

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
September 27, 2012**

**I. CALL TO ORDER BY CHAIRMAN**

The September 27, 2012, Meeting of the Board of Selectmen was called to Order by Mr. Giblin, Chairman, at 7:00 p.m., held in the First Floor Selectmen's Conference Room.

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

**II. WARRANTS AND MINUTES**

- A. Approve bi-weekly payroll for the period ended September 15, 2012, Warrant #17, dated September 20, 2012, in the amount of \$1,175,820.59

MOTION was made by Mr. Salvo to Approve bi-weekly payroll for the period ended September 15, 2012, Warrant #17, dated September 20, 2012, in the amount of \$1,175,820.59. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

- B. Approve bills Warrant #18, dated September 20, 2012, in the amount of \$2,733,291.08

MOTION was made by Mr. Salvo to Approve bills Warrant #18, dated September 20, 2012, in the amount of \$2,733,291.08. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

- C. Approve bills Warrant #19, dated September 27, 2012, in the amount of \$1,962,656.26

MOTION was made by Mr. Salvo to Approve bills Warrant #19, dated September 27, 2012, in the amount of \$1,962,656.26. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

- D. Approve Minutes – May 31, 2012  
August 23, 2012  
September 13, 2012

MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes of Meeting, dated May 31, 2012, as written. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes of Meeting, dated August 23, 2012, as written. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

**MOTION was made by Mr. Bramwell to approve the Board of Selectmen Minutes of Meeting, dated September 13, 2012, as written. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

**III. LICENSES AND PERMITS**

1. **Application of Christopher Vinson (Wheaton College), for a one-day Beer and Wine license, to be utilized at the Tent located off Filmore Drive near the outdoor Basketball Court, Saturday, October 13, 2012, for a private party**

It was noted the police chief signed off on this. Campus police will at this private party.

**MOTION was made by Mr. Bramwell to approve Application of Christopher Vinson (Wheaton College), for a one-day Beer and Wine license, to be utilized at the Tent located off Filmore Drive near the outdoor Basketball Court, Saturday, October 13, 2012, for a private party. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

**IV. ANNOUNCEMENTS**

**State and Presidential Election, Tuesday, November 6, 2012, 6 a.m. to 8 p.m., all voting to take place at Norton High School. The last day to register to vote for the upcoming State & Presidential Election is Wednesday, October 17 2012, at Town Clerk's Office. Contact Town Clerk's Office at 508-285-0230 for more info.**

**V. BUSINESS**

**A. NEW BUSINESS**

1. **7:10 P.M. – Christopher Cox Re: Discussion on the creation of a Committee to plan a Memorial Park for Master Sgt. Greg Trent**

Mr. Cox said Master Sgt. Trent was a good friend of his in high school (Norton High School) and he is planning a community project such as a park for reflection with benches; a flag, an area to contemplate/reflect on Master Sgt. Trent (Greg) and veterans in general. A creation of a Committee is needed and to decide on an area potentially available and our vet agent's agent is supportive and helpful (Mr. Johns). He understands a tree was planted at Norton High School. A committee to be formed is first step.

Mr. Giblin said possibly boy scouts could assist.

Mr. Kimball spoke of the American Legion/VFW, etc., being involved, as well as veteran's agent, and keep committee to a five to seven member committee.

Mr. Kimball said it is important to choose what location monument should be located; and then cash/funds to make it happen, etc.

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Mr. Cox agreed with a five to seven member committee and he would chair it, and Mr. Kimball had shown interest in volunteering, as well as Mr. Johns, Norton's Veteran's Agent, who also wished to be involved.

Mr. Johns spoke of enhancement of current Veteran's Council in Town. After this project is completed, possibly keep committee alive for other things. Mr. Johns stated he supported this, but important he be the town liaison vs. being on the actual committee.

Mr. Kimball said he was interested in being on this committee. Possibly the committee could meet in daytime and Mr. Kimball emphasized he wanted to honor this man, Master Sgt. Trent, for his sacrifice.

Mr. Salvo said he would donate his equipment free of charge.

Mr. Cox said Mr. Bramwell and Mr. Giblin indicated they would be involved in the laborious work.

Mr. Cox said October 6 is the Class of 1992 Class Reunion and some people from this class, which is also Sgt. Master Trent's class, would like to help also.

Mr. Johns said they have received generous and thoughtful donations from various people and towns (police and fire chief from Chelsea made a donation) and old stamps were donated to Master Sgt. Trent's family from a kind older gentleman. Four town managers have inquired as to how they can help. Senator Kerry, state reps, VFW, Veterans Council, the Board of Selectmen individually, Barney Frank, Bill Lippincott, Father Marc from St. Mary's Parish, and many others.

Mr. Cox said the family of Sgt. Master Trent is very excited about this and supportive.

Mr. Giblin suggested for them to reach out to veterans groups, seek a location, and what the committee's recommendations would be. People interested in making a donation send directly to Veterans Office/Town Hall if interested in assisting.

Mr. Kimball said it could be a larger committee if there is a lot of interest.

Mr. Johns said a five to seven member committee he believed would be appropriate. Committee probably should not be too large. Subcommittees were discussed.

Mr. Kimball respectfully requested to place this on agenda again in about two weeks to keep it moving forward.

It was noted if this is not the time for some residents/businesses, etc., to donate to committee, people can possibly donate resources/ time, which is also beneficial. Gift account was discussed.

Mr. Yunits said a Memorial Account could be set up at the local bank.

2. 7:30 P.M. – Water Bodies Committee Re: Update

Mr. Leonard was present . It was noted this committee is meeting a couple of times per month. Conservation Commission is helpful and steering this committee in the right direction. Update was provided. Discussed were signage and public access points, identification of plants, etc. Mr. Leonard thanked the Board of Selectmen/Town Manager for the filing cabinet and he said he may possibly need to keep in town hall. He referenced the Mass Congress of Lakes and Ponds. \$50 needed for Association.

Mr. Kimball said this request of \$50 could also be put in front of Finance Committee. He spoke of sources and to possibly reach out to Wheaton College/high school (probably courses offered on plants, etc.).

Subcommittee was referenced. Conservation Commission Agent stated that the Reservoir was a good place to start.

Mr. Giblin said it would be beneficial to focus on entire town.

The Great Lakes Environmental Center was referenced (they travel across country and study various water bodies) and they collected data on Reservoir and will be available on website soon.

3. Discussion – 274 E. Main Street – Proposed C.40B Project

Mr. Yunits spoke of a site walk taken last week and Conservation Commission sent a letter to Mass Housing and Planning Board also with argument that the Turtle Crossing project just approved is more than 2% toward Town's 10%. Therefore, it exempts any other projects.

Mr. Kimball said he attended this site-walk also. Even though Town approved some projects, he believed a referendum question is needed.

Mr. Kimball referenced zoning bylaw within commercial zone being 45' not 35'. He referenced egress for public safety vehicles concern. Density usually has seven units per acre; this proposal is 15 units per

acre so density issues need to be addressed. Also, protection of Town's aquifer is needed. People purchased nice homes at Red Mill Village and project will be very close to them. Also, the historical home on property of Mr. White, who was also a former Norton Selectmen, was built August 22, 1797. White Cemetery is next to it also. There is a lot of history on this house; so Housing Partnership requested to work with Historical Society. Mr. Kimball said the Town does not want it razed/demolished; possibly it can be moved. Also, an impact on Town schools if these are two/three bedroom units.

Mr. Kimball said residents/others should keep an eye out; check legal section of newspaper/town hall has bulletin board where all meetings are posted.

Mr. Kimball also asked Mr. Yunits to send a letter to Mass Housing Partnership regarding this.

A Red Mill Village resident, Lee Goldberg, said a number of residents were present this evening. The Thorndike/Campanelli project to go to ZBA in October, and given 2% rule will they hear back prior to Thorndike presentation.

Mr. Yunits responded, yes, they will hear back before presentation.

Mr. Yunits spoke of "shovel being in ground" by Turtle Crossing and if shovel not in ground, then agreement may be enough.

Mr. Kimball provided history and said property has changed hands; and spoke of reviewing it as a new project. He was not too optimistic that 2% will work; but Town will try.

Mr. Goldberg said he and many Red Mill residents support all Mr. Kimball and Board of Selectmen noted in letter, especially the traffic issue.

Mr. Kimball said this should be communicated to Red Mill Association (Conservation Commission, ZBA, Water and Sewer, and Board of Health should also be involved). Discussion ensued.

DHCD was discussed.

Mr. Kimball spoke of trying to change 40B laws/rules and need to work with Attorney General and town counsel, for next ballot modification regarding 40B's. Also the counting of prefab homes did not happen. Enforcing other state agencies is what Town of Norton will do.

Mr. Kimball recommended to add this to the next agenda and will need to find out how many signatures were needed for referendum question.

4. October 29, 2012 Fall Town Meeting Warrant Articles

Mr. Yunits referenced:

Article 17: Amount of \$25,000 to set up a legal fund for 40B's. Mr. Kimball thought \$25,000 was a good place to start.

Article 26: regarding sewer line on a resident's street, they have two years to pay vs. having to pay as soon as possible. Mr. Salvo said it is about \$11,500; a lot of money. Discussion ensued.

Mr. Kimball said he believed to leave Article on, if it can be done. This would give residents more time (five years).

Mr. Salvo said it is now up to two years; but if selling house needs to be done as soon as possible, and if it fails, same thing; this is not right to residents.

It was noted some loans Board of Health has, but homeowner still needs to pay it.

Some members thought it was originally supposed to be a private line without so many connections.

5. Discussion – Attleboro Landfill, Inc. Planned Capping

. Vote to sign Resolution of Concern

MMA meeting was reference and Mr. Yunits spoke to Mayor Dumas for Attleboro Landfill and this is where this Resolution originated, however, it has been modified. Elimination of Norton roadways as one of the changes. Mr. Kimball read aloud Resolution.

**MOTION was made by Mr. Kimball to support/sign the Resolution of Concern. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

6. Additional recommendations from Town Counsel Re: the proposed changes to the Board of Selectmen Liquor License Policy Statement

Kopelman & Paige (Town Counsel) reviewed alcohol policy, and Mr. Giblin explained. Board of Selectmen had not reviewed it that thoroughly yet. Mr. Kimball said entire Board of Selectmen should be present to discuss, etc.

Mr. Giblin asked Mr. Yunits to add this to the next agenda.

**B. TOWN MANAGER'S REPORT**

Mr. Yunits referenced Columbia Gas and their help for fuel bills. Now is the time to take this into consideration if someone is laid-off, etc., which is good assistance.  
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Mr. Yunits said a fund has been set up for Keisha Lynn Guerrini who recently passed in a car accident at Bristol County Savings Bank. She was a 2006 graduate of Norton High School and served in the military. It was also noted her mother, Tina, ran for the Town Clerk position in past in the Town of Norton.  
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Mr. Yunits spoke of bond requirements, and is working with Mr. Silver, Highway Superintendent, since Town of Norton has not changed bond requirements in a long time. He spoke of some policy where company has to put a bond up with Town. There are some issues Mr. Silver is having with a paving company currently.

Mr. Salvo said it is important to treat each and every contractor the same way, no matter who they are.

Mr. Salvo said this should also include all departments (all departments follow the same rules).  
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Mr. Yunits said there is a meeting scheduled for Oct. 23 at 7 p.m. regarding East Main Street improvements (Pine Street to Route 495).  
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Mr. Yunits referenced the work on Plain Street and some questions regarding it; it will have a seal on it, and hopefully done soon (before winter).

Mr. Kimball discussed the sealing; it "thumps" now and hears many complaints about it. Mr. Kimball asked Mr. Yunits to find out what sealer "exactly is".  
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Mr. Yunits spoke of a letter he sent to Mass Highway re: conditions of off-ramps.

Mr. Kimball asked that a copy of letter also be sent to state reps. Mr. Yunits responded, yes, state reps were copied.

Mr. Kimball said at some point they need to take action on cans/bottles redemption. Mr. Yunits said he will talk to Rep. Howitt.

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Mr. Yunits said Board of Health communicates to still use caution at night re: mosquitoes, even if it is cool; the ones out now are stronger and may be carrying virus.

### **C. APPOINTMENTS/RESIGNATIONS**

. Appointment of Interim Superintendent of Schools Dr. Christopher Martes to the Norton High School Building Committee

**MOTION was made by Mr. Kimball to appoint Dr. Christopher Martes, Interim Superintendent of Schools, to the Norton High school Building Committee. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

. Resignation of Marcia K. Anderson from the Water Bodies Committee, effective September 25, 2012

It was noted this term is to expire on June 30, 2014. Please call 285-0230 if there are any residents interested in serving on this Committee.

Mr. Brian Brady, Co-Chair of Water Bodies Committee referenced subcommittee/Lake Winnecunnet. He spoke of concentrating on Lake Winnecunnet and explained. Handouts distributed "Report- 2012 Lake Winnecunnet Survey", and he said lake lost acres and native plant growth is being killed. Mulberry Brook is being affected by cranberry bogs. Grants are available, but how do they go about acquiring them?

Mr. Giblin said the Conservation Agent, Ms. Carlino, may be able to assist, or any residents who have grant-writing experience.

Mr. Kimball said possibly someone in town hall may be able to help with the grant-writing.

Various water bodies were discussed (Grove area, Chartley, etc.) and need someone professional to look at these and work with Conservation Commission if possible, and also

an education on chemicals to be used. Warrant is still open, so possibly put an article on warrant. Interest rates are low currently. Also, it is important to work as a group.

Mr. Giblin spoke to Mr. Leonard about a possible Article on Warrant for October Town Meeting (for a few thousand dollars).

Mr. Yunits said Board of Selectmen can put an Article on Warrant, however, no-one else can do so.

Mrs. Salvo said it would be ideal to check with other towns and see how they treated it, and if it worked, etc.

Mr. Leonard spoke of a large book he has with what worked/what did not. Studies are good for ten years.

Mr. Giblin spoke of having a placeholder on warrant.

Mr. Kimball said it would be best to get surveys done this winter.

Mr. Brady spoke of suction harvesting or diver-assist-harvesting.

Mr. Kimball said they can try to make this happen, but need to know what cost will be.

Mr. Giblin said the first step is to get study done from Board of Selectmen's point of view.

Mr. Kimball said to be in partnership with Conservation Commission is important.

**MOTION was made by Mr. Kimball to insert Articles on warrant as discussed (a certain amount of money for survey on aquatics/various lakes, and Town to assign money to Water Bodies Committee to maintain aquatic plants). Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

Mr. Kimball reiterated the Board of Selectmen needs to know the cost, so at Town Meeting the Board can stand up with info to clean up water bodies.

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

Mr. Kimball referenced a commendation letter from Town resident, Ann Byron, regarding replacement of septic system. She wanted to communicate that Cynthia Peters from Board of Health was very helpful and also commended Leon Dumont, Board of Health Agent.

VI. **NEXT MEETING'S AGENDA**

VII. **EXECUTIVE SESSION**

1. To discuss strategy with respect to collective bargaining

VIII. **ADJOURNMENT**

**MOTION was made by Mr. Kimball to enter into Executive Session at 8:55 p.m. for purpose to discuss strategy with respect to collective bargaining and to not return to Open Session. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

Respectfully Submitted by:

Janet A. Sweeney  
Board of Selectmen – Recording Secretary

**BOARD OF SELECTMEN**

**MINUTES OF MEETING OF**

**SEPTEMBER 27, 2012**

**TIMOTHY R. GIBLIN, CHAIRMAN**

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

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

**MARY T. STEELE**

**BRADFORD K. BRAMWELL**

**Dated:** \_\_\_\_\_

**Documents Distributed/Reviewed at September 27, 2012, Board of Selectmen Meeting**

. Board of Selectmen Draft Minutes of Meeting of: May 31, 2012, August 23, 2012, and September 13, 2012

. October 29, 2012 Fall Town Meeting Warrant Articles

. Resolution of Concern – Attleboro Landfill, Inc., Planned Capping