

Norfolk Records
Annual Town Meeting May 11, 2004

Pursuant to a warrant dated March 8, 2004, signed by Joyce E. Terrio, John J. McFeeley, and Ramesh Advani, Selectmen of Norfolk, the inhabitants of Norfolk qualified to vote in elections and town affairs met in the King Philip Senior High School, 201 Franklin Street, Wrentham, MA on Tuesday, May 11, 2004, at 7:30 PM in the evening, there and then to act on the following articles. The meeting was called to order at 7:40PM by Moderator Frank J. Gross who introduced the Town Clerk, Assistant Town Clerk, Finance Director, Town Administrator, Town Counsel, members of the Board of Selectmen and the Advisory Board Chairman, who then introduced the members of the Board. There were 141 registered voters in attendance. Sworn counters were Paul Muliero, Thomas Gilbert and Robert Nicodemus.

The playing of the National Anthem by Charles Stacy of Wrentham was followed by the singing of America the Beautiful by Georgia Jones of Norfolk

Kim Williams, Chair of the Norfolk School Committee, introduced the new School Superintendent, Ms. Augusta-Shaw.

Senator Scott Brown spoke briefly on State issues.

The Moderator suspended the Annual Town Meeting at 7:50PM to return to the Special Town Meeting.

The Moderator resumed the Annual Town Meeting at 7:52PM.

Mr. Gross announced that a Memorial Day Celebration was planned for May 31, 2004 beginning with a parade down Main St. to the Norfolk Cemetery, and that the Lions Club would be sponsoring Norfolk Community Day on Saturday, June 12, 2004 at the Holmes Transportation Complex.

APPROVED BY VOICE VOTE to waive the reading of the Warrant and the return of the Warrant.

ARTICLE 1

Article 1 was the Annual Election of town officers which took place on Tuesday, May 4, 2004.

ARTICLE 2

The Advisory Board moved and seconded to amend the Town of Norfolk Personnel Bylaw Section X. COMPENSATION PLAN, subsection A, COMPENSATION SCHEDULE by applying a general one-half percent (.5%) increase to all Steps on the COMPENSATION SCHEDULE effective July 1, 2004.

Mr. Wildman moved and it was seconded to amend the motion by changing the increase to one percent (1%) and by replacing the existing compensation schedule B with the new compensation schedule B-4A.

The amended motion passed but was defeated as the main motion on a counted vote, 43 YES to 44 NO.

APPROVED BY VOICE VOTE to reconsider Article 2.

APPROVED BY VOICE VOTE to amend the Town of Norfolk Personnel Bylaw Section X. COMPENSATION PLAN, subsection A, COMPENSATION SCHEDULE by applying a general one-half percent (.5%) increase to all Steps on the COMPENSATION SCHEDULE effective July 1, 2004.

ARTICLE 3

APPROVED BY VOICE VOTE to Indefinitely Postpone Article 3.

(reclassify the Information Technology position)

ARTICLE 4

APPROVED BY VOICE VOTE to amend the Town of Norfolk Personnel Bylaws Section IX ADMINISTRATION OF THE SALARY CLASSIFICATION PLAN, Subsection C. GRADE SCHEDULE by reclassifying the Assessing Technician position from Grade 4 to Grade 5 effective July 1, 2004.

ARTICLE 5

APPROVED BY UNANIMOUS 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 to authorize any board or committee to employ its members for additional salary or compensation, and to fix the salary or compensation thereof for the year commencing July 1, 2004: Moderator - \$1.00, Selectmen – 3 members at \$200.00 each - \$600.00, Assessors – 3 members at \$200.00 each - \$600.00, Planning Board – 5 members at \$200.00 each - \$1,000.00, Board of Health – 3 members at \$200.00 each - \$600.00, Water Commissioners – 3 members at \$200.00 each - \$600.00 and Town Clerk - \$52,000.00; and further the Advisory Board recommended and the Town voted unanimously to raise and appropriate \$22,808,503.00, transfer \$135,000.00 from Ambulance Receipts Reserved for Appropriation, transfer \$15,000 from Cemetery Receipts, transfer \$20,000.00 from Workers Compensation Trust, transfer \$40,000 from Overlay Reserve, transfer \$548,584.00 from Water Revenues and Retained Earnings, and transfer \$428,241.00 from Free Cash, to defray the departmental and incidental expenses of the Town not otherwise provided for, for the fiscal year commencing July 1, 2004.

The Moderator explained the procedure to be followed for consideration of the Omnibus Budget. The Budget would be read in its entirety. During the budget reading, holds would be called. On conclusion of all discussion, a vote would be taken on all items.

Town of NORFOLK	FY04 Original Budget	FY04 Original + Transfers	FY05 Level Service
GENERAL GOVERNMENT			
Moderator			
Salary	\$1.00	\$1.00	\$1.00
Expense	\$210.00	\$210.00	\$210.00
Total	\$211.00	\$211.00	\$211.00

Selectmen	Salary	\$160,722.00	\$160,722.00	\$166,266.89
	Expense	\$25,001.00	\$30,001.00	\$29,326.00
	Committee Funds	\$1.00	\$1.00	\$1.00
	Total	\$185,724.00	\$190,724.00	\$195,593.89
Advisory	Salary	\$5,152.00	\$5,152.00	\$5,304.39
	Expense	\$6,150.00	\$6,150.00	\$6,150.00
	Reserve Fund	\$25,000.00	\$25,000.00	\$25,000.00
	Total	\$36,302.00	\$36,302.00	\$36,454.39
Municipal Finance	Salary	\$383,533.00	\$375,533.00	\$392,991.74
	Expense	\$77,954.00	\$114,954.00	\$73,400.00
	Audit	\$13,750.00	\$13,750.00	\$27,000.00
	Total	\$475,237.00	\$504,237.00	\$493,391.74
Board of Assessors	Salary	\$600.00	\$600.00	\$600.00
	Expense	\$1,500.00	\$1,500.00	\$1,500.00
	Total	\$2,100.00	\$2,100.00	\$2,100.00
Town Counsel	Litigation	\$23,120.00	\$29,016.41	\$29,016.41
	Retainer Fees	\$26,880.00	\$26,880.00	\$26,880.00
	Total	\$50,000.00	\$55,896.41	\$55,896.41
Personnel Board	Salary	\$4,350.00	\$4,350.00	\$4,482.30
	Expense	\$1,470.00	\$1,470.00	\$1,800.00
	Total	\$5,820.00	\$5,820.00	\$6,282.30
IT Coordinator	Salary	\$0.00	\$0.00	\$0.00
	Expense	\$55,100.00	\$55,100.00	\$73,699.00
	Total	\$55,100.00	\$55,100.00	\$73,699.00
Computer Comm	Expense	\$1.00	\$1.00	\$1.00
	Total	\$1.00	\$1.00	\$1.00
Tax Title/Foreclosure	Expense	\$10,000.00	\$10,000.00	\$10,000.00
	Total	\$10,000.00	\$10,000.00	\$10,000.00
Town Hall	Expense	\$123,368.00	\$123,368.00	\$148,300.00
	Total	\$123,368.00	\$123,368.00	\$148,300.00
Facilities Management	Salary		\$34,600.80	\$37,763.19
	Expense		\$0.00	\$3,000.00
	Total	\$0.00	\$34,600.80	\$40,763.19

Town Clerk				
	Salary	\$70,921.00	\$70,921.00	\$83,278.62
	Expense	\$3,000.00	\$3,000.00	\$3,600.00
	Total	\$73,921.00	\$73,921.00	\$86,878.62
Elections				
	Salary	\$5,740.00	\$5,740.00	\$8,610.00
	Expense	\$9,652.00	\$9,652.00	\$14,710.00
	Special Election Expense	\$0.00	\$0.00	
	Total	\$15,392.00	\$15,392.00	\$23,320.00
Voter Registration				
	Salary	\$8,071.00	\$8,071.00	\$8,387.00
	Expense	\$4,200.00	\$4,200.00	\$4,500.00
	Total	\$12,271.00	\$12,271.00	\$12,887.00
Conservation				
	Salary	\$23,562.00	\$23,562.00	\$23,782.32
	Expense	\$1,620.00	\$1,620.00	\$4,321.00
	Total	\$25,182.00	\$25,182.00	\$28,103.32
Planning Board				
	Salary	\$44,460.00	\$44,460.00	\$44,790.87
	Expense	\$40,000.00	\$40,000.00	\$43,000.00
	Total	\$84,460.00	\$84,460.00	\$87,790.87
Zoning Board of Appeals				
	Salary	\$22,985.00	\$22,985.00	\$23,649.66
	Expense	\$1,861.00	\$1,861.00	\$3,360.00
	Total	\$24,846.00	\$24,846.00	\$27,009.66
Engineering				
	Expense	\$950.00	\$950.00	\$950.00
	Total	\$950.00	\$950.00	\$950.00
Permanent Building Committee				
	Salary	\$7,697.00	\$7,697.00	\$8,025.93
	Expense	\$450.00	\$450.00	\$500.00
	Total	\$8,147.00	\$8,147.00	\$8,525.93
Town Reports				
	Expense	\$3,000.00	\$3,000.00	\$3,000.00
	Total	\$3,000.00	\$3,000.00	\$3,000.00
	<u>Total General Government</u>	<u>\$1,192,032.00</u>	<u>\$1,266,529.21</u>	<u>\$1,341,158.32</u>

PUBLIC SAFETY

Police				
	Salary	\$1,277,212.00	\$1,277,212.00	\$1,315,484.00
	Expense	\$91,398.00	\$91,398.00	\$91,398.00
	Total	\$1,368,610.00	\$1,368,610.00	\$1,406,882.00

Fire & Ambulance				
	Salary	\$545,756.00	\$570,756.00	\$657,162.00
	Expense	\$51,717.00	\$51,717.00	\$68,540.00
	Tuition & Training	\$20,000.00	\$20,000.00	\$24,175.00
	Total	\$617,473.00	\$642,473.00	\$749,877.00
Building Dept				
	Salary	\$183,590.00	\$148,552.00	\$152,703.76
	Expense	\$5,910.00	\$5,910.00	\$6,860.00
	Total	\$189,500.00	\$154,462.00	\$159,563.76
Weights & Measure				
	Salary	\$579.00	\$579.00	\$579.00
	Expense	\$31.00	\$31.00	\$31.00
	Total	\$610.00	\$610.00	\$610.00
Emergency Management				
	Salary	\$647.00	\$647.00	\$647.00
	Expense	\$1,009.00	\$2,009.00	\$1,009.00
	Total	\$1,656.00	\$2,656.00	\$1,656.00
Animal Inspector				
	Salary	\$2,036.00	\$2,036.00	\$2,046.18
	Expense	\$200.00	\$200.00	\$200.00
	Total	\$2,236.00	\$2,236.00	\$2,246.18
Animal Control				
	Salary	\$14,354.00	\$14,354.00	\$33,678.56
	Expense	\$1,973.00	\$1,973.00	\$3,305.00
	Total	\$16,327.00	\$16,327.00	\$36,983.56
Fire/Police Comm				
	Salary	\$178,978.00	\$178,978.00	\$177,018.69
	Expense	\$5,017.00	\$5,017.00	\$5,047.00
	Total	\$183,995.00	\$183,995.00	\$182,065.69
Fire/Police Station				
	Expense	\$46,065.00	\$46,065.00	\$52,765.00
	Total	\$46,065.00	\$46,065.00	\$52,765.00
	<u>Total Public Safety</u>	<u>\$2,426,472.00</u>	<u>\$2,417,434.00</u>	<u>\$2,592,649.19</u>
EDUCATION				
	Norfolk Elementary	\$8,307,798.00	\$8,307,798.00	\$8,589,399.00
	King Philip Regional (Operating)	\$3,552,433.00	\$3,552,433.00	\$3,809,520.00
	King Philip Regional (Excluded Debt)	\$135,756.00	\$135,756.00	\$294,962.00
	King Philip Total	\$3,688,189.00	\$3,688,189.00	\$4,104,482.00

Tri-County		\$182,764.00	\$182,764.00	\$243,748.00
<u>Total Education</u>		<u>\$12,178,751.00</u>	<u>\$12,178,751.00</u>	<u>\$12,937,629.00</u>
PUBLIC WORKS				
Highway				
Salary		\$419,801.00	\$419,801.00	\$431,333.62
Expense		\$172,551.00	\$172,551.00	\$194,971.00
Road Maintenance		\$307,500.00	\$307,500.00	\$314,573.00
Total		\$899,852.00	\$899,852.00	\$940,877.62
Town Vehicle Fuel				
Expense		\$50,307.00	\$50,307.00	\$55,741.00
Total		\$50,307.00	\$50,307.00	\$55,741.00
Snow & Ice				
Expense		\$123,647.00	\$123,647.00	\$123,647.00
Total		\$123,647.00	\$123,647.00	\$123,647.00
Grounds Maint				
Salary		\$92,203.00	\$92,203.00	\$96,076.73
Expense		\$10,085.00	\$10,085.00	\$35,717.00
Total		\$102,288.00	\$102,288.00	\$131,793.73
Transfer Station				
Salary		\$144,320.00	\$144,320.00	\$157,912.61
Expense		\$149,679.00	\$149,679.00	\$165,540.00
Total		\$293,999.00	\$293,999.00	\$323,452.61
Landfill				
Expense		\$72,732.00	\$72,732.00	\$74,366.00
Total		\$72,732.00	\$72,732.00	\$74,366.00
Septage Assessment				
Expense		\$2,600.00	\$2,600.00	\$2,600.00
Total		\$2,600.00	\$2,600.00	\$2,600.00
Cemetery Commission				
Salary		\$13,786.00	\$13,786.00	\$13,416.00
Expense		\$10,222.00	\$10,222.00	\$10,502.00
Total		\$24,008.00	\$24,008.00	\$23,918.00
Custodian of Veteran Graves				
Salary		\$663.00	\$663.00	\$663.00
Expense		\$1,625.00	\$1,625.00	\$1,655.00
Total		\$2,288.00	\$2,288.00	\$2,318.00
Street Lighting				
Expense		\$35,435.00	\$35,435.00	\$35,435.00
Total		\$35,435.00	\$35,435.00	\$35,435.00
Tree Warden				
Salary		\$2,421.00	\$2,421.00	\$2,343.66
Expense		\$23,290.00	\$23,290.00	\$23,984.00
Shade Tree Salary		\$0.00	\$0.00	
Total		\$25,711.00	\$25,711.00	\$26,327.66

Shade Tree				
	Expense	\$1.00	\$1.00	\$3,800.00
	Total	\$1.00	\$1.00	\$3,800.00
	<u>Total Public Works</u>	<u>\$1,632,868.00</u>	<u>\$1,632,868.00</u>	<u>\$1,744,276.62</u>
HUMAN SERVICES				
Board of Health				
	Salary	\$40,607.00	\$40,607.00	\$40,807.04
	Expense	\$40,503.00	\$40,503.00	\$41,643.00
	Total	\$81,110.00	\$81,110.00	\$82,450.04
Special Programs				
	MAY Mental Health	\$6,650.00	\$6,650.00	\$7,315.00
	SNCARC	\$4,025.00	\$4,025.00	\$4,025.00
	Total	\$10,675.00	\$10,675.00	\$11,340.00
Council on Aging				
	Salary	\$84,985.00	\$84,985.00	\$89,548.52
	Expense	\$40,849.00	\$40,849.00	\$44,598.00
	Total	\$125,834.00	\$125,834.00	\$134,146.52
Veteran's Services				
	Salary	\$5,250.00	\$5,250.00	\$5,250.00
	Expense	\$3,000.00	\$3,000.00	\$3,000.00
	Total	\$8,250.00	\$8,250.00	\$8,250.00
	<u>Total Human Services</u>	<u>\$225,869.00</u>	<u>\$225,869.00</u>	<u>\$236,186.56</u>
CULTURE AND RECREATION				
Library				
	Salary	\$273,395.00	\$273,395.00	\$280,970.87
	Expense	\$113,614.00	\$113,614.00	\$121,572.00
	Total	\$387,009.00	\$387,009.00	\$402,542.87
Recreation				
	Salary	\$51,223.00	\$51,223.00	\$53,811.72
	Expense	\$2,412.00	\$2,412.00	\$2,350.00
	Total	\$53,635.00	\$53,635.00	\$56,161.72
Historical Commission				
	Expense	\$323.00	\$323.00	\$323.00
	Total	\$323.00	\$323.00	\$323.00
Memorial Day				
	Expense	\$525.00	\$525.00	\$525.00
	Total	\$525.00	\$525.00	\$525.00
Veteran's Day				
	Expense	\$0.00	\$0.00	\$2,500.00
	Total	\$0.00	\$0.00	\$2,500.00
	<u>Total Culture & Rec.</u>	<u>\$441,492.00</u>	<u>\$441,492.00</u>	<u>\$462,052.59</u>

FIXED COSTS

Employee Benefits	\$1,583,628.00	\$1,538,628.00	\$1,717,712.60
Building/Liability Insurance	\$236,422.00	\$236,422.00	\$260,064.21
Debt Service	\$2,083,327.00	\$2,083,327.00	\$2,098,082.00
MUNIS	\$0.00	\$0.00	\$58,550.00
<u>Total Fixed Costs</u>	<u>\$3,903,377.00</u>	<u>\$3,858,377.00</u>	<u>\$4,134,408.81</u>
<u>TOTAL OPERATING BUDGET</u>	<u>\$22,000,861.00</u>	<u>\$22,021,320.21</u>	<u>\$23,448,361.09</u>
Reserve for Abatements	\$80,000.00	\$80,000.00	\$80,000.00
State Assessments/Offsets	\$465,000.00	\$465,000.00	\$488,250.00
<u>TOTAL GENERAL FUND</u>	<u>\$22,545,861.00</u>	<u>\$22,566,320.21</u>	<u>\$24,016,611.09</u>

ARTICLE 6

APPROVED BY VOICE VOTE to transfer the sum of \$549,537 from Water Department Revenue and Retained Earnings to fund the Water Department maintenance and operating expenses for the fiscal year commencing July 1, 2004 as follows:

Salaries	\$205,100
Expenses	<u>\$344,437</u>
Total Water Department	\$549,537

ARTICLE 7

7.1 APPROVED BY UNANIMOUS VOTE to transfer \$191,276 from Fiscal Year 2004 Prison Mitigation Funds and transfer \$191,276 from Fiscal Year 2005 Prison Mitigation Funds and transfer \$19,406 from Free Cash to fund the following Capital Budget for the fiscal year commencing July 1, 2004.

Item	Department	Project or Acquisition Description	FY 2005 Funded
1	Building Department	Exterior painting of Town Hall*	55,000
2	Building Department	NSTAR electrical improvements	14,538
3	Fire	Ventilation fan	1,500
4	Highway - Building	Complete building expansion	21,407
5	Highway - Vehicles	4x4 1-ton dump truck	46,700
6	IT	Computer Phase In	15,068
7	IT	Police Mobile Laptops	26,369
8	KP Schools	Annual Capital Request	3,861
9	Norfolk Schools	Installation of building perimeter safety equipment for the H. Olive Day School	39,000
10	Norfolk Schools	Replacement of carpeting at H. Olive Day School*	50,655
11	Police	Bullet proof vest replacement	3,560
12	Police	Replace cruiser #2	30,000
13	Police	Replace cruiser #1	30,000
14	Police/Fire Station	Site and building feasibility study	20,000

15	Recreation	Backstop for Pond Street complex	8,000
16	Recreation	Pond Street complex master plan study	3,300
17	Town Clerk	Retro fit voting machines	5,000
18	Town Clerk	Refurbish town seal*	1,000
19	Town Clerk	Touch screen voting machines	7,000
20	Norfolk Schools	Septic Engineering	20,000
		TOTAL CAPITAL BUDGET	\$ 401,958

7.2 APPROVED BY UNANIMOUS VOTE to appropriate the sum of \$137,000 for the purpose of paying costs of acquiring a Roll Off Truck and a Collection/Delivery Truck or their equivalent for the use of the Transfer Station, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7(9) of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore.

7.3 APPROVED BY UNANIMOUS VOTE to appropriate the sum of \$340,000 for the purpose of paying costs of acquiring a new fire truck, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7(9) of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore.

7.4 APPROVED BY UNANIMOUS VOTE to appropriate the sum of \$235,000 for the planning and construction of the U.S. EPA NPDES Phase II Storm Water Regulation and Control Project including, without limitation, all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c. 78: that to meet this appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow \$235,000 and to issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c. 78: That such bonds or notes shall be general obligations of the Town unless the treasurer with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c. 78; that the Treasurer with the approval of the Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, C. 78, and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out this project.

At 10:55PM the Town Clerk made a motion to adjourn the meeting to 7:30PM on Thursday, May 13, 2004 at the King Philip High School. The motion passed unanimously.

The second session of the Annual Town Meeting was called to order by the Moderator at 7:30PM on May 13, 2004. There were 101 registered voters in attendance. Sworn counters were D. Robbins, D. Wildman, R. Nicodemus, and G. Cronin.

ARTICLE 8

APPROVED BY VOICE VOTE to Indefinitely Postpone Article 8.

(Unpaid bills of a prior year).

The Moderator suspended the Annual Town Meeting at 8:00PM to return to the Special Town Meeting.

The Moderator resumed the Annual Town Meeting at 8:26PM.

ARTICLE 9

APPROVED BY UNANIMOUS VOTE to transfer from

Account Number	Department	Amount
	Free Cash	\$202,601.50
24.5955.3055	Ambulance Fund	\$75,000.00
01.5913.1750	State / County Retirement	\$35,000.00
01.5710.9148	Underground Utility Temp Debt	\$20,000.00
01.5299.8578	P/F Station Office Furniture 99 ATM	\$19.25
01.5299.8587	P/F Station Dictaphone 96 TM	\$6,097.18
01.5424.1100	Grounds Maintenance / Salaries	\$3,500.00
01.5420.8162	Highway/Brush Chipper Replacement ATM03 #8	\$4,135.80
25.5450.1100	Water Department Salaries	\$50,000.00
25.5450.2030	Water Department Purchase Water	\$4,000.00
25.5450.4300	Water Department Projects	\$4,000.00
		\$404,353.73

to:

01.5151.3090	Town Counsel - Legal Fees	\$159,687.01
01.5220.1100	Fire Department Salaries	\$75,000.00
01.5193.7400	Building & Liability Insurance	\$19,806.64
01.5913.1731	Employee Assistance	\$2,110.00
01.5423.4010	Snow & Ice	\$76,775.08
01.5162.4027	Special Elections (STM)	\$590.00
01.5122.4034	Selectmen - STM Expenses	\$885.00
01.5159.4215	Town Hall Expenses	\$5,000.00
01.5420.3060	Highway/Engineering	\$3,500.00
01.5299.4800	Fire/Police Dispatch Fuel & Utilities	\$3,000.00
25.5450.4010	Water Department Expenses	\$58,000.00
		\$404,353.73

ARTICLE 10

APPROVED BY VOICE VOTE to Indefinitely Postpone Article 10.

(legal settlement between the Norfolk School Department and a parent)

ARTICLE 11

APPROVED BY VOICE VOTE to Indefinitely Postpone Article 11.

(purchase of a fire engine truck)

ARTICLE 12

APPROVED BY UNANIMOUS VOTE under Article 12 to reauthorize the following revolving funds pursuant to Massachusetts General Laws, Chapter 44, Section 53E1/2 for Fiscal Year 2005 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: \$5000); 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: \$5000); 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 Town Clerk to receive funds required by the Town Clerk for the processing of passports, to be expended under the direction of the Town Clerk for postage expenses associated with the processing of passports (limit: \$1,000); or take any other action relative thereto.

ARTICLE 13

APPROVED BY VOICE VOTE to authorize the Board of Selectmen to accept any monies received through grants applied for by various Town Departments or Boards.

ARTICLE 14

APPROVED BY VOICE VOTE to authorize the Board of Selectmen to acquire by gift, purchase or otherwise, such easement 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.

ARTICLE 15

APPROVED BY VOICE 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.

ARTICLE 16

APPROVED BY VOICE 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.

ARTICLE 17

APPROVED BY VOICE VOTE to accept all State and Federal Grants and reimbursements for the Water Department 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.

ARTICLE 18

APPROVED BY VOICE VOTE to transfer the sum of \$302,482.00 for water main extension associated with the Mill River Well Site and for the purpose of protecting, preserving and enhancing the availability, delivery and quality of the Town's water supply from unexpended Water Department accounts as follows:

- 25.8292 – Water Source Engineering, Article 11 of 1998 - \$30,000.00
- 25.8560 – Spruce Road Pump Station, Article 34 of 1994 - \$38,542.79
- 25.8602 – Rockwood Road Water Main Extension, Article 5 of 1996 - \$976.16
- 25.8608 – Water Treatment Facility, Article 6 of 2000 - \$431.03
- 25.8623 – Town Revitalization-Water, Article 7 of 2001 - \$36,895.10
- 25.8757 – Pond Street Water Main, Article 11 of 2001 - \$195,636.92

ARTICLE 19

APPROVED BY VOICE VOTE to appoint the following committees:

Arts Council – 9 members

ADA Compliance Committee – 5 members plus Town Administrator, ex-officio and non-voting

Insurance Advisory Committee – 5 members

Recycling/Solid Waste Advisory Committee – 5 members and Highway Superintendent, ex-officio and non-voting.

Zoning Bylaw Study Committee – 7 members appointed as follows: two members appointed by the Board of Selectmen, and one member or designee each appointed by the Planning Board, Board of Health, Conservation Commission, Zoning Board of Appeals and Building Department, and Town Counsel, ex-officio and non-voting.

Corrections Advisory Committee – 3 members

Economic Development Committee – 5 members appointed jointly by the Board of Selectmen and the Planning Board.

Open Space Committee – 5 members as follows: one member to be a member or designee of the Recreation Commission, one member to be a member or designee of the Conservation Commission, one member to be a member or designee of the Planning Board, and two others to be appointed jointly by the Planning Board and Conservation Commission.

Personnel Study Committee – A special committee consisting of 5 members to review the Norfolk personnel system and make recommendations to the Selectmen and Town Meeting. One member to be appointed by the Moderator, two members to be appointed by the Personnel Board, and two members to be appointed by the Board of Selectmen. This Committee will report its findings to the Special Town Meeting on October 26, 2004.

Shade Tree Bylaw Study Committee – 5 members

ARTICLE 20

APPROVED BY UNANIMOUS VOTE to accept the provisions of MGL Chapter 60, Section 3C to establish an Education Fund to benefit the Norfolk Elementary Schools, and to allow the Treasurer-Collector to include with the real estate tax bills, by inclusion on the form or by separate enclosure, an invitation to pledge or donate funds to such fund as permitted by said Section 3C. Expenditures from the Elementary Education Fund may be made without appropriation for the purposes set forth in said Section 3C by a Board consisting of the Superintendent of Elementary Schools, and no fewer than four residents of Norfolk, appointed by the Board of Selectmen to serve a term of no more than three years.

ARTICLE 21

APPROVED BY UNANIMOUS VOTE pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the sum of \$25,000.00 from the Community Preservation Fund for the purpose of funding an administrative and operating budget for the Community Preservation Committee.

ARTICLE 22

APPROVED BY UNANIMOUS VOTE pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate an amount not to exceed \$15,000.00 from the Community Preservation Fund from the funds allocated for Historical use for the purpose of completing an Architectural and Historical Survey for the Town of Norfolk.

ARTICLE 23

APPROVED BY UNANIMOUS VOTE to allocate from the Community Preservation Fund an amount not to exceed \$100,000.00 to fund an affordable housing down payment assistance program for Norfolk residents and others with Norfolk ties including municipal employees.

ARTICLE 24

APPROVED BY VOICE VOTE to Indefinitely Postpone Article 24.

(to amend Section II of the Personnel Bylaws, "Administrative Authority of the Personnel Board," by adding at the end thereof the following subsection II. C. MANAGEMENT PERSONNEL)

ARTICLE 25

APPROVED BY VOICE VOTE to Indefinitely Postpone Article 25.

(to amend Article VII of the Town Bylaw by adding a new Section 6, Tree Protection Bylaw.)

ARTICLE 26

APPROVED BY VOICE VOTE to Indefinitely Postpone Article 26.

(acquire a parcel of land located off Rockwood Road, Juniper Lane and Village Green)

ARTICLE 27

The Advisory Board moved and it was seconded to Indefinitely Postpone Article 27.

Mr. Harrington made a substitute motion and it was seconded to amend the Zoning Map of the Town of Norfolk, as most recently amended and on file in the Office of the Town Clerk, by changing the use district classification of the following parcels of land from use District R.1 to use District R-3: (i) a parcel of land bordered by Rockwood Road, Boardman Street, Juniper Lane, Bigelow Place, Old Colony Drive, Stanhope Drive and Village Green, reference Assessor's Map 15, Block 54, Lot 87, containing 38 acres more or less, as described in Book 2067, Pages 501 and 502 of the Norfolk County Registry of Deeds; (ii) a parcel of land bordered by Stanhope Drive and Old Colony Drive, reference Assessor's Map 15, Block 54, Lot 116 containing 6.28-acres more or less as described in Book 9022, p. 603 of the Norfolk County Registry of Deeds; and (iii) a parcel of land bordered by Stanhope Drive and Old Colony Drive, reference Assessor's Map 15, Block 54, Lot 115 containing 3.99 acres more or less as described in Book 8267, Page 621 of the Norfolk County Registry of Deeds, in order to directly connect the foregoing three contiguous parcels with the existing R-3 use district adjoining the third aforesaid parcel.

The substitute motion was defeated on a counted vote of 44 Yes, 57 No.

The main motion to Indefinitely Postpone Article 27 was then **APPROVED BY 2/3 VOTE** called by the Moderator.

At 10:45PM the Town Clerk made a motion to adjourn the meeting to 7:30PM on Tuesday May 18, 2004 at the King Philip High School. The motion passed unanimously.

The third session of the Annual Town Meeting was called to order by the Moderator at 7:35PM on May 18, 2004. There were 72 registered voters in attendance.

ARTICLE 28

APPROVED BY UNANIMOUS VOTE to amend Section B. Definitions of the Zoning Bylaw by adding the following phrase to the end of the definition of "FOOTPRINT":

"and loading docks and receiving areas, whether or not enclosed."

ARTICLE 29

APPROVED BY 2/3 VOTE called by the Moderator to amend Section F.7.m of the Zoning Bylaw by deleting the last sentence and replacing it with the following:

"A grassed or landscaped bumper strip at least three feet wide shall be provided between facing rows of parking spaces, unless the Planning Board approves an alternative landscaping approach with the same or more landscaped area."

ARTICLE 30

APPROVED BY UNANIMOUS VOTE to amend Section I.4.b.2 of the Zoning Bylaw by amending the first sentence of Subsection (A) to read as follows:

"(A) BUILD-TO LINE: Any distance between six (6) and nineteen (19) feet from, and parallel with, the Frontage line(s) of the lot as approved by the Planning Board as part of a comprehensive streetscape plan based on existing or planned buildings on lots within the same block on both sides of the street."

Subsection (A.)1 shall remain unchanged.

ARTICLE 31

APPROVED BY UNANIMOUS VOTE pursuant to Chapter 82, section 23 of the Massachusetts General laws, the modification of the layout of Spruce Road to widen said way to include a 3118+/- square foot portion of land located at #4 Spruce Road in the R-3 Zoning District, reference Norfolk Assessor's Map 12, Block 62, Lot #2A in conjunction with the development of the Spruce Acres Subdivision, said parcel being shown as "Parcel A" on a Plan of Land entitled "Plan of Land Norfolk, Norfolk County, Massachusetts" prepared by GLM Engineering, dated November 10, 2003, Scale 1" = 40', a copy which is on file in the office of the Planning Board; and further to authorize the Board of Selectmen to acquire said Parcel A by gift or by eminent domain pursuant to Chapter 79 of the Massachusetts General laws, for no damages.

ARTICLE 32

APPROVED BY 2/3 VOTE called by the Moderator under Article 32 to amend the Zoning Bylaws of the Town of Norfolk, Section F.7.e., as follows:

By revising the current bylaw which reads:

Section F.7.e.:

In the Business 1 through Business 4 and Commercial 1 through Commercial 6 districts, PARKING AREAS shall be located in the rear YARD or side YARD of STRUCTURES and not in the front YARD of such STRUCTURES, unless otherwise authorized by Special Permit issued by the Zoning Board of Appeals.

To read as follows:

Section F.7.e.:

In the Business 1 through Business 4 and Commercial 1 through Commercial 6 districts, PARKING AREAS shall be located in the rear YARD or side YARD of STRUCTURES and not in the front YARD of such STRUCTURES, unless otherwise authorized by Special Permit issued by the Zoning Board of Appeals.

Notwithstanding the provisions of Section F.7.e. above, PARKING AREAS of a Municipal BUILDING which is used as a library, may be located in the front YARD as a matter of right.

ARTICLE 33

APPROVED BY UNANIMOUS VOTE to accept a gift of land or take by eminent domain pursuant to Chapter 79 of the Massachusetts General Laws and further to accept as a public way, a 3118 +/- square feet portion of land located at #4 Spruce Road in the R-3 Zoning District, reference Norfolk Assessors Map 12, Block 62, Lot # 2A to widen the public right of way for offsite improvements in conjunction with the development of the Spruce Acres Subdivision, as shown on the plan entitled "Plan of Land Norfolk Massachusetts" drawn by GLM Engineering Consultants, Inc. of Holliston Massachusetts, dated November 10, 2003.

ARTICLE 34

APPROVED BY UNANIMOUS VOTE to appropriate to the Stabilization Fund, established pursuant to the provisions of Massachusetts General Laws, Chapter 40, Section 5(b) an amount equal to the difference between the amount the Town is authorized to levy for fiscal year 2005 Real Estate and Personal Property Taxes and the sum of all amounts so levied excepting said appropriations, it being the intent of this Town Meeting for these purposes to use its authority to appropriate such sums as will levy taxes to the maximum limit authorized by proposition 21/2, so called, for fiscal year 2005.

ARTICLE 35

APPROVED BY 2/3 VOTE called by the Moderator to amend the Zoning Bylaws of the Town of Norfolk, Section E.1.c.5, as follows:

By revising the current bylaw which reads:

Section E.1.c.5.

To front LOT LINE must be located so as to be able to provide primary access to a LOT and the access to a LOT shall be from where the FRONTAGE is measured.

To read as follows:

Section E.1.c.5.

The front LOT LINE must be located so as to be able to provide primary access to a LOT and the access to a LOT shall be from where the FRONTAGE is measured.

Notwithstanding the provisions of Section E.1.c.5. above, access to a Municipal BUILDING which is used as a library, is not required to be taken from where the FRONTAGE is measured.

APPROVED BY VOICE VOTE to allow George Cronin to make a brief committee report regarding the King Philip High School building project.

ARTICLE 36

APPROVED BY UNANIMOUS VOTE pursuant to the provisions of Massachusetts General Law, Chapter 40, section 15A, to transfer two parcels of land, identified as Assessors Map 3, Block 6, Lots 6 and 25A, acquired by the Town by foreclosure of tax title, to the care, custody and control of the Norfolk Housing Authority for the sole purpose of constructing affordable housing units.

ARTICLE 37

APPROVED BY VOICE VOTE to Indefinitely Postpone Article 37.

(U.S. EPA NPDES Phase II Storm Water Regulation and Control Project)

All articles on the Warrant having been acted upon, it was moved, seconded and voted to dissolve this meeting at 8:40PM

Respectfully Submitted,

Gail E. Bernardo, Assistant Town Clerk