



ANNUAL TOWN MEETING WARRANT

with

*Advisory Committee
Recommendations
MAY 10, 2011*

7:00 p.m.

*King Philip Middle School
18 King Street
Norfolk, Massachusetts*

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ANNUAL TOWN MEETING
MAY 10, 2011

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On behalf of the Advisory Committee I would like to invite you to Norfolk's spring town meeting. At the town meeting you will vote Norfolk's budget for the coming fiscal year 2012 and other important matters. Your vote will play a key role in determining how the town spends its money and guides future developments.

You will be asked to vote on motions presented by the Advisory Committee regarding articles offered by the selectmen, town departments and Committees, and petitioners. The Advisory Committee will also present the background and rationale of its proposals.

The main topics on which you should be prepared to vote are summarized below.

The Budget

The FY2012 budget reflects the austerity to which we have become accustomed over the past several years. Total town revenues are projected to grow by less than 4% next year, with the great bulk of that increase from local sources – real estate taxes and other local receipts – as our state aid is projected to be flat.

The efforts made by the selectmen, planning board, and others to enhance Norfolk's appeal have been successful in allowing us to budget \$375,000 in revenue from new growth in the town. That figure is still well below the peak in 2009 but shows the concrete benefits of the high quality of life offered in Norfolk.

Cost savings are also significant in the budget, as projected benefits from the town's new solar array are expected to amount to some \$80,000 in FY2012, rising to \$160,000 next year. (These benefits appear in terms of lower utility costs to the town and elementary schools in the budget, as they are reflected in lower electricity costs.)

Unfortunately, nearly a quarter of the increase in revenue is lost to rising fixed costs (debt service, health insurance, Tri-County contributions, etc). Debt service on the ambulance purchased by the town last year contributes about \$36,000 to those increased costs.

Norfolk's discretionary costs include spending on our Elementary and KP Schools, Police and Fire, General Government, Public Works, and Culture and Recreation.

Both the elementary and KP school systems have proposed level-funded budgets for 2012 – no increases in their total spending. As the schools will comment upon, that level-funded budget has been achieved only by trimming spending on textbooks and equipment as well as re-allocating resources across the curriculum. The town should appreciate the hard work that has gone into these tough budgets.

In a perverse twist, however, the level-funded KP budget actually calls for Norfolk's contribution to increase by \$230,000! The explanation apparently lies deep in the bowels of the state's educational funding formulae.

The bulk of the remaining \$300,000 in spending increases is necessary to maintain current headcount in the town departments. We believe that staffing has fallen to or below minimum levels and the Advisory Committee support these increases.

The budget calls for three staffing increases. One, in the public works department, will be used to perform work that has in the past been performed by consultants. We expect that position to pay for itself through cost savings. Another is to support the board of assessors in performing mandated housing inspections that have not been completed due to lack of resources.

The third is a half-time position for a human resources manager. Since the town eliminated the Personnel Board, the Town Administrator has taken on those responsibilities. We feel, however, that working with town employees as well as union negotiations is simply more than can be asked of the Town Administrator who has also had to take on the role of IT Director and Finance Director. We also note that the new HR position would supervise employee benefits funds and we hope will find savings in that regard for the town.

All in all, the proposed budget is a good accommodation to today's tight times. However, we should note that some financial issues are not addressed. One is the deficit in the snow and ice fund. The town spent roughly \$300,000 more than was budgeted for this account. In the past that deficit has been funded by savings in other budgets. This year we do not anticipate that there will be any such savings at the close of fiscal 2011. That issue has been deferred to a Fall town meeting that the Advisory Committee anticipates will be called to resolve outstanding budget issues.

Capital spending has also not been accounted for in the operating budget and a funding plan that may include borrowing to replace two police cruisers will be presented at Town Meeting. Borrowing for capital of this sort defers the expense to next year and reduces funding for discretionary purposes. The lack of a capital budget means that the town's overall capital requirements do not receive the attention they require.

Other Business

The agenda for this town meeting is less full than usual. Most of the rest of the warrant deals with relatively straightforward issues. We are also aware of two potentially controversial items.

One is the article, submitted by petitioners, calling for the reduction of the town's taxes for conservation/preservation/affordable housing purposes from 3% to 1%. The Advisory Committee notes the strong support from the town for the work of the Community Preservation Committee. However, our recommendation to support the reduction is based primarily on the falling "match" received from the state for the town's contribution and a sense that this represents a small but significant way to reduce our tax burden in these tough times.

If this article passes town meeting, an additional vote will have to be taken at the next local election to ratify (or not) the decision. Any change in the CPC surcharge would not go into effect for at least a year.

Another potentially controversial article is the "Stretch" Energy Code, which mandates that the town adopt aggressive standards for new home construction in terms of energy efficiency. Proposed again by the Energy Committee after last Town Meeting's defeat, acceptance of this article would accelerate Norfolk ahead of the state-mandated schedule for adopting the standards and would contribute to the town's efforts to receive state subsidies for energy saving. The Advisory Committee recommends approval.

We look forward to seeing you at Town Meeting. Come to ask questions, share an opinion, and learn from your neighbors. The town will be making several important decisions and your participation is vital.

Arlie Sterling,
Chairman

ARTICLE 1 *Annual Election May 3, 2011*

ARTICLE 2 *Fiscal Year 2011 Unpaid Bills*

The Advisory Committee recommends indefinite postponement as there are no prior unpaid bills that require Town Meeting approval.

ARTICLE 3 *Transfers for Fiscal Year 2011*

The Advisory Committee will make its recommendation at Town meeting.

The Advisory Committee, at Town Meeting, will present a recommended list of current fiscal year transfers between existing budgets. This is an action that does not require any new funding and can only be approved by Town Meeting.

ARTICLE 4 *Salary Step Increases on the Fiscal Year 2012 compensation Schedule*

We recommend approval of Article 4.

The proposed 1.5% step increase applies to a small number of Town clerical and management employees who are not in a collective bargaining unit and do not have employment contracts. This recommended increase would allow the salaries of the employees to keep pace with those covered by contracts. The increase is included as part of the balanced budget that is being recommended in Article 5.

ARTICLE 5 *The Budget*

We recommend approval of Article 5

The FY2012 budget reflects the austerity to which we have become accustomed over the past several years. Total Town revenues are projected to grow by just less than 4% next year, with the great bulk of that increase from local sources – real estate taxes and other local receipts – as our state aid is projected to be flat.

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All in all, the proposed budget is a good accommodation to today's tight times. But we should note that some financial issues are not addressed. One is the deficit in the snow and ice fund. The Town spent roughly \$300,000 more than was budgeted for this account. In the past that deficit has been funded by savings in other budgets. This year

there were no savings. That issue has been deferred to a Fall Town meeting will anticipate will be called to resolve outstanding budget issues.

Capital spending has also not been accounted for in the operating budget and you will be asked in Article 8 to borrow to replace two police cruisers. Borrowing for capital of this sort defers the expense to next year and reducing funding for discretionary purposes. The lack of a capital budget means that the Town's overall capital requirements do not receive the attention they deserve.

ARTICLE 6 *Water Division Operating Budget*

We recommend approval of Article 6.

The Advisory Committee recommends the approval of the operating budget for the Water Division of the DPW. The operating budget of \$1.56 for the Water Division represents an 8% increase over the prior year. This budget is supported by the expected revenues to be collected from rate payers, including the impact of the recently approved water rate increases. Almost half of the increase in the operating budget this year is for a reserve of \$50,000 for unforeseen issues.

We concur with the Water Division's assessment that such a reserve is necessary as the level of retained earnings (effectively, cumulative revenues in excess of cumulative expenses from prior years), which is the other source for covering potential unforeseen expenses, has been diminished to a nominal level over the past few years.

ARTICLE 7

Article 7 is under the direction of the Moderator and the Board of Selectmen.

ARTICLE 8 *Capitol Budget*

We recommend approval of Article 8.

The Advisory Committee recommends the purchase of two (2) new police cruisers at an amount not to exceed \$90,000. The source of funding for this purchase will be recommended at Town Meeting. The existing cruisers require expensive repair.

The Advisory Committee believes that the efficient operation of our Police Department requires the replacement of these cruisers.

ARTICLE 9 *Sale of Old Town Hall*

We recommend approval of Article 9.

The Advisory Committee recommends the approval of the authorization for the Board of Selectmen to sell the property known as “Old Town Hall” subject to obtaining an easement or other viable access to “Town Pond” and further more subject to developing a transition strategy to relocate the Recreation Department. This surplus property could be the source of additional funds for free cash, needed capital expenditures or other uses that the Town may require if an appropriate buyer can be found.

ARTICLE 10 *Decrease Percentage of Tax Revenue Contribution Made to Community Preservation Commission*

We recommend approval of Article 10.

The Advisory Committee recommends the approval of an amendment to decrease the percentage of tax revenue contribution to the Community Preservation Commission (CPC) from three percent (3%) to one (1%). This reduction will reduce the amount of property taxes collected from Town taxpayers to approximately \$158,000 from the current level of approximately \$474,000. This will also reduce the amount of state matching funds that we receive from an estimated \$191,000 to an estimated \$43,000 (assuming the same funding availability from the State as last year). Our current unencumbered balance of CPC funds is approximately \$3,155,000.

The Advisory Committee based its recommendation on two primary factors: the size of the current available balance and the reduction over the past few years in the amount of state matching funds. The State was matching up to 100% of amounts collected by communities up until a couple of years ago. That made the CPC program very attractive. While the current match does give the Town additional funds, the currently available balance seems sufficient to support potential open space purchases as well as fulfill requirements for historical preservation and affordable housing. In addition, the reduction in CPC contributions can lessen, to some degree, the property tax increase that taxpayers will see this year with the start of the debt repayment for the Freeman-Kennedy School.

This recommendation by the Advisory Committee was not unanimous. The view of the dissenting minority was that the Town should continue to collect the full amount from taxpayers in order to maximize potential state match money and continue to build the fund for significant future open space purchases that may arise.

ARTICLE 11 *Stretch Energy Code*

We recommend approval of Article 11.

The purpose of this article is to adopt what is known as the “Stretch Energy Code”, which means adopting a more energy efficient building code approximately a year earlier than would otherwise be required by state law in the absence of this article. A similar article was indefinitely postponed at the most recent Town meeting, and after receiving additional information and hearing from both proponents and opponents in recent Advisory Committee meetings, the Advisory Committee now recommends approval of this article by a 5 to 3 vote.

The primary reasons cited for approval of this article were: 1) cost savings for owners – the initial costs are expected to be recovered within three years; 2) health benefits due to improved air quality; 3) benefits to the environment due to less energy consumption; 4) houses built to these specifications would be more attractive to potential buyers; 5) there will be some benefit to the Town, such as state grants, from being an early adopter; and 6) any short-term difficulties involved in the construction and sale of houses built to the new specifications will far outweighed by the long term benefits to the owners of these houses.

Opponents to this article gave the following reasons for not approving this article; 1) it imposes a burden on builders in an already difficult housing market; 2) anything that adds to the cost of a house will be a detriment to potential buyers; 3) the infrastructure necessary to support the inspection process is still not where it needs to be (availability of inspectors was cited as a potential problem, for example).

The number of other Towns that have adopted the Stretch Energy Code – approximately sixty (60) was cited as an argument by both sides. While there are a substantial number of Towns that have adopted it, the number is still a long way from a majority.

The majority of Advisory Committee vote reflects that the benefits outweigh the problems.

ARTICLE 12 *Sight Line Easement at 83 Myrtle Street*

We recommend approval of Article 12.

The Advisory Committee recommends granting the Board of Selectmen authority to acquire a sight line easement at 83 Myrtle Street. The objective of the acquisition is to improve traffic safety at the intersection of Myrtle Street and Miller Street.

Today, drivers on Miller Street attempting to turn onto Myrtle Street have their view of oncoming northbound traffic obstructed. The proposed easement would require the owner of 83 Myrtle Street to maintain a clear line of sight. This legal restriction is known as a “sight line” easement.

The Norfolk Chief of Police has warned us that the current condition poses a significant safety risk. The Norfolk Town Administrator and Board of Selectmen have approached the owner of 83 Myrtle Street seeking a resolution of the problem.

The Advisory Committee unanimously feels that having spent a year on this issue Town Officials require appropriate legal authority to bring this public safety issue to closure.

ARTICLE 13 *Fines for Improper Disposal of Snow & Ice*

We recommend approval of Article 13.

The Advisory Committee recommends granting the Board of Selectmen authority to establish fines for moving snow onto public property.

The efficient removal of snow and ice is an ongoing and –given this past winter—growing concern within the Town of Norfolk. When clearing our roads, Town workers sometimes encounter snow/ice moved in their way from private property. This poses several problems. Not only is the workload increased (at taxpayers’ expense) but driver and worker safety issues are created as well.

The recommendation of the Advisory Committee was not unanimous. The dissenting minority had concerns over home owners being fined in cases where contractors pushed snow into public roadways without their knowledge. The majority view, however, held that the people who hired them (i.e. homeowners) should be ultimately accountable.

ARTICLE 14 *Reduce Town Meeting Expense*

We recommend approval of Article 14.

The Advisory Committee recommends saving the Town money by changing how warrant article recommendations are delivered.

Today copies of warrant articles along with Advisory Committee recommendations are physically printed and mailed to every household in Norfolk. This costs the Town approximately \$8,000.00 in printing and postage annually (assuming two Town Meetings are held). We recommend saving money by making our recommendations available through a link on the Town Website. Physical copies will be available at the Town Hall and Library.

ARTICLE 15 Shift in Annual Report Publication Deadline

We recommend approval of Article 15.

The article provides more flexibility in timing of publication of our Annual Report. Currently, publication is required by Town Meeting date which is a very busy time.

ARTICLE 16 Off Road Recreational Vehicles and Snow Mobiles

The Advisory Committee will make its recommendation at Town Meeting.

The Advisory Committee has deferred voting on the request to amend Article X of the Town of Norfolk General Bylaws ("Police Regulations", inserting at the end, "Section 39 Off road Recreational Vehicles and Snow Mobiles").

Although we agree in theory to allow restrictions on the number of vehicles that may be operated on a parcel of land at one time, and we further agree that there should be limitations on the noise level produced as well as a time of use guideline, the committee agrees that there need be better definition of the classification "recreational vehicles" as well as defined method to determine a violation of the noise level restriction referencing the "not to exceed 84 decibels" recommendation.

ARTICLE 17 Expansion of Solar Overlay District

We recommend approval of Article 17.

The Advisory Committee recommends the amendment of "wording and map reference", as detailed in the article. The objective of this article is to expand the Town's solar overlay district at the power line area South of "River's Edge development". The Advisory Committee agreed that this change-in-use designation would allow development of a solar array for electric power generation and distribution.

ARTICLE 18 Authority to Lease for Solar Energy

We recommend approval of Article 18.

The Advisory Committee recommends that the Board of Selectmen be given the authority to lease the properties listed in the article for the purpose of solar energy. Additionally, this recommendation would authorize the Board of Selectmen to grant the appropriate easements and rights of entry necessary to construct and operate such as solar array.

The two referenced parcels of land have little or no value to home or commercial developers due to their proximity to water and power lines. Furthermore, the Board of Selectmen have indicated that the Town has been approached by a developer expressing interest in leasing and developing the property for use as a solar array field to generate and distribute electric power.

Although this Article does not commit the Town to a contract or to a project, the approval of Article 18 would expedite the process of approval should the Board of Selectmen determine that such project(s) would benefit the Town.

ARTICLE 19 *Appropriation for a Recreational Feasibility Study and Conceptual Drawings for the Gump's Farm Property.*

We recommend approval of Article 19.

The \$15,000 feasibility study proposed in the article will enable CPC to identify the best uses of the recently acquired Gump's Farm property and to develop proposals to bring to future Town Meetings for approval.

ARTICLE 20 *Establish Cement Bounds on the Gump's Farm Property*

We recommend approval of Article 20.

This \$16,000 funding represents the maximum amount required to install cement bounds for the open space and housing lots included in the Gump's Farm property. Any unexpended amounts will revert to the Fund.

ARTICLE 21 *Correct Wording in Zoning Bylaws*

We recommend approval of Article 21.

The Advisory Committee recommends the Town approve amendment of our Zoning Bylaws by deleting the words "and setbacks". This is a housekeeping change as the current bylaw for section D.1 Basic Requirements repeats the word setbacks.

ARTICLE 22 Correct Language in Zoning Bylaws

We recommend approval of Article 22.

The Advisory Committee recommends the Town approve amendment of our Zoning Bylaw section 1.7a Allowed Uses for Residential Dwelling Units. The Advisory Committee agrees with the Planning Board and recommends that the Town vote to restore the original language that allowed “by right” residential use on upper floors of commercial buildings.

ARTICLE 23 Operating Expenses on the Community Preservation Committee

We recommend approval of Article 23.

This is a standard article at each annual Town Meeting that appropriates the sum of \$35,000 to be used for items such as appraisals and engineering studies as well as the operating expenses of the CPC.

*ARTICLE 24 Appropriate 10% of Community Preservation Fund revenues to
The Open Space Reserve*

We recommend approval of Article 24.

This article, along with the two which follow, ensures compliance with Massachusetts law authorizing the Community Preservation Fund. This Article appropriates funds to a reserve which is dedicated for Open Space programs but does not authorize any spending.

*ARTICLE 25 Appropriate 10% of community Preservation Fund revenues to
The Affordable Housing Reserve*

We recommend approval of Article 25.

This article complies with state mandates for CPC reserves for Affordable Housing Development and Support.

ARTICLE 26 *Appropriate 10% of community Preservation Fund revenues to
The Historic Resources Reserve*

We recommend approval of Article 26.

This article complies with state mandates for CPC reserves to fund the acquisition, preservation, rehabilitation and restoration of Historic Resources.

ARTICLE 27 *Allocate Funding for the CPC's Affordable Housing Purchase
Subsidy Program*

We recommend approval of Article 27.

This Article allocates \$50,000 from the Community Preservation Fund revenues the monies to support a housing subsidy program for participants with Norfolk connections (e.g. Town resident, child or parent of a Town resident or Town employees who qualify under the HUD guidelines for moderate to low income families. The grants are limited to a maximum of 10% of the purchase price and require a deed restriction to preserve the home's affordable housing status for the future.

ARTICLE 28 *Allocate \$300,000 of Community Preservation Funds to the
Affordable Housing Trust Fund*

We recommend approval of Article 28.

The Affordable Housing Trust Fund enables the Town to act quickly on Affordable housing opportunities and thus assists in moving Norfolk closer to the state's affordable housing target. The Trust has identified several specific properties to be developed.

ARTICLE 29 *Expenditure of Chapter 90 Funds for Road Repairs*

We recommend approval of Article 29.

This is a standard article authorizing the board of Selectmen to use the chapter 90 funds received from the State – expected to be approximately \$329,000 this year – for the construction, maintenance, and improvement of Town roads.

ARTICLE 30 *Authorize Revolving Funds*

We recommend approval of Article 30.

This is a standard article authorizing the continuation of revolving funds for the next fiscal year. None of the amounts have changed since last year. However, the Town Clerk's passport fee revolving fund is not re-authorized (see article 31).

The purpose of these funds is to allow various Town boards and departments to collect revenue and sources such as fees and mitigation funds and to pay the expenses associated with the activities necessary for the collection of those fees. These sources of revenue are often relatively small, unpredictable and variable, so they are best handled in this manner

rather than being subject to the regular budget process. To avoid the excess accumulation of funds outside the budget process, limits are established on the amounts which may be accumulated in each fund.

ARTICLE 31 *New Authorization of Passport Fee Revolving Fund*

We recommend approval of Article 31

The responsibility for passport processing is being moved from the Town Clerk's office to the Library, and this article establishes a revolving fund for the Library to use to pay postage costs associated with this process. Although the article printed in the warrant states a limit of \$5,000 dollars, the article what will be presented at Town Meeting will modify that limit to the \$1,000 dollar amount that is currently in effect for the corresponding Town Clerk's revolving fund, which is being eliminated by virtue of its omission from Article 30.

ARTICLE 32 *Revolving Fund for Fees Obtained by Police Vehicles*

We recommend approval of Article 32.

This article establishes a new revolving fund specifically for the purpose of accumulating funds received from fees charged by the Police Department for the use of police vehicles at construction site details (such fees are not currently being charged, so this is a new source of revenue). These funds will be used toward the purchase of replacement police cruisers as needed. While the revenues anticipated will not be substantial (perhaps \$3,000 to \$5,000 per year), over the course of a few years this will amount to a significant contribution toward the cost of a new vehicle.

The Advisory Committee recommends approval of this article by 6 to 2 vote. The minority felt that it was establishing a bad precedent to earmark specific sources of revenue for specific purposes, when other needs might be more pressing. Although at least some of the majority was sympathetic to this concern, it was felt that this is an essential Town need that warranted an exception.

ARTICLE 33 *Appropriate \$5,150 from CPC Historical Reserves for the Restoration of the Misty Meadows Mural and installation of a Descriptive plaque*

We recommend approval of Article 33.

The mural was removed prior to the destruction of the Misty Meadows homestead and has been installed and restored in the Public Library. The mural depicts the view from one of Norfolk's older family farms and was painted by the owner, Emily Jacques, who was also a founding member of Norfolk's Historical Association. The CPC funding will reimburse the Friends of the Library for their contribution to the project.

ARTICLE 34 *Hire an Outside Vendor for Property Assessment Values*

We recommended indefinite postponement of Article 34.

ARTICLE 35 *Establish Other Post Employment Benefit Liability Trust*

We recommend approval of Article 35.

The Town's Auditor has recommended the establishment of a Trust fund for health insurance liabilities of retired employees. However, at this time, there are no monies available to contribute to an Other Post Employment Benefits Fund.

ARTICLE 36 *Rescind Borrowing Authority*

We recommend approval of Article 36.

The Advisory Committee recommends the approval to rescind the excess borrowing authorizations for the Public Safety Design and Solar Electric Generating Facility. When the Town Meeting approved these two borrowing authorization articles on 5/12/09 and 5/18/10, the amounts were estimated for work to be done. For these projects, the amounts of \$175,000 and \$500,000 respectively were not needed. Until Town Meeting rescinds the authorization, the bond market views the amounts as counting toward the Town's credit limit and potential negative when reviewing the bond rating.

ARTICLE 37 *Rescind Borrowing Authority*

We recommend approval of Article 37.

For the same reasons explained under Article 36, the Advisory Committee recommends that Town Meeting rescind the \$40,000 borrowing authorization for Pump Testing and Well construction from the 11/10/09 Town Meeting. This article is separate from Article 36 because it impacts the water system debt.

ARTICLE 38 *Accept Grants*

We recommend approval of Article 38.

ARTICLE 39 *Accepts Grants – Water Division*

We recommend approval of Article 39.

ARTICLE 40 *Sell Tax Title Land*

We recommend approval of Article 40.

ARTICLE 41 *Accept Easements*

We recommend approval of Article 41.

ARTICLE 42 *Sell Surplus Property*

We recommend approval of Article 42.

NORFOLK, ss.

To either Constable in the Town of Norfolk, in said County:

GREETINGS:

You are required in the name of the Commonwealth of Massachusetts to notify and warn the inhabitants of Norfolk, qualified to vote in Town affairs residing in Precincts 1, 2, 3 and 4, to assemble in the designated polling places in the H. Olive Day School, 232 Main Street, Norfolk, Massachusetts, on Tuesday, May 3, 2011, at 7:00 a.m., for the election of town officers under ARTICLE 1 of the Annual Town Meeting; and thence to meet on Tuesday, May 10, 2011 at 7:00 p.m. at the King Philip Middle School, 18 King Street, Norfolk, Massachusetts 02056, for the adjourned business session of the Annual Town Meeting, then and there to act on the following articles commencing with Article 2, *viz*:

ARTICLE 1

Submitted by Town Clerk

To choose by ballot the following officers: one Moderator for a one-year term; one Town Clerk for a three-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; one Housing Authority member for a five-year term; one Library Trustee for a three-year term; two Planning Board members each for a three-year term; two Recreation Commission members each for a three-year term; two Norfolk School Committee members each for a three-year term; two King Philip Regional School Committee members, one for a three-year term and one for a one-year unexpired term; and two Constables each for a three-year term.

ARTICLE 2

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

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, 2011; or take any other action relative thereto.

ARTICLE 4

Submitted by the Town Administrator

To see if the Town will vote to amend the Town of Norfolk Personnel Bylaws Schedule B. COMPENSATION SCHEDULE by applying a general increase of 1.5% to all Steps on the COMPENSATION SCHEDULE effective July 1, 2011; or take any other action relative thereto.

ARTICLE 5

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, 2011; or take any other action relative thereto. (Operating Budget)

Town of NORFOLK
Revenue Budget

	FY08 Actual	FY09 Actual	FY10 Actual	FY11 Rev. Budget	FY12 Budget (Gov)
Excluded Debt Revenue					
Debt Exclusions					
King Philip (Net SBA)	\$719,967	\$969,483	\$983,810	\$922,491	\$908,408
H.Olive Day School Construction	\$233,388	\$200,916	\$107,797	\$83,597	\$17,757
Library Expansion	\$247,425	\$242,835	\$238,245	\$232,890	\$225,153
Freeman Centennial				\$22,000	\$1,288,125
Fire Truck	\$23,345	\$22,410	\$21,406	\$20,602	\$0
Total Debt Exclusions	\$1,224,125	\$1,435,644	\$1,351,258	\$1,281,580	\$2,439,442
SBAB Reimbursements (H.O. Day)	\$494,640	\$494,658	\$325,302	\$325,302	\$325,302
Total Revenue for Excluded Debt	\$1,718,765	\$1,930,302	\$1,676,560	\$1,606,882	\$2,764,744
Operating Revenue					
Tax Levy Base (Prior Levy Limit)	\$17,321,655	\$18,113,034	\$18,904,617	\$19,779,062	\$20,604,944
2.5%	\$433,173	\$452,826	\$474,551	\$494,477	\$515,124
New Growth	\$358,206	\$412,932	\$322,472	\$331,405	\$375,000
Override					
Reserve for Abatements	(\$112,056)	(\$181,307)	(\$166,598)	(\$147,727)	(\$100,000)
Total Levy Base	\$18,000,978	\$18,797,485	\$19,535,042	\$20,457,217	\$21,395,067
Local Estimated Receipts:					
Motor Vehicle	\$1,526,008	\$1,349,988	\$1,189,424	\$1,244,458	\$1,245,000
Penalties/Interest on Taxes	\$76,077	\$60,931	\$76,240	\$70,000	\$62,000
P.I.L.O.T.	\$56,619	\$9,522	\$113,462	\$60,000	\$62,000
Water Dept - Indirect Costs	\$28,696	\$30,271	\$30,114	\$30,339	\$30,339
Transfer Station Revenue	\$349,306	\$305,053	\$331,023	\$347,684	\$347,684
Fees	\$14,965	\$17,829	\$18,061	\$18,000	\$18,000
Other Dept'l Revenue	\$96,617	\$72,543	\$79,218	\$80,000	\$80,000
Licenses & Permits	\$306,127	\$249,637	\$246,848	\$250,000	\$240,000
Fines & Forfeits	\$21,794	\$26,092	\$20,445	\$20,000	\$20,000
Investment Income	\$101,679	\$45,757	\$5,070	\$5,000	\$5,000
Inspectional Services (DPW)					\$40,000
Ambulance Receipts	\$220,288	\$270,000	\$295,000	\$295,000	\$295,000
Miscellaneous	\$137,831	\$101,889	\$87,701	\$30,000	\$83,601
Total Estimated Receipts	\$2,936,007	\$2,539,512	\$2,492,605	\$2,450,481	\$2,528,624
Cherry Sheet:					
School Aid					
Chapter 70	\$3,392,371	\$3,486,975	\$3,417,236	\$3,217,602	\$3,234,875
Charter School Reimbursement	\$42,697	\$28,495	\$21,061	\$7,272	\$6,850
Total Education - State Aid	\$3,435,068	\$3,515,470	\$3,438,297	\$3,224,874	\$3,241,725
General Government					
Lottery	\$1,193,541	\$1,193,541	\$844,929	\$811,132	\$752,484
Police Career Incentive	\$62,070	\$65,813	\$12,027	\$5,973	\$6,333
Exemptions: Veis/Blind/Surviving Spous	\$34,839	\$32,533	\$36,027	\$34,845	\$34,998
Meals Tax					\$55,000
State Owned Land	\$222,460	\$238,524	\$214,878	\$121,888	\$121,441
Total General Government - State Aid	\$1,512,910	\$1,530,411	\$1,107,861	\$973,838	\$970,256
Cherry Sheet Revenue Total	\$4,947,978	\$5,045,881	\$4,546,158	\$4,198,712	\$4,211,981
Cherry Sheet Assessments	(\$493,346)	(\$419,959)	(\$433,435)	(\$393,965)	(\$392,133)
Net Cherry Sheet Total	\$4,454,632	\$4,625,922	\$4,112,723	\$3,804,747	\$3,819,848
Total Operating Revenue	\$25,391,617	\$25,962,919	\$26,140,370	\$26,712,444	\$27,743,539
Other Sources:					
Receipts Reserved Cemetery	\$15,000	\$15,000	\$35,000	\$35,000	\$35,000
Ambulance Receipts (Prior Years)		\$179,000	\$160,000		
Prison Mitigation (to pay Capital Debt)	\$15,600	\$192,000			
MTBE Settlement			\$440,000		
Free Cash	\$341,000		\$65,000	\$5,376	
Total Other Sources	\$371,600	\$386,000	\$700,000	\$40,376	\$35,000
Other Sources for Capital:					
Prison Mitigation	\$0	\$0	\$0	\$0	\$0
TOTAL Capital Sources	\$0	\$0	\$0	\$0	\$0
Total Non-Exclud Budget Sources	\$25,763,217	\$26,348,919	\$26,840,370	\$26,752,820	\$27,778,539
Total Revenue	\$27,481,982	\$28,279,221	\$28,516,930	\$28,359,702	\$30,543,283

TOWN OF NORFOLK - FISCAL 2012 BUDGET DEVELOPMENT

		<u>FY10 Actual</u>	<u>FY11</u>	<u>Change</u>	<u>%</u>	<u>FY12</u>	<u>Change</u>	<u>%</u>
Moderator								
	Salary	\$0	\$0					
	Expense	\$20	\$49			\$49		
	Total	\$20	\$49	(\$2)	-3.9%	\$49	\$0	0.0%
Selectmen/Town Admin.								
	Salary	\$191,821	\$187,500			\$241,759		
	Expense	\$15,964	\$26,250			\$26,250		
	Total	\$207,785	\$213,750	(\$9,079)	-4.1%	\$268,009	\$54,259	25.4%
Advisory								
	Salary	\$2,363	\$6,100			\$6,400		
	Expense	\$5,289	\$5,000			\$5,000		
	Sub Total	\$7,652	\$11,100	(\$535)	-4.6%	\$11,400	\$300	2.7%
	Reserve Fund		\$60,500			\$50,000		
	Advisory Board Total	\$7,652	\$71,600			\$61,400	(\$10,200)	-14.2%
Municipal Finance								
	Salary	\$408,322	\$433,361			\$492,547		
	Expense	\$138,617	\$125,759			\$125,751		
	Audit	\$40,000	\$40,000			\$40,000		
	Total	\$586,939	\$599,120	\$1,056	0.2%	\$658,298	\$59,178	9.9%
Board of Assessors								
	Salary					\$0		
	Recertification							
	Expense	\$26,393	\$1,500			\$5,500		
	Total	\$26,393	\$1,500	(\$25,000)	-94.3%	\$5,500	\$4,000	266.7%
Town Counsel								
	Retainer Fees	\$40,110	\$71,000			\$75,000		
	Total	\$71,110	\$71,000	\$0	0.0%	\$75,000	\$4,000	5.6%
Personnel Board								
	Salary		\$0			\$0		
	Expense	\$600	\$0			\$0		
	Total	\$600	\$0	(\$400)	-100.0%	\$0	\$0	#DIV/0!
Information Technology								
	Salary		\$4,000			\$0		
	Expenses	\$49,605	\$64,100			\$70,000		
	Total	\$49,605	\$68,100	(\$2,862)	-4.0%	\$70,000	\$1,900	2.8%
Tax Title/Foreclosure								
	Expense	\$11,650	\$10,000			\$10,000		
	Total	\$11,650	\$10,000	\$0	0.0%	\$10,000	\$0	0.0%
Facilities Management								
	Salary	\$43,193	\$47,311			\$49,500		
	Facilities Management Expense	\$403,028	\$369,550			\$352,200		
	Total	\$446,221	\$416,861	(\$35,152)	-7.8%	\$401,700	(\$15,161)	-3.6%
(INFORMATIONAL)								
	Expense	\$3,319	\$2,400			\$3,200	\$800	33.3%
	Town Hall	\$151,801	\$131,200			\$123,250	(\$7,950)	-6.1%
	Senior Center	\$44,592	\$38,950			\$37,350	(\$1,600)	-4.1%
	Old Town Hall & Garage	\$5,149	\$8,200			\$7,850	(\$350)	-4.3%
	P/F Station	\$97,540	\$102,250			\$98,150	(\$4,100)	-4.0%
	Temporary Space					\$0	\$0	0.0%
	Library	\$100,627	\$86,550			\$82,400	(\$4,150)	-4.8%
	Sub-Total	\$403,028	\$369,550	(\$39,000)	-9.5%	\$352,200	(\$17,350)	-4.7%
Town Clerk								
	Salary	\$103,520	\$103,508			\$103,167		
Elections								
	Expense	\$18,242	\$27,500			\$20,600		
Voter Registration								
	Total	\$121,762	\$131,008	\$16,754	14.7%	\$123,767	(\$7,241)	-5.5%
Conservation								
	Salary							
	Expense	\$10,483	\$10,500			\$10,500		
	Total	\$10,483	\$10,500	\$0	0.0%	\$10,500	\$0	0.0%
Planning Board								
	Salary							
	Expense	\$10,800	\$34,560			\$34,560		
	Total	\$10,800	\$34,560	(\$1,440)	-4.0%	\$34,560	\$0	0.0%
Zoning Board of Appeals								
	Salary							
	Expense		\$60			\$60		4/21/2011
1 of 4	Total	\$0	\$60	\$0	0.0%	\$60	\$0	0.0%

TOWN OF NORFOLK - FISCAL 2012 BUDGET DEVELOPMENT

		FY10 Actual	FY11	Change	%	FY12	Change	%
Planning and Development								
	Salary	\$116,241	\$111,259			\$98,591		
	Expense	\$7,909	\$16,500			\$16,500		
	Total	\$124,150	\$127,759	(\$8,194)	-6.0%	\$115,091	(\$12,668)	-9.9%
Permanent Building Comm								
	Salary	\$0						
	Expense	\$0	\$0			\$0		
	Total	\$0	\$0	(\$300)	-100.0%	\$0	\$0	0.0%
Town Reports								
	Expense	\$1,569	\$3,200			\$3,200		
	Total	\$1,569	\$3,200	\$0	0.0%	\$3,200	\$0	0.0%
GENERAL GOVERNMENT		\$1,676,739	\$1,759,067	(\$54,654)	-3.0%	\$1,837,134	\$78,067	4.4%
PUBLIC SAFETY								
Police								
	Salary	\$1,581,568	\$1,621,627			\$1,710,000		
	Expense	\$94,319	\$102,437			\$103,000		
	Total	\$1,675,887	\$1,724,064	\$1,081	0.1%	\$1,813,000	\$88,936	5.2%
Fire & Ambulance								
	Salary	\$1,062,578	\$1,092,922			\$1,133,000		
	Expense	\$120,530	\$52,900			\$47,000		
	Total	\$1,183,108	\$1,145,822	(\$40,659)	-3.4%	\$1,180,000	\$34,178	3.0%
Ambulance Billing								
	Expense	\$15,000	\$15,000			\$16,000		
	Total	\$15,000	\$15,000	\$0	0.0%	\$16,000	\$1,000	6.7%
Building Dept								
	Salary	\$185,641	\$186,531			\$196,500		
	Expense	\$6,000	\$3,800			\$4,300		
	Total	\$191,641	\$190,331	\$2,566	1.4%	\$200,800	\$10,469	5.5%
Weights & Measure								
	Salary							
	Expense	\$750	\$800			\$850		
	Total	\$750	\$800	\$0	0.0%	\$850	\$50	6.3%
Emergency Management								
	Salary	\$700	\$700			\$700		
	Expense		\$900			\$900		
	Total	\$700	\$1,600	\$0	0.0%	\$1,600	\$0	0.0%
Animal Inspector								
	Salary	\$2,194	\$2,246			\$2,247		
	Expense	\$0	\$50			\$200		
	Total	\$2,194	\$2,296	\$52	2.3%	\$2,447	\$151	6.6%
Animal Control								
	Salary	\$40,331	\$42,238			\$43,700		
	Expense	\$1,991	\$4,000			\$4,000		
	Total	\$42,322	\$46,238	\$3,446	8.1%	\$47,700	\$1,462	3.2%
Fire/Police Comm								
	Salary	\$189,727	\$204,346			\$220,400		
	Expense	\$4,509	\$6,150			\$6,150		
	Total	\$194,236	\$210,496	\$6,031	2.9%	\$226,550	\$16,054	7.6%
Total Public Safety		\$3,005,838	\$3,036,617	(\$27,483)	-0.8%	\$3,488,947	\$152,300	4.6%
EDUCATION								
	Norfolk Elementary	\$9,667,696	\$9,407,341	(\$391,973)	-4.0%	\$9,407,341	(\$0)	0.0%
	King Philip Regional (Operating)	\$5,841,087	\$5,913,832	\$33,728	0.6%	\$6,143,323	\$229,491	3.9%
	King Philip Regional (Excluded Debt)	\$983,810	\$922,491	(\$61,319)	-6.2%	\$908,409	(\$14,082)	-1.5%
	King Philip Total	\$6,824,897	\$6,836,323	(\$27,591)	-0.4%	\$7,051,732	\$215,409	3.2%
	Tri-County	\$374,628	\$384,090	\$4,178	1.1%	\$446,251	\$62,161	16.2%
Total Education		\$16,867,221	\$16,627,754	(\$415,386)	-2.4%	\$16,905,324	\$277,570	1.7%
PUBLIC WORKS								
DPW Administration								
	Salary	\$175,697	\$162,352			\$121,377		
	Expense	\$66,517	\$72,500			\$72,500		
	Total	\$242,214	\$234,852	(\$26,346)	-10.1%	\$193,877	(\$40,975)	-17.4%

TOWN OF NORFOLK - FISCAL 2012 BUDGET DEVELOPMENT

		<u>FY10 Actual</u>	<u>FY11</u>	<u>Change</u>	<u>%</u>	<u>FY12</u>	<u>Change</u>	<u>%</u>
Highway	Salary	\$125,404	\$132,604			\$166,879		
	Expense	\$102,555	\$89,731			\$89,731		
	Total	\$227,959	\$222,335	(\$15,582)	-6.5%	\$256,610	\$34,275	15.4%
Vehicle Maintenance	Salary	\$126,729	\$116,909			\$118,040		
	Expense	\$95,112	\$94,168			\$94,168		
	Total	\$221,841	\$211,077	(\$6,629)	-3.0%	\$212,208	\$1,131	0.5%
Grounds Municipal	Salary	\$113,700	\$119,008			\$150,312		
	Expense	\$47,811	\$56,281			\$56,281		
	Total	\$161,511	\$175,289	\$12,379	7.6%	\$206,593	\$31,304	17.9%
Grounds - Cemetery	Salary	\$12,827	\$13,393			\$14,001		
	Expense	\$3,463	\$15,613			\$15,613		
	Total	\$16,290	\$29,006	\$213	0.7%	\$29,614	\$608	2.1%
Custodian of Veteran Graves	Salary	\$700	\$700			\$700		
	Expense	\$1,080	\$1,500			\$1,500		
	Total	\$1,780	\$2,200	(\$50)	-2.2%	\$2,200	\$0	0.0%
Tree Warden	Salary		\$0					
	Expense	\$3,694	\$0					
	Total	\$3,694	\$0	\$0		\$0	\$0	0.0%
Shade Tree	Expense		\$0					
	Total	\$0	\$0	\$0		\$0	\$0	0.0%
Total Public Works		\$875,288	\$874,759	\$ (36,015)	-4.0%	\$901,102	\$ 26,343	3.0%

SHARED/FIXED COSTS (Administered by DPW)

Road Program	Total	\$0	\$1	\$0	0.0%	\$1	\$0	0.0%
Non - Appropriated Funds								
Road Program (Chapter 90)		\$281,039	\$296,940	\$15,901	5.7%	\$392,510	\$95,570	32.2%

Landfill	Expense	\$83,227	\$91,410			\$90,605		
	Total	\$83,227	\$91,410	\$5,634	6.6%	\$90,605	(\$805)	-0.9%
Snow & Ice	Expense	\$337,639	\$123,647			\$125,000		
	Total	\$337,639	\$123,647	\$0	0.0%	\$125,000	\$1,353	1.1%
Street Lighting	Expense	\$36,396	\$40,578			\$40,578		
	Total	\$36,396	\$40,578	\$0	0.0%	\$40,578	\$0	0.0%
Town Vehicle Fuel	Expense	\$74,534	\$100,984			\$100,984		
	Total	\$74,534	\$100,984	\$0	0.0%	\$100,984	\$0	0.0%
Total Shared / Fixed Costs		\$531,796	\$356,620	\$ 5,634	1.6%	\$357,168	\$ 548	0.2%

Transfer Station

Transfer Station	Salary	\$175,978	\$184,176			\$183,026		
	Expense	\$140,132	\$152,235			\$151,213		
	Total	\$316,110	\$336,411	(\$15,718)	-4.5%	\$334,239	(\$2,172)	-0.6%
Total Transfer Station		\$316,110	\$336,411	\$ (15,718)	-4.5%	\$334,239	\$ (2,172)	-0.6%

HUMAN SERVICES

Board of Health	Salary							
	Expense	\$15,810	\$17,603			\$17,600		
	Total	\$15,810	\$17,603	\$0	0.0%	\$17,600	(\$3)	0.0%
Special Programs	MAY Mental Health							
	SNCARC	\$4,025	\$4,025			\$4,025		
	Total	\$4,025	\$4,025	\$0	0.0%	\$4,025	\$0	0.0%

TOWN OF NORFOLK - FISCAL 2012 BUDGET DEVELOPMENT

		FY10 Actual	FY11	Change	%	FY12	Change	%
Council on Aging								
	Salary	\$97,081	\$102,152			\$108,000		
	Expense	\$8,096	\$5,281			\$5,281		
	Total	\$105,177	\$107,433	(\$3,557)	-3.2%	\$113,281	\$5,848	5.4%
Veteran's Services								
	Salary	\$5,700	\$5,700			\$5,700		
	Expense	\$2,315	\$12,500			\$15,000		
	Total	\$8,015	\$18,200	\$9,500	109.2%	\$20,700	\$2,500	13.7%
Total Human Services		\$133,027	\$147,261	\$ 5,943	4.2%	\$155,606	\$ 8,345	5.7%
CULTURE AND RECREATION								
Library								
	Salary	\$320,970	\$316,143			\$333,000		
	Expense	\$118,645	\$112,178			\$112,178		
	Total	\$439,615	\$428,321	(\$17,847)	-4.0%	\$445,178	\$16,857	3.9%
Recreation								
	Salary	\$70,265	\$73,076			\$77,000		
	Expense	\$300	\$300			\$300		
	Total	\$70,565	\$73,376	\$2,811	4.0%	\$77,300	\$3,924	5.3%
Historical Commission								
	Expense	\$250	\$250			\$250		
	Total	\$250	\$250	\$0	0.0%	\$250	\$0	0.0%
Memorial Day								
	Expense	\$600	\$600			\$600		
	Total	\$600	\$600	\$0	0.0%	\$600	\$0	0.0%
Total Culture & Rec.		\$511,030	\$502,547	(\$8,483)	-1.7%	\$523,328	\$ 20,781	4.1%
FIXED COSTS								
	Employee Benefits	\$2,893,712	\$3,245,590	\$241,395	8.0%	\$3,385,590	\$140,000	4.3%
	Building/Liability Insurance	\$240,065	\$256,573	(\$63,596)	-19.9%	\$255,000	(\$1,573)	-0.6%
	Total Fixed Costs	\$3,133,777	\$3,502,163	\$ 177,799	5.3%	\$3,640,590	\$ 138,427	4.0%
DEBT SERVICE (KP not Included)								
	Excluded Debt (other than KP)	\$692,750	\$692,391	(\$359)	-0.1%	\$1,856,336	\$1,163,945	168.1%
	Non-Excluded Debt	\$423,739	\$462,892	\$31,264	7.2%	\$543,000	\$80,108	17.3%
	Total Local Debt Service	\$1,116,489	\$1,155,283	\$ 30,905	2.7%	\$2,399,336	\$ 1,244,053	107.7%
TOTAL OPERATING BUDGET		\$ 28,467,315	\$ 28,598,512	\$ (344,011)	-1.2%	\$ 30,542,774	\$ 1,944,262	6.8%
CAPITAL		\$0	\$0	\$0	0.0%	\$0	\$0	0.0%
TOTAL OPERATING BUDGET + Capital		\$28,467,315	\$28,598,512	(\$344,011)	-1.2%	\$30,542,774	\$ 1,944,262	6.8%
REVENUES (As enacted by the Commonwealth)								
General Fund Revenue						\$27,743,539		
Override						\$0		
General Fund Excluded Revenue & SBAB Funding						\$2,764,744		
Other Sources						\$35,000		
Total Operating Budget Sources						\$30,543,283		
Surplus / (Deficit)						\$509		

ARTICLE 6

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. (Operating Budget)

ARTICLE 7

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.

ARTICLE 8

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)

ARTICLE 9

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, on such terms and conditions as it may deem in the best interests of the Town, all or a portion of the property known as “Old Town Hall” and located at 100 Main Street, subject to the Town reserving an easement for access to “Town Pond” and furthermore subject to developing a transition strategy to relocate the Recreation Department, such sales to be made on behalf of the inhabitants of the Town of Norfolk,; or take any other action relative thereto.

ARTICLE 10

Submitted by Petition

To see if the Town will vote to approve an amendment to decrease the percentage of tax revenue contribution to the Community Preservation Commission from three percent (3%) to one percent (1%).

ARTICLE 11

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 120.AA (i.e., Appendix 120.AA), as 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 120.AA (i.e., Appendix 120.AA of the State Building Code or the “Stretch Energy Code”), as 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.

ARTICLE 12

Submitted by the Board of Selectmen

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, a sight line easement upon property known as 83 Myrtle Street, located at the intersection of Myrtle Street and Miller Street, described in a deed recorded with the Norfolk Registry of Deeds in Book 24821, Page 235, identified as Assessor's Map 9, Parcel 6, Lot 12, said easement area comprising 1,162.89 square feet, more or less, as shown on a plan entitled "Available Intersection Sight Distance with Permanent Easement Acquisition," on file with the Town Clerk, and to raise and appropriate or appropriate by transfer from available funds a sum of money to acquire said sight line easement; or take any other action relative thereto.

ARTICLE 13

**Submitted by the Town Administrator,
Police Chief and DPW Director**

To see if the Town will vote to amend ARTICLE X of the Town of Norfolk General Bylaws ("Police Regulations") by inserting at the end thereof the following new Section, sequentially numbered;

Placing Snow, Ice and Water on Public Property

No person, other than an employee or other person in the service of the Commonwealth of Massachusetts or the Town of Norfolk shall direct, discharge, dump, shovel, pile, push, blow, plow or deposit snow, ice, or water under conditions where water would be subject to freezing onto, into or across any public way, including sidewalks or public property, or cause, direct, sanction or authorize any such activity involving snow, ice, or water on a public way or public property. Violations of this section shall be subject to a fine of one hundred dollars (\$100) for each violation.

or take any other action relative thereto.

ARTICLE 14

Submitted by the Town Administrator

To see if the Town will vote to amend ARTICLE III of the Town of Norfolk General Bylaws ("Committees") by replacing the last sentence of Section 2, Paragraph B with the following:

Furthermore, for all Town Meetings, recommendations of the Advisory Committee shall be available at Town Hall and the Norfolk Public Library and a copy of the recommendations shall be posted on the Town's website not less than five (5) days, or ten (10) days in the case of a Special Town Meeting, before the day appointed for the same.

or take any other action relative thereto.

Existing Language:

Furthermore, for all Town Meetings, a copy of the warrant and the recommendations of the Advisory Committee shall be delivered to each residence prior to the Town Meeting.

ARTICLE 15

Submitted by the Town Administrator

To see if the Town will vote to amend ARTICLE V of the Town of Norfolk General Bylaws (“Records and Reports”) by replacing Section 3 with the following:

Section 3. Printing of the Annual Reports

Prior to June 30th, the Board of Selectmen shall annually cause to be printed and made available to the taxpayers of the Town, the reports of the various officers and boards of the Town and reports upon such matters as are directed by the Town and these bylaws.

or take any other action relative thereto.

ARTICLE 16

Submitted by the Town Administrator

To see if the town will vote to amend ARTICLE X of the Town of Norfolk General Bylaws (“Police Regulations”) by inserting at the end thereof the following new Section, sequentially numbered;

Off Road Recreational Vehicles and Snow Mobiles

No more than 2 off road recreational vehicles or snow mobiles may be operated on a parcel of land at one time. All such vehicles must be operated at a noise level not to exceed 84 decibels. No such vehicle may be operated closer than 25 feet of an abutting property and may only be operated between 9 am and 6 pm Monday to Friday and 10 am to 5 pm Saturday, Sunday and Holidays. Violations of this section shall be subject to a fine of (\$50) for a first offense, (\$100) for a second offense and (\$200) for a subsequent offense.

or take any other action relative thereto.

ARTICLE 17

Submitted by the Town Administrator

To see if the Town will vote to amend Section M, subsection M.2 Definitions, paragraph entitled “Designated Location” of the Town of Norfolk Zoning Bylaws by inserting the following:

“, Assessors Map 9, Block 32, Lot 33, Assessors Map 9, Block 32, Lot 7, Assessors Map 9, Block 32, Lot 76, Assessors Map 9, Block 32, Section 19, Assessors Map 9, Block 32, Section 17 “

after the words “Assessors Map 03, Block 32, Lot 32”; and

To see if the Town will vote to amend Section M, subsection M.2 Definitions, paragraph entitled "Solar Energy Overlay District" of the Town of Norfolk Zoning Bylaws inserting the following:

“, Assessors Map 9, Block 32, Lot 33, Assessors Map 9, Block 32,
Lot 7, Assessors Map 9, Block 32, Lot 76, Assessors Map 9, Block 32,
Section 19, Assessors Map 9, Block 32, Section 17”

after the words “Assessors Map 03, Block 32, Lot 32”

or take any other action relative thereto.

ARTICLE 18

Submitted by the Town Administrator

To see if the Town will vote to transfer from the Board of Selectmen for general municipal purposes to the Board of Selectmen for general municipal purposes and for the purpose of leasing, the parcel of land having approximately eleven acres, being shown on the Assessors Map as Parcel 9-32-19, being the land acquired by Order of Taking recorded with the Norfolk County Registry of Deeds in Book 14731, Page 498 and shown as Plan No. 228 of 2000 in Plan Book 474, and to authorize the Board of Selectmen to lease all or any portion of said land from time to time by one or more leases for such term of years up to fifty years and for such consideration as the Selectmen shall determine, for the purpose of a solar array for electric power generation and distribution, and to authorize the Selectmen to grant such easements and rights of entry over said land, for utility and access and ingress purposes as necessary to construct and operate such a solar array; or take any other action relative thereto and

To see if the Town will vote to transfer from the Board of Selectmen for water protection purposes to the Board of Selectmen for general municipal purposes and for the purpose of leasing, the parcel of land having approximately 32 acres, being shown on the Assessors Map as Parcel 9-32-17, being the land acquired by Order of Taking recorded with the Norfolk County Registry of Deeds in Book 4690, Page 548, and to authorize the Board of Selectmen to lease all or any portion of said land from time to time by one or more leases for such term of years up to fifty years and for such consideration as the Selectmen shall determine, for the purpose of a solar array for electric power generation and distribution, and to authorize the Selectmen to grant such easements and rights of entry over said land, for utility and access and ingress purposes as necessary to construct and operate such a solar array; or take any other action relative thereto.

ARTICLE 19

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, \$15,000 for the purpose of conducting a recreational feasibility study and conceptual drawings that propose to utilize the approximate land area known as Gump's Farm (consisting of 22.35 acres, more or less, identified as Assessor's Map 14, Block 48, Lot 2-1) for purposes consistent with the Community Preservation Act; or take any other action relative thereto.

ARTICLE 20 **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, \$16,000 for the establishment of cement bounds at the property known as Gump's Farm (consisting of 22.35 acres, more or less, identified as Assessor's Map 14, Block 48, Lot 2-1); or take any other action relative thereto.

ARTICLE 21 **Submitted by the Board of Selectmen**
To see if the Town will vote to amend the Norfolk Zoning Bylaw by deleting the words "and setbacks" after the words rear setbacks in section **D.1 Basic Requirements** so that it will read:
All applicants for new Residential Dwellings (excluding additions, accessory buildings and septic systems) hereinafter constructed shall be prohibited from cutting down any trees within the side or rear setbacks set forth in Section E.1.b or within the soil absorption system setbacks set forth in 310 CMR 15.00, unless relief is granted by a special permit by the Zoning Board of Appeals. This prohibition shall remain in effect until the occupancy permit has been issued.

Existing Bylaw Reads:

All applicants for new Residential Dwellings (excluding additions, accessory buildings and septic systems) hereinafter constructed shall be prohibited from cutting down any trees within the side or rear setbacks and setbacks set forth in Section E.1.b or within the soil absorption system setbacks set forth in 310 CMR 15.00, unless relief is granted by a special permit by the Zoning Board of Appeals. This prohibition shall remain in effect until the occupancy permit has been issued.

or take any other action relative thereto.

ARTICLE 22 **Submitted by the Planning Board**
To see if the Town will vote to amend Section I.7.a Allowed Uses of the Zoning Bylaw by adding the following, in alphabetical order:

Residential DWELLING UNITS located above the ground floor of BUILDINGS provided that the ground floor is constructed for, and limited to, business or commercial uses prior to residential occupancy.

or take any other action relative thereto.

ARTICLE 23 **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.

ARTICLE 24 **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 FY2012 Community Preservation Fund revenues for the future appropriation of Open Space creations, acquisition and preservation; or take any other action relative thereto.

ARTICLE 25 **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 FY2012 Community Preservation Fund revenues for the future appropriation of Affordable Housing creations, preservation and support; or take any other action relative thereto.

ARTICLE 26 **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 FY2012 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 27 **Submitted by the Community Preservation Committee**
To see if the Town will vote to appropriate and transfer from the Community Preservation Fund an amount not to exceed \$50,000 for the purpose of acquiring, creating, and/or supporting community housing to fund an affordable housing purchase price subsidy program for income-eligible individuals and households, with a preference for Norfolk residents and others with Norfolk ties including municipal employees, and to authorize the Board of Selectmen to acquire affordable housing restrictions on properties purchased with the use of such funds, meeting the requirements of G.L. Chapter 44B, §12 and G.L. Chapter 184, §§ 31-33; or take any other action relative thereto.

ARTICLE 28 **Submitted by the Community Preservation Committee**
To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, an amount not to exceed \$300,000, with \$100,000 coming from the Affordable Housing reserve and \$200,000 coming from Undesignated reserves, to be transferred to the Municipal Affordable Housing Trust Fund, subject to a grant agreement between the Town and the Municipal Affordable Housing Trust, in such form as the Board of Selectmen deems appropriate, for the purpose of acquiring, creating and/or supporting community housing, and authorize the Board of Selectmen to acquire affordable housing restrictions, meeting the requirements of G.L. Chapter 44B, § 12 and G.L. Chapter 184, §§ 31-33, to ensure that property acquired using CPA funds continue to be used for affordable housing in perpetuity; to be used to create affordable housing in the Town of Norfolk; or take any other action relative thereto.

ARTICLE 29 **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.

ARTICLE 30

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 2012 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.
- (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.

ARTICLE 31

Submitted by the Library Trustees

To see if the Town will vote pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, to authorize the use of 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.

ARTICLE 32

Submitted by the Chief of Police

To see if the Town will vote pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, to authorize the use of 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 33

Submitted by the Community Preservation Committee

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, Historical Reserves, \$5,150 for the restoration of a painted plaster mural from Misty Meadow Farm painted by Emily Jacques and purchase of a descriptive plaque; or take any other action relative thereto.

ARTICLE 34

Submitted by the Board of Assessors

To see if the Town will vote to raise and appropriate or transfer from any available source of funds, an amount of \$121,000 to hire an outside vendor for measure and list services for 3,100 residential properties and for measure and list services for 140 commercial, industrial and exempt properties; or take any other action relative thereto.

ARTICLE 35

Submitted by the Town Accountant

To see if the Town will vote to accept Section 20 of Chapter 32B of the General Laws, in order to allow the establishment of a separate Trust fund to be known as an Other Post Employment Benefits Liability Trust Fund for the accumulation of funds to reduce the unfunded actuarial liability of health care and other post-employment benefits for retired employees, under the authority of the Town Administrator, and further to see if the Town will vote to appropriate a sum of money to fund such trust; or take any other action relative thereto.

ARTICLE 36

Submitted by the Board of Selectmen

To see if the Town will vote to rescind the following amount that were authorized to be borrowed, but which are no longer needed for the purpose for which they were initially approved; or take any other action relative thereto:

Date of Vote	Warrant Article	Unissued Amount	Purpose
5/12/2009	#13	\$ 175,000	Public Safety Design
5/18/2010	# 30	\$ 500,000	Solar Electricity Generating Facility

ARTICLE 37

Submitted by the DPW Director

To see if the Town will vote to allow the Water Division to transfer the sum of \$40,000 to pay costs of maintenance and repairs to the Gold Street and Spruce Road wells, from unexpended Water Department accounts; or take any other action relative thereto:

Date of Vote	Warrant Article	Amount to Transfer	Purpose
11/10/2009	#11	\$40,000	Pump testing and Well Construction

ARTICLE 38

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 39

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; or take any other action relative thereto.

ARTICLE 40

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 41

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 42

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.

TOWN OF NORFOLK
ADVISORY BOARD
ONE LIBERTY LANE
NORFOLK, MA 02056

**U.S. POSTAGE
PAID
Norfolk, MA
02056
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ECRWSS**



**POSTAL PATRON
NORFOLK, MA 02056**

ANNUAL TOWN MEETING
Tuesday, MAY 10, 2011

KING PHILIP MIDDLE SCHOOL
18 KING STREET
NORFOLK, MA 02056