by any amount received from the United States as pay or allowance for military service during the same pay period, or take any other action relative thereto.

(BOARD OF SELECTMEN)

**FINANCE COMMITTEE:** Recommended to allow the Town to pay an employee on a military leave of absence his/her regular base salary minus the amount received from the United States for military service (National Guard or Reserves), including employee benefits.

## ARTICLE 19

To see if the Town will accept Massachusetts General Laws Chapter 40, Section 22F, to enable any municipal board or officer empowered to issue a license, permit, certificate, or to render a service or perform work, to set certain reasonable fees and charges and, if those fees and charges are currently established by statute, to increase them beyond the statutory level, or take any other action relative thereto.

(TOWN CLERK)

**FINANCE COMMITTEE:** Recommended to enable the Town to set reasonable fees and charges as set by the Department of Revenue guidelines.

## ARTICLE 20

To see if the Town will add the following By-Law under Town Officers:

**“10. The Town Clerk’s fee for entering notice of intention of marriage and issuing certificates thereof, shall be \$25.00.”**

or take any other action relative thereto.

(TOWN CLERK)

**FINANCE COMMITTEE: Recommended only if Article 19 does not pass.**

## ARTICLE 21

To see if the Town will amend the Town Clerk’s fees schedule authorized by Massachusetts General Laws Chapter 262, Section 34, Clauses 1-79, voted under Article 17 at the Annual Town Meeting, May 1, 1989, by **deleting clause 42** “For entering notice of intention of marriage and issuing certificates thereof” and **amending clause 21** for filing by a person conducting business under any title other than his real name to “**\$40.00**”, or, if the Town votes to accept G. L. Chapter 40, Section 22F, to rescind approval of the Town Clerk’s Fee Schedule as approved at the May 1, 1989, Town Meeting to permit the Town Clerk to set fees in accordance with G. L. Chapter 40, Section 22F, or take any other action relative thereto.

(TOWN CLERK)

**FINANCE COMMITTEE: Recommended only if Article 19 does not pass.**

## ARTICLE 22

To see if the Town will amend its By-Laws for the purpose of adopting, ratifying, and incorporating therein the following new section:

### **BOARD OF SELECTMEN’S SPECIAL EVENT PARKING REGULATIONS**

#### **1. Purpose and Authority**

These regulations are adopted pursuant to Massachusetts General Laws Chapter 40, Section 22, and the Board of Selectmen’s broad police powers to preserve the public safety during special events held in the Town by restricting or prohibiting parking on certain public ways, and prohibiting the parking of more than four cars on a single lot on such public ways without a permit from the Board of Selectmen.

## **2. Definitions**

**“Special event”** – An event designated as such by the Board of Selectmen, due to projected attendance, location of the proposed event, likely need for commitment of municipal resources, and such other factors may effect the public safety, including, but not limited to, any public event held at the Tournament Players Club of Boston golf course.

**“Notice”** – The posting on a Town bulletin board or on a public way, publishing in a newspaper of general circulation within the Town, and/or other public dissemination.

**“Public way”** – Any road either accepted by Town Meeting as a public way, or used and maintained as a public way by the Town of Norton, and adjacent sidewalks.

## **3. Parking Restrictions During Special Events**

The Board of Selectmen shall issue notice of parking restrictions at least two weeks prior to a special event. Such notice shall comprise a list of parking restrictions, and the notice shall include, but not be limited to: the name of the public way; the portion of the public way where parking will be restricted or prohibited if such restrictions will be imposed on only a portion of the way; and, the hours that such prohibitions or restrictions will apply.

## **4. Permits for Parking During Special Events**

It is presumed that during a special event the parking of more than four cars on a single lot located on a public way subject to parking restrictions will impact public safety. Thus, during a special event no person owning or controlling property on a public way subject to parking restrictions shall allow, without a permit from the Board of Selectmen or its designee, more than four cars to park on a single lot under that person's control. A person owning or controlling property on a public way subject to special event parking restrictions may seek a permit from the Selectmen to allow additional cars to be parked; provided however, that no such permit shall be granted unless the applicant demonstrates to the satisfaction of the Board or its designee, through the submission of testimony, plans, or other documentation as may be requested by the Board or its designee, that such parking will not impact public safety. The Board of Selectmen or its designee shall impose such conditions as it deems necessary to protect the public safety.

or taken any other action relative thereto.

(BOARD OF SELECTMEN)



**FINANCE COMMITTEE:** Not recommended. The Committee is in favor of a regulation, but not as a Town By-Law.

#### ARTICLE 23

To see if the Town will vote pursuant to Massachusetts General Laws Chapter 82, Section 21, to discontinue as a statutory private way Howard Street, accepted by the vote under Article 18 of the Warrant for the April 5, 1886, Annual Town Meeting, and authorize the Board of Selectmen to release any or all right, title, and interest held by the Town within said way as previously laid out, or take any other action relative thereto.

(WHEATON COLLEGE)

**FINANCE COMMITTEE:** Recommended to have Howard Street allocated to Wheaton College as a private way.

#### ARTICLE 24

To see if the Town will amend its By-Laws for the purpose of adopting, ratifying, and incorporating therein the following new section:

### **Demolition Delay By-law**

#### **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 12 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 Town 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.

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

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

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

***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 demolition, or partial demolition or removal of a building or structure from its lot, or the moving of the building or structure on its lot.

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

***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.

**Historically 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.

**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 Significant Building or Structure which the Commission determines is in the public interest to be preserved or rehabilitated rather than to be demolished.

**Regulated Buildings or Structures:** Any building or structure which is in whole or in part: (a) 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 (b) located within 200 feet of a boundary line of any Federal, state or local historic district; or (c) 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 (d) 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 one hundred years or older.
- Buildings or structures that appear on official maps of the town of Norton, Massachusetts; 1835 to 1898.

### **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.

No demolition of a building or structure, or any portion of a building or structure one hundred years or older or which is of an indeterminate age, shall be permitted except in conformity with the provisions of this By-Law.

**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 ten (10) days. No demolition permit shall be issued at that time.

**B. Historical Significance Determination**

Within thirty (30) days after the receipt of such application, the Commission shall determine whether the building or structure is historically significant.

- a. If the Commission determines that the building or structure is not historically 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 the thirty (30) days after its receipt of the application, then the building or structure shall be deemed not historically significant, and the Building Inspector may issue a demolition permit.
- b. If the Commission determines that the building or structure is historically 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 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.
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 at least fourteen (14) days before said hearing in such manner as it may determine, 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 a historically 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 twelve (12) 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 twelve (12) 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 twelve (12) 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 regulated 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 significant. The applicant for the permit shall be entitled to make a presentation to the Commission. The determination by the Commission of whether a regulated building or structure is historically significant shall be made in writing signed by the Commission and shall be binding on the Commission for a period of 5 years from the date thereof.**

#### **Section 5. Emergency Demolition**

**If the condition of a building or structure poses a serious and imminent threat to public health or safety due to its deteriorated condition, the owner of the building or structure may request the issuance of an emergency demolition permit from the Building Inspector. The Building Inspector shall arrange to have the property inspected by a board consisting of himself, the Chairman of the Commission and the Chairman of the Board of Health, and the Chief of the Fire Department, or their respective designees.**

**After inspection of the building or structure the Building Inspector shall determine whether the condition of the building or structure represents a serious and imminent threat to public health or safety and whether there is any reasonable alternative to immediate demolition of the building or structure which would protect the public health or safety. If the Building Inspector finds that the condition of the building or structure poses a serious and imminent threat to public health or safety, and that there is no reasonable alternative to the immediate demolition, an emergency demolition permit will be issued.**

#### **Section 6. Non-Compliance**

- 1. 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.**
- 2. No building permit shall be issued with respect to any premises upon which a Historically Significant Building or structure has been voluntarily demolished in violation of this bylaw for a period of 2 years after the date of the completion of such demolition**
- 3. 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 2, above.**

- 4. Anyone who demolished a building or structure identified as a Regulated 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, 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.

#### **(NORTON HISTORICAL COMMISSION)**

**FINANCE COMMITTEE: Not recommended. The Committee felt the definition of a Historically Significant Building or structure was too broad and all inclusive. The center of town has many historical houses already protected by the Historic District Commission.**

#### **ARTICLE 25**

To see if the Town will amend the Norton Zoning By-Law as follows:

In Section 19.3.1 Division of Land, change the word "required" to "require" to read as follows:

... including those divisions of land that do not require subdivision approval ...

and, in Section 19.12.1, change the word "as" to "at" to read as follows:

... within the Town of Norton at the time of resale ...

and, in section 19.12.4, delete the word "an" to read as follows:

The Building Inspector shall not issue any building permit ...

and, in Section 15.3, change the number "2" to number "3" to read as follows:

3. All "drive-through facilities" as defined ...

or take any other action relative thereto.

(PLANNING BOARD)

**FINANCE COMMITTEE:** Recommended as presented by the Planning Board.

#### ARTICLE 26

To see if the Town will amend the Zoning Map of the Town of Norton by changing the zoning designation from Industrial to Residential-40 for the land described as follows:

Said land is shown on Norton Assessors Map 27 as Parcels 193, 195, 196, 203, 205, and 206 (all portions of); bounded northerly and easterly by the current zone line R40/Industrial, southerly by (Parcel 5) the land of the MBTA, and westerly by (Parcel 6) the land of the Roman Catholic Bishop of Fall River,

or take any other action relative thereto.

(KAREN KEEGAN AND MICHAEL CHOQUETTE )

**FINANCE COMMITTEE:** Recommended to change the zoning designation from Industrial to Residential-40. The land can only be accessed by an abutting Residential-40 district, rendering it undevelopable for industrial purposes.

#### ARTICLE 27

To see if the Town will amend its By-Laws for the purpose of adopting, ratifying, and incorporating therein the following new section:

#### ADULT RETIREMENT COMMUNITY

**A. PURPOSE:** The purposes of this section are:

1. To provide an alternative housing opportunity for persons 55 years of age and older;
2. To provide an attractive and suitable residential environment that is more amenable to the needs of people in their later years;



3. To encourage creative and innovative site planning and design in order to enhance the attractiveness and suitability of this alternative housing type, and to better meet the specific housing needs of this segment of the population; and
4. To encourage the preservation of common land for open space and recreational use by promoting the highest and best utilization of land in harmony with its natural features and to retain the rural character of the town.

**B. SPECIAL PERMIT:** In the Business, Industrial and R80 Districts, the Planning Board may grant a Special Permit for an **ADULT RETIREMENT COMMUNITY (ARC)** as an alternative to conventional subdivision. Subdivision approval pursuant to Chapter 41 MGL is also required.

**C. DEFINITIONS:** For the purpose of this section only, certain terms, words and phrases are herein defined as follows:

1. **ADULT RETIREMENT COMMUNITY (ARC)**, a self-contained, alternative, residential community constructed expressly for and specifically limited to use and residency by persons who have achieved a minimum age requirement for residency of at least fifty-five (55) years. Such developments shall comply in all respects to the requirements of MGL Chapter 151B, as it may be amended.
2. **COMMUNITY FACILITY(IES)** - Developed common areas, constructed solely for the use of the residents of the ARC and their guests. The Community Facility(ies) may include buildings housing activities and amenities such as game room, entertainment room, sewing room, library, kitchen, laundry facilities, exercise room, toilet facilities, locker rooms for men and women, etc. Facility(ies) may also include outdoor activities and amenities such as swimming pools, gardens, paths and walkways, putting greens and the like. All Community Facilities shall be designed and maintained in conformance with the latest Massachusetts for handicapped accessibility.

**D. ADULT RETIREMENT COMMUNITY GENERAL STANDARDS**

**1. Permitted Uses**

Land in the ARC is specifically limited to use, residence and occupancy by persons who have achieved a minimum of fifty-five (55) years of age, provided, however, that no more than one of the persons occupying any unit may be under fifty-five (55) years of age, in accordance with MGL

**Chapter 151B, as it may be amended, and community facilities for residents of the ARC and their guests.**

## **2. Area and Dimensional Requirements**

- (a) Minimum Tract Size:** The Tract of land for an ARC must contain at least thirty (30) acres and have at least forty (40) feet of frontage on a public way.
- (b) Lot Area, Frontage, Width and Yard Requirements:**
  - (1) Minimum Lot Area:** twelve thousand (12,000) square feet.
  - (2) Minimum lot frontage:** seventy (70) feet, provided, however, that the Planning Board may allow up to ten (10%) percent of the lots within the ARC to have frontage reduced to as little as thirty (30) feet when all other lot size requirements are satisfied.
  - (3) Minimum lot width:** seventy (70) feet, except as provided in (2) above.
  - (4) Minimum yard requirements:** twenty (20) feet front, ten (10) feet side and fifteen (15) feet rear.

## **3. Building Location Requirements**

- (a) No building (except accessory structures not in excess of 96 square feet) shall be located within 20 feet of a public way or private way; within 30 feet of the boundary line of the ARC; or within 10 feet of any designated Common Land.**
- (b) The Planning Board may permit smaller setbacks and distances if it finds that such smaller setbacks will not detract from the purpose and intent of the ARC.**

## **4. Number of Dwelling Units**

- (a) The maximum number of ARC dwelling units in the Town of Norton shall be limited to a number equivalent to five percent (5%) of the existing single-family residential housing units (excluding ARC units) located in the Town of Norton. The number of single-family residential housing units for the purpose of this By-Law shall be as established by the Board of Assessors as of January 1 of the calendar year in which the Special Permit application is filed.**

- (b) The maximum number of dwelling units permitted in an ARC shall be computed by dividing the developable area of the ARC tract (in square feet) by one-third ( $1/3$ ) of the minimum lot size required in the underlying zoning district. For the purpose of this computation, the "developable" area shall be the total area of the tract, including the Common Land, but excluding all streams, ponds and wetlands as defined by MGL Chapter 131, Section 40, and areas subject to existing valid open space restrictions.
- (c) The maximum number of dwelling units in any one (1) ARC shall be one hundred twenty-five (125).
- (d) The minimum number of dwelling units in any one (1) ARC shall be twenty-five (25).

## **5. Streets and Utilities**

All streets in the ARC shall be private ways. All street, and all sewage, drainage facilities and utilities shall be designed and constructed in compliance with the Town of Norton Subdivision Rules and Regulations, except as specifically modified by the following design standards:

- (a) The minimum widths of rights-of-way shall be thirty-five (35) feet.
- (b) The minimum widths of roadways (paved travel areas) shall be twenty-two (22) feet for streets providing access for up to and including 40 dwellings, and twenty-four (24) feet for streets providing access for no more than 40 dwellings.

Exceptions to the Subdivision Rules and Regulations may be authorized by the Planning Board in granting a special permit hereunder provided that the Board determines such exceptions are in the public interest and are not inconsistent with the purposes of Section A.

## **6. Conditions**

Any plan approved as an ARC must contain or refer to recorded covenants regarding each of the following:

- (a) The streets within the ARC shall remain permanently a private way, which shall not be extended;

- (b) The Private Way shall not be connected to any other way except where it originates on a public way;
- (c) The lots shall obtain access from the Private Way if, and only if, ownership of the lot provides automatic membership in a homeowner association or any other entity responsible for all maintenance and snow removal of or from the Private Way. The homeowners association shall retain all rights in the Private Way.
- (d) The Private Way does not meet the standards of the Town for acceptance for new ways and shall not be proposed for such acceptance.
- (e) A perpetual easement in favor of the Town of Norton shall be granted to allow access to and maintenance of public utilities as appropriate.
- (f) Upon the approval of the Planning Board and the Fire Chief, common driveways may be used in an ARC. Common driveways must be placed only on the lots serviced by the common driveways.

## **7. Common Land**

### **Dimensional Requirements:**

In an ARC, at least thirty (30) percent of the total tract area shall be set aside as Common Land for the use of the ARC residents provided, however, the Planning Board may permit a lesser percentage to be set aside as Common Land if it finds that said lesser percentage will not detract from the purpose and intent of the ARC. The following additional requirements shall apply:

- (a) The minimum required area of the Common Land shall not contain a greater percentage of wetlands (as defined in MGL Chapter 131, Section 40) than the percentage of wetlands areas found in the overall tract of land on which the ARC is located. However, the Planning Board may permit a greater percentage of wetlands as a part of the common land if it finds that said percentage will not detract from the purpose and intent of the ARC By-Law.
- (b) Common Land shall be planned as large, contiguous parcels whenever possible. Strips or narrow parcels of Common Land shall be permitted only when necessary for providing access to the Common Land from a public or private way, or if the Planning Board finds that a vegetated buffer strip along the site's perimeter is appropriate and consistent with the purpose of ARC development.

- (c) Common Land may be set aside in more than one parcel provided that the size, shape and location of such parcels are suitable for the designated uses as allowed by the Planning Board.
- (d) The Common Land shall include adequate upland access from a way or street.

#### **8. Use of the Common Land**

- (a) The Common Land shall be dedicated and used for natural resource protection, recreation, park purposes, Community Facilities, outdoor education, agriculture, horticulture, forestry or for any combination of such uses. No other uses shall be allowed in the Common Land except as follows:
  - (i) A portion of the Common Land may be used for the construction of leaching areas associated with septic disposal systems serving the ARC or for water supply wells serving the ARC, if the Planning Board determines that such use will enhance the specific purpose of the ARC and promote better overall site planning. Septic disposal easements shall be no longer than reasonably necessary. If any portion of the Common Land is used for the purpose of such leaching areas or wells, the Planning Board shall require adequate assurances and covenants that such facilities will be maintained by the lot owners within the ARC.
  - (ii) A portion of the Common Land may also be used for ways serving as pedestrian walks, bicycle paths and emergency access or egress to the Common Land or adjacent land, if the Planning Board determines that such a use will enhance the specific purpose of the ARC and promote better overall site planning, and if the Planning Board finds that adequate assurances and covenants exist to ensure proper maintenance of such facilities by the owner of the Common Land.
  - (iii) The Common Land may be subject to easements for the construction, maintenance and repair of utility and drainage facilities serving the ARC or adjacent parcels.
- (b) The Common Land shall remain unbuilt upon, provided that an overall maximum of fifteen (15) percent of such land may be subject to pavement and structures accessory to the dedicated use or uses of the Common Land, exclusive of private ways.

- (c) The proposed use of the Common Land shall be specified on a plan, and appropriate dedications and restrictions shall be part of the deed to the Common Land.
- (d) The Planning Board shall have the authority to approve or disapprove particular uses proposed for the Common Land in order to enhance the specific purposes of ARC and to further efforts to equitably distribute a variety of open space benefits throughout the community.

#### **9. Ownership of Common Land**

- (a) The Common Land shall be conveyed in whole or in part to a corporation or trust owned or to be owned by the owners of the dwelling units within the ARC; or to an entity responsible for the management of the ARC; or to a non-profit entity, the principal purpose of which is the conservation of open space. The Planning Board shall approve the form of ownership of the Common Land.
- (b) If any portion of the Common Land is not conveyed to the Town of Norton, a Restrictive Covenant, approved by the Planning Board and enforceable by the Town of Norton, shall be imposed on the use of such land, providing, in substance, that the land be kept in its open or natural state and that the land shall not be built upon or developed or used except in accordance with provisions of an ARC as set forth herein and, if applicable, as further specified in the decision of the Planning Board governing the individual ARC.
- (c) The proposed ownership of all Common Land shall be specified for the ARC.
- (d) At the time of its conveyance (if applicable), the Common Land shall be free of all encumbrances, mortgages or other claims (including pre-existing conservation easements or restrictions), except as to easements, restrictions and encumbrances required or permitted by this by-law.

#### **10. Waivers**

The Planning Board may waive any requirement of this Section D if it finds that such waiver will not detract from the purpose and intent of the ARC.

#### **E. SITE COMMUNITY STANDARDS:**

- 1. Within the ARC, adequate access shall be provided to each dwelling unit; said access shall be convenient and appropriate for residents and emergency services.**
- 2. To the greatest extent possible, open spaces, house sites, streets and house lots shall be designed with due respect to natural landscape features, scenic views, topography, soils and natural drainage patterns.**
- 3. All utilities shall be installed underground.**
- 4. Within the ARC, the Board may require a buffer zone of at least twenty-five (25) feet in width around the entire perimeter of the development. The buffer zone shall include natural vegetation, plantings, walls, fences or vegetated earthen berms to provide a screening barrier between the development and the abutting properties. Screening plantings shall be used in combination with fences or walls whenever fences or walls are used. Screening plantings shall be provided between the wall or fence and the abutting property. The buffer zone and its associated screening barrier shall be designated on the Special Permit Plan. The detailed plan for planting and screening shall be prepared by a Registered Landscape Architect and shall be part of the Special Permit application. The actual requirements regarding buffering, plantings and screening shall be determined by the SPGA as part of the Special Permit process.**
- 5. Within the ARC, there shall be Community Facilities provided which shall be available to all residents and their guests.**
- 6. The sewer mains, hydrants and water mains within the private right of way shall be owned by the Town of Norton and the appropriate easements shall be granted to the Town of Norton within this private way so that they may service and maintain their property.**
- 7. The ARC shall conform with the requirements for a self-contained retirement community as established by Massachusetts General Laws, Chapter 151B, Section 5, Subsection 8, together with any amendment thereto.**

#### **F. APPLICATION PROCESS:**

**An application for an Adult Retirement Community special permit shall cover the entire Adult Retirement Community.**

## **Application Process:**

### **(a) Pre-Submission Meeting**

Prior to submission of the special permit application to the Board, the applicant is strongly advised to meet with the Town Planner or other Board designee to review the proposed development of the parcel of land in order to explore general conditions involving the site and to discuss potential problems. Pencil sketches, which need not be professionally prepared, will assist in this discussion and should show the critical features of the ARC plan.

### **(b) Special Permit Application and Definitive Subdivision Plan**

The special permit application shall contain a plan in the form and with the contents required of a Definitive Subdivision Plan by the Norton Subdivision Rules and Regulations. The applications for Special Permit and for approval of a Definitive Subdivision Plan shall be filed concurrently. To the extent permitted by law, the Planning Board shall consider both applications at the same time.

## **G. PLANNING BOARD ACTION:**

### **1. In evaluating the proposed ARC, the Planning Board shall consider:**

- (a) the general purpose and objectives of this by-law;**
- (b) the existing and probably future development of surrounding areas;**
- (c) the appropriateness of the proposed layout of street, ways, lots and structures; and**
- (d) the proposed layout and use of the Common Land in relation to the proposed dwelling units in the ARC, adjoining public or private common land or open space, or the topography, soils and other characteristics of the tract of land in question.**

### **2. The Planning Board may grant a special permit for an ARC if it finds that the ARC:**

- (a) complies with the requirements of this Article 27, other applicable requirements of the Zoning By-laws, and any regulations and guidelines promulgated thereto, where applicable, the construction and design standards of the Norton Subdivision Rules and Regulations;**
- (b) is consistent with the purposes of this section; and**



- (c) is in harmony with the existing and probable future uses of the area and with the character of the surrounding area and neighborhood.
3. If the Special Permit granted under this section is for more than 75 units, the SPGA may, at its discretion, specify that the construction of the ARC shall be phased in accordance with the following schedule:

**PHASE I (0-12 months from issuance of SPECIAL PERMIT):** Total number of building permits issued for dwelling units shall not exceed fifty percent (50%) of the total number of dwelling units approved under this Special Permit;

**PHASE II (12-24 months from issuance of SPECIAL PERMIT):** Total number of building permits issued for dwelling units shall not exceed seventy-five percent (75%) of the total number of dwelling units approved under this Special Permit;

**PHASE III (24-36 months from issuance of SPECIAL PERMIT):** Total number of building permits issued for dwelling units may equal the total number of dwelling units approved under this Special Permit.

#### **H. SPECIAL PERMIT CONDITIONS:**

As a condition of approval, the Planning Board may require such changes in the proposed development plans and may impose such conditions and safeguards as

it deems necessary to secure the objectives of this by-law, and to protect the health, safety and welfare of the inhabitants of the neighborhood and of the Town of Norton.

#### **I. CHANGE IN PLANS AFTER GRANT OF SPECIAL PERMIT:**

No change in any aspect of the approved plans shall be permitted unless approved in writing by the Planning Board. A new or amended special permit will be required if the Planning Board determines any proposed change to be substantial.

## **J. BUILDING PERMITS:**

No building permit shall be issued for any structure within an approved ARC without the written approval of the Planning Board. Such written approval may be in the form of a lot release.

(BOARD OF SELECTMEN )

**FINANCE COMMITTEE:** Not recommended. This Article was not recommended by the Planning Board, and the petitioner withdrew the Article.

## **ARTICLE 28**

To see if the Town will amend its By-Laws for the purpose of adopting, ratifying, and incorporating therein the following new section:

The tenant or occupant, and in case there is no tenant or occupant, the owner, or any other person having the care of any building or lot of land abutting upon any street, lane, court, square, or public place within the Town where there is a sidewalk, shall exert reasonable effort to keep such a sidewalk free of snow and ice. If the sidewalk becomes covered with ice that cannot be readily removed, the tenant, occupant, or owner shall place sand or ashes on the sidewalk to render it safe for pedestrians.

No person shall lay, throw, or place, or cause to be placed any ice or snow on that portion of any street or sidewalk within the Town which has been cleared or plowed for travel. No snow shall be plowed across any public way by any private plow to deposit snow from one property to another. No snow shall be deposited in such a way as to obstruct the operation of any fire hydrant, including Fire Department connections to buildings, cisterns, and dry hydrants.

This By-Law may be enforced through any available means in law or in equity, including non-criminal disposition in accordance with G.L. Chapter 40, Section 21D, and the Town's Non-Criminal Disposition By-Law. For purposes of non-criminal disposition, the enforcing person shall be the Board of Selectmen, or its designee, the Town Manager, or the Town Manager's designee, or any police officer of the Town of Norton. Each day a violation exists shall constitute a separate violation. The penalties for violation of this By-Law shall be Fifty and No Hundredths (\$50.00) Dollars per day.

or take any other action relative thereto.

(BOARD OF SELECTMEN)

**FINANCE COMMITTEE:** Recommended.

ARTICLE 29

To see if the Town will amend its By-Laws for the purpose of adopting, ratifying, and incorporating a by-law regulating storm water discharges generated by construction activity, or take any other action relative thereto.

(BOARD OF SELECTMEN)

**FINANCE COMMITTEE:** Not recommended because this will be addressed at the Fall Town Meeting.

ARTICLE 30

To see if the Town will amend its By-Laws for the purpose of adopting, ratifying, and incorporating therein a by-law regulating illicit discharge detection and elimination, or take any other action relative thereto.

(BOARD OF SELECTMEN)

**FINANCE COMMITTEE:** Not recommended because this will be addressed at the Fall Town Meeting.

And you are hereby directed to serve this Warrant by posting attested copies of the body of same at Chartley Post Office, Norton Post Office, Trinitarian Church, Unitarian Church, Norton Library, and three other public places within the limits of said Town, 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 22nd day of April in the year Two Thousand Four.

BOARD OF SELECTMEN/TOWN OF NORTON

James V. Brown  
James V. Brown, Chairman

Charles J. Moritoza, Jr.  
Charles J. Moritoza, Jr., Vice-Chair

Robert W. Kimball, Jr.

Robert W. Kimball, Jr., Clerk

Clarence P. Rich, Jr.

Robert S. Salvo, Sr.  
Robert S. Salvo, Sr.

Norton, Massachusetts.

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

ATTEST Dale A. Vay CONSTABLE [Signature] DATE 4/23/04

**TOWN OF NORTON  
WARRANT FOR THE SPECIAL TOWN MEETING  
MAY 10, 2004  
BRISTOL, SS.**

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

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Norton, qualified to vote in Norton affairs, to meet in the Henri A. Yelle Elementary School Gymnasium, 64 West Main Street, in said Norton, on Monday, the 10th day of May, 2004, A.D., at eight o'clock in the evening, then and there to act on the following articles, viz:

**ARTICLE 1**

To see if the Town will raise and appropriate, and/or appropriate and/or transfer 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 in the amount of \$7,921.70 to be transferred from Free Cash for the following:

\$248.66	Sturdy Memorial Hospital	(Fire Department)
\$96.00	Sturdy Memorial Hospital	(Police Department)
\$773.75	Pride Ford	(Police Department)
\$3,553.34	Bristol County Savings Bank	(Treasurer/Collector)
\$142.68	Kent Campbell	(Fire Department)
\$499.40	Albert E. Briand	(Fire Department)
\$90.82	Galls Incorporated	(NEMA)
\$2,517.05	Graves Engineering, Inc.	(Zoning Board of Appeals)

## ARTICLE 2

To see if the Town will raise and appropriate and/or transfer and/or appropriate from available funds a sum of money to supplement the Fiscal Year 2004 operating budget appropriated under Article 4 of the June 2, 2003, Annual Town Meeting, or take any other action relative thereto.

### (BOARD OF SELECTMEN)

**FINANCE COMMITTEE: Recommended in the amount of \$206,239.00 with \$85,510.30 transferred from Free Cash and the remaining \$120,728.70 from the Stabilization Account. The breakdown is as follows:**

Department	Account	Use	Amount
Health Insurance	1-910-570	Expense	\$104,487.00
Communications	1-290-570	Equipment Relocation - Precourt	\$ 1,302.00
Communications	1-290-570	Equipment Relocation - Cybercom	\$ 2,432.00
Police Salary	1-210-510	Overtime and Separation	\$ 65,000.00
Miscellaneous/Gas	1-940-540	Gasoline	\$ 10,000.00
Miscellaneous/Worker's Compensation	1-940-570	Comp Premium	\$ 16,335.00
Treasurer's Bank Service	1-147-570	Bank Fees	\$ 3,983.00
Inspections	1-241-570	Transmission	\$ 1,700.00
Highway	1-420-510	Foreman's Salary	\$ 160.00
Highway	1-420-510	Recycling Overtime	\$ 840.00

### ARTICLE 3

To see if the Town will rescind the \$27,000.00 unissued portion of a vote previously taken which authorized the Town to borrow the sum of \$375,000.00, or take any other action relative thereto.

(TAX COLLECTOR/TREASURER)

**FINANCE COMMITTEE: Recommended to reduce the amount of the borrowing.**

### ARTICLE 4

To see if the Town will accept the provisions of Massachusetts General Laws Chapter 40, Sections 42A – 42F, inclusive, which will allow the Board of Water/Sewer Commissioners to file liens, or take any other action relative thereto.

(WATER/SEWER COMMISSIONERS)

**FINANCE COMMITTEE: Recommended.**

### ARTICLE 5

To see if the Town will 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)

**FINANCE COMMITTEE: Recommended to transfer funds from Attleboro Landfill legal services to Chapter 40B projects legal services.**

### ARTICLE 6

To see if the Town will raise and appropriate, and/or appropriate and/or transfer from available funds a sum of money for the Fiscal Year 2005 interim year revaluation of property and for the assessment of personal property, or take any other action relative thereto.

(BOARD OF ASSESSORS)

**FINANCE COMMITTEE: Recommended in the amount of \$9,900.00 to be transferred from the Stabilization Account.**

#### ARTICLE 7

To see if the Town will raise and appropriate and/or transfer and/or appropriate from available funds a sum of money to supplement the Fiscal Year 2004 capital improvements budget appropriated under Article 5 of the June 2, 2003, Annual Town Meeting, or take any other action relative thereto.

(BOARD OF SELECTMEN)

**FINANCE COMMITTEE: Recommended in the amount of \$12,000.00 to be transferred from the Capital Improvements Account for new lighting for the following facilities: Highway Department, Town Hall, Library, and the two Fire Stations.**

#### ARTICLE 8

To see if the Town will vote to accept as a public way under the provisions of MGL, Chapter 82, as amended, Bartley Drive, as laid out by the Board of Selectmen and as shown on a plan titled Joanna Estates, As-Built/Acceptance Plan of Bartley Drive, Norton Massachusetts, Prepared for Joanna Estates, LLC, dated August 11, 2000, drawn by Yarworth Engineering and Land Surveying and on file in the Office of the Town Clerk, and to accept such easements as shown on the plan and to see if the Town will further authorize the Board of Selectmen to acquire 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, together with the attendant customary uses, including but not limited to the construction, operation, and maintenance of the right-of-way, drainage, and utilities in, over, under, through, across, upon and along a portion of the land and to appropriate therefore the sum of One Dollar, or to take any other action relative thereto.

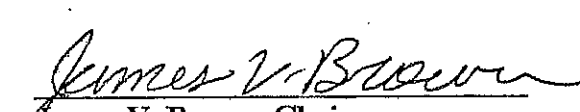
(BOARD OF SELECTMEN)

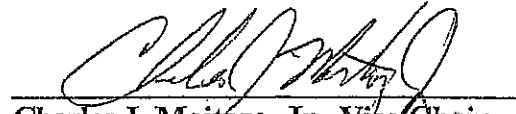
**FINANCE COMMITTEE: Not recommended because the street is not ready for acceptance by the Town.**

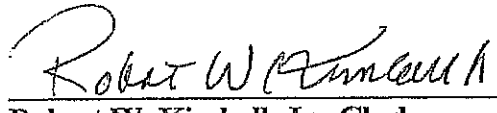


And you are hereby directed to serve this Warrant by posting attested copies of the body of same at Chartley Post Office, Norton Post Office, Trinitarian Church, Unitarian Church, Norton Library, and three other public places within the limits of said Town, Fourteen days at least, before the time of holding said meeting. Hereof, and fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of holding said meeting. Given under our hands this 22nd day of April in the year Two Thousand Four.

**BOARD OF SELECTMEN/TOWN OF NORTON**

  
James V. Brown, Chairman

  
Charles J. Mojtoza, Jr., Vice Chair

  
Robert W. Kimball, Jr., Clerk

Clarence P. Rich, Jr.

  
Robert S. Salvo, Sr.

Norton, Massachusetts

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

ATTEST:  CONSTABLE  DATE 4/23/04





