

**BOARD OF SELECTMEN
MINUTES OF MEETING
JUNE 6, 2013**

I. CALL TO ORDER BY CHAIRMAN

The June 6, 2013, Meeting of the Board of Selectmen was called to Order by Mr. Kimball, Chairman, at 7:00 p.m., held in the First Floor Selectmen's Conference Room.

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

- B. Pledge of Allegiance

II. WARRANTS AND MINUTES

- A. Approve bills Warrant #73, dated June 6, 2013, in the amount of \$484,991.90.

MOTION was made by Mr. Bramwell to Approve bills Warrant #73, dated June 6, 2013, in the amount of \$484,991.90. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

- B. Approve Minutes
There were no Minutes reviewed/approved.

III. LICENSES AND PERMITS

IV. ANNOUNCEMENTS

Blood drive sponsored by Rhode Island Blood Center to be held on June 13 from 9 a.m. to 4 p.m. in the Sturdy Hospital Auditorium.

Reception to be held on Thursday, June 6th, to thank Dr. Chris Martes, for acting as Interim Superintendent of Schools.

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It was noted the future scheduled Board of Selectmen meetings will be planned for June 13; there may or may not be a meeting held on June 20; and then a meeting scheduled on June 27. July and August will be every other week for the summer schedule. September 5 will resume the regularly scheduled weekly meetings.

V. BUSINESS

A. NEW BUSINESS

1. 7:15 P.M. – Jim Howland, OECD/GATHC Program Manager Re: Consortium Presentation

. Housing Rehab (elder services, etc.)

. Down Payment Assistance

Mr. Howland described Consortium consisting of 13 towns with Norton being one of them. Since 2004 they have done 3 or 4 in the past. They do a lot of de-leading, roofing, etc., for low and moderate income people, however, they do not do additions. He formulated the income brackets for Norton: a family of four is \$64,000 to meet their standards. A family of two is \$51,550 for affordable housing or an elderly couple with a fixed income. The hardest limitation is they do have to be the homeowner. "Do You Need Help with Repairs to your Home" flyer was distributed and referenced.

Mr. Giblin suggested to put this info on cable, and also asked Mr. Yunits to provide this info/flyers to the Council on Aging.

Mr. Howland said Mr. Yunits has come to many of the meetings and presentations/slide shows. Mr. Howland said they do not advertise, it is all "word of mouth" advertising. He could do a full presentation again for Council on Aging.

Address/telephone number for info on this program is: 45 School Street, second floor, Taunton, MA; (508)- 821-1030.

2. 7:30 P.M. – National Grid and Planning Board Re: River Oaks Subdivision Street Lights

Mr. Yunits said there was some confusion regarding this issue. When developer turned subdivision over, no one was paying the bill because he was not paying for that metered service

any longer. The Town learned of this issue and then in December one of the homeowners took out/hit light pole with his automobile so lights are out again and National Grid went out and looked at this. Some sensors may not be working properly was thought and an electrician went out to look at it and Town is awaiting response from insurance company of homeowner. National Grid was present this evening with Town Planner, Mr. Gabriel, to ensure this does not happen again and to somehow make lights proper in this subdivision.

Mr. Kimball said some lights were lit during daytime and they need to figure out a way to fix them. It is important to consider street lights in other subdivisions as well.

Mr. Joe Cardinal and Ms. Anne Malley of National Grid were at this evening's meeting. It was explained by National Grid in a residential development, plan shows where street lighting will be installed. When developer moves/progresses along with developing, they install bases, then poles, and then wiring. Annual usage is estimated each year on each street light. It was noted National Grid has been receiving calls stating lights were out and National Grid crews were sent out and it was explained the lights did not belong to National Grid, and work orders put away, and Mr. Cardinal was not notified of what was happening. Sometimes they (National Grid) sees situations where the developer places lights where developer wants to put them.

Mr. Kimball said the streets have been accepted by Board, so they need to take responsibility for lights also. Question is, should Town partner with National Grid or go after developer?

Mr. Cardinal said it would cost a lot of money; changing of wiring, etc., and National Grid does not know how it is wired. He had never heard of sensors being put on the meter.

Mr. Giblin inquired when poles were put up, who put them up?

Mr. Cardinal responded they did not put anything up in this case.

Mr. Salvo said it would probably be a major dig of \$100,000 or greater.

Mr. Kimball said there is a meter and it needs to be fixed. He asked Mr. Yunits to get in touch with town counsel regarding legal options with developer to make improvements. Board of Selectmen are responsible for accepting road; they don't get involved with actual street lights. On original plan there were about four street lights for this project. They need to pay electric bill, etc. Possibly the Town can reach out to National Grid/Mr. Cardinal at some point, and ask National Grid to go in that location and make that improvement for the Town of Norton. Norton does not have manpower to go out and repair.

Mr. Cardinal said National Grid is not in business of digging up /excavating, etc.

Mr. Cardinal said they would have to start from scratch.

Mr. Giblin asked Mr. Cardinal if he had ever seen this situation before?

Mr. Cardinal responded yes, there are developments out there, but was done intentionally. It would have been less expensive for developer to go through National Grid.

Mr. Giblin said if there are cases similar to this, it would be beneficial to know where this happened; Board would be interested in that.

Mr. Kimball referenced discussions with town counsel. It was noted: 1) No deed restriction; 2) Board accepted the street with these street lights. Therefore, Mr. Kimball felt builder needs to be held responsible.

Mr. Giblin said it would be best not to dig up that neighborhood and go back to developer, etc.

Mr. Gabriel said it is in the Town regulations that the contractor contact the electric company; it is generally between the contractor and the electric company.

Mr. Gabriel said he would like to know when the electricity went on and it was incredulous the electric company did not know about this. He would think there would have been some communication between National Grid and developer.

Mr. Gabriel said the Planning Board states where the lights are placed, and the Planning Board does not send people out to inspect the electric lights. Mr. Gabriel stated he would like more info on this and how this happened. He also thought they (National Grid) inspected the trenches. On the website of National Grid there is a procedure listed on website that shows National Grid should have been involved in some way.

Mr. Cardinal said National Grid is not the governing body to do this. The town wiring inspector would need to inspect.

Mr. Bramwell said there is a pole down, so it is probably a good time to look at it. They probably need to maintain what is there at this point.

Mr. Kimball said this should be added to the Planning Board "checklist".

Mr. Kimball said it would be beneficial to create a fund where money is put into an account and use it as needed. He said this was a valuable lesson learned for all, even for the Board of Selectmen as the Selectmen moved to accept these streets so they are responsible too.

Mr. Gabriel said when town counsel is contacted, he said it would be important to layout all the facts.

Mr. Kimball asked Mr. Gabriel to provide the Board of Selectmen with a copy of these plans and they can check with building inspector too.

Mr. Gabriel said it was approved in 2005, and looked identical to other lights. Original plan was supposed to be four lights, but there are about ten to eleven lights.

Mr. Kimball asked Mr. Cardinal if he could look at it, where one pole is already knocked down.

Mr. Cardinal said it may be difficult to see from what is there.

Mr. Kimball told Mr. Yunits the lights should stay on.

Mr. Kimball said the plan is to contact town counsel; and decide on what action should be taken against developer because residents or Town should not be held responsible for this; and there should be some type of fund created so Town can use it as needed. Also, find out why some of the lights are staying on continually (staying on 24 hours a day is expensive).

Mr. Cardinal said where it is on a meter and on 24 hours a day, the Town is paying that extra money.

Mr. Giblin said in the future, when the lighting goes out, at this point in time, he instructed residents to contact town hall.

Mr. Cardinal said in future, Ms. Malley said the developer will call National Grid explaining where the lights are being located.

Ms. Malley said if they don't get the letter from Town, they don't get the bases. Once inspector does inspection, National Grid will ensure it is to their standards. She reiterated National Grid will require a letter from Town before the bases are installed. Discussion ensued.

Mr. Salvo said in the future, it may make sense for Planning Board to get a bond for street lights for subdivisions.

Mr. Gabriel said the Planning Board can certainly get a bond. He added it is in the Town regulations that the developer is responsible for contacting the electric company.

Mr. Giblin said obtaining a bond for street lights may be beneficial.

Mr. Kimball thanked Mr. Gabriel for attending this meeting this evening.

Mr. Kimball said he is a member of the Gold Star Committee and cannot say enough of what Mr. Cardinal and National Grid did for the Memorial honoring Master Sgt. Trent. National Grid was exceptional. Mr. Kimball thanked Mr. Cardinal and National Grid staff.

Mr. Cardinal said Ms. Malley ensured the flood light was installed today at the Memorial Park.

3. 7:45 P.M. – Bill Lippincott – Update Re: Founders Day Picnic and Fireworks

June 22nd is date of Founders Day Picnic and things were going very well. Mr. Lippincott thanked those who helped them with sponsorship; Horizon Beverage and Roche Bros. were the primary sponsors. This year some of the activities will be pony rides; a petting zoo; tug-of-war; wiffle

ball games; various foods; fireworks; bands; bbq; and ice cream, etc. It starts at 5 p.m. until 9 p.m. They are doing ok as far as fundraising but open to any future donations.

This Committee has an open meeting at Norton VFW every Monday evening for planning and welcome anyone from Town to attend these meetings. There were about 3,000 people who attended this picnic last year and this year it will probably be the same number or a bit larger.

Mr. Yunits indicated the Board of Health Agent stated any vendors to sell food should contact the Board of Health Agent and provide insurance certificates.

Mr. Giblin commended Mr. Lippincott and his crew.

Mr. Kimball said electricity needs to be added to Founder's Day; more power is needed behind the school. It would be an excellent Eagle Scout project or for someone else to assist with this project.

4. Board of Selectmen Meetings –Summer Schedule

This was discussed earlier in these Minutes of Meeting under "Announcements".

5. Request of Megan Cote, Development Coordinator, National Multiple Sclerosis Society, Rhode Island Chapter, for approval to ride through the Town of Norton, for its 'Bike MS: Ride the Rhode' – event, Saturday and Sunday, June 22nd and 23rd, 2013

Mr. Kimball reviewed the route.

MOTION was made by Mr. Bramwell to approve Request of Megan Cote, Development Coordinator, National Multiple Sclerosis Society, Rhode Island Chapter, for approval to ride through the Town of Norton, for its 'Bike MS: Ride the Rhode' – event, Saturday and Sunday, June 22nd and 23rd, 2013, with final approval of Police Chief Clark, and to remove all application fees. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

VI. SELECTMEN'S REPORT AND MAIL

Mr. Kimball communicated he attended a June 4th meeting recently regarding Plainridge. Mass Gaming Commission rep had provided an overview at meeting. One subject brought up a lot is the surrounding communities impact and the Gaming Commission defined it as "a community who has impacts". Unique about Norton is Plainridge is on one side; along with Taunton's proposed casino on the other side; as well as the Raynham track. Some regulations are in place where developer has to pay for certain impact studies for certain surrounding communities. \$50,000 worth of money is available for technical assistance and applicants would need to agree to do this to go above \$50,000. Mr. Kimball asked Mr.

Yunits to look into this for the Town of Norton regarding the impact, etc. Also, he referenced an involuntary disbursement also if Norton feels they have a right to it. Personally, Mr. Kimball stated he was not opposed to these casinos as they generate income and hopefully will not be a huge impact to the Town of Norton.

Mr. Giblin agreed it would be a good idea to look into this.

C. TOWN MANAGER'S REPORT

1. Update on Chapter 90 Funding

Ch90 letter was received from State and news was not good; and could have a serious impact of what could be done for roads in this Town. Town was looking forward to a nice increase, but Governor has decided to release less money. Town is not getting what they received last year and it is not a wise decision to directly impact towns.

After North Worcester work is completed there will be \$10,000 left. The next street scheduled to perform work on is Bay Road to Plain Street. In this letter from the State, Mr. Yunits stated it said if there is some movement on taxes, Town may get additional money, therefore, will need to see what happens. Discussion ensued on poor road and bridge conditions in various areas. Discussion on disappointment with the State; the infrastructure is being negatively affected.

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Mr. Yunits thanked Dan Lenoci, from Norton Fire Department, who cleaned up Chartley Station and the Wetherell Memorial looks very good.

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Mr. Yunits referenced hurricane season and said residents can go to website/Facebook page (NEMA) to prepare now for potential storms/hurricanes.

Mr. Giblin said it may be beneficial to have Fire Chief Schleicher and Police Chief Clark, as well as Emergency Management Team come in to advise what residents can do during and after an emergency.

VI. SELECTMEN'S REPORT AND MAIL

Mr. Giblin commented road work on North Worcester Street was quick and looks very good.

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Mr. Salvo stated he saw plans on 274 East Main Street today and said many things appear to be totally unacceptable and wanted to communicate this before anyone makes any decisions.

Mr. Yunits said a department head meeting will take place on Monday re: 274 East Main Street.

Mr. Kimball urged residents to pay attention to the 40B process in Town as it is moving very fast. This will be the first high rise in Norton. Town may need to connect to sewerage in next five years, so people should pay attention. He said street layout in that corner is planned to be straightened out and easements necessary. Mr. Kimball said height requirement is a huge issue and was not certain if ZBA would approve height. Mr. Kimball would suggest placing suit for this project against developer by Board of Selectmen. Commercial to residential should be 35' but developer is using 48 ½ feet.

Mr. Kimball referenced a June 3rd letter from GATRA addressed to Richard Sullivan, and stating that the Town of Norton is a member of the Greater Attleboro Transit Authority and due to size, roadway to be transit friendly and should meet ADA requirements. This is a very important letter and asked that Norton Zoning Board of Appeals receive a copy of this letter and it be incorporated into any request.

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It was discussed to have Water & Sewer come in for a future meeting regarding their plans and upcoming projects. Also, a joint meeting with Conservation Commission, as well as Water Bodies Committee for Board of Selectmen to strategize and plan to control weeds in water bodies in Norton and get all three groups together as soon as possible. It is important to get a plan of action going and get ready for Fall Town Meeting and get permits, etc.

Mr. Giblin recommended plan should be long-term, not just short-term. Important to have this plan so they can present it in front of Finance Committee and Town residents.

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Director of Veterans Services/Veterans Agent employment opportunity is available and posted. It is full-time at \$45,000 to \$50,000 per year plus benefits. Resumes should be sent to Town Manager, 70 East Main Street, Norton, MA, with deadline being June 18, 2013.

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Mr. Salvo advised there was a potential flood watch for Norton on news earlier today.

VII. NEXT MEETING'S AGENDA

VIII. EXECUTIVE SESSION

IX. ADJOURNMENT

MOTION was made by Mr. Bramwell to Adjourn at 8:40 p.m. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

Janet A. Sweeney
Board of Selectmen – Recording Secretary

Documents Distributed/Reviewed at the Board of Selectmen Meeting of June 6, 2013

. Letter dated May 31, 2013 to Town of Norton Town Hall from Megan Cote, National Multiple Sclerosis Society re: approval to ride through the Town of Norton for their Bike MS: Ride the Rhode event

. Document entitled: "Do You Need Help With Repairs to Your Home?" regarding OECD/GATHC Program

. Notice to SENA Local 9158-A: Town of Norton Employment Opportunity - Director of Veterans' Services/Veterans' Agent

. Letter dated May 31, 2013 from Massachusetts Department of Transportation (Richard A. Davey, Secretary and CEO) to Mr. Michael Yunits, Town Manager, re: Transportation Bond Bill

. Letter dated May 31, 2013 from GATRA (Francis J. Gay, Administrator) to Secretary Richard K. Sullivan, Jr., Executive Office of Energy and Environmental Affairs, Boston, MA with a copy to Mr. Michael Yunits, Town Manager re: Project Name: Norton Apartments, 274 East Main Street, EEA #15054

**BOARD OF SELECTMEN
MINUTES OF MEETING OF
JUNE 6, 2013**

ROBERT W. KIMBALL, JR., CHAIRMAN

MARY T. STEELE, VICE-CHAIR

BRADFORD K. BRAMWELL, CLERK

TIMOTHY R. GIBLIN

ROBERT S. SALVO, SR.

Dated: _____