

**BOARD OF SELECTMEN
MINUTES OF MEETING
NOVEMBER 21, 2013**

I. CALL TO ORDER BY CHAIRMAN

The November 21, 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, Vice-Chair; and Mr. Robert S. Salvo, Sr. were present. Absent: Mr. Bradford K. Bramwell, Clerk, and Mr. Timothy R. Giblin. Mr. Michael Yunits, Town Manager, was also present.

- B. Pledge of Allegiance

II. WARRANTS AND MINUTES

- A. Approve bills Warrant #31, dated November 21, 2013, in the amount of \$1,230,058.38
MOTION was made by Mrs. Steele to Approve bills Warrant #31, dated November 21, 2013, in the amount of \$1,230,058.38. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

- B. Approve Minutes-
There were no Minutes reviewed/approved.

III. LICENSES AND PERMITS

IV. ANNOUNCEMENTS

Town Offices will be closed for the Thanksgiving Holiday Thursday, and Friday, November 28, and 29, 2013. Best wishes for a happy and safe holiday!

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Please "Give Blood" at Gillette Stadium and get Credit* for the Bob's Discount Furniture \$250,000 High School Heroes Scholarship Program on Saturday, December 7, 2013 from 9 A.M. to 4 P.M. The Patriot's Cheerleaders will be at this event and there will be gift cards, etc. For more info or to make an appointment, please call 1-800-RED CROSS (1-800-733-2767); or visit redcrossblood.org or mybobs.com

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Sturdy Memorial Hospital Blood Drive to be held Thursday, December 5, 2013, 9 A.M. to 4 P.M. at 211 Park Street, Attleboro (held in the Auditorium). Please bring a driver's license and another form of identification. More information can be obtained at www.ribc.org or by calling 508-236-8555.

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Annual Festival of Lights to be held Sunday, December 1st, at 5 p.m. at Town Common.

V. BUSINESS

A. NEW BUSINESS

1. 7:05 P.M. – Megan Wheaton-Book Re: Interview for appointment to the Norton Cultural Council

Ms. Wheaton-Book said this would be a great way to give back to the community and she attended one of their programs last year.

Mr. Salvo thanked her for her interest.

MOTION was made by Mrs. Steele to appoint Megan Wheaton-Book to the Norton Cultural Council. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

2. Vote to approve request of Jennifer E. Dacey, Superintendent, Bristol County Mosquito Control Project, for The Town of Norton's support of the Mosquito Control Funding for FY15, and vote to authorize the Town Manager, Michael D. Yunits, to sign the Form SRB-3 Declaration of Support

Mr. Kimball said there is a copy of this letter in Board's packets.

Mr. Yunits said this program is important for Triple E and West Nile Virus . December 5th is the scheduled Hearing from 7-8 p.m. at Bristol Aggie High School.

MOTION was made by Mrs. Steele to Vote to approve request of Jennifer E. Dacey, Superintendent, Bristol County Mosquito Control Project, for The Town of Norton's support of the Mosquito Control Funding for FY15, and vote to authorize the Town Manager, Michael D. Yunits, to sign the Form SRB-3 Declaration of Support. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

B. OLD BUSINESS

C. TOWN MANAGER'S REPORT

. Standard & Poor's Bond Rating

Mr. Yunits referenced a conference call with Standard & Poor's earlier this month: Town was a "Double A-" and now to a "Double A+", which is an increase. He thanked Town Accountant, Treasurer, Assessors, and others for management and finances of Town. They also look at what kinds of institutions are in Town (higher education, healthcare, etc.). Stabilization Fund is also looked at to see if there is cash on hand in case of emergencies. This is helpful to Town when borrowing for High School Project.

. Flushing Program

Mr. Yunits stated today should have been last day for "Flushing Program". He has received no complaints recently.

Mr. Kimball indicated he received some complaints last weekend regarding South Washington Street (apartments on left and subdivision on right) and both are dead-ended and water discoloration complaints. It is possible dead-ends may be the problem. He asked Mr. Yunits to ask Mr. Marshall, Water Superintendent, and his department to take a look at this, where there are two dead-end lines across from each other.

Mr. Salvo said about five to six years ago, Kingsberry Condominiums had a similar problem with water; flushing of lines was done and the discoloration in that area got better.

. Plain Street Bridge Project

Mr. Yunits said a meeting was held yesterday on Plain Street Bridge Project and they looked at alternatives first. An aerial map was shown of this area by Mr. Yunits. Highway Superintendent, Mr. Silver, is not happy with one alternative, therefore, not a feasible alternative. They will taking bridge down and building in same location, so very little impact to surrounding areas. The big impact will be redirection of traffic. The Fire Chief, Police Chief, Conservation Agent, and Water & Sewer Dept. attended that meeting. Dates /timeline were discussed. The State won't let them start until Spring 2016. Right now that road is planned to be closed between 8-9 months. Discussion ensued.

Mr. Kimball said 8-9 months is a long time, but bridge does need repair.

. Routes 123 & 495 Interchange

Mr. Yunits said Mr. Kimball raised issue of people getting off on Route 123 from Route 495 and heading toward Easton. Mr. Yunits indicated he sent a letter, dated November 20, 2013, to Mary-Joe Perry, District Highway Director, District 5, and he also contacted State Rep Howitt to contact State Dept. to address that since drivers are going to island and making u-turn and it is a safety issue.

Mr. Yunits said he spoke to SRPEDD today and a signal warrant analysis is being conducted and State to give them traffic count numbers, and accident reports will be obtained from Police Chief.

Mr. Kimball said almost every interchange has a traffic light on Route 495 except in this area.

. License Renewal Update

Mr. Yunits said he met with the Deputy Chief and Town should not accept any renewal licenses without an inspection report in advance. They have done a lot of inspections thus far, but have a lot more to do, and Mr. Yunits told him he needs inspection sheets in advance. Hopefully, they will all be done prior so Board of Selectmen won't need to do approval "subject to".

Mr. Salvo was aware Deputy Chief and Building Inspector still have more inspections to do. Possibly see if these inspections can be conducted earlier.

Mr. Kimball agreed with Mr. Salvo.

Mr. Yunits said the Town has received 15 returned; these renewals need to be sent back, and must be in by November 30 by law.

Mr. Kimball said these license renewals should be in a file on computer and should be able to just change dates, etc., and not necessary to type entire new document.

Mr. Yunits said his Office Assistant received an email today from Bristol County Coach regarding 50% increase in license for each vehicle and this company has a concern with increase as they are struggling to pay bills and asking Board of Selectmen to revisit this.

D. APPOINTMENTS/RESIGNATIONS

VI. SELECTMEN'S REPORT AND MAIL

Discussion on having a rep from State to look at traffic light on Route 123/Route 140; look at light to alleviate westbound traffic. There must be something that can be done about this. Discussion ensued.

Mr. Kimball suggested to possibly ask Mass Highway for another lane to be installed; move it over a bit more from the center and create a double line of traffic in front of President's House. Important to look at this before Wheaton College gets too far with their remodeling, etc. Discussion ensued.

Mr. Salvo suggested a meeting between Board of Selectmen and School Committee regarding the morning High School traffic between 7:05 and 7:40 a.m. Traffic is backed up to the cemetery on Route 123. If there is any way in their budget to possibly put someone in that area just for that 45 minutes in the morning; the afternoon traffic appears to not be too bad.

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Mr. Kimball stated he attended a meeting on Monday evening regarding 247 East Main Street. New layout sketch document distributed to Board. Changes to project were explained. Mr. Kimball said he would like approval to send a letter to ZBA. Some areas of concern: 1) widening/grading of road; Board of Selectmen originally waived this. Also, one section of the conditions is to make a reasonable attempt to create sight lines. Mr. Kimball would like to know what reasonable attempt is being made (under 18 and 19); he noted it is stated twice under 18 and 19. Norton Fire Department has indicated they are satisfied with access regarding emergency vehicles, etc.

The PDL, under #28, the front units dropped, but back units still have height. Mr. Kimball asked Mr. Yunits to include in letter that even though Turtle Crossing is a residential area, not allowing building to exceed more than 45' in height and no more than three stories. He would like ZBA to view this concern. Also, the density issue the Board of Selectmen originally had a concern with has somewhat been

addressed, but still need to be concerned that there are three buildings with three stories and four buildings with four stories so this contradicts Town's zoning, etc. There are some questions about setbacks and the Board needs to be concerned about this. 25% of the affordable units will be considered affordable under this program. Out of 188 units, there will be about 45 units which will be affordable. Developer has insisted "we don't want affordable housing"; if he doesn't feel the Town is allowing affordable housing, they should increase 25% to 30% for affordable units since they have been echoing this concern. Mr. Kimball referenced 274 East Main Street, Turtle Crossing and Island Brook and noted if all are built, Town will be looking at about 15% toward their affordable housing percentage.

Mrs. Steele wondered what cost of rent of these units will be?

Mr. Kimball responded he was not sure what the present rates will be.

Mr. Kimball said also under the section (on number 14 above it), the Board needs to have a clear understanding of who will continue to have jurisdiction of the project and this is the first time he has seen this condition. Mr. Yunits may want to include this in his letter as well.

Mr. Salvo said the Norton School System will be inundated with students due to the proposed projects; there must be a way of stating the Town cannot do this.

Mr. Kimball said the developer needs to supply the School Department with a headcount as a condition.

It was discussed sidewalks are to be installed.

Red Mill and Kingsberry residents met with developer and it appears there is an agreement to put up a mesh fence, therefore there will be some privacy/cutting through backyards won't happen. ZBA feels there should be no fence but not quite clear what led to this thought. Personally, Mr. Kimball said he felt if abutters and developer have an agreement in place, he does not think ZBA should intervene. He still thinks a side agreement between Red Mill and developer should be put in place. Mr. Kimball said at some point they should get Highway Superintendent to ensure he is fine with the way it is being built, etc.

Mr. Kimball referenced page 29, #10, and said to Mr. Yunits, he believed they should add Fire Dept., Police Dept., and Water & Sewer to the meeting with Building Inspector, DPW rep, etc., to have the proper representation.

Mr. Kimball referenced page 32; eight years it will take for the construction period is ludicrous. ZBA needs to take another look at this. Discussion ensued.

Mr. Kimball referenced housing and urban development, and the Town is part of the Boston market for median income (right on cusp) because the Town can charge \$1800-\$2000 per unit. Town can charge

more for rent than the Providence market. The concern is the median income is inadequate and charging more for units than they should be and not really affordable, and Mr. Kimball asked Mr. Yunits to also include this in the letter. Mr. Kimball said these units are not affordable.

Mrs. Steele spoke of complaints on snowplowing with people buying into the 40b housing market, and this is at State level and these homeowners need to communicate this to State. She asked Mr. Yunits if the Board could have available as soon as possible, the names/contacts at State level of where these complaints should be made.

Mr. Kimball said this is a good story for media as they should go out and talk to residents who purchased in a 40B development; there will be some really interesting stories.

Mr. Kimball asked for a Motion from Board to authorize Mr. Yunits to send letter to ZBA about these concerns and ask that in letter some of these concerns be addressed and conditions reviewed.

MOTION was made by Mrs. Steele (for discussion purposes). Second by Mr. Salvo.

Discussion: Mrs. Steele asked if there is possibly some information Board of Selectmen is missing; and this question should be posed to ZBA just to ensure Board has all the information.

Mr. Kimball said effective December 1st Tom Rota, current ZBA member, will no longer be a resident of Town of Norton. Concern is Zoning Board has put themselves in a spot where they have to make a decision by December 1st, and if members are not able to attend meeting, this would be problematic. Mr. Kimball felt as if details of this project are being rushed through, to make a decision by Dec. 1st. He believed ZBA is "bending over backwards" for this developer; they are meeting on Saturdays and on nights they usually do not meet. He encouraged the ZBA to take a careful look at this. Discussion ensued.

Mr. Kimball was asking that Mr. Yunits sign letter since meeting is Monday night and Board of Selectmen won't meet until December 5, therefore, this is the Board of Selectmen's last opportunity to place any concerns they have with project.

Mr. Kimball said Board of Selectmen has sent communications (verbal and written) and Board of Selectmen has put in time and energy into this process regarding this project.

MOTION was made by Mrs. Steele to authorize Town Manager, Michael D. Yunits, to send and sign letter as detailed in above discussions. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

Mr. Kimball asked Mr. Yunits to send letter out as soon as possible. He said he has heard ZBA receives letters/correspondence many times in the late afternoon (i.e., 5 p.m.) in the past, so important to get it out immediately.

VII. NEXT MEETING'S AGENDA

. 2014 License Renewals

VIII. EXECUTIVE SESSION

IX. ADJOURNMENT

MOTION was made by Mrs. Steele to Adjourn at 8:09 P.M. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

**Janet A. Sweeney
Board of Selectmen – Recording Secretary**

Documents Distributed/Reviewed at November 21, 2013, Board of Selectmen Meeting

. Letter addressed to Town of Norton Board of Selectmen, dated November 14, 2013, from Bristol County Mosquito Control Project (Jennifer E. Dacey, Superintendent) re: request of the Town of Norton's support of the Mosquito Control Funding for FY15

. Letter addressed to Mary-Joe Perry, District Highway Director, District 5, 1000 County Street, Taunton, MA 02780, from Town of Norton, Michael D. Yunits, Town Manager, regarding Route 495 @ Route 123 Norton

. Plain Street Bridge Aerial Photo

Sketch dated 11/18/13 - for 274 East Main Street proposed project

Norton Zoning Board of Appeals – 274 East Main Street – Comprehensive Permit Town Counsel Draft 11/19/13(Based upon 11/06/13 Plan and 11/11/13 Revisions and 11/18/13 Public Hearing Session)

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MINUTES OF MEETING OF
NOVEMBER 21, 2013**

ROBERT W. KIMBALL, JR., CHAIRMAN

MARY T. STEELE, VICE-CHAIR

BRADFORD K. BRAMWELL, CLERK

TIMOTHY R. GIBLIN

ROBERT S. SALVO, SR.

Dated: _____