

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
AUGUST 23, 2012**

**I. CALL TO ORDER BY CHAIRMAN**

The August 23, 2012, Meeting of the Board of Selectmen was called to Order by Mr. Giblin, Chairman, at 7:00 p.m., held in the Norton Public Library Community Room.

A. Roll Call: Mr. Timothy Giblin, Chairman; Mr. Robert W. Kimball, Jr., Vice-Chair; Mr. Robert S. Salvo, Sr., Clerk; Mrs. Mary T. Steele; and Mr. Bradford K. Bramwell were present. Mr. Michael Yunits, Town Manager, was also present.

B. Pledge of Allegiance

**II. WARRANTS AND MINUTES**

A. Approve bills Warrant #10, dated August 16, 2012, in the amount of \$1,798,701.17

**MOTION was made by Mr. Salvo to Approve bills Warrant #10, dated August 16, 2012, in the amount of \$1,798,701.17. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

B. Approve bi-weekly payroll for the period ended August 18, 2012, Warrant #11, dated August 23, 2012, in the amount of \$383,450.40

**MOTION was made by Mr. Salvo to Approve bi-weekly payroll for the period ended August 18, 2012, Warrant #11, dated August 23, 2012, in the amount of \$383,450.40. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

C. Approve bills Warrant #12, dated August 23, 2012, in the amount of \$21,216.48

**MOTION was made by Mr. Salvo to Approve bills Warrant #12, dated August 23, 2012, in the amount of \$21,216.48. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

D. Minutes – No Minutes were reviewed/approved.

**III. LICENSES AND PERMITS**

1. Application of Daniel P. DeFeo for a one-day Beer and Wine license, to be utilized at Everett Leonard Park, August 31, 2012, 4:00 PM – 8:00 PM, for private party

It was noted this was signed off by Police Chief Clark stating no police detail is required.

**MOTION was made by Mr. Bramwell to approve the Application of Daniel P. DeFeo for a one-day Beer and Wine license, to be utilized at Everett Leonard Park, August 31, 2012, 4:00 PM – 8:00 PM, for private party, and no police detail required per Police Chief Clark. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

2. Application of Ann Tamulis for a one-day Beer and Wine license, to be utilized at Everett Leonard Park, September 8, 2012, 1:00 PM – 5:00 PM, for private party

This was signed off by Police Chief Clark stating no police detail is required.

**MOTION was made by Mr. Kimball to approve Application of Ann Tamulis for a one-day Beer and Wine license, to be utilized at Everett Leonard Park, September 8, 2012, 1:00 PM – 5:00 PM, for private party and no police detail is required per Police Chief Clark. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

3. Application of Lauren Marvel for one-day All-Alcohol license, to be utilized at Everett Leonard Park, September 15, 2012, 1:00 PM – 5:00 PM, for private party

This was signed off by Police Chief Clark and no detail required at this time, however, more information is needed regarding number of people attending, etc., and this may be reconsidered by Police Chief Clark.

**MOTION was made by Mr. Kimball to approve Application of Lauren Marvel for one-day All-Alcohol license, to be utilized at Everett Leonard Park, September 15, 2012, 1:00 PM – 5:00 PM, for private party, with stipulation that Police Chief will make final decision regarding a possible police detail once more information is obtained, as discussed above. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

4. Request of Joseph A. Costa, Adjutant, Disabled American Veterans, Westcott-Houghton Chapter 56, for Annual Forget-Me-Not Drive permit, to be held at Roche Bros. Supermarket, 175 Mansfield Avenue, October 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup>, 2012, 9:00 AM – 8:00 PM, Rain Date: October 7<sup>th</sup>, 2012, 9:00 AM – 8:00 PM

It was noted all money raised is given to veterans (100%).

Mr. Giblin stated the Board appreciated all the work they do for the veterans.

Mr. Kimball asked if they wanted a blanket permit to enable them to conduct this drive anywhere in Town?

It was noted by Mr. Costa they are accountable for every cent and beneficial to go to only one location.

**MOTION was made by Mr. Kimball to approve the Request of Joseph A. Costa, Adjutant, Disabled American Veterans, Westcott-Houghton Chapter 56, for Annual Forget-Me-Not Drive permit, to be held at Roche Bros. Supermarket, 175 Mansfield Avenue, October 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup>, 2012, 9:00 AM – 8:00 PM, Rain Date: October 7<sup>th</sup>, 2012, 9:00 AM – 8:00 PM, and to waive all application fees. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

5. 7:45 P.M. HEARING – Application of J&F Norton Group, LLC d/b/a Mangia Pizzeria, Manager: Joseph M. Moura, for a Common Victualer License to Expose, Keep for Sale, and to Sell Wines and Malt Beverages To Be Drunk On the Premises at 288 East Main Street, Norton, MA 02766

Attorney Robert Kelly was present along with Mr. Joseph M. Moura, Manager of Mangia Pizzeria

Mr. Moura stated this was his first experience with a pizzeria, however, his partner is experienced in industry/ franchises. Menu to consist of salads, Italian-style pizza, etc.

Attorney Kelly stated he had with him an affidavit and notice of mailing (green certified-mail cards).

Mr. Kimball asked if all employees are trained and understand policy of dispensing alcohol as Norton has a very strict policy.

Mr. Moura responded this is a family dining experience. No liquor will be leaving the premises. All people will be asked for identification, etc. If people do serve alcohol at this pizzeria, they need to be trained. Planned hours of pizzeria to be open at 11 am and closing Monday through Thursday at 9 p.m., and Friday and Saturday closing at 10 p.m.

Parking was referenced. Mr. Moura said parking was not an issue that he had noticed. Pizza delivery will start soon, also.

Mr. Giblin reiterated Norton's strict policy on alcohol.

As a side note, Mr. Giblin stated his company (the company in which he is employed) used Mr. Moura for a number of years for background checks and Mr. Moura is a highly regarded person.

It was noted by Mr. Moura that restaurant hours will need to be defined. Also, looking at a strategy where restaurant will be closed but delivery to be only open to make pizzas.

Attorney Kelly said at this point he would like ability to close at 12 midnight to be on the safe side.

A member of audience who resided in Red Mill Village asked for more information about the business relationship between Mr. Moura and Chairman Giblin.

Mr. Moura said he saw Mr. Giblin this evening and only this evening realized he had a business relationship with him. Mr. Giblin agreed and said he did not realize of the business relationship until he physically saw Mr. Moura this evening at this meeting.

Mr. Kimball said for clarification purposes, a member of the Board of Selectmen can vote “present” so there is no issue if there is a disclosure of a business relationship, etc.

Resident of 30 Coddington Road said he had a petition signed by 90 people who oppose this license. He stated, with all due respect, most family style restaurants do not need beer or wine. Many do not have

beer and wine in such pizza establishments (examples such as Pizza Tyme and Piezoni's), who do not serve beer or wine, There are other places to go to such as Alberto's, etc. Many residents feel it is going to bother their area and prefer to not have this kind of license.

Mr. Moura said their establishment is different as it is not a typical pizza and sub shop, thus the reason why it is called a "pizzeria" and most serve wine and beer. He noted some Red Mill residents also requested beer/wine at this pizzeria.

Mr. Lewis George of One Hastings Way, asked for the number of seats in the pizzeria.

Mr. Moura said there are 14 seats

Mr. George noted there are 14 seats and there is a request for a liquor license? He is totally opposed to this.

Mr. Owen Segull of 28 Coddling Road stated he believed this store is located within a residential area. Some members were advised by developer that no liquor and no lottery tickets to be sold, therefore, Board needs to be aware of expectation of this community.

Mr. Yunits stated it is in a commercial zone and land abutting it is in a commercial zone.

It was noted there are no tv's in this pizzeria, so it is not a sports-themed bar.

Mr. Moura said there is no bar; only high tables and two chairs; round regular tables with two to four chairs. No booths.

Mr. Kimball said usually problems may occur with some bars in Town but he did not see problems with a business such as this one. Each January, licenses are renewed by Board of Selectmen so Board needs to be aware if there are any issues, etc. Mr. Kimball stated he will vote in favor of this license. In all fairness to Mr. Moura, he believes Mr. Moura should be given a chance in his business.

Mr. Moura said if he felt wine and beer becomes a problem to establishment, he will do away with it. However, there have been a lot of requests for beer and wine. Everyone has his word now on this issue; if something takes away his/restaurant's reputation, he will not renew license.

Mr. Giblin stated he would vote "present" this evening. If there is any issue, this Board of Selectmen will act accordingly for safety and other concerns of residents.

Another resident had concerns pizzeria patrons may walk around their neighborhood.

Mr. Moura said he has not seen a walk-up client as yet.

Police Chief Clark said Red Mill Village is a private community so placement of signage is possible. Also police can do extra patrols in area.

A resident asked if they can restrict people from coming into their neighborhood? He referenced conservation land which is open to public; maybe developer can help.

Resident of 30 Coddington Road reiterated he had 90 signatures on a petition which was circulated over last few days. Approximately 230 reside in Red Mill Village. He said many abutters are at this meeting for a reason.

A resident said he could not even get a cup of coffee at pizzeria.

Mr. Moura said his partner is a franchiser for Dunkin Donuts so he understood it to be a conflict with respect to the selling coffee. They do have coffee which was just introduced last week (free coffee).

Mr. Kimball said he respected the fact Mr. Moura is not asking for an all alcohol license. Mr. Kimball understood there is a petition, however, he cannot say no to the applicant; also applicant is on commercial property. If not approved at this meeting, applicant could appeal this at ABCC. Board of Selectmen will have control over license, so if there are issues, please advise Board.

Ms. Kathy Shunney of Red Mill Village asked if there would be any parameters (dining outside, etc.)?

Mr. Giblin said they can set parameters. Parameters fall within footprint of building, so defined by footprint of building.

Mr. Moura said he is there to be a good neighbor and offered to meet with Red Mill Association to be a good neighbor. He cannot control who walks down Red Mill Village roads, and beer/wine would be served responsibly. He will work with residents of Red Mill as a community. He said they have done a nice job of bringing something nice to that area and believed it was an enhancement.

Mr. Kimball said abutters have every right to be at this meeting and are free to communicate their comments/concerns. However, the Board needs to look at the entire situation in the best interest of applicant, Town, etc. Mr. Kimball stated as long as he is on this Board he won't approve a full liquor license for this pizzeria. Discussion ensued.

Resident of 30 Coddington Road reiterated residents have concern of this beer and wine license.

**MOTION was made by Mr. Kimball to close this Hearing. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

Mr. Giblin apologized, but asked a resident to please take his seat as his discussion was out of the specific discussion mode.

**MOTION** was made to approve Application of J&F Norton Group, LLC d/b/a Mangia Pizzeria, Manager: Joseph M. Moura, for a Common Victualer License to Expose, Keep for Sale, and to Sell Wines and Malt Beverages To Be Drunk On the Premises at 288 East Main Street, Norton, MA 02766

**Roll Call Vote:**

**Mr. Bramwell** voted in Favor of Motion

**Discussion:** Mr. Bramwell stated he voted in favor of Motion reluctantly, as if he votes no, this could be appealed and license given by State. Also, Police Chief Clark is aware of concerns and Board will hear of these concerns/issues if there are any. If there are any issues, he asked residents to please call town manager's office so it is documented and license does not have to be renewed if problems arise;

**Mrs. Steele** voted in Favor of Motion

**Discussion:** Mrs. Steele thanked the residents and everyone for taking the time to attend this meeting. There is no legitimate reason to refuse license, however, she is aware residents are present with a petition which magnifies this. The Board takes it very seriously when there is any abuse of a license. She felt this business owner should be given a chance;

**Mr. Salvo** voted in Favor of Motion

**Discussion:** Mr. Salvo wanted to give this gentleman an opportunity for his business. Town does stings/checks, etc., and Norton businesses are monitored very well.

**Mr. Kimball** voted in Favor of Motion

**Discussion:** Mr. Kimball would like to add to requirements that all wine/malted beverages to be served inside building; not outside building.

Mrs. Steele said if an incident occurs before end of year, the Board can revoke this license at any time.

Mr. Kimball said since it is near a residential area, possibly they should restrict hours of operation also. Possible hours were discussed.

It was decided Sunday, Monday, Tuesday, Wednesday, and Thursday hours to be open until 9 p.m. On Friday and Saturday (weekends) they will be open until 11 p.m.

Mr. Moura said he would not want to limit himself on actual license which is why he would also like to meet with Red Mill Village Association.

Mr. Giblin said he needed to vote "present" since he disclosed a business relationship earlier in meeting. He said he did like what he heard with Mr. Moura reaching out to residents. Also Police Chief Clark is aware of concerns as well.

**Vote: 4:1 (4 in Favor and 1 voted “present”, with stipulation (as discussed above) that serving be done within confines of establishment, and hours of operation to be Sunday, Monday, Tuesday, Wednesday, and Thursday open until 9 p.m.; and Friday and Saturday open until 11 p.m. MOTION CARRIES.**

#### **IV. ANNOUNCEMENTS**

Mr. Giblin said it was with much regret to communicate that on August 11, 2012, Master Sgt. Gregory Trent of Norton, passed away from injuries sustained in Afghanistan. Norton's veterans agent, Michael Johns, said there was a huge outpouring of support and concern for master Sgt. Trent. Condolences were extended to his family.

Dr. Ansay and Anthony Cogliano of Blue view Nurseries are planning to plant a tree at the high school where Master Sgt. Trent was a 1992 graduate. Tree to be selected according to his likes/dislikes, etc. Ceremony planned for future on Sgt. Trent's behalf. A thank you to Master Sgt. Trent and his family for his dedication to his country and also for all those who are still serving.

#### **A. NEW BUSINESS**

1. 7:10 P.M. - Superintendent of Schools Dr. Patricia H. Ansay Re: Introduction to Interim Superintendent of schools Dr. Christopher Martes

Dr. Ansay stated it was an honor to serve the Town of Norton and hoped she left it in better shape than when she found it. Dr. Martes has excellent experience and plan is to continue a good relationship with Board of Selectmen, School Committee, and Finance Committee.

Mr. Giblin said the school system has, indeed, been left in better shape with Dr. Ansay's help.

Dr. Martes said this is day four working as Norton's Interim Superintendent. He indicated he met with Mr. Yunits, police chief, and fire chief, and also toured schools. Dr. Martes said he was fortunate the school committee chose him. His experiences includes working for the towns of Foxboro, Framingham, and Medfield. He also ran a superintendent position at state level. He is very impressed with quality of Town boards, etc.

Mr. Giblin said communication is the key and congratulated Dr. Martes on his Interim position.

2. 7:25 P.M. - Francis J. Gay, Administrator, GATRA and Richard A. Leitch, Board of Selectmen's designee to the GATRA Advisory Board Re:

. Expansion of Service

. Wheaton College Assessment

Mr. Gay distributed to Board the service schedules for Town with ridership statistics. He explained there is a 24-hour call ahead they have for the elderly and people with disabilities for medical and social appointments. There have been 5,000 users. Use of service, hours of service was also explained. Service gets cut back during summertime.

It was noted MBTA assessment to Town of Norton was \$124,000. Town payment of \$33,000 to MBTA for service. They could look at providing more service in Town if desired. They are currently working with Norton Commerce Center, however, some industries have not been that forthcoming with information. One thing they heard was some would take train to Mansfield and use shuttle service to Commerce Center, however, numbers were small and probably not worth it.

Mr. Giblin asked if it would help if Board of Selectmen sent a letter to companies in Commerce Center.

Mr. Gay responded, yes, he did think it would help.

Mr. Gay spoke of outreach and more marketing to senior community in Town; wanting to find out what the needs are of the senior population. They can also discuss/look at Norton Glen and to possibly extend service. He would plan to come back to this Board of Selectmen and make recommendations. Discussion on possible expansion service to Easton/Attleboro.

Mr. Giblin spoke of possibly having vehicles go directly into senior complex/housing.

Mr. Gay responded that Dial-A Ride will go into the actual complex.

Mr. Salvo said he felt it was important for buses to get off road if looking for more ridership.

Mr. Gay said there are some spots to make cutouts that can be looked into.

Mr. Gay stated Wheaton College is paying GATRA about \$80,000 (just a little under that amount) and Wheaton has added service on route which has also benefited the Town as a whole.

Mr. Kimball referenced the \$114,000 assessment for Norton, and the Wheaton payment of about \$80,000 above that; why has it increased so much?

Mr. Gay said Route 18 runs service all day long; mid-day hours increased and Route 140 increased as well as Dial-A-ride increased. A number of buses running increased. Numbers/costs discussed.

Mr. Gay stated he would like to work with Board of Selectmen and with Norton Commerce Center. He will meet with Council on Aging also.

Mr. Yunits stated he spoke to Mr. Jeff O'Neil of Condyne on Monday and he knows it is important to them for an increase in service.

Mr. Kimball said he would like to see this GATRA update happen at least one time per year, as it had happened in the past. Many additional opportunities to serve different/growing areas of Town.

3. 8:00 P.M. - Bruce Montgomery, General Manager, Comcast Center, Re: Traffic on Route 140

Chief of Police, Brian Clark, was also in attendance for this meeting. Mr. Montgomery stated he is the General Manager of Comcast Center and has been employed there since it was Great Woods, however he was out on disability in 2010, when traffic problems starting occurring. Since college he has been in this type of business. He is also the General Manager of the Orpheum Theater.

Traffic problem was discussed. Mr. Montgomery said there is a temporary traffic plan filed with Mass DOT, however, there were some modifications with construction of southbound ramp.

Mr. Giblin referenced the traffic/congestion and stated many people cannot get to Roche Bros. Plaza due to the traffic, etc. Traffic flow was discussed, and a plan needed.

Mr. Montgomery said plan submitted and very similar but taking into account traffic lights and ramp. Inbound not significant.

Mr. Yunits inquired as to whose decision it is to shut down Route 140 during outflow? This is a major issue.

Mr. Montgomery responded it is due to the construction. He said detour was accidentally set up at 8:15 p.m. It helps Comcast traffic to exit out quicker. Police Chief of Mansfield and Mass DOT are involved in decision. Mr. Montgomery said in his function, he has been receptive and always available.

Police Chief Clark said, with all due respect, he has never seen the traffic plan. A meeting was held previously with Mr. Montgomery of rolling back lot times and Chief Clark disagreed with Mr.



Montgomery. Nothing was addressed with Town of Norton. Mr. Montgomery had indicated to Chief Clark this was requested by Mansfield Police Chief, however, Mansfield Police Chief indicated to Chief Clark that, no, he did not make this request. Stacking of parking was discussed. The lot times are the issue. It was noted Mansfield Police Chief does not want it open too early and it is also extra money for Comcast. Discussion ensued.

Mr. Giblin spoke of possibly widening road.

Mr. Montgomery said, yes, this was on plan, however, he had no copy of plan with him this evening.

Mr. Giblin commented he was surprised Mr. Montgomery did not have a plan with him this evening.

Mr. Montgomery stated he was not asked to bring plan.

Police Chief Clark said Comcast will beg for forgiveness, then ask for permission.

Parking was discussed.

Mr. Montgomery said Jason Alexander concert was a mistake and it won't happen again.

Mr. Giblin said things need to be corrected "before" they happen.

Mrs. Steele stated Norton suffers on the decisions. Norton's Police Chief to be involved with decision(s) is needed. If Mansfield Police has a problem policing, then Norton should assist. As a resident of Norton and member of the Norton Board of Selectmen she feels Mansfield is not the town that is suffering (concert-goers are urinating in Norton woods/ Norton businesses are being diminished due to traffic/congestion. The Town of Norton needs need to be addressed first. If another situation occurs similar to what has occurred in past, Norton will not be as cordial. Discussion ensued on Norton receiving the brunt of the problems, etc.

Mr. Kimball stated there are no sidewalks and a two-lane road; need road increased to four lanes and sidewalks.

Mr. Kimball said they need to generate a plan with two towns working with Comcast. Until it is known how to fix this, there needs to be bike patrols with our own police officers on the Town of Norton side.

Mr. Giblin said it is important for Mansfield Police to communicate with others re: traffic, etc.

Mr. Kimball said he is aware Mr. Montgomery has tried, and this is not all about his management of these issues. If Norton needs to spend legal fees to rectify it, they will do so.

A resident of Norton, who resides near Wheaton College, stated three times this year she has had to turn around at blinking light on South Main Street because of Comcast traffic, etc. Discussion ensued.

Mr. Tim McCarthy, owner of Alberto's Restaurant and Pub, said he has been owner since December 1993 and many years traffic at Comcast has been a huge problem. If someone orders food from his restaurant and they live by Mansfield Airport, they are told to turn around. Discussion ensued.

Mrs. Steele said this problem will not be fixed unless there is a meeting between Mansfield and Norton. She asked Mr. Montgomery to please organize a meeting with the two police chiefs of Norton and Mansfield and a decision to be made by both chiefs who should both be involved. She advised that they meet and devise a plan. It cannot be 100% perfect all of the time, but it is a huge problem at this time. Traffic needs to be addressed and Norton needs more of a presence.

Mr. Montgomery said he has not been in front of the Norton Board of Selectmen in a long time and he is available all of the time.

Mr. Kimball asked Police Chief Clark to provide Board with a schedule of upcoming concerts/bands and he should work with Mr. Montgomery on this and also noting which bands/concerts are popular/to be sold out, etc.

Chief Clark said The Zach Brown Band and Tobey Keith are upcoming concerts that will probably be sold out as there are more problems with the larger shows.

Police Chief Clark said the Norton Police Dept. does contact/call Comcast/Mr. Montgomery often, however, it appears to "fall on deaf ears". Comcast is capable of opening earlier and this would alleviate many issues for the Town of Norton.

Mr. Giblin spoke of a traffic plan submitted and asked a copy to be provided to Mr. Yunits and Chief Clark.

Another Norton resident stated she lives near Comcast and she thinks they do a good job. She said Mr. Montgomery "bent over backwards" for them for 22 years. Problem, she believes, is with Mansfield Police. She believed road needs to be larger/wider, and area is very dark, and sidewalks are needed.

4. Lloyd Geisenger, President, Thorndike Development Corporation Re: Informal discussion concerning 40B Project

Mr. Geisenger introduced himself as the President of Thorndike Development Corporation, and he distributed a booklet with information on dwellings, etc., entitled "274 East Main Street" to Board of Selectmen. Also accompanying Mr. Geisenger were Steve Murphy of Campanelli, and Mike Jacobs, consultant to their group regarding 40B's.

Proposal was discussed by Mr. Geisenger. He stated he met with Conservation Commission (ConCom) last week and met with Planning Board the day after Labor Day. Info was also provided to Town Clerk's Office. Thorndike did develop Red Mill Village and Red Mill Village residents have legitimate concerns. He stated a special webpage will be published for the public. He said he has been in the Town of Norton for almost 13 years.

Mr. Steve Murphy, Principal of Campanelli, Braintree, MA, said Campanelli owns 94 acres in this area and this is a joint venture with Mr. Geisenger. It was noted this is the beginning of a process and they wanted to introduce themselves.

It was noted it would be multi-family communities with a different look and will try to integrate into community. Rendering also shown of housing type/plan. A sidewalk on East Main Street all along to Dunkin Donuts is planned and it will be a much more pedestrian-friendly environment. When community is complete, it will have sidewalks, garages, as well as a village green, with open spaces and will be tree-lined. It was noted also patronage from this community to Red Mill Plaza. Kelly's Restaurant will be open also for breakfast and lunch. Planned are 230 apartments to the upscale end. This has been filed with Mass Housing Partnership and formal application with ZBA in October 2012 they are hopeful for. Neighboring residents' concerns he is aware of being traffic; type of renter this

will attract, etc.

Mr. Salvo referenced the curve in road in that location is a problem and hoped there would be some improvement on that curve.

Mr. Geisenger stated they have employed a traffic engineer and they believe there are some ways to deal with this issue.

Mrs. Steele said there have not been a lot of success stories with 40B's in the past. How will this enhance Norton; how will neighbors be affected? It will drain the Norton school system. She will be looking to hear good conversation regarding this. That particular road/street is a huge concern and Town has been "stung" by Ch40B's in past. Mrs. Steele stated she wanted to hear a lot of good things when they discussion occur on the "meat and potatoes".

Mr. Giblin echoed Mrs. Steele's comments. Traffic study is also important. Mr. Geisenger needs to be aware of residents and Town's concerns.

Mr Kimball said the most people are well aware of how he feels about 40B's. Based on the job Mr. Geisenger did at Red Mill Village, it was a good job, however, this still needs to be looked at carefully. Concerns such as detention basin, as well as family cemetery in that area. Town also owns land next to it. There is also a density issue, however, Mr. Kimball stated he will be open-minded. ConCom and ZBA will have the most input, etc. Other 40B projects were referenced.

Percentage Town needs to meet is 10%. Mr. Kimball felt the law regarding this is not good as it doesn't work for the Town of Norton. However, Mr. Geisenger and Thorndike did an excellent job on Red Mill Village.

Mr. Geisenger stated they intend to do a good job and also noted the excellent reputation that Campanelli possesses. Great Book and Red Mill are quality projects, developed by Thorndike. He understand the concerns. This is the first 40B they have entertained. Young people need apartments, and many want to live in the community where they grew up, and it is unfortunate if they have to leave their community. This piece of land has been targeted for many years. He was aware of the issues of impact to Red Mill., such as the types of residents they would want for their neighbors. Income letters are high 50,000-\$65,000. Town designates 70% for Norton residents of these apartments (school teachers, town employees, etc.).

Mr. Geisenger stated this will put Norton close to the 10% threshold. He can have an electronic copy of info sent to Mass Housing Partnership to Red Mill residents. Planned are 60% two-bedroom and 40% one-bedroom apartments.

Mr. Murphy said Campanelli will be manager of property.

Resident of 2 Williams Road, Mr. John St. Cyr, said he understands this is an "informational meeting" only. However, Mr. Geisenger presented to Red Mill Village and opposition to this project was vocal. An ad hoc committee was formed with a very diverse group and being investigatory with 40B, and has expanded into a much larger group. He stated he did not represent residents or trustees, only ad hoc group and meaningful presentation to Board of Selectmen will be provided as well in future. Mr. St. Cyr stated they could fill this room this evening with residents and many more attending ZBA and ConCom.

Mr. Giblin stated comments by Red Mill will be taken into account. If project does get approved there can be enhancements, etc.

5. Discussions Re: Attleboro Landfill ("ALI") Closure

It was noted Mr. Giblin, Mr. Yunits and Mayor Dumas of Attleboro had a meeting. Concerns/questions on: 1) number of cubic yards; 2) number of trucks traveling through Norton, Attleboro, and Taunton.

Also discussed was closure = 2.5 to 3 years. Also a rail line in that location, therefore, trying to look into using rail line.

Norton has 21 days to submit comments to DEP and asked Board of Selectmen/Mr. Giblin to sign to send to DEP, End Cap and Secretary of EOEA.

**MOTION was made by Mr Kimball to approve letter and authorize Mr. Giblin, Chairman of Board of Selectmen, to sign said letter. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

Discussion on when sampling will arrive. Possibly thirty days?

Mr. Kimball stated he was opposed to this in 2002; in 2008; and now today. When Town of Norton was told of this, there was misinformation. Plan is for trucks to travel through Norton and Norton met with company doing capping. Only negotiation: private testing, number of trucks, number of loads, where would they travel, and which roads would they use? Also, do they "need" to use the Town of Norton roads? Number one priority is to not use Norton roads.

Mr. Kimball said 650,000 cubic yards is ludicrous. They need to make money to make project work. But should cap landfill in a legitimate, reasonable manner. It is a \$2.5M project. Discussion ensued.

Mr. Giblin said the material they are bringing in is partially contaminated also. If it rains, where does material go? Discussion followed.

Discussion to also add to letter, and addendum to Motion that Board of Selectmen requests another Public Hearing be held in Attleboro in Sept. 2012. The August 2012 Public Hearing was not well-attended due to vacations, etc.

Mr. Bramwell said he was writing his own personal letter and he also noted figures have changed.

Mr. Giblin said there are also issues of property values, profit being made, etc. Also, Board of Selectmen should send individual letters as well. Letters to DEP also.

Mr. Yunits referenced an agreement to protect Norton roadways, and explained this is just preparation; nothing has been agreed to.

Mr. Giblin expressed his concern and hoped use of trains/rail and not trucks could occur. Also, material must be checked into.

6. Set date for Fall, 2012 Annual Town Meeting

Mr. Yunits said date of Town Meeting needs to be between September 1<sup>st</sup> and November 30<sup>th</sup>. Monday, October 29<sup>th</sup> is date chosen to allow submittal of Articles until October 12, 2012, then to go to Finance Committee, etc. October 19<sup>th</sup> will be last time to post warrant and Middle School is available.

Mr. Kimball said usually the Town Meeting has been the second or third week of October and hoped they could try to get back to that timeframe in future. October 29th is late, but need to go with this proposed date.

**MOTION was made by Mr. Kimball to accept timeline as presented/discussed and date of Fall 2012 Annual Town Meeting to be held October 29, 2012, at Norton Middle School. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

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

### **1. Board of Selectmen Policy on Dispensing Alcohol to Minors**

Mr. Yunits said he typed up a new policy on liquor licenses and will be on agenda about the first meeting in Sept. regarding "Policy on Dispensing Alcohol to Minors". He involved Police chief Clark with this also.

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Mr. Yunits stated he spoke to Verizon FIOS and appears they are not looking to expand at this time.

Mr. Giblin said the Board met with Verizon about four years ago with the former town manager of Norton, Jim Purcell, and, at that time, they were two years out. Infrastructure needs to be done. If people/residents are interested in FIOS, they should call Verizon. Also they can post info on Town website or residents can call town hall. The more requests for this, the sooner they will probably do FIOS.

Mr. Salvo said he would like to know how many people would like to hook-up to FIOS. If people call town hall/write the Board can provide info to Verizon.

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Town Clerk's Office has absentee ballots available. Deadline is Wednesday, September 5<sup>th</sup> at 12 noon. Mr. Yunits suggested carpooling that day would be beneficial for this important election.

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Mrs. Steele noted Waste Management filed for an amended permit with Norton Planning Board, regarding a fuel having a reduction of pollutants to air. Construction has begun.

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GASBE 45 Report completed - expenses for post-retirement expenses (\$51,354,647 is Norton's number/figure). There has been an account set up and any reimbursement to Medicare to build fund up.

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Mr. Yunits noted there was an upcoming seminar in Randolph re: 40'B's and he had info if anyone was interested in attending.

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A resident of East Main Street communicated concern regarding Gold's Gym area and atv's riding in area. Norton Police and Environmental Police alerted; use of signage and boulders discussed.

## **C. APPOINTMENTS/RESIGNATIONS**

### **1. Appointment of Town of Norton Municipal Hearings Officer**

**MOTION was made by Mr. Kimball to appoint Town Manager, Michael Yunits, as the Town of Norton Municipal Hearings Officers. Second by Mrs. Steele**

**Discussion:** Mr. Yunits stated after major fire in Rhode Island, State put new guidelines in effect for fines issuance and a Municipal Hearings Officer is required to be in place.

**Vote: Unanimous. MOTION CARRIES.**

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

**VII. NEXT MEETING'S AGENDA**

1. Chief of Police Brian M. Clark Re: Recognition of Patrolman Charles Turcotte

**VIII. EXECUTIVE SESSION**

1. To discuss strategy with respect to collective bargaining

**IX. ADJOURNMENT**

**MOTION was made by Mr. Kimball to enter into Executive Session at 9:55p.m. for purpose to discuss strategy with respect to Collective Bargaining and not to return to Open Session. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

Respectfully Submitted by:

Janet A. Sweeney

Board of Selectmen – Recording Secretary

**BOARD OF SELECTMEN  
MINUTES OF MEETING OF  
AUGUST 23, 2012**

**Timothy R. Giblin, Chairman**

**Robert W. Kimball, Jr., Vice-Chair**

**Robert S. Salvo, Sr., Clerk**

**Mary T. Steele**

**Bradford K. Bramwell**

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

**Documents Distributed/Reviewed at August 23, 2012, Board of Selectmen Meeting**

. GATRA Service Schedules for Town with ridership statistics

. Informational Packet entitled, “274 East Main Street – Smart Growth Multi-Family Apartment Community -- Campanelli - Thorndike Joint Venture” presented by Mr. Lloyd Geisenger, President, Thorndike Development Corporation, regarding 40B project planned at 274 East Main Street

. Renderings of 274 East Main Street – Smart Growth Multi-Family Apartment Community -- Campanelli – Thorndike Joint Venture

. Petition signed by approximately ninety (90) residents of Red Mill Village regarding planned 40B project at 274 East Main Street, Norton, MA

. Review of Letter to be executed by Chairman Giblin regarding Attleboro Landfill Closure, to be sent to DEP, End Cap, and Secretary of EOE