

**BOARD OF SELECTMEN
MINUTES OF MEETING FOR
JUNE 16, 2011**

I. CALL TO ORDER BY CHAIRMAN

The June 16, 2011 Meeting of the Board of Selectmen was called to Order by Mr. Bramwell, Chairman, at 7:00 p.m. at the Municipal Center held in the Selectmen's Conference Room.

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

B. Pledge of Allegiance

II. WARRANTS AND MINUTES

A. Approve bills Warrant #73, dated June 9, 2011, in the amount of \$520,905.25

MOTION was made by Mr. Giblin to approve bills Warrant #73, dated June 9, 2011, in the amount of \$520,905.25. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

B. Approve bi-weekly payroll for the period ended June 11, 2011, Warrant #74, dated June 16, 2011, in the amount of \$3,871,315.76

MOTION was made by Mr. Giblin to approve bi-weekly payroll for the period ended June 11, 2011, Warrant #74, dated June 16, 2011, in the amount of \$3,871,315.76. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

C. Approve bills Warrant #75, dated June 16, 2011, in the amount of \$311,142.76

MOTION was made by Mr. Giblin to approve bills Warrant #75, dated June 16, 2011, in the amount of \$311,142.76. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

D. Minutes – March 10, 2011 Executive Session
 April 14, 2011 Executive Session
 April 14, 2011

MOTION was made by Mr. Giblin to approve the Board of Selectmen Minutes of Meeting of the Executive Session, dated March 10, 2011, as written. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Kimball to approve the Board of Selectmen Minutes of Meeting of the Executive Session, dated April 14, 2011, as written. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Kimball to approve the Board of Selectmen Minutes of Meeting, dated April 14, 2011, as written. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

III. LICENSES AND PERMITS

1. 7:30 P.M. HEARING – Application of Kenneth Paul Gilchrist d/b/a Goosebrook Garage for transfer of the Class III Motor Vehicle Junk License held by The Estate of James Fitzgibbons, at 36 Dean Street, Norton, MA

Mr. Giblin read aloud legal notice of Hearing. Mr. Bramwell said they needed to postpone Hearing until later in evening as it appeared applicant was not yet present.

Applicant was now present. Mr. Gilchrist said it was five years since he was at the first meeting. He spoke of Class III and would be recycling instead of scrapping (recycling metals and steel). Also a Class II he is applying for, which coincides with Class III.

Mr. Gilchrist spoke of cleaning up site (there are a lot of tires on site). Class III he is selling vehicles and advertising parts. A rough sketch of how property was in Board's packet. There would be old vehicles and parts (a recycling center).

Mr. Kimball said this was a long project for Mr. Gilchrist and he had a concern about property itself. It takes a lot of effort, etc., to open a recycle center and respect abutters (zoning issues, noise, etc.). Needs to be done in an organized fashion.

Mr. Gilchrist said he understood what Mr. Kimball was saying about noise. Hours of operation to be about 8 a.m. to 5 or 6 p.m.; or 9 a.m. to about 5 or 6 p.m. Later in day it would be quiet. All neighbors have a refrigerator magnet with his telephone number and can call him and he will work with neighbors.

Mr. Gilchrist said he would also be doing some autobody work/repair work (mechanical work more than body work).

Mr. Salvo asked if there was a wetlands permit from ConCom received? He would want a sign-off on that before he agreed to this and there are new rules and regulations. Concrete slab was referenced by Mr. Salvo.

Mr. Gilchrist stated that he just learned of the new rules/regs regarding ConCom. He is looking into a concrete pad and it probably would be a portable unit.

Mr. Salvo said he would like to see something happen with this site but also it is necessary to comply

with new rules and regulations for dismantling vehicles etc. He asked Board be provided with necessary info and he would like to see site cleaned up.

Mr. Kimball agreed Mr. Gilchrist should work with ConCom Agent, Board of Health and Building Inspector, and also Fire Dept. to help. This is not stop this project; just help it. In Mr. Kimball's opinion, it is a pre-existing site and he hoped other departments and others understand this and provide Mr. Gilchrist some slack where his is trying to take this over.

Mr. Gilchrist said the junkyard property is 12 acres which he is purchasing. He would like to get this up and running soon.

Mr. Giblin said one reason the Board kept this license active is because they wanted Mr. Gilchrist's business at that location. It appears to be a matter of getting a few more things done.

An abutter had a question regarding the back gate and spoke of it being her land from garage. She asked if fence would be taken down? She thought fence was on her land.

Mr. Gilchrist said he would like to keep it the way it was. He did not want to affect what she does, etc. And by some token if something happened they could keep it open. Desired it to be a friendly matter.

Mr. Kimball said attorneys would need to "iron out" details.

Mr. Kimball said the longer it takes the more of a burden/hardship it would be, and he cautioned Board of Selectmen to expedite this issue and keep moving on it.

Mr. Kimball asked Mr. Yunits how quickly they could get the Town departments to site? They should set up a date when Mr. Gilchrist could come back before the Board.

Mrs. Steele stated she was open to approve application contingent upon other departments signing-off on it. Next year at the renewal the Board can ask questions at that time.

Mr. Bramwell asked Mr. Yunits to have Building Inspector, Concom Agent, Fire Chief and Board of Health involved so set up a meeting with Mr. Gilchrist as soon as possible. A timetable should be established for Mr. Gilchrist. It would be beneficial to clean up property.

Mr. Kimball advised Mr. Gilchrist he should have some pictures taken of property.

Mr. Kimball said cash flow issue is something that needs to be thought about. He was in favor of this with some contingencies.

Mr. Bramwell spoke of boundary between two neighbors by town officials.

It appeared no other abutter(s)/neighbor(s) were in audience to speak in favor or against this.

Surveying was discussed.

Mr. Gilchrist said he has not given any money on property yet. He will plan to pay cash.

Mr. Kimball said he believed a 21E was needed.

Mr. Gilchrist said land survey was conducted five years ago and environmentalist brought back.

Mr. Yunits asked if Mr. Gilchrist had an environmental report?

Mr. Gilchrist replied yes, he did have an environmental report.

Mr. Yunits respectfully requested a copy of it.

Mr. Giblin referenced the 21E and said if it was done five years ago it may need to be redone but it can be looked into to see if that is true.

Mr. Giblin asked if they can transfer license if Mr. Gilchrist does not own property at this point?

Mr. Gilchrist said taxes are owed and he would pay taxes off was his plan.

Mr. Yunits advised Mr. Gilchrist to call him the following day. He said the Conservation Commission Agent was on vacation next week. On June 28 they will meet with Mr. Gilchrist on site. Discussion ensued.

Mr. Bramwell said the Board will do all they can to have this go through.

Mr. Kimball asked if environmental laws were familiar to Mr. Gilchrist?

Mr. Gilchrist responded he has worked at friends' business previously. Environmental laws/rules are vaguely familiar to him.

MOTION was made by Mrs. Steele to continue above-referenced Hearing without a finding until Town Manager, Mr. Yunits, visits site with Building Inspector, Conservation Commission, Board of Health, and Fire Chief. Second by Mr. Kimball.

Discussion: Mr. Kimball spoke of a possible compromise at this point for applicant to earn some money; getting some material off property he could raise some funds. While season is currently here it would be beneficial to get it started. If in time things are not happening, the Board of Selectmen can look at it again (contingent on taxes being paid, etc.).

Motion was rescinded by Mrs. Steele.

MOTION was made by Mr. Kimball to approve transfer to Mr. Gilchrist of above-referenced license, contingent upon taxes being paid, Building Inspector, ConCom Agent, Board of Health, Fire Chief/Dept., to conduct a thorough inspection and report back to Board of Selectmen with photographs also. Second by Mrs. Steele.

Discussion: Mr. Salvo stated to grant Mr. Gilchrist a license when he does not own it may be a problem.

Mr. Bramwell said that can be added to Motion as a Friendly Amendment.

Friendly Amendment: Mr. Kimball stated by Dec 31, 2011, Mr. Gilchrist should own above-referenced property or Board will review this again. Vote: Unanimous. MOTION CARRIES.

2. 7:45 P.M. HEARING – Application of Kenneth Paul Gilchrist d/b/a Goosebrook Garage for a Used Car Dealer's License – Class II, To Buy and Sell Second-Hand Motor Vehicles, at 36 Dean Street, Norton, MA

Mr. Giblin read aloud legal notice of this Hearing.

Mr. Kimball referred to first license; he did not believe a person needed to show ownership of property; can own or lease. Class II needs some type of documentation with State.

Mr. Gilchrist said Building Inspector had some concerns site was in a residential area and used car lot may cause conflicts. There will be no flashing lights.

Mr. Kimball said this Class III license has always been kept intact. (21E taxpayer to clean it up if not sold).

Mr. Kimball said Class II was originally part of Class III. Board is favoring this because Town does not want to clean it up.

MOTION was made by Mr. Kimball to approve application of Kenneth Paul Gilchrist d/b/a Goosebrook Garage for a Used Car Dealer's License – Class II, To Buy and Sell Second-Hand Motor Vehicles, at 36 Dean Street, Norton, MA, with no stipulations. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

3. Informational Hearing per Massachusetts General Laws Chapter 138, Section 16B Re: JJIP Enterprises, Corp. d/b/a Old Colony Cafe, Manager: Jason J. Irving, 336 Old Colony Road – Non-payment of fees for the 2011 Common Victualer License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On the Premises and the 2011 Common Victualer License (to serve food).

Mr. Bramwell said they spoke to new proposed manager and cannot award requested license.

Mr. Yunits stated he attempted to contact current license holder's home and business via certified mail; home was vacant and certified mail letter returned. Norton Police also tried but to no avail. Fee was not paid. No letters were picked up. Mr. Yunits spoke of a fourteen day timeframe.

MOTION was made by Mr. Kimball to revoke license of JJIP Enterprises, Corp. d/b/a Old Colony Cafe, 336 Old Colony Road, as licensee has not paid for license and to notify ABCC of revocation to Sell All Kinds of Alcoholic Beverages To Be Drunk On the Premises. Second by

Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Giblin to revoke license of JJIP Enterprises, Corp. d/b/a Old Colony Cafe, 336 Old Colony Road, as licensee has not paid for license-for the 2011 Common Victualer License (to serve food) effective immediately. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

Common Victualer license was discussed. Some type of food needs to be served or brought in for a business to have a common victualer license. It is a very grey area (even a bag of chips could be served). If anyone is aware of a business that is not complying they should advise Board.

IV. ANNOUNCEMENTS

Volunteers needed for the Water-Chestnut Removal program on June 19 from 9 a.m. to 12 noon
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Senior Center Luncheon to be held on June 22 regarding "Nutrition/Eating Habits".
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Sr. Citizen Tax Work Program for ages 60 and over = \$500/year. Mr. Kimball asked Mr. Yunits to please advertise this (it runs from July to July).
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Bristol Elder Services is seeking a rep on their Board of Directors.

Mr. Kimball asked that a copy of this notice/flyer be sent to the Council on Again in case someone is interested.
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V. BUSINESS

A. NEW BUSINESS

1. 7:05 P.M. - Congressman Barney Frank

Congressman Frank said things have changed in Washington as to how budget is done. State-local governments were discussed. In private sector there is a steady increase. He spoke of state, local level cutbacks. A lot of money for military budget is being used. U.S. spends a lot on defense.

Congressman Frank spoke of highways. A transportation bill will be opened up. A lot of money went into central artery from Weld Administration.

Mr. Kimball said people should be able to have money for sales/gains on property/land (be compensated).

Congressman Frank agreed with Mr. Kimball and indicated he will explore this issue as it is a useful point.

Mr. Kimball thanked Congressman Frank for assisting with the Shpack project.

Congressman Frank said EPA and Corp. of Engineers had to work together when they usually do not do so.

Mr. Yunits said with the way things are in Washington, the Board just endorsed this evening, a program regarding people who are in trouble with mortgages (Pro-Homes).

Congressman Frank said if there are existing funds it is ok. He will make a note of this and he may mention Norton if it is ok with Board to do so. Smaller communities to participate also and will let them know.

Mrs. Steele referenced the Senior Center program

Congressman Frank spoke of Community Development Program (generally a population of 50,000 or more); 1/3 of it goes to state for smaller communities. Federal money which state distributes—gives money locally.

Mrs. Steele said they are in desperate need for the Town's Senior Center.

Congressman Frank said Norton is under 50,000 in regard to population and he will work with Norton on that (Community Development POP Grant).

Mr. Kimball inquired if there were any other programs available?

Congressman Frank said elderly housing built and then expanded and rural development is part of it (rural housing operation). He will get info for Board of Selectmen.

Congressman Frank spoke of a new Highway Bill and on a regional basis, and if he is still the rep of area he will call a regional meeting. Discussion ensued.

Mr. Bramwell and Board thanked Mr. Frank for visiting them this evening.

Congressman Frank said he can periodically come out and meet with them.

2. Vote to validate sending letter of support for Pro-Home's Application for FY2011 Mortgage Modification and Mortgage Scams Assistance Housing Counseling Grant

Mr. Yunits explained this as a grant program using federal funds.

Mr. Giblin said it appears they are looking for Board's support (letters of support from Board and surrounding communities/restructuring mortgages, etc.). Discussion followed.

Mr. Kimball said it would assist people struggling with mortgages, etc. Phone number is 508-821-2514; www.Prohomeinc.org

MOTION was made by Mr. Kimball to send letter of support for Pro-Home's application for FY2011 Mortgage Modification and Mortgage Scams Assistance Housing Counseling Grant. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

3. Board of Selectmen Meetings – Summer Schedule

Future Board meetings to be held: June 30, July 14, July 28, August 11; August 25 and September 8, 2011.

4. Discussion – Recognition of past Officials

During Tricentennial year, it would be ideal to recognize past officials in Town of Norton. Such as previous members of Board of Selectmen, Finance Committee, Planning Board, etc., as well as other boards/committees. They can begin to start thinking about this and bringing in one group at a time. Plan to start in fall.

Mr. Bramwell suggested to ask Town Clerk for list of past officials (i.e., school committee, water and sewer commission, town moderators, housing authority, etc.), and set a date possibly to be held September, October, or November.

Mrs. Steele suggested to possibly bring all together during one night/meeting at one time and provide refreshments, etc.

Mr. Bramwell said it would be wise to get list first.

Mr. Kimball said list of elected groups also needed.

B. OLD BUSINESS

C. TOWN MANAGER'S REPORT

Next week a meeting with Condyne and Waste Management will occur and plan is to move forward with project.
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Mr. Yunits attended Old Colony Crossroad Collaboration meeting (SRPEDD / Myles Standish Industrial Park) along with Dick Schaefer and looking to get a focus.
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Route 140 water project hopefully kicks off Monday and working with state/insurance company to get a bond (Mansfield Avenue). Replacement down to Mansfield line.
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Dean Street resident contacted Mr. Yunits regarding “Old Dean Street” and no signs and Mr. Yunits will check with assessors. There appears to be no such things as “Old Dean Street” currently, and he is looking into this currently.

Mr. Kimball said Old Dean Street was a paper street. He believed on Assessors Map there is an “Old Dean Street”.

Mr. Yunits spoke of the Senate Bill Reform of Healthcare and it is not a benefit to Town. Retirees and current employees now pay same. They are seeking to set up a Review Board.
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Mr. Yunits stated MSBA voted last night for High School project in Town at 64.42%. Building Committee working on contracts currently and July bleacher project is to begin.

Mr. Kimball asked Mr. Bramwell to please keep Board of Selectmen informed/updated on this project.

Mr. Bramwell referenced the selection process for construction manager at risk and trying to decide to make qualifications a bit less strict and would like construction manager on board as soon as possible. Discussion followed.
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Mr. Yunits said meeting held at Norton Library on Regional Dispatch study (second of three meetings held). A good study and interested to see how to move forward from this point.

Mr. Yunits stated there were 181 full-time dispatchers in region. Total dispatchers in region = \$9M; could reduce costs to \$7M. \$22M cost to set this up. It is "dead in the water" if no grant money available. Currently looking at various ways of doing it.

Mr. Kimball discussed eight hour shift, to then 16 hours, to then 24 hour shifts.

Mr. Bramwell said Mr. Kimball's idea was excellent; it could reduce staffing.
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Mr. Yunits attended the DARE graduation for Grade 5. He congratulated all the students.
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Mr. Yunits spoke of Ch 40B project and meeting will be held on June 28 at 10 a.m. ConCom had a lot of comments on this project. State is coming out as well as proponent.

D. APPOINTMENTS/RESIGNATIONS

VI. SELECTMEN'S REPORT AND MAIL

Mr. Kimball spoke of grand opening of Pot Belly Jim's at Roche Bros Plaza. They did a real nice job It is a small establishment, but well done and food was very good (bbq-type food). Nice staff and 21 people were hired.
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Mr. Kimball stated Mr. Michael Epstein of Horizon Beverage purchased building today. It is exciting news and Mr. Epstein passed on his thanks to Board of Selectmen and other town agencies for their help. This company helps Norton in various ways such as paying excise tax; hiring of employees; and is a community-oriented family-owned business.
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Mr. Bramwell commended all involved in Tricentennial Parade. Horizon Beverage was involved in parade before they even purchased property. It was a great parade with lots of involvement by neighbors/communities.

Mr. Kimball said Tricentennial Committee did a great job and recognized them for all their hard work.

VII. NEXT MEETING'S AGENDA

1. Executive Session to discuss strategy with respect to Collective Bargaining

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 June 16, 2011

. Drawing and letter/documents from Mr. Gilchrist presented to Board of Selectmen of proposed plan for Goosebrook Garage

. Letter from Pro-Home, Inc. seeking Board of Selectmen's support/vote for Pro-Home's application for FY2011 Mortgage Modification and Mortgage Scams Assistance Housing Counseling Grant

**BOARD OF SELECTMEN
MINUTES OF MEETING OF
JUNE 16, 2011**

Bradford K. Bramwell, Chairman

Mary T. Steele, Vice-Chair

Timothy R. Giblin, Clerk

Robert W. Kimball, Jr.

Robert S. Salvo, Sr.

Date Approved:_____