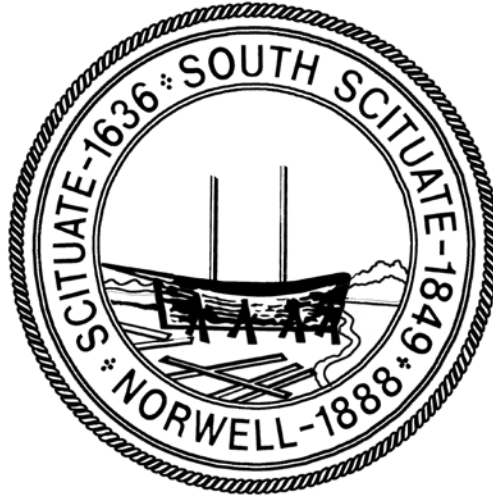


# TOWN OF NORWELL



Transcript of Articles in the Warrant for the

## **SPECIAL TOWN MEETING**

And

## **ANNUAL TOWN MEETING**

Report of the Advisory Board

**Monday, May 9, 2011**

**At 7:30 p.m.**

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

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



## TABLE OF CONTENTS

	Page
<b>Advisory Board Report for Fiscal Year 2012</b>	<b>3</b>
<b>Glossary of Terms</b>	<b>5</b>
<b>Index of Special Town Meeting Articles</b>	<b>7</b>
<b>Special Town Meeting Articles</b>	<b>8</b>
<b>Index of Annual Town Meeting Articles</b>	<b>11</b>
<b>Annual Town Meeting Articles</b>	<b>13</b>

TOWN OF NORWELL

WARRANT

Special Town Meeting and Annual Town Meeting

Monday, May 9, 2011

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 ninth day of May, 2011 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 9, 2011, 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 7, 2011

To the Citizens of Norwell:

Beginning Monday, May 9, 2011, the Town of Norwell will hold a Special Town Meeting, followed by its Annual Town Meeting. The Special Town Meeting will cover business matters that must be voted upon before the end of the current fiscal year which ends June 30th, 2011. During the Annual Town Meeting, the citizens of Norwell will vote on a budget for FY2012, as well as many other matters before the Town. These include a possible change in the Town Charter, a plan to replace the River St. Police Station with one adjoining the Fire Station on Washington Street, and proposed funding for the town's long term retiree health insurance obligations (OPEB).

At Town Meeting, the voters, the legislative branch in Norwell, discuss, debate and determine Norwell's budget for the upcoming year. The role of the Advisory Board is to evaluate each budget request contained in this Warrant, and to present to voters its recommendations for achieving a balanced budget. Your elected and appointed officials will also present their recommendations to you to help with this process. The recommendations contained in this Warrant are made by the Advisory Board after several months of hearings with all town departments and after careful deliberation of all the facts. Our board is a diverse group whose role is to represent the residents of Norwell and present a balanced budget to Town Meeting. Given the important impact of the decisions made at Town Meeting for the services and infrastructure of our Town, we strongly encourage your attendance and participation.

Norwell, like other communities across Massachusetts, has had another year of increased financial challenges. For several years, the Town's expenses, such as health care and pensions, have grown at a rate that far exceeds the Town's revenue. This has been anticipated by this board and deeper cuts to requests had to be made to close the budget gap for FY2012. The Board of Selectmen and the Advisory Board have advocated spending more free cash than ever before. While we recognize this is not ideal, we have done so with the belief that an operational override in FY2013 will need to be presented to the citizens of Norwell to sustain services going forward.

The Advisory Board is recommending a budget for FY2012 that includes reductions to funding requests of almost all town departments, which will result in a decrease in services. Our recommendations meet the state requirement for a balanced budget and we have already begun discussing FY2013.

We thank the employees and volunteers across all departments, boards, and committees for the information they prepared and the hearings they attended, in some cases on multiple occasions. Through these discussions, and the cooperative spirit with which the departments engaged, we have reached the conclusions explained herein. We look forward to seeing you at Town Meeting on May 9th.

Sincerely,  
**The Norwell Advisory Board**

Timothy Greene, Chairman  
Jason Brown, Vice Chairman  
Mary Ellen Coffey, Clerk

Spencer A. Joseph  
Ralph Rivkind  
Peter Shea

Ralph Gordon  
Gary Thomas

**TOWN OF NORWELL FISCAL YEAR 2012 BUDGET**

	<i><b>FY2010 Appropriated</b></i>	<i><b>FY2011 Appropriation</b></i>	<i><b>FY2012 Requests</b></i>	<i><b>FY2012 Advisory Board Recommends</b></i>
<b><u>EXPENSES</u></b>				
GENERAL GOVERNMENT	\$ 1,748,363	\$ 1,814,177	\$ 1,742,401	\$ 1,713,431
PUBLIC SAFETY	4,435,169	4,582,503	4,710,132	4,590,572
PUBLIC WORKS	1,186,138	1,212,246	1,344,829	1,241,329
SCHOOLS	18,757,749	19,270,749	19,970,749	19,970,749
HEALTH & WELFARE	1,047,989	1,048,991	1,048,697	1,037,647
CULTURE & RECREATION	783,850	708,165	715,687	686,842
FIXED COSTS	6,746,981	7,740,142	7,933,965	7,824,301
DEBT EXCLUSION	2,345,826	2,286,700	2,235,145	2,235,145
	<b>37,052,065</b>	<b>38,663,673</b>	<b>39,701,605</b>	<b>39,300,016</b>
OTHER ARTICLES	-		2,565,600	1,509,100
OVERLAY	500,000	500,000	500,000	500,000
CAPITAL	-		698,505	191,546
	<b>500,000</b>	<b>500,000</b>	<b>3,764,105</b>	<b>2,200,646</b>
<b>TOTAL EXPENSES</b>	<b>37,552,065</b>	<b>39,163,673</b>	<b>43,465,710</b>	<b>41,500,662</b>
<b><u>REVENUES &amp; REDUCTIONS</u></b>				
STATE AID	2,659,155	2,938,972	2,787,125	2,787,125
TOWN REVENUE	3,109,900	3,109,900	3,000,000	3,000,000
OVERLAY SURPLUS	500,000	500,000		338,000
FREE CASH	136,441	382,692		913,791
STABILIZATION FUND	-	-		200,000
OTHER	10,000	10,000	81,255	81,255
CPA	43,000	43,000	43,000	915,100
Water Expenses	170,000	414,638	483,932	689,432
<b>Total other revenue</b>	<b>6,628,496</b>	<b>7,399,202</b>	<b>6,395,313</b>	<b>8,924,703</b>
<b>LEVY TO BE RAISED</b>	<b>30,923,569</b>	<b>31,764,471</b>	<b>37,114,825</b>	<b>32,575,959</b>
<b><u>PROPOSITION 2 1/2 LIMIT</u></b>				
BEGINNING YEAR	27,736,334	28,687,087	29,504,265	29,504,265
PLUS 2.5 %	693,408	717,177	737,607	737,607
NEW GROWTH	150,000	100,000	100,000	100,000
Total Recap	28,579,742	29,504,264	30,341,872	30,341,872
DEBT/CAPITAL OVER	2,345,826	2,286,700	2,235,145	2,235,145
CURRENT YEAR LIMIT	30,925,568	31,790,964	32,577,017	32,577,017
<b>BUDGET OVER/UNDER</b>	<b>\$ (1,999)</b>	<b>\$ (26,493)</b>	<b>\$ 4,493,381</b>	<b>\$ (1,058)</b>

## 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 FY11 is the fiscal year ended June 30, 2011.

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.

## Index of Articles for the Special Town Meeting

<b>Article</b>	<b>Purpose</b>	<b>Submitted By</b>	<b>Page</b>
<b>1</b>	Union and Personal Contracts for FY2011	Board of Selectmen	8
<b>2</b>	Technology Study	Board of Selectmen	8
<b>3</b>	Sunday Alcohol Sales	Board of Selectmen	8
<b>4</b>	Snow & Ice Deficit	Highway Surveyor	9
<b>5</b>	School Technology	School Committee	9
<b>6</b>	Vinal School Hot Water Tank	School Committee	9
<b>7</b>	Transfer funds for Legal Expenses	Board of Selectmen	9
<b>8</b>	Cell Tower Agreement	Board of Selectmen	9
<b>9</b>	CPC- Land Purchase Mt. Blue Street	Community Preservation Committee	10
<b>10</b>	Stabilization Fund	Board of Selectmen	10



Commonwealth of Massachusetts

**WARRANT FOR SPECIAL TOWN MEETING**

Monday, May 9, 2011

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, said sum to be apportioned 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 for FY2011 for those Town employees covered by a union or have a personal contract.**

**ARTICLE 2:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum of money to conduct an analysis of the Town's current technology usage, including but not limited to hardware, software, utilization, and maintenance, and to make a recommendation on the possible solutions to improve efficiency and operations, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board will make its recommendation at Town Meeting.**

**ARTICLE 3:** To see if the Town will vote to adopt the provisions of Massachusetts General Laws Chapter 138, §33B, relative to alcohol pouring sales on Sundays, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board Recommends this Article.**

**This article allows the Selectmen to grant permission to restaurants in Town that wish to serve alcohol during brunch before noon on Sundays.**

**ARTICLE 4:** 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 1-420-211-5532, 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 into the Snow Removal account to cover the deficit incurred during the winter.**

**ARTICLE 5:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$60,000 to be used by the School Department to replace failing switches and related components of the technology infrastructure of Norwell Public Schools, or act on anything relative thereto.

Requested by the School Committee

**The Advisory Board recommends this Article.**

**This article would replace various critical computer switches and equipment in the Norwell Schools.**

**ARTICLE 6:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$8,000 to be used by the School Department to replace the hot water storage tank and make heating system improvements at Vinal School, or act on anything relative thereto.

Requested by the School Committee

**The Advisory Board does not recommend this Article.**

**ARTICLE 7:** 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 1-151-201-5307, Legal, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board will make its recommendation at Town Meeting.**

**ARTICLE 8:** To see if the Town will vote to authorize the Board of Selectmen to lease a portion of the Water Department property at 365 South Street, Norwell Massachusetts, which parcel is shown on Assessors Plan 64 as Lot 14 and described in a deed recorded with the Plymouth Registry of Deeds in Book 3620, Page 740, and which portion is approximately in the location shown on a sketch plan on file with the Town Clerk, for telecommunications purposes on such terms and conditions and for such consideration as the Board of Selectmen shall determine to be appropriate, such lease to be for a term of up to twenty-five (25) years; and

further to grant such access and utility easements on said property as the Board of Selectmen and Water Commissioners deem appropriate to serve the telecommunications tower and other facilities installed pursuant to said lease, or take any action relative thereto.

Requested by the Board of Selectmen

**The Advisory Board recommends this Article.**

**This article allows the Board of Selectmen to sign a contract for the construction of a cell tower on water department land bordering Route 3.**

**ARTICLE 9:** To see if the Town will vote to transfer \$1,250,000 or any other sum for conservation, passive recreation, and historic preservation purposes, pursuant to M.G.L. Chapter 44B from the Community Preservation Fund for the purpose of purchasing a parcel of land of approximately 25 acres located at 122 Mt. Blue Street owned by Forslund Hilma. A. Trustee as described on Assessor's Map 8B, Block 9, Lots 25 & 26, to be managed and controlled by the Norwell Conservation Commission in accordance with Chapter 40, Section 8C, and to authorize the Community Preservation Committee to make application to the Massachusetts Self-Help Act (M.G.L. Chapter 132 A, Section 11) LAND grant program. Said purchase to be contingent on receiving a grant from said grant program, and to authorize and instruct the Board of Selectmen and Conservation Commission to enter into a perpetual Conservation Restriction agreement with a non-profit agency or land trust pursuant to Massachusetts regulations for said parcel. \$1.2M appropriated in this article may be used for down payment and purchase, and the remaining \$50,000 may be spent on grant application, legal fees, conservation restrictions, surveying, signage and parking, and any other professional fees associated with the acquisition or act on anything relative thereto. Any unspent funds shall be returned to the Community Preservation Fund.

Requested by the Community Preservation  
Committee

**The Advisory Board will make its recommendation at Town Meeting.**

**ARTICLE 10:** 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**

## Index of Articles for the Annual Town Meeting

<b>Article</b>	<b>Purpose</b>	<b>Submitted By</b>	<b>Page</b>
<b>1</b>	Acceptance of 2010 Annual Reports		13
<b>2</b>	Town Budget	Advisory Board	13
<b>3</b>	Capital Budget	Capital Budget Committee	21
<b>4</b>	Union and Personal Contracts for FY2012	Board of Selectmen	22
<b>5</b>	Personnel Plan for FY2012	Personnel Board	22
<b>6</b>	Acceptance of MGL Ch43C, sec 11 relative to establishing a municipal finance department	Board of Selectmen	22
<b>7</b>	By-Law amendment relative to establishing a municipal finance department	Board of Selectmen	22
<b>8</b>	Expand membership of Energy Committee	Board of Selectmen and Norwell Energy Committee	24
<b>9</b>	Eliminate Town Committee(s)	Board of Selectmen	24
<b>10</b>	Establish Town Technology Committee	Board of Selectmen	24
<b>11</b>	Transfer funds for OPEB costs	Board of Selectmen	24
<b>12</b>	Adopt Local Option Meals tax for OPEB funding	Board of Selectmen	25
<b>13</b>	Purchase Permitting Software	Board of Selectmen	25
<b>14</b>	Borrow for plans for New Police Station	Board of Selectmen	25
<b>15</b>	Gaffield Park Funds	Board of Selectmen	25
<b>16</b>	Town Hall Security	Board of Selectmen	25
<b>17</b>	Town Governance Change	Town Government Study Committee	26
<b>18</b>	School Textbooks	School Committee	35
<b>19</b>	School Technology	School Committee	35
<b>20</b>	Repave High School Parking Lot	School Committee	35
<b>21</b>	High School Athletic Repairs and Equipment	School Committee	35
<b>22</b>	School Security	School Committee	35
<b>23</b>	Re-authorize Student Parking fee revolving account	School Committee	36
<b>24</b>	Highway Debris pile reprocessing	Highway Surveyor	36
<b>25</b>	Paving	Highway Surveyor	36
<b>26</b>	Accept Chapter 90 Disbursement	Highway Surveyor	36
<b>27</b>	Highway ConCom Compliance	Highway Surveyor	36
<b>28</b>	New Salt Storage Shed	Highway Surveyor	37
<b>29</b>	Catch Basin Cleaning	Highway Surveyor	37
<b>30</b>	Compliance with EPA Municipal Stormwater General Permit	Highway Surveyor	37
<b>31</b>	Amend Zoning By-Law §4850	Planning Board	37

<b>Article</b>	<b>Purpose</b>	<b>Submitted By</b>	<b>Page</b>
<b>32</b>	Amend Zoning By-Law §2441	Planning Board	48
<b>33</b>	Water System Upgrades and Maintenance	Water Commissioners	49
<b>34</b>	Senior Work Program	Board of Assessors	50
<b>35</b>	Town Drainage	Drainage Committee	50
<b>36</b>	Re-Authorize Stetson Ford revolving fund	Community Preservation Committee	50
<b>37</b>	Transfer funds to Conservation Fund	Community Preservation Committee	50
<b>38</b>	Funding for Affordable Housing Unit	Community Preservation Committee	51
<b>39</b>	Transfer Funds to Affordable Housing Trust	Community Preservation Committee	51
<b>40</b>	Historic Preservation at Washington Street Cemetery	Community Preservation Committee	51
<b>41</b>	Repairs to Jacobs Farm Buildings	Community Preservation Committee	52
<b>42</b>	Scenic Road Signs	Community Preservation Committee	52
<b>43</b>	Jacobs Farm House National Register Application	Community Preservation Committee	52
<b>44</b>	Disbursement of CPC funds to reserve accounts	Community Preservation Committee	52
<b>45</b>	Add Chair, Norwell Cemetery Committee to Personnel Plan	Cemetery Committee	53
<b>46</b>	South Shore Women's Resource Center	Citizens Petition	53
<b>47</b>	Accept Laurelwood Drive as a public way	Board of Selectmen	53
<b>48</b>	Stabilization Fund	Board of Selectmen	54
<b>49</b>	Decrease Tax Rate	Board of Selectmen	54



Commonwealth of Massachusetts

**WARRANT FOR ANNUAL TOWN MEETING**

Monday, May 9, 2011

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 2010 Annual Report, or act on anything relative thereto.

**The Advisory Board Recommends 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 FY12 Town Budget, which begins on July 1, 2011.**

		<i>FY2010 Appropriated</i>	<i>FY2011 Appropriation</i>	<i>FY2012 Requests</i>	<i>FY2012 Advisory Board Recommends</i>
<b>113-TOWN MT. &amp; ELECTION</b>					
2-106	Salaries	\$ 9,500	\$ 16,800	\$ 16,000	\$ 6,500
2-208	Expenses	\$ 12,000	\$ 16,600	\$ 14,000	\$ 10,000
<b>Total: Town Meeting &amp; Election</b>		<b>\$ 21,500</b>	<b>\$ 33,400</b>	<b>\$ 30,000</b>	<b>\$ 16,500</b>
<b>114-MODERATOR</b>					
2-104	Moderator's Expenses				
<b>Total: Moderator</b>					
<b>122-SELECTMEN</b>					
2-101	Bd. Members Salaries	\$ 5,000	\$ 6,500	\$ 6,500	\$ -
2-102	Town Administrator Salary	\$ 119,080	\$ 121,080	\$ 121,080	\$ 121,080
2-103	Clerical Salaries/ADA	\$ 63,203	\$ 65,200	\$ 65,941	\$ 65,941
2-200	Court Judgements	\$ -	\$ -	\$ -	\$ -
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
<b>Total: Board of Selectmen</b>		<b>\$ 204,833</b>	<b>\$ 210,330</b>	<b>\$ 211,071</b>	<b>\$ 204,571</b>
<b>131-ADVISORY BOARD</b>					
2-105	Advisory Clerical				
2-206	Advisory Expenses	\$ 500	\$ 500	\$ 500	\$ 500
<b>Total: Advisory Board</b>		<b>\$ 500</b>	<b>\$ 500</b>	<b>\$ 500</b>	<b>\$ 500</b>
<b>132-RESERVE FUND</b>					
2-207	Reserve Fund	\$ 250,000	\$ 250,000	\$ 200,000	\$ 200,000
<b>135-ACCOUNTING</b>					
<b>Accountant Salary</b>				\$ 83,704	\$ 83,704
2-115	Salaries	\$ 157,168	\$ 161,506	\$ 66,537	\$ 66,537
2-202	Expenses	\$ 37,843	\$ 36,343	\$ 36,343	\$ 36,343
<b>Total: Accounting</b>		<b>\$ 195,011</b>	<b>\$ 197,849</b>	<b>\$ 186,584</b>	<b>\$ 186,584</b>
<b>141-ASSESSORS</b>					
2-109	Bd. Members' Salaries	\$ 4,150	\$ 4,150	\$ 4,150	\$ -
<b>Asst. Assessor/App Salary</b>				\$ 64,929	\$ 64,929
2-110	Clerical Salaries	\$ 105,815	\$ 108,440	\$ 43,511	\$ 43,511
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
<b>Total: Assessors</b>		<b>\$ 131,090</b>	<b>\$ 133,715</b>	<b>\$ 133,715</b>	<b>\$ 129,565</b>
<b>145-TREAS./COLLECTOR</b>					
2-111	Treasurer/Collector Salary	\$ 77,000	\$ 78,925	\$ 79,925	\$ 79,925
2-112	Clerical Salaries	\$ 138,264	\$ 141,092	\$ 144,416	\$ 139,596
2-168	Bonding Costs	\$ 0	\$ 25,000	\$ 25,000	\$ 25,000
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
<b>Total: Treasurer/Collector</b>		<b>\$ 312,041</b>	<b>\$ 319,980</b>	<b>\$ 324,304</b>	<b>\$ 319,484</b>

		<i>FY2010 Appropriated</i>	<i>FY2011 Appropriation</i>	<i>FY2012 Requests</i>	<i>FY2012 Advisory Board Recommends</i>
<b>151-LEGAL SERVICES</b>					
2-216	<b>Legal Expenses</b>	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
2-218	<b>Settlements/Claims</b>	\$ -	\$ -	\$ -	\$ -
2-295	<b>Union Negotiations</b>	\$ -	\$ -	\$ -	\$ -
	<b>Total: Legal Services</b>	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
<b>152-PERSONNEL BOARD</b>					
2-116	<b>Salary &amp; Wages</b>	\$ -	\$ -	\$ -	\$ -
2-219	<b>General Expenses</b>	\$ 500	\$ 500	\$ 500	\$ 500
	<b>Total: Personnel Board</b>	\$ 500	\$ 500	\$ 500	\$ 500
<b>155-CENTRAL COMPUTER</b>					
2-222	<b>Central Computer Expenses</b>	\$ 120,000	\$ 120,000	\$ 110,000	\$ 110,000
<b>161-TOWN CLERK</b>					
2-113	<b>Town Clerk Salary</b>	\$ 62,368	\$ 64,240	\$ 65,844	\$ 65,844
2-114	<b>Clerical Salaries</b>	\$ 43,860	\$ 47,054	\$ 49,164	\$ 49,164
2-215	<b>General Expenses</b>	\$ 5,000	\$ 5,375	\$ 5,375	\$ 5,375
	<b>Total: Town Clerk</b>	\$ 111,228	\$ 116,669	\$ 120,383	\$ 120,383
<b>163-BD OF REGISTRARS</b>					
2-107	<b>Clerk of Board Salary</b>	\$ 450	\$ 450	\$ 450	\$ 450
2-108	<b>Registrars Clerical</b>		\$ -	\$ -	\$ -
2-209	<b>Registrars Expenses</b>	\$ 4,500	\$ 4,700	\$ 4,700	\$ 4,700
	<b>Total: Board of Registrars</b>	\$ 4,950	\$ 5,150	\$ 5,150	\$ 5,150
<b>171-CONSERVATION COMM.</b>					
2-154	<b>Conservation Clerical</b>	\$ 17,151	\$ 19,529	\$ 18,701	\$ 18,701
2-155	<b>Conservation Agent's Salary</b>	\$ 50,556	\$ 54,286	\$ 56,755	\$ 56,755
2-278	<b>Conservation General Exp.</b>	\$ 7,800	\$ 7,800	\$ 7,800	\$ 7,800
2-280	<b>Conservation Fund</b>	\$ -	\$ -	\$ -	\$ -
	<b>Total: Conservation</b>	\$ 75,507	\$ 81,615	\$ 83,256	\$ 83,256
<b>175-PLANNING BOARD</b>					
2-120	<b>Town Planner</b>	\$ 55,370	\$ 59,223	\$ 58,741	\$ 58,741
2-121	<b>Planning Bd. Clerical</b>	\$ 17,151	\$ 19,529	\$ 18,701	\$ 18,701
2-224	<b>Planning Bd. General Exp.</b>	\$ 5,476	\$ 4,590	\$ 4,590	\$ 4,590
	<b>Total: Planning Board</b>	\$ 77,997	\$ 83,342	\$ 82,032	\$ 82,032
<b>176-BOARD OF APPEALS</b>					
2-119	<b>Salary &amp; Wage</b>	\$ -	\$ -		
2-223	<b>General Expenses</b>	\$ 1,810	\$ 1,510	\$ 1,810	\$ 1,810
	<b>Total: Board of Appeals</b>	\$ 1,810	\$ 1,510	\$ 1,810	\$ 1,810

		<i>FY2010 Appropriated</i>	<i>FY2011 Appropriation</i>	<i>FY2012 Requests</i>	<i>FY2012 Advisory Board Recommends</i>
<b>177-DESIGN REVIEW BD.</b>					
2-117	Design Review Clerical	\$ 642	\$ 642	\$ 642	\$ 642
2-220	Design Review General Exp	\$ 245	\$ 245	\$ 245	\$ 245
	<b>Total: Design Review Board</b>	<b>\$ 887</b>	<b>\$ 887</b>	<b>\$ 887</b>	<b>\$ 887</b>
<b>190-COMM. ON DISABILITIES</b>					
2-294	General Expenses	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
	<b>Total: Comm. On Disabilities</b>	<b>\$ 3,000</b>	<b>\$ 3,000</b>	<b>\$ 3,000</b>	<b>\$ 3,000</b>
<b>191-CUSHING MEMORIAL</b>					
2-175	Cushing Memorial Payroll	\$ 29,269	\$ 30,730	\$ 28,350	\$ 28,350
2-203	Cushing Memorial Expenses	\$ 31,063	\$ 31,063	\$ 31,063	\$ 31,063
	<b>Total: Cushing Memorial</b>	<b>\$ 60,332</b>	<b>\$ 61,793</b>	<b>\$ 59,413</b>	<b>\$ 59,413</b>
<b>192-TOWN HALL</b>					
2-123	Custodians' Salaries	\$ 32,048	\$ 33,502	\$ 33,502	\$ 33,502
2-226	Town Hall General Expense	\$ 86,050	\$ 86,050	\$ 86,050	\$ 86,050
	<b>Total: Town Hall</b>	<b>\$ 118,098</b>	<b>\$ 119,552</b>	<b>\$ 119,552</b>	<b>\$ 119,552</b>
<b>193-P.B.M.C.</b>					
2-169	Clerical Salaries	\$ -	\$ -	\$ -	\$ -
2-225	P.B.M.C. Expenses	\$ 1,400	\$ 1,000	\$ 1,000	\$ 1,000
	<b>Total: P.B.M.C.</b>	<b>\$ 1,400</b>	<b>\$ 1,000</b>	<b>\$ 1,000</b>	<b>\$ 1,000</b>
<b>194 - Community Preservation</b>					
2-237	Clerical Salaries	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000
2-305	Expenses	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000
	<b>Total: Community Preservation</b>	<b>\$ 43,000</b>	<b>\$ 43,000</b>	<b>\$ 43,000</b>	<b>\$ 43,000</b>
<b>195-TOWN REPORTS</b>					
2-210	Town Reports	\$ 10,000	\$ 10,000	\$ 7,500	\$ 7,500
<b>199-BEAUTIFICATION</b>					
2-204	Expenses	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
	<b>Total: Beautification</b>	<b>\$ 2,000</b>	<b>\$ 2,000</b>	<b>\$ 2,000</b>	<b>\$ 2,000</b>
<b>210-POLICE DEPARTMENT</b>					
2-125	Police Chief's Salary	\$ 101,745	\$ 104,000	\$ 106,100	\$ 106,100
	Deputy Chief Salary	\$ 83,000	\$ 85,490	\$ 85,490	\$ 85,490
2-126	Police Officers' Pay	\$ 1,557,778	\$ 1,622,137	\$ 1,631,844	\$ 1,616,834
2-128	Police Other Payroll	\$ 53,723	\$ 54,194	\$ 56,307	\$ 56,307
2-169	Clerical	\$ 34,687	\$ 37,017	\$ 37,267	\$ 37,267
2-235	Police General Expense	\$ 151,750	\$ 161,750	\$ 169,250	\$ 161,100
2-236	Police Cruiser Expenses	\$ 90,000	\$ 64,000	\$ 114,000	\$ 82,000
2-237	Other Town Vehicles Gas	\$ -			
	<b>Total: Police Department</b>	<b>\$ 2,072,683</b>	<b>\$ 2,128,588</b>	<b>\$ 2,200,258</b>	<b>\$ 2,145,098</b>

	<i>FY2010 Appropriated</i>	<i>FY2011 Appropriation</i>	<i>FY2012 Requests</i>	<i>FY2012 Advisory Board Recommends</i>	
<b>220-FIRE DEPARTMENT</b>					
2-129	Fire Chief's Salary	\$ 92,250	\$ 94,250	\$ 94,250	\$ 94,250
2-130	Perm. Firefighters' Payroll	\$ 1,441,800	\$ 1,557,457	\$ 1,588,767	\$ 1,568,767
2-169	Fire Department Clerical	\$ 31,634	\$ 33,963	\$ 35,569	\$ 35,569
2-238	Fire Dept. General Expense	\$ 119,403	\$ 124,773	\$ 129,893	\$ 124,773
	<b>Total: Fire Department</b>	<b>\$ 1,685,087</b>	<b>\$ 1,810,443</b>	<b>\$ 1,848,479</b>	<b>\$ 1,823,359</b>
<b>220-CALL FIRE FIGHTERS</b>					
2-131	Deputy Fire Chief	\$ -	\$ -	\$ -	\$ -
2-132	Call Fire Payroll	\$ 12,144	\$ 16,231	\$ 14,668	\$ 14,668
2-240	Call Fire General Expenses	\$ 15,700	\$ 15,700	\$ 15,700	\$ 15,700
	<b>Total: Call Fire</b>	<b>\$ 27,844</b>	<b>\$ 31,931</b>	<b>\$ 30,368</b>	<b>\$ 30,368</b>
<b>231-AMBULANCE SERVICE</b>					
2-133	Ambulance Payroll	\$ -	\$ -	\$ -	\$ -
2-241	Ambulance General Exp.	\$ 49,994	\$ 53,233	\$ 54,733	\$ 48,233
2-242	Unmanned Ambulance Exp.	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500
	<b>Total Ambulance</b>	<b>\$ 51,494</b>	<b>\$ 54,733</b>	<b>\$ 56,233</b>	<b>\$ 49,733</b>
<b>241-BUILDING INSPECTOR</b>					
2-138	Building/Zoning Clerical	\$ 39,540	\$ 40,618	\$ 40,618	\$ 40,618
2-139	Building/Zoning/ADA Inspector	\$ 69,919	\$ 71,613	\$ 71,613	\$ 42,833
2-140	Inspector Fees	\$ 40,500	\$ 40,500	\$ 40,500	\$ 40,500
2-249	General Expenses	\$ 10,600	\$ 10,600	\$ 10,600	\$ 10,600
	<b>Total: Inspections</b>	<b>\$ 160,559</b>	<b>\$ 163,331</b>	<b>\$ 163,331</b>	<b>\$ 134,551</b>
<b>244-SEALER WGHTS/MEAS</b>					
2-142	Sealer Wghts/Meas. Salary	\$ 6,019	\$ 6,139	\$ 6,139	\$ 6,139
2-252	General Expenses	\$ 1,515	\$ 1,515	\$ 1,515	\$ 1,515
	<b>Total: Weights &amp; Measures</b>	<b>\$ 7,534</b>	<b>\$ 7,654</b>	<b>\$ 7,654</b>	<b>\$ 7,654</b>
<b>290-EMERGENCY COMM.</b>					
2-134	Emergency Comm. Payroll	\$ 370,422	\$ 325,527	\$ 161,313	\$ 161,313
2-243	Emergency Comm. Expense	\$ 41,796	\$ 41,796	\$ 23,996	\$ 23,996
	Regional dispatch			\$ 200,000	\$ 200,000
	<b>Total: Emergency Comm.</b>	<b>\$ 412,218</b>	<b>\$ 367,323</b>	<b>\$ 385,309</b>	<b>\$ 385,309</b>
<b>291-EMERGENCY MANAGEMENT</b>					
	Salaries	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
	Expense	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
2-254	<b>Total Civil Defense</b>	<b>\$ 2,000</b>	<b>\$ 2,000</b>	<b>\$ 2,000</b>	<b>\$ 2,000</b>
<b>292-ANIMAL CONTROL</b>					
2-144	Animal Control Payroll	\$ 6,750	\$ 7,500	\$ 7,500	\$ 7,500
2-255	General Expenses	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
	<b>Total: Animal Control</b>	<b>\$ 7,750</b>	<b>\$ 8,500</b>	<b>\$ 8,500</b>	<b>\$ 8,500</b>

		<i>FY2010 Appropriated</i>	<i>FY2011 Appropriation</i>	<i>FY2012 Requests</i>	<i>FY2012 Advisory Board Recommends</i>
<b>295-Harbormaster</b>					
2-188	Harbormaster Salary	\$ 5,000	\$ 5,000	\$ 5,000	\$ 2,500
2-200	Harbormaster Expense	\$ 3,000	\$ 3,000	\$ 3,000	\$ 1,500
		\$ 8,000	\$ 8,000	\$ 8,000	\$ 4,000
<b>301-SCHOOL DEPARTMENT</b>					
2-200	School Budget	\$ 18,632,749	\$ 19,145,749	\$ 19,845,749	\$ 19,845,749
2-198	Transportation	\$ -			
	<b>Total Norwell School</b>	\$ 18,632,749	\$ 19,145,749	\$ 19,845,749	\$ 19,845,749
<b>390-SO. SH. REG'L SCHOOL</b>					
2-264	Regional School Assessment	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000
<b>420-HIGHWAY DEPT.</b>					
2-146	Highway Surveyor's Salary	\$ 44,399	\$ 45,509	\$ 46,875	\$ 46,875
2-147	Highway Dept. Payrolls	\$ 257,239	\$ 259,270	\$ 267,741	\$ 264,141
2-149	Highway Department Clerical	\$ 42,202	\$ 43,180	\$ 43,180	\$ 43,180
2-265	Highway Out-of-State Travel	\$ -	\$ -		\$ -
2-266	Highway General Expense	\$ 63,986	\$ 66,986	\$ 67,986	\$ 67,986
2-267	Highway Signs & Road Marking	\$ 41,000	\$ 41,000	\$ 41,000	\$ 41,000
2-268	Snow Removal & Sanding	\$ 175,000	\$ 175,000	\$ 256,300	\$ 175,000
2-269	Operation & Maint. of Equip.	\$ 23,200	\$ 23,200	\$ 23,200	\$ 23,200
2-270	Highway Town Gasoline	\$ 105,000	\$ 110,000	\$ 125,000	\$ 115,000
2-271	Highway Water Services	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000
	<b>Total: Highway</b>	\$ 758,026	\$ 770,145	\$ 877,282	\$ 782,382
<b>421-TREE &amp; GROUNDS</b>					
2-135	Tree Director's Salary	\$ 44,399	\$ 45,509	\$ 46,875	\$ 46,875
2-136	Tree Department Payrolls	\$ 239,533	\$ 242,912	\$ 253,794	\$ 250,194
2-244	General Expenses	\$ 76,680	\$ 86,180	\$ 87,878	\$ 87,878
2-245	Tree Insect Control	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
2-248	Tree Cemetery Care	\$ 1,500	\$ 1,500	\$ 2,000	\$ 2,000
	<b>Total: Tree &amp; Grounds</b>	\$ 363,112	\$ 377,101	\$ 391,547	\$ 387,947
<b>424-STREET LIGHTING</b>					
2-272	Total:Street Lights Expense	\$ 65,000	\$ 65,000	\$ 76,000	\$ 71,000
<b>439-RECYCLING COMMITTEE</b>					
2-173	Other Expenses	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000
	<b>Total: Recycling Committee</b>	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000
<b>450-WATER DEPARTMENT</b>					
2-148	Superintendent	\$ 87,465	\$ 87,465	\$ 89,201	\$ 89,201
2-150	Treatment Manager	\$ 64,809	\$ 64,809	\$ 57,195	\$ 57,195
2-151	Water Commissioners' Salary	\$ 2,100	\$ 2,100	\$ 2,100	\$ -
2-152	Water Clerical	\$ 69,995	\$ 73,620	\$ 75,047	\$ 75,047
2-153	Water Payrolls	\$ 242,528	\$ 252,983	\$ 261,596	\$ 261,596

		<i>FY2010 Appropriated</i>	<i>FY2011 Appropriation</i>	<i>FY2012 Requests</i>	<i>FY2012 Advisory Board Recommends</i>
2-274	<b>Water General Expenses</b>	\$ 746,575	\$ 656,175	\$ 612,675	\$ 612,675
2-275	<b>Water Well Cleaning</b>	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
2-276	<b>Indirect Expenses</b>				
	<b>Total: Water Department</b>	\$ 1,228,472	\$ 1,152,152	\$ 1,112,814	\$ 1,110,714
<b>491-TOWN CEMETERY</b>					
	<b>Cemetery Salaries</b>			\$ 5,000	\$ 4,800
2-288	<b>Washington St. Cem. Expense</b>	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
	<b>Total: Town Cemetery</b>	\$ 2,000	\$ 2,000	\$ 7,000	\$ 6,800
<b>512-BOARD OF HEALTH</b>					
2-156	<b>Board Members' Salaries</b>	\$ 1,050	\$ 1,050	\$ 1,050	\$ -
2-157	<b>Health Agent Salary</b>	\$ 68,119	\$ 69,913	\$ 69,913	\$ 69,913
2-158	<b>Health Clerical</b>	\$ 39,640	\$ 40,618	\$ 40,618	\$ 40,618
2-279	<b>Hazardous Waste</b>	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500
2-281	<b>General Expenses</b>	\$ 41,600	\$ 49,600	\$ 49,600	\$ 49,600
2-282	<b>Solid Waste Disposal</b>	\$ 657,406	\$ 642,406	\$ 636,300	\$ 626,300
2-283	<b>Health Landfill Maintenance</b>		\$ -	\$ -	\$ -
2-285	<b>Recycling</b>		\$ -		\$ -
	<b>Total: Board of Health</b>	\$ 815,315	\$ 811,087	\$ 804,981	\$ 793,931
<b>541-COUNCIL ON AGING</b>					
2-160	<b>Council on Aging Payroll</b>	\$ 174,936	\$ 179,957	\$ 184,745	\$ 184,745
2-284	<b>General Expenses</b>	\$ 19,976	\$ 20,476	\$ 21,500	\$ 21,500
	<b>Total: Council on Aging</b>	\$ 194,912	\$ 200,433	\$ 206,245	\$ 206,245
<b>543-VETERANS' EXP.</b>					
2-161	<b>Veterans' Agent Salary</b>	\$ 4,080	\$ 4,162	\$ 4,162	\$ 4,162
2-162	<b>Vets. Service Officer's Salary</b>	\$ 3,832	\$ 3,909	\$ 3,909	\$ 3,909
2-285	<b>Veterans' General Expenses</b>	\$ 1,450	\$ 1,000	\$ 1,000	\$ 1,000
2-286	<b>Veterans' Benefits</b>	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
2-287	<b>Memorial Day Expenses</b>	\$ 1,400	\$ 1,400	\$ 1,400	\$ 1,400
	<b>Total: Veterans</b>	\$ 20,762	\$ 20,471	\$ 20,471	\$ 20,471
<b>610-LIBRARY</b>					
2-164	<b>Library Director's Salary</b>	\$ 80,702	\$ 82,312	\$ 82,312	\$ 82,312
2-165	<b>Library Payroll</b>	\$ 279,395	\$ 271,373	\$ 290,814	\$ 275,411
2-177	<b>Old Colony Network</b>	\$ 31,000	\$ 31,000	\$ 30,000	\$ 30,000
2-289	<b>Library General Expenses</b>	\$ 160,305	\$ 138,907	\$ 167,775	\$ 141,750
	<b>Total: Library</b>	\$ 551,402	\$ 523,592	\$ 570,901	\$ 529,473
<b>630-RECREATION DEPT.</b>					
2-166	<b>Recreation Supt. Salary</b>	\$ 68,419	\$ 70,113	\$ 70,113	\$ 70,113
2-167	<b>Recreation Payroll</b>	\$ 77,384	\$ 28,845	\$ 28,845	
2-290	<b>Recreation General Expenses</b>	\$ 7,138	\$ -	\$ -	\$ -
	<b>Total: Recreation</b>	\$ 152,941	\$ 98,958	\$ 98,958	\$ 70,113

		<i>FY2010 Appropriated</i>	<i>FY2011 Appropriation</i>	<i>FY2012 Requests</i>	<i>FY2012 Advisory Board Recommends</i>
<b>691-MASS. HISTORICAL</b>					
2-277	Historical Comm. General Exp.	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000
<b>Total: Mass Historical</b>		<b>\$ 4,000</b>	<b>\$ 4,000</b>	<b>\$ 4,000</b>	<b>\$ 4,000</b>
<b>710-DEBT RETIREMENT</b>					
2-168	Borrowing Costs	\$ 25,000			
<b>Water Bonds</b>					
2-292	Principal - Town	\$ 457,967	\$ 458,532	\$ 438,094	\$ 438,094
2-363	Water	\$ 235,000	\$ 170,000	\$ 260,000	\$ 260,000
<b>751- INTEREST ON LONG TERM DEBT</b>					
2-293	Interest - Town	\$ 100,904	\$ 82,396	\$ 106,863	\$ 106,863
2-364	Water	\$ 39,363	\$ 29,638	\$ 53,932	\$ 53,932
<b>752-INTEREST ON SHORT TERM DEBT</b>					
	Town			\$ -	\$ -
	Water		\$ 45,000	\$ -	\$ -
<b>Total: Under Levy Debt Service</b>		<b>\$ 858,234</b>	<b>\$ 785,565</b>	<b>\$ 858,889</b>	<b>\$ 858,889</b>
<b>710, 751 - DEBT EXCLUSION</b>					
2-365	Vinal, Cole & High School Interest	\$ 410,338	\$ 385,813	\$ 361,288	\$ 361,288
2-365	Vinal, Cole & High School Principal	\$ 545,000	\$ 545,000	\$ 545,000	\$ 545,000
2-366	Middle School Interest	\$ 525,488	\$ 490,888	\$ 463,857	\$ 463,857
2-365	Middle School Principal	\$ 865,000	\$ 865,000	\$ 865,000	\$ 865,000
<b>Total: Debt Exclusion</b>		<b>\$ 2,345,826</b>	<b>\$ 2,286,700</b>	<b>\$ 2,235,145</b>	<b>\$ 2,235,145</b>
<b>911-PENSIONS</b>					
2-227	Plymouth County Ret. Fund	\$ 1,343,109	\$ 1,542,973	\$ 1,586,376	\$ 1,586,376
2-228	Non-Contrib. Pensions				\$ -
<b>Total: Pensions</b>		<b>\$ 1,343,109</b>	<b>\$ 1,542,973</b>	<b>\$ 1,586,376</b>	<b>\$ 1,586,376</b>
<b>913-UNEMPLOYMENT COMP.</b>					
2-229	Unemployment Comp.	\$ 100,000	\$ 100,000	\$ 100,000	\$ 75,000
<b>914, 915, 916-GROUP INSURANCE</b>					
2-230	Group Insurance	\$ 4,332,876	\$ 4,939,479	\$ 5,001,575	\$ 4,916,911
<b>912, 919, 945-TOWN INSURANCE</b>					
2-231	Town Insurance	\$ 386,925	\$ 386,925	\$ 386,925	\$ 386,925
2-232	Ins. Advis. Comm. Expense	\$ 200	\$ 200	\$ 200	\$ 200
<b>Total: Town Insurance</b>		<b>\$ 387,125</b>	<b>\$ 372,125</b>	<b>\$ 387,125</b>	<b>\$ 387,125</b>

**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, or act on anything relative thereto.

Requested by the Capital Budget Committee

<i>Dept #</i>	<i>Department</i>	<i>Item</i>	<i>Budget Request</i>	<i>Capital Budget Recommends</i>	<i>Advisory Board Recommends</i>
103	FIRE	Command Vehicle	\$40,000	\$0	\$0
		Replace Server/Upgrade System	\$20,000	\$0	\$0
101	POLICE	Complete Security System - Police HQ	\$50,584	\$0	\$0
		Cell Monitoring System	\$7,326	\$7,326	\$7,326
300	HIGHWAY	F250 Utility Pick-up w/Plow	\$41,125	\$41,125	\$41,125
		Asphalt Paver w/Trailer	\$60,000	\$60,000	\$0
		5 Electric Spreader Controls	\$42,500	\$42,500	\$0
		Hwy Garage & Recycle Yard Perimeter Fence	\$75,000	\$0	\$0
109	TREE & GROUNDS	4 Wheel Drive Mower w/Trailer	\$35,000	\$35,000	\$35,000
601	LIBRARY	Parking Lot Lighting	\$9,595	\$9,595	\$9,595
		Install Building Sprinkler System	\$80,000	\$80,000	\$0
		Carpeting in 7500 sq. ft. Building	\$17,875	\$17,875	\$7,000
65	TOWN HALL	Emergency Generator for Town Hall	\$20,000	\$20,000	\$20,000
200	SCHOOLS	Athletic Loss Prevention Equipment.	\$16,000	\$16,000	\$16,000
		Vinal Heating and Hot Water Tank	\$8,000	\$8,000	\$0
		School Security Improvements	\$40,000	\$0	\$0
		High School Parking Lot	\$80,000	\$0	\$0
401	WATER	Replacement for Dodge 1500 Pick-up 4x4	\$20,500	\$20,500	\$20,500
		Utility Truck - 4X4 1 Ton Utility Body	\$35,000	\$35,000	\$35,000
<b>GRAND TOTAL</b>			<b>\$698,505</b>	<b>\$374,875</b>	<b>\$191,546</b>

The Advisory Board recommends the Capital Budget in the amount of \$191,546.

This Article authorizes the Town to purchase the capital items on the schedule above in the Advisory Board Recommends Column. 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, 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, 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 will make its recommendation at Town Meeting.**

**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 accept the provisions of Massachusetts General Laws Chapter 43C, Section 11, relative to the establishment of a municipal finance department, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board recommends this Article.**

**ARTICLE 7:** To see if the Town will vote to amend the Town of Norwell by-laws, section VI – Appointed Town Officers, by adding at the end thereof the following new section:

DEPARTMENT OF FINANCE IN THE TOWN OF NORWELL

SECTION 1. Notwithstanding the provisions of any by-law, rule or regulation to the contrary, there is hereby established in the town of Norwell a department of finance. The department of finance is established pursuant to the provisions of Massachusetts General Laws, Chapter 43C, Section 11.

SECTION 2. The department shall include the present functions and statutory duties of the assessing, accounting and treasury/collecting departments. Said departments shall become divisions of the department of finance. Said functions shall include, but not be limited to, the following:

- (1) Coordination of all financial services and activities of the town;

- (2) Maintenance of all account records and other financial statements for the town;
- (3) Payment of all financial obligations on behalf of the town;
- (4) Investment of town funds and management of debt;
- (5) Receipt of all funds due the town from any source;
- (6) Maintenance of a system of property valuation;
- (7) Rendering of advice, assistance, guidance and recommendations to all town agencies in any financial or fiscal affairs;
- (8) Monitoring throughout the fiscal year the expenditure of funds by town agencies;
- (9) Such other activities as may be assigned by the Board of Selectmen or by-law.

SECTION 3. Said department shall be managed by a finance director who shall be responsible to and appointed by the Board of Selectmen, for a term of three years. Said director shall be a person especially fitted by education, training, and experience to perform the duties of the position.

SECTION 4. The director shall exercise administrative control and direction of the department. The director may serve, ex-officio, as the accountant or treasurer-collector; provided, however, that no director shall serve, ex-officio, as both accountant and treasurer-collector.

SECTION 5. The director shall be responsible for the effective operation and coordination of operations within the department, including the assessing, accounting, and treasury, collecting functions. Said director shall be responsible for all of the fiscal and financial affairs of the town. Said director shall exercise the responsibilities of the position in accordance with policies adopted by the Board of Selectmen and in accordance with all laws, by-laws, rules and regulations and in accordance with generally accepted governmental financial practices. Said director shall be cognizant of the statutory responsibilities of all of the officers within said department and shall consult with such officers to ensure that these duties and responsibilities are properly exercised and discharged. Said director shall make recommendations to the Board of Selectmen concerning the appointment and removal of the accountant and/or treasurer/collector. The appointment of the position of Assistant/Assessor Appraiser shall be made by the Board of Assessors. In performing duties where approval of the Board of Assessors is statutorily required, the Assistant Assessor/Appraiser may be directed by the finance director but any final decision will be made by the Board of Assessors.

SECTION 6. In addition to supervising and directing the effective functioning of the divisions of assessing, accounting, and treasury/collecting, the director shall have the following specific powers and duties:

- (1) To annually prepare and submit to the Board of Selectmen a five-year financial forecast of town revenue, expenditures, and the general financial condition of the town.
- (2) To set policies and procedures for the collection of all revenues due and owing to the town.
- (3) To disburse, as town government operations may require, all funds and sign all checks pursuant to warrants signed by the Board of Selectmen, to insure the efficient operation of government.
- (4) To report all financial matters affecting town government to the town administrator and Board of Selectmen.
- (5) To coordinate and act as the town's chief contact with the state department of revenue pertaining to all financial matters.
- (6) To coordinate and manage all financial information received from the board of assessors to forecast future financial growth and anticipated revenues, and advise the town administrator and Board of Selectmen accordingly.
- (7) To create and implement written policies and procedures, and be responsible for the collection and deposit of all monies received by various town agencies.

(8) To maintain the fullest cooperation with the advisory board, and to furnish information to said advisory board within fourteen (14) working days of its written request or such other period of time as mutually agreed upon.

SECTION 7. In this by-law, the words "town agency" shall mean any board, commission, committee, department or office of town government, whether elected, appointed or otherwise constituted, regardless of its sources of funding.

Requested by Board of Selectmen

**The Advisory Board recommends this Article.**

**ARTICLE 8:** To see if the Town will vote to increase the size of the Town of Norwell Energy Committee from seven (7) members to 9 (nine), or act on anything relative thereto.

Requested by the Board of Selectmen  
and Norwell Energy Committee

**The Advisory Board recommends this Article.**

**ARTICLE 9:** To see if the Town will vote to eliminate the following Town Committees as established by Town Meeting: Computer Study Committee

Or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board recommends this Article.**

**ARTICLE 10:** To see if the Town will vote to establish a Town Technology Committee, for the purpose of reviewing and making recommendations on Town-wide technology purchases, including but not limited to hardware and software purchases. Said Committee to be comprised of five (5) members: the Superintendent of Schools or designee, the Town Administrator or designee, and three (3) members appointed by the Board of Selectmen, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board recommends this Article.**

**ARTICLE 11:** 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 OPEB Trust Fund as established in accordance with the provisions of Massachusetts General Law, Chapter 43c, Section 11, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board Recommends this Article in the amount of \$200,000**

**These funds will be transferred from the Town's debt stabilization fund.**

**ARTICLE 12:** To see if the Town will vote to accept Chapter 64L, Section 2(a) of the Massachusetts General Laws which provides for an excise of 0.75% on the sale of meals within the Town, with the intention of using the funds generated herein to fund a portion of the Town's obligations under GASB 45 (OPEB), or act on anything related thereto.

Requested by the Board of Selectmen

**The Advisory Board will make its recommendation at Town Meeting.**

**ARTICLE 13:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum of money for the purchase of integrated permitting software, including any necessary hardware and training, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board recommends this Article in the amount of \$20,000.**

**ARTICLE 14:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money for architectural, engineering and design services for an addition to the existing fire station at 300 Washington Street for use as a police station and to determine whether this appropriation shall be raised by borrowing or otherwise, or take any action relative thereto.

Requested by the Board of Selectmen

**The Advisory Board recommends this Article.**

**This article will authorize the Selectmen to borrow up to \$400,000 to design an addition to the fire station at 300 Washington Street to be used as a police station.**

**ARTICLE 15:** 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 for the maintenance and upkeep of Gaffield Park, so-called, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board recommends this Article in the amount of \$5,000.**

**ARTICLE 16:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum of money to make security upgrades in the Town Hall, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board will make its recommendation at Town Meeting.**

**ARTICLE 17:** , To see if the Town will to authorize the Selectmen to petition the Legislature to enable legislation to revise the charter of the Town of Norwell; provided, that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by authority of the same, as follows:

**“AN ACT REVISING THE CHARTER OF THE TOWN OF NORWELL**

SECTION 1: The charter of the town of Norwell, which is on file in the office of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the General Laws is hereby revised as follows:

ARTICLE 3: Article 3 is hereby revised by striking out Section 3-1 in its entirety, and inserting in place Sections 3 -1 and 3- 2 as provided herein:

Section 3 -1 Composition: There shall be a board of selectmen consisting of five (5) members elected for terms of three (3) years each, so arranged that the term of office of as nearly an equal number of members as is possible shall expire each year.

Section 3 -2 Powers and Duties:

- (a) The executive powers of the town shall be vested in the board of selectmen, which shall serve as the chief policy-making board of the town.
- (b) The board of selectmen shall have the powers and duties given to boards of selectmen under the Massachusetts Constitution and Massachusetts General Laws, except those powers and duties assigned by this Act to the town administrator, and shall have such additional powers and duties as may be authorized by this charter, by town by-laws, or by vote of town meeting. The board of selectmen shall be authorized to enter into intergovernmental and other agreements on such terms it deems beneficial to the citizens of Norwell, subject to the Massachusetts General Laws, this Act, town charter and by-laws or by vote of town meeting.
- (c) The board of selectmen shall be responsible for the formulation and promulgation of policy directives and guidelines to be followed by all town departments serving under it, and in conjunction, with other elected town officials and multiple member bodies, to develop and promulgate policy guidelines designed to bring the operation of all town agencies into harmony, provided however, nothing in this section shall be construed to authorize any member of the board of selectmen, nor a majority of such members, to become involved in the day-to-day administration of any town agency. It is the intention of this provision that the board of selectmen shall act only through the adoption of broad policy guidelines and long-term plans or programs, which are to be implemented by officials and employees serving under it.
- (d) The board of selectmen shall communicate periodically with all town agencies, departments, committees, and boards, including meeting with representatives of volunteer committees and boards, and shall consider the concerns and plans of all such agencies, departments, committees, and boards when formulating policy and long-term plans or programs.

- (e) The board of selectmen shall cause the by-laws and rules and regulations for the government of the town to be enforced and shall cause an up-to-date record of all its official acts to be kept.
- (f) The board of selectmen shall appoint the town administrator, a town counsel, and a town auditor by a majority vote of the board.
- (g) The board of selectmen shall appoint such other offices, boards, committees, and commissions, by a majority vote of the board, as may be provided by the Massachusetts General Laws or by vote of the town. In the event of a vacancy in any of said offices, boards, committees, and commissions, the board of selectmen shall act to fill said vacancy within ninety (90) days from notice by the affected board to the board of selectmen of any vacancy.

This subsection shall not apply to the appointment or approval of any paid full or part-time employees, said appointments or approvals already provided for under Section 5-2(b)(2) of this charter.

- (h) The board of selectmen shall be the licensing board of the town and shall have the power to issue licenses, in accordance with Massachusetts General Laws, to make all necessary rules and regulations regarding the issuance of such licenses and to attach such conditions and restrictions thereto as it deems to be in the public interest, and to enforce the laws relating to all businesses for which it issues licenses.
- (i) The board of selectmen shall be responsible for ensuring that timely audits are conducted as required by law. The audits shall be performed by a certified public accountant, or firm of such accountants, who have no personal interests, direct or indirect, in the fiscal affairs of the town government or any of its officials.

Article 3, Section 3-4 is hereby repealed by striking out present text.

The remaining provisions of Article 3 shall be renumbered sequentially.

ARTICLE 4: Article 4 is hereby revised as follows:

Sections 4-1 (a), 4-1 (g), and 4-1 (h) are hereby repealed by striking out the text appearing in each clause therein in its entirety. The remaining provisions of Section 4-1 shall be reordered sequentially.

Section 4-3 is revised as follows:

#### Section 4 -3 Advisory Board

(a) Composition: There shall be an advisory board consisting of nine (9) members with three (3) members appointed each year for a term of three (3) years each. Members shall hold no other elective or appointed office in town government while on the advisory board, unless otherwise provided by this charter, town by-laws, or by vote of town meeting, and shall serve without pay. Members of the board shall choose from among its membership a chair, a vice-chair, and a clerk.

(b) Nomination Process for Advisory Board: Members of the advisory board shall be appointed by a majority vote of a nominating committee consisting of three (3) members, each duly authorized to represent their respective board or office: the town moderator, who shall serve as chair; one (1) member of the board of selectmen; and one (1) member of the advisory board, except that no member of the advisory board shall serve on a

nominating committee if said member seeks re-appointment to the advisory board and said re-appointment would be the subject of that nominating committee. The nominating committee shall consider only the education, skills and experience of individual candidates as they relate to the function of the advisory board.

(c) Responsibilities of the Advisory Board: The Advisory Board shall investigate and consider all articles in the warrant to be brought before the town and shall report and advise on such articles at town meeting. The Advisory Board shall consider short and long-range financial impacts including both revenue and expenses to ensure financial stability.

Section 4-4 is added to Article 4 of the charter to address *Term of Office of Appointed Officials*

ARTICLE 5: Article 5 is hereby revised as follows:

ARTICLE 5 shall be replaced in its entirety by striking the present Article 5 and inserting in place thereof Article 5 as provided herein:

ARTICLE 5: Town Administrator

Section 5 – 1: Appointment, Qualifications, and Term of Service

(a) Appointment: The board of selectmen shall appoint a town administrator for a term not to exceed three (3) years, as the board may determine, and said town administrator may be appointed for successive terms of office.

(b) Qualifications: The town administrator shall be a person of demonstrated ability with administrative experience in public management or business administration and who is qualified by reason of education, skills and experience. The board of selectmen may from time to time establish additional qualifications for the office of town administrator. To the extent permitted by law, the terms of the town administrator's employment may be the subject of a written agreement between the parties setting forth the length of service, compensation and other terms that are customarily included in an employment contract.

(c) General Terms: The town administrator shall devote full time to the duties of said office and shall not engage in any other business or occupation during the term of his or her employment by the town without the written approval of the board of selectmen. The town administrator shall hold no elective office in the town during his or her tenure as town administrator, but the board of selectmen may appoint the town administrator to any appointed office or position consistent with the responsibilities of the town administrator. Before entering upon his or her duties, the town administrator shall be sworn to the faithful and impartial performance thereof by the town clerk. The town administrator shall not have served in an elected office for the town of Norwell for at least twenty-four (24) months prior to his or her appointment.

(d) Compensation: The board of selectmen shall set the compensation of the town administrator, not to exceed the amount appropriated by the town meeting.

(e) Performance Evaluation: The board of selectmen shall conduct an annual performance review of the town administrator. Annual performance reviews shall be based on the town administrator's accomplishments pursuant to the powers and duties specified under Section 5 -2 and of this charter, and the successful completion of any additional goals set by the board of selectmen the preceding year.

Section 5 -2 Powers and Duties of the Town Administrator

(a) In General: The town administrator shall be the chief administrative officer of the town. The town administrator shall be responsible to the board of selectmen for the effective management of all town affairs placed in the town administrator's charge by this charter, the board of selectmen, or vote of the town meeting. The town administrator shall be responsible for the implementation of town policies and the coordination of operational and strategic planning for the town. The town administrator shall facilitate communication between all town departments and officials and communication between all town departments and officials and the public. The functions and duties of the town administrator shall include, but not be limited to, the following:

(b) Appointment Authority:

(1) The town administrator shall appoint and may remove a treasurer, an accountant, and a highway superintendent. The town administrator shall consult with the board of selectmen prior to making any appointment or removal under this subsection. Unless otherwise provided under law, said appointments or removals shall become effective on the twentieth day following the day notice of said appointments or removals is filed with the board of selectmen, unless the board of selectmen shall within said twenty (20) days reject, or sooner approve, said appointments or removals by a majority vote of the board.

(2) The town administrator shall appoint and may remove all other department heads that serve with any appointed board, commission or committee, other employees for whom no other method is provided under this charter, and shall approve the appointment and removal of all other employees, except employees of the school department, fire department and officers of the police department, pursuant to the Massachusetts General Laws or this charter. The town administrator shall consult with, and obtain the approval of, the appropriate appointed board, commission, or committee prior to making any appointment or removal under this subsection. Unless otherwise provided under law, said appointments or removals shall become effective on the twentieth day following the day notice of said appointments or removals is filed with the board of selectmen, unless the board of selectmen shall within said twenty (20) days reject, or sooner approve, said appointments or removals by a majority vote of board members present and voting.

This subsection shall not apply to any department heads that serve with elected boards, commissions, or committees.

(3) The town administrator shall appoint and may remove all other department heads that serve with any elected board, commission, or committee, except employees of the school department, provided that the town administrator shall consult with, and obtain the approval of, said elected bodies prior to making any appointment or removal under this subsection, unless otherwise provided under the Massachusetts General Laws or this charter.

(4) Department heads shall, subject to the approval of the town administrator under Article 5, section 5-2 (b) appoint and may remove assistant department heads, subordinates, and employees, except employees of the school department, the fire department, and officers of the police department; the department head seeking to make said appointments shall consult with the appropriate elected or appointed board, commission, committee or official prior to making said appointments or removals, unless otherwise provided under the Massachusetts General Laws or this charter.

- (5) The town administrator, in consultation with department heads and the affected board, as applicable, may transfer personnel between departments as needed. Such transfer is presumed to be temporary, and requires the approval of the affected board. This subsection shall not apply to personnel of the school department.
  - (6) All appointments shall be based on education, skills and experience alone.
  - (7) Copies of notices of board and commission vacancies, job vacancies, and opportunities and requests for volunteers shall be conspicuously posted in town hall and on the town's official website. The town administrator may also advertise such vacancies and opportunities in local newspapers or other media at a cost not to exceed the amount appropriated by the town meeting.
- (c) Administrative Responsibilities:
- (1) Supervise the general activities and direct the operations of all town departments, unless otherwise provided under the Massachusetts General Laws, this charter, or town by-laws. This section shall not apply to the activities and operations of the school department and to the statutory responsibilities and functions of the school committee.
  - (2) Supervise and be responsible for all town employees unless otherwise provided under the Massachusetts General Laws, this charter, or town by-laws. This section shall not apply to employees of the school department and to the statutory responsibilities and functions of the school committee.
  - (3) Reorganize, consolidate, and establish departments under the town administrator's supervision and the jurisdiction of the board of selectmen, subject to the Massachusetts General Laws, this charter, town by-laws, or by vote of town meeting. Prior to taking any action under this subsection, the town administrator shall notify and obtain the approval of the board of selectmen. The board of selectmen shall hold a public hearing and shall have thirty (30) days following said public hearing to approve any proposal under this subsection. With the approval of both the board of selectmen and advisory board, the town administrator may transfer all or part of any unexpended appropriation of a reorganized or consolidated department, board, or office to any other town department, board or office.
  - (4) Administer, either directly or through a person appointed by him, all provisions of general and special laws applicable to the town, and by-laws and votes of the town within the scope of his or her duty, and all policy rules and regulations made by the board of selectmen, provided, however, that any delegation shall be considered an act of the town administrator.
  - (5) Establish control and data systems appropriate for monitoring expenditures by town boards and departments to enable the town administrator to make periodic reports to the board of selectmen and the advisory board on the status of the town's finances.
  - (6) Develop and administer a personnel management system, including but not limited to, the creation of job descriptions, a reporting structure, determination of rates of pay, the development and implementation of an ongoing training program, evaluation process, personnel management and hiring policies, practices, and regulations relating to town employment.
  - (7) Manage and maintain all town buildings, properties and facilities, excluding those of the school department, pursuant to the town administrator's authority under this

charter, town by-laws, or by vote of town meeting. The town administrator may maintain and repair other buildings, properties and facilities if and to the extent departments, agencies, boards, committees and commissions request and authorize such maintenance and repair activities, unless otherwise prohibited by the Massachusetts General Laws, this charter, town by-laws, or by vote of town meeting. The town administrator shall keep and annually update a full and complete inventory of all town property, both real and personal.

- (8) Attend and participate in all regular and special meetings of the board of selectmen and town meetings, unless excused therefrom by the board of selectmen.
  - (9) Cause full and complete records of meetings from the board of selectmen to be taken and maintained, and compile reports of the meetings as requested by the board of selectmen.
  - (10) Act as the liaison to, and represent the board of selectmen before, state, federal and regional authorities.
  - (11) Subject to policy established by the board of selectmen, approve all warrants and vouchers, including payroll warrants, for payment of town funds submitted by the town accountant. Any warrants generated by the town administrator shall be signed by the board of selectmen.
  - (12) In consultation with the board of selectmen, identify and submit applications for state and federal grants for which the town is eligible. Approve all grant applications submitted by other boards, commissions, and departments of the town on behalf of the town, or as a member of a proposed or active regional agreement, consortium, or similar partnership.
  - (13) Perform any other duties consistent with his or her office as may be required by by-law or vote of the town or by vote of the board of selectmen.
- (d) Financial Management and Reporting: Budget Preparation
- (1) Prepare and submit at a public meeting to the board of selectmen and the advisory board not less than ninety (90) days prior to the annual town meeting a proposed written budget for town government, excluding the school committee, for the ensuing fiscal year.
  - (2) Detail in said proposed budget all estimated revenues from all sources and all expenditures, including debt service, in each case for the previous, current, and ensuing years.
  - (3) Include in said proposed budget free cash, stabilization funds, and other funds available for appropriation for the ensuing fiscal year, including estimated balances in special accounts.
  - (4) Provide additional financial reports as established by town by-law and vote of town meeting.
  - (5) All departments, boards, officials, and committees of the town, including the school committee, shall, within the timeframe reasonably requested by the town administrator, furnish all relevant information in their possession and submit to the town administrator, the board of selectmen, and the advisory board, in writing, a reasonable estimate of the appropriations required and any other funds expected to be available. The town administrator shall cooperate and share

information with all departments, boards, officials, and committees of the town, including the school committee, in preparation of said budget.

- (6) Assist the board of selectmen to develop a long-range financial plan for the town, including preparation of a multi-year forecast of expected revenues and expenditures.
- (e) Labor Relations
  - (1) Negotiate collective bargaining contracts on behalf of the board of selectmen, which contracts shall be subject to approval, ratification and execution by the board of selectmen. The board of selectmen may authorize use of special counsel to assist the town administrator in the negotiations at its discretion.
  - (2) Administer and ensure adherence to collective bargaining agreements.
- (f) Procurement: Act as the chief procurement officer under the provisions of Chapter 30B of the Massachusetts General Laws, responsible for the purchasing of all supplies, materials, and equipment for the town, including the bidding and awarding of all contracts, except for the school department.

#### Section 5 - 3 Vacancy in the Position of Town Administrator

- (a) Permanent Vacancy: The board of selectmen shall fill any permanent vacancy in the office of the town administrator as soon as feasible in accordance with Article 5, Section 5-1 of this charter. Pending the appointment of a town administrator, the board of selectmen shall, within a reasonable period of time appoint some other capable person to temporarily perform the duties of the town administrator until a permanent replacement is appointed.
- (b) Temporary Absence or Disability:
  - (1) The board of selectmen shall designate a capable officer of the town to perform the duties of town administrator during a temporary absence or disability. If the person so designated is unable to serve, the board of selectmen may designate some other capable person to perform the duties of town administrator.
  - (2) Powers and Duties of Acting Administrator – The powers and duties of the acting town administrator under section 5.B.1 shall be limited to matters not permitting of delay and shall include authority to make temporary, emergency appointments or designations to town office or employment, but not to make permanent appointments or designations unless authorized by the board of selectmen.

#### Section 5 – 4: Removal and Suspension Proceedings

The board of selectmen may remove or suspend the town administrator from office after first applying the following procedures, unless otherwise provided under an employment contract or Massachusetts General Laws:

- (a) Notice: By the affirmative vote of at least 3 of its members, the board of selectmen may adopt a preliminary resolution of removal setting forth in reasonable detail the reason or reasons for the proposed removal. The preliminary resolution may suspend the town administrator for a period not to exceed 45 days. A copy of the resolution shall be delivered to the town administrator immediately following adoption and a copy shall be filed with the town clerk.

- (b) Public Hearing: Within 5 days after the delivery of the preliminary resolution of removal, the town administrator may request a public hearing on the reasons cited for removal by filing a written request with the board of selectmen. The board shall convene said hearing not less than 20 but not more than 30 days after a request is filed. The board of selectmen shall give the town administrator not less than 5 days written notice of the date, time, and location of said hearing. The town administrator may waive, in writing, such time limits. The town administrator may file a written statement with the board of selectmen responding to the reasons cited for the proposed removal. The board of selectmen shall receive said statement not less than 48 hours prior to the time set for said hearing. The town administrator may be represented at the hearing by his or her own counsel. The town administrator shall be entitled to present evidence, call witnesses, and, personally or through counsel, question any witness appearing at the hearing.
- (c) Removal: The board of selectmen may, by the affirmative vote of at least 3 of its members, adopt a final resolution of removal that shall be effective upon adoption, as follows:
- (1) If the town administrator does not request a public hearing, then upon the expiration of 10 days from the date of delivery to him or her of the preliminary resolution of removal, the selectmen may act as stated above.
  - (2) If the town administrator does request a public hearing, then 5 days from the completion of the public hearing, or 45 days from the date of the adoption of the preliminary resolution, whichever occurs later, the board of selectmen may act as stated above.

Failure to adopt a final resolution of removal within the time limitations provided in this section shall nullify the preliminary resolution of removal. This section vests all authority and fixes all responsibility for such suspension or removal in the board of selectmen. The action of the board of selectmen in removing the town administrator shall be final. The town administrator shall continue to receive his or her salary until a final resolution of removal has become effective.

Article 6 of the charter is hereby added as provided herein:

## ARTICLE 6 GENERAL PROVISIONS

### Section 6 -1: Severability

If any of the provisions of the charter are held to be unconstitutional or invalid, the remaining provisions of the charter shall not be affected thereby. If the application of the charter or any of its provisions to any person or circumstance is held to be invalid, the application of this charter and its provisions to other persons and circumstances shall not be affected thereby.

### Section 6 -2: Continuation of Existing Government

- (a) Continuation of existing laws, bylaws: The town's charter, all special acts, by-laws, rules and regulations which are in force on the effective date of this Act that are not inconsistent with the provisions of this Act shall continue in full force until amended or repealed and elected and appointed officials, boards, commissions, and committees shall have all of the powers, duties and responsibilities, which are in force on the effective date of this Act that are not inconsistent with this Act, which are given to the respective boards, officials and agencies by law, this Act, town by-law or by vote of town meeting.

- (b) Continuation of personnel: Any office or position in the administrative service of the town or incumbents in such offices, shall continue to function as they did previously until a change in those offices, positions or incumbents is effected in accordance with the provisions of this charter.

Article 7 of the charter is hereby added as provided herein:

**ARTICLE 7: Transitional Provisions**

**Section 7-1: Increasing the Membership of the Board of Selectmen**

At the annual election following the acceptance of this charter revision by the voters of the town of Norwell, two (2) additional selectmen shall be elected one (1) to a term expiring at the town election in the third year following the election of said selectman and one (1) to a term expiring at the town election in the second year following the election of said selectman. The candidate receiving the highest number of votes shall be elected to the three-year term, and the candidate receiving the next highest number of votes shall be elected to the two-year term. Thereafter, as the terms of selectmen expire, successors shall be elected for terms of three (3) years.

**Section 7 -2: Transition of Highway Surveyor from elected position to position of Highway Superintendent**

At the annual election following the acceptance of this charter revision by the voters of the town of Norwell, the highway surveyor/director will no longer be an elected position. The elected highway surveyor/director in office at the time this charter revision is accepted will be allowed to complete the term to which elected, and the position abolished at the completion of the term or upon a sooner vacating of the office by death, resignation, or otherwise. Following the completion of the term or a sooner vacating of the office, the town administrator shall appoint a highway superintendent who shall assume the duties of the highway surveyor/director, including the duties of the director of lands and natural resources pursuant to Chapter 41, Section 69G of the Massachusetts General Laws, and such other duties as this Act or the Massachusetts General Laws may prescribe.

**SECTION 2: Effective Date**

This Act shall take effect upon its passage by the general court and, if approved by the voters of Norwell, shall take effect as this act so provides, but not otherwise.

**SECTION 3: Acceptance at Town Election**

This charter revision shall be submitted for acceptance to the voters of the town of Norwell at an annual town election held following its approval in the form of the following question which shall be placed on the official ballot to be used at said election: Shall an act entitled "AN ACT REVISING THE CHARTER OF THE TOWN OF NORWELL" be accepted? A summary prepared by the town counsel noting in summary form the major changes proposed in the charter by this act shall appear on the ballot.

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and to authorize the board of selectmen to act on behalf of the town relative to any inquiries and minor changes made by the general court concerning the proposed Act or take any other action relative thereto."

Requested by the  
Government Study Committee

**The Advisory Board recommends this Article 5-1-2.**

**ARTICLE 18:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$150,000 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 does not recommend this Article.**

**ARTICLE 19:** 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 replacements and upgrades, or act on anything relative thereto.

Requested by the School Committee

**The Advisory Board does not recommend this Article.**

**ARTICLE 20:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$80,000 to be used by the School Department to repave and make other improvements to parking lots at Norwell High School, or act on anything relative thereto.

Requested by the School Committee

**The Advisory Board does not recommend this Article.**

**ARTICLE 21:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$16,500 to be used by the School Department to repair backstop fencing and purchase a powered mule lift at Norwell High School, or act on anything relative thereto.

Requested by the School Committee

**The Advisory Board does not recommend this Article.**

**This item was recommended as part of the Capital Budget.**

**ARTICLE 22:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$40,000 to purchase and install additional and/or replacement security cameras at Norwell Middle School and Norwell High School, or act on anything relative thereto.

Requested by the School Committee

**The Advisory Board does not recommend this Article.**

**ARTICLE 23:** To see if the Town will vote to reauthorize the School Parking Fees Revolving Fund, pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 53 E ½, for the fiscal year beginning July 1, 2011, or act on anything relative thereto.

Requested by the School Committee

**The Advisory Board recommends the Article.**

**ARTICLE 24:** To see if the Town will raise and appropriate, or appropriate from available funds, \$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 recommends this Article in the amount of \$10,000.**

**ARTICLE 25:** To see if the Town will raise and appropriate, or appropriate from available funds, \$200,000, or any other sum, to be expended under the direction of the Highway Surveyor for resurfacing and related construction/maintenance of Town Ways, or act on anything relative thereto.

Requested by the Highway Surveyor

**The Advisory Board recommends this article in the amount of \$100,000.**

**ARTICLE 26:** To see if the Town will appropriate \_\_\_\_\_ in anticipation of full (100%) reimbursement by the Commonwealth of Massachusetts of Chapter\_\_\_\_, Acts of 20\_\_, 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 will make its recommendation at Town Meeting.**

**This is acceptance of the State's disbursement of road funds to the Town. When the warrant went to print, the legislature had not finalized passage of the bill.**

**ARTICLE 27:** To see if the Town will raise and appropriate, or appropriate from available funds, \$90,000 or any other sum to be expended under the direction of the Highway Surveyor for

engineering and ensuing work related purposes of bringing the Highway Department facility into Compliance with a Conservation Commission Order of Conditions and EPA/DEP Regulations, or act on anything relative thereto.

Requested by the Highway Surveyor

**The Advisory Board does not recommend this Article.**

**ARTICLE 28:** To see if the Town will raise and appropriate, transfer from available funds or otherwise provide the sum of \$400,000 or any other sum to be expended under the direction of the Highway Surveyor for the purpose of replacing the existing salt storage shed located at the Highway Department yard, as recommended by the Salt Abatement Taskforce, or act on anything relative thereto.

Requested by the Highway Surveyor

**The Advisory Board does not recommend this Article.**

**ARTICLE 29:** To see if the Town will raise and appropriate, or appropriate from available funds \$35,000, to be expended under the direction of the Highway Surveyor, to perform catch basin cleaning, as required by the Environmental Protection Agency and the Department of Environmental Protection, Phase II, Natural Pollutant Discharge Elimination System General Permit.

Requested by the Highway Surveyor

**The Advisory Board recommends this Article in the amount of \$35,000.**

**ARTICLE 30:** To see if the Town will raise and appropriate, or appropriate from available funds, \$50,000 or any other sum to be expended under the direction of the Highway Surveyor for the purpose of complying with the EPA's 2011 MS4 (Municipal Separate Stormwater Sewer System) Stormwater General Permit or act on anything relative thereto.

Requested by the Highway Surveyor

**The Advisory Board recommends this Article in the amount of \$50,000.**

**ARTICLE 31:** To see if the Town will vote to amend Zoning By-Law §4850 paragraphs 4, 5, 6 & 7, by striking said sections and replacing it as shown under "Proposed New Language":

**EXISTING LANGUAGE**

**4) PRE-APPLICATION CONFERENCE SUBMITTALS**

- a. Site Context Plan. This plan shall identify the subject parcel in connection to its surroundings. Based on existing data sources (including all state and local natural resource maps such as the National Heritage Endangered Species Program Priority and Estimated Species maps), field inspections and the evaluation of the Norwell 2005 Master Plan Maps (including the "Natural

Resources with Priorities” map), the Site Context Plan shall identify Primary and Secondary Conservation Areas, as described in §6) a.1., within the proposed parcel and show all major natural resource areas or features, including those that cross parcel lines and those that are located on adjoining lands. This plan will enable the Planning Board to understand the site in relation to adjacent properties.

- b. Existing Conditions / Site Analysis Plan. This plan shall identify all easements and visible features on the property. Based upon existing data sources and field inspections, this plan shall locate and describe noteworthy resources that could be protected through sensitive subdivision layouts. These resources shall include but are not limited to wetlands, vernal pools, wetland buffer zones, riverfront areas, floodplains, slopes over 20%, mature non-degraded woodlands, hedgerows, farmland, unique or special wildlife habitats, historical or cultural features (such as old structures or stone walls), geologic formations, solar orientation and scenic views into and out from the property. By overlaying this plan onto a development plan, the parties involved can clearly see where conservation priorities and desired development overlap or conflict.
- c. Enhanced NRCS Soils Map. This map will identify the suitability of the soils and soil types for the stormwater treatment areas and, if proposed, the location of any communal or off-lot septic systems. All previously completed percolation test results, depth to groundwater test holes and soil logs shall be shown on the map. The information depicted on Site Context Plan and the Existing Conditions / Site Analysis Plan may be consolidated onto the Enhanced NRCS Soils Map, if practical.
- d. Photographs. Photographs of the site and significant resources shall accompany the Pre-Application Conference Submittals if the Planning Board requests them to garner a better understanding of the subject property.

#### 5) **APPLICATION FOR OSRD SPECIAL PERMIT & SUBMITTALS**

- a. Special Permit Required. The Planning Board, acting as the special permit granting authority (SPGA), may authorize an OSRD Special Permit for OSRD Subdivisions pursuant to the procedures outline below.
- b. Application. An application for an OSRD Special Permit shall be submitted on the Norwell Planning Board “Form O”. Seven total copies of the application and the Yield Plan shall be required. In addition, the applicant shall also submit seven copies of the Site Context Plan, the Existing Conditions / Site Analysis Plan and the Enhanced NRCS Soils Map, showing any changes requested during the §4 Pre-application conference.
- c. Yield Plan. The maximum allowable number of house lots in an OSRD Definitive Subdivision Plan shall be shown on a Yield Plan. The calculated number of lots shall be a guide, and the Planning Board, using the following guidelines shall determine the total number of lots. The maximum number of lots shall be calculated using the following approach:
  - 1. Determine total land area expressed in square feet, then
  - 1. Subtract all wetland areas expressed in square feet, then
  - 2. Multiply this subtotal by 0.9, then
  - 3. Divide this subtotal by 43,560 (any non-integer number shall be rounded down to the nearest integer).

The equation for this calculation is:

$(\text{Total land area}^* - \text{area of wetlands}^*) \times .9 / 43,560 = \text{allowable lots}$

\*areas expressed in square feet

- d. Development Plan. The Development Plan shall bear the seal and certification of a registered Landscape Architect, or a multidisciplinary team of which one member is a registered Landscape Architect. The plan shall show the general features of the subject parcel and identify the proposed open space and developable areas defined by §6 of this bylaw. The Landscape Architect shall include a brief narrative on the plan that describes the characteristics of the planned open space. The Development Plan shall also contain the information required for a Preliminary Subdivision Plan, as set forth in §5.0 of the Planning Board’s most current Subdivision Rules and Regulations. The Planning Board shall vote to formally acknowledge the submittal of a Development Plan that is determined to be substantially complete.

## 6) OSRD DEVELOPMENT PLAN DESIGN

- a. Design. Applicants shall demonstrate to the Planning Board that the following OSRD design process was followed in determining the layout of proposed open space, streets, and house lots:
  1. Conservation Areas. First, Primary Conservation Areas (such as wetlands, riverfront areas, and floodplains regulated by local, state and federal law) and Secondary Conservation Areas (including unprotected elements of the natural landscape such as steep slopes, mature woodlands, prime farmland, meadows, wildlife habitats and cultural features such as historic and archeological sites and scenic views) shall be identified and delineated. Second, the Potentially Developable Area will be identified and delineated. Land identified as Potentially Developable shall not be located in any Primary Conservation Areas, or to the maximum extent feasible, in any identified Secondary Conservation Areas.
  2. Locate House Sites. Locate the approximate sites of individual houses within the Potentially Developable Area and include the delineation of private yards and shared amenities, so as to reflect an integrated community. The shared amenities should be located so that the number of homes enjoying the amenities shall be maximized.
  3. Align the Streets and Trails. Align the streets to access the house lots. Additionally, new trails should be laid out to create internal and external connections to existing and/or potential future streets, sidewalks, and trails on and abutting the subject parcel.
  4. Lot Lines. Draw in the lot lines.
- b. Reduction of Dimensional Requirements. In an OSRD development, the Planning Board may authorize a reduction in any of the Intensity of Use and Dimensional requirements in the Zoning Bylaw. The following minima shall apply:
  1. Lot frontage shall not be less than 50 feet.
  2. Lot size shall not be less than one-half acre of upland. No area within the 50-foot wetlands buffer strip may be included in determining compliance with this requirement.
  3. No building or structure shall be erected, placed or added so as to extend within 25 feet of the front property line, nor within 10 feet of the side or rear property line.
  4. No two points on lot lines shall be less than 50 feet apart except where the shortest distance between such points, measured along the perimeter of the lot, is less than or equal to 150 feet.
  5. Lot shall be exempt from §2432 & §2450 of the zoning bylaw.
  6. Only lots on the street to be created by the OSRD subdivision Special Permit are to benefit from the reduced area, setback, and frontage requirements. No reductions of frontage, setbacks and area shall be allowed on any lot that fronts on an existing way not created via OSRD Special Permit.
- c. Open Space Requirements. A minimum of 50% of the upland on the subject property shown on the approved Development Plan shall be permanently protected as open space. Any proposed open space, unless conveyed to Norwell's Conservation Commission, shall be subject to a recorded conservation restriction, providing that such land shall be perpetually kept in an open state and be preserved exclusively for the purposes set forth herein, and that it shall be maintained in a manner consistent with its intended purpose as open space.
  1. The open space shall be contiguous. Open space may still be considered contiguous if a roadway or an accessory amenity separates it. The Planning Board may also determine open space contiguous if separated by wetlands or other Primary Conservation Areas. The Planning Board may waive this requirement for all or part of the required open space within the OSRD Definitive Subdivision where it is determined to the satisfaction of the Planning Board that allowing non-contiguous open space will promote the goals of this bylaw and/or protect identified Primary and Secondary Conservation Areas.
  2. The open space shall be used for wildlife habitat and conservation and any of the following additional purposes: historic preservation, recreation, walking trails, bike paths, view vistas, parklands, agriculture, horticulture, forestry, or a combination of these uses. Whatever use is proposed shall be served by suitable access for such purposes. The Planning Board may allow open space uses not specified in this section if the Planning Board considers the use consistent with the purpose and intent of this bylaw.

3. Disturbed Areas within Open Space. Not more than one half of dedicated open space shall be disturbed or altered. A disturbed area is any land not left in its natural state. At the option of the Planning Board, other areas may be considered as contributing towards this requirement where the Development Plan includes the restoration of the area to a more natural condition, for example, where an abandoned gravel pit will be regraded and replanted with vegetation consistent with its surroundings.
  4. Open space shall not include land set aside for the road's right-of-way.
  5. Subject to the approval of the Board of Health, as otherwise required by law, the Planning Board may permit a portion of the dedicated open space to be used for components of sewerage disposal systems serving the subdivision, when the Planning Board finds that such use will not be detrimental to the character or quality of the open space or wetlands. "Decentralized Cluster Wastewater Systems" or communal sewerage disposal systems shall not be allowed within the dedicated open spaces if they have mounding that does not comport with the surrounding grades.
  6. Engineered drainage systems, such as retention, detention and infiltration ponds, shall not be allowed within the open space except where specifically permitted by the Planning Board under §6) e. 6. Underground infiltration systems or other Low Impact Drainage systems [as defined by §6) f] shall be allowed within the open space subject to an agreement that the proposed road and drainage system will remain private in perpetuity.
  7. Communal buildings and structures that are accessory to the open space shall not be allowed within the dedicated open space unless the Planning Board deems that their location therein satisfies the purpose and intent of this bylaw.
  8. Ownership of the Open Space. The open space shall, at the applicant's election and subject to the approval of the Planning Board, be conveyed to either the Town's Conservation Commission, or a nonprofit organization or land trust whose principal mission is the conservation and protection of open space, or to a corporation or trust owned jointly or in common by the owners of lots within the proposed OSRD Definitive Subdivision.
  9. The protected open space must be clearly delineated on the ground with permanent markers before any building permits are issued and the Planning Board may require the installation and maintenance of reasonable permanent signage in order to delineate such areas.
- d. Roadway Design and Construction. Streets in OSRD Definitive Subdivisions shall meet the typical subdivision cross-section, as set forth in the most recent Planning Board Rules and Regulations. The Planning Board reserves the right to waive strict compliance with the typical cross-section if the specific waivers comply with the purpose and intent of this bylaw and are in the public's interest.
1. Street Design. Streets shall be designed and located in such a manner as to maintain and preserve natural topography, significant landmarks, and trees; to minimize cut and fill; and to preserve and enhance views and vistas on or off the subject parcel. Street design and the proposed cross-section, including all requested waivers, shall be a part of the Development Plan and be referenced in the Special Permit decision.
  2. Dead end roads. Dead end roads with a maximum length of up to 1000 feet measured from the centerline of the nearest intersecting through street to the end of the subdivision way are allowed in OSRD Definitive Subdivisions.
  3. Dead End Road Length & Buffer. When OSRD dead-end roads exceed 550 feet in length, measured from the centerline of the nearest intersecting through street to the end of the subdivision way, dedicated open space should be provided for a distance of at least 100' along the length of the existing street from which the subdivision derives its frontage.
  4. Common/Shared Driveways. A common or shared driveway may serve a maximum number of 3 single-family units. Common Driveways shall be permitted as per §2318 of the Norwell Zoning Bylaw.
  5. Pedestrian and Bicycle Circulation. Walkways and bicycle paths shall be provided to link residences with recreation facilities (including parkland and open space) and adjacent land uses where appropriate. The Planning Board will strongly encourage

that such amenities be designed so as to link to like facilities adjacent to the subject parcel. If no such facilities exist and the property abuts land that may be further developed in the future, the Planning Board may require that a reserve access strip be created to facilitate connection to future developments.

- e. **Screening, Landscaping, and Buffer Areas.** In addition to the stated requirements elsewhere in the zoning bylaw, the following shall be required for OSRD Definitive Subdivisions.
  - 1. All surface stormwater management facilities shall be accompanied by landscape plan, signed and sealed by a registered Landscape Architect. The landscape plan shall screen surface stormwater management facilities from both dwelling and roadside views.
  - 2. **Roadside and Adjacent Property Buffer Areas.** A vegetated buffer of at least 100 feet is encouraged along existing ways adjacent to the subdivision. The subdivision roadway and any common driveways necessary for access and egress to and from the subject property may cross such buffer areas. A vegetated buffer of at least 75 feet is encouraged along developed residential property adjacent to the subdivision. None of the existing vegetation in these buffer areas should be disturbed, destroyed or removed, except for normal maintenance of structures and landscapes approved as part of the project. The Planning Board may waive this buffer requirement when it determines that doing so is not inconsistent with the purpose and intent of this bylaw. The Planning Board may require additional plantings in a buffer area if the existing vegetation does not provide adequate screening.
  - 3. **Resource Buffer Areas.** A natural vegetated buffer at least 100 feet deep shall be preserved along ponds, wetlands, vernal pools, streams and riverfront areas on or adjacent to the property. The Planning Board may waive this buffer requirement when it determines that doing so is not inconsistent with the purpose and intent of this bylaw.
  - 4. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree cutting and the alteration of natural grades. The orientation of individual building sites shall be such as to maintain maximum natural topography and cover.
  - 5. The removal, disturbance or disruption of historic or cultural structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties. If such elements exist, the applicant shall submit a narrative explaining how said interests are being preserved or how removal, disturbance or disruption is being minimized.
  - 6. Subject to the approval of the Planning Board and the Conservation Commission, wastewater and stormwater management systems may be located within buffer areas.
- f. **Stormwater Management.** The Planning Board encourages the use of non-structural stormwater management techniques such as swales, bio-retention areas, rain gardens and other Low Impact Development drainage techniques that reduce impervious surface and promote groundwater recharge. Drainage requirements for OSRD Definitive Subdivisions shall meet the requirements of the Planning Board's Rules and Regulations and current DEP Stormwater Management Requirements.
- g. **Site Visit.** Whether or not conducted during the pre-application stage, the Planning Board may conduct a site visit during the project review process. The applicant and/or its agents shall accompany the Planning Board and/or its agent if a site visit was not performed during the pre-application process.
- h. **Compliance with Rules and Regulations.** OSRD Definitive Subdivision Plans shall adhere to all of the Planning Board's current Rules and Regulations unless provisions of such regulations are specifically addressed within this bylaw.

## 7) **DECISION OF THE PLANNING BOARD: OSRD SPECIAL PERMIT**

- a. **Special Permit Approval.** The Planning Board will hold a public hearing in accordance with MGL c. 40A, §9, and approve, approve with conditions, or disapprove an OSRD Special Permit within 45 days of receiving an OSRD Special Permit and acknowledged Development Plan. Upon the written mutual agreement of the applicant and the Planning Board, the 45-day Special Permit decision period may be extended at any time. The OSRD Special Permit Decision and the corresponding Development Plan shall be filed with the Town Clerk and the decision shall be provided to the applicant via regular mail. Upon receipt of the Planning Board's written decision

regarding the Development Plan, the applicant may submit an OSRD Definitive Subdivision Plan. Planning Board approval of an OSRD Special Permit requires that any OSRD Definitive Subdivision Plan be substantially compliant with the Special Permit and corresponding Development Plan.

- b. The Planning Board may approve the OSRD Special Permit if it finds that the proposed development has less detrimental impact on the subject property and the abutting neighborhood than a conventional definitive subdivision, after considering the following factors:
  1. The Development Plan achieves greater flexibility and creativity in the design of residential developments than a conventional subdivision.
  2. The Development Plan promotes permanent preservation of open space, agricultural land, forestry land, other natural resources including water bodies and wetlands, and historical and archeological resources.
  3. The Development Plan promotes a less sprawling and more efficient form of development that consumes less open land and conforms to existing topography and natural features better than a conventional subdivision.
  4. The Development Plan reduces the total amount of disturbance land on the site.
  5. The Development Plan furthers the goals and policies of Norwell's Open Space and Master Plan.
  6. The Development Plan facilitates the construction and maintenance of streets, utilities, and public service in a more economical and efficient manner.
  7. The Development Plan facilitates the construction and maintenance of trails and associated amenities to enhance the pedestrian experience.
  8. The Development Plan complies with the purpose and intent of this bylaw.
- c. Any OSRD Special Permit approval must be followed by the submittal of an OSRD definitive subdivision plan in accordance with the Norwell Planning Board's Rules and Regulations. The OSRD definitive subdivision plan shall not be approved unless the plan is substantially consistent with the approved Development Plan. A determination of substantial inconsistency will be based on following conditions:
  1. An increase in the number of building lots.
  2. A material decrease in the open space acreage or lot layout.
  3. A material change in the general development pattern which adversely affects natural landscape features and open space preservation.
  4. Material changes to the stormwater or wastewater management facilities.
- d. The Planning Board may modify an existing OSRD Special Permit when the subsequent OSRD definitive subdivision plan, in the opinion of the Planning Board, more fully satisfies the purpose and intent of this bylaw. The Planning Board may also require that the Development Plan be modified so as to comply with the material changes identified by the Planning Board before the modified OSRD Special Permit is approved.
- e. The Planning Board, in its discretion, shall have the authority to adopt rules and regulations consistent with this bylaw.
- f. If 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.

### **PROPOSED NEW LANGUAGE**

#### **4) PRE-APPLICATION CONFERENCE SUBMITTALS**

- a. Site Context Plan. This plan shall identify the subject parcel in connection to its surroundings. Based on existing data sources (including all state and local natural resource maps such as the National Heritage Endangered Species Program Priority and Estimated Species maps), field inspections and the evaluation of the Norwell 2005 Master Plan Maps (including the "Natural Resources with Priorities" map) or those of any succeeding master plan, the Site Context Plan shall identify Primary and Secondary Conservation Areas, as described in §6) a.1., within the proposed parcel and show all major natural resource areas or features, including those that cross parcel lines and those that are located on adjoining lands. All on-site local, state, and federal

regulatory resource boundaries and buffer zones shall be clearly identified. This plan will enable the Planning Board to understand the site in relation to adjacent properties.

a-b. Order of Resource Area Delineation (ORAD). The applicant shall submit a valid ORAD from the Conservation Commission and still be responsible for maintaining said ORAD throughout the subdivision approval process.

b-c. Existing Conditions / Site Analysis Plan. This plan shall identify all easements and visible features on the property. Based upon existing ORAD, data sources and field inspections, this plan shall locate and describe noteworthy resources that could be protected through sensitive subdivision layouts. These resources shall include but are not limited to wetlands, vernal pools, wetland buffer zones, riverfront areas, floodplains, existing topography, slopes over 20%, mature non-degraded woodlands, trees over 12" in diameter, hedgerows, farmland, unique or special wildlife habitats, historical or cultural features (such as old structures or stone walls), geologic formations, solar orientation and scenic views into and out from the property, and any other significant natural features. By overlaying this plan onto a development plan, the parties involved can clearly see where conservation priorities and desired development overlap or conflict.

e-d. Enhanced NRCS Soils Map. This map will identify the suitability of the soils and soil types for the stormwater treatment areas and, if proposed, the location of any communal or off-lot septic systems. All previously completed percolation test results, depth to groundwater test holes and soil logs shall be shown on the map. The information depicted on Site Context Plan and the Existing Conditions / Site Analysis Plan may be consolidated onto the Enhanced NRCS Soils Map, if practical.

d-e. Photographs. Photographs of the site and significant resources shall accompany the Pre-Application Conference Submittals if the Planning Board requests them to garner a better understanding of the subject property.

## 5) APPLICATION FOR OSRD SPECIAL PERMIT & SUBMITTALS

a. Special Permit Required. The Planning Board, acting as the special permit granting authority (SPGA), may authorize an OSRD Special Permit for OSRD Subdivisions pursuant to the procedures outline below.

b. Application. An application for an OSRD Special Permit shall be submitted on the Norwell Planning Board "Form O". Seven total copies of the application and the Yield Plan shall be required. In addition, the applicant shall also submit seven copies of the Site Context Plan, the Existing Conditions / Site Analysis Plan and the Enhanced NRCS Soils Map, showing any changes requested during the §4 Pre-application conference.

Whenever an application for an OSRD special permit is filed with the Planning Board, the applicant shall also file, within five (5) working days of the filing of the completed application, copies of the application, accompanying development plan, and other documentation, with the Board of Health, Conservation Commission, Historical Commission, Building Inspector, Highway Department, Police and Fire for their consideration, review and report. The applicant shall furnish the copies necessary to fulfill this requirement. Reports from other boards and officials shall be submitted to the Planning Board within (35) days of receipt by the reviewing party of all the required materials; failure of the reviewing parties to make recommendations after having received copies of all such required materials shall be deemed a lack of opposition thereto. In the event that the public hearing by the Planning Board is held prior to the expiration of the thirty-five-day period, the Planning Board shall continue the public hearing to permit the formal submission of reports and recommendations within that thirty-five-day period. The Decision/findings of the Planning Board shall contain, in writing, an explanation for any departures from the recommendations of any reviewing party.

c. Yield Plan. The maximum allowable number of house lots in an OSRD Definitive Subdivision Plan shall be shown on a Yield Plan. The calculated number of lots shall be a guide, and the Planning Board, using the following guidelines shall determine the total number of lots. The maximum number of lots shall be calculated using the following approach:

Determine total land area expressed in square feet, then  
Subtract all wetland areas expressed in square feet, then

Multiply this subtotal by 0.9, then  
Divide this subtotal by 43,560 (any non-integer number shall be rounded down to the nearest integer).

The equation for this calculation is:  
(Total land area\* – area of wetlands\*) x .9 / 43,560 = allowable lots  
\*areas expressed in square feet

- d. Development Plan. The Development Plan shall bear the seal and certification of a registered Landscape Architect, or a multidisciplinary team of which one member is a registered Landscape Architect. The plan shall show the general features of the subject parcel and identify the proposed open space and developable areas defined by §6 of this bylaw. The Landscape Architect shall include a brief narrative on the plan that describes the characteristics of the planned open space, and how the planned development preserves grades, vegetation and natural features in the development areas. The Development Plan shall also contain the information required for a Preliminary Subdivision Plan, as set forth in §5.0 of the Planning Board's most current Subdivision Rules and Regulations. The Planning Board shall vote to formally acknowledge the submittal of a Development Plan that is determined to be substantially complete.

## 6) OSRD DEVELOPMENT PLAN DESIGN

- a. Design. Applicants shall demonstrate to the Planning Board that the following OSRD design process was followed in determining the layout of proposed open space, streets, and house lots:
1. Conservation Areas. First, Primary Conservation Areas (such as wetlands, riverfront areas, and floodplains regulated by local, state and federal law) and Secondary Conservation Areas (including unprotected elements of the natural landscape such as steep slopes, mature woodlands, prime farmland, meadows, wildlife habitats and cultural features such as historic and archeological sites and scenic views) shall be identified and delineated. Second, the Potentially Developable Area will be identified and delineated. Land identified as Potentially Developable shall not be located in any Primary Conservation Areas, or to the maximum extent feasible, in any identified Secondary Conservation Areas.
  2. Locate House Sites. Locate the approximate sites of individual houses within the Potentially Developable Area and include the delineation of private yards and shared amenities, so as to reflect an integrated community. The shared amenities should be located so that the number of homes enjoying the amenities shall be maximized.
  3. Align the Streets and Trails. Align the streets to access the house lots. Additionally, new trails should be laid out to create internal and external connections to existing and/or potential future streets, sidewalks, and trails on and abutting the subject parcel.
  4. Lot Lines. Draw in the lot lines.
- b. Reduction of Dimensional Requirements. In an OSRD development, the Planning Board may authorize a reduction in any of the Intensity of Use and Dimensional requirements in the Zoning Bylaw. The following minima standards shall apply:
1. Lot frontage shall not be less than 50 feet.
  2. Lot size shall not be less than one-half acre of upland. No area within the 50-foot wetlands buffer strip may be included in determining compliance with this requirement.
  3. No building or structure shall be erected, placed or added so as to extend within 25 feet of the front property line, nor within 10 feet of the side or rear property line.
  4. No two points on lot lines shall be less than 50 feet apart except where the shortest distance between such points, measured along the perimeter of the lot, is less than or equal to 150 feet.
  5. Lot shall be exempt from §2432 & §2450 of the zoning bylaw.
  6. Only lots on the street to be created by the OSRD subdivision Special Permit are to benefit from the reduced area, setback, and frontage requirements. No reductions of frontage, setbacks and area shall be allowed on any lot that fronts on an existing way not created via OSRD Special Permit.

7. The applicant shall submit a document outlining proposed methods of reducing the visual scale and massing of structures to create a development that adheres to the rural character of the town.

- c. Open Space Requirements. A minimum of 50% of the upland on the subject property shown on the approved Development Plan shall be permanently protected as open space. Any proposed open space, unless conveyed to Norwell's Conservation Commission, shall be subject to a recorded conservation restriction, providing that such land shall be perpetually kept in an open state and be preserved exclusively for the purposes set forth herein, and that it shall be maintained in a manner consistent with its intended purpose as open space.
1. The open space shall be contiguous. Open space may still be considered contiguous if a roadway or an accessory amenity separates it. The Planning Board may also determine open space contiguous if separated by wetlands or other Primary Conservation Areas. The Planning Board may waive this requirement for all or part of the required open space within the OSRD Definitive Subdivision where it is determined to the satisfaction of the Planning Board that allowing non-contiguous open space will promote the goals of this bylaw and/or protect identified Primary and Secondary Conservation Areas.
  2. The open space shall be used for wildlife habitat and conservation and any of the following additional purposes: historic preservation, recreation, walking trails, bike paths, view vistas, parklands, agriculture, horticulture, forestry, or a combination of these uses. Whatever use is proposed shall be served by suitable access for such purposes. The Planning Board may allow open space uses not specified in this section if the Planning Board considers the use consistent with the purpose and intent of this bylaw.
  3. Disturbed Areas within Open Space. Not more than one half of dedicated open space shall be disturbed or altered. A disturbed area is any land not left in its natural state. At the option of the Planning Board, other areas may be considered as contributing towards this requirement where the Development Plan includes the restoration of the area to a more natural condition, for example, where an abandoned gravel pit will be regraded and replanted with vegetation consistent with its surroundings.
  4. Open space shall not include land set aside for the road's right-of-way.
  5. Subject to the approval of the Board of Health, as otherwise required by law, the Planning Board may permit a portion of the dedicated open space to be used for components of sewerage disposal systems serving the subdivision, when the Planning Board finds that such use will not be detrimental to the character or quality of the open space or wetlands. "Decentralized Cluster Wastewater Systems" or communal sewerage disposal systems shall not be allowed within the dedicated open spaces if they have mounding that does not comport with the surrounding grades.
  6. Engineered drainage systems, such as retention, detention and infiltration ponds, shall not be allowed within the open space except where specifically permitted by the Planning Board under §6) e. 6. Underground infiltration systems or other Low Impact Drainage systems [as defined by §6) f] shall be allowed within the open space subject to an agreement that the proposed road and drainage system will remain private in perpetuity.
  7. Communal buildings and structures that are accessory to the open space shall not be allowed within the dedicated open space unless the Planning Board deems that their location therein satisfies the purpose and intent of this bylaw.
  8. Ownership of the Open Space. The open space shall, at the applicant's election and subject to the approval of the Planning Board, be conveyed to either the Town's Conservation Commission, or a nonprofit organization or land trust whose principal mission is the conservation and protection of open space, or to a corporation or trust owned jointly or in common by the owners of lots within the proposed OSRD Definitive Subdivision. If conveyed to a trust, maintenance of such open space and facilities shall be permanently guaranteed by such trust which shall provide for mandatory assessments for maintenance expenses to each lot and unit.
  - ~~8-9.~~ Maintenance Easement. If the open space is not conveyed to the town, the town shall be granted an easement over such land sufficient to ensure its perpetual maintenance.

Such easement shall provide that in the event the trust or other owner fails to maintain the open space in reasonable condition, the Town may, after notice to the lot owners and public hearing, enter upon such land to provide maintenance. The cost of such maintenance by the Town shall be assessed against the properties within the development and/or to the owner of the open space. The Town may file a lien against the lot or lots to ensure payment of such maintenance.

- 9-10. \_\_\_\_\_ The protected open space must be clearly delineated on the ground with permanent markers before any building permits are issued, ~~and~~ The Planning Board may require the installation and maintenance of reasonable ~~permanent signage measures~~ in order to delineate such areas and ensure that open space areas are not encroached upon by abutting lot owners.
- d. Roadway Design and Construction. Streets in OSRD Definitive Subdivisions shall meet the typical subdivision cross-section, as set forth in the most recent Planning Board Rules and Regulations. The Planning Board reserves the right to waive strict compliance with the typical cross-section if the specific waivers comply with the purpose and intent of this bylaw and are in the public's interest.
1. Street Design. Streets shall be designed and located in such a manner as to maintain and preserve natural topography, significant landmarks, and trees; to minimize cut and fill; and to preserve and enhance views and vistas on or off the subject parcel. Street design and the proposed cross-section, including all requested waivers, shall be a part of the Development Plan and be referenced in the Special Permit decision.
  2. Dead end roads. Dead end roads with a maximum length of up to 1000 feet measured from the centerline of the nearest intersecting through street to the end of the subdivision way are allowed in OSRD Definitive Subdivisions.
  3. Dead End Road Length & Buffer. When OSRD dead-end roads exceed 550 feet in length, measured from the centerline of the nearest intersecting through street to the end of the subdivision way, dedicated open space should be provided at a depth of 100 feet, for a distance of at least 100, along the length of the existing street from which the subdivision derives its frontage.
  4. Common/Shared Driveways. A common or shared driveway may serve a maximum number of 3 single-family units. Common Driveways shall be permitted as per §2318 of the Norwell Zoning Bylaw.
  5. Pedestrian and Bicycle Circulation. Walkways and bicycle paths shall be provided to link residences with recreation facilities (including parkland and open space) and adjacent land uses where appropriate. The Planning Board will strongly encourage that such amenities be designed so as to link to like facilities adjacent to the subject parcel. If no such facilities exist and the property abuts land that may be further developed in the future, the Planning Board may require that a reserve access strip be created to facilitate connection to future developments.
- e. Screening, Landscaping, and Buffer Areas. In addition to the stated requirements elsewhere in the zoning bylaw, the following shall be required for OSRD Definitive Subdivisions.
1. All surface stormwater management facilities shall be accompanied by landscape plan, signed and sealed by a registered Landscape Architect. The landscape plan shall screen surface stormwater management facilities from both dwelling and roadside views.
  2. Roadside and Adjacent Property Buffer Areas. A vegetated buffer of a depth of at least 100 feet is encouraged-required along the entire length of existing ways adjacent-abutting ~~to the proposed~~ subdivision. The subdivision roadway and any common driveways necessary for access and egress to and from the subject property may cross such buffer areas. A vegetated buffer of a depth of at least 75 feet is encouraged-required along developed residential property adjacent to the subdivision. None of the existing vegetation in these buffer areas should be disturbed, destroyed or removed, except for normal maintenance of structures and landscapes approved as part of the project. The Planning Board may waive this buffer requirement when it determines that doing so is not inconsistent with the purpose and intent of this bylaw. The Planning Board may require additional plantings in a buffer area if the existing vegetation does not provide adequate screening.

3. Resource Buffer Areas. A natural vegetated buffer at least 100 feet deep shall be preserved along ponds, wetlands, vernal pools, streams and riverfront areas on or adjacent to the property. The Planning Board may waive this buffer requirement when it determines that doing so is not inconsistent with the purpose and intent of this bylaw.
  4. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree cutting and the alteration of natural grades. The orientation of individual building sites shall be such as to maintain maximum natural topography and cover.
  5. The removal, disturbance or disruption of historic or cultural structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties. If such elements exist, the applicant shall submit a narrative explaining how said interests are being preserved or how removal, disturbance or disruption is being minimized.
  6. Subject to the approval of the Planning Board ~~and the Conservation Commission~~, wastewater and stormwater management systems may be located within buffer areas.
- f. Stormwater Management. The Planning Board encourages the use of non-structural stormwater management techniques such as swales, bio-retention areas, rain gardens and other Low Impact Development drainage techniques that reduce impervious surface and promote groundwater recharge. Drainage requirements for OSRD Definitive Subdivisions shall meet the requirements of the Planning Board's Rules and Regulations and current DEP Stormwater Management Requirements.

A narrative explanation prepared by a certified Professional Engineer proposing systems for stormwater drainage and its likely impacts on-site and to any abutting parcels of land. The approximate number and location of any stormwater management detention/retention basins shall be shown on the plan and accompanied by a conceptual landscaping plan.

- g. Utilities. Official soil percolation tests for the purpose of siting wastewater treatment options shall be required as determined by the Planning Board. A narrative explanation shall be prepared by a certified Professional Engineer detailing the proposed wastewater systems to be utilized by the development.

A narrative explanation prepared by a certified Professional Engineer shall detail the proposed drinking water supply system.

- ~~f.~~h. Site Visit. Whether or not conducted during the pre-application stage, the Planning Board may conduct a site visit during the project review process. The applicant and/or its agents shall accompany the Planning Board and/or its agent if a site visit was not performed during the pre-application process.

- ~~g.~~i. Compliance with Rules and Regulations. OSRD Definitive Subdivision Plans shall adhere to all of the Planning Board's current Rules and Regulations unless provisions of such regulations are specifically addressed within this bylaw.

## 7) DECISION OF THE PLANNING BOARD: OSRD SPECIAL PERMIT

- a. Special Permit Approval. The Planning Board will hold a public hearing within 65 days of receiving an OSRD Special Permit and acknowledged Development Plan in accordance with MGL c. 40A, §9, and approve, approve with conditions, or disapprove an OSRD Special Permit within 9045 days of receiving an OSRD Special Permit and acknowledged Development Plan of said public hearing in accordance with MGL c. 40A, §9. Upon the written mutual agreement of the applicant and the Planning Board, the 9045-day Special Permit decision period may be extended at any time. The OSRD Special Permit Decision and the corresponding Development Plan shall be filed with the Town Clerk and the decision shall be provided to the applicant via regular mail. Upon receipt of the Planning Board's written decision regarding the Development Plan, the applicant may submit an OSRD Definitive Subdivision Plan. Planning Board approval of an OSRD Special Permit requires that any OSRD Definitive Subdivision Plan be substantially compliant with the Special Permit and corresponding Development Plan.

- b. The Planning Board may approve the OSRD Special Permit if it finds that the proposed development has less detrimental impact on the subject property and the abutting neighborhood than a conventional definitive subdivision, after considering the following factors:
  - 1. The Development Plan achieves greater flexibility and creativity in the design of residential developments than a conventional subdivision.
  - 2. The Development Plan promotes permanent preservation of open space, agricultural land, forestry land, other natural resources including water bodies and wetlands, and historical and archeological resources.
  - 3. The Development Plan promotes a less sprawling and more efficient form of development that consumes less open land and conforms to existing topography and natural features better than a conventional subdivision.
  - 4. The Development Plan reduces the total amount of disturbance land on the site.
  - 5. The Development Plan furthers the goals and policies of Norwell's Open Space and Master Plan.
  - 6. The Development Plan facilitates the construction and maintenance of streets, utilities, and public service in a more economical and efficient manner.
  - 7. The Development Plan facilitates the construction and maintenance of trails and associated amenities to enhance the pedestrian experience.
  - 8. The Development Plan complies with the purpose and intent of this bylaw.
- c. Any OSRD Special Permit approval must be followed by the submittal of an OSRD definitive subdivision plan in accordance with the Norwell Planning Board's Rules and Regulations. The OSRD definitive subdivision plan shall not be approved unless the plan is substantially consistent with the approved Development Plan. A determination of substantial inconsistency will be based on following conditions:
  - 1. An increase in the number of building lots.
  - 2. A material decrease in the open space acreage or lot layout.
  - 3. A material change in the general development pattern which adversely affects natural landscape features and open space preservation.
  - 4. Material changes to the stormwater or wastewater management facilities.
- d. The Planning Board may modify an existing OSRD Special Permit when the subsequent OSRD definitive subdivision plan, in the opinion of the Planning Board, more fully satisfies the purpose and intent of this bylaw. The Planning Board may also require that the Development Plan be modified so as to comply with the material changes identified by the Planning Board before the modified OSRD Special Permit is approved.
- e. The Planning Board, in its discretion, shall have the authority to adopt rules and regulations consistent with this bylaw.
- f. If 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.

Requested by the Planning Board

**The Advisory Board recommends this Article.**

**This article makes technical changes to the Town's current OSRD by-law.**

**ARTICLE 32:** To see if the Town will vote to amend Zoning By-Law Article II District Regulations §2441 by striking said section and replacing it as shown under "Proposed New Language":

**EXISTING LANGUAGE**

2441. Front Yard. No building and/or structure shall be erected, placed or added to so as to extend within the following required front yards:

Measured from:

	<b>Front Property Line</b>	<b>Way Centerline</b>
Residential A	50 feet	75 feet
Residential B	35 feet	60 feet
Business	50 feet	75 feet

However, no required yard shall exceed the average yards provided on lots abutting on either side, a vacant lot to be considered as if occupied by a building and/or structure at the minimum front yard setback.

The front yard setback in each district shall apply to any boundaries of lots which abut and run with a street or way.

**PROPOSED NEW LANGUAGE**

2441. Front Yard. No building and/or structure shall be erected, placed or added to so as to extend within the following required front yards:

Measured from:

	<b>Front Property Line</b>	<b>Way Centerline</b>
Residential A	50 feet	75 feet
Residential B	35 feet	60 feet
<u>Business A</u>	<u>15 feet<sup>1</sup></u>	<u>N/A</u>
Business <u>B1-8, C1-3</u>	50 feet	75 feet

However, no required yard shall exceed the average yards provided on lots abutting on either side, a vacant lot to be considered as if occupied by a building and/or structure at the minimum front yard setback.

The front yard setback in each district shall apply to any boundaries of lots which abut and run with a street or way.

1. Parking areas are prohibited within the front yard setbacks.

Or act on anything relative thereto.

Requested by the Planning Board

**The Advisory Board recommends this Article 5-2.**

**This Article would change the minimum setback requirement in Business District A (Norwell Center) from the current 50 foot setback to 15 feet, with no parking allowed in the front setback area.**

**ARTICLE 33:** To see if the Town will vote to appropriate from Water Department Revenue and/or Water Department Surplus Revenue \$150,000, or any other sum, to be expended under the direction of the Board of Water Commissioners, for water system facilities maintenance, and automation upgrades, or act on anything relative thereto.

Requested by the Board of Water Commissioners

**The Advisory Board recommends this Article.**

**ARTICLE 34:** To see if the Town will vote to transfer the sum of \$38,000, or any other sum, from Overlay Surplus 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, 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 35:** To see if the Town will raise and appropriate, or appropriate from available funds \$100,000, 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.

Requested by the Permanent Drainage Study Committee

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

**ARTICLE 36:** 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 FY2012 fiscal year, or take any other action relative thereto.

Requested by the Community Preservation Committee

**The Advisory Board recommends this Article.**

**This Article reauthorizes the revolving fund established by Town Meeting for the maintenance and upkeep of the Stetson Ford House.**

**ARTICLE 37:** To see if the Town will appropriate the sum of \$200,000 or any other sum pursuant to Massachusetts General Laws Chapter 44B from the Community Preservation Fund FY2012 revenues 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 this Article.**

**This Article gives money to the Conservation Committee to acquire conservation land with the approval of the Board of Selectmen.**

**ARTICLE 38:** To see if the Town will appropriate the sum of \$80,000 or any other sum pursuant to Massachusetts General Laws Chapter 44B Section 5(3)(f) from the Community Preservation Fund FY2012 revenues to the Town of Norwell Affordable Housing Trust for the creation and support of affordable housing on Circuit Street and to authorize the Affordable Housing Trust to make expenditures of \$80,000 towards this project. Such project must be includable on the state Subsidized Housing Inventory for the Town of Norwell and shall endeavor to give preference to Norwell residents, employees and family members in its selection to the extent legally possible, or act on anything relative thereto.

Requested by the  
Community Preservation Committee and  
the Affordable Housing Trust

**The Advisory Board recommends this Article.**

**The funds from this article would be used to assist in the construction of an affordable housing unit on Circuit Street.**

**ARTICLE 39:** To see if the Town will vote to appropriate the sum of \$100,000 or any other sum from the Community Preservation Fund FY2012 Revenues and transfer the sum of \$100,000 from the reserve for Community Housing for community housing purposes, to the Town of Norwell Affordable Housing Trust pursuant to Massachusetts General Law Chapter 44B, Section 5(3)(f) for the Trust's previously authorized purposes, or act on anything relative thereto.

Requested by the  
Community Preservation Committee

**The Advisory Board recommends this Article.**

**This Article transfers money from the Community Preservation Fund Affordable Housing account to the Affordable Housing Trust to assist the Trust in maintaining and providing affordable housing.**

**ARTICLE 40:** To see if the Town will appropriate the sum of \$10,000 or any other sum pursuant to Massachusetts General Laws Chapter 44B from the Community Preservation Fund FY2012 Revenues for historic preservation purposes for the preservation and rehabilitation of historic tombstones and monuments location at the Washington Street Cemetery. The Norwell Historic Commission in coordination with the Norwell Cemetery Committee shall administer this article. Expenditures under this article to be approved by the Norwell Historical Commission, or act on anything relative thereto.

Requested by the  
Community Preservation Committee

**The Advisory Board recommends this Article.**

**ARTICLE 41:** To see if the Town will appropriate the sum of \$36,250 or any other sum from the Community Preservation Fund FY2012 Revenues pursuant to Massachusetts General Laws Chapter 44B for historic preservation purposes for the rehabilitation of the roofs on the farmhouse and any outbuildings located at the Jacobs Pond Farm site. In addition, the balance of all funds (\$33,750) remaining in Article 40 from the Annual Town Meeting of 2009 shall be transferred to this article without the restriction to seek funding for a matching state grant. This project shall be administered by the Norwell Historical Commission. Expenditures under this article to be approved by the Community Preservation Committee, or act on anything relative thereto.

Requested by the  
Community Preservation Committee

**The Advisory Board recommends this article.**

**These funds would be used to rehabilitate the Jacobs Pond Farm house and outbuildings.**

**ARTICLE 42:** To see if the Town will appropriate the sum of \$5,000 or any other sum from the Community Preservation Fund FY2012 Revenues pursuant to Massachusetts General Laws Chapter 44B for historic preservation purposes for signage to mark certain public ways in the Town of Norwell previously designated by Town Meeting under the Scenic Roads Bylaw pursuant to MGL Chapter 40 Section 15C as Scenic Roads. Such signage shall promote the awareness of the unique and legally protected nature of these roads. Expenditures under this article are to be approved by the Norwell Historical Commission working in consultation with the Highway Surveyor, or act on anything relative thereto.

Requested by the Community Preservation  
Committee

**The Advisory Board recommends this Article.**

**ARTICLE 43:** To see if the Town will appropriate the sum of \$7,100 or any other sum from the Community Preservation Fund FY2012 revenues pursuant to Massachusetts General Laws Chapter 44B for historic preservation purposes for National Register study for Jacobs Farm as well as updating of the historic resources survey previously commissioned. Such designations will protect historic resources and will make Jacobs Farm eligible for potential state historic preservation grants. Expenditures under this article are to be approved by the Norwell Historical Commission, or act on anything relative thereto.

Requested by the Community  
Preservation Committee

**The Advisory Board recommends this Article.**

**ARTICLE 44:** 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 FY2012 revenues pursuant to Massachusetts General Laws Chapter 44B, for the creation, preservation and support of

affordable housing; to reserve the sum of \$100,000 or another sum, from FY2012 revenues, for the acquisition, preservation, rehabilitation and restoration of historic resources; and to reserve the sum of \$100,000 or another sum, from FY2012 revenues, for the acquisition, creation and preservation of open space, or take any other action relative thereto.

Requested by the Community Preservation Committee

**The Advisory Board recommends this Article.**

**This is a housekeeping article relative to the required distribution of CPC funds to the CPC reserve accounts.**

**ARTICLE 45:** To see if the Town will vote to amend the Town of Norwell Classification Plan by adding under “Unclassified Positions” the following new position: “Chair, Norwell Cemetery Committee” or act on anything relative thereto.

Requested by the Cemetery Committee

**The Advisory Board recommends this Article.**

**It would establish the position of Norwell Cemetery Chair in the Norwell Classification Plan.**

**ARTICLE 46:** To ask the Town of Norwell to vote to raise or appropriate or transfer from available funds, the sum of \$4000 to contract with South Shore Women’s Resource Center for domestic violence intervention and prevention services for its residents.

Requested by Citizens Petition

**The Advisory Board recommends this Article.**

**ARTICLE 47:** To see if the Town will vote pursuant to the provisions of Massachusetts General Laws, Chapter 39, Section 10 to accept Laurelwood Drive as a public way, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board will make its recommendation at Town Meeting.**

**The Selectmen had not completed the required public hearing at the time the Warrant went to the printer.**

**ARTICLE 48:** 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.**

**ARTICLE 49:** 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 2012, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board will make its recommendation at Town Meeting.**

## 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. Herefor, fail not and make due return of the Warrant you're your doings thereon to the Town Clerk of said Town on or before the 25th day of April, 2011.

Given under our hands at Norwell this 7<sup>th</sup> day of April in the year of our Lord, 2011.

BOARD OF SELECTMEN  
Norwell, Massachusetts

\_\_\_\_\_  
John G. Mariano, Chairman

\_\_\_\_\_  
Gregg McBride, Vice-Chairman

\_\_\_\_\_  
Ellen Allen, Clerk

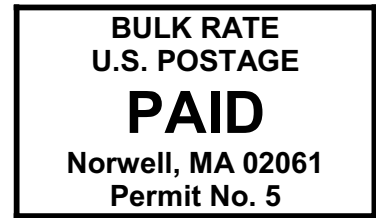
A TRUE COPY ATTEST: \_\_\_\_\_

Constable \_\_\_\_\_ Date \_\_\_\_\_

# NOTES



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



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