

06/2022

ANNUAL AND SPECIAL TOWN MEETING

JUNE 7, 2022

The Annual Town Meeting was called to order by Moderator William A. Gouveia at 7:00 PM at the Norton High School Auditorium.

Welcome to tonight's Special Town Meeting. I am Town Moderator Bill Gouveia. To my right is Town Clerk, Lucia Longhurst.

The Moderator acknowledged the passing of Ms. Debbie Cameron and held a moment of silence. He then asked for everyone to rise and join him in the Pledge of Allegiance.

Thank you. Now I would first like to go over some of the rules for this meeting in this new venue.

If you are not a registered voter in the Town of Norton, you are welcome to visit but must sit in the section of seats marked in for that reason. If you are registered voter, please sit anywhere else, because your vote will not be counted if you are sitting in the non-voting section.

If you wish to address this meeting, you must do so only after being recognized by the Moderator. There are two microphones located up front here. Please move to one of those if you wish to speak and wait to be recognized. When speaking, please identify yourself by name and address for the record. Please try and keep your remarks brief and to the point, and confine them only to the matter under consideration at the time.

All speakers at this meeting will be treated with courtesy by the Moderator and everyone else in the room. No speaker will be allowed to use the meeting for personal attacks on any individual. All remarks will be directed towards the Moderator, and while I will allow questions to be asked of individuals, I will not allow cross-examination type discussions from the floor.

In recognizing people to speak, I will endeavor to call upon those who have not yet spoken on a topic before recognizing those who have already spoken. I will recognize motions to move the question, but if in my opinion there are still people waiting to speak who may add to the discussion, I will exercise my authority to not accept a motion to move the question under those circumstances.

If a standing vote is required, you will be instructed to stand at your seats until your vote is counted. If a ballot vote is required, you will be given instructions by the Moderator and the town Clerk as to how to proceed.

If you wish to make an amendment to any motion, you must do so in writing and present it to the Moderator. Please prepare your amendment in writing and bring it to me up here. If you

are moving an article that has not been recommended and moved by the Finance Committee, you must also present that motion to the Town Clerk in writing.

I remind you all that no motion to reconsider any article will be accepted by the Moderator until at least three articles following the article being reconsidered have been acted upon by this meeting. If the article is one of the last three on the warrant, I will accept any motions to reconsider them prior to adjourning. Please be aware that any article you act upon tonight can be reconsidered as few as three articles later.

There may be requests this evening to allow non-voters to speak on certain articles. This must be done by a Motion voted upon by this meeting. While it is the right and the decision of the meeting to allow or not allow non-residents to speak, please keep in mind they may have information to add to the discussion. All non-voters must approach the moderator if they wish to be heard.

Town Clerk Lucia B. Longhurst read the call and return of service from the Constable as written in the warrant.

The Deputy Moderator opened the Annual Town Meeting at 7:00 pm.

ARTICLE 2 (Majority)

I Aimee Sawyer MOVE that the Town vote to authorize the Select Board to accept and enter into contracts for the expenditure of any funds allotted, or to be allotted, by the Commonwealth and/or County for the construction, reconstruction and improvement of Town roads, and to see if the Town will raise and appropriate, and/or appropriate and/or transfer from available funds a sum of money for the purpose of road and other municipal improvements within the Town of Norton which are eligible for reimbursement, subject to conditions detailed by the Massachusetts Department of Transportation, pursuant to G.L. c.90.

ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE DEPUTY
MODERATOR

ARTICLE 3 (Majority)

I Aimee Sawyer MOVE that the Town vote to transfer the sum of \$31,000.00 from Free Cash for tree services, including but not limited to the removal of hazardous trees, stump removal, and performance of additional preventative and emergency services Town-wide, including crane rentals and other incidental and related costs.

ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE DEPUTY
MODERATOR

ARTICLE 4 (Majority)

I Aimee Sawyer MOVE that the total amount of \$4,784,583.00 be appropriated for the operation of the Water Enterprise for Fiscal Year 2023 from Water Enterprise Receipts (including but not limited to user charges, lease revenue, interest, permits, anticipated receipts, and miscellaneous revenues) in the amount of \$4,293,359.00 and by transferring from retained earnings the amount of \$491,225.00, with \$4,226,231.00 of said sum being appropriated hereunder for direct costs of the Enterprise, and \$558,352.00 of said sum to be appropriated in the General Fund under Article 6 for indirect costs and allocated to the Water Enterprise Fund for funding, as follows:

\$1,313,727.00	Personnel Services
\$1,292,500.00	Other Charges and Expenditures
\$1,620,004.00	Debt Services
<u>\$ 558,352.00</u>	Indirect Costs –
	Charged to Enterprise Fund from
	General Fund and raised under Article 6
\$4,784,583.00	Total for Fiscal Year 2023 – Water

ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE DEPUTY
MODERATOR

ARTICLE 5 (Majority)

I Aimee Sawyer MOVE that the total amount of \$2,299,542.00 be appropriated for the operation of the Sewer Enterprise for Fiscal Year 2023 from Sewer Enterprise Receipts (including but not limited to user charges, fees, charges, interest, permits, betterments, and miscellaneous revenues) in the amount of \$2,199,669.00 and by transferring from retained earnings the amount of \$18,273.00 and from the West Main Street Betterment Account the amount of \$81,600.00, with \$2,168,673.00 of said sum being appropriated hereunder for direct costs of the Enterprise, and \$130,869.00 of said sum to be appropriated in the General Fund under Article 6 for indirect costs and allocated to the Sewer Enterprise Fund for funding, as follows:

\$ 436,433.00	Personnel Services
\$1,307,226.00	Other Charges and Expenditures
\$ 425,014.00	Debt Services
<u>\$ 130,869.00</u>	Indirect Costs –
	Charged to Enterprise Fund from
	General Fund and raised under Article 6
\$2,299,542.00	Total for Fiscal Year 2023 – Sewer

ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE DEPUTY
MODERATOR

At 7:15 pm the Annual Town Meeting was adjourned until completion of the Special Town Meeting.

SPECIAL TOWN MEETING

JUNE 7, 2022

The Special Town Meeting was called to order by Moderator William A. Gouveia at 7:15 PM at the Norton High School Auditorium.

Town Clerk Lucia B. Longhurst read the call and return of service from the Constable as written in the warrant.

ARTICLE 1 (9/10 Vote)

I Aimee Sawyer MOVE that the Town vote to transfer the amount of \$2,347.92 from Free Cash to pay the following unpaid bills incurred in a prior fiscal year:

ACCOUNT	DEPARTMENT	VENDOR	PURPOSE	AMOUNT
001-175-570	Planning	The Sun Chronicle	Advertising	\$ 1,527.60
001-177-570	Zoning	The Sun Chronicle	Advertising	\$ 820.32

ARTICLE PASSES BY 9/10 VOTE AS DECLARED BY THE DEPUTY MODERATOR

ARTICLE 2 (Majority)

I Aimee Sawyer MOVE that the Town vote to transfer the amount of \$262,094.00 from Free Cash to pay all outstanding separation expenses associated with various employees from the Town of Norton and to authorize the Town Accountant, in consultation with the Town Manager, to allocate amounts to appropriate departments, as follows:

Account	Department	Use	Amount
001-220-510	Fire	Contractual Separation Expenses	\$ 245,771.00

		Contractual	
001-610-570	Library	Separation Expenses	\$ 16,323.00

\$
TOTAL: 262,094.00

ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE DEPUTY
MODERATOR

ARTICLE 3 (Majority)

I Aimee Sawyer MOVE that the Town vote to amend the vote taken under Article 6 of the May 8, 2021, Annual Town Meeting, by increasing appropriations for certain line items and to do so, by transferring the additional amount of \$403,079.00 from Free Cash as follows:

FY22 Operating Budget Supplements			
Account	Department	Use	Amount
001-300	Norton Public Schools	Staffing Costs	\$ 222,469.00
001-308-560	Bristol County Agricultural School	Assessment - Tuition	\$ 3,600.00
001-423-570	Snow Removal	Expense	\$ 137,010.00
001-940-540	Miscellaneous	Gas/Fuel Oil/Diesel (All Departments)	\$ 40,000.00
TOTAL FY22 OPERATING BUDGET SUPPLEMENTS:			\$ 403,079.00

ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE DEPUTY
MODERATOR

ARTICLE 4

No action.

ARTICLE DECLARED LOST BY LACK OF MOTION AS DECLARED BY THE
DEPUTY MODERATOR

ARTICLE 5

No action.

ARTICLE DECLARED LOST BY LACK OF MOTION AS DECLARED BY THE
DEPUTY MODERATOR

ARTICLE 6

No action.

ARTICLE DECLARED LOST BY LACK OF MOTION AS DECLARED BY THE
DEPUTY MODERATOR

ARTICLE 7

No action.

ARTICLE DECLARED LOST BY LACK OF MOTION AS DECLARED BY THE
DEPUTY MODERATOR

ARTICLE 8 (2/3 Vote)

I Aimee Sawyer MOVE that the Town vote to authorize the Select Board to grant and convey any or all of its right, title, and interest in a parcel of land with any buildings thereon located at 16 Ridge Road, identified on Assessors Map 10 as Parcel 180, containing 5,000 square feet, more or less, on such terms and conditions as the Select Board deems appropriate, and to enter into such agreements and execute such instruments as may be necessary or convenient to effectuate the foregoing transaction.

Question was asked as to the reason of this article. Town Manager, Michael Yunits explained that the property is in disrepair and the home needs to be torn down. He was contacted by Habitat for Humanity who were looking for a home for a single mother with one child. They are willing to take on the demolition and build a house on that property. A restriction will be put on the deed that the house will always be affordable and could count towards our 40B count.

ARTICLE PASSES BY 2/3 VOTE AS DECLARED BY THE DEPUTY MODERATOR

ARTICLE 9

No Action

Motion was made by Renee Deley to move the article in the warrant with changes. Several residents expressed their concerns and wanted a more defined explanation.

Finance Committee Chair, Aimee Sawyer stated that there was no recommendation by the Finance Committee and the article was considered as written.

Steven Hornsby made a motion to pass over. The motion was second.

ARTICLE 9 AS PRINTED IN THE WARRANT

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to amend the Town Charter to provide for the appointment of the Town Manager for a term of years, and, to clarify that an expiration of term of such an appointment is not a “removal” for purposes of the Charter, all as set forth below, and further, to authorize the General Court to make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court, and to authorize the Select Board to approve amendments which shall be within the scope of the general public objectives of the petition; or take any other action relative thereto.

AN ACT RELATIVE TO THE CHARTER OF THE TOWN OF NORTON WITH CHANGES

SECTION 1. The charter of the town of Norton as on file with the archivist of the commonwealth in accord with section 12 of chapter 43B of the general laws shall hereby be amended by deleting the second sentence of subsection 1 of chapter 4 and inserting in place thereof the following:- The Select Board shall appoint the Town Manager to serve for a term of ~~up to three (3) years~~ **years to be determined by the Select Board** and shall fix the compensation for such person, annually, within the amount appropriated by the Town.

SECTION 2. Said charter is hereby further amended by deleting the first sentence of subsection 5 of said chapter 4 and inserting in place thereof the following two sentences:- The Select Board, by the affirmative votes of four members, may terminate and remove, or suspend, the Town Manager from office during the Town Manager's term of appointment in accordance with the procedure set forth below. The non-reappointment of the Town Manager at the conclusion of the Town Manager's term of appointment shall not be considered a removal within the meaning of this section.

SECTION 3. This act shall take effect upon its passage.

MOTION TO PASS OVER PASSED BY MAJORITY VOTE
AS DELCARED BY THE DEPUTY MODERATOR

ARTICLE 10 (MAJORITY)

I Aimee Sawyer MOVE that the Town vote to confirm that vote taken under Article 7 of the May 14, 2018, Annual Town Meeting to appropriate \$8,476,971.00 for the Norton Elementary Schools Window/Door project in conjunction with the Massachusetts School Building Authority (Elementary School Project) was to be added to the \$200,000.00 appropriated under Article 19 at the October 23, 2017 Town Meeting for schematic design for the Elementary School Project, for a total project cost of \$8,676,971.00.

ARTICLE 10 PASSES BY MAJORITY VOTE AS DECLARED BY THE DEPUTY
MODERATOR

At 7:15 the Deputy Town Moderator declared the Special Town Meeting to be adjourned.

At 7:55 pm the Deputy Moderator declared the Annual Town Meeting back in session.

ANNUAL TOWN MEETING

ARTICLE 6 (Majority)

I Aimee Sawyer MOVE that the Town vote to raise and appropriate the amount of \$62,824,764.00, raise from Water receipts the amount of \$558,352.00, raise from Sewer receipts the amount of \$130,869.00, all as presented in the Finance Committee's recommendation as printed in Article 6 of the June 7, 2022, Annual Town Meeting Warrant, and further, the amount of \$1,659,972.00 be transferred from the following funds for a total appropriation for the Fiscal Year 2023 operating budget of \$65,173,957.00:

Hicks Fund	\$ 200,000.00
Stabilization Fund	\$ -
Ambulance Receipts	\$ 700,000.00
Overlay	\$ -
Septic Betterments	\$ 35,000.00
Dog Fund	\$ 10,000.00
Debt Exclusion Premium	\$ 11,972.00
Wetlands Protection	\$ 3,000.00
Free Cash	\$ 700,000.00
<hr/>	
TOTAL TRANSFERS	\$ 1,659,972.00

			Finance Comm
FY 2023 Operating Budget			Recommend.
<u>Select Board (122)</u>			
	Personnel Services	510	\$ 2,000.00
	Charges & Expenditures	570	\$ 600.00
	Totals		\$ 2,600.00
<u>Town Manager (123)</u>			
	Personnel Services	510	\$ 8,500.00
	Charges & Expenditures	570	\$ 1,000.00
	Totals		\$ 9,500.00
<u>Finance Committee (131)</u>			
	Charges & Expenditures	570	\$ 255.00

	Totals		\$ 255.00
<u>Reserve Fund (132)</u>			
-	Appropriation		\$ -
	Transfers	502	
	Totals		\$ -
<u>Town Accountant (135)</u>			
	Personnel Services	510	\$ 5,000.00
	Purchase Of Services	520	\$ 27,000.00
	Charges & Expenditures	570	\$ 115.00
	Totals		\$ 32,115.00
<u>Assessors (141)</u>			
	Personnel Services	510	\$ 3,690.00
	Charges & Expenditures	570	\$ 1,100.00
	Totals		\$ 4,790.00
<u>Treasurer/Collector (147)</u>			
	Personnel Services	510	\$ 3,190.00
	Charges & Expenditures	570	\$ 300.00
	Totals		\$ 3,490.00
<u>Legal Services (151)</u>			
	Charges & Expenditures	570	\$ -
	Totals		\$ -
<u>Data Processing (155)</u>			
	Personnel Services	510	\$ 41,222.00
	Charges & Expenditures	570	\$ 35,000.00
	Totals		\$ 76,222.00
<u>Web Committee (156)</u>			
	Charges & Expenditures	570	\$ -
	Totals		\$ -
<u>Tax Title Foreclosure (158)</u>			
	Charges & Expenditures	570	\$ 30,000.00
	Totals	570	\$ 30,000.00
<u>Town Clerk (161)</u>			
	Personnel Services	510	\$ 3,500.00
	Charges & Expenditures	570	\$ -

	Totals		\$ 3,500.00
<u>Elections (162)</u>			
	Personnel Services	510	\$ 685.00
	Charges & Expenditures	570	\$ 4,000.00
	Totals		\$ 4,685.00
<u>Conservation Comm (171)</u>			
	Personnel Services	510	\$ 3,400.00
	Charges & Expenditures	570	\$ 685.00
	Totals		\$ 4,085.00
<u>Planning Board (175)</u>			
	Personnel Services	510	\$ -
	Charges & Expenditures	570	\$ 500.00
	Totals		\$ 500.00
<u>SE REG Plan & Econ Dev (176)</u>			
	Assessment	560	\$ -
	Totals		\$ -
<u>Zoning Bd Of Appeals (177)</u>			
	Charges & Expenditures	570	\$ -
	Totals		\$ -
<u>0</u>			
	Charges & Expenditures	570	\$ -
	Totals		\$0.00
<u>Municipal Bldg Maint (192)</u>			
	Charges & Expenditures	570	\$ 2,600.00
	Totals		\$ 2,600.00
<u>Town Report (195)</u>			
	Printing	520	\$ -
	Totals		\$ -
<u>Postage -All Depts (199)</u>			
	Charges & Expenditures	570	\$ 750.00
	Totals		\$ 750.00
<u>Police Department (210)</u>			
	Personnel Services	510	\$ 5,000.00
	Charges & Expenditures	570	\$ 22,500.00

	Totals		\$ 27,500.00
<u>Fire Department (220)</u>			
	Personnel Services	510	\$ 45,600.00
	Charges & Expenditures	570	\$ 21,300.00
	Total		\$ 66,900.00
<u>Emergency Medl Serv (230)</u>			
	Charges & Expenditures	570	\$ 11,600.00
	Totals		\$ 11,600.00
<u>Emergency Planning (240)</u>			
	Charges & Expenditures	570	\$ 2,800.00
	Totals		\$ 2,800.00
<u>Inspection Dept (241)</u>			
	Personnel Services	510	\$ -
	Charges & Expenditures	570	\$ -
	Totals		\$ -
<u>Sealer Weights (244)</u>			
	Charges & Expenditures	570	\$ 2,500.00
	Totals		\$ 2,500.00
<u>Communication Center (290)</u>			
	Personnel Services	510	\$ -
	Assessment	560	\$ 300,000.00
	Charges & Expenditures	570	\$ -
	Totals		\$ 300,000.00
<u>Animal Control (292)</u>			
	Personnel Services	510	\$ 1,000.00
	Charges & Expenditures	570	\$ -
	Totals		\$ 1,000.00
<u>Tree Warden (294)</u>			
	Personnel Services	510	\$ 2,000.00
	Totals		\$ 2,000.00
<u>School Department (300)</u>			
-		300	\$ 32,915,996.00
	Totals		\$ 32,915,996.00
<u>Southeastern Reg Voc (306)</u>			
	Assessments	560	\$ -

	Totals		\$ -
<u>Reg Agricultural Sch (308)</u>			
	Assessments	560	\$ -
	Totals		\$ -
<u>Highway (420)</u>			
	Personnel Services	510	\$ 7,300.00
	Charges & Expenditures	570	\$ 5,000.00
	Surface Treatment	580	\$ 108,500.00
	Repairs to Private Ways	581	\$ 1,000.00
	Totals		\$ 121,800.00
<u>Snow Removal (423)</u>			
	Charges & Expenditures	570	\$ -
	Totals		\$ -
<u>Street Lighting (425)</u>			
	Charges & Expenditures	570	\$ 40,000.00
	Totals		\$ 40,000.00
<u>Sanitary Landfill (438)</u>			
	Charges & Expenditures	570	\$ 8,000.00
	Reserve Fund Supplement		
	Totals		\$ 8,000.00
<u>Board of Health (510)</u>			
	Personnel Services	510	\$ 2,400.00
	Charges & Expenditures	570	\$ 250.00
	Totals		\$ 2,650.00
<u>Public Health Nurse (522)</u>			
	Personnel Services	510	\$ -
	Charges & Expenditures	570	\$ 200.00
	Totals		\$ 200.00
<u>Council on Aging (541)</u>			
	Personnel Services	510	\$ 1,785.00
	Charges & Expenditures	570	\$ 900.00
	Reserve Fund Supplement		
	Totals		\$ 2,685.00
<u>Veterans Agent (543)</u>			
	Personnel Services	510	\$ 1,190.00

	Charges & Expenditures	570	\$ 200.00
	Veterans Benefits	579	\$ 220,000.00
	Reserve Fund Supplement		
	Totals		\$ 221,390.00
<u>Library (610)</u>			
	Other Charges & Expenditures	570	\$ -
	Totals		\$ -
<u>Recreation (630)</u>			
-	Personnel Services	510	\$ -
	Charges & Expenditures	570	\$ 250.00
	Totals		\$ 250.00
<u>Historical Comm (691)</u>			
	Charges & Expenditures	570	\$0.00
	Totals		\$0.00
<u>Memorial & Vets Day (692)</u>			
	Other Charges & Expenditures	570	\$ -
	Totals		\$ -
<u>Historical Dist Comm (693)</u>			
	Charges & Expenditures	570	\$0.00
	Totals		\$0.00
<u>Maturing Debt (711)</u>			
	Maturing Principal on LT Debt	590	\$ -
	Repayment of Temporary Loans	594	\$ -
	Totals		\$ -
<u>Interest (750)</u>			
	Interest on Long-Term Debt	590	\$ -
	Interest on Notes	594	\$ -
	Reserve Fund Supplement		
	Totals		\$ -
<u>Employee Benefits (910)</u>			
	Personnel Services	510	\$ 3,571,602.00
	Other Personnel Services	511	\$ -
	Charges & Expenditures	570	\$ 583,000.00

	Totals		\$	4,154,602.00
	<u>Unemployment Comp (911)</u>			
	Charges & Expenditures	570	\$	75,000.00
	Totals		\$	75,000.00
	<u>Miscellaneous (940)</u>			
	Fuel Expenses	540	\$	130,000.00
	Charges & Expenditures	570	\$	31,073.00
	Totals		\$	161,073.00
	GRAND TOTALS		\$	38,293,038.00

Motion was made to read the budget totals per section. Motion failed.

**Motion was made to amend the total of \$65,173,957 to \$61,915,259.15 a 5% reduction.
Motion Failed.**

ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE DEPUTY
MODERATOR

ARTICLE 7

No Action.

ARTICLE FAILS FOR LACK OF MOTION AS DECLARED BY THE DEUPTY
MODERATOR

ARTICLE 8 (2/3 Vote)

I Aimee Sawyer MOVE that the Town appropriate the total sum of \$1,449,341.00 for the purchase, or lease for periods of time up to or in excess of three years with an option to purchase, and equip the new and/or replacement capital items or for capital projects for various Town Departments, and for the payment of all costs incidental and related thereto, for the purposes and in the amounts set forth in the Finance Committee's Recommendations and in the Chart entitled, "Article 8 Proposed FY23 Capital Budget", and to meet said appropriation, to transfer the amount of \$546,141.00 from the Capital Improvements Account, \$250,000.00 from the Water Enterprise Retained Earnings, \$590,000.00 from the Sewer Enterprise Retained Earnings, \$63,200.00 from the Ambulance Reserve Fund, as follows:

(171) CONSERVATION	
Camp Edith Read Hazard Lodge Renovations	\$ 11,500.00
(Potential Partnership/Grant)	
Survey and Monitor Boundaries of	\$ -
Conservation Restriction Land (Year 1)	
(210) POLICE DEPARTMENT	
Police Line Cruiser Replacements (Three)	\$ 112,000.00
(220) FIRE DEPARTMENT	\$ -
Replace Staff Car 43 (80/20)* (Ambulance Share \$52,000; Capital Share \$13,000)	\$ 65,000.00

Structural Firefighting Hose	\$ 19,000.00
Turnout Gear Replacement (80/20)* (Ambulance Share \$11,200; Capital Share \$2,800)	\$ 14,000.00
Pumper Replacement (Year 5 of 5)	\$ 140,250.00
(300) NORTON PUBLIC SCHOOLS DISTRICT WIDE	
Minibuses Lease to Own, Replacement Cycle	
(Bus 2 Year 3 of 3 and Bus 3 Year 2 of 3)	\$ 44,983.00
(420) HIGHWAY	
2022 Bobcat L28 Small Articulated Loader	\$ 50,758.00
Peterbilt 348-473118 with Tank (Year 5 of 5)	\$ 36,000.00
Peterbilt Dump Truck (Year 2 of 5)	\$ 28,150.00
John Deere 5090M Utility Tractor	
Diamond Boom Mower (Year 3 of 4)	\$ 34,300.00
TREE DEPARTMENT	
Bucket Truck (Year 4 of 5)	\$ 53,400.00
SUBTOTAL:	\$ 609,341.00

(440) SEWER	
Medium Duty Dump Truck (Retained Earnings)	\$ 90,000.00

Cobb Street Sewer Station (Phase 3	
Pumps and Motors) (Retained Earnings)	\$ 500,000.00
SUBTOTAL SEWER PROJECTS:	\$ 590,000.00
(450) WATER	
4x4 Pick Up with Utility Body (Retained Earnings)	\$ 65,000.00
Cottage Street Elevated Water Tank Replacement	
Phase 1 - Evaluation and Design (Retained Earnings)	\$ 185,000.00
SUBTOTAL WATER PROJECTS:	\$ 250,000.00

ARTICLE PASSES BY 2/3 VOTE AS DECLARED BY THE DEPUTY
MODERATOR

ARTICLE 9

No action.

Motion was made by Renee Deley to move the article with the following changes.

Council advised to move as written in the Warrant with the following changes. Ms. Deley made a motion to move as written in the warrant with the following changes (in red)

Finance Committee Chair Aimee Sawyer stated that there was no recommendation by the Finance Committee and the article was considered as written.

AN ACT RELATIVE TO THE CHARTER OF THE TOWN OF NORTON

SECTION 1. The charter of the town of Norton as on file with the archivist of the commonwealth in accord with section 12 of chapter 43B of the general laws shall hereby be amended by deleting the second sentence of subsection 1 of chapter 4 and inserting in place thereof the following:- The Select Board shall appoint the Town Manager to serve

for a term of ~~up to three (3) years~~ **years to be determined by the Select Board** and shall fix the compensation for such person, annually, within the amount appropriated by the Town.

SECTION 2. Said charter is hereby further amended by deleting the first sentence of subsection 5 of said chapter 4 and inserting in place thereof the following two sentences:- The Select Board, by the affirmative votes of four members, may terminate and remove, or suspend, the Town Manager from office during the Town Manager's term of appointment in accordance with the procedure set forth below. The non-reappointment of the Town Manager at the conclusion of the Town Manager's term of appointment shall not be considered a removal within the meaning of this section.

SECTION 3. This act shall take effect upon its passage.

ARTICLE 9 AS PRINTED IN THE WARRANT

ARTICLE 9

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to amend the Town Charter to provide for the appointment of the Town Manager for a term of years, and, to clarify that an expiration of term of such an appointment is not a "removal" for purposes of the Charter, all as set forth below, and further, to authorize the General Court to make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court, and to authorize the Select Board to approve amendments which shall be within the scope of the general public objectives of the petition; or take any other action relative thereto.

AN ACT RELATIVE TO THE CHARTER OF THE TOWN OF NORTON

SECTION 1. The charter of the town of Norton as on file with the archivist of the commonwealth in accord with section 12 of chapter 43B of the general laws shall hereby be amended by deleting the second sentence of subsection 1 of chapter 4 and inserting in place thereof the following:- The Select Board shall appoint the Town Manager to serve for a term of up to three (3) years and shall fix the compensation for such person, annually, within the amount appropriated by the Town.

SECTION 2. Said charter is hereby further amended by deleting the first sentence of subsection 5 of said chapter 4 and inserting in place thereof the following two sentences:- The Select Board, by the affirmative votes of four members, may terminate and remove, or suspend, the Town Manager from office during the Town Manager's term of appointment in accordance with the procedure set forth below. The non-reappointment of the Town Manager at the conclusion of the Town Manager's term of appointment shall not be considered a removal within the meaning of this section.

SECTION 3. This act shall take effect upon its passage.

MOTION TO PASS OVER PASSES AS DECLARED BY THE DEPUTY
MODERATOR

ARTICLE 10 (Counted or Unanimous)

I Aimee Sawyer MOVE that the Town vote to authorize the Select Board to petition the General Court for two additional all alcoholic beverages to be consumed off-premises liquor licenses with one license to be exercised within an area located on East Main Street between its intersection with Interstate 495 and the Town of Easton line and one license to be exercised within an area located on Old Colony Road between its intersection with North and South Worcester Streets and the Attleboro city line within the Town, said licenses not to be transferred to any other section of Town, nor shall the licensing authority authorize the transfer of such license within one year after the date of issuance; and authorizing the Select Board to establish a liquor license review committee and a competitive procedure for allocating liquor licenses that are now available or that may become available in the future; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition.

A motion to move was made by Bob Kimball to amend the meeting warrant article to remove the committee. Motion was 2nd. A hand count was taken and failed, 50-46 .

ARTICLE PASSES BY UNANIMOUS VOTE AS DECLARED BY THE DEPUTY
MODERATOR

ARTICLE 11 (Majority)

I Aimee Sawyer MOVE that the Town vote to amend Chapter 110 of the General Code, § 110-23 Funeral Leave, by approving Article 11 all as printed in the June 7, 2022, Annual Town Meeting warrant.

§ 110-23 Funeral leave.

In the event of a death of a brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepparent, stepchild, grandparent, grandchild, guardian, immediate aunt, or immediate uncle, three (3) days with pay shall be allowed to an employee. In the event of a death of a spouse or person with whom the employee cohabits but to whom the employee is not married, child, mother or father, five (5) days with pay shall be allowed to an employee. Any additional time (up to five [5] additional days) for out-of-state travel may be taken from sick time and/or personal days, at the discretion of the employee's Department Head, or Commission, or the Town Manager. The Town Manager may authorize up to an additional two (2) days for extraordinary circumstances.

ARTICLE 11 AS WRITTEN IN THE WARRANT

To see if the Town will vote to amend Chapter 110 of the General Code, § 110-23 Funeral Leave, by deleting the existing language which reads as follows:

§ 110-23 Funeral leave.

In the event of a death in the immediate family, up to three days' leave may be granted. "Immediate family" shall be defined as a spouse, father, mother, brother, sister, child, aunt, uncle, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandchildren, guardian, stepchildren, and significant other.

and by replacing it with the following language:

§ 110-23 Funeral leave.

In the event of a death of a brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepparent, stepchild, grandparent, grandchild, guardian, immediate aunt, or immediate uncle, three (3) days with pay shall be allowed to an employee. In the event of a death of a spouse or person with whom the employee cohabits but to whom the employee is not married, child, mother or father, five (5) days with pay shall be allowed to an employee. Any additional time (up to five [5] additional days) for out-of-state travel may be taken from sick time and/or personal days, at the discretion of the employee's Department Head, or Commission, or the Town Manager. The Town Manager may authorize up to an additional two (2) days for extraordinary circumstances.

ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE DEPUTY
MODERATOR

ARTICLE 12 (2/3 Vote)

I Aimee Sawyer MOVE that the Town vote to amend the Norton Zoning Bylaws, Chapter 175 of the General Code, Article VI, Dimensional Regulations, §175-6.2 Table of Dimensional Requirements, with strikethrough text to be deleted and underlined text to be inserted, all as printed in Article 12 of the June 7, 2022, Annual Town Meeting Warrant.

ARTICLE 12 AS PRINTED IN THE WARRANT

To see if the Town will vote to amend the Norton Zoning Bylaws, Chapter 175 of the General Code, Article VI, Dimensional Regulations, §175-6.2 Table of Dimensional Requirements, with strikethrough text to be deleted and underlined text to be inserted, all as set forth below, or take any other action relative thereto:

§ 175-6.2 Table of Dimensional Requirements. {Amended 10/17/2020 STM by Art. 4}

Table 6.2

Dimensional Requirements

Residential Eighty (R-80)

Table 6.2**Dimensional Requirements**

Residential Sixty (R-60)

Residential Forty (R-40)

Village Commercial (VC)

Village Center Core (VCC)

Commercial (C)

Industrial (I)

Use	Zoning District Dimension Requirements in Feet/Square Feet*						
	R-80	R-60	R-40	VC	VCC	C	I
Single-family dwelling (including accessory apartment if allowed)	80,000	60,000	40,000	18,000	NA	18,000	45,000
2 units per building	80,000	80,000	80,000	26,000	5,000		
3 <u>or more</u> units per building			110,000	34,000	5,000		
4 units per building			130,000	40,000	5,000		
5 units per building			150,000	50,000	10,000		
6 units per building			180,000	60,000	10,000		
7 units per building			180,000		10,000		
Minimum continuous frontage in feet (see § 175-6.10)	150	150	150	120	75	120	150
Minimum front yard for principal building (in	50	40	40	10	10 ¹	50	40

Table 6.2**Dimensional Requirements**

feet)							
Maximum Front Yard					40		
Minimum side yard for principal building (in feet)	35	25	25	10	10 ¹	15	30
Minimum side yard for accessory building (in feet)	10	10	10	10	10 ¹	10	10
Minimum rear yard for principal building (in feet)	25	15	15	20	20	20	40
Minimum rear yard for accessory building (in feet)	10	10	10	20	20	10	10
Maximum percentage of lot covered by building	12%	16%	20%	50%	75% ²	33%	33%
Maximum height of building (in feet)	35	35	35	45	60	45	50
Maximum height (in stories)	3	3	3	3	4	3	3
Maximum height of chimneys, domes, spires, towers, radio or television antennas in any zone (in feet)	65	65	65	65	70	65	65

Maximum height in feet for wireless communication facilities is 125 feet.

¹ Distance could be decreased pursuant to a Special Permit granted by the Planning Board.

² Percentage could be increased pursuant to a Special Permit granted by the Planning Board.

* Wetlands and water bodies are not computed in lot area (see § **175-6.4**).

For setbacks applicable to large-scale, ground-mounted solar photovoltaic power generation installations, see Article **XXII**, § **175-22.3**.

Motion was made to move the question. Motion was 2nd.

ARTICLE PASSES BY 2/3 VOTE AS DECLARED BY THE DEPUTY
MODERATOR

ARTICLE 13 (2/3 Vote)

I Aimee Sawyer MOVE that the Town vote to amend the Norton Zoning Bylaws, Chapter 175 of the General Code, Article II, Definitions, § 175-2.2, Article IV, Use Regulations, § 175-4.4, and Article IV, Use Regulations, § 175-4.5, by inserting the underlined text, by deleting the strikethrough text, and by renumbering accordingly, all as printed in Article 13 of the June 7, 2022, Annual Town Meeting Warrant.

ARTICLE 13 AS PRINTED IN THE WARRANT

To see if the Town will vote to amend the Norton Zoning Bylaws, Chapter 175 of the General Code, by inserting the underlined text, by ~~deleting the strikethrough text~~, and by renumbering accordingly, all as follows, or take any other action relative thereto:

1. In Article II, Definitions, § 175-2.2, by inserting the following in a consistent format:

§ 175-2.2 Definitions

Terms defined.

In addition to definitions set forth for specific regulations elsewhere in this bylaw, the following words and terms shall have the meanings indicated below, whenever not clearly otherwise intended in the context:

Artisan Food and Beverage-small scale production or preparation of food made on site with limited to no automated processes involved and may include direct sales to or consumption by consumers. Includes uses such as small-batch bakeries, micro-breweries (15,000 barrels per year or less), brewpubs, artisan distilleries (10,000 barrels per year or less) as regulated by the Commonwealth, small batch candy shops and local cheese makers. Uses should allow outdoor seating or patio as an accessory use depending on the zoning district.

Artisan Manufacturing-application, teaching, making, or fabrication of crafts or products by an artist, artisan, or craftsperson either by hand or with minimal automation and may include direct sales to consumers. Includes uses that employ activities and processes such as small-scale fabrication, welding, and coating that are typically not permitted in non-industrial zoning districts.

Small Scale Indoor Recreation-establishment that provides amusement, entertainment or physical fitness that occur indoors for a fee or admission charge. May require membership and/or cater to walk in customers. May also include food or beverage service. Such uses are not limited to: arcades, art/dance/exercise studio; bowling alleys; drama/voice/instrument instructional studio; health club/fitness center; ice and roller skating; rock climbing; indoor hockey, lacrosse or soccer; laser tag; martial arts studio; indoor swimming pool; tennis, handball, badminton, racquetball; golf simulation.

Life Sciences- companies operating in the research, development and manufacturing of pharmaceuticals, biotechnology-based food and medicines, medical devices, biomedical technologies, nutraceuticals, cosmeceuticals, food processing, and other products that improve the lives of organisms.

Manufacturing- the branch of manufacture and trade based on the fabrication, processing, or preparation of products from raw materials and commodities. This includes all foods, chemicals, textiles, machines, equipment, lumber, wood, pulp, and refined metals and minerals derived from extracted ores.

2. In Article IV, Use Regulations, § 175-4.4:

§ 175-4.4 **Commercial uses.**

[Amended 5-14-2018 ATM by Art. 22; 5-15-2019 ATM by Art. 16; 10/17/2020 STM by Art. 4 and 6]

Principal Uses

Zoning Districts

Allowed Uses

	R-80	R-60	R-40	VC	VCC	C	I
Administrative, professional offices	N	N	N	Y	Y	Y	Y
Banks, financial institutions	N	N	N	Y	Y	Y	Y
Retail stores, shops, trade services	N	N	N	Y	Y	Y	Y
Medical, dental offices and clinics	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
Computer programming and software services, including data banks and retrieval	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>
Conference Center	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
Corporate, administrative or business offices for companies principally engaged in life sciences	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
Home craftsman shops (no employees)	SP	SP	SP	Y	N	Y	N
Hotel, motel	N	N	N	SP	SP	Y	Y
New or used cars, trailer or boat sales	N	N	N	N	N	Y	Y
Funeral home	N	N	N	SP	N	Y	N
Home occupation-professional offices except veterinary, provided that no more than 3 persons are employed in addition to resident and that no more than 25% of the total floor area is devoted to such office	SP	SP	SP	Y	N	Y	N
Home occupation-custom work in home or accessory building by resident with no more than 1 other person regularly employed and not more than 25% of floor area regularly devoted to such use and there is no exterior storage or display of products, materials, or equipment	Y	Y	Y	Y	Y ¹	Y	N
Home occupation-including professional offices, provided there are no employees other than residents and there is no visible exterior storage of products, materials or equipment	Y	Y	Y	Y	Y ¹	Y	N

Repair and service shops, including auto repair, provided that work is done in an enclosed building and there is no long-term outside storage of wrecked cars, and including welding, auto body repair, soldering and painting incidental to automobile repair	N	N	N	Y	N	Y	Y
Electronic message center (EMC)	N	N	N	SP	SP	SP	SP
Wholesale offices, showrooms with no on-site storage	N	N	N	Y	SP	Y	Y
Bus or railroad terminal, passenger station	N	N	N	Y	N	Y	Y
Commercial parking facilities	N	N	N	Y	SP	Y	Y
Gasoline filling/service station, car wash	N	N	N	SP	N	Y	Y
Commercial recreational facilities, tennis and other playing courts, not including drive-in theaters, and no less than 150 feet from nearest residential boundary	N	N	N	SP	N	Y	Y
Restaurants, night clubs and other places serving food or beverages	N	N	N	Y	Y	Y	Y
Drive-through facility	N	N	N	SP	N	SP	SP
<u>Artisan Food and Beverage</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>Artisan Manufacturing</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>Small Scale Indoor Recreation</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
Wireless communication facility (located on a monopole)	N	N	N	N	N	SP	SP
Wireless communication facility (on existing structure, excluding monopole)	Y	Y	Y	Y	Y	Y	Y
Body art establishment	N	N	N	N	N	N	SP
Adult entertainment, including adult motion-picture theaters, adult bookstores and activities defined in MGL c. 272, § 31	N	N	N	N	N	N	SP*
Medical Marijuana Treatment Center	N	N	N	SP+	N	SP+	SP+
Allowed-by-right principal uses as enumerated in § 175-4.4 , Commercial uses, with 10,000 or more square feet of floor area or 25 or more parking spaces (See § 175-4.8 for detailed explanation.)	SP	SP	SP	SP	SP	SP	SP

Marijuana establishment, excluding "social consumption establishments" of any kind, including private social clubs, exercise or holistic studios or facilities and all other private entities	N	N	N	SP ⁺	N	SP ⁺	SP ⁺
Marijuana establishment, "social consumption establishments" of any kind, including private social clubs, exercise or holistic studios or facilities and all other private entities	N	N	N	N	N	N	N

Notes:

* If 1,000 feet from all other zoning districts and cemeteries and 500 feet from like uses.

¹ *Parking is subject to verification and approval by the Inspector of Buildings/Building Commissioner and Planning Director*

⁺Only areas designated on Marijuana Overlay District

3. In Article IV, Use Regulations, § 175-4.5:

§ 175-4.5 **Industrial uses.**

[Amended 5-15-2019 ATM by Art. 19; Amended 10/17/2020 STM by Art. 4]

Principal Uses

Zoning Districts

Allowed Uses

	R-80	R-60	R-40	VC	VCC	C	I
Research, technical laboratories <u>including life sciences</u>	N	N	N	SP	N	SP	Y
Warehouse, storage and distribution facilities	N	N	N	SP	N	SP	Y
<u>Wholesale distribution of food and beverage</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>SP</u>	<u>Y</u>
Wholesale offices or showrooms with storage on premises	N	N	N	SP	N	SP	Y
Sale <u>or rental</u> of new or used construction or materials handling equipment, farm implements and machinery	N	N	N	N	N	SP	Y
Light processing and fabrication	N	N	N	N	N	SP	Y
Factories, manufacturing firms	N	N	N	N	N	N	Y

Machine-intensive processing, fabrication and assembly	N	N	N	N	N	N	Y
<u>Manufacturing, assembly, compounding, packaging and distribution for companies principally engaged in life sciences</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>Y</u>
Auto body repair, paint, soldering or welding shop	N	N	N	N	N	N	Y
Earth removal	SP	SP	SP	SP	SP	SP	SP
Allowed-by-right principal uses as enumerated in § 175-4.5, Industrial uses, with 10,000 or more square feet of floor area or 25 or more parking spaces (See § 175-4.8 for detailed explanation.)	SP	SP	SP	SP	N	SP	SP
Large-scale, ground-mounted solar photovoltaic installations (See Article XXII, § 175-22.3A.)	–	–	–	–	N	–	–
Digital/electronic billboard	N	N	N	N	N	N	SP

(PLANNING BOARD)

FINANCE COMMITTEE: Recommended.

ARTICLE PASSES BY 2/3 VOTE AS DECLARED BY THE DEPUTY MODERATOR

ARTICLE 14 (2/3 Vote)

I Aimee Sawyer MOVE that the Town vote to amend the Norton Zoning Bylaws, Chapter 175 of the General Code, Article XIX. Affordable Housing, Section 19.3 Applicability, by inserting at the end of the existing language the sentence:

“Zoning Bylaw Article XIX shall not be required when the Town is at or above 10% of the Chapter 40B Subsidized Housing Inventory threshold.”

all as printed in Article 14 of the June 7, 2022, Annual Town Meeting Warrant.

ARTICLE 14 AS PRINTED IN THE WARRANT

To see if the Town will vote to amend the Norton Zoning Bylaws, Chapter 175 of the General Code, Article XIX. Affordable Housing, Section 19.3 Applicability, by inserting the underlined text, as set forth below, or take any other action relative thereto:

§ 175-19.3 Applicability.

- A. Division of land. This bylaw shall apply to the division of land held in single ownership as of October 8, 2003, or anytime thereafter, into six or more lots, whether such lots are created at one time or cumulatively from said land held in single ownership, and shall require a special permit. A special permit shall be required for land divisions under MGL c. 40A, § 9, as well as for "conventional" or "grid" divisions allowed by MGL c. 41, §§ 81L and 81U, including those divisions of land that do not require subdivision approval. The Norton Planning Board shall be the special permit granting authority (SPGA) for all special permits under this bylaw.
- B. Multiple units. This bylaw shall apply to the construction of six or more multifamily dwelling units, whether on one or more contiguous parcels, in existence as of October 8, 2003, and shall require a special permit.

Zoning Bylaw Article XIX shall not be required when the Town is at or above 10% of the Chapter 40B Subsidized Housing Inventory threshold.

ARTICLE FAILS BY 2/3 VOTE AND IS DEFEATED
AS DECLARED BY THE DEPUTY MODERATOR

ARTICLE 15 (2/3 Vote)

I Aimee Sawyer MOVE that the Town vote to amend the Town Charter and the Town Bylaws to create a Department of Public Works and the position of Department of Public Works Director, and to create a Water and Sewer Commission to replace the elected Board of Water and Sewer Commissioners, and to approve Article 15, all as printed in the June 7, 2022, Annual Town Meeting Warrant.

ARTICLE 15 AS PRINTED IN THE WARRANT

To see if the Town will vote to amend the Town Charter and the Town Bylaws to create a Department of Public Works and the position of Department of Public Works Director, and to create a Water and Sewer Commission to replace the elected Board of Water and Sewer Commissioners, as follows:

Part A (2023 Charter Amendments)

1. In Article 3, Elected Officers:

- (1) Delete in Section 3-1(b), the words "a Board of Water and Sewer Commissioners,";

- (2) Delete the title and text of Section 3-7, Board of Water and Sewer Commissioners and renumber the remaining section of Article 3 accordingly;
 - (3) In Section 3-2(d), insert at the end of the existing list the words, “a Water and Sewer Commission”.
2. In Article 4, Town Manager:
- (1) In Section 4-2(c), at the end of the existing list of Town Manager appointees, insert the following, “a Department of Public Works Director”.
3. In Article 5, Administrative Organization, insert a new section 5-3, as follows:

SECTION 5-3: DEPARTMENT OF PUBLIC WORKS.

- (a) There shall be a Department of Public Works that shall have all the powers and duties now or from time to time vested by general law or special act in the following boards, departments and offices:—road commissioners, surveyors of highways, superintendent of streets, water commissioners, sewer commissioners and such offices shall thereby be abolished.
- (b) The Department of Public Works shall be under the supervision of a Director, appointed by the Town Manager in accord with Sections 4-2(b) and (c), which Director shall provide policy direction and supervision for the department as a whole and for each division superintendent position as may be created from time to time following a public hearing; provided, however, that prior to any changes made to water and sewer rates shall first be the subject of a public hearing for which the Director shall provide notice by posting on the Town website and in any other location deemed appropriate by the Town Manager, and, further, be approved by the Water and Sewer Commission; there shall at a minimum, be a Highway Division under the supervision and day to day direction of the Highway Superintendent, and a Water and Sewer Division under the day to day supervision and direction of the Water and Sewer Superintendent.
- (c) The Department of Public Works may assume responsibility for similar matters for other departments as may be agreed to from time to time by the Public Works Director, Town Manager and relevant Department head, including but not limited to: responsibility for building and grounds maintenance generally or for particular departments, as well as for the duties and functions of the cemetery commissioners, tree warden, forestry department, or other Town Departments, provided, however, that any such agreement shall be summarized in a memorandum of agreement between the parties concerning the responsibilities and obligations of the Department of Public Works and such other department, such agreement shall be placed on file

and be subject to written amendment; further, except as provided in Section 5-3(b), the inclusion of additional functions in the Department of Public Works shall not undermine or diminish the statutory functions of such boards, committees or officers under state law, special act or this Charter.

4. In Article 8, Transitional Provisions, insert a new section 8-6, as follows:

SECTION 8-6: TRANSITION TO APPOINTED WATER AND SEWER COMMISSION

- (a) As of the effective date of Section 5-3 of the Charter, the terms of the incumbent members of the Water and Sewer Commission shall be terminated and the office abolished; provided, however, that the members of the Water and Sewer Commission then in office shall be the initial members of a Water and Sewer Commission, which Commission shall, at the request of the Public Works Director or the Town Manager, consult with said official concerning matters related to water and sewer. Such incumbent members shall serve for a period equal to the remainder of their term, and, under the provisions of subsection (d) of Chapter 3-2 of the Charter, any vacancies may be filled by the Select Board for a period of time not to exceed 3 years, so that the appointments to such Commission are staggered and all members are not newly appointed in the same fiscal year.
- (b) No person in the regular permanent full-time service or employment of the Town in relation to the functions addressed in section 5-3 of this Charter shall forfeit the rate of compensation, grade, step or time of service because of the establishment of the Department of Public Works. Each such person shall be retained in a capacity as similar as may be practicable to the person's former capacity. No collective bargaining agreement, contract or liability in force on the effective date of the 2023 Charter amendment shall be affected by this vote to amend the Charter.
- (c) All records, property and equipment of any office, department or agency or part of any office, department, or agency whose powers and duties were assigned by the 2023 Charter amendment to the Department of Public Works, shall be transferred immediately upon the effective date of such amendments. All official bonds, obligations, contracts, and other instruments entered into or executed by or on behalf of the town prior to the effective date of this act and all taxes, assessments, fines, penalties and forfeitures incurred or imposed, due or owing to the town shall be enforced and collected, shall continue without abatement and shall remain unaffected by the 2023 Charter amendments. No contracts or liabilities in force on the effective date of Section 5-3 of the Charter shall be affected by this action or by the abolition of any offices under this amendment.

PART B (Bylaw amendment)

And, further, to see if the Town will vote to amend the General Bylaws to address the new Department of Public Works Director position created by the 2023 Charter Amendment, as follows:

1. Insert in §110-10, at the end of the list appearing therein of non-union jobs or positions in the Classification Plan, the following, “Department of Public Works Director”; and, further
2. Insert in §110-11 at the end of the list appearing therein of non-union jobs or positions in the so-called Salary Plan, the following:

	<u>PROPOSED</u>
Department of Public Works Director	\$123,000 to \$170,000

3. Provided, however, that such bylaw amendments, following approval of the Attorney General and compliance with G.L. c.40, §32, shall take effect upon the effective date of the 2023 Charter changes creating said position.

or take any other action relative thereto.

Michael Toole proposed this article and explained what the article was proposing and what changes would incur with the change. The Water/Sewer Commissioners spoke and other concerns were raised by residents.

Keith Silver made a motion to move the question. Motion was 2nd. The motion to move the question passed.

ARTICLE PASSES BY 2/3 VOTE AS DECLARED BY THE DEPUTY MODERATOR

ARTICLE 16

Not recommended.

ARTICLE DECLARED LOST AS DECLARED BY THE DEPUTY MODERATOR

ARTICLE 17 (2/3 Vote) –

I Aimee Sawyer MOVE that the Town vote to amend the Norton Zoning By-law, Article III – Zoning Map and Districts in the Town of Norton Zoning Map adapted thereunder, which is entitled “Zoning Map Town of Norton, Massachusetts and dated June 1999”, last revised May 8, 2021, by changing from the Industrial (I) Zoning District to Village Commercial (VC) on an area of land along Elm Street and Cross Street containing approximately +16.25 acres and comprising the parcel of land as shown on the Town of Norton Assessor’s Map as Map 17, Parcel 36.

Linda Abrue, 63 Elm Street who abuts the property, requested that this article be passed over. The Developer Ann Brensley spoke about rezoning the property so an actual project can be rebuilt. She expressed how they are trying to move on with this.

Town Council recommended that to refer the article back to Planning Board for further study which would have the same effect as passing over as passing over has a legal history of problems and referring back to the Planning Board will achieve the same thing. Motion was made to refer the article back to the Planning Board and it was 2nd. Motion passed.

The motion to refer back to the Planning Board for further study failed.

It was further explained that this article is for rezoning purposes only.

ARTICLE PASSES BY 2/3 VOTE AS DECLARED BY THE DEPUTY MODERATOR

ARTICLE 18

Not recommended.

ARTICLE 18 AS PRINTED IN THE WARRANT

To see if the Town of Norton will adopt one of the following two phrases as its town motto:

(a) ACUMEN ACUTUM (“sharp point, talent or intellect”)

(b) ACUMINA PRAEACUTA (“point, talent or intellect sharpened to a fine point”)

ARTICLE FAILED AS DECLARED BY THE DEPUTY MODERATOR

ARTICLE 19 (Majority)

I Aimee Sawyer MOVE that the Town vote to transfer the amount of \$3,000.00 from Free Cash for the purpose of collecting and disposing of discarded items abandoned along the roadways and throughout the town that require special handling, including all other incidental and related costs.

ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE DEPUTY
MODERATOR

ARTICLE 20

No action.

ARTICLE 21

No action.

The Deputy Town Moderator moved to adjourn the Annual Town Meeting which motion was passed by majority 10:43 pm. No action was taken on the final two articles appearing on the warrant.

A True Copy Attest:

Lucia B. Longhurst

Town Clerk