

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
APRIL 18, 2013**

**I. CALL TO ORDER BY CHAIRMAN**

The April 18, 2013, 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. Bradford K. Bramwell; Mr. Robert Salvo, Sr., Clerk; and Mrs. Mary T. Steele were present. Mr. Michael Yunits, Town Manager, was also present.

- B. Pledge of Allegiance

**II. WARRANTS AND MINUTES**

- A. Approve bi-weekly payroll for the period ended April 13, 2013, Warrant #62, dated April 18, 2013, in the amount of \$1,034,855.24

**MOTION was made by Mr. Kimball to Approve bi-weekly payroll for the period ended April 13, 2013, Warrant #62, dated April 18, 2013, in the amount of \$1,034,855.24. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

- B. Approve bills Warrant #63, dated April 18, 2013, in the amount of \$225,220.81

**MOTION was made by Mr. Kimball to Approve bills Warrant #63, dated April 18, 2013, in the amount of \$225,220.81. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

- C. Approve Minutes – January 10, 2013  
January 17, 2013

**MOTION was made by Mr. Kimball to approve the Board of Selectmen Minutes of Meeting, dated January 10, 2013, 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 January 17, 2013, as written. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

**III. LICENSES AND PERMITS**

**IV. ANNOUNCEMENTS**

April 27 is Town of Norton Cleanup Day from 9-11 a.m. More info can be obtained at:  
[www.keepnortonbeautiful.com](http://www.keepnortonbeautiful.com).

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Annual Town Election and Special State Primary to be held Tuesday, April 30; polls open 6:00 a.m. to 8:00 p.m. at Norton High School.

Annual Town Meeting to be held on May 13 at 7:00 p.m. at the Norton Middle School.

Absentee ballots for the April 30 Elections will be available beginning Monday, April 8. The deadline to apply for an absentee ballot is April 29 at 12 noon.

**V. BUSINESS**

**A. NEW BUSINESS**

**B. OLD BUSINESS**

**1. Review and/or vote on May 13, 2013 Town Meeting Warrant Articles**

Mr. Yunits discussed documents regarding budget/numbers. He noted Charter School tuition has been reduced; the Charter School sending tuition has also been reduced.

The Town is using \$200,000 more in free cash than last year.

Local receipts "snapshot" discussed.

Budget has been recommended and approved by FinCom except for school budget (not voted on yet). Town reduced unemployment from \$120,000 to \$80,000 and allowed Town to have \$40,000 more in school budget.

Mr. Kimball referenced school budget itself and asked what was reason for increase?

Mr. Yunits responded that there was a salary increase of 2% and also an addition of a new program for autistic students starting at the lower grade level, and would expect to see the savings the following year. Free cash was discussed and danger of using it, etc. Mr. Yunits told Board if they had any questions, to please let him know.

Articles:

Article 4: (TIF South Shore Millwork) – This Article was explained by Mr. Yunits.

Mr. Kimball said this benefits the company as well as the Town. Mr. Kimball said he would not be comfortable without town counsel reviewing it.

Mr. Bramwell said a TIF usually centers around increase in employment and stated he felt wording was very vague and he would like to see it be more concrete.

Mr. Giblin said when South Shore Millwork was here previously, the Board asked them about this. Mr. Giblin asked Mr. Yunits to communicate this to South Shore Millwork and look into it as well.

**NO ACTION TAKEN.**

Article 5: It was noted this Article was withdrawn from Water Dept. **NO ACTION TAKEN.**

New Article 5: (formerly Article number 6) – (Chairman of Water & Sewer Commission and Superintendent of Water & Sewer Commission). Discussion that plant was not designed yet and question of the \$8M figure. Chairman of Fincom and Water & Sewer decided it was not time for this article. However, they did not withdraw it. Mr. Kimball spoke of importance of RFP/RFQ, and he would recommend this to Water & Sewer.

**MOTION was made by Mr. Kimball to take No Action on Article 5. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

New Article 6: Mr. Kimball had reached out to some residents that were abutters and he has not heard back from them.

**MOTION was made by Mr. Kimball to support Article 6. Second by Mrs. Steele.**

**Discussion: Mr. Yunits indicated FinCom was waiting for Board of Selectmen to take action on this.**

**Vote: Unanimous. MOTION CARRIES.**

Article 10: (Sewer Enterprise)

Mr. Yunits explained this Article and referenced IMA (Intermunicipal Agreement). Town Counsel is involved in this.

Mr. Giblin said he felt it would be in the best interest of Town to use counsel Town already has (one attorney), unless a second opinion is necessary.

Mr. Kimball said they have been working on IMA for six years and using other counsel may jeopardize process. Mr. Kimball said they should come before Board of Selectmen to use other counsel.

Mr. Giblin said he felt using one firm was best. Hopefully engineering costs can be cut back; he doesn't need to attend every meeting.

**MOTION was made by Mr. Kimball to request Water & Sewer Commission to use the Town of Norton Town Counsel for any legal advice going forward. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

Mr. Yunits said he will make it clear that special counsel should get IMA done and that is it.

New Article 10:

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

New Article 11 (former Article 12): (Capital Improvements appropriation). Mr. Yunits said this is not ready yet; he is still waiting on this. **NO ACTION TAKEN.**

New Article 12: (FY14 Capital Plan) – Mr. Yunits reviewed Town capital items/descriptions of various department needs and costs - (\$1,004,894 amount) FinCom recommended/voted in favor of recommendations.

Mr. Salvo said he strongly recommended no two wheel drive vehicles (only four wheel drive vehicles) and equipped with plows for various departments.

**MOTION was made by Mr. Kimball to support Article 12. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.**

New Article 13: (Operating budget). It was noted to hold off on this for now.

**NO ACTION TAKEN.**

Article 14: (Demolition Delay). Mr. Yunits said an update was received from the Committee and has not heard back; they will be at FinCom meeting on Monday evening to present changes.

New Article 17: (Comprehensive Review); by Town Counsel, Attorney Goldberg.

Mr. Yunits said Attorney Goldberg has all the highlights; all zoning bylaws/new charter and everything coordinated.

**MOTION was made by Mrs. Steele to support Article 17. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

New Article 20: (Stabilization Fund). Mr. Yunits said he would like to hold off on this for now.

**NO ACTION TAKEN.**

**C. TOWN MANAGER'S REPORT**

Mr. Yunits stated a letter was sent out to all liquor license holders and comments to be returned to him or they may attend the May 23 meeting to discuss.

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Mr. Yunits said North Andover indicated they were supportive of Ch 40B legislation that Norton is proposing. Discussion ensued.

**D. APPOINTMENTS/RESIGNATIONS**

1. Resignation of Cynthia Gouveia, Democratic Member of the Board of Registrars, effective April 5, 2013

Mr. Giblin said this is an appointment made by the Board of Selectmen. He thanked Mrs. Gouveia and asked Mr. Yunits to send a thank you letter to her. If anyone has an interest in becoming the Democratic Member of the Board of Registrars, they should send a letter to or contact the Town Municipal Center.

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

Mr. Kimball sent condolences to State Representative Jay Barrows and his family, as Representative Barrows' mother passed away this morning.

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Mr. Kimball said earlier today he met with Kevin Sullivan of Sullivan Concrete of Walpole, who will help stamp the Master Sgt. Trent Memorial Site. Kevin and his crew have been there for two days and wanted to stress that these services are being donated by Sullivan Concrete. The Committee paid for the concrete only. Mr. Kimball said he cannot stress enough how much they appreciate the dedication of Kevin Sullivan and his company. Mr. Kimball said he is confident that by Memorial Day this Memorial should be completed.

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Mr. Kimball referenced possible carpeting for Town Municipal Center and asked Mr. Yunits about the status of this.

Mr. Yunits said he met with architect today on feasibility study and they could possibly add some offices downstairs so will hold off on carpeting plans as of now.

Mr. Kimball said to move old cells out from downstairs in the Municipal Center would save a lot of money. Mr. Kimball suggested a town-wide building committee to look at some of the

structures; possibly stay here in Municipal Center or move elsewhere and question which is more cost-effective to make repairs/remodel or move out.

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Mr. Kimball said he and Building Inspector went to Everett Leonard Complex and the beams were replaced by volunteer work on the pavilion which saved the town thousands of dollars, however, Town has the responsibility to maintain its own buildings. Mr. Kimball said he helped with this beam work and did not mind doing it, but Town should be responsible for its buildings. Mr. Kimball encouraged Mr. Yunits to work on setting up a committee regarding this.

Mr. Kimball said it was important to ask SRPEDD rep why Exit 10 does not have traffic lights at intersection. Mr. Silver, Highway Superintendent, said he thought Route 123 was actually owned by Town (not a state road) which could be part of reason why. However, Mr. Kimball did not agree with that and wanted Mr. Yunits to send a letter to SRPEDD regarding this: 1) Need something in that location; someone will be killed if not changed. A serious motorcycle accident occurred there this week and someone was seriously injured; 2) The traffic engineer that Thorndike and Campanelli hired prior to 2002 could not provide later/more up-to-date info since 2002 and SRPEDD did not have it either. A traffic study done at intersection is needed and also what process would be for traffic lights in that location. This is not a safe area and new Ch40B is not being taken into account. Mr. Stefanelli should be involved also. It was noted there were 2,000 less trips going toward Easton and 2,000 more trips going toward Norton.

Mr. Salvo said they need to cut trees/brush as they said they would do; vehicles are edging out further and further and it is a safety issue.

Mr. Kimball asked Mr. Yunits to find out from Jennifer Carlino, Conservation Agent, where it is in Canoe River area, are there any restrictions? There is no time to wait for State to react and do not want someone getting killed in that area. Discussion ensued on Town trying to do this on their own.

## **VII. NEXT MEETING'S AGENDA**

**VIII. EXECUTIVE SESSION**

1. To discuss strategy with respect to collective bargaining.

**IX. ADJOURNMENT**

**Declaration of the Chairman at 8:15 p.m.: Under G.L. c30A, Section 21(b)(3) and (4), the purpose of the executive session will be to discuss strategy with respect to collective bargaining, as a discussion of this strategy with respect to collective bargaining in open session could compromise the purpose for the executive session; and the Board shall not return to open session at the conclusion of the executive session**

**Motion to Convene Executive Session:**

**MOTION was made by Mr. Kimball at 8:16 p.m. that the Board of Selectmen enter into executive session, under G.L. c.30A, Section 21(a)(3), regarding discussion of strategy with respect to collective bargaining. 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**  
**APRIL 18, 2013**

**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 April 18, 2013, Board of Selectmen Meeting**

Draft Board of Selectmen Minutes of Meeting dated January 10 and January 17, 2013

Documents:

Massachusetts Department of Revenue, Division of Local Services, FY2014 Local Aid Estimates; FY14 Estimated Operating Revenues and Expenditures; FY 2014 Operating Budget; Town of Norton Local Receipts Snapshot; Town of Norton Fiscal Year 2013 Recap of Local Receipts

South Shore Millwork-Town of Norton Tax Increment Financing Proposal, March 11, 2013

Town Meeting Warrant - May 13, 2013

Resignation Letter, dated April 5, 2013, addressed to Board of Selectmen and Town Clerk, from Cynthia M. Gouveia (resignation from Board of Registrars-Democratic Member)

