

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
FEBRUARY 6, 2014**

**I. CALL TO ORDER BY CHAIRMAN**

The February 6, 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 present.
- B. Pledge of Allegiance

**II. WARRANTS AND MINUTES**

- A. Approve bi-weekly payroll for the period ended February 1, 2014, Warrant #47, dated February 6, 2014, in the amount of \$1,182,538.98

**MOTION was made by Mr. Bramwell to Approve bi-weekly payroll for the period ended February 1, 2014, Warrant #47, dated February 6, 2014, in the amount of \$1,182,538.98. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

- B. Approve bills Warrant #48, dated February 6, 2014, in the amount of \$630,026.39.

**MOTION was made by Mr. Bramwell to Approve bills Warrant #48, dated February 6, 2014, in the amount of \$630,026.39. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

C. Approve Minutes – There were no Minutes reviewed/approved.

There were no Minutes reviewed/approved.

**III. LICENSES AND PERMITS**

1. Application of Rhonda and Michael Tierney for a one-day All Alcohol License to be utilized at Everett Leonard Park, Saturday, June 21, 2014, for private party

**MOTION was made by Mr. Giblin to approve Application of Rhonda and Michael Tierney for a one-day All Alcohol License to be utilized at Everett Leonard Park, Saturday, June 21, 2014, for private party, with stipulation they contact Lt. Jackson, Norton Police, to discuss possible detail officer(s). Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

**IV. ANNOUNCEMENTS**

**V. BUSINESS**

**A. NEW BUSINESS**

1. 7:05 P.M. – Bill Lippincott Re: Founders' Day 2014

Mr. Lippincott described Founders' Day for 2014.

Mr. Kimball asked about the possibility of obtaining a generator?

Mr. Lippincott responded that nothing further has happened with generator yet. He can bring it up at their next meeting.

Mr. Kimball asked Mr. Lippincott to please continue to update the Board. Also, it is possible Cub Scouts may want to join in at Founders' Day.

Mr. Giblin asked about the status of the weekly meetings for unemployed people.

Mr. Lippincott replied the Employment Support Group of Norton continues to meet on an "as needed" basis/volunteer basis. There are still people in need for that type of assistance.

1:15 P.M. – Vote to approve and sign the 60 Commerce Way Economic Opportunity Area (EOA) for OMNI Life Science

Ms. Tokarczyk was present with Mr. Dave LaSalle, Chief Operating Officer of OMNI Life Science. A brief snapshot of project was provided. State Representative Jay Barrows was also present this evening, along with Kara Griffin, Executive Director of Chamber of Commerce; Maria Correia; and Mr. Tarfufo.

Mr. LaSalle stated he had pleasure of meeting IDC and pleased to get their support. The Superintendent of Schools also reached out to them and they took a tour of the newly renovated High School.

A brief overview of their company was provided, and he stated he was one of three co-founders. Their company makes hip and knee replacements. The three founders were former employees of Johnson & Johnson. Their company is currently located in East Taunton with 70 employees. It is mostly research and development with some light manufacturing, and they have an ambitious business plan over next few years. They have growth needs and the uncertainty to stay at current location. They have located one location in Norton suitable for their long-term plans, and they plan to complete their site selection process soon. They bring in physicians, surgeons, and sales personnel. They would plan on a 40,000 sq. foot facility for the first phase and they can double square footage in future if needed. Mr. LaSalle stated they have several locations which they are looking at now; however, this parcel in Norton in particular would meet their specific needs. Discussion ensued.

Mr. Kimball said the Board was committed and will try to assist in the process.

Ms. Tokarczyk referenced a document regarding numbers/figures, etc. She also wanted to recognize Town Manager, Mr. Yunits, and the Board of Selectmen. She wanted to thank them for expediting this project and it demonstrates Norton is pro-business. She spoke of employment opportunities for area/Town. This company is dedicated to community involvement. Because of the significant upfront project costs, these numbers may be a bit different than usual. Discussed was \$130K in tax revenue.

Mr. Kimball said whenever the Town of Norton can bring in a new business for revenue, it helps Town, and to fill in that industrial park is beneficial, so it is a win-win for all. Mr. Kimball asked if anyone in audience would like to speak in favor or not in favor of this. No one responded from audience.

Mr. Giblin said upon reading about their company, it appears to be a great fit with the Town of Norton. The Town sees benefits of a company such as this. He thought Plan/TIF proposal appears fine.

Representative Barrows said it was a great tour of the Norton High School and hoped they receive community support needed to pass it.

3. Vote to approve and sign the Tax Increment Financing Plan Agreement (TIF for OMNI Life Science)

**MOTION was made by Mr. Giblin to recommend that Town Meeting approve a proposed 15-year Tax Increment Financing (TIF) Plan and Agreement, pursuant to MGL c. 40, Section 59, between OMNI life science, Inc., Norton Commerce Center, LLC and the Town of Norton for the property located at 60 Commerce Way, Norton, Massachusetts, and shown as Assessors Map 24, Parcel 116; To authorize the submission of same for approval to the EACC; and To take all related actions necessary or appropriate in connection therewith. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

4. Vote to authorize Town Manager, Michael D. Yunits, to sign the EDIP EOA designation application and the Local Incentive Only Application

Mr. Kimball was under the impression the entire park was under EOA, however, he realized it was not. He recommended to see if entire park can be under EOA.

**MOTION was made by Mr. Bramwell to Approve the 60 Commerce Way Economic Opportunity Area (EOA) for the property located at 60 Commerce Way, Norton, Massachusetts, and shown as Assessors Map 24, Parcel 116, for a period of fifteen (15) years, pursuant to MGL c. 23A, Section 3E; To approve the submission of an application for approval of the proposed EOA to the Massachusetts Economic Assistance Coordinating Council (EACC); and, To take all related actions necessary or appropriate in connection therewith. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**Discussion: Mrs. Steele stated she was definitely in favor of TIF's, etc., but had concerns as to how it would be interpreted on Town Meeting floor. Discussion ensued on the first four years 100% exemption question.**

**Mr. Giblin referenced Mrs. Steele's point, it is important the Board of Selectmen explain at Town Meeting that this has been done before, etc. Vote: Unanimous. MOTION CARRIES.**

Ms. Tokarczyk explained the various votes for recommendation by the Board; one is the TIF Agreement; then the designation for the EOA and authorization that Mr. Yunits; sign as well as to document it is a newly established EOA (Economic Opportunity Area). Final steps for it go to Town Meeting for approval, then to State for actual final approval.

**MOTION was made by Mr. Bramwell to recommend that Town Meeting approve the acceptance of the proposed Local Incentive-Only Application by OMNI life science, Inc., for the property located at 60 Commerce Way, Norton, Massachusetts, and shown as Assessors Map 24, Parcel 116; To authorize the submission of same for approval to the EACC; and, To take all related actions necessary or appropriate in connection therewith. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

5. Discussion – Island Brook C.40B Project

Mr. Kimball had a concern with flooding of property. As a member of this Board, it is important to be aware the Board has the obligation to ensure something is not built that people purchase in a particular development if it is sub-standard. It also appears there are new “players” with this project, etc. He said the Board is looking for the direction of Ms. Carlino, Conservation Agent, of what she needs and what the Board of Selectmen need to do.

Ms. Carlino said they are currently involved with Zoning Board, but not yet in front of Conservation Commission yet.

Ms. Carlino said she is able to talk about the rare species habitat; there is no wetland permit application yet, and the Town does have an approved wetland boundary, which is helpful.

Mr. Kimball noted it appears to be in area of where proposed entranceway is; is that an area of critical impact?

Ms. Carlino responded it is an already altered area with a culvert under it; they would have to meet some performance standards in order to build in that area. She further explained regulations, etc.

There was concern of some Board members when it goes to Zoning Board first, then Conservation Commission, then it has to go back to “square one” if something was missed, etc.

Mr. Kimball asked if Board of Selectmen should take some action and try to get some type of process going with the Conservation Commission?

Ms. Carlino responded that they can request that, but they are not required. The flood plain can be brought up in discussion, etc. Also, can reference “open space” and see if that really falls under C.40B.

Mr. Yunits said this is being done in other towns as Ms. Carlino has looked into other towns.

Ms. Carlino said in addition to flood plain, there is area of stormwater management.

Mr. Kimball said it is his intent to have Ms. Carlino here this evening to ask ZBA to be proactive and there are some other 40B’s in Town that have issues and he is not in favor of creating another problem. He asked Ms. Carlino if she would not object if Board of Selectmen makes a certain request to the Zoning Board.

Ms. Carlino said there are no plans that would be different that are given to Zoning Board. Zoning Board can request it, but it is not required. It is more efficient for applicant to do it simultaneously.

Mr. Kimball said it is more efficient to apply for wetlands permit now.

Ms. Carlino said they need to have everything ready.

Mr. Kimball stated they are working on getting some final plans together.

Ms. Carlino said suggestion could be made to have them come in to have applicant meet all department heads to get info, etc., all at once.

Mr. Kimball thanked Ms. Carlino for the info and stated the Board of Selectmen will probably be reaching out to her again.

6. Vote to accept Deed for Daggett-Crandall Property

Mr. Yunits said this is scheduled to close on February 18 so attorneys are asking for Board to accept Deed and sign off. It was noted the Board should have this information in their packets.

**MOTION was made by Mr. Giblin to accept Deed for Daggett-Crandall Property. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

7. Vote to send letter of support to Mass Development Re: Final approval to a revenue bond project to be financed on behalf of Wheaton College, to be issued pursuant to Chapter 23G and 40D of the General Laws

Mr. Yunits said this is a bond amount of \$14M at college and propose renovations for dining halls on three locations on campus and improve lighting, hiring of an electrician, and other capital expenditures. They just asked for a letter of support from the Town and he can draft a letter in support

**MOTION was made by Mr. Bramwell to send letter of support to Mass Development Re: Final approval to a revenue bond project to be financed on behalf of Wheaton College, to be issued pursuant to Chapter 23G and 40D of the General Laws. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**B. OLD BUSINESS**

1. Review and Vote on February 24, 2014 Special Town Meeting Articles

Mr. Yunits stated Warrant will be posted the next day. Finance Committee (FinCom) meeting will be held next Wednesday evening, including presentation on two TIF's at that time and a vote will be taken.

Article 1: two legal bills from a prior fiscal year. FinCom has recommended \$980.

**MOTION was made by Mr. Bramwell to support Article 1. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Article 2: This Article is just to revise the salary schedule under wage and salary plan, not that people will be at the top level, this is just for a range. This provides for a wider range and should carry the Town for a couple of years. He believed these ranges would be reasonable and he also reviewed the ranges for the town of Mansfield. FinCom voted to recommend this.

**MOTION was made by Mr. Giblin to support Article 2. Second by Mr. Bramwell.**

**Discussion: Mr. Bramwell would like to see comparison from other ranges, which he did review.**

**Vote: Unanimous. MOTION CARRIES.**

Article 3: Wage supplements for contracts after Town Meeting, and then snow and ice which is in deficit of \$50,208; and also includes Bristol County Agricultural. FinCom voted, but will have to revote \$270 for Southeastern Regional and business department made an error in addition, therefore, they don't need that \$270, so will have to be revoted.

**MOTION was made by Mr. Bramwell to support Article 3. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Article 4: Mr. Yunits explained the Board already voted on this earlier this evening.

Article 5: Mr. Yunits stated he had some updates for the Board. Since the last meeting with Penske Leasing and a vote taken, there has been an adjustment to the TIF. First year will be 68 vehicles, and will go up to 80 for life of TIF, so agreed to five years to lower the tax break they were going to get. He would ask Board of Selectmen to vote to accept this amendment.

**MOTION was made by Mr. Bramwell to recommend that Town Meeting approve the acceptance of the proposed Local Incentive-Only Application by Penske Truck Leasing Co., L.P., for the property located at 40 Commerce Way, Norton, Massachusetts, and shown as Assessors Map 25, Parcel #86, and some portion of Assessors Map 25, Parcel 84-01;**

**To authorize the submission of same for approval to the EACC; and,**

**To take all related actions necessary or appropriate in connection therewith. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Article 6: This was voted October 29, 2012 originally. Mr. Yunits referenced Bay Road Heights and explained the filing for extension so this Article would take \$82,872 and it would be Town's responsibility. Ms. Carlino is looking for other donations and she is currently at \$73,000, but Town is responsible. The property is \$225,000; the rest of it is already guaranteed with grants, and it was noted Ms. Carlino has a lot of grant applications generated.

Mr. Kimball said he agreed with Conservation Commission and he will support Article 6 because of that. On the other hand they (Bay Road Heights) are going to ask for extension. Mr. Kimball said they are reneging, and he suggested the Board send a letter to ZBA to deny it. Mr. Kimball asked Mr. Yunits to send a letter from Board basically asking denial of any extension by ZBA, and also, reference the \$82,872 promised to Town and now Town is paying the additional debt. The Board of Selectmen agreed that Mr. Yunits should send this letter.

**MOTION was made by Mr. Giblin to support Article 6. Second by Mr. Salvo. Vote: Unanimous.  
MOTION CARRIES.**

**C. TOWN MANAGER'S REPORT**

Mr. Yunits said he had a question for State Rep Barrows, who was still in audience. He referenced a sheet that shows state aid to Norton and it has remained pretty level for many years, however, he thought this would be the year it would change. This is the Governor's proposal. If the local aid numbers are reviewed, it has just been flat. Mr. Yunits thought they were told the lottery money was always to come back to the cities and towns, but it now appears that is not the case.

Representative Barrows replied when the House and Senate meet on the budget, they will review those numbers.

Mr. Kimball said he reviewed the documents and the cost they incur for Charter School, he believes it depends on amount of students. Town's students increase but Town's reimbursement is decreasing (cost of tuition increasing but reimbursement decreasing). Also, the school lunches are a concern, too. General government aid is flat. He believes this is something they need to be aware of. Mr. Kimball said he was curious about the tuition now as in the last two or three years, the cost of the Charter School has increased.

Mr. Yunits said he spoke to Superintendent of Schools today and it comes out to about \$11,000 per student. This is approximately \$3,000 more than a Norton public school student.

Mr. Giblin said it is not the Charter School they have a problem with, it is just the formula/calculations. He would like to take a look at past calculations and possibly Mr. Yunits can take a look at that as well. Also, it is possible Representative Barrows has some info on it.

Representative Barrows referenced the Charter School; it has come down in terms of the gross payment. They have had discussions on Charter School reimbursement and not a lot of movement to change this Charter School formula. MCAS scores, etc., within the Norton School system are doing very well and that will make a change. Also, the proposed full-day kindergarten in Norton may also be helpful.



Representative Barrows referenced local aid and said the House will do better than the Governor. Revenues are up 4.9%. It's an urban vs. suburban battle. It won't be a lot, but it will be more than zero. Those discussions will start very soon; Ways and Means are starting those discussions.

Mr. Kimball said it appears the Charter School is not obligated to have special education programs, so it impacts sending town districts. The Town of Norton is doing a lot of good things, but need a lot of work on municipal buildings also, but don't have the money to do so.

Mrs. Steele said both the Charter School and Norton Schools are public educations; she questioned why the Charter receives more money and why is this not seen at the State level? Why are children not treated equally?

Representative Barrows said 52% of the population of the Charter School are minorities. It was noted Norton's grades are a bit better. Also, now Norton has the sports programs, etc. Five years from today he believed they will see a difference, especially with the progress that has been made. Also, Wheaton College has stepped up in the last few years sending students to tutor Norton students, as well as the excellent community support.

Representative Barrows said he will bring these concerns back to the Secretary of Education.

Representative Barrows applauded Lynn Tokarczyk for all the work she has done. He was hopeful the science lab at Norton High School and Omni Science (through Mr. LaSalle) may bring in internships to this business.

Mr. Salvo said it appears that the towns that pass overrides get more money.

Representative Barrows said the calculation is such that it is hard to figure out; and a lot of things are going on under consideration.

Mr. Kimball said one can only imagine what the Town of Norton could do with the extra revenue; it is not a level playing field; Norton cannot compete with them. \$3,000 more per student in Norton schools would help the Town.

Rep Barrows said Norton has very low per pupil costs and referenced school rankings; 80% of students are doing AP.

Rep Barrows referenced Transportation Bond Bill and Epoch/Roche Bros plaza; there has been money set aside for those two areas. He indicated Massachusetts is getting a different governor and it.

governor. Plan to continue to grow the business community and continue to work with Mass Highway through efforts of Representative Howitt on Transportation Committee and former Representative Poirier, and he/other reps will keep Board of Selectmen posted as budget comes up. Also, he referenced a Resolution to tell towns/cities what local aid will be, but it will most likely be defeated.

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Mr. Yunits said at a meeting he attended earlier that day, there were discussions of ADA requirements and service animals (dogs, monkeys, and ponies).

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Mr. Yunits indicated next Tuesday, there will be a meeting in the Norton Library at 7 p.m. – “Rail Trail Public Info Meeting”.

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Mr. Salvo spoke of setting bylaws regarding putting snow on road, and said if Board would like a list of addresses he could provide them. He said this needs to be stopped as it is dangerous and also an added safety concern when the temperature drops as it did yesterday. Mr. Salvo asked Mr. Yunits for direction as to how to proceed for a written complaint?

Mr. Yunits responded, first a verbal warning is needed by Highway Superintendent; second offense is \$100; and every offense after that is \$300.

Mr. Kimball said there is an existing bylaw regarding this.

Mr. Salvo said he believed in the town of Foxboro, plow drivers have to register with town/highway dept. in case of damage to road, etc. Notices would need to be sent out to people well in advance.

Mr. Kimball suggested to possibly ask Police Department to help Highway Superintendent with this task and possibly have a copy of the bylaw with them and hand the person the piece of paper, whether homeowner or plow driver doing it. Mr. Kimball asked Mr. Yunits to make a suggestion to Mr. Silver to check with Police Chief Clark.

#### **D. APPOINTMENTS/RESIGNATIONS**

#### **VI. SELECTMEN’S REPORT AND MAIL**

#### **VII. NEXT MEETING’S AGENDA**

**VIII. EXECUTIVE SESSION**

**IX. ADJOURNMENT**

**MOTION was made by Mr. Bramwell to Adjourn at 8:51 p.m. Second by Mr. Giblin. Vote: Unanimous.  
MOTION CARRIES.**

Respectfully Submitted by:

Janet A. Sweeney  
Board of Selectmen – Recording Secretary

**BOARD OF SELECTMEN**

**MINUTES OF MEETING OF**

**FEBRUARY 6, 2014**

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

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

**BRADFORD K. BRAMWELL, CLERK**

**TIMOTHY R. GIBLIN**

**ROBERT S. SALVO, SR.**

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

**Documents Distributed/Reviewed at February 6, 2014, Board of Selectmen Meeting**

. Application of Rhonda and Michael Tierney for a one-day All Alcohol License to be utilized at Everett Leonard Park, June 21, 2014, for private party

. "Spring Annual Town Meeting – May 12, 2014" List of Articles 1-21

. February 24, 2014 Special Town Meeting Articles

. Town of Norton Tax Increment Financing Plan – OMNI LIFE SCIENCE, INC. AND NORTON COMMERCE CENTER, LLC

. TAX INCREMENT FINANCING AGREEMENT BETWEEN THE TOWN OF NORTON; OMNI LIFE SCIENCE, INC.; AND NORTON COMMERCE CENTER, LLC