



TOWN OF NORTON
BOARD OF SELECTMEN
MUNICIPAL CENTER,
70 EAST MAIN STREET, NORTON, MA 02766

Telephone: (508) 285-0210 Fax: (508) 285-0297

**BOARD OF SELECTMEN
MINUTES OF MEETING
OCTOBER 1, 2015**

I. CALL TO ORDER BY CHAIRMAN

The October 1, 2015 Meeting of the Board of Selectmen was called to Order by Mr. Bramwell, Chairman, at 6:37 P.M., held in a the First Floor Conference Room.

A. ROLL CALL: Mr. Bradford Bramwell, Chairman; Mr. Timothy R. Giblin, Vice-Chairman; Mrs. Mary T. Steele; 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

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 Litigation (Demers vs. Town of Norton), because a discussion of the litigation strategy in open session could compromise the purpose of the executive session and with the Board to return to open session at the conclusion of the executive session.

MOTION BY MEMBER:

MOTION was made by Mr. Kimball:

I move that the Board go into executive session under G.L. c.30A, Section 21(a)(3) for the purposes and reasons declared by the Chairman and with the Board to return to open session thereafter.

Second by Mr. Giblin. Vote – Roll Call: In Favor of Motion: Mr. Salvo, Mrs. Steele, Mr. Kimball, Mr. Giblin, and Mr. Bramwell. MOTION CARRIES.

Board reconvened Open Session at 6:55 P.M.

II. WARRANTS AND MINUTES

- A. Approve bills Warrant #19, dated September 24, 2015, in the amount of \$1,179,957.31
MOTION was made by Mr. Kimball to Approve bills Warrant #19, dated September 24, 2015, in the amount of \$1,179,957.31. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.
- B. Approve bi-weekly payroll for the period ended September 26, 2015, Warrant #20, dated October 1, 2015, in the amount of \$1,159,727.51
MOTION was made by Mr. Kimball to Approve bi-weekly payroll for the period ended September 26, 2015, Warrant #20, dated October 1, 2015, in the amount of \$1,159,727.51. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.
- C. Approve bills Warrant #21, dated October 1, 2015, in the amount of \$1,007,192.99
MOTION was made by Mr. Kimball to Approve bills Warrant #21, dated October 1, 2015, in the amount of \$1,007,192.99. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.
- D. Approve Minutes – April 30, 2015 Executive Session
MOTION was made by Mr. Giblin to Approve the Board of Selectmen Executive Session Minutes, dated April 30, 2015, as written. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

III. LICENSES AND PERMITS

1.Application of Wheaton College for Lyons Pride 5K Run/Walk to be held Sunday, October 25, 2015, on campus, 8:00 A.M. – 10:00 A.M.

It was noted this was signed off by the Police and Fire Chiefs.

MOTION was made by Mr. Giblin to Approve the Application of Wheaton College for Lyons Pride 5K Run/Walk to be held Sunday, October 25, 2015, on campus, 8:00 A.M. – 10:00 A.M. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

2. Application of Norton High School XC Boosters for 5K Road Race Fundraiser, Saturday, October 31, 2015, 10:15 A.M. – 1:00 P.M.

MOTION was made by Mr. Giblin to Approve Application of Norton High School XC Boosters for 5K Road Race Fundraiser, Saturday, October 31, 2015, 10:15 A.M. – 1:00 P.M. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

3. Application of Barbara Ivory for a one-day Beer and Wine License, to be utilized at Everett Leonard Park, Saturday, October 17, 2015; Rain Date Sunday, October 18, 2015, 11:00 A.M. – 6:00 P.M., for private party

MOTION was made by Mr. Giblin to Approve Application of Barbara Ivory for a one-day Beer and Wine License, to be utilized at Everett Leonard Park, Saturday, October 17, 2015; Rain Date Sunday, October 18, 2015, 11:00 A.M. – 6:00 P.M., for private party, with no police detail(s) required. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

IV. ANNOUNCEMENTS

Norton Fire Department Open House to be held on October 18 from 1-4 P.M.
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Town Common Revitalization Committee Meeting planned for 10/14/15 at 6:30 P.M. in Town Hall second floor conference room to explain process/to answer questions.
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Norton High School Car Wash fundraiser to be held on Saturday, October 4, at McDonald's on Mansfield Avenue, Norton.

V. BUSINESS

A. NEW BUSINESS

1.7:05 P.M. – Water/Sewer Commissioners Re: October 19, 2015, Fall Annual Town Meeting Warrant Articles

The Water Commissioners were in attendance and reviewed Articles:

Article 5 – Not increasing water budget; using retained earnings to balance budget.

Article 6 – No action needed.

Article 7 – Capital Improvement—upgrade to Skater System. Ms. McElligott said it is an outdated communications system. Mr. Bernie Marshall, Superintendent of Water & Sewer, said it is technology from the 1990's.

Article 16 – Norton Center Sewer Extension Project Augmentation

Ms. McElligott spoke of increase in borrowing of project; still planning to have project come in at \$2.5M.

Mrs. Steele said it bothers her that people will be forced to tie-in. It was noted people will have five years to tie in. Mr. Yunits said cost is \$11,900 for a three-bedroom home plus connection costs.

Ms. McElligott said total cost would be between \$8,000 to approximately \$20,000.

Mrs. Steele commented this is such a large amount of money, especially if a resident's system is working fine.

Timetable was discussed for tying in, etc.

Article 18 – Bylaw Amendments; mandatory sewer connection.

This Article was discussed and explained.

Mr. Don Brown of 254 Mansfield Avenue, formerly a member of Water & Sewer Commission, questioned if there would be a reduction in rates for connection fee? He questioned what would happen if a new development comes into Town? If infrastructure already exists, he figured fee could be reduced and asked if there was a provision for existing developments?

Ms. McElligott explained connection fees to Mr. Brown. Reduction if a significant investment in infrastructure needs to be made.

Mr. Brown said he believed the infrastructure in street already reduced the cost.

Keith Drive was discussed. This location formerly had a dry main but no one was hooked up to water main. It was noted this was the decision of the Planning Board.

Mr. Kimball said this situation is unique to Town. If infrastructure is already in the ground in one section, why is there not another solution; it seems homeowners could/should receive a discount.

Mr. Grant responded that the developer serviced his own development.

Mr. Salvo said the developer gave the Town a gift.

Mr. Kimball said the present-day landowners should not be responsible for the Town's past mistakes. Connection should have been made at that time, but it was not. This was already paid for by homeowners in the past.

Mr. Brown said it would be important to notify Board of Health of who needs a hook-up, and take this responsibility off the Town and put on Title V Inspectors' checklist

Mr. Grant said this was not a practical solution; to project out two years is not feasible.

It was discussed Town can always supersede the state.

Mrs. Steele noted some of these homeowners did Title V and paid for it and now have this expense.

Mr. Bramwell said the Town asked for flagging in June. They discussed this to alert Board of Health.

Mr. Grant responded the Board of Health did not think of it as a viable action.

Mr. Brown said it is a state law; if sewer system goes by a person's house, the person must hook-up. He suggested someone the State regarding this.

Resident of 10 Keith Drive asked for a point of clarification; what will Article 18 do? He was under impression, homeowner will not need to hook up unless they fail or sell their home.

Mr. Salvo said they cannot make them tie-in because Water Commissioners sent letter. Possibly a revised letter should be sent out.

Resident of 10 Keith Drive referenced all end fees and will be faced with a \$30,000 figure from contractors, etc.

Mr. Kimball said he would ask Water and Sewer Commissioners to reconsider. He will ask to exclude Keith Drive and Keen Drive. He will stand up on Town Meeting floor if needed to request that Keith and Keene Drive would be included in second paragraph.

Ms. McElligott said they will take vote now to amend it to make it retroactive.

Mr. Bramwell called a Point of Order, Mr. Yunits pointed out the Water & Sewer Commission has not posted this as a meeting.

Mr. Kimball asked the Water & Sewer Commission to please advise the Board of Selectmen as to when they vote and make a decision.

Mr. Yunits suggested the Water & Sewer Commission can go to Finance Committee on Monday evening and explain it and vote it on Tuesday.

Mr. Yunits noted there were some problems with water main on Reservoir Street.

Ms. McElligott said they do have some funds available from desal. She spoke of possibly replacing main in that area and use whatever remaining funds there are.

Mr. Yunits referenced sewer from 274 East Main Street.

Mr. Marshall responded he would stay on property, then to Route 123, and then take a left onto Newland Street.

Mr. Salvo said they did a good job on flushing. He asked if they could talk about next year and put it on social media as to what streets they plan to flush.

Ms. McElligott said that was a great idea.

Mr. Marshall agreed it was a good idea also, but won't eliminate people outside of area who may be affected. They will make the attempt to make people more aware.

Mr. Grant referenced Title V sewer tie-in; and trying to finish up notification on municipal lien certificate.

2. 7:30 P.M. – Ray Cord, Emergency Management Agency Deputy Re:

. Emergency Preparedness

. Shelter Plan

Fire Chief Schleicher spoke of a true sheltering plan being in place and Peg Meyers did an excellent job, along with Ray Cord.

He also noted October 18 would be the Norton Fire Department Open House.

Mr. Cord stated they finished a successful preparedness month and recognized the Shelter Committee was involved. He referenced the brochure: "Emergency Preparedness". Website is: www.Ready.gov

Norton has trained over 200+ people in CERT Training.

Peg Meyer introduced each of the Sheltering Committee members. They have a sheltering guideline as well as a plan and worked closely with NEMA. They are part of regional which would be in Attleboro; locally it is at the Norton Middle School. They also have an operation manual. Also, they are now obligated to have an animal shelter and animal shelter guidelines were written and implemented in 2015.

Mr. Giblin thanked the Committee and volunteers for taking the time and effort.

Ms. Meyer noted an application (app) for cell phones available to be notified if there was an emergency.

Mr. Cord said they communication and make notifications also via Facebook, Twitter, cable, and also through Charlene Fisk with a reverse 911-type call which is actually called "Code Red". It was also noted they can provide power/light to any organization that needs it.

Chief said WARA-1320 they partnered up with (for use with a transistor radio). He said they were currently working on a flyer to hopefully mail with tax mailings. He said he was proud of Committee and Norton is one of only a few towns in Commonwealth that has a plan in place.

3. Discuss and/or Vote on October 19th Fall Annual Town Meeting Warrant Articles

Mr. Yunits referenced the revenue expenses sheet – surplus of \$439,836.00. Also received \$21,000 in local aid increase. There were decreases on cherry sheet on some items; Free Cash of \$2,168,859. A lot goes into following year's budget and explained free cash and reviewed various numbers/figures.

Mr. Yunits said hopefully growth continues.

Article 1:

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

Article 3:

Separation Expenses/ Retirement Expenses. It is anticipated that three more employees could retire.

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

Article 5:

FY16 Water Operating Budget Amendments. Mr. Yunits said he was trying to find exact figure and will bring to next meeting.

Article 8:

FY16 Capital Plan Amendments. Mr. Yunits explained planned capital items.

**MOTION was made by Mr. Kimball to support Article 8. Second by Mrs. Steele. Vote: Unanimous.
MOTION CARRIES.**

Article 9:

Hazardous Waste Day; will be held in Fall and Spring.

**MOTION was made by Mr. Salvo to support Article 9. Second by Mr. Kimball. Vote: Unanimous.
MOTION CARRIES.**

Article 10:

GASBE #45

**MOTION was made by Mr. Kimball to support Article 10. Second by Mrs. Steele. Vote: Unanimous.
MOTION CARRIES.**

Article 11:

OPEB Funding

**MOTION was made by Mr. Kimball to support Article 11. Second by Mr. Giblin. Vote: Unanimous.
MOTION CARRIES.**

Article 13:

Engineering/Design Norton Rail Trail Project

It was noted SRPEDD indicated there are very few awards out of this pot of money and money to Norton is almost certain.

**MOTION was made by Mr. Kimball to support Article 13. Second by Mrs. Steele. Vote: Unanimous.
MOTION CARRIES.**

Article 16:

Water & Sewer Commission Article and additional \$300,000 of borrowing.

**MOTION was made by Mr. Kimball to support Article 16. Second by Mrs. Steele. Vote: Unanimous.
MOTION CARRIES.**

Article 17:

Land Swap

**MOTION was made by Mr. Giblin to support Article 17. Second by Mr. Kimball. Vote: Unanimous.
MOTION CARRIES.**

Article 18:

Bylaw Amendment

Mr. Kimball recommended to receive an opinion of counsel on this Article and could possibly offer an amendment on floor of Town Meeting.

Mr. Giblin referenced Article 18 and the K Streets were subject to upgrade and met with Water & Sewer Commissioners. This needs to be analyzed and have a common-sense approach for Town by Water & Sewer Commissioners.

Mr. Kimball said final solution appeared to be that Water & Sewer Commissioners were able to see this need and amend Article.

Article 19:

Amend Senior Work –Off Program Bylaw

Mr. Yunits explained this. Town Counsel said this bylaw could be reworded where minimum wage has increases planned for future, etc.). No need for parameters in bylaw.

**MOTION was made by Mr. Giblin to support Article 19. Second by Mr. Kimball. Vote: Unanimous.
MOTION CARRIES.**

C. OLD BUSINESS

D. TOWN MANAGER'S REPORT

. National Grid Update

Mr. Yunits indicated the supply rates were increasing again. He met with National Grid recently and as of November 1, 2013, it will be 13 cents a kilowatt (a 21.3% increase for an average home). They have not increased distribution charge, and it is going to State regarding this and would be not for another year at least.

Mr. Salvo said he planned to place an article for Spring 2016 Town Meeting for windmills for a source of energy.

Mr. Yunits said they are looking to do modernization for systems (for power outages, etc.). Plan is for more efficient and smart meters on residents' houses (peak hours charge more/charge less for off hours, etc.).

. Energy Aggregation Update

Mr. Yunits said this Energy Aggregation meeting was a productive meeting with good questions. Three cities were approved and hoped the Town plans are approved shortly.

Mr. Bramwell said a notice should be posted in Town Hall to alert people.

Mr. Yunits said it will be on the Town website. Also, the Town cautioned people to be careful of signing up for anything and to not give out their electric account numbers to anyone who request them. Also, residents need to think very hard before putting solar panels on their homes, as they are not free. If a house is sold after installation of solar panels, residents will not reap the benefits.

. 274 East Main Street Update

Mr. Yunits stated paving occurred today in front of Red Mill Village. He provided a timeline of projected plans.

Mr. Kimball said this was not completed at 4:45 P.M. today when he drove past this area.

Mr. Salvo said he and Mr. Silver, the Highway Superintendent, had a discussion, and, he believed, Mr. Yunits was aware of this also, that he knows for a fact they will finish coat within

two to three weeks. In his opinion, it is not a good idea as it is not practical nor the right decision. Mr. Salvo said the Town needs a guarantee they will put in a new road.

Mr. Kimball responded at least the contractor will be there in springtime and if any areas need repair, the Board will let them know.

Mr. Bramwell said Mr. Silver should keep an eye on it and he should let the Board know if there are issues, etc.

E. APPOINTMENTS/RESIGNATIONS

1. Appointment of Beth A. Wierling, Planning/Economic Development Director

It was noted appointment was made on September 24, 2015, and effective October 9, 2015, but respectfully request the effective date to be October 13, 2015.

Mr. Yunits said Ms. Wierling had been the Town Planner in the town of Franklin, Massachusetts, for the last eight years and communicated her experience to the Board. He is excited about her starting and Chairman of Planning Board, Joanne Haracz, and Joe Fernandes, member of Planning Board, also helped with process.

Mr. Yunits said Ms. Wierling was away this week so he will have her come in at the next meeting.

VI. SELECTMEN'S REPORT AND MAIL

VII. NEXT MEETING'S AGENDA

VIII. EXECUTIVE SESSION

6:30 P.M. – to discuss Litigation

IX. ADJOURNMENT

MOTION was made by Mr. Kimball to Adjourn at 9:23 P.M. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted:


Janet A. Sweeney

Board of Selectmen – Recording Secretary

Documents Distributed/Viewed at October 1, 2015, Board of Selectmen Meeting

- . April 30, 2015 Executive Session Minutes

- . Application of Wheaton College for Lyons Pride 5K Run/Walk to be held Sunday, October 25, 2015, on campus, 8:00 A.M. – 10:00 A.M.

- . Application of Norton High School XC Boosters for 5K Road Race Fundraiser, Saturday, October 31, 2015, 10:15 A.M. – 1:00 P.M.

- . Application of Barbara Ivory for a one-day Beer and Wine License, to be utilized at Everett Leonard Park, Saturday, October 17, 2015; Rain Date Sunday, October 18, 2015, 11:00 A.M. – 6:00 P.M., for private party

- . Town of Norton Warrant for the Annual town Meeting – October 19, 2015 (Draft 10/01/15)

- . Town of Norton Local Receipts Snapshot; Funding Worksheet (fund balances through September 2015); Free Cash Worksheet; FY16 Estimated Operating Revenues and Expenditures; Proposed FY16 Capital Budget Amendment (Article 8)

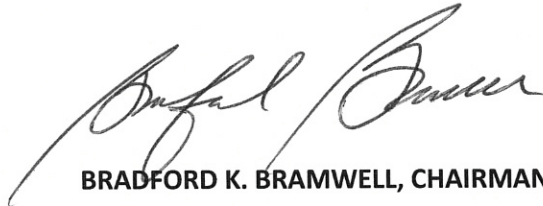
- . Memorandum, dated September 25, 2015, addressed to Board of Selectmen, from Michael D. Yunits, Town Manager, re: appointment of Beth A. Wierling as Planning/Economic Development Director, effective date of October 13, 2015

- . Massachusetts Emergency Management Agency “Emergency Preparedness Guide” and accompanying documentation


BOARD OF SELECTMEN

MINUTES OF MEETING OF


OCTOBER 1, 2015




BRADFORD K. BRAMWELL, CHAIRMAN



TIMOTHY R. GIBLIN, VICE-CHAIR



ROBERT W. KIMBALL, JR., CLERK



ROBERT S. SALVO, SR.



MARY T. STEELE

Dated: 11/28/16