

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
JUNE 13, 2013**

**I. CALL TO ORDER BY CHAIRMAN**

The June 13, 2013, Meeting of the Board of Selectmen was called to Order by Mr. Kimball, Chairman, at 7:00 p.m., held in the First Floor Selectmen's Conference Room.

- A. ROLL CALL: Mr. Robert W. Kimball, Jr., Chairman; Mrs. Mary T. Steele, and Vice-Chair; Mr. Bradford K. Bramwell, Clerk; and Mr. Timothy Giblin were present. Absent: Mr. Robert S. Salvo, Sr. 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 June 8, 2013, Warrant #74, dated June 13, 2013, in the amount of \$3,936,133.07

**MOTION was made by Mr. Bramwell to Approve bi-weekly payroll for the period ended June 8, 2013, Warrant #74, dated June 13, 2013, in the amount of \$3,936,133.07. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

- B. Approve bills Warrant #75, dated June 13, 2013, in the amount of \$1,062,766.20

**MOTION was made by Mr. Bramwell to Approve bills Warrant #75, dated June 13, 2013, in the amount of \$1,062,766.20. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

- C. Approve Minutes – February 28, 2013  
February 28, 2013 Executive Session

**MOTION was made by Mr. Bramwell to Approve the Board of Selectmen Minutes of Meeting, dated February 28, 2013, as written. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to Approve the Board of Selectmen Minutes of Meeting of the Executive Session, dated February 28, 2013, as written. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**III. LICENSES AND PERMITS**

- 1. 7:30 P.M. – Continuation of Hearing from May 30, 2013 – Application of Bog Iron Brewing, LLC, Manager: Matthew D. Menard, for Wine or Malt Only Pouring Permit at 33 West Main Street, Unit F, Norton, MA 02766**

Mr. Menard said they now have receipts for abutters, thus the reason why it was continued from a previous meeting.

It was noted all permits were in place.

Mr. Menard said reception from Town has been excellent, and they actually got addendum to their lease earlier today and will expand to vacant area next door. They will clean that space out and will do some cosmetic work, but no construction and will speak to building inspector and whoever else is needed. They are tripling their footprint and doubling their capacity.

Mr. Yunits said he should talk to the Building Inspector and Board of Health.

**MOTION was made by Mr. Bramwell to approve – Application of Bog Iron Brewing, LLC, Manager: Matthew D. Menard, for Wine or Malt Only Pouring Permit at 33 West Main Street, Unit F, Norton, MA 02766. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

- 2. Late Renewal Application of Uncle Ed's Front Porch, Inc., for a Common Victualler License, to be utilized at 416 Old Colony Road, Norton, MA 02766**

Mr. Kimball said he did not see anything regarding an actual lease agreement.

Mr. Giblin responded it must be in the previous license if it ended November 29<sup>th</sup>; assumption is that it was renewed.

Mr. Kimball suggested to approve it contingent upon the Town receiving that specific info.

**MOTION was made by Mr. Giblin to approve late Renewal Application of Uncle Ed's Front Porch, Inc., for a Common Victualler License, to be utilized at 416 Old Colony Road, Norton, MA 02766, and to request a copy of lease agreement as part of the stipulation on the approved license renewal. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

**IV. ANNOUNCEMENTS**

Town of Norton Founders Day Picnic to be held June 22 from 5-9 P.M.  
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Sturdy Memorial Hospital celebrating 100 years of service at Capron Park Zoo on June 22 from 11 a.m. -2 p.m. with a rain date of June 23. There will be a bbq and open to employees, volunteers and the public. It also includes admission to the zoo. Please register online at [www.sturdymemorial.org](http://www.sturdymemorial.org)  
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On June 23 there will be an Eagle Scout Ceremony. The Town of Norton and Troop 12 will be celebrating at the New Testament Baptist Church at 2 p.m. Congratulations to these Scouts!

**A. NEW BUSINESS**

**V. 1. Review, Discuss and Vote Re: Civil Fingerprinting Regulations**

Mr. Yunits said Board would need to agree with this bylaw. If a person comes in to try to do door to door sales, that person must submit to police dept. for fingerprinting and these would go to State labs, then ultimately to FBI for fingerprinting, and will receive a report back. If there is an issue the Town/Board of Selectmen must give them notice that something arose in their criminal history, and provide them the opportunity to respond. Some factors the Licensing Authority may consider in making a determination is how long ago the crime was, the number of offenses, etc. Discussion ensued.

Mr. Bramwell referenced hawkers and ice cream vendors and asked what their regulations were.

Mr. Yunits said he will check into this. It should be a mobile ice cream vehicle that needs this.

Mr. Kimball said he is not as concerned with hawkers/peddlers as the door to door salesperson. Discussion ensued. This specific document was reviewed. Mr. Kimball said they should also see if bus drivers, etc., are already checked (background check vs. fingerprinting).

Mr. Yunits explained when a person/business files for a liquor license a CORI is conducted by the Town; it is strictly Massachusetts law. This other one would be through FBI.

It was noted it would be \$100 charge/cost, and Mr. Kimball suggested Board find out from Police Chief about this cost and if he would like to come before Board to discuss this further.

**2. Award of Bid - Trash Pickup and Single-Stream Recycling Services for July 1, 2013 – June 30, 2016**

Mr. Yunits said there were four bids: Waste Management; Allied Waste; ABC Disposal; and Patriot. ABC was the low bidder on all aspects for town hall/municipal building (\$14,040). And for School Dept. Option 1: \$89,631; and including Option 2 these are pickups as needed: \$4,710.

Mr. Giblin commented there was a dramatic difference in bids of ABC Disposal vs. other bids.

**MOTION was made by Mr. Bramwell to Approve Award of Bid – Trash Pickup and Single-Stream Recycling Services for July 1, 2013 – June 30, 2016. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**B. OLD BUSINESS**

**C. TOWN MANAGER'S REPORT**

**. Update – 274 East Main Street**

Mr. Yunits spoke of the recent heavy rains/flooding with Cross Street closed. Highway Superintendent, Mr. Silver, believes there may be a crack. Engineers are working on fixing the dam, and Mr. Silver not sure when that bridge will be open.

Mr. Kimball referenced Ch90 funding; Town of Norton does not have the money to make necessary repairs until State gets their act together.

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Mr. Kimball spoke of the flooding, and stated Island Brook Ch40B project is at bottom of hill on East Main Street, and spoke of the request to build 80 units of housing on the property and would be in Town's best interest to ask Norton's Conservation Agent to take photos right now and document it. Conservation Agent can show on map where it is currently flooding. People buying these units would be responsible for this.

Mr. Yunits said the Board of Health Agent spoke to him regarding mosquito season and all the recent rain. He asked Board of Selectmen, if there are restrictions on evening activities, how does the Board of Selectmen want to handle it? Should the Board of Health or Board of Selectmen make decision?

Mr. Kimball recommended to take it on a case-by-case basis and thought Board of Health would make actual decision, and thought Board of Selectmen could weigh in on it. Mr. Bramwell said the Board of Selectmen's job is to educate people and suggested to put up a sign and post on field.

Discussion on messaging material (digital signage, cable, etc.), and possibly a pre-recorded message from Board of Health in an emergency.

Mr. Yunits said intent is the land that Town controls and Board of Selectmen has the ability to police if a serious situation with mosquitoes which may be carrying a virus. As an example, Board of Selectmen could tell people Town land will be closing at sunset; Board controls this. However, Board cannot control people being out in their own yards, etc.

Mr. Kimball said he did not believe Board of Health needed Board of Selectmen's permission; if they have a ban, that is ok.

Mr. Kimball said it would be beneficial to send a letter to sports groups, and to even Wheaton College. This would enable them to look at their scheduling of games/events. Also areas can be treated as well.

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Mr. Yunits said Emergency Director will be here on the 27<sup>th</sup> to discuss hurricane preparedness.

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Today, Mr. Yunits said he attended Dr. Martes', Interim Superintendent of Schools, going away celebration and wished him the best as he leaves Norton. He did an excellent job for the Town.

Mr. Kimball communicated Dr. Martes was one of the most honest and straightforward people he had ever met. He did an exceptional job, especially with the building of a new high school. The Town of Norton was fortunate to have him as their Superintendent of Schools.

Mr. Bramwell said Dr. Martes was a true gentleman and did a wonderful job.

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Mr. Yunits referenced 274 East Main Street and a balloon testing to be conducted on Saturday, June 15, from 9-11 a.m. This test includes putting balloons up to a 48' high level so people can see how high this proposed building will be. The next scheduled ZBA meeting is on the 24<sup>th</sup> and all department heads will

meet together to review plans and he has comments to give back to ZBA before the 24<sup>th</sup>. A site walk took place and the State was out at that site also. There are not a lot of details yet; plans show some leach basins along the road and concern about maintenance of these basins. Need details of straightening out the curve and how this will be done. Also the issue of running a sewer line down Newland Street and repaving. Main areas of concern are the height/density/being located in the ACEC, and concern they did not look at enough alternatives for best practices for drainage, etc. There are also traffic concerns.

Mr. Kimball said he has attended some of the ZBA meetings and the last proposal was the sewerage remaining on private property at 274 East Main Street. They were going to try to tie into the 4" main from Norton Glen, and connect to the "K" neighborhood. Important to keep in mind this tall building is directly on East Main Street. The neighbors, town counsel, and ZBA pushed for the idea of raising a few balloons to visualize the proposed height of building. This is also important for Red Mill residents to see how it will look from their standpoint. This proposed building appears to be 3 ½ feet higher than Town's zoning bylaw. Other issue is the setback. Mr. Kimball took some photos recently and said Mr. Silver, Highway Superintendent, has a right to be concerned about conditions of roads; impact with about 500 units of housing. GATRA to enter in there with buses would be beneficial. Once funded they will have to pay for it or help pay for it. It is commercial because it is rental property. Height is ludicrous and there is nothing in Town that is this high (48 ½ feet tall). Discussion ensued.

Mr. Bramwell said once a proposed building is at that height, the concern is for fire safety. Mr. Kimball said developer enabling emergency/fire vehicles to access this building is important, and also important is creation of enough parking for entire facility. It was discussed there appeared to be inadequate visitor parking.

Mr. Kimball told Mr. Yunits Conservation Commission has the ability to go on property and take photos. It was noted there has been the worst flooding in years and both Island Brook and 274 East Main Street both need to be documented with photographs, etc., and put in appropriate files.

#### **D. Appointments/Resignations**

##### **1. Resignation of Guy Wheeler, from the Council on Aging, effective April 18, 2013**

The Board thanked Mr. Wheeler for his service to the Town and asked Mr. Yunits to please send Mr. Wheeler a thank you letter.

##### **2. Appointment of Kathleen Eno to the Council On Aging, to fill the vacancy created by the resignation of Guy Wheeler, term to expire June 30, 2014**

**MOTION was made by Mr. Bramwell to appoint Kathleen Eno to the Council on Aging, to fill the vacancy created by the resignation of Guy Wheeler, term to expire June 30, 2014. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

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

Mrs. Steele congratulated the 2013 Norton High School graduates who graduated this past Friday night.

Norton High School holds an all night graduation party, in which she has volunteered for the past 4-5 years. This all night graduation party does not happen in every town and the fact that 100 of 169 students/graduates attended, and knowing her own son had to check-in and cannot leave until 5 or 6 a.m. the next morning, alleviates the worrying. The PTA spent basically the entire year fundraising for this event, and anyone who wants to volunteer/get involved, can contact the Norton High School PTA.

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Mr. Kimball indicated it was advertised in The Beacon that State is to offer money for dam repairs, however, he was sure Conservation Agent, Ms. Carlino, is aware of this.

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Mr. Kimball spoke of a hearing to be set to discuss double poles also. They are trying to figure out a way to get these poles removed from Town.

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Mr. Kimball referenced Raynham/Plainville/Taunton potential plans for casino/track. It is very important to stay on top of this and a letter to be sent out regarding the impact to Norton and funding to the Town of Norton.

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Mr. Kimball referenced the Gold Star Committee and some members were concerned about the misspelling of one word on the monument. The Memorial stone of Master Sgt. Trent was corrected and pleased with the repair. Gold Star Committee is looking to do additional fundraising.

**VII. NEXT MEETING'S AGENDA**

**VIII. EXECUTIVE SESSION**

**IX. ADJOURNMENT**

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

Respectfully Submitted by:

Janet A. Sweeney  
Board of Selectmen – Recording Secretary



**Documents Distributed/Reviewed at the Board of Selectmen Meeting of June 13, 2013**

- . Application to Renew License(s)-Uncle Ed's Front Porch, Inc., for a Common Victualler License, to be utilized at 416 Old Colony Road, Norton, MA 02766
  
- . Bid Quotation Form for Norton Municipal Buildings: Trash Pick-Up and Single-Stream Recycling Services, July 1, 2013 to June 30, 2016
  
- . Memorandum from Town Clerk, Danielle Sicard, dated June 10, 2013, to Board of Selectmen re: Resignation of Guy Wheeler from Council on Aging, effective April 18, 2013 with term to expire June 30, 2014
  
- . Letter dated June 6, 2013, from Kathleen Eno, to Board of Selectmen/Robert Kimball, Chairman, re: Interest of Appointment to Council on Aging vacant position
  
- . Draft Regulations: State and National Criminal History Record Checks of Applicants for Licenses in Specified Occupations

**BOARD OF SELECTMEN**

**MINUTES OF MEETING OF**

**JUNE 13, 2013**

**ROBERT W. KIMBALL, JR., CHAIRMAN**

**MARY T. STEELE, VICE-CHAIR**

**BRADFORD K. BRAMWELL, CLERK**

**TIMOTHY R. GIBLIN**

**ROBERT S. SALVO, SR.**

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