

**DRAFT
BOARD OF SELECTMEN
MINUTES OF MEETING
MAY 7, 2015**

I. CALL TO ORDER BY CHAIRMAN

The May 7, 2015, Meeting of the Board of Selectmen was called to Order by Mr. Bramwell, Chairman, at 7:00 P.M., held in the First Floor Conference Room.

- A. ROLL CALL: Mr. Bradford Bramwell, Chairman; Mr. Robert S. Salvo, Sr., Clerk; Mr. Robert W. Kimball, Jr., and Mrs. Mary T. Steele were present. Absent: Mr. Timothy R. Giblin, Vice-Chair. Mr. Michael Yunits, Town Manager, was also present.
- B. Pledge of Allegiance

II. WARRANTS AND MINUTES

- A. Approve bills Warrant #67, dated May 7, 2015, in the amount of \$1,231,680.36

MOTION was made by Mr. Kimball to Approve bills Warrant #67, dated May 7, 2015, in the amount of \$1,231,680.36. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

III. LICENSES AND PERMITS

7:30 P.M. HEARING – Application of Jax Laxmi Corporation d/b/a MAS GAS, Manager: Jack M. Patel, for a Retail Package Goods Store License to Expose, Keep for Sale, and to Sell Wines and Malt Beverages Not to Be Drunk on The Premises, at 62 Mansfield Avenue, Norton, MA 02766

Attorney Douglas Newfall stated he had certified copies as well as the abutters list.

Attorney indicated there was a mistake on page 4; it lists two corporations which was not correct and he had an amendment.

Attorney said they would like to apply for this. Mas Gas is on Mansfield Avenue (a gas station/convenience store). Mas Gas took somewhat of a financial hit with competition of other gas stations in the area, and he has had several questions by customers about selling alcohol/beer/wine. It was noted he has run several other businesses and has done well.

Mr. Yunits said the Town does have a beer and malt license available.

Mr. Kimball spoke of the strict alcohol policy of the Town of Norton has relating to the selling of liquor; and businesses need to be very careful about who they sell to, etc. Mr. Kimball said he did not object to this.

Mr. Bramwell said the Board suggested TIPS certified employees.

Mr. Patel said he always has an assistant manager at store and would ensure all customers show identification. It was noted they have a college (Dean College) next to their store in Franklin, Massachusetts, and, over three years, have never had any trouble.

Mrs. Steele said they will receive a copy of the Town's liquor policy and reiterated the Town is very stringent. She said she supports their gas station and wished them luck.

Mr. Duncan McKeown of 60 Mansfield Avenue asked what the hours of operation will be? Currently it is 6-9 p.m., and his concern was this being open until 11 p.m. He said his window is about 25 feet from the gas station and his major concern was the possible difference in the hours; especially where he has children, etc.

Mr. Patel responded the liquor license hours are from 9 a.m. to 11 p.m., however, they will close at regular hours; they are not changing their hours.

Mr. Bramwell indicated that information could be noted on the liquor license (specific operating hours) and if applicant wishes to amend the hours in the future, he can try to do so, and this resident would be notified as an abutter.

MOTION was made by Mr. Kimball to Approve the Application of Jax Laxmi Corporation d/b/a MAS GAS, Manager: Jack M. Patel, for a Retail Package Goods Store License to Expose, Keep for Sale, and to Sell Wines and Malt Beverages Not to Be Drunk on The Premises, at 62 Mansfield Avenue, Norton, MA 02766. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

IV. ANNOUNCEMENTS

Annual and Special Town Meetings to be held Monday, May 11, 2015, 7:00 P.M., at Norton High School Auditorium.

V. BUSINESS

A. NEW BUSINESS

1. **7:05 P.M.** – Review and/or Sign Mitigation Agreement concerning Billboard advertising – John T. Carroll, Carroll Advertising Company, Inc.

Mr. Kimball said he read through this Agreement quickly and believed there were a lot of open questions that he was certain Town Counsel would come back and address.

Mr. Carroll said this was a mirror image of another Mitigation Agreement they had with a different municipality.

Mr. Yunits noted annual payments were referenced in Agreement.

Mr. Carroll explained this was something that the other municipality really pushed for. He would anticipate getting annual interest on the rates.

Mr. Yunits said it was also added that Norton businesses would receive a 15% discount if they advertised.

Mr. Yunits indicated he had received Mr. Carroll's edited contract earlier that day and it was sent to Town Counsel earlier today for review.

Mrs. Steele said on the surface of it, she thought it was a good idea, as long as Conservation Commission comes back with positive comments.

Mr. Yunits said he needed Board of Selectmen's authorization for him to negotiate and work with Town Counsel, if that was the Board's desire.

MOTION was made by Mr. Kimball to authorize Town Manager to negotiate and work with Town Counsel regarding the Mitigation Agreement concerning Billboard Advertising as specified above. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

2. 7:20 P.M. – Mark Sweeney, Jay Creeden, and Chris Barrows Re: Founder's Day, June 20th, Rain Date June 27th, 2015

Mr. Barrows said the date of this event would be June 20, beginning at 5 P.M. with fireworks to start about 9 or 10 P.M. Main sponsors to include, but were not limited to, Horizon Beverage, Roche Bros., Mansfield Bank, LJ's Car Wash, and the Mom's Club of Norton.

Mr. Sweeney said this is the fifth year of Founder's Day and they plan to have approximately 3,000 people attend. Various vendors will be present such as Alberto's Pizza, Dale Bishop's Pig Roast, Del's Lemonade, hamburgers and hotdogs from the Dog House, and Mangia Pizzeria. There will also be popcorn provided by Mr. Kimball, a carnival trailer selling candy apples, cotton candy and fried dough.

Mr. Creeden said there will be rides and games; the Fire Dept. will have a demonstration; there will be a petting zoo; antique cars; field games; a food court; a blueberry pie eating contest; live music; and the Sgt. Master Trent Ball Drop Fundraiser. They will come back in a few weeks with a newer update as there are still some "moving parts" to deal with.

It was noted there was a Facebook Page on Norton Founder's Day, which is through the Parks and Rec Department.

It was noted this is all privately funded and all money is raised by the Committee. Some people think this is funded by the Town but this is not true.

Mr. Kimball said this is a lot of work and thanked the Committee.

Mr. Barrows commended Sheri Cohen and her group of volunteers who are very dedicated.

3. Request of Sheri Cohen, Chairman, Parks and Recreation Commission, for permission to hang a Founder's Day Banner across Route 123, in front of Town Hall/Fire Dept. starting the first week of June

Mr. Bramwell explained that under Parks and Recreation, the banner does not require an insurance policy.

MOTION was made by Mrs. Steele to approve request of Sheri Cohen, Chairman, Parks and Recreation Commission, for permission to hang a Founder's Day Banner across Route 123, in front of Town Hall/Fire Dept. starting the first week of June to after the Founder's Day event. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

4. Vote to set date for Joint Meeting with Planning Board to fill the vacancy on the Planning Board for Failure to Elect for this position

Mr. Bramwell said they have received a letter from Town Clerk and Planning Board regarding this. He did not see dates from Planning Board that would work for them to hold this meeting.

Mr. Yunits said he will let them know what the Board of Selectmen's decision is; regarding which date appears feasible and check on their availability.

Mr. Bramwell said it appeared the first meeting of June would be a good date to meet with the Planning Board.

Mr. Kimball said if there are any parties' interested, please send a letter to Town Hall, 70 East Main Street, to the attention of the Planning Board and/or Board of Selectmen. This is only a temporary appointment until the next election.

Mr. Yunits indicated he will speak with the Planning Board regarding this June 4 proposed meeting date.

5. PROCLAMATION – "Women's Lung Health Week"

Mr. Kimball read the Proclamation being in the second full week in May.

MOTION was made by Mr. Kimball to accept/approve the Proclamation – "Women's Lung Health Week". Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

B. OLD BUSINESS

1. Review and/or vote on Annual and Special Town Meeting Warrants

Mr. Yunits said there are no changes since last time. He noted the Veterans' Agent could get by with \$17,000, therefore, \$24,000 was pulled out of Article.

2. Discussion on Town Bylaw Committee

Mr. Bramwell said Mr. Giblin was not in attendance at this meeting, and to discuss at length would be counterproductive as he is part of this.

Mr. Yunits said this needs to be done in this fiscal year.

C. TOWN MANAGER'S REPORT

Mr. Yunits said he along with the Fire Chief and Highway Superintendent traveled to New Bedford as NEMA had a meeting there for any storm-related reimbursements and they filed the Town's application and hopefully will receive some of that reimbursement. It appears a certain timeframe is being looked into. Hopefully the Town can receive 75% of some of the costs.

The Town's Tree Warden, Nick Tierney, communicated that National Grid donated six trees to the Town. Mr. Silver, the Highway Superintendent, had the Highway Department plant these trees at the new cemetery and wanted to thank them for this.

Mr. Yunits said the Town's Public Health Nurse lost her son this past week and wanted to extend the Board of Selectmen's condolences to her and her family.

D. APPOINTMENTS/RESIGNATIONS

1. Request of Brian Coughlin for appointment to the Industrial Development Commission

Bill Lippincott, Chairman of IDC for the Town of Norton, stated Mr. Coughlin was well known to the Town. He said the IDC is seeking volunteers to help bring in new businesses and to try to help existing businesses. Mr. Coughlin will fill an open seat on this Committee. He wanted to give a brief introduction and indicated Mr. Coughlin could not be present at this meeting as he is teaching at Dean College this evening.

MOTION was made by Mrs. Steele to appoint Brian Coughlin to the Industrial Development Commission. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

VI. SELECTMEN'S REPORT AND MAIL

Mr. Kimball welcomed back Mr. Bramwell and Mr. Giblin to the Board of Selectmen and looked forward to working with both of these gentlemen during the next two years. He also thanked Mrs. Steele for her past role of Chairman. Mr. Kimball added he was concerned about the lack of voter turnout.

Mr. Kimball noted the Bristol County Agricultural High School is holding a Dedication to the Standish House of Administration on Thursday, May 31.

Eagle Scout Code of Honor will be approaching soon and the Board is invited. It was noted this is the same date that the Master Sgt. Trent Bike/Motorcycle Run is happening. It was noted Mr. Giblin said he would plan to attend.

Mr. Salvo spoke of his concern of safety in the area near 274 East Main Street hope it makes a difference once project gets going. He had a chance to walk this area and spoke of the culvert in road; culvert needs to be changed per plan as it is too close to side of road as it shows it jogging out around edge of road.

Mr. Kimball said the Town has Road Commissioners who will review it before it is done. It is necessary to make it safe and possibly have Mr. Silver involved.

Mr. Bramwell noted the telephone poles are also a concern to him also. It would make sense to move them out of the way.

Mrs. Steele stated this is such a large project and still has a lot of issues. She recommended to have them come to the Board's next meeting and review this again and noted in looking at minutes of meetings from past meetings, the information is different.

Mr. Salvo said Mr. Eastridge said they would be clearing trees and the Board could visit but still awaiting on that.

Mrs. Steele stated the Town is getting a sidewalk; and the jog Mr. Salvo spoke about and location of poles and length of time/duration road will be closed.

VII. NEXT MEETING'S AGENDA

. Tentative - CVAA Liquor License Hearing – Application of 33 Investing Corp. d/b/a Tavern 33, 57 West Main Street, for a Change of Location and Alteration of Premises

. CVAA Liquor License Hearing – Application of 292 LME Inc. d/b/a The Downtown, Manager: Ralph LaVoie, Jr., 292 West Main Street

VIII. EXECUTIVE SESSION

1. To discuss strategy with respect to collective bargaining

IX. ADJOURNMENT

DECLARATION BY THE CHAIRMAN:

I declare, under General Laws Chapter 30A, Section 21A(a)(3), that the purpose of the executive session will be to discuss strategy with respect to collective bargaining, because a discussion of this strategy in open session could compromise the purpose of the executive session and with the Board to not return to open session at the conclusion of the executive session.

MOTION BY MEMBER:

MOTION was made by Mr. Kimball at 8:00 P.M.:

I move that the Board go into executive session under G.L. c.30A, Section 21A(a)(3) for the purposes and reasons declared by the Chairman and with the Board to not return to open session thereafter. Second by Mrs. Steele. Vote: All members voted In Favor of Motion, except for Mr. Bramwell, who abstained. MOTION CARRIES.

Respectfully Submitted by:

Janet A. Sweeney
Board of Selectmen – Recording Secretary

Documents Distributed/Reviewed at May 7, 2015, Board of Selectmen Meeting

. Mitigation Agreement concerning Billboard Advertising – Carroll Advertising Company, Inc.

. Annual and Special Town Meeting Warrants

BOARD OF SELECTMEN

MINUTES OF MEETING OF

MAY 7, 2015

BRADFORD K. BRAMWELL, CHAIRMAN

TIMOTHY R. GIBLIN, VICE-CHAIR

ROBERT W. KIMBALL, JR.

ROBERT S. SALVO, SR.

MARY T. STEELE

Dated: _____