



FALL SPECIAL TOWN MEETING

**November 19, 2013
7:00 p.m.**

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

INDEX
WARRANT AND RECOMMENDATIONS
FALL TOWN MEETING
NOVEMBER 19, 2013

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On behalf of the Advisory Committee, I invite you to the Special Town Meeting to be held at 7:00 PM on Tuesday, November 19, 2013 at the King Philip Middle School. The primary purpose of the meeting is Article 1, which is usually just minor interdepartmental transfers at the end of the year to deal with minor budget adjustments. However, this year our elementary schools experienced a surprisingly large increase in the number of students, which is expected to increase expenses by about \$100,000 above the amount budgeted. Among other transfers, Article 1 will ask Town Meeting to approve a transfer from free cash to cover this increase.

In addition, Article 1 will also include a transfer of approximately \$36,000 from free cash to fund increased coverage for the callback program for our fire department. At the last Town Meeting, these changes were still being worked on. This Town Meeting gives us an opportunity to implement these important changes sooner rather than later.

In addition to Article 1 the warrant also includes articles concerning:

- A change to the rules for allowing work involving construction equipment on legal holidays
- A transfer of free cash to the Stabilization Fund
- Capital expenditures, including a hot water heater for the H. Olive Day school
- Expenditures from the Community Preservation Fund for affordable housing, improvements to one of our historical properties, and a potential joint effort with the Massachusetts Audubon Society to improve the Town's recreational opportunities.

All of the articles in the warrant, along with explanations of their meaning and intent and the recommendations of the Advisory Committee, are included in the remainder of this document.

These are important issues for the Town, so please join us at Town Meeting to make your opinions known and to cast your vote. We look forward to seeing you there.

Patrick Snead

Chairman, Advisory Committee

Committee Members:

Archie Sterling, Dave Benton, Angela Wayne, Al Butters, Lisa Curl, Rick Stillman, Arthur Frontczak & Lisa Keating

Administrative Assistants:

Marian Harrington & Susan Jacobson

FALL TOWN MEETING WARRANT

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, and 3, to meet on Tuesday, the 19th day of November, 2013, at 7:00 p.m. at the King Philip Middle School, 18 King Street, Norfolk, MA 02056, for a Special Town Meeting, then and there to act on the following articles, viz:

ARTICLE 1

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.

The Advisory Committee will make its recommendation at Town Meeting.

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.

The Advisory Committee recommends indefinite postponement of this article.

ARTICLE 3

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.

No Advisory Committee recommendation is needed for this Article.

ARTICLE 4

Submitted by the Board of Selectmen

To see if the Town will vote to transfer from Free Cash, \$50,000.00 to the Stabilization Fund; or take any other action relative thereto.

The Advisory Committee recommends indefinite postponement of this article.

ARTICLE 5

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)

The Advisory Committee will make its recommendation at Town Meeting.

ARTICLE 6

Submitted by the Historical Commission

To see if the Town will vote to designate the remaining public land at Highland Lake as the Highland Grove Park to commemorate the New York and New England Excursion Park that was located there from 1875 – 1910; or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

ARTICLE 7

Submitted by the Treasurer/Collector

To see if the Town will vote to accept a deed in lieu of foreclosure from Roger Ring, and such other persons as may have an interest in a parcel of land on Walker Road, containing approximately 7,685 square feet, and shown on Assessors' Map 4 as Parcel 13-5, which parcel is subject to a tax taking held by the Treasurer for unpaid real estate taxes, as allowed by and in compliance with MGL Chapter 60, Section 77C, and to authorize the Board of Selectmen to record said deed, provided the Board of Selectmen determines that the deed and the acceptance have complied with the provisions of said statute; or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

ARTICLE 8

Submitted by the Community Preservation Committee

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, Open Space Reserve, a sum of \$46,000 for the purposes of purchasing a conservation restriction on approximately 4.3 acres of the Gray property on Marshall Street (Assessors Map 19, Lot 71-1) and constructing a parking area thereon, the expenditure of said funds to be contingent to Mass. Audubon obtaining \$96,787 in funding for the purchase of said property; or take any other action relative thereto. The Advisory Committee recommends approval of this article.

The Advisory Committee recommends approval of this article.

ARTICLE 9

Submitted by the Community Preservation Committee

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, Historic Reserve, a sum of \$12,000 to establish a formal entrance to the historic Highland Lake and Fales Memorial Park with access between 12 and 20 Main Street (Assessors Map 22, Block 7, Lot 18), including surveying, wetlands delineation, trail mapping, and parking; and to create informative sign panels at Highland Lake, City Mills, and Pondville; or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

ARTICLE 10

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 \$200,000 from the Affordable Housing reserve, to be transferred to the Municipal Affordable Housing Trust Fund, to be used to

acquire, create, preserve, and/or support affordable housing in the Town of Norfolk; or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

ARTICLE 11

Submitted by the Town Clerk

To see if the Town will vote to clarify the terms of election of constables in the Town of Norfolk to provide that, at the next annual election following expiration of the terms of office of the current incumbents, the Town shall vote to elect two constables, one of whom shall be elected for three years and the other of whom shall be elected for two years and, thereafter, each such office shall be filled by election for terms of three years, such that the terms of such two constables shall be staggered; or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

ARTICLE 12

Submitted by the Town Administrator

To see if the Town will vote to amend the Town of Norfolk General Bylaws, Article 10, Section 35, Site Work Construction Equipment, by deleting said Section 35 and replacing it as follows:

Existing Language

SECTION 35. Site Work Construction Equipment

A. No person or persons shall cause, allow or permit the operation of equipment or machinery associated with site work, construction, or demolition, or the operation of motor vehicles including dump trucks, trailer trucks, tractor units with flatbed trailers or other types of truck equipment, for the specific purpose of loading or unloading equipment, machinery or goods, materials, substances or fluids, including trash, rubbish, or recyclable collection vehicles used to collect household waste between the hours of 7 p.m. and 7 a.m., Monday through Saturday, and all hours on Sunday and State Holidays without the expressed approval of the Board of Selectmen, and the issuance of a work permit by the Chief of Police. Such regulations shall not apply to utility companies, private contractors, or municipal workers who are making emergency repairs or deliveries that maintain or restore utility and necessary services which may be under the direction of the municipality or utility company but may do so with prior notice to the Police Department.

Proposed Language

SECTION 35. Site Work Construction Equipment

A. No person or persons shall cause, allow or permit the operation of equipment or machinery associated with site work, construction, or demolition, or the operation of motor vehicles including dump trucks, trailer trucks, tractor units with flatbed trailers or other types of truck equipment, for the specific purpose of loading or unloading equipment, machinery or goods, materials, substances or fluids, including trash, rubbish,

or recyclable collection vehicles used to collect household waste between the hours of 7 p.m. and 7 a.m., Monday through Saturday, and all hours on Sunday and all hours on the following Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and Christmas, without the express approval of the Town Administrator and the issuance of a work permit by the Chief of Police. Such regulation shall not apply to utility companies, private contractors, or municipal workers who are making emergency repairs or deliveries that maintain or restore utility and necessary services under the direction of the municipality or utility company, but such work shall require prior notice to the Police Department.

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

ARTICLE 13

Submitted by the Board of Selectmen

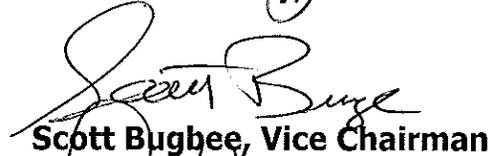
To see if the Town will vote to authorize the Board of Selectmen, in accordance with Chapter 40, Section 15 of the General Laws, to abandon, for no monetary compensation, all right, title and interest in and to two (2) certain easements, being (i) an easement created by an Agreement, dated December 4, 1979, by and between the Trustees of Lafayette Realty Trust and the Town of Norfolk, recorded with the Norfolk Registry of Deeds in Book 5688, Page 678, which Agreement references and incorporates a plan entitled "Plan of Land in Norfolk, Mass.," dated October 19, 1979, recorded with said Registry as Plan 1209 of 1979, said easement identified as "Right of Way" on the aforesaid plan; and (ii) an easement created by Grant of Easement from David P. Reilly and Kathleen M. Reilly, Trustees of the Reilly Realty Trust to the Town of Norfolk, recorded with the Norfolk Registry of Deeds in Book 31704, Page 158, which Grant of Easement references and incorporates a plan entitled "Plan of Land in Norfolk, Massachusetts," dated August 7, 2013, recorded with said Registry in Plan Book 625, Plan 29, said easement identified as "33' Wide Access Easement" on the aforesaid plan, the Board of Selectmen having determined that such easements are no longer required for public purposes; or take any other action relative thereto.

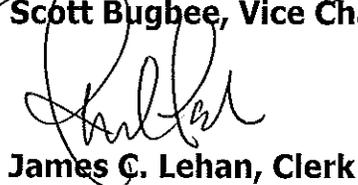
The Advisory Committee recommends approval of this article.

Hereof, fail not, but make due return of this warrant, with your doings thereon to the Town Clerk, on or before the hour of said meeting. Given under our hands and seal of the Town of Norfolk on the twenty-ninth day of October, 2013 A.D.

NORFOLK BOARD OF SELECTMEN

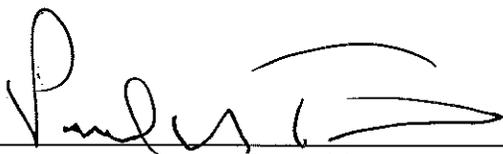

Robert J. Garrity, Chairman


Scott Bugbee, Vice Chairman


James C. Lehan, Clerk

A true copy, attest:
Town of Norfolk
Norfolk, ss

By virtue of this Warrant, I have notified and warned the legal voters of the Town of Norfolk aforesaid to meet at the time and place and for the purposes specified in said Warrant, by posting true and attested copies thereof in the Town Hall, and in at least one public place in each of the three (3) precincts, not less than fourteen (14) days at least before the date of said meeting.



Constable

11/5/13

Date