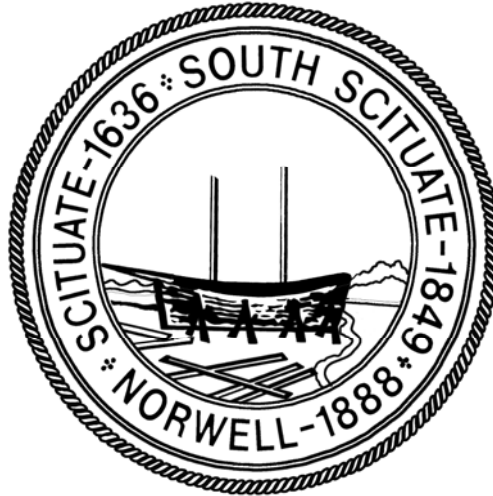


TOWN OF NORWELL



Transcript of Articles in the Warrant for the

SPECIAL TOWN MEETING

And

ANNUAL TOWN MEETING

Report of the Advisory Board

Report of the Capital Budget Committee

Monday, May 11, 2009

At 7:30 p.m.

Please bring this report to the meeting for use in the proceedings at the

**NORWELL MIDDLE SCHOOL
Henry E. Goldman Gymnasium
328 Main Street**

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TOWN OF NORWELL

WARRANT

Special Town Meeting and Annual Town Meeting

Monday, May 11, 2009

At 7:30 o'clock in the evening at Norwell Middle School
Henry E. Goldman Gymnasium

Plymouth, ss

To one of the Constables of the Town of Norwell, in said County of Plymouth, Commonwealth of Massachusetts.

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Norwell, who being qualified to vote in elections and Town affairs, to meet at the Norwell Middle School, Henry E. Goldman Gymnasium, 328 Main Street, in said Norwell, on Monday, the eleventh day of May, 2009 at 7:30 p.m.; then and there to act upon the enclosed articles, to wit:

In case all articles in the foregoing Warrant shall not be acted upon at the Meeting called for on Monday, May 11, 2009, to meet in Adjourned Sessions at such time and place as the meeting shall determine.

This building is accessible to the handicapped and designated parking is provided. If requested, at least one week before the meeting, warrants with large print can be available. Anyone requiring a Sign Language Interpreter should call the Town Clerk's office at least two weeks before the Special Town Meeting at 781-659-8072.

**Town of Norwell
Report of the Advisory Board
April 13, 2009**

To The Citizens of Norwell:

On Monday, May 11, 2009 at the Norwell Middle School, the Town of Norwell will hold its Annual Town Meeting, which will be preceded by a Special Town Meeting.

This is an opportunity for the citizens of Norwell to be involved in the financial future of our town. The Annual Town Meeting is a forum for the townspeople to allocate resources as they see fit. Furthermore, it is an opportunity for your elected and appointed officials to present their recommendations for the use of available resources to provide services to the Town. Your attendance and participation is encouraged and appreciated.

Norwell has faced significant financial challenges over the past several years. Increases in both fixed and variable town operating expenses have been on the rise. The cost increases in pensions, health insurance, energy, and unfunded mandates have caused Norwell's operating expenses to increase at a faster rate than the revenue from the Proposition 2½% levy, by far our largest source of revenue. Simply put, the shortfall in revenue has put an enormous strain on the system.

Current economic conditions have further strained Norwell's resources. The dramatic downturn in the nation's economy since 2008 has caused us all to take notice. Job losses, declines in personal wealth, and decreases in real estate values continue to mount. The residents of Norwell have not been immune from these losses. The result of the rapid decline in the economy has caused great uncertainty for the future. The Commonwealth's loss in revenue has caused further cuts in state aid to Norwell. Additional reductions in state aid to the current FY2009 budget may occur. Projections for state aid for FY2010 continue to be revised to forecast deeper reductions to Norwell as the current economic crisis continues to unfold.

As a result of these economic conditions, the Board of Selectmen requested a pay freeze for all town employees, and directed a zero budget increase from FY2009 to FY2010 across all town departments. The Board of Selectmen has promised to maintain employee headcounts to those departments whose unions agree to the pay freeze. To date, some unions have voted for the wage freeze and some have not. Other unions have not provided a conclusive answer as of the printing of this warrant.

Since January 2009, the Advisory Board has held public hearings to discuss the entire town budget and all articles which have been presented in the warrant. The Advisory Board has developed its recommendations based on the testimony, discussions, and deliberations at those meetings. Normally, by the time the warrant goes to press, the Advisory Board has been able to make a majority of its recommendations. This year, however, the Advisory Board has opted to wait for further information about state and federal aid, and will delay making some of these recommendations until closer to Town Meeting.

It is the expectation of the Advisory Board that these revenue numbers will come into clearer focus by Town Meeting. For this reason, the "Advisory Board Recommends" column in Article 2 of this warrant will show level funding to FY2009 levels (or, in the case of some line items, a reduction from FY 2009). At the time this warrant went to press, the zero increase in the

“Advisory Board Recommends” column did not reflect the Advisory Board’s opinion on the proper funding of some budget lines. Rather, it meant that the Advisory Board voted to postpone its recommendations. Therefore, some line items in Article 2 will likely be amended to an increased funding level at the Annual Town Meeting, based on better information that has been received in the interim 30 days.

At the time this warrant went to press, the Advisory Board unanimously supported the 2.3% requested increase in the School Department budget, which equals \$421,704. The Advisory Board will make its final recommendation at Town Meeting for the School Budget, as well as the other warrant articles requesting funding. It will review the latest revenue projections and other reserves and accounts to determine if all or a portion of these requests can be funded responsibly by the Town. This assessment by the Advisory Board will include analysis of potential ARRA Federal Stimulus Funds and IDEA Federal Special Education funds. We hope it will become clearer before Town Meeting how much stimulus money the schools will receive and how it may be used. The Advisory Board will explain its recommendations at Town Meeting.

The Advisory Board would like to thank all town departments, officials, employees, and volunteers for supporting the Town of Norwell with their time and talent, especially during the difficult process of preparing for this year’s Town Meeting.

The Norwell Advisory Board

Jason Brown, Chairman
Spencer A. Joseph
Peter Shea
Tim Greene

Ellen Allen, Vice-Chair
Ralph Gordon
Mary Ellen Coffey
Paul Rosebach

TOWN OF NORWELL FISCAL YEAR 2010 BUDGET

EXPENSES

GENERAL GOVERNMENT	\$	1,701,751	\$	1,772,719	\$	1,747,788	\$	1,748,363
PUBLIC SAFETY	\$	4,217,768	\$	4,466,839	\$	4,444,941	\$	4,435,705
PUBLIC WORKS	\$	1,028,422	\$	1,186,137	\$	1,272,577	\$	1,186,138
SCHOOLS	\$	17,830,903	\$	18,510,749	\$	18,857,453	\$	18,435,749
HEALTH & WELFARE	\$	962,666	\$	977,921	\$	1,058,639	\$	1,049,989
CULTURE & RECREATION	\$	751,566	\$	784,336	\$	797,576	\$	783,850
FIXED COSTS	\$	5,777,060	\$	6,367,233	\$	6,746,981	\$	6,746,981
DEBT EXCLUSION	\$	2,447,488	\$	2,401,663	\$	2,345,826	\$	2,345,826
	\$	<u>34,717,624</u>	\$	<u>36,467,597</u>	\$	<u>37,271,781</u>	\$	<u>36,732,601</u>

OTHER ARTICLES			\$	1,885,000	\$	-	\$	-
OVERLAY	\$	300,000	\$	300,000	\$	500,000	\$	500,000
CAPITAL			\$	415,358	\$	-	\$	-
	\$	<u>300,000</u>	\$	<u>2,600,358</u>	\$	<u>500,000</u>	\$	<u>500,000</u>

TOTAL EXPENSES	\$	<u>35,017,624</u>	\$	<u>39,067,955</u>	\$	<u>37,771,781</u>	\$	<u>37,232,601</u>
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REVENUES & REDUCTIONS

STATE AID	\$	2,676,208	\$	3,158,946	\$	2,999,459	\$	2,999,459
TOWN REVENUE	\$	3,089,179	\$	3,109,900	\$	3,109,900	\$	3,109,900
OVERLAY SURPLUS			\$	455,358	\$	-	\$	-
FREE CASH	\$	285,000	\$	880,754	\$	-	\$	-
STABILIZATION FUND			\$	-	\$	-	\$	-
OTHER			\$	10,000	\$	10,000	\$	10,000
CPA			\$	1,105,000	\$	43,000	\$	43,000
WATER INDIRECT EXPENSES			\$	170,000	\$	170,000	\$	170,000
WATER ARTICLES			\$	40,000	\$	-	\$	-
Total other revenue	\$	<u>6,050,387</u>	\$	<u>8,929,958</u>	\$	<u>6,332,359</u>	\$	<u>6,332,359</u>

LEVY TO BE RAISED	\$	<u>28,967,237</u>	\$	<u>30,137,997</u>	\$	<u>31,439,422</u>	\$	<u>30,900,242</u>
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PROPOSITION 2 1/2 LIMIT

BEGINNING YEAR	\$	25,372,833	\$	26,599,351	\$	27,736,334	\$	27,736,334
PLUS 2.5 %	\$	634,321	\$	664,984	\$	693,408	\$	693,408
NEW GROWTH	\$	592,197	\$	471,999	\$	150,000	\$	150,000
Override								
Total Recap	\$	26,599,351	\$	27,736,334	\$	28,579,742	\$	28,579,742
DEBT/CAPITAL OVER	\$	2,447,488	\$	2,401,663	\$	2,345,826	\$	2,345,826
CURRENT YEAR LIMIT	\$	29,046,839	\$	30,137,997	\$	30,925,568	\$	30,925,568
BUDGET OVER/UNDER	\$	<u>(79,601)</u>	\$	<u>-</u>	\$	<u>513,854</u>	\$	<u>(25,326)</u>

TOWN BUDGET

Glossary of Terms

Appropriation: An authorization to make expenditures and to incur obligations for specific purposes. An appropriation is granted by Town Meeting and is usually limited in time and amount as to when it may be expended. Any part of the general appropriation not spent or encumbered by June 30 automatically reverts to surplus. A specific appropriation is carried forward from year to year until spent for the designated purpose or transferred by Town Meeting vote to another account.

Assessed Valuation: A valuation set upon real or personal property by the Board of Assessors as a basis for levying taxes.

Budget: A plan of financial operation consisting of an estimate of proposed expenditures for a given period and the means of financing them. The budget is voted in the spring at Town Meeting for the fiscal year that begins the following July 1st.

Capital Budget: A plan of proposed capital outlays and the means of financing them for the current year.

Cherry Sheet: An annual statement received from the Massachusetts Department of Revenue detailing estimated receipts for the next fiscal year and the estimated state and county government charges payable. These amounts are used by the assessors in setting the tax rate. The actual receipts and charges may vary from the estimates.

Community Preservation Act (CPA): The Town adopted the Community Preservation Act (CPA) in 2002. This Act allows the town to collect a 3% surcharge on property tax bills (the funds can be matched up to 100% by the state when funds are available), which creates the Community Preservation Fund, to use for Community Preservation purposes. Each year, the town must appropriate, or reserve (but not necessarily spend), 10% of the funds for each of the three Community Preservation purposes: Open Space, Historic Resources, and Community Housing. The remaining 70% of the funds can be appropriated or reserved used for any of the three purposes and for Recreation and for administration.

Debt Service: Payment of interest and repayment of principal to holders of the Town's debt instruments.

Fiscal Year: A 12-month period, commencing July 1 and ending June 30, to which the annual budget applies. Fiscal years are often denoted FYXX with the last two numbers representing the calendar year in which it ends, for example FY08 is the fiscal year ended June 30, 2008.

Free Cash: Free cash is the portion of unreserved fund balance available for appropriation. It is not cash but rather is approximately the total of cash and receivables less current liabilities and earmarked reserves reduced also by reserves for uncollected taxes. This is also referred to as "available cash". The amount is certified annually by the Massachusetts Department of Revenue.

General Fund: The major town owned fund which is created with town receipts and which is charged with expenditures payable from revenues.

Grant: A contribution of assets by one governmental unit or other organization to another. Typically, these contributions are made to local governments from the state and federal governments. Grants are usually made for specific purposes.

Line-Item Budget: A format of budgeting that organizes costs by type of expenditure such as expenses, equipment, and salaries.

Overlay: The amount set aside to allow for uncollected property taxes. An amount for overlay is added to the appropriations and other charges. The "Overlay Surplus" is the portion of each year's overlay account no longer required to cover property tax abatements.

Overlay Surplus: The unused amount of the overlay for prior years, which may be transferred, by vote of the Town, to the reserve account or used for extraordinary items.

Property Tax Levy: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed "per thousand dollars" of assessed valuation.

Reserve Fund: Money set aside by Town Meeting to be allocated by the Advisory Board for extraordinary or unforeseen expenditures.

Stabilization Fund: A special reserve funded by Town Meeting for future expenditures.

Terms associated with Proposition 2½:

Debt or Capital Exclusion: The Town can assess taxes in excess of the levy limit by voting a debt exclusion or capital outlay exclusion. This amount does not become a permanent part of the levy limit base, but does allow the Town to assess taxes for a specific period of time in excess of the limit for payment of debt service costs or for payment of capital expenditures.

Excess Levy Capacity: The difference between the Town's tax levy limit and its actual tax levy for the current year. It is the additional tax levy that could be raised without asking for an override.

New Growth: The amount of property tax revenue that the Town can add to its allowable tax levy as a result of new construction, alterations, subdivisions or change of use which increases the value of a parcel of land by more than certain amounts.

Override: An amount, voted by the Town, which is permanently added to the levy limit. A majority vote of the Selectmen allows an override question to be put on the ballot. Override questions must be presented in dollar terms and must specify the purpose of the override. Overrides require a majority vote of approval by the Town.

Tax Levy Limit: The maximum amount of the tax levy for a period under the restrictions of Proposition 2½. It is calculated as the prior year limit plus new growth plus 2.5% of the prior year levy limit.

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TOWN OF NORWELL



Commonwealth of Massachusetts

WARRANT FOR SPECIAL TOWN MEETING

Monday, May 11, 2009

At Seven-Thirty O'clock in the Evening

At the Norwell Middle School, Henry E. Goldman Gymnasium, Main Street

ARTICLE 1: To see if the Town will raise and appropriate, or appropriate from available funds a sum of money to meet obligations for union and personal contracts for Fiscal Year 2009, said sum to be appropriated by the Town Accountant to the applicable line items in Article 2, or act on anything relative there to.

Requested by the Board of Selectmen

The Advisory Board will make its recommendation at Town Meeting.

This Article authorizes the Town to fund compensation adjustments in FY2009 for those Town employees covered by a union or have personal contracts.

ARTICLE 2: To see if the Town will raise and appropriate, or appropriate from available funds a certain sum of money to be added to line item 01-300-268-5532, Snow Removal and Sanding, or act on anything relative thereto.

Requested by the Highway Surveyor

The Advisory Board will make its recommendation at Town Meeting.

This Article transfers money in to the Snow Removal account to cover the deficit incurred during the winter.

ARTICLE 3: To see if the Town will raise and appropriate, or appropriate from available funds a certain sum of money to be added to line item 1-101-126-5110, Police Salaries, or act on anything relative thereto.

Requested by the Chief of Police

The Advisory Board recommends this article in the amount of \$25,000.

This article transfers funds from the Deputy Chief's Salary line to the Overtime Salary line.

ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$9,500.00 to be added to line item 1-107-134-5110 Emergency Communication Salaries, or act on anything relative thereto.

Requested by the Emergency Communication Board

The Advisory Board recommends this article in the amount of \$9,500.00.

This Article transfers money to the Emergency Communication Salaries line.

ARTICLE 5: To see if the Town vote to raise and appropriate or transfer from available funds, a sum of money to for the purpose of conducting an engineering inspection of the Bound Brook Pond Dam, as required by the Commonwealth's Office of Dam Safety, or take any other action relative thereto.

Requested by the Board of Selectmen and the Conservation Commission

The Advisory Board recommends in favor of this Article.

This Article would provide funds for a state required inspection of a Dam within the Town.

ARTICLE 6: To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum of money to be added to line item 1-45-216-5307, Legal, or act on anything relative thereto.

Requested by the Board of Selectmen

The Advisory Board will make its recommendation at Town Meeting.

This Article will add money to the Legal Expense line to cover incurred costs.

ARTICLE 7: To see if the Town vote to raise and appropriate or transfer from available funds, a sum of money to be added to Town Hall Expenses, account #1-65-226, or take any other action relative thereto.

Requested by the Board of Selectmen

The Advisory Board will make its recommendation at Town Meeting.

This Article provides money for Town Hall Expenses incurred in FY09.

ARTICLE 8: To see if the Town will vote to transfer the sum of \$55,841.83 from the Insurance Recovery Fund to the School Department General Fund to reimburse the School Department for expenditures in connection with a water main break at Norwell High School, or act on anything relative thereto.

Requested by the School Committee

The Advisory Board recommends this Article.

This Article reimburses the School Department with monies received by the Town from an insurance settlement for the losses sustained during a water main break at the High School.

ARTICLE 9: To see if the Town will vote to authorize the transfer from the General Fund of collected Student Parking Fees in the amount of \$9,000.00 back to the School Department's Facility Use Revolving Account, or act on anything relative thereto

Requested by the School Committee

The Advisory Board will make its recommendation at Town Meeting.

Funds collected by the School Department for Student Parking Fees would be transferred to the School Department's budget line.

ARTICLE 10: To see if the Town vote to raise and appropriate or transfer from available funds, a sum of money to be added to Treasurer salaries, account #1-35-111-5110, for the payment of contractual benefits due to the retirement of the Treasurer/Collector; or take any other action relative thereto.

Requested by the Treasurer/Collector

The Advisory Board recommends in favor of this Article in the amount of \$31,084.

This Article provides funds to cover the expenses related to the retirement of the former Treasurer/Collector.

ARTICLE 11: To see if the Town vote to raise and appropriate or transfer from available funds, a sum of money to be added to accounting salaries, account #1-2-115-5110, for the payment of contractual benefits due to the retirement of the Assistant Town Accountant; or take any other action relative thereto.

Requested by the Town Accountant

The Advisory Board recommends in favor of this Article in the amount of \$12,000.

This Article provides funds to cover the expenses related to the retirement of the former Assistant Town Accountant.

ARTICLE 12: To see if the Town vote to raise and appropriate or transfer from available funds, a sum of money to be added to Water Department Expenses, account 28-401-274-5518, to cover extraordinary chemical expenses, or take any other action relative thereto.

Requested by the Board of Water
Commissioners

The Advisory Board will make its recommendation at Town Meeting.

This Article transfers funds to cover an extraordinary expense within the Water Department expense line.

ARTICLE 13: To see if the Town vote to raise and appropriate or transfer from available funds, a sum of money to be added to Board of Health, Solid Waste Disposal, account #1-501-282-5309, or take any other action relative thereto.

Requested by the Board of Health

The Advisory Board recommends this article in the amount of \$57,000.00.

This Article provides funds to the Solid Waste Disposal (Trash Pick-up) Line of the Board of Health's budget.

ARTICLE 14: To see if the Town will vote to transfer the sum of \$60,000 or any other sum, from the Community Preservation Fund Balance, pursuant to Massachusetts General Law, Chapter 44B for recreational purposes for the construction of improvements to public access to the town landing on the North River at the end of Chittenden Lane. Said expenditures to be under the control of the Community Preservation Committee. Unexpended funds remaining in this article after project completion, if any, shall revert to the Community Preservation Fund, or act on anything relative thereto.

Requested by the Community Preservation Committee and the Conservation Commission

The Advisory Board recommends in favor of this Article.

This Article provides money from the Community Preservation Fund to make improvements to the town landing.

ARTICLE 15: To see if the Town will transfer the sum of \$250,000 from the Community Preservation Fund Balance pursuant to MGL Chapter 44B, to be used to fulfill the Town of Norwell's right to purchase under a Purchase and Agreement dated December 17, 2008 entered in to by the Board of Selectmen for certain land parcels in the Town of Norwell. Specifically, \$235,000 is allocated towards the purchase of an approximately 6.26 parcel of land on South Street. This property is shown as Parcel A-1-1B on a plan of land entitled "Plan of Land" dated October 7, 1999 recorded as Plan 788 of 1999 in Book 42, Page 1013, excepting from Parcel A-1-1B any land described in Book 5164, Page 356 (an estimated .25 acre area). However, this transfer of funds is contingent upon simultaneously at closing receiving from the seller an unrestricted gift of \$10,000 to the Norwell Conservation Fund administered by the Conservation Commission and in addition receiving a quitclaim deed gifting all interests that the owner has in a 5.84 parcel of land shown on the previously described "Plan of Land" as parcel A-1-2, being the parcel conveyed from Petrell to Cranton in Book 5164, Page 346. The balance of the funds (\$15,000) in this article may be used for the Town's portion of closing costs associates with this transaction and may also be used by the

Town of Norwell towards any legal expenses incurred towards clearing and quieting the title on the parcel of land gifted to the Town pursuant to this agreement. Funds expended under this article shall be subject to the approval of the Community Preservation Committee. Unexpended funds shall be returned to Community Preservation Fund upon vote of the Community Preservation Committee.

Requested by the Board of Selectmen and the
Community Preservation Committee

The Advisory Board recommends in favor of this Article.

This article purchases property with Community Preservation Fund money.

ARTICLE 16: To see if the Town will vote to transfer a certain sum of money for Open Space and/or recreation purposes, pursuant to Massachusetts General Law, Chapter 44B from the Community Preservation Fund Balance for the purpose of purchasing a parcel of land. And to see if the Town will authorize the Community Preservation Committee to make application to the state "Self-Help" fund and the Board of Selectmen to purchase said property and designate it for conservation and/or recreation purposes, or act on anything relative thereto.

Requested by the Community Preservation
Committee

The Advisory Board will make its recommendation at Town Meeting.

This article purchases property with Community Preservation Fund money.

ARTICLE 17: To see if the Town will vote to transfer the sum of \$50,000 or any other sum from the Community Preservation Fund Balance, pursuant to Massachusetts General Law, Chapter 44B for recreational purposes for the development of Community Supported Agriculture ("CSA") in Norwell. Funds to be used for the start up and development of a CSA location within the Town of Norwell. Fund uses may include: site selection, seed money, feasibility studies, start up expenses, consultants, equipment, legal, accounting and organizational expenses and any other items determined to support the development of a CSA location. Any CSA so established under this Article shall give preference to Norwell Residents and Town of Norwell employees. Expenditures shall be under the control of the Community Preservation Committee, or act on anything relative thereto.

Requested by the Community Preservation
Committee

The Advisory Board recommends in favor of this Article.

This article would provide funding for the development of a community farm in which preference would be given to Town of Norwell residents and employees

ARTICLE 18: To see if the Town will vote to appropriate the sum of \$1.3 million or any other sum from the Community Preservation Fund Balance pursuant to MGL Chapter 44B for the purpose of Open Space Protection and/or recreation. Such funds shall be used for the purchase of the Loring Farm located at 246 Prospect Street, Parcel ID#35-46, Book 84P0764 and Parcel ID#35-21, Book A4P0764. These funds are to purchase and ensure that this property continues to operate as a working farm for the benefit of the community of Norwell and its citizens. These funds are to be expended by the Board of Selectman in cooperation with the Community Preservation Committee, or act on anything relative thereto.

Requested by the Community Preservation Committee

The Advisory Board will make its recommendation at Town Meeting.

ARTICLE 19: To see if the Town will vote to transfer a sum of money for open space, recreation and/or affordable housing purposes, pursuant to Massachusetts General Law, Chapter 44B from the Community Preservation Fund Balance for the purposes of purchasing a parcel of land and to authorize the Community Preservation Committee to make application to the state "Self-Help" fund and to authorize the Board of Selectmen to execute a purchase and sale agreement and to purchase said property and designate for the appropriate purpose(s), or act on anything relative thereto.

Requested by the Community Preservation Committee

The Advisory Board will make its recommendation at Town Meeting.

ARTICLE 20: To see if the Town will vote to appropriate the sum of \$20,300 or any other sum from the Community Preservation Fund Balance pursuant to MGL Chapter 44B for the purpose of Historic Preservation of an antique house. Such funds shall be used for the purpose of moving the Sgt. Samuel Stetson House from 85 Stetson Shrine Lane to 83 Stetson Shrine Lane located at Assessor's Map 27B Lot 6. These funds are to be expended under the supervision of the Community Preservation Committee, or act on anything relative thereto.

Requested by the Community Preservation Committee

The Advisory Board will make its recommendation at Town Meeting.

This Article would provide money to preserve the Sgt. Stetson Ford House by moving it.

ARTICLE 21: To see if the Town will vote to transfer from the Overlay Surplus account a sum of money to cover various years deficits and/or anticipated deficits, or act on anything relative thereto.

Requested by the Board of Assessors

This is a housekeeping article for the Board of Assessors

The Advisory Board recommends in favor of this Article.

ARTICLE 22: To see if the Town will vote to transfer from available funds or otherwise provide a certain sum of money to be added to the Stabilization Fund as established in accordance with the provisions of Massachusetts General Law, Chapter 40, Section 5B, or act on anything relative thereto.

The Advisory Board will make its recommendation at Town Meeting.

This Article would transfer a sum of money to the Stabilization Fund for possible use in future years.

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TOWN OF NORWELL



Commonwealth of Massachusetts

WARRANT FOR ANNUAL TOWN MEETING

Monday, May 11, 2009

At Seven-Thirty O'clock in the Evening

At the Norwell Middle School, Henry E. Goldman Gymnasium, Main Street

ARTICLE 1: To see if the Town will accept the reports of its Officers, Boards, Departments, Committees and Commissions, as printed in the 2008 Annual Report, or act on anything relative thereto.

The Advisory Board recommends in favor of this Article.

ARTICLE 2: To see if the Town will raise and appropriate, or appropriate from available funds, sums of money to defray the charges, expenses and salary obligations of the Town, including debt and interest, and out of state travel for the ensuing year, to provide for a Reserve Fund and to fix salaries and compensation for all Elected Officers of the Town, or act on anything relative thereto.

The Advisory Board recommendations are in the “*Advisory Board Recommends*” Column. The Advisory Board will make a budget presentation at Town Meeting to provide further details of our rationale and recommendations.

This Article authorizes the Town to accept the FY10 Town Budget, which begins on July 1, 2010.

TOWN OF NORWELL FISCAL YEAR 2010 BUDGET

		<i>2008 Appropriated</i>	<i>FY2009 Appropriated</i>	<i>FY2010 Department Requests</i>	<i>FY2010 Advisory Board Recommends</i>
113-TOWN MT. & ELECTION					
2-106	Salaries	\$ 11,000	\$ 16,000	\$ 9,500	\$ 9,500
2-208	Expenses	\$ 11,500	\$ 15,600	\$ 12,000	\$ 12,000
Total: Town Meeting & Election		\$ 22,500	\$ 31,600	\$ 21,500	\$ 21,500
114-MODERATOR					
2-104	Moderator's Expenses	\$ 1			
Total: Moderator		\$ 1			
122-SELECTMEN					
2-101	Bd. Members Salaries	\$ 6,500	\$ 6,500	\$ 5,000	\$ 5,000
2-102	Town Administrator Salary	\$ 114,500	\$ 119,080	\$ 119,080	\$ 119,080
2-103	Clerical Salaries/ADA	\$ 43,547	\$ 60,085	\$ 63,203	\$ 63,203
2-201	Selectmen's Expenses	\$ 16,350	\$ 16,350	\$ 16,350	\$ 16,350
2-205	Care Veterans' Graves	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200
Total: Board of Selectmen		\$ 182,097	\$ 203,215	\$ 204,833	\$ 204,833
131-ADVISORY BOARD					
2-105	Advisory Clerical	\$ 3,573	\$ -	\$ -	\$ -
2-206	Advisory Expenses	\$ 500	\$ 500	\$ 500	\$ 500
Total: Advisory Board		\$ 4,073	\$ 500	\$ 500	\$ 500
132-RESERVE FUND					
2-207	Reserve Fund	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000
135-ACCOUNTING					
2-115	Salaries	\$ 153,975	\$ 156,351	\$ 157,168	\$ 157,168
2-202	Expenses	\$ 37,843	\$ 37,843	\$ 37,843	\$ 37,843
Total: Accounting		\$ 191,818	\$ 194,194	\$ 195,011	\$ 195,011
141-ASSESSORS					
2-109	Bd. Members' Salaries	\$ 4,150	\$ 4,150	\$ 4,150	\$ 4,150
2-110	Clerical Salaries	\$ 99,673	\$ 105,299	\$ 105,815	\$ 105,815
2-211	General Expenses	\$ 10,625	\$ 10,625	\$ 10,625	\$ 10,625
2-212	Reval/App. Expenses	\$ 10,500	\$ 10,500	\$ 10,500	\$ 10,500
Total: Assessors		\$ 124,948	\$ 130,574	\$ 131,090	\$ 131,090
145-TREAS./COLLECTOR					
2-111	Treasurer/Collector Salary	\$ 83,381	\$ 88,464	\$ 77,000	\$ 77,000
2-112	Clerical Salaries	\$ 138,528	\$ 148,614	\$ 138,264	\$ 138,264
2-213	General Expenses	\$ 66,963	\$ 66,963	\$ 66,963	\$ 66,963
2-214	Tax Liens Expenses	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000
Total: Treasurer/Collector		\$ 296,872	\$ 312,041	\$ 290,227	\$ 290,227

	<i>2008 Appropriated</i>	<i>FY2009 Appropriated</i>	<i>FY2010 Department Requests</i>	<i>FY2010 Advisory Board Recommends</i>
151-LEGAL SERVICES				
2-216	\$ 85,000	\$ 100,000	\$ 100,000	\$ 100,000
2-218	\$ 1		\$ -	\$ -
2-295	\$ -		\$ -	\$ -
Total: Legal Services	\$ 85,001	\$ 100,000	\$ 100,000	\$ 100,000
152-PERSONNEL BOARD				
2-116			\$ -	\$ -
2-219	\$ 500	\$ 500	\$ 500	\$ 500
Total: Personnel Board	\$ 500	\$ 500	\$ 500	\$ 500
155-CENTRAL COMPUTER				
2-222	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000
161-TOWN CLERK				
2-113	\$ 66,314	\$ 62,368	\$ 64,863	\$ 62,368
2-114	\$ 52,092	\$ 52,092	\$ 43,860	\$ 43,860
2-215	\$ 4,350	\$ 5,000	\$ 5,000	\$ 5,000
Total: Town Clerk	\$ 122,756	\$ 119,460	\$ 113,723	\$ 111,228
163-BD OF REGISTRARS				
2-107	\$ 450	\$ 450	\$ 450	\$ 450
2-108	\$ -	\$ -		
2-209	\$ 4,300	\$ 4,500	\$ 4,500	\$ 4,500
Total:: Board of Registrars	\$ 4,750	\$ 4,950	\$ 4,950	\$ 4,950
171-CONSERVATION COMM.				
2-154	\$ 17,267	\$ 18,857	\$ 17,151	\$ 17,151
2-155	\$ 47,202	\$ 49,337	\$ 50,556	\$ 50,556
2-278	\$ 7,872	\$ 7,800	\$ 7,800	\$ 7,800
2-280			\$ -	\$ -
Total: Conservation	\$ 72,341	\$ 75,994	\$ 75,507	\$ 75,507
175-PLANNING BOARD				
2-120	\$ 49,391	\$ 53,764	\$ 55,370	\$ 55,370
2-121	\$ 17,267	\$ 18,820	\$ 17,151	\$ 17,151
2-224	\$ 5,800	\$ 5,676	\$ 5,476	\$ 5,476
Total: Planning Board	\$ 72,458	\$ 78,260	\$ 77,997	\$ 77,997
176-BOARD OF APPEALS				
2-119			\$ -	\$ -
2-223	\$ 1,810	\$ 1,810	\$ 1,810	\$ 1,810
Total: Board of Appeals	\$ 1,810	\$ 1,810	\$ 1,810	\$ 1,810

		<i>2008 Appropriated</i>	<i>FY2009 Appropriated</i>	<i>FY2010 Department Requests</i>	<i>FY2010 Advisory Board Recommends</i>
177-DESIGN REVIEW BD.					
2-117	Design Review Clerical	\$ 642	\$ 642	\$ 642	\$ 642
2-220	Design Review General Exp	\$ 245	\$ 245	\$ 245	\$ 245
	Total: Design Review Board	\$ 887	\$ 887	\$ 887	\$ 887
190-COMM. ON DISABILITIES					
2-294	General Expenses	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
	Total: Comm. On Disabilities	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
191-CUSHING MEMORIAL					
2-175	Cushing Memorial Payroll	\$ 27,179	\$ 29,167	\$ 29,269	\$ 29,269
2-203	Cushing Memorial Expenses	\$ 30,603	\$ 31,063	\$ 31,063	\$ 31,063
	Total: Cushing Memorial	\$ 57,782	\$ 60,230	\$ 60,332	\$ 60,332
192-TOWN HALL					
2-123	Custodians' Salaries	\$ 32,047	\$ 32,048	\$ 32,048	\$ 32,048
2-226	Town Hall General Expense	\$ 86,050	\$ 86,050	\$ 86,050	\$ 86,050
	Total: Town Hall	\$ 118,097	\$ 118,098	\$ 118,098	\$ 118,098
193-P.B.M.C.					
2-169	Clerical Salaries			\$ -	\$ -
2-225	P.B.M.C. Expenses	\$ 1,400	\$ 1,400	\$ 1,400	\$ 1,400
	Total: P.B.M.C.	\$ 1,400	\$ 1,400	\$ 1,400	\$ 1,400
194 - Community Preservation					
2-237	Clerical Salaries	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000
2-305	Expenses	\$ 22,000	\$ 22,000	\$ 35,000	\$ 35,000
	Total: Community Preservation	\$ 30,000	\$ 30,000	\$ 43,000	\$ 43,000
195-TOWN REPORTS					
2-210	Town Reports	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
199-BEAUTIFICATION					
2-204	Expenses	\$ 1,000	\$ 2,000	\$ 2,000	\$ 2,000
	Total: Beautification	\$ 1,000	\$ 2,000	\$ 2,000	\$ 2,000
210-POLICE DEPARTMENT					
2-125	Police Chief's Salary	\$ 97,376	\$ 101,745	\$ 101,745	\$ 101,745
	Deputy Chief Salary		\$ 83,000	\$ 83,000	\$ 83,000
2-126	Police Officers' Pay	\$ 1,503,354	\$ 1,557,778	\$ 1,557,778	\$ 1,557,778
2-128	Police Other Payroll	\$ 49,111	\$ 53,173	\$ 53,723	\$ 53,723
2-169	Clerical	\$ 30,303	\$ 33,409	\$ 34,687	\$ 34,687
2-235	Police General Expense	\$ 137,900	\$ 151,750	\$ 151,750	\$ 151,750
2-236	Police Cruiser Expenses	\$ 66,000	\$ 117,000	\$ 90,000	\$ 90,000
2-237	Other Town Vehicles Gas	\$ -			\$ -
	Total: Police Department	\$ 1,884,044	\$ 2,097,855	\$ 2,072,683	\$ 2,072,683

	<i>2008 Appropriated</i>	<i>FY2009 Appropriated</i>	<i>FY2010 Department Requests</i>	<i>FY2010 Advisory Board Recommends</i>
220-FIRE DEPARTMENT				
2-129	\$ 90,000	\$ 92,250	\$ 92,250	\$ 92,250
2-130	\$ 1,429,058	\$ 1,441,800	\$ 1,441,800	\$ 1,441,800
2-169	\$ 38,032	\$ 38,133	\$ 31,634	\$ 31,634
2-238	\$ 116,338	\$ 119,403	\$ 119,493	\$ 119,403
Total: Fire Department	\$ 1,673,428	\$ 1,691,586	\$ 1,685,177	\$ 1,685,087
220-CALL FIRE FIGHTERS				
2-131	\$ 6,020	\$ -	\$ -	\$ -
2-132	\$ 12,062	\$ 12,144	\$ 12,680	\$ 12,144
2-240	\$ 13,819	\$ 15,700	\$ 15,700	\$ 15,700
Total: Call Fire	\$ 31,901	\$ 27,844	\$ 28,380	\$ 28,380
231-AMBULANCE SERVICE				
2-241	\$ 46,056	\$ 49,994	\$ 49,994	\$ 49,994
2-242	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500
Total Ambulance	\$ 47,556	\$ 51,494	\$ 51,494	\$ 51,494
241-BUILDING INSPECTOR				
2-138	\$ 38,032	\$ 39,539	\$ 39,540	\$ 39,540
2-139	\$ 67,312	\$ 69,919	\$ 69,919	\$ 69,919
2-140	\$ 40,500	\$ 40,500	\$ 40,500	\$ 40,500
2-249	\$ 10,600	\$ 10,600	\$ 10,600	\$ 10,600
Total: Inspections	\$ 156,444	\$ 160,558	\$ 160,559	\$ 160,559
244-SEALER WGHTS/MEAS				
2-142	\$ 5,672	\$ 6,018	\$ 6,019	\$ 6,019
2-252	\$ 1,516	\$ 1,516	\$ 1,515	\$ 1,515
Total: Weights & Measures	\$ 7,188	\$ 7,534	\$ 7,534	\$ 7,534
290-EMERGENCY COMM.				
2-134	\$ 368,410	\$ 370,422	\$ 370,422	\$ 370,422
2-243	\$ 40,796	\$ 41,796	\$ 41,796	\$ 41,796
Total: Emergency Comm.	\$ 409,206	\$ 412,218	\$ 412,218	\$ 412,218
291-EMERGENCY MANAGEMENT				
	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
2-254	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
292-ANIMAL CONTROL				
2-144	\$ 5,000	\$ 6,750	\$ 6,750	\$ 6,750
2-255	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Total: Animal Control	\$ 6,000	\$ 7,750	\$ 7,750	\$ 7,750

	<i>2008 Appropriated</i>	<i>FY2009 Appropriated</i>	<i>FY2010 Department Requests</i>	<i>FY2010 Advisory Board Recommends</i>
295-Harbormaster				
2-188		\$ 5,000	\$ 5,000	\$ 5,000
2-200		\$ 3,000	\$ 3,000	\$ 3,000
		\$ 8,000	\$ 8,000	\$ 8,000
301-SCHOOL DEPARTMENT				
2-200	\$ 17,590,229	\$ 18,310,749	\$18,732,453	\$ 18,310,749
	\$ 17,590,229	\$ 18,310,749	\$18,732,453	\$ 18,310,749
390-SO. SH. REG'L SCHOOL				
2-264	\$ 240,674	\$ 200,000	\$ 125,000	\$ 125,000
420-HIGHWAY DEPT.				
2-146	\$ 42,691	\$ 44,399	\$ 45,731	\$ 44,399
2-147	\$ 243,220	\$ 257,239	\$ 257,239	\$ 257,239
2-149	\$ 40,450	\$ 42,201	\$ 42,202	\$ 42,202
2-265	\$ 1	\$ -	\$ -	\$ -
2-266	\$ 59,936	\$ 63,986	\$ 69,486	\$ 63,986
2-267	\$ 34,100	\$ 41,000	\$ 41,000	\$ 41,000
2-268	\$ 122,600	\$ 175,000	\$ 250,000	\$ 175,000
2-269	\$ 23,200	\$ 23,200	\$ 23,200	\$ 23,200
2-270	\$ 90,000	\$ 105,000	\$ 105,000	\$ 105,000
2-271	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000
	\$ 662,197	\$ 758,025	\$ 839,858	\$ 758,026
421-TREE & GROUNDS				
2-135	\$ 42,691	\$ 44,399	\$ 45,731	\$ 44,399
2-136	\$ 182,905	\$ 239,533	\$ 239,533	\$ 239,533
2-244	\$ 73,130	\$ 76,680	\$ 79,955	\$ 76,680
2-245	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
2-248	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500
	\$ 301,225	\$ 363,112	\$ 367,719	\$ 363,112
424-STREET LIGHTING				
2-272	\$ 65,000	\$ 65,000	\$ 65,000	\$ 65,000
439-RECYCLING COMMITTEE				
2-173	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000
	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000
450-WATER DEPARTMENT				
2-148	\$ 76,484	\$ 87,465	\$ 87,465	\$ 87,465
2-150	\$ 63,271	\$ 64,809	\$ 64,809	\$ 64,809
2-151	\$ 2,100	\$ 2,100	\$ 2,100	\$ 2,100
2-152	\$ 65,445	\$ 68,842	\$ 69,995	\$ 69,995
2-153	\$ 227,178	\$ 242,528	\$ 242,528	\$ 242,528

		<i>2008 Appropriated</i>	<i>FY2009 Appropriated</i>	<i>FY2010 Department Requests</i>	<i>FY2010 Advisory Board Recommends</i>
2-274	Water General Expenses	\$ 468,307	\$ 521,327	\$ 746,575	\$ 746,575
2-275	Water Well Cleaning	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
2-276	Indirect Expenses	\$ 170,000			
	Total: Water Department	\$ 1,087,785	\$ 1,002,071	\$ 1,228,472	\$ 1,228,472
491-TOWN CEMETERY					
2-288	Washington St. Cem. Expense	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
	Total: Town Cemetery	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
512-BOARD OF HEALTH					
2-156	Board Members' Salaries	\$ 1,050	\$ 1,050	\$ 1,050	\$ 1,050
2-157	Health Agent Salary	\$ 65,862	\$ 68,119	\$ 68,119	\$ 68,119
2-158	Health Clerical	\$ 38,582	\$ 39,639	\$ 39,640	\$ 39,640
2-279	Hazardous Waste	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500
2-281	General Expenses	\$ 48,620	\$ 49,600	\$ 41,600	\$ 41,600
2-282	Solid Waste Disposal	\$ 580,802	\$ 580,802	\$ 657,406	\$ 657,406
2-283	Health Landfill Maintenance	\$ 1			
	Total: Board of Health	\$ 742,417	\$ 742,598	\$ 815,315	\$ 815,315
541-COUNCIL ON AGING					
2-160	Council on Aging Payroll	\$ 161,919	\$ 175,586	\$ 174,936	\$ 174,936
2-284	General Expenses	\$ 19,024	\$ 19,976	\$ 19,976	\$ 19,976
	Total: Council on Aging	\$ 180,943	\$ 195,562	\$ 194,912	\$ 194,912
543-VETERANS' EXP.					
2-161	Veterans' Agent Salary	\$ 3,845	\$ 4,080	\$ 4,080	\$ 4,080
2-162	Vets. Service Officer's Salary	\$ 3,611	\$ 3,832	\$ 3,832	\$ 3,832
2-285	Veterans' General Expenses	\$ 1,450	\$ 1,450	\$ 1,450	\$ 1,450
2-286	Veterans' Benefits	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
2-287	Memorial Day Expenses	\$ 1,400	\$ 1,400	\$ 1,400	\$ 1,400
	Total: Veterans	\$ 20,306	\$ 20,761	\$ 20,762	\$ 20,762
610-LIBRARY					
2-164	Library Director's Salary	\$ 73,844	\$ 80,702	\$ 80,702	\$ 80,702
2-165	Library Payroll	\$ 265,621	\$ 279,395	\$ 283,837	\$ 279,395
2-177	Old Colony Network	\$ 28,000	\$ 31,000	\$ 31,000	\$ 31,000
2-289	Library General Expenses	\$ 160,305	\$ 160,305	\$ 165,100	\$ 160,305
	Total: Library	\$ 527,770	\$ 551,401	\$ 560,639	\$ 551,402
630-RECREATION DEPT.					
2-166	Recreation Supt. Salary	\$ 65,812	\$ 68,419	\$ 68,419	\$ 68,419
2-167	Recreation Payroll	\$ 75,005	\$ 77,384	\$ 77,384	\$ 77,384
2-290	Recreation General Expenses	\$ 7,138	\$ 7,138	\$ 7,138	\$ 7,138
	Total: Recreation	\$ 147,955	\$ 152,940	\$ 152,941	\$ 152,941

		<i>2008 Appropriated</i>	<i>FY2009 Appropriated</i>	<i>FY2010 Department Requests</i>	<i>FY2010 Advisory Board Recommends</i>
691-MASS. HISTORICAL					
2-277	Historical Comm. General Exp.	\$ 3,500	\$ 4,000	\$ 8,000	\$ 4,000
	Total: Mass Historical	\$ 3,500	\$ 4,000	\$ 8,000	\$ 4,000
710-DEBT RETIREMENT					
2-168	Borrowing Costs	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000
Water Bonds					
2-292	Principal - Town	\$ 485,825	\$ 461,968	\$ 457,967	\$ 457,967
2-363	Water	\$ 235,000	\$ 235,000	\$ 235,000	\$ 235,000
751- INTEREST ON LONG TERM DEBT					
2-293	Interest - Town	\$ 133,528	\$ 120,131	\$ 100,904	\$ 100,904
2-364	Water	\$ 57,000	\$ 48,613	\$ 39,363	\$ 39,363
	Total: Under Levy Debt Service	\$ 936,353	\$ 890,712	\$ 858,234	\$ 858,234
710 - DEBT EXCLUSION					
2-365	Vinal, Cole & High School Interest	\$ 447,125	\$ 429,413	\$ 410,338	\$ 410,338
2-365	Vinal, Cole & High School Principal	\$ 545,000	\$ 545,000	\$ 545,000	\$ 545,000
2-366	Middle School Interest	\$ 590,363	\$ 562,250	\$ 525,488	\$ 525,488
2-365	Middle School Principal	\$ 865,000	\$ 865,000	\$ 865,000	\$ 865,000
	Total: Debt Exclusion	\$ 2,447,488	\$ 2,401,663	\$ 2,345,826	\$ 2,345,826
911-PENSIONS					
2-227	Plymouth County Ret. Fund	\$ 1,231,005	\$ 1,298,593	\$ 1,343,109	\$ 1,343,109
	Total: Pensions	\$ 1,231,005	\$ 1,298,593	\$ 1,343,109	\$ 1,343,109
913-UNEMPLOYMENT COMP.					
2-229	Unemployment Comp.	\$ 25,000	\$ 25,000	\$ 100,000	\$ 100,000
914, 915, 916-GROUP INSURANCE					
2-230	Group Insurance	\$ 3,524,752	\$ 4,049,416	\$ 4,332,876	\$ 4,332,876
945-TOWN INSURANCE					
2-231	Town Insurance	\$ 351,750	\$ 386,925	\$ 386,925	\$ 386,925
2-232	Ins. Advis. Comm. Expense	\$ 200	\$ 200	\$ 200	\$ 200
	Total: Town Insurance	\$ 351,950	\$ 387,125	\$ 387,125	\$ 387,125

ARTICLE 3: To see if the Town will appropriate the sums recommended, or any other sum or sums, for Capital Outlay as set forth in the following schedule and determine whether such sums will be provided by taxation or by transfer or by a combination of the foregoing,

DEPARTMENT	ITEM REQUEST	DEPARTMENT REQUEST	CAPITAL BUDGET RECOMMENDS	ADVISORY BOARD RECOMMENDS
FIRE	Ambulance	\$220,000	\$0	\$0
SUB-TOTAL		\$220,000	\$0	\$0
HIGHWAY	S185 Bobcat Skid-steer Loader	\$77,700	\$77,700	\$77,700
SUB-TOTAL		\$77,700	\$77,700	\$77,700
TREE & GROUNDS	Aerial Bucket Truck	\$140,000	\$0	\$0
SUB-TOTAL		\$140,000	\$0	\$0
LIBRARY	Scanner/Copier/Printer	\$6,326	\$6,326	\$0
	Self-check System	\$11,838	\$0	\$0
SUB-TOTAL		\$18,164	\$6,326	\$0
SCHOOL	School Security Improvements	\$15,000	\$15,000	\$0
	Variable Pump Drives	\$22,500	\$22,500	\$22,500
	School Custodial Van	\$18,000	\$18,000	\$18,000
SUB-TOTAL		\$55,500	\$55,500	\$40,500
TOTAL		\$511,364	\$139,526	\$118,200

or act on anything relative thereto.

Requested by the Capital Budget Committee

The Advisory Board recommends the amounts listed in the “Advisory Board Recommends” column.

This Article authorizes the Town to purchase the capital items on the schedule above. The Capital Budget Committee meets and prioritizes all of the capital budget requests before they are presented to the Advisory Board.

ARTICLE 4: To see if the Town will raise and appropriate, or appropriate from available funds a sum of money to meet obligations for union and personal contracts for Fiscal Year 2010, said sum to be apportioned by the Town Accountant to the applicable line items in Article 2, or act on anything relative thereto.

Requested by the Board of Selectmen

The Advisory Board will make its recommendation at Town Meeting.

This Article authorizes the Town to fund compensation adjustments for those Town employees covered by a union or have personal contracts.

ARTICLE 5: To see if the Town will raise and appropriate, or appropriate from available funds a sum of money to meet obligations for the compensation schedule under the Personnel Plan for Fiscal Year 2010, said sum to be apportioned by the Town Accountant to the applicable line items in Article 2, or act on anything relative thereto.

Requested by the Personnel Board

The Advisory Board recommends \$0.00.

This Article authorizes the Town to fund compensation adjustments for those Town employees covered under the Personnel Plan.

ARTICLE 6: To see if the Town will vote to freeze step increases and longevity increases for employees covered by the Town's Wage and Salary Plan in FY2010 at FY2009 levels, or act on anything relative thereto.

Requested by the Board of Selectmen

The Advisory Board will make its recommendation at Town Meeting.

This Article freezes annual step increases for Town Employees covered under the Personnel Plan.

ARTICLE 7: To see if the Town will vote to accept the provisions of MGL Chapter 479 of the Acts of 2008 relative to the establishment of Other Post Employment Benefits (OPEB) liability trust funds, or act on anything relative thereto.

Requested by the Board of Selectmen

The Advisory Board recommends in favor of this Article.

This Article would establish a trust fund for the investment of monies necessary for the Town to meet its' OPEB funding requirements.

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum of money to be appropriated against the Town's Other Post Employment Benefits (OPEB) liability, or act on anything else relative thereto.

Requested by the Board of Selectmen

The Advisory Board will make its recommendation at Town Meeting.

This Article would start the process of putting monies aside to meet the Town's OPEB obligations.

ARTICLE 9: To see if the Town will vote pursuant to the provisions of Massachusetts General Laws, Chapter 39, Section 10 to accept Edgewater Park as a public way, or act on anything relative thereto.

Requested by the Board of Selectmen

The Advisory Board recommends in favor of this Article.

This Article accepts this road as a public way.

ARTICLE 10: To see if the Town will vote to create or affirm existing authorized revolving accounts for all recognized school purposes, including but not limited to student parking fees, in accordance with the provisions of Massachusetts General Laws, Chapter 71, Sections 47 and/or 71 E or other relevant statutes, or act on anything relative thereto.

Requested by the School Committee

The Advisory Board recommends in favor of this Article.

This Article allows the Town Treasurer to deposit receipts from School Fees into School Accounts instead of the Town General Fund.

ARTICLE 11: To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum of money to be used by the School Department for the purchase of computer technology replacement and upgrades, or act on anything relative thereto.

Requested by the School Committee

The Advisory Board will make its recommendation at Town Meeting.

This Article provides funds to be expended in the Schools for Technology purposes.

ARTICLE 12: To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum of money to be used by the School Department for the purchase of textbooks, or act on anything relative thereto.

Requested by the School Committee

The Advisory Board will make its recommendation at Town Meeting.

This Article provides funds to be expended in the Schools for textbooks.

ARTICLE 13: To see if the Town will appropriate the sum of \$338,748 in anticipation of full (100%) reimbursement by the Commonwealth of Massachusetts of Chapter 90, one apportionment, for State and Highway purposes under the provisions of General Laws Chapter 90, Section 34, Clause 2(A), work on highways, to be expended under the direction of the highway Surveyor, or meet the appropriation by taxation, by transfer or by borrowing, or any combination of the foregoing, or act on anything relative thereto.

Requested by the Highway Surveyor

The Advisory Board recommends this Article in the amount of \$338,748.

This Article authorizes the Town to appropriate and then receive its share of the "Chapter 90" (The Massachusetts General Law relating to repaving of public ways) monies from the State. There is no direct budget impact to this Article.

ARTICLE 14: To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of \$200,000, or any other sum, to be expended under the direction of the Highway Surveyor for resurfacing sections of Town Ways, or act on anything relative thereto.

Requested by the Highway Surveyor

The Advisory Board will make its recommendation at Town Meeting.

This Article authorizes the Town to resurface Town Ways under the direction of the Highway Surveyor.

ARTICLE 15: To see if the Town will vote to raise and appropriate, or appropriate from available funds the sum of \$10,000, or any other sum, to be expended under the direction of the Highway Surveyor for reprocessing stockpile construction debris at the Highway Department facility, or act on anything relative thereto.

Requested by the Highway Surveyor

The Advisory Board will make its recommendation at Town Meeting.

This Article authorizes the Town to recycle or dispose of construction debris under the direction of the Highway Surveyor.

ARTICLE 16: To see if the Town will vote to raise and appropriate, or appropriate from available funds the sum of \$50,000, or any other sum, to be expended under the direction of the Permanent Drainage Study Committee and the Highway Surveyor for engineering, installation and/or maintenance of Town drainage, or act on anything relative thereto.

Requested by the Permanent Drainage
Study Committee

The Advisory Board will make its recommendation at Town Meeting.

This Article authorizes the Town to engineer, install and maintain road drainage under the direction of the Highway Surveyor with the Permanent Drainage Study Committee.

ARTICLE 17: To see if the Town will vote to raise and appropriate, or appropriate from available funds the sum of \$82,375 or any other sum, to be expended under the direction of the Highway Surveyor for catch basin cleaning, as required by the Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection, Phase II, natural Pollutant Discharge Elimination System General Permit, or act on anything relative thereto.

Requested by the Highway Surveyor

The Advisory Board will make its recommendation at Town Meeting.

This Article authorizes the Town to comply with Federal and State Laws regarding Phase II Storm Water discharge regulations under the direction of the Highway Surveyor.

ARTICLE 18: To see if the Town will vote to raise and appropriate, or appropriate from available funds the sum of \$394,800 or any other sum, to be expended under the direction of the Highway Surveyor for the purpose of resurfacing the Cushing Center, High School parking areas, Tree Department yard, and the Highway yard and Recycling area, or act on anything relative thereto.

Requested by the Highway Surveyor

The Advisory Board will make its recommendation at Town Meeting.

This Article authorizes the Highway Surveyor to resurface the parking lot areas of Town facilities.

ARTICLE 19: To see if the Town will vote to increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes under Massachusetts General Laws, Chapter 58, Section 5(m), Clause 41A from \$40,000 to 100% of the amount established annually by the Commissioner of Revenue as the income limit for single seniors who are not heads of households to qualify for the "circuit breaker" state income tax credit for the preceding state tax year, with such increase to be effective for deferrals granted for taxes assessed for any fiscal year beginning on July 1, 2009, or act on anything relative thereto.

Requested by the Board of Assessors

The Advisory Board recommends in favor of this Article.

This Article provides tax relief for certain financially challenged seniors within the Town.

ARTICLE 20: To see if the Town will vote to transfer the sum of \$38,000, or any other sum, from various years Overlay Surplus Account for the purpose of continuing to provide a Senior Real Estate Tax Work-Off Program for older citizens in the Town funded directly by the Town. This program is to be established pursuant to an agreement with the Council on Aging, the Board of Selectmen and the Board of Assessors, or act on anything relative thereto.

Requested by the Board of Assessors

The Advisory Board recommends this Article.

This Article continues funding of the Senior Real Estate Tax Work-off Program administered by the Council on Aging.

ARTICLE 21: To see if the Town will vote to amend the Aquifer Protection Map entitled "Watershed/Aquifer Protection Map, Town of Norwell, 2009", or act on anything relative thereto.

Requested by the Board of Water Commissioners

The Advisory Board recommends in favor of this Article.

This article amends the Aquifer Protection map by adding more detail based on advancements in mapping technology.

ARTICLE 22: To see if the Town will vote to amend Zoning By-Law Article II District Regulations §2460 by striking said section and replacing it as shown under "Proposed New Language";

Existing Language:

2460. Height Restrictions. No building and/or structure shall be erected or altered to exceed 2 1/2 stories in height, or 34 feet, in any Residential District and Business Districts A and B; 3 stories, or 40 feet, in Business District C, nor shall any dwelling unit in a Business District exceed 2 1/2 stories, or 34 feet in height. Chimneys, elevators, poles, spires, tanks, towers and other projections not used for human occupancy may extend above the building and/or structure height limits by a maximum of 10 feet.

Proposed New Language:

2460. Height Restrictions. No building or structure shall be erected or altered to exceed 2½ stories, or 34 feet, in height in any Residential District or in Business Districts A, B and C-3. No building or structure shall be erected or altered to exceed 5 stories, or 67 feet, in height in Business Districts C-1 and C-2. No dwelling unit in any Business District shall exceed 2½ stories, or 34 feet, in height. Chimneys, elevators, poles, spires,

tanks, towers and other projections not used for human occupancy may extend above the building or structure height limits by a maximum of 10 feet.

or act on anything relative thereto.

Requested by the Planning Board

The Advisory Board recommends in favor of this Article.

This Article changes the regulations relating to Height Restrictions.

ARTICLE 23: To see if the Town will vote to add the definition of REDEVELOPMENT to Zoning Bylaw Article IV, Special Regulations, Aquifer Protection District §4390 Definitions:

4390 Definitions:

REDEVELOPMENT: shall be defined as any proposal that triggers the requirements of §1500, Site Plan Review.

or act on anything relative thereto.

Requested by the Planning Board

The Advisory Board recommends this Article.

This Article changes the regulations relating to Aquifer Protections.

ARTICLE 24: To see if the Town will vote to amend the general Bylaw regarding Scenic Roads as adopted at the Annual Town Meeting of May 12, 2008, Article 25, follows,

Town of Norwell Scenic Road General Bylaw

Section 1. Authority and Purpose:

- a. Authority – This article is adopted under authority of MGL c. 40, §15C (Scenic Roads) and MGL c. 40, §21.
- b. Purpose – The purpose of this article is to provide a clearly defined public process and procedure for the implementation of the Scenic Road Act. The provisions of this act should ensure that:
 1. The semi-rural, natural, historic and scenic character of the Town's roads (as defined herein) is maintained.
 2. The need to preserve the character of scenic roads is balanced by the Town's need to efficiently maintain roads, acknowledging that roads serve a transportation function for pedestrians and bicyclists, as well as motorized vehicles.
 3. That Town roads will be recommended for designation as scenic roads in accordance with the criteria set forth in this article.
 4. That trees (as defined herein) and stone walls within the right-of-way of

all designated scenic roads will not be altered without the required Planning Board public hearing, nor without following the other procedures set forth in this article.

Section 2. Definitions:

For terms not qualified or defined in MGL c. 40, § 15C (Scenic Roads), the following meanings shall apply for the purposes of this bylaw:

Abutter – All property owners, including those across the street, abutting the property where work requiring a scenic road hearing is required.

Branch – A living branch that is fully attached to a tree (as defined herein) and that has a diameter of three inches or more, 12 inches from the point at which said branch connects to the tree.

Cutting or Removal of Trees – The removal of one or more trees, trimming of branches (both as defined herein) or cutting of roots sufficient in the Tree Warden's written opinion to cause eventual destruction of the tree. This definition does not apply to clearing nuisance growth, routine or emergency tree maintenance that removes only permanently diseased or damaged limbs, trunks, roots and dead whole trees or thinning crowded trees as determined by the Tree Warden.

Posting – The marking of a tree or stone wall along a road for the purpose of a scenic road hearing. For trees, such marking as described in MGL c. 87, §3. For stone walls, a ribbon or other appropriate flagging material shall be temporarily affixed at the limit of work on both ends of the stone wall.

Repair, Maintenance, Reconstruction or Paving Work – Shall mean any work done within a road (as defined herein) by any person or agency, public or private. Construction of new driveways or widening of existing ones is included, insofar as it takes place within the road. Roadside clearing of trees to provide for vehicular clearance or for improvements to the line-of-sight shall also be included in this definition. The definition of repair, maintenance, reconstruction or paving work shall not apply to the construction or alteration of water, sewer, electric, telephone, cable television or other utilities within the road unless such construction or alteration requires the tearing down or destruction of stone walls or the cutting or removal of trees.

Road – The entire legal right-of-way of a vehicular traveled right-of-way in Norwell, including any necessary appurtenances, and including bridge structures, drainage systems, retaining walls, traffic control devices and sidewalks. The right-of-way includes the area on and within the boundaries of the right-of-way and the air space above. The applicant shall be responsible for determining the limits and width of the right-of-way by utilizing layout plans available. If the boundaries are not officially known, any affected tree or stone wall shall be presumed to be within the right-of-way until shown by the proponent of the work to be otherwise.

Scenic Road – A road so designated in accordance with MGL. c. 40, §15C

Stone Wall – A man-made grouping of stones forming a straight or curved line.

Street Residents – The full list of all of the residents with an address on the subject street or streets, as found in the Norwell Board of Registrars most current edition of the "Resident List of the Town of Norwell".

Tearing Down or Destruction of Stone Walls – The destruction, removal, covering, or painting of any stone wall, or segment thereof, within or partially within the right-of-way.

Temporary removal and replacement of a stone wall at the same location, within a six-month period, with the same materials is permitted without Planning Board approval, but only if the ~~Norwell Highway Department~~ *Planning Board* is notified before the work begins so that it can confirm that the wall is properly replaced. Repair of a stone wall, not involving tearing down or destruction of the wall, is permissible and outside the scope of this bylaw.

Tree – A living tree in its naturally standing position within or partially within the right-of-way, the trunk of which has a diameter of four inches or more, four feet above the ground. Nothing in this definition shall be construed to permit a person, other than the Tree Warden, to trim, cut down or remove a public shade tree.

Tree Warden – The Town of Norwell Tree Warden or his designated deputy.

Section 3. Criteria for Designation as a Scenic Road:

- a. In determining which roads or portions of roads should be recommended to Town Meeting for designation as scenic roads, the Planning Board shall consider the following criteria:
 1. Overall scenic beauty.
 2. Contribution of trees to scenic beauty.
 3. Contribution of stone walls to scenic beauty.
 4. Age and historic significance of roads, trees and stone walls.
 5. Built features, along the street such as historic buildings, historic monuments, historic burial grounds and historic structures.
 6. Features of the road, such as surface, pavement width, use restrictions and bridges.
- b. Roads that have previously been designated as scenic roads may be reevaluated using the foregoing criteria.

Section 4. Procedure for Designating Scenic Roads:

- a. The Planning Board, the Conservation Commission or the Historical Commission, or a petition of 10 registered voters of the Town, may propose scenic road designation by the timely submission of an article for the Annual Town Meeting Warrant for any road or portion thereof other than a numbered route or state highway.
 1. Following the close of the Warrant, the Planning Board shall hold a public hearing by advertising twice in a newspaper of general circulation, the first advertisement to appear at least 14 days prior to the date of the public hearing.
 2. The Planning Board shall provide a copy of the public hearing notice to all Street Residents, the Board of Selectmen, the Building Inspector, the Conservation Commission, the Historical Commission and the Tree Warden / Highway Department before the public hearing commences. The Planning Board shall also ask the Town Administrator to announce the public hearing during the on-air segment of the Selectmen's meeting.
 3. The Planning Board shall ensure that any recommendation for scenic road designation is accompanied by a written description of the characteristics of the road that require the protection afforded by these regulations.
- b. The Planning Board shall make its recommendation to Town Meeting on the merits of designation of the road as a scenic road. Following scenic road designation by town meeting, the Planning Board shall:
 1. Notify all municipal departments that may take any action with respect to such road.
 2. Notify all utility companies or other such parties that may work on such road.
 3. Notify the Massachusetts Highway Department.

4. Indicate such designation on the next revision of the zoning map.

Section 5. Design Standards for Scenic Roads:

- a. Only one driveway cut per lot onto any designated scenic road shall be allowed *as the direct result of the Cutting or Removal of Trees or the Tearing Down or Destruction of any Stone Wall*. The driveway width shall be limited to 18 feet.
- b. The use of a common driveway is encouraged for multiple-lot projects, but not required.
- c. Stone wall sections to be removed for a driveway shall not exceed the driveway width by more than 2 feet on each side edge of the driveway.
- d. Removed stone for driveway breaches shall be used to repair other sections of the wall along the road at the sole expense of the applicant.
- e. Stone walls that are breached should be provided with appropriate termini. Appropriate termini shall consist of, but not be limited to, stone piers, granite posts, or tapered ends to the stone wall that turn back onto the driveway.
- f. The Planning Board retains the right to waive any or all of the §5 Design Standards if it deems doing so is consistent with the intent of MGL c. 40, §15C Scenic Roads and it enhances the considerations enumerated in §7.

Section 6. Filing for Work Affecting Trees or Stone Walls; Emergencies:

- a. Filing. Any person, organization or agency seeking the consent of the Planning Board under MGL c. 40, § 15C (Scenic Roads) regarding repair, maintenance, reconstruction or paving work, including new driveways, that may involve the cutting or removal of trees or the tearing down or destruction of stone walls, or portions thereof, within or partially within the right-of-way of a designated scenic road, shall provide notice to all abutters and file a request with the Planning Board, submitting the following information:
 1. The text of the notice of the public hearing, identifying the location of the proposed action in terms enabling the readers to locate it with reasonable specificity on the ground without the need for additional plans or references and describing in reasonable detail the proposed changes to trees and stone walls.
 2. A statement of the purpose(s) for the proposed action.
 3. Any further explanatory material useful to adequately inform the Planning Board, including clearly identifiable digital or printed photographs of the proposed work area and its existing conditions. ~~When the Planning Board determines the proposed work to not be extensive, it may permit one copy of, including an identical set of existing conditions photographs to be marked up to demonstrate the proposed work. All pictures shall be signed and dated by the applicant.~~
 4. ~~If the less formalized §6.3 requirements are not adequate in the opinion of the Planning Board, seven sets of A plans or drawings or other further explanatory reference material~~ showing the proposed work with specific design details shall be required. A description of the proposed changes to either trees or stonewalls should be included on these plans. *Such plans shall show all work that might involve the Tearing Down or Destruction of Stone Walls, including the potential installation of electric, water, and gas lines.*
 5. Except in the case of town agencies, a fee sufficient to reimburse the cost of advertising and shall be provided before the public hearing commences.
 6. A list of abutters to the property requiring the scenic road hearing and proof of notice given.
 7. Adequate posting per §2 of this bylaw, at least one calendar week before the public hearing.
 8. An explanation of any proposed compensatory actions that may be useful to the Planning Board before the start of the public hearing.

- b. Notice. The Planning Board shall, as required by statute, give notice of its public hearing by twice advertising in a newspaper of general circulation in the area, with the first publication of the notice to be at least fourteen days prior to the hearing and the last at least seven days prior to the hearing. Copies of the notice shall be sent to the Board of Selectmen, the Tree Warden / Highway Department, the Conservation Commission and the Historical Commission before the public hearing commences.
- c. Public hearing & Decision. The Planning Board shall hold a public hearing within thirty days of receipt of a properly filed request and shall file a decision with the Town Clerk fifteen days after the hearing, unless the applicant agrees to an extension. The Planning Board shall also send a copy of its decision to the applicant, the Board of Selectmen, Building Inspector, the Conservation Commission, the Historical Commission and the Tree Warden / Highway Department.
- d. Public Shade Trees. When required by MGL c. 87 (Shade Trees), notice shall be given and the Planning Board hearing required by MGL c. 40, §15C (Scenic Roads) shall be held in conjunction with those held by the Tree Warden, with the Planning Board responsible for the consolidated notice acting under MGL c. 87 (Shade Trees). Consent to an action by the Planning Board shall not be construed as consent by the Tree Warden or vice versa. ~~A Planning Board decision shall contain a condition that no work shall take place until any applicable provisions of MGL c. 87 (Shade Trees) have been complied with.~~
- e. The approval of the Planning Board or Tree Warden under these regulations for any proposed work shall be valid for two years from the date the decision is filed with the Town Clerk. After two years from this date, the decision is void unless an extension is granted before the expiration.
- f. Emergency repair. This article shall not apply when the Tree Warden acts in an emergency in accordance with law. In cases where a tree or branch poses a threat to public safety and there is not sufficient time to obtain prior approval from the Planning Board, the Planning Board must be notified by the Tree Warden within the calendar week after any action, where if the threat had not existed, would be a violation of this ordinance. Under no circumstances are stone walls to be torn down or destroyed on a scenic road under the auspices of emergency repair.

Section 7. Considerations When Acting On Applications:

In acting on filings concerning designated scenic roads, the Planning Board shall take into consideration the following:

- a. That abutters were notified.
- b. Contribution of trees to scenic beauty.
- c. Contribution of stone walls to scenic beauty.
- d. Age and historic significance of roads, trees and stone walls.
- e. Features of the road, such as surface, pavement width and bridges.
- f. Public safety.
- g. Compensatory actions proposed, such as stone wall and tree replacement (*tree replacement per §8a*). The Board may approve any plan where the compensatory action is deemed to be of greater value, as defined by §7, than the proposed alteration.
- h. Functional importance and urgency of repair, maintenance, reconstruction or paving.
- i. Additional evidence contributed by abutters, town agencies and other interested parties.
- j. Existence or absence of reasonable alternatives.
- k. Recreational uses of the road.
- l. Other planning information, including how what is proposed relates to the Master Plan.

Section 8. Enforcement and Violations:

- a. Failure to file with the Planning Board for permission to cut or remove trees or for the tearing down or destruction of any portion of a stonewall within any designated scenic road will require an immediate after-the-fact filing and the applicant shall be required to restore features altered by the work. Unless waived, the applicable restoration shall consist of restoring the stone wall to existing conditions and/or replacing the trees cut with nursery quality trees that are acceptable to the Planning Board - in consultation with the Tree Warden. For every three inches of tree cut, measured across its stump, a nursery quality replacement tree with a two inch caliper, measured four feet from the ground, shall be planted by the applicant.
- b. Failure to comply with a duly issued decision of the Planning Board shall be subject to restoration as detailed above and other remedial measures that the Planning Board deems necessary. Any decision not carried out within two years of issue shall be void and shall require a new filing, unless an extension is granted before the two-year expiration.
- c. The location of any tree replacement shall be at the direction of the Tree Warden.
- d. The Planning Board and the Tree Warden shall have the authority to enforce the provisions of this section, as applicable.
- e. Any violation of this bylaw, whether for the tearing down or destruction of stone walls or the cutting or removal of trees, shall result in a fine levied against the offending property owner. The first violation shall result in a fine of \$100, the second violation shall result in a fine of \$200, and the third violation shall result in a fine of \$300. Each day, or portion thereof, that a violation of this bylaw continues shall be deemed a separate offense.
- f. In addition to the foregoing remedies, the Town of Norwell acting by and through its Planning Board, and with the approval of the Board of Selectmen, shall have all other legal and equitable remedies, which may exist, including without limitation the right to seek injunctive relief.
- g. In addition and as an alternative method of enforcement, the Town of Norwell may in its discretion enforce the provisions of this bylaw in the manner provided in MGL c. 40, §21D.
- h. If, in an aspect, any provision of this bylaw, in whole or part, shall prove to be invalid for any reason, such invalidity shall only affect the part of such provision found invalid. In all other aspects, all provisions of this bylaw will remain in full force.

Section 9. Scenic Roads in Norwell

The following roads are designated as scenic roads under MGL c. 40, §15C and this bylaw:

- a. Bowker Street Annual Town Meeting – 3/1976
- b. Norwell Avenue Annual Town Meeting – 3/1976
- c. Jacobs Lane Annual Town Meeting – 3/1980
- d. Stetson Road Annual Town Meeting – 3/1980
- e. Stetson Shrine Lane Annual Town Meeting – 3/1980
- f. Tiffany Road Annual Town Meeting – 3/1980
- g. Central Street Annual Town Meeting – 5/2005
- h. First Parish Road Annual Town Meeting – 5/2005
- i. High Street Annual Town Meeting – 5/2005
- j. Old Oaken Bucket Road Annual Town Meeting – 5/2005
- k. Prospect Street Annual Town Meeting – 5/2005
- l. River Street Annual Town Meeting – 5/2005
- m. Circuit Street Annual Town Meeting – 5/2006
- n. Green Street Annual Town Meeting – 5/2006
- o. Lincoln Street Annual Town Meeting – 5/2006

p. Pine Street	Annual Town Meeting – 5/2006
q. Pleasant Street	Annual Town Meeting – 5/2006
r. Mount Blue Street	Annual Town Meeting – 5/2006
s. Wildcat Lane	Annual Town Meeting – 5/2006
t. Winter Street	Annual Town Meeting – 5/2006
u. Cross Street	Annual Town Meeting – 5/2008
v. Forest Street	Annual Town Meeting – 5/2008
w. Summer Street	Annual Town Meeting – 5/2008

Section 10. Power to Adopt Rules and Regulations:

The Planning Board, in its discretion, shall have the authority to adopt rules and regulations consistent with this Bylaw.

or act on anything relative thereto.

Requested by the Planning Board

The Advisory Board recommends in favor of this Article.

This Article clarifies the meaning of Scenic Roads.

ARTICLE 25: To see if the Town will vote to form a committee of at least three members appointed by the Board of Selectmen to study the removal of overhead wires pursuant to Massachusetts General Law Chapter 166, §22B & §22D. The “Overhead Wire Committee” shall work with the various utilities serving the Town, perform an analysis of the feasibility and cost of removing overhead wiring in conjunction with the various sources of funding including grant applications and utility charges. The Committee may consider a “standby” plan for overhead wire suppression that is activated only in conjunction with major road work. The committee shall file a report with the Planning Board for a public hearing. The Committee or the Planning Board pursuant to Massachusetts General Law Chapter 166 §22D may then propose an ordinance or by-law for Town Meeting consideration, or act on anything relative thereto.

Requested by the Planning Board

The Advisory Board recommends in favor of this Article.

This Article establishes a committee to study the removal of overhead wires.

ARTICLE 26: To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum of money not to exceed one million five hundred thousand and 00/100 (\$1,500,000.00) dollars for architectural, engineering and design services for (1) renovation, reconstruction or an addition to the existing police station or for the construction of a new police station and (2) renovations and/or addition to the existing Town Hall building located and numbered as 345 Main Street and to

determine whether this appropriation shall be raised by borrowing or otherwise, or take any action relative thereto.

Requested by the Permanent Building and Maintenance Committee

The Advisory Board will make its recommendation at Town Meeting.

The Permanent Building and Maintenance Committee will develop a strategy and plans to make renovations or reconstruct the Police Station and/or Town Hall.

ARTICLE 27: To see if the Town will vote to amend the Town of Norwell By-Laws, Article XIV – Traffic Rules and Orders, Article 4, Subsection 1, by adding the following changes to reflect our current parking violation books. The new proposed fines are also listed.

<u>Name of Violation</u>	<u>Proposed Fine</u>
Impeding snow removal	\$30.00
All night parking	\$25.00
Double parking	\$25.00
Within 10 feet of a Hydrant	\$50.00
Wrong direction	\$25.00
Obstructing Crosswalk or Sidewalk	\$25.00
Obstructing Driveway	\$25.00
Restricted or Prohibited Area	\$35.00
Within 20 feet of an Intersection	\$25.00
Overtime Parking	\$25.00
Leaving less than 10 feet wide unobstructed lane	\$25.00
Blocking Fire/Exit Lane	\$50.00
Improper Parking	\$25.00
Upon Roadway in a Rural Area	\$25.00

or act on anything relative thereto.

Submitted by the Chief of Police

ARTICLE 28: To see if the Town will vote to rescind the sum of \$52,000 of the authorization to borrow \$582,000 voted in Article 3 of the Annual Town Meeting of May 8, 2006, or take any other action relative thereto.

Requested by the Treasurer Collector

The Advisory Board recommends in favor of this Article.

This is a housekeeping article to close out a bonding authorization that was not exercised.

ARTICLE 29: To see if the Town will vote to reduce the rate of interest that accrues on property taxes deferred by eligible seniors under Massachusetts General laws, Chapter 59, Section 5, Clause 41 A from 4% to 2% with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2009, or act on anything relative thereto.

Requested by the Senior Tax Relief Committee

The Advisory Board recommends in favor of this Article.

This Article establishes reduces the interest rate for eligible seniors from 4% to 2%.

ARTICLE 30: To see if the Town will vote to authorize the Affordable Housing Trust to expend up to \$50,000 of funds held by the trust to be used for emergency capital repairs of existing affordable housing units in Norwell owned by the Norwell Housing Authority. Prior to making such repairs the Trust shall ascertain that funding to make these repairs is not available through other sources or anything relative thereto.

Requested by the Affordable Housing Trust

The Advisory Board recommends in favor of this Article.

This Article gives the Affordable Housing Trust access to already appropriated funds in the event of an emergency repair in Norwell Housing Authority Affordable housing properties.

ARTICLE 31: To see if the Town will vote to change the name of the Wind Power Committee to the Norwell Energy Committee, and in addition to charge the Committee with coordinating the Town of Norwell's application for designation as a "Green Community" pursuant to Massachusetts General Laws Chapter 25A, Section 10, and to apply for any state and federal energy related grants that may be available under this designation. Activities of the Energy Committee in pursuing Green Community designation and any grant applications would be subject to the review by the Board of Selectmen.

Requested by the Wind Power Committee

The Advisory Board recommends this article.

This Article changes the name of and the scope of the Wind Power Committee.

ARTICLE 32: To see if the Town of Norwell will authorize the Norwell Energy Committee with the approval and coordination of School Committee to make an application for grant funding to install solar photovoltaic installations at one or more school locations in the Town of Norwell. The Norwell Energy Committee shall coordinate the development of an RFP for the project and may develop a "Power Purchase Agreement" (PPA) for financing the project. Any grant application and/or PPA must also be approved by the Board of Selectmen who in addition to approving its terms shall make a determination that the expected net financial exposure of any photovoltaic project to the Town is acceptable.

Further to authorize the Treasurer to bond a sum of money up to \$200,000 for the installation of said project should the Board of Selectmen determine that the energy savings from the installation of solar photovoltaic cells provides a significant savings in energy usage as to make the project economically justifiable, or act on anything relative thereto.

Requested by the Wind Power Committee

The Advisory Board recommends in favor of this Article.

The article authorizes the Norwell Energy Committee to work with the School Committee and apply for grant funding of solar photovoltaic cell installations at one or more school locations. Final approval and financing of any potential project must be approved by the Board of Selectmen.

ARTICLE 33: To see if the Town will vote to re-authorize the Stetson Ford House Revolving Fund, pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 53E ½, for the fiscal year beginning July 1, 2009, or take any other action relative thereto.

Requested by the Community Preservation Committee

The Advisory Board recommends in favor of this Article.

This Article continues the revolving fund for the maintenance of the Stetson Ford House.

ARTICLE 34: To see if the Town will appropriate the sum of \$100,000 or any other sum from the Community Preservation Fund FY2010 revenues pursuant to MGL Chapter 44B for open space acquisition to the Conservation Fund. Expenditures of these Conservation Fund monies shall require the concurrence of the Community Preservation Committee and the Board of Selectmen, or act on anything relative thereto.

Requested by the
Community Preservation Committee

The Advisory Board recommends in favor of this Article.

This Article gives money to the Conservation Committee to acquire conservation land.

ARTICLE 35: To see if the Town will appropriate the sum of \$20,000 or any other sum from the Community Preservation Fund FY2010 revenues pursuant to MGL Chapter 44B for open space and recreation purposes for the acquisition of a GIS information system for the Town of Norwell. Expenditures under this article may include: hardware, software, technical support, and related professional services to install an operating system. Expenditures under this article shall be approved by the Community Preservation Committee.

Requested by the
Community Preservation Committee

The Advisory Board recommends in favor of this Article.

This Article provides funding for Geographic Information System for the Town.

ARTICLE 36: To see if the Town will vote to authorize the Affordable Housing Trust to use up to \$50,000 of its funds to pay for professional services including: feasibility studies, engineering analyses, development of plans and specifications, development of RFP's, etc. in regards to parcels of land with existing affordable housing units owned by the Norwell Housing Authority or other parcels that have been previously designated by Town Meeting for the development of affordable housing. For these purposes, the Affordable Housing Trust may also consider requests for such proposals made by the Affordable Housing Partnership or the Norwell Housing Authority, or act on anything relative thereto.

Requested by the
Community Preservation Committee

The Advisory Board recommends this Article.

This Article allows the Affordable Housing Trust to use up to \$50,000 of its existing funds for emergency repairs.

ARTICLE 37: To see if the Town will vote to transfer the sum of \$30,000 from the Community Preservation Fund FY 2010 revenues pursuant to MGL Chapter 44B for the preservation of vital records, or act on anything relative thereto.

Requested by the
Community Preservation Committee

The Advisory Board recommends in favor of this Article.

This Article provides funding for properly preserving the vital records of the Town.

ARTICLE 38: To see if the Town will vote to transfer the sum of \$5,000 from the Community Preservation Fund FY2010 revenues pursuant to MGL Chapter 44B for a Habitat Study, or act on anything relative thereto.

Requested by the
Community Preservation Committee

The Advisory Board recommends in favor of this Article.

This Article provides funding for a Habitat Study.

ARTICLE 39: To see if the Town will vote to appropriate the sum of \$25,000 from the Community Preservation Fund FY 2010 revenues pursuant to MGL Chapter 44B for the purpose of Open Space Protection and Recreation for access improvements to the Jacob's Pond Conservation Area, canoe launch and walking paths. These funds will be expended under the direction of the Conservation Commission and with the approval of the Community Preservation Committee.

Requested by the Community Preservation
Committee

The Advisory Board will make their recommendation at Town Meeting.

This Article provides money for improvements to the Jacob's Pond Conservation Area.

ARTICLE 40: To see if the Town will appropriate the sum of \$33,750 or any other sum from the Community Preservation Fund FY2010 revenues pursuant to MGL Chapter 44B for historic preservation purposes for the repair and capital improvement of the roofs on the farmhouse and/or any outbuildings located at the Jacobs Pond Farm site. Expenditures of these funds shall be conditional upon the successful application for state funds for this project from the Massachusetts Historical Commission. This project, including the grant application process, shall be administered by the Norwell Historic Commission. Expenditures under this article shall be subject to the approval of the Community Preservation Committee, or act on anything relative thereto.

Requested by the
Community Preservation Committee

The Advisory Board will make its recommendation at Town Meeting.

This Article provides funding for capital repairs and improvements to buildings on the Jacobs Farm estate.

ARTICLE 41: To see if the Town will vote, pursuant to Massachusetts General Laws, Chapter 44B, to reserve the sum of \$100,000 or another sum, from FY2010 revenues, for the creation, preservation and support of affordable housing; to reserve the sum of \$100,000, or another sum, from FY2010 revenues, for the acquisition, preservation, rehabilitation and restoration of historic resources; and to reserve the sum of \$100,000 or another sum, from FY2010 revenues, for the acquisition, creation and preservation of open space, or take any other action relative thereto.

Requested by the Community
Preservation Act Committee

The Advisory Board recommends this article in the amount requested for each category.

This Article authorizes the Town to segregate 10% of annual revenues from the Community Preservation Fund into each of the required categories – Open Space, Affordable Housing, and Historic Rehabilitation and Restoration.

ARTICLE 42: To see if the Town will vote to accept a petition to support the new renewable energy laws, by forming a buying co-operative of Norwell only residents for renewable energy. This petition is to direct town officials to support Norwell Renewable Energy Buying Co-operative. This petition is intended to place Norwell in the lead to take advantage of the new net metering legislation on the south shore or any matter concerning this issue.

Requested by Citizens Petition

The Advisory Board does not recommend this Article.

This Article would establish a cooperative energy buying entity.

ARTICLE 43: To see if the Town will vote to accept a Petition to allow the Selectmen to enter into a lease arrangement for the use of enough acreage in the Stetson Meadows Area with the Norwell Renewable Energy Buying Co-operative (NREBCO) to support turbine operations or any matter concerning this issue.

Requested by Citizens Petition

The Advisory Board does not recommend this Article.

This Article would authorize the Selectmen to lease land to the Norwell Renewable Energy Buying Co-operative in Stetson Meadows.

ARTICLE 44: To see if the Town will vote to support a Petition to reserve enough land (about 3 acres) in the Stetson Meadows Area to erect a commercial grade wind turbine to support the Norwell Renewable Energy Buying Co-operative (NREBCO) or any matter concerning this issue.

Requested by Citizens Petition

The Advisory Board does not recommend this article. This land has been designated by Town Meeting for the new Norwell Cemetery

ARTICLE 45: To see if the Town will vote to raise and/or appropriate a sufficient sum of money to construct a sidewalk on the southerly side of Main Street in Norwell, Massachusetts from the Hanover Town Line to the Norwell Town Center or to seek grant or other public funding necessary to include such a sidewalk along this portion of Main Street or to act on anything relative thereto/

Requested by Citizens Petition

The Advisory Board does not recommend this Article as written.

This Article seeks to construct a sidewalk on Main Street.

ARTICLE 46: To see if the Town will vote to reduce the Community Preservation Act surtax from 3% to ¼% for two calendar years at the end of the legal five year period. The vote at the town meeting to be taken by secret ballot. The change to be effective the last day of the month following the town meeting approval or act on anything relative there to.

Requested by a Citizen's Petition

The Advisory Board does not recommend this Article as written in the warrant.

This Article amends the amount of the Community Preservation Act surcharge on property taxes.

ARTICLE 47: To see if the Town will vote to amend the Town of Norwell General by-laws, by adding at the end thereof the following new section:

Section ____ - Right to Farm By-law

Right To Farm By-Law

Section 1: Legislative Purpose and Intent

- (a) The purpose and intent of this By-law is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97, of the Constitution, and all state statutes and regulations there under including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter III, Section I25A and Chapter 128 Section 1A. We the citizens of Norwell restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution, ("Home Rule Amendment").
- (b) This General By-law encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands and forests within the Town of Norwell by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This By-law shall apply to all jurisdictional areas within the Town.

Section 2: Definitions

- (a) The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto.
- (b) The words "farming" or "agriculture" or their derivatives shall include, but not be limited to the following:
 - 1. farming in all its branches and the cultivation and tillage of the soil;
 - 2. dairying;
 - 3. production, cultivation, growing, and harvesting of any agricultural, aqua cultural, floricultural, viticulture, or horticultural commodities including orchards;

4. growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
5. raising and/or boarding of livestock including horses;
6. keeping and/or training of horses as a commercial enterprise; and keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and alpacas), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing animals.

(b) "Farming" shall encompass activities including, but not limited to, the following:

1. operation and transportation of slow-moving farm equipment over roads within the town;
2. control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
3. application and storage of manure, fertilizers and pesticides under generally accepted best management practices;
4. conducting agriculture-related educational and farm-based recreational activities, including "agritourism", provided that the activities are related to marketing the agricultural output or services of the farm;
5. processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto;
6. maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
7. on-farm relocation of earth and the clearing of ground for farming operations.
8. maintaining drainage or irrigation ditches; picking stone; constructing, repairing or maintaining fences; and clearing, renovating and maintaining pastures including using the practice of prescription burning.

Section 3: Right To Farm Declaration

(a) The Right to Farm is hereby recognized to exist within the Town of Norwell. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this By-law are intended to apply exclusively to those commercial agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Right To Farm By-law shall be deemed as acquiring any interest in land, or as contravening any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

Section 4: Disclosure Notification

(a) In order to ensure that prospective owners and tenants are aware of the policy of the Town of Norwell expressed in this Bylaw regarding agricultural uses, the following notification shall be prominently posted in the Norwell Town Hall, the Norwell Library, and on the Town of Norwell website within 30 days of this bylaw becoming effective.

In addition, the notification language required by this section shall appear each year in the Town's Annual Report.

(1) "It is the policy of this community to conserve, protect and encourage the maintenance and improvement of forest and agricultural lands for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by commercial agricultural and farming activities.

(b) Property owners should make efforts to inform prospective tenants or buyers that Norwell is a "Right-to-Farm" community.

Section 5: Resolution of Disputes

(a) Any person having a complaint about a farm activity or practice is encouraged to seek an amicable resolution to the complaint, including talking directly with the involved farmer.

(b) Any person who seeks to complain about the operation of a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Select Board, the Zoning Enforcement Officer, or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have.

(c) The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Board of Selectmen, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon time frame.

Section 6: Severability Clause

If any part of this By-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this By-law. The Town of Norwell hereby declares the provisions of this By-law to be severable.

or act on anything relative thereto.

Requested by Citizens Petition

The Advisory Board does NOT recommend this Article. There are already rights for farmers similar to these in State Law.

This Article would establish Norwell as a Right-To-Farm Community.

ARTICLE 48: To see if the Town will vote to raise and appropriate, or transfer from available funds or otherwise provide the sum of \$4,000 to contract with South Shore Women's Resource Center for domestic violence intervention and prevention services for its residents, or act on anything relative thereto.

Requested by Citizens Petition

The Advisory Board recommends this article in the amount of \$4000.

This Article authorizes the Town to pay for services provided to Norwell residents.

ARTICLE 49: To see if the Town will vote to transfer from available funds or otherwise provide a certain sum of money to be added to the Stabilization Fund as established in accordance with the provisions of Massachusetts General Law, Chapter 40, Section 5B, or act on anything relative thereto.

Requested by the Board of Selectmen

The Advisory Board will make its recommendation at Town Meeting if funds are identified and available.

ARTICLE 50: To see if the Town will appropriate a sum of money from available funds and authorizes the Assessors to use this sum to decrease the tax rate for FY 2010, or act on anything relative thereto.

Requested by the Board of Selectmen

The Advisory Board will make its recommendation at Town Meeting if funds are identified and available.

This Article decrease the tax rate for FY2010 from unexpended funds.

INSTRUCTIONS TO ELECTED OFFICIALS

SALE OF THE FISH RIGHTS

You are directed to serve this Warrant by posting a copy thereof attested to by you in writing in each of five public places in the Town at least fourteen days before the time for holding and meeting called for in the Warrant. Hereof, fail not and make due return of the Warrant with your doings thereon to the Town Clerk of said Town on or before the _____.

Given under our hands at Norwell this 9th day of April in the year of our Lord, 2009.

BOARD OF SELECTMEN
Norwell, Massachusetts

Thomas J. Bigger, Chairman

Richard A. Merritt, Vice Chairman

John G. Mariano, Clerk

A TRUE COPY ATTEST: _____

Constable _____ Date _____

Office of the Board of Selectmen
Town of Norwell
Norwell, Massachusetts 02061



RESIDENTIAL POSTAL CUSTOMER
AND/OR RESIDENT BOX HOLDER
NORWELL, MA 02061