

**BOARD OF SELECTMEN
MINUTES OF MEETING
NOVEMBER 13, 2014**

I. CALL TO ORDER BY CHAIRMAN

The November 13, 2014, Meeting of the Board of Selectmen was called to Order by Mrs. Steele, Chairman, at 7:00 P.M., held in the First Floor Conference Room.

A. ROLL CALL: Mrs. Mary T. Steele, Chairman; Mr. Bradford Bramwell, Vice-Chair; Mr. Timothy R. Giblin, Clerk; Mr. Robert W. Kimball, Jr.; 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 November 8, 2014, Warrant #29, dated November 13, 2014, in the amount of \$1,187,023.53

MOTION was made b y Mr. Giblin to Approve bi-weekly payroll for the period ended November 8, 2014, Warrant #29, dated November 13, 2014, in the amount of \$1,187,023.53. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

11/13/14 Bd. of Selectmen Minutes

Page 2

- B. Approve bills Warrant #30, dated November 13, 2014, in the amount of \$1,418,410.32
MOTION was made b y Mr. Giblin to Approve bills Warrant #30, dated November 13, 2014, in the amount of \$1,418,410.32. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

- C. Approve Minutes – August 21, 2014

MOTION was made by Mr. Giblin to Approve Minutes of Meeting of Board of Selectmen, dated August 21, 2014, as written. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

III. LICENSES AND PERMITS

1. 7:30 P.M. HEARING – Application for Transfer of Ownership, from Michael Babanikas d/b/a Mike's Famous Pizza, to Konstantinos J. Babanikas d/b/a Mike's Famous Pizza to the Common Victualer License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On the Premises, at 105 Taunton Avenue, Norton, MA 02766

Mr. Babanikas said his father, Michael, passed away in February 2014 and they are now looking to transfer to his brother Gus, the trustee, since the passing of their father. They have been in business since 1974.

Mrs. Steele extended the Board's condolences on the loss of their father.

MOTION was made by Mr. Kimball to Close the Public Hearing . Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Kimball to approve the Application for Transfer of Ownership, from Michael Babanikas d/b/a Mikes' Famous Pizza, to Konstantinos J. Babanikas d/b/a Mike's Famous Pizza to the Common Victualer License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On the Premises, at 105 Taunton Avenue, Norton, MA 02766. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

IV. ANNOUNCEMENTS

V. BUSINESS

A. NEW BUSINESS

1. Lloyd Geisinger, President, Thorndike Development Corporation Re: Proposed alignment in the area of 274 East Main Street

Mr. Yunits spoke of the Board's concerns on improvements on East Main Street.

11/13/14 Bd. of Selectmen Minutes

Page 3

Mr. Eastridge, Associate Partner, Thorndike Construction, spoke of the time from when they first approached the Board of Selectmen and Mr. Kimball had asked them to fix the road since the beginning. Fixing the road got more clarified: to straighten it both horizontally and vertically for site distance for safety. ZBA hired a peer review engineer and traffic peer review engineer and during those meetings it was discussed to lower the road by a foot and a half (this was dictated by the geometry of road). The design as it stands now shows improvements. A rendering was displayed to Board: "Norton Multi-family apartment community – Thorndike/Campanelli". Mr. Eastridge stated they were given a minimum and desirable requirements, so they hit desirable at desired site distances for cars traveling northbound and southbound; proposed 460 or 464 feet. They are at or well above the desirable requirements.

Also, Mr. Eastridge believed there may be some misconceptions about the road getting straightened. He noted removing vegetation in a certain area will improve site line and they have also flattened curve in this road. 740' is radius of curve and proposed at 1000'; for southbound cars from 800' to 144'. Any further flattening of curve won't make any more improvement to that site line.

Highway Superintendent, Mr. Silver, said he met with them yesterday about this and they explained they same to him; taking a foot and a half off. He recommended what they should have done first is to cut all the vegetation down and referenced the safety for those driveways in this location.

Mr. Eastridge said they have looked also at not putting in shrubs/trees in that site line.

Mr. Bramwell asked if dip in second driveway will be elevated?

Mr. Eastridge responded it is coming up a bit.

Mr. Bramwell asked if there will be left-hand turn lane? If so, road would need to be widened.

Mr. Eastridge responded, yes, there is a left-hand lane and road will be widened.

Mr. Giblin explained the reason why the Board of Selectmen sent them a letter regarding this was because the Board believed it was not being changed at all.

Mr. Eastridge said they do have a more detailed landscaping plan and Mr. Giblin asked about three shrubs being in site line. He was practically certain those three trees on this rendering will be gone.

Mr. Giblin had concerns with left-hand turn along with speed.

Mr. Eastridge responded the speeds will be pretty consistent.

11/13/14 Bd. of Selectmen Minutes

Page 4

Mr. Silver indicated the road is being improved and not sure how much more it can really be improved upon/changed more.

Mr. Kimball said the area by Cricket's Korner is a dangerous area also and suggested to Mr. Eastridge it would be beneficial to encourage/convince the landowner to clear out some of that vegetation.

Mr. Kimball said he would ask Bernie Marshall, Water & Sewer Superintendent, to go back to his committee and work out a deal with sewerage; is sewerage still going down Main Street?

Mr. Geisinger responded, in looking this over, they also had a conversation yesterday about how they are going to build this. The conversation they had with Mr. Silver and Mr. Yunits yesterday they spoke of possibly closing the road at night or during daytime, and propose a detour during day. Their site contractor said if he can have clear use of this road, he can have this done in a week. Also, they understand another major project will be occurring later in summer. They were hoping to get some feedback on this matter.

Mr. Kimball said he agreed K: I agree not working during nighttime.

60% of time road would be shut down entirely for about three to four days.

Mr. Geisinger said they expect to break ground in March and have their financing in place and are ready to file the East Main Street plans with the ZBA.

Mr. Kimball said it would be important that the Fire Chief is aware when road is shut down and also that other projects are not going on simultaneously.

Mr. Yunits said the Fall of 2015 the other project is supposed to be started.

Mr. Giblin said he would prefer the construction to happen during the daytime. Also, Easton should be made aware of this project.

Mrs. Steele said it would be important to obtain more specific dates on construction, road closures, etc. Also, Police Chief Clark and other parties should be notified/involved.

Mr. Yunits stated, yes, the Police Chief would have them sit down with public safety officer and meet with fire chief too.

Mr. Bramwell said he wondered about an easement with shops at Red Mill Village.

Mr. Geisinger responded they can certainly investigate it. He noted there is a vernal pool at that location.

Mrs. Steels said if there is anything that arises that changes anything, please contact the Board of Selectmen. She said it is much better for the Board to be aware and hear any updates from them directly.

2. Vote to approve and sign the SERSG Contract Award for Drug & Alcohol Testing Services to Advantage Drug Testing, 62 Elm Street, Andover, MA 01810, for the period January 1, 2015 to December 31, 2017

Mr. Yunits said this is important, especially for anyone with a CDL license.

MOTION was made by Mr. Kimball to Award the SERSG Contract for Drug & Alcohol Testing Services to Advantage Drug Testing. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

B. OLD BUSINESS

C. TOWN MANAGER'S REPORT

Mr. Yunits spoke of changes to TIF process (no EOA needed to be set up, and he indicated there were a couple of other changes). This would make it easier for towns to offer TIFs. He referenced the Elm Street property; a tax credit available to redo property, etc.

Mr. Kimball respectfully requested Mr. Yunits to please write a letter to Elm Street property owner about the incentive regarding this property.

Mr. Kimball referenced the house that sits on top of hill; it is a hazard and was curious why Building Inspector has not asked for it to be taken down. Also, the gas station across from Tedeschi's was referenced to possibly look at also.

D. APPOINTMENTS/RESIGNATIONS

1. Brian M. Clark, Chief of Police, Re: Appointment of two Special Police Officers as follows:

Bobby G. Gorham

Derek J. Levesque

Chief Clark stated Mr. Gorham worked full-time at Department of Corrections and has also worked for Town of Mansfield in the past.

Mr. Levesque has held position in Attleboro Auxiliary and both have undergone same process (oral board and a medical and psychological screening) and recommend both to be appointed.

MOTION was made by Mr. Kimball to appoint Special Police Officer, according to provisions, the following individual: Bobby D. Gorham effective November 17, 2014. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

Mr. Yunits explained the Chief is down in numbers for his department.

Chief Clark said the department had three out injured; one pending retirement; six have newborn children; and one will go out on maternity leave soon. He was looking to hire someone full-time to sustain the department.

MOTION was made by Mr. Giblin to appoint Special Police Officer, according to provisions, the following individual: Derek J. Levesque, effective November 17, 2014. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

2. Appointment of Driver/Laborer/CDL in the DPW Department

Mr. Silver introduced Dalton Mowry, who has CDL and ten hours course on OSHA, and certified welder and is currently working in a hydraulics company. He will bring the DPW up to a full staff again.

Mr. Yunits said this is to replace a retirement that occurred this summer.

MOTION was made by Mr. Giblin to appoint Dalton Mowry as Driver/Laborer/CDL in the DPW Department, effective November 17, 2014. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

3. Daniel A. Pearson Re: Interview for appointment to the following:

- 1) Norton Open Space Committee, and
- 2) Norton Cultural Council

Mr. Pearson stated he was a resident of Norton for 45 years and is on the Conservation Commission. Regarding education, he holds an AB in Classics and an AM in Classics. He had both Cultural and Open Space Committee interest.

Mr. Giblin thanked Mr. Pearson for his interest.

MOTION was made by Mr. Giblin to appoint Daniel A. Pearson to the Norton Open Space Committee effective immediately. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Giblin to appoint Daniel A. Pearson to the Norton Cultural Council Open effective immediately. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

VI. SELECTMEN'S REPORT AND MAIL

Mr. Giblin apologized he had to miss the Veterans' Day Parade; it is very important to him and is appreciative of all the time and commitment the veterans make and their support to their country.

Mr. Kimball said the Veterans' Day Parade was well attended and extended a big thank you to Wheaton College who came out to make a presence. Wheaton President Dennis Hanno led the group and also walked with the Board of Selectmen and made a speech at Town Common. Also, the revitalization of the Norton High School Band did an excellent job.

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Mr. Bramwell communicated he had to miss last week's meeting, and said for state and federal elections he would like to relook at utilizing some of the other schools for the various precincts so not so congested. He was in traffic for 15 minutes to get to Town polls; the traffic was horrendous. However, once in the polls, there was no waiting.

Mr. Bramwell asked that a letter be sent to the proper department(s), voicing these concerns.

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Mr. Kimball spoke of the \$325M deficit/shortfall State declared. Budget cutting outside the Executive Branch, and this should be a concern to everyone. MMA (Mass Municipal Association) recommended the Board of Selectmen send a letter to state reps and senator on concerns with cuts and encourage them to look at other reductions. Mr. Kimball respectfully requested Mr. Yunits to send such letter to state reps and senator.

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Mr. Kimball referenced a meeting last night he attended with Mr. Silver, Highway Superintendent, and Town Historical Society/Historical District regarding the renovation of the Town Common. A number of volunteers would like to have an Ad Hoc Committee. He noted the railings at the Town Common are rusted and falling down and there is possibly lead paint underneath. He also discussed the electrical cord issue and reseeding the Town Common. They would not be asking for Town funds, and would like to form a committee to explore some of the issues. New molds need to be made for the railing (most likely, someone in Town has the molds, but they do not know who; they are at least 100 years old) and they need to replicate what is currently there. If they need to buy new molds, it will be expensive. They also discussed a possible sprinkler system/parking area. There are five people who are interested in being on committee: Mr. Kimball; Mr. Silver; Mr. Sam Arena; Mr. Butch Rich; Mr. Marcus Dennett,

11/13/14 Bd. of Selectmen Minutes

Page 8

and many others who want to volunteer their services to the Town. The plan is to come up with entire project and get it done all at once if possible. Also, they can possibly incorporate the "Welcome To Norton" sign. The Historical District wants a plan of how this is going to be approached. He is respectfully requesting the Board of Selectmen appoint the five interested people to the Ad Hoc Committee.

MOTION was made by Mr. Kimball to establish an Ad Hoc Committee to be called the Town Common Revitalization Committee to be comprised of the following members: Mr. Robert Kimball; Mr. Clarence "Butch" Rich; Mr. Sam Arena; Mr. Keith Silver; and Mr. Marcus Dennett. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

Mr. Kimball said the intent of this Committee is to come up with a plan and make it happen.

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 November 13, 2014, Board of Selectmen Meeting

- . Board of Selectmen Draft Minutes of Meeting, dated August 21, 2014
- . Notice of Public Hearing, dated October 22, 2014: The Board of Selectmen of the Town of Norton will conduct a Public Hearing on the application for Transfer of Ownership, from Michael Babanikas d/b/a Mike's Famous Pizza, to Konstantinos J. Babanikas d/b/a Mike's Famous Pizza to the Common Victualer License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On the Premises, at 105 Taunton Avenue, Norton, MA 02766. Said Hearing will be held Thursday, November 13, 2014, at 7:30 P.M. in the Selectmen's Meeting Room, Norton Municipal Center, 70 East Main Street, Norton, MA, in accordance with Chapter 138 of the Massachusetts General Laws
- . Letter dated October 24, 2014, addressed to Lloyd Geisinger, Campanelli Thorndike Development (with copy to Town of Norton Board of Selectmen) from Michael D. Yunits, Town Manager, Re: 274 East Main Street Roadway Relocation
- . Application for Retail Alcoholic Beverage License with accompanying documentation – d/b/a Mike's Famous Pizza (Konstantinos J. Babanikas)
- . Rendering: "Norton Multi-family apartment community – Thorndike/Campanelli"
- . Memorandum dated November 12, 2014, addressed to Board of Selectmen, from Michael Yunits, Town Manager, Re: Notice of Appointment of Special Police Officer: Bobby G. Gorham
- . Memorandum dated November 12, 2014, addressed to Board of Selectmen, from Michael Yunits, Town Manager, Re: Notice of Appointment of Special Police Officer: Derek J. Levesque
- . Memorandum dated November 12, 2014, addressed to Board of Selectmen, from Michael Yunits, Town Manager, Re: Notice of Appointment of Highway Department Driver/Laborer/CDL II: Dalton Mowry
- . SERSG Contract Award for Drug & Alcohol Testing Services to Advantage Drug Testing, 62 Elm Street, Andover, MA 01810, for the period January 1, 2015, to December 31, 2017
- . Letter dated November 5, 2014, addressed to Michael Yunits, Town Manager, and Board of Selectmen, from Daniel A. Pearson, re: interest in Norton Open Space Committee and the Norton Cultural Council

**BOARD OF SELECTMEN
MINUTES OF MEETING OF
NOVEMBER 13, 2014**

MARY T. STEELE, CHAIRMAN

BRADFORD K. BRAMWELL, VICE-CHAIR

TIMOTHY R. GIBLIN, CLERK

ROBERT W. KIMBALL, JR.

ROBERT S. SALVO, SR.

Dated: _____