



**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**  
**NOVEMBER 18, 2010**

**I. CALL TO ORDER BY CHAIRMAN:** The November 18, 2010, Board of Selectmen meeting was called to order at 7:00 p.m. by Chairman, Mr. Robert Kimball.

A. Roll Call: Chairman, Mr. Robert Kimball; Vice-Chair, Mrs. Mary Steele; Bradford Bramwell, Clerk; Timothy Giblin; Robert Salvo. Mr. James Purcell, Town Manager, was also present.

B. Pledge of Allegiance

**II. WARRANTS AND MINUTES**

A. Approve bills Warrant #28, dated November 10, 2010, in the amount of \$408,682.67  
**MOTION was made by Mr. Bramwell to approve bills Warrant #28, dated November 10, 2010, in the amount of \$408,682.67. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

B. Approve bi-weekly payroll for the period ended November 13, 2010, Warrant #29, dated November 18, 2010, in the amount of \$1,030,427.94  
**MOTION was made by Mr. Bramwell to approve bi-weekly payroll for the period ended November 13, 2010, Warrant #29, dated November 18, 2010, in the amount of \$1,030,427.94. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

C. Approve bills Warrant #30, dated November 18, 2010, in the amount of \$780,658.69  
**MOTION was made by Mr. Bramwell to approve bills Warrant #30, dated November 18, 2010, in the amount of \$780,658.69. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

D. Minutes – June 3, 2010  
July 1, 2010

**MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes of Meeting dated June 3, 2010, as written. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes of Meeting dated July 1, 2010, as written. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

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

### **IV. ANNOUNCEMENTS**

Town Offices will be closed Thursday, November 25, and Friday, November 26, 2010, for the Thanksgiving Day Holiday.  
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Festival of Lights to be held Sunday, 12/5/10, at 5 p.m. at the Town Common. Also on 12/6/10, Menorrah celebration at 6 p.m.

### **V. BUSINESS**

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

##### **1. 7:05 P.M. - Chief Richard J. Gomes Re:**

- . Appointment of Firefighter Andrew R. Gomes
- . Acceptance of MGL Chapter 48, Section 59A – Authorization of Fire Mutual Aid

Mr. Purcell explained this appointment was for informational purposes only. He made the appointment a couple of months ago and Board of Selectmen affirmed start date which differs, etc. Manpower the Chief will discuss.

Chief Gomes said his department is now down two so this one appointment brings them still up to one short.

Chief Gomes said educational seminar he attended with other fire chiefs and counsel for fire was present also and mutual aid liability was discussed. Chief Gomes said Norton is close to Rhode Island and said Norton assisted when the Station Night Club fire occurred. Adoption of home rule allows fire departments and equipment some exceptions in Rhode Island or Massachusetts mutual aid.

Mr. Purcell indicated counsel said it was executive level of Board of Selectmen and not Town Meeting action.

Chief Gomes said not sure how many towns accepted but it is going along at a good pace. There is no detriment to a jurisdiction that adopts this. Discussion followed.

**MOTION was made by Mr. Bramwell to accept MGL Chapter 48, Section 59 - Authorization of Fire Mutual Aid. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

##### **2. 7:15 P.M. - Interview for appointments to the Council on Aging**

- . Joan D. DeCosta
- . Ruth Schneider

It was noted there was a need to have things happening in Town and with COA (Council on Aging).

Mr. Kimball said there was no director any longer due to cutbacks in Town.

Ms. DeCosta said building is heated and lights/electric is on.

Mrs. Steele said COA (Council on Aging) is to what seniors are to the Town as School Committee is to children. Discussion ensued.

Mr. Giblin thanked them for coming forward and for their interest.

Mr. Purcell said hopefully they will be able to help with recruiting.

Ms. Schneider said she is a caregiver and hears cries of seniors.

**MOTION was made by Mr. Giblin to appoint Joan DeCosta to Council on Aging (COA). Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to appoint Ruth Schneider to Council on Aging (COA). Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Mr. Kimball spoke to dissolve Senior Building Committee; he referenced three members; keep open to grants, etc.

**MOTION was made by Mr. Giblin to dissolve Senior Building Committee. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

Mr. Salvo asked if there was any money left in account?

Ms. DeCosta said Town has money and grant came from CVS. Also, a gift from someone else was received.

Mr. Purcell said it was a modest amount left in account.

Mr. Kimball spoke of transfer of ownership of fund (for same purpose).

Mr. Purcell said if language is broad enough regarding establishment of a new senior facility; they will not be able to use money unless it is ok with donors.

3. 7:20 P.M. - Rachel Daly Re: Interview for appointment to the Arts (Cultural) Council

Mr. Kimball said Ms. Daly is a professional musician and unable to attend this evening due to performing. She graduated from Manhattan School of Music and as a town, Norton has a lot of sports programs but with her music background it would be a lot to offer.

Mr. Giblin stated Ms. Daly grew up in Norton and her children attend Norton public schools and she has a very prestigious background.

**MOTION was made by Mrs. Steele to appoint Rachel Daly to the Arts (Cultural) Council. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

4. 7:25 P.M. - Ann-Marie Cunniff Re: Update - "Day Program for High Functioning Disabled Adults"

Ms. Cunniff said she appeared before the Board previously. She spoke of a challenge on December 1<sup>st</sup>. She contacted high school and students do need to do community service so it is ideal. December 8 is dae at Lions Club and asking if Board of Selectmen will support. This is the Pepsi Challenge and \$3M to go to community programs and 32 grants per year. [www.refresheverything.com](http://www.refresheverything.com) is website.

Mr. Kimball asked Mr. Purcell to add this to website, and cable.

Mr. Kimball said the Board is still in support of this.

5. 7:30 P.M. HEARING – FY2011 Tax Classification Hearing

Mr. Bramwell read aloud legal notice of Tax Classification Hearing of FY2011. Lisa Cathcart, Director of Assessors, was present and said she may change format a bit next year as there is a lot of information. Overall about 6% decrease in market. New growth is down (about 25%). There were five major categories. Average = 3% of average taxpayer. Discussion ensued.

Mr. Kimball said tax rate is a major factor for Town businesses.

Ms. Cathcart said businesses are encouraged to stay in Town, etc.

Mrs. Steele added that businesses currently in Town are very, very supportive of this community.

Top five taxpayers in Town were discussed.

Mr. Kimball spoke of Wheaton College where a building is being converted to a different use and abatement was filed. Building is on East Main Street and Assessors Office to take a look at it with Wheaton. Pilot program discussed; basically where property changed for assessment.

Ms. Cathcart spoke of charitable educational facility and the four properties changing. Technically all property used. Wheaton letter stating they are putting four properties in Fiscal 2012. Plan is to go to Wheaton and not to take more off tax rolls, etc. Four properties are about \$14,000 total.

Mr. Kimball said Wheaton has right to do that but putting burden on Town of Norton. If Wheaton gets bigger and bigger and it happens more that is concerning. Discussion ensued.

Ms. Joan DeCosta said they do need to meet with Wheaton. She did speak to Mr. Purcell about this. She said they also require public safety.

Mr. Kimball said a list compiled of what Wheaton owns, etc. would be beneficial. Mr. Kimball spoke of a split rate or factor of one (recommendation to leave the way it is). Discussion on tax rate ensued.

Mr. Giblin believed they should keep factor of one based on discussion.

Mr. Alec Rich, from audience, said, as a member of Industrial Development Commission, he agreed with Mr. Giblin to keep as is. Town is very strapped for commercial/industrial companies.

Mr. Kimball said if anyone has a large piece of land they should contact IDC/Mr. Alec Rich. Disappointment with losing Sysco, a large business in Town, due to lack of space.

**MOTION was made by Mr. Bramwell to approve rate with a factor of one. Second by Mr. Giblin. Roll Call: In Favor: Messrs. Salvo, Giblin, Bramwell, Mrs. Steele, and Mr. Kimball. MOTION CARRIES.**

**MOTION was made by Mr. Giblin to not grant a discount to open space; grant a residential exemption, and not to grant to discount to commercial. Second by Mr. Bramwell. Roll Call: In Favor: Messrs. Salvo, Giblin, Bramwell, Mrs. Steele, and Mr. Kimball. MOTION CARRIES.**

**6. 7:45 P.M. - General Motors Facility Reuse Proposal**

Powerpoint presentation, dated November 18, 2010, presented by Mr. Michael Epstein, regarding Horizon Beverage Company proposal plan.

Mr. Michael Epstein, said he was present on behalf of Horizon Beverage Company and thanked Board of Selectmen.

Mr. Epstein said he was fourth generation owner/operator and great grandfather founded this business in 1930's. Currently business is located in Avon and gave history of business, etc. He said it is the largest beer, wine and spirits distributor. Current space in Avon is too small due to growth and would like to take over General Motors facility that is vacant. Facility rendering shown of what it may look like and Mr. Epstein said they want it to look good.

Mr. Epstein discussed proposed investment plans, proposed property and proposed job creation plans. Twenty new full-time jobs and 330 full time jobs to be retained. Economic impact, community involvement referenced.

State Rep. Barrows, Ed Tartufo of Chamber of Commerce, Maria Correia of Tri-Town Chamber of Commerce all involved in this exciting proposal especially in this economy and planned future expansion on property.

General Motors property was decertified in 2010 so this is a pickup. Economic target area referenced. TIF discussed. Legislative amendments to program. Exemption from 100% to 1% and hopefully somewhere in middle.

Ideal to have a vacant building back to use. A significant amount of space/building; large footprint of building and many companies are not looking for something this large.

Excise tax-about 50 vehicles at \$75,000/year for Town, along with permit fees.

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Mr. Purcell was thanked by Mr. Epstein in his assertiveness in attracting businesses. Company will be submitting some type of TIF proposal. Once a TIF in place needs to come back to Board of Selectmen for Town Meeting. Town meeting possibly held in January and final approval in March.

Mr. Kimball welcomed them to Town and was encouraged by job opportunities and the use of a vacant large building, with revenue to Town.

"Proposed government incentives" were referenced.

Mr. Kimball thanked Mr. Purcell for all his efforts. He said the Board/Town was here to help in any way they could.

Mr. Giblin thanked all for coming in this evening and for all their various efforts. Town has been very generous in past with TIF programs. A family business they like to see and a good fit for Town and Horizon in future.

Mrs. Steele thanked them for coming to Town. Philosophy is to support on state level and Chamber of Commerce; members of IDC here this evening. Mr. Rich on IDC is also on Town's Planning Board.

Mr. Bramwell stated that it was a couple years ago when Mr. Purcell told the Board about this and he viewed Horizon Beverage's website and history and how their business grew. Happy to have Horizon here and let the Board know if they can be of help.

Rep Barrows said this is huge and congratulated Mr. Purcell and this has been in the works for quite a while. Mansfield has done nine TIF's and Norton has done seven TIF's. If he can assist at state level, he will. He hopes TIF comes together.

Mr. Purcell spoke of a couple of points of info about site. General Motors in building in 2005 (\$2.2M total tax consideration) if went for full-term of TIF. Horizon Beverage brings building permitting, etc. and money to Town; 330 + 20 employees Horizon offers vs. 146 employees with General Motors.

Sysco does not have an interest in General Motors building so no other company interest in this site. There is a high vacancy rate existing in buildings, etc.

TIF's were discussed.

Mr. Kimball said many companies in which Norton has given tax incentives have expanded/been successful.

Mr. Alec Rich said he wanted to reiterate everything Board has said. General Motors is a large company with a large building; this family business is great and looks forward to have them come to Norton.

Mr. Purcell said he told Horizon there is a positive political culture in Town and Horizon is a good family business/straightforward with no hidden agendas and will be good people/business to deal with.

7. Vote to Sign Amendment to Right of Entry – Department of the Army (Shpack Superfund Site) – Supplement Agreement No. 1 to the Right of Entry Agreement between the Town of Norton and the Department of the Army

McGinn property was referenced.

Mr. Purcell said the question may be “why another right of entry?”. PRP only requires Conservation Commission's ok. Both documents are ready; right of entry for PRP basically says to “stay out of Army Corps of Engineers' area” and another part is they are to install fencing to discourage people from entering property. Conservation Commission told them fence should match existing fence.

**MOTION was made by Mr. Bramwell to sign Amendment to Right of Entry – Department of the Army (Shpack Superfund Site) – Supplement Agreement No. 1 to the Right of Entry Agreement between the Town of Norton and the Department of the Army. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**B. OLD BUSINESS**

**C. TOWN MANAGER'S REPORT**

Nothing was discussed.

**D. APPOINTMENTS/RESIGNATIONS**

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

Mr. Giblin stated that Norton High School ranked in top 50 for MCAS achievement from article in Boston Globe. Norton scored 272 out of 300. Congratulations to Norton High students!  
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Mr. Giblin referenced Town Charter Committee and said they discussed last night Section 4-1 under Town Manager-second paragraph. Discussed was whether or not the Town Manager should or should not be able to hold a public office in a different town, or hold a second occupation. There were varying opinions from the Charter Committee.

Discussion on town manager could notify Board of Selectmen when taking another public office (is this a conflict of interest, etc. Discussed). Whether actual or perceived, could be a possibility of a problematic area. Example: employee is on school committee in Mansfield but town manager in Norton. Under current bylaws it is not allowed. Discussion ensued.

Mr. Kimball said if other position is taking up too much time it could be a problem. Appointed positions would be ok but not elected. Mr. Kimball said person does not have to live in town and has no problem with that. It depends on capacity of employee.

Mr. Bramwell said if person was elected or appointed, it does not matter to him personally; only a conflict of interest issue would matter. Discussion ensued.

Infringing on rights regarding public/private sides was discussed. Rights/priveleges discussed.

Mr. Kimball referenced Section 4-1. He said he believed they should leave it alone/leave as is.

Mr. Purcell said he liked wording they have; town manager should get permission of Selectmen (i.e., a teaching position that a town manager may take). He liked the disclosure requirement. The act of disclosure takes care of all of those issues.

Mr. Purcell said he sees point of elected and appointed position. Discussion on elected/appointed.

It was unanimously decided to leave language alone as it was.

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Mr. Salvo asked about the status of the town manager search?

Mr. Bramwell said there were 11 applications thus far and less than impressed so far.

**VII. NEXT MEETING'S AGENDA**

1. Liquor License/Misc. License renewals received to date.

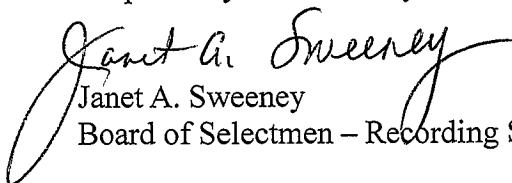
Mr. Purcell stated next meeting's agenda may also have new agreement with CPS as an agenda item.

**VIII. EXECUTIVE SESSION**

**IX. ADJOURNMENT**

**MOTION was made by Mr. Giblin to Adjourn at 9:30 p.m. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

Respectfully Submitted by:

  
Janet A. Sweeney  
Board of Selectmen – Recording Secretary

**Documents Distributed/Viewed at 11/18/10 Board of Selectmen's Meeting:**

- . Town of Norton Public Notice FY2011 Tax Classification Hearing, dated November 1, 2010
- . Memo dated November 17, 2010, to Robert W. Kimball, Jr., Chairman and Board of Selectmen Members from Lisa Cathcart, Director of Assessing, Re: Classification Hearing – Fiscal 2011
- . Powerpoint presentation by Horizon Beverage Company – presented at Board of Selectmen's November 18, 2010 meeting
- . Rendering of Proposed building (former General Motors buiding) of Horizon Beverage Company
- . Letter of Interest dated October 14, 2010 to James Purcell, Town Manager, from Joan D. DeCosta re: interest in being appointed to the Council on Aging
- . Letter of Interest dated October 18, 2010 to Town of Norton-Board of Selectmen, from Ruth Schneider re: interest in being appointed to the Council on Aging