

**TOWN OF NORTON
SPECIAL TOWN MEETING
MAY 14, 2018**

At 7:30 p.m. Moderator William A. Gouveia called the Special Town Meeting to order. A motion was made by Mrs. William Gouveia to move the meeting from the Norton High School Auditorium to the Norton High School Gymnasium.

Welcome to tonight's Special Town Meeting. I am Town Moderator Bill Gouveia. With me is Town Clerk, Lucia Longhurst.

To begin tonight's meeting, I ask you to please all rise and join me in the Pledge of Allegiance.

Mr. Gouveia acknowledged that Representative's Jay Barrows and Stephen Howitt briefly attended and wanted the residents to know they were there but could not stay as they had to attend other Town Meetings.

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

- 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 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

No action.

ARTICLE LOST AS DECLARED BY THE MODERATOR

ARTICLE 2 (Majority)

Motion was made by Richard Dorney that the Town vote to transfer the amount of \$7,900.00 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)

I Richard Dorney move that the Town vote to amend the vote taken under Article 8 of the May 8, 2017, Annual Town Meeting by increasing appropriations for certain line items and to do so, by transferring the additional amount of \$425,775.00 from Free Cash as follows:

FY18 Operating Budget Supplements			
Account	Department	Use	Amount
001-300-570	School	Out-of-District Tuition and	
		Transportation Costs	\$ 291,375.00
001-423-570	Snow Removal	Expense	\$ 134,400.00
TOTAL FY18 OPERATING BUDGET SUPPLEMENTS:			\$ 425,775.00

ARTICLE PASSES BY MAJORITY VOTE AS DECLARED BY THE
MODERATOR

ARTICLE 4

No action.

ARTICLE LOST AS DECLARED BY THE MODERATOR

ARTICLE 5

No action.

ARTICLE LOST AS DECLARED BY THE MODERATOR

ARTICLE 6

No action.

ARTICLE LOST AS DECLARED BY THE MODERATOR

ARTICLE 7

No action.

ARTICLE LOST AS DECLARED BY THE MODERATOR

ARTICLE 8 (2/3 Vote)

Motion was made by Richard Dorney that the Town vote to appropriate the amount of \$880,000.00 for the purpose of designing and constructing sewers, pump stations, and force mains, land acquisition, and for related legal, administrative and other pertinent expenses associated with the construction of public sewers required to serve the Woodland Meadows development, Norton High School and Yelle Elementary School and other public and private properties on West Main Street, Taunton Avenue, Howard Street, and Fillmore Drive, along the sewer alignment needed to serve those properties, including without limitation all costs thereof as defined in G.L. c.29C, §1; that such sum of money to be used to augment the \$3,320,000.00 appropriated and approved for borrowing under Article 8 of the May 8, 2017 Special Town Meeting, and further to authorize the funds appropriated under said Article 8 to be expended for the purposes set forth herein; that to meet this additional appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$880,000.00 and to issue bonds or notes therefor in accordance with G.L. c.44, G.L. c.29C, 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 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; that the Norton Water and Sewer Commission be and is authorized to apply for, accept, and expend any state and/or federal grants and loans or other public or private funds that may be available for the project; that the Water and Sewer Commission be authorized to assess sewer betterments and/or privilege fees to recover at least 50%, but no more than 100%, of the sewer project costs authorized by this vote and Article 8 of the May 8, 2017 Special Town Meeting in accordance with Chapters 80 and 83 of the Mass General Laws and the Town Sewer Department Rules

and Regulations; 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 Clean Water Trust established pursuant to said Chapter 29C; and in connection therewith 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 Water and Sewer Commission is authorized to enter into a Project Regulatory Agreement with the Department of Environmental Protection to expend all funds available for the project and in accordance with G.L. c.44, §20, authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of project costs approved hereunder, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

Water Commissioner Luke Grant explained the need for this article to pass or we would have to build a sewer treatment plant. He also stated that the department had applied for a Mass Works Grant but they didn't qualify due to lack of job creation.

A power point presentation was shown by Weston and Sampson.

The question was asked by Stephen Hornsby, 251 West Main Street about money being spent in the future and Mr. Grant said he could not see into the future.

It was also asked if the Town had looked into a bigger treatment plant for the schools and Mr. Grant stated that was not a viable option.

Selectmen Robert Salvo said that if this article didn't pass the town would be facing serious problems.

ARTICLE PASSED BY 2/3 VOTE AS DECLARED BY THE MODERATOR

MOTIONS FOR THE APRIL 11, 2018, SPECIAL TOWN MEETING

ARTICLE 1 (9/10 Vote)

I MOVE that the Town vote to transfer the amount of \$9,354.22 from Free Cash to pay the following unpaid bills incurred in a prior fiscal year:

<i>ACCOUNT</i>	<i>DEPARTMENT</i>	<i>VENDOR</i>	<i>AMOUNT</i>
<i>001-171-570</i>	<i>Conservation</i>	<i>Pare Corporation</i>	<i>\$ 3,785.00</i>
<i>001-300-570</i>	<i>School</i>	<i>Town of Norton - Water & Sewer</i>	<i>\$ 1,007.22</i>
<i>001-940-570</i>	<i>Miscellaneous</i>	<i>Berry Insurance</i>	<i>\$ 4,562.00</i>

\$ 9,354.22

At 8:45 p.m. the Special Town Meeting was concluded and the Moderator declared the meeting ADJOURNED.

A true record. Attest:

Lucia B. Longhurst
Town Clerk

ARTICLE 2 (Majority Vote)

I MOVE that the Town vote to accept a deed in lieu of foreclosure from Union Road, LLC, pursuant to the provisions Chapter 60, Section 77C of the General Laws, to a parcel of land located on Union Road, identified by Assessor's Map #26-5-0, containing 3.1 acres, more or less, and described in a deed recorded with Bristol County Northern District Registry of Deeds in Book 19810, Page 138, which parcel is subject to a tax taking held by the Treasurer for unpaid real estate taxes, said parcel to be in the care, custody and control of the Conservation Commission under Chapter 40, Section 8C of the General Laws and held for conservation and passive recreation purposes in perpetuity, and authorize the Board of Selectmen to acquire said parcel and record the deed, provided the Board of Selectmen determines that the deed and the acceptance comply with the provisions of G.L. Chapter 60, Section 77C, and authorize the Board of Selectmen and/or the Conservation Commission to enter into any and all agreements and execute such instruments as may be necessary or convenient for such purposes.

ARTICLE 3 (2/3 Vote)

I MOVE that the Town vote to appropriate the additional sum of \$900,000.00, to augment funds appropriated under **Article 6** of the May 12, 2014 Annual Town Meeting 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 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 the additional sum of **\$900,000.00** 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 Clean Water Trust established pursuant to Chapter 29C; and in connection therewith the Board of Selectmen and/or 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; to expend all funds available for the project and to take any other action necessary to carry out the project; and, in accordance with G.L. c.44, §20, authorize any premium received by the Town upon the sale of any bonds or notes approved hereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, to be applied to the payment of costs approved hereunder, thereby reducing by a like amount the amount to be borrowed to pay such costs.

ARTICLE 4 (Majority)

I MOVE that the Town vote to transfer the sum of \$175,000.00 from Free Cash for the purpose of paying the remaining balance of the contract for the Five Year Certification Cyclical Program and its associated costs as mandated by the Massachusetts Department of Revenue.

ARTICLE 5 (2/3 Vote)

I MOVE that the Town vote to appropriate the sum of \$425,000.00 for the HVAC Conversion Project for the Norton Public Library, including any incidental and related costs associated therewith, and further, that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen is authorized to borrow said sum pursuant to G.L. c.44, §7(3) or any other enabling authority and issue bonds and notes therefor, and in accordance with G.L. c.44, §20, authorize any premium received by the Town upon the sale of any bonds or notes approved hereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, to be applied to the payment of costs approved hereunder, thereby reducing by a like amount the amount to be borrowed to pay such costs.
