

**BOARD OF SELECTMEN
MINUTES OF MEETING
SEPTEMBER 26, 2013**

I. CALL TO ORDER BY CHAIRMAN

The September 26, 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. Timothy R. Giblin; and Mr. Robert S. Salvo, Sr. were present. Mr. Michael Yunits, Town Manager, was also present.

B. Pledge of Allegiance

II. WARRANTS AND MINUTES

A. Approve bills Warrant #19, dated September 26, 2013, in the amount of \$1,807,997.67

MOTION was made by Mr. Bramwell to Approve bills Warrant #19, dated September 26, 2013, in the amount of \$1,807,997.67. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

B. Approve Minutes – May 2, 2013

MOTION was made by Mr. Bramwell to Approve the Board of Selectmen Minutes of Meeting, dated May 2, 2013, as written. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

III. LICENSES AND PERMITS

IV. ANNOUNCEMENTS

Norton Community Blood Drive Sponsored by Fillmore-Nason VFW Post 8049, Monday, September 30, 2013, 2:00 – 7:00 p.m. at Norton VFW, 38 Summer Street, Norton, MA. More info can be obtained at 1-800-Red Cross or redcrossblood.org.
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Miller Recycling of Mansfield holding a free E-Waste on October 19 at Plymouth Street, Mansfield 8 a.m.-2 p.m. More info contact: 18007836766 or www.millerrecycling.com
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Touch-A-Truck to be held at Comcast on Saturday, September 28 at Comcast Center.

V. BUSINESS

A. NEW BUSINESS

1. 7:05 P.M. – Bernie Marshall, Water/Sewer Superintendent – Discussion regarding water issues

Mr. Marshall said unfortunately a series of events occurred about ten days ago and there was an instance on Oak Street and referenced services of 6" main on new main. During construction some unforeseen things happened; an emergency and an accident (disruption in that area). They also had Verizon who replaced a pole on Taunton Street and he apologized for these events. The west side (the Attleboro side) and the east side had a problem that was not related to each other at all. The Town is flushing the same way as they have been doing for at least a decade. He said they make notification through the Sun Chronicle; through the water bills; and through cable, etc. Also, he indicated he attended the Board of Selectmen meeting two weeks ago and discussed the Fall Flushing Program which would happen on September 15. He said he and his department try to be as proactive as possible. Mr. Marshall apologized if communication was sub-par.

Mr. Kimball said many people don't read the newspaper, watch cable, etc. He suggested Mr. Marshall leave the notice with Board of Selectmen and they can advertise it at a meeting.

Mr. Marshall said the water pipes were installed in 1880's and 1890's and iron and manganese will show their ugly head at times. They need to flush and it is mandated by DEP and they try to do it at off-hours but it can cause disruptions in service.

Mr. Giblin said some of the emails/complaints he received noted Norton was the only town that does flushing, but that is not the truth.

Mr. Marshall said if a treatment facility was built at the source, it takes the iron and manganese out of the water.

Mr. Giblin suggested possibly placing a bright-colored piece of paper at heavily populated establishments in Town advertising/advising of the flushing (such as Roche Bros., the Norton Library, etc).

Mr. Marshall said residents should call the Water Dept. because they can help create cleaner water via use of a fire hydrant, etc. Water Dept. phone number is: 285-0280. Residents need to "run water" and have patience as well. Mr. Marshall said his department is customer service friendly.

2. 7:15 P.M. – Appointment of Inspector of Buildings/Building Commissioner

Mr. Yunits said I'd like to recommend Joel Reed who has 15 years of combined experience in Dartmouth and Somerset . He interviewed eight people for the position and Joel looked like he would work well with employees and residents of the Town.

Mr. Reed introduced himself and said he has been in construction most of his life with a family business. He worked in Dartmouth for 15 years and he is currently the building commissioner in Somerset. He is also certified as a local and zoning inspector, along with extensive training and code enforcement.

Mr. Bramwell read the notice of appointment aloud. October 7 was effective date requested.

Per Mr. Kimball's inquiry, Mr. Yunits stated he does comply with all the certifications per Mr. Kimball's inquiry.

Mr. Kimball said the Board is here to support him.

MOTION was made by Mr. Giblin to approve the appointment of Inspector of Buildings/Building Commissioner, Joel Reed, per Town Manager's recommendation, with an effective date of October 7, 2013. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

3. 7:30 P.M. – Joint Meeting with Cemetery Commission Re: Cemetery Department Fees

Mr. Kimball said at a recent Finance Committee meeting, they were discussing this and question of costs, etc.

It was noted Mr. Silver said perk test was very good regarding land (Daggett Crandall); it went down to 8-10' and no water, with decent soil. This property is on corner of Newland and Newcomb Streets. Town Meeting voted \$338,000 last spring, and need to go back to Town Meeting for additional money. Mr. Kimball said Town's fees are much lower than many of their neighboring communities.

Mr. Yunits said engineer indicated site would generate \$5million+ and perpetual care of \$1,500,000. What Town charges to open a grave site is lower than most communities. Mr. Silver had indicated it depends on what type of season (two hours with two employees or could take five or six hours).

Attorney Dan Rich said \$338,000 was appraisal on this land and purchase and sale was for \$475,000; Mr. Rich asked why should Town overpay for it?

Mr. Kimball said it is important for Town to get its fee structure in place, etc.

Mr. Rich said they are not trying to make money on death.

Mr. Kimball said the Town won't go to maximum for fees.

Mr. Rich said they did have a meeting; it is an enterprise account (any money generated by the cemetery goes to general fund); possibly an enterprise fund to Cemetery Commission.

Mr. Kimball said he was disappointed as it “appears” the Commission is not supporting the Article. Mr. Kimball said this is a golden opportunity for Town, and would hope Cemetery Commission would reconsider.

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Attorney Rich said this is the first time the Commission has been hearing this and difficult to vote on something now.

Discussion ensued on which towns Norton was comparing itself with. Mr. Yunits said comparisons with rates of Raynham, Taunton, etc.

Mr. Kimball said some of the rates are high and he was not saying Norton will go that high.

Mr. Yunits said this was just a quick report the engineer provided him (Norton won't compare themselves to Boston).

Mr. Giblin said this site is well-suited for cemetery property and not in business to make money as Mr. Rich indicated. However, if Norton invests money there may be a breakeven point at some point. Rates have not been reviewed since 1990; and this was looked at with Town licenses.

Mr. Rich said if rates are raised, it should go toward Cemetery account.

Mrs. Steele said possibly the Highway Dept./Cemetery Commission can have an enterprise account instead of it being added to the general fund. Mrs. Steele asked because Town has the right of first refusal, is Town obligated to match the other offer?

Mr. Kimball responded, yes, and said if voted down at Town Meeting it will be sold for \$475,000 to developer.

Attorney Rich said possibly a delineation, not necessarily an enterprise account.

Mr. Kimball said it would be prudent to put some money aside similar to an enterprise account, and they could discuss that in future.

Discussion on which portion of fees would be divided between Highway Dept. and Cemetery Commission/Dept.

Mr. Kimball said the Board of Selectmen is asking Cemetery Commission to review surrounding towns' fees.

Attorney Rich agreed the Committee can review surrounding towns' fees.

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Mr. Giblin noted the person that conducted the study is from Boston, therefore, he may have included some sample rates from that area.

Mr. Silver stated he had asked for \$60,000 to fix driveways for cemeteries but it never came to fruition; he patched them up, but needs more attention.

Board of Selectmen would like Cemetery Commission to come back with a recommendation.

Mr. Bramwell said for years the Town has been running out of cemetery space, so this would be beneficial.

4. Interviews and appointments of the following applicants to the Alternative Transportation Committee:

- . Donald Cybulski
- . Kathleen Ebert-Zawasky
- . Denny Goodrich
- . Scott Holman
- . Karen Kenter-Potty
- . Linda S. Kollett
- . Sandra Ollerhead

It was noted seven members were needed and seven were interested. Mr. Kimball said he was aware most of the interested parties were present this evening, and if anyone would like to speak, please feel free to do so.

Mr. Denny Goodrich, from Sturdy Street, said they were meeting as an informal committee for over a year with people from all different walks of life. They are further along than many may think and worked with SRPEDD. Most important thing is that they, as a team, are listening. It was noted they also have their own webpage and a Facebook page. Discussion ensued.

Mr. Giblin thanked them for coming before the Board and for their efforts. Concerns being: inside the path; what type of materials to be used inside the path for horses, skiers, walkers? Therefore, different areas to look at for saving costs for future regarding maintenance.

Mr. Goodrich said they are partnering with SRPEDD and they can investigate materials, etc.

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Mr. Giblin said it would be a good idea to partner with Mr. Silver, Superintendent of Highway Dept.

Mr. Goodrich said they can partner with any/all departments; they are a dedicated team committed to get this done.

Mr. Kimball said committee will be formed with seven members with different increments of time.

All reappointments are done on June 30th. Also, Town Manager can probably come to their first meeting to help organize, etc. They can use Town facilities/meeting rooms. Mr. Giblin said he would like to be part of the first meeting as well (he will attend with Mr. Yunits).

Mr. Kimball reiterated there were seven interested members with submitted letters of interest.

Chairman Kimball put in nomination for seven nominees as noted above with terms of one, two and three years.

MOTION was made by Mr. Giblin to appoint Donald Cybulski to a three year term to the Alternative Transportation Committee. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Giblin to appoint Kathleen Ebert-Zawasky to a three year term to the Alternative Transportation Committee. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Giblin to appoint Denny Goodrich to a three year term to the Alternative Transportation Committee. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Giblin to appoint Scott Holman to a two year term to the Alternative Transportation Committee. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Giblin to appoint Karen Kenter-Potty to a two year term to the Alternative Transportation Committee. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Giblin to appoint Linda S. Kollett to a one year term to the Alternative Transportation Committee. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Giblin to appoint Sandra Ollerhead to a one year term to the Alternative Transportation Committee. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

5. Vote to approve and sign or authorize Town Manager to sign the Proposal from John C. Bowman, III, CRE, FRICS, Crosswhite Property Advisors, for Financial Review Services regarding the proposed C.40B Development of Campanelli-Thorndike; located at 274 East Main Street, Norton, MA

Mr. Yunits referenced a proposal from Crosswhite Property Advisors (a pro forma) with referenced a report generated within fifteen working days and Mr. Yunits further explained. This has been reviewed by Town Counsel and she made a few changes and returned it. Discussion ensued.

Mr. Kimball said this is opening up the books; not sure if it is asking all the right questions. Density, height and public safety are three key factors of concern, as well as impact on developer. ZBA asked for a possible reduction of height on four buildings. It was noted fee of \$3500 was paid for by developer.

Mr. Kimball said they received a Notice for Project Change from MEPA Office re: Turtle Crossing 40B. This 40B has been sitting idle for years. This will be a multi-family project on Newland Street; project has been approved and shovel-ready to go (146 units of affordable housing). Shovel in ground anticipated May 2014 with a date of completion in 2018. Discussion ensued.

Mr. Kimball said this Board of Selectmen has supported the proposed 176 unit Ch40B and he takes offense when he hears the Board of Selectmen has not been supportive of this. This would put Town over the ten percent necessary; does Town need 409 affordable apartments at one time? It is a financial impact and this Town will have to go for an override because Town will not be able to educate all the children brought into these new apartments. Town will be dealing with both projects at the same time.

274 East Main Street has towering buildings overlooking roads and Red Mill Village.

Turtle Crossing grade of land is not flat and the only neighbor is a farm next door. There are some height issues with Turtle Crossing, but it is totally different since 274 East Main Street is towering over a main road and Turtle Crossing is towering next to woods.

Mr. Salvo spoke of the importance to keep up-to-date regarding these projects and the type of facility that will be built to know what to create in size for a sewer. He is aware they have been approved but approved on current system; how they will both be tied into the facility? Both occurring at the same time is an issue that needs to be addressed.

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MOTION was made by Mr. Bramwell to Vote to approve authorize Town Manager to sign the Proposal from John C. Bowman, III. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

B. OLD BUSINESS

- 1. Review and/or Vote October 7, 2013 Fall Annual Town Meeting Warrant Articles
. Vote to Lay Out Feck Way**

Mr. Yunits referenced various Articles as noted below:

Article 1: \$9,137.58 - needs a revote and further explained.

MOTION was made by Mr. Salvo to Reconsider Article 1. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Salvo to support Article 1. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

Article 2: Supplemental Appropriations

Mr. Yunits explained this Article and its content.

One of the parts of this Article includes the Council on Aging position. There is no Council On Aging Director and those people that volunteer do an excellent job but need someone trained in human services. Town residents are being referred to Bristol Elder Services then to St. Vincent DePaul, therefore, request put in for a staff person. Mr. Yunits said he would like a full-time person in that position with a salary of \$42,000; but a part-time person can be hired for now.

Mr. Kimball said FinCom had some concerns about a part-time position.

Mr. Yunits said a part-time Council On Aging Director would be the title of position. Discussion ensued.

Another expense discussed was the software for the Town Clerk's Office. It would be utilized for business certificates (810 businesses in town clerk's database) and she could move to a monthly notice

from quarterly). The other software would be for boards and committees and this software would handle all the records and the town clerk's office spends a lot of time working on that. Total request is \$2,745.00 for software.

MOTION was made by Mr. Giblin to support Article 2. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

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Article 3 and 4: Mr. Yunits stated these are placeholders in the event something else arises.

Article 5: Capital Funding

Mr. Yunits said his recommendation was to put \$600,000 into "Capital" and they will review capital plan afterward. \$544,000 is currently in account. They will be spending some money that will bring that balance down.

MOTION was made by Mr. Giblin to support Article 5. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

Article 6: Capital Planning Committee

Mr. Yunits referenced Town Hall /Fire Dept. improvements. Office space and storage space in basement of Town Hall will be looked into; need some hvac work to be done; also need to also remove the stage and the drop ceiling to be taken down in the Selectmen's Meeting's Room. Also some reconfiguring of offices on second and first floor need to be done.

Police Station gutter system needs to be replaced (\$20,000 range). They are also looking to acquire one police cruiser at \$33,000.

Highway Building repairs and upgrades = \$37,000 (looking for a concrete pad around gas pumps and a ventilation fan needed).

Fire Department is seeking ambulance stretchers (\$75,000 for two of those systems). Fortunately, there was a contribution toward this from a resident for \$15,000). Two cardiac monitors and defibrulators also needed.

It was noted there was a vote in May 2013 for \$45,000 for a fire truck and for 2.5% lease over five years; it will be \$75,000/year.

It was noted the Town Hall work would be "borrowed". Other needs: Henri Yelle School needs boiler replaced, and wireless needed for Town schools/buildings. Middle School paving was referenced; Mr. Silver, Highway Dept., can do base and save Town money. Middle School also needs upgrade on switches (wireless for entire building). Safety and security upgrades needed district-wide; people need

radios for emergencies, and also camera upgrades/installs. Replacement of a SPED bus \$51,500 from an early 1990's bus. Also, a system-wide kitchen replacement and Norton Library needs to replace one of their a/c units.

Mr. Kimball said as Chairman of the Capital Improvements Committee, he wanted to communicate the Town's infrastructure is decaying. The best way to approach this is with a low-interest rate; the Town

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has been putting band-aids on these buildings in the past. Town Hall needs improvements/remodeling, etc., and better to do quantity projects vs. individually.

Mr. Salvo departed the Board of Selectmen Meeting at 8:40 p.m.

MOTION was made by Mr. Bramwell to approve Article 5. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.

Article 17: Feck Way

A letter was received from Planning Board indicating they recommend Feck Way be accepted. Mr. Kimball asked if Planning Board indicated it met all requirements/all checked out?

Mr. Giblin stated there was some form/checklist they received whereby street lights were ok, etc. It was discussed they needed additional info on this.

NO ACTION taken at this time on Article 17.

Article 22: Stabilization Fund

Mr. Yunits stated no money has been in stabilization for years. He would recommend \$100,000 in Stabilization Fund.

Mr. Yunits said recommended percentage should be at least 15% of your average town budget. This is for emergencies.

MOTION was made by Mr. Giblin to support Article 22 (\$100,000 amount). Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

C. TOWN MANAGER'S REPORT

. Notice of Intent to Sell a parcel of land situated on North Washington Street in Norton, Bristol County, and comprising approximately 10.0 acres with a dwelling, Pursuant to M.G.L. C.61B, Section 9

Mr. Yunits said he will have more info on this once he hears from Conservation Commission.
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Flu Clinic to be held on October 2 at Yelle School Café and at St. Mary's Fair on October 6 from 4-6 p.m. Also held at the Yelle School Café on October 6. Info can be obtained by calling the Board of Health. This is also advertised on Cable. It was noted CVS and Walgreens also have flu clinics available.

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Correspondence received from Town Moderator, asking if Board of Selectmen had any opinion this year changing town meeting by moving everyone off stage to sit in front of stage and wish only the Moderator; Town Clerk; Fincom Chair and Vice-Chair be located on stage.

Mr. Kimball said this is basically how it was done at Yelle in past anyhow.
.....

High School is 82.5% complete and will be entirely complete in December.
.....

Meeting with National Grid this week regarding future storm events. They have broken the region down so it is a three town region and they will have resources in each of those towns; each town to have a liaison. They will continue to have large conference calls too. It appears to be a much better structure during major storm events.
.....

Some new rules with healthcare law; the Town's Treasurer's Office needs to send out an insurance eligibility audit. It will cost 49 cents a piece to send to 628 people along with HIPPA privacy notice. On Monday, another Notice for Affordable Care Act was received, therefore, Town is meeting guidelines as requested.
.....

Mr. Giblin said in the past, Mr. Salvo had asked if Board can get copies of the licenses; possibly have Carol, Office Administrator, provide them copies. He asked to have this possibly added to an agenda in a couple of weeks.

D. APPOINTMENTS/RESIGNATIONS

VI. SELECTMEN'S REPORT AND MAIL

Town Meeting to be held October 7, 2013 at Norton Middle School.

VII. NEXT MEETING'S AGENDA

Mr. Kimball said Water Bodies Committee and Conservation Commission to come in for a joint meeting on RFQ. Eleven companies came in, but no one returned their forms which was disappointing. Mr. Kimball asked Mr. Yunits to please send a copy to Town Counsel for their opinion and why applicants did not reply; Conservation Commission can try to find that answer out if there is something in that RFQ that stopped them from replying. It will be delayed; won't be able to do it until about a year from now. Joint meeting will discuss where to go from here.

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VIII. EXECUTIVE SESSION

IX. ADJOURNMENT

MOTION was made by Mr. Giblin to Adjourn at 8:56 p.m. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

Janet A. Sweeney
Board of Selectmen – Recording Secretary

Documents Distributed/Reviewed at September 26, 2013, Board of Selectmen Meeting

- . Draft Board of Selectmen Minutes of Meeting, dated May 2, 2013

- . Letters of Interest of applicants/interested parties to become members of the Alternative Transportation Committee: Donald Cybulski, Kathleen Ebert-Zawasky, Denny Goodrich, Scott Holman, Karen Kenter-Potty, Linda S. Kollett, Sandra Ollerhead

- . Proposal from John C. Bowman, III, CRE, FRICS, Crosswhite Property Advisors, for Financial Review Services regarding the proposed C.40B Development of Campanelli-Thorndike, located at 274 East Main Street, Norton, MA

- . Town of Norton Warrant (Articles) for the Annual Town Meeting, October 7, 2013

- . Notice of Intent to Sell a parcel of land situated on North Washington Street, Norton, Bristol County, and comprising approximately 10.0 acres with a dwelling, Pursuant to M.G.L. C.61B, Section 9

BOARD OF SELECTMEN

MINUTES OF MEETING OF

SEPTEMBER 26, 2013

ROBERT W. KIMBALL, JR., CHAIRMAN

MARY T. STEELE, VICE-CHAIR

BRADFORD K. BRAMWELL, CLERK

TIMOTHY R. GIBLIN

ROBERT S. SALVO, SR.

Dated: _____