

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
AUGUST 8, 2013**

**I. CALL TO ORDER BY CHAIRMAN**

The August 8, 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 present.
- B. Pledge of Allegiance

**II. WARRANTS AND MINUTES**

- A. Approve bills Warrant #7, dated August 1, 2013, in the amount of \$97,915.20

**MOTION was made by Mr. Bramwell to Approve bills Warrant #7, dated August 1, 2013, in the amount of \$97,915.20. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

- B. Approve bi-weekly payroll for the period ended August 3, 2013, Warrant #8, dated August 8, 2013, in the amount of \$419,975.36

**MOTION was made by Mr. Bramwell to Approve bi-weekly payroll for the period ended August 3, 2013, Warrant #8, dated August 8, 2013, in the amount of \$419,975.36. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

- C. Approve bills Warrant #9, dated August 8, 2013, in the amount of \$153,243.03

**MOTION was made by Mr. Bramwell to Approve bills Warrant #9, dated August 8, 2013, in the amount of \$153,243.03. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

- D. Approve Minutes – April 11, 2013

**MOTION was made by Mr. Bramwell to Approve the Board of Selectmen Minutes of Meeting, dated April 11, 2013, as written. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

### **III. LICENSES AND PERMITS**

- A. Application of TPC Boston/Dan Waslewski, 400 Arnold Palmer Blvd., Norton, MA 02766, for a one-day All Alcohol License as follows:

. TPC Boston – Member Hospitality Tent, Wednesday, August 28 – Monday, September 2, 2013, 8:00 A.M. – 8:00 P.M., for private party

STIPULATIONS: “DETAIL OFFICERS AS REQUIRED BY CHIEF OF POLICE; APPROPRIATE SIGNAGE FOR TWO (2) DRINK LIMIT PER SERVICE”

Mr. Waslewski said tent is moved, not toward clubhouse, but near 18<sup>th</sup> Green and wanted to come before Board regarding this.

**MOTION was made by Mr. Bramwell to Approve Application of TPC Boston/Dan Waslewski, 400 Arnold Palmer Blvd., Norton, MA 02766, for a one-day All Alcohol License as follows:**

. TPC Boston – Member Hospitality Tent, Wednesday, August 28 – Monday, September 2, 2013, 8:00 A.M. – 8:00 P.M., for private party, with following Stipulations: DETAIL OFFICERS AS REQUIRED BY CHIEF OF POLICE; APPROPRIATE SIGNAGE FOR TWO (2) DRINK LIMIT PER SERVICE. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

- B. Application of Kristel Cameron for a one-day Beer and Wine License to be utilized at Everett Leonard Park, August 23, 2013, 4:00 – 8:00 P.M., for private party.

Mr. Kimball stated the Chief of Police signed off.

**MOTION was made by Mr. Giblin to Approve Application of Kristel Cameron for a one-day Beer and Wine License to be utilized at Everett Leonard Park, August 23, 2013, 4:00 – 8:00 P.M., for private party, with no police detail required. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

- C. Application of Norton Parks and Recreation Commission for a Parade Permit, for the Halloween Parade and Community Celebration, to be held Sunday, October 27, 2013, 12:00 P.M. – approx. 1:30 – 2:00 P.M.

STIPULATION: DETAILS AS REQUIRED BY CHIEF OF POLICE

It was noted this Parade will start from Attleboro line to St. Mary's Parish.

**MOTION was made by Mr. Giblin to Approve Application of Norton Parks and Recreation Commission for a Parade Permit, for the Halloween Parade and Community Celebration, to be held Sunday, October 27, 2013, 12:00 P.M. – approx. 1:30 – 2:00 P.M., with Stipulation as follows: Details as Required by Chief of Police. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

#### **IV. ANNOUNCEMENTS**

#### **V. BUSINESS**

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

1. Jacqueline Boudreau, Treasurer/Collector, Re: Request to Approve and Sign documents for a Title V Loan

Ms. Boudreau referenced first loan and new issue of \$100K; \$133K they have to use toward Title V loan applications.

Mr. Kimball said this is for Title V repairs.

**MOTION was made by Mr. Bramwell to approve and sign the document: Voted: (1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$133,498 (the "Bonds") pursuant to Chapters 29C and 111 of the General Laws and a vote of the Town passed October 8, 2003 (Article 7), (as ratified and confirmed by Chapter 261 of the Acts of 2006) for a community septic management loan program (the "Project"); (2) that in anticipation of the issuance of the Bonds, the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed \$133,498; (3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust (the "Trust") at a price determined pursuant to the Loan Agreement;**

- (4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Loan Agreement or Agreements with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes;
- (5) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan agreement by the Treasurer, are hereby ratified, approved and confirmed; and
- (6) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the loan Agreement or Agreements and the Project Approval Certificate and Regulatory Agreement or Agreements relating to the Project.
- Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

Mr. Giblin inquired as to how they can get info out to people/residents?

Mr. Kimball said the Board of Health can walk them through the process.

2. 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: Island Brook 40B Comprehensive Permit Application

Mr. Kimball discussed/explained Change Order.

**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: 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 #3** for Graves Engineering, Inc./Norton Board of Appeals Re: Island Brook 40B Comprehensive Permit Application

**MOTION was made by Mr. Giblin to authorize Town Manager, Michael D. Yunits, to sign Contract Change Order #3 for Graves Engineering, Inc./Norton Board of Appeals Re: Island Brook 40B Comprehensive Permit Application. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

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

**MOTION was made by Mr. Giblin to authorize Town Manager, Michael D. Yunits, to sign Contract Change Order #3R for Graves Engineering, Inc./Norton Board of Appeals Re: 274 East Main Street Comprehensive Permit Application. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

**B. OLD BUSINESS**

1. Discussion - Solar Bylaw

Mr. Yunits stated there is not an existing solar bylaw. He referenced general law and indicated the Town of Kingston was recently involved in something similar. This is probably too late to place on Fall Annual Town Meeting. Board could review this and bring to Planning Board and have a Hearing and proceed accordingly. Mr. Yunits said the benefit of having a bylaw is related to applying/receiving energy grants, etc.

Mr. Kimball asked to place this on the next agenda and will take comments of Board of Selectmen.

2. Discussion – Cannon

Mr. Kimball said there is some concern of Historical Commission regarding cannon; they are self-insured and the concern is if cannon falls under their jurisdiction, it would be something they would need to be responsible for. Instead of placing it under custody and care of Historical Commission, he recommended to put it under jurisdiction of Board of Selectmen. The cannon is mounted on metal mounting brackets. It is a German cannon from WWI, and the American Legion would like opportunity to take it back if they ever have another location to place it.

**MOTION was made by Mr. Bramwell to accept gift of cannon from American Legion to Board of Selectmen, and stipulation being if in future American Legion does have a new building and would like possession of cannon, they are allowed to have it returned. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

3. Discussion – Island Brook and 274 East Main Street Proposed C.40B Projects

Mr. Kimball referenced two letters, and read them into the record, and they are to be forwarded to Board of Appeals.

Mr. Kimball referenced the “rain gardens” which are being proposed by developer and Mr. Kimball said Board/Town needs to look at this carefully.

**MOTION was made by Mr. Bramwell to authorize letter regarding Island Brook to be sent on behalf of Chairman. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

Mr. Kimball referenced the second letter, dated August 9, 2013, to Thomas Noel, Chairman of Zoning Board of Appeals, from Robert Kimball, Chairman - Norton Board of Selectmen, regarding 274 East Main Street, Comprehensive Permit Application.

Mr. Giblin said it is important, as noted in previous Board of Selectmen discussions, it should be one line only, not two lines.

Also, the height of building and closeness to the roadway are concerns for safety of people and children. It is within 50’ of that proximity to the street and it is dramatic and similar to buildings built in the city.

**MOTION was made by Mr. Bramwell to authorize/allow Chairman of Board of Selectmen to sign off on letter regarding 274 East Main Street. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**C. TOWN MANAGER’S REPORT**

Mr. Yunits said Jack Nicolas who owns old bank on Route 123 at intersection is working out a deal to have a yoga shop there and plan is to take down the existing building and build a new building, and this is planned to be presented to Historical Society.

Mr. Kimball said this Town is pro-business, however, he does not believe a yoga shop should be located at this location. Also, would need to see what Historical Society’s opinion would be regarding demolishing the building.

.....

Update was provided of West Nile Virus; there is an increase of moderate risk for West Nile Virus. Ensure to drain buckets/ barrels, tarps and wheel barrows; keep rain gutters free of water, keep screens secure and repair or replace them if torn, and wear long sleeves. Some ground level spraying will occur between 2 to 5 a.m.

Housing Authority Director received a draft work order for a generator and she is encouraged it is moving forward.

.....

It was noted the jail cells in the basement of the Town Hall were sold for \$1,020; the purchaser will need to take out and cap off, etc., when they come to retrieve them.

Mr. Kimball suggested the Board look at basement once it gets cleaned up a bit and possibly think of it for future offices for town hall, etc.

.....

A project eligibility letter from Mass DOT regarding Route 123 was referenced relating to sidewalks, etc. (from Elm Street to Route 495).

.....

Fire Dept. Open House will be held Saturday, October 26, from 10 a.m. to 1 p.m.

.....

A letter was received from Deutschbank regarding more planned security and fencing, etc. It was noted many people left through the nearby mobile home park.

.....

Correspondence was received from Daggett Crandall Home. Mr. Yunits had asked their attorney to go on site for their due diligence and appears Board of Selectmen is looking to move forward. A public hearing would need to be held, etc. Consensus of Board was it was ok to put on Warrant.

.....

Mr. Yunits said the Town of Norton is in the process of having an energy audit conducted.

.....

Mr. Yunits said he asked for Pratt and Ellis Streets to be looked at. He is also aware the neighborhood is getting concerned about driver who hit light and insurance issues; hopefully this will be expedited.

.....

ZIP Trip (Fox News) is being held in Town this Friday and starts at 5:45 a.m. on Friday at Yelle and runs from 10 or 10:30 a.m.

**VI. SELECTMENS REPORT AND MAIL**

Mr. Giblin referenced bylaws of the Town and said it has been awhile since these bylaws were reviewed. They can set up a committee springtime of next year.

.....

A camera system in or around Town Hall building for safety issues was discussed. It was noted Mrs. Steele has been pushing for this for the last couple of years. There are no contingency plans for Town Hall.

Mr. Salvo said it would be beneficial to have a monitor for Town Hall, and it could be connected to Communications. Mr. Kimball said this is something they need to address.

.....

Mr. Salvo referenced two subdivisions with two dry water mains; why are they there and not filled with water? It is a safety issue; and suggested to have Water Superintendent look into this.

Mr. Kimball said this is a good question and something that needs to be looked into.

.....

Mr. Salvo said the newly remodeled Norton High School looks beautiful. However, the island built at high school is a potential problem for future with plowing, etc. He had a conversation with Highway Superintendent recently regarding this.

Mr. Bramwell explained island is there for traffic flow and is there to direct parents who are dropping students off and had to do with safety.

Mr. Salvo inquired if they could make island out of something else/another material or redo another way?

Mr. Bramwell said he would direct question to engineers.

Mr. Salvo said if it was granite curb, it wouldn't disturb the granite.

Mr. Yunits said originally it was supposed to be granite curb. He said it looked like loam was being put in at that site and not being paved as Mr. Yunits said he believed it would be.



**VI. NEXT MEETING'S AGENDA**

The next Board of Selectmen Meeting to be held on August 22. Board members can call Mr. Yunits to add items to agenda if needed.

**VII. EXECUTIVE SESSION**

To Discuss Strategy with Respect to Collective Bargaining – Norton Police Association

**VIII. ADJOURNMENT**

**Declaration of the Chairman at 8:10 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 – Norton Police Association, as a discussion of the 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 8:11 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 – Norton Police Association. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.**

Respectfully Submitted by:

Janet A. Sweeney  
Board of Selectmen – Recording Secretary

**Documents Distributed/Reviewed at August 8, 2013, Board of Selectmen Meeting**

- . Board of Selectmen Draft Minutes of Meeting dated April 11, 2013
  
- . Application of TPC Boston/Dan Waslewski, 400 Arnold Palmer Blvd., Norton, MA 02766, for a one-day All Alcohol License – TPC Boston – Member Hospitality Tent, August 28 – September 2, 2013, 8:00 AM – 8 PM for private party
  
- . Application of Kristel Cameron for a one-day Beer and Wine License to be utilized at Everett Leonard Park, August 23, 2013, 4:00 – 8:00 PM, for private party
  
- . Application of Norton Parks and Recreation Commission for a Parade Permit, for the Halloween Parade and Community Celebration, to be held October 27, 2013, 12:00 PM – approx. 1:30 – 2:00 PM
  
- . Graves Engineering, Inc. Contract Change Order #2, dated July 8, 2013
  
- . Graves Engineering, Inc. Contract Change Order #3, dated August 6, 2013
  
- . Graves Engineering, Inc. Contract Change Order #3R, dated August 6, 2013

**BOARD OF SELECTMEN**

**MINUTES OF MEETING OF**

**AUGUST 8, 2013**

**ROBERT W. KIMBALL, JR., CHAIRMAN**

**MARY T. STEELE, VICE-CHAIR**

**BRADFORD K. BRAMWELL, CLERK**

**TIMOTHY R. GIBLIN**

**ROBERT S. SALVO, SR.**

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