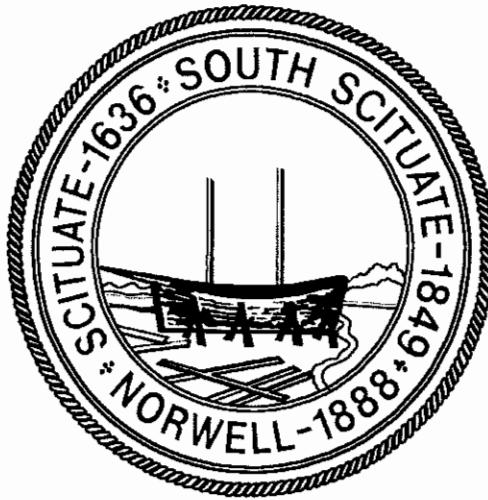


# **TOWN OF NORWELL**



**Transcript of Articles in the Warrant for the**

## **SPECIAL TOWN MEETING**

**And**

## **ANNUAL TOWN MEETING**

**Monday, May 4, 2015**

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

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

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

TOWN OF NORWELL

WARRANT

Special Town Meeting and Annual Town Meeting

Monday, May 4, 2015

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 fourth day of May, 2015 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 4, 2015, 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**  
**2015 Special and Annual Town Meeting**

To the Citizens of Norwell:

On Monday, May 4, 2015, the Town of Norwell will hold a Special Town Meeting followed by its Annual Town Meeting. The brief Special Town Meeting will cover business matters that must be acted upon before the end of this fiscal year, which is June 30, 2015. During the Annual Town Meeting, the citizens of Norwell will vote on a budget for Fiscal Year 2016, as well as many other matters affecting the Town. These matters include significant capital investments, consideration of a Pay as You Throw rubbish program, disposition of the former Police Station at 40 River Street, several petitioned articles, and a number of requests from the Community Preservation Committee. Given the significant impact Town Meeting decisions have on the services and infrastructure of our Town, we strongly encourage you to attend and participate.

Voters attending Town Meeting, Norwell's legislative body, discuss, debate and determine Norwell's budget for the upcoming year. The Advisory Board's role is to represent all residents as it evaluates and makes recommendations on each article contained in this Warrant. Your elected and appointed officials also will present their recommendations to help with this process. The Advisory Board recommendations contained in this Warrant were made after several months of hearings with town departments and careful deliberation of all the facts. This year you will note that the recommendations from the Advisory Board are more detailed than in the past, in an effort to give the residents of Norwell a little bit more of the flavor of the Advisory Board's discussions when it considers the important business before it.

The proposed FY16 budget is balanced and does not rely on any non-recurring revenues. Outgoing Town Administrator Jim Boudreau did a superb job in developing the proposed 2016 budget before he left to take a new job in Lynnfield. Interim Town Administrator Peter Hechenbleikner worked with the Board of Selectmen and the Town's management team to improve and present the budget and Warrant articles to the Advisory Board. The result is a well-balanced and progressive budget which maintains the Town's fiscal health and improves the investment in the Town's infrastructure while improving services to the community.

The School Department has continued to work closely with the Town Administrator and Board of Selectmen to ensure a cooperative approach regarding the budget. Of note, there have been continued Town-School collaborate initiatives in the areas of Human Resources management, Technology, Facilities and Energy Management that have resulted in effective resource sharing and cost savings.

We thank the employees and volunteers across all Departments, Boards, and Committees for the information they prepared and the hearings they attended.

We look forward to seeing you at Town Meeting on May 4th.

Sincerely,

**The Norwell Advisory Board**

Roger Hughes, Chairman  
Spencer A. Joseph  
Jacquelyn McClean

Mark Maiellano, Vice-Chair  
Chad Forman  
Frances Molla

Karen Reynolds, Clerk  
David McEachern  
Ralph Gordon

## 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 FY13 is the fiscal year ended June 30, 2013.

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

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

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

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

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

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

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

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

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

Terms associated with Proposition 2½:

Debt or Capital Exclusion: The Town can assess taxes in excess of the levy limit by voting a debt exclusion or capital outlay exclusion. This amount does not become a permanent part of the levy limit base, but does allow

the Town to assess taxes for a specific period of time in excess of the limit for payment of debt service costs or for payment of capital expenditures.

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

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

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

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

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# TOWN OF NORWELL



Commonwealth of Massachusetts

## WARRANT FOR SPECIAL TOWN MEETING

Monday, May 4, 2015

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 transfer from available funds a sum of money to meet obligations for union and personal contracts, said sum to be apportioned by the Finance Director to the applicable line items in Article 2 of the 2014 Annual Town Meeting, or act on anything relative there to.

Requested by the Board of Selectmen

The Advisory Board recommends this article in the amount of \$30,000 by a vote of 8-0. The Board reconsidered its vote but ultimately the initial decision to recommend this article was upheld.

The majority of the funding in this article is available as a transfer from available funds to fund the FY 15 cost of implementing personal services contracts negotiated by the Board of Selectmen with 7 senior Department managers. The FY 2015 portion of the contracts "re-set" the salaries to try to make them more in line with the average of FY 2014 levels paid to similar positions in neighboring and benchmark communities. In all cases, in spite of significant increases, the positions still fall short of these averages.

The Advisory Board struggled with the level of increases granted, but ultimately agreed that these individuals are dedicated employees who work hard on behalf of their community, and that based on objective measures the salary increases granted are justified.

The FY 2016 budget reflects the reset salaries in the FY 2015 column, and the FY 2016 budget reflects the rates set in their contracts.

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**ARTICLE 2:** To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money to meet obligations for health insurance stipends, said sum to be apportioned by the Finance Director to the applicable line items in Article 2 of the 2014 Annual Town Meeting, or act on anything relative thereto.

Requested by the Finance Director

The Advisory Board voted 7-0 to recommend this article in the amount of \$60,000. This article transfers funds for the health insurance "opt out" program from the FY 2015 health insurance line item to the various budget lines where the program has been paid out during the fiscal year. This will result in approximately \$140,000 in savings in health insurance costs

**ARTICLE 3:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be added to the Building Department Inspector Fees account # 1-241-117, or act on anything relative thereto.

Requested by the Finance Director

**The Advisory Board voted to recommend this article in the amount of \$13,500 by a vote of 7-0. For FY 16, this budget line is more appropriately funded and therefore a spring transfer will be less likely in the future.**

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**ARTICLE 4:** To see if the Town will raise and appropriate, or transfer 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 a recommendation on this article immediately before Town Meeting when the final cost of Snow and Ice removal is known. At the beginning of April the amount of Snow and Ice deficit was approximately \$550,000. It is possible that a Federal disaster declaration will be made, making Norwell eligible for Federal aid. If that happens, the reimbursement will not happen until after July 1, 2015, and any funds received will go to replenish the free cash that is used to pay for this deficit.**

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**ARTICLE 5.** To see if the Town will vote to transfer the sum of \$28,757 from the Insurance Recovery Fund greater than \$20,000 to reimburse the Police Department for expenditures in connection with replacement of a police cruiser, or act on anything relative thereto.

Requested by the Finance Director

**The Advisory Board recommends this article in the amount of \$28,757 by a vote of 7-0. This represents the insurance settlement for replacement of a Police cruiser which was totaled in an accident earlier this FY. State statute requires an appropriation by Town Meeting of any insurance settlement over \$20,000.**

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**ARTICLE 6:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the payment of bills incurred from prior years; or act on anything relative thereto.

Requested by the Finance Director

**The Advisory Board recommends this article in the amount of \$1000 by a vote of 8-0. These funds are needed to pay a contractor for the repair of a light pole at the Library. The work was completed in FY 2014. The \$1000 represents the insurance deductible for this work.**

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**ARTICLE 7:** To see if the Town will raise and appropriate, or transfer from available funds the sum of \$190,000 and to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise for historic resource purposes under the Community Preservation Act the fee or other interests in land and structures, which may be a historic preservation restriction, located at 166 Norwell Ave, shown as Assessors Map 44, Block 26, containing 2.5 acres, more or less, in the Town of Norwell, Massachusetts, and more fully described in deeds recorded in the Plymouth County Registry of Deeds in Book14315, Page 230, said restriction to be held, managed and controlled by the Historical Commission and/or Board of Selectmen , or act on anything relative thereto.

Requested by the Community Preservation Committee and  
The Historical Commission

**The Community Preservation Commission has recommended, at the request of the Historical Commission, the transfer of \$190,000 for the acquisition of historic covenants on the Norwell house and its 2.5 acre parcel of land at 166 Norwell Avenue. While the Advisory Board may be in favor of this project, the details of the covenants are still under negotiation and the Advisory Board therefore took no action on this article. The Advisory Board stands ready to vote its recommendation if the negotiations are concluded before Town Meeting.**

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**ARTICLE 8:** To see if the Town will raise and appropriate, or transfer from available funds the sum of \$48,000 from the Community Preservation Fund for the purpose of recreation. Such funds along with an estimated \$30,000 of FY 15 School Department funds shall be expended by the Norwell School Department to construct a playground at the Vinal School. Expenditures under this article shall be approved by the Superintendent of Schools and the Recreation Commission, or act on anything relative thereto.

Requested by the Community Preservation Committee and  
the Norwell School Department

**By a vote of 8-0 the Advisory Board recommends the transfer of \$48,000 from Community Preservation Act funds for the replacement of the Vinal School playground. The School Department has committed an additional \$30,000 from the School Facility Revolving Fund for this project. The playground has been taken out of use due to safety concerns, and immediate replacement is a priority.**

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**ARTICLE 9:** 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 hereto.

Requested by the Board of Selectmen

**The Board of Selectmen will determine whether or not to take any action under this article at the time of Town Meeting, and therefore the Advisory Board makes no recommendation on this article at this time.**

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**ARTICLE 10:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum of money to be deposited into the Town's OPEB Trust Fund to offset the cost of retired employee health insurance, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Board of Selectmen will determine whether or not to take any action under this article at the time of Town Meeting, and therefore the Advisory Board makes no recommendation on this article at this time.**

## Table of Contents for Articles for the Annual Town Meeting

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# TOWN OF NORWELL



Commonwealth of Massachusetts

## WARRANT FOR ANNUAL TOWN MEETING

Monday, May 4, 2015

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 2014 Annual Report, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board recommends the subject matter of this article by a vote of 8-0.**

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**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.

Requested by the Advisory Board

I am pleased to present the following FY 2016 budget for the Town of Norwell, and want to acknowledge the strong role that former Town Administrator Jim Boudreau, the Board of Selectmen and especially Chair Ellen Allen, all Department Heads and especially Finance Director Donna Mangan, the School Department headed by Superintendent Matt Keegan, and the Advisory Board played in shaping this budget. Everyone's patience with the Interim Town Administrator was appreciated.

There are several structural changes included in the FY 2016 budget which should advance the efficiency of operations, as well as promoting community values of transparency:

- The budget format is largely unchanged, but lines of the budget that have not been used for a number of years have been eliminated. In addition, the left hand column lists numbers next to certain lines, and it is those lines that will be considered for voting. In the interest of transparency, other lines are shown, but these are wrapped into the voted lines. This gives Town Meeting transparency, but gives the Department managers more flexibility in managing their budgets, will reduce reserve fund transfers, and will result in more accurate accounting for expenses within budgets.

- Rather than doing internal billing among the various Town Hall departments for postage, all postage has been moved to one line in the Selectmen's budget, and the various Town Hall budgets have been reduced by the postage amounts.
- For several of the budgets where there are Personal Services contracts with the senior managers, the "FY 16 Department request" column does not reflect these contracts because they were not negotiated prior to the submission of their budgets.

The following are highlights of the FY 16 budget:

Selectmen	New Town Hall postage account (various departmental budgets cut by postage line amount requested); transfer of Town Hall copier, and telephone expenses from the 192 Town Hall budget.
Reserve Fund	Increased by \$35,000 to 5% of budget per Board of Selectmen policy
Treasurer/Collector	Increased hours for both part time positions to full time, reflecting workload issues;
Info. Technology	Decreased pending contracting with School Department for this service for Town Hall and COA – dependent on \$48,000 capital appropriation for capital (Article 3)
Town Clerk	Increased PT hours to assist primarily with registrar of voters workload.
Conservation Com.	Continued funding of routine annual trails maintenance.
Facilities	New Department (formerly "Town Hall") with all building maintenance salaries and expenses for Town Hall and the COA. Other general government items that were formerly in the "Town Hall" budget have been moved to the Selectmen's budget – photocopy, phone, postage, etc.
PBMC	Facilities Director moved to Facilities Department
Town Reports	Elimination of mass printing of reports – report is available at Town Hall in limited copies and is available on the Town's web site.
Emergency Mgt.	Provides for the acquisition of a reverse calling system (Code Red) which can be used for emergency and non-emergency notifications to the community – things like delays in rubbish collection, notice of water main flushing or water main breaks, temporary traffic changes like institution of 1 way streets, etc.
Building	Accurately funds sub-code inspectors eliminating the need for every year reserve fund and budget transfers; Increased clerical assistance to address workload and deposit issues. .
Schools	+ 3.75%, less impact of moving "opt out" program to Health Insurance.
S.S. Vocational	Reduced assessment based on enrollment
Highway	Includes one additional employee;
Snow and Ice	\$30,000 (15%) increase.
Street Lighting	Reduced to reflect actual expenses which are reduced because of credits applied from PV investment.
Health	The budget has increased considerably to provide for increased disposal fees, and to make allowances for a new collection and recycling contract which will need to be put in place effective July 1, 2015.
COA	Building maintenance expenses shifted to Facilities Department.
Library	Includes funding to the Municipal Appropriations Requirement (MAR) level required by the State so as to no longer require waivers. This will make the library eligible for grants (including construction grants), reciprocal borrowing

privileges, etc. The funding level will be adequate for the library to begin to provide Sunday hours.

Debt Includes modest short term interest for temporary borrowing for Main Street in FY2015. Due to the creativity of our Finance Director, it appears that the Town will be able to avoid this short term interest cost in FY 2016.

Health Insurance This budget reflects modest rate increases and now includes all of the anticipated costs of the Health Insurance "opt out" program for all departments including the School Departments. Department budgets have been reduced by the amounts previously budgets for the "opt out" program..

Town Insurance The insurance budget reflects the elimination of the Insurance Consulting line item, reflects quoted rates beginning July 1, 2015, and includes money for payment of up to 2 major deductibles which will not be paid from the Department budgets.

Peter Hechenbleikner  
Interim Town Administrator

**The Advisory Board took various votes on the individual line items in the budget. The Board supports the entire budget as represented in the *FY15 Advisory Board Recommends* column. The Advisory Board feels that the budget as recommended is a fair and balanced budget that addresses the needs of the community within the limits of the financial resources available.**

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Line item to be voted		FY15 Appropriated	FY16 Requested	FY16 Town Administrator Recommends	FY16 Advisory Board Recommends
<b>113-TOWN MEETING &amp; ELECTION</b>					
<b>1</b>	Salaries	\$ 13,702	\$ 10,310	\$ 10,310	\$ 10,310
<b>2</b>	Expenses	\$ 20,100	\$ 14,600	\$ 14,000	\$ 14,000
	<b>Total: Town Meeting &amp; Election</b>	<b>\$ 33,802</b>	<b>\$ 24,910</b>	<b>\$ 24,310</b>	<b>\$ 24,310</b>
<b>122-SELECTMEN</b>					
	Town Administrator Salary	\$ 144,330	\$ 144,330	\$ 144,330	\$ 144,330
	Human Resource Mgr Salary	\$ 60,000	\$ 65,000	\$ 74,000	\$ 74,000
	Clerical Salaries	\$ 76,569	\$ 86,935	\$ 90,533	\$ 86,935
<b>3</b>	<b>Total Salaries</b>	<b>\$ 280,899</b>	<b>\$ 296,265</b>	<b>\$ 308,863</b>	<b>\$ 305,265</b>
<b>4</b>	<b>Expenses</b>	<b>\$ 21,200</b>	<b>\$ 21,200</b>	<b>\$ 59,400</b>	<b>\$ 59,400</b>
	<b>Total: Board of Selectmen</b>	<b>\$ 302,099</b>	<b>\$ 317,465</b>	<b>\$ 368,263</b>	<b>\$ 364,665</b>
<b>131-ADVISORY BOARD</b>					
<b>5</b>	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>					
<b>6</b>	<b>Total: Reserve Fund</b>	<b>\$ 200,000</b>	<b>\$ 250,000</b>	<b>\$ 235,000</b>	<b>\$ 235,000</b>
<b>135-ACCOUNTING</b>					
	Finance Director Salary	\$ 101,000	\$ 101,000	\$ 106,063	\$ 106,063
	Clerical Salaries	\$ 98,775	\$ 102,723	\$ 102,723	\$ 102,723
<b>7</b>	<b>Total Salaries</b>	<b>\$ 199,775</b>	<b>\$ 203,723</b>	<b>\$ 208,786</b>	<b>\$ 208,786</b>
<b>8</b>	<b>Expenses</b>	<b>\$ 37,843</b>	<b>\$ 42,843</b>	<b>\$ 37,593</b>	<b>\$ 37,593</b>
	<b>Total: Accounting</b>	<b>\$ 237,618</b>	<b>\$ 246,566</b>	<b>\$ 246,379</b>	<b>\$ 246,379</b>
<b>141-ASSESSORS</b>					
	Asst. Assessor/App Salary	\$ 70,912	\$ 72,317	\$ 72,317	\$ 72,317
	Clerical Salaries	\$ 47,964	\$ 49,088	\$ 49,088	\$ 49,088
<b>9</b>	<b>Total Salaries</b>	<b>\$ 118,876</b>	<b>\$ 121,405</b>	<b>\$ 121,405</b>	<b>\$ 121,405</b>
<b>10</b>	<b>Expenses</b>	<b>\$ 22,635</b>	<b>\$ 23,135</b>	<b>\$ 22,135</b>	<b>\$ 22,135</b>
	<b>Total: Assessors</b>	<b>\$ 141,511</b>	<b>\$ 144,540</b>	<b>\$ 143,540</b>	<b>\$ 143,540</b>
<b>145-TREAS/COLLECTOR</b>					
	Treasurer/Collector Salary	\$ 74,000	\$ 74,000	\$ 83,000	\$ 83,000
	Clerical Salaries	\$ 159,403	\$ 192,926	\$ 192,926	\$ 192,926
<b>11</b>	<b>Total Salaries</b>	<b>\$ 233,403</b>	<b>\$ 266,926</b>	<b>\$ 275,926</b>	<b>\$ 275,926</b>
	Bonding Costs	\$ 3,600	\$ 25,000	\$ 15,000	\$ 15,000
	General Expenses	\$ 69,769	\$ 72,979	\$ 57,916	\$ 57,916
	Tax Liens Expenses	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000
<b>12</b>	<b>Total Expenses</b>	<b>\$ 81,369</b>	<b>\$ 105,979</b>	<b>\$ 80,916</b>	<b>\$ 80,916</b>
	<b>Total: Treasurer/Collector</b>	<b>\$ 314,772</b>	<b>\$ 372,905</b>	<b>\$ 356,842</b>	<b>\$ 356,842</b>
<b>151-LEGAL SERVICES</b>					
<b>13</b>	Legal Expenses	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
	<b>Total: Legal Services</b>	<b>\$ 100,000</b>	<b>\$ 100,000</b>	<b>\$ 100,000</b>	<b>\$ 100,000</b>

Line item to be voted		FY15 Appropriated	FY16 Requested	FY16 Town Administrator Recommends	FY16 Advisory Board Recommends
<b>152-PERSONNEL BOARD</b>					
<b>14</b>	Expenses	\$ 500	\$ 500	\$ 500	\$ 500
	Total: Personnel Board	\$ 500	\$ 500	\$ 500	\$ 500
<b>155-INFORMATION TECHNOLOGY</b>					
<b>15</b>	Expenses	\$ 104,950	\$ 105,000	\$ 90,000	\$ 90,000
	Total: Information Technology	\$ 104,950	\$ 105,000	\$ 90,000	\$ 90,000
<b>161-TOWN CLERK</b>					
	Town Clerk Salary	\$ 73,001	\$ 75,921	\$ 75,921	\$ 75,921
	Clerical Salaries	\$ 60,841	\$ 72,284	\$ 72,284	\$ 72,284
<b>16</b>	Total Salaries	\$ 133,842	\$ 148,205	\$ 148,205	\$ 148,205
<b>17</b>	Expenses	\$ 5,600	\$ 6,575	\$ 5,550	\$ 5,550
	Total: Town Clerk	\$ 139,442	\$ 154,780	\$ 153,755	\$ 153,755
<b>163-BD OF REGISTRARS</b>					
<b>18</b>	Clerk of Board Salary	\$ 450	\$ 450	\$ 450	\$ 450
<b>19</b>	Registrars Expenses	\$ 5,000	\$ 5,100	\$ 4,500	\$ 4,500
	Total: Board of Registrars	\$ 5,450	\$ 5,550	\$ 4,950	\$ 4,950
<b>171-CONSERVATION COMM.</b>					
	Conservation Agent's Salary	\$ 65,881	\$ 70,014	\$ 70,014	\$ 70,014
	Conservation Clerical	\$ 21,460	\$ 22,344	\$ 22,344	\$ 22,344
<b>20</b>	Total Conservation Salaries	\$ 87,341	\$ 92,358	\$ 92,358	\$ 92,358
<b>21</b>	Conservation Expenses	\$ 21,750	\$ 33,190	\$ 22,650	\$ 22,650
	Total: Conservation	\$ 109,091	\$ 125,548	\$ 115,008	\$ 115,008
<b>175-PLANNING BOARD</b>					
	Town Planner Salary	\$ 70,262	\$ 71,917	\$ 71,917	\$ 71,917
	Planning Bd. Clerical	\$ 21,460	\$ 22,344	\$ 22,344	\$ 22,344
<b>22</b>	Total Salaries	\$ 91,722	\$ 94,261	\$ 94,261	\$ 94,261
<b>23</b>	Planning Bd. Expenses	\$ 4,590	\$ 4,590	\$ 4,380	\$ 4,380
	Total: Planning Board	\$ 96,312	\$ 98,851	\$ 98,641	\$ 98,641
<b>176-BOARD OF APPEALS</b>					
<b>24</b>	Salaries				
<b>25</b>	Expenses	\$ 1,810	\$ 1,810	\$ 1,647	\$ 1,647
	Total: Board of Appeals	\$ 1,810	\$ 1,810	\$ 1,647	\$ 1,647
<b>190-COMM. ON DISABILITIES</b>					
<b>26</b>	Expenses	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
	Total: Comm. On Disabilities	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000

Line item to be voted		FY15 Appropriated	FY16 Requested	FY16 Town Administrator Recommends	FY16 Advisory Board Recommends
<b>191-CUSHING MEMORIAL</b>					
<b>27</b>	Salaries	\$ 33,016	\$ 34,492	\$ 34,492	\$ 34,492
<b>28</b>	Expenses	\$ 31,063	\$ 31,063	\$ 31,063	\$ 31,063
	<b>Total: Cushing Memorial</b>	<b>\$ 64,079</b>	<b>\$ 65,555</b>	<b>\$ 65,555</b>	<b>\$ 65,555</b>
<b>192-FACILITIES DEPARTMENT</b>					
	Facilities Director Salary (71%)		\$ 55,000	\$ 55,000	\$ 55,000
	Custodians' Salaries	\$ 35,198	\$ 35,983	\$ 44,891	\$ 44,891
<b>29</b>	<b>Total Salaries</b>	<b>\$ 35,198</b>	<b>\$ 90,983</b>	<b>\$ 99,891</b>	<b>\$ 99,891</b>
<b>30</b>	<b>Expenses</b>	<b>\$ 86,050</b>	<b>\$ 62,550</b>	<b>\$ 72,300</b>	<b>\$ 72,300</b>
	<b>Total: Facilities Department</b>	<b>\$ 121,248</b>	<b>\$ 153,533</b>	<b>\$ 172,191</b>	<b>\$ 172,191</b>
<b>193-P.B.M.C.</b>					
<b>31</b>	Salaries	\$ 50,000		\$ -	\$ -
<b>32</b>	Expenses	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500
	<b>Total: P.B.M.C.</b>	<b>\$ 51,500</b>	<b>\$ 1,500</b>	<b>\$ 1,500</b>	<b>\$ 1,500</b>
<b>194-Community Preservation Admin.</b>					
<b>33</b>	Salaries	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000
<b>34</b>	Expenses	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000
	<b>Total: Comm. Preservation Admin.</b>	<b>\$ 53,000</b>	<b>\$ 53,000</b>	<b>\$ 53,000</b>	<b>\$ 53,000</b>
<b>195-TOWN REPORTS</b>					
<b>35</b>	Town Reports	\$ 6,000	\$ 6,000	\$ 3,000	\$ 3,000
	<b>Total: Town Reports</b>	<b>\$ 6,000</b>	<b>\$ 6,000</b>	<b>\$ 3,000</b>	<b>\$ 3,000</b>
<b>199-BEAUTIFICATION</b>					
<b>36</b>	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>TOTAL GENERAL GOVERNMENT</b>					<b>\$ 2,182,983</b>
<b>210-POLICE DEPARTMENT</b>					
	Police Chief's Salary	\$ 115,000	\$ 118,450	\$ 128,838	\$ 128,838
	Deputy Chief Salary	\$ 90,490	\$ 90,490	\$ 101,000	\$ 101,000
	Police Officers' Pay	\$ 1,754,473	\$ 1,856,966	\$ 1,814,160	\$ 1,814,160
	Police Other Payroll	\$ 61,318	\$ 62,514	\$ 62,514	\$ 62,514
	Clerical	\$ 253,823	\$ 269,279	\$ 269,279	\$ 269,279
<b>37</b>	<b>Total Salaries</b>	<b>\$ 2,275,104</b>	<b>\$ 2,397,699</b>	<b>\$ 2,375,791</b>	<b>\$ 2,375,791</b>
	Police General Expense	\$ 191,696	\$ 207,246	\$ 207,200	\$ 207,200
	Police Cruiser Expenses	\$ 95,000	\$ 95,000	\$ 95,000	\$ 95,000
<b>38</b>	<b>Total Expenses</b>	<b>\$ 286,696</b>	<b>\$ 302,246</b>	<b>\$ 302,200</b>	<b>\$ 302,200</b>
	<b>Total: Police Department</b>	<b>\$ 2,561,800</b>	<b>\$ 2,699,945</b>	<b>\$ 2,677,991</b>	<b>\$ 2,677,991</b>

Line item to be voted		<i>FY15 Appropriated</i>	<i>FY16 Requested</i>	<i>FY16 Town Administrator Recommends</i>	<i>FY16 Advisory Board Recommends</i>
<b>220-FIRE DEPARTMENT</b>					
	Fire Chief's Salary	\$ 108,150	\$ 108,150	\$ 119,384	\$ 119,384
	Perm. Firefighters' Payroll	\$ 1,734,291	\$ 1,878,152	\$ 1,803,123	\$ 1,803,123
	Call Salary	\$ 15,300	\$ 15,750	\$ 15,750	\$ 15,750
	Fire Department Clerical	\$ 44,257	\$ 45,310	\$ 45,310	\$ 45,310
<b>39</b>	<b>Total Salaries</b>	<b>\$ 1,901,998</b>	<b>\$ 2,047,362</b>	<b>\$ 1,983,567</b>	<b>\$ 1,983,567</b>
	Fire Dept. General Expense	\$ 140,000	\$ 151,500	\$ 151,500	\$ 151,500
	Call Expense	\$ 22,150	\$ 22,150	\$ 22,150	\$ 22,150
<b>40</b>	<b>Total Expenses</b>	<b>\$ 162,150</b>	<b>\$ 173,650</b>	<b>\$ 173,650</b>	<b>\$ 173,650</b>
	<b>Total: Fire Department</b>	<b>\$ 2,064,148</b>	<b>\$ 2,221,012</b>	<b>\$ 2,157,217</b>	<b>\$ 2,157,217</b>
<b>231-AMBULANCE SERVICE</b>					
	Ambulance General Exp.	\$ 60,900	\$ 66,700	\$ 66,700	\$ 66,700
	Unmanned Ambulance Exp.	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500
<b>41</b>	<b>Total Expenses</b>	<b>\$ 62,400</b>	<b>\$ 68,200</b>	<b>\$ 68,200</b>	<b>\$ 68,200</b>
	<b>Total: Ambulance</b>	<b>\$ 62,400</b>	<b>\$ 68,200</b>	<b>\$ 68,200</b>	<b>\$ 68,200</b>
<b>232-EMERGENCY MANAGEMENT</b>					
<b>42</b>	<b>Salaries</b>	<b>\$ 1,000</b>	<b>\$ 1,000</b>	<b>\$ 1,000</b>	<b>\$ 1,000</b>
<b>43</b>	<b>Expenses</b>	<b>\$ 2,000</b>	<b>\$ 3,000</b>	<b>\$ 10,500</b>	<b>\$ 10,500</b>
	<b>Total: Emergency Management</b>	<b>\$ 3,000</b>	<b>\$ 4,000</b>	<b>\$ 11,500</b>	<b>\$ 11,500</b>
<b>233-REGIONAL DISPATCH SERVICES</b>					
<b>44</b>	<b>Regional Dispatch Expense</b>	<b>\$ 355,159</b>	<b>\$ 395,417</b>	<b>\$ 395,417</b>	<b>\$ 395,417</b>
	<b>Total: Regional Dispatch</b>	<b>\$ 355,159</b>	<b>\$ 395,417</b>	<b>\$ 395,417</b>	<b>\$ 395,417</b>
<b>241-BUILDING INSPECTOR</b>					
	Building/Zoning/ADA Inspector	\$ 71,234	\$ 81,581	\$ 72,581	\$ 72,581
	Building/Zoning Clerical	\$ 44,457	\$ 63,042	\$ 54,738	\$ 54,738
	Inspector Fees	\$45,500	\$ 80,000	\$79,500	\$79,500
<b>45</b>	<b>Total Salaries</b>	<b>\$ 89,957</b>	<b>\$ 143,042</b>	<b>\$ 206,819</b>	<b>\$ 206,819</b>
<b>46</b>	<b>Expenses</b>	<b>\$ 10,900</b>	<b>\$ 17,000</b>	<b>\$ 12,150</b>	<b>\$ 12,150</b>
	<b>Total: Building Dept.</b>	<b>\$ 100,857</b>	<b>\$ 160,042</b>	<b>\$ 218,969</b>	<b>\$ 218,969</b>
<b>244-SEALER WGHTS/MEASURES</b>					
<b>47</b>	<b>Salaries</b>	<b>\$ 6,388</b>	<b>\$ 6,678</b>	<b>\$ 6,678</b>	<b>\$ 6,678</b>
<b>48</b>	<b>Expenses</b>	<b>\$ 1,515</b>	<b>\$ 1,515</b>	<b>\$ 1,515</b>	<b>\$ 1,515</b>
	<b>Total: Weights &amp; Measures</b>	<b>\$ 7,903</b>	<b>\$ 8,193</b>	<b>\$ 8,193</b>	<b>\$ 8,193</b>
<b>292-ANIMAL CONTROL</b>					
<b>49</b>	<b>Salaries</b>	<b>\$ 7,500</b>	<b>\$ 8,352</b>	<b>\$ 8,352</b>	<b>\$ 8,352</b>
<b>50</b>	<b>Expenses</b>	<b>\$ 2,000</b>	<b>\$ 2,500</b>	<b>\$ 2,500</b>	<b>\$ 2,500</b>
	<b>Total: Animal Control</b>	<b>\$ 9,500</b>	<b>\$ 10,852</b>	<b>\$ 10,852</b>	<b>\$ 10,852</b>

Line item to be voted		FY15 Appropriated	FY16 Requested	FY16 Town Administrator Recommends	FY16 Advisory Board Recommends
295-Harbormaster					
51	Salaries	\$ 5,306	\$ 5,548	\$ 5,548	\$ 5,548
52	Expenses	\$ 2,500	\$ 2,500	\$ 2,300	\$ 2,300
	Total: Harbormaster	\$ 7,806	\$ 8,048	\$ 7,848	\$ 7,848
TOTAL PUBLIC SAFETY					\$ 5,556,187
301-SCHOOL DEPARTMENT					
53	School Budget	\$ 23,783,676	\$ 24,735,023	\$ 24,595,564	\$ 24,587,972
	Total: Norwell School Dept.	\$ 23,783,676	\$ 24,735,023	\$ 24,587,972	\$ 24,587,972
390-SO. SH. REG'L SCHOOL					
54	Total: Regional School Assessment	\$ 180,700	\$ 135,000	\$ 123,333	\$ 123,333
TOTAL EDUCATION					\$ 24,711,305
420-HIGHWAY DEPT.					
	Highway Surveyor's Salary (50%)	\$ 51,521	\$ 53,787	\$ 53,787	\$ 53,787
	Highway Dept. Payrolls	\$ 286,442	\$ 336,070	\$ 333,450	\$ 333,450
	Highway Department Clerical	\$ 56,266	\$ 54,968	\$ 54,968	\$ 54,968
55	Total Salaries	\$ 394,230	\$ 444,825	\$ 442,205	\$ 442,205
	Highway General Expense	\$ 189,252	\$ 188,352	\$ 188,252	\$ 188,252
	Highway Signs & Road Marking	\$ 41,000	\$ 41,000	\$ 41,000	\$ 41,000
	Operation & Maint. of Equip.	\$ 23,200	\$ 23,200	\$ 23,200	\$ 23,200
	Highway Town Gasoline	\$ 185,000	\$ 195,000	\$ 185,000	\$ 185,000
	Highway Water Services	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000
56	Total Expenses	\$ 444,452	\$ 453,552	\$ 443,452	\$ 443,452
57	Total Snow Removal & Sanding	\$ 200,000	\$ 250,000	\$ 230,000	\$ 230,000
	Total: Highway Dept.	\$ 1,038,682	\$ 1,148,377	\$ 1,115,657	\$ 1,115,657
421-TREE & GROUNDS					
	Tree Director's Salary (50%)	\$ 51,521	\$ 53,787	\$ 53,787	\$ 53,787
	Tree Department Salaries	\$ 315,311	\$ 320,415	\$ 317,795	\$ 317,795
58	Total Salaries	\$ 366,832	\$ 374,202	\$ 371,582	\$ 371,582
	General Expenses	\$ 125,178	\$ 124,478	\$ 124,478	\$ 124,478
	Tree Insect Control	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
	Tree Cemetery Care	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
59	Total Expenses	\$ 128,678	\$ 127,978	\$ 127,978	\$ 127,978
	Total: Tree & Grounds Dept.	\$ 495,510	\$ 502,180	\$ 499,560	\$ 499,560
424-STREET LIGHTING					
60	Total: Street Lighting Expenses	\$ 90,000	\$ 90,000	\$ 60,000	\$ 60,000

Line item to be voted		FY15 Appropriated	FY16 Requested	FY16 Town Administrator Recommends	FY16 Advisory Board Recommends
<b>450-WATER DEPARTMENT</b>					
	Superintendent Salary	\$ 94,621	\$ 104,620	\$ 104,620	\$ 104,620
	Treatment Manager	\$ 63,154	\$ 67,698	\$ 67,698	\$ 67,698
	Water Clerical	\$ 73,857	\$ 79,092	\$ 79,092	\$ 79,092
	Water Salaries	\$ 292,724	\$ 309,946	\$ 309,946	\$ 309,946
<b>61</b>	Total Salaries	\$ 524,356	\$ 561,356	\$ 561,356	\$ 561,356
	Water General Expenses	\$ 619,175	\$ 619,175	\$ 619,175	\$ 619,175
	Water Well Cleaning	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
<b>62</b>	Total Expenses	\$ 634,175	\$ 634,175	\$ 634,175	\$ 634,175
	Total: Water Department	\$ 1,158,531	\$ 1,195,531	\$ 1,195,531	\$ 1,195,531
<b>491-TOWN CEMETERY</b>					
<b>63</b>	Salaries	\$ 4,800	\$ 8,000	\$ 4,800	\$ 4,800
<b>64</b>	Expenses	\$ 5,200	\$ 5,200	\$ 5,200	\$ 5,200
	Total: Town Cemetery	\$ 10,000	\$ 13,200	\$ 10,000	\$ 10,000
<b>TOTAL PUBLIC WORKS</b>					<b>\$ 1,685,217</b>
<b>512-BOARD OF HEALTH</b>					
	Health Agent Salary	\$ 76,478	\$ 77,997	\$ 77,997	\$ 77,997
	Health Clerical	\$ 44,157	\$ 45,210	\$ 45,210	\$ 45,210
<b>65</b>	Total Salaries	\$ 120,635	\$ 123,207	\$ 123,207	\$ 123,207
	Hazardous Waste	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500
	General Expenses	\$ 49,600	\$ 49,600	\$ 49,100	\$ 49,100
	Solid Waste/Semass Disposal	\$ 689,100	\$ 798,226	\$ 828,226	\$ 828,226
	Recycling	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000
<b>66</b>	Total Expenses	\$ 763,200	\$ 872,326	\$ 901,826	\$ 901,826
	Total: Board of Health	\$ 883,835	\$ 995,533	\$ 1,025,033	\$ 1,025,033
<b>541-COUNCIL ON AGING</b>					
	Director Salary	\$ 87,634	\$ 89,811	\$ 89,811	\$ 89,811
	Council on Aging Salaries	\$ 129,242	\$ 128,878	\$ 124,538	\$ 124,538
<b>67</b>	Total Salaries	\$ 216,876	\$ 218,689	\$ 214,349	\$ 214,349
<b>68</b>	Expenses	\$ 25,479	\$ 27,912	\$ 19,662	\$ 19,662
	Total: Council on Aging	\$ 242,355	\$ 246,601	\$ 234,011	\$ 234,011
<b>543-VETERANS</b>					
	Veterans' Agent Salary	\$ 4,454	\$ 4,527	\$ 4,527	\$ 4,527
	Vets. Service Officer's Salary	\$ 4,111	\$ 4,252	\$ 4,252	\$ 4,252
<b>69</b>	Total Salaries	\$ 8,565	\$ 8,779	\$ 8,779	\$ 8,779
	Veterans' General Expenses	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
	Memorial Day Expenses	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500
<b>70</b>	Total Expenses	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
<b>71</b>	Total Veterans' Benefits	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000
	Total: Veterans	\$ 36,065	\$ 36,279	\$ 36,279	\$ 36,279
<b>TOTAL HEALTH AND HUMAN SERVICES</b>					<b>\$ 1,295,323</b>

Line item to be voted		FY15 Appropriated	FY16 Requested	FY16 Town Administrator Recommends	FY16 Advisory Board Recommends
<b>610-LIBRARY</b>					
	Library Director's Salary	\$ 87,434	\$ 89,611	\$ 89,611	\$ 89,611
	Library Salaries	\$ 296,826	\$ 325,174	\$ 308,924	\$ 308,924
<b>72</b>	<b>Total Salaries</b>	<b>\$ 384,260</b>	<b>\$ 414,785</b>	<b>\$ 398,535</b>	<b>\$ 398,535</b>
	Old Colony Network	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000
	Library General Expenses	\$ 157,950	\$ 169,050	\$ 171,501	\$ 171,501
<b>73</b>	<b>Total Expenses</b>	<b>\$ 187,950</b>	<b>\$ 199,050</b>	<b>\$ 201,501</b>	<b>\$ 201,501</b>
	<b>Total: Library</b>	<b>\$ 572,210</b>	<b>\$ 613,835</b>	<b>\$ 600,036</b>	<b>\$ 600,036</b>
<b>630-RECREATION DEPT.</b>					
<b>74</b>	<b>Recreation Supt. Salary</b>	<b>\$ 64,123</b>	<b>\$ 65,519</b>	<b>\$ 65,519</b>	<b>\$ 65,519</b>
	<b>Total: Recreation</b>	<b>\$ 64,123</b>	<b>\$ 65,519</b>	<b>\$ 65,519</b>	<b>\$ 65,519</b>
<b>691- HISTORICAL COMM.</b>					
<b>75</b>	<b>Expenses</b>	<b>\$ 4,000</b>	<b>\$ 4,000</b>	<b>\$ 4,000</b>	<b>\$ 4,000</b>
	<b>Total: Historical Comm.</b>	<b>\$ 4,000</b>	<b>\$ 4,000</b>	<b>\$ 4,000</b>	<b>\$ 4,000</b>
<b>TOTAL CULTURE AND RECREATION</b>					<b>\$ 669,555</b>
<b>710-DEBT RETIREMENT</b>					
<b>Borrowing Costs</b>					
<b>Water Bonds</b>					
	Principal - Town	\$ 656,832	\$ 655,434	\$ 655,434	\$ 655,434
	Water	\$ 255,000	\$ 255,000	\$ 255,000	\$ 255,000
<b>751- INTEREST ON LONG TERM DEBT</b>					
	Interest - Town	\$ 110,950	\$ 79,275	\$ 79,275	\$ 79,275
	Water	\$ 63,392	\$ 57,000	\$ 57,000	\$ 57,000
<b>752-INTEREST ON SHORT TERM DEBT</b>					
	Town		\$ 28,600	\$ 28,600	\$ 28,600
	Water				
<b>76</b>	<b>Total: Under Levy Debt Service</b>	<b>\$ 1,086,174</b>	<b>\$ 1,075,309</b>	<b>\$ 1,075,309</b>	<b>\$ 1,075,309</b>
<b>710, 751 - DEBT EXCLUSION</b>					
	Vinal, Cole & High School Interest	\$ 184,165	\$ 155,315	\$ 155,315	\$ 155,315
	Vinal, Cole & High School Principal	\$ 585,000	\$ 585,000	\$ 585,000	\$ 585,000
	Police Station Principal	\$ 250,000	\$ 255,000	\$ 255,000	\$ 255,000
	Middle School Interest	\$ 367,625	\$ 324,375	\$ 324,375	\$ 324,375
	Middle School Principal	\$ 865,000	\$ 865,000	\$ 865,000	\$ 865,000
	Police Station Interest	\$ 157,978	\$ 155,925	\$ 155,925	\$ 155,925
<b>77</b>	<b>Total: Debt Exclusion</b>	<b>\$ 2,409,768</b>	<b>\$ 2,340,615</b>	<b>\$ 2,340,615</b>	<b>\$ 2,340,615</b>
<b>TOTAL DEBT SERVICE</b>					<b>\$ 3,415,924</b>

Line item to be voted		<i>FY15 Appropriated</i>	<i>FY16 Requested</i>	<i>FY16 Town Administrator Recommends</i>	<i>FY16 Advisory Board Recommends</i>
<b>911-PENSIONS</b>					
	Plymouth County Ret. Fund	\$ 1,997,369	\$ 2,158,588	\$ 2,201,362	\$ 2,201,362
<b>78</b>	Total: Pensions	\$ 1,997,369	\$ 2,158,588	\$ 2,201,362	\$ 2,201,362
<b>913-UNEMPLOYMENT COMP.</b>					
<b>79</b>	Total: Unemployment Comp.	\$ 55,000	\$ 55,000	\$ 55,000	\$ 55,000
<b>914, 915, 916-GROUP INSURANCE</b>					
<b>80</b>	Total: Group Insurance inc. "opt out"	\$ 4,850,000	\$ 5,044,000	\$ 5,067,932	\$ 5,067,932
<b>912, 919, 945-TOWN INSURANCE</b>					
<b>81</b>	Total: Town Insurance	\$ 405,000	\$ 460,000	\$ 374,300	\$ 374,300
<b>TOTAL UNCLASSIFIED/EMPLOYEE BENEFITS</b>					<b>\$ 7,698,594</b>
<b>990-Transfers Out</b>					
	Transfer to OPEB Trust	\$ 120,000	\$ 200,000	\$ 120,000	\$ 120,000
<b>82</b>	Total: OPEB	\$ 120,000	\$ 200,000	\$ 120,000	\$ 120,000
<b>TOTAL OPEB</b>					<b>\$ 120,000</b>
<b>GRAND TOTAL TOWN</b>					<b>\$ 48,583,619</b>

**ARTICLE 3:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the recommended sums, 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.

Capital - Article 3				
Project Description		Projects Requested	Projects Recommended by CBC	Advisory Board Recommendation
<b>Highway, Parks/Grounds, Cemetery</b>				
	Dump Truck	\$ 200,000	\$ 200,000	\$ 200,000
	Pick-up Truck	\$ 49,500	\$ 49,500	\$ 49,500
	Mower	\$ 25,000	\$ 25,000	\$ 25,000
	Overseeder	\$ 7,500	\$ 7,500	\$ 7,500
	Synthetic Turf Sweeper	\$ 14,000	\$ -	\$ -
	Synthetic Turf Line Painter	\$ 5,000	\$ -	\$ -
<b>Public Safety - Fire</b>				
	AED Monitors	\$ 9,000	\$ 9,000	\$ 9,000
	Heart Monitors	\$ 30,000	\$ 30,000	\$ 30,000
	Center Fire Sta. Build Repair.	\$ 50,000	\$ 50,000	\$ 50,000
	Fire Radios		\$ 26,250	\$ 26,250
<b>Public Safety - Police</b>				
	Radios - Police and Fire	\$ 103,000	\$ 26,250	\$ 26,250
	Tasers	\$ 33,000	\$ 32,000	\$ 32,000
<b>Town Facilities/services</b>				
	Library Roof Repair or Replace.	\$ 237,500	\$ 7,500	\$ 7,500
	Voting Equipment	\$ 25,000	\$ 25,000	\$ 25,000
	COA Van	\$ 30,000	\$ 30,000	\$ 30,000
	Town Hall Generator	\$ 30,000	\$ -	\$ -
	Vehicle for Fac. Dir.	\$ 30,000	\$ -	\$ -
	Technology Replacement TH	\$ 48,000	\$ -	\$ -
	Conservation -Donovan Barn	\$ 15,000	\$ 15,000	\$ 15,000
<b>Schools</b>				
	HVAC	\$ 100,000	\$ 100,000	\$ 100,000
	Insulation - Cole School	\$ 40,000		
	Dark Fiber Wide Area Network	\$ 180,000	\$ -	\$ -
	Replace Generator - Sparrell	\$ 50,000	\$ -	
<b>TOTAL</b>		<b>\$ 1,311,500</b>	<b>\$ 633,000</b>	<b>633000</b>

Requested by the Capital Budget Committee

**The Advisory Board recommends this article in the amount of \$633,000 by a vote of 8-0. The Board recognizes that the money spent under this article does not address all of the capital needs of the Departments, but does continue significant investment in the capital needs of the community.**

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**ARTICLE 4:** To see if the Town will vote to 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 Finance Director to the applicable line items in Article 2, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board unanimously (8-0) recommends this article in the amount of \$15,000. This Article seeks a sum of money to meet obligations for union and personal contracts for FY 16.**

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**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 Finance Director to the applicable line items in Article 2, or act on anything relative thereto.

Requested by the Personnel Board

**The Advisory Board recommends article 5 in the amount of \$29,000, by a vote of 8-0. This reflects funding of salary increases of 2% for the employees covered by the Personnel Plan. The 2% mirrors the various union settlements for FY 2016. The Water Department budget pays for its \$4,000 share of this expense.**

**While the Advisory Board debated whether the funds appropriated under this article should actually be included in the appropriate line items in the FY 2016 budget, the Advisory Board acquiesced to the recommendation of the Board of Selectmen and the Finance Director to fund the salary increases for those employees in the Personnel Plan through this article for FY 2016.**

**The Advisory Board recommends a discussion in the fall of 2015 between the new Town Administrator, the Finance Director, the Advisory Board, and the Board of Selectmen, as to whether this practice should be used in the future.**

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**ARTICLE 6:** To see if the Town will vote pursuant to the provisions of Massachusetts General Laws, Chapter 39, section 10 to accept Birchwood Lane as a public way, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board voted 7-0 with one abstention to recommend this article. The Town has been working with the residents of Birchwood Lane to clear all hurdles and requirements to get this road in a position to be accepted as a public way.**

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**ARTICLE 7:** To See if the Town will vote to authorize the Treasurer/Collector with the approval of the Selectmen, to accept on behalf of the Town a deed to Norwell Assessor's Parcel 36-36; Fieldstone Way, in which all persons who have an interest in title join as grantors, in lieu of foreclosure of a tax title on such parcel. Provided however, that such deed in lieu shall only be accepted where there are no liens or encumbrances on the land other than those of the Town. (MGL Ch.60 s.77C)

Requested by the Board of Selectmen

**The Advisory Board recommends this article by a vote of 8-0. The Town has been challenged in working with the residents to get Fieldstone Way accepted as a public way. The Treasurer Collector has come up with a mechanism used in other communities that allows the Town to accept a deed in lieu of foreclosure for the property and thereby clear the title to the property. This would be done with the approval of the Board of Selectmen. Then Fieldstone Way could then be considered for acceptance at the 2016 Annual Town Meeting**

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**ARTICLE 8:** To see if the Town will vote pursuant to the provisions of Massachusetts General Laws, Chapter 39, section 10 to accept Clapp Brook Road as a public way, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board recommends this article by a vote of 7-0. This road was on the warrant last year for acceptance, and the residents of the street and Town staff and volunteers have been working diligently to get all approvals done so that this could be accomplished in 2015.**

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**ARTICLE 9:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of two hundred and fifty thousand dollars (\$250,000) for the purpose of developing schematic designs for a combined Library/Town Hall, or a Town Hall and/or a Library, said sum to include the cost of architectural, engineering, site inspection, appraisal, cost estimation, advertising, and all other things necessary to carry out the purpose of this article, said sum to be spent under the direction of the Library/Town Hall Study Committee;  
and to see if the Town will vote to authorize the Board of library Trustees, the Board of Selectmen, and/or the Permanent Building and Maintenance Committee or any other Board or officer of the Town to apply for a grant or grants to defray all or any part of the cost of the construction of a library or a Town Hall and/or Library and to authorize the acceptance of said grant or grants when received without any further appropriation;  
or act on anything relative thereto.

Requested by the Library/Town Hall  
Study Committee

The Advisory Board took no action under this article, as the Board was informed by the Library/Town Hall Study Committee that the anticipated schedule for the availability of Library Construction Grants is actually a year later than anticipated, and that the Committee would continue to work on refining plans and making a recommendation on a selected site during the next year, with a recommendation and request for funding coming in the 2016 Town Meeting.

The Library/Town Hall Study Committee may make a report of progress to Town Meeting under this article.

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**ARTICLE 10:** To see if the Town will raise and appropriate, transfer from available funds or borrow the sum of \$500,000 or any other sum to be expended under the direction of the Fire Chief for the purpose of purchase of a new fire pumper truck, or act on anything relative thereto.

Requested by the Board of Selectmen

The Advisory Board recommends by a vote of 8-0 that this article be approved in the amount of \$500,000. The amount would be bonded for an anticipated period of 5 years.

The Fire Department will trade in 2 existing trucks:

- Engine 3 - 1988 GMC (out of service, needs new engine)
- Engine 4 - 1992 KME (operational in reserve status)

Both vehicles are well beyond the anticipated 20 year life of these vehicles. The Chief anticipates that the total cost including the trade-ins of the above 2 vehicles will be within the \$500,000 authorized by this article.

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**ARTICLE 11:** To see if the Town will vote to authorize the Board of Health to establish Pay as You Throw regulations, in order to increase solid waste recycling and to reduce the costs related to solid waste disposal or act on anything relative thereto.

Requested by the Board of Health

The Advisory Board recommends by a vote of 4-2 that the "Pay as You Throw" program be initiated in Norwell. Projections based on experience in many other Massachusetts communities indicate that the recycling rate for residential waste in Norwell will go from the current rate of 24%, to 35% or 40%. The program as proposed will provide that one 32 gallon barrel (or 1 bag) per household per week will be included in the rubbish collection paid for under the tax rate. Additional bags will be available at local stores at \$2 per bag. The program will provide for unlimited single stream recycling collected weekly.

This change is especially important from a financial perspective, because the tipping fees at SEMASS are increasing considerably starting this year. An increase in the rate of recycling, and the resultant decrease in rubbish that goes to SEMASS will help control costs..

If approved by Town Meeting, it is anticipated that the new rubbish/recycling program will take effect on or about July 1, 2016. Approval of this article now is necessary in order to begin the planning process to transition to the new rubbish/recycling program by that date.

If article 11 is approved by Town Meeting, a revolving fund will be established under Article 12 to set up the proceeds from the sale of bags in a fund that will fund improvements to the recycling center.

**ARTICLE 12:** To see if the Town will vote to authorize or reauthorize the following revolving funds, pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 53 E 1/2, for the fiscal year beginning July 1, 2015, or act on anything relative thereto

Revolving Fund	Authorized To Spend	Revenue Source	Use of Fund	FY16 Spending Limit	Disposition of FY16 Fund Balance	Spending Restrictions
Stetson Ford House	Historical Commission	Rental charged for property use	Property maintenance	\$21,000	Balance available for expenditure	Fund may not be spent for salaries
Student Parking Fees	School Department	Fees charged for student parking	Maintenance and Security of the Student Parking Lot	\$14,000	Balance available for expenditure	Fund may not be spent for salaries
Recycling	Board of Health	Bag fees	Maintenance and Improvements Recycling Center	\$50,000	\$50,000 of balance available for expenditure, remainder to revert to General Fund	Fund may not be spent for salaries

Requested by the Historical Commission,  
School Committee, and Board of Health

The Advisory Board voted 6-0 to recommend the establishment/renewal of 3 revolving funds. The format of this article is new and reflects the recommendations of the MADOR and the Finance Director. The new format is clear and completely describes all of the necessary details of each of the revolving funds. If article 11 is not approved by Town Meeting then the Recycling Revolving Fund will not be included in this article.

**ARTICLE 13:** To see if the Town will transfer from Overlay Surplus the sum of for \$4,000 for Fiscal Year 2016, to be added to the existing amount appropriated under Article 22 of the May 5 2014 Annual Town Meeting for a Senior Real Estate Tax Work Off Program established pursuant to an

agreement with the Council on Aging, the Board of Selectmen and the Board of Assessors, or act on anything relative thereto.

Requested by the Board of Assessors

**The Advisory Board recommends by a vote of 7-1 the appropriation of \$4000 released by the Board of Assessors from the Overlay to fund 4 more positions in the Senior Tax Work program. This supplements \$46,000 approved by Town Meeting at the 2014 Annual Town Meeting for this purpose.**

**In the future, funding of this program will not be a Town Meeting article – the funds will be released directly by the Board of Assessors each year, upon consultation with the Board of Selectmen and Town staff. This revised methodology is in concert with the process as recommended by the State, and as practiced in most other communities that have a Senior Tax Work program.**

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**ARTICLE 14:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for School based Medicaid services, or act on anything relative thereto.

Requested by the Finance Director

**The Advisory Board recommends this article in the amount to \$3,000, by a vote of 7-0. These funds are used to pay for the services of an outside vendor to process claims for Medicaid reimbursement to the School Department. The School Department is entitled to Medicaid reimbursement for certain School Special Needs cases.**

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**ARTICLE 15:** To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$14,000 to be expended under the direction of the Board of Health for the care and maintenance of the brush pile at the Recycling Center, or act on anything relative thereto.

Requested by the Board of Health

**The Advisory Board recommends approval of this article in the amount of \$14,000 by a vote of 7-0. These funds are spent by the Board of Health to chip and remove brush that is brought to the recycling center by residents. This has not been funded since FY 2014.**

**If the Pay as You Throw program is instituted, it is likely that the recycling revolving fund can be used for this purpose and separate funding would not then be required.**

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**ARTICLE 16:** To see if the Town will raise and appropriate, or transfer from available funds or otherwise provide the sum of \$30,000.00, or any other sum, to be expended under the direction of the Conservation Commission for the purposes of trail repair and widening in places to accommodate access for the gator, an for badly needed repair and upkeep of some of the bridges and boardwalks on the trails, or act on anything relative, thereto.

Requested by the Conservation Commission

The Advisory Board by a vote of 6-1 recommends this article in the amount of \$30,000. The Advisory Board has recommended narrowing the scope of the work somewhat, and the proponents have agreed.

The Board discussed and broadly support the need to develop a comprehensive system of trail and pathway maintenance, and that the Town needs to properly fund this maintenance on an ongoing basis. The Interim Town Administrator has agreed that those involved in trails and pathways need to work together to develop such a program and that it should be considered for funding at the 2016 Annual Town Meeting.

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**ARTICLE 17:** To see if the Town will raise and appropriate, or transfer from available funds or otherwise provide the sum of \$30,000, or any other sum to be expended under the direction of the Highway Surveyor for engineering, installation and or maintenance of Town drainage.

Requested by the Highway Surveyor

The Advisory Board recommends Article 17 in the amount of \$30,000 by a vote of 7-0. This article funds needed drainage work on projects as they arise during the year. Drainage work done as part of a roadway improvement project is separately funded through that project.

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**ARTICLE 18:** To see if the Town will raise and appropriate, or transfer from available funds or otherwise provide the sum of \$30,000 or any other sum, to be expended under the direction of the Highway Surveyor for the purpose of complying with the EPA's 2016 MS4 (Municipal Separate Stormwater Sewer System) Stormwater General Permit or act on anything relative thereto.

Requested by the Highway Surveyor

The Advisory Board recommends Article 18 in the amount of \$30,000 by a vote of 7-0. This work is needed in order for the Town to comply with the EPA storm water regulations.

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**ARTICLE 19:** To see if the Town will raise and appropriate, or transfer from available funds or otherwise provide the sum of \$100,000 or any other sum to be expended under the direction of the Highway Surveyor for the purpose of debris removal, engineering, stormwater, and Highway yard facility rehabilitation, or act on anything relative thereto.

Requested by the Highway Surveyor

The Advisory Board recommends Article 19 in the amount of \$100,000 by a vote of 7-0. These funds are required in order for the Highway Surveyor to do debris removal at the Highway and Recycling sites, and establish a site plan whereby encroachment into sensitive environmental areas is permanently eliminated.

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**ARTICLE 20:** To see if the Town will raise and appropriate, or transfer from available funds or otherwise provide the sum of \$300,000, 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 \$300,000 by a vote of 7-0. Particularly given the severity of this winter, additional local funds are needed to keep up with resurfacing and reconstruction of the Town's roads.**

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**ARTICLE 21:** To see if the Town will raise and appropriate, or transfer from available funds or otherwise provide the sum of \$300,000, or any other sum, to be expended under the direction of the Highway Surveyor for demolishing the existing salt shed, constructing a new salt shed with all of its appurtenances, and making other improvements to the Highway garage and yard, including all expenses related thereto, or to act on anything relative thereto.

Requested by the Highway Surveyor

**The Advisory Board recommends by a vote of 5-2 the sum of \$300,000 for the purpose of replacing the salt shed at the Highway yard. The existing salt shed is undersized and at the end of its useful life. Currently, salt deliveries are dumped outside of the shed and moved by Highway personnel into the shed, because the shed is not a size to accommodate delivery vehicles.**

**There are a couple of possible designs for this project, both of which require demolition of the existing shed. Constructing a traditional salt shed that has eaves of a dimension to cover sanders during the off season is one option, and providing the undercover storage for the sanders is desirable. A second option used in neighboring Situate, is a Quonset hut style of construction, with a fabric roof. The second option is less expensive but the roof has a 10 year useful life. The Highway surveyor and the Facilities Director are evaluating options as to the most effective least cost option. Those who voted in the negative on this article wanted to see which design was the preferred design, and what the final cost would be.**

**The source of funds would be \$297,833 from the sale of Real Estate, and the remainder from free cash.**

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**ARTICLE 22:** To see if the Town will appropriate \$674,894.00 in anticipation of full (100%) reimbursement by the Commonwealth of Massachusetts of Chapter 90, Acts of 2008, 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 voted to recommend this article by a vote of 7-0. The estimate is that the State will make available the sum of \$674,894 in Chapter 90 assistance for roads. This money is very badly needed to improve many local roads throughout the community.**

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**ARTICLE 23** To see if the Town will vote to authorize the Board of Selectmen to sell under such terms and conditions that they deem to be in the best interest of the Town, the parcel known as the Circuit/Barrel parcel identified as parcel 59-001 on the tax maps of the Town of Norwell, consisting of .3 acres of land, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board recommends this article by a vote of 7-0. This .3 acre parcel is owned by the Town, is not adequate in size for a building lot, and the Board of Selectmen has declared it surplus to the Town's needs. The abutters are interested in purchasing the property, and putting it back on the tax rolls.**

**If the article is approved, the Board of Selectmen will establish the terms and conditions of the sale that they feel are in the best interest of the Town.**

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**ARTICLE 24:** To see if the Town will vote to authorize the Board of Selectmen to execute the necessary documents, including without limitation, a written release of a reserved restriction, easement and agreement included in a deed dated August 9, 1971 by the Town of Norwell to Raymond T. McKeever, et ux. requiring that the parcel of land being conveyed identified as Lot 120 on a plan of land entitled "JACOBS LAKE SHORES NORWELL, MASS." prepared by Ernest W. Branch, C.E. dated March 11, 1939, recorded in the Plymouth County Registry of Deeds in Plan Book 5, Page 934. Said restriction, easement and/or agreement required that the parcel of land being sold be merged with the abutting Lots 118 and 119 to form one parcel and that Lot 120 not be available for use as the site for a dwelling house or other structure without Board of Appeals approval, or to take any other action relative thereto.

Requested By the Board of Selectmen

**The Advisory Board recommends this article by a vote of 6-0. The Board agrees that the restrictions put on the sale of a parcel of Town owned land in 1971 are no longer relevant, and the property owner has asked the Board of Selectmen to eliminate those conditions. The Board of Selectmen has declared that the property interest held by the Town, if any, as represented by those conditions of sale are surplus to the Town's needs.**

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**ARTICLE 25:** To see if the Town will vote to transfer control of the land currently housing the Norwell Police Station at 40 River Street, on Assessor's Map Sheet 21A, Lot 64, Block 58 from the Board of Selectmen to the Community Housing Trust for the purpose of providing Affordable Housing, or act on anything relative thereto.

Requested by the Community Housing Trust

**The Advisory Board recommends this article by a vote of 7-0.**

**This Article seeks to transfer control of the land at 40 River Street to the Community Housing Trust for the purpose of providing 14 units of over 55 affordable rental housing. This program is designed to address the critical housing needs in Norwell. The 2010 Census confirms up to 34% of Town households would qualify. A mix of one and two bedroom units are planned to attract downsizing seniors with preference to individuals with Norwell connections. The affordability will be in perpetuity and all 14 units will count on the Norwell Subsidized Housing**

**Inventory tracked by the Commonwealth. The development will pay property taxes, estimated at \$50,000 per year.**

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**ARTICLE 26:** To see if the Town will vote to transfer the land and improvements currently housing the "old" Norwell Police Station at 40 River Street following the completion and occupancy of the "new" Police Station, on Assessor's Map Sheet 21 A, Lot 64, Block 58 from the Board of Selectmen for the purpose of sale, and to authorize the Board of Selectmen to sell said parcel to a federally chartered 501 (c) 3 Veterans organization in Norwell for the sum of \$1.00 for the public purpose of constructing a new Veterans Hall for the purpose of the general welfare of the town's veterans, which said Veteran's Hall shall be transferred on the condition that said Veteran's Hall when not being used by the town's veterans may be used as a Community Center for many of the towns non-profit organizations or act on anything relative thereto.

Requested by the Norwell American Legion Post 192

**The Advisory Board did not recommend this article by a vote of 2-6.**

**The proposal is to construct an American Legion building that is also a community center. The capacity would be 200 people, and 70 parking spaces would be available through structured (deck) parking. There would be a bar in the building with access controlled so that it is not in operation when youth activities are taking place on site. The project anticipates that a KENO license would be sought for the property.**

**The construction of the shell of the building would be contracted out, with a lot of the materials to be donated. The finishing of the interior of the building would be done largely by volunteers. The total cost is estimated at \$950,000, and fund raising has committed \$180,000 in cash donations, plus a lot of donations of time and materials. Other Veterans groups would be welcome to use the facility if/when they exist in Norwell. The project would not pay property taxes.**

**The Advisory Board is supportive of the creation of a veteran's facility in Norwell, and applauds the efforts of the American Legion to advance such a project. The Board feels in large part that this is not an ideal site for such a facility, that there may be other sites that the Town could assist the American Legion with, and that the 40 River Street site was better suited to the Community Housing Trust proposal.**

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**ARTICLE 27:** To see if the Town will vote to authorize the Board of Selectmen to sell the former Police Station at 40 River Street shown on the Assessor's Map as Sheet 21 A, Lot 64, Block 58 under such terms and conditions that the Board of Selectmen determines to be in the best interest of the Town, or act on anything relative thereto.

Board of Selectmen

**The Board of Selectmen put this article on the warrant to give Town Meeting the option of selling the old Police Station property in the event that article 25 or 26 fails to secure the necessary 2/3 vote at Town Meeting.**

**Because the Advisory Board has recommended approval of article 25 to dispose of the former Police Station property at 40 River Street to the Community Housing Trust for redevelopment, the Advisory Board did not make a recommendation on this article. If both article 25 and 26**

do not achieve the necessary 2/3 vote at Town Meeting, the Advisory Board will then make a recommendation on this article.

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**ARTICLE 28:** To see if the Town will vote to amend fees collected for a personal kennel from \$30 for 4 dogs or less to \$35 for 4 dogs or less, and from \$60 for 10 dogs or less to \$65 for 10 dogs or less; and to add commercial kennels for an annual fee of \$250, or act on anything relative thereto.

Requested by the Town Clerk

**The Advisory Board recommends article 28 by a vote of 7-0. This article slightly increases the fee for private kennel licenses, and establishes a fee for commercial kennels. The Town Clerk has requested this article.**

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**ARTICLE 29:** To see if the Town will vote to amend Article XI of the General Bylaws of the Town of Norwell "Community Preservation Commission" by amending Section 1 so that it read as follows in its entirety (~~cross-outs~~ indicates deleted language, **BOLD** indicates added language):

1. Establishment

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to M.G.L. Chapter 44B. The composition of the Committee, the appointment authority and the term of office for the Committee members shall be as follows:

One (1) member of the Conservation Commission as designated by the Commission for a term of three (3) years;

One (1) member of the Historical Commission as designated by the Commission for a term of three (3) years;

One (1) member of the Planning Board as designated by the Board for a term of three (3) years;

One (1) member of the Recreation Commission as designated by the Commission for a term of three (3) years;

One (1) member of the Housing Authority as designated by the Authority for a term of three (3) years;

~~One (1) member of the Board of Assessors as designated by the Board for a term of three (3) years;~~

~~Three (3)~~ **Four (4)** members to be appointed by the Board of Selectmen: ~~one (1) member to be appointed for a term of one (1) year and thereafter for a term of three (3) years; one (1) member to be appointed for a two (2) year term and thereafter for a term of three (3) years; and one (1) member to be appointed for a term of three (3) years.~~ **appointed for 3 year terms so that as even number of terms as practicable expire each year.-**

Should any of the Commissions, Boards, Authorities or Committees who have appointment authority under this section of the Bylaw be no longer in existence for whatever reason or for whatever reason fail to appoint an individual to the committee, the appointment authority for that Commission, Board, Authority or Committee shall become the responsibility of the Board of Selectmen.

or act on anything relative thereto.

Requested by the Board of Selectmen

**The Advisory Board recommends this article by an 8-0 vote.**

**The Board of Selectmen have requested that the make-up of the Community Preservation Committee be changed. The 9 member Committee has required representation for 5 of its positions. The Norwell bylaw creating the Committee has designated one additional position to be held by a member of the Board of Assessors. The remaining 3 positions are appointed**

by the Board of Selectmen, and are considered “at large” positions. The Board of Selectmen have requested that the bylaw be changed so that the position designated to be the Assessor’s position would become a 4<sup>th</sup> “at large” position, giving greater flexibility in establishing the make-up of the Committee.

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**ARTICLE 30:** To see if the Town will vote to adopt “Stretch Energy Code” set forth in the State Building Code at 780 CMR 120.AA (i.e., Appendix 120.AA), as may be amended from time to time, and to amend the Town of Norwell’s General By-laws by inserting a new Article XXI, entitled “Stretch Energy Code” as set forth below:

**ARTICLE XXI - Stretch Energy Code**

**Section 1. Acceptance/Adoption.**

The Town of Norwell has accepted and adopted the provisions of 780 CMR 120.AA (i.e., Appendix 120.AA of the State Building Code or the “Stretch Energy Code”), as may be amended from time to time, in place of the provisions set forth under 780 CMR 13.00, 34.00, 61.00 and 93.00.

**Section 2. Purpose.** The purpose of the Stretch Energy Code shall be to provide the Town with a more energy efficient alternative to the base energy code otherwise set forth under the State Building Code.

or act on anything relative thereto.

Requested by the Board of Selectmen and  
The Energy Committee

The Advisory Board voted 4-2 to recommend this article.

The Stretch Energy Code is an option given to communities who desire to create a requirement of greater energy efficiency in buildings in the community. This then becomes part of the Building Code that applies to the community. To date, 146 Massachusetts communities have adopted the Stretch Code.

The evidence shows that adopting the Stretch Code does not place the community at any risk of detracting from economic development, and does not disadvantage building or property owners. In our immediate area, Situate, Hanover, Pembroke, Rockland, Hanson, Plympton, Halifax, and Lakeville have all adopted the code. No community in Massachusetts has revoked the code once accepted.

Adopting the Stretch Code is one element needed to become a Green Community. Being a Green Community makes a community eligible for some automatic grants, as well as some competitive grants to install energy efficient improvements to public buildings and lands. These grants are in the 10’s of thousands of dollars – neighboring Hanover has received over \$2 million to date.

Those who voted against this recommendation were concerned about additional layers of regulation imposed on builders and homeowners.

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**ARTICLE 31:** To see if the Town will vote to establish Zoning By-Law § 4550 Solar Photovoltaic Overlay District (SPOD) by incorporating the following proposed new language, or take any action with respect thereto:

## Article V Definitions:

**Ground mounted solar photovoltaic installations:** Installations not located on the roof of a *building* as defined by Article V of the zoning by-law.

**Small scale ground mounted solar photovoltaic installations:** Ground mounted solar photovoltaic installations that contain solar modules of 500 square feet or less (calculation is based on combined square footage of all ground-mounted modules located on a lot).

**Medium scale ground mounted solar photovoltaic installations:** Ground mounted solar photovoltaic installations that contain solar modules of greater than 500, but less than 43,560 square feet (calculation is based on combined square footage of all ground-mounted modules located on a lot).

**Large scale ground mounted solar photovoltaic installations:** Ground mounted solar photovoltaic installations that contain solar modules of greater than 43,560 square feet (calculation is based on combined square footage of all ground-mounted modules located on a lot).

## 4550. Solar Photovoltaic Overlay District (SPOD)

### 1.0 Purpose

The purpose of this bylaw is to authorize in accordance with this section of the bylaw and provide standards for the placement, design, construction, operation, monitoring, modification and removal of *large scale ground mounted solar photovoltaic installations* that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of all such installations.

### 2.0 Applicability

The SPOD shall be construed as an overlay district. All requirements of the underlying district(s) shall remain in full force and effect, except where the requirements of the SPOD are more restrictive or provide for uses or structures not otherwise available in the underlying district.

### 3.0 Use Regulation

*Large Scale Ground Mounted Solar Photovoltaic Installations* as a principal or accessory use shall be allowed by right within the SPOD subject to the requirements of this by-law.

### 4.0 General Requirements

The following requirements shall apply to all ground-mounted solar photovoltaic installations to be sited under this section unless specifically exempted:

#### 4.1 Compliance with Laws, Ordinances and Regulations

All ground-mounted solar photovoltaic installations shall be constructed and operated in compliance with all local, state and federal requirements, including but not limited to all

applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the current Massachusetts State Building Code.

#### 4.2 Building Permit and Building Inspection

All ground-mounted solar photovoltaic installations shall obtain all necessary construction permits prior to construction, installation or modification.

#### 4.3 Site Plan Review

All ground-mounted solar photovoltaic installations shall obtain Site Plan Review Approval under §1500 prior to construction, installation or modification as provided in this section.

The Board of Appeals may waive documentary requirements as it deems appropriate.

##### Required Documents

Pursuant to the site plan review process, the project proponent shall provide the following documents:

(a) A site plan showing:

- i. Property lines and physical features, including roads, for the project site;
- ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
- iii. Drawings of the solar photovoltaic installation signed by a registered Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures
- iv. Electrical line diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
- v. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
- vi. Name, address, and contact information for proposed system installer;
- vii. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
- viii. The name, contact information and signature of any agents representing the project proponent; and

(b) Documentation of actual or prospective access and control of the project site;

(c) An operation and maintenance plan (see also Section 4.5);

(d) Proof of liability insurance; and

(e) Description of financial surety that satisfies Section 8.3.

(f) Any other information requested by the Planning Board and/or Zoning Board of Appeals during the review process.

#### 4.4 Operation & Maintenance Plan

All ground-mounted solar photovoltaic installation proponents shall submit a plan for the operation and maintenance of the solar photovoltaic installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.

#### 4.5 Utility Notification

All ground-mounted solar photovoltaic installation proponents shall provide evidence that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

#### 4.6 Payment in Lieu of Taxes (PILOT)

All ground-mounted solar photovoltaic installation proponents shall execute a PILOT agreement with the Board of Selectmen prior to construction of the installation.

### 5.0 Dimensional Requirements

The following dimensional requirements for ground-mounted solar photovoltaic installations and their accessory structures supersede the dimensional requirements in the zoning by-law. Requirements not superseded in this section still apply.

#### 5.1 Setbacks

There shall be no construction or installations within the following required property boundary setbacks:

	Residence A & B	Business B <sup>1</sup>	Business C <sup>1</sup>
Front Yard	150 feet	50 feet	50 feet
Side Yard	150 feet	25 feet	25 feet
Rear Yard	150 feet	25 feet	25 feet

<sup>1</sup>Where a property within the Business Districts B or C abuts a residential property; a setback of 150 feet from the residential property line shall be required.

#### 5.2 Vegetation Buffers and Screening

5.2.1 Clearing of natural vegetation shall be limited to what is necessary for the proper construction, operation and maintenance of the facility. Use of previously disturbed land is encouraged in siting of all such installations.

5.2.2 In Residential Districts, land within the required setback areas shall not be disturbed other than for what is necessary to access the facility and for any installed vegetation for screening purposes.

5.2.3 All installations shall be screened from all public ways and any surrounding residences with existing natural vegetation, or, in the case where such natural vegetation is not satisfactory for screening the installation, a dense vegetated buffer shall be installed and maintained.

#### 5.3 Height

No ground –mounted solar photovoltaic installation or accessory structures shall exceed 15 feet in height as measured from the ground directly to the highest point of the installation.

Existing grade shall not be affected anywhere on the site by more than five (5) feet through excavation or with fill materials.

The Board of Appeals may waive these requirements if the applicant demonstrates a necessity to exceed 15 feet in height, but under no circumstances shall heights exceed 25 feet

#### 5.4 Exemptions

Ground –mounted solar photovoltaic installations are not subject to §2420 Lot Area, §2450 Lot Shape, §2430 Lot Frontage and Width and §2471 Building Coverage by-law requirements.

### 6.0 Design Standards

#### 6.1 Lighting

Lighting of ground-mounted solar photovoltaic installations shall be the minimum required to provide security, safety and operations of the facility. Lighting of the installation shall be directed downward, away from surrounding properties and incorporate full cut-off fixtures to reduce light pollution.

#### 6.2 Signage

7.2.1 A sign consistent with §3300 Signs shall be required to identify the owner and provide a 24 hour emergency contact phone number.

7.2.2 No portion of the installation or property shall be used for displaying any advertising except for reasonable identification of the operator of the facility.

#### 6.3 Utility Connections

Best efforts shall be made to locate all utility connections from the facility underground. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

#### 6.4 Emergency Services

6.4.1 Prior to approval from the Board of Appeals, the Operator shall provide a copy of the project summary, electrical schematic, and site plan to the Fire Chief, and if requested, assist in the development of an emergency response plan.

6.4.2 The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

6.4.3 All means of shutting down the ground-mounted solar photovoltaic installation shall be clearly marked.

#### 6.5 Fencing

The installation shall be securely fenced around the entire perimeter of the installation with a fencing type satisfactory to the Board of Appeals.

#### 6.6 Accessory Structures

Structures accessory to the installation shall be confined to inverters, transformers and equipment boxes necessary for the operation of the facility and buildings which enclose that equipment.

Other structures proposed shall conform to District Regulations Article II of the underlying zoning district.

#### 7.0 Modifications

All changes or modifications to a solar photovoltaic installation made after issuance of the required building permit shall require approval by the Board of Appeals.

#### 8.0 Abandonment or Decommissioning

##### 8.1 Removal Requirements

Any ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned consistent with Section 3.12.2 of this bylaw shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Board of Appeals by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- (a) Physical removal of all ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
- (b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- (c) Stabilization or re-vegetation of the site as necessary to minimize erosion. The Board of Appeals may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

##### 8.2 Abandonment

Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the ground-mounted solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Board of Appeals. If the owner or operator fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town shall have the right, but not the obligation, through easement or license to enter the property and physically remove the installation.

##### 8.3 Financial Surety

Proponents of a ground-mounted solar photovoltaic projects shall provide a form of surety, either through escrow account, bond or otherwise in a form acceptable to the Town of Norwell acting by

its Board of Appeals, to cover the cost of removal in the event the town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Board of Appeals. Such surety may not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer and reviewed by the town engineering consultant. The amount shall include a 50% contingency for increased removal costs due to inflation.

#### **6900. Solar Photovoltaic Overlay District (SPOD)**

The SPOD shall include that portion of land within the Business District C-1 (Section 6510) and Business District C-2 (Section 6520). The district shall also include the land as shown on Assessors Map, Block 64 Lot 13 and described in a deed dated 1/17/1990; Land Court Certificate #79659.

Requested by the Planning Board

**The Advisory Board voted to recommend this article by a vote of 7-0.**

**The article seeks to establish a Solar Photovoltaic Overlay District (SPOD) to allow large scale (greater than one acre) ground mounted solar photovoltaic installations. The SPOD would include the two business parks as well as an upland section of Water Department lands south of Route 3. This bylaw provides standards for placement, design, construction, operations, maintenance, monitoring, and removal of solar panels. Adopting this bylaw allowing for renewable energy generation is one element needed in order for Norwell to become a Green Community.**

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**ARTICLE 32:** To see if the Town will vote to amend Article IV, Section 5 of the Town of Norwell Bylaws, Rules and Regulations, by adding a third sentence as follows, or take any action relative thereto:

“On any article where persons entitled to vote at Town Meeting may be influenced in their vote by reason of the public nature of a voice or standing vote, the Moderator may, upon motion approved by Town Meeting, require a vote by written ballot.”

Requested by the Board of Selectmen

**By a vote of 0-8 the Advisory Board voted not to recommend both this article and article 33. While the Board of Selectmen and the petitioner of article 33 came together in support of article 32 as written, the Advisory Board felt that the use of the written or secret ballot as proposed would not be used by the moderator, and it could make Town Meeting more cumbersome and create lengthened sessions of Town Meeting.**

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**ARTICLE 33:** To see if the Town will vote to amend Article IV, Section 5 of the Town of Norwell Bylaws, Rules and Regulations, by adding a third sentence as follows, or any action related thereto:

“If the Moderator believes in his sole discretion that sufficient reason exists in which any number of voters may be influenced, hesitant, or discouraged to vote publicly by either a voice or standing vote on any motion, the Moderator may then call for a secret ballot.”

By Petition

**By a vote of 0-8 the Advisory Board voted not to recommend this article. See write-up for article 32**

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**ARTICLE 34:** To see if the Town will vote to add the following language to Section 6, Compensation Plan of the Personnel Plan to pay a flat shift compensation rate for eligible exempt employees of the Norwell Public Library working any Sunday hours:

An exempt status employee of the Library Department, assigned to work 37.5 hours per week, shall be compensated as follows for any work performed on a Sunday:

An employee who works a minimum four (4) hours on a Sunday shall be eligible to receive a flat compensation rate for the work shift. The rate will be based on the employee's step.

<u>Step</u>	<u>Rate</u>
1	\$140.00
2	\$147.00
3	\$154.00
4	\$161.00
5	\$168.00
6	\$175.00

The flat compensation rate will not be affected by any Cost of Living Adjustments to a base step rate. The position of Library Director is not eligible to receive additional Sunday compensation. This form of compensation shall continue to be reported to the Personnel Board as special compensation and therefore compensation earnable pursuant to the Town of Norwell Personnel By-Law.

or act on anything relative thereto.

Requested by the Personnel Board

**The Advisory Board voted unanimously (8-0) to recommend this article. The article seeks to add language to the Compensation Plan of the Personnel Plan to pay a flat shift rate for eligible exempt employees of the Norwell Library working Sunday hours. The funds are in the FY 16 Library budget and this language clarifies the rate of pay for eligible employees. The Library Director and Board have pledged that Sunday hours will not increase the number of benefitted employees in the Library.**

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**ARTICLE 35:** To see if the Town will vote to add the following language to Section 6, Compensation Plan of the Personnel Plan to pay eligible employees to receive out of classification pay for any work performed due to any positions vacated due to illness, an approved leave of absence, or a termination:

The Town may work employees out of classification for up to ten (10) consecutive working days without additional compensation.

- 1) Working Out of Class assignments shall only be made for positions vacated due to illness, an

approved leave of absence or termination. To qualify for working out of class pay, an employee assigned by the Town Administrator or by his Department Head with the approval of the Town Administrator, must perform the primary duties of the higher classification and satisfy the requirements of the qualifying period. Notification of the approval of a Working Out of Class assignment shall be provided to the Human Resources, Accounting, and Payroll departments.

- 2) During the ten (10) consecutive days qualifying period before an employee is eligible to receive out of class pay, an absences of more than two (2) days for any reason including the authorized use of compensatory, vacation, sick, or personal time, shall break consecutiveness and cause the qualifying period to start again. The Town Administrator may approve absences exceeding the two (2) days, on a case by case basis, and has the final authority to determine when the number of consecutive days has been broken for the purposes of an employee(s) meeting the qualifying period.
- 3) Any employee who is assigned to work out of class and satisfies the requirements of the qualifying period shall receive out of class pay at Step 1 of the higher class or 5% above the employee's regular salary, whichever is greater, for work performed in the higher classification on the eleventh (11<sup>th</sup>) day of working out of class and for each day thereafter an employee works out of class.
- 4) In instances where it benefits the Town to assign more than one employee to share the performance duties of the higher level classification while continuing to perform the duties of their regularly assigned positions and the employees assigned to share the duties of the higher classification satisfy the requirements of the qualifying period, those employees shall receive out of class pay equal to 2.5% above the employee's regular salary.

or act on anything relative thereto.

Requested by the Personnel Board

**The Advisory Board voted to recommend this article by a vote of 8-0. This article seeks to add language to the Compensation Plan of the Personnel Plan to pay eligible employees out of classification pay for work performed due to any positions vacated due to illness, approved leave of absence or termination. After 10 days, the eligible employee would receive out of classification pay at Step 1 of the higher classification or 5% above the employee's regular salary, whichever is less. In the case of two people sharing the same job, they would receive 2.5% above their regular salary.**

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**ARTICLE 36:** To see if the Town will approve updates and modifications recommended by the Personnel Board to the Personnel By-Laws as included in Appendix A to this warrant, or act on anything relative thereto.

Requested by the Personnel Board

**The Advisory Board voted 8-0 to recommend this article. The article seeks to have the Town approve updates and modifications recommended by the Personnel Board to the Personnel By-Laws. This includes the content of articles 34 and 35, previously approved changes that were never incorporated into the printed bylaw, and various other housekeeping changes.**

**The marked-up version of the Personnel Bylaw showing additions and deletions is included in Appendix A of this report.**

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**ARTICLE 37:** To see if the Town will raise and appropriate, or transfer from available funds the sum of \$500,000 the Community Preservation Fund to the Town of Norwell Community Housing Trust for affordable housing purposes, or act on anything relative thereto.

Requested by the Community Preservation Committee and  
Requested by the Norwell Community Housing Trust

**By a vote of 7-0 the Advisory Board recommends this article in the amount of \$500,000. These funds are to be used by the Community Housing Trust to help to subsidize an over-55 affordable housing development at the 40 River Street site, pursuant to a vote by Town Meeting under Article 25.**

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**ARTICLE 38:** To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of \$1,400,000 from the Community Preservation Fund for recreation purposes. Such funds shall be expended by the Highway Surveyor and Board of Selectmen for the design, permitting, and construction of or improvements to any pedestrian or bicycle pathways on Main Street in the Town of Norwell. Such expenditures may include the purchase of land, an interest in land or easements by the Board of Selectmen if the Highway Surveyor determines it advisable, or act on anything relative thereto.

Requested by the Community Preservation Committee and  
The Board of Selectmen

**The Advisory Board, with only 6 members attending, had voted 2-2 with 2 abstentions, to not approve this project. Subsequently the Advisory Board voted to reconsider this article and to have further discussion (hopefully with the full Board present) with the Highway Surveyor and proponents of the project. The Advisory Board will have a recommendation on this project at Town Meeting.**

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**ARTICLE: 39** To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of \$205,000 from the Community Preservation Fund for recreation purposes. Such funds shall be expended by the Norwell Pathways Committee for the design, permitting, and construction of or improvements to any pedestrian or bicycle pathways in the Town of Norwell. Such expenditures may include the purchase of land, an interest in land or easements by the Board of Selectmen if the Pathways Committee determines it advisable. Proposed projects under this article shall be subject to review by the Norwell Planning Board. Expenditures under this article shall be approved by the Norwell Pathways Committee and the Norwell Planning Board, or act on anything relative thereto.

Requested by the Community Preservation Committee and

The Advisory Board voted 7-1 to recommend this article in the amount of \$205,000. The Advisory Board makes this recommendation with the understanding that this will fund the completion of this path project from its currently funded terminus at Gaffield Park to Main Street in the Town Center. The Advisory Board reiterates its comment that no further path or trail projects should be funded until a comprehensive town-wide maintenance plan is developed and implemented. Additionally the Advisory Board strongly recommends that a comprehensive master plan for pathways and trails should be developed.

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**ARTICLE 40** To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of \$9,000.00 from the Community Preservation Fund for the purpose of historic preservation. Such Funds shall be expended by the Norwell Historical Commission for the restoration of the Jacobs Farmhouse property. The restoration project shall include the preservation and restoration of the Cider Room, or act on anything relative thereto.

Requested by the Community Preservation Committee and  
the Norwell Historical Commission

By a vote of vote of 8-0 the Advisory Board voted to recommend this article in the amount of \$9,000. This Article seeks to restore the Cider Room at the Jacobs Farmhouse for a sum of \$9,000. The CPC contacted a restoration firm for an estimate to preserve and restore windows, floorboards, sills, foundation, posts etc.

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**ARTICLE 41** To see if the Town will vote, pursuant to Massachusetts General Laws, Chapter 44B, to reserve the sum of \_ from Community Preservation Fund FY2016 revenues for the creation, preservation and support of affordable housing; to reserve the sum of \_\_\_\_\_ from Community Preservation Fund FY2016 revenues for the acquisition, preservation, rehabilitation and restoration of historic resources; and to reserve the sum of \_\_\_\_\_ from Community Preservation Fund FY2016 revenues for the acquisition, creation, and preservation of open space, or act on anything relative thereto.

Requested by the Community Preservation Committee

The Advisory Board took no action on this article because the Community Preservation Act Committee has not at the time of printing of the warrant, determined the exact amount required to fund each of the reserves. That determination is dependent on the articles to be funded from the CPA under other articles in this warrant.

The Community Preservation Committee will make the determination of the required funding of the 3 reserve accounts at Town Meeting and the Advisory Board will then make its recommendations.

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**ARTICLE 42:** To see if the Town will vote to amend Zoning By-Law §4850 by making the amendments indicated below. Sections to be removed are indicated by strike out and new sections proposed to be included in the by-law are *italicized and underlined*.

Some sections of the bylaw have been retained but relocated and others have been renumbered. These changes are not indicated, but are incorporated into the language below.

#### **4850. Open Space Residential Design (Special Permit)**

##### **1) Purpose and Intent**

a. **Primary Purposes.** The primary purposes for Open Space Residential Design (OSRD) are the following:

1. To allow for greater flexibility and creativity in the design of residential developments;
2. To encourage the permanent preservation of public open space, agricultural land, forestry land, wildlife habitat and other natural resources including aquifers, water bodies and wetlands, and historical and archeological resources in a manner that is consistent with Norwell's Master Plan and Open Space Plan;
3. To encourage 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. To minimize the total amount of disturbance on the site;
5. To further the goals and policies of Norwell's Master Plan and Open Space & Recreational Plan;
6. To facilitate the construction and maintenance of housing, streets, utilities and public service in a more economic and efficient manner;
7. To facilitate the construction and maintenance of public trails and associated amenities to enhance the pedestrian experience.

b. **Secondary Purposes.** The secondary purposes for OSRD are the following:

1. To preserve and enhance the Town's character;
2. To protect and enhance the value of real property;
3. To protect the Town's water supplies;
4. To provide for a diversified housing stock;
5. To protect agriculturally significant land.

2) **Special Permit Required.** *All OSRD developments require Special Permit approval.* The Planning Board, acting as the special permit granting authority (SPGA), may authorize an OSRD Special Permit for OSRD subdivisions pursuant to *the requirements and* procedures outlined *in this bylaw below.*

### 3) Eligibility for OSRD Special Permit Approval

- a. **Applicability.** Special permits for OSRD Definitive Subdivisions are allowed in all residential districts.
- b. **Minimum Size of Subject Property.** To be eligible for consideration for an OSRD Special Permit, the subject property shall contain a minimum of five (5) acres.

The Planning Board may ~~consider proposals on smaller parcels~~ *waive this requirement* if the land offers opportunities for contiguous open space and the Planning Board deems that the design satisfies the purpose and intent of this Bylaw.

- c. **Contiguous Parcel.** The Planning Board may determine that two (2) or more parcels separated by a road or other man-made feature are "contiguous" for purposes of this section if they satisfy the purpose and intent of this Bylaw.

### 4) Pre-Application Conference

- a. **Pre-Application Conference.** The applicant is required to attend a pre-application conference, which may occur at one or more regular meetings of the Planning Board. The parties at the pre-application conference shall discuss the OSRD design process and criteria set forth in this Bylaw. The Planning Board shall invite to the pre-application conference the Conservation Commission, Board of Health and any other Town officers or representatives whose input is deemed by the Planning Board to be necessary and in the Town's best interest. The purpose of a pre-application conference is to attempt to minimize the applicant's costs of engineering and other technical experts, and to discuss the proposal with the Planning Board at the earliest possible stage in the development.
- b. **Timetable.** At the pre-application conference, the applicant shall outline the proposed OSRD project *and* seek preliminary feedback from the Planning Board and/or its technical experts, ~~and set a timetable for submittal of the pre-application conference submittals.~~
- c. **Technical Expert.** The Planning Board shall discuss engaging technical experts at the expense of the applicant to review the submittals required for the OSRD Special Permit.
- d. **Pre-Application Site Visit.** *Prior to the Pre-Application Conference,* the Planning Board may require a site visit in order to better understand the site and facilitate pre-application review of the OSRD proposal.
- e. **Pre-Application Conference Submittals** (*Voted ATM 5/10/2011; approved by AG 8/24/2011*)

- 1. **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 Section F) 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.

2. 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.
3. 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 twenty (20%) percent, mature non-degraded woodlands, trees over twelve (12) inches 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.
4. 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.
5. 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 and Submittals

- a. **Application**. An application for an OSRD Special Permit shall be submitted on the Norwell Planning Board "Form O." Seven (7) total copies of the application and the Yield Plan shall be required. In addition, the applicant shall also submit seven (7) copies of the Site Context Plan, the Existing Conditions/Site Analysis Plan and the Enhanced NRCS Soils Map, showing any changes requested during the ~~Section D~~ 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 thirty-five (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 (35) day period, the Planning Board shall continue the public hearing to permit the formal submission of reports and recommendations within that thirty-five (35) 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.

**b. Yield Plans.** Two yield plans shall be submitted to the Planning Board:

1. Traditional Subdivision Yield Plan. A Plan showing the layout of the maximum allowable number of house lots under the Planning Board Rules and Regulations for a traditional subdivision. The plan shall include an area of upland satisfactory to the Planning Board as a drainage parcel.

2. OSRD Yield Plan. A Plan showing the layout of 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 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

**c. 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 existing conditions of the subject parcel, and identify the proposed open space and developable areas, and adhere to plan design components defined by Section 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 Section 5.0 of the Planning Board's most current Subdivision Rules and Regulations.

The Planning Board shall vote to formally acknowledge that the submitted of a Development Plan ~~that is determined to be~~ is 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 standards shall apply:
1. Lot frontage shall not be less than fifty (50) feet.
  2. Lot size shall not be less than one-half (1/2) acre of upland. No area within the fifty (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 twenty-five (25) feet of the front property line, nor within ten (10) feet of the side or rear property line.
  4. No two (2) points on lot lines shall be less than fifty (50) feet apart except where the shortest distance between such points, measured along the perimeter of the lot, is less than or equal to one hundred fifty (150) feet.
  5. Lot shall be exempt from Sections 2432 and 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 fifty (50%) percent 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 upland 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 the contiguous ~~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 (1/2) 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 Section 6.e.6. Underground infiltration systems or other low impact drainage systems (as defined by Section 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 for each lot and unit.
  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.
  10. The protected open space must be clearly delineated on the ground with permanent markers before any building permits are issued. The Planning Board may require the installation and maintenance of reasonable 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~~ adhere to the typical *traditional* subdivision cross-section requirements as set forth in the most recent Planning Board Rules and Regulations except as superseded by the following standards 1-5.

The Planning Board reserves the right to waive strict compliance with ~~the typical cross-section~~ any part of this 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~~ Streets shall not exceed a maximum length of up to one thousand (1,000) feet measured from the centerline of the nearest intersecting through street to the end of the subdivision way (farthest extent of right-of-way). ~~are allowed in OSRD Definitive Subdivisions~~

3. Dead-end Road Length and Buffer. When OSRD dead-end roads exceed five hundred fifty (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 one hundred (100) feet, along the entire length of the existing street from which the subdivision derives its frontage.

When OSRD dead-end roads do not exceed five hundred fifty 550 feet in length, dedicated open space should be provided at a depth of twenty five (25) feet, along the length of the existing street from which the subdivision derives its frontage.

4. Cross Section. Typical subdivision cross-section requirements as set forth in the most recent Planning Board Rules and Regulations shall apply with the exception that dead-end roads shall have a minimum 24 foot width with a 12 inch berm.

5. ~~Common/Shared Driveways.~~ ~~A common or shared driveway may serve a maximum number of three (3) single family units. Common driveways shall be permitted as per Section 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 one hundred (100) feet is required along the entire length of existing ways abutting the proposed subdivision as per §6.d.3. 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 seventy-five (75) feet is 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 one hundred (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, 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.

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. 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 shall be submitted in the application.

- 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.

- 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.
- 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 sixty-five (65) days of receiving an OSRD Special Permit and acknowledged Development Plan and approve, approve with conditions, or disapprove an OSRD Special Permit within ninety (90) days of said public hearing in accordance with M.G.L. Chapter 40A, Section 9. Upon the written mutual agreement of the applicant and the Planning Board, the ninety (90) 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. **Waivers.** *The Planning Board may vote on any or all waivers requested by the applicant that the Planning Board is given the authority to waive under this OSRD bylaw. Remaining waiver requests shall be addressed in the Definitive Subdivision decision.*
- c. 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, and 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 along with connections to existing or planned trails within the town ~~associates amenities~~ to enhance the pedestrian experience.
  8. The Development Plan complies with the purpose, ~~and~~ intent and design standards outlined of in this Bylaw.
  9. No waiver requests have been denied by the Planning Board.
- d. 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 the 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.
  - e. 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.
  - f. The Planning Board, in its discretion, shall have the authority to adopt rules and regulations consistent with this Bylaw.
  - g. 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

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**ARTICLE 43:** To see if the Town will vote to accept the provisions of Massachusetts General Law, Chapter 90-I, Section 1, as amended, the Complete Streets Program, to allow the Town to participate in, apply for, and receive funding pursuant to said section and Section 6121-1318 of the Session Laws, Chapter 79 of the Acts of 2014; or take any other action relative thereto.

Requested by the Planning Board

The Advisory Board voted 5-2 to recommend this article. Complete Streets are roadways that safely facilitate all users including pedestrians and bicyclists. This article is for the Town to accept the Complete Streets Act MGL Ch90i, which will make the Town eligible for funding from a \$5 million pool of funds. The Board understands that accepting the Complete Streets Act does not require the Town to make any investments or changes to roadways, but merely obligates the Town when doing road construction to consider in addition to vehicular traffic, improvements to other modes of transportation – walking and bicycling. Those voting in opposition were concerned that this program may delay the implementation of local road projects. The agreement for participating in the Complete Streets program is included in Appendix B of this report.

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**ARTICLE 44:** 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.

By Petition

The Advisory Board voted unanimously (7-0) to recommend this article. The Town and its residents benefit greatly from this contract for services.

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**ARTICLE 45:** Shall the Town of Norwell vote to amend certain provisions of the Acceptance by the Town of the Community Preservation Act, known as Chapter 44B of the Massachusetts General Laws, by reducing the surcharge from three percent (3%) to one percent (1%) and further to submit such reduction of the surcharge, if approved by the Town Meeting, for acceptance by the voters of the Town of Norwell at the next qualifying Town of State Election, or take any action thereto?

By Petition

The Advisory Board voted unanimously (0-8) not to recommend this article. The Advisory Board feels that the Community Preservation Act has generated excellent results for the community over the years that it has been in place.

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**ARTICLE 46:** Shall the Town of Norwell vote to (1) revoke (effective Fiscal Year 2016) Article 28 of the Norwell Annual Town Meeting held on May 15, 2001 and reject sections 3 to 7, inclusive, of Chapter 44B of the General Laws of Massachusetts, also known as the Community Preservation Act, that established a dedicated funding source to acquire, create and preserve open space, historic resources, land for recreational use and community housing; thereby removing the surcharge of 3 percent (3%) on the annual real estate tax levy on real property which has been utilized in Norwell, together with matching funds from the Massachusetts Community Preservation Trust Fund, to fund the Community Preservation Act projects – which surcharge excluded (a) the first \$100,000 of value on each taxable parcel of residential real property and (b) property owned and occupied by any person who qualifies for low income housing or low or moderate income senior housing – and (2) revoke (effective Fiscal Year 2016) Article 31 of the Norwell Town Meeting held on May 13, 2002 removing the need for the Community Preservation Committee that makes recommendations on the use of the Community Preservation Act funds to Town Meeting, and further to submit such

revocation, if approved by the Town Meeting, for acceptance by the voters of the Town of Norwell at the next qualifying Town or State Election or take any other action in relation thereto?

By Petition

**The Advisory Board voted unanimously (0-8) not to recommend this article. The Advisory Board feels that the Community Preservation Act has generated excellent results for the community over the years that it has been in place.**

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**ARTICLE 47:** Shall the town of Norwell vote to amend the Town of Norwell Rules, Bylaws, and Regulations by inserting therein a new section, Article XXI, Elections and Appointments, as follows or take any action relative thereto?

## **ARTICLE XXI ELECTIONS AND APPOINTMENTS**

### **A. Residency**

1. No person shall be eligible for an elected town office, or appointed board, committee or commission membership who is not at the time of such election or appointment a bona fide resident or inhabitant of the Town of Norwell, (town), and any person ceasing to be a bona fide resident or inhabitant of said town shall thereupon cease to hold elective town office or appointed board, committee or commission membership in the town.
2. A bona fide "resident" or "inhabitant", shall pursuant to M.G.L. C. 62 s. 1 (f), mean (1) any natural person domiciled in the town, or (2) any natural person who is not domiciled in the town but who maintains a permanent place of abode in the town and spends in the aggregate more than one hundred eighty-three days of the town's taxable year, including days spent partially in and partially out of the town. Where the term "commonwealth" is used in M.G.L. C. 62 s. 1 (f), for the purpose of this sub-section 2., the term "town" shall be substituted therein.

### **B. Eligibility**

1. No person may be a candidate for election to town office or appointment to a town board, committee, or commission in the town of Norwell (town), who at the time that he/she files his/her statement of candidacy or makes himself/herself available for appointment, shall be delinquent in any tax, fee, fine, penalty, charge or any other financial obligation or liability of any kind or nature to the town.
2. No candidate who is duly elected to public office or person appointed to a town board, committee, or commission in the town shall be administered the oath of office nor be allowed to serve as an elective official or member of a board, committee, or commission, who on the day of election or appointment shall be delinquent in any tax, fee, fine, penalty, charge or any other financial obligation or liability of any kind or nature to the town.

### **C. Forfeiture**

1. An elected town officer or appointed member of a board, committee, or commission shall, during his/her term, pay, when due, all taxes, fees, fines, penalties, charges or other financial obligations or liabilities of any kind or nature due to the town.
2. If an elected town officer or appointed member of a board, committee, or commission shall fail to pay, when due, any tax, fee, fine, penalty, charge or other financial obligation or liability of any

kind or nature due to the town, the Town Treasurer/Collector shall immediately notify the Board of Selectmen (Board), and the Board or the Town Administrator, or their designee, shall demand, in writing, that he/she a) pay same or b) establish a payment plan through the Town Treasurer/Collector that would bring same current within sixty (60) days, by not later than fourteen (14) days from date of demand.

3. Except for good cause shown, if said elected town officer or appointed member of a board, committee, or commission shall fail to pay said delinquent tax, fee, fine, penalty, charge or other financial obligation or liability of any kind or nature not later than fourteen (14) days from the date of demand, or become delinquent in any previously established payment plan, he/she shall forthwith forfeit his/her elected office or appointment.
4. If the last date for doing an act provided for herein falls on a Saturday, Sunday or holiday or a day on which the offices of the town are closed for business, then said act may be performed on the next succeeding regular business day on which the town offices are open for business following the date on which said act was due to be performed.
5. Whether such violation has occurred shall be determined solely by the members of the Board and their decision shall be final.

#### D. Procedure

1. If any elected town officer or appointed member of a board, committee, or commission shall knowingly and intentionally violate any section of this Article XXI, any member of the Board, or the Town Administrator, upon information and belief, may file a petition in the nature of quo warranto with the Board, which shall put the question, as to whether or not said elected town officer or appointed member of a board, committee, or commission shall be cited to show cause why he/she shall not be held to have forfeited his/her office, before the Board in regular or special session.
2. The presiding chair of the Board, upon a majority vote of the members of the Board present at the session of the Board, the accused being disqualified from voting on the question, shall issue an order to show cause signed by the Board's presiding chair and directed to the elected town officer or appointed member of a board, committee, or commission, summoning such person alleged to be guilty of violation under any section of this Article XXI, to appear before the Board at a date and time set by the Board thereafter to answer the charge.
3. Such elected town officer or appointed member of a board, committee, or commission shall appear in person at the time and date set by the Board to answer the charge.
4. The Board shall serve the order to show cause, along with any bill of particulars or accompanying papers in support of said charge, presented to the elected town officer or appointed member of a board, committee, or commission by the charging party, not less than ten (10) days prior to the date set for hearing on the charge.
5. The order to show cause shall be served upon the town officer or appointed member of a board, committee, or commission:
  - a.) Personally, or
  - b.) By leaving same with a resident of the accused's home over the age of fourteen (14), or
  - c.) By posting same on the door of the accused's last known address and by first class certified mail, or
  - d.) By including notice thereof in the agenda of any regular Board meeting and posting thereof on the wall at the Town Offices in the usual course of business.

6. If the elected town officer or appointed member of a board, committee, or commission is present in the meeting at which the charge is presented or at which the order to show cause shall be issued, then the elected town officer or appointed member of a board, committee, or commission shall be served such order to show cause at the time said order to show cause is issued. However, if the elected town officer or appointed member of a board, committee, or commission refuses to accept service of process at said meeting, it shall be noted in the minutes and the elected town officer or appointed member of a board, committee, or commission shall be deemed to have been constructively served and notified of the charge; and the order to show cause and accompanying papers shall be left in his/her mail box in the Board's offices or the office of the Town Clerk.
7. The accused shall have the right to counsel.
8. On hearing of the matter, the Board if it shall adjudge, by a majority vote of the entire Board, the elected town officer or appointed member of a board, committee, or commission to be guilty of violation of any section of this Article XXI, shall punish him/her by declaration of forfeiture and ouster from office or appointment.
9. Payment of the tax, fee, fine, penalty, charge or other financial obligation or liability of any kind or nature later than a) fourteen (14) days from date of demand or b) later than the due date of any payment under any previously established payment plan, shall not mitigate, release nor set aside the forfeiture of office.
10. The decision of the Board shall be final.

By Petition

**The Advisory Board voted unanimously (0-8) not to recommend this article. While the Board has some agreement with the concept of requiring public officials to pay their taxes before being appointed or elected, the Board feels that the bylaw as presented is overly complex and would be difficult to administer and enforce.**

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**ARTICLE 48:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum of money to be deposited into the Town's OPEB Trust Fund to offset the cost of retired employee health insurance, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Board of Selectmen will determine whether or not to take any action under this article at the time of Town Meeting, and therefore the Advisory Board makes no recommendation on this article at this time.**

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**ARTICLE 49:** To see if the Town will vote to transfer from available funds or otherwise provide a certain sum of money to be added to the Capital Expenditure 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 Board of Selectmen will determine whether or not to take any action under this article at the time of Town Meeting, and therefore the Advisory Board makes no recommendation on this article at this time.**

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**ARTICLE 50:** 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 hereto.

Requested by the Board of Selectmen

**The Board of Selectmen will determine whether or not to take any action under this article at the time of Town Meeting, and therefore the Advisory Board makes no recommendation on this article at this time.**

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**ARTICLE 51:** To see if the Town will appropriate a sum of money from available funds and authorize the Assessors to use this sum to decrease the tax rate for FY 2016, or act on anything relative thereto.

Requested by the Board of Selectmen

**The Board of Selectmen will determine whether or not to take any action under this article at the time of Town Meeting, and therefore the Advisory Board makes no recommendation on this article at this time.**

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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. Herefore, 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 20th day of April, 2015.

Given under our hands at Norwell this \_\_\_\_ day of April in the year of our Lord, 2015.

BOARD OF SELECTMEN  
Norwell, Massachusetts

\_\_\_\_\_  
Ellen Allen, Chairman

\_\_\_\_\_  
Jason Brown, Vice-Chairman

\_\_\_\_\_  
David DeCoste, Clerk

\_\_\_\_\_  
Gregg McBride

\_\_\_\_\_  
Tammie Garner

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

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

# **APPENDIX A – Personnel Bylaw**

## **SECTION 1 – SCOPE OF THE PLAN**

This By-Law shall be known as the Personnel Plan, which has been adopted pursuant to the provisions of the M.G.L. Chapter 41, Sections 108A and 108C, and other enabling acts.

The Plan applies to all employees of the Town except:

- Aa) those selected by popular election
- Bb) those under the control of the School Committee; and
- Ce) those covered by collective bargaining agreements or personal contract.

Pursuant to the authority contained in M.G.L. Chapter 41, Section 108C, this By-law does not required the approval of the attorney general.

## **SECTION 2 – NON-DISCRIMINATION**

The provisions of this/her By-law shall be applied equally to all employees without discrimination as to age, sex, marital status, race, color, creed, national origin, handicap, ~~or political affiliation~~ or any lawfully protected class. All references to this By-law to employees of the male gender are used for convenience only and shall be construed to include both male and female employees.

## **SECTION 3 – DEFINITIONS**

Aa) "FULL-TIME EMPLOYEE" is a regular employee who works at least 37 ½ hours per week throughout the year.

Bb) "PART-TIME EMPLOYEE" is a regular employee who works fewer than 37 ½ hours per week throughout the year.

Ce) "TEMPORARY EMPLOYEE" is an employee in a full or part-time position which is not likely to require the services of an incumbent on a year-round basis. Seasonal employees and employees hired for a specific project on a short-term basis are considered temporary employees.

Dd) "PROBATIONARY EMPLOYEE" is an employee who has not completed six months of service or successfully passed his probation.

Ee) "REGULAR EMPLOYEE" is an employee who has completed his/her probationary period.

Ff) "EXEMPT EMPLOYEE" is a salaried employee who is employed in an executive, administrative, or professional capacity, and is not generally entitled to overtime pay if he meets the following criteria:

- 1a) Executive – primary duty is to manage a department
- 2b) Administrative – primary duty is an office or non-manual work directly related to management policies, or directly assisting an executive; and
- 3e) Professional – primary duty requires advanced knowledge acquired by specialized study, work is intellectual and the result is not standardized.

Gg) "NON-EXEMPT EMPLOYEE" is an employee, whether paid a salary or hourly wage, whose primary duty is not executive, administrative, or professional in nature. A non-exempt employee is entitled to overtime pay under certain conditions.

Hh) "CONTINUOUS EMPLOYMENT" is full or part-time employee which is uninterrupted except for military service, authorized vacation or sick leave, layoff of less than six (6) months, or other approved leave of absence.

li) "TOWN" is the Town of Norwell.

Jj) "BOARD" is the Personnel Board.

~~k) "EMERGENCY MEDICAL TECHNICIAN" will be employees who are scheduled to work an average of 18 hours per month for the year and are members for the Fire Department's Civilian Ambulance Squad.~~

~~A complete uniform will be issued to the employee upon start of employment with a maximum of \$100 per year allocated to replace damaged or worn out times, as approved by the supervisor.~~

~~All Emergency Medical Technicians employed by the Town will be required to maintain all certifications required by the Commonwealth of Massachusetts. Emergency Medical Technicians will be reimbursed for the total amount of training hours needed to stay certified. Any persons receiving Town supplied, entry-level Emergency Medical Technician training or re-certification hours will be obligated to serve the Town as outlined, for the duration of their certification or until termination for just cause or elimination of a position.~~

#### **SECTION 4 – PERSONNEL BOARD**

This Personnel By-law shall be administered by a Personnel Board, consisting of three (3) members appointed by the Board of Selectmen, who shall have the power to fill all vacancies. Members are appointed for a term of three (3) years. Members shall continue to hold office until their successors have been appointed and qualified. Members of the Personnel Board shall serve without compensation.

The Personnel Board shall meet regularly as necessary to consider such business as may be presented by Town officials, Town employees, and others. The Board shall select a chairman from its membership who shall preside over meetings. At any meeting of the Personnel Board, action by a majority of those Board members present shall be binding. At least two (2) members of the Board shall be present to constitute a quorum.

The Personnel Board is responsible for administering the Personnel Plan and may establish procedures as necessary to fulfill this/her charge. To aid in this function, the Board shall collect data from neighboring towns concerning salaries, wages, fringe benefits, and personnel policies for positions comparable to those in the Town of Norwell. The Personnel Board may, from time to time, make and issue interpretations and regulations consistent with the provisions of this Personnel By-law and necessary for its administration.

The Board of Selectmen, or their designee(s), shall be responsible for developing and administering a system of personnel administration for employees covered under the Personnel By-law and consisting of the following:

A4) assisting in the advertising, posting of job openings and initial screening of applicants upon request;

B2) reassigning employees according to workloads, with the approval of the employee's department head;

C3) correcting inadequate performance and separating employees whose inadequate performance has not been corrected, provided, the employee's department head agrees with such action;

D4) approving hours for positions in the Plan; and

E5) establishing working hours for Town Offices employees, full-time and part-time, within the framework of the public hours set by the Board of Selectmen. Part-time departments within the Town Offices will submit for approval hours of operations which will be publicly posted. Offices outside the Town Offices but open to the public will submit to the Selectmen and/or the Town Administrator the hours of operations, which will be publicly posted.

F6) establish and maintain such records, forms and procedures as necessary to control personnel transactions.

The salaries which shall be paid to elected Town officials shall be established by vote of the Town. As information for the guidance of the voters, the Board shall have the further power to recommend compensation

rates, salary adjustments, and fringe benefits which, in the opinion of the Board, will provide adequate and equitable compensation for elected officers.

The Board shall recommend to the Town each year such amendments to the Personnel Plan and the provisions of this By-law as the Board deems necessary and advisable. The Board shall prepare a written report for the information of the Town in advance of each Annual Town Meeting at which recommendations of the Board will be considered.

## **SECTION 5 – CLASSIFICATION PLAN**

### **Aa) Titles and Job Description**

The Personnel Board shall maintain written job descriptions of all jobs or positions in the Plan, describing the essential characteristics, requirements, and general duties of each position. The job description shall not be interpreted as complete or limiting definitions, but rather serve as a general guideline of the scope and nature or responsibility of the position.

An employee shall be employed and paid according to the job title and position associated with the duties that he actually performs.

Upon recommendation of the Board and subject to approval of the Town, the following offices and positions may be excluded from the Classification Plan:

- 1) Positions for which the compensation is on a fee basis or the incumbents of which render intermittent, casual, or contractual services;
- 2) Positions serving as members of boards and committees;
- 3) Temporary or seasonal positions established in connection with elections, or census taking, or recreation programs;
- 4) Town Counsel; and
- 5) Any other positions which the Board may recommend. The Board shall retain the authority to recommend compensation rates, working conditions, fringe benefits, and other aspects of employment for any positions excluded from the Classification Plan.

Whenever a new position is established, or when an existing position has so changed that, in effect, a new position is created, upon presentation of substantiating data satisfactory to the Board, the Board shall allocate such new or changed position to its appropriate classification.

Except in the case of an emergency, no person shall be employed as an employee of the Town in any position subject to the provisions of this By-law until the Board, or its designee, shall have determined that such employment is consistent with the Personnel Plan.

### **Bb) Job Description Review**

The Personnel Board shall periodically as the need arises review the duties of all positions subject to the Plan, in order to keep them up to date. The Board, upon presentation of substantiating data, may tentatively add a new position into the Classification Plan, or reclassify an existing position to a different grade, subject to subsequent ratification of its action by formal amendment of this Bylaw at Town Meeting. It shall be the responsibility of the department head to notify the Human Resources office or Personnel Board if an employee's duties are substantially changed, in which case the classification shall be reviewed by the Committee Personnel Board.

### **Aa) Compensation Review**

The Personnel Board shall, after consultation with the Board of Selectmen and Advisory Board, each year prepare and recommend to the Town a Compensation Plan for all positions subject to the provisions of this By-law. The Plan shall include, for each position in the Classification Plan, a minimum and maximum pay rate and such intermediate rates as the Board considers necessary and

equitable.

Whenever the Personnel Board reviews the wage and salary provisions of this By-law, it shall take into account and give such weight as it may deem desirable to the following:

- 1) Rates of pay for like positions in other Massachusetts towns considered by the Personnel Board to be comparable to Norwell.
- 2) Rates of pay for like jobs (if any) in commercial and business establishments in the area of Norwell and vicinity;
- 3) Other benefits received by Town employees;
- 4) The current level of the Consumer Price Index for the Boston area;
- 5) The financial policy and economic consideration of the Town.

#### **Bb) Status of New Employees**

All new non-temporary employees of the Town shall be considered to be probationary employees during the first six (6) months of service. At the end of six (6) months, each employee's status will be reviewed by his department head. If performance is meeting expectations, the employee will be made a regular employee. Should performance expectations not be met, the probationary period may be extended, the probationary period may be extended by no more than ninety (90) days or the employee will leave the service of the town. If the employee leaves the Town's service at the end of six months, without passing probation, he shall not be entitled to any accrued vacation. A probationary employee is entitled to pay for holidays and may use sick leave as earned.

~~New employees are normally hired at the minimum rate of pay for the position unless otherwise authorized in advance by the Personnel Board.~~ New employees shall be paid at the beginning rate of the grade allocated to the class of employment for which he has been hired, except that, upon prior request of the Department Head or Town Administrator, the Personnel Board may approve a starting rate for said employee above the beginning rate for said classification, depending upon the qualifications of the employee.

*(Approved at Town Meeting 5/15/2000)*

#### **C) Increases Advancement Within the Rate Ranges**

~~An increase~~ Following the probationary period, advancement to the next higher step rate may be granted to employees in continuous, meritorious employment as follows:

- 1) Hourly Non-exempt employees placed in Step 1 will be considered for step advancement after six (6) months of service within the grade.
- 2) Salaried Exempt employees placed in Step 1 will be considered for step advancement after one (1) year of service within the grade.
- 3) Employees placed in Steps 2 through 5 will be considered for step advancement after completion of one (1) year of service from the last advancement of placement. Except that part-time employees working fewer than twenty (20) hours per week shall be eligible for advancement in steps 2 through 5 after completion of one-thousand (1,000) hours of service from the last step advancement. The Department Head will provide back-up documentation of the one-thousand (1,000) hours worked by an employee to the Accounting Department prior to step advancement.

~~For advancement purposes the base rate for determining step rate increase shall be known as the employee's anniversary date. The anniversary date shall be: a) the date on which a new employee starts work; or b) thereafter, the date on which an employee's step increase, reclassification or promotion takes effect.~~

Progressions through the rate ~~changes~~ ranges are not mandatory and shall be on the basis of performance and ability, as recommended by the Department Head or supervisor. All adjustments shall be approved in advance of the effected date by the Personnel Board or its designee. An

employee not receiving a step rate increase may appeal the decision, using the Grievance Procedure outlined in Section 9 11.

#### **Dd) Transfers and Promotions**

An employee whose position is reclassified or upgraded, or who receives a promotion shall receive the rate in the new compensation grade next above his existing rate. If such a move results is in an increase of less than 4%, then he shall move an additional step.

If an employee is transferred to another position in the Town, he shall normally be transferred at the entrance rate of pay. If such a transfer is for the convenience of the Town rather than due to the employee's ability or performance, then he shall be transferred at his existing rate of pay. If his existing rate of pay is above the maximum rate of the new range, it will remain a personal rate, until such time as his personal rate is exceeded by the terms of the wage and salary schedule.

#### **E) Reinstatement**

An employee in good standing who leaves town employment by reason of resignation and subsequently re-enters service of the Town within thirty (30)) days of his date of resignation shall be eligible for the following benefits provided that the employee is reassigned to the same classification he held at the time of resignation:

- 1) The employee shall be placed in the same salary step in the appropriate compensation range as he was at the time of his resignation.
- 2) The employee shall receive credit for the previous length of service in calculating eligibility for advancement within the salary range and calculation of annual vacation benefits.

In instances involving layoffs or work force reduction an employee rehired within six (6) months of a layoff shall be eligible for reinstatement of service for the purposes of calculating vacation benefits.

No other benefits will be reinstated; the employee shall be eligible for any other benefits as offered to new hires.

#### **F) Overtime**

Payment for overtime shall be in accordance with the terms of the Fair Labor Standards Act of 1938, as amended. If an assignment requires work in excess of forty (40) hours per week, such overtime work must be authorized in advance by the department head. Non-exempt employees shall be paid one and one-half times their regularly hourly rate for hours worked beyond the forty (40) hours in the work week. Compensatory time may be taken in lieu of overtime pay, at the rate of time and one-half, only by mutual agreement of both employee and supervisor prior to overtime hours being worked. If such agreement is made, then compensatory time should be taken within a reasonable time of being earned in accordance with the Fair Labor Standards Act. An employee is eligible to be paid for any unused compensatory time upon his termination or retirement. Executive, Administrative, and Professional employees as shown in the Classification Plan are exempt employees and are not eligible for overtime pay.

#### **G) Sunday Pay for Library Duty**

An exempt status employee of the Library Department, assigned to work 37.5 hours per week, shall be compensated as follows for any work performed on a Sunday:

An employee who works a minimum four (4) hours on a Sunday, in addition to his regularly scheduled 37.5 hours work week, shall be eligible to receive a stipend for the work shift. The stipend will be based on the employee's step.

<u>Step</u>	<u>Stipend (Per Diem)</u>
<u>1</u>	<u>\$140.00</u>
<u>2</u>	<u>\$147.00</u>
<u>3</u>	<u>\$154.00</u>
<u>4</u>	<u>\$161.00</u>

<u>5</u>	<u>\$168.00</u>
<u>6</u>	<u>\$176.00</u>

The stipend will not be affected by any Cost of Living Adjustments. The position of Library Director is not eligible to receive Sunday Pay for Library Duty.

#### **H) Working Out of Class Compensation**

The Town Administrator may direct employees to work up to ten (10) consecutive working days without additional compensation.

- 1) Working Out of Class assignments shall only be made for positions vacated due to illness, an approved leave of absence or termination. To qualify for Working Out of Class Pay, an employee assigned by the Town Administrator or his Department Head (with the approval of the Town Administrator) must perform the primary duties of the higher classification and satisfy the requirements of the qualifying period. The Town Administrator shall, in his sole discretion, determine what the primary duties of the higher classification are. Notification of the approval of a Working Out of Class assignment shall be provided to the Human Resources office and the Accounting Department.
- 2) During the ten (10) consecutive days qualifying period before an employee is eligible to receive out of class pay, an absence of more than two (2) days for any reason including the authorized use of compensatory, vacation, sick or personal time, shall break consecutiveness and cause the qualifying period to start again. The Town Administrator may approve absences exceeding the two (2) days, on a case by case basis, and has the final authority to determine when the number of consecutive days has been broken for the purposes of an employee(s) meeting the qualifying period.
- 3) Any employee who is assigned to work out of class and satisfies the requirements of the qualifying period shall receive out of class pay at Step 1 of the higher class or 5% above the employee's regular weekly salary, whichever is greater, for work performed in the higher classification on the eleventh (11<sup>th</sup>) day of working out of class and for each day thereafter an employee works out of class.
- 4) In instances where it benefits the Town to assign more than one employee to share the performance duties of the higher classification while continuing to perform the duties of their regularly assigned positions and the employees assigned to share the duties of the higher classification satisfy the requirements of the qualifying period, those employees shall receive out of class pay equal to 2.5% above the employee's regular weekly salary.

#### **I) Premium Pay**

All full or part-time employees regularly scheduled to work for four (4) or more hours between the hours of 6:00p.m. and 6:00a.m. shall be paid a premium for all hours worked in addition to their regular straight time hourly rate. The premium shall be added to the regularly straight time hourly rate for each hour and shall be in the amount set forth in the Compensation Plan.

#### **J) Call-Back Pay**

If a full-time non-exempt employee is recalled to work from off-duty hours, he will receive a minimum of three (3) hours overtime pay, at the rate of time and one-half.

#### **K) Longevity Pay**

All regular employees hired before July 1, 2015 shall receive longevity payments according to the following scheduled:

<u>Length of Service Completed</u>	<u>Annual Amount</u>
5 years	<u>\$150 \$250.00</u>
10 years	<u>\$250 \$350.00</u>
15 years	<u>\$350 \$450.00</u>

20 years	\$450 \$550.00
25 years	\$550 \$650.00

*(Changes in longevity pay amounts approved at Town Meeting on 05/10/2004)*

This amount shall be paid in one lump sum in the first pay period following the anniversary of the employee's date of hire. The date of hire shall be considered the date when the employee began working for the Town at least twenty (20) hours per week on a continuous basis. The years of service shall be calculated from this date of hire.

All regular part-time employees working at least twenty (20) hours per week are entitled to longevity pay according to the above schedule, with the amount of payment pro-rated to their weekly schedule. Full-time employees hired on or after July 1, 2015, Temporary employees, or employees working fewer than twenty (20) hours per week are not entitled to longevity pay.

## **SECTION 7 – WORK WEEK**

The normal work week for employees shall be 37 ½ hours per week, except as follows:

Salaried Employees.....As Required

## **SECTION 8 – FRINGE LEAVE BENEFITS**

### **Aa) Vacation Leave**

Full-time employees shall be entitled to paid vacation in accordance with the following schedule:

- 1) Upon completion of six (6) months of service.....1 week
- 2) From one (1) year to four (4) years of service.....2 weeks/year\*
- 3) From five (5) years to nine (9) years of service..... 3 weeks/year
- 4) Upon completion of ten (10) years of service..... 4 weeks/year
- 5) Upon completion of twenty (20) years of service .....5 weeks/year

*\*NOTE: ten (10) days cumulative after first year provided five (5) days in 1) (A) has not been taken*

*(Approved at Town Meeting on 05/24/2005)*

An employee shall request vacation leave from his supervisor, giving as much notice as possible.

No employee may take vacation until completing ~~six months of service~~ his probationary period. If a holiday falls during a vacation period, an additional day off will be scheduled, by agreement with the department head.

Part-time employees working at least twenty (20) hours per week are entitled to vacation according to the above schedule, with their vacation pay pro-rated to their weekly schedule. Temporary employees, or employees working fewer than twenty (20) hours per week, are not entitled to vacation pay.

Employees are encouraged to take vacation on a regular basis, to allow for the proper rest from the rigors of work. Vacations should normally be taken in units of at least one week. An employee may, however, take vacation leave in separate days subject to department head approval.

The vacation year will begin on the anniversary of the employee's date of hire. An employee will have one (1) year to take his vacation time. Vacation time shall not be cumulative and employees will not be permitted to carry over vacation days into succeeding years without approval of the Department Head and the Personnel Board. In emergency situations, three (3) days could be carried over to be used within sixty (60) days.

### **Bb) Holidays**

The following holidays (or the day on which they are celebrated) are observed:

New Year's Day  
Martin Luther King Day

Columbus Day  
Veteran's Day

Washington President's Day Birthday  
Patriot's Day  
Memorial Day  
Independence Day  
Labor Day

½ Day Before Thanksgiving\*  
Thanksgiving Day  
Friday after Thanksgiving  
½ Day Christmas Eve\*  
Christmas Day

*\*NOTE: Holidays were updated to reflect the stated holidays in the SEIU 888 Clerical contract.*

Holidays falling on a Saturday shall be celebrated on the preceding Friday. Holidays falling on a Sunday shall be celebrated on the following Monday. If any of these holidays should fall on a Saturday or Sunday and are not being publicly celebrated (requiring Town Hall to close) the Selectmen, at their discretion, may grant a floating Holiday on another date within the fiscal year of the employee will receive pay for the day or an additional vacation day.

Part-time employees who work at least twenty (20) hours per week are eligible for holiday pay at the rate of 1/5 of their normal work week.

Holiday pay may be denied by a Department Head for employees who are absent from work without prior approval or justifiable cause on the scheduled day of work preceding or following a holiday.

If a non-exempt employee who is not normally scheduled to work on a holiday is called in to work for an emergency, then he shall be paid according to the procedures outlined under Sections 6Fe (Overtime) and 6Jg (Call-Back Pay).

Seasonal, intermittent, temporary, emergency and part-time employees working fewer than twenty (20) hours per week shall not be entitled to holiday pay but shall be paid at their regular rate for all hours worked if required to work.

### **Ce) Sick Leave Time**

Each full-time employee shall accumulate sick leave at the rate of one and one quarter day for each month of employment (fifteen (15) days/year). Unused sick leave may be accumulated up to a maximum of two-hundred (200) days.

Department heads, may, in their discretion, require medical certification of any illness.

Probationary employees are entitled to sick leave after completing at least one (1) month of service.

Part-time employees who work a minimum of twenty (20) hours per week are eligible to accumulate sick leave on a pro-rated basis.

Employees may use up to two (2) sick days each fiscal year as personal days. Personal days are not accumulated. If no sick days are used as personal days, the sick days may be carried over.

*Note: Previously contained in its own section titled Personal Days.*

For employees hired before July 1, 2007: Upon retirement as determined, or death of the employee, using a maximum accumulation of one-hundred-twenty (120) days, the Town will buy back all unused sick days accumulated above forty-five (45) days, for a maximum buy-back of seventy-five (75) days. Payment will be made at the current pay scale of the employee at the time of death or retirement.

For employees hired on or after July 1, 2007: ~~An employee hired on or after July 1, 2007~~ shall not be eligible to receive a sick leave buy-back upon death or retirement.

Employees shall be allowed to use up to five (5) days of accumulated sick leave for illness in their family. The Town may require certification of said illness from a medical provider.

*(Approved at Town Meeting on 05/14/2007)*

Employees may earn up to three (3) personal days in the fiscal year depending on the employee's use of sick leave. An employee who uses no sick leave for six (6) consecutive months shall be eligible for 1.5 personal days. A new six (6) months period will begin to run each time an employee returns to work after using a sick day. A personal day should be used within twelve (12) months of being earned, and is not eligible for redemption in pay in lieu of time off. Authorized paid leaves, other than sick leave, shall not be counted against an employee in establishing his attendance record.

*(Approved at Town Meeting on 05/15/2000)*

### **Dd) Bereavement Leave**

Full-time regular employees and part-time employees may be granted up to five (5) days of bereavement leave in the event of the death of spouse, domestic partner, parent, child, or stepchild.

Full-time regular employees and part-time regular employees may be granted up to four (4) days of bereavement leave in the event of the death of a brother, sister, grandparent, grandchild, parent-in-law, son-in-law, or daughter-in-law or member of employee's household. Full-time regular employees and part-time employees may be granted up to two (2) days of bereavement leave for the death of a sister-in-law or brother-in-law. Full-time regular employees and part-time employees may be granted one (1) day of bereavement leave for the death of an aunt or uncle.

If the death of one of the above, due to distance and travel time, creates a hardship for the employee to return to work within the time limits outlined, the Department Head and Town Administrator may grant two (2) additional unpaid days.

### **Ee) Military Leave**

Regular employees who are called for temporary military duty shall receive the difference between their military pay (excluding travel allowance) and their regular pay for up to two (2) weeks of such duty. Their vacation allowance shall not be affected by such duty.

### **Ff) Jury Duty**

Any employee required to serve on a jury shall be paid the difference between the compensation

received from the jury (excluding travel allowance) and his regular compensation from the Town. Proper evidence of jury pay received must be submitted to the department head.

### **G) Parental Leave**

In accordance with the Massachusetts Parental Leave Law, an employee with at least three (3) months of service may receive up to ninety (90) days of unpaid leave for the purpose of child-bearing, adoption and/or child care. Request for such leave shall be made at least two (2) weeks in advance to the department head. An employee may use available paid time off during the period of the leave requested. The full description of qualifying events, parental leave requirements and benefits outlined in the Parental Leave Law is available and can be requested from the Human Resources office. This summary of the act is not intended as a complete description of the law, nor is it intended to change, add to, subtract from or embellish the Law. If there is any conflict between the Law and this summary, the Law shall prevail.

### **H) Workers' Compensation**

In accordance with Chapter 152 (Sections 1-86) 52E of the Massachusetts Laws, all employees (except Police and Fire) are entitled to the benefits and provisions of this law. An employee may use his accumulated sick or vacation leave to make up the difference between his regular pay and the amount of pay received under Workers' Compensation. An employee shall receive no more than 100% of his weekly pre-disability earnings after combining Workers' Compensation payments and paid leave. While an employee is placed on Workers' Compensation leave, the employee's benefit accruals (i.e. sick, vacation, personal, other) as well as payment of stipends are suspended. Benefit accruals and payment of stipends will be reinstated effective upon the date an employee returns to active work. An employee returning to work on a full-time basis will begin accruing benefits at 100%; an employee returning to work on a less than full-time basis will begin accruing benefits on a pro-rated basis based on the percent of time he is working.

An employee who is out on Workers' Compensation leave is responsible for the continued payment of his share of health insurance, life insurance and any voluntary insurance premiums. Leave benefits should be coordinated with the Human Resources office and the Treasurer/Collector's Office.

During the initial five (5) day waiting period, while the workers' compensation claim is being evaluated and before any loss wages benefits may be paid, the employee may use his available paid leave accrual. If an employee is placed on Workers' Comp leave and loses more than twenty-one (21) days of lost work time as calculated by the Town's insurance carrier, the employee may request to buy back the leave used within the initial five (5) day waiting period. Specified requirements and procedures for requesting buy back of leave and a description of this buy-back provision are available in the Human Resources office.

### **I) Family and Medical Leave Act**

The Family Medical Leave Act of 1993 (FMLA Act) shall be incorporated into the Personnel By-Law. In accordance with the FMLA Act, the Town will provide eligible employees up to twelve (12) weeks of unpaid leave in the twelve (12) month period for one or more of the following reasons:

- 1) To care for a newborn or newly placed, adopted or foster child.
- 2) To care for a child, spouse or parent with a serious health condition.
- 3) To care for the employee's own serious health condition.

A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves either in-patient care at a health care facility or continuous treatment of a health care provider.

To be eligible for leave, an employee must have been employed by the Town for at least twelve (12) months and have worked at least 1,250 hours within the previous twelve (12) months period.

The twelve (12) month period shall be a rolling twelve (12) months period measured backward from the date the employee used leave under the Act.

The above sets forth some of the requirements of the Act but is not intended as a complete description of the FMNLA Act, nor is it intended to change, add to, subtract from or embellish the Act. If there is any conflict between the FMLA Act and this summary, the FMLA Act shall prevail. Family medical leaves must be coordinated with the Department Manager and the Human Resources office, in advance of the leave whenever possible. A full copy of the FMLA Act and necessary forms may be obtained from the Human Resources office.

#### **J) Small Necessities Leave Act**

The provisions of the Small Necessities Leave Act (SNLA Act) shall be incorporated into the Personnel By-Law. The following is a summary of the provisions of the Act but is not intended to be a complete description of the SNLA Act, nor is it intended to change, add to, subtract from, or embellish the SNLA Act. If there is any conflict between the SNLA Act and this summary, the SNLA Act shall prevail. Employees who are eligible for twenty-four (24) hours leave pursuant to the Small Necessities Act (G.L. Chapter 149, Section 52D) must substitute any accrued paid vacation leave, personal leave or any of the leave provided under the act.

To be entitled to leave, employees must provide to the Town Administrator the following:

- 1) If the need for leave is foreseeable, the employee must request the leave not later than seven (7) days in advance;
- 2) If the need is not foreseeable, the employee must notify the employer as soon as practicable under the particular circumstances of the individual case.
- 3) Employees must complete the certificate form which may be obtained in the Human Resources office.

#### **K) Domestic Violence Leave Act**

The provisions of the Domestic Violence Leave Act (DVLA Act) shall be incorporated into the Personnel By-Law. The following is a summary of the provisions for the DVLA Act but is not intended to be a complete description of the DVLA Act, nor is it intended to change, add to, subtract from or embellish the DVLA Act. If there is any conflict between the Act and this summary, the Act shall prevail. In accordance with Section 52E of Chapter 149 of the Massachusetts Laws, employees are permitted to take up to fifteen (15) days of leave from work in any twelve (12) month period if:

- 1) the employee, or a family member of the employee, is a victim of abusive behavior;
- 2) the employee is using the leave from work to: seek or obtain medical attention, counseling, victim services or legal assistance; secure housing; obtain a protective order from a court; appear in court or before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee; and
- 3) the employee is not the perpetrator of the abusive behavior against such employee's family member.

Before an employee may submit a request for the use of an unpaid Domestic Violence Leave to Human Resources, he must utilize any and all accumulated personal leave, vacation leave and sick leave available to them prior to requesting or taking leave.

Approved Domestic Violence Leave is an unpaid leave.

Domestic Violence Leaves must be coordinated with the department manager and the Human Resources office. A full copy of the policy and accompanying forms may be obtained in the Human Resources office.

#### **Lg) Other Leaves of Absence**

Leaves of absence, with the exception of maternity parental leave which shall be as outlined in Section 8G; may be granted, without compensation, by the Department Head for up to ninety (90) days. A leave of absence beyond ninety (90) days requires prior approval of the Personnel Board. An employee does not accrue sick leave or vacation leave, and is not eligible for holiday pay during a leave of absence. The date of a step rate increase is extended by the duration of the leave, if the leave is longer than ninety (90) days.

To be eligible for a leave of absence, an employee must have been in continuous service with the Town for at least one (1) year. Either full-time regular or part-time regular employees working at least twenty (20) hours per week are eligible for a leave of absence.

~~The employee is responsible for payment of 100% of health and life insurance premiums if the leave of absence extends beyond 90 days (see OTHER BENEFITS , A) INSURANCE).~~

This policy shall not operate to cut off the rights and entitlements of any employee called for active military duty. A leave of absence will be granted to said employee of the duration of his military service to the extent provided by the applicable federal and state law.

#### **h) Maternity Leave**

~~A female employee with at least six months of service may receive up to 90 days of unpaid leave for the purpose of child bearing and infant care. Request for such leave shall be made at least two weeks in advance to the department head. An employee may use available sick leave during the period of the leave when she is disabled. (Replaced by new Parental Leave language in section G)~~

#### **i) Workers' Compensation**

~~All employees are covered under the Mass Workers' Compensation law and are entitle to the benefits and provisions of this law. An employee may use his accumulated sick or vacation leave to make up the difference between his regular pay and the amount of pay received under Workers' Compensation (Replaced by Workers' Compensation language in Section H)~~

#### **j) Insurance**

~~The Town and employee shall share equally in the cost of health and life insurance benefits. Employees working a minimum of 20 hours per week on a year round basis are entitled to join the Town's group insurance program. (Moved to new SECTION 9 – OTHER BENEFITS)~~

#### **k) Educational Assistance**

~~Full time regular employees and part time regular employees working at least 20 hours per week, who have worked for the Town for at least one year are eligible. Approval of the particular course by the Department Head and Personnel Board must be given prior to enrollment in order to be eligible for reimbursement. Reimbursement for tuition, registration fees and books for professional courses which serve to improve the employees' knowledge and skills and increase their performance with the Town shall be made upon the following conditions: 1) successful completion of the course or program; 2) subject to sufficient municipal funds and 3) the employee signing an agreement to remain with the Town for a period of two years after educational funds received. (Moved to new SECTION 9 – OTHER BENEFITS)~~

#### **l) Family and Medical Leave Act**

~~The parties agree to incorporate the Family and Medical Leave Act of 1993 (Act) into the Personnel By Law. The following sets forth some of the requirements of the Act but is not intended as a complete description of the Act, nor is it intended to change, add to, subtract from or embellish the Act. If there is any conflict between the Act and this summary, the Act shall prevail.~~

~~In instances where the benefits of the various leave policies of the Personnel By Law (maternity, sick, personal, etc.) differ from those outlined in the act, an employee shall be entitled to the benefits that are most favorable to the employee.~~

~~A copy of the federal regulations implementing the Act may be reviewed in the Town Administrator's office.~~

~~In accordance with the Family and Medical Leave Act of 1993, the Town will provide eligible employees up to twelve weeks (12) of unpaid leave in the twelve month (12) period for one or more of the following reasons:~~

- ~~1) to care for a newborn or newly placed, adopted or foster child;~~
- ~~2) to care for a child, spouse or parent with a serious health condition;~~
- ~~3) to care for the employee's own serious health condition.~~

~~A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves either in patient care at a health care facility or continuous treatment of a health care provider.~~

~~To be eligible for leave, an employee must have been employed by the Town for at least twelve (12) months and have worked at least 1,250 hours within the previous twelve (12) months period.~~

~~The twelve month period shall be a rolling twelve month period measured backward from the date the employee used leave under the Act.~~

#### ~~Substitution of Paid Leave~~

~~If leave is taken under this policy because of the birth of a child, eligible female employees must first exhaust their accrued paid sick leave.~~

~~If leave is taken because of the employee's own serious health condition, eligible employees must first exhaust their accrued paid sick leave.~~

~~If an employee's accrued paid leave is less than twelve (12) weeks, the remaining weeks of leave will be granted without pay.~~

#### ~~Notice Requirement~~

~~In the case of leave for the birth or placement of a child, an employee must provide two (2) weeks advance notice to his or her supervisor before the date on which the leave is expected to begin. Otherwise, thirty (30) days notice is required, unless that is not practicable, and then as soon as practicable.~~

~~If leave required for a serious health condition is foreseeable based on planned medical treatment, employees are required to make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the Town. Employees are further required to provide thirty (30) days advance notice to their supervisor, or if the need treatment is not foreseeable, notice should be given as soon as practicable.~~

#### ~~Certification Requirement~~

~~Employees requesting leave under this policy must provide medical certification to the Town, when requested by the Town, which supports leave for their own serious health condition or to care for a seriously ill child, spouse or parent.~~

~~Certification is to include the date on which the serious health condition began, the probable duration of the condition; appropriate medical facts regarding the condition; a statement that the employee is needed to care for a spouse, parent, or a child (along with an estimate of the time required) or that the employee is unable to perform the essential functions of his or her job, and in the case of intermittent leave, the dates and duration of treatment to be given.~~

~~The Town may require at its own expense that a second opinion be obtained. In the event of conflicting opinions, the Town may require a third and final opinion at its expense to be provided by a health care provider jointly chosen by the Town and the employee.~~

~~The Town may require subsequent re-certification on a reasonable basis.~~

#### ~~Intermittent or Reduced Leave~~

~~An employee requesting leave because of his or her own serious health condition or the serious health condition of a child, spouse or parent may take leave, intermittently or on a reduced leave schedule, if it is medically necessary. The term intermittently describes a leave schedule in which the employee does not take all 12 weeks consecutively, but rather he or she takes a series of shorter leaves over an extended period of time. The term reduced leave describes a leave schedule in which the employee simply works fewer hours per week than usual.~~

~~The Town may require employees who seek an intermittent or reduced leave schedule to transfer temporarily to another position which can better accommodate recurring periods of leave than the employee's regular~~

~~position, provided the alternative position provides equivalent pay and benefits. Once the period of intermittent or reduced leave has been completed, the employee must be transferred back to the position he or she held prior to the leave, or its equivalent.~~

~~Any leave taken because of the birth of a child or placement of an adopted or foster child must be taken within one year of birth or placement of child.~~

#### **Employees Benefits During Leave**

~~The Town will maintain health coverage for an employee on leave under this policy at the level and under the same conditions (including the Town continuing to pay its portion of the health premium) as the employee would enjoy if not on leave. If the employee fails to return to work following the leave, unless the failure to return is due to the continuation, recurrence or onset of a serious health condition that would entitle the employee to leave for a serious health condition of him or herself or his or her family, or other circumstances beyond the employee's control, the employee on leave under this policy will be responsible for the cost of his or her health coverage during the period of leave.~~

#### **Reinstatement Following Leave**

~~Employees on leave are entitle to reinstatement to the same or equivalent position with equivalent pay, benefits and other terms and conditions of employment as they hold before going on leave.~~

~~Following a leave, an employee shall receive all of the same benefits that the employee would have received had the employee not taken eave except employees while on unpaid leave under this policy shall not accrue vacation and sick leave.~~

~~(Replaced with Family and Medical Leave Act in Section I)~~

#### **m) Personal Days**

~~Employees may use up to two (2) sick days each fiscal year as personal days. Personal days are not accumulated. If no sick days are used as personal days, the sick days may be carried over.~~

## SECTION 9 – OTHER BENEFITS

### A) Insurance

All health insurance programs are administered under the rules and regulations of Massachusetts G.L. Chapter 32B.

Employees shall pay the same percentage of monthly health and life insurance premiums as is paid by the members of the Norwell Town Employees Clerical Union (SEIU 888).

*(Approved at Town Meeting on 05/25/2005)*

Employees working a regular schedule with a minimum of twenty (20) hours per week on a year-round basis are entitled to join the Town's group insurance program.

Employees hired on or after July 1, 2012 shall pay 40% of the cost of the HMO health plan offered by the Town. *(Approved at Town Meeting on 05/07/2012)*

Plan Type	Employer	Employee
Indemnity	50%	50%
PPO	64%	36%

#### Employees Hired on or after July 1, 2012

Plan Type	Employer	Employee
HMO	60%	40%

#### Employees Hired before July 1, 2012

Plan Type	Employer	Employee
HMO	80%	20%

### B) Insurance Opt Out Program

Said employees who have been enrolled and participating in the Town insurance plan during the immediately preceding twelve (12) months may elect to opt out of the health insurance and receive an annual stipend to be divided and paid out on a weekly basis. Under no circumstances shall the weekly stipend exceed the annual amount. Effective July 1, 2015, and each year thereafter, there shall be an annual stipend for employees who opt out of the health insurance after he has been insured for at least twelve (12) consecutive months prior to the commencement of the period of non-coverage as follows: \$6,000 for the family plan and \$3,000 for the single plan.

To qualify for this opt out program, the employee must have other insurance coverage that is comparable to the health insurance the employee was receiving through the town and the employee must have been enrolled in one of the Town's plans.

The employee may not cancel his election to participate in this opt out plan until an annual open enrollment period, or unless the employee experiences a certifiable qualifying event. The employee should consult the Treasurer/Collector for the list of qualifying events and what evidence of coverage will be required.

If an employee elects to participate in this opt out program and a qualifying event occurs, as certified by the Treasurer/Collector, the employee will be able to re-enroll and resume health insurance coverage through the Town. *(Note: The Opt Out Program is a Town-wide program that is available in other Town collective bargaining agreements and personal contracts.)*

### C) Employee's Payment of Insurance Premiums While Out on an Approved Leave

Employees requesting and subsequently placed on any of the Leaves, as described in SECTION 8 – LEAVE BENEFITS, may be responsible for paying apportion or perhaps 100% of the insurance premiums for their Town insurance plans depending upon the type of leave requested and availability of employee paid leave. Employees must review the specific leave plan policy or provisions with the Human Resources office to determine the employee's responsibility for insurance premium payment in

order for the insurance policies to remain in full force and effect during the leave of absence.

### **DB) Educational Assistance**

Full-time regular employees and part-time regular employees working at least twenty (20) hours per week, who have worked for the Town for at least one (1) year are eligible. Approval of the particular course by the Department Head and Personnel Board must be given prior to enrollment in order to be eligible for reimbursement. Reimbursement for tuition, registration fees and books for professional courses which serve to improve the employee's knowledge and skills and increase their performance with the Town shall be made upon the following conditions:

- 1) successful completion of the course or program;
- 2) subject to sufficient municipal funds; and
- 3) the employee signing an agreement to remain with the Town for a period of two (2) years after completion of the course or program. Otherwise, the employee will reimburse the Town for all educational funds received.

### **SECTION 10 – SICK LEAVE BANK**

The basic purpose of the Sick Leave Bank, hereafter referred to as the Bank, is to provide additional sick days to a member who has exhausted his own sick days and is in an extended illness situation. The Bank is designed to not present any additional cost to the Town of Norwell in terms of sick days or management of the program. The intent is to provide income through sick days, to the unfortunate member in need of them, by the membership as a whole.

The following will be the format of the functioning and administration of the Bank:

- A) The administration of this Bank shall be vested in a Sick Leave Bank Committee comprised of three (3) persons, two (2) who shall be elected by the Personnel Plan Members and one appointed by the Town who shall serve as chairperson.
- B) In the first year each employee who wishes to be a member shall notify the Committee of their intent to become a member and shall contribute two (2) days of annual sick leave entitlement into the Bank on July 15<sup>th</sup>.
- C) In order to be eligible for membership in the Bank, a full-time employee must have at least ten (10) accumulated sick days. Eligibility of part-time employees who work more than twenty (20) hours per week shall be determined on a prorated basis.
- D) Each subsequent year each member of the Bank will donate one (1) sick day at the beginning of each fiscal year with the following exception: After a member has accumulated the maximum number of sick days, he may donate a maximum of two (2) days per fiscal year as long as he remains above the maximum accumulation.
- E) A member must use all of his sick days prior to applying for use of sick leave bank days.
- F) Only those employees who are active members will be eligible to apply for use of sick leave days.
- G) A member must request use of sick leave bank days by submitting a written request to the Bank Committee Chairperson on a form approved by the Bank Committee.
- H) Any member of the Sick Leave Bank who requests use of sick leave bank days agrees to permit the Bank Committee access to his attendance and sick leave records.
- I) The Bank Committee shall vote on each request of sick leave bank days and report their vote to the Town Administrator. Approval of the Bank Committee is necessary to be entitled to the use of sick bank days.
- J) The denial of the Bank Committee is not subject to arbitration.

K) The Bank Committee has the right, in case the bank has depleted all of its days, to come before the membership for additional contribution of sick days, subject to 2/3 vote of members present at the meeting.

L) Any member, who has used bank days, may at his discretion, repay any or all days used.

M) Any employee who is an active member of the sick leave bank and is ill and unable to contribute sick leave days on July 1<sup>st</sup> or at request time, shall not be penalized or removed from membership.

#### **SECTION 10 11 – GRIEVANCE PROCEDURE**

A grievance is a dispute between an employee and his appointing or supervisory authority arising out of an exercise of management rights or administrative discretion, or interpretation of this By-Law.

**Step 1.** An employee who has a grievance should discuss the grievance with the Department Head and/or supervisory authority in a mutual effort to resolve the grievance.

**Step 2.** If one (1) week after such conference, a satisfactory understanding and solution of the grievance has not been reached, then either the Department Head or the employee may refer the grievance to the Personnel Board. The Board shall hold a hearing thereon and render a written decision within ten (10) working days of such hearing.

**Step 3.** If an employee wishes to appeal the decision of the Personnel Board to the Town Administrator, the appeal must be filed in writing within thirty (30) days, following the decision of the Personnel Board.

**Step 4.** If an employee wishes to appeal the decision of the Town Administrator to the Board of Selectmen, the appeal must be filed in writing within thirty (30) days, following the decision of the Town Administrator.

#### **SECTION 11-12 – AMENDMENTS TO THE BY-LAW**

The Classification Plan, Compensation Plan, or other provisions of the By-Law may be amended by the vote of the Town at a Town Meeting. However, no amendment shall be considered or voted on Town Meeting unless the proposed amendments have first been considered by the Personnel Board, Board of Selectmen, and Advisory Board.

#### **SECTION 12-13 – COLLECTIVE BARGAINING AGREEMENTS**

The provisions of any collective bargaining agreement negotiated, as provided by the Massachusetts General Laws, between the Town and an employee group or union shall prevail over the provisions of this By-Law.

#### **SECTION 13 14 – SEVERABILITY CLAUSE**

Each provision of this By-Law shall be construed as a separate, to the end that if any part of it shall be held invalid for any reason, the remainder shall continue in full force and effect.

## CLASSIFICATION PLAN

### NON-EXEMPT CLASSIFICATIONS

<u>Grade</u>	<u>Position</u>
1	Shelver
2	None
3	None
4	Clerk Typist
5	Council on Aging Clerical Aid / Receptionist
6	Administrative Assistant
	Animal Control Officer
	Council on Aging Van Operator
	Custodian (Library)
7	None
8	Council on Aging Program Coordinator

### EXEMPT CLASSIFICATIONS

<u>Grade</u>	<u>Position</u>
9	Assistant to Town Administrator
10	Adult Services Librarian
	Children's Services Librarian
	Technical Services Librarian
	Library Systems Manager
11	Council on Aging Outreach Coordinator
	<u>Executive Assistant to Town Administrator (Approved at Town Meeting on 05/05/14)</u>
12	None
13	Assistant Town Administrator
	Treatment Manager (Water)
14	None
15	Library Director
	Council on Aging Director
16	<u>Water Superintendent (Approved at Town Meeting on 5/06/2014)</u>

## CLASSIFICATION PLAN

### NON-GRADED POSITIONS

#### STIPEND POSITIONS

Sealer of Weights & Measures  
Veterans' Service Officer

~~Veteran's Agent~~  
Harbor Master  
Cemetery Clerk

#### FLAT HOURLY RATE POSITIONS

Temporary Water Summer Laborer  
Temporary Tree & Highway  
Summer Laborer  
Temporary Recycling Laborer  
Temporary Trails Laborer  
Constables  
Wardens and Clerks and Tellers  
  
Matrons  
Election Workers  
School Crossing Guards  
Recreation Program Supervisor  
Recreation Program Instructor

#### FLAT HOURLY RATE POSITIONS

*Recreation Summer Positions:*  
Summer Program  
Roving Assistant  
Summer Program Instructor  
Summer Clinic Supervisor  
Summer Clinic Leader  
Summer Site Supervisor  
(SCENE)  
Summer Site Leader (SCENE)

## APPENDIX B – Article 44 - Complete Streets

Effective Date	TBD
Expiration Date	None
Date Last Revised	
Board of Selectmen Vote to Adopt Policy	TBD

### TOWN OF NORWELL COMPLETE STREETS POLICY

**WHEREAS**, Stated goals in the Norwell Master Plan are to provide pedestrian and bicycle access along existing roadways and utilize traffic calming strategies to make roadways safer; and

**WHEREAS**, Complete Streets is an approach to community transportation using design principles to ensure the safety, comfort, and accessibility for users of all ages, abilities, and income levels and for all the users of our streets, trails and transit systems, including pedestrians, bicyclists, transit riders, motorists, users of wheelchairs and other power-driven mobility devices, commercial and emergency vehicles; and

**WHEREAS**, Complete Streets can reduce congestion by providing safe travel choices that encourage non-motorized transportation options, increasing the overall capacity of the transportation network as well as decreasing consumer transportation costs and overall carbon footprint; and

**WHEREAS**, Complete Streets support economic growth and community stability by providing accessible and efficient connections between home, school, work, recreation and retail destinations by improving the pedestrian and vehicular environments throughout communities; and

**WHEREAS**, Complete Streets enhance safe walking and bicycling options for school-age children, in recognition of the objectives of the national Safe Routes to School program and Physical Activity Guidelines; and

**WHEREAS**, Complete Streets can help reduce crashes and injuries and their costs.

**NOW, THEREFORE**, the Board of Selectmen adopts this Complete Streets Policy.

#### Vision and Purpose:

The purpose of the Town of Norwell's Complete Streets Policy is to accommodate all road users by creating a roadway network that meets the needs of individuals utilizing a variety of transportation modes. It is the intent of the Town of Norwell to formalize the plan, design, operation, and maintenance of streets so that they are safe for users of all ages, all abilities and all income levels as a matter of routine. This Policy directs decision-makers to consistently plan, design, construct, and maintain streets to accommodate all anticipated users including, but not limited to pedestrians, bicyclists, motorists, emergency vehicles, and freight and commercial vehicles.

#### Core Commitment:

The Town recognizes that all roadway projects (including new construction, maintenance and reconstruction) are potential opportunities to apply Complete Streets design principles. The Town will, to the maximum extent practical, design, construct, maintain, and operate streets to provide for a comprehensive and integrated network of facilities for people of all ages and abilities.

Complete Streets design recommendations will be incorporated into all publicly and privately funded projects, as appropriate, including: new transportation infrastructure and street design projects requiring funding or approval by the Town of Norwell, projects funded by the State and Federal government (including but not limited to Chapter 90 funds, city improvement grants, Transportation Improvement Program (TIP), MassWorks Infrastructure Program, Community Development Block Grants (CDBG), Capital Funding and other state and federal funds for street and infrastructure design), and privately funded subdivision developments. In addition, to the extent practical, state-owned roadways will comply with the Complete Streets Policy, including the design, construction, and maintenance of such roadways within Town boundaries.

These transportation infrastructure projects may be excluded from review upon approval by the Complete Streets Working Group, where documentation and data indicate that any of the following apply:

1. Roadways where specific users are prohibited by law, such as interstate freeways or pedestrian malls. An effort will be made, in these cases, for accommodations elsewhere.
2. Cost or impacts of accommodation are excessively disproportionate to the need or probable future use.
3. Other Town policies, regulations, or requirements contradict or preclude implementation of Complete Streets principles.

In addition, Town Departments, in consultation with a Complete Streets Working Group (described below), will use best judgment regarding the desirability and feasibility of applying Complete Streets principles for routine roadway maintenance and projects, such as repaving, restriping, and so forth.

#### Best Practices:

The Town of Norwell Complete Streets Policy will focus on developing a connected, integrated network that serves all road users. Complete Streets will be integrated into policies, planning, and design of all types of public and private projects, including new construction, reconstruction, rehabilitation, repair, and maintenance of transportation facilities on streets and redevelopment projects. As practicable, recommendations from the Complete Streets Working Group for incorporating complete streets elements will occur in projects' beginning stages prior to design.

Complete Streets principles include the development and implementation of projects in a context-sensitive manner in which project implementation is sensitive to the community's physical, economic, and social setting. The context-sensitive approach to process and design includes a range of goals by giving significant consideration to stakeholder and community values. It includes goals related to livability with greater participation of those affected in order to gain project consensus. The overall goal of this approach is to preserve and enhance scenic, aesthetic, historical, and environmental resources while improving or maintaining safety, mobility, and infrastructure conditions.

Implementation of the Town of Norwell Complete Streets Policy will be carried out cooperatively within all relevant departments in the Town of Norwell and, to the greatest extent possible, among private developers, and state, regional, and federal agencies.

The Town of Norwell recognizes that "complete streets" may be achieved through single elements incorporated into a particular project or incrementally through a series of smaller improvements or maintenance activities over time.

The latest design guidance, standards, and recommendations available will be used in the implementation of Complete Streets, including the most up-to-date versions of:

- The Massachusetts Department of Transportation Project Design and Development Guidebook
- Pioneer Valley Planning Commission's Healthy Community Design Toolkit
- The United States Department of Transportation Federal Highway Administration's Manual on Uniform Traffic Design Controls

- The Architectural Access Board (AAB) 521CMR Rules and Regulations
- Documents and plans created for the Town of Norwell, including but not limited to:
  - Master Plan
  - Sidewalk Prioritization Plan
  - Town Center Design Plan
  - Open Space Plan

#### Implementation:

The Town shall make complete streets practices a routine part of everyday operations, shall approach every transportation project and program as an opportunity to improve streets and the transportation network for all users, and shall work in coordination with other departments, agencies, and jurisdictions to achieve complete streets.

The Town shall form a Complete Streets Working Group to implement the Complete Streets initiative. The working group will be a multidisciplinary team and members will include representation from: Pathway Committee, Board of Selectmen, Highway Department, Planning Board, Department of Recreation and other committees, departments or organizations as appropriate. The group shall elect a chair, vice chair and clerk to organize and run meetings.

Key responsibilities of the Complete Streets Working Group will be to:

1. Increase communication and forge partnerships among the various stakeholders.
2. Ensuring the implementation of the Complete Streets Policy and, where necessary, alter existing practices and overcoming barriers that may act as impediments to implementation.
3. Regularly update and solicit feedback on potential projects with the general public to ensure that the perspectives of the community are considered and incorporated, as appropriate.
4. Work to integrate Complete Streets principles in all new planning documents, as applicable (master plans, open space and recreation plan, etc.), laws, procedures, rules, regulations, guidelines, programs, and templates and make recommendations for zoning and subdivision codes.

The Town will secure training for the Complete Streets Working Group, pertinent Town staff and decision-makers on both the technical content of Complete Streets principles and best practices, as well as community engagement methods for implementing the Complete Streets Policy. Training may be accomplished through workshops and other appropriate means.

The Town will utilize inter-department coordination to promote the most responsible and efficient use of resources for activities within the public way.

The Town will maintain a comprehensive inventory of pedestrian and bicycle facility infrastructure that will highlight projects that eliminate gaps in the sidewalk and bikeway network.

The Town will evaluate projects, as appropriate, within the Capital Improvement Plan to encourage implementation of this Policy.

The Town will seek out appropriate sources of funding and grants for implementation of Complete Streets policies.

#### Evaluation of Effectiveness:

The Complete Streets Working Group will develop performance measures to periodically assess the rate, success, and effectiveness of implementing the Complete Streets Policy. The group will determine the frequency of assessment and utilize appropriate metrics for analyzing the success of this policy. These metrics may include the total number of new bicycle lanes, the linear feet of new pedestrian accommodation,

number of retrofitted pedestrian facilities or amenities, number of intersection improvements made to improve Level of Service (LOS) and safety for vehicles, pedestrians and bicyclists, rate of crashes by mode, rate of children walking or bicycling to school, and/or number of trips by mode. These metrics will be compiled into a report by the working group and presented as needed, but no less than annually.





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Norwell, Massachusetts 02061**

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