

**BOARD OF SELECTMEN
MINUTES OF MEETING
JUNE 27, 2013**

I. CALL TO ORDER BY CHAIRMAN

The June 27, 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; Mrs. Mary T. Steele, Vice-Chair; Mr. Bradford K. Bramwell, Clerk; Mr. Robert S. Salvo, Sr.; and Mr. Timothy R. Giblin were present. Mr. Michael Yunits, Town Manager, was also present.

B. Pledge of Allegiance

II. WARRANTS AND MINUTES

A. Approve bills Warrant #76, dated June 20, 2013, in the amount of \$521,750.76

MOTION was made by Mr. Bramwell to Approve bills Warrant #76, dated June 20, 2013, in the amount of \$521,750.76. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

B. Approve bi-weekly payroll for the period ended June 22, 2013, Warrant #77, dated June 27, 2013, in the amount of \$532,403.59

MOTION was made by Mr. Bramwell to Approve bi-weekly payroll for the period ended June 22, 2013, Warrant #77, dated June 27, 2013, in the amount of \$532,403.59. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

06/27/13 Bd. of Selectmen Minutes

Page 2

- C. Approve bills Warrant #78, dated June 27, 2013, in the amount of \$210,170.25

MOTION was made by Mr. Bramwell to Approve bills Warrant #78, dated June 27, 2013, in the amount of \$210,170.25. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

- D. Approve Minutes - March 7, 2013
 March 21, 2013

MOTION was made by Mr. Bramwell to Approve the March 7, 2013 Minutes of Meeting of the Board of Selectmen, as written. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Bramwell to Approve the March 21, 2013 Minutes of Meeting of the Board of Selectmen, as written. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

III. LICENSES AND PERMITS

1. 7:05 P.M. – Application of Tournament Players Club of Boston at Great Woods LLC, 400 Arnold Palmer Boulevard, for Change of Manager on its Common Victualer License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On the Premises, from Bradley F. Williams to Daniel J. Waslewski

It was noted there was no representative in audience on behalf of this Application.

MOTION was made by Mr. Giblin to Table the Application of Tournament Players Club of Boston at Great Woods LLC until 7:30 P.M. this evening. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

2. Application of Andrea Falciano for a one-day All Alcohol License to be utilized at Everett Leonard Park, Saturday, August 24, 2013, 4:00 P.M. – 9:00 P.M., for private party

It was noted Police Chief Clark indicated there was no detail required, and all else appears to be in order.

MOTION was made by Mr. Giblin to approve Application of Andrea Falciano for a one-day All Alcohol License to be utilized at Everett Leonard Park, Saturday, August 24, 2013, 4:00 P.M. – 9:00 P.M., for private party, with no detail required, per Chief of Police. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

06/27/13 Bd. of Selectmen Minutes

Page 3

3. Application of Denise Sanford, for Norton High School Track Boosters, for 5K Road Race, to be held Saturday, October 26, 2013 – fundraiser for Senior Scholarships, 10:15 A.M. – 1:00 P.M. Assembly and disbanding areas at J.C. Solmonese Elementary School

Mr. Bramwell said possibly the Highway Dept. could display signs alerting people of this road race, so they could consider using an alternate route, etc.

MOTION was made by Mr. Giblin to approve Application of Denise Sanford, for Norton High School Track Boosters, for 5K Road Race, to be held Saturday, October 26, 2013 – fundraiser for Senior Scholarships, 10:15 A.M. – 1:00 P.M. Assembly and disbanding areas at J.C. Solmonese Elementary School. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

IV. ANNOUNCEMENTS

Have a safe and happy 4th of July! It was noted the Town Municipal Center will be closed next Thursday.

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Saturday evening, August 17, at 7 P.M. a fundraiser will be held for the Norton Gold Star Committee at Club Oasis in Norton. Mr. Kimball said when he receives more info/specifcs on this fundraiser he will advise.

V. BUSINESS

A. NEW BUSINESS

1. 7:15 P.M. - Fire Chief Paul J. Schleicher and Emergency Management Agency Deputy Raymond Cord Re: Hurricane Preparedness

Chief Schleicher spoke of trying to have more residents trying to help themselves as much as possible during a storm or emergency, especially for the first few hours.

Chief Schleicher referenced Mr. Salvo's item of Housing Authority's need of a generator. He said they obtained a generator for Founders Day, however, it would not be the Town's to use for whenever they want to use. The Town is supposed to go through NEMA first and generator is now at the police station. The next step is they could look at getting a hook-up.

06/27/13 Bd. of Selectmen Minutes

Page 4

Mr. Salvo said the Director of Housing Authority sent letters to State regarding this issue, however, at this time, the State did not want to get involved in it. He thought pressure needs to be put on DHCD now. Mr. Salvo said all is set to go, but this is being suppressed because of DHCD.

Mr. Kimball asked Mr. Yunits to call Senator Timilty tomorrow for his assistance in this matter. The Town has the money available and it is only a matter of time when they may encounter a problem.

Chief Schleicher said they no longer have access to surplus equipment returning from Iraq, as they have been cut off the list. If no government agency claims it, then it goes to public auction and they could possibly get a generator; and they have looked into getting access to that again.

Mr. Kimball asked Chief Schleicher to please send a letter to the National Guard Unit indicating he has spoken to Board of Selectmen and to provide them a list of what Town may need, and to also send a letter to state reps and Senator Timilty, and any other authority necessary.

It was noted by Chief Schleicher the reimbursement was about \$23,000 from Hurricane/Storm "Sandy". The bigger reimbursement they are still waiting on is the blizzard.

Mr. Cord said the Housing Authority along with Andrea Downing, Director, has published an "Emergency Preparedness Plan" for the complex and it addresses a lot.

Various emergency plans/actions were discussed such as keeping tubs full of water; stay indoors: hydrate; check on your neighbors, especially if they are elderly; treat all wires like they are live until the wires are repaired. Also it would be beneficial to have a crank transistor radio (not run by batteries) and has the jacks for I-Phone/I-Pad and costs about \$40.

The Middle School is the shelter, however, they are thinking LaSalette would be better because it would accept animals too.

The FEMA kit was described and explained. Website: www.propackusa.com

www.ready.gov is site for all preparedness info. There are brochures available at Town Hall and they are easier and quicker to read which details all info. The elderly and people with special needs have specific brochures.

Chief Schleicher said National Grid will keep a confidential list of those who utilize oxygen, etc., however, the Fire Dept. should not be residents first line of assistance.

2. Vote to sign or authorize Town Manager Michael D. Yunits to sign Contract Change Order #1 for Graves Engineering, Inc./Norton Board of Appeals Re: Island Brook 40B Comprehensive Permit Application

Mr. Kimball said the Town is not getting much reception or cooperation from this developer on this 40B. The Town is wasting tax dollars on legal counsel reaching out to their attorneys. This developer has come before this Town many times and there have been many changes with plans. There is water from Rumford River running through property. Mr. Kimball stated he attended the ZBA meeting held recently and there is no representation attending for developer. Mr. Kimball said he would like Mr. Yunits to relay to ZBA that they are wasting their time and they should make a decision if this is a credible application, etc. Mr. Kimball said it is important that ZBA be very specific on what they need, etc., and said he believed ZBA may need to deny it.

MOTION was made by Mr. Giblin to vote to authorize Town Manager Michael D. Yunits to sign Contract Change Order #1 for Graves Engineering, Inc./Norton Board of Appeals Re: Island Brook 40B Comprehensive Permit Application. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

3. Vote to sign or authorize Town Manager Michael D. Yunits to sign Contract Change Order #2 for Graves Engineering, Inc./Norton Board of Appeals Re: 274 East Main Street 40B Comprehensive Permit Application

Mr. Kimball said he attended the meeting last week and believed Board of Selectmen needs to make it perfectly clear of the concern regarding the back corner of this site, and felt at the last meeting, the developer was backing off from this a bit. Mr. Kimball spoke of the traffic concerns and recent traffic studies needed. Also, the height is an issue. Mr. Kimball said the Town does have a “warchest” for legal costs if necessary. He observed the balloon test where balloons were hung as high as this proposed building will be (48 ½ feet high is building). To walk down side of road is very dangerous with vehicles speeding, etc. It has a rating of “F” which is the worst rating. ZBA is working hard to ensure visibility issue is taken care of and road is moved over, straightened out, and laid out, etc. The developer said it is premature to do that type of work. Mr. Kimball stated his belief was before there is a comprehensive permit, the road is laid out, etc. Mr. Kimball stated to Mr. Yunits, he would like to push the fact there is a clear line of visibility, road improvements, and a plan in place. The 48 ½ foot height proposal is unacceptable and this Board of Selectmen will take whatever actions are necessary.

Mr. Salvo agreed that particular corner at that location needs to be straightened out. Also, he does not want to see a 48 ½ foot building constructed either. There are many concerns regarding this height, including the fire dept. itself and equipment needs, therefore, he is not in favor of this. Discussion ensued.

Mrs. Steele said the Town has never had a safety issue with other 40B's, and agreed the proposed height of building and that specific corner is dangerous. She clarified 40B's are not affordable housing.

Mr. Giblin agreed with Mrs. Steele and said it would be important to ensure road is straightened out beforehand in case project gets sold.

Mr. Bramwell said even if curve is fixed, it will still be a safety issue.

Mr. Kimball referenced a letter received from George J. Koenig & Jeanne Koenig of 20 Kingsley Road, Norton, MA, dated June 17, 2013, regarding concern about the current sewerage conditions at their property. Since the construction and occupation of the Red Mill Village Condos they have been subjected to the constant odor of sewerage.

Mr. Kimball said a new line is being proposed by 274 East Main Street; a separate line (one for Red Mill Village and one for Norton Glen) but all entering into this one pump station, therefore, if it cannot handle it currently, how will it handle more? Mr. Kimball asked Mr. Yunits to please send a letter to ZBA and Water & Sewer Dept. regarding this issue.

Mr. Salvo asked if the Board could have the Water Superintendent in to a Selectmen meeting regarding capacity at that pump station and to give Board an idea as to how much more can flow into that.

Mr. Bramwell stated he thought there was a possibility that they were supposed to upgrade pump station.

MOTION was made by Mr. Giblin to authorize Town Manager Michael D. Yunits to sign Contract Change Order #2 for Graves Engineering, Inc./Norton Board of Appeals Re: 274 East Main Street 40B Comprehensive Permit Application. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

4. July 4th Holiday Schedule

Mr. Yunits said the Fourth of July falls on a Thursday, and wanted to check with Board of Selectmen to see if it was ok if Town employees wanted to use their personal time on Friday and, therefore, some offices would be closed.

Mr. Giblin said he had no problem on July 5 with employees taking a vacation day, but would like some coverage in the offices as opposed to having July 5th closed in Town.

Mr. Bramwell said most places will offer that day off as a benefit to employees and he believed one day would not affect the townspeople conducting Town business.

Mrs. Steele questioned what would happen if an employee does not want to take day off?

Mr. Yunits said if Board of Selectmen agreed with this, it would be ok, and he would offer it to employees. He said as of now, the Town Hall has to stay open (i.e., if four people in Treasurer's Office decide to take that day off, then one employee of that department cannot, if Town Hall needs to remain open).

06/27/13 Bd. of Selectmen Minutes

Page 7

Mr. Kimball spoke of the benefit time the Town offers, and once something like this starts, it sets a precedent. This includes unions also and grievances could be filed if a precedent is set. Mr. Kimball said he will be personally working Friday and was sure many other people are working. He felt the Town Hall does not need to be fully staffed, however, the Town Hall should be open. He also questioned if they would be doing the same for police, fire, communications, water & sewer departments, etc.

Mr. Yunits responded he had not brought it forward at all to those other departments. Discussion ensued.

Mr. Salvo said it should be offered throughout all Town departments.

Mr. Bramwell said if water department and other departments are working, then everyone should be working. Police and fire departments are a separate entity, so a different group, but other departments would matter.

MOTION was made by Mr. Giblin to not change the work schedule for Friday, July 5, 2013; the Town Municipal Center will remain open on this date. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

Mr. Kimball said next year, in January, if the Board of Selectmen receives a list, provided in advance, they could review list at that time and discuss, etc.

5. Town Manager Vacation Schedule

Mr. Yunits referenced his personal vacation plans during the dates of July 29-August 2nd, and will take off some single days coordinated around office staff (Carol and Michelle).

Mr. Giblin spoke of the importance of being notified of vacation time in advance.

Mrs. Steele agreed with Mr. Giblin; the more notice the Board of Selectmen has, the better it is. She suggested verbal communication with the Chairman of the Board of Selectmen first regarding vacation time. Discussion ensued.

B. OLD BUSINESS

1. Finger Printing By-Law

Mr. Yunits said there were some questions at last meeting regarding this subject (finger printing by-law). A fee of \$100 was established in October 2011, and they are providing regulations to Chief of Police as to how it should work. He did discuss this with the Chief of Police. The categories need to be reviewed: pawn brokers, ice cream truck vendors, etc.

MOTION was made by Mr. Salvo to Approve the Regulations for Finger Printing By-Law. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

C. TOWN MANAGER'S REPORT

. Notice of Intention to Convert Land off Fairlee Lane, Norton, MA to Other Use under M.G.L. Chapter 61A, Section 14 for Solar Farm Use

Mr. Yunits explained this is the west side of Fairlee Lane.

Mrs. Steele said previously there have been several solar farms to come before the Board of Selectmen, but have not seen any of these come to fruition. It would be a benefit to see one of these things working; she is "for" the environment and solar, however, it is disappointing if it does not work out. She asked what is the Town's legal standing if they renege on a pilot or don't fulfill their obligation?

Mr. Yunits stated they are doing some of the due diligence, and this one appears to have a good shot of happening.

No action was taken by Board of Selectmen. More information will be gathered.

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Mr. Yunits said a lot of residents assisted Conservation Commission with encroachments and stopped mowing the grass, etc., and plan is to continue with the other areas.

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Mr. Yunits spoke of the possibility of regionalization of Communications Department (long-term). The short-term basis is best. They had previously discussed possibly hiring part-time dispatchers and if they can get a full-time job somewhere else they may. He spoke of the potential benefit of a pool of part-time dispatchers that could be shared around the region and to fill in. The Attleboro Chief was very helpful and has some 20 hours positions. The Communications Dept. is supposed to be staffed with two people at all times. This subject will be further explored/discussed.

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06/27/13 Bd. of Selectmen Minutes

Page 9

Mr. Yunits referenced South Shore Millworks TIF and a meeting he attended regarding this. State Representative Jay Barrows also attended this meeting, and looking at process they were curious as to how the Town of Norton moved it along so fast. Mr. Yunits said the Town of Norton is very supportive of TIF's they feel are reasonable, etc. They will be going to Planning Board in a week or two and are excited and hopefully things move quickly.

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Mr. Yunits said he has been receiving calls from residents regarding Cross Street. He said Mr. Silver, Highway Department Superintendent, is waiting for water to get lower. It appears there is a crack in headwall, but water needs to decrease first before repair can happen.

Mr. Salvo stated he had a conversation with Mr. Silver and there is a need to eliminate certain vehicles on that bridge (the size/weight of certain trucks need to be eliminated to help with this issue).

Mr. Kimball said possibly they can fill it with cement and take some pressure off of that wall.

D. APPOINTMENTS/RESIGNATIONS

1. Appointment of Captain in the Norton Fire Department

Fire Chief Schleicher stated this vacancy occurred since Captain Myles was appointed Deputy Fire Chief and filled in anticipation of a civil services promotional test and recommended to Town Manager.

Mr. Alvan Fuller has been a firefighter for many years, is a lifelong resident of Norton, with an almost two-year old daughter, and would like to name him as permanent Captain. Mr. Fuller is also a very gifted mechanic.

Chief Schleicher said 114 people passed this test statewide and it was a difficult test. About eight candidates took the test from the Norton Fire Dept. The current Acting Captain is his brother, Kevin Schleicher.

It was noted a specialist can come out and do an assessment on a town's fire department for in-house promotional exams as they recognize this test may not be best and end-all for all.

The Board of Selectmen congratulated Mr. Fuller and congratulated those on the department who also took the test and expended time, effort, and expense.

MOTION was made by Mr. Bramwell to Appoint Mr. Alvan T. Fuller, III, to the position of Fire Captain in the Norton Fire Department, effective July 7, 2013. Second by Mr. Giblin. Vote: Mr. Salvo voted "present" and all other Board members voted In Favor of Motion. MOTION CARRIES.

06/27/13 Bd. of Selectmen Minutes
Page 10

2. Appointment of Water & Sewer Technician Full Time permanent position in the Water Department

MOTION was made by Mr. Bramwell to Appoint Christopher DeMartino as Full-Time permanent Water & Sewer Technician in the Water Department, effective July 1, 2013. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.

3. Resignation of Michele Simoneaux as a member of the Conservation Commission, effective July 1, 2013

It was noted the reason for this resignation is because Ms. Simoneaux is moving out of town. Mr. Kimball commented that Ms. Simoneaux did a great job and was very knowledgeable and active. He asked Mr. Yunits to please send her a thank you letter for serving the Town.

4. Resignation of Frederick W. Annas from the Norton Housing Authority, effective June 20, 2013

Mr. Annas has served for several years and he was very knowledgeable. Mr. Kimball asked Mr. Yunits to please send Mr. Annas a thank you letter.

VI. SELECTMEN'S REPORT AND MAIL

MOTION was made by Mr. Bramwell to take Application of Tournament Players Club of Boston at Great Woods LLC off the agenda as there was no representation appearing on their behalf this evening. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Salvo to continue the Application of Tournament Players Club of Boston at Great Woods LLC, 400 Arnold Palmer Boulevard, for Change of Manager on its Common Victualer License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On the Premises, from Bradley F. Williams to Daniel J. Waslewski, to July 11 at 7:15 P.M. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

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Mr. Kimball stated The Boston Globe today had an article about a majority of the town of Norwood residents opposing the former Polaroid property proposed to have about 296 affordable housing units built by Campanelli Company. It would be nearly 300 new homes and a huge impact on school department and traffic problems. Proposed is an 11 three-story building and they are trying to do an amendment to not allow this on properties of that nature (commercial). State Representative Rogers is proposing some changes in the law to not allow this to happen. Mr. Kimball suggested a letter from Norton's Board of Selectmen be sent to Norwood Board of Selectmen, including ZBA, as well as to Representative Rogers, communicating to them that Norton is in full support of their trying to change the law, and to also send a copy of letter to Norton's state reps as well.

06/27/13 Bd. of Selectmen Minutes
Page 11

It was the consensus of the Board members to have letter be sent out.

Mrs. Steele asked that a copy of this letter be sent to The Boston Globe also for more publicity on this matter, etc.

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Mr. Kimball thanked all who donated/volunteered for Founder's Day; it was an excellent event. It was well done and the fireworks were terrific. Each year it gets bigger and better. He also thanked Sheri Cohen, Bill Lippincott, and others who assisted, including, but not limited to, Horizon Beverage, North Easton Savings Bank, etc. If anyone would like to make a donation it would be beneficial to add power.

Mr. Giblin suggested contacting Southeastern Regional Technical School to see if they would be able to assist the Town with this power effort.

VII. NEXT MEETING'S AGENDA

1. Conservation Commission and Water Bodies Committee Re: Proposed cleaning of water bodies in Town and Town Meeting funding of the project

VIII. EXECUTIVE SESSION

1. To consider the purchase, exchange, taking, lease, or value of real property

IX. ADJOURNMENT

Declaration of the Chairman at 9:06 p.m.: Under G.L. c30A, Section 21(b)(3) and (4), the purpose of the executive session will be discussion for strategy to consider the purchase, exchange, taking, lease, or value of real property, as a discussion of this strategy 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. Giblin at 9:07 p.m. that the Board of Selectmen enter into executive session, under G.L. c.30A, Section 21(a)(3), regarding discussion of strategy to consider the purchase, exchange, taking, lease, or value of real property, and not to return to open session. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

Janet A. Sweeney
Board of Selectmen – Recording Secretary

Documents Distributed/Reviewed at June 27, 2013, Board of Selectmen Meeting

Draft Board of Selectmen Minutes of Meeting dated March 7, 2013

Draft Board of Selectmen Minutes of Meeting dated March 21, 2013

Graves Engineering, Inc. Contract Change Order #1 addressed to Norton Zoning Board of Appeals, from Donald J. Graves, dated June 13, 2013

Graves Engineering, Inc. Contract Change Order #2 addressed to Norton Zoning Board of Appeals, from Donald J. Graves, dated June 13, 2013

Memorandum from Chief of Police, Brian Clark, to Michael Yunits, Town Manager, dated June 17, 2013, re: Finger Printing By-Law

Memorandum from Michael D. Yunits, Town Manager, to Board of Selectmen, dated June 25, 2013, re: Notice of Appointment of Fire Captain, effective July 7, 2013

Memorandum from Michael D. Yunits, Town Manager, to Board of Selectmen, dated June 25, 2013, re: Notice of Appointment of Water/Sewer Technician

Memorandum from Danielle Sicard, Town Clerk, to Board of Selectmen, dated June 19, 2013, re: Resignation of Michele Simoneaux from Conservation Commission effective July 1, 2013

Memorandum from Danielle Sicard, Town Clerk, to Board of Selectmen, dated June 21, 2013, re: Resignation of Frederick W. Annas from Norton Housing Authority, effective June 20, 2013

Letter from George J. Koenig and Jeanne Koenig, to Mr. Michael Yunits, Town Manager, and Board of Selectmen, dated June 17, 2013, re: 20 Kingsley Road, Norton, MA re: concern about the current sewerage conditions on their property

Application for One Day Liquor License at Everett Leonard Park on August 24, 2013 from 4 – 7 p.m.: Applicant: Andrea Falciano, for private party

Request for Parade/Motorcade Permit: Applicant: Norton High School Track Boosters (Denise Sanford) re: 5K Road Race Fundraiser for Senior Scholarships to be held October 26, 2013 (location of assembly and location of disbanding at J. C. Solmonese Elementary School)

BOARD OF SELECTMEN

MINUTES OF MEETING OF

JUNE 27, 2013

ROBERT W. KIMBALL, JR., CHAIRMAN

MARY T. STEELE, VICE-CHAIR

BRADFORD K. BRAMWELL, CLERK

TIMOTHY R. GIBLIN

ROBERT S. SALVO, SR.

Dated:_____