

**TOWN OF NORTON  
ANNUAL TOWN MEETING  
MAY 12, 2014**

The Annual Town Meeting was called to order by Moderator William A. Gouveia at 7:00 PM at the Norton High School Auditorium. He introduced Kevin O'Neil from the High School Building Committee to lead the crowd in the Pledge of Allegiance.

The Moderator recognized some distinguished guests:  
Jay Barrows, State Representative

The Moderator reviewed some pre-meeting rules:

- I ask everyone to please find a seat for this meeting. Standing in the back and on the sides creates problems both on a noise level and in counting standing votes. There are plenty of seats, please find one.
- 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 non-registered voters. If you are a 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 in the center of the room at the end of the aisles. 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, 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 his 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 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 at any time prior to adjourning. Please be aware that any article you act upon tonight can be reconsidered as few as three articles later, so keep that in mind before you rush out after your article.
- 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.

The Town Clerk read the call and return of service as written in the warrant.

**ARTICLE 2** (Requires Majority Vote)

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the Town vote to authorize the Board of Selectmen to accept and enter into contracts for the expenditure of any funds allotted, or to be allotted, by the Commonwealth and/or County for the construction, reconstruction and improvement of Town roads, and appropriate such sum or sums so allotted by the Commonwealth for the purpose of road and other municipal improvements within the Town of Norton which are eligible for reimbursement, subject to conditions detailed by the Massachusetts Department of Transportation, pursuant to Massachusetts General Laws Chapter 90.

**DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

**ARTICLE 3** **LOST FOR LACK OF MOTION** (Pay Outstanding Separation Expenses)

**ARTICLE 4** (Requires Majority Vote)

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the Town vote to transfer the amount of \$3,600.00 from Free Cash and \$705.00 from Water Retained Earnings to fund and implement the first year of a three-year Collective Bargaining Agreement between the Town and the American Federation of State, County, and Municipal Employees, Council 93, Local 1702 – Clerical Workers Union for the period beginning July 1, 2014, through June 30, 2017, said amounts to be allocated to the appropriate General Fund and Water Enterprise budgets.

**DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

**ARTICLE 5** (Requires 2/3Vote)

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the Town authorize the Board of Selectmen, with the advice and consent of the Board of Water and Sewer Commissioners, to acquire by gift, purchase, eminent domain or otherwise, any and all land and/or permanent and temporary easements necessary or advisable for the laying out, construction, improvement, maintenance, replacement, repair and/or relocation of a sewage system, with conduits, force mains, sewer pump stations, and any and all other facilities and appurtenances in connection with the construction of the Norton Center Sewer Extension Project in all or portions of Fillmore Drive and Howard Street, said land and/or easements to include said roadways, land on both sides of the layout of said roadways, and such other areas as are approximately shown on a plan by Weston & Sampson entitled “Proposed Town Sewer Easement Limits on Wheaton College Property” dated April 2014 and on file with the Town Clerk, all on the Wheaton College Campus; and appropriate the sum of \$2,700,000 for the purpose of permitting, designing and constructing said Norton Center Sewer Extension Project, acquiring land and/or easements, and legal, administrative and other expenses associated with the Project, including, without limitation, all costs thereof as defined in G.L. c.29C, §1; that to meet this appropriation, authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$2,700,000 and to issue bonds or notes therefor in accordance with G.L. c.44, G.L. c.29C, and/or any other enabling authority, such bonds or notes to be general obligations of the Town unless the Treasurer, with the approval of the Selectmen, determines that they should be issued as limited obligations and may be secured by local system revenues as defined in G.L. c.29C, §1, provided, further, however, that it is anticipated that all funds needed to repay the principal and interest on such borrowing shall be paid from the Sewer Enterprise Fund; authorize the Treasurer, with the approval of the Board of Selectmen, to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to

said Chapter 29C; and, further, in connection therewith, authorize the Board of Selectmen and/or the Board of Water and Sewer Commissioners to enter into a loan agreement and/or security agreement with the Trust and otherwise contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the Project or for the financing thereof, including, without limitation, a Project Regulatory Agreement with the Department of Environmental Protection, and expend all funds available for the Project and to take any other action necessary or advisable to carry out the Project.

**DECLARED VOTED BY 2/3 BY THE MODERATOR**

**ARTICLE 6** (Requires 2/3Vote)

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the Town vote to appropriate the sum of \$8,900,000.00 for the purpose of financing the planning, design and construction of water mains and other utilities, system upgrades, residuals treatment and a water treatment plant to treat water from Wells 4, 5 and 6 and to be located off Plain Street as shown on a plan by Weston & Sampson entitled "Norton Water Treatment Plant Preliminary Site Plan" dated February 18, 2014, and on file with the Town Clerk and for related legal, administrative and other pertinent expenses associated with the project including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$8,900,000 and issue bonds or notes therefor under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, or any other enabling authority; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Board of Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C; and in connection therewith the Board of Selectmen and/or the Board of Water and Sewer Commissioners are authorized to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Board of Selectmen and/or Board of Water and Sewer Commissioners is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, and to expend all funds available for the project and to take any other action necessary to carry out the project.

**DECLARED VOTED BY 2/3 BY THE MODERATOR**

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

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the Town of Norton transfer the amount of \$100,000 from Free Cash for the purpose of paying costs of a feasibility study to repair the roof at the Norton Middle School, 215 West Main Street, Norton, MA, including all costs incidental and related thereto, and for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority, said amount to be expended under the direction of the Norton School Committee. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

**DECLARED VOTED BY MAJORITY BY THE MODERATOR**

**ARTICLE 8** (Requires Majority Vote)

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the Town vote to transfer the amount of \$10,000.00 from the Water Pollution Abatement Trust Program Interest Earnings Account to support administrative costs of said program.

**DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

**ARTICLE 9** (Requires Majority Vote)

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the Town vote to transfer the amount of \$10,000.00 from Free Cash for the purpose of having Household Hazardous Waste Collection day(s).

**DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

**ARTICLE 10** (Requires Majority Vote)

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the Town vote pursuant to Chapter 44, Section 53E-½, of the General Laws, to establish a “Council on Aging Revolving Fund” and to continue the existing revolving funds, all as written in Article 10 of the May 12, 2014, Annual Town Meeting Warrant.

**ARTICLE 10 as printed in the Warrant:**

<b>237 MANSFIELD AVENUE (WENDELL JACKSON PROPERTY) REVOLVING FUND (CONTINUE)</b>	
Authorized to Spend:	Board of Selectmen
Revenue Source:	Fees and other funds associated with use of the property commonly known as the Wendell Jackson property and located at 237 Mansfield Avenue, Norton, Massachusetts, including but not limited to revenue resulting from leasing or licensing of the property, or public parking on the property for access to the Norton Reservoir
Use of Fund:	Expenses directly related to use, rental, development, and maintenance of the property, including creating and providing access to the Norton Reservoir
Spending Limit:	\$30,000.00
Fund Balance Disposition:	Balance available for expenditure in the following fiscal year
<b>FORESTRY REVOLVING FUND (CONTINUE)</b>	
Authorized to Spend:	Norton Conservation Commission and Norton Tree Warden
Revenue Source:	Fees and other funds in connection with the sale and harvest of timber and other forestry products from conservation and Town-owned land
Use of Fund:	Creation and implementation of Forest Stewardship Plans and other forestry projects within the Town of Norton
Spending Limit:	\$30,000.00
Fund Balance Disposition:	Balance available for expenditure in the following fiscal year

<b>HOME COMPOSTING BIN DISTRIBUTION PROGRAM REVOLVING FUND (CONTINUE)</b>	
Authorized to Spend:	Board of Health
Revenue Source:	To receive revenue from home composting bin sales or donations to the Home Composting Bin Distribution Program
Use of Fund:	For the purchase of additional Compost Bins, advertising, administrative expenses, or other such expenses as are directly related to furthering the Town's Home Composting Bin Distribution Program, and should funds remain in this account after demand for compost bins has been satisfied, such funds may be used for public education on home composting, or another solid waste program approved by MassDEP
Spending Limit:	\$2,000.00
Fund Balance Disposition:	Balance available for expenditure in the following fiscal year
<b>RECYCLING REVOLVING FUND (CONTINUE)</b>	
Authorized to Spend:	Highway Superintendent
Revenue Source:	To receive fees for processing recycled materials, including but not limited to white goods, newspapers, tires, etc.
Use of Fund:	To support recycling activities such as the operation of the Recycling Center; public education efforts; seminars, workshops, information for the Highway Department; studies, and reports on recycling issues
Spending Limit:	\$10,000.00
Fund Balance Disposition:	Balance available for expenditure in the following fiscal year
<b>CERTIFIED HAZARDOUS MATERIALS TECHNICIAN(S) REVOLVING FUND (CONTINUE)</b>	
Authorized to Spend:	Norton Fire Department
Revenue Source:	To receive funds from the Southeastern Massachusetts Fire Chief's Hazardous Materials Committee and other available sources for hazardous materials incidents attended by the Department's Hazardous Materials Technician(s)
Use of Fund:	To fund salaries and expenses related to the Norton Fire Department's Certified Hazardous Materials Technician(s)
Spending Limit:	\$10,000.00
Fund Balance Disposition:	Balance available for expenditure in the following fiscal year
<b>COUNCIL ON AGING REVOLVING FUND (ESTABLISH)</b>	
Authorized to Spend:	Council on Aging Department
Revenue Source:	To receive fees from programs
Use of Fund:	To fund expenses for programs
Spending Limit:	\$5,000.00
Fund Balance Disposition:	Balance available for expenditure in the following fiscal year

**DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

**ARTICLE 11** (Requires Majority Vote)

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the Town vote to transfer from Free Cash the amount of \$55,000.00 for the purpose of the Fiscal Year 2016 Triennial Revaluation and its associated costs as mandated by the Department of Revenue.

**DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

**ARTICLE 12** (Requires Majority Vote)

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the Town vote to transfer from Free Cash the amount of \$50,000.00 for legal services and/or technical assistance relative to Chapter 40B (Comprehensive Permit) projects.

**DECLARED VOTED UNANIMOUSLY BY THE MODERATOR****ARTICLE 13** (Requires Majority Vote)

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the total amount of \$3,176,359.00 be appropriated for the operation of the Water Enterprise for Fiscal Year 2015 from Water Enterprise Receipts (including but not limited to user charges, lease revenue, interest, and miscellaneous revenues), with \$2,905,821.00 of said sum being appropriated hereunder for direct costs of the Enterprise, and \$270,538.00 of said sum to be appropriated in the General Fund under Article 17 for indirect costs and allocated to the Water Enterprise Fund for funding, as printed in the warrant:

**Article 13 as printed in the warrant:**

<b>Personal Services</b>	<b>\$ 685,223</b>
<b>Indirect Expenses</b>	<b>\$ 270,538</b>
<b>Other Charges &amp; Expenditures</b>	<b>\$1,057,500</b>
<b>Debt Service</b>	<b>\$1,163,098</b>
<b>Total:</b>	<b>\$3,176,359</b>

**DECLARED VOTED UNANIMOUSLY BY THE MODERATOR****ARTICLE 14** (Requires Majority Vote)

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the total amount of \$1,038,479.00 be appropriated for the operation of the Sewer Enterprise for Fiscal Year 2015 from Sewer Enterprise Receipts (including but not limited to fees, charges, interest, and miscellaneous revenues), with \$970,986.00 of said sum being appropriated hereunder for direct costs of the Enterprise, and \$67,493.00 of said sum to be appropriated in the General Fund under Article 17 for indirect costs and allocated to the Sewer Enterprise Fund for funding, as printed in the warrant:

**Article 14 as printed in the warrant:**

<b>Personal Services</b>	<b>\$ 158,336</b>
<b>Indirect Expenses</b>	<b>\$ 67,493</b>
<b>Other Charges &amp; Expenditures</b>	<b>\$ 812,650</b>
<b>Debt Service</b>	<b>\$ 0</b>
<b>Total:</b>	<b>\$1,038,479</b>

**DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

**ARTICLE 15      LOST FOR LACK OF MOTION** (Transfer \$ to Capital Improvements Fund)**ARTICLE 16      (Requires 2/3Vote)**

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the Town appropriate the total sum of \$909,556.00, for the purchase, or lease with an option to purchase, for periods of time up to or in excess of three years, the following new and/or replacement capital items for various Town Departments and for the payment of all costs incidental and related thereto as set forth in the Capital Improvements Committee's recommendations set forth in the Chart entitled, "Article 16 Proposed FY15 Capital Budget"; and, to meet said appropriation, to transfer \$408,156.00 from the Capital Improvements Account, \$196,000.00 from the Water Enterprise Retained Earnings, \$30,000.00 from the Sewer Enterprise Retained Earnings, and to transfer the amount of \$275,400.00 from Ambulance Reserve Fund.

<b>155 DATA PROCESSING</b>	<b>Replace GasBoy System:</b>	
	<b>Fuelmaster Equipment and Software</b>	
	<b>AIM 2 Modules (\$250 Each) and</b>	
	<b>Keys (\$4.40 Each)</b>	
	<b>Installation (e.g. IT services,</b>	
	<b>communication cable, electrical, ...)</b>	<b>\$ 20,000.00</b>
<b>155 DATA PROCESSING</b>	<b>Sonic Wall and Barracuda</b>	<b>\$ 17,000.00</b>
<b>210 POLICE</b>	<b>Police Line Cruisers (two)</b>	<b>\$ 68,000.00</b>
<b>220 FIRE</b>	<b>Ambulance #2 (*) - Replacement</b>	<b>\$ 240,000.00</b>
<b>220 FIRE</b>	<b>Sedan Replacement (*1/2)</b>	<b>\$ 42,000.00</b>
<b>220 FIRE</b>	<b>Squad #1 (Year 2 of 5)</b>	<b>\$ 75,000.00</b>
<b>220 FIRE</b>	<b>Diver Dry Suits (4) (*)</b>	<b>\$ 14,400.00</b>
<b>290 COMMUNICATIONS</b>	<b>Fire Alarm System:</b>	
	<b>Purchase Ten (10) FBX4 Form Four</b>	<b>\$ 16,500.00</b>
	<b>Box Cards</b>	
	<b>Repair Ten (10) FBX4 Form Four Box</b>	<b>\$ 7,500.00</b>
	<b>Cards</b>	
<b>290 COMMUNICATIONS</b>	<b>Radio Comparator Replacements:</b>	
	<b>Purchase Two (2) JPS Voter Chassis</b>	
	<b>(inc. Console Interface Modules)</b>	<b>\$ 10,199.00</b>
	<b>Purchase Six (6) Site Voter Modules</b>	
	<b>(5 Sites and 1 Spare)</b>	<b>\$ 11,038.00</b>
	<b>Installation/Labor</b>	<b>\$ 2,400.00</b>
<b>300 SCHOOLS (Athletic)</b>	<b>Pave the Area that is Stone Dust Around</b>	
	<b>the Stadium</b>	<b>\$ 25,000.00</b>
<b>300 SCHOOLS (District)</b>	<b>New Classroom Doors and With New</b>	
	<b>Door Handles and Locks</b>	<b>\$ 25,000.00</b>
<b>420 HIGHWAY</b>	<b>2.5 Front-End JD Loader (JD) 5 of 5</b>	<b>\$ 28,037.00</b>
<b>420 HIGHWAY</b>	<b>2011 Peterbuilt Dump Truck</b>	
	<b>(Kansas Bank) 4 of 5</b>	<b>\$ 32,648.00</b>
<b>420 HIGHWAY</b>	<b>Sweeper (Mercedes-Benz Fin svc.) 2 of 5</b>	<b>\$ 48,834.00</b>
<b>SUBTOTAL:</b>		<b>\$ 683,556.00</b>

<b>440 SEWER</b>	<b>CWRMP Funding</b>	<b>\$ 30,000.00</b>
<b>SUBTOTAL SEWER PROJECTS:</b>		<b>\$ 30,000.00</b>
<b>450 WATER</b>	<b>Backhoe Replacement</b>	<b>\$ 111,000.00</b>
<b>450 WATER</b>	<b>Hydraulic Model</b>	<b>\$ 50,000.00</b>
<b>450 WATER</b>	<b>Pick-Up Truck Replacement</b>	<b>\$ 35,000.00</b>
<b>SUBTOTAL WATER PROJECTS:</b>		<b>\$ 196,000.00</b>

**DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

**ARTICLE 17** (Requires Majority Vote)

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the Town raise and appropriate the amount of \$46,669,506.00, raise from Sewer receipts the amount of \$67,493.00, and raise from Water receipts the amount of \$270,538.00 to fund the Town's FY15 Operating Budget and to fix the salary compensation of the elected official of the Town, all as presented in the Finance Committee's recommendation as written in the May 12, 2014, Warrant under Article 17, and further, to transfer the amount of \$1,359,700.00 from the following funds for a total appropriation for the Fiscal Year 2015 operating budget of \$48,367,237.00:

<b>Free Cash</b>	<b>\$ 600,000.00</b>
<b>Hicks Fund</b>	<b>\$ 100,000.00</b>
<b>Ambulance Receipts</b>	<b>\$ 500,000.00</b>
<b>Dog Fund</b>	<b>\$ 16,700.00</b>
<b>Septic Betterments</b>	<b>\$ 60,000.00</b>
<b>Overlay Surplus</b>	<b>\$ 75,000.00</b>
<b>Wetlands Protection</b>	<b>\$ 8,000.00</b>
	<b>\$ 1,359,700.00</b>

**DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

**FY 2015 Operating Budget**

<b><u>Board of Selectmen (122)</u></b>			
Personal Service	510	\$	51,503.00
Charges & Expenditures	570	\$	1,885.00
<b>Totals</b>		<b>\$</b>	<b>53,388.00</b>
<b><u>Town Manager (123)</u></b>			
Personal Service	510	\$	200,833.00
Charges & Expenditures	570	\$	10,670.00
<b>Totals</b>		<b>\$</b>	<b>211,503.00</b>



<b><u>Finance Committee (131)</u></b>			
Charges & Expenditures	570	\$	2,500.00
Totals		\$	2,500.00
<b><u>Reserve Fund (132)</u></b>			
- Appropriation		\$	150,000.00
Transfers	502		
Totals		\$	150,000.00
<b><u>Town Accountant (135)</u></b>			
Personal Service	510	\$	174,450.00
Purchase Of Services	520	\$	24,000.00
Charges & Expenditures	570	\$	2,710.00
Totals		\$	201,160.00
<b><u>Assessors (141)</u></b>			
Personal Service	510	\$	125,444.00
Charges & Expenditures	570	\$	32,330.00
Totals		\$	157,774.00
<b><u>Treasurer/Collector (147)</u></b>			
Personal Service	510	\$	194,413.00
Charges & Expenditures	570	\$	47,790.00
Totals		\$	242,203.00
<b><u>Legal Services (151)</u></b>			
Charges & Expenditures	570	\$	80,000.00
Totals		\$	80,000.00
<b><u>Data Processing (155)</u></b>			
Personal Service	510	\$	-
Charges & Expenditures	570	\$	144,023.00
Totals		\$	144,023.00
<b><u>Web Committee (156)</u></b>			
Charges & Expenditures	570	\$	-
Totals		\$	-

<b><u>Tax Title Foreclosure (158)</u></b>			
Charges & Expenditures	570	\$	40,000.00
Totals	570	\$	40,000.00
<b><u>Town Clerk (161)</u></b>			
Personal Service	510	\$	40,915.00
Salary - Elected Official	511	\$	60,866.00
Charges & Expenditures	570	\$	4,190.00
Totals		\$	105,971.00
<b><u>Elections (162)</u></b>			
Personal Service	510	\$	550.00
Charges & Expenditures	570	\$	27,436.00
Totals		\$	27,986.00
<b><u>Conservation Comm (171)</u></b>			
Personal Services	510	\$	86,200.00
Charges & Expenditures	570	\$	10,850.00
Totals		\$	97,050.00
<b><u>Planning Board (175)</u></b>			
Personal Services	510	\$	49,477.00
Charges & Expenditures	570	\$	3,150.00
Totals		\$	52,627.00
<b><u>SE REG Plan &amp; Econ Dev (176)</u></b>			
Assessment	560	\$	3,151.00
Totals		\$	3,151.00
<b><u>Zoning Bd Of Appeals (177)</u></b>			
Charges & Expenditures	570	\$	300.00
Totals		\$	300.00
<b><u>Industrial Development Commission (182)</u></b>			
Charges & Expenditures	570	\$	-
Totals			\$0.00
<b><u>Municipal Bldg Maint (192)</u></b>			
Charges & Expenditures	570	\$	201,280.00
Totals		\$	201,280.00

<b><u>Town Report (195)</u></b>			
Printing	520	\$	2,600.00
Totals		\$	2,600.00
<b><u>Postage -All Depts (199)</u></b>			
Charges & Expenditures	570	\$	36,950.00
Totals		\$	36,950.00
<b><u>Police Department (210)</u></b>			
Personal Service	510	\$	2,488,172.00
Charges & Expenditures	570	\$	184,623.00
Totals		\$	2,672,795.00
<b><u>Fire Department (220)</u></b>			
Personal Service	510	\$	2,843,398.00
Charges & Expenditures	570	\$	157,150.00
Total		\$	3,000,548.00
<b><u>Emergency Medl Serv (230)</u></b>			
Charges & Expenditures	570	\$	88,300.00
Totals		\$	88,300.00
<b><u>Emergency Planning (240)</u></b>			
Charges & Expenditures	570	\$	6,250.00
Totals		\$	6,250.00
<b><u>Inspection Dept (241)</u></b>			
Personal Service	510	\$	149,584.00
Charges & Expenditures	570	\$	12,765.00
Totals		\$	162,349.00
<b><u>Sealer Weights (244)</u></b>			
Charges & Expenditures	570	\$	2,000.00
Totals		\$	2,000.00
<b><u>Communication Center (290)</u></b>			
Personal Service	510	\$	519,112.00
Charges & Expenditures	570	\$	114,330.00
Totals		\$	633,442.00

<b><u>Animal Control (292)</u></b>			
Personal Service	510	\$	48,650.00
Charges & Expenditures	570	\$	8,715.00
Totals		\$	57,365.00
<b><u>Tree Warden (294)</u></b>			
Personal Service	510	\$	2,000.00
Totals		\$	2,000.00
<b><u>School Department (300)</u></b>			
Personal Services	510	\$	18,257,000.00
Charges & Expenditures	570	\$	5,805,584.00
Totals		\$	24,062,584.00
<b><u>Southeastern Reg Voc (306)</u></b>			
Assessments	560	\$	1,240,944.00
Totals		\$	1,240,944.00
<b><u>Reg Agricultural Sch (308)</u></b>			
Assessments	560	\$	32,623.00
Totals		\$	32,623.00
<b><u>Highway (420)</u></b>			
Personal Service	510	\$	611,539.00
Charges & Expenditures	570	\$	93,450.00
Surface Treatment	580	\$	12,000.00
Repairs to Private Ways	581	\$	1,000.00
Totals		\$	717,989.00
<b><u>Snow Removal (423)</u></b>			
Charges & Expenditures	570	\$	80,000.00
Totals		\$	80,000.00
<b><u>Street Lighting (425)</u></b>			
Charges & Expenditures	570	\$	110,000.00
Totals		\$	110,000.00
<b><u>Sanitary Landfill (438)</u></b>			
Charges & Expenditures	570	\$	6,700.00
Reserve Fund Supplement			
Totals		\$	6,700.00

<b><u>Sewer Division (440)</u></b>			
Personal Service	510	\$	-
Charges & Expenditures	570	\$	-
Reserve Fund Supplement			
Totals		\$	-
<b><u>Board of Health (510)</u></b>			
Personal Service	510	\$	129,301.00
Charges & Expenditures	570	\$	6,475.00
Totals		\$	135,776.00
<b><u>Public Health Nurse (522)</u></b>			
Personal Service	510	\$	30,697.00
Charges & Expenditures	570	\$	8,650.00
Totals		\$	39,347.00
<b><u>Council on Aging (541)</u></b>			
Personal Service	510	\$	33,613.00
Charges & Expenditures	570	\$	7,660.00
Reserve Fund Supplement			
Totals		\$	41,273.00
<b><u>Veterans Agent (543)</u></b>			
Personal Service	510	\$	51,510.00
Charges & Expenditures	570	\$	3,330.00
Veterans Benefits	579	\$	230,000.00
Reserve Fund Supplement			
Totals		\$	284,840.00
<b><u>Library (610)</u></b>			
Other Charges & Expenditures	570	\$	360,000.00
Totals		\$	360,000.00
<b><u>Recreation (630)</u></b>			
Personal Service	510	\$	7,200.00
Charges & Expenditures	570	\$	10,000.00
Totals		\$	17,200.00

<b><u>Historical Comm (691)</u></b>			
Charges & Expenditures	570	\$	50.00
Totals		\$	50.00
<b><u>Memorial &amp; Vets Day (692)</u></b>			
Other Charges & Expenditures	570	\$	1,500.00
Totals		\$	1,500.00
<b><u>Historical Dist Comm (693)</u></b>			
Charges & Expenditures	570	\$	100.00
Totals		\$	100.00
<b><u>Maturing Debt (711)</u></b>			
Maturing Principal on LT Debt	590	\$	1,669,148.00
Repayment of Temporary Loans	594	\$	109,697.00
Totals		\$	1,778,845.00
<b><u>Interest (750)</u></b>			
Interest on Long-Term Debt	590	\$	635,352.00
Interest on Notes	594	\$	2,212.00
Reserve Fund Supplement			
Totals		\$	637,564.00
<b><u>Employee Benefits (910)</u></b>			
Personal Service	510	\$	2,084,055.00
Other Personal Service	511	\$	7,137,000.00
Charges & Expenditures	570	\$	365,000.00
Totals		\$	9,586,055.00
<b><u>Unemployment Comp (911)</u></b>			
Charges & Expenditures	570	\$	80,000.00
Totals		\$	80,000.00
<b><u>Miscellaneous (940)</u></b>			
Fuel Expenses	540	\$	172,000.00
Charges & Expenditures	570	\$	546,332.00
Totals		\$	718,332.00
<b>GRAND TOTALS</b>		\$	48,367,237.00

## **ARTICLE 18** (Requires 2/3Vote)

Motion was made by Michael Flaherty, Chairman of the Finance Committee, that the Town vote to amend the Norton Zoning Bylaws as set forth in the warrant under Article 18.

### **ARTICLE 18 as printed in the Warrant:**

To see if the Town will vote, pursuant to G.L., c.40A, to amend the Norton Zoning Bylaw by adding a new Article XXI, Large-Scale, Ground Mounted, Solar, Photovoltaic Installations, as set forth in its entirety, below, and, in connection therewith, to amend:

- Article IV, Use Regulations, 4.5, Industrial Uses, by inserting the following at the end of the existing text: “Large-Scale, Ground-Mounted, Solar, Photovoltaic Installations – See Article XXI, Section 21.3.1.”; and inserting “- “ in each zoning district column.
- Table 6.2, Dimensional Requirements, by inserting the following at the end of the existing text: “For Setbacks applicable to Large-Scale, Ground-Mounted, Solar, Photovoltaic Power Generation Installations, see Article XXI, Section 21.3.”
- Article XV, Site Plan Approval, Section 15.3, Applicability, by inserting the following text: “5. Large-Scale, Ground-Mounted, Solar, Photovoltaic Installations.”

## **ARTICLE XXI - LARGE-SCALE, GROUND-MOUNTED, SOLAR, PHOTOVOLTAIC INSTALLATIONS**

### **21.0 PURPOSE**

The purpose of this article is to provide for the creation of large-scale, ground-mounted, solar, photovoltaic facilities or installations by establishing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and that provide adequate financial assurance for the eventual decommissioning of such installations.

### **21.1 DEFINITIONS**

Building Permit: A construction permit issued by the building inspector that is evidence the project is consistent with state and federal building codes as well as local zoning by-laws.

Large-Scale, Ground-Mounted, Solar, Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.

Rated Nameplate Capacity: The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

Site Plan Approval: Review by the Planning Board to determine conformance with the site plan approval requirements of the Zoning By-law, Article XV, and this Article.

Site Plan Approval Authority: the Planning Board.

Zoning Enforcement Authority: the Building Inspector.

## **21.2 GENERAL REQUIREMENTS FOR ALL LARGE-SCALE, GROUND-MOUNTED, SOLAR, PHOTOVOLTAIC POWER GENERATION INSTALLATIONS**

### **21.2.1 Compliance with Laws, Bylaws and Regulations**

The construction and operation of all large-scale, ground mounted, solar, photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.

### **21.2.2 Building Permit and Building Inspection**

No large scale ground-mounted solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

### **21.2.3 Fees**

The application for Site Plan Approval and for a building permit shall be accompanied by the appropriate fee(s).

### **21.2.4 Site Plan Review**

Large-scale, ground-mounted, solar photovoltaic installations shall be subject to Site Plan Approval by the Norton Planning Board as provided for in the Norton Zoning Bylaw, Article XV-Site Plan Approval, and this Article.

### **21.2.5 Special Permit**

Large-scale, ground-mounted solar photovoltaic installations located within the Residential 80 or Residential 60 zoning district shall be allowed only upon grant of a Special Permit from the Norton Planning Board.

### **21.2.6 Public Notification**

The Project Proponent for a large-scale, ground-mounted large-scale solar photovoltaic installation shall provide public notice of the time, date, and location of the Site Plan Approval hearing before the Planning Board pursuant to the notice provisions of MGL Chapter 40A, Section 11-Notice Requirements for Public Hearing, paragraphs one (1) and (2).

### **21.2.7 Plans**

All plans and maps required by this Article shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.

### **21.2.8 Required Documents**

Pursuant to the Site Plan Approval process, the Project Proponent(s) shall provide the following documents:

(a) A site plan showing:

- i. Property lines and physical features, including roads, for the project site;
- ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;



- iii. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures;
  - iv. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices;
  - v. Documentation of the major system components to be used, including the photovoltaic panels, mounting system, and inverter;
  - vi. Name, address, and contact information for the proposed system installer if known at the time of application;
  - vii. Name, address, phone number and signature of the Project Proponent, as well as all co-proponents and property owners, if any;
  - viii. The names, contact information and signature of any agents representing the Project Proponent; and
- (b) Documentation of actual or prospective access and control of the project site (see also section 21.2.9)
- (c) An operation and maintenance plan (see 21.2.10);
- (d) Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
- (e) Proof of liability insurance; the Project Proponent shall be required to provide evidence of liability insurance in an amount sufficient to cover loss or damage to persons and property pursuant to industry standards; and
- (f) Description of financial surety that satisfies Section 21.7;
- (g) A public outreach plan, including a project development timeline, which indicates how the Project Proponent will meet the required Site Plan Approval notification procedures and otherwise inform abutters and the community;
- (h) A Stormwater Management Checklist, Drainage Report and construction-term stormwater management plan.

The Planning Board may waive the above cited documentary requirements as it deems appropriate.

### **21.2.9 Site Control**

The Project Proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed large-scale, ground-mounted solar photovoltaic installation.

### **21.2.10 Operation and Maintenance Plan**

The Project Proponent shall submit a plan for the operation and maintenance of the large-scale, ground-mounted, solar, photovoltaic installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operation and maintenance of the installation.

### **21.2.11 Utility Notifications**

No large-scale, ground-mounted, solar, photovoltaic installation shall be constructed until evidence has been provided to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator into its power grid. Off grid systems shall be exempt from this requirement.

## **21.3 LOCATION, SETBACK AND SCREENING REQUIREMENTS**

### **21.3.1. Designated Location:**

Large-scale, ground-mounted, solar, photovoltaic installations shall be allowed as follows: on no less than two acres within the Commercial and Industrial zoning districts; and, on no less than five acres within the Residential-60 and Residential 80 zoning districts subject to the provisions of this article. Solar installations shall not be allowed within "bordering vegetated wetland" or "bordering land subject to flooding" as defined in the Massachusetts Wetland Protection Act Regulations, 310 CMR 10.55(2) or CMR 10.57(2) Section 10.57(2), respectively.

### **21.3.2 Setbacks**

For large-scale, ground-mounted solar photovoltaic installations, front, side and rear setbacks, inclusive of photovoltaic array and accessory/appurtenant structures, shall be as follows:

#### **(a) Front yard:**

- Industrial zoning district: 50 feet
- Commercial zoning district: 50 feet
- Residential 60 zoning district: 75 feet
- Residential 80 zoning district: 75 feet

#### **(b) Side Yard:**

- Industrial zoning district: 40 feet
- Commercial zoning district: 30 feet
- Residential 60 zoning district: 50 feet
- Residential 80 zoning district: 50 feet

#### **(c) Rear yard:**

- Industrial zoning district: 40 feet
- Commercial zoning district: 30 feet
- Residential 60 zoning district: 50 feet
- Residential 80 zoning district: 50 feet

### **21.3.3 Accessory/Appurtenant Structures**

All accessory or appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

### **21.3.4 Visual Screening**

A large-scale, ground-mounted, solar, photovoltaic facility (including appurtenant structures and access drive(s) for such facility) shall provide visual screening in the form of plantings, existing vegetation, earthen berms, fencing or a combination thereof, between the facility and the adjacent use. The size, configuration and design of the visual screening shall be determined by the Planning Board based upon the characteristics of the project site and the proximity, type and intensity of the adjacent use. A facility that is adjacent to residential uses(s) shall require more intensive screening, unless the Planning Board determines that such more intensive screening is not needed in the circumstances.

## **21.4 DESIGN STANDARDS**

### **21.4.1 Lighting**

Lighting of large-scale, ground-mounted, solar, photovoltaic installations shall be consistent with federal and state law and shall conform to the standards and requirements of the Norton Zoning Bylaw, Article XX-Lighting.

### **21.4.2 Signage**

Signs on large-scale, ground-mounted, solar, photovoltaic installations shall comply with the Town of Norton Zoning By-law. A sign consistent with the Zoning By-law shall be required to identify the owner and provide a 24-hour emergency contact phone number.

Large-scale, ground-mounted, solar, photovoltaic installations shall not be used for displaying and advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation.

### **21.4.3 Utility Connections**

Reasonable efforts, as determined by the Planning Board shall be made to place all utility connections from the large-scale, ground-mounted solar photovoltaic installation underground, depending on appropriate soil conditions, shape, topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

## **21.5 SAFETY AND ENVIRONMENTAL STANDARDS**

### **21.5.1 Emergency Services**

The large-scale, ground-mounted, solar, photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Fire Chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation

### **21.5.2 Land Clearing and Soil Erosion**

Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and bylaws. Land alternations exceeding one acre shall comply with Environmental Protection Agency's (EPA's) National Pollution Discharge Elimination System (NPDES) requirements and submit a Stormwater Pollution Prevention Plan (SWPPP) to the Building Inspector for review a minimum of 45 days prior to the commencement of work. Sediment controls shall be properly installed and maintained until the project is stabilized. All disturbed areas shall be permanently stabilized prior to final approval.

## **21.6 MONITORING AND MAINTENANCE**

### **21.6.1 Solar Photovoltaic Installation Conditions**

The large-scale, ground-mounted, solar, photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

### **21.6.2 Modifications**

All material modifications to large-scale, ground-mounted solar photovoltaic installation made after issuance of the required building permit shall require Site Plan Approval by the Planning Board.

### **21.6.3 Removal Requirements**

Any large-scale, ground-mounted, solar, photovoltaic installation which has reached the end of its useful life or has been abandoned consistent with Section 21.3.3.2 of this bylaw shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- (a) Physical removal of all large-scale, ground-mounted, solar, photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
- (b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- (c) Permanent stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

### **21.6.4 Abandonment**

Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board.

If the owner or operator of the large-scale, ground-mounted, solar, photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town, after receipt of an appropriate court order or to the extent otherwise authorized by law, may enter the property and physically remove the installation.

### **21.7 FINANCIAL SURETY**

Proponents of large-scale, ground-mounted, solar, photovoltaic installation shall provide a form of surety, either through escrow account, bond, or otherwise, to cover the estimated cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the estimated cost of removal and compliance. Such surety shall not be required for municipally or state owned facilities. The Project Proponent shall submit, for the Planning Board's determination, a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

The Planning Board will work with the Project Proponent to develop a financial instrument in the amount as determined above to ensure satisfactory removal of the facility and whose terms are sufficiently flexible to provide financial feasibility for the Project Proponent. Such an instrument may provide for initially smaller amounts of surety in the early years of the project's useful life and increasing in amount as the project nears the end of its useful life.

or take any other action relative thereto.

David Miller, Member of the Planning Board reported that the Planning Board met on this Article on April 15, 2014 and voted 4 – 0 in favor of Recommendation of Article 18.

### **DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

**ARTICLE 19**      **LOST FOR LACK OF MOTION** (Zoning By-Law & General By-law Books)

**ARTICLE 20**      **LOST FOR LACK OF MOTION** (Stabilization Fund)

A **MOTION** was made by Paul Helmreich to allow representatives from Weston & Sampson to address Town Meeting in regards to Article 5 & 6 and was seconded.

### **DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

The Annual Town Meeting was recessed during Article 7 at 8:00 PM for the Special Town Meeting and Reconvened at 8:05 PM.

A **MOTION** was made (After the vote for Article 14) by Luke Grant to reconsider Article 5. The Motion was 2<sup>nd</sup>.

### **MOTION TO RECONSIDER DECLARED LOST**

A **MOTION** was made (After the vote for Article 14) by Luke Grant to reconsider Article 6. The Motion was 2<sup>nd</sup>.

### **MOTION TO RECONSIDER DECLARED LOST**

A **MOTION** was made (After the vote for Article 18) by Rosemary Dolan to reconsider Article 17. The Motion was 2<sup>nd</sup>.

### **MOTION TO RECONSIDER DECLARED LOST**

The Annual Town Meeting was declared Adjourned at 8:43 PM.

ATTEST:

Danielle M. Sicard  
Town Clerk