

**TOWN OF NORTON
ANNUAL FALL TOWN MEETING
OCTOBER 29, 2012**

The Annual Fall Town Meeting was called to order by Moderator William A. Gouveia at 7:00 PM at the Norton Middle School. The Moderator noted that due to severe weather conditions voters were not able to attend the meeting and that he was exercising his right as the Moderator to adjourn the meeting until Thursday, November 1, 2012 at 7:00 PM at the Norton Middle School Auditorium.

The Annual Fall Town Meeting was called to order on November 1, 2012 by Moderator William A. Gouveia at 7:00 PM at the Norton Middle School Auditorium. He led the crowd in the Pledge of Allegiance in honor of Veterans as we approach Veterans Day.

The Moderator recognized some distinguished guests:

Jay Barrows, State Representative
Stephen Howitt, State Representative

The Moderator reviewed some pre-meeting rules:

- Non- registered voters are welcome to visit but must sit in the section of seats marked as such.
- If you wish to address this meeting, you must do so only after being recognized by the Moderator. 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 although questions to be asked of individuals will be allowed, cross-examination type discussions from the floor will not be allowed.
- In recognizing people to speak, the Moderator will call upon those who have not yet spoken on a topic before recognizing those who have already spoken. The Moderator will recognize motions to move the question, but if in the Moderators opinion there are still people waiting to speak who may add to the discussion, the Moderator 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 the Moderator. 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.
- 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 1 (Requires 4/5 Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to transfer \$3,003.07 from Free Cash for the following unpaid bills for which obligation was incurred in prior fiscal years:

| | | |
|--------------------|--------------------|----------------------------|
| \$ 2,000.54 | Municipal Building | Boiler Equipment, Inc. |
| \$ 70.00 | Municipal Building | ABC Disposal Service, Inc. |
| \$ 394.35 | Inspection | UniSelect USA |
| \$ 538.18 | Inspection | New England Tire |
| <u>\$ 3,003.07</u> | TOTAL | |

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 2 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to transfer the total amount of \$5,416.00 from Free Cash, as specified, to fund and implement Collective Bargaining Agreements between the Town and the following Unions:

1. United Steelworkers of America, AFL-CIO-CLC, on behalf of S.E.N.A., Salaried Employees of North America, Local Union 9158-B, for the period beginning July 1, 2011, through June 30, 2014, the amount of \$2,760.00;
2. United Steelworkers of America, AFL-CIO-CLC, on behalf of S.E.N.A., Salaried Employees of North America, Local Union 9158-A, for the period beginning July 1, 2012, through June 30, 2014, the amount of \$1,100.00;
3. Local 1702, State Council 93, American Federation of State, County and Municipal Employees, AFL-CIO (Clerical), for the period beginning July 1, 2012, through June 30, 2014, the amount of \$1,556.00;

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 3 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town amend the vote taken under Article 17 of the May 14, 2012, Annual Town Meeting Warrant by increasing appropriations for certain line items, and, as funding therefor, to transfer the total amount of \$34,021.00 from Free Cash, as follows:

| Account | Department | Use | Amount |
|--------------------|-----------------------------|------------|---------------------|
| 001-122-510 | Selectmen | Wages | \$ 460.00 |
| 001-123-510 | Town Manager | Wages | \$ 3,048.00 |
| 001-123-570 | Town Manager | Expenses | \$ 1,500.00 |
| 001-135-510 | Accounting | Wages | \$ 4,157.00 |
| 001-135-570 | Accounting | Expenses | \$ 115.00 |
| 001-161-510 | Town Clerk | Wages | \$ 426.00 |
| 001-292-510 | Dog Officer | Wages | \$ 2,000.00 |
| 001-292-570 | Dog Officer | Expenses | \$ 155.00 |
| 001-308-560 | Bristol County Agricultural | Assessment | \$ 1,617.00 |
| 001-522-510 | Public Health Nurse | Wages | \$ 150.00 |
| 001-541-510 | Council on Aging | Wages | \$ 914.00 |
| 001-541-570 | Council on Aging | Expenses | \$ 500.00 |
| 001-750-594 | Interest | Expenses | \$ 18,979.00 |
| TOTAL SUPPLEMENTS: | | | <u>\$ 34,021.00</u> |

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 4 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town amend the vote taken under Article 13 of the May 14, 2012, Annual Town Meeting Warrant appropriating the Fiscal Year 2013 Water Enterprise Budget by appropriating an additional \$20,000.00 for Personal Services, and, as funding therefor, to transfer such sum from Retained Earnings as follows:

| | Voted | Amendment | Amended Budget |
|---------------------------------|--------------|-----------|----------------|
| FY13 Water Expenses | | | |
| Personal Services | \$ 674,443 | \$20,000 | \$ 694,443 |
| Other Charges and Expenditures | \$ 1,011,772 | - | \$ 1,011,772 |
| Debt Service | \$ 1,222,725 | - | \$ 1,222,725 |
| Capital Outlay | \$ 375,000 | - | \$ 375,000 |
| Indirect Expenses | \$ 264,771 | - | \$ 264,771 |
| Total Enterprise Fund Expenses: | \$ 3,548,711 | | \$ 3,568,711 |

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 5 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town amend the vote taken under Article 14 of the May 14, 2012, Annual Town Meeting Warrant appropriating the Fiscal Year 2013 Sewer Enterprise Budget by increasing appropriations for certain line items and by decreasing other appropriations, as follows:

| | Voted | Amendment | Amended Budget |
|--------------------------------|--------------|--------------|----------------|
| FY13 Sewer Expenses | | | |
| Personal Services | \$ 151,891 | \$ 2,500 | \$ 154,391 |
| Other Charges and Expenditures | \$ 769,417 | \$ 1 | \$ 769,418 |
| Debt Service | \$ - | \$ - | \$ - |
| Capital Outlay | \$ 181,400 | \$ - | \$ 227,400 |
| Budget Surplus | \$ 489,544 | \$ (428,595) | \$ 60,949 |
| FY13 Sewer Indirect Expenses | \$ 74,845 | \$ - | \$ 74,845 |
| Total FY13 Expenses: | \$ 1,667,097 | | \$ 1,287,003 |

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 6 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to transfer the amount of \$500,000.00 from Free Cash for the Capital Improvements Fund established by the By-Law entitled "Capital Improvements Fund," from which appropriations may be made by a two-thirds vote at any Town Meeting.

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 7 (Requires 2/3 Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to appropriate the amount of \$358,745.00 to amend the Fiscal Year 2013 capital improvements budget appropriated under Article 16 of the May 14, 2012, Annual Town Meeting to pay costs of purchasing, or leasing with an option to purchase, for periods of time up to or in excess of three years, new and/or replacement capital items for various Town Departments and for the payment of all costs incidental and related thereto, and to do so, by transferring the amount of \$306,745.00 from the Capital Improvements Account and \$52,000.00 from the Ambulance Reserve Account, as follows:

| | | |
|---|--------------------|---------------|
| Reservoir Dam Repair Project - Phase B | Conservation | \$ 92,000.00 |
| Town Hall: Architectural Services | Municipal Building | \$ 25,000.00 |
| Town Hall: Carpet Replacement (Portions of Main Floor and Second Floor) | Municipal Building | \$ 70,000.00 |
| DPW: Garage Door Openers (4) and Electronic Eyes (4) | Municipal Building | \$ 16,000.00 |
| Thermal Imaging Cameras (2 full size units) | Fire Department | \$ 30,000.00 |
| Hydraulic Rescue Tools (JAWS of Life) | Fire Department | \$ 22,000.00 |
| Front of Building Fireproofing (Yelle School) | Schools | \$ 30,000.00 |
| Dump Truck with Plow (13,200 GVW) | Cemetery | \$ 41,745.00 |
| Carpet Replacement | Library | \$ 32,000.00 |
| TOTAL : | | \$ 358,745.00 |

DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 8 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to transfer the amount of \$21,377.00 from Free Cash to pay all outstanding separation expenses of Town employees and to authorize the Town Accountant, in consultation with the Town Manager, to allocate funds to appropriate departments.

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 9 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to transfer the amount of \$40,000.00 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.

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 10 (Requires 2/3 Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to appropriate the amount of \$225,000.00 for the acquisition by purchase, gift, or otherwise of a certain property known as the “Erikson property” and as described further below and to authorize the Conservation Commission to acquire under G.L. c.40, §8C or any other enabling authority for Canoe River aquifer protection, box turtle habitat protection, conservation and passive recreation purposes and to accept the deed to the Town of a fee simple or a lesser interest in approximately 21.188 acres of land on Bay Road shown as Map 12, Parcel 33, Lot 2 and Lot 3 on the plan entitled, “Plan of Land in Norton, MA (Bristol County) Owned by Ann E. Febiger, David E. Erikson, John W. Erikson & Thomas E. Erikson” prepared by John W. DeLano and Associates, Inc., received and filed with the Conservation Commission on July 12, 2012; said land to be under the care, custody, management and control of the Conservation Commission; and further, to authorize the Conservation Commission to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements in any way connected with the scope of this acquisition and to enter into all agreements and authorize the Board of Selectmen or Conservation Commission to execute any and all instruments to effectuate the foregoing, including such restrictions and covenants in favor of the Commonwealth of Massachusetts, acting by and through the Executive Office of Energy and Environmental Affairs, as may be required in connection with said grants and/or reimbursements, and to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said \$225,000.00 under G.L. c.44, §§7 or 8 or any other enabling authority, and to issue bonds and notes therefor; provided, however, that no funds appropriated hereunder shall be expended unless the Town receives for the purposes of this article from Bay Road Heights LLC, or from other sources, the sum of not less than \$82,872.02 and also an allotment or other commitment of grant funds from the state under G.L. c.132A, §11 or other similar provision of law in the amount of \$142,128.00.

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 11 (Requires 2/3 Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to transfer from the Board of Selectmen for tax title purposes or from the Board of Selectmen or such other board or commission with custody of such land for the purposes for which such parcels are currently held to the Conservation Commission for open space and conservation purposes, pursuant to G.L. Ch.40, Sec. 8C, the parcels of land adjacent to permanently protected properties and the Canoe River Area of Critical Environmental Concern and Sole Source Aquifer, as follows, and further, that the Town vote to authorize the Conservation Commission to record a certified copy of the vote taken hereunder to serve as notice of the dedication of this land to open space/conservation purposes:

| Map | Parcel | Acres | Location | Book | Page |
|--------|--------|-------|----------------|-------|------|
| 12 | 38 | 18.00 | Bay Road | 7680 | 196 |
| 12 | 40 | 10.85 | Lincoln Street | 16209 | 245 |
| 12 | 40-01 | 12.00 | Lincoln Street | 848 | 352 |
| 12 | 40-02 | 4.60 | Bay Road Rear | 7012 | 314 |
| TOTAL: | | 45.45 | | | |

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 12 (Requires 2/3 Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town appropriate an additional \$575,000.00 to be expended under the direction of the Norton School Committee and the Town of Norton for the repair and replacement of the roof at the J.C. Solmonese Elementary School, located at 315 West Main Street, Norton, MA 02766, including all costs incidental and related thereto, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town may be eligible for an Accelerated Repair Program Grant from the Massachusetts School Building Authority ("MSBA") of which the Town has been invited to submit a feasibility study, such sum to be added to the \$925,000.00 appropriated under Article 9 of the May 14, 2012, Special Town Meeting for a total borrowing of \$1,500,000 for said repair and replacement project. To meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said additional amount under M.G.L. Chapter 44, or pursuant to any other enabling authority. The Town of Norton acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the Town to collaborate with the MSBA on this proposed repair project, any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town of Norton; and that, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of Norton and the MSBA.

DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 13 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to approve Article 13 as written in the October 29, 2012, Annual Town Meeting Warrant, thereby approving, confirming, and authorizing, pursuant to G.L. c.40, §59, and G.L. c.23A, §3F, all of the actions set forth therein.

ARTICLE 13 as printed in the Warrant:

To see if the Town will vote, pursuant to G.L. c.40, §59, and G.L. c.23A, §3F, to:

- (a) Approve a Tax Increment Financing (“TIF”) Plan and Agreement between the Town and Waste Management of Massachusetts, Inc. (“Company”), and Norton Commerce Center Hill Street, LLC, in the form substantially as on file with the Town Clerk, for property located at Norton Commerce Center, 100 Hill Street, shown as: Assessors Map 29, Parcel 82; which TIF Plan and Agreement provide for real estate tax exemptions over an eleven (11) year period at the exemption rate schedule set forth therein;
- (b) Confirm the Board of Selectmen’s selection of the location of the project in the Norton Commerce Center Economic Opportunity Area (“EOA”), as amended, and approve the Company’s Certified Expansion Project application;
- (c) Authorize the Board of Selectmen to execute the TIF Agreement, and approve submission to the Massachusetts Economic Assistance Coordinating Council of the TIF Agreement and Plan and Certified Expansion Project application, all relating to the project as described in the TIF Agreement, and any necessary documents relating thereto, and to take such other actions as are necessary or appropriate to obtain approval of the TIF Plan and Agreement, Certified Expansion Project application, and related submissions, including, as may be necessary or appropriate, the Economic Opportunity Area and TIF Zone, and, subsequent to the EACC’s approval, to implement the TIF Agreement;

or take any other action relative thereto.

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 14 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to approve Article 14 as written in the October 29, 2012, Annual Town Meeting Warrant, thereby approving, confirming, and authorizing, pursuant to G.L. c. 59, Section 38H(b), and any other enabling authority, all of the actions set forth therein.

ARTICLE 14 as printed in the Warrant:

To see if the Town will vote to authorize and approve an Agreement for Payment in Lieu of Taxes (a so-called “PILOT Agreement”) pursuant to the provisions of G.L. Chapter 59, Section 38H(b), and any other enabling authority, between the Town of Norton and Cygnus Energy, LLC, as negotiated by the Board of Selectmen for payment of taxes related to personal property associated with construction and operation of a

solar renewable energy generation facility to be installed, owned, and operated by Cygnus Energy, LLC, on land owned by Valentine Tool & Stamping, Inc., and described more particularly below; and further, to authorize the Board of Selectmen and Town Manager to take such action as many be necessary to carry out the vote taken hereunder, or take any other action relative thereto:

| MAP | LOT | STREET |
|-----|------|------------------------|
| 16 | 1-03 | Rear Freeman Street |
| 16 | 2 | Freeman Street |
| 22 | 33 | West Main Street |
| 22 | 34 | West Main Street |
| 22 | 35 | 173-R West Main Street |
| 22 | 36 | 171 West Main Street |
| 22 | 38 | 167 West Main Street |
| 22 | 39 | 163 West Main Street |
| 22 | 42 | Rear West Main Street |

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 15 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to authorize the Board of Selectmen to enter into a contract for a term of up to or more than three years for an on-line assessing database, which contract shall be subject to annual appropriation, and further, that the Town vote to transfer the amount of \$3,400.00 from Free Cash for such purposes, \$2,400.00 of which shall be to pay the annual fee for web hosting and \$1,000.00 of which shall be to pay a one-time set up and licensing fee.

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 16 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to accept the provisions of G.L. Chapter 59, Section 5, Clause 54, and establish the minimum value of personal property subject to taxation as \$5,000.00 beginning in Fiscal Year 2014.

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 17 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to transfer the amount of \$25,000.00 from Free Cash for legal services and/or technical assistance relative to Chapter 40B (Comprehensive Permit) projects.

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 18 (Requires 2/3 Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to approve Article 18 as written in the October 29, 2012, Annual Town Meeting Warrant.

ARTICLE 18 as printed in the Warrant:

To see if the Town will vote to accept as a public way under the provisions of Massachusetts General Law, Chapter 82, as amended, Goff Road, as laid out by the Board of Selectmen and shown on a plan titled "Roadway As-Built 'River Oaks' Definitive Subdivision, Goff Road & Allen Drive, Norton, MA" dated August 12, 2012, drawn by SITEC, Inc., and on file in the office of the Town Clerk; and further, to see if the Town will authorize the Board of Selectmen to acquire on behalf of the Town, by gift, purchase, or eminent domain an easement to use said street for all purposes for which public ways are used in the Town of Norton and other associated easements, and to appropriate therefore the sum on One Dollar, or take any other action relative thereto.

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 19 (Requires 2/3 Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to approve Article 19 as written in the October 29, 2012 Annual Town Meeting warrant.

ARTICLE 19 as printed in the Warrant:

To see if the Town will vote to accept as a public way under the provisions of Massachusetts General Law, Chapter 82, as amended, Allen Drive, as laid out by the Board of Selectmen and shown on a plan titled "Roadway As-Built 'River Oaks' Definitive Subdivision, Goff Road & Allen Drive, Norton, MA" dated August 12, 2012, drawn by SITEC, Inc., and on file in the office of the Town Clerk; and further, to see if the Town will authorize the Board of Selectmen to acquire on behalf of the Town, by gift, purchase, or eminent domain an easement to use said street for all purposes for which public ways are used in the Town of Norton and other associated easements, and to appropriate therefore the sum on One Dollar, or take any other action relative thereto

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 20 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to authorize the Board of Selectmen to enter into a contract for a term of up to or more than three years for Bylaw and Charter codification services, including all costs incidental and related thereto, which contract shall be subject to annual appropriation, and further, that the Town vote to transfer the amount of \$13,500.00 from Free Cash for the initial costs thereof.

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 21 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to transfer the amount of \$4,000.00 from Free Cash to purchase one voting machine, including all costs incidental and related thereto.

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 22 (Requires 2/3 Vote)

Motion was made by resident A. Brandt Henderson and was seconded, that the town vote to appropriate and transfer from Free Cash the sum of \$149,900 for the purpose of acquiring by purchase, gift, eminent domain, or otherwise and to accept the deed of a fee simple interest or lesser interest in the parcel of land currently owned by August M. and Manuel M. Ribeiro, consisting of approximately 9.17 acres shown on Assessor's Map 3, Parcel 720 and to authorize the Board of Selectmen to take such parcel for conservation and recreation purposes by eminent domain, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate and as required by statute, and further to authorize the Board of Selectmen to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from any state and/or federal programs and to receive and accept such grants or reimbursements for this purpose and to further authorize the Board of Selectmen to enter into all necessary agreements and execute any and all necessary instruments and to take all related actions necessary or appropriate to effect the interest of the forgoing.

Ballot Vote

106 – YES

108 – NO

DECLARED FAILED BY THE MODERATOR

RECORD OF ADDITIONAL MOTIONS MADE DURING ARTICLE 22

A **MOTION** to move the Question was made by Keith Silver and seconded.

Motion to Move the Question -- DECLARED PASSED BY THE MODERATOR

Article Vote – DECLARED FAILED BY THE MODERATOR

A request for a ballot vote was made by Herb Ellison and more than 15 voters present, as outlined by Town By-laws, to force a ballot vote. The Moderator called the meeting in recess so voters could obtain and cast their ballot and reopened the meeting once all ballots had been cast.

A **MOTION** was made (After the vote for Article 25) by Tom Deluca to reconsider Article 22. The Motion was seconded.

MOTION TO RECONSIDER DECLARED FAILED

ARTICLE 23 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to authorize the Board of Selectmen to petition the General Court for special legislation as written in the October 29, 2012, Annual Town Meeting Warrant, which amendment will correct an inadvertent omission from the amendments previously approved; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Town vote to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition.

ARTICLE 23 as printed in the Warrant:

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation as set forth below, which amendment will correct an inadvertent omission from the amendments previously approved; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is authorized 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. Notwithstanding the provisions of section 10 of chapter 43B of the General Laws, or of any other general or special law to the contrary, the charter of the town of Norton is hereby amended by deleting Section 6-4(d) in its entirety and inserting in place thereof the following new section:- Report of the Capital Improvements Committee - No later than the four (4) weeks prior to the date set by the Board of Selectmen for convening the spring annual town meeting the Capital Improvements Committee shall submit its recommendations to the Finance Committee.

Section 2. Section 6-4 of said Charter is hereby further amended by inserting the following new subsection (e):- Action of the Finance Committee – The Finance Committee shall consider the report of the Capital Improvements Committee and determine the Finance Committee’s recommendations in open public meeting. The recommendations of the Finance Committee regarding capital improvements for the ensuing fiscal year shall be contained in the committee’s report and recommendations to the town meeting on all warrant articles, as specified in 2-3(b).

Section 3. This act shall take effect upon passage.

or take any other action relative thereto.

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 24

LOST FOR LACK OF MOTION (Personnel Bylaws)

ARTICLE 25 (Requires Majority Vote)

Motion was made by Lee Tarantino, Chairman of the Finance Committee, that the Town vote to amend the Town of Norton By-Laws, "Town Meetings", to be consistent with Section 2-4 of the revised Town Charter, as written in the October 29, 2012 Annual Town Meeting warrant.

ARTICLE 25 as printed in the Warrant:

To see if the Town will vote to amend the Town of Norton By-Laws, "Town Meetings", to be consistent with Section 2-4 of the revised Town Charter, as follows, or take any other action relative thereto:

By deleting the following language:

- "1. The Spring Annual Town Meeting to consider all articles on the warrant following Article 1, (ballot election of Town Officers) shall be held on the second Monday in May of every year. The Fall Annual Town Meeting shall be held no earlier than September 1 and no later than October 15 of every year."

and replacing it with the following:

- "1. The annual town meeting shall convene in regular session two times in each calendar year. The first session, to be held in either April, May, or June, as determined by the Board of Selectmen, shall be primarily, though not exclusively, concerned with the determination of matters involving the expenditure of town funds, including, but not limited to, the adoption of an annual operating budget for all town agencies. The second session shall be held in September, October, or November as determined by the Board of Selectmen."

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 26

LOST FOR LACK OF MOTION (Amend Mandatory Connection to Common Sewer Bylaw)

ARTICLE 27

LOST FOR LACK OF MOTION (StablizationFunds)

The Annual Fall Town Meeting was declared Adjourned at 10:17 PM.

ATTEST:

Danielle M. Sicard
Town Clerk