

**Norfolk Records  
Fall Special Town Meeting October 25, 2005**

Pursuant to a warrant dated September 26, 2005, signed by Ramesh Advani, James Lehan, and Jonathan Smith, Selectmen of Norfolk, the inhabitants of Norfolk qualified to vote in elections and town affairs met in the King Philip Middle School, 18 King Street, Norfolk, MA on Tuesday, October 25, at 7:30 PM in the evening, there and then to act on the following articles. The meeting was called to order at 7:30PM by Moderator Frank J. Gross. There were 3 registered voters in attendance.

**APPROVED BY VOICE VOTE** to waive the reading of the warrant and the return on the warrant.

**APPROVED BY VOICE VOTE** to adjourn the meeting to Wednesday, October 26, 2005 at 7:30PM at the King Philip Middle School.

**The second session of the Special Fall Town Meeting was called to order by the Moderator at 7:30PM on October 26, 2005. The Moderator introduced the Town Clerk, Assistant Town Clerk, Board of Selectmen, Town Administrator, Town Counsel, and the Advisory Board Chair who then introduced that Board. There were 59 registered voters in attendance.**

**ARTICLE 1**

**APPROVED BY VOICE VOTE** to raise and appropriate from Additional State Aid, State Owned Land, the sum of \$7,284.00 for a Conservation Commission Agent, Account #011712.530200, and to transfer:

**FROM:**

Account Number	Department	Amount
60002.578000	Water Expenses	\$6,907.00
60002.530300	Water Engineering / Contract Services	\$10,000.00
60002.578810	Water Projects	\$10,000.00
021613.500023	Town Clerk Voting Machine ATM04 #7	\$1,000.00
019542.574000	Building & Liability Insurance	\$20,000.00
011301.511000	Municipal Finance Salaries	\$20,000.00
025413.500042	COA Bus STM 02 #8	\$2,112.00
022103.500016	Police Vehicles ATM04 #7	\$6,979.00
022413.500005	Paint Town Hall ATM04 #7	\$4,960.00
021613.500022	Refurbish Town Seal ATM04 #7	\$300.00
3105.578000	Senior Center Construction	\$1,131.68
019122.515004	Employee Benefits (Flexible Spending Account)	\$5,000.00
	<b>TOTAL</b>	<b>\$88,389.68</b>

**TO:**

Account Number	Department	Amount
60002.511000	Water Salaries	\$26,907.00
012201.511000	Fire Salaries (EMT TRAINING COVERAGE)	\$12,500.00

011222.558200	Selectmen - Committee Funds	\$600.00
022103.500048	Police Vehicle	\$38,370.00
011302.530200	Municipal Finance Expenses - Consulting	\$8,881.00
015412.578000	Senior Center Expenses (Sign)	\$1,131.68
	<b>TOTAL</b>	<b>\$88,389.68</b>

**ARTICLE 2**

**APPROVED BY VOICE VOTE** to Indefinitely Postpone Article 2.

*(money to pay unpaid bills of a prior year)*

**ARTICLE 3**

**APPROVED BY UNANIMOUS VOTE** to transfer the sum of \$25,000 from the Overlay surplus to Assessors Revaluation Account 021413.500060 to implement the Re-certification plan of the Board of Assessors for maintaining and upgrading all real and personal property valuations at full and fair cash values as required by the Commonwealth of Massachusetts and to achieve uniform assessments. Said funds to be used to contract for professional appraisal services by a state approved revaluation company.

**ARTICLE 4**

**APPROVED BY UNANIMOUS VOTE** to accept Clause 54 of Section 5 of Chapter 59 of the General Laws, and authorize the Town to establish a minimum fair cash value required for a personal property account to be taxed, and further establish such minimum fair cash value at \$5,000, to be effective for the fiscal year beginning July 1, 2006 and ending June 30, 2007.

**ARTICLE 5**

**APPROVED BY VOICE VOTE** to Indefinitely Postpone article 5.

*(amend Article X of the Town Bylaws by adding section 37 Use of Pond Street Complex)*

**ARTICLE 6**

**Motion was made and seconded** to amend Article IX of the Town Bylaws:

1. By adding a new subsection 4.J., as follows:  
Temporary vinyl signs up to 4' X 6' to be attached to the Pond Street Fences under the direction of Norfolk Recreation. Signs must be only green and white and must be approved by Norfolk Recreation Commission prior to installation.
2. By inserting at the end of subsection 6.G., the phrase, “, other than as provided in Subsection 4.J., above.”
3. By amending Section 8.C. to change the words “In no case,” where they appear at the beginning of the second sentence, to the words “Except as allowed under Subsection 4.J., above, “.

**APPROVED BY UNANIMOUS VOTE** to amend part 3 to read:

By amending Section 8.C. to insert the phrase “Except as allowed under Subsection 4.J., above” after the phrase “In no case” in place of the word “however”.

**APPROVED BY VOICE VOTE** to amend Article IX of the Town Bylaws:

1. By adding a new subsection 4.J., as follows:

Temporary vinyl signs up to 4' X 6' to be attached to the Pond Street Fences under the direction of Norfolk Recreation. Signs must be only green and white and must be approved by Norfolk Recreation Commission prior to installation.

2. By inserting at the end of subsection 6.G., the phrase, “, other than as provided in Subsection 4.J., above.”
3. By amending Section 8.C. to insert the phrase “Except as allowed under Subsection 4.J., above” after the phrase “In no case” in place of the word “however”.

#### **ARTICLE 7**

**Motion was made and seconded** to Indefinitely Postpone Article 7.

**Motion was made and seconded** to amend the main motion and move the original article, as follows: to amend Section 6 of Article 3 of the Town Bylaws by deleting subsections C. and D. entirely and replacing them with the following subsections C. and D.

#### SECTION 6 Permanent Building Committee

C. The Permanent Building Committee shall consider the request from any Department, Board/Committee, or Town Official for all construction, reconstruction, renovation, or addition to Town Buildings, School Buildings, Recreation Areas, or any other Town Facility. Following said consideration, and with Town Meeting approval, the Permanent Building Committee shall conduct a feasibility study and shall assist the requesting entity in reporting said study to the next appropriate Town Meeting.

D. Following Town Meeting approval and appropriation of funds, receipt of Grant Funding, or any other funding source, the Permanent Building Committee shall conduct such public bids as may be necessary and/or award all contracts on behalf of the Town as may be necessary to accomplish the vote of the Town Meeting and will supervise the project through its final completion.

**DEFEATED BY VOICE VOTE** to amend the main motion.

**APPROVED BY VOICE VOTE** to Indefinitely Postpone Article 7.

#### **ARTICLE 8**

**APPROVED BY UNANIMOUS VOTE** to authorize the Board of Selectmen to abandon Foss Rd. a stub road off of Old Colony Rd. from Sta. 0+00 to Sta. 1+30 approximately 6,600 S.F. +/- as shown on plan titled "Plan of Land Foss Road Abandonment Norfolk Ma." drawn by G.L.M. Engineering Consultants Holliston Ma. dated September 12, 2005.

#### **ARTICLE 9**

**APPROVED BY UNANIMOUS VOTE** to authorize the Board of Selectmen and/or Interim Board of Public Works to enter into an inter-municipal agreement with the Town of Millis for the acquisition of potable water.

#### **ARTICLE 10**

**APPROVED BY UNANIMOUS VOTE** to authorize the Board of Selectmen and/or Interim Board of Public Works to enter into lease agreements for terms of up to twenty (20) years, including extensions, with one or more federally licensed wireless communications companies for

the use of such portions of the following sites as the Board may deem appropriate to construct, operate, maintain, repair and replace wireless communications facilities: (1) the water tank site off Liberty Lane depicted on Assessors Map 14, Block 41, as Lot 27, and described on Certificate of Title 115064, Book 576 in the Land Court Section of the Norfolk County Registry of Deeds and shown on Land Court Plan No. 37477B; (2) the water tank site on Sharon Avenue shown as Assessors Map 19, Block 69, Lot 27 and being shown as Parcel 5 and Parcel 6 on a Plan entitled "Plan of Land in Norfolk, Mass.", dated January 9, 2002 and revised February 8, 2002 by Landmark Engineering of New England, Inc., said plan being filed with the Norfolk County Registry of Deeds as Plan No. 96 of 2002 in Plan Book 493; and/or (3) the Pond Street Recreational complex shown as Assessors Map 20, Block 72, Parcel 56, and described in the deed from the Commonwealth of Massachusetts to the Town of Norfolk dated March 15, 1995 and filed with the Norfolk County Registry of Deeds in Book 10863, Page 429.

## **ARTICLE 11**

**APPROVED BY UNANIMOUS VOTE** to Indefinitely Postpone Article 11.

*(modify the layout of the intersection of Union Street and Liberty Lane)*

## **ARTICLE 12**

Committee Reports were given by the following:

Aislynn Rodeghiero thanked the community for their support regarding the collection for animal victims of Hurricane Katrina.

Kathleen Lovell gave a presentation on the vehicle stabilization fund, the current status of the vehicles not replaced, and a plan for the future.

Jack Hathaway gave a presentation on the goals of the Board of Selectmen, which are:

Goal 1: Leadership & Communications

*Goal Statement: Provide clear direction, accountability and improvement with a vision for excellence in municipal governance*

Goal 2: Operational Excellence

*Goal Statement: Provide an efficient and effective town government, responsive to resident needs*

Goal 3: Town Center Development

*Goal Definition: Facilitate a coordinated development and implementation of the Norfolk Town Center*

Goal 4: Economic Development

*Goal Definition: Provide the leadership to improve the business climate within Norfolk and to attract appropriate commercial activity*

Goal 5: Long & Short Term Financial Planning

*Definition: Provide fiscal leadership to ensure a sound and stable town government.*

Goal 6: Identification of Required/Requested Town Services

*Definition: Document and prioritize services required by the Town*

## **ARTICLE 13**

**APPROVED BY UNANIMOUS VOTE** to accept a gift of land or take by eminent domain pursuant to Chapter 79 of the General Laws and further to accept as a public way and to accept all easements, Audubon Trail from North Street to the end of Audubon Trail, as approved by the Board of Selectmen as shown on the acceptance plan dated August 4, 2005, drawn by GLM Engineering, Consultants, Inc. of Holliston, Massachusetts and as further described in documents entitled, "Legal Description "Audubon Trail" in Norfolk, Massachusetts".

#### **ARTICLE 14**

**APPROVED BY UNANIMOUS VOTE** to accept a gift of land or take by eminent domain pursuant to Chapter 79 of the General Laws and further to accept as a public way and to accept all easements, Gordon Road, from Priscilla Avenue to the end of Gordon Road, Stations 0+00 to 2+64, as approved by the Board of Selectmen as shown on the acceptance plan dated January 7, 2003 and revised July 13, 2005, drawn by Paul N. Robinson Associates, Inc. of Millis, Massachusetts and as further described in documents entitled, "Legal Description 'Gordon Road' in Norfolk, Massachusetts".

#### **ARTICLE 15**

**APPROVED BY UNANIMOUS VOTE** to accept a gift of land or take by eminent domain pursuant to Chapter 79 of the General Laws and further to accept as a public way and to accept all easements, Evergreen Road, from Pondview Road to the cul-de-sac, Stations 0.00 to 13+78.97, as approved by the Board of Selectmen as shown on the acceptance plan dated August 2004 drawn by Dunn-McKenzie, Inc. of Norfolk, Massachusetts and as further described in documents entitled, Land Description of Evergreen Road – Christina Estates – Norfolk.

#### **ARTICLE 16**

**APPROVED BY UNANIMOUS VOTE** to accept a gift of land or take by eminent domain pursuant to Chapter 79 of the General Laws and further to accept as a public way and to accept all easements, Cypress Lane, from Evergreen Road to Massachusetts Avenue, Stations 0+00 to 7+66.51, as approved by the Board of Selectmen as shown on the acceptance plan dated August 2004 drawn by Dunn-McKenzie, Inc. of Norfolk, Massachusetts and as further described in documents entitled, Land Description of Cypress Lane – Christina Estates – Norfolk.

#### **ARTICLE 17**

**APPROVED BY UNANIMOUS VOTE** to accept a gift of land or take by eminent domain pursuant to Chapter 79 of the General Laws and further to accept as a public way and to accept all easements, Massachusetts Avenue, from Cypress Lane to the cul-de-sac, stations 32+06.096 to 38+26.51, as approved by the Board of Selectmen as shown on the acceptance plan dated September 14, 2005 drawn by Dunn-McKenzie, Inc. of Norfolk, Massachusetts and as further described in documents entitled, Land Description of Massachusetts Avenue – Christina Estates – Norfolk.

#### **ARTICLE 18**

**Motion was made and seconded** to Indefinitely Postpone Article 18.

**Motion was made and seconded** to amend the main motion and move the original article to amend the Zoning Map incorporated into its Zoning Bylaws by rezoning from Commercial-3 (C-3) to Residence-2 (R-2) the parcel of land bounded and described as follows:

A certain parcel of land labeled "Lot 1, 44,965 sq. ft." as shown on a plan entitled "Proposed Zone Change, Norfolk Massachusetts, prepared for A.B.B., Inc., 525 Beaver Street, Franklin, Massachusetts 02038, Scale: 1" = 40', July 25, 2005" prepared by Wilson Associates, 205 E. Central Street, Franklin, Massachusetts 02038, beginning at a point in the centerline of Main Street and the existing C-3 zone line opposite the boundary between Norfolk Assessor's Map 2, Block 6, Lot 24 and Norfolk Assessor's Map 2, Block 6, Lot 25; thence

Southwesterly by the centerline of Main Street and the existing C-3 zone line approximately three hundred forty (340) feet to a point opposite the boundary between Norfolk Assessor's Map 2, Block 6, Lot 24 and Norfolk Assessor's Map 2, Block 6, Lot 55; thence

Northerly approximately fifty (50) feet to a point on the northerly sideline of Main Street and the boundary between Norfolk Assessor's Map 2, Block 6, Lot 24 and Norfolk Assessor's Map 2, Block 6, Lot 55; thence

N 11° 07' 27" E along the boundary between Norfolk Assessor's Map 2, Block 6, Lot 24 and Norfolk Assessor's Map 2, Block 6, Lot 55, three hundred six and twenty four hundredths (306.24) feet to a point; thence

S 62° 22' 45" E along the boundary between Norfolk Assessor's Map 2, Block 6, Lot 24 and Norfolk Assessor's Map 2, Block 6, Lot 25, one hundred sixty and twenty nine hundredths (160.29) feet to a point; thence

S 39° 22' 57" E along the boundary between Norfolk Assessor's Map 2, Block 6, Lot 24 and Norfolk Assessor's Map 2, Block 6, Lot 25, ninety five and no hundredths (95.00) feet to a point on the northerly sideline of Main Street; thence

Southerly approximately twenty (20) feet to the centerline of Main Street and the point of beginning.

thereby extending the existing R-2 Zone.

**APPROVED BY VOICE VOTE** to accept the amended motion.

**APPROVED BY 2/3 VOTE**, called by the Moderator, to **APPROVE** the amended motion as printed above.

**All articles on the Warrant having been acted upon, it was moved, seconded and voted to dissolve this Special Town Meeting at 10:15Pm**

**Respectfully Submitted,**

**Gail E. Bernardo**  
**Assistant Town Clerk**