

**BOARD OF SELECTMEN  
MINUTES OF MEETING FOR  
APRIL 14, 2011**

**I. CALL TO ORDER BY CHAIRMAN**

A. Roll Call: Mr. Robert Kimball, Chairman of Board of Selectmen; Mrs. Mary Steele, Vice-Chair; Mr. Brad Bramwell; Mr. Robert Salvo; and Mr. Timothy Giblin were present. Mr. Michael Yunits, Town Manager, was also present.

B. Pledge of Allegiance

**II. WARRANTS AND MINUTES**

A. Approve bi-weekly payroll for the period ended April 2, 2011, Warrant #59, dated April 7, 2011, in the amount of \$993,214.49

**MOTION was made by Mr. Bramwell to Approve bi-weekly payroll for the period ended April 2, 2011, Warrant #59, dated April 7, 2011, in the amount of \$993,214.49. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

B. Approve bills Warrant #60, dated April 7, 2011, in the amount of \$555,136.33

**MOTION was made by Mr. Bramwell to Approve bills Warrant #60, dated April 7, 2011, in the amount of \$555,136.33. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

C. Approve bills Warrant #61, dated April 14, 2011, in the amount of \$155,220.74

**MOTION was made by Mr. Bramwell to Approve bills Warrant #61, dated April 14, 2011, in the amount of \$155,220.74. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

D. Minutes – April 9, 2009

**MOTION was made by Mr. Giblin to approve the Board of selectmen Minutes of Meeting, dated April 9, 2009, as written. Second by Mrs. Steele. Vote: All In Favor, except for Mr. Bramwell**

who "abstained". MOTION CARRIES.

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

1. Application of Norton VFW Post 8049, 38 Summer Street, for Annual Poppy Drive to be held at Roche Bros. Supermarket, Produce Barn, CVS and st. Mary's, May 13 and 14, 2011

It was noted all documents were signed off.

**MOTION was made by Mr. Bramwell to Approve Application of Norton VFW Post 8049, 38 Summer Street, for Annual Poppy Drive to be held at Roche Bros. Supermarket, Produce Barn, CVS and st. Mary's, May 13 and 14, 2011, and to waive all fees. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

### **IV. ANNOUNCEMENTS**

Town Offices will be closed Monday, April 18, 2011, in observance of Patriot's Day.

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Tri-Centennial Park Groundbreaking to be held at 1 p.m. On April 29.  
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Earth Day Event on 4/16 from 9 a.m. - 1 p.m. at Comcast Center, Mansfield, MA (recycling day).  
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Annual Hazardous Waste day to be held from 9 a.m. - 1 p.m. on 5/14 from at Town Hall Parking lot.

### **V. BUSINESS**

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

1. 7:05 P.M. - Fire Chief Richard J. Gomes Re: Presentation of Life Saving Citation to Citizen

Fire Chief Gomes stated on February 28 there was a serious auto accident (a single car accident) with a struck utility pole with downed electrical wires. Mr. Edward Johansen of Taunton helped remove victim, Mr. Costa, from auto before paramedics arrived. The victim had no pulse and was not breathing and CPR was performed on travel lane with wires overhead by Mr. Johansen, and victim recovered.

Mr. Bramwell read aloud Proclamation for Mr. Johansen. A pin and plaque were also presented to Mr. Johansen.

Mr. Kimball said he and the Board of Selectmen appreciate Mr. Johansen 's efforts.

Mr. Johansen thanked the paramedics also for their assistance and timeliness.  
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Chief Gomes said service awards will be taking place at the next Board of Selectmen meeting with a about a dozen people ready for 20-40 years of service awards.

2. 7:15 P.M. - Treasurer/Collector Jacqueline Boudreau Re: Vote on Declaration of grandfathered status for Town's Blue Care Elect Plans under the Affordable Care Act

Ms. Boudreau spoke of two rates for health insurance increases, and referenced date of March 20, 2010 grandfathered status on Towns plan. 7.4 could be grandfathered. To claim grandfathered status need to sign agreement to relieve any liability if audited. This agreement is for PPO plan. Thirty-seven people have this plan (10 family and 27 individuals); and majority are retirees.

HMO's - with many family plans and that group not grandfathered. Discussion ensued.

**MOTION was made by Mr. Bramwell to declare the grandfathered status of Blue Care Elect Plan under the affordable Care Act by Board of Selectmen. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

3. 7:25 P.M. - Michele Simoneaux RE: Interview for appointment to the Conservaiton Commission

Mr. Kimball referenced the resignation letter received from Earl Willcott who had been a long-term member and asked Mr. Yunits that a thank you letter be sent to Mr. Willcott.

Ms. Simoneaux stated she was an environmental consultant – wetlands scientist with a long-standing interest in conservation commission. She is familiar with the conservation law and also knows what it's like to be an applicant.

Ms. Simoneaux had experience in towns of Norwell and Hingham.

Mr. Kimball asked if there would be any conflict of interest.

Ms. Simoneaux responded if anyone from company filed she would recuse herself.

Mr. Giblin said they need to first notify public first and not to take vote this evening; make notification to public of this open position, and is absolutely not taking away from Ms. Simoneaux – just following procedures.

Ms. Simoneaux said Board of Selectmen had appointed her to the Open Space Committee previously.

Mr. Kimball agreed to wait until next meeting (in one week) to take a vote. He said Ms. Simoneaux's credentials are excellent. He said they should give everyone until April 22 and all interested applicants can attend April 28 Board of Selectmen meeting for interviews.

Appointment would be to fill the vacancy created by the resignation of Earl C. Willcott, Jr., term to expire June 30, 2011

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4. 7:30 P.M. - Discussion regarding the waiving of fees for the School Building Project

Mr. Duane Knapp, Water and Sewer Superintendent, and Building Inspector, Scott Barbato were present.

Mr. Barbato said some research was conducted on previous projects; town-owned projects and building fee waivers (estimated costs of \$490,000; based on \$23M).

Mr. Barbato said mechanical systems of \$100 plus 1% and plumbing fees not waived.

Mr. Kimball clarified when bids go out to contractors there will be no fees.

Mr. Yunits spoke of Clerk of Works was emphasized by Mr. Barbato today.

Mr. Barbato said construction details are important; he would like to have some involvement in hiring process. A lot of things need to be monitored, especially caught at beginning is important.

Mr. Barbato spoke of similar experiences-third party inspectors he has done in assisted living facilities, etc. He will be involved and make inspections at different levels.

Mr. Knapp said for road jobs they hired independent inspectors, who watch everything, and reports to Town and engineers provided.

Mr. Kimball said they want to keep cost of this building project down. On the other hand, if they collect fees that money would be coming into Town = free cash which could be used by Town. 1) should do this the most cost-effective way; or 2) have fees.

Mr. Kimball said he supported the waiving of fees upfront. Discussion ensued.

Mr. Knapp spoke of it being a self-sustaining department. Some permit fees were charged previously. He and Water Commission had a meeting and discussed this for a long time. To make it work for everybody if Town waives permit fees, this would be waived for all of Town property.

Mr. Kimball said it is important to clarify what "Town Property" means.

Mr. Bramwell said clarification on what permitting fees are vs. inspection fees. Discussion ensued.

Mrs. Steele spoke of it best if fees are waived upfront. Cost of Norton High School Building project could be reduced through waiving of fees so taxpayers have less responsibility. Inspection fees are basically to go out and check something (a value to it). She felt permit fees are "fluff" fees; not a real value. She asked for them to look at school separately and eliminate as many fees as possible and to just concentrate on school project for now; not concentrate on what dept is charging other depts .

Mr. Knapp said half of costs is for fire protection. Discussion ensued.

Mr. Giblin said this is one of the biggest projects in Town; need to try to reduce as many fees as they

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can and get as much money back from State. This is a tremendous asset to Town and children of Town.

Mr. O'Neil, Chair of Norton High School Building Committee, said School Building Authority does not reimburse for fees for school. (fees not reimbursable).

Cost of fire protection was discussed.

\Mr. Knapp said waiving fees could be a potential loss of revenue to Water Dept. (\$70,000-\$100,000) if fees were waived/Water Dept. would not have to come up with money.

Mrs. Steele stated if Water Dept. makes money on project then the Water Dept. is not losing money.

Mr. Giblin said the higher the cost of this project the less likely it will pass. Need to reduce costs as much as possible.

Mr. O'Neil said he was surprised no one was present this evening from Water and Sewer Commission except for Mr. Knapp who is probably responding the way he was told to respond.

Mr. Kimball said Mr. Yunits will reach out to Water and Sewer Commission regarding this topic, and believed Mr. Knapp will present Water & Sewer Commission Board of Selectmen's position. Discussion ensued.

5. Vote to approve the Certification of Authority To Use The Construction Management At Risk Delivery Method for the Norton High School Renovation & Addition Project

Management at Risk Delivery Method was discussed and explained by Margaret Wood. They do need governing body of Town to vote. She could answer any questions and help facilitate in moving ahead. Ms. Wood described Management Risks. Owner is usually at risk in construction project. This enables Town to select a construction manager; not a general contractor for info/answers.

Mr. Kimball asked if this would help Town if a problem occurred in future?

Ms. Wood said she believed it would provide greater standing and more collaboration. A construction manager provides timeliness and good coordination of the trades. Discussion ensued.

Mr. Bramwell said a construction manager to almost act like a conductor of a symphony and very important. School Building Authority will award another percent of reimbursement if Town uses a Construction Manager.

**MOTION was made by Mr. Bramwell to approve the Certification of Authority To Use The Construction Management At Risk Delivery Method for the Norton High School Renovation & Addition Project, and authorize Mr. Michael Yunits, Town Manager of Norton, to sign on behalf of Board of Selectmen. Second by Mr. Giblin. Vote:Unanimous. MOTION CARRIES.**

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6. Vote to send letter of support to the Southeastern Regional School District for the MSBA renovation and expansion project of the District High School and to take no action and not schedule a special town meeting within thirty (30) days

Mr. Kimball stated Southeastern Regional School will use their own capital; no cost to Town of Norton; no override or debt exclusion. 80% reimbursement Southeastern Regional will receive .

**MOTION was made by Mr. Salvo to send letter of support to the Southeastern Regional School District for the MSBA renovation and expansion project of the District High School and to take no action and not schedule a special town meeting within thirty (30) days, and authorize Chairman of Board to sign letter on behalf of Board of Selectmen. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

7. Vote to lay out Pratt Drive

Mr. Knapp said Pratt Drive and Ellis Road are on Board's agenda this evening and said he never got as-builts of water system. Recently there were broken hydrants, etc. and Water and Sewer Commission will take over water system. It was decided not to accept roads at this time where some things were not complete, etc.

Mr. Kimball said he agreed with Mr. Knapp; cannot accept roadways if not 100% complete.

Mr. Yunits stated Highway Superintendent, Mr. Silver, and he looked at it and developer agreed to put up a fence by guardrail but fence is not up yet. Discussion ensued.

Mr. Knapp said it could wait until Fall Town Meeting since it appeared it was not ready yet.

Mr. Salvo commented this had not even been signed off by Planning Board yet.

**MOTION was made by Mr. Salvo to not support layout of Pratt Drive. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

8. Vote to lay out Ellis Road

**MOTION was made by Mr. Giblin to recommend to not accept to lay out Ellis Road. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

**B. OLD BUSINESS**

**C. TOWN MANAGER'S REPORT**

1. FY2012 Budget Update

House Ways and Means Committee-for local aid = \$427 more than governor's proposal it appears. Discussion ensued on charter school/assessments, etc.

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Mr. Yunits said the Finance Committee held a lengthy meeting to review budgets and school superintendent in next week to speak and FinCom budget hearing on April 25.

2. Review Town Meeting Warrants

This will be discussed at the next meeting.

Mr. Yunits received an e-mail from Police Chief Clark regarding Kevin Schleicher, Jr. graduating and received the "Top Gun" award.  
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Mr. Yunits said he and Mr. Kimball met with Taunton officials regarding Waste Management and Condylone and Waste Management concern with road closing possibly (Hill Street and Boynton Way). Taunton discussion on improvements and Myles Standish Blvd. line painting, etc. Taunton spoke of a traffic signal and Norton will work with them on that. Mr. Yunits said he met with Waste Management afterward and letter from Town Counsel stated Taunton is not able to close road.

Mr. Kimball said Waste Management has a building there and wants to move project ahead and told Taunton officials this.  
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Mr. Yunits stated there was no signing by Reilly family on purchase and sale agreement and time is of the essence and next Wednesday is Finance Committee's deadline and will reach out to Attorney tomorrow.

Mr. Kimball suggested to explore the other 57 acres that Town owns, especially if deal with Reilly family does fall apart it will be ideal to explore it.

Mr. Giblin agreed with Mr. Kimball and said they should let State know Norton is interested and need to be proactive.

Mrs. Steele said it is getting so close to Town Meeting and no signature received; she agreed the Board needs to look at options.

Mr. Kimball told Mr. Yunits to advise State Norton is interested and can use as a discharge area and work with Mansfield.  
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Mr. Yunits said he met earlier that day with health agent and solar developer on landfill and continuing on and this has no cost to Town (solar panels at no charge).  
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Mr. Yunits stated he was surprised of the water main break on Friday. Need to see how they can improve communications as Fire Chief and Water Superintendent were both out of Town. Health agent concerned about nursing home with no water for fire protection, etc. He was not aware until 10 a.m. on Friday morning about this. Discussion ensued.  
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It was noted there is an open house on April 17 at Old School House and opening 50 year old time capsule at 2 p.m. Tri-centennial Committee will open capsule.

Mr. Kimball said he cannot attend this event as he has a work commitment at that time.

**D. APPOINTMENTS/RESIGNATIONS**

1. Resignation of Earl C. Willcott, Jr. from the Conservation Commission effective March 31, 2011

Mr. Kimball asked Mr. Yunits to please send a thank you letter to Mr. Willcott (as stated previously in these Minutes of Meeting).

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

Mr. Salvo spoke of last year the Board spoke about possibly regionalizing trash pickup.

It was noted this was currently being worked on.  
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Easton Fire Dept . Letter was sent to Chief Gomes thanking Norton for mutual aid assistance to their Town.  
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Mr. Giblin congratulated Norton Cultural Council on the award received last week. The Cultural Council is also looking for members.  
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The Norton Library will hold a Bake Sale and selling of plants and flowers on April 21<sup>st</sup> from 10-7 pm. And May 3 is book sale.  
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Mr. Giblin said Patricia Kirby of ARC of Norther Bristol County will have a meeting on June 15 at Holiday Inn Taunton regarding update /future.  
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Mr. Giblin spoke of various vacancies on Boards/Committees (i.e., Commission on Disability; Cultural Council; Conservation Commission). Any residents interestes, should contact Town Hall and/or send a resume/letter of interest to 70 East Main Street, Norton, MA.  
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Mr. Giblin said it would be beneficial to have veterans' agent come in at a future meeting for an update. It appears things are going well.  
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Mrs. Steele respectfully requested for Water & Sewer Commission to attend next Board of Selectmen meeting for discussion and update.

**VII. NEXT MEETING'S AGENDA**

1. Reverend Christana McKnight Re: Unitarian Church Update

**VIII. EXECUTIVE SESSION**

6:30 P.M. - To discuss strategy with respect to collective bargaining

**IX. ADJOURNMENT**

**MOTION was made by Mr. Giblin to adjourn at 8:58 p.m. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**



Respectfully Submitted by:

Janet A. Sweeney  
Board of Selectmen – Recording Secretary

**Documents Viewed/Distributed at Board of Selectmen Meeting of April 14, 2011**

. “Citizen Life Saver Award”, dated April 14, 2011, to Mr. Edward Johansen, from Fire Chief Richard J. Gomes

. Memo from Jacqueline Boudreau, Treasurer/Tax Collector-Town of Norton, dated April 12, 2011, regarding Health Insurance Issue (grandfathered status explanation, etc.).

. Letter and Resume, dated March 21, 2011, from Michele Simoneaux, regarding interest in becoming a member of the Norton Conservation Commission.

. Commendation and thank you letter from Easton Fire and Rescue Department/Chief Thomas F. Stone, dated March 30, 2011, to Norton Fire Dept./Chief Richard J. Gomes

. Southeastern Regional School District letter, dated April 6, 2011, from Luis G. Lopes, Superintendent, regarding MSBA addition and renovation project

. Documents: “Massachusetts Department of Revenue Division of Local Services FY2012Local Aid Estimates” and “FY2012 Local Aid Assessments-Norton” distributed by Town Manager, Mr. Yunits

**BOARD OF SELECTMEN  
MINUTES OF MEETING OF  
APRIL 14, 2011**

Robert W. Kimball, Jr., Chairman

Mary T. Steele, Vice-Chair

Bradford K. Bramwell, Clerk

Timothy R. Giblin

Robert S. Salvo, Sr.

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