



## 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

MAY 6, 2010

- I. **CALL TO ORDER BY CHAIRMAN:** The May 6, 2010, Board of Selectmen meeting was called to order at 6:30 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.

**MOTION** was made by Mrs. Steele to enter into Executive Session at 6:30 p.m. for purpose to consider the purchase, exchange, taking, lease, or value of real property, and to return to open session at end of Executive Session. Second by Mr. Kimball. Vote: Unanimous. **MOTION CARRIES.**

- B. **Pledge of Allegiance**

## II. **WARRANTS AND MINUTES**

- A. Approve bills Warrant #64, dated April 29, 2010, in the amount of \$143,236.98

**MOTION** was made by Mr. Salvo to Approve bills Warrant #64, dated April 29, 2010, in the amount of \$143,236.98. Second by Mr. Bramwell. Vote: Unanimous. **MOTION CARRIES.**

- B. Approve bi-weekly payroll for the period ended May 1, 2010, Warrant #65, dated May 6, 2010, in the amount of \$982,764.20

**MOTION** was made by Mr. Salvo to Approve bi-weekly payroll for the period ended May 1, 2010, Warrant #65, dated May 6, 2010, in the amount of \$982,764.20. Second by Mr. Bramwell. Vote: Unanimous. **MOTION CARRIES.**

- C. Approve bills Warrant #66, dated May 6, 2010, in the amount of \$753,913.61

**MOTION** was made by Mr. Salvo to Approve bills Warrant #66, dated May 6, 2010, in the amount of \$753,913.61. Second by Mr. Bramwell. Vote: Unanimous. **MOTION CARRIES.**

- D. Approve Minutes – January 7, 2010 Executive Session

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**MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes of Meeting of the Executive Session, dated January 7, 2010, as written. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

**III. LICENSES AND PERMITS**

1. Application of Marianne Schatvet, 243 Dean Street, for one-day all alcohol license, to be utilized at Everett Leonard Park, June 12, 2010, 1:00-5:00 P.M., for private party

Ms. Schatvet stated about 30-35 people would be attending this family reunion. Mr. Giblin said this was signed off by Chief of Police and no detail officer is required.

**MOTION was made by Mr. Kimball to approve the Application of Marianne Schatvet, 243 Dean Street, for one-day all alcohol license, to be utilized at Everett Leonard Park, June 12, 2010, 1:00-5:00 P.M., for private party, with no detail officer required (per Chief of Police sign-off). Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

1. Application of Edward J. Brault, for Memorial Day Parade Permit, to be held Monday, May 31, 2010, 10:00 A.M. – Approximately 11:15 – 11:30 A.M.

**MOTION was made by Mr. Bramwell to approve Application of Edward J. Brault, for Memorial Day Parade Permit, to be held Monday, May 31, 2010, 10:00 A.M. – Approximately 11:15 – 11:30 A.M., and to waive all application fees. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

**IV. ANNOUNCEMENTS**

Household Hazardous Waste Day, Saturday, May 8, 2010. Drop off at Highway Dept. between 9:00 A.M. – 1:00 P.M. It was noted no latex paint or fire extinguishers are allowed.

Mr. Purcell said Board of Health wants to emphasize it is the second year of collections of prescription drugs by Walgreen's Pharmacy and Police Dept. Thanks to Walgreen's and Chief Clark for their assistance.

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Red Cross Blood Drive to be held Monday , May 10 from 2-7 p.m. at St. Mary's Parish Center.

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Norton High school 8<sup>th</sup> Annual All-Night Graduation party on 6/4-6/5 from 9 p.m. to 6 a.m.

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First Annual Putt and Pass Classic at Norton Coutry Club to be held on July 26 and is a fundraiser for Norton High School golf and football teams.

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Mr. Bramwell said the Tri-centennial book/brochure is being put together by Tri-Centennial Committee and 12/31/10 A First Night Celebration being held and for more info call Beth McManus at 222-1340.

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Norton Rec Dept. Swim Program and Summer Swim and Annual Season Passes for pool available.

Other programs available are soccer program, martial arts, kayak family programs; yoga, archery; running, pilates, and a junior golf program.

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Memorial Day Parade to be held on 5/31 beginning at 10 a.m. – 11:15/11:30 a.m.

**V. BUSINESS**

**A. NEW BUSINESS**

**1. 7:10 P.M. – Ann Sears Re: Interview for appointment to the Norton Cultural Council**

Mrs. Steele thanked Ms. Sears for stepping forward and said it would be an enhancement to Cultural Council to have Ms. Sears on Council, and “fresh blood” revitalizes these committees/boards.

Ms. Sears said as an educator for 30 years, she supports Norton school programs, so important for town’s schools to have an active cultural council.

Mrs. Steele said if Ms. Sears ever wanted to approach school committee in this area she would introduce Ms. Sears to that committee.

**MOTION was made by Mr. Kimball to appoint Ms. Sears to the Norton Cultural Council. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

**2. Vote to sign Purchase & Sale Agreement and Land Development Agreement for Hawthorne Road; Old Colony Habitat for Humanity, Inc. “Buyer”**

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Mr. Kimball said this has been a long-term process and he is very excited for this affordable housing project and he was approached by Habitat for Humanity and will work with them. Town/Town Meeting supported this.

Mr. Kimball said the purchase and sale agreement is a final document and the Land Development agreement was also referenced.

Mr. Kimball said Kopelman & Paige developed purchase and sale agreement and have up to 36 months for completion of project and Habitat for Humanity to obtain all licenses. Request is to have Board sign purchase and sale agreement; mostly document is complete.

Mr. Giblin wanted to clarify that people going into house are purchasing house and it is not a gift. By law, it cannot be just a Norton resident but will hopefully it will be a Norton resident.

Mr. Kimball said it will be one three bedroom single family dwelling and said a Norton resident will be given first opportunity to be purchaser, however, if they don't comply they will go outside of Norton (need to live in Norton or be an employee of Town). This is for the first time homebuyer.

**MOTION was made by Mr. Kimball to allow Board of Selectmen to execute Purchase and Sale Agreement as described and presented. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

Mr. Kimball said second document is Land Development Agreement between Town of Norton and Old Colony Habitat for Humanity.

**MOTION was made by Mr. Kimball to allow Board of Selectmen to execute Land Development Agreement as described and presented. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

3. Vote to award bid for Norton Middle school Solar Photovoltaic System Installation Project to Fall River Electrical Associates

It was noted Norton may cancel under certain conditions. Mr. Purcell said consultant was hired (trust fund money used) for renewable application. Best chance was to use school property for grant use. \$150,000 granted by Commonwealth; 5% fee construction oversight

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fee. Bid driven by grant limits and estimated number of solar panels put up. Power/energy output will be greater. \$142,500 was contract amount to Fall River Associates and start now as part of their science curriculum.

Mr. Kimball said this will generate some power and also an educational tool for students. Regarding new roof; non-penetrating panels so stress won't affect roof.

**MOTION was made by Mrs. Steele to award bid for Norton Middle School Solar Photovoltaic System Installation Project to Fall River Associates, 70 Comeau Street, Fall River, MA, and authorize Mr. Purcell, Town Manager, to sign on behalf of Board of Selectmen. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

4. Notification from Massachusetts State Lottery Commission Re: Offering KENO To Go Agent MAS GAS, 62 Mansfield Avenue, a KENO monitor to display the game

Mr. Purcell said if Board decides to say "no" to this agenda item, Commonwealth will estimate foregone income from applicant anyhow.

It was unanimously decided the Board did not object to this.

**MOTION was made by Mr. Kimball to approve Notification from Massachusetts State Lottery Commission Re: Offering KENO To Go Agent MAS GAS, 62 Mansfield Avenue, a KENO monitor to display the game. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

**B. TOWN MANAGER'S REPORT**

1. Review June 7, 2010 Annual and Special Town Meeting Warrants

Mr. Purcell provided review. Mr. Purcell discussed Article 8 on Special Town Meeting Warrant. This Article seeks to authorize Board of Selectmen to grant an easement, near where animal control shelter is located. Mr. Jeff O'Neil, of Condyne, was present this evening. FinCom recommended this Article on Monday evening. This gives the Board of Selectmen authority to grant easement.

Mr. O'Neil stated he was present with Mark Dibb, engineer. He said it was a dismal 2009 and have 26,000+ square feet facility and showed rendering. It is zoned industrial and accessed from Myles Standish Industrial Park. He explained and said they are about to start permitting and should be complete by year end if possible. Sewer and water accessibility discussed/access of site behind cemetery. Increase real estate tax base and tenant direct excise tax to Town of Norton.

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Mr. Kimball stated he was glad easement was not affecting Hill Street. Truck route somewhere near a house that Board was against house being built there in first place. A lot of parking for that size building it appeared.

Mr. Kimball said in future do they see another right of way, out of that facility?

Mr. O'Neil said they were trying to figure out a second exit out of Commerce Center Drive. Possibly some sort of acquisition of a small portion to do this.

Mr. Kimball said the Town could try to partner up with Condyne and State to help with this.

Mr. Purcell said easement location was worked out with water and sewer department.

**MOTION was made by Mr. Kimball to support Article 8 for Special Town Meeting Warrant. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

**C. APPOINTMENTS/RESIGNATIONS**

**1. Constable reappointments**

Mrs. Steele spoke of expiring appointments so some urgency to this matter. She recommended to check with Police Chief Clark to ensure no issues/complaints with any of these current constables and all are acting in a way which represents Town of Norton. It was noted April 30 of each year commissions expire.

Mr. Giblin asked if that request could be done by next week (Mrs. Steele's recommendation). Mr. Giblin asked about background checks as well for constables.

It was noted Mr. Reece's was conducted on October 2009, and there are other constables in Town as well.

Arresting authority discussed, etc.

It was noted Police Chief Clark would be invited in for next meeting. Mr. Kimball stated it would be informative to ask Police Chief Clark for clarification as to what a constable can or cannot do.

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

Discussion on background checks. Can Board of Selectmen set policy (i.e., if a person is to fill a position in Town and CORI check done, and also on elected officials)?

Mr. Giblin said on appointed positions, he believed, yes, can conduct checks; not sure if on elected officials if background checks can be done.

Mr. Salvo suggested to put this into charter since review of charter and get clarification from Kopelman & Paige.

Mr. Purcell said Attorney General's Office would probably be the office to contact. He would be reluctant to offer opinion but he can find out answer.

Mr. Salvo referenced topic if as an elected official (charter provision) and missing a certain number of meetings issue.

Mr. Bramwell believed missing certain number of consecutive meetings, a letter be sent to vacant member of action being taken.

Mr. Purcell referenced Ch. 7.9 of Town Charter, "a member of a multiple member body", and said he would look at this to see if it includes elected officials.

Mr. Giblin asked if he could look at this for next meeting, and Mr. Purcell said, yes, he will look at it.

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Mr. Purcell said on Monday he signed off on last payment of fiber. \$116,000 that Norton Cable Access gave Town of Norton. System is 30+ years old and is an analog system and thus reason why there are problems. There is a \$20,000 cost to Town for tie-ins and paying 50%.

Cable Access meets next week, so instead of throwing money away, he would rather by new switch. Excited about clearer picture and better sound.

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Mr. Kimball recommended to declare surplus the basement furniture, etc. Next meeting declare as surplus and to authorize Rec Commission to sell/donate, etc.

Mr. Purcell said it was gifted to Town and a liability to Town (non-profits or businesses).

Mr. Kimball said it would be a small donation. He asked Mr. Purcell to put this item on for the next agenda.

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Mrs. Steele asked if Brian Plante, animal control officer, could provide an update per letter received by Board from resident (notification and liability issue).

Mr. Purcell said Board of Selectmen policy is to delegate responsibility (re: hearings). They try to mediate the process and is part of Board of Selectmen's policies and procedures that hearings involve Town Manager.

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Mrs. Steele said Mr. Purcell, Mr. Giblin and she met with Norton Kayak Co. for parking issues.

**MOTION was made by Mrs. Steele to allow Norton Kayak Company to reserve three parking spaces (already allowed). Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

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Mrs. Steele said they were not too successful about Roche Bros. involvement and would like to go to "Plan B" to contact management company by Mr. Purcell.

Mr. Giblin agreed that would be the next step.

Mr. Salvo stated there were two accidents at that location since the Board's last meeting.

Mr. Giblin said a phone call and a certified letter should be sent.

Mrs. Steele said they need to do what is right for the Town.

Mr. Purcell said at least one Roche Bros. officials reached out to Town from seeing/hearing press/Board of Selectmen meeting, but three e-mails later cannot get a date so need to go forward.

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Mr. Bramwell said last Saturday he attended the Eagle Scout Awards. Congratulations to Eagle Scouts, including, but not limited to, Mr. Joel City and others. National Anthem was sung by Mr. City's sister, Abigail, and Mr. Bramwell thought she should sing at Norton's First Night Celebration.

Mr. Giblin apologized he could not attend the Eagle Scout ceremony as he had to work that day.

Mr. Kimball encouraged Mr. Bramwell to give name of girl that sang National Anthem to Veteran's Agent for Memorial Day.

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Mr. Kimball recognized Boy Scouts Troop 61 and many boy scouts become Eagle Scouts. They need to do projects in order to get to rank of Eagle Scout, and ceremony to be held Sunday, June 6<sup>th</sup>, at 1 p.m.

Mr. Bramwell said a commendation from Fire Chief Gomes will happen, as many sand bags were filled by boy scouts during recent flood.

Mr. Salvo said Mr. Watson asked him to invite scouts in for commendation.

Mr. Kimball said Board of Selectmen is being invited to their ceremony and they will be recognized there and state reps are planning to also attend ceremony.

Mr. Kimball said Cemetery Commission can come in and recognize scouts for their work in cemetery if they would like. Board of Selectmen will be doing that also when they attend their ceremony.

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Mr. Kimball thanked all those who took time to vote. He looked forward to the next three years, more improvements to Town, etc.

Mr. Giblin congratulated all who were victorious and thanked those who voted. Also, those who were not victorious he congratulated them as well and appreciated their interest and effort.

**VII. NEXT MEETING'S AGENDA**

1. Fire Chief Richard J. Gomes Re: 1) Swearing in of Full-Time Fire Fighter; and 2) Presentation of the After Action Report of the March flooding.
2. Cozy Corporation, RPWM License w/ CORDIALS, 411 Old Colony Road, Transfer of Stock, New Officer/Director, Change of Manager, and D/B/A

**VIII. EXECUTIVE SESSION**

6:30 P.M. – To consider the purchase, exchange, taking, lease, or value of real property.

**IX. REORGANIZATION OF THE BOARD**

Mr. Purcell asked if there was any nomination for position of Chairman?

MOTION was made by Mrs. Steele to nominate Mr. Kimball as Chairman of Board of Selectmen .  
Second by Mr. Salvo.

Mr. Bramwell made a motion to close nomination for Chairman.

Second by Mrs. Steele.

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Roll Call: All In Favor (Mr. Bramwell, Mrs. Steele, Mr. Salvo, Mr. Kimball and Mr. Giblin all voted "yes"). MOTION CARRIES.

Mr. Purcell said nominations were closed.

MOTION was made by Mrs. Steele to appoint Mr. Kimball as Chairman of Board of Selectmen . Second by Mr. Salvo.

Roll Call: All In Favor (Mr. Bramwell, Mrs. Steele, Mr. Salvo, Mr. Kimball and Mr. Giblin all voted "yes"). MOTION CARRIES.

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Mr. Purcell asked if there was any nominations for position of Vice-Chairman?

MOTION was made by Mr. Kimball to nominate Mrs. Steele as Vice-Chair of Board of Selectmen. Second by Mr. Bramwell.

MOTION was made by Mr. Bramwell to close nominations for Vice-Chair. Second by Mr. Kimball.

Roll Call: All In Favor (Mr. Bramwell, Mrs. Steele, Mr. Salvo, Mr. Kimball and Mr. Giblin all voted "yes"). MOTION CARRIES.

Mr. Purcell stated nominations were closed.

MOTION was made by Mr. Kimball to appoint Mrs. Steele as Vice-Chair of Board of Selectmen. Second by Mr. Bramwell.

Roll Call: All In Favor (Mr. Bramwell, Mrs. Steele, Mr. Salvo, Mr. Kimball and Mr. Giblin all voted "yes"). MOTION CARRIES.

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Mr. Purcell asked if there was any nominations for position of Clerk?

MOTION was made by Mr. Salvo to nominate Mr. Bramwell as Clerk of Board of Selectmen. Second by Mr. Giblin.

MOTION was made by Mr. Salvo to close nominations for Clerk. Second by Mr. Giblin.

Roll Call: All In Favor (Mr. Bramwell, Mrs. Steele, Mr. Salvo, Mr. Kimball and Mr. Giblin all voted "yes"). MOTION CARRIES.

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Mr. Purcell stated nominations were closed.

MOTION was made by Mr. Salvo to appoint Mr. Bramwell as Clerk of Board of Selectmen. Second by Mr. Giblin.

Roll Call: All In Favor (Mr. Bramwell, Mrs. Steele, Mr. Salvo, Mr. Kimball and Mr. Giblin all voted "yes"). MOTION CARRIES.

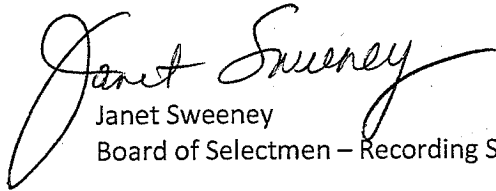
Mr. Kimball recognized Mr. Giblin on all the hard work he did and it was appreciated.

Mr. Giblin said he appreciated those thoughts and comments and stated everyone on Board works hard, including Mr. Purcell. Mr. Giblin said he enjoyed being chairman.

**X. ADJOURNMENT**

MOTION was made by Mr. Bramwell to Adourn at 8:50 p.m. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

A handwritten signature in cursive script, reading "Janet Sweeney". The signature is written in black ink and is positioned above the printed name and title.

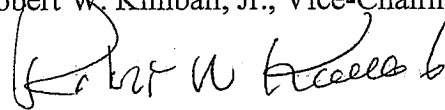
Janet Sweeney  
Board of Selectmen – Recording Secretary

**BOARD OF SELECTMEN  
MINUTES OF MEETING OF  
MAY 6, 2010**

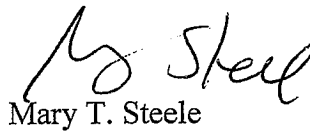

**BOARD OF SELECTMEN:**

Timothy R. Giblin, Chairman

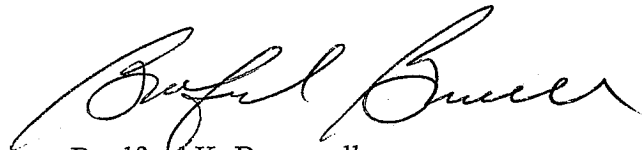
Robert W. Kimball, Jr., Vice-Chairman



Robert S. Salvo, Sr., Clerk



Mary T. Steele



Bradford K. Bramwell

Dated: 09/23/10