

MINUTES FOR THE NORFOLK ANNUAL TOWN MEETING
MAY 13, 2014

On Tuesday, the 13th day of May 2014, at 7:09 p.m. Moderator Jason Talerma called the Annual Town Meeting to order. This meeting was held at the King Philip Middle School, 18 King Street, Norfolk, MA 02056. Norfolk Boy Scout Troup 80, represented by members Peter Grabner, Joey Reale, Andrew Foster, Jake Norgren, Henry Lutes, Mike Midura, Ben Chipman, and Mike Anzivino led the audience in the Pledge of Allegiance. Mr. Moderator called for a moment of silence for residents who have served on town boards/committees that have passed away during the previous year. This was followed by introductions of the Town Clerk – Carol Greene, Board of Selectmen – Scott Bugbee, James Lehan and Jeffrey Palumbo, Town Administrator – Jack Hathaway, Town Counsel – David Donesky from Kopelman and Paige, and the Advisory Board Chair, Pat Snead. Mr. Snead introduced the members of the Advisory Board – David Benton, Rick Stillman, Lisa Keating, Arthur Frontczak, Angela Wayne, Arlie Sterling, and Advisory Board Administrative Assistant Susan Jacobson.

Mr. Moderator then instructed the citizens on the rules of Town Meeting. David Lutes was sworn as Deputy Moderator, Paul Terrio, David Lutes, and Daniel Fallon were sworn as vote counters. There were 189 registered voters in attendance.

State Representative Shawn Dooly was introduced and gave a short update on the state of the State.

A friendly motion was made by the Selectmen Lehan to move Article 37 forward to be placed between Article 12 and Article 13. The reasoning was that Article 37 is an important article to the Town and it was the wish of the Selectmen for the most people to hear it and consequently vote. Motion was seconded by David Benton. The motion was passed unanimously

ARTICLE 1

Submitted by the Acting Town Clerk

To choose by ballot the following Town officers: One Moderator for a one year term; one Selectman for a three year term; one Assessor for a three year term; one Board of Health member for a three year term; two Constables, one for a three year term, one for a two year term; one Library Trustee for a three year term; two Planning Board members, for a three year term; four Recreation Commission members, two for a three year term, two for a two year unexpired term; three Norfolk School Committee members, two for a three year term, one for a two year unexpired term; one King Philip Regional School Committee member for a three year term; and one Town Clerk for a three year term.

Moderator - Jason Talerma - 536

Town Clerk -Carol J. Greene - 948

Selectman - Jeffrey T. Palumbo - 894

Assessors - Patricia J. Salamone - 897

Board of Health - Cheryl H. Dunnington - 862

Constable – 3yr - Paul H. Terrio - 877

Constable – 2yr - Mark E. Flaherty - 665

KP Regional School Committee - Write-in winner - Noelle Tonelli with 14 write-in votes

Library Trustee -Glenn C. Hill - 597

Norfolk School Committee - two 3yr terms, Paul Edward Cochran Jr. – 643, Jeffrey R. Curry - 522

Norfolk School Committee - 2yr term, Thomas Francis Doyle - 833

Planning board - Steven G. McClain – 743, John A. Weddleton - 703

Recreation - two 3yr terms, Thomas F. Terpstra – 795, R. Kevin Doolin - 701

Recreation - two 2yr terms, Liza M. Carreiro – 751, Todd A. Lindmark – 761

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ARTICLE 2 – IP UNANIMOUSLY

Submitted by the Board of Selectmen

To see if the Town will vote to raise and appropriate or transfer from any available source of funds, a sum of money to pay unpaid bills of a prior year pursuant to Massachusetts General Laws Chapter 44, Section 64; or take any other action relative thereto.

ARTICLE 3 – PASSED UNANIMOUSLY

Submitted by the Board of Selectmen

To see if the Town will vote to raise and appropriate or transfer from any available source of funds, a sum of money to be added to departmental budgets and appropriations for the fiscal year ending on June 30, 2014; or take any other action relative thereto.

ARTICLE 4 – PASSED UNANIMOUSLY

Submitted by the Town Administrator

To see if the Town will vote to amend the Town of Norfolk Board of Selectmen’s Human Resource Policy, Schedule B. COMPENSATION SCHEDULE by applying a general increase of 1.5% to all Steps on the COMPENSATION SCHEDULE effective July 1, 2014; or take any other action relative thereto.

ARTICLE 5 - PASSED UNANIMOUSLY

Submitted by the Board of Selectmen

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town as provided for by Massachusetts General Laws, Chapter 41, Section 108; and further to see what sum of money the Town will raise and appropriate, transfer from any available source of funds, borrow or bond, to defray the departmental and incidental expenses of the Town not otherwise provided for, for the fiscal year commencing on July 1, 2014; or take any other action relative thereto. (Operating Budget)

Motion made and supported by Pat Snead:

Mr. Moderator,

I move that the Town vote to fix the salary and compensation of the elected position of Town Clerk at \$63,920.00 as provided for by Massachusetts General Laws, Chapter 41, Section 108 for the fiscal year commencing on July 1, 2014, and further to raise and appropriate \$34,641,462 to defray the departmental and incidental expenses of the town not otherwise provided for, for the fiscal year commencing on July 1, 2014

TOWN OF NORFOLK - FISCAL 2015 GENERAL FUND BUDGET

		FY14 Adjusted Budget	FY15	Change	%
GENERAL GOVERNMENT					
Moderator					
	Salary Expense	\$49	\$49		
	Total	\$49	\$49	\$0	0.0%
Selectmen/Town Admin.					
	Salary	\$213,247	\$223,479		

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	Expense	\$29,000	\$29,000		
	Total	\$242,247	\$252,479	\$10,232	4.2%
Advisory					
	Salary	\$7,500	\$7,500		
	Expense	\$6,000	\$6,000		
	Sub Total	\$13,500	\$13,500	\$0	0.0%
	Reserve Fund	\$50,000	\$50,000		
	Advisory Board Total	\$63,500	\$63,500	\$0	0.0%
Municipal Finance					
	Salary	\$524,960	\$549,326		
	Expense	\$140,260	\$143,110		
	Audit	\$43,000	\$43,000		
	Total	\$708,220	\$735,436	\$27,216	3.8%
Board of Assessors					
	Salary	\$0			
	Recertification	\$0			
	Expense	\$15,500	\$15,500		
	Total	\$15,500	\$15,500	\$0	0.0%
Town Counsel					
	Retainer Fees	\$80,000	\$80,000		
	Total	\$80,000	\$80,000	\$0	0.0%
Human Resources					
	Salary	\$85,176	\$88,494		
	Expense	\$2,500	\$2,500		
	Total	\$87,676	\$90,994	\$3,318	3.8%
Information Technology					
	Salary	\$40,000	\$41,000		
	Expenses	\$60,000	\$70,000		
	Total	\$100,000	\$111,000	\$11,000	11.0%
Tax Title/Foreclosure					
	Expense	\$10,000	\$10,000		
	Total	\$10,000	\$10,000	\$0	0.0%
Facilities Management					
	Salary	\$53,516	\$55,506		
	Facilities Management				
	Expense	\$534,745	\$506,250		
	Total	\$588,261	\$561,756	(\$26,505)	-4.5%

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(INFORMATIONAL)	Expense	\$3,200	\$3,700	\$500	13.5%
	Town Hall	\$119,430	\$90,100	(\$29,330)	-32.6%
	Senior Center	\$38,115	\$40,350	\$2,235	5.5%
	Old Town Hall & Garage	\$4,000	\$2,850	(\$1,150)	-40.4%
	P/F Station	\$90,000	\$73,200	(\$16,800)	-23.0%
	Solar Power Generation	\$100,000	\$100,000	\$0	0.0%
	Elementary Electricity	\$100,000	\$50,000	(\$50,000)	-100.0%
	Library	\$80,000	\$71,050	(\$8,950)	-12.6%
	Major Maintenance		\$75,000	\$75,000	79.2%
	Sub-Total	\$534,745	\$506,250	(\$28,495)	-5.4%
Town Clerk					
	Salary	\$108,452	\$117,870		
Elections	Expense	\$36,076	\$27,256		
Voter Registration	Total	\$144,528	\$145,126	\$598	0.4%
Conservation					
	Salary	\$3,150	\$25,250		
	Expense	\$9,090	\$678		
	Total	\$12,240	\$25,928	\$13,688	111.8%
Planning Board					
	Salary				
	Expense	\$30,000	\$15,000		
	Total	\$30,000	\$15,000	(\$15,000)	-50.0%
Zoning Board of Appeals					
	Salary				
	Expense	\$60	\$60		
	Total	\$60	\$60	\$0	0.0%
Planning and Development					
	Salary	\$136,722	\$187,847		
	Expense	\$16,500	\$16,500		
	Total	\$153,222	\$204,347	\$51,125	33.4%
Town Reports					
	Expense	\$3,300	\$3,300		
	Total	\$3,300	\$3,300	\$0	0.0%
GENERAL GOVERNMENT		\$2,238,803	\$2,314,475	\$75,672	3.4%

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PUBLIC SAFETY

Police					
	Salary	\$1,960,000	\$2,086,746		
	Expense	\$118,750	\$127,450		
	Total	\$2,078,750	\$2,214,196	\$135,446	6.5%
Fire & Ambulance					
	Salary	\$1,268,056	\$1,337,076		
	Expense	\$85,819	\$100,582		
	Total	\$1,353,875	\$1,437,658	\$83,783	6.2%
Ambulance Billing					
	Expense	\$16,000	\$16,000		
	Total	\$16,000	\$16,000	\$0	0.0%
Building Dept.					
	Salary	\$219,419	\$229,028		
	Expense	\$6,500	\$7,500		
	Total	\$225,919	\$236,528	\$10,609	4.7%
Weights & Measure					
	Salary				
	Expense	\$850	\$1,000		
	Total	\$850	\$1,000	\$150	17.6%
Emergency Management					
	Salary	\$700	\$700		
	Expense	\$900	\$900		
	Total	\$1,600	\$1,600	\$0	0.0%
Animal Inspector					
	Salary	\$2,350	\$2,350		
	Expense	\$200	\$200		
	Total	\$2,550	\$2,550	\$0	0.0%
Animal Control					
	Salary	\$47,694	\$49,634		
	Expense	\$6,000	\$6,000		
	Total	\$53,694	\$55,634	\$1,940	3.6%
Fire/Police Comm.					
	Salary	\$240,229	\$254,630		
	Expense	\$6,500	\$7,100		
	Total	\$246,729	\$261,730	\$15,001	6.1%
Total Public Safety		\$3,979,967	\$4,226,896	\$246,929	6.2%

EDUCATION

Norfolk Elementary	\$10,006,184	\$10,431,447	\$425,263	4.2%
King Philip Regional	\$7,093,834	\$7,407,588	\$313,753	4.4%

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(Operating)					
Norfolk Agricultural School		\$10,000	\$10,000	\$0	0.0%
Tri-County		\$589,226	\$624,630	\$35,404	6.0%
Total Education		\$17,699,244	\$18,473,665	\$ 774,421	4.4%
PUBLIC WORKS					
DPW Administration					
	Salary	\$131,675	\$136,652		
	Expense	\$74,900	\$81,000		
	Total	\$206,575	\$217,652	\$11,077	5.4%
Highway					
	Salary	\$213,396	\$221,336		
	Expense	\$99,731	\$101,731		
	Total	\$313,127	\$323,067	\$9,940	3.2%
Vehicle Maintenance					
	Salary	\$133,445	\$137,775		
	Expense	\$110,938	\$144,635		
	Total	\$244,383	\$282,410	\$38,027	15.6%
Grounds Municipal					
	Salary	\$227,778	\$242,121		
	Expense	\$42,631	\$29,781		
	Total	\$270,409	\$271,902	\$1,493	0.6%
Grounds - Cemetery					
	Salary	\$15,279	\$17,051		
	Expense	\$5,613	\$5,613		
	Total	\$20,892	\$22,664	\$1,772	8.5%
Custodian of Veteran Graves					
	Salary	\$700			
	Expense	\$1,500	\$4,018		
	Total	\$2,200	\$4,018	\$1,818	82.6%
Tree Warden					
	Salary				
	Expense				
	Total	\$0	\$0	\$0	#DIV/0!
Shade Tree					
	Expense				
	Total	\$0	\$0	\$0	#DIV/0!
Total Public Works		\$1,057,586	\$1,121,713	\$ 64,127	6.1%

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SHARED/FIXED COSTS (Administered by DPW)

Road Program	Total	\$1	\$1	\$0	0.0%
Non - Appropriated Funds					
Road Program (Chapter 90)					
			\$390,449	Legislature	
			\$260,299	Governor	

Landfill					
	Expense	\$90,605	\$91,676		
	Total	\$90,605	\$91,676	\$1,071	1.2%
Snow & Ice					
	Expense	\$150,000	\$175,000		
	Total	\$150,000	\$175,000	\$25,000	16.7%
Street Lighting					
	Expense	\$40,578	\$10,578		
	Total	\$40,578	\$10,578	(\$30,000)	-73.9%
Town Vehicle Fuel					
	Expense	\$100,984	\$103,018		
	Total	\$100,984	\$103,018	\$2,034	2.0%
Total Shared / Fixed Costs		\$382,168	\$380,273	\$ (1,895)	-0.5%

Transfer Station					
Transfer Station					
	Salary	\$213,145	\$219,995		
	Expense	\$156,017	\$168,841		
	Total	\$369,162	\$388,836	\$19,674	5.3%
Total Transfer Station		\$369,162	\$388,836	\$ 19,674	5.3%

HUMAN SERVICES

Board of Health					
	Salary				
	Expense	\$17,600	\$17,600		
	Total	\$17,600	\$17,600	\$0	0.0%
Special Programs					
	SNCARC	\$4,025	\$4,025		
	Total	\$4,025	\$4,025	\$0	0.0%

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Council on Aging

Salary	\$118,211	\$120,422		
Expense	\$5,281	\$5,281		
Total	\$123,492	\$125,703	\$2,211	1.8%

Veteran's Services

Salary	\$5,700	\$5,700		
Expense	\$30,000	\$25,000		
Total	\$35,700	\$30,700	(\$5,000)	-14.0%

Total Human Services	\$180,817	\$178,028	\$ (2,789)	-1.5%
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CULTURE AND RECREATION

Library

Salary	\$374,538	\$393,808		
Expense	\$128,598	\$137,015		
Total	\$503,136	\$530,823	\$27,687	5.5%

Recreation

Salary	\$83,200	\$89,772		
Expense	\$500			
Total	\$83,700	\$89,772	\$6,072	7.3%

Historical Commission

Expense	\$250	\$250		
Total	\$250	\$250	\$0	0.0%

Memorial Day

Expense	\$750	\$750		
Total	\$750	\$750	\$0	0.0%

Total Culture & Rec.	\$587,836	\$621,595	\$ 33,759	5.7%
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FIXED COSTS

Employee Benefits	\$3,543,485	\$3,576,032	\$32,547	0.9%
Building/Liability Insurance	\$300,000	\$300,000	\$0	0.0%

Total Fixed Costs	\$3,843,485	\$3,876,032	\$ 32,547	0.8%
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Sub Total	\$30,339,068	\$31,581,513	\$1,242,444	4.1%
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DEBT SERVICE (KP not Included)

Exempt Debt	\$1,789,182	\$1,763,720	(\$25,462)	-1.4%
King Philip Exempt Debt	\$847,759	\$815,930	(\$31,829)	-3.8%
Non - Exempt Debt Service	\$573,000	\$480,299	(\$92,701)	-16.2%

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	Total Local Debt			\$	
	Service	\$3,209,941	\$3,059,949	(149,992)	-4.7%
TOTAL OPERATING BUDGET		\$33,549,009	\$34,641,462	\$1,092,452	3.3%
CAPITAL		\$0	\$0	\$0	0.0%
TOTAL OPERATING BUDGET + Capital		\$33,549,009	\$34,641,462	\$1,092,452	3.3%

REVENUES	
Municipal Tax Revenue	\$24,856,083
Local Receipts	\$3,085,723
State Aid	\$3,976,444
Override	\$0
General Fund Excluded Revenue & SBAB Funding	\$2,579,650
Other Sources	\$143,562
Total Operating Budget Sources	\$34,641,462
Surplus / (Deficit)	(\$0)

ARTICLE 6 - PASSED UNANIMOUSLY

Submitted by the Board of Selectmen

To see what sum of money the Town will vote to transfer from Department of Public Works Water Division revenues to fund the Water Division maintenance and operating expenses; or take any other action relative thereto. (Water Enterprise Operating Budget)

ARTICLE 7 - IP UNANIMOUSLY

Submitted by the Fire Department

To see if the Town will vote to raise and appropriate or transfer from any available source of funds, a sum of money to be expended by the Fire Department for the acquisition of personal protective equipment (PPE) and related expenses, a non-reoccurring cost, for one career firefighter/paramedic and two call firefighter/EMTs, such PPE and expenses to include turnout pants, coat, boots, helmet, gloves, hood, self-contained breathing apparatus mask with voice amplifier, pager, portable radio/MIC along with the requisite physical ability test and physical; or take any other action relative thereto.

ARTICLE 8 - PASSED UNANIMOUSLY

Submitted by the Board of Selectmen

To see if the Town will vote to raise and appropriate or transfer from any available source of funds to fund capital and other expense items; or take any other action relative thereto. (Capital Budget - Cash)

ARTICLE 9 - PASSED UNANIMOUSLY

Submitted by the Board of Selectmen

To see if the Town will vote to raise and appropriate or transfer from any available source of funds, borrow or bond pursuant to any applicable statute to fund capital and other expense items; or take any other action relative thereto. (Capital Budget – Debt Funded)

Motion made and supported by Angela Wayne:

I move to appropriate the sum of \$500,700 for the purposes of paying for the costs of acquiring a back hoe, a dump truck, two police vehicles and making improvements to the sprinkler system at

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Motion 2 – PASSED MAJORITY

That the Town of Norfolk will vote to authorize the expenditure of a sum of \$80,701 by the King Philip Regional School District from the District’s own funds, being whatever source, including its excess and deficiency fund, as being the Town’s share (constituting 33.44percentage) of the total cost of a lighting expansion project/upgrade, said total cost being approximately \$265,286.55 at the King Philip Regional Middle School within the King Philip Regional School District, of which the Town of Norfolk is a member, said amounts each to be expended at the direction of the King Philip Regional School District School Committee.

We have taken an unusual procedural detour on this article, as we have approved the School Committee’s article as we understand it will be revised at Town Meeting, not as written above. The revision will not ask for funding from the Town, and no provision for the amounts requested in the above version of this article has been made in our budget.

As described to the Committee, the revised article will simply give KP permission to use money they already have for the above purposes. Apparently legal counsel advised KP that they needed permission from the towns in the district to do this. Since the revised article requires no funding, we unanimously approved it contingent upon the revisions described. Should these changes not occur, we will revise our recommendation accordingly at Town Meeting.

ARTICLE 12

Submitted by the Board of Selectmen

To see if the Town will vote to appoint any committee, or hear or act on the report of any committee or town officer, or instruct any committee or town officer; or take any other action relative thereto.

Updates given by the Historical Commission, Affordable Housing,

ARTICLE 37 - PASSED UNANIMOUSLY

Submitted by the Town Administrator

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, for general municipal purposes, which purposes may include a police station, certain real property, and any buildings or improvements thereon, located at 14 Sharon Avenue, being shown on Assessor’s Map 18, Block 69, Lot 41, Unit 17, described in a deed recorded with the Norfolk Registry of Deeds in Book 5387, Page 405; and to raise and appropriate, transfer from available funds, borrow or bond pursuant to any applicable statute a sum of money for said acquisition; and furthermore to raise and appropriate, transfer from available funds, borrow or bond pursuant to any applicable statute a sum of money to be expended at the direction of the Public Safety Building Committee, to pay costs of architectural and engineering services necessary for the design of a new police station upon the property, which may be located partly or wholly within the unfinished building now located upon the property, and to do site work at the property as deemed appropriate to use the property for such a facility and to authorize the Board of Selectmen to lease a portion of the property to the Metacomet Regional Emergency Communications Center for use as a dispatch center, on such terms and conditions as the Board of Selectmen shall deem to be in the best interests of the Town; and to meet these appropriations, authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said sums under and pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; or take any other action relative thereto.

Motion made and supported by Rick Stillman

I move the Town vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain, or otherwise, for general municipal purposes, which purposes may include a police station, certain real property, and any buildings or improvements thereon, located at 14 Sharon Ave, being

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shown on Assessors Map 18, Block 69, Lot 41, Unit 17, described in a deed recorded with the Norfolk Registry of Deeds in Book 5387, Page 405; and to borrow the sum of \$1.8 million dollars for said acquisition and to pay costs of architectural and engineering services necessary for the design of a new police station upon the property, which may be located partly or wholly within the unfinished building now located upon the property, and to do site work at the property as deemed appropriate to use property for such a facility. Such services and site work to be carried out under the direction of the Public Safety Building Committee, and to authorize the Board of Selectmen to lease a portion of the property to the Metacomet Regional Emergency Communications Center for use as a dispatch center, on such terms and conditions as the Board of Selectmen shall deem to be in the best interests of the Town; and to meet this appropriation, authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said sum under and pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

ARTICLE 13 – PASSED UNANIMOUSLY

Submitted by the Board of Selectmen

To see if the Town will vote to accept and authorize the Board of Selectmen to enter into contracts for the expenditure of Chapter 90 funds allocated by the Commonwealth for the construction, reconstruction, or improvements of public roads and other improvements within the Town, as requested by the Selectmen, and to authorize the Treasurer to borrow or bond, pursuant to any applicable statute in anticipation of reimbursement; or take any other action relative thereto.

Transfers

General Fund

Account	Description	From Amount	To Amount
019122	Employee Benefits	\$210,000.00	
011301	Finance Salaries	\$2,000.40	
011752	Planning Board	\$10,000.00	
011701	Land Use Salary	\$3,603.00	
011702	Connect CTY	\$3,000.00	
019452	Building & Liability Insurance	\$25,512.81	
014221	Grounds Div. Salary	\$38,000.00	
014251	Vehicle Maintenance Salary	\$19,000.00	
014242	Right of Way Street Lighting	\$36,345.00	
012411	Building Department Salaries	\$1,000.00	
012251	Dispatch Salaries	\$1,000.00	
012101	Police Salaries	\$6,853.91	
011909	Facilities Expenses	\$4,000.00	
	Free Cash	\$110,000.00	
		\$470,315.12	
123013	FY13 Abatements		\$811.91
014232	Snow & Ice		\$430,900.21
013022	Tri-County Education		\$6,603.00

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012312	Ambulance Billing	\$1,000.00
012412	Building Department Expenses	\$1,000.00
012252	Dispatch Expenses	\$1,000.00
011921	Facilities Salaries	\$4,000.00
014262	Town Fuel	\$25,000.00
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		\$470,315.12

Inter Account Transfers

2101	Snow & Ice Revolving Fund	\$16,239.21	
014232	Snow & Ice		\$16,239.21
3102 578000	Underground Utilities	\$90,000.00	
3102 578016	Fiber Optic Loop		\$90,000.00
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		\$106,239.21	\$106,239.21

ARTICLE 14 – PASSED UNANIMOUSLY

Submitted by the Board of Selectmen

To see if the Town will vote pursuant to Massachusetts General Laws, Chapter 44, §53 E ½, to reauthorize the following revolving funds for Fiscal Year 2015 at the limits set forth below:

- (1) The revolving fund for the purpose of paying expenses related to the collection of parking ticket violations; said fund to be credited with parking ticket receipts and expended under the direction of the Board of Selectmen (limit \$1,000); or take any other action relative thereto.
- (2) A revolving fund for the purpose of paying the expenses of snow removal, including maintenance and replacement of equipment, from private property to include the King Philip Regional School and subdivision roads as required by the Planning Board rules and regulations; said fund to be credited with receipt of fees charged for this service and expended under the authority and direction of the Board of Selectmen (limit: \$20,000); or take any other action relative thereto.
- (3) A revolving fund for the purpose of paying the expenses of Recreational Field Maintenance, including materials, replacement and rental of equipment and contract labor; said fund to be credited with receipt of fees charged for this service and expended under the authority and direction of the Recreation Commission (limit: \$50,000.); or take any other action relative thereto.
- (4) A Conservation Management Revolving Fund to be credited with monies from timber harvesting on Conservation Land and expended under the direction of the Conservation Commission to develop and oversee management activities and projects on Town-owned conservation land (limit: \$5,000); or take any other action relative thereto.
- (5) A revolving fund to receive wetland hearing application fees to be expended under the direction of the Conservation Commission for payment of legal advertisements for such hearings (limit: \$5,000); or take any other action relative thereto.

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(6) A Planning Board Revolving Fund to receive subdivision performance inspection fees, as established by the Planning Board, to be expended under the direction of the Planning Board for services related to the inspection and approval of subdivisions (limit: \$5,000); or take any other action relative thereto.

(7) A Planning Board Revolving Fund to receive mitigation funds required by the Planning Board under the Shade Tree Act and Scenic Roads Act, to be expended under the direction of the Planning Board for the purchase and planting of replacement trees (limit: \$10,000), or take any other action relative thereto.

(8) A Planning Board Revolving Fund to receive mitigation funds required by the Planning Board relative to off-site improvements due to the approval of subdivisions and site plans to be expended under the direction of the Planning Board for such off-site improvements (limit: \$91,000); or take any other action relative thereto.

(9) A Planning Board Revolving Fund to receive funds required by the Planning Board relative to the cleaning and maintenance of unaccepted subdivision roadways and drainage structures as may be required by the Planning Board for subdivision approvals, to be expended under the direction of the Planning Board for such cleaning and maintenance (limit: \$30,000); or take any other action relative thereto.

(10) A revolving fund for the Board of Assessors to receive funds required by the Board of Assessors for the processing of abutters lists to be expended under the direction of the Board of Assessors for expenditures associated with generating such lists, including the acquisition, operation and maintenance of technologies used for preparing and issuing abutters lists and mapping (limit: \$2,000); or take any other action relative thereto.

(11) A revolving fund for the Board of Library Trustees to receive funds required by the Board of Library Trustees to replace or repair lost or damaged library materials, to be expended under the direction of the Board of Library Trustees to replace or repair such lost or damaged materials (limit: \$7,500); or take any other action relative thereto.

(12) A revolving fund for the Public Library to receive funds remitted for the processing of passports, to be expended under the direction of the Board of Library Trustees for fees and expenses associated with processing of passports and other related purposes deemed appropriate by the Trustees (limit: \$5,000); or take any other action relative thereto.

(13) A revolving fund to be credited with receipts collected from charges to private parties or entities for police details involving the use of a police vehicle at construction sites, to be expended for the express purpose of vehicle replacement within the Police Department, under the authority of the Police Chief of the Town of Norfolk (limit: \$50,000); or take any other action relative thereto.

ARTICLE 15 – PASSED UNANIMOUSLY

Submitted by the Board of Selectmen

To see if the Town will vote to authorize the Board of Selectmen to accept any monies received through grants applied for by various Town Departments or Boards; or take any other action relative thereto.

ARTICLE 16– PASSED UNANIMOUSLY

Submitted by the Board of Selectmen

To see if the Town will vote to accept all State and Federal Grants and reimbursements for the Department of Public Works Water Division which do not require matching funds from the Town or any representative agency thereof, and will not obligate any resident of the Town of Norfolk without a town meeting vote; or take any other action relative thereto.

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ARTICLE 17 – PASSED UNANIMOUSLY

Submitted by the Board of Selectmen

To see if the Town will vote to authorize the Board of Selectmen to advertise in a local newspaper and sell at public sale from time to time, as it may deem in the best interests of the Town, any and all lands or portions thereof which the Town has acquired or may acquire as Tax Title land, so called, such sales to be made on behalf of the inhabitants of the Town of Norfolk, and to authorize the Selectmen to expend from the proceeds of such sale the necessary costs of recording fees, documentary stamps and auctioneer's fees, if required; or take any other action relative thereto.

ARTICLE 18– PASSED UNANIMOUSLY

Submitted by the Board of Selectmen

To see if the Town will authorize the Board of Selectmen to acquire by gift, purchase or otherwise, such easements as may be necessary for drainage purposes and the laying out of public ways, and to raise and appropriate or transfer from any available source of funds, a sum of money for said purposes; or take any other action relative thereto.

ARTICLE 19– PASSED UNANIMOUSLY

Submitted by the Board of Selectmen

To see if the Town will vote to grant the Board of Selectmen permission to sell surplus property of the Town, exclusive of buildings and land, no longer needed by the Town; or take any other action relative thereto.

ARTICLE 20 - IP - 84 yes to 56 no

Submitted by the Energy Committee

To see if the Town will vote to adopt the “Stretch Energy Code” set forth in the State Building Code at 780 CMR 115.AA (i.e., Appendix 115.AA), as it may be amended from time to time; and to amend the Town of Norfolk General By-laws by inserting a new Section 11 under Article VII, Land Use and Resource Protection, entitled “Stretch Energy Code” as set forth below:

Section 11. Stretch Energy Code

A. Adoption. The Town of Norfolk has adopted the provisions of 780 CMR 115.AA (i.e., Appendix 115.AA of the State Building Code or the “Stretch Energy Code”), as it may be amended from time to time, in place of the provisions set forth under 780 CMR 13.00, 34.00, 61.00 and 93.00.

B. Purpose. The purpose of the Stretch Energy Code shall be to provide the Town with a more energy efficient alternative to the base energy code otherwise set forth under the State Building Code.

Or take any other action relative thereto.

Motion made and passed to adjourn at 11:00 PM meeting to resume on May 14, 2014 at 7:00 PM

Town Meeting reconvened at 7:04 PM on May 14, 2014

ARTICLE 21– PASSED UNANIMOUSLY Submitted by the Community Preservation Committee

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 44B, Section 5, to appropriate the sum of \$35,000 from the annual revenues in the Community Preservation Fund for the purpose of funding the Administrative and Operating Budget for the Community Preservation Committee; or take any other action relative thereto.

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ARTICLE 22– PASSED UNANIMOUSLY Submitted by the Community Preservation Committee

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 44B, to reserve a sum of money equal to the state-mandated minimum amount of 10% from FY2014 Community Preservation Fund revenues for the future appropriation of Open Space creations, acquisition and preservation; 10% from FY2014 Community Preservation Fund revenues for the future appropriation of Affordable Housing creations, preservation and support; and 10% from FY2014 Community Preservation Fund revenues for the future appropriation towards the acquisition, preservation, rehabilitation and restoration of Historic Resources; or take any other action relative thereto.

ARTICLE 23– PASSED UNANIMOUSLY Submitted by the Community Preservation Committee

To see if the Town will vote to appropriate from the Community Preservation Fund the sums of \$50,000 from the Affordable Housing Reserve and \$150,000 from Undesignated Reserves to be transferred to the Norfolk Affordable Housing Trust Fund, to be used to create affordable housing in the Town of Norfolk; or take any other action relative thereto.

ARTICLE 24– PASSED UNANIMOUSLY Submitted by the Community Preservation Committee

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, Open Space Reserves, an amount not to exceed \$17,000 to update Norfolk’s Open Space and Recreation Plan, originally dated May 1, 1996. ~~and to create an Open Space and Trails Map for the Town of Norfolk; or take any other action relative thereto.~~

ARTICLE 25– PASSED UNANIMOUSLY Submitted by the Community Preservation Committee

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, Historic Reserves, an amount not to exceed \$11,000 for the preparation of the Rockwood Road National Register Historic District Application; or take any other action relative thereto.

ARTICLE 26– PASSED UNANIMOUSLY Submitted by the Community Preservation Committee

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise a permanent Agricultural Preservation Restriction pursuant to M.G.L. chapter 184, Sections 31-33 and M.G.L. chapter 44B, the Community Preservation Act, over and upon approximately 70 acres of land located on Fruit Street and Cleveland Street in the Town of Norfolk and shown on Assessors’ Map 16, Block 55, as Lot 69; Map 16, Block 34, as Lot 194; and Map 23, Block 34, as Lot 213, with the exception of a 5 acre lot to be retained by the present owners (as shown on a plan on file with the Town Clerk), Jane E. Newton, The Trust for Public Land, or the then owner of record, said acquisition of the Agricultural Preservation Restriction to be contingent upon the contribution of funds by the Massachusetts Department of Agricultural Resources, Agricultural Preservation Restriction Program, and said Agricultural Preservation Restriction to be held jointly with the Massachusetts Department of Agricultural Resources and under the care and control of the Norfolk Conservation Commission; and that to fund such acquisition the Town appropriate a sum not to exceed \$1.7 million from the Community Preservation Fund, consisting of \$50,000 from the Open Space Reserves, \$300,000 from the Historical Reserves, and \$1.35 million from the Undesignated Reserve; and to authorize the Board of Selectmen to execute any instruments and take any other action necessary to carry out the purposes of such acquisition; or take any other action relative thereto.

ARTICLE 27 – AMENDED ARTICLE PASSED 56 YES to 26 NO Submitted by Petition

To see if the Town will vote to amend Section I.4.a.11 of the Norfolk Zoning Bylaws, as set forth below, by inserting the additional provisions shown that are underlined, with the existing text not being changed shown for informational purposes only.

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I.4.a.11. Residential Density. Residential DWELLING UNITS, except for ASSISTED LIVING FACILITIES, shall not have more than two bedrooms per unit. Residential densities, except for ASSISTED LIVING FACILITIES, shall not exceed the ratio of sixteen bedrooms for any single lot or entire PMLD except by special permit by the Zoning Board of Appeals. Residential Densities for ASSISTED LIVING FACILITIES shall not exceed the ratio of sixteen bedrooms per acre for any single lot except by Special Permit by the Zoning Board of Appeals.

or take any other action relative thereto.

Motion to amend made by Jack Hathaway. Motion was to remove the underlined section “by the Zoning Board of Appeals” Motion was seconded by David Rosenberg.

Motion to amend was passed by hand count 58 yes to 38 no.

Article now reads:

To see if the Town will vote to amend Section I.4.a.11 of the Norfolk Zoning Bylaws, as set forth below, by inserting the additional provisions shown that are underlined, with the existing text not being changed shown for informational purposes only.

I.4.a.11. Residential Density. Residential DWELLING UNITS, except for ASSISTED LIVING FACILITIES, shall not have more than two bedrooms per unit. Residential densities, except for ASSISTED LIVING FACILITIES, shall not exceed the ratio of sixteen bedrooms for any single lot or entire PMLD except by special permit. Residential Densities for ASSISTED LIVING FACILITIES shall not exceed the ratio of sixteen bedrooms per acre for any single lot except by Special Permit by the Zoning Board of Appeals.

ARTICLE 28 – PASSED 63 YES to 29 NO

Submitted by Petition

To see if the Town will vote to remove Section 1.7.a.1 of the Norfolk Zoning Bylaws:

~~1.7.a.1: Special Permit by Planning Board~~

~~Residential Dwellings in the B1 Outside the Business Core district at a density of not less than 4 units per lot and not more than 1 unit per 5000 Sq. Ft. of land.~~

or take any other action relative thereto.

ARTICLE 29 - FAILED DECLARED 2/3

Submitted by Petition

To see if the Town will vote to amend the Norfolk Zoning Map by adding the following parcel to the R-1 Residential Zone:

Map 14, Block 49, Lot 11 (As shown on the Zoning Map of Norfolk)

or take any other action relative thereto.

ARTICLE 30 – FAILED DECLARED 2/3

Submitted by Petition

To see if the Town will vote to amend the Norfolk Zoning Map by adding the following parcels to the R-2 Residential Zone:

Map 14, Block 56, Lot 7 (As shown on the Zoning Map of Norfolk)

or take any other action relative thereto.

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ARTICLE 31 – FAILED DECLARED 2/3

Submitted by Petition

To see if the Town will vote to amend the Norfolk Zoning Map by adding the following parcels to the R-2 Residential Zone:

Map 14, Block 56, Lot 8 (As shown on the Zoning Map of Norfolk)
or take any other action relative thereto.

ARTICLE 32 – PASSED UNANIMOUSLY

Submitted by Planning Board

To see if the Town will vote to accept as a public way Essex Street, from Station 10 + 83.67 to Station 23 + 58.31, as shown on the acceptance plan dated February 2014 drawn by Landmark Engineers of New England, Inc. of Norfolk, Massachusetts and as further described in documents entitled, “Acceptance Plans of Essex Street Station 10 + 83.67 to Station 23 + 58.31” on file with the Town Clerk, as heretofore laid out by the Board of Selectmen; to authorize the Board of Selectmen to acquire by purchase, gift, and/or eminent domain, the fee to or easements in said Essex Street and any drainage, access, utility, and other easements related thereto; and further to raise and appropriate, borrow, or transfer from available funds a sum of money for such acquisition, including damages, fees, and related expenses; or take any other action relative thereto.

Motion made and supported by Arthur Frontczak:

I move that we approve Article 32 as printed in the warrant “provided that the acquisition of such way and easements shall not require and appropriation of any funds”.

ARTICLE 33 - PASSED UNANIMOUSLY

Submitted by Planning Board

To see if the Town will vote to accept as a public way Parcels A and B as shown on a plan recorded with the Norfolk Registry of Deeds in Plan Book 607, Pages 77 and 78, and on a plan entitled “Plan of Land on Toils End Road by United Consultants, Inc., dated March 30, 2011,” on file with the Town Clerk, as heretofore laid out by the Board of Selectmen, which Parcels A and B are an extension of the way known as Toils End Road, and to authorize the Board of Selectmen to acquire by purchase, gift, and/or eminent domain, the fee to or easements in said Parcels A and B and any drainage, access, utility, and other easements related thereto; or take any other action relative thereto.

ARTICLE 34 – IP MAJORITY

Submitted by the Fire Chief

To see if the Town will vote, pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, to establish a revolving fund to be credited with receipts collected from charges to government entities and private parties for the purpose of communications and monitoring related to fire alarms, said receipts to be expended under the direction of the Fire Chief for monitoring system costs, maintenance of software, batteries, and related system functions (limit:\$20,000); or take any other action relative thereto.

ARTICLE 35 – IP UNANIMOUSLY

Submitted by the Zoning Bylaw Study Committee

To see if the Town will vote to amend **Section J C-1 DISTRICT (ROUTES 1A/115)** and **SECTION B DEFINITIONS** of the Norfolk Zoning Bylaws; by changing **Subsection J.3 District Boundaries** and adding a new definition for Medical Marijuana Treatment as shown below, with bold type indicating additions and strikethrough type indicating deletions:

J.3 District Boundaries

The C-1 District is further divided into two areas: (1) On-Highway, which consists of that portion of the C-1 District which is located within 300 feet of the FRONTAGE line of Route 1A or 115, and (2) Off-

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Highway, which consists of that portion of the C-1 District which is located greater than 300 feet from the FRONTAGE line of Route 1A and 115. The Off-Highway District shall be further divided into the following four subareas: C-1a shall include that portion of the Off-Highway district in the southwest quadrant of the Route 1A/115 intersection; C-1b shall include that portion of the Off-Highway district in the northwest quadrant of the Route 1A/115 intersection; C-1-c shall include that portion of the Off-Highway district in the northeast quadrant of the Route 1A/115 intersection; and C-1d shall include that portion of the Off-Highway district in the southeast quadrant of the Route 1A/115 intersection;

Within the C-1c Off Highway District there shall be an Adult Business Overlay District and a **Medical Marijuana Treatment Overlay District**, which shall be comprised of the following lots: Assessors' Map 19 Block 72, Lots 36, 37-1, 39.

B Definitions

Medical Marijuana Treatment is provided by a not-for-profit entity and is as defined by and registered under Massachusetts law only, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.

ARTICLE 36 – IP UNANIMOUSLY Submitted by the Zoning Bylaw Study Committee

To see if the Town will vote to amend Section F General Regulations of the Norfolk Zoning Bylaws by revising Subsection F.14 as follows, with underlined type indicating additions and strikethrough type indicating deletions:

F.14 ~~TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS~~

F.14.a Purpose

By vote at the state election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law ~~provides that it is effective on~~ is effective on as of January 1, 2013 and the State Department of Public Health ~~is required to issue~~ has issued Guidance for Municipal Regulations Regarding the Use of Marijuana for implementation ~~within 120 days of the law's effective date. Currently under~~ of the Zoning Bylaw, for a Medical Marijuana Treatment Center ~~is not a permitted use in the Town and any regulations as promulgated by the State Department of Public Health regulations 105 CMR 725.000: Implementation of An Act For The Humanitarian Use of Marijuana. are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. This moratorium will allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.~~

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F.14.b Temporary Moratorium

~~For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. **The moratorium shall be in effect through June 30, 2014.** During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations regarding Medical Marijuana Treatment Centers and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.~~

or take any other action relative thereto.

Motion to dissolve Town Meeting made and passed unanimously at 8:46 PM