

**BOARD OF SELECTMEN
MINUTES OF MEETING
JANUARY 30, 2014**

I. CALL TO ORDER BY CHAIRMAN

The January 30, 2014, 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; Mr. Bradford K. Bramwell, Clerk; Mr. Timothy R. Giblin; and Mr. Robert S. Salvo, Sr. 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 January 18, 2014, Warrant #44, dated January 23, 2014, in the amount of \$1,085,782.39

MOTION was made by Mrs. Steele to Approve bi-weekly payroll for the period ended January 18, 2014, Warrant #44, dated January 23, 2014, in the amount of \$1,085,782.39. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

B. Approve bills Warrant #45, dated January 23, 2014, in the amount of \$137,892.95

MOTION was made by Mrs. Steele to Approve bills Warrant #45, dated January 23, 2014, in the amount of \$137,892.95. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

- C. Approve bills Warrant #46, dated January 30, 2014, in the amount of \$1,671,575.84

MOTION was made by Mr. Giblin to Approve bills Warrant #46, dated January 30, 2014, in the amount of \$1,671,575.84. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

- D. Approve Minutes – September 26, 2013

MOTION was made by Mr. Bramwell to Approve the Board of Selectmen Minutes of Meeting, dated September 26, 2013, as written. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

III. LICENSES AND PERMITS

1. Application of Andi Worden for a one-day Beer and Wine License to be utilized at Everett Leonard Park, Sunday, June 15, 2014, for private party

MOTION was made by Mr. Giblin to approve the Application of Andi Worden for a one-day Beer and Wine License to be utilized at Everett Leonard Park, Sunday, June 15, 2014, for private party, with no detail required. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

IV. ANNOUNCEMENTS

Mr. Kimball extended the Board of Selectmen's condolences to Mrs. Steele on the passing of her Father.

.....

Condolences to the family of Dorothea Schissler who recently passed away at age 104. She was a 1927 graduate of Norton High School and had worked at Wheaton College in Public Relations Department. She also was the recipient of the Boston Cane Award in 2009.

.....

Requests for Pesticide Spraying Exclusions for residents must be filed with the Town Clerk by March 1st.

.....

2014 Annual Census forms have not been sent out despite past announcements that residents could expect them in mailboxes around January 15th. The distribution company has notified the Town Clerk's Office that they could anticipate the mailing to take place by February 7th.

The Annual census forms must be signed and returned to the Town Clerk's Office within 10 days of receipt.

.....

Dog licenses for 2014 are now available and must be completed by March 1st to avoid late fees. Residents are encouraged to take advantage of the online licensing system which can be accessed from the home page of the Town's website.

.....

Nomination papers for the Annual Town Election in Norton are available at the Town Clerk's Office beginning Monday, January 27, 2014. The last day to obtain nomination papers is Friday, March 7th at 5:00 p.m. The Annual Town Election in Norton will be held on Tuesday, April 29th.

V. BUSINESS

A. NEW BUSINESS

1. 7:05 P.M. – Superintendent of Schools Joseph Baeta Re: Request of Board of Selectmen to vote and sign Middle School Roof Statement of Interest to Massachusetts School Building Authority

Superintendent Baeta thanked the fire, police and highway department for opening up the lines of communication. The Statement of Interest is for the Norton Middle School roof. It is a 1998 building and had had issues with roof forever, and person who installed roof went bankrupt. The accelerated project allows Town to apply, but it does not mean it will be obtained. They also placed an article onto Town Meeting for feasibility process to be considered. The estimated cost is \$3M; but believed it will come in under that. MSBA assisting with cost for feasibility with solars on roof; leaks do come into the

building and second part is the issue with replacing carpets. That building was built installing carpets into the classrooms which isn't done today as much. This would solidify the building in terms of roof, walls, floors, etc., and keep it solid for another 40 years. He did not know with the Building Committee

how this would fit in. He thought the School Committee can work with Building Committee and hoped Building Committee is involved.

Mr. Kimball said Town Meeting approval would be needed. He wanted to warn Superintendent Baeta ahead of time and provided a brief history of Middle School and contract with a 20 year warranty on roof and caused quite a stir in Town. Now, it is back again with a failing roof. He asked if there was any possibility of obtaining reimbursement from last person who worked on that roof?

Superintendent Baeta said he can look into it regarding reimbursement. His concern from being on roof the number of patching areas. He recognized the past issues and has been forewarned and will ensure this repair would be very concrete.

Mr. Kimball agreed improvements are needed for that building.

Mrs. Steele spoke of the \$3M before possible reimbursement. Expense of not fixing it will be more expensive in long run.

Mr. Baeta stated it was important residents receive facts and information. There are many issues they recognize and discussion there is a big picture with Town Hall needing improvements also.

Mr. Baeta said this will have MSBA involvement, therefore, MSBA will look at roof and be specific on needs. They don't want to put out \$ and it will probably be less and expect about 54.3% for reimbursement.

Mr. Giblin said he believed townspeople will be frustrated. The MSBA system works and certainly there are more checks and balances compared to before. He asked if this needed to be done for the entire roof? This is an MSBA project and is certain a warranty will accompany this along with checks and balances.

MOTION was made by Mr. Giblin, Resolved: Having convened in an open meeting on January 30, 2014, prior to the closing date, the Board of Selectmen of Norton, Massachusetts, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent of Schools to submit to the Massachusetts School Building Authority the Statement of Interest Form dated(to be determined by the School Department – Barry Nectow, when the package is sent in to the MSBA) for the Norton Middle School located at 215 West Main Street, Norton, MA which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: Priority 5 – roof deficiency and failure causing water leaks and periphery damage, at times disrupting the delivery of programming to; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority. Second by Mr. Bramwell. Vote: Unanimous. Motion CARRIES.

2. 7:15 P.M. – Request from Campanelli Thorndike Norton LLC that the Board of Selectmen vote to authorize Town Manager Michael D. Yunits to sign a Notice of Intent for work within East Main Street and Newland Street

1/30/14 Bd. of Selectmen Minutes

Page 5

Mr. Lloyd Geisenger was accompanied this evening by Mr. David Eastridge, on a procedural matter. From the comprehensive permit they received, this deals with offsite improvements which they have permitted to do for Town which will also benefit the project. Notice of Intent was referenced. He explained and showed the final plan with 188 apartments as opposed to 230 which were originally proposed, and number of significant changes made by comments of this Board as well as by the neighbors. He provided further history; and said it will look like a townhouse building, but will be stacked flacks. It will look similar in character to Red Mill Village which is also a change, and by reducing the density of the project. They will also incorporate a house in center to be part of the clubhouse; a historic display (the White family house will be used as their leasing facility). Clubhouse will be open 52 weeks a year as well as a business center with a high speed copier and conference rooms to be used at no charge. Rendering shown of project - 246 East Main Street.

Mr. Giblin asked about straightening of the curve.

Mr. Geisenger responded, yes, it will be straightened and town consultant's travel engineer will also be involved. They need to see what is under road to see where utilities are, etc., also worked with water dept. as they will install a 12 inch main that was important to water dept and further explained. So it will be a full reconstruction of East Main Street in this section. They hope to break ground this summer and have a lot of work to do. They will start with Conservation Commission, then Water and Sewer Dept.; then final definitive plans. A whole peer review process is needed to go through.

Mr. Giblin said it appeared the entranceway is at beginning of curb.

Mr. Geisenger responded this is the safest spot/the best visibility. They are not asking for an easement; they are granting an easement to the Town of Norton, and sidewalk they also committed to. Discussion on easement.

Mr. Salvo said he would like Mr. Geisenger to come back to Board as far as sight view, etc., and said a foot or two out of that hill is not feasible as it has to be a lot greater than that.

Mr. Kimball said the Board would like to see their plans.

Mr. Geisenger said he was putting in a new water line for Town and the concern is where the gas line is situated. He said they are totally on board with Town and they are making a massive investment; all soils are very good, and they want to come back with specifics. This evening they would like to have Board sign Notice of Intent as Town owns roads; they have signed as applicant. Then they can move forward with Conservation Commission process.

Mr. Kimball referenced sewerage on private property.

1/30/14 Bd. of Selectmen Minutes

Page 6

Mr. Eastridge of Thorndike said focus is on permit to Conservation Commission; crossing of wetlands. He showed a rendering/map of area; it crosses an intermittent stream just north of Krickets Korner and the work in that area is the installation of the new water main in that area. Need to replace water line from Leonard Street intersection to main intersection at Red Mill Village (Hastings Way); about a quarter mile of water line. Other area is where Newland Street crosses Canoe River and will serve 274 East Main Street. This is really a repeat of work that was done for Red Mill Village back in 2005. Exact same design from pump station at Red Mill Village to K Street section; so following that same route except will run all

the way down to East Main Street to Newland Street to same pump stations. This is one of many permits they need that follow the comprehensive permit.

Mr. Kimball spoke of additional flow and it hitting the pumping station adding more to it; necessary to ensure it can handle it. Discussion ensued.

Detailed Canoe River Crossing map shown of where force main will be added. Discussion ensued.

Water map shown; they would be staying in southbound lane of Route 123. This is pretty straightforward utility in road work. No work in wetlands, etc.

Mr. Yunits was curious why they were doing it for order of conditions and not all as one?

Mr. Eastridge said the only element they are leaving out is the sidewalk. They may need permission from the adjacent landowner and fill a portion of the wetlands; deemed a piece of this may be a bit more complicated.

Mr. Yunits referenced street opening permits; at least one lane cold planed; and Newland Street cold planed and paved over and Mr. Silver, Highway Superintendent, will have some specific needs. Mr. Eastridge said they have been working with Highway Department/Mr. Silver for about 14 years so they are used to the specifications.

Mr. Eastridge said procedurally asking for a vote of Board of Selectmen for Mr. Yunits to sign Notice of Intention.

Mr. Yunits indicated Ms. Carlino, Conservation Agent, has everything in her office for him to sign.

Audience had no questions or comments either when asked by Mr. Kimball.

MOTION was made by Mr. Giblin to authorize the Request from Campanelli Thorndike Norton LLC that the Board of Selectmen authorize Town Manager, Michael D. Yunits, to sign a Notice of Intent for

them to work within East Main Street and Newland Street. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

1/30/14 Bd. of Selectmen Minutes

Page 7

3. 7:30 P.M. - Jeffrey O'Neill, Condyne, Re: Discussion – Potential TIF Agreement for Penske Corporation

Mr. O'Neill of Condyne-Real Estate Development, stated he was before the Board on behalf of Penske Truck Leasing - Norton Industrial Park/Commerce Way.

Map shown of Industrial Park. Next phase of development was explained.

Mr. O'Neill said Penske Truck Leasing is looking at a certain lot (map shown of specific area), which is located across from Horizon Beverage. It is 15,500 square feet. Penske is also a major supplier to Horizon Beverage. Currently, it is a 20 year lease.

Mr. Kimball told Mr. Yunits it would be important to keep vehicles registered in Town of Norton. It was noted 80 vehicles in year one and 100 in year ten would be registered in Norton.

Mrs. Steele thanked Mr. O'Neill for his efforts and explained this is revenue to Town being over a million dollars and savings to Penske of approximately \$480,000.

Mr. Kimball said there many advantages to this, and thanked Mr. O'Neill for all he has done and would encourage him to develop the rest of the Industrial Park. The Town would be receiving excise taxes also is a plus.

Mr. Yunits thanked Mr. O'Neill and spoke of the benefits to the Town and the company.

Mr. Kimball explained there was a proposal in front of the Board of Selectmen for a ten year TIF.

MOTION was made by Mr. Bramwell to support the TIF request for Condyne Development to be used for Penske Corporation as presented and submitted to Board of Selectmen. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

Mr. Salvo departed Meeting at 8:36 P.M.

4. Contract award for Power Stretcher/Load System

Fire Chief Schleicher recommended this and would like Board to support it. Total cost is \$56,901.90. Bid by Striker Medical, who was the only bidder.

MOTION was made by Mr. Bramwell to approve the purchase of the Power Stretcher to Striker Medical in the amount of \$56,901.90. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

5. Contract award for Fire Pumper

Two bidders: Greenwood and Pierce Manufacturing. Cost is \$349,960 bid by Greenwood and \$331,185 was bid by Pierce Manufacturing, which Chief recommends.

Mr. Kimball noted this is a capital item. Also, if paid within ten days price reduced to \$323,600

MOTION was made by Mr. Bramwell to award purchase of a Fire Pumper to Pierce Manufacturing, in the amount of \$331,185.00, and if paid within ten days price reduced to \$323,600. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

6. Vote to accept monetary gift for the Fire Department Ambulance Gift Account

A donation of \$2,310.00 was received by Fire Department from the sister of the boy who was hurt at Wheaton College falling through a glass window about a year ago. For her 16th birthday this past summer she requested no presents only donations to Norton and Rhode Island Hospital. Norton was commended She wrote in a letter she still had her brother because of Norton Fire Rescue and Rhode Island Hospital.

Mr. Kimball asked Town Manager to send a thank you note to her.

Mr. Giblin said it is really nice to receive these kinds of letters and the Norton Fire Department does a wonderful job, and grateful for this donation.

MOTION was made by Mr. Bramwell to accept gift of \$2,310.00 to the Norton Fire Department to be put into the Ambulance Gift Account. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

B. OLD BUSINESS

C. TOWN MANAGER'S REPORT

. Review of Special Town Meeting Articles and Schedule for Special Town Meeting

Mr. Yunits provided an update on the Articles for the February 24, 2014 Special Town Meeting:

Article 1: Unpaid Bills from prior years.

Article 2: Bylaw Amendments are still being reviewed.

Article 3: FY14 Operating Budget Supplements-now focusing on snow and ice. If there is more snow, they may need to increase it.

1/30/14 Bd. of Selectmen Minutes
Page 9

Articles 4 and 5: Two proposed TIFS for Omni and Penske.

Article 6: Conservation Land Article, and Ms. Carlino will be coming before the Board to discuss.

Mr. Yunits said the snow and ice deficit is currently at approximately \$50,000.

Mrs. Steele asked about solar information/status.

Mr. Yunits said it will make it as an article on the Annual Town Meeting. The Town Planner, Mr. Gabriel, and he have met on this at least three times this week. They wanted to make it so similar to site plan review process where the abutters will be notified and will receive protection (buffer zones/plantings, etc.), and also to set certain zones and size of lots. He will send Board information on this as he receives it.

.....

Mr. Yunits said tomorrow at 12 noon, there will be a tour of the new Town cable studio. It appears the sound and picture quality is better also.

.....

Mr. Yunits spoke of a new bylaw about putting snow out onto the street and wanted to alert this to Norton residents. Mr. Silver will be sending a warning to someone on Freeman Street. The plows came by and then there was an exaggerated pile of snow on street and also it is on a bad curve on Freeman Street and causing a safety issue for kids travelling that road.

.....

Mr. Yunits said he received a call from a resident of Rehoboth to call to thank the Town of Norton for the conditions of Norton's roads/streets; the resident said it was not like that everywhere else she drove that day.

.....

They have posted on the Town Website for a Permanent Building Committee. Interest letters may be sent to Mr. Yunits, Town Manager, to Town Municipal Center, noting experience, etc. They are seeking people involving the building trades (ideally an attorney, an architect, etc.).

Norton Rail Trail Public Info Session will be held at the Norton Library on February 11 at 7 p.m. (the last meeting was cancelled due to the snowstorm). This Committee is working very hard.

1/30/14 Bd. of Selectmen Minutes
Page 10

Mr. Yunits said there are various employment opportunities for Town of Norton: Health Agent; Council on Aging Director; and full or part time dispatchers for public safety. These vacancies are listed on the Town website and there is also an application available online.

.....

On Union Road, surveyors are still working on topographic survey.

.....

. Update on Lease of Property at 237 Mansfield Avenue

Update was provided.

VI. SELECTMEN'S REPORT AND MAIL

Mr. Yunits spoke to postmaster recently and learned the post office is not leaving Norton and Norton's zipcode will stay the same and they are working on their lease where they are now located (negotiating a new lease). They will relocate somewhere else in Norton if not in that particular building.

Mr. Giblin commended Mr. Silver, Highway Department Superintendent, and his crew, as it was noticed neighboring towns don't do as good a job as our Town with plowing, street clearing, etc. and letter of commendation sent by a resident of Rehoboth indicating this.

.....

Mr. Giblin was contact by a resident in Town who is interested in seeing a teen-type center for older teens. Possibly the spot could be Everett Leonard Park. Email was shared with Sheri Cohen, Recreation Dept. contact. Need to consider insurance liability, etc. Ms. Cohen has done a wonderful job but cannot handle adding this onto her workload. Mr. Kimball suggested this be communicated to YMCA and possibly they can help.

.....

Mr. Kimball said the Board of Selectmen attended the Mass Municipal Meeting (MMA) last week. They obtained some great info on infrastructure (recreational trails, etc.) and will pass on the info to various town departments. They also looked at a lot of solar information and learned the town of East

Bridgewater has dealt with solar and would be beneficial to learn their experience. It appears street lights are also becoming more solar powered than in the past. Mr. Kimball also noted Norton does not have an active recycling program; Norton does not have any standardized program and he invited the

1/30/14 Bd. of Selectmen Minutes

Page 11

representative in from this program from the MMA meeting to explain what Norton needs to do to implement such a program. Leon Dumont, retiring Health Agent, has mentioned this in the past several times and it is something the Town should look into.

VII. NEXT MEETING'S AGENDA

VIII. EXECUTIVE SESSION

IX. ADJOURNMENT

MOTION was made by Mr. Giblin to Adjourn at 8:56 p.m. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

Janet A. Sweeney
Board of Selectmen – Recording Secretary

Documents Distributed/Reviewed at January 30, 2014, Board of Selectmen Meeting

- . Draft Board of Selectmen Minutes of Meeting dated September 26, 2013

- . Application for One Day Liquor License for Everett Leonard Park: Applicant-Andi Worden, Taunton, MA 02718; Date of Event: June 15, 2014

- . "Middle School Roof Statement of Interest" Document

- . "Tax Increment Financing Agreement Between The Town of Norton and Penske Truck Leasing Co. L.P." and related information/documentation (including "Norton Commerce Center Conceptual Site Plan, Norton, MA, prepared by Condyne, LLC, 1150 West Chestnut Street, Brockton, MA 02301"; "Penske Branded Facility - Elevations A, B, C, and D"; and "Penske Branded Facility Small Branch Office Floor Plan"

- . Rendering of Campanelli Thorndike project - 246 East Main Street

- . Power Stretcher/Load System Bid Tally Document (for Norton Fire Department)

- . Fire Pumper Bid Tally/Info Document (for Norton Fire Department)

- . Special Town Meeting Articles and Schedule for Special Town Meeting

BOARD OF SELECTMEN

MINUTES OF MEETING OF

JANUARY 30, 2014

ROBERT W. KIMBALL, JR., CHAIRMAN

MARY T. STEELE, VICE-CHAIR

BRADFORD K. BRAMWELL, CLERK

TIMOTHY R. GIBLIN

ROBERT S. SALVO, SR.

Dated: _____