

**BOARD OF SELECTMEN
MINUTES OF MEETING
MARCH 1, 2012**

I. CALL TO ORDER BY CHAIRMAN

The March 1, 2012, Meeting of the Board of Selectmen was called to Order by Mr. Bramwell, Chairman, at 7:00 p.m., held in the First Floor Selectmen's Conference Room in the Municipal Center.

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

B. Pledge of Allegiance

1. WARRANTS AND MINUTES

A. Approve bi-weekly payroll for the period ended February 18, 2012, Warrant #50, dated February 23, 2012, in the amount of \$978,930.90

MOTION was made by Mr. Giblin to approve bi-weekly payroll for the period ended February 18, 2012, Warrant #50, dated February 23, 2012, in the amount of \$978,930.90 Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

B. Approve bills Warrant #51, dated February 23, 2012, in the amount of \$1,182,741.13

MOTION was made by Mr. Giblin to approve bills Warrant #51, dated February 23, 2012, in the amount of \$1,182,741.13. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

C. Approve bills Warrant #52, dated March 1, 2012, in the amount of \$88,974.76

MOTION was made by Mr. Giblin to approve bills Warrant #52, dated March 1, 2012, in the amount of \$88,974.76. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

D. Minutes – September 8, 2011

MOTION was made by Mr. Giblin to approve the Board of Selectmen Minutes of Meeting, dated September 8, 2011, as written. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

Minutes – October 12, 2011

MOTION was made by Mr. Giblin to approve the Board of Selectmen Minutes of Meeting, dated October 12, 2011, as written. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

Minutes – October 20, 2011

MOTION was made by Mr. Giblin to approve the Board of Selectmen Minutes of Meeting, dated October 20, 2011, as written. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

LICENSES AND PERMITS

1. 7:05 P.M. - Application of the Norton High school Parent Advisory Board, for a Permit to conduct a Run4Norton high 5K Run/Walk, Norton High School Road Race Fundraiser, April 29, 2012, Assembly Time 7:00 A.M., at the Everett Leonard Park, Starting Time 9:30 A.M. - 12:00 Noon – disbanding Area at the Everett Leonard Park

MOTION was made by Mr. Giblin to approve Application of the Norton High school Parent Advisory Board, for a Permit to conduct a Run4Norton high 5K Run/Walk, Norton High School Road Race Fundraiser, April 29, 2012, Assembly Time 7:00 A.M., at the Everett Leonard Park, Starting Time 9:30 A.M. - 12:00 Noon – disbanding Area at the Everett Leonard Park, and to waive all fees. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

2. 7:30 P.M. HEARING – Application for Transfer of Ownership, Change of Manager, and Pledge of License and Inventory, from Norton Liquors, Inc., Manager: Derek Mui to Guruji Corp. d/b/a Norton Liquors, Manager: Dharaben Patel to the Retail Package Goods Store License to Expose, Keep for ale, and to Sell all Kinds of Alcoholic Beverages Not To Be Drunk On The Premises, at 92 Mansfield avenue, Norton, MA 02766

This agenda item is referenced/discussed later in these Minutes of Meeting.

IV. ANNOUNCEMENTS

Norton High School Groundbreaking Ceremony to be held March 2, 2012 at 1 p.m.
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L.G. Nourse Winter Carnival to be held March 10 from 10-2 p.m.

V. BUSINESS

A. NEW BUSINESS

1. 7:05 P.M. - Marcia Anderson (error on agenda as agenda states Colleen E. Ryan) re: interview for appointment to the Water Bodies Committee

Ms. Anderson stated she lives on Lake Winnecunnet (55 King Philip Road) and has a great passion for lakes. Mr. Kimball said he was glad someone from Winnecunnet was interested.

Mr. Giblin said they need to reach out to Ms. Ryan and have her come in also and get this committee going forward soon.

2. 7:15 P.M. - Jason K. Brolsma Re: Interview for Associate (Alternate) Member position on the Zoning Board of Appeals

Mr. Brolsma stated he was a resident of 64 Freeman Street, and resides with his wife and practices law

in New Bedford and does a fair amount of zoning and would like to get involved in Town.
Mr. Kimball asked if he was aware of comprehensive Ch40b projects.

Mr. Brolsma responded he did not know too much about Ch40b.

Mr. Kimball said Zoning Board may need to get more involved.

Mr. Kimball encouraged Mr. Brolsma to get up to date in that area.

Mr. Giblin said from reviewing Mr. Brolsma's resume he appears to be very qualified.

MOTION was made by Mr. Kimball to appoint Jason K. Brolsma as an Associate (Alternate) Member position to the Zoning Board of Appeals. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

Mr. Kimball discussed Turtle Crossing status with Board of Selectmen.

3. Request of Janine Arduino for permission to have a banner hung across East Main Street, in front of the Town Hall, advertising the LG Nourse Winter Carnival, to be held Saturday, March 10, 2012, 10:00 A.M. - 2:00 P.M.

This agenda item is discussed later in these Minutes of Meeting.

4. Discussion Re: Pino Land

This land is a donation to Town off of Robinson Lane (over one acre) and possibly Town could use that for a boat ramp (Robinson is next on right after Tsang's Restaurant). Also, to consider naming future boat ramp after his father Charles Pino. Suggestion to perhaps call cove "Pino Cove". It is a generous donation. It is important to see how deep water is around cove. Mr. Yunits to work with Concom on this. All paperwork will be drawn up by Mr. Pino and a sign made at no cost to Town. This to be under the Recreation Dept. is the other stipulation. Mr. Kimball spoke of driveway and to look at right of way there. Mr. Yunits to look at a few areas and keep process going.

5. Selectman Timothy R. Giblin Re: Update on Crossroads Veterans' Services District

Mr. Giblin spoke of the two veterans service officers and looking for a third (about 13-14 candidates applied). Towns involved are Foxboro, Mansfield, Easton, and Norton and have enough help. Third VSO to be funded through Foxboro and Mansfield only (about \$60,000). Vote taken to ensure each town pay for their own VSO and Norton will be sent an invoice. March 13 is a meeting and then will plan to meet once a quarter. Applicants for VSO must be : 1) a veteran; 2) experience as a veterans' agent and knowledgeable in process.

Mr. Kimball said another joint effort is possible as he learned Easton does not have a facility regarding animal control officer and can see if Easton is interested in sharing manpower/rent space in Norton's building, etc.

7:30 P.M. HEARING – Application for Transfer of Ownership, Change of Manager, and Pledge of License and Inventory, from Norton Liquors, Inc., Manager: Derek Mui to Guruji Corp. d/b/a Norton

Liquors, Manager: Dharaben Patel to the Retail Package Goods Store License to Expose, Keep for ale, and to Sell all Kinds of Alcoholic Beverages Not To Be Drunk On The Premises, at 92 Mansfield avenue, Norton, MA 02766

Mr. Giblin read aloud legal notice of Hearing.

Greg Demarkus, Attorney from Lynn, was representing Ms. Patel and explained this is to be financed by seller's financing. A 15 year note to buyer and two year note for inventory, and pledge of liquor license and inventory they request. Dharaban Patel is a U.S. Citizen, and ran an independent liquor store in Easton. This applicant runs a clean establishment and is friendly, etc.

Applicant Dharaben Patel was introduced to Selectmen.

Mr. Bramwell said liquor policy in Norton is strict and liquor license holders to uphold law (minors not served/ intoxicated people not served).

Attorney stated Ms. Patel understood this and said Ms. Patel is vigilant and never had an issue in Easton. Her uncle operates a lot of liquor stores also.

Attorney said she would take TIPS class and supply certificate to Board of Selectmen. Ms. Patel's husband and her will take next TIPS class.

Mr. Kimball said it would be beneficial for any employees working there to take TIPS class, especially where Norton is a college town.

Mr. Giblin said TIPS certified employees is important. This Board of Selectmen takes a strong view of that.

It was noted they will keep business the way it stands now with no changes.

MOTION was made by Mr. Kimball to approve Application for Transfer of Ownership, Change of Manager, and Pledge of License and Inventory, from Norton Liquors, Inc., Manager: Derek Mui to Guruji Corp. d/b/a Norton Liquors, Manager: Dharaben Patel to the Retail Package Goods Store License to Expose, Keep for ale, and to Sell all Kinds of Alcoholic Beverages Not To Be Drunk On The Premises, at 92 Mansfield avenue, Norton, MA 02766. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

6. Discussion Re: Flexible Spending Account

Mr. Yunits communicated he just learned employees were paying for their flexible spending account. Section 125 of Plan was referenced (\$1 per paycheck being deducted) and fee paid for flexible spending account. \$1 health insurance is deducted (pre-tax) and \$1 each paycheck for flex spending account. Forty people are enrolled now, and he hoped 100 will be on board soon. It is a \$7800 cost to Town.

Mr. Giblin said he never knew employees were being charged for this. They are already paying their own insurance costs.

Mr. Kimball said he never heard of it either. It was discussed it has nothing to do with union contracts (no administrative fee, etc.). Mr. Bramwell agreed he never heard of such a thing (being charged for flexible spending account). Discussion followed.

Mr. Yunits said he spoke to Treasurer and Treasurer is in support of this (to not take deduction).

MOTION was made by Mr. Kimball to stop the surcharge regarding the flexible spending account to employees. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

7. Review of Draft - May 14, 2012 Spring Annual Town Meeting Warrant

Mr. Yunits said this is in draft form currently. It is very standard and Articles 9,10, 11, 12, 13, and 14 are all renewals of existing revolving accounts. Town Counsel, Lauren Goldberg, asked to put under one Article.

Articles 15, 16, and 17 could all be included under Article 19 (submitted by School Committee) and are all capital projects.

Mr. Kimball recommended to Town Manager that this should be incorporated in capital plan; approved by Capital Committee; not necessarily a separate Article (all under capital). Draft can be studied and revisited at a later date.

8. Set date May 14, 2012 Special Town Meeting

Timeline discussed and provided to Board of Selectmen. Will open Town Meeting Warrant this evening. March 20 to close Warrant and April 2 to go to Finance Committee Chair and warrant recommendation on April 22 for May 14 Special Town meeting.

MOTION was made by Mr. Kimball to set Special Town Meeting on May 14, 2012. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

Request of Janine Arduino for permission to have a banner hung across East Main Street, in front of the Town Hall, advertising the LG Nourse Winter Carnival, to be held Saturday, March 10, 2012, 10:00 A.M. - 2:00 P.M.

Mr. Bramwell said a resident approached Mrs. Steele and Town Manager's Officer Administrator e-mailed him as to whether or not Ms. Arduino was required to come forward. Usually this requires an insurance certificate.

MOTION was made by Mr. Kimball to approve Request of Janine Arduino for permission to have a banner hung across East Main Street, in front of the Town Hall, advertising the LG Nourse Winter Carnival, to be held Saturday, March 10, 2012, 10:00 A.M. - 2:00 P.M., with provision some type of insurance certificate be provided. Second by Mr. Giblin.

Discussion: It was discussed that the Highway Dept. would hang banner.

Vote: Unanimous. MOTION CARRIES.
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Mr. Kimball suggested Norton possibly hold an indoor town-wide yard sale, similar to Bridgewater Lions Club who held one. Anyone can pay for space and could have Salvation Army present with a

truck for whatever is left over. If an organization is interested they should look at it for next year.

Mr. Bramwell spoke of a type of hazardous waste day also would be ideal for tv sets, computer monitors, etc., and maybe some company could come in for these items.

9. Votes Re: Charter Amendments – Ballot Questions, Letter to Voters, and Proposed Charter Amendment Document

Mr. Bramwell said there were two proposed formats given to them by Mr. Yunits and they are down to two from the three. He personally likes the strike-out through it and bold text; he does not like the bubbles.

Mr. Giblin agreed that the strike-out was more easy to follow.

MOTION was made by Mr. Kimball to present to town voters the text of the Charter Amendment document format be strike through and bold text showing text to be deleted/inserted. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

B. TOWN MANAGER'S REPORT

Mr. Yunits referenced Schpack cleanup and ConCom to grant easement; and Shpack meeting continued to April 2 at 10-12 noon at Norton Library.
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Feeny Island was discussed and Mr. Yunits said no one has no right to damage island. This gentleman spent thousands of dollars delineating wetlands.. There were 20 no trespassing signs up and painted numbers on trees because flags were taken away. Numbers were randomly written on trees and people could be criminally and civilly liable and can cost money. Cameras could be put in. It is wrong and some people may not agree but it is a private piece of property. People/residents are free to attend meetings and ask questions/get info, etc.

Mr. Kimball said it is private property. It is embarrassing that this was put in newspapers . Work is being done now and will go to ConCom whether or not allowed. Building Inspector, Board of Health, etc., are also involved. These illegal act will not stop them from moving ahead, but makes it more difficult for town boards/committees to oversee plan. Police should be called if anyone sees suspicious activity and please take time to realize all people have rights no matter what a person's position is.

Mr. Giblin said this may slow down process but process will still continue. There are other avenues to

take if there are disagreeing opinions. Town needs to be held at a higher standard in Norton. Norton usually makes the correct decision in the end.

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Mr. Yunits said a resident of Evergreen Road met with him twice. Owner went to ZBA and lining up contractors to take house down or Board of Survey will need to get involved.
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On March 16, the state reps will be at town hall at 12 noon and available for residents to meet with them.

Recent activity that occurred at Sportsway Cafe was referenced and a Hearing needed and owner should come in before Board to discuss operation of establishment/facility and person running facility.

Mr. Kimball said Town Counsel should be present for that meeting and short agenda that evening so there is time to hold Hearing.

C. APPOINTMENTS/RESIGNATIONS

1. Appointments of Part-Time Dispatchers in the Communications Department:

. Amanda J. Johansen
. Jennifer L. Johnson
. Christopher W. McMahon, Jr.

MOTION was made by Mr. Giblin to approve appointments of the following Part-Time Dispatchers in the Communications Department, said appointment made on February 21, 2012, but to be effective March 4, 2012:

. Amanda J. Johansen
. Jennifer L. Johnson
. Christopher W. McMahon, Jr.

Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

VI. SELECTMEN'S REPORT AND MAIL

Turtle Crossing was already referenced earlier in this meeting and more info will be gathered.

VII. NEXT MEETING'S AGENDA

1. Request of Disabled American Veterans Cpl. William F. Reardon, Chapter 57, Taunton, MA, for permission to conduct Annual Forget-Me-Not Drive
2. Executive Session to discuss strategy with respect to collective bargaining

VIII. EXECUTIVE SESSION

IX. ADJOURNMENT

MOTION was made by Mr. Kimball to Adjourn at 8:20 p.m. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

Janet Sweeney

Board of Selectmen – Recording Secretary

**BOARD OF SELECTMEN
MINUTES OF MEETING OF
MARCH 1, 2012**

Bradford K. Bramwell, Chairman

Mary T. Steele, Vice-Chair

Timothy R. Giblin, Clerk

Robert W. Kimball, Jr.

Robert S. Salvo, Sr.

Date Approved: _____

Documents Distributed/Reviewed at March 1, 2012, Board of Selectmen Meeting

- . Application of the Norton High School Parent Advisory Board for a Permit to conduct a Run4Norton High 5K Run/Walk, Norton High School Road Race Fundraiser, to be held April 29, 2012 at Everett Leonard Park

- . Application for Transfer of Ownership, Change of Manager, and Pledge of License and Inventory, from Norton Liquors, Inc., Manager: Derek Mui to Guruji Corp. d/b/a Norton Liquors, Manager: Dharaben Patel

- . Letter of Interest and Resume, dated February 15, 2012, of Jason K. Brolsma Re: Interview for Associate (Alternate) member position on Zoning Board of Appeals

- . Draft of May 14, 2012 Spring Annual Town Meeting Warrant

- . Charter Amendments – Ballot Questions, Letter to Voters, and Proposed Charter Amendment Document