



## TOWN OF NORTON

### BOARD OF SELECTMEN

70 EAST MAIN STREET

MUNICIPAL CENTER, NORTON, MASS. 02766

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### BOARD OF SELECTMEN MINUTES OF MEETING FOR FEBRUARY 11, 2010

- I. **CALL TO ORDER BY CHAIRMAN**: The February 11, 2010, Board of Selectmen meeting was called to order at 7:00 p.m. by Chairman, Mr. Giblin.

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

B. **Pledge of Allegiance**

### II. **WARRANTS AND MINUTES**

A. **Approve bills Warrant #46, dated February 4, 2010, in the amount of \$138,986.53**

**MOTION was made by Mr. Salvo to approve bills Warrant #46, dated February 4, 2010, in the amount of \$138,986.53. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

B. **Approve bi-weekly payroll for the period ended February 6, 2010, Warrant #47, dated February 11, 2010, in the amount of \$1,014,396.25**

**MOTION was made by Mr. Salvo to approve bi-weekly payroll for the period ended February 6, 2010, Warrant #47, dated February 11, 2010, in the amount of \$1,014,396.25. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

C. **Approve bills Warrant #48, dated February 11, 2010, in the amount of \$1,229,903.33**

**MOTION was made by Mr. Salvo to approve bills Warrant #48, dated February 11, 2010, in the amount of \$1,229,903.33. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES**

D. **Approve Minutes – September 24, 2009**

**October 1, 2009**

**October 15, 2009**

**October 29, 2009**

**MOTION was made by Mr. Salvo to approve the Board of Selectmen Minutes of Meeting, dated September 24, 2009, as written. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Salvo to approve the Board of Selectmen Minutes of Meeting, dated**

October 1, 2009, as written. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Salvo to approve the Board of Selectmen Minutes of Meeting, dated October 15, 2009, as written. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Salvo to approve the Board of Selectmen Minutes of Meeting, dated October 29, 2009, as written. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

### **III. LICENSES AND PERMITS**

### **IV. ANNOUNCEMENTS**

Town Offices will be closed Monday, February 15, 2010, in observance of Presidents' Day.

Flu Clinic was canceled on 2/10/10 and rescheduled to 2/17/10 because of the inclement weather. Clinic will be at Town Hall (2<sup>nd</sup> floor) and residents can call 285-0263 to schedule an appointment/for more info.

Kathy Bailey Memorial Basketball game to be held 3/5/10 at 6:30 p.m.; cost of tickets are \$7.00 a piece and there will be no tickets sold at door.

Norton High School class play, "The Somewhat rue Tale of Robin Hood", to be held 3/12 and 3/13.

Oasis Club Pre-Tricentennial fundraiser "Sadie Hawkins Day" to be held 2/20/10 at Club Oasis.

Soles for Souls drop off bins at Norton High School through 2/12 for victims of Haiti earthquake.

Town Clerk's office wants to thank residents for returning census forms; if not yet returned, please do so.

### **V. BUSINESS**

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

1. 7:05 P.M. - Suzan Duggan, MAA, Director of Assessing Re:
  1. a) May 10, 2010 Town Meeting Warrant Articles
  2. b) Fairlee Lane Right of First Refusal

Ms. Duggan reviewed Warrant articles and discussed elderly exemptions-41C and looking to go to maximum of \$20,000 (single).

Mr. Kimball spoke of importance of being clear why increases are being looked into and concern of opponents of overrides. Age limit of 70 has not changed, but increase from 750 to \$1,000 per person and half of that reimbursed by State. Exemption is giving those people money.

Mr. Purcell stated it was adjustable every year so not having to go to Town Meeting every year (to put

on index basis).

Mr. Giblin clarified voting for this Article would increase the exemption amount of those 70 and over who meet criteria.

Mrs. Steele stated this is helping people who need it a lot; for those few lower income elderly.

b) It was noted Lot 62 was withdrawn. Lot 61 = 22,000 square feet, rear agricultural land offered to Town. \$131,250 is sale price.

Mr. Kimball said Town is not in position to spend this money.

Ms. Duggan said Conservation Commission has no interest in it either. Land conveyed by Makepeace a couple of years ago.

Mr. Purcell explained right of first refusal.

Mr. Giblin stated Town does not have \$131,000.

**MOTION was made by Mr. Kimball to not exercise Town's option on Fairlee Lane property. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

2. 7:30 P.M. - Building Inspector Bryan Butler and Part-Time Local Inspector Scott Barbato Re: Work Program

This was rescheduled by Mr. Butler for a later date (in about three to four weeks).

3. 7:45 P.M. - Conservation Director Jennifer Carlino and Conservation Commission Vice-Chairman Julian Kadish Re: Update – Proposed Wetlands By-Law Rules and Regulations

Ms. Kathleen Giblin and Ms. Jennifer Carlino were present (and Mr. Kadish arrived later). It was noted four-five people come to ConCom meetings and listen to input and people with concerns and try to put into regulations.

Mr. Giblin said some people said there was not enough discussion. This is ConCom's third or fourth time at a Board of Selectmen meeting and every other Monday there is a scheduled ConCom meeting, and there is also a website as well.

Ms. Giblin stated they covered: Section 1 (General Provisions); Section 2 (Definitions)/"isolated wetlands" suitable. Section 3 (was reviewed); Section 4 (was reviewed). She discussed what sections were still needed to be reviewed. Ms. Giblin said everything/all info is in newspaper so people can see

when meetings are scheduled or can call Jennifer directly. She said they are also receiving e-mails.

Mr. Julian Kadish said this is a minor extension of wetland protection act. A minor adjustment to state law.

Mr. Bramwell said he attended most ConCom meetings and felt they were extremely accommodating. He is feeling much more comfortable with the bylaw now and if he had to vote today he would definitely vote in favor of this.

Mr. Kimball encouraged all residents/people to attend ConCom meetings. He did not want to see

“grandstanding” at town meeting. As of today he would vote in favor of this and there is no hidden agenda.

Mr. Kimball said there would probably be a number of developers at Town Meeting to cloud the whole process. He would encourage them now to attend ConCom meetings.

Mr. Giblin agreed with Mr. Kimball and said they could get answers before Town Meeting occurred.

Mr. Kadish said this is to preserve what Town has and helps water quality, homeowners and businesses, etc.

Mrs. Steele noted the people who shouted loudly were not residents of this Town. Discussion ensued.

Mr. Kimball commented he personally had wetlands behind his home on his property and is on a river, so he would be possibly most affected, but would still be in support of this.

Ms. Giblin said the Town is very fortunate to have Ms. Carlino working for the Town.

4. Vote Re: Extension of PV Solar Project Development Letter of Intent between Ansar Energy LLC and the Town of Norton

Mr. Purcell provided an update; voters authorized Board of Selectmen and Board of Heath to enter into lease agreement for Town's former landfill regarding conversion of landfill to solar energy and town meeting approved. If site went to development phase=\$10,000-\$15,000 per year (annual income). National Grid is also involved and decision to be made in May. This project is going forward. Discussion ensued.

Mr. Kimball commented that not much could be done with landfill anyhow. This has the full support of the Board of Selectmen. Discussion followed.

**MOTION was made by Mr. Kimball to allow/approve Extension of PV Solar Project**

**Development Letter of Intent between Ansar Energy LLC and the Town of Norton; and have Board of Selectmen meet to allow this letter. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

5. Vote Re: Intent to Lay Out Rubin Drive and to remand to Planning Board  
Mr. Purcell said street is ready; process needs to begin all over again. Plan is on file with Town Clerk's office.

**MOTION was made by Mrs. Steele of Board of Selectmen's Intent to Lay Out Rubin Drive and to remand to Planning Board. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

6. Affordable Housing RFP  
Mr. Kimball said an organization to come forward to build one single family house on Hawthorne Road (Reservoir area) and is ready to be advertised. Central Register to be advertised in for at least thirty (30) days and an ad to be placed in newspaper.

Mr. Purcell stated on November 18, 2009, Town Meeting authorized this as well as a Holly Road initiative. Discussion followed.

Mr. Purcell said it would be safe, however, possibly not required, for the Board to take a vote.

**MOTION was made by Mr. Kimball to approve/allow Affordable Housing RFP and Town Manager and town counsel to release house lot on Hawthorne Road. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

7. Review Draft May 10, 2010 Annual Town Meeting Warrant

Mr. Purcell reviewed Warrant, including, but not limited to below:

Article 2: Ch90 activities; Article 3, accept Rubin Drive as a public way; Article 4, Request for School Revolving Fund; Articles 5, 6, 7, 8, 9, and 10 – seeking to reauthorize long-standing revolving funds.

Mr. Kimball spoke of recycling on a year-round basis and it should be looked into (compost and wrapping).

Mr. Purcell said Town does not generate a lot and Town's recycling component does not bear fruit. The service that is provided for townspeople, Mr. Silver, Highway Superintendent, would need to advise on volume, etc. One central location needed; school has campus area. Board of Health possibly within next one to two years to start some type of program. To make money for Town or to make it easy to recycle is necessary.

Mrs. Steele said schools do individually recycle. A perfect spot for Town would be Slattery property for recycling. Just need some people to promote recycling.

Mr. Purcell said this will be pursued.

Article 11- Mr. Purcell said this is not a revolving fund but successful waste collection with date each year regarding volume. Unused prescription drugs and issue of people flushing these prescriptions down the toilet. Probably a \$10,000 expense.

Article 12-Triennial eval is coming up again.

Article 13 and Articles 14-17 – Property tax exemption Articles in which Ms. Duggan spoke about earlier this evening.

Article 18 – McGinn property adjacent to Shpack Landfill. Peer review on Army Corp of Engineers.

Army Corp arrived at a good result and Mr. Kimball asked for a peer review. Record of Decision parameters received (MGL 21E-ROD (Record of Decision) applies. The belief is everything is fine.

Mr. Purcell discussed water line and not good public policy to acquire water line. Water line helps Town. Discussion ensued.

Article 19- Petition (tax at Wheaton College).

Article 20.3 – Permanent Bylaw. (Part 1 and 2 of Article 20) submitted by Water and Sewer Commissioners.

Mr. Salvo asked who comes up with ranges of salary figures?

It was noted only change was to Water and Sewer Superintendent.

Mr. Purcell said they compare to town's geography/size. Ten or eleven communities is to whom Norton compares themselves. They are just below midpoint of where salaries are.

It was noted there was a misprint (it should say "Water and Sewer Commissioners"; not Board of Selectmen for Article 20.2).

Mr. Salvo reiterated there was only one change then to Water and Sewer salary only. Discussion ensued.

Mr. Purcell said town counsel advised; Town Accountant mentioned by statute and has no place under personnel bylaw.

Articles 21, 22, 23 – are works in progress.

Article 24 – Feasibility Study for Norton High School (amount of \$500,000); School Committee Article.

Article 25-Water Dept. budget

Articles 26 and 27 – Capital-related (drug seizure money of police dept.). This is money acquired through drug sting to buy one cruiser and give former vehicle to Building Inspector (amount - \$32,000).

Mr. Purcell referenced drug seizure law. Proceeds with District Attorneys office and state police. Chief of Police can expend money as he sees fit. No town meeting vote is needed, but for transparency sake Police Chief came to capital improvements committee meeting and he commended Chief Clark for this effort.

Mrs. Steele spoke of DARE Program possibly being reinstated if there is extra drug seizure money.

Articles 29 – 32 were discussed by Mr. Purcell.

## **B. OLD BUSINESS**

## **C. APPOINTMENTS/RESIGNATIONS**

### **1. Appointment of Special Police Officer**

Mr. Giblin said a letter was received from Chief Clark recommending Mr. Durand and he passed various tests.

**MOTION was made by Mr. Bramwell to appoint Thomas W. Durand III as a Special Police Officer with a February 25, 2010 effective date. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

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

Fire Chief Gomes sent letter to Highway Superintendent, Keith Silver, thanking him for demolition of Bay Road fire station.

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Mr. Salvo said he noticed that Hess gas station pumps jump three or more cents and noticed difference on bank statement (pumps may need to be retuned).

Mr. Purcell said they can get the state out to look at that; people should call town hall right away if anything is noticed. Generally this type of thing is unintentional.

Mr. Giblin thanked Mr. Salvo and Mr. Kimball for work with demolition of fire station.

Mr. Kimball said fire station could not be saved (mold/mildew/cracked concrete, etc.).

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Mrs. Steele referenced Fernandes Park and said someone from High School is interested in working with Board through grant writing and she spoke to Jennifer Carlino, Conservation Agent, on grants and

would like to give parcel/map of property. Mr. Kimball pulled some info for her as well.

Mr. Kimball said a full-fledged plan is somewhere in a file.

Mrs. Steele said maybe the property does not warrant a lot but maybe walking trails could be made.

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Mrs. Steele said the other item she had was Mr. Purcell and she had opportunity to meet with Rep Barrows, Rep Poirier and VHB reps along with Mass Highway re: Roche Bros. Plaza. As of now no traffic light at this time is planned. The discussed plan of right-in/right-out is not funded by Ch90. Next step: a letter to Roche Bros. Management company to have a face to face meeting.

Mr. Purcell said he asked VHB for a proposal for laying out a new driveway.

Mrs. Steele recommended to hold off on management company letter then and get proposal first.

Mrs. Steele said she was excited to communicate that the Recreation Commission is moving forward with some great ideas. Programs are fantastic including two current programs for seniors in community. There is free skating being offered at Slattery property and raising money for pool (local hairdresser in Town helping with this fundraiser-\$10/haircut and portion of proceeds to go to Park and Recreation). This is going in right direction but need more help and would like to increase membership from seven to nine members.

**MOTION was made by Mrs. Steele to approve increase of members for Parks and Recreation Committee from seven to nine members. Second by Mr. Kimball.**

**Discussion: Mr. Kimball said Town owns a recreation facility on Parker Street and pool is at least 20 years old and town acquired from Texas Instruments. Swimming pool is outdated and will need donations from businesses in Town, etc. to keep pool maintained, open, etc. Need to keep pool open, otherwise if closed for one season, not worth opening again.**

Mrs. Steele said they would like to hire a director and continue summer programs (they are aware of operating costs).

Mr. Purcell spoke of opening of pool and it being a matter of public safety. The children and people need a place to swim instead of having a child swim on Lake Winnecunnet on a hot summer day and having possibility of drowning which has happened in past. He would recommend \$9,000 or so to Recreation folks and help them staff it (not just recreation but also public safety concern). Current plan would be to pull the same number. Recreation folks are doing a great job.

Mr. Bramwell said it is great to see people come together as the Recreation Comm. is doing.

Mrs. Steele said even if not a member of Recreation Comm., residents/people can help (i.e., cleaning up Everett Leonard Park and painting picnic tables, etc.



**Vote: Unanimous. MOTION CARRIES.**

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Mrs. Steele referenced the IDC (Industrial Development Commission) and said the last meeting was an active IDC and in desperate need of volunteers. She said in a recent Boston Globe article Norton was one of top ten Massachusetts communities poised for growth. There is no functioning IDC and need it to capitalize on what Norton has to offer. Two people are interested in IDC at this time and asking anyone interested to contact Board of Selectmen's office at 285-0210 as there is a lot to promote.

Mr. Purcell said the Boston Globe article Mrs. Steele referenced was quite good and complimentary to regulatory folks. Town's boards and committees and staff are good and have a good process and do not compromise building codes/standards but expedite review process, and it is by submitting good plans. Promoting will be helpful; Town is imbalanced and could use help.

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Mrs. Steele spoke of a letter received from Bristol Elder Services and seeking Norton reps to join. Lack of rep on this Board. If no representation, Town's seniors are not being advocated for and no one bringing info to them/Town.

This is good timing; COA needs to be advocated for and this BOS needs to get this active again.

Mr. Giblin recommended to send out letters to members of COA and also send to people interested in serving on COA.

Mrs. Steele stated it needs to be indicated that someone on that Board needs to be on Bristol Elders Board, as well and will promote info to seniors from Bristol Elders, etc.

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Mr. Kimball referenced a letter from Mr. Gouveia regarding basement in town hall to be possibly looked at for cable studio and is requesting a tour of it. Discussion ensued on various rooms in town hall that could be used for cable studio.

Mr. Kimball said he encouraged Cable Access to talk with Town/Board as to location of studio and can discuss other things as well.

Mr. Purcell said having the cable studio in the town hall building would be warranted, and vacant space is not being used. It will take professionals to look at this, but Cable Access has the funds.

Tour was discussed to take place possibly on a Saturday morning.

Mr. Giblin said he could reach out to Gretchen Stalters and/or Bill Gouveia and see what date works best.

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Mr. Giblin spoke of a follow-up with Chris Cox of the Historical Commission to invite him in regarding the Jackson House

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Mr. Salvo wished everyone a happy Valentine's Day!

**VII. TOWN MANAGER'S REPORT**

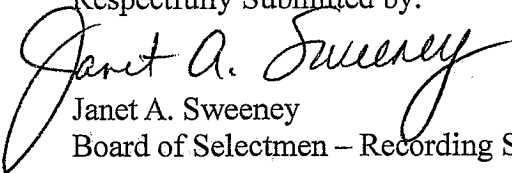
**VIII. NEXT MEETING'S AGENDA**

**IX. EXECUTIVE SESSION**

**X. ADJOURNMENT**

**MOTION** was made by Mr. Kimball to Adjourn at 9:48 p.m. Second by Mrs. Steele. Vote:  
**Unanimous. MOTION CARRIES.**

Respectfully Submitted by:

A handwritten signature in cursive script, reading "Janet A. Sweeney". The signature is written in dark ink and is positioned to the left of the printed name and title.

Janet A. Sweeney  
Board of Selectmen – Recording Secretary