

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
JANUARY 17, 2013**

**I. CALL TO ORDER BY CHAIRMAN**

The January 17, 2013 Meeting of the Board of Selectmen was called to Order by Mr. Giblin, Chairman, at 7:00 p.m., held in the First Floor Selectmen's Conference Room.

A. ROLL CALL: Mr. Timothy Giblin, Chairman; Mr. Robert W. Kimball, Jr., Vice-Chair; Mr. Robert S. Salvo, Sr., Clerk; and Mrs. Mary T. Steele were present. Absent: Mr. Bradford K. Bramwell. Mr. Michael Yunits, Town Manager, was also present.

B. Pledge of Allegiance

**II. WARRANTS AND MINUTES**

A. Approve bills Warrant #43, dated January 17, 2013, in the amount of \$208,245.20

**MOTION was made by Mr. Kimball to Approve bills Warrant #43, dated January 17, 2013, in the amount of \$208,245.20. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

B. Approve Minutes – October 11, 2012

**MOTION was made by Mr. Kimball to Approve the Board of Selectmen Minutes of Meeting, dated October 11, 2012, as written. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

**III. LICENSES AND PERMITS**

1. Application of The Chateau Restaurant of Norton, Inc d/b/a The Chateau

Restaurant, for a change of Manager on its Common Victualer License to Expose,

Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On the

Premises, at 48 Bay Road, Norton, MA, from Nancy Poholek, to Stephanie

Cudmore

**MOTION was made by Mr. Kimball to approve the Application of The Chateau Restaurant of Norton, Inc d/b/a The Chateau Restaurant, for a change of Manager on its Common Victualer License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On the Premises, at 48**

**Bay Road, Norton, MA, from Nancy Poholek, to Stephanie Cudmore. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

2. 2013 License Renewals/New

AC Main St. Donuts, LLC d/b/a Dunkin Donuts CV - 103 West Main Street

**MOTION was made by Mr. Kimball to approve 2013 License Renewal for AC Main St. Donuts, LLC d/b/a Dunkin Donuts CV (Common Victualer). Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

**IV. ANNOUNCEMENTS**

TOWN OFFICES WILL BE CLOSED MONDAY, JANUARY 21<sup>st</sup> IN OBSERVANCE OF MARTIN LUTHER KING, JR. BIRTHDAY OBSERVED

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The Annual Town Census forms which were recently sent out by Town Clerk's Office need to be returned. Mr. Yunits noted there was an oversight from town clerk's office and it was pointed out that veterans should place a letter "Y" instead of "N"; and town clerk apologizes for this oversight.

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Town of Norton Employment Opportunity: Water & Sewer Superintendent position is available and details were provided.

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Condolences to former Police Chief Benton Keene and family whose mother, Rose, passed away recently.

**V. BUSINESS**

**A. NEW BUSINESS**

1. Discussion regarding Governor's proposal to file legislation to regionalize the operation and financial management of local Housing Authorities

Mr. Kimball spoke of his concerns with this proposed change; it is taking away local management. He suggested a letter be sent to Governor regarding concerns from Norton and suggest possibly to regionalize for services only.

Mr. Giblin agreed with Mr. Kimball and suggested to reach out to other communities also, so there is

more than one letter sent to Governor. It was noted a letter would be prepared and to be signed by Mr. Giblin. Mr. Yunits will discuss this with Housing Authority and work with them.

Mr. Salvo said Housing Authority is not in favor of this proposed change.

Mr. Kimball said he would like Town Manager to copy different town departments on this. This is a company owned by a corporation in New Ipswich, New Hampshire. Currently, at Woodland Meadows, there are issues of washers/dryers not working, cleaning personnel issues, maintenance problems, drugs, and children residing there, etc. He was not sure what is happening; it previously was an excellent place to reside. There are many issues that need to be addressed, and this is happening to Norton's housing authority because people are not there on a daily basis to oversee.

Mr. Kimball suggested to have inspections possibly conducted. He state the owners claimed they were not aware of these issues, and this would be worse with non-local participation.

Mr. Salvo said these issues are very important and it is difficult that an out-of-state (New Hampshire) company is overseeing it.

2. Discussion regarding "An Act Further Regulating Dam Safety, Repair and Removal (S.1985)", signed into law by Governor Deval Patrick January 10, 2013

Mr. Yunits explained: \$17M available for removal or repair of dams in Massachusetts. He spoke to rep at Rep Howitt's office . Regulations are being developed at this time and funding not ready until Sept. Mr. Yunits said he was trying to gather more info on application process; however, they are still working on process. Discussion ensued.

Mr. Giblin asked Mr. Yunits to keep abreast on this.

3. Discussion regarding SRPEDD's District Local Technical Assistance Program for 2013

Mr. Yunits stated this is something received every year from SRPEDD (certain number of hours from SRPEDD to be given to Town free of charge). He will also send to other Town depts. and gather some ideas on needs of Town. There is a request form and it would explain to SRPEDD what Town is seeking.

Mr. Kimball suggested to possibly have SRPEDD focus on Ch40B's (traffic/populations, etc.) and he asked Mr. Yunits to communicate that to Town Planner.

Mr. Giblin said Town department heads could contact Mr. Stefanelli (SRPEDD rep) as well.

4. Vote to accept and sign Deed for donation of Land to Conservation Commission – Walker St. (Map 21, Parcel 33, approximately 11.7 acres)

This is 11.7 acres - Walker Street. Map was reviewed and it was noted land looked wet.

**MOTION was made by Mr. Kimball to accept and sign Deed for donation of Land to Conservation Commission – Walker St. (Map 21, Parcel 33, approximately 11.7 acres). Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

5. Vote to sign IAFF, PFFM Local 2678 Memorandum of Agreement

Mr. Yunits explained this was an agreement between Town and Firefighters Union, and this is what was reviewed previously and Union has signed.

**MOTION was made by Mr. Kimball to sign IAFF, PFFM Local 2678 Memorandum of Agreement. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

6. Discussion – “Company Car” Policy

Mr. Giblin referenced a memo, dated Sept. 1993, which states, at that time, a policy of use of Town vehicles, was for the police and fire chiefs, and animal control officer. So, therefore, there should be no other vehicles to be taken home from any other employee of Town. Each Town vehicle should be clearly marked, except for unmarked police vehicles. Mr. Yunits noted Town Seal was put on two vehicles recently that did not yet have a marking.

Mr. Giblin said no Town-owned vehicles are to be used by a dept. head, as per policy exceptions (police/fire chiefs and animal control officer), unless written permission by Town Manager and Board of Selectmen to also see request/communication as well. Under normal circumstances, it is nothing out of the ordinary for a person/employee to drive from their home to town hall. In addition, Mr. Giblin said he would like to see as well, as is done in his own business, when someone drives with a dealer's plate, his company keeps a log of it, so not sure if Town is keeping logs of visits, etc. Also want to ensure, any appointments made with a Town vehicle is a “Town appointment”. Discussion ensued.

Mr. Kimball suggested this policy be rewritten. He understood the detectives need unmarked vehicles. Also the Board of Health Agent and fire and police chiefs do carry items in their vehicles that are necessary for their job. Highway Superintendent and Water and Sewer Superintendent is a grey area. At times, some of these employees are on-call, but should be used for this only; not used for transporting other people, etc. We need to adopt a new policy and recognize the people that should have their equipment available at all times and that are on call, etc. Also, who should have authority to take vehicles home and who should not; and also special circumstances should be specified. Everyone needs to be clear on this policy and where they stand.

Mr. Giblin said the liability issue for Town is a concern also.

Mr. Yunits said a policy needs to be clearly written. Also, Mr. Yunits referenced imputed income; if taking a car home should be on W-2 at end of year (he believes everyone except police and fire chiefs need to pay that).

Maintaining a log of mileage was discussed. Mrs. Steele said if government requires a log she understands this; however, she could not picture the Highway Superintendent driving around Town trying to keep a detailed log due to all the travel he does throughout Town for his job. Some vehicles are used more frequently for Town-business.

Mr. Giblin said he could bring in a sample policy for Board.

It was discussed the key code for Town fuel is beneficial.

### **C. TOWN MANAGER'S REPORT**

Mr. Yunits stated Rep Howitt said he did talk to GATRA and in spring planning to do shelter and cement pad for Norton Housing.

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Mr. Yunits said Horizon Beverage was mentioned in a previous meeting, and he wanted to communicate that Horizon Beverage has 518 employees working in Norton and eight new people were hired. Eleven Norton residents are employees and Horizon Beverage has registered 23 vehicles in Norton. This is a great business and fortunate to have such a great neighbor.

It was also noted, Mr. Epstein, President of Horizon Beverage, donated \$12,000 to Master Sgt. Trent Memorial. It appears Mr. Epstein has a connection to the military with his father serving. Mr. Epstein is auctioning off two extra tickets to next Sunday's Pats game at \$5/ticket-non-transferable. All proceeds also going to Master Sgt. Trent Memorial.

Mr. Giblin said Horizon is an upstanding local company and very supportive of local businesses. Mr. Giblin indicated he went on a private tour previously, but now that building is completed, he needs to take another tour.

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Mr. Yunits said he spoke to Mr. Jeff O'Neil of Condyne, and it appears Waste Management is moving forward with utilities, etc. Timeframe of completion is planned for spring of 2013.

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Mr. Yunits said there was a dept. head meeting yesterday. February 27 will start the Finance Committee meetings, and dept. heads will meet with them on specified dates. All budgets are due on January 31<sup>st</sup>.

Mr. Giblin asked Mr. Yunits to send email to him and Board of Selectmen regarding Finance Committee meetings with dept. heads, etc.

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Mr. Kimball said he and Mr. Giblin attended the ZBA meeting, and got Board's position on Campanelli-Thorndike 40B-East Main Street. Referenced at this meeting was "commercial". How many acres of commercial does Norton have in Town? Eleven acres was discussed. That was added to letter to be sent also.

**B. APPOINTMENTS/RESIGNATIONS**

A letter from Mr. Yunits for part-time temporary account clerk: Ann Silva on Jan. 16, 2013, effective date of January 2, 2013.

Mr. Yunits explained this was a temporary part-time position; assisting Board of Health, and this employee has worked in this office previously. The full-time employee is having surgery and could be out for six months.

**MOTION was made by Mr. Kimball to approve appointment of Anne Silva as Part-Time Temporary Account Clerk in Board of Health office. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

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

**VII. NEXT MEETING'S AGENDA**

- . Norton Community Task Force "Keep Norton Beautiful" Re: 2013
- . Norton Alcohol Policy
- . Town Manager Review
- . Preliminary on Company Car Policy

**VIII. EXECUTIVE SESSION**

1. To discuss strategy with respect to collective bargaining

**IX. ADJOURNMENT**

**Chairman's Declaration:**

Declaration of the Chairman at 7:55 p.m.: Under G.L. c30A, Section 21(b)(3) and (4), the purpose of the executive session will be to discuss strategy with respect to collective bargaining, as a discussion of this strategy in open session could compromise the purpose for the executive session; and the Board shall not return to open session at the conclusion of the executive session.

**Motion to Convene Executive Session:**

MOTION was made by Mr. Kimball at 7:56 p.m. that the Board of Selectmen go into executive session, under G.L. c.30A, Section 21(a)(3), regarding discussion strategy with respect to collective bargaining. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

Janet A. Sweeney  
Board of Selectmen – Recording Secretary

**Documents Distributed/Reviewed at January 17, 2013, Board of Selectmen Meeting**

- . Draft Board of Selectmen Minutes of Meeting, dated October 11, 2012
  
- . Application of The Chateau Restaurant of Norton, Inc d/b/a The Chateau Restaurant, for a change of Manager on its Common Victualer License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On the Premises, at 48 Bay Road, Norton, MA, from Nancy Poholek, to Stephanie Cudmore
  
- . 2013 License Renewals/New: AC Main St. Donuts, LLC d/b/a Dunkin Donuts CV - 103 West Main Street
  
- . Deed for donation of Land to Conservation Commission – Walker St. (Map 21, Parcel 33, approximately 11.7 acres) accompanied by map of area
  
- . IAFF, PFFM Local 2678 Memorandum of Agreement
  
- . Memorandum dated September 1993 regarding “Policy of Use of Town Vehicles”



**BOARD OF SELECTMEN**

**MINUTES OF MEETING OF**

**JANUARY 17, 2013**

**TIMOTHY R. GIBLIN, CHAIRMAN**

**ROBERT W. KIMBALL, Jr., VICE-CHAIR**

**ROBERT S. SALVO, SR., CLERK**

**MARY T. STEELE**

**BRADFORD K. BRAMWELL**

**Dated:** \_\_\_\_\_