



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
JUNE 9, 2016**

I. CALL TO ORDER

The June 9, 2016 Meeting of the Board of Selectmen was called to Order by Mr. Giblin, Chairman, at 7:00 P.M., held in the First Floor Conference Room.

A. ROLL CALL: Mr. Timothy R. Giblin, Chairman; Mr. Robert K. Kimball, Jr., Vice-Chair; Mr. Bradford K. Bramwell; Mr. Robert S. Salvo, Jr., Clerk. Absent: Mrs. Mary T. Steele. Mr. Michael Yunits, Town Manager, was also present.

B. Pledge of Allegiance

II. WARRANTS AND MINUTES

A. Approve bills Warrant #73, dated June 2, 2016, in the amount of \$703,774.05

MOTION was made by Mr. Salvo to Approve bills Warrant #73, dated June 2, 2016, in the amount of \$703,774.05. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

B. Approve bi-weekly payroll for the period ended June 4, 2016. Warrant #74, dated June 9, 2016, in the amount of \$4,235,209.61

MOTION was made by Mr. Salvo to Approve bi-weekly payroll for the period ended June 4, 2016, Warrant #74, dated June 9, 2016, in the amount of \$4,235,209.61. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

C. Approve bills Warrant #75, dated June 9, 2016, in the amount of \$212,833.03

MOTION was made by Mr. Salvo to Approve bills Warrant #75, dated June 9, 2016, in the amount of \$212,833.03. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

D. Approve Minutes - May 9, 2016

MOTION was made by Mr. Bramwell to Approve the Board of Selectmen Minutes of Meeting, dated May 9, 2016, as written. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

III. LICENSES AND PERMITS

1. 7:15 P.M. HEARING - Application of 33 Investing Corp. d/b/a Tavern 33, for alteration of premises, to include an outside patio, 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 336 Old Colony Road, Norton, MA 02766

Mr. Salvo read aloud the legal notice.

Mr. Barrows said his business was doing very well. Plan is to come off back of building with a deck 12' x 48', which is entire length with a set of stairs to a fenced-in area and other option would be to build a patio and patio would have more seating (about 40). He said there would be handicap access from parking lot on right side of building.

Mr. Giblin asked about capacity. If there are patrons inside building and it rains, patrons outside may venture indoors, and possibly would make the establishment over-capacity.

Mr. Kimball said license would need to indicate capacity/seating.

Mr. Yunits stated whatever the capacity is of this entire facility, whether people are indoors or outdoors, total capacity must remain at 99 or it needs to be sprinklered. Even though patrons are outside, they may go inside to use rest rooms, etc.

Mr. Salvo believed that would be up to establishment to be aware of the capacity (99 total combined capacity indoors and outdoors).

Mr. Kimball said he would think a raised deck would require more regulations than a patio. Also, his concern with a raised deck would be that it would add additional noise if higher up than a low to the ground patio. He would consider a patio vs. the raised deck.

Mr. Barrows said the patio would be their preference.

Mr. Giblin commented if patio was fenced in, that would help with noise too.

Mr. Barrows said there would not be music outside. Possibly once in awhile there may be music outdoors on a Sunday afternoon, but it would not be continuing into the evening. Also, he noted there would just be waitstaff outside, not a bar.

Mr. Barrows said he initially planned for a low four foot fence so people could still see the pond.

Mr. Giblin said he felt the fenced area should be a bit higher for security reasons and also for the noise issue for nearby residents. Also, the sound could echo across pond, etc.

Mr. Kimball believed they needed clarification on the seating and applicant would be required to advise on what seating capacity was and was not certain how it works on outside and inside of establishment.

Mr. Giblin said it appeared the Board needed to choose either a patio or raised deck.

Mr. Yunits referenced seating, and said applicant cannot increase his total capacity of 99.

Mr. O'Reilly, who resides in the area of this establishment, said he had a petition signed by 35 residents, mostly from Union Road and South Worcester Street against the outdoor patio because of the noise issue. He said they can hear people/smokers outside of this establishment when they have their windows open from across the pond and, when he spoke to other residents, he was surprised how many other residents also said they can hear the patrons of restaurant now. Any outdoor patio would only increase that problem.

Mr. Giblin stated it appeared sound is definitely a concern.

Mr. Yunits asked when people go outside to smoke now, where do they go and is there any fence acting to block noise, etc.?

Mr. Barrows said he did not want patrons that go outside of his establishment in front of door, so many go to the right side, but there is only the building as any sound barrier.

Mr. Yunits said if there was outside seating and a barrier was put up, would that contain people behind barrier to block the sound?

Mr. Giblin said he did not know the answer to this; and he was also not sure what size of fence barrier would be best.

Mr. Jim Mooney, of 12 North Worcester Street, had a concern about the noise and said it would not directly impact him, but can relate to people who are impacted by it. He said it would seem to him, and he understands that people in this type of business almost need to have a patio accommodation; and he thinks the Town and most people want to accommodate businesses in Town and understands that. However, he is sympathetic to neighbors and their concerns about the noise, as well as sympathetic to the business owner. He was not familiar with the licensing aspect, and was not sure if this was feasible, but he would think it would be appropriate to put some type of a noise-level contingency in; a decibel level that would be appropriate to keep noise down which was acceptable to the neighbors, and was also enforceable.

Mr. Antonio Medeiros of 17 Union Road, wanted to clarify there would be no music playing outside.

Mr. Bramwell said it could be documented on license there will be no music outside.

Mr. Medeiros said he and the neighbors can hear the restaurant patrons currently and cannot imagine any added capacity outside. Seating will be for possibly 40 or more people and people get loud when they are drinking and outdoors and makes for more noise than normal. It is a problem.

Mr. Bramwell said he believed the elevated deck would be the less favored option as this will project more sound across the pond, and if this is done as a patio option, being close to the ground. He is aware Mr. Barrows would like esthetics of pond, but as a compromise possibly have sides open with a chain link fence as well as a six foot stockade across the back to block the sound from going across the pond. He believed six feet will be above patrons' sitting and most patrons' mouths to act as a sound barrier.

Mr. Giblin agreed a patio would be better than a deck; however, he believed the sound is still an issue.

Mr. Barrows noted there are houses/residences near other establishments.

Mr. Giblin responded where this establishment is located on a hill, there are echo issues. He was not sure if a six foot or eight foot fence would work, but had concerns of noise affecting

others in the neighborhood. He wanted this establishment to be successful, but had a concern with the noise issue.

Mr. Salvo noted he can hear music, even a far distance away, from Xfinity Center, which is a nuisance in the summer. This establishment is trying to generate business and not impact the neighbors either. He was not certain if Mr. Barrow's establishment had any noise complaints at all. If this does not work out and there is an issue, the Board of Selectmen can have Mr. Barrows back in and can amend it.

Mr. Giblin said the only issue is if the Board of Selectmen allows something now, it will cost the owner of establishment money to build, etc., and then if there are complaints from neighbors, it may not be the correct order to do things. The patio idea is ok, but it needs to be done correctly.

Mr. Kimball said the decibel level is something to be concerned about. It appears there will be no music outside and no one can change the volume of patrons talking. If the sound becomes a problem, they may need to put up a type of barrier.

Mr. Barrows said many of these surrounding residents/neighbors do not have shrubbery/brush any longer near pond, which would help buffer any sounds, and his concern was that nothing is supposed to be cleared 100' within wetlands/pond.

Mr. Giblin said, in his opinion, this issue has nothing to do with this particular conversation.

Mr. Kimball stated the Board of Selectmen has allowed patios for other establishments in Town and they have a right to bring Mr. Barrows back if there are problems. As long as restrictions are placed, such as no outside no outside music, no outside speakers, etc., he was not sure if the Board had the right to restrict it.

Mr. Giblin said he was not totally against patio, he just wanted to do the right thing to limit the noise (decibel level limitation/fence, etc.).

Mr. Kimball said if issues/problems arise, then Mr. Barrows would come back in before the Board of Selectmen, and a sound engineer would need to then get involved to correct the problem. However, if there are normal conversations, he was not certain the Board had the right to restrict this.

Mr. Medeiros said Mr. Barrows indicated most people who are in audience this evening live on pond; he wanted to clarify he did not live on pond and there are a lot of trees, which one would think was a buffer, but can still hear the noise. Many other residents are across the street and

further away from pond. With possible patio to be built in back would make it closer to where they reside (another 50-60 feet closer to them than where it is now).

Mr. O'Reilly stated contrary to what was said, there are many shrubs in his backyard and it does nothing to dampen the sound. Many people who also hear noise reside on opposite side of Union Road, so it not restricted to people living on the pond.

Discussion ensued on the patio, fence, dropping off of land, and seating.

Mr. Kimball noted when he first moved to Town it was an ice cream restaurant, and he would go with his family and have ice cream in the back of the property near the pond. He said this a a business which has been in Town for a long time, and will take under advisement the noise issue, and as licensing authorities, they are able to call Mr. Barrows back in if needed if any issues arise, etc.

Mr. Giblin spoke of the possibility of limiting hours of patio area?

Mr. Barrows stated no other establishments in Town have limitations on their hours.

Fencing was further discussed.

Limitations on patio hours was discussed.

Mr. Kimball responded he did not believe there should be limitations on patio hours; but could be considered in future due to resident complaints.

Mr. Bramwell asked if the Board every received a specific dimension?

Mr. Barrows replied, yes, patio would be 48' wide out from building and regarding the other dimension, Mr. Barrows will re-evaluate.

Mr. Yunits suggested the Board may want to continue this until Mr. Barrows has more complete plans.

Mr. Barrows said it would be a 48' x 50' fenced-in area and he would be able to place tables and chairs in that area (all tables would be up toward the building).

Mr. Bramwell said it should be no larger than 48' x 50'.

MOTION was made by Mr. Kimball to approve Application of 33 Investing Corp. d/b/a Tavern 33, for alteration of premises, to include an outside patio not to exceed the dimensions of 48' x 50' of the fenced-in area, 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 336 Old Colony Road, Norton, MA 02766, and no music or speakers allowed, with seating, but no outside bar. Second by Mr. Bramwell Vote: All In Favor, except for Mr. Giblin voting "No".

Discussion: Mr. Giblin explained the reason he was voting no was because of the concern of noise and he would have possibly considered granting a license with more restrictions added to it.

Mr. Kimball stated he would argue that the Board of Selectmen has allowed other establishments to do the same. He asked members of the audience, who were neighbors, to advise the Board of Selectmen if there is a problem so it does not affect their quality of life. Vote: (3:1). MOTION CARRIES.

2. Request of Christopher Barrows, Manager, 33 Investing Corp. d/b/a Tavern 33, 336 Old Colony Road, for change in Sunday Hours on its Common Victualer License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On the Premises, from 12:00 Noon - 1:00 A.M. to 10:00 A.M. - 1:00 A.M.

Mr. Kimball said this purpose is to be consistent with other establishments. It was noted only change was from 10:00 A.M. to 1:00 A.M.

MOTION was made by Mr. Salvo to approve Request of Christopher Barrows, Manager, 33 Investing Corp. d/b/a Tavern 33, 336 Old Colony Road, for change in Sunday Hours on its Common Victualer License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On the Premises, from 12:00 Noon - 1:00 A.M. to 10:00 A.M. - 1:00 A.M. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

3. Request of Robert Vreeland on behalf of St. James Lodge, 71 N. Main Street, Attleboro, MA 02703, to hold a Pumpkin Chucking Fundraiser, to be held Sunday, October 23, 2016, from 11:00 A.M. - 4:00 P.M.; Rain Date: Saturday, October 29, 2016 at Slattery Property

Mr. Vreeland explained the Pumpkin Chucking Fundraiser. steps to establish we have done banking, etc. They supply all the pumpkins. They will stay away from power lines and will do cleanup.

MOTION was made by Mr. Bramwell to approve Request of Robert Vreeland on behalf of St. James Lodge, 71 N. Main Street, Attleboro, MA 02703, to hold a Pumpkin Chucking Fundraiser, to be held Sunday, October 23, 2016, from 11:00 A.M. - 4:00 P.M.; Rain Date: Saturday, October 29, 2016 at Slattery Property. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

4. Application of Dana Titus for a one-day Beer and Wine License to be utilized at Everett Leonard Park, Sunday, August 28, 2016, 12:00 Noon to 6:00 P.M., for a private party.

It was noted all documents were signed off by appropriate departments. Approximately 80 people attending.

MOTION was made by Mr. Bramwell to approve Application of Dana Titus for a one-day Beer and Wine License to be utilized at Everett Leonard Park, Sunday, August 28, 2016, 12:00 Noon to 6:00 P.M., for a private party. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

IV. ANNOUNCEMENTS

. Blood Drive to be held at Norton Public Library on June 13 from 12:30 - 5:30 P.M. in the Community Room. For more info visit: 1800REDCROSS or visit redcrossblood.org

. Employment Opportunity for a Park and Rec Part-time Coordinator (\$15.00 per hour). For more info visit www.nortonma.org and letter of interest/resume must be received in Town Manager's Office on or before June 14, 2016, by 4 P.M.

V. BUSINESS

A. NEW BUSINESS

1. Fire Chief Paul J. Schleicher Re: Request to increase Ambulance Rates

Chief Schleicher said he was in front of the Board approximately two years ago and the Town of Norton is still the lowest in area regarding ambulance fees and would like to propose an increase to base rates. Last increase was on July 1, 2014 and he was looking to go up \$100 on base rates on transports, which would still be below that of other neighboring towns. He noted some of the costs have increased such as, but not limited to, the Epi-pens which have increased and would like to have a fee of \$400 for them. They need to equip the rigs with them, as well as other department vehicles. There are two ways to bill the fees; one is a bundle fee and one is an ala cart fee; the bundled rate is how Medicare and Medicaid pay but it basically says the need was to utilize all the ALS

equipment on the ambulance, so it is a higher fee for transport. They are trying to treat customers as customers, but also as taxpayers of the Town. Most of these fees are paid by the insurance companies.

Mr. Kimball said the Town is trying to raise revenues and Norton is very low regarding fees. This money could be used for the Fire Department to make improvements for equipment, etc. He appreciated Chief Schleicher being conservative, but these fees need to be increased a bit more.

Chief Schleicher said they could increase it \$200 or \$300; and Board of Selectmen would need to approve it. Every year the fire chiefs of Massachusetts have an uphill battle of not having rate set for them by legislature.

Mr. Kimball noted he was a member of the Capital Improvements Committee and spoke of the importance of raising money for Town items; and if they were able to raise a bit of money there may be options such as possibly opening the Chartley Fire Station, etc. Discussion also ensued on possibly increasing staffing with more money; an increase of \$100 was too little an increase.

Chief Schleicher did not think bundled billing was appropriate. He also referenced legislature involvement, etc.

Mr. Giblin said, in his opinion, it would be beneficial looking at these fees and potential increases once per year.

Mr. Salvo asked Chief Schleicher if he would be comfortable with an increase of \$200?

Chief Schleicher replied he would be comfortable with an increase of \$200.

Mr. Giblin said, in his opinion, \$200 is probably the right number for an increase because it was not raised last year.

Mr. Kimball asked about the uninsured people/residents and how that works.

Chief Schleicher responded a process is in place for uninsured residents.

Chief Schleicher noted there was an error Mr. Yunits had noticed on one of the forms/documents, showing the extra EMT to go from 228 to 220; that should be 228 and he did not mean to decrease that.

Mr. Bramwell inquired about mutual aid; if another Town, whose fees/rates are higher, conducts mutual aid for Norton, are they able to charge those higher rates to Norton residents?

Chief Schleicher said this is a billing nightmare; when mutual aid comes in they usually bill their own rates which may be higher than the Town of Norton. However, if a resident contacts the neighboring fire chief, this may be able to be worked out.

Mr. Bramwell said this circumstance did happen to a family member and they did approach the neighboring chief, however, it was put into collections.

Chief Schleicher said he wished someone had reached out to him regarding this and he could have looked into it.

Mr. Giblin said if anyone has any concerns they can call Chief Schleicher.

Mr. Kimball said this is not a slush fund; it needs Town Meeting approval as they do not have the ability to move money around and money is earmarked for specific things. This is another opportunity for the Town to raise additional funds and, for the most part, it is paid for by insurance companies and would help subsidize the Norton Fire Department. He said other departments do this as well.

Mr. Yunits commented it is amazing how far the Town has come with high technology; the ambulances have monitors hooked up for heart issues and transmits straight to the hospital.

Chief Schleicher said they basically bring an emergency room into people's houses and it is labor intensive as well. Also, a reason why the rates need to increase. Discussion ensued.

Insurance and billing issues were discussed.

MOTION was to increase ambulance rates by \$200 for the base rate, ALS emergency, ALS 1 emergency, and ALS 2 emergency, and especially Transport, and remainder as proposed and presented by the Fire Chief. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

Mr. Giblin said he has received some questions from residents regarding the status of Chartley Fire Station's closure and possible reopening, etc.

Chief Schleicher responded that there were five fire stations spread out throughout Town in the past. Most were staffed by one firefighter, however, those days are long gone from a safety perspective. Barrowsville Station is the Emergency Management headquarters, and houses the fire alarm division and one of their forestry trucks. Chartley Station is unmanned except for predicted severe weather events and opened up for such an event (this station houses a reserve engine and seasonal/specialty vehicles). The main headquarters houses their main vehicles currently. With the limited manpower they have available, it is best to have the Town's station headquarters where it is located now as it is centrally located. Predominately the Town of Norton was, in the past, a small residential, open/farm land community and has changed drastically with a hotel, commercial areas on Route 123, over-55 residences, and industrial parks. As they move forward, what it would take to open Chartley Station has been discussed and he has spoken to Mr. Yunits regarding this and what would be needed to possibly open the Chartley Station. There would need to be six more firefighter/paramedics at a cost of \$47,900 each, and would need to be provided ten firefighters on a shift (a captain and six firefighters/paramedics at headquarters and a lieutenant and two firefighters/paramedics at Chartley Station). A captain and five firefighters/paramedics at headquarters and a lieutenant and two firefighters/paramedics at Chartley would be the minimum requirements. He indicated he has four personnel currently off on extended leave.

Mr. Yunits noted they would also need to figure in the cost of health insurance for those potential additional staff.

Chief Schleicher said it was beneficial that the Town was good about maintaining all the stations. There was a leak and a mold/mildew issue at Chartley which did cost about \$10,000 for remediations and it would cost approximately \$250,000 to bring the Chartley Station "up to snuff".

He said he wished the Chartley Station was closer to St. Mary's Parish for a more efficient location. He would love to have Chartley Station opened, but it cannot be done at this time.

2. Ray Cord, Emergency Management Agency Deputy Re: Hurricane Preparedness

Chief Schleicher introduced the Deputy Director of Emergency Management and thanked him for the phenomenal amount of effort and work he does for Emergency Management, as well as for the Recreation Commission and Cable Commission. He has done a great job and received a lot of grants and has been instrumental in communicating to the Fire and Police Departments as to what their needs are. An example is Mr. Cord obtaining a smart board at no cost to Police, Fire, and Town, and it is appreciated.

Mr. Cord said this a semi-annual event to the Selectmen and explained emergency preparedness is not just blizzards and hurricanes, but people taking responsibility. However, he was here this evening to discuss the hurricane season from June 1 to November 1, which is the traditional season. However, these storms are starting earlier and lasting later than these traditional dates. He further discussed hurricanes and the National Hurricane Center.

It is supposed to be an average season this year, however, everyone must be ready for anything because one never knows what mother nature will throw.

He said there is a booklet by FEMA entitled, "Are You Ready" and is a great booklet to read. They will send only one per household and the website is www.ready.gov where they can be ordered online and/or residents can visit the Town Hall and located in the front and back lobby, there are a lot of brochures/info on emergency preparedness. Also, residents can sign up for Mass alerts at MEMA www.mass.gov/MEMA or watch alert info on cable channels 98 or 15; Attleboro radio; the Town's new electronic messaging sign in front of Town Hall; and through social media. The Town of Norton is one of the best equipped communities utilizing social media through the police and fire departments, and emergency management. Also he noted there is a kit of supplies residents would need in case of the need to evacuate; and people need to make a plan and stay informed. Also, generator safety is important as many people hook up generators, but are not experienced with them and can be a significant safety issue. If power goes out, people should fill the bathtub with water in case the well or Town water does not work.

Mr. Cord said the sheltering plan was accepted since their Committee developed it and also did a shelter exercise and it worked well and only a few things that needed to be tweaked, and pet sheltering was also implemented, and he thanked Brian Plante, the Animal Control Officer, for assisting with the pet sheltering issue.

Mr. Cord stated they were fortunate in past couple of years with receiving federal grants of \$12,000-\$17,000 in each of those years to buy equipment, cots, blankets, etc. Also, with grants, they were able to purchase a lightning detector for outdoor events, such as Founder's Day, as a warning for potential lightning strikes in the area.

He indicated they could always use more volunteers, and if there is anyone out there who is interested, should contact him; they have a community emergency response team and a regular team of volunteers who staff shelters, do public service events, such as Founder's Day, the Halloween Parade, and Haunted Happenings, etc.

Mr. Giblin thanked Mr. Cord and asked how long he has been involved with EMS?

Mr. Cord responded he has been involved with EMS somewhere between 25-30 years in Norton.

Mr. Giblin said it shows that people in Town are being prepared through the help of Mr. Cord and his team, along with these types of meetings.

3. Vote to award bid for Janitorial Services

Mr. Yunits said five bids received. Recommendation for Norton Municipal Center TNT Cleaning and for the Police Station recommendation is Comm-Clean, Inc.

Apple Corps, Inc. has been doing previous cleaning/work at Police Station and there were a lot of issues with the work so it was decided to bypass Apple Corps, Inc., and the Town sent them notice to that effect, and they were notified that a lot of issues had not been addressed. Even though they were slightly lower in price, the decision was to bypass them. TNT was low bidder for Town Hall.

MOTION was made by Mr. Bramwell to approve the Janitorial Services for TNT Cleaning for Town Hall in the amount of \$11,459.50 and Comm-Clean, Inc. for Police Station in the amount of \$17,150.00 Second by Mr. Kimball Vote: Unanimous. MOTION CARRIES.

4. Vote to authorize Town Manager Michael D. Yunits to sign Municipal Lease Purchase Agreement No. 382-1418423-001 between JCB Finance ("Lessor") and Town of Norton DBA: Norton Highway Dept. ("Lessee") for 1 2016 JCB 4CX-14 BACKHOE LOADER in the amount of \$124,550.00

Mr. Yunits said this is a piece of equipment (backhoe) approved thro capital and this would be lease of \$26,501.39 per year.

MOTION was made by Mr. Bramwell to authorize Town Manager Michael D. Yunits to sign Municipal Lease Purchase Agreement No. 382-1418423-001 between JCB Finance ("Lessor") and Town of Norton DBA: Norton Highway Dept. ("Lessee") for 1 2016 JCB 4CX-14 BACKHOE LOADER in the amount of \$124,550.00. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

5. M.G.L. c. 61A - Notice of Intent to Sell Property at 235 East Main Street (Lot 11-32), 0 Leonard Street (Lot 11-22), 0 Leonard Street (Lot 11-25), 0 Leonard Street (Lot 11-25-01) collectively-owned by The Estate of William A. Houghton and the William A. Houghton Revocable Trust

Mr. Yunits stated a letter has been received from attorney from Houghton Estate and they have a purchase and sale agreement with Condyne on this property which is under 61A (farm land on Leonard Street) and are looking to see if Board is interested in exercising their 61A rights and purchasing the land or if the Board is willing to send a letter stating they are not interested in this purchasing this land on Leonard Street. The next agenda item relates to 61B, the area where the driving range is.

Mr. Kimball said the Board has been working on this with the Town Manager and aggressively trying to make this transition happen, and noted the property value and the close proximity to Route 495. This would be commercial value to the Town and the Town does not have ability or money to purchase this land under 61A or 61B. The Town is fortunate to have Condyne to come forward to help with this proposed development. This property purchase has the potential of generating many hundreds of thousands, if not millions of dollars, in additional tax revenue for this Town. This is another example of what the Board and Town Manager have been working on and it is exciting to see this happen. The option of having a possible 40B being built there was also a concern.

Mr. Yunits said this process started in October 2014.

Mr. Giblin said this is an ideal commercial property and a great opportunity to partner with Condyne to get something built at this location that is not a 40B and to receive some tax revenue. The Town cannot afford to purchase it.

MOTION was made by Mr. Kimball to not purchase Property at 235 East Main Street (lot 11-32), 0 Leonard Street (Lot 11-22), 0 Leonard Street (Lot 11-25), 0 Leonard Street (Lot 11-25-01) collectively-owned by The Estate of William A. Houghton and the William A. Houghton Revocable Trust, per M.G.L. c. 61A - Notice of Intent to Sell Property. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

6. M.G.L. c. 61B - Notice of Intent to Sell Property at 19 Leonard Street (Lot 11-66) - owned by The Estate of William A. Houghton and The William A. Houghton Revocable Trust
MOTION was made by Mr. Kimball to not purchase Property at 19 Leonard Street (Lot 11-66) - owned by The Estate of William A. Houghton and The William A. Houghton Revocable Trust, per M.G.L. c. 61B - Notice of Intent to Sell Property. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

7. Summer Meetings Schedule

Mr. Giblin said after July 4, the Board usually goes to an every other week meeting schedule.

Mr. Kimball discussed on the off-weeks or once per month the Board may want to have two selectmen available at the Town Hall to address public/residents' concerns, questions, etc. They can advertise this also.

Mr. Giblin said they can set up timeframes for that to happen.

July 14 and 28 and Aug 11 and 25 to meet regular meetings.

B. OLD BUSINESS

C. TOWN MANAGER'S REPORT

1. Senate Bill promoting the planning and development of sustainable communities (Senate No. 2144) -- reports

Mr. Yunits said it appears the Senate Bill is not going anywhere. The intent originally was to streamline process with permitting. One of the items is if someone, such as a developer, would file a project and need to go to ZBA, Planning Board, and Conservation Commission, with this bill they could request a joint meeting to do permitting and one rep from each board would be part of the joint committee to review a project to streamline/expedite things. Somehow, he believes, the Mass Builders' Association got ahold of the bill and provisions were in bill allowing accessory apartments allowed by right and Town could limit it to 5% of their housing stock. Mr. Yunits said he had sent an email to the Senator's office including the fact that people buy a single family home in a single family neighborhood for a reason. The other large provision, would be the requirement to have an adequate zone established for apartments and there would not be the ability to tell a person building those apartments that they need include 10% affordable. Also, in his email to Senator's office, he referenced infrastructure issues, an example being Route 106 to Route 123 is a country road and during rush hour it is jammed with traffic. There is a housing issue and he is aware it is trying to be addressed by the State.

One example in reference to the override, many elderly could not afford the extra taxes. It would be ideal to have more housing for people that were retired so someone in Norton could sell their home for \$400,000 and buy something smaller for \$200,000, which would be beneficial and add extra money into their pockets, as well as opening up housing for younger families/people living in apartments. Discussion ensued.

2. Discussion on Zoning Amendment Proposal

Mr. Yunits indicated he attended a Planning Board meeting earlier in the week discussing two possible zoning changes (one being the Houghton property) and Planning Board asked that Condyne, who is the developer of that property, attend their next meeting to give some

explanation of what they are proposing. It is in an aquifer protection district, and Condylne will already be at that meeting, so hopefully will also address this situation. The other proposed zoning change was the property on Route 140 by Reservoir Street (83 acres) to rezone to village commercial. One of the owners already has an notice of intent from someone to purchase with a proposed development of businesses and restaurants out front and apartments/condos in rear. Planning Board appeared to be supportive of this zoning change and asked Ms. Wierling, the Director of Planning and Economic Development, to look at Route 140 and possibly expand village commercial along Route 140. The Planning Board is aware of timeline and hopes to have an October meeting.

D. APPOINTMENTS/ RESIGNATIONS

1. Appointment of Mary A. Silver as Part-Time Temporary Account Clerk

Mr. Salvo read aloud appointment to be effective June 2, 2016.

MOTION was made by Kimball to approve appointment of Mary A. Silver as Part-Time Temporary Account Clerk, effective June 2, 2016. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

2. Resignation of Laura Bamford as a seasonal employee in the Town Clerk's Office, effective June 3, 2016

MOTION was made by Mr. Salvo to accept the Resignation of Laura Bamford as a seasonal employee in the Town Clerk's Office, effective June 3, 2016. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES. as written.

3. Resignation of Laura Bamford as Parks and Recreation Coordinator, effective June 30, 2016

MOTION was made by Mr. Salvo to accept the Resignation of Laura Bamford as Parks and Recreation Coordinator, effective June 30, 2016. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES. as written.

VI. SELECTMEN'S REPORT AND MAIL

Nothing was discussed.

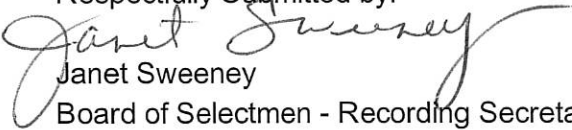
VII. NEXT MEETING'S AGENDA

VIII. EXECUTIVE SESSION

IX. ADJOURNMENT

MOTION was made by Mr. Salvo to Adjourn at 8:50 P.M. Second by Mr. Bramwell. Vote: Unanimous. **MOTION CARRIES.**

Respectfully Submitted by:


Janet Sweeney
Board of Selectmen - Recording Secretary

- . Draft Board of Selectmen Minutes dated May 9, 2016
- . Application of 33 Investing Corp. d/b/a Tavern 33, for alteration of premises, to include an outside patio, 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 336 Old Colony Road, Norton, MA 02766, with accompanying documentation
- . Petition of residents regarding Application of 33 Investing Corp. d/b/a Tavern 33, for alteration of premises, to include an outside patio, 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 336 Old Colony Road, Norton, MA 02766
- . Document: Janitorial Services IFB - 7/1/16 - 6/30/18 - Norton Municipal Center and Police Station (Bid)
- . Document: "Ambulance Rate Increase" and "Proposed Increase - July 1, 2016"
- . Application of Dana Titus for a one-day Beer and Wine License to be utilized at Everett Leonard Park, Sunday, August 28, 2016, 12:00 Noon to 6:00 P.M., for a private party
- . Municipal Lease Purchase Agreement: "Resolution of Governing Body" (Extract of Minutes) Re: Municipal Lease Purchase Agreement No. 382-1418423-001 (Lessee: Town of Norton) (Lessor: JCB Finance) for 1 2016 JCB 4CX-14 Backhoe Loader
- . Correspondence (received/date-stamped May 25, 2016), addressed to Board of Selectmen, c/o Janet Linehan, Interim Town Clerk, from Jerome H. Fletcher, Attorney for The Estate of William A. Houghton and The William A. Houghton Revocable Trust, Re: M.G.L. c. 61B - Notice of Intent to Sell, 19 Leonard Street (Lot 11-66) (the "Property")
- . Correspondence (received/date-stamped May 25, 2016), addressed to Board of Selectmen, c/o Janet Linehan, Interim Town Clerk, from Jerome H. Fletcher, Attorney for The Estate of William A. Houghton and The William A. Houghton Revocable Trust, Re: M.G.L. c. 61A - Notice of Intent to Sell, 235 East Main Street (Lot 11-32), 0 Leonard Street (Lot 11-22), 0 Leonard Street (Lot 11-25), 0 Leonard Street (Lot 11-25-01) (collectively, the "Property")
- . Documentation/Information regarding Senate Bill No. 2311 - promoting the planning and development of sustainable communities

. Correspondence dated May 24, 2016 addressed to Mr. Michael Yunits, Town Manager, from Laura Bamford, re: Resignation as a seasonal employee in the Town Clerk's Office, effective June 3, 2016

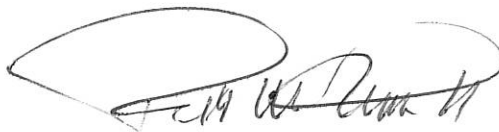
. Correspondence dated May 24, 2016 addressed to Mr. Michael Yunits, Town Manager, from Laura Bamford, re: Resignation as Parks and Recreation Coordinator in the Town Clerk's Office, effective June 30, 2016

. Memorandum, dated May 31, 2016, addressed to Board of Selectmen, from Michael D. Yunits, Town Manager, Re: Notice of Appointment of Part-time Temporary Account Clerk, effective June 2, 2016 (Mary A. Silver)

BOARD OF SELECTMEN
MINUTES OF MEETING OF
JUNE 9, 2016



TIMOTHY R. GIBLIN, CHAIRMAN



ROBERT W. KIMBALL, JR., VICE-CHAIR

ROBERT S. SALVO, SR., CLERK



BRADFORD K. BRAMWELL



MARY T. STEELE

Dated: 09/22/16