

**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 assemble in the designated polling places in the Freeman-Kennedy School, 70 Boardman Street, Norfolk, Massachusetts, on Tuesday, May 2, 2017, 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 9, 2017 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 the Town Clerk**

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

**The Advisory Committee recommends approval of this article.**

After the close of any fiscal year, no bills incurred in that year can be paid without the approval of Town Meeting. We have been advised that there are two such bills to be considered at this Town Meeting and the Advisory Committee recommends approval of the payment of both items.

**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, 2017; or take any other action relative thereto.

**The Advisory Committee will make its recommendation at Town Meeting for this article.**

All transfers between budget line items must be approved at Town Meeting. The details of the proposed transfers were still in process at the time of printing. The Town Administrator will present a list of those recommended transfers and additions to the Advisory Committee at our meeting immediately prior Town Meeting.

**ARTICLE 4**

**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, 2017; or take any other action relative thereto.

**The Advisory Committee recommends approval of this article.**

The 1.5% increase in the Compensation Schedule referenced by this article applies to a small number of Town employees who are not covered by either a union contract or an individual contract. The Advisory Committee has been informed that this proposed increase is comparable to the increases that union and contract employees are scheduled to receive this year.

**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, 2017; or take any other action relative thereto.

**The Advisory Committee recommends approval of this article.**

The proposed budget for the fiscal year ending June 30, 2018 (FY18) is \$39,132,159 and reflects an increase of approximately \$1,343,000, or 3.5%, in spending and revenue compared to the budget for the current fiscal year (FY17). The estimates for the sources of the anticipated increase in revenue are:

- 1) \$1,312,000 for real estate taxes, of which \$687,000 is attributable to the increase allowed under Proposition 2 ½, and \$575,000 is expected from new growth in FY18.
- 2) \$86,000 for increases in state aid.
- 3) \$190,000 for other miscellaneous sources, consisting of increases in motor vehicle excise taxes and changes in various other items.

The three items above total \$1,588,000. The difference of \$245,000 is a decrease in the amount of free cash utilized in the FY18 budget as compared to the FY17 budget.

The budget proposes to spend this \$1,343,000 increase as follows:

- 1) \$495,000 for the King Philip Middle and High Schools, representing a 6.3% increase in our assessment. The overall proposed budget for the King Philip Regional School District is increasing by 4.5%. This funding level would result in a level service budget for FY18. As always, our actual contribution is contingent upon the funding decisions of Wrentham and Plainville. The vagaries of the state funding allocation formula and a decrease in our enrollment percentage results in our projected assessment increase being substantially less than the other two towns. With the amount of state aid (representing about a quarter of the King Philip budget) estimated to only increase slightly, the comparable funding level that we have in our budget will be a fiscal challenge for the other two towns.
- 2) \$452,000 for Norfolk Elementary Schools, representing a 4.0% increase. The budget represents a level service budget with most of the increase for contractual staffing costs, additional spending on new state education mandates and other small cost increases.
- 3) \$204,000 for fixed costs, representing a 4.3% increase. The most significant increase was higher medical costs as well as an increase from the Norfolk County Retirement Fund for our share of employee retirement benefits.
- 4) \$148,000 for public safety, representing a 3.1% increase. This primarily represents contractual salary increases and the impact of a mid-year hire.
- 5) \$44,000 for the remaining departments and activities of the Town, including General Government, Department of Public Works, the Transfer Station, the Library and other departments. Contractual salary increases and other increases in spending have been offset by savings through various departmental initiatives and the removal of one-off or nonrecurring items in FY17 from various line items. In addition, the DPW administers a budget item included in this portion of the summary called "Shared Fixed Services." That budget item includes the Snow and Ice budget which is being held constant this year.

## **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.

**The Advisory Committee recommends approval of this article.**

This budget is voted separately from the main operating budget as the Water Division is its own enterprise fund and its sources of revenue are fees collected from the users of the Town water system.

In this Article the Town would like to transfer the sum of \$1,630,645 from The Department of Public Works Water Division revenues to the Water Enterprise Fund. The purpose of the transfer is to pay the Water Division maintenance and operating expenses for the next fiscal year. This year's budget for the Water Division is approximately \$43,000 higher than last year's budget (an increase of 2.7%). This increase consists of \$16,000 increase in salaries, a \$36,000 increase in expenses and a \$9,000 decrease in debt service. Of the total budget, about \$500,000 is debt service, and the rest is operating expenses. The user rates will remain the same.

**ARTICLE 7**

**Submitted by the Board of Selectmen**

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

**The Advisory Committee recommends approval of this article.**

This budget is voted separately from the main operating budget as the Sewer Division is its own enterprise fund and its sources of revenue are fees collected from the users of this dedicated sewer system.

In this Article the Town seeks to transfer the sum of \$125,554 from the Sewer Division of the Department of Public Works revenues to the Sewer Enterprise Fund. The purpose of this transfer is to pay the Sewer Division maintenance and operating expenses for the next fiscal year. This year's budget for the Sewer Division is about \$21,000 higher than last year's budget (an increase of 19.6%). Substantially, the increase is for the build-up of a reserve fund to offset future maintenance and improvements for the system. The user rates will remain the same.

**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 a sum of money to fund capital and other expense items; or take any other action relative thereto.

- Cash Funded Items
- Debt Funded Items
- Water Projects

**The Advisory Committee will make its recommendation at Town Meeting for this article.**

The details of the proposed capital spending were still in process at the time of printing. The Town Administrator will present a list of those recommended purchases and the

funding sources to the Advisory Committee at our meeting immediately prior Town Meeting.

**ARTICLE 9**

**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 10**

**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.

**The Advisory Committee recommends approval of this article.**

This standard article authorizes the Board of Selectmen to use the Chapter 90 funds received from the State (approximately \$390,000 this year) for the maintenance, improvement and construction of Town roads.

**ARTICLE 11**

**Submitted by the Board of Selectmen**

To see if the Town will vote to amend the general by-laws of the Town by adding a new section to establish and authorize revolving funds for use by certain Town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, § 53E½, or take any other action relative thereto.

**DEPARTMENTAL REVOLVING FUNDS**

1. Purpose. This by-law establishes and authorizes revolving funds for use by Town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E½.
2. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:
  - A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund [, except for those employed as

school bus drivers].

- B. No liability shall be incurred in excess of the available balance of the fund.
  - C. The total amount spent during a fiscal year shall not exceed the amount authorized by town meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Selectmen and Advisory Board.
3. Interest. Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.
4. Procedures and Reports. Except as provided in General Laws Chapter 44, § 53E½ and this by-law, the laws, charter provisions, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this by-law. The town accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the town accountant provides the department, board, committee, agency or officer on appropriations made for its use.
5. Authorized Revolving Funds.

The Table establishes:

- A. Each revolving fund authorized for use by a town/city department, board, committee, agency or officer,
- B. The department or agency head, board, committee or officer authorized to spend from each fund,
- C. The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the town accountant,
- D. The expenses of the program or activity for which each fund may be used,
- E. Any restrictions or conditions on expenditures from each fund;
- F. Any reporting or other requirements that apply to each fund, and
- G. The fiscal years each fund shall operate under this by-law/ordinance.

Revolving Fund	Department, Board, Committee, Agency or Officer Authorized to Spend from Fund	Fees, Charges or Other Receipts Credited to Fund	Program or Activity Expenses Payable from Fund	Restrictions or Conditions on Expenses Payable from Fund	Other Requirements - Reports	Fiscal Years
2100 - Parking Tickets	Board of Selectmen	Parking ticket receipts.	Expenses related to the collection of parking ticket violations.	Limit \$3,000		Fiscal Year 2018 and subsequent years
2101 - Snow Removal	Board of Selectmen	Fees charged for snow removal services as identified in column D.	Expenses related to snow removal including maintenance and replacement of equipment, from private property to include King Philip Regional School and subdivision roads as required by the Planning Board rules and regulations.	Limit \$20,000		Fiscal Year 2018 and subsequent years
2102 - Recreation Field Maintenance	Recreation Commission	Fees charged for this service - Field usage fees as identified in the Field Allocation Policies.	Expenses related to field maintenance materials, replacement and rental of equipment and contract labor.	Limit \$100,000		Fiscal Year 2018 and subsequent years
2103 - Conservation Timber Harvesting	Conservation Commission	Monies from timber harvesting on conservation land.	Expenses under the direction of the Conservation Commission to develop and oversee management activities and projects on Town-owned conservation land.	Limit \$5,000		Fiscal Year 2018 and subsequent years
2104 - Off-site Improvements	Planning Board	Mitigation funds required by the planning board relative to off-site improvements due to approval of subdivisions and site plans.	Expenses related to such off-site improvements.	Limit \$100,000		Fiscal Year 2018 and subsequent years
2105 - Shade Tree and Scenic Roads	Planning Board	Mitigation funds required by the Planning Board under the Shade Tree Act and Scenic Roads Act for the purchase and planting of replacement trees.	Expenses related to the purchasing and planting of trees as required.	Limit \$10,000		Fiscal Year 2018 and subsequent years

<b>Revolving Fund</b>	<b>Department, Board, Committee, Agency or Officer Authorized to Spend from Fund</b>	<b>Fees, Charges or Other Receipts Credited to Fund</b>	<b>Program or Activity Expenses Payable from Fund</b>	<b>Restrictions or Conditions on Expenses Payable from Fund</b>	<b>Other Requirements - Reports</b>	<b>Fiscal Years</b>
2106 – Wetland Hearing Application	Conservation Commission	Receive wetland hearing application fees.	Expenses related to the payment of legal advertisements for the wetland hearings.	Limit \$5,000		Fiscal Year 2018 and subsequent years
2111 – Abutters List	Board of Assessors	Receive funds required by the Board of Assessors for the processing of abutters lists.	Expenses 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		Fiscal Year 2018 and subsequent years
2112 – Police Vehicle Details	Chief of Police	Receive funds collected from charges to private parties or entities for police details involving the use of a police vehicle at construction sites.	Expenses for the express purpose of vehicle replacement within the Police Department under the Authority of the Police Chief.	Limit \$60,000		Fiscal Year 2018 and subsequent years
2115 – Community Garden Rental	Board of Selectmen	Receive funds from lot rental fees at the Community Gardens.	Expenses related to purchase goods, tools and services, including water resources, for the use of the gardeners at the community Gardens.	Limit \$5,000		Fiscal Year 2018 and subsequent years
2152 – Passports	Board of Library Trustees	Receive funds remitted for the processing of passports.	Expenses associated with processing of passports and other related purposes deemed appropriate by the Trustees.	Limit \$5,000		Fiscal Year 2018 and subsequent years
2155- Lost or Damaged Library Materials	Board of Library Trustees	Receive funds required by the Board of Library Trustees to replace or repair lost or damaged library materials.	Expenses related to replacing or repairing such lost or damaged materials.	Limit \$7,500		Fiscal Year 2018 and subsequent years

**The Advisory Committee recommends approval of this article.**

This article seeks to bring the Town into compliance with the Municipal Modernization Act of 2016 (MMA). The MMA is aimed at enhancing the partnership between the state and municipal governments, while granting more local control and encouraging fiscal efficiency.

Norfolk's use of revolving funds for various purposes is nothing new. The MMA requires that municipalities establish a by-law relative to revolving funds. This article just establishes this by-law that includes details and procedures for managing revolving funds per the MMA.

For example, the by-law creates a table that clearly sets forth the details of each revolving fund maintained by the Town, including the Department, Board, Committee, Agency or Officer authorized to spend from a specific fund, what type of expenses are payable from a fund, and restrictions or conditions on each revolving fund. Specific expenditure limits of the various funds are approved annually.

The purpose of these funds is to allow various Town boards and departments to collect revenue from sources such as program fees and mitigation funds and to pay expenses associated with the activities necessary for the collection of those fees. These sources of revenue are often relatively small, unpredictable and variable. As such, they are best handled through a revolving fund rather than through the general fund and the regular budget process. To avoid excess accumulation of funds outside of the regular budget process, balance limits are established on the amounts for each revolving fund. Any amounts received that would cause the fund balance to exceed the limit are added to the general receipts of the Town.

**ARTICLE 12**

**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.

**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 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.

**The Advisory Committee recommends approval of this article.**

**ARTICLE 14**

**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.

**The Advisory Committee recommends approval of this article.**

**ARTICLE 15**

**Submitted by Community Preservation Committee**

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 44B, Section 5 to appropriate the sum of \$20,000 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.

**The Advisory Committee recommends approval of this article.**

This standard, annual article funds the Community Preservation Committee's (CPC's) administrative and operating budget. This \$20,000 transfer covers routine CPC operating costs and expenses. Any unused amounts are automatically returned to the Community Preservation Fund at the end of the year.

**ARTICLE 16**

**Submitted by 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 FY2018 Community Preservation Fund revenues for the future appropriation of Open Space creations, acquisition and preservation; 10% from FY2018 Community Preservation Fund revenues for the future appropriation of Affordable Housing creations, preservation and support; and 10% from FY2018 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.

**The Advisory Committee recommends approval of this article.**

This standard, annual article reserves funds from the Community Preservation Act revenues equal to the state mandated minimums of 10% for Open Space, 10% for Affordable Housing, and 10% for Historic Resources. The remainder is placed in Undesignated and can be used for any allowable purpose.

**ARTICLE 17**

**Submitted by Community Preservation Committee**

To see if the Town will vote to allocate from the Community Preservation Fund, Undesignated Reserves, an amount not to exceed \$86,000 for an irrigation well and system for up to five sports fields at the Freeman Kennedy School; or take any other action relative thereto.

**The Advisory Committee recommends approval of this article.**

This well will provide irrigation for the five sports fields at the Freeman-Kennedy School which were severely impacted by the drought. Additionally, the installation of this well will remove the existing portion of the irrigation system off of the Town's water supply. Some Committee members expressed concern that another irrigation well was not the best course of action from an environmental/water usage perspective and the recommendation for approval was not unanimous.

## **ARTICLE 18**

**Submitted by Petition**

### **Noise Control**

To protect the citizens of Norfolk from excessive or unwarranted noise which disturbs, injures or degrades the quality of life or real property or endangers the reasonable quiet, comfort, repose or health or safety of the citizens of Norfolk.

#### **Definitions**

When used in this bylaw, the following definitions shall apply:

***Ambient or Background Noise Level:*** The noise level measured in the absence of the noise under investigation. For purposes of this bylaw, the Ambient or Background Noise Level is quantified as the LA90.

***Decibel (dB):*** The decibel is used to measure sound pressure level. ***Decibels "A" Weighted Scale (dBA):*** The most widely used sound level filter is the "A" weighted scale. This filter most resembles the average human hearing profile. ***LA90:*** The A-weighted sound level exceeded for 90% of the measurement period.

***LAeq:*** The A-weighted sound level which is equivalent to the total sound energy over the measurement period.

***Noise Level:*** Measured property of sound, which for the purpose of this bylaw, will be expressed in A-weighted decibels (dBA), obtained with a Type I or II sound level meter as specified under the American National Standards Institute (ANSI) standards.

***Noise Pollution:*** If the A-weighted equivalent sound level (LAeq) during the activity under investigation is 10 dB or more above the "Ambient or Background Sound Level," it shall be judged that a condition of "Noise Pollution" exists.

#### **Restrictions**

- . (1) No person owning, leasing or controlling the operation of any electronic device shall willfully or negligently permit the establishment or condition of "Noise

Pollution”.

- . (2) No person or persons shall cause, allow or permit the operation of equipment or machinery associated with site work, construction or demolition between the hours of 7:00 p.m. and 7:00 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.

### **Exemptions**

The provisions of this bylaw shall not apply to sound emitted during or associated with:

- . (1) Emergency Vehicles and Equipment – Any police, fire, ambulance or other emergency vehicle engaged in emergency related response and/or activity.
- . (2) Highway and Utility Maintenance – Necessary excavation in or repairs of bridges, streets, or highway, or any public utility installation by or on behalf of the Town of Norfolk.
- . (3) Emergency work including, but not limited to, the operation of any mechanical device, apparatus, vehicle, or equipment used in connection with an emergency.
- . (4) Snow removal performed by snow blowers, snow throwers or snow plows.
- . (5) Normal maintenance of residential property such as lawnmowers, leaf blowers, power or chain saws, or other similar equipment and machinery.
- . (6) Operation of equipment or machinery associated with site work, construction or demolition between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, or on Sundays or State holidays with expressed approval of the Board of Selectmen, and the issuance of a work permit from the Chief of Police.
- . (7) The Board of Selectmen, or designee, may give a special permit for parades and public gatherings, i.e. block party. Excessive impact or conditions resulting in “Noise Pollution” on neighboring citizens will be considered when issuing a special permit. These exemptions shall not apply if the noise is determined to exist as a result of negligent conduct or actions inconsistent with generally accepted practices.

### **Measurement of Excessive or Unwarranted Noise**

A determination that excessive or unwarranted noise exists will be made in accordance with the definition of “Noise Level”.

Noise measurements shall be made either at the closest boundary line of the noise-sensitive property or at another location on the property where the increase above the ambient sound level caused by the intruding noise source is greatest.

A determination that a condition of “Noise Pollution” exists constitutes a violation of this

bylaw.

### **Enforcement and Penalties**

The Police, Fire, Health or Inspectional Services Department, or any designee thereof, shall have power to enforce this bylaw. Any person violating the provisions of this bylaw shall be punished by a fine of \$100 for the first offense, \$200 for the second offense and \$300 for each offense thereafter. Each act, which either continues or is repeated more than one-half (1/2) hour after notice of violation, shall be a separate offense.

### **The Advisory Committee recommends indefinite postponement of this article.**

This petitioner article asks the Town to approve a revised zoning by-law related to noise. The Committee's unanimous opinion is that this article, as it is written, does not provide sufficient thoroughness detailing the restrictions and exemptions, such that many common town and resident activities are unaddressed and open to subjective interpretation. As such, the Advisory Committee considers the by-law either unenforceable as written or too subject to be actionable.

### **ARTICLE 19**

**Submitted by the Town Planner**

To see if the Town will vote to amend the Zoning Bylaws as follows:

- B-1 District: To see if the Town will vote to amend the Zoning Bylaws, Section I.7.a "Allowed Uses" by adding "CHILD CARE FACILITY" and to take any other action relative thereto.
- C-1 District: To see if the Town will vote to amend the Zoning Bylaws, Section J.7.a.1.A "Allowed Uses" by adding "CHILD CARE FACILITY" and to take any other action relative thereto.
- C-6 District: To see if the Town will vote to amend the Zoning Bylaws, Section L.7.a "Allowed Uses" by adding "CHILD CARE FACILITY" and to take any other action relative thereto.

#### **Planner's Comments:**

It has come to my attention that the land use "Child Care Facility" has not been identified in three of the zoning districts within the town Zoning Bylaw. Specifically the B-1, C-1 and C-6 districts do not have a listing for this use. Similar uses such as school and adult day care are already allowed in these districts.

The proposal above is an effort to allow this use in the town Zoning Bylaw for three zoning districts, the B-1, C-1 and C-6.

To see if the Town will vote to amend the Zoning Bylaws, L.7.a Allowed Uses, by deleting the following:

- ~~Day Care, Family Home;~~

**Planner's comments:**

In addition to the above, I would like to delete an unnecessary reference to "Day Care, Family Home" that is located in section L.7.a Allowed Uses. This use category is regulated by state law with specific criteria and limitations and is permitted in all districts as a family home daycare. Local zoning does not need to permit this use and is redundant

**The Advisory Committee recommends approval of this article.**

The article conforms definitions and provides clarifications to this section of the Zoning By-Laws. The article does not propose any substantive changes to the bylaw.

**ARTICLE 20**

**Submitted by Planning Board**

To see if the Town will vote to accept a gift of land or take by eminent domain pursuant to Chapter 79 of the General Laws and further to accept as a public way and to accept all easements, Lake Street, from station 12 + 59.27 to 42 + 82.05, as approved by the Board of Selectmen as shown on the acceptance plan dated 5/17/2013 drawn by Norfolk County Engineering Department and further to see what sum of money the Town will raise and appropriate, borrow, or transfer from available funds for damages, fees, and expenses; or take any other action relative thereto.

**The Advisory Committee recommends approval of this article.**

This article asks the voters to formally accept and indicate ownership of a portion of Lake Street. The Town has always considered this a town-owned road, but documentation is unclear and this article is meant to clarify the ownership.

**ARTICLE 21**

**Submitted by Petition**

To see if the Town will vote to: Take all necessary steps to confirm and/or receive the right to improve and pave Lake St. Norfolk, MA. Approve funds to take all necessary steps to pave the now unimproved gravel road known as Lake St. Norfolk, MA

**The Advisory Committee recommends approval of this article.**

This petitioner article asks the Town to continue the process of getting Lake Street paved. The Town approved funds for such a project in 2014, but the project has been held up in litigation. The Advisory Committee supports moving forward with the project as soon as practical.

**ARTICLE 22**

**Submitted by Petition**

**To see if the Town will vote to adopt the following resolution:**

WHEREAS, a high-pressure pipeline carrying natural gas, currently called the Q1 loop of the Access Northeast Pipeline, proposed by Spectra Energy Corporation, would run through Norfolk, Massachusetts;

WHEREAS, the Attorney General's Office of the Commonwealth of Massachusetts determined that increased gas capacity is not needed to meet the state's electric reliability needs and would be more expensive and less environmentally responsible than other available options;

WHEREAS said pipeline goes against current Massachusetts commitments to reducing greenhouse gas emissions and combating global climate change, and our state's energy challenges are better addressed through investment in energy efficiency and renewable energy solutions;

WHEREAS, in addition to the inherent risks of high pressure gas pipelines — possible ruptures, fires, explosions, and impacts to sensitive areas along the pipeline route — gas obtained through hydraulic fracturing carries additional risks and environmental burdens for communities near hydraulic fracturing sites and all along the transmission routes;

WHEREAS, there is no direct benefit to the residents of Norfolk from the proposed pipeline since the gas is not for local consumption, and the pipeline could adversely affect property values, adversely affect residents' livelihood and otherwise negatively impact the integrity of the town's rural character;

WHEREAS, the pipeline construction presents added risks and damage to the health and environment of those living near the construction corridor;

NOW, THEREFORE, BE IT RESOLVED that the Norfolk Town Meeting record its opposition to the pipeline and endorse the analysis and position of Attorney General Healey, as supported by the Regional Electric Reliability Options study; and

BE IT FURTHER RESOLVED that Norfolk Town Meeting urge Governor Baker and our State officials to oppose the pipeline and communicate said position at pertinent Department of Public Utilities hearings and to the Federal Energy Regulatory Commission; and

BE IT FURTHER RESOLVED that the Town Clerk be directed to send a copy of this resolution to Governor Charles Baker, State Senator Richard Ross, State Representative Shawn Dooley, Attorney General Maura Healey, US Senator Elizabeth Warren, US Senator Edward Markey and MA Secretary of Energy and Environmental Affairs, Matthew Beaton.

**The Advisory Committee makes no recommendation regarding this Article.**

This petitioner's article does not involve a financial matter for the Town or a zoning or town by-law change for the Town. The purpose of the article is to express a position of the Town and to compel town officials to indicate such position to various state officials and agencies.

## **ARTICLE 23**

**Submitted by Petition**

Article to Enhance resident participation in town decision-making

Whereas Norfolk Town Boards, Committees, and Officials make recommendations about warrant articles at Norfolk Town Meetings and the Town Meeting votes on the warrant articles.

Whereas at Norfolk Town Meeting warrant articles are generally considered one at a time and no motion that goes beyond the scope of a warrant article is permitted.

Whereas the format of Norfolk Town Meetings doesn't lend itself to a unified deliberation of all the issues facing the town where tradeoffs can be made between issues arising in different areas of town government which may be raised in different warrant articles or may not be raised in any warrant article.

Whereas Norfolk Town Board and Committee meetings are normally structured to have residents address the Board or Committee, rather than to collaborate with fellow residents.

Whereas Norfolk Town Board and Committee meetings are normally structured to have residents address the Board or Committee on one issue at a time, rather than on a broad combination of issues affecting various areas of town government.

Whereas there isn't a structure in place for Norfolk residents who are not members of a Town Board or Committee to deliberate about and formulate recommendations on the town budget and ideas affecting how the town is run.

Whereas a process referred to as "participatory budgeting" (see <https://www.participatorybudgeting.org/what-is-pb/> and <http://unhabitat.org/books/72-frequently-asked-questions-about-participatory-budgeting/>) has been successfully employed and very favorably received in the United States and the rest of the world. According to a narrow definition of Participatory Budgeting, residents directly control how resources (mostly financial budgets) are allocated to projects. According to a broader definition of Participatory Budgeting, it is "a mechanism (or process) through which the population decides on, or contributes to, decisions made on the destination of all or part of the available public resources." In both cases, residents brainstorm ideas, people volunteer as delegates to develop proposals based on these ideas, residents vote on proposals, and (in the narrow definition) the government then implements the top projects or (in the broader definition) the government gives serious consideration to including the top projects in their official plans. In our case, the broader definition would apply.

Whereas, through the Norfolk Town Meeting, voters already directly decide on everything on the warrant, including the entire budget. But we don't have the community brainstorming, deliberation of tradeoffs, formulation of proposals and community prioritization of the various proposals.

Therefore, we request that Norfolk Town Boards, Committees, and Officials - particularly, the Advisory Board and the Board of Selectmen (with support by the Town Administrator and the Town Moderator) collaborate to set up a process similar to and modeled on the participatory budgeting process used by the nonprofit Every Voice Engaged Foundation or a similar process (as described in the following references - but with the understanding that in Norfolk's case, a) the residents could consider and make recommendations on anything that could legitimately appear on the warrant for a Town Meeting, not only on financial issues, and b) the result of the residents' deliberations are recommendations, the Town Meeting has the final say). Such a process would involve Norfolk residents in deliberating and making decisions about the town budget and other town issues. These decisions (and the deliberations leading to them) would be publicized to the town and presented to Norfolk Town Boards, Committees, and Officials who would consider them in drafting warrant articles and in making recommendations on warrant articles. As always, the Norfolk Town Meeting would vote on the warrant articles.

## References (All these references were successfully visited on 16-Feb-2017)

Interview with Laura Richardson

<http://theagiledirector.com/article/2016/07/05/budget-games-an-interview-with-Laura-Richardson/>

Every Voice Engaged page about Participatory Budgeting

<https://everyvoiceengaged.org/solutions/budget-games/>

The San Jose City Participatory Budget Experience

[https://medium.com/@jose\\_casal/the-san-jose-city-participatory-budget-experience-b6212f1515e2#.pkou2cw8w](https://medium.com/@jose_casal/the-san-jose-city-participatory-budget-experience-b6212f1515e2#.pkou2cw8w)

Budget Games kit

<http://everyvoiceengaged.org/wp-content/uploads/2014/09/2014-BaFO-Kit-V2.zip>

Budget Games Success in Montana:

Best Way to Make City Minutiae Actually Somewhat Interesting

<http://missoulanews.bigskypress.com/missoula/best-way-to-make-city-minutiae-actually-somewhat-interesting/BestOf?oid=2061268>

San Jose Residents Play 4th Annual Budget Games

<https://conteneo.co/san-jose-residents-play-4th-annual-budget-games/>

Prioritization Results slides from San Jose priority setting sessions

<https://conteneo.co/wp-content/uploads/2015/04/San-Jose-2014-2015-Budget-Games-results.pdf>

Playing the budget game

<https://www.ft.com/content/b3a1add2-2931-11e2-9591-00144feabdc0#axzz2BUmXfZCd>

Crowdsourcing the Budget

<https://wilsoncommonsllab.org/2012/10/01/crowdsourcing-the-budget/>

Collaboration at Scale: The 2016 San José Participatory Budgeting Project

<https://info.conteneo.co/collaboration-at-scale-the-2016-san-jose-participatory-budgeting-project>

Participatory Budgeting initiative

<https://everyvoiceengaged.org/initiatives/budgeting/>

Various Participatory Budget projects

<https://www.participatorybudgeting.org/participate/>

Participatory Budgeting in Cambridge, MA

<https://www.youtube.com/watch?v=fZS48720gwg>

Participatory Budgeting in Chicago's 49th Ward

<https://www.youtube.com/watch?v=01bouQJK25Q>

Participatory Budgeting in NYC

<https://www.youtube.com/watch?v=-Z5UgsX57jg>

San Jose District 3 Participatory Budgeting Budget Delegates 1  
<https://www.youtube.com/watch?v=N81Eym5c8d0>

San Jose Budget Games (YouTube playlist)  
[https://www.youtube.com/watch?v=M4VZqAx8aTs&list=PLH4TRrioEDdtblscDI4\\_a0afjToal50M](https://www.youtube.com/watch?v=M4VZqAx8aTs&list=PLH4TRrioEDdtblscDI4_a0afjToal50M)

**The Advisory Committee recommends indefinite postponement of this article.**

While, the Advisory Committee find the idea of a participatory budgeting process worthwhile for some occasions and communities, we believe that the Town of Norfolk offers many opportunities for public input and discussion on our budgetary process and individual warrant articles. Our Boards and Committees post agenda's and have open meetings which allow residents to listen, often ask questions and allow for a period of vetting processes, prior to a warrant article being submitted. Those budgets and articles are then vetted once again before the Board of Selectmen and / or the Advisory Committee. Once again, all open meetings with potential resident input and participation. Finally, culminating in an Open Town Meeting, where the potential budget and warrant articles are once again discussed and debated by various boards, committees and participating residents. We believe that the Town's process offers many opportunities for residents to provide input and be part of any decision making efforts that benefit our community.

**ARTICLE 24**

**Submitted by the Board of Selectmen**

To see if the Town will vote to approve the Payment In Lieu Of Tax ("PILOT") agreements negotiated by the Board of Selectmen pursuant to Massachusetts General Laws Chapter 59, Section 38H with one or more renewable energy generation companies operating one or more community solar systems, including the installations at 42 Pine Street and 33 Medway Branch; or take any other action relative thereto.

**The Advisory Committee will make its recommendation at Town Meeting for this article.**

The details of the agreements were not available at the time of printing. The Town Administrator will review any such agreements with the Advisory Committee at our meeting immediately prior Town Meeting.