

**BOARD OF SELECTMEN
MINUTES OF MEETING
NOVEMBER 3, 2011**

I. CALL TO ORDER BY CHAIRMAN

The November 3, 2011, Meeting of the Board of Selectmen was called to Order by Mr. Bramwell, Chairman, at 7:00 p.m., held in the First Floor Selectmen's Conference Room in the Municipal Center.

A. Roll Call: Mr. Brad Bramwell, Chairman of Board of Selectmen; Mr. Timothy Giblin, Clerk; Mr. Robert Kimball; and Mr. Robert Salvo were present. Absent: Mrs. Mary Steele, Vice-Chair. 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 October 29, 2011, Warrant #26, dated November 3, 2011, in the amount of \$999,281.29

MOTION was made by Mr. Kimball to approve bi-weekly payroll for the period ended October 29, 2011, Warrant #26, dated November 3, 2011, in the amount of \$999,281.29. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

B. Approve bills Warrant #27, dated November 3, 2011, in the amount of \$407,850.65

MOTION was made by Mr. Kimball to approve bills Warrant #27, dated November 3, 2011, in the amount of \$407,850.65. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

C. Minutes

No minutes were reviewed/approved.

III. LICENSES AND PERMITS

1. 7:30 P.M. HEARING – Application of Produce Barn, Incorporated d/b/a Produce Barn for Transfer of Ownership, Change of Manager, New Officers/Directors, New Stockholders, Transfer of Stock, and Pledge of License, from Produce Barn, Incorporated d/b/a Produce Barn, Manager: Joyce L. Fernandes, to Produce Barn Incorporated d/b/a Produce Barn, Manager: Jill C. Fernandes, to the Retail Package Goods Store License to expose, Keep for Sale, and to Sell all Kinds of Alcoholic Beverages Not To be Drunk On The Premises, at 72 Mansfield Avenue, Norton, MA 02766

Mr. Giblin read aloud legal notice of this Hearing.

Attorney Henry Sousa was present on behalf of Mr. and Mrs. Fernandes and stated Mr. and Mrs. Fernandes have asked him to assist them. Transfer of stock and new manager for alcoholic beverages sales and pledge from North Easton Bank.

This is from father to son and daughter-in-law is relationship between parties. Attorney Sousa said both of his clients are actively involved with the Produce Barn and have been owners since 1978.

Mr. Bramwell said it was great for this family business to stay within the family.

Mr. Kimball said this has been a successful family venture and never has had a problem with sales of liquor, etc.

MOTION was made by Mr. Giblin to approve the Application of Produce Barn, Incorporated d/b/a Produce Barn for Transfer of Ownership, Change of Manager, New Officers/Directors, New Stockholders, Transfer of Stock, and Pledge of License, from Produce Barn, Incorporated d/b/a Produce Barn, Manager: Joyce L. Fernandes, to Produce Barn Incorporated d/b/a Produce Barn, Manager: Jill C. Fernandes, to the Retail Package Goods Store License to expose, Keep for Sale, and to Sell all Kinds of Alcoholic Beverages Not To be Drunk On The Premises, at 72 Mansfield Avenue, Norton, MA 02766. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

IV. ANNOUNCEMENTS

It was noted on Wednesday, November 9, 2011 at 2 p.m., an emergency alert system test will occur; it is a nationwide system test lasting approximately three minutes.
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On Saturday, November 19th, the Southeastern Regional Vocational-Technical School will hold its Annual Open House from 11 a.m. to 3:00 p.m.

V. BUSINESS

A. NEW BUSINESS

1. 7:05 P.M. - Norton Energy Fund Members – Public Health Nurse Donna Palmer, Clarence “Butch” P. Rich, Jr., Lee Desmarais, Secretary for Veterans' Affairs, Beth Rossi, St. Vincent de Paul, and Irene Frechette, Attleboro Energy Fund Re: fuel Assistance

It was noted this energy fund's purpose is to assist the needy with fuel assistance and working with St. Vincent de Paul and other cities and towns. They were asking Selectmen for their endorsement to solicit money and to use for this program. This will cost taxpayers no money.

Ms. Palmer referenced the Norton Energy Fund and said Attleboro and North Attleboro have funds and program is will supported. A committee needs to be formed. Ms. Palmer introduced the other people that accompanied her this evening: Mr. Rich, Ms. Desmarais, Ms. Rossi, and Ms. Frechette.

This is a fund funded by individuals and grants; (501-c-3) is St. Vincent de Paul. A coalition formed which is excellent.

Ms. Beth Rossi is the administrative assistant. A separate account and administration by St. Mary's group at St. Vincent de Paul. Certain guidelines need to be followed and can provide one time in a 12 month period to people in need. Memorandum of Understanding (MOU) between funding committee and St. Vincent de Paul and reported to IRS, and all info open to public.

Mr. Kimball asked if exemption on taxes was looked into?

Ms. Frechette responded it is a very complicated process.

Mr. Kimball said if successful, possibly something to look into for future (exemption on taxes).

Ms. Frechette thanked Mr. Kimball for the idea and said they will look into this.

Mr. Kimball suggested trade schools may help with the labor part of this.

Address of Fund for donations, etc, is: Norton Energy Fund, c/o St. Vincent de Paul, 1 Power Street, Norton, MA and donations are tax deductible.

Ms. Frechette said help is also available through Self-Help, Salvation Army, local churches, and Attleboro Area Council of Churches. Also people could call The United Way.

Questions asked to residents are questions relating to income; has person applied for Self-Help; how has person gotten to this point; and people will deal with a very personable and warm, understanding voice on other end of the line.

It was noted this will be posted on Norton Town Website to obtain address for donations/info, etc.

Ms. Rossi, stated in Norton they have helped 49 people and up to 76 people just with fuel recently. 429 households in Norton need assistance. There are more working poor nowadays and many people have to decide between food or heat or rent.

Canned goods donations are also helpful.

Mr. Kimball said they could possibly have boxes/bins available in town hall to drop off canned goods.

Mr. Giblin suggested to add to cable also regarding the food donations and drop off bins at town hall.

Mr. Kimball suggested through town manager they send letter out to Southeastern Regional and have them contact veterans agents' office/Lee Desmarais if they can help with labor/repairs, etc.

Mr. Kimball asked Mr. Yunits to also send a letter to state reps as to why non-profits like these are paying taxes? Ask if there is a way to do something for non-profits.

Mr. Giblin suggested this group return in December to revisit this as well.

MOTION was made by Mr. Kimball to support this endeavor and authorize St. Vincent de Paul to work with Town to distribute this aid to residents. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

Mr. Kimball suggested it would be a good idea to provide an update to Selectmen once per month.

2. Town Clerk Danielle Sicard Re: Polling Locations

Ms. Sicard said further research was conducted and a recommendation to have a single poll location. Board of Registrars were in audience with her and they both agree on single polling location. Election workers at Yelle agree with this 100% also, to hold polling location in one place.

Ms. Sicard discussed list of benefits/concerns.

Ms. Sicard said a mailing was sent with census this year for polling changes and noting new locations.

Mr. Bramwell said while it is the Board of Selectmen's ultimate decision, it can always be changed back if there was a problem with having a single polling location.

Mr. Giblin said it appears Ms. Sicard did a lot of homework. The only concern he had was the parking, but otherwise thought it was a good idea.

Custodian costs was discussed. Ms. Sicard said there is no cost for custodians. Discussion ensued.

Mr. Kimball said he had no problem with Ms. Sicard's whole plan. Need to ensure there are no sports on that property for that day (including band/extra curricular activities); possibly workers use shuttle buses (park at Yelle School and walk or take bus to High School) to help with parking issue.

Mr. Kimball said a wireless doorbell could be utilized for disabled people.

Mr. Yunits stated in his own town he has one polling place now originating from three polling places and helps out town clerk if problems and provide unity with town.

MOTION was made by Mr. Giblin to approve the relocation of all precincts to Norton High School effective June 1, 2012 (one polling location). Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

3. Vote to accept Easement at 51 Pine Street

It was noted Town Meeting approved easement of water pipe on Pine Street. This is a formality.

MOTION was made by Mr. Giblin that the Board of Selectmen of the Town of Norton, duly elected, qualified, and acting on behalf of the Town, by virtue of and in accordance with the authority of the provisions of Chapter 79 and Chapter 40, Section 39B and 39D of the General Laws, as amended, the

vote taken under Article 9 of the October 12, 2011 Town Meeting, a certified copy of which is attached hereto and incorporated herein, and of any and every other power and authority which is hereunto in any way enabling, does hereby take, on behalf of the Town, a perpetual easement for public water supply purposes over, in, and under the parcel of land shown as "Proposed 15 Ft. Wide Water Main Easement" (the "Easement Premises") on a plan entitled "Plan of Proposed Water Main Easement 51 Pine st., Norton, Massachusetts Prepared for Town of Norton Water Department," dated November 11, 2010, prepared by Yarworth Engineering Company, Inc., recorded herewith, and cost of \$14,000. Second by Mr. Salvo. Vote: All members voted in favor of Motion, except for Mr. Kimball voting "present". MOTION CARRIES.

B. TOWN MANAGER'S REPORT

1. Town Hall Veterans' Day Holiday Hours

Town Hall to be closed the Thursday evening before Veterans' Day; and to be closed evening of December 1, 2011, for "Conflict of Interest" seminar.

Agenda next week will include moving forward with veterans district and have a proposal presented at that time.

Any Norton senior or veterans call 508-285-6447 no later than November 10 (Ginny Wiseman) for "Brigade To Go" for Thanksgiving dinner. This is for homebound and disabled. Please contact at above number or at dgwiseman@comcast.net with questions or to assist.

2. Storm Update

Mr. Yunits said people are dumping brush on town property/on private property because of storm. It is against bylaw to dump and it is residents' own responsibility.

Mr. Salvo said he had a conversation with Mr. Yunits and Mr. Silver regarding possibly having an area on Slattery property to bring brush to. Could hold on a Saturday from about 8 a.m. to 12 noon and have it supervised.

Mr. Yunits said they will look at that and the capped landfill in case something like this happens again.

Mr. Kimball had a concern with landfill due to embers, etc. Fire Dept. could burn. Slattery property is best idea. Need to keep away from stump dump for safety reasons.

Mr. Kimball said possibly a town-owned truck could go around Town and pick up/grind up brush. Some people cannot burn. He would like to explore this possibility.

Mr. Yunits said he spoke to tree warden and appears this time trees came from the other side of street (other storm National Grid was involved).

Mr. Giblin asked if National Grid can take trees downs at "their" cost?

Mr. Yunits said he will look into it.
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Mr. Yunits stated that all volunteers in Town should be appreciated as it is amazing the amount of volunteers and time they expend, and Town should be proud of this.
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Mr. Yunits said school project is moving forward regarding sewer project and commence week by Submittal of subs is up to 78 right now.
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Mr. Yunits spoke of Town rating of AA- (Double A minus); a favorable debt profile. Town's liabilities were marginal. Town overall is in good shape. Mr. Yunits thanked all departments for their assistance and to Treasurer's and Assessors Office as well.

C. APPOINTMENTS/RESIGNATIONS

1. Request of Communication Supervisor Charlene A. Fisk for appointment to Norton Cable Access, Inc.;
2. Request of Raymond Cord, Deputy Director, Emergency Management Agency, for appointment to Norton Cable Access, Inc.

MOTION was made by Mr. Giblin to approve Charlene A. Fisk and Raymond Cord as Board of Selectmen's representatives to Norton Cable Access, Inc. Second by Mr. Kimball.

Discussion: Mr. Giblin said these are two qualified candidates to be members of Cable Access.

Mr. Yunits said a meeting took place with the two chiefs (Fire and Police Chief). Jason Benjamin from Cable and others also attended. The chiefs could not post things and new system being implemented and training takes place next week. It is important for the chiefs to post things. When power and service goes out it is important to know how to resolve.

FRIENDLY AMENDMENT: Mr. Kimball added a "Friendly Amendment", above term to expire in 2013 (appointments to Norton Cable Access, Inc.).

Mr. Kimball recommended that Cable Committee come in again to meet with Board. Mr. Kimball heard a lot of money will be spent and, if true, would like to discuss. It is important to know final cost in renting building and even if cost feasible at Wheaton. Numbers he is hearing are ludicrous. They should not enter into any agreement until Board of Selectmen talks to them. They are a corporation and could be put in a vulnerable position.

Vote: Unanimous. MOTION CARRIES.

VI. SELECTMEN'S REPORT AND MAIL

A letter drafted by Representatives Poirier, Howitt and Barrows regarding 1972 Act regulating primaries. This is regarding Armed Forces and to get absentee ballots back to State and these reps sent

letter out supporting this.
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Mr. Salvo referenced the recent storm and any future storms. He spoke of carbon monoxide poisoning incidents and advised residents to check batteries when changing clocks on all types of detectors. Any flame brings carbon monoxide.
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Mr. Kimball spoke of Screening Committee for Norton's new School Superintendent - first meeting to be held December 12, 2011.
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Mr. Kimball said a public hearing to be held at Chester R. Martin Municipal Council Chambers at Temporary City Hall, 141 Oak Street, Taunton at 7 p.m. on November 15 regarding public comments regarding Dever School and Mr. Kimball believes Norton needs to take a more active role. Need answers to questions such as, what are 1) intentions; 2) where is money coming from and going to? Norton needs to look at being directly affected and kept in loop of what is happening. Phase 4 and 5 is being proposed; increase of traffic through Norton and through Norton's residential streets.

Mr. Kimball asked Mr. Yunits to work with Norton's department heads and craft a letter of concern of what position Norton should take and as many as possible should attend meeting on November 15.

Mr. Salvo asked if there was any news/info from SRPEDD?

It was noted an opening is on SRPEDD and meets one time per month and an interest letter to be forwarded to town manager, 70 East Main Street, Norton. It was noted this info should be posted on cable also.
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Mr. Kimball spoke of the Hill Street property being auctioned off and should include this in Dever letter also; implies whatever revenues from state controlled land becoming industrial park. A letter of concern to them and Norton wants to be kept in the loop.

Mr. Bramwell said a letter should be sent to state regarding this info also.

Mr. Kimball said Dever property has wells on it. Mr. Kimball reiterated to Mr. Yunits the need to get dept. heads together regarding this.
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Mr. Kimball spoke of a report regarding MMA consulting group regarding water quality report Town recently received back. Flushing lines now and color of Mr. Kimball's own water today appears to look like apple juice.

Mr. Kimball said they need some answers as to what is going on. He understood it is not supposed to be harmful but with all new pipes laid in ground it should have a better color. This water was from his faucet today.

It was requested to have Water Superintendent, Water Dept., and consulting group, to come in and discuss the water report and MMA report with Board of Selectmen.

Mr. Salvo said residents are paying for water and should be able to trust what comes out of faucet.

Mr. Giblin agreed the color of water does not look right and need some specific answers. It would be beneficial to have MMA come in before Board of Selectmen also as they did come in before Town Charter Committee in past.

Mr. Bramwell said it appears something is not being done right if water is not clear.
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Mr. Bramwell thanked all involved with Halloween Parade (including Sherri Cohen and volunteers, etc.). It was an excellent parade!
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Mr. Giblin said for next week's meeting to possibly have Conservation Agent, Ms. Carlino come in to discuss committee on weeds, etc.

VII. NEXT MEETING'S AGENDA

VIII. EXECUTIVE SESSION

IX. ADJOURNMENT

MOTION was made by Mr. Kimball to adjourn at 8:43 p.m. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

Janet A. Sweeney
Board of Selectmen – Recording Secretary

**BOARD OF SELECTMEN
MINUTES OF MEETING OF
NOVEMBER 3, 2011**

Bradford K. Bramwell, Chairman

Mary T. Steele, Vice-Chair

Timothy R. Giblin, Clerk

Robert W. Kimball, Jr.

Robert S. Salvo, Sr.

Date Approved:_____

Documents Distributed/Reviewed at November 3, 2011 Board of Selectmen Meeting

- . Notice of Public Hearing Hearing, dated October 17, 2011, on the application of Produce Barn, Incorporated d/b/a Produce Barn

- . Letter dated October 13, 2011, to Town Manager, Michael Yunits, and Board of Selectmen regarding Application for Petition for Change of License – Produce Barn Incorporated d/b/a Produce Barn, with associated copies of documentation as listed on said letter, from Henry J. Sousa, Jr., Attorney

- . Norton Energy Fund – St. Vincent de Paul Energy Expenditures document (including 2009-current statistics)
- . Documentation: “Single Polling Location-Norton High School” (Benefits/Concerns/Annual Election Info)

- . Commonwealth of Massachusetts, Bristol, SS., Town of Norton: copy of “Order of Taking” regarding Easement at 51 Pine Street, Norton

- . Letter of Interest dated November 1, 2011 from Charlene Fisk, regarding request for appointment to Norton Cable Access, Inc.

- . Letter of Interest dated November 2, 2011 from Raymond Cord, regarding request for appointment to Norton Cable Access, Inc.