

**BOARD OF SELECTMEN  
MINUTES OF MEETING FOR  
APRIL 21, 2011**

**I. CALL TO ORDER BY CHAIRMAN**

The April 21, 2011 Meeting of the Board of Selectmen was called To Order by Mr. Kimball, Chairman, at 7 p.m. in the Selectmen's First Floor Conference Room.

A. Roll Call: Mr. Robert Kimball, Chairman of Board of Selectmen; Mrs. Mary Steele, Vice-Chair; Mr. Brad Bramwell; Mr. Robert Salvo; and Mr. Timothy Giblin were present. Mr. Michael Yunits, Town Manager, was also present.

B. Pledge of Allegiance

**II. WARRANTS AND MINUTES**

A. Approve bi-weekly payroll for the period ended April 16, 2011, Warrant #62, dated April 21, 2011, in the amount of \$1,005,836.10

**MOTION was made by Mr. Bramwell to Approve bi-weekly payroll for the period ended April 16, 2011, Warrant #62, dated April 21, 2011, in the amount of \$1,005,836.10. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

B. Approve bills Warrant #63, dated April 21, 2011, in the amount of \$280,672.26

**MOTION was made by Mr. Bramwell to Approve bills Warrant #63, dated April 21, 2011, in the amount of \$280,672.26. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

C. Minutes – February 3, 2011 Executive Session

**MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes of Meeting of Executive Session, dated February 3, 2011. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

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Minutes - February 3, 2011

**MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes of Meeting, dated February 3, 2011. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Minutes - February 17, 2011 Executive Session

**MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes of Meeting of Executive Session, dated February 17, 2011. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Minutes - February 17, 2011

**MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes of Meeting, dated February 17, 2011, as written. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**III. LICENSES AND PERMITS**

1. Application of Edward J. Brault for Memorial Day Parade Permit, to be held Monday, May 30, 2011. Step off time 10:00 A.M. - approx. 11:15/11:30 A.M.

**MOTION was made by Mr. Bramwell to approve Application of Edward J. Brault for Memorial Day Parade Permit, to be held Monday, May 30, 2011. Step off time 10:00 A.M. - approx. 11:15/11:30 A.M., and to waive all application fees. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**IV. ANNOUNCEMENTS**

Tri-Centennial Park Groundbreaking on April 29 from 1-1:30 p.m. in front of Norton Middle School.  
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Norton Police Annual Senior Citizens' Pancake Breakfast to be held May 4 from 8-10 a.m.  
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Mass Bar Association Dial-A-Lawyer to be held April 27 only from 5:30-7:30 p.m. (617-338-0610) for free legal advice.  
.....

May 14 Household Hazardous Waste Day from 9 a.m. - 1 p.m. At Town Hall Parking Lot.

Mr. Bramwell thanked Walgreen's for offering to take prescription drugs and disposing for residents.  
.....

Finance Committee Public Hearing - FY2012 Operating Budget to be held April 25 at 7:45 p.m. at Norton Municipal Center.

**V. BUSINESS**

**A. NEW BUSINESS**

1. 7:05 P.M. - Water/Sewer Commissioners Re: Discussion of fees for the School Building Project

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Mr. Steven Wiseman, a member of Water and Sewer Commission, referenced waiving of fees and said the Commission feels if they waive fees it would be a financial burden on all residents. Their budget is self-sustaining.

Mr. Kimball spoke of waiving fees vs. taxes, and this is talking strictly “water” not sewer. A large reserve account is on hand and he understood about the Water Dept.'s budget. \$8M in improvements on water pipes and Board of Selectmen has been very supportive of Water Dept. in past.

Discussion on waiving of fees on municipal projects.

Mr. Giblin spoke of the \$70,000-\$100,000 savings referenced in past.

Mr. Wiseman said if there is a problem with lines they will need to dig up, etc. Thus reason why fees are in place.

Mr. Giblin said it seemed to him it is not the right way to do it.

Mrs. Steele referenced last week's meeting and what was said about what is being charged between different departments issue. It seems school is being held hostage; school needs to be left out of it. She did not see how it works. Mrs. Steele said the school is a water rate customer as well.

Mr. Kimball said it is important to take each project on a one-by-one basis.

Mr. Bramwell stated he found it difficult to believe residents would be paying rates, etc.; majority of people would be paying for infrastructure. No added burden, per Mr. Knapp, for sprinklers on-line. It was not logical a permit fee for an existing building with existing residents currently paying.

Interdepartmental situations he could see; separation of inspection fees vs. permitting fees (permitting fees possibly pushing it too much). In going forward, there is no added burden on enterprise account.

Mr. Giblin said last week members of the Water & Sewer Board were here and he personally did not like the way it was presented.

Mr. Wiseman said he cannot speak for rest of the Board.

2. 7:30 P.M. - Reverend Christana McKnight Re: Update on First Unitarian Church of Norton

Reverend McKnight said revitalization of Church was her job. Spirituality is not outgrown but different methodology needed, and they are moving forward.

Congregation gathered in 1711. She noted Norton Grange is not meeting any longer either.

Reverend McKnight spoke of trying to “restart” process. Sunday services are canceled for the time-being and until they see what kind of Sunday morning service will be needed. It is a historic church and important it does not fold/close.

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Mr. Kimball suggested possibly this church can hold an open house as he described upcoming Tri-Centennial celebration, etc.

Reverend McKnight said website will be ready in about three to five days and will be "nortonunitarian.org" and her blog is entitled, "ordinary days". Phone number for more info is 401-575-9258 which is her cell phone and she is always available.

3. Review the Annual Town Meeting Warrant

Mr. Yunits said he was weeding through the Articles and reviewed various Articles with Board.

**Article 2**

**MOTION was made by Mr. Bramwell to support Article 2. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

**Article 3**

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

**Article 4**

**MOTION was made by Mr. Bramwell to support Article 4. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**Article 5:** Discussion took place on Article 5. Mr. Bramwell said Project Spoke disbanded it appeared and thought it needed clarification. Further discussion occurred on this particular Article.

**MOTION was made by Mr. Bramwell to support Article 5. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Giblin to support Article 6. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

**Article 7:** (Conservation Commission and Tree Warden) To continue a forestry revolving fund. Discussion ensued. Mr. Salvo said this project started last year and a lot of people use it to walk dogs and stated it was left a mess and a difficult time walking around that area. He will support but next time would like ConCom to come in to discuss.

**MOTION was made by Mr. Bramwell to support Article 7. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**Article 8** – This Article was discussed. A revolving fund in past for coloring book of Historical Commission and it would be great to have Tricentennial Committee do similar thing.

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

**Article 9**

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

**Article 10**

**MOTION** was made by Mr. Giblin to support Article 10. Second by Mr. Bramwell. Vote: Unanimous. **MOTION CARRIES.**

**Article 11**

**MOTION** was made by Mr. Bramwell to support Article 11. Second by Mr. Giblin. Vote: Mr. Salvo voted "present" and all other members of Board voted "In Favor" of this Motion. **MOTION CARRIES.**

**Article 12**

**MOTION** was made by Mr. Bramwell to support Article 12. Second by Mr. Giblin. Vote: Unanimous. **MOTION CARRIES.**

**Article 13**

**Article 13 - a placeholder.**

**MOTION** was made by Mr. Bramwell to support Article 13. Second by Mr. Giblin. Vote: Unanimous. **MOTION CARRIES.**

**Article 14**

**MOTION** was made by Mr. Bramwell to support Article 14. Second by Mr. Giblin. Vote: Unanimous. **MOTION CARRIES.**

**Article 15**

**MOTION** was made by Mr. Giblin to support Article 15. Second by Mrs. Steele. Vote: Unanimous. **MOTION CARRIES.**

**Article 16**

**MOTION** was made by Mr. Giblin to support Article 16. Second by Mr. Bramwell. Vote: Unanimous. **MOTION CARRIES.**

**Article 17**

Discussion took place regarding fines by Highway Dept. for snow violations.

Mr. Yunits said Highway Dept. would send bill/fine. Mr. Salvo was concerned about who would enforce it.

Mr. Salvo said when he personally plowed in past the town of Foxboro, a resident had him register with Foxboro town hall. He would like to support but may want to amend it. A letter possibly to residents in town stating plow drivers need to register with town.

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Mr. Kimball said a bylaw was adopted in Town a few years ago. He needs to be clear on how disposition will work and how appeal process will work as well. One suggestion he would have and Mr. Salvo's idea is a good idea, as to who is plowing. Possibly could wait for October Town Meeting to do this. Concerns on monitoring and enforceability.

Mr. Giblin said this is not a bad idea but clarification on rights of homeowners and process, etc. needed.

Mr. Kimball said it may be possibly town manager's responsibility.

Mr. Yunits said hearing officer possibly could be involved.

It was discussed it would be effective for public ways; not private ways.

Mr. Bramwell discussed it could be enforced by highway superintendent, Board of Selectmen or a police officer the language reads.

Mr. Yunits said it is being left broad.

Mr. Kimball said he did not like idea of Board of Selectmen enforcing it.

**Action:** It was decided to Table this Article (leave it on Warrant for now).

**Article 18**

**MOTION was made by Mr. Bramwell to support Article 18. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**4. Review the FY11 Special Town Meeting Warrant**

**Article 1** – A placeholder.

**MOTION was made by Mr. Giblin to support Article 1. Second by Mrs. Steele.**

**Discussion:** Mr. Bramwell said there are no concrete numbers as yet. Discussion ensued.

**MOTION was made by Mr. Bramwell to not support Article 1. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**Article 2**

Mr. Yunits explained Article 2 and deadline on Friday regarding registering to vote. Residents can register up to a certain number of days before election.

Mr. Kimball said he had a problem with this. He said Saturday election is unique to Town. A Saturday election would need Town Clerk's Office to stay open. He had a problem "moving" this.

Mr. Giblin agreed with Mr. Kimball.

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Mr. Kimball said it should not be allowed on Warrant and Town Clerk can bring it back in October.

Mr. Bramwell said this may defeat entire school project.

After discussion, Mr. Kimball suggested to leave it on Warrant and have Town Clerk come in to discuss.

Mr. Giblin said he did not like language and he would not want Article on Warrant.

**MOTION was made by Mr. Giblin to not support Article 2 at this time. Second by Mrs. Steele.**

**Discussion: Mr. Bramwell said if they were to adopt this; can an election be held on legal holidays? Discussion ensued.**

**Mr. Giblin said he supported him above Motion to not support Article 2. Mr. Giblin said if Town Clerk's Office is open approximately two Saturdays before election, money from FinCom may be necessary, etc. He did not want to leave this Article on Warrant.**

**Mr. Kimball said someone should have spoken to Board about the specifics of this Article.**

**It was noted Mrs. Steele would now try to contact Mrs. Sicard, Town Clerk, for clarification.**

Mrs. Sicard was now present at meeting and explained specifics of Article to Board. She said polls to be open from 6 a.m to 8 p.m. She reviewed Town Meeting and Election specifics and her office would be working from 9 a.m. to 8 p.m. She spoke of Special Town Meeting and Saturday Ballot, and timing of ten or twenty days prior depending on type of meeting.

Twenty days prior will be a Sunday (a legal holiday) and would have to hold it on Saturday and could move to Friday. She sent info to Tax Collector's Office also and believed Town Counsel changed language a bit. Discussion ensued.

Mr. Kimball spoke of employees working Saturday/union issues, etc.

Mrs. Sicard said it will have no impact on school question. It will be additional costs to pay staff to be there.

Mr. Kimball asked if Saturday was a legal holiday?

Mrs. Sicard stated the worse case scenario would be that someone would be in building on Saturday.

Mrs. Steele said idea is good but it appears to be "Town Clerk Office" specific. Discussion followed.

Mr. Giblin said he still did not care for language and Opinion from Town Counsel for clarification and what it could mean, etc.

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**MOTION was made by Mrs. Steele to remove Article 2 from May 9, 2011 Special Town Meeting Warrant. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

5. Review the June Special Town Meeting Warrant

No need to review June Special Town Meeting Warrant yet; will be reviewed at a future meeting.

6. Review the FY12 Budget

Please see below; under Town Manager's Report section.

**B. OLD BUSINESS**

**C. TOWN MANAGER'S REPORT**

Mr. Yunits said per Senate, number from House will not be any worse than believed.  
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Mr. Yunits referenced ComCast agreement and explained better organization/staff working earlier before gates open. Staff to organize cars into parking area of ComCast Center. Chief Clark was out of town when this meeting occurred.  
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MOU (Memorandum of Understanding) between Norton and Taunton re: Industrial Park, so Waste Management can move forward. He asked Board to please review.

Mr. Kimball said Town Counsel should also review it.

Mr. Kimball said if there are any comments/concerns, Mr. Yunits should be advised. This relates to improvements on roadways/a regional approach.  
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Mr. Yunits said total budget amount of \$47,305,881.00; \$390,436 of free cash to be used. \$22,511,668 is school budget; \$10,076,521 is general budget.

Mr. Yunits said in an effort to not have layoffs and save on unemployment benefits the Town should be able to do a year without layoffs. Superintendent of Schools said there were 15 "maybes" regarding pink slips. It is a way to keep everyone working; and he hoped union meetings go well.  
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**D. APPOINTMENTS/RESIGNATIONS**

1. Appointment of Town of Norton's Representative to the Southeastern Massachusetts Commuter Rail Task Force

**MOTION was made by Mr. Bramwell to appoint Heather Graf as Town of Norton's Representative to the Southeastern Massachusetts Commuter Rail Task Force, and to authorize Chairman to sign appointment document. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**



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

Mr. Kevin Schleicher, Jr. graduated from Police Academy. A letter was sent by Mr. Yunits commending him and for his Top Gun Award.  
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Letter received from ConCom regarding interest letter from Tina Guerrini received for member of Conservation Commission. It was noted Ms. Guerrini should come in at next meeting and they will plan to make a decision then.

Mr. Giblin spoke of veterans' agent attending a future Board of Selectmen's meeting. Mr. Yunits was under impression veterans' agent was going to contact Mr. Giblin. Mr. Giblin said he would call veterans' agent.

Mrs. Steele said Tuesday, April 26, is Election Day and thanked this Board of Selectmen. She said it has been a pleasure to serve the Town.

**VII. NEXT MEETING'S AGENDA**

1. Conservation Director Jennifer Carlino Re: 2011-2017 Open Space and Recreation Plan
2. Appointment to the Norton Conservation Commission

**VIII. EXECUTIVE SESSION**

**IX. ADJOURNMENT**

**MOTION was made by Mr. Giblin to adjourn at 8:55 p.m. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

Respectfully Submitted by:

Janet A. Sweeney  
Board of Selectmen – Recording Secretary

**Documents Viewed/Distributed at Board of Selectmen Meeting of April 21, 2011**

- . Town of Norton Warrant for the Annual Town Meeting, Monday, May 9, 2011
- . Town of Norton Special Town Meeting Warrant – FY11
- . FY12 Estimated Operating Revenues and Expenditures (budget documentation)
- . MOU (Memorandum of Understanding) between the City of Taunton, MA and the Town of Norton, MA (drafted dated April 15, 2011)
- . Letter of Interest, dated April 20, 2011, from Tina Guerrini, to Board of Selectmen regarding vacancy and interest on the Conservation Commission
- . Congratulatory letter, dated April 15, 2011, from Mr. Michael D. Yunits, Town Manager, to Officer Kevin Schleicher, Jr., regarding Officer Schleicher's recent graduation from the Academy and commendation as recipient of the “Top Gun” award.
- . Southeastern Massachusetts Commuter Rail Task Force Appointment Form: Municipalities and Organizations (requesting Town of Norton's designated representative to this Task Force)

**BOARD OF SELECTMEN  
MINUTES OF MEETING OF  
APRIL 21, 2011**

Robert W. Kimball, Jr., Chairman

Mary T. Steele, Vice-Chair

Bradford K. Bramwell, Clerk

Timothy R. Giblin

Robert S. Salvo, Sr.

**Date Approved:** \_\_\_\_\_