

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
NOVEMBER 20, 2014**

**I. CALL TO ORDER BY CHAIRMAN**

The November 20, 2014, Meeting of the Board of Selectmen was called to Order by Mr. Bramwell, Vice-Chair, at 6:30 P.M., held in the First Floor Conference Room.

A. ROLL CALL: Mr. Bradford Bramwell, Vice-Chair; Mr. Timothy R. Giblin, Clerk; Mr. Robert W. Kimball, Jr.; and Mr. Robert S. Salvo, Sr., were present. Mr. Michael Yunits, Town Manager, was also present. Mrs. Steele, Chairman, was delayed and would be arriving shortly.

B. Pledge of Allegiance

**Declaration by the Vice-Chair, Mr. Bramwell, at 6:30 P.M.:**

**I declare, under General Laws Chapter 30A, Section 21A(a)(3), that the purpose of the executive session will be to discuss strategy with respect to litigation, because a discussion of the litigation**

strategy in open session could compromise the purpose of the executive session and with the Board to return to open session at the conclusion of the executive session.

**MOTION** was made at 6:32 P.M. by Mr. Giblin that the Board of Selectmen go into executive session under G.L. c.30A, Section 21(a)(3) for the purposes and reasons declared by the Chairman and with the Board to return to open session thereafter. **Second** by Mr. Kimball. **Vote: Unanimous. MOTION CARRIES.**

**II. WARRANTS AND MINUTES**

A. Approve bills Warrant #31, dated November 20, 2014, in the amount of \$190,009.38

**MOTION** was made by Mr. Giblin to **Approve bills Warrant #31, dated November 20, 2014, in the amount of \$190,009.38. Second** by Mr. Kimball. **Vote: Unanimous. MOTION CARRIES.**

B. Approve Minutes –

There were no Minutes reviewed/approved.

**III. LICENSES AND PERMITS**

1. 7:05 P.M. – Continuation of Hearing on the application of Sanford's Auto Service, Inc. for a Class II License to Buy, Sell, Exchange or Assemble Second-Hand Motor Vehicles, or parts thereof, in accordance with the provisions of Chapter 140 of the Massachusetts General Laws, at 417 Old Colony Road, Norton, MA 02766

Mr. Yunits explained Mr. Sanford was before the Board about two years ago and this was continued indefinitely. The Board of Health settled case with property owner of this location and case now settled. The septic system issue has been rectified and this was between Town and landowner, not the person who is before the Board this evening.

Mr. Yunits read legal document aloud.

Mr. Sanford said he would be selling used cars and believed he requested 30 cars.

Mrs. Steele said the Board should have a copy of the original document because that has not changed at all.

Mr. Giblin clarified that on the last page of document it states if Mr. Sanford had more than 25 cars he would come before the Board of Selectmen.

Mr. Sanford said it sounded like it would be 25 cars.

Mr. Kimball told Mr. Sanford if he needs to come back to ask for more cars to have on lot, he can do so.

**MOTION was made by Mr. Kimball approve the application of Sanford's Auto Service, Inc. (Christopher Sanford, owner) for a Class II License to Buy, Sell, Exchange or Assemble Second-Hand Motor Vehicles, or parts thereof, in accordance with the provisions of Chapter 140 of the Massachusetts General Laws, at 417 Old Colony Road, Norton, MA 02766, with a limit/maximum of 25 vehicles. Second by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

2. Request of Cozy Corporation d/b/a Cozy Beer and Wine, Manager Mruga Patel, 411 Old Colony Road, for change in Sunday Sale Hours, from 12 Noon – 11 P.M., to 10:00 A.M. – 11:00 P.M., on its Retail Package Goods Store License to Expose, Keep for Sale, and to Sell Wines and Malt Beverages Not To Be Drunk on The Premises

**MOTION was made by Mr. Giblin to approve Request of Cozy Corporation d/b/a Cozy Beer and Wine, Manager Mruga Patel, 411 Old Colony Road, for change in Sunday Sale Hours, from 12 Noon – 11 P.M., to 10:00 A.M. – 11:00 P.M., on its Retail Package Goods Store License to Expose, Keep for Sale, and to Sell Wines and Malt Beverages Not To Be Drunk on The Premises. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.**

#### **IV. ANNOUNCEMENTS**

Town Offices will be closed November 27 and 28, 2014, In Observance of Thanksgiving Day.  
Happy Thanksgiving!

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Festival of Lights to be held on Sunday, December 7 at 5:00 P.M. at the Town Common. Santa and Mrs. Clause will arrive by fire truck.

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On Monday, December 8, Sturdy Memorial Hospital will be holding a blood drive at 211 Park Street, Attleboro, in the auditorium from 7:30 A.M. to 4:00 P.M.

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Ronald O'Reilly, a member of the Conservation Commission, successfully completed the Massachusetts Association of Conservation Commission (MACC) Fundamentals for Conservation Commissioners course and has received a Certificate of Achievement for that accomplishment.

**V. BUSINESS**

**A. NEW BUSINESS**

1. Request of Jan C. Fairhurst, Office Administrator, Life Church, One New Taunton Avenue, Norton, MA 02766, for permission to hang a banner over the road for the month of December, to advertise a special Christmas Eve Service

Ms. Joy Cambria was present and said Ms. Fairhurst was unable to attend this evening. She said she spoke to the Fire Department and they did not have a problem with it.

**MOTION was made by Mr. Kimball to approve Request of Jan C. Fairhurst, Office Administrator, Life Church, One New Taunton Avenue, Norton, MA 02766, for permission to hang a banner over the road outside of the Town Municipal Center from December 12 to December 29, 2014, to advertise a special Christmas Eve Service.**

**Discussion:** Mrs. Steele believed a month was a long time to hang the banner and not sure the Board ever granted permission for that length of time.

**Ms. Cambria said the Fire Department said it was all weather dependent regarding hanging/taking down banner.**

**Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

2. Discussion and Vote Re: Plain Street (Portion):
  - . Order of Taking by eminent domain of a permanent public way easement;
  - . Determination of Damages;
  - . Special Act to Change Use of Conservation and Water Supply Parcels

It was noted three votes were needed this evening.

**MOTION was made by Mr. Kimball to approve Order of Taking by eminent domain of a permanent public way easement. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Kimball that the Board of Selectmen hereby determine that no damages are owed for the taking and henceforth award no damages. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Kimball that the Board of Selectmen will file with their state legislators for a Special Act to Change Use of Conservation and Water Supply Parcels. Second by Mr. Giblin. Vote: Unanimous. MOTION CARRIES.**

**B. OLD BUSINESS**

**C. TOWN MANAGER'S REPORT**

**. Update – Mass Office of Business Development**

Mr. Yunits explained the Governor would be making some 9C cuts; \$25.5M in local aid, but Rep DeLeo said there is no way legislators will approve that.

He said he spoke to the superintendent as to what he sees and they are cutting the circuit breaker money.

He will reach out to them again to keep abreast of that. They may be cutting regional school transportation, so he will inquire about this to see how this affects the Town of Norton regarding Southeastern Regional School district.

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Mr. Yunits referenced the Mass Office of Business Development and noted there are links available for different services. He said he attended a meeting with the Chairman and two members of Economic Development Committee, and learned some lessons. Buildings that are more than 75% vacant for ten years they did discuss. Committee is looking at a website to link to Town website.

Mrs. Steele said Mr. Yunits helpful with this and they may want to highlight at a Board of Selectmen meeting a small business in Town. This group is more focused and moving in right direction.

Mr. Yunits said there was a company seeking to possibly rent space in part of Sysco building.

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Mr. Yunits said he received a call earlier in week from one of tenants from Housing Authority. For some reason residents are hearing incorrect information that Town will not allow Verizon Fios. He has asked Andrea Downey to relay the correct information to residents/tenants. It is a corporate decision and they must feel it is not financially feasible to have this in the Town of Norton. If Verizon Fios wants to come to Town they will negotiate a license agreement. It goes to a 501C corporation and Town does not receive money.

Mr. Yunits said if residents want Verizon Fios, they should call Verizon regarding this; it is not the Town deciding to not have them come to Town.

**D. APPOINTMENTS/RESIGNATIONS**

1. Resignation of Joan Guerrero from the Open Space Committee, effective September 26, 2014

Mrs. Steele said this resignation was received from the Town Clerk's Office. Mrs. Steele thanked Ms. Guerrero for her services and now there is a vacancy on this Committee.

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Mr. Kimball said the Town Committee Revitalization Committee has been formed. He commented no one will be back at the Town Clerk's Office until Monday, so no one can be sworn in. Most people work during the day, so it is difficult to find time to get sworn in. Mr. Kimball said the Town Clerk and the Assistant Town Clerk are both out on vacation and won't be back until Monday, November 24. There was discussion regarding the need for coverage in that office when vacations occur. It basically defeats the purpose of having an assistant if both the Town Clerk and Assistant are out on vacation at the same time.

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

If any businesses were willing to donate some pallets for next Wednesday at Annual Homecoming, please deliver them behind the H. A. Yelle School.

Mr. Kimball said he had a lot of pallets but cannot deliver them.

**VII. NEXT MEETING'S AGENDA**

1. 2015 License Renewals

Goosebrook Garage was referenced. It was discussed to have Mr. Gilchrist come in before the Board as the Board needs more info on how that project is progressing.

Mrs. Steele respectfully requested Mr. Yunits to ask Mr. Gilchrist to come before the Board before his license is renewed.

**VIII. EXECUTIVE SESSION**

6:30 P.M. – To discuss strategy with respect to litigation

**IX. ADJOURNMENT**

**MOTION was made by Mr. Kimball to Adjourn at 7:56 P.M. Second by Mr. Salvo. Vote: Unanimous.  
MOTION CARRIES.**

**Respectfully Submitted by:**

**Janet A. Sweeney  
Board of Selectmen – Recording Secretary**

**Documents Distributed/Reviewed at November 20, 2014, Board of Selectmen Meeting**

. Letter, dated November 6, 2014, addressed to Town of Norton – Licensing Board, from Mruga Patel, President, Cozy Corporation, 411 Old Colony Road, Norton, MA 02766, Re: Application for change in opening hours based on M.G.L. c.138, Section 15, Off-Premises Retail Licensees Sunday Opening Time Allowed at 10 A.M.

. Letter, dated November 13, 2014, addressed to Town of Norton, Board of Selectmen/Town Manager's Office, Re: Request for "Over the Road Sign" Advertisement, from Jan C. Fairhurst, Office Administrator with accompanying Certificate of Liability Insurance

. Letter, dated November 12, 2014, addressed to Board of Selectmen, Re: Ronald O'Reilly, associated with Norton Conservation Commission, successful completion of the Massachusetts Association of Conservation Commission (MACC) Fundamentals for Conservation Commissioners course and has received a Certificate of Achievement for that accomplishment, from Eugene B. Benson, Executive Director, Massachusetts Association of Conservation Commissions

. Memorandum, dated November 14, 2014, addressed to Board of Selectmen, Re: Resignation of Joan Guerrero from Open Space Committee, from Danielle M. Sicard, Town Clerk with accompanying resignation letter from J. Guerrero, dated April 16, 2014



**BOARD OF SELECTMEN  
MINUTES OF MEETING OF  
NOVEMBER 20, 2014**

**MARY T. STEELE, CHAIRMAN**

**BRADFORD K. BRAMWELL, VICE-CHAIR**

**TIMOTHY R. GIBLIN, CLERK**

**ROBERT W. KIMBALL, JR.**

**ROBERT S. SALVO, SR.**

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