



**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 16, 2010**

**I. CALL TO ORDER BY CHAIRMAN:** The December 16, 2010, Board of Selectmen meeting was called to order at 6:30 p.m. by Chairman, Mr. Kimball.

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

**MOTION was made by Mr. Bramwell to enter into Executive Session at 6:32 p.m. for purpose to discuss strategy with respect to collective bargaining or litigation; and to consider the purchase, exchange, taking, lease, or value of real property, and to return to Open Session. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Open Session started at 7:25 p.m.

B. Pledge of Allegiance

**II. WARRANTS AND MINUTES**

A. Approve bills Warrant #34, dated December 9, 2010, in the amount of \$160,347.17

**MOTION was made by Mr. Bramwell to approve bills Warrant #34, dated December 9, 2010, in the amount of \$160,347.17. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

B. Approve bi-weekly payroll for the period ended December 11, 2010, Warrant #35, dated December 16, 2010, in the amount of \$1,023,942.60

**MOTION was made by Mr. Bramwell to approve bi-weekly payroll for the period ended December 11, 2010, Warrant #35, dated December 16, 2010, in the amount of \$1,023,942.60. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

C. Approve bills Warrant #36, dated December 16 2010, in the amount of \$612,616.48

**MOTION was made by Mr. Bramwell to approve bills Warrant #36, dated December 16, 2010, in the amount of \$612,616.48. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

D. Minutes – August 26, 2010

**MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes of Meeting, dated August 26, 2010, as written. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

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

**1. 7:05 P.M. - Bruce R. Finch, Jr., President, The Swirling Vine, Inc., Re: Request for change of hours on its Retail Package Goods Store License to Expose, Keep for Sale, and to Sell Wines and Malt Beverages Not To Be Drunk on The Premises at 50 West Main Street, Norton, MA 02766, to include Sundays from 12:00 P.M. - 11:00 P.M., effective January 1, 2011**

It was noted Mr. Finch had to leave due to Board of Selectmen being delayed in the prior Executive Session.

Mr. Giblin said based on Mr. Finch and his prior history with Town as former police chief, there should be no problem/issue with this Request.

**MOTION was made by Mr. Bramwell to approve the Request of Bruce R. Finch, Jr., President, The Swirling Vine, Inc., for change of hours on its Retail Package Goods Store License to Expose, Keep for Sale, and to Sell Wines and Malt Beverages Not To Be Drunk on The Premises at 50 West Main Street, Norton, MA 02766, to include Sundays from 12:00 P.M. - 11:00 P.M., effective January 1, 2011. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Mr. Kimball apologized for the delay of Executive Session.

#### **2. 2011 Renewals/New Licenses**

##### **Common Victualler (to serve food at tables):**

**MOTION was made by Mr. Bramwell to approve Common Victualler license for MFH Acquisition of Norton d/b/a Dunkin Donuts, 246 East Main Street. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to approve Common Victualler license for Norton House of Pizza, 57 West Main Street. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to approve Common Victualler license for Five Stern Enterprises d/b/a Pizza Tyme, 250 East Main Street. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to approve Common Victualler\* license for Sabatino's Trattoria, Inc. d/b/a Sabatino Trattoria, 111 West Main Street (\*New License, effective 1/1/11). Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to approve Common Victualler license for Sysco Boston, LLC, 380 South Worcester Street. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to approve Common Victualler license for The Best Sandwich Shop, Inc., 175 Mansfield Avenue. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to approve Common Victualler license for Uncle Ed's Front Porch, Inc., 416 Old Colony Road. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to approve Common Victualler license for Omar Sallat d/b/a Village Pizza, 360 Old Colony Road. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**Class I, II, III Licenses:**

**MOTION was made by Mr. Bramwell to approve Class II license for Alan M. Clark d/b/a AMC Auto Brokers, 42 West Hodges Street. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to approve Class II license for Midway Collision Center, Inc., 85 Mansfield Avenue. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to approve Class II license for Trans International Auto Exportation Co., 12A Village Way. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**LODGING HOUSE:**

**MOTION was made by Mr. Bramwell to approve Lodging House, Common Victualler license for The North Cottage Program, Inc. 69 East Main Street. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**3. Blanket Request for 2 A.M. Closing for the New Year's Eve Celebration**

Mr. Giblin stated there were no past problems with any of these establishments.

**MOTION was made by Bramwell to allow Request of 2 A.M. closing for establishments requesting 2A.M. closing. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**IV. ANNOUNCEMENTS**

Best wishes for safe and happy holidays! The municipal center will be closing Thursday, December 23 at 12:30 p.m. On Friday, December 24 town hall will be closed. December 30 town hall will have a 4:30 closing and Dec. 31 town hall to be closed due to 1/1/11 New Year's Day.  
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Mr. Giblin thanked Tri-Centennial on the upcoming 300<sup>th</sup> Tri-Centennial New Year's Eve. Thanks to that Committee on the excellent job they are doing.  
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Chief Gomes letter regarding request for internet connection at Barrowsville Station, 194 South Worcester St. It was discussed to ask Carol, office administrator, to address this.

**MOTION was made by Mr. Giblin to request to have an internet connection at Barrowsville Station, 194 South Worcester Street, and authorize town manager to sign letter. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

Mr. Purcell clarified that Barrowsville Station is not a working station but the Norton Emergency Management Agency (NEMA) is headquartered at that location.  
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Mr. Salvo said a letter to Jason Benjamin should be sent regarding the local cable channel needs to get up-to-date.

Mr. Bramwell said he watched notices scroll on screen and Haunted Woods dated Oct. 22 and Dec. 4 was newest notice. Appears to be a waste of space and equipment needs to be utilized better; especially with new studio.

Mr. Kimball said hopefully new leadership will make a change.

Mr. Giblin said not all of it relating to cable channel is bad but it is the basic things. People watch channels 9 and 15.

Mr. Purcell said he believed there needs to be a full-time presence for that office.

Mr. Kimball recommended that Cable Access be back in to discuss.

Mr. Purcell said they are not a government function; they are an independent so need to be persuasive.

Mr. Kimball said the Board of Selectmen do, however, make appointments.  
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Mr. Kimball referenced Ch40B-Bay Road Heights determination; Zoning Board vote was 3:0 (there was insufficient info). Jan. 24 is public hearing. Two comprehensive permits are still out there.  
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Mr. Kimball reiterated, as of 12/24/10, commuters will no longer be able to park on Mansfield Ave. GATRA stating people can flag down bus. Board will work on that issue.  
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Mr. Kimball said on Tuesday night the Selectmen visited Horizon Beverage Company in Avon and it is exciting to negotiate a deal (excise tax/jobs creation benefits) and working on TIF. Now they are in negotiation phase. Jan 19 is a special town meeting planned regarding TIF.  
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Norton School Building Committee - the Board met with Pynck and Company representing School. Costs increasing but no solid numbers yet. High School needs renovating and that school does not have a sprinkler system of which Mr. Kimball was not aware. School was built in 1971 and is antiquated in many areas including classrooms and other areas.

Mr. Giblin said at the time, sprinklers were not mandated but now with renovations, there is a need for sprinklers. There will be lots of discussion between now and June 8, 2011. There are many costs involved (debt exclusion override and up to 60% reimbursement). School Committee/School Building

Committee are doing a good job to get best reimbursement.

Mr. Giblin said there is also a need to redesign heat as there is now electric heat.

Mr. Kimball said School Building Committee are close to getting architect and it is an expensive renovation but still less expensive than building a new structure.

Mr. Giblin said transparency is a major discussion that was discussed. What cost is; why there is such a cost and benefit to school and future of Norton children.

Mr. Kimball said Norton is on list now and will be placed on bottom of list if this does not pass through. Yes, it will cost more in taxes for a limited period of time.

Mr. Giblin said it took about three years from when Mr. Kevin O'Neil first wrote letter to state.

Mr. Kimball said he asked School Building Committee to keep Board advised and updated. These are posted meetings so anyone is invited to attend.

Mr. Bramwell spoke of police dept. being shorthanded and asked about possible grants? He spoke of dangerousness of crosswalks and observed Wheaton crosswalk with three cars going through red-light with pedestrian nearby. Also, concerns with crosswalk at Yelle and Hess. If there is a grant of any kind, it would be beneficial as people are taking their life in their hands at crosswalks, etc.

Mr. Purcell said he will talk to police chief regarding this.

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

##### **1. 7:15 P.M. - Request of Natalie Lima for appointment to the Norton Council on Aging**

Ms. Lima said she hopes to keep Center open five days per week.

**MOTION was made by Mr. Bramwell to Appoint Natalie Lima to the Norton Council on Aging. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Mr. Purcell referenced the survey responses and a report from Joan DaCosta at the large amount of volunteers to step forward.

##### **2. 7:20 P.M. - Request of Kathleen Ebert-Zawasky for appointment to the Norton Historical Commission**

Mrs. Ebert-Zawasky said she is active in land preservation, and was led to Tri-Centennial and to help with Tri-Centennial Park. Looking at former Nine-Lives organization building for Tri-Centennial Park and Historical Campbell House very valuable to Town.

Mr. Kimball spoke of razing former Nine-Lives building/greenhouse and need to give Tri-Centennial Committee approval to do so.

Mr. Purcell said Mr. Silver, Highway Superintendent, is going through process and have had all those discussions and next month Board of Selectmen may give right to use for Tri-Centennial Park.

**MOITON was made by Mr. Bramwell to appoint Request of Kathleen Ebert-Zawasky for appointment to the Norton Historical Commission. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**3. Vote to approve and sign Lease Agreements for:**

- . Norton Kayak Company, Inc.
- . L.L. Bean, Inc.

Discussion: \$3,000 seasonal/year cost.

This was Mansfield Avenue property.

Mr. Purcell stated this goes into revolving fund proceeds. One day a substantial boat launch will hopefully happen. These are two good companies that are leasing this property.

**MOTION was made by Mr. Bramwell to vote to approve and sign Lease Agreements for  
. Norton Kayak Company, Inc.  
. L.L. Bean, Inc.  
at 237 Mansfield Avenue. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**4. Set Spring 2011 Annual Town Meeting**

It is usually the second Monday in May which is May 9<sup>th</sup>.

Mr. Purcell said for all practical purposes it will probably be extended to June but set for May.

Mr. Kimball said they will be required to have a meeting posted for May 9, 2011. June 8 is first Monday in June that they are planning for. State aid numbers hopefully will be in by then.

**MOTION was made by Mr. Bramwell to set Spring 2011 Annual Town Meeting for Monday, May 9, 2011, at Henri A. Yelle School at 7 p.m. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**5. Appointment of Driver/Laborer in the Highway Department**

Mr. Randy S. Gariepy is the recommended candidate. Another person in that department is important. 12/20/10 is effective date.

Discussion on effective date.

Mr. Kimball said he thought it should be effective 12/17/10 in case of the upcoming snowstorm and they will need another person in Dept.

**MOTION was made by Mr. Bramwell to appoint Randy S. Gariepy, as Driver/Laborer in the Highway Department, effective date as of 12/17/10. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**6. Award of DPW Paving Contract**

Aggregate is \$59.81 per ton.

**MOTION was made by Mr. Bramwell to award Aggregate Industries the DPW Paving Contract at \$59.81 per ton. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**7. Award of DPW Services Contract**

Mr. Silver spoke of on-call patching; it keeps on cracking and P.J. Keating come out to patch and does a good job. There is some problems with cracking. He heard Firehouse is also a good company.

Mr. Salvo said in near future he would like to see a report of what was spent in previous years and what it would cost for Town to do themselves.

Discussed was possibly using Ch90 money to buy the equipment, etc.

Mr. Silver spoke of micropaving which is like chip sealing but has no stones.

Mr. Kimball referenced letter in file regarding Mansfield Ave. parking area next to Mass Gas will stop servicing. He spoke of 237 Mansfield Avenue-boat ramp and in front are 10-15 spots. Looking at Recreation Dept...parking and future expansion itself and need to meet with Recreation Dept.

**MOTION was made by Mr. Bramwell to approve Award Bids as presented through SERSG contract for twelve months commencing January 1, 2011. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**8. Petition of Verizon New England Inc., and Massachusetts Electric Company Proposing to place new Pole 1201-1/2 on Pine Street, Norton, MA**

Mr. Purcell said this is not ready. A person came into town hall on Tuesday; someone to move into a house and needed approval as soon as possible for new pole and spoke to Carol, his office administrator.

Mr. Purcell said if this is a bonafide story, notice requirements, etc., are needed and a quick call to counsel. Carol, his administrator, had to post agenda and needed to add it on. It will likely be on the next agenda; need to notify butters, etc.

**B. OLD BUSINESS**

**C. TOWN MANAGER'S REPORT**

Mr. Purcell stated Waste Management is starting permit process/easement. Town would like some paving done in various areas and they would do 5500 square feet (animal shelter, etc.). He has passed info onto Mr. Silver, Highway Superintendent, and will get dollar value and measure and go accordingly. He would like to “put this to bed” before he retires and is relying on Mr. Silver for advice.  
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Mr. Purcell referenced Shpack and “permanent easements”, and executed rights of entry with Army Corps. Town meeting votes rights of entry and permanent easements.  
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Mr. Purcell provided notices to town departments regarding Fiscal '12 budget requests and will essentially have them very early on in budget process.

Mr. Purcell said he has had discussions with Tom DeLuca, Chairman of Finance Committee. State revenues are up more than 4%. Norton's new local receipts are up too. Local receipts discussed. Property tax levy will grow somewhat. It appears Town will be “starting with one foot in a hole” and it won't be good.

Health insurance costs discussed. Mr. Salvo said he believed many people are trying to onto a spouse's plan due to increase in health insurance costs.

Mr. Kimball said Mr. Salvo's concerns are justified. As of January 1, 2011 laws will change.

Mr. Purcell said uninsured do get coverage/insurance.

**D. APPOINTMENTS/RESIGNATIONS**

**1. Reappointment of Susan Morgado to Norton Cable Access Corp.**

Mr. Kimball asked if there were any objections to this? There were no objections by Board.

**MOTION was made by Mr. Bramwell to appoint Susan Morgado to Norton Cable Access Corp. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

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

Regarding Town Manager search, they have conducted telephone interviews to candidates and will finish tomorrow evening; then more extensive interviews to occur. January 1, 2011 the Committee will have some names of interest and there were about 55 applicants with about one or two being out-of-state (Rhode Island and New Jersey). Looking at top ten of these applicants. Discussion ensued.

**VII. NEXT MEETING'S AGENDA**

1. 2011 Renewals/New Licenses

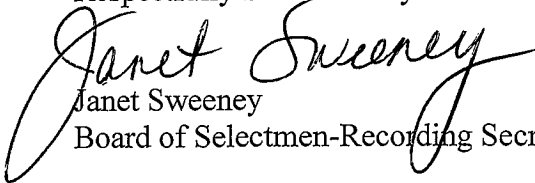
**VIII. EXECUTIVE SESSION – 6:30 P.M.**

- . To discuss strategy with respect to collective bargaining;
- . To consider the purchase, exchange, taking, lease or value of real property

**Adjournment**

**MOTION was made by Mr. Giblin to Adjourn at 9:08 p.m. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Respectfully Submitted by:

  
Janet Sweeney  
Board of Selectmen-Recording Secretary

**Documents Reviewed/Distributed at 12/16/10 Board of Selectmen Meeting**

. Letter dated November 1, 2010, from Bruce R. Finch, Jr., President, The Swirling Vine, Inc., 50 West Main Street, Norton, MA, regarding change of Sunday hours.

. List of 2011 Renewals/New Licenses

. Notice of Appointment of Highway Department Driver/Laborer/CDL II, dated December 13, 2010 addressed to Board of Selectmen from James P. Purcell, Town Manager

. Letter addressed to Mr. Robert Kimball and Norton Board of Selectmen, dated December 15, 2010, from Chief Richard J. Gomes, Director of Emergency Management regarding request of internet connection at Barrowsville fire station.

. Letter of Interest in appointment to Council on Aging from Natalie Lima, 1 Natalie Lane, Norton, MA to James Purcell (received December 6, 2010)

. Letter of Interest in appointment to the Norton Historical Commission, dated December 6, 2010, from Kathleen Ebert-Zawasky, 205 Plain Street, Norton, MA, addressed to Board of Selectmen.