



**TOWN OF NORTON**  
**BOARD OF SELECTMEN**  
70 EAST MAIN STREET  
MUNICIPAL CENTER, NORTON, MASS. 02766  
TELEPHONE (508) 285-0210

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**BOARD OF SELECTMEN**  
**MINUTES OF MEETING FOR**  
**DECEMBER 17, 2009**

- I. **CALL TO ORDER BY CHAIRMAN:** The December 17, 2009 Board of Selectmen meeting was called to order at 7:00 p.m. by Acting-Chairman, Mr. Kimball.

A. **Roll Call:** Acting-Chairman, Mr. Robert Kimball; Messrs. Bradford Bramwell and Robert Salvo were present. Chairman, Mr. Timothy Giblin and Mrs. Mary Steele were absent. Mr. James Purcell, Town Manager, was also present.

B. **Pledge of Allegiance**

**II. WARRANTS AND MINUTES**

A. Approve bi-weekly payroll for the period ended December 12, 2009, Warrant #35, dated December 17, 2009, in the amount of \$1,067,773.69

**MOTION was made by Mr. Salvo to approve bi-weekly payroll for the period ended December 12, 2009, Warrant #35, dated December 17, 2009, in the amount of \$1,067,773.69. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

B. Approve bills Warrant #36, dated December 17, 2009, in the amount of \$659,973.92

**MOTION was made by Mr. Salvo to approve bills Warrant #36, dated December 17, 2009, in the amount of \$659,973.92. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

C. Approve Minutes – September 17, 2009 Executive Session

**The Board agreed to hold off on reviewing/approving the above-referenced minutes until a full board is present.**

**III. LICENSES AND PERMITS**

1. 2010 License Renewals

AC Main St. Donuts, LLC (Common Victualler)  
d/b/a Dunkin Donuts  
103 W. Main Street

**MOTION was made by Mr. Bramwell to approve the 2010 License Renewal for a Common Victualler license for AC Main St. Donuts, LLC, d/b/a Dunkin Donuts, 103 W. Main Street. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

Honey Dew Donuts  
61 West Main Street

(Common Victualler)

**MOTION was made by Mr. Bramwell to approve the 2010 License Renewal for a Common Victualler license for Honey Dew Donuts, 61 West Main Street. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

#### **IV. ANNOUNCEMENTS**

Town Offices will close at 12:30 p.m., December 24<sup>th</sup>, and 4:30 p.m., December 31<sup>st</sup>.

Happy Holidays and a very happy, healthy New Year!  
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#### **V. BUSINESS**

##### **A. NEW BUSINESS**

##### **1. 7:05 P.M. - Presentation of the Boston Post Cane**

Mr. Salvo read the history of the Boston Post Cane. It was noted Mr. Leo Yelle was the last recipient of this Cane, and he has since passed away.

Dorothea ("Dot") Schissler is 100 years old and she was congratulated and awarded a certificate and plaque and will receive a replica of the Boston Post Cane pin shortly.

Mr. Kimball also thanked Ruth Gould for assisting with this.

##### **2. 7:10 P.M. - Norton Cable Access Corporation -**

##### **a) Vote to sign Funding Agreement – Town of Norton Fiber Network Project;**

Ms. Gretchen Stalters stated there were two openings on their board.

Ms. Lyn Weigel gave history and said they are putting together committee and with town hall and fire dept. It will help Fire Dept. safety cable. Comcast fell through and increase in percentage when contract discussed. Phase I and II and gift account referenced, and have taken time to go to bid and find a vendor and ready to begin once contract signed. This network will connect Wheaton and all five schools; town hall; fire dept; Chartley fire Dept, etc. Fiber network to increase speed between buildings (network to help with community).

Mr. Kimball stated the connection between town buildings is the biggest problem.

Mr. Jason Benjamin said amount is \$116,000 for constructing fiber-network and he read description (replaces 30 year old Comcast structure). It will save Town and schools money and will bring Norton into the 21<sup>st</sup> century, however, patience is needed.

Mr. Benjamin said another project they are looking at is spaces to lease for more visibility, etc. He spoke of Middle School broadcast - small studio with \$5,000 grant received.

Mr. Kimball said this was long overdue. He said if they are looking for a bigger space, the town municipal center has a full basement (former police dept.).

Mr. Benjamin said accessibility and visibility is important especially on Route 123.

Mr. Benjamin said copper cabling in the town hall building caused problems transmitting to studio, etc. This is a real net gain for Town and took five years but here it is.

Mr. Kimball commented this was not just for cable access but for public safety as well.

It was noted Ms. Weigel is coordinating with Fire Dept. (Charlene Fisk).

Mr. Bill Gouveia said fiber optic network provides a vehicle; much more for Town and schools; not just cable.

Mr. Purcell stated the money was coming from capitalization expenses. Also need to help install phone system which will be helped with fiber; shifting of resources from this slot to another slot, etc., and everyone will be "lit up" at once.

Conceptualization of this work in which Cable Access put into this was a lot of work (consultant hired, solicited construction bids; lots of meetings, and gift of their time. He thanked Cable Access.

Mr. Bramwell commended all people involved and hoped to utilize it to the fullest extent.

**MOTION was made by Mr. Salvo to approve and vote to sign Funding Agreement – Town of Norton Fiber Network Project. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

b) Vote to sign Contract & General Conditions for Installation Testing and certification of Public Safety Optical Network Infrastructure

**MOTION was made by Mr. Bramwell to approve and vote to sign Contract & General Conditions for Installation Testing and certification of Public Safety Optical Network Infrastructure. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

Mr. Purcell referenced a check in the amount of \$116,000 from Norton Cable Access Corp. to Town of Norton to carry out this project.

3. Jennifer Carlino, Conservation Director, and Conservation Commission Members Re: Proposed By-Law

Mr. Julian Kadish also attended this meeting and update of bylaw was presented.

Ms. Carlino said the first public hearing was held on December 14<sup>th</sup> and lively discussion occurred regarding it. There are multiple parties interested in bylaw (for or against) including Mr. Goddard, Mr. Yardley, Mr./Attorney Watskey, Mr. Cogliano, Mr. Yarworth and other parties. New posting to be done on ConCom website and a one page info sheet. Ms. Carlino referenced Section 1 being about four pages and is what will be discussed January 11<sup>th</sup>.

Mr. Bramwell referenced bylaw and said if people are concerned they need to take time and voice opinions at public hearings, etc. People on ConCom volunteer their time to Town and not fair to these people volunteering. Important to be positive and constructive.

Mr. Salvo agreed with Mr. Bramwell that people need to attend these public meetings as he does not have all answers when asked by residents.

Mr. Kadish said Mr. Yarworth had some concerns and it was very helpful as they may have overlooked some things. Open discussion with developers or residents helpful to get input.

Mr. Kimball agreed comments or ideas need to be brought in to public hearings instead of getting "blindsided" at Town Meeting with many of these comments, etc.

Mr. Kadish understands many residents/people have busy lives, but can call Ms. Carlino or send a note and they will somehow get answer(s) to question(s).

4. Vote Re: property located at 63 West Main Street and parcel of land located at 0 Rear Cottage Street

Mr. Purcell explained this was one of two documents that needed to be executed by Board of Selectmen and corresponding document by Water & Sewer Dept. Home Rule Petition was referenced and this was authorized at Town Meeting. Authority of State legislation and town meeting time is now to affect that land swap.

**MOTION was made by Mr. Bramwell:**

**Voted: That pursuant to the authority granted us by the vote under Article 10 of the Fall Town Meeting of October 6, 2008, and by Chapter 134 of the Acts of 2009, we**

**(A) declare a portion of the property located at 63 West Main Street and shown as Lot 85 on Assessors Map 22 containing approximately 66,615± square feet, said portion shown as "Lot A" on a plan entitled "Plan of Land on West Main Street in Norton, Massachusetts Prepared for**

Norton Water Department" dated April 30, 2008, by Yarworth Engineering Company, Inc., is no longer needed for park purposes;

(B) transfer the care, custody, management, and control of said 66,615± square foot portion of Lot 85 on Assessors Map 22 to the Board of Water and Sewer Commissioners of the Town of Norton for water supply purposes and also for the purpose of leasing; and,

© accept the transfer of care, custody, management, and control from the Board of Water and Sewer Commissioners of a parcel of land located at 0 Rear Cottage Street and shown as Lot 106 on Assessors Map 21, containing approximately 4.5 acres, to be held for park purposes. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

Mr. Purcell said now a lawful authority to enter into leases on Water & Sewer Dept. property.

5. Vote to grant 2:00 A.M. Closing for the New Year's Eve Celebration:  
a) Request of Timothy G. McCarthy d/b/a Alberto's, 241 Mansfield Avenue

**MOTION was made by Mr. Bramwell to approve Request of Timothy G. McCarthy d/b/a Alberto's, 241 Mansfield Avenue, to grant 2:00 A.M. Closing for the New Year's Eve Celebration. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

6. Vote to set Spring Annual Town Meeting date

Mr. Purcell stated he met with dept. heads and January 15 is date dept budgets are due to him May 10 is proposed date of Spring Annual Town Meeting date. Mr. Purcell said there were several article requests and warrant needed to be presently opened.

Mr. Kimball said first Monday in June vs. May he is thinking of, so by that time Town will have a clearer picture of things.

Mr. Purcell said he would ask Board to schedule May knowing there is option of going beyond/extending town meeting. He had concerns with deadlines, etc.

Mr. Kimball said this can be looked at again in March. Discussion ensued.

**MOTION was made by Mr. Bramwell to set Spring Annual Town Meeting to May 19, 2010 at 7 p.m. At the H.A. Yelle School. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

**B. OLD BUSINESS**

**APPOINTMENTS/RESIGNATIONS**

. Dispatchers: Mr. Purcell stated there were three individuals to share one full-time position. Sometimes bringing in a full-timer, if it does not work out, it can be problematic. One previous employee resigned before first anniversary date and feeling of chiefs and Charlene Fisk this is best approach. Both chiefs (fire and police) and Charlene Fisk endorse their candidacy.

Mr. Purcell said these are not benefited positions and are no more than 20 hours per week generally. \$16.00 per hour with no benefits.

**MOTION was made by Mr. Bramwell to accept appointment of the following three individuals as dispatchers for the Town of Norton (James M. Viera, Victoria P. Gordon, and Kevin R. Nunes). Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

#### **VI. SELECTMEN'S REPORT AND MAIL**

Mr. Salvo said he had some phone conversations with people regarding increase on sales tax and had questions if Town will be making notifications? As of January 1, 2010 increase will take place.  
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Mr. Salvo said with winter months here, mailboxes are on town property and many posts are unstable. If a town vehicles hits mailbox directly it is Town's responsibility; but for snow damage Town won't replace. Please ensure all mailboxes/posts are in good condition, etc.  
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Mr. Bramwell discussed ConCom/Open Space project, and people/residents are being confused with selective cutting/thinning of forest of dead trees. No clear cutting of trees is to be done.

Mr. Kimball said trees are to be clearly marked.

Mr. Purcell said no clear cutting; thinning can be a bit unsightly that first year but it is like weeding a garden.  
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Mr. Kimball said it was just recently learned the skating rink permit just expired.

Mr. Purcell said he is working on that issue now.

Mr. Kimball said it is important to think of how to proceed at this point and need to come up with some engineering money. He does not want material to leave and to graze out land would be ideal (plan already made); instead of an organized sports complex hand over to Recreation who can lease field, etc.

Mr. Purcell said Town ought to be making improvements to property. Sports leagues made out a grant application and don't want to turn over to leagues because leagues cannot get state grant money.

Mr. Kimball stated there is an agreement that Town wants to keep clean material there and use by Town and bring elevation up to a certain level.

Mr. Purcell stated he believed Water and Sewer Commission has a site plan approval request before Planning Board so it is probably venues to which are being referred.

#### **VII. TOWN MANAGER'S REPORT**

The Search Committee for interim town clerk is taking shape. Three people on committee: Ann

Rodrigues; Lee Tarantino of FinCom and was member of Town Government Study Committee; and Fincom member. Also, Police Chief Bran Clark a member of committee as police department interacts with town clerk's office also.

Mr. Purcell said he is still interested in another party or two and someone in legal community would be helpful. A lot of raw material for committee; a lot of work and a short-term project.

Mr. Purcell stated this was the last meeting for this year (2009) and wishes everyone a Merry Christmas and Happy Holidays. Board of Selectman's next meeting to be held January 7, 2010.

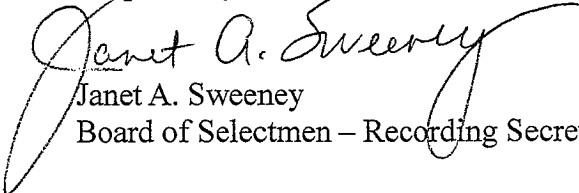
**VIII. NEXT MEETING'S AGENDA**

**IX. EXECUTIVE SESSION**

**X. ADJOURNMENT**


**MOTION was made by Mr. Bramwell to Adjourn at 8:23 p.m. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

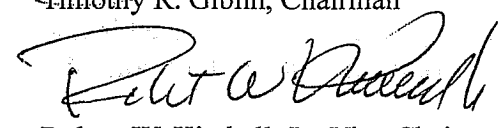
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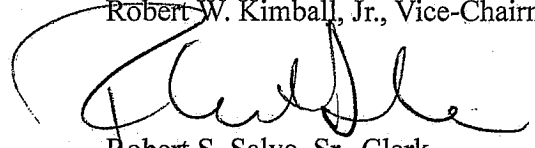
  
Janet A. Sweeney  
Board of Selectmen – Recording Secretary

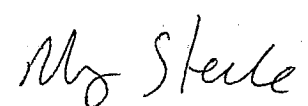
**BOARD OF SELECTMEN  
MINUTES OF MEETING  
DECEMBER 17, 2009**

**BOARD OF SELECTMEN:**

  
Timothy R. Giblin, Chairman

  
Robert W. Kimball, Jr., Vice-Chairman

  
Robert S. Salvo, Sr., Clerk

  
Mary T. Steele

  
Bradford K. Bramwell

Dated: 3/11/10