



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

**BOARD OF SELECTMEN**  
**MINUTES OF MEETING FOR**  
**JANUARY 6, 2011**

**I. CALL TO ORDER BY CHAIRMAN:** The January 6, 2011, 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; Robert Salvo; and Mrs. Mary Steele, Vice-Chair, were present. Mr. James Purcell, Town Manager, was also present.

**MOTION was made by Mr. Bramwell to enter into Executive Session at 6:30 p.m. for purpose to consider the purchase, exchange, lease, or value of real estate, and to return to Open Session. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Open Session started at 7:00 p.m.

B. Pledge of Allegiance

**II. WARRANTS AND MINUTES**

A. Approve bills Warrant #37, dated December 23, 2010, in the amount of \$703,181.14

**MOTION was made by Mr. Bramwell to approve bills Warrant #37, dated December 23, 2010, in the amount of \$703,181.14. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

B. Approve bi-weekly payroll for the period ended December 25, 2010, Warrant #38, dated December 30, 2010, in the amount of \$1,035,036.01

**MOTION was made by Mr. Bramwell to approve bi-weekly payroll for the period ended December 25, 2010, Warrant #38, dated December 30, 2010, in the amount of \$1,035,036.01. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

C. Approve bills Warrant #39, dated December 30, 2010, in the amount of \$60,753.22

**MOTION was made by Mr. Bramwell to approve bills Warrant #39, dated December 30, 2010, in the amount of \$60,753.22. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

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D. Approve bills Warrant #40, dated January 6, 2011, in the amount of \$499,522.25

**MOTION was made by Mr. Bramwell to approve bills Warrant #40, dated January 6, 2011, in the amount of \$499,522.25. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

E. Minutes – September 9, 2010

**MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes of Meeting dated September 9, 2010, as amended. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Minutes – December 14, 2010 Joint meeting with NHS Building Committee, School Committee and Finance Committee

**MOTION was made by Mr. Giblin to approve the December 14, 2010 Joint meeting minutes of meeting with NHS Building Committee, School Committee and Finance Committee, as written. Second by Mr. Salvo. Vote: All In Favor, except for Mr. Bramwell abstaining. MOTION CARRIES.**

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

**1. 7:05 P.M. - John F.D. Jacobi, III, Esquire – Update Re: the 2011 Class III License for The Estate of James Fitzgibbons, to be utilized at 36 Dean Street, Norton, MA**

Attorney Jacobi of 144 Bank Street, Attleboro, was present representing The Fitzgibbons Estate. Attorney Jacobi provided history of this. Case may be tried on March 7 or settle it within a week or so.

Mr. Kimball spoke of contamination/laws, etc., and seriousness about getting this transfer done.

Mr. Giblin spoke of the need to get property cleaned up and the sooner the better.

Attorney Jacobi said it appeared all were on the same page. Heirs do not want this property. Just an issue of purchase price and lawyering done four years ago could have been better. Discussion ensued.

Mr. Kimball thanked Attorney Jacobi for the update.

Attorney Jacobi thanked the Board for their consideration in keeping license alive.

**2. 7:15 P.M. - Petition from Verizon New England Inc. and Massachusetts Electric Company proposing to place new facilities – P1201 ½ Pine Street**

Mr. Frank Matthews, of Verizon New England Inc., was present in reference to replacing pole.

Mr. Kimball said all Board members should have a copy of this request/copy of plan; a new home is

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being built.

No one in audience spoke in favor or against this when asked by Chairman Kimball.

**MOTION was made by Mr. Bramwell to approve Petition from Verizon New England Inc. and Massachusetts Electric Company proposing to place new facilities – P1201 ½ Pine Street, as per plan presented at January 6, 2011 Board of Selectmen meeting. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**3. Application of New Balance Reach the Beach Relay, to take place May 21, 2011, to pass through Town of Norton approximately 1:30 A.M. - 7:15 A.M.**

No Action taken. This is planned to be on agenda of January 13, 2011, per Chief Clark.

**4. 2011 Renewals/New Licenses:**

**. Crown Transportation Service**

**Livery – 1 Vehicle**

**MOTION was made by Mr. Bramwell to approve the Livery – 1 Vehicle License for Crown Transportation Service. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**. P & D Management LLC  
d/b/a McDonald's  
175 Mansfield Avenue**

**CV (Common Victualler)**

**MOTION was made by Mr. Bramwell to approve the Common Victualler License for P & D Management LLC d/b/a McDonald's, 175 Mansfield Avenue. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**. KMPZ, Inc. d/b/a Honey Dew Donuts  
61 West Main Street**

**CV (Common Victualler)**

**MOTION was made by Mr. Giblin to approve the Common Victualler License for KMPZ, Inc. d/b/a Honey Dew Donuts, 61 West Main Street. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

**IV. ANNOUNCEMENTS**

A Happy New Year was wished to all and congratulations on a successful First Night in Norton! Thanks to the volunteers and all others who attended, etc. The bus system worked perfectly and this was just the kickoff as there are many more events and festivities to follow in the future.

**V. BUSINESS**

**A. NEW BUSINESS**

**1. 7:20 P.M. - Request of Yolanda Lague and Elizabeth Fogerty for appointment to the Norton Council on Aging**

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Discussion to hold off on Council on Aging agenda item as it was recently discovered there was only one position available and need to talk to Council on Aging.

Mrs. Steele suggested it may be possible to add another position or alternate seat to this Committee. It is not a very active Committee currently.

Mr. Kimball said he would prefer to not add more members to Committee. People/members could submit resignation and can appoint those who want to participate.

Mr. Kimball stated they should hold off another week and try to get some clarification on this.

Mr. Purcell said a simple letter could be sent to people/current members about remaining on committees.

Mr. Kimball said by Charter, members are not supposed to miss/be absent from three meetings.

Mr. Kimball recommended to Table this request until the next Board of Selectmen meeting.

**2. 7:20 P.M. - Request of Sheri Cohen, Chairwoman, Norton Parks and Recreation Commission, for permission for the Parks and Recreation Commission to manage the property known as the Norton Community Playground, on West Main Street**

Mrs. Cohen said the Norton Women of Today are no longer a formation and they helped build the playground.

Mr. Giblin said Recreation has done an excellent job. He said Pop Warner shed is in that area also and not sure what scope is within that area. He said they are currently trying to get electric back to shed and trying to reach Nation Grid to assist. Keith Silver, Highway Superintendent, is involved too and can coordinate with Mrs. Cohen.

Mr. Kimball said Mrs. Cohen is just requesting management of playground.

Mr. Purcell spoke of deed/title belonging to Norton; jurisdiction authority = Norton Parks and Rec. MGL Chapter 45 was referenced by statute (document that memorialized vote).

Mr. Kimball said they are appointing authority so they have some jurisdiction over property. Better to have someone be responsible.

**MOTION was made by Mr. Bramwell to approve Request of Sheri Cohen, Chairwoman, Norton Parks and Recreation Commission, for permission for the Parks and Recreation Commission to take over responsibilities for Norton Community Playground on West Main Street. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**3. Approve and Sign Verizon Lease for 63 West Main Street**

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Mr. Purcell stated it was difficult with land issues; this was the last lease and asked Board of Selectmen consider executing document.

**MOTION was made by Mr. Bramwell to approve and sign Verizon Lease for 63 West Main Street (water tower) in conjunction with Water & Sewer Commissioners. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**4. Review January 19, 2011 Special Town Meeting Warrant**

Mr. Purcell spoke of various Articles.

Article 1-Unpaid bills for prior fiscal year.

Article 2 – Fine tuning numbers but appears bargaining agreement with firefighters (funds be appropriated to satisfy this).

Matter of arbitration -judgment - both counsels filing joint petition to arbitration panel which allows Town to disburse funds. Mr. Purcell further explained. This is a three-part motion and Fire Chief is working on this.

Article 3 – A transfer from free cash - transfer of \$5,000 for securing distressed properties in Town. Some neighborhoods deserve some help. Other part transfer amount is for data processing (changing dog licensing period) and a software upgrade. It will make animal control officer office more efficient. \$8,000 for new workstation in animal control office and two software packages and enables town clerk's office to be more efficient.

Article 4 – 10 a.m. Pouring Licenses for some establishments. Mr. Purcell said this was bad advice from him and what he was not aware of at time was that town meeting has to accept this under MGL 138 Sec. 33b. Trying to be helpful to businesses and won't need to pull licenses just need to validate.

Article 5 – Pollution Abatement Trust. Some administrative expenses.

Article 6 – Water Main easement.

Article 7 – Water & Sewer to meet with FinCom on Monday.

Articles 8, 9, and 10 – Water & Sewer Commissioners – sewer stabilization account

Article 11 – He previously spoke about “Dog Control”.

Mr. Kimball asked about tags for dogs (dates of April 2011 vs. Jan 2011; probably no need to make additional tags).

Mr. Purcell said this is analyzed at town clerk's office but he will ask.

Article 12 – TIF Article with Horizon Beverage.

**B. OLD BUSINESS**

**1. 7:30 P.M. - Horizon Beverage Officials – Discussion RE: TIF**

Mr. Purcell stated they have concluded, for time being, specifics of TIF with Horizon Beverage. Board of Selectmen held Executive Session, and members of IDC attended as well. There were a series of proposals and counter proposals in last couple of weeks. First proposal: Phase 1 and Phase 2 proposals discussed.

First proposal: when tax rate and new tax rate now to reflect new higher tax rate TIF negotiating parameters. Company submitted unified phase 1 and phase 2 proposals. Mr. Purcell referenced spreadsheet of Phase 1 Horizon deemed acceptable. 2013-2025-if Horizon were not here = \$3,791,000 in property tax. With Horizon coming in; adding \$9M in value and some tax forgiveness in Phases 1 and 2. Norton realizes \$5,494,000+ (\$1.7M difference); net gain = \$1.7M. On whole it is an arrangement that is mutually beneficial. It was noted several members of IDC and Board of Selectmen visited Horizon's business in Avon.

Mr. Michael Epstein, one of owners of Horizon Beverage, thanked the Board for the support and interest in project. He also thanked Tri-town Chamber of Commerce and Mr. Purcell who has been the champion of this. It is an expensive project and largest project they have ever undertaken and it has many benefits but want to ensure it works economically. They are a good corporate tenant and plan to expand job base and improve property. Outside of building will be attractive and they take pride inside and outside of their building. They have a good track record and they are a headquarters and grateful for all the support.

Mr. Kimball said five of the Board members were in support of TIF in Executive Session. Addition of jobs is beneficial and to continue to work on it. This is a great opportunity for Town and Horizon Beverage and would want to welcome them.

Mr. Giblin said he was impressed with the facility in Avon and that it is a family business and the communication has been excellent. He saw they were “bursting at the seams” at their present headquarters in Avon. There are local businesses currently they do business with and employees spend \$1/2M with businesses in area. Community involvement is very exciting.

Representative Barrows and Poirier were present and happy to have this business possibly come into Norton.

Representative Barrows introduced Representative Steve Howitt the newest member of State. Rep Barrows said Horizon Beverage will bring three times the jobs which is huge and echoed Mr. Giblin's comments as to the excellent communication, and in this economy, so important to make the southbound ramp investment. Horizon Beverage may be here for the next 100 years and final package he hoped would be brought to state level.

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Rep Betty Poirier said it was excellent Horizon Beverage may come into a wonderful community like Norton; bringing jobs and pride in community and southbound ramp important as Rep Barrows indicated.

Representative Howitt commended Town on the successful First Night they held and he also enjoyed the opening services of it. Regarding Horizon Beverage, bringing jobs is beneficial and all in favor of it. He presented Town with three masks to hook up (oxygen masks for animals and three different sizes). A great gift to start off Norton's Tri-Centennial celebration.

Mr. Purcell said he would ensure the Fire Chief receives this gift.

Ms. Lynn Tokarczyk recognized all the State Reps, Tri-town Chamber of Commerce, Karen Griffin and company gave presentation to Chamber. Also, Ed Tartufo was extremely instrumental in region and others as well. Tom Beauchene of IDC, and Maria Correia of Holiday Inn and others she thanked. She thanked the Board for their consideration for TIF proposal also.

Mr. Tom Beauchene, IDC Chair, said it was a great thing and there were important facts considering this: 84% of Norton's tax base comes from residential; 13% from commercial/industrial. He spoke of employment and Norton adding 415 jobs (7% increase to Norton jobs).

Mr. Kimball spoke of some cleanup/votes: On January 19<sup>th</sup> a Special Town Meeting to be held and this is Article 12 on Warrant.

Mr. Kimball said:

At its meeting of January 6, 2011, the Town of Norton Board of Selectmen voted the following:

**MOTION was made by Mr. Bramwell, that at its meeting of today, January 6, 2011, the Town of Norton Board of Selectmen recommend to Special Town Meeting the proposed application by Horizon Beverage Company, Inc., and E/R Properties Limited Partnership for acceptance as a Certified Expansion Project pursuant to M.G.L. Chapter 23A, Section 3F, and authorize the submission of same for approval to the EACC and to take all related actions necessary or appropriate in connection therewith. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Giblin, that at its meeting of today, January 6, 2011, the Town of Norton Board of Selectmen recommend to Special Town Meeting the proposed 13 Year Tax Increment Financing (TIF) Plan and Agreement, pursuant to M.G.L. Chapter 40, Section 59, between Horizon Beverage Company, Inc., E/R Properties Limited Partnership, and the Town of Norton for property located at 45 Commerce Way and authorize the submission of same for approval to the EACC and to take all related actions necessary or appropriate in connection therewith. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Giblin, that at its meeting of today, January 6, 2011, the Town of Norton Board of Selectmen voted to amend the Norton Commerce Center Economic Opportunity Area (EOA) application and include Assessors Map 25, Parcel 92, and Assessors Map 24, Parcel**

115, pursuant to M.G.L. Chapter 23A, Section 3E, and submit said application to amend the EOA for approval to the Massachusetts Economic Assistant Coordinating Council (EACC) and to take all related actions necessary or appropriate in connection therewith. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

**C. TOWN MANAGER'S REPORT**

**D. APPOINTMENTS/RESIGNATIONS**

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

It was noted Tri-Centennial First Night Committee did a great job and it was well run. Fireworks were great and will look forward to next event in April. Mr. Kimball said he rang the Paul Revere bell at the church service also.

Mrs. Steele thanked all for their efforts, especially Brian Coughlin who organized most of the work, etc.

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Town Manager Interviews to take place possibly on Saturday, 1/29/11.

Mr. Kimball said the Board should decide on some questions and each question can have a score sheet (1-5) and at end can total each. Suggest to use the same format used previously.

Mr. Bramwell said 15 candidates had telephone interviews. Three questions they had prepared for face- to-face candidates. Every candidate got exactly the same question.

Mr. Kimball said last time the Board actually asked dept. heads for questions and extended this offer to Mr. Purcell, too. Need to decide on what questions to ask.

Mr. Purcell said Screening Committee functionally looks at application/education and experience, etc. All people in theory should be people able to perform job. Some subjectivity should be used also (i.e., who do you want to work with? A person possibly with an excellent temperament but not as much experience could be considered, etc.).

Mr. Bramwell said Board of Selectmen will have a wide variety of personalities and all are unique.

Mr. Kimball asked to have Mr. Purcell in charge of this and decide on about 15 questions. He would like to have questions by next Thursday and Mr. Bramwell to also give Board questions and Board will see which work best.

Mrs. Steele recommended, since Mr. Purcell has a lot of dealings with Dr. Ansay, to ask her also.

Mr. Kimball said they should ask the police dept. as well.



**VII. NEXT MEETING'S AGENDA**

1. Town Manager Screening Committee's referral of the names of five (5) persons and two (2) alternates to the Board of Selectmen
2. 2011 Renewals/New Licenses

**VIII. EXECUTIVE SESSION**

6:30 P.M. - To consider the purchase, exchange, lease or value of real estate

**Adjournment**

**MOTION was made by Mr. Bramwell to Adjourn at 8:57 p.m. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Respectfully Submitted by:

Janet A. Sweeney  
Board of Selectmen – Recording Secretary

**Documents Reviewed/Distributed at 1/6/11 Board of Selectmen Meeting**

- . Press Release – Town of Norton Annual Census Forms will include Dog Licensing Form
  
- . Press Release – Nomination Papers Available – available from January 24, 2011 at Town Clerk's Office (and list of open seats)
- . Letter dated 12/23/10 to Board of Selectmen from Sheri Cohen, Chairwoman, Norton Parks and Recreation Commission regarding Norton Community Playground management of property
  
- . Letter of Interest dated 12/22/10 from Yolanda Lague and Elizabeth Fogerty for consideration to be appointed to the Council on Aging
  
- . Town of Norton Warrant for the Special Town Meeting of January 19, 2011
  
- . Document noting three specific votes to take by Board of Selectmen regarding Horizon Beverage Company and potential TIF

**BOARD OF SELECTMEN  
MINUTES OF MEETING OF  
JANUARY 6, 2011**

**BOARD OF SELECTMEN:**

Robert W. Kimball, Jr., Chairman

Mary T. Steele, Vice-Chairman

Bradford K. Bramwell, Clerk

Timothy R. Giblin

Robert S. Salvo, Sr.

**Date Approved:**\_\_\_\_\_