

10.2022

TOWN OF NORTON  
MINUTES FOR THE FALL ANNUAL TOWN MEETING  
OCTOBER 17, 2022

The Annual Town Meeting was called to order by Moderator Walter Eykel at 7:03 PM at the Norton High School Gymnasium.

Welcome to tonight's Special Town Meeting. I am Town Moderator Walter Eykel. With me to my right is Town Clerk, Lucia Longhurst.

To begin tonight's meeting. Please stand and pledge allegiance to the flag.

The Moderator thanked Deputy Moderator William Gouveia for his service moderating the last Town Meeting.

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

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 or 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.

**ARTICLE 1 (4/5 Vote)**

I Bonnie Yezukevich MOVE that the Town vote to transfer the sum of \$5,993.83 from Free Cash to pay the following unpaid bills incurred in a prior fiscal year, all as specified in the Finance Committee Recommendations for Article 1 of the October 17, 2022, Annual Town Meeting Warrant.

Amount	Account	Vendor	Purpose
\$ 2,145.50	001-940-570	Sedgwick	Liability Deductibles - Argo/Trident
\$ 985.00	001-192-570	Ralco Electric, Inc.	Generator 2 Annual Service
\$ 250.00	001-192-570	BBE Corporation - Buckley Elevator	Maintenance - Police Department and Town Hall Elevators
\$ 2,613.33	001-162-570	Mass Mailers Plus, LLC	Town Clerk - Census
\$ 5,993.83	TOTAL PRIOR YEAR BILLS		

**ARTICLE PASSES BY 4/5 VOTE AS DECLARED BY THE MODERATOR**

**ARTICLE 2 (Majority Vote)**

I Bonnie Yezukevich MOVE that the Town vote to transfer the amount of \$70,168.00 from Free Cash to pay all outstanding separation expenses associated with the retirement of various employees from the Town of Norton and to authorize the Town Accountant, in consultation with the Town Manager, to allocate amounts to appropriate departments.

**ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE MODERATOR**

ARTICLE 3 (Majority Vote)

I Bonnie Yezukevich MOVE that the Town vote to amend the vote taken under Article 6 of the June 7, 2022, Annual Town Meeting Warrant by increasing appropriations for certain line items and, as funding therefor, to raise and appropriate the amount of \$298,318.00 and to transfer the amount of \$907,433.00 from Free Cash, all as specified in the Finance Committee Recommendations for Article 3 of the October 17, 2022, Annual Town Meeting Warrant.

FY23 Operating Budget Supplements			
Account	Department	Use	Amount
001-123-510	Town Manager	Salary	\$ 2,700.00
001-123-570	Town Manager	Expense	\$ 1,000.00
001-147-510	Treasurer	Salary	\$ 7,500.00
001-147-570	Treasurer	Expense	\$ 4,000.00
001-155-570	Data Processing	Expense	\$ 10,000.00
001-210-510	Police	Salary	\$ 44,000.00
001-210-570	Police	Expense	\$ 20,000.00
001-220-510	Fire	Salary	\$ 66,000.00
001-244-570	Sealer of Weights and Measures	Expense	\$ 7.00
001-300	Norton Public Schools	Budget Supplement	\$ 416,301.00
001-308-560	Bristol County Agricultural	Assessment	\$ 8,557.00
001-420-570	Highway	Expense	\$ 8,100.00
		\$255,640 Trane	
		\$ 68,567 Land Acquisition and Water Shed Plan	
		\$236,818 Senior/Community Support Center	
001-750-590	Long-Term Interest	and Athletic Fields	\$ 561,025.00
001-750-594	Short-Term Interest	Senior/Community Support Center and Athletic Fields	\$ 46,561.00
001-940-570	Miscellaneous	Insurance	\$ 10,000.00
<b>TOTAL FY23 OPERATING BUDGET SUPPLEMENTS:</b>			<b>\$ 1,205,751.00</b>

**ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE  
MODERATOR**

ARTICLE 4

No action at this time.

**ARTICLE FAILED FOR LACK OF MOTION AS DECLARED BY THE  
MODERATOR**

ARTICLE 5

No action at this time.

**ARTICLE FAILED FOR LACK OF MOTION AS DECLARED BY THE  
MODERATOR**

**ARTICLE 6 (Majority Vote)**

I Bonnie Yezukevich MOVE that the Town vote to transfer the amount of \$800,000.00 from Free Cash to the Capital Improvements Fund.

**ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE  
MODERATOR**

**ARTICLE 7 (2/3 Vote)**

I Bonnie Yezukevich MOVE that the Town vote to transfer the amount of \$158,500.00 from the Capital Improvements Account and \$32,500.00 from the Ambulance Reserve Fund for a total of \$191,000.00 to purchase, or lease with an option to purchase for periods of time up to or in excess of three years, new and/or replacement capital items for various Town Departments, including equipping any vehicles and all other incidental and related expenses, all as specified in the Finance Committee Recommendations for Article 7 of the October 17, 2022, Annual Town Meeting Warrant.

<b>DATA PROCESSING - IT (155)</b>	
25 Percent Annual Replacement Plan for Town	
Wide Obsolete, Unrepairable Equipment or	
Technology	\$ 35,000.00
<b>POLICE DEPARTMENT (210)</b>	
CEW Tasers (Year 2 of 5)	\$ 21,000.00
<b>FIRE DEPARTMENT (220)</b>	
Replace Pick-Up Truck (50/50):	
\$32,500 from Ambulance Account and \$32,500 from Capital	\$ 65,000.00
Replace Brush Fire Tank/Pump Skid	\$ 20,000.00
<b>LIBRARY (610)</b>	
Parking Lot Milling, Paving, and Parking Lines	\$ 50,000.00
<b>TOTAL:</b>	<b>\$ 191,000.00</b>

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

ARTICLE 8 (Majority Vote)

I Bonnie Yezukevich MOVE that the Town vote to amend the vote taken under Article 12 of the May 9, 2016, Annual Town Meeting, to authorize the amount of \$34,800.00 appropriated to expand the Council on Aging parking lot on West Main Street to now be used to expand the parking lot area at the new facility to be located at 116-120 Mansfield Avenue, said funds to be in addition to the funds appropriated under Article 1 of the May 8, 2021, Special Town Meeting or any other meeting.

**ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE  
MODERATOR**

ARTICLE 9 (Majority)

I Bonnie Yezukevich MOVE that the Town vote to amend the vote taken under Article 1 of the May 8, 2021, Special Town Meeting by deleting the following:

that the amount of borrowing authorized pursuant to this vote shall be reduced by the amount of any gifts or grants received for such purposes prior to the issuance of the bonds or notes authorized hereunder; and, further,

**ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE  
MODERATOR**

ARTICLE 10 (Majority)

I Bonnie Yezukevich MOVE that the Town vote to transfer the amount of \$28,560.00 from Free Cash for settlement of the Shpack Landfill Superfund Site natural resource damages claims, and further vote to authorize the Select Board and/or Town Manager to execute any and all documents, including but not limited to a consent decree, and to take any further action necessary to effectuate this vote.

**ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE  
MODERATOR**

ARTICLE 11 (Majority)

I Bonnie Yezukevich MOVE that the Town vote to amend Chapter 110, Article III, §110-11, of the Town's Bylaws, as on file with the Town Clerk, by making the adjustments to the salary plan as specified in Article 11 of the October 17, 2022, Annual Town Meeting Warrant.

SALARY PLAN					
	CURRENT			PROPOSED	
Office Administrator	\$ 60,000	\$ 71,000	to	\$ 62,727.00	\$ 77,677.00
Assistant to the Town Manager	\$ 72,250	\$109,500	to	\$ 75,534.00	\$119,236.00
Highway Superintendent	\$ 77,000	\$120,750	to	\$ 80,500.00	\$131,618.00
Assistant Town Accountant	\$ 56,280	\$ 72,000	to	\$ 58,838.00	\$ 78,754.00
Water & Sewer Superintendent	\$ 89,000	\$118,906	to	\$ 93,046.00	\$129,000.00
Asst. Water & Sewer Superintendent	\$ 73,000	\$ 87,000	to	\$ 76,318.00	\$ 94,830.00
Information Technology Director	\$ 66,000	\$ 91,054	to	\$ 69,000.00	\$ 99,498.00
Tax Collector-Treasurer	\$ 77,000	\$104,750	to	\$ 80,500.00	\$120,393.00
Public Health Nurse	\$ 24.11	\$ 36.42	to	\$ 25.21	\$ 39.69
Custodian - Municipal	\$ 16.39	\$ 21.42	to	\$ 17.13	\$ 23.40
Town Clerk	\$ 67,000	\$ 81,500	to	\$ 70,046.00	\$ 88,835.00
Outreach Counselor	\$ 19.14	\$ 25.28	to	\$ 20.01	\$ 27.61
Director of Parks and Recreation	\$ 19.14	\$ 22.50	to	\$ 20.01	\$ 24.43
Payroll and Benefits Administrator	\$ 42,000	\$ 58,000		\$ 43,909.00	\$ 63,379.00

ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE MODERATER

ARTICLE 12 (2/3 Vote Required if Moved)

Motion was made to move the question by Mark Sweeney. Motion was second.

**ARTICLE 12**

Proposed Creation of Finance Appointing Committee

Charter Change Proposed

To see if the Town will, pursuant to G.L. c. 43B, §10, vote to amend the Town Charter by creating a “Finance Appointing Committee” to appoint members of the Finance Committee, by inserting the underlined text and deleting the strike through text, as follows:

1. Chapter C, Article 2, Section 2-3 Committees:

(b) Finance Committee. There shall be a Finance Committee, the members of which shall be appointed by the Finance Appointing Committee ~~Moderator~~. The number of members on the committee, the term of office and any other conditions of appointment or service as may be deemed necessary or desirable shall be established by bylaw. The subject matter of all proposals to be submitted to a Town Meeting by warrant articles shall be referred to the Finance Committee by the Select Board within five business days following their receipt by the Select Board. The Finance Committee shall report its

recommendations on every article contained in a Town Meeting warrant, in writing. Provisions for the distribution of such report shall be made by bylaw. Before preparing its recommendations, the Finance Committee shall hold one or more public hearings to permit public discussion of the subject matter of all articles contained in the warrant, excepting the election of officers, if applicable. The Finance Committee shall have such additional powers and duties as may be provided by general law or by bylaw.

2. Chapter C, Article 3, Section 3-5 Town Moderator:

- (b) Powers and duties. The Town Moderator shall be the presiding officer of the Town Meeting, as provided in Section 2-2, regulate its proceedings and perform such other duties as may be provided by general law, by Charter, by bylaw or by other Town Meeting vote.

The Moderator shall ~~appoint~~ will serve as the chair of the Finance Appointment Committee and shall appoint all other standing committees of the Town Meeting, and all committees authorized by the Town Meeting for a primarily legislative purpose.

Bylaw Change Proposed

To see if the Town will vote to amend the Town Bylaws, Chapter 20, Article II, §20-8 Appointment; Vacancies, by deleting the existing language in its entirety and replacing it with the following:

- A. There shall be a 5-member Finance Appointing Committee, with the Town Moderator serving as Chair, and four additional members, each to be a member of, and designated by, respectively, the following boards: Select Board, School Committee, Planning Board, and Board of Assessors. No later than May 15, in any year, each such board must file with the Town Moderator and Town Clerk the name of their respective designee; notwithstanding any provision of this section to the contrary, however, if, by the close of business on May 15 in any year the boards listed herein fail to designate a member to serve on the Finance Appointing Committee, or fail to file such designation with the Town Clerk, the remaining members of the Finance Appointing Committee may appoint any registered voter of the Town to serve as a member of the Finance Appointing Committee for a period of one-year, at which time, the respective board can designate one of its members to serve for the remainder of the unexpired term.
- B. Finance Committee members shall be appointed for rotating terms of three years, with such terms beginning on July 1 and expiring on the 30<sup>th</sup> day of June three years later. The Finance Appointing Committee shall, in addition



to making appointments to fill expired terms, fill any vacancy for the remainder of the unexpired term.

And, to implement the vote taken hereunder, the Finance Appointing Committee shall appoint Finance Committee member(s) to fill any terms expiring on June 30, 2022, and any vacancies arising following the effective date of this act.

(PETITION OF MARK SWEENEY)

**Questions and concerns were made by the residents. The article failed and a motion was made by Michael Toole to go to a ballot vote. The criteria to hold a ballot vote was achieved and the Moderator moved to a ballot vote. The results were YES 22 and NO 80. The ballot vote failed**

**ARTICLE FAILS AS DECLARED BY THE MODERATOR**

ARTICLE 13 (2/3 Vote Required if Moved)

Motion was made to move the question by Randy Fogerty, motions was second.

ARTICLE 13

To see if the Town will vote to allow large-scale, ground-mounted solar photovoltaic installations in the Residential 40 Zoning District by special permit by amending the Norton Zoning By-Law Article XXII §175-22.3(A) as follows:

By the addition of the words “*Residential 40*” after the words “*within the*” and before the words “*Residential 60*” in line two of said §175-22.3(A);

And by amending § 175-22.2(E) by adding the words “*Residential 40*” after the words “*within the*” and before the words “*Residential 80*” in line one of said section;

And by amending Subsection (B) of said §175-22.3 by adding a subsection “(B)(1)(e) *Residential 40 Zoning District; 75 feet*”; by adding a subsection “(B)(2)(e) *Residential 40 Zoning District; 50 feet*”; and by adding a subsection “(B)(3)(e) *Residential 40 Zoning District; 50 feet*”.

(PETITION OF RANDY FOGERTY)

**Questions and concerns were made by the residents. Kevin Snyder made a motion to move the question. The motion was second and motion passed.**

**A hand count on the article was taken. The results were, YES 43, NO 55**

**ARTICLE FAILS AS DECLARED BY THE MODERATOR**

ARTICLE 14 (Majority)

I Bonnie Yezukevich MOVE that the Town vote to transfer the amount of \$115,000.00 from Free Cash to the Other Post-Employment Benefits Liability Trust Fund established to cover the unfunded actuarial liability for retirees' health care and life insurance benefits.

**ARTICLE PASSES AS DECLARED BY THE MODERATOR**

ARTICLE 15 (Majority)

I Bonnie Yezukevich MOVE that the Town vote to transfer the amount of \$200,000.00 from Free Cash to the Stabilization Fund, in accordance with G.L. c. 40, §5B.

**ARTICLE PASSES AS DECLARED BY THE MODERATOR**

A motion was made to adjourn the meeting, motion was second. The Moderator adjourned the Annual Fall Town Meeting at 9:13 pm.

A TRUE COPY ATTEST:

Lucia B. Longhurst  
Town Clerk

