



# TOWN OF NORTON

BOARD OF SELECTMEN

MUNICIPAL CENTER,

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## BOARD OF SELECTMEN MINUTES OF MEETING DECEMBER 15, 2016

### I. CALL TO ORDER

The December 15, 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. Robert S. Salvo, Jr., Clerk; Mr. Bradford K. Bramwell; and Mrs. Mary T. Steele were present. Mr. Michael Yunits, Town Manager, was also present.

B. Pledge of Allegiance

### II. LICENSES AND PERMITS

1. Application of Haralabos Karasavas d/b/a Main St. Pizzeria, for a Common Victualler License, to be utilized at 63 East Main Street, Norton, MA 02766, subject to Fire and Building Inspector's inspection

Applicant was not present; no action was taken by Board.

2. 2017 License Renewals

Lawrence P. Ferrara d/b/a Sportsman's Cafe CVAA; CV; Jukebox; 1 Coin-Operated Pool-  
13 South Worcester Street table; MA S.E. for Jukebox; 1 Coin-Operated  
Pooltable; S.E. for Live Entertainment;  
Dancing; Jukebox

Attorney Daniel Rich was present on behalf of Sportsman's Cafe, 13 South Worcester Street, whose owner, Mr. Lawrence P. Ferrara, passed away

Attorney Rich stated this matter was still ongoing and has not been resolved in probate court. He prepared paperwork for transfer from estate to Ms. Mary Manchester because she was the beneficiary of Mr. Ferrara's will. He explained he requested a certificate of good standing from the Department of Revenue (DOR), however, it appears Mr. Ferrara did not file any taxes for quite a few years and they did not know what was paid. Also, he wasn't even sure if he paid income taxes. To transfer it, they need a certificate of good standing and they don't have a record of anything. Ms. Manchester retained services of someone to deal with IRS even though she is not obligated to do so, and she started paying taxes but not able to get DOR certificate of good standing which is the only thing they need. Everyone is agreeable with this plan, even the present administrator of estate, however they have this issue and he was not certain what will happen. The only other option is for Ms. Manchester to file on her own for license in her name and not a transfer; however, he was not sure what DOR would say to that. Attorney Rich noted Ms. Manchester has established herself as an owner and paying various taxes, etc. Discussion ensued.

Mr. Kimball said it appears it is the same location/same type of business; however, the problem with that is the property still owes taxes. The ABCC probably would state they cannot do that. Mr. Kimball said anyway it can be done was fine with him; he did not want to hurt the business.

Attorney Rich indicated Ms. Manchester has been paying meals taxes, and other taxes, including real estate taxes. He did not see a lien filed by the Mass DOR. Attorney Rich indicated he had not been involved with this for a period of time as Ms. Manchester hired someone else to help her with this, however, when he spoke to her about a month ago, she said no progress was made and something needs to be done.

Mr. Kimball asked if they can designate Ms. Manchester as manager? He stated an owner does not need to be person in charge but can transfer license from manager to manager; he wanted to figure out a solution to this.

Attorney Rich noted estates taxes still need to be paid, etc., until estate is closed out, and cannot do that until this is resolved with DOR, which is the only thing holding them up.

Mr. Giblin said if that is the case, he would think license would need to be written up as "The Estate of" and if the Board does not renew license, would that force the hand of the State?

Attorney Rich stated Mr. Ferrara has not paid and the State is owed money. It is possible, the State may take Mr. Ferrara's liquor sales and request a certain amount. There is probably some issue with the IRS also, but the DOR would be the one to affect liquor license.

Mr. Salvo asked Mr. Yunits if he could get clarification of town counsel regarding this issue.

Attorney Rich indicated he would have more information at a future meeting with the Board of Selectmen.

Mr. Yunits responded he was certain town counsel would contact ABCC counsel.

Attorney Rich said he was hoping they request a certain amount being due and Ms. Manchester can possibly settle up with Mass DOR and she can make payments and get certificate of good standing.

Mr. Giblin responded that would be a good idea to have Attorney Rich look into that potential plan.

Mr. Giblin stated if there is no answer from town counsel or Attorney Rich by next meeting, it may need to be postponed.

Attorney Rich said the transfer of real estate was done. The child (son) of Mr. Ferrara who is the personal representative, does not want anything to do with this because he was aware his father wanted Ms. Manchester to be successor.

Mr. Bramwell stated if the estate does not have the property now, it was not clear who the State would go after.

Mr. Giblin said this should be put on next week's agenda (December 22, 2016) at 7:00 P.M.

No vote/no action taken by Board of Selectmen.

**CVAA (Common Victualler (Restaurant) All Alcoholic, CVWM (Common Victualler (Restaurant) Wine and Malt, RPAA (Retail Package (Package Store) All Alcoholic, RPWM (Retail Package (Package Store) Wine and Malt, and CV (Common Victualler (to serve food at tables)**

**MOTION was made by Mr. Kimball to approve the CV 2017 License Renewals, with exception of Lawrence P. Ferrara d/b/a/ Sportsman's Cafe, 13 South Worcester Street, per "2017 Renewal Licenses" document, dated December 15, 2016, presented at the December 15, 2016 Board of Selectmen Meeting with stipulation that all restaurant**

licenses will be subject to receipt of 304 Certificate, signed by the Fire Chief and Building Inspector. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

**CLASS II - Used Car Dealer's License - To Buy and Sell Second-Hand Motor Vehicles**

MOTION was made by Mrs. Steele to approve the CLASS II 2017 License Renewals, per "2017 Renewal Licenses" document, dated December 15, 2016, presented at the December 15, 2016 Board of Selectmen Meeting. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

**LODGING HOUSE**

MOTION was made by Mr. Bramwell to approve the 2017 Lodging House License Renewal for Peter G. Berg, 8 Pine Street. Second by Mr. Kimball.

**Discussion:** Mr. Kimball noted this was tabled from the last meeting and asked for clarification on the reason why it was tabled.

Mr. Yunits indicated it was tabled as he wanted to check with Deputy Chief Myles regarding request to install sprinklers and Mr. Berg is appealing with State.

Mr. Kimball modified Motion:

MOTION was made by Mr. Kimball to approve the 2017 Lodging House License Renewal for Peter G. Berg, 8 Pine Street, pending inspection of State approval due to appeal. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

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A request was received from Gary Cameron, of Norton VFW, Summer Street, to have extended hours on New Year's Eve.

MOTION was made by Mr. Kimball to approve request of Gary Cameron on behalf of the VFW, Summer Street, Norton, to extend hours of operation until 2 A.M. on December 31, 2016 (New Year's Eve) to January 1, 2017. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

It was discussed the Board may want to have a blanket vote to allow local businesses to remain open until 2 a.m. on New Year's Eve.

MOTION was made by Mr. Kimball to approve a blanket vote to allow local businesses to remain open until 2 a.m. on December 31, 2016 to January 1, 2017 for the New Year's Eve celebration. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

**III. ANNOUNCEMENTS**

**IV. BUSINESS**



## **A. NEW BUSINESS**

### **1. Residents of Great Brook Re: Discussion on water sprinkler fees**

Coleman Foley, resident 304 Godfrey Drive, was present and noted all residents of Godfrey Drive are members of Great Brook Condo Association. He said he was present, along with several of his colleagues from their Board to state their position on the sprinkler fee established in July 2016 by the Water & Sewer Commission, and wanted their opinion on record of this situation.

Mr. Foley said it was a surprise to them in October 2016 when they received this bill of \$3,250 for Condo Association (\$13,000 per year). He explained this is an over 55 community and a number of people are on fixed incomes so this is a burden. He said he was asked to represent the community and also has a banking background. For many of the residents, this could be a 22% increase in their respective share of their annual water bill which is a very healthy increase. Initially, they withheld payment on advice of counsel on the basis this was a tax and not a fee, which the Board of Water Commissioners has no authority to impose. Upon further advice of counsel, they did make payment and are in compliance and satisfied town treasurer.

Mr. Foley stated the sprinkler fee was established by the Commissioners following receipt of a fee-analysis study by the Abrahams Group of Framingham, Massachusetts. This fee is legally not dedicated to any one function except for general purposes which may conclude this is a tax which they don't have authority to impose. Is this fee really necessary? Especially if one looks at the finances of the Water & Sewer Board for the last several years. On June 30, 2015 the Water & Sewer funds had a combined undesignated fund balance of \$2.6 Million and that was directly from the Town's Annual Report. If you look at consultant's report (he distributed report of the Abraham's Group), and if he was reading this correctly the private fire protection fee is 20% of the estimated fire service revenue requirement and it appears to him, these fees will raise about \$128,000 and that is 3.2% of the \$4 Million they need to raise. As a rhetorical question: are they able to conclude there is no other way to fund the operations of this department without imposing a fee that burdens a lot of them, when it is only 3.2% of the total revenue? It is an enterprise fund and the source of enterprise funds are not taxes, but fees. Most of the fees are based on usage and basically the essence of an enterprise fund. In their community they are paying fees on sprinklers mandated by state law, not based on usage. He was aware of at least one court decision by the Supreme Judicial Court of Massachusetts stating there are three basic rules to establish if a fee is actually a tax; the second one was of interest to him, a service must not be compulsory meaning that the person paying the fee (the condo association) must utilize the service as a matter of choice. However, condo buildings have no choice in the matter due to Mass State Code to have sprinkler systems. They are paying a fee that they are legally mandated to do if, indeed, it is a fee. There was another case in Superior Court, which references sprinkler and hydrant connection fees within commercial or industrial properties which does not mention single family homes or condos. It is clear they have some issues with this. Based on his experience, looking at funds of Water & Sewer Department, towns are subject to review by the Bureau of Accounts in the DOR and he has a question, has the Bureau of Accounts ever looked at this new fee? Also, has the Bureau of Municipal Finance, which is a legal staff within the DOR,

looked at this? And the Bureau of Municipal Finance is set up with staff lawyers to answer questions from cities and towns. Has Norton's town counsel been consulted on this? Are there any applicable court cases that may be related to this? He was not indicating they were going to sue, however, they are exploring all of their options. He said he was troubled by a remark of the Chairperson of the Board of Water & Sewer Commissioners, which was published in "The Sun Chronicle" newspaper, which she stated "the purpose of this is to keep a lid on rates for homeowners". Also on Norton Vimeo, he saw a late October 2016 meeting where she also said, "we don't want to burden homeowners". However, a home is defined as where one lives; and they happen to live in a home, they own the home, are they a homeowner? He would answer yes. If they were not a homeowner, why would they pay real estate taxes?

Mr. Foley said the following questions were for the respective Board members. He understood the Town buildings are also included in this fee and questioned if the Town received quarterly bills in October?

Mr. Giblin responded, yes.

Mr. Foley asked if they have been paid?

Mr. Giblin and Mr. Yunits said they were not certain if they were paid.

Mr. Foley said if they were not paid, they may have received a letter by the town treasurer as they did because they did not pay on time.

Mr. Foley stated the fees they talk about historically are confusing to them. He referenced the tap-in fee. What kind of fee did this particular fee replace? He also mentioned he heard about a square footage fee. They would be grateful for answers to these questions.

Mr. Bernie Marshall, Superintendent of Water & Sewer Department, said Great Brook did not pay the fee. He said he was in this capacity for the Town of Norton for 3 ½ years and Great Brook was not put in under his administration.

Square footage fee discussed.

Mr. Marshall stated this fee structure replaced the fee structure under last fee structure.

Mr. Salvo said it appears the people that paid the square footage fee are not receiving an annual fee, so why wouldn't we just ask these people who did not pay the square footage fee, to pay the one-time fee like everyone else? If it is approximately \$9,000 for that particular building, that one time \$9,000 fee is paid up and they don't have to pay it again. This particular fee, if it was based on \$9,000, as he understood it, will be for every year forever?

Mr. Marshall responded, yes, it is in perpetuity.

Mr. Salvo said in his opinion, this is wrong. The ones that pay that fee don't have to pay any longer and not fair across the board how this is being laid out.

Mr. Marshall said they need to look at the history; this was an issue before he was an employee of the Town. The Board of Selectmen and Mr. Yunits asked the Board of Water & Sewer Commissioners to look at their sprinkler fees and to make an adjustment; they hired a consultant and based on the consultant's report, the Board voted to go with this fee structure they have today.

Mr. Giblin said to be clear the Town manager and Board of Selectmen may have asked the Water & Sewer Commissioners to look at the fees because they felt the fees were too high.

Mr. Marshall agreed with Mr. Giblin.

Mr. Giblin said for clarity, if a resident has paid the square footage fee upfront, they are not being charged this yearly fee. Therefore, Great Brook did not pay the fee so their fee of \$12,000 is something they need to pay each year.

Mr. Marshall responded yes.

Fees were discussed.

Mr. Marshall said he was not sure why Great Brook did not pay it and whatever was placed before his administration, he cannot comment on. He can look at plans; he was not sure if it was based on each individual unit or a basic common area.

Mr. Salov said each homeowner in Great Brook pays their water bill individually. Their increase should be to each individual unit as a whole and asked if clubhouse was also included?

Mr. Marshall said Mark Abrahms, the consultant, did study and they took his report and instituted it as their policy. Mr. Abrahms works and has a lot of experience in New England and does fee and rate studies and this is the avenue they chose.

Mr. Salvo noted 90% of those paying fees are businesses plus Great Brook.

Mr. Marshall replied, yes, or anyone who has not paid square footage fee.

Mrs. Steele said she understood the report by consultant, but there was no responsibility to the Town. It seems unfair that some businesses were charged a fee and some were not. Why did the Board of Water & Sewer Commissioners not consider grandfathering the businesses or the condos who did not pay that upfront fee/tax? It could have been made applicable moving forward and it would be a bit cleaner.

Mr. Marshall responded he was not at the actual meeting when this was voted on as he had a health issue at the time and when he returned this was in place.

Mrs. Steele stated this should be a question to the Water & Sewer Commissioners. The residents of Great Brook are homeowners; why do they need to pay this and she does not? It was unfair they are actually going after homeowners.

Mr. Marshall responded they are not "going after" homeowners; this is a sprinkler fee and only assessed to places with a sprinkler.

Mr. Marshall said rates and fees are two totally different things.

Mr. Foley asked how many other cities and towns in the Commonwealth have a similar sprinkler fee?

Mr. Marshall responded there are many surrounding communities who have this fee.

Mr. Foley said this is not legally dedicated to a specific purpose as stated in vote and in consultant's report.

Mr. Marshall replied Mr. Foley was correct.

Mr. Foley said it stated to include also operations and maintenance, debt service, bond issued by Town, which is a general obligations bond, which he said the Town would be "on the hook" for these bonds.

Mr. Kimball said he was not faulting Mr. Marshall for anything as he has only been in this capacity for 3 ½ years. It was unfortunate the Chairperson for the Board of Water & Sewer Commissioners was not here this evening as she has been involved with the Town of Norton a lot longer than Mr. Marshall.

Mr. Marshall said they were not invited to this meeting and he was made available this morning at 8 A.M.

Mr. Kimball said Mr. Marshall was aware of this meeting and could have communicated this to the Water & Sewer Commission. He suggested Mr. Marshall attend the Water & Sewer Commissioners next meeting and receive answers from them.

Mr. Marshall said he attending this Board of Selectmen's meeting this evening for clarity.

Mr. Foley thanked the Board for their time.

Mr. Kimball said basically a developer came to town, built a condo complex, then leaves town, and then a number of years later, the Town imposes a fee and an creates an imposition on this group of people.

Mr. Kimball said before the Condo Association needs to pay additional fees, there are a number of questions Mr. Foley asked about legal qualifications of what was being done. As a Town, they have an obligation to get some answers; and he would like Mr. Yunits to contact town counsel to look at this. Many of these same questions were asked a few years ago.

Mr. Kimball said Mr. Foley's questions need to be answered. It appears the Town has not paid the fees on their sprinkler systems yet because they did not fund for it and no allocation was put aside for it; it will be a prior year bill before it is paid for. The Town did not know this bill was coming; and this includes schools and municipal buildings. There will be tens of thousands of dollars he understands that taxpayers will be paying toward these fees; it appears Great Brook residents will be "double-dipped" with paying real estate taxes and the fee.

Mr. Dick Cruise of 32 Godfrey Drive said the way he was looking at this, the Town would get the same bill, and appears it is not budgeted (fire/police/ library/schools/town hall); where will money come from? The money will be obtained by raising taxes and residents of Great Brook will need to pay the increase in real estate taxes as well as the fee. They received a \$13,000 bill and will have a raise in their real estate taxes; that is terrible.

Mr. Salvo said the condo fees would not only be raised to pay these bills, it will also affect the sales of their properties. The condos will be more difficult to sell.

Mr. Cruise referenced surrounding towns, and questioned if they are they doing it the same way? Is it a one time charge or for all individual people who have a sprinkler system.

Mr. Marshall responded there was a tap in fee and an annual fee.

Mr. Cruise asked if they could receive a figure on tap in fee if they had paid it at the time? That information would be helpful.

Mr. Marshall replied, yes, and a lot of information is available online and is also available at 166 John Scott Boulevard. The upfront fee/old fees are all available and he can do calculations and figure it out.

Mr. Marshall said they had a precarious joint session in October 2016 with the Board of Selectmen and he was present this evening to try to smooth that over. He does not make the fees or set them; he is just the enforcement and he was present this evening to try to be as transparent as possible.

Mr. Giblin said the Board appreciated Mr. Marshall attending the Board of Selectmen's meeting this evening, but he would expect the Board of Water & Sewer Commissioners to answer these residents' questions and from the Board of Selectmen's standpoint, they can consult town counsel.

Mr. Marshall noted this entity (the residents of Great Brook) have asked to be on his Board of Water & Sewer Commission's agenda twice and the Board has cancelled the day before each meeting.

Mr. Kimball recommended to put a blanket item on their agenda for discussion regarding water/sprinkler fees; not only for Great Brook, but also for other organizations in Town and it needs to be publicized on cable, etc.

The next meeting of the Board of Water & Sewer Commissioners is December 20, 2016, and he would try to have it held in a larger room.

Mr. Salvo suggested he also bring back to the Board of Water & Sewer Commissioners to address exactly what this money is being used for as the residents and businesses need this information.

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Mr. Yunits stated on a different topic and while Mr. Marshall was still present, he referenced a letter that had gone home from the School Department regarding lead lead levels in certain schools from certain fixtures. The State had grant funds available to do this testing and was also done in many towns and finding issues in schools all around the State. He said there are some rumors going around that there is lead in Norton's drinking water which is untrue. The lead and copper is coming from fixtures, not drinking water. The State, the Town/schools and DEP are working together to see what will be done on each fixture. To clarify, this is not in Norton's drinking water, but as a result of the fixtures in the school. It was noted the Water & Sewer Department conducts regular testing.

Mr. Marshall said they have a lead and copper program designed by the DEP and must adhere to and test every three years. Testing is done for residents, two schools, and two day cares. The Town is actually on reduced monitoring because the Town has done so well in the past for lead and copper. This year the Town has done fantastic; with all mcl's being under for lead and copper including samples from two schools. He wanted to echo what Mr. Yunits communicated, there is no lead and copper running through the Town's water. It is statewide and countrywide with the fixtures issue. He spoke to schools and appropriate changes will be made. Discussion ensued regarding money being possibly available through the federal government.

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Mr. Marshall wanted to provide the update on the sewer project; the actual pump system was put on line at 8 P.M. last night, so Wheaton is off their sewer treatment plan and going through this center pump station.



Also, regarding the drinking water treatment facility, the archeological survey has been completed and now it is up to archeologists to provide their input in a report and advise what the future holds for that spot off of Plain street. Preliminarily, there appeared to be nothing high in significance (no burials found, etc.). It will be up to Mass Historic Commission, two Native American Tribes, and the archeologists.

Mr. Salvo asked if design for this building has taken place yet?

Mr. Marshall responded they are 85-90% done regarding design phase; just waiting for rest of this report. He stated it is a 2.5 million gallon facility.

## 2. Discussion on Regional Fire/Police Department Dispatch System

Mr. Yunits said a while back the Board of Selectmen appointed a Regional Dispatch Planning Committee, and along with Easton, Foxboro, and Mansfield Planning Committees, they held regular meetings together. The next meeting for all four towns will be January 17, 2017 at 7 P.M. at Mansfield Town Hall. He hoped to have the Board of Selectmen from all four communities at that meeting; it is open to the public.

Mr. Yunits said he provided the Board a draft of an agreement between the four towns and it has been sent to town counsel, and for each town to review and waiting for input on that. The regionalization is still a while out because they would need to wait to utilize the current Mansfield Police Department, however, before that can happen, Mansfield needs to a public works garage and the new police station to free up this space. The timeframe would be at least two more years.

Mr. Yunits said Attleboro was at the beginning of these discussions, however, they are a city and it would have been more difficult.

Mr. Salvo said he has not committed whether he is in favor or against this. He needs to see if it is financially worth it. Also, the he has concerns with the safety aspect of having three other towns' dispatchers who are not familiar with the Norton area/streets, etc. He would not want to have this be a liability issue. He needs more input and information regarding these concerns.

Mr. Giblin said he has not made a decision one way or the other as yet either. He still has many questions.

Mr. Yunits noted there are various regional dispatch centers in the State (i.e., Holbrook and the Hingham/Cohasset area, as well as the North Shore). With regional dispatch, they would receive grant money for State 911; and State 911 wants and encourages regional dispatch centers. This will also be discussed at the meeting on January 17 (budget, grants, etc.).

Mr. Salvo he also noted it is not a guarantee that the Town of Norton dispatchers will obtain a job/employment at the regional dispatch center, and they would need to apply for a job. If they do

not obtain a job, they are out of a job. This is an uncertainty and he would feel better if they were all guaranteed a job. This is a huge decision to make.

Mr. Kimball stated he has not decided on this one way or another either. He understands the cutback on manpower is a savings and would have improved technology. It is important to him that the fire/police stations stay in the Town of Norton.

Mr. Giblin stated some of the dispatchers were present this evening in the audience, however, he was uncertain if they could answer many of their questions.

Dispatchers at podium were Mandi Goodwin, Jennifer Johnston, Christine Mooney, and Emily Archer. A handout regarding their comments, concerns, and questions was distributed to the Board.

Ms. Johnston indicated she was speaking for the majority of dispatchers today and understood there would be an audio visual presentation/meeting on January 17, 2017 regarding this and they have concerns and effects regarding residents. She inquired if the residents have a vote on this; they also question how it will save money for the Town. They were concerned on the number of dispatchers that would be manning the shifts. She said with many of the emergency calls information is gathered from the dispatchers to the responding emergency medical technician/paramedic and instructions are also communicated such as cpr, etc., therefore, having two dispatchers assisting on one call is important. They also provide more services than only answering 911 calls (calls are received from animal control, electricians working on fire boxes, highway and water department calls, and overflow calls from town hall). Also, hundreds of people call during the burning season, leaving messages with their info, etc.; who will field these calls? They answer the business line also and many times an emergency call comes in on business line; not always 911. Also, they must coordinate mutual aid. If they are not in the Town of Norton, they lose ability to not being able to control costs. It appears each town will pay an equal share, however, is the 911 budget the same as Mansfield and Foxboro? The other towns are the home to Gillette Stadium, Patriots Place, Mansfield Crossing, Xfinity Center, the train station, etc. Norton will pay the same amount but receive fewer services. One of their concerns is what happens if one of the towns drops out? What about maintenance for repairs for building for a building that does not belong to Norton. Several of the dispatchers are residents of this Town; three out of nine dispatchers do not reside in Norton. The dispatchers have a vested interest in the Town and there is not a high turnover rate in the department. The proposed 12 hour shifts with four days on and four days off would increase dispatcher turnover rate which will cause burnout, which is a public safety hazard. Ms. Johnston said they are proud of the job they do for the Town. The majority of the dispatchers have concerns regarding their jobs, but also concerned of a change in service to Town and not for the better.

Ms. Johnston noted there was a brand new 911 system just installed in the Town of Norton.

Mr. Giblin said he would like to thank the dispatchers for keeping the Town safe and the work they do for the Town. Discussion ensued.

Mr. Bramwell said he hoped the dispatchers attend the January 17th meeting in Mansfield. He encouraged them to come back to the Board to tell them what they heard regarding pros and cons as it would be beneficial to see it through the dispatchers' eyes.

Ms. Johnston asked if the Town voted on this decision?

Mr. Yunits responded this will be a vote by the Board of Selectmen; not by the Town of Norton.

Mr. Yunits stated the 12 hour shifts needs to be looked at as he does have a concern regarding them. If this does happen, hopefully some of the dispatchers are hired and station officer could go onto street and dispatchers could be available at front desk of police station (civilian at front desk).

Discussion ensued on how many calls a day are received by dispatchers.

Ms. Johnston responded they have 20,000 calls thus far this year for police and fire which are just logged in (it excludes calls that are not logged). She said they do not log for lost dogs, etc. Also, it was noted if parts of the Town lose power, they will receive 50 phone calls regarding when the power was going to be turned back on, etc., and they refer these calls to National Grid.

Mr. Yunits said residents should call National Grid if there is an issue because then they will figure out the extent of an outage and if it is a neighborhood issue (if there are many calls from one neighborhood, National Grid will recognize it is an isolated area).

### 3. Vote to sign Southeastern Regional Services Group Contract Award

Mr. Yunits discussed snow shoveling on flat roofs which came about years ago with a bad winter and people were desperate to get their roofs cleared off and unions made a point. If a roof was about to fall in, there was still the need to go out to bid. So this enables someone to be in place in case of this event.

Mr. Salvo said he would like to verify this as prices seemed a little high.

Mr. Yunits responded, no, prices were not high compared to what the Town was paying when they had to make unexpected calls. Mr. Yunits explained they had a low bidder.

**MOTION was made by Mr. Kimball to authorize the Board of Selectmen to sign Southeastern Regional Services Group Contract Award as written. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

### 4. Discussion on the Senior Work-Off Program

Mr. Yunits stated the Board of Assessors voted to recommend \$11.00 per hour (currently it is \$8.00 per hour). This is not recommending they change the \$500 per person amount, therefore it would reduce required hours.

**MOTION was made by Mr. Kimball to approve increase rate of \$11.00 per hour relating to the Senior Work-Off Program and recommended by the Board of Assessors, and discussed above. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

### **B. OLD BUSINESS**

Mr. Yunits said Conservation Commission sent notice that they were not properly notified of sale of the Bottomley land to Blue View Nursery and they sent Mr. Bottomley a letter. They indicated they have not discussed it because they did not get the proper notice.

**MOTION was made by Mr. Kimball to rescind the vote of taken by the Board of Selectmen at its December 1, 2016 meeting regarding Fairland Farms LLC notification of intent to sell a 4.13 sliver of abutting land to Blue View Nursery located on Bay Road in Norton, subject to the Town of Norton's Right of First Refusal under Chapter 61A, and additionally would be subject to roll back taxes. Second by Mr. Salvo. Vote: In Favor of Motion: Mrs. Steele, Mr. Salvo, Mr. Kimball, and Mr. Giblin. Not In Favor of Motion: Mr. Bramwell (Vote: 4:1) MOTION CARRIES.**

### **C. TOWN MANAGER'S REPORT**

#### **. Update on Double Poles**

Mr. Yunits referenced the updated list of double poles, dated December 14, 2016, which Mr. Silver provided as he went out to find double poles in Town. This list has been sent to the utility companies and he will invite them in after the new year. Representative Steve Howitt also has the list and has contacted the appropriate people involved.

Legislature was discussed and there was a bill on double poles; study of double poles was what was needed.

Mr. Kimball asked if they can obtain a copy of bill?

Mr. Kimball noted there were several hot topics including double poles; the Route 123/140 traffic light issue; how they can improve the width of road to add additional roadway; and senior housing lighting.

Mr. Salvo said National Grid needs to change lights to led's which would provide better illumination. He didn't want to see the Wheaton College President's house too bright, but that area in front of Wheaton College is too dark and dangerous.

Mr. Bramwell commented at least Wheaton College has crossing lights in one area; he thought the area closest to Elm and Pine Streets had the worst visibility and was very dark.

. Update on Municipal Aggregation Program

Con Edison Solutions is being bought out by Constellation. Nothing will be changed; they will need to adopt same rate as now. Residents will see Constellation on their bills; not Con Edison.

. Update on Route 140 Corridor Study

Mr. Yunits stated there was a public meeting planned for January 2017; however, he was not sure of date yet. Part of that discussion would be the Route 123/140 intersection and SRPEDD has done a study of that intersection. The accident exceeded the crash rate thresholds and the issue has been seen with the timing of the light.

Mr. Yunits communicated one other issue he wanted to discuss was that a few residents came in this week to talk to him about issues with the post office and the Municipal Center is having problems too. The Conservation Department has sent things out certified mail and people have not received it and this is a concern because proper notice is needed for some items. He has spoke to Representative Howitt regarding this and he reached out to the postal service locally and regionally, and also reached out to a rep from Connecticut. Mr. Yunits stated he will also reach out to Congressman Kennedy's Office because they should be the department they should be using.

Mr. Salvo noted the mail comes from Taunton and the Town of Norton only has post office boxes and that is it. The last two years, he received residential mail at 11 A.M. and now it is delivered at 5:00 or 6:00 P.M., and there always appears to be different mail carriers.

Mr. Giblin agreed with this issue and noted he receives other people's mail continually. For a Town with deadlines and timelines, this needs to be corrected.

Mr. Yunits said there was a nice article in The Beacon regarding the Norton Police Department regarding their Anti-crime Team. He congratulated them.

**D. APPOINTMENTS AND RESIGNATIONS**

1. Appointment of Planning/Economic Development Director

Tabitha Harkin

**MOTION was made by Mr. Salvo to approve Appointment of Tabitha Harkin as the Planning/Economic Development Director, effective January 3, 2017. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

Mr. Yunits said Ms. Tabitha Harkin resides in Easton, went to college in California, and worked for the city of Pasadena, California and also worked for the Cape Cod Commission for four years.

Most recently, she worked for the Division of Capital Asset management for the State. He will have Ms. Harkin attend the next meeting.

2. Appointment of Full-time Payroll Clerk in Tax Collector's Office

**MOTION was made by Mr. Salvo to approve Appointment of Crystal Power as Full-time Payroll Clerk in the Tax Collector/Treasurer's Office, effective January 9, 2017. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

3. Appointment of Part-time Dispatcher in Communications Department

**MOTION was made by Mr. Salvo to approve Appointment of Robert A. Jordan as Part-time Dispatcher in Communications Department, effective January 3, 2017. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

It was noted Mr. Jordan was a member of the Norton Fire Department for a number of years and is planning to retire on December 30, 2016. He was a former dispatcher, prior to being a member of the Fire Department to fill shifts that cannot get filled, he will be able to possibly assist. He will start the first week in January and will have some training.

4. Appointment of Part-Time Department Secretary in the Town Clerk's Office

**MOTION was made by Mr. Salvo to approve Appointment of Donna Fong as Part-time Department Secretary in the Town Clerk's Office, effective December 6, 2016. Second by Mr Kimball. Vote: Unanimous. MOTION CARRIES.**

5. Parks and Recreation Commission Appointment

**MOTION was made by Mr. Kimball to appoint Denny Goodrich to the Parks and Recreation Department, effective immediately through June 30, 2018. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

Mr. Yunits noted there were also two alternate positions on Parks and Recreation Commission if any residents were interested.

6. Reappointments - Norton Cable Access

**MOTION was made by Mr. Kimball to reappoint Ray Cord and Charlene Fisk to the Norton Cable Access Advisory Committee, effective immediately, expiring November 30, 2019. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

Mr. Giblin stated it appeared there were also two vacancies on that Committee as well.

**V. SELECTMEN'S REPORT AND MAIL**

Mr. Bramwell indicated he and Mr. Kimball attended a meeting at Wheaton College for initial meeting of Wheaton College group to discuss ways to build on the connection between the Town



and Wheaton. It was a good group of about 25 people and an excellent cross-section of business people including employees of the Town and Wheaton College. There were some good ideas discussed and will plan to meet two or three times per year and try to find some common goals, etc. Mr. Bramwell said it was a learning experience for him that Norton residents are able to utilize many of Wheaton's amenities, but it is not very well publicized. There were a few suggestions where Town government can get in touch with the students better. He said they have Wheaton's President come in to attend a Board of Selectmen meeting a couple times a year and possibly they could have students in as well.

Mr. Giblin said it would even be nice to have students or leaders of different departments come in regarding different things they are doing at school, etc.

Mr. Bramwell said it may be worth considering to take a field trip and have a meeting at Wheaton College. He said Wheaton students have helped Council on Aging distributing food, etc., and trying to bridge that gap because for years it was a different community, but it is not the way it is any longer.

.....  
Mr. Bramwell noted it was the end of an era as the Cameo Shop on North Worcester Street will be closing its doors. Arthur Stentiford who took over the Cameo Shop is retiring the end of this year. Mr. Stentiford is a craftsman and artist; not just a jeweler. He also believed the Annual Halloween Parade in Town was Mr. Stentiford's "brainchild" and he wanted to let people know where the section of Town, Chartley, was located. Mr. Bramwell said he has known Mr. Stentiford since he was about six years old.

.....  
Mr. Kimball discussed the Town Common fence and noticed at the Festival of Lights, it appears the fence is getting worse and he noted they may need to take the fence down before it falls down. He noted a Taunton company may be making the repairs and he also received something from the Mass Historical Commission regarding assistance with funding of new fence. He also serves on the Gold Star Committee as well as the Town Common Committee and discussed the planning of an artesian well on each of the properties (Town Common and Master Sgt. Trent Memorial) as they were told they cannot use Town water; both properties are on Town-owned land. It would cost about \$10,000 for each well and trying to locate drilling companies that can do it; he currently has two estimates from drilling companies.

Mr. Yunits said Mr. Kimball may need to have historical photos to prove it is historical.

Mr. Kimball stated they will be able to show it is historical and see if they can receive some money/funds to help with the cost.

## **VI. WARRANTS AND MINUTES**

A. Approve bi-weekly payroll for the period ended December 3, 2016, Warrant #34, dated December 8, 2016, in the amount of \$1,239,871.37

**MOTION was made by Mr. Salvo to Approve bi-weekly payroll for the period ended December 3, 2016, Warrant #34, dated December 8, 2016, in the amount of \$1,239,871.37. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

B. Approve bills Warrant #35, dated December 8, 2016, in the amount of \$545,659.22  
**MOTION was made by Mr. Salvo to Approve bills Warrant #35, dated December 8, 2016, in the amount of \$545,659.22. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

C. Approve bills Warrant #36, dated December 15, 2016, in the amount of \$3,886,265.19  
**MOTION was made by Mr. Salvo to Approve bills Warrant #36, dated December 15, 2016, in the amount of \$3,886,265.19. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

D. Approve Minutes -      October 6, 2016  
   October 13, 2016  
   October 27, 2016

**MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes, dated October 6, 2016, as written. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes, dated October 13, 2016, as written. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes, dated October 27, 2016, as written. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

## **VII. NEXT MEETING'S AGENDA**

It was discussed at the next meeting they should follow-up with any licenses that need to be approved.

Mr. Salvo said possibly they could also discuss the land across from Senior Center (former Bank of America).

Mr. Yunits replied he was not sure why former building was demolished, etc.

Mr. Kimball said he did hear the owner did have someone interested in the site, however, they backed out.

.....  
It was noted Jeffrey's Pizza (across from Norton Fire Station) is progressing along after their substantial fire and it will be under a new name.

**Adjournment**

**MOTION was made by Mr. Salvo to Adjourn at 9:20 P.M. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

Respectfully Submitted by:

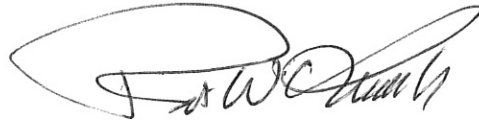
  
Janet Sweeney  
Board of Selectmen - Recording Secretary

- Document: "2017 License Renewals, dated 12/15/16"
- Written Communication, dated November 30, 2016, addressed to Board of Selectmen from Gary T. Cameron, Norton VFW, Re: Request to remain open until 2 A.M. for New Year's Eve (December 31, 2016-January 1, 2017)
- Open Letter to the Board of Selectmen from Scott Eisnor, Christine Mooney, Susan Bieksha, Mandi Goodwin, Jennifer Johnston, and Emily Archer Re: Proposed Regional Dispatch Center in Mansfield, MA
- Draft Agreement for a Regional Fire/Police Department Dispatch System Between the Town of Easton, Foxborough, Norton, and Mansfield Massachusetts
- Southeastern Regional Services Group Contract Award for DPW Services for 2/1/17 - 1/31/18
- Document: "Senior Citizen Property Tax Work-Off Program"
- Document: "Double Poles of Concern: utilities to be removed from the old pole, dated 12/14/16"
- Memorandum dated December 12, 2016, addressed to Board of Selectmen, from Michael D. Yunits, Town Manager, Re: Notice of Appointment of Planning/Economic Development Director (Tabitha Harkin), effective date of January 3, 2017
- Memorandum dated December 15, 2016, addressed to Board of Selectmen, from Michael D. Yunits, Town Manager, Re: Notice of Appointment of Full-Time Payroll Clerk (Crystal Power), effective date of January 9, 2017
- Memorandum dated December 6, 2016, addressed to Board of Selectmen, from Michael D. Yunits, Town Manager, Re: Notice of Appointment of Part-Time Department Secretary (Donna Fong), effective date of December 6, 2017
- Memorandum dated December 14, 2016, addressed to Board of Selectmen, from Michael D. Yunits, Town Manager, Re: Notice of Appointment of Part-Time Dispatcher in Communications Department (Robert A. Jordan), effective date of January 3, 2017
- Draft Board of Selectmen Minutes dated October 6, 2016, October 13, 2016, October 27, 2016

**BOARD OF SELECTMEN  
MINUTES OF MEETING**

**DECEMBER 15, 2016**

**TIMOTHY R. GIBLIN, CHAIRMAN**

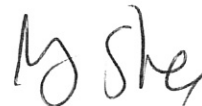
A handwritten signature in black ink, appearing to read "R. W. Kimball, Jr.", written in a cursive style.

**ROBERT W. KIMBALL, JR., VICE-CHAIR**

**ROBERT S. SALVO, SR., CLERK**

A handwritten signature in black ink, appearing to read "Bradford K. Bramwell", written in a cursive style.

**BRADFORD K. BRAMWELL**

A handwritten signature in black ink, appearing to read "Mary T. Steele", written in a cursive style.

**MARY T. STEELE**

**Dated:**

02/16/17