



TOWN OF NORTON
BOARD OF SELECTMEN
MUNICIPAL CENTER,
70 EAST MAIN STREET, NORTON, MA 02766

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**Board of Selectmen
Meeting Minutes
October 18, 2018**

I. **Call to Order by Chairman**

The October 18, 2018 meeting of the Norton Board of Selectmen was held in the Board of Selectmen's Meeting Room and was called to order at 7:00 P.M., by Mr. Robert W. Kimball, Jr., Chairman. Member(s) present: Mr. Robert W. Kimball, Jr., Ms. Mary T. Steele, Mr. Bradford K. Bramwell and Mr. Michael Flaherty. Also in attendance: Mr. Michael D. Yunits, Town Manager.

II. **Licenses and Permits**

A. **MOTION was made by Mr. Bramwell to approve the application of Edward J. Brault for a Veteran's Day Parade permit to be held on November 11, 2018 from 1:00 P.M. to approximately 2:15 P.M. – 2:30 P.M. Seconded by Mr. Flaherty.
Vote: Unanimous MOTION CARRIES.**

III. **Announcements**

Mr. Kimball announced that on Sunday, November 11th Norton Veteran's Council Veteran's Day Parade to assemble at the Henri A. Yelle School Parking lot, 64 W. Main St., from 1:00 P.M. to approximately 2:15 – 2:30 P.M. In the event of inclement weather, the ceremonies will be held inside the Henri A. Yelle gymnasium. All military personnel are welcome to march! The parade will proceed east on Main Street to stone monument at corner of Pine and East Main Streets for a brief ceremony. Upon completion, the procession will reform and proceed west to the Master Sergeant Trent Memorial for continued Veterans' Day ceremonies, to include guest speaker CPT Joshua Lee, an active member of the Massachusetts Air National Guard. Upon completion of all events, formation will reform and return to Henri A. Yell School to disband. Refreshments will be available in the Henri A. Yelle School cafeteria. Please RSVP to Mr. Ed Breault by calling (508) 254-1283 or via mail to P.O. Box 650, Norton, MA 02766.

Mr. Kimball announced the Personal Best Charity "Neighbors Helping Neighbors": Do you know a veteran or a senior who could benefit from a cooked Thanksgiving meal delivered to them on Thanksgiving Day? Please call the Norton Senior at 508-285-0235 to sign them up!

Mr. Kimball announced The Council on Aging is taking names for Thanksgiving Food Baskets to be delivered on Sunday, November 18th. Call the Council on Aging by the October 24th deadline and provide the following information: name, address, and phone number; number of adults and number

of children; and any special directions. Council on Aging's phone number is 508-285-0235.

Mr. Kimball announced that the Board of Selectmen will conduct a Tax Classification Hearing, in accordance with MGL Chapter 40, Section 56, on Thursday, November 1, 2018 at 7:15PM in the Selectmen's Meeting Room, in the Norton Municipal Center, 70 East Main Street. The Board of Selectmen will accept written comments prior to the hearing from individuals or organizations unable to attend the public hearing.

Mr. Kimball wanted to remind people as well that the first Halloween Hayride with the V.F.W. will be happening this Saturday, October 20th where there will be food, horse-drawn haunted hayrides and kids' games. Food will include hamburgers, hot dogs, popcorn, fried dough, and hot chocolate. He also wanted to send a big thank you to Wheaton College; they have about twenty people volunteering to help with the event.

IV. Business

A. New Business

i. Mr. Yunits began to discuss the Joint Purchase Salt Bid for 2018-2019. He mentioned that the Town does this every year, and pointed out from the handout, which included an e-mail showing how many different towns are part of this purchase (about 7). Discussion was continued as the letter from the Board of Selectmen's Office for the Town of Medfield was read aloud. The letter read that the Board of Selectmen at a duly called and posted meeting on Tuesday, October 2, 2018 voted unanimously to award the Joint Purchase Salt Bid for 2018-2019 according to the lowest bid prices and the Town of Medfield specifications to Eastern Minerals for CC Salt (ton) and for Solar Salt (ton), price for each \$47.50; and to Morton Salt for the bid for Treated Salt (ton), price \$71.77 and as recommended by the DPW Director.

MOTION was made by Mr. Bramwell to award the Joint Purchase Salt Bid for 2018-2019 to Eastern Minerals for CC Salt (ton) and for Solar Salt (ton), price for each \$47.50; and to Morton Salt the bid for Treated Salt (ton), price \$71.77 as recommended by the DPW Director. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.

ii. Review of Departmental Fees:

a.) Paul DiGiuseppe, Director of Planning and Economic Development, presented his recommended fees to the Board of Selectmen as follows:

Mr. DiGiuseppe stated that the Town Manager requested that the department heads research surrounding towns fees, so he looked specifically at the application fees for the planning board, such as site plans and subdivisions and the Zoning Board of Appeals, which is primarily the variance request applications. He stated

that in general, the Town of Norton's fees are typically the lowest of all of the three adjacent towns, so Mr. DiGiuseppe stated he would like to increase their fees without also becoming the most expensive either. He included a couple of examples of the fees he recommended that he believes are fair, such as an ANR for approvals not required. Currently, Norton charges \$100 for the application fee plus another \$100.00 for each new lot where Foxboro charges \$300.00 plus \$200.00 for each new lot and Easton is a flat fee of \$300.00. Mr. DiGiuseppe's recommendation is \$300.00 per application plus \$100 per new lot; so, it would keep us a little less than Foxboro and a little more than Easton. For a variance that would go through the Zoning Board of Appeals, Norton currently charges \$80.00 for an application; Mansfield is \$150.00; Easton is \$400.00; and Foxboro has a number of different things they have fees for, but their general charges are between \$150.00-\$300.00. Mr. DiGiuseppe recommends that Norton charges \$200.00 to keep Norton within the range of other municipalities.

Mr. Kimball stated that he believes Norton needs to get within the ball park of local town fees, and suggested they review departmental fees annually. Mr. Kimball also mentioned possibly moving the application dates to possibly December 1st, and when asked the other Selectmen Mr. Bramwell suggested November 1st.

MOTION was made by Mr. Bramwell to approve the Planning Board and Zoning Board of Appeals fees as recommended by the Director of Planning and Economic Development. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.

b.) Lucia Longhurst, Town Clerk, presented her recommended fees to the Board of Selectmen as follows:

Ms. Longhurst mentioned that for business certificates Norton is tied with Foxboro and Easton and Mansfield is higher. She recommended that Norton go up to \$50.00 and that business certificates last for four years.

Ms. Longhurst then explained that Amendments/Discontinuances are for when someone discontinues their business; a form has to be filled out and notarized. She suggested that Norton goes to \$20.00 on this.

Ms. Longhurst moved on to Dog Licensing. Right now, Norton is in sync with the surrounding towns, but she would like to recommend that starting in 2020 they change dog licensing from annually to every three years. Ms. Longhurst explained that a majority of them get their rabies shots and they are good for three years; so, if Norton could license them at that point for three years she believes residents would really like this. This way, residents do not have to worry about this every year, and Ms. Longhurst suggested giving them a rate of \$25.00 for the three years, compared to the \$30.00 it would have been. She stated that the one-year people who get the one-year rabies shots would have to license every year and

keep those fees the same (\$30.00). Mr. Yunits asked about unneutered/unspayed, and Ms. Longhurst stated she believed they should keep it the same unless they would prefer to keep it \$30.00 for unneutered/unspayed and \$25.00 for neutered/spayed. Mr. Kimball stated whatever she recommends, and Ms. Longhursts stated that honestly about 99% of them are neutered/spayed.

Mr. Flaherty asked why 2020, and Ms. Longhurst answered that because licensing starts in December 2018, so to put this on the residents now with a month's notice she thought it would be unfair.

Ms. Longhurst also suggested that at the next town meeting they change the by-law. Currently, Norton's by-law states that dogs should be neutered/spayed at 6 months. However, research show that it is healthier for females to go through their first heat cycle, so she recommends female dogs be spayed at 9 months old. As for male dogs, they say that the healthiest time for them to be neutered is 9 to 12 months old. So, Ms. Longhurst believes Norton should change its by-law to reflect this.

Mr. Kimball asked if most people get a three-year rabies shot, and Ms. Longhurst answered yes. He then followed-up by referencing back to Mr. Flaherty's question about imposing this as of January 1, 2019 because people already have their three-year rabies shot. Also, according to their programmer in order to accommodate the proposed three-year licenses changes will need to be made to the program and that is going to take some time.

Ms. Longhurst stated that everything else was the same except for the vital records, which include birth, death, and marriage certificates. Marriage licenses the state allows for one-day solemnizers and that is if somebody is getting married and you want your cousin, your aunt, your brother, etc. to officiate the ceremony. However, these are coming back with so many errors and the Town Clerk is having to reissue another license. She mentioned that they had one this week that has come back three times now. So, Ms. Longhurst recommends that for all vital-amendments \$25.00. Currently, it is \$25.00 just for the death certificates [amendments] because the funeral parlors/homes make a lot of errors. So, when they type things up it all goes through the state and when it gets sent electronically to the Clerk's office, it is their responsibility to correct the errors made.

Mr. Kimball asked Ms. Longhurst if she believes these rates will cover the cost of her office to do this and Ms. Longhurst answered yes. She also stated that since the RMV has changed its laws their vital records requests are skyrocketing because they are now requiring birth, death, and marriage licenses. Mr. Kimball said for insurance too and she agreed. Mr. Flaherty agreed that these fees seem very reasonable.

Mr. Bramwell asked for clarification on the spayed/neutered vs. unspayed/unneutered and Lucia said we can do \$35.00 for unspayed/neutered.

MOTION was made by Mr. Bramwell to approve the Town Clerk's fees as recommended. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.

c.) Chris Zahner, Board of Health Agent, presented his recommended fees to the Board of Selectmen as follows:

Mr. Zahner started with the Title 5 fees, explaining that over the years that the cost of operation and overhead goes up. The other issue is that the new septic systems are more complex, which is resulting in the Health Agent having to be out there more often than the typical two or three times. Mr. Zahner explained that his recommended fees were to not only put Norton more on par with the surrounding towns, but to also cover some of those extra costs with the additional inspections.

As for the septic trucks, portable toilet trucks, and trash trucks they are doing an MFN truck inspection day over in Foxboro where Mansfield, Foxboro, and Norton get together and bring all of the trucks to one location at the Highway Department for safety purposes. All of the inspections are done at the same time and Mr. Zahner mentioned they are happy with this.

Another category Mr. Zahner brought up was the Food Establishments; a lot of these prices have been here for quite some time. So, in order to be closer to the surrounding towns Mr. Zahner has suggested some minimal increases. Mr. Kimball supported Mr. Zahner by stating that he agreed with his fees and thought the current implemented fees were quite low. The only question Mr. Kimball had was regarding School Food Service License that states "No Charge". Mr. Zahner explained that if they did charge them for the inspection, the bill was just going to be passed on to the school, so that is why they kept this at no charge.

Mr. Zahner stated that the one thing he did not highlight was under Well Permit Potable & Non-Potable; this fee increased by \$25.00 [total of \$100.00] to go along with Easton and Foxboro's fees. Mr. Flaherty pointed out that Norton has some licenses that other towns don't and Mr. Zahner mentioned that this is going to happen and that there were some categories that other towns have that we don't; it just depends on what each town has. He exemplified this through Foxboro having the stadium and Patriot's Place. Mr. Kimball stated that Mr. Flaherty brought up a good point and suggested to Mr. Zahner that next year when they are reviewing the departmental fees if he sees categories that other towns have that he thinks we should add to recommend them. Mr. Kimball concluded that if it is costing the Town time and money then they should be charging for it.

MOTION was made by Mr. Bramwell to approve the Board of Health fees as recommended by the Health Agent. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.

d.) Mr. Yunits read the Highway Department's recommended fees prepared by Keith Silver, Highway Superintendent:

Currently, Norton is charging \$75.00 for a street opening and \$25.00 for a trench permit. The recommendation is to go to \$100.00 for the street opening permits and \$50.00 for trench permits.

MOTION was made by Mr. Bramwell to approve the Highway Department's fees as recommended by the Highway Superintendent. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.

Mr. Yunits stated that the Building Commissioner couldn't be here tonight to explain his fees so they will go over these at the next meeting and the Board of Selectmen agreed. Mr. Yunits added that the Fire Department fees are more or less set by state law; they are at the max they can be at by state law.

Mr. Kimball asked what about the Police Department, and Mr. Yunits stated that the only fees they really have is fire alarm slicing, which is \$100.00 and that is established by the state. Of that fee, \$25.00 of it comes back to the Town. Fingerprinting there is no charge for town residents, but out-of-town residents are charged \$15.00 per page. The other set of fees they have are parking tickets; they do not issue that many, but the range is between \$5.00 and \$100.00 depending on the violation and where it is. The peddlers permit is \$70.00 and any report request is set by the public records law (\$0.05/copy). The Chief of Police felt he was in line right now with surrounding towns.

Mr. Kimball asked if there were any other departmental fees, which Mr. Yunits answered just the Selectmen's fees for liquor licenses, common victualler, and class I, II, and III licenses. Mr. Kimball stated that he definitely wanted to review these fees and asked Mr. Yunits to have something ready for the next meeting to review.

iii. Vote to review and approve energy/electricity supply agreement and allow Mr. Yunits to enter into the agreement:

Mr. Yunits mentioned that at 6:00 P.M. he received the bid. Mr. Yunits stated that he is recommending now a 36-month agreement with HE Holdings, LLC and that would be \$0.09 for three years. Mr. Yunits stated that tomorrow (October 19th) the bid would be refreshed and he will have the contracts to sign. Mr. Kimball asked how much it was going up, and Mr. Yunits answered from \$0.0857 to \$0.0947.

MOTION was made by Mr. Bramwell to approve the energy/electricity supply agreement and authorize the Town Manager to sign the contract for the energy/electricity supply agreement. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.

B. Old Business

There was no old business for discussion.

C. Town Manager's Report

Mr. Yunits gave his report and commented on the following:

- i. On the Reservoir Street project, the main was done. They had chlorinated and tested on Monday (October 15th) and they have to re-chlorinate it because there were bacteria in the test that was done. Once this is done, then they will be doing all of the connections and tying all of the residents on to that new line.
- ii. Mr. Yunits moved on to the e-mail he got that day from the engineer on the bike path because there had been some discussion about moving up on the TIP. He stated that the engineer reported back that this project is still at 25% and that there is always a chance for spots to open up on the TIP, however, he spoke with SRPEDD that day and that at this time the funding program is filled for the next few years. Also, given that this project is still at 25% the engineer stated that this project would not be considered yet (have to be up to 75%). The engineer also said formal discussions with property owners where easements are needed cannot begin until the 75% plans are approved. Mr. Yunits stated that the other big issue they are working on with the state and their attorney is the easement itself and how it was taken. He mentioned in the past when they put railroads in sometimes they would just take a license to run the railroad across your property, they wouldn't actually take the property, and they are not sure how this was done in this case. The woman that handles rights-of-ways from the state said this does become complicated quite often. Mr. Yunits reported that he had authorized the Town's counsel to do the title search going back to when the railroad took it, so she's working on that and the state is working with Mansfield. Mr. Yunits further stated that is going to cost about \$10,000.00 in legal fees and research to go all of the way back, but we have to make sure it was done properly. When Mansfield built their section of the trail, it was state funded so they didn't really dig in to it, but the right-of-way person from that state says when you're using federal funds they will check back so they have to do some more research on that.
- iii. On the Leonard Street project, they got approval from the Zoning Board last night to have smaller lot sizes out front than the 80,000 that's required in that zone for the retail buildings that will be put out there. Mr. Yunits stated that they are moving forward and that Horsley Witten, who is their review engineer, said they are supposed to have everything back by

November 2nd on the project and then they will be going to the Planning Board after that for a hearing on November 13th.

- iv. On the Elm Street project, Mr. Yunits stated that him and Chris Zahner met with the engineering consultants and his question to them was regarding under the building. He mentioned that there is some grant money available that can be applied in January. There are two grants; one is to do testing evaluations on sites and the other one is for clean-up. You can only apply for one a year. Right now, Mr. Yunits stated they would apply for testing for under the floor, and the engineers are to talk to the state and see if they can do the testing and if they can do that, then the Town would go for the clean-up grant. Mr. Yunits stated that the engineers do not believe there is going to be much under the floors. He also mentioned that the architect will be meeting with the Building Committee on Monday night (October 22nd) at 7:00 P.M. to discuss the space needs study. The architect for the COA went last Tuesday and presented his report from when he interviewed people about the needs of seniors in town and what they would be looking at.
- v. Mr. Kimball gave an update on the Town Common. He said they are about 80% done and that they are waiting for more posts to come in. The grading is done, seeded, and the sprinkler system has been put in. The electric work has also been done underground. Mr. Kimball further added that the sign is going to be lit up and very prominent and that probably sometime in the spring they will do some planting around the area. Mr. Kimball wanted to acknowledge how great of a job Mr. Silver has done and mentioned that he has saved the Town a lot of money. He also noted that the topsoil, which was about 300 cubic yards, came from the waste water treatment plant on Plain Street, which was cleaned and recycled so the Town didn't have to pay for that. Mr. Kimball added that Marcus Dennett and his company Landmarc Landscaping has done a great job and have done a lot of work along with Bobby Salvo doing a lot of work on the sidewalks for the Town. Mr. Kimball said they would probably have a Christmas event at the Town Common. He went on to explain that because there is still work to be done this is why the Veteran's Day Parade isn't stopping at the Town Common. Elm Street to the center now has sidewalks so you can continue walking right up to the Town Common safely. Sidewalks will also go from East Main over the hump all the way to the 495 overpass. Mr. Yunits added that he forgot to mention that they did meet with the state on the East Main Street project and that will be going out to bid in July 2019. They did get new plans practically the day of Town Meeting so they have to review the whole process; Mr. Keith Silver, the Highway Superintendent, and his guys go out and hand-deliver notices to people for the easements, so they have to re-do the whole process via certified mail and appraised by an appraiser.

V. **Selectmen's Report and Mail**

Mr. Kimball stated that they had received a letter from the Norton Public Schools. It was sent out by the way to Representative Jay Barrows, Representative Steven S. Howitt, and State Senator Paul R. Feeney dated October 16, 2018. It read as follows:

"The Norton School Committee, in collaboration with the Norton Teachers Association and the Mass Teachers Association, urge you to continue to work on the Foundation Budget for FY20. The School Committee voted 5-0 to request that you fund public education as per the recommendations that were provided to you in 2015. Another year of \$25-\$30 per student increases for Norton is a continuation of inequality for our students.

Further, the School Committee resolution specifically requests that your offices carefully look at the lack of state funding which is costing Norton to receive just under \$600,000 less than it should. This places educational funding on the backs of the local residents.

This pas budget cycle did not see the implementation of the Foundation Budget Review recommendations because of a lack of will by elected officials. Although we know that you are trying to find ways to make this work, it is time to get it done.

We ask that you provide us with specifics about how you plan to lead up and provide the Governor and Speaker of the House direction on this matter.

Please communicate with Dr. Baeta, Superintendent of Schools, at jbaeta@norton.k12.ma.us or 508.285.0100, about attending a future meeting with the School Committee.

Thank you for your efforts."

Mr. Kimball indicated that this letter was signed by Sheri Cohen, Chairperson of the Norton School Committee.

Mr. Kimball asked the other Selectmen if they felt that they should send a letter of support back. He stated he thought it was necessary. To the contrary, Mr. Bramwell stated he did not think it was necessary, but that it would be good to do so and would send a strong message to our representatives that we are a town united. Mr. Bramwell further stated that something has to be done about the funding of public schools. Mr. Kimball stated he agree and Mr. Bramwell added that the state would have no problem sending the money to the charter schools. Mr. Kimball suggested sending a very brief letter indicating their support of the School Committee and that this resolution has to be taken care of. Mr. Flaherty added that another \$600,000 would be helpful and Mr. Kimball agreed that anything would be helpful.

MOTION was made by Mr. Bramwell that the Board of Selectmen send a letter of support to the two State Representatives, the State Senator, and the Norton Public Schools and that you allow the Chairman to sign on their behalf. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.

VI. **Meeting Minutes**

MOTION was made by Mr. Bramwell to approve the minutes of October 4, 2018, as written. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.

VII. **Appointments/Resignations/Retirements**

1. Appointment of Courtney Foley as Police Matron through Fiscal Year 2019.

MOTION was made by Mr. Bramwell to appoint Courtney Foley as Police Matron through Fiscal Year 2019 in accordance with the provisions of Article 4, Section 2(b), of the Norton Charter. Seconded by Mr. Flaherty. Vote: Unanimous MOTION CARRIES.

2. Reappointment of Susan Hupf as Police Matron through Fiscal Year 2019.

MOTION was made by Mr. Flaherty to reappoint Susan Hupf as Police Matron through Fiscal Year 2019 in accordance with the provisions of Article 4, Section 2(b), of the Norton Charter. Seconded by Ms. Steele. Vote: Unanimous MOTION CARRIES.

VIII. **Warrants**

Report of Chairman Robert W. Kimball, Jr. on the following Payroll and Invoice Warrants:

A. Approve Payroll Warrant PR19-08, for the week ended October 6, 2018, Warrant dated October 11, 2018, in the amount of \$1,359,356.46.

MOTION was made by Mr. Bramwell to approve Payroll Warrant PR 19-08, for the week ended October 6, 2018, Warrant dated October 11, 2018, in the amount of \$1,359,356.46. Seconded by Mr. Flaherty. Vote: Unanimous MOTION CARRIES.

B. Approve Invoice Warrant AP19-15, dated October 11, 2018, in the amount of \$141,107.86.

MOTION was made by Ms. Bramwell to approve Invoice Warrant AP19-15, dated October 11, 2018, in the amount of \$141,107.86. Seconded by Mr. Flaherty. Vote: Unanimous MOTION CARRIES.

C. Approve Invoice Warrant AP19-16, dated October 18, 2018, in the amount of \$1,363,397.39.

MOTION was made by Mr. Bramwell to approve Invoice Warrant AP19-16, dated October 18, 2018, in the amount of \$1,363,397.39. Seconded by Mr. Flaherty. Vote: Unanimous MOTION CARRIES.

IX. **Other Business**

There was no other business to discuss.

X. **Next Meeting's Agenda**

The next meeting will be held on November 1, 2018, where the Board of Selectmen will be holding the Tax Classification Hearing. The Building Commissioner will also present their recommended departmental fees along with the Selectmen's recommendations of departmental fees.

XI. **Executive Session**

To discuss collective bargaining strategy with the Norton Police Superior Officers' Associations.

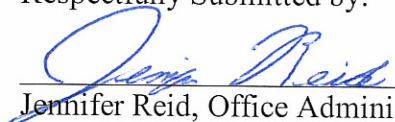
XII. **Adjournment**

Declaration by the Chairman, Mr. Kimball, was made as follows:

"I declare, under General Laws Chapter 30A, §21A(a)(3), that the purpose of the executive session will be to discuss strategy with respect to collective bargaining concerning the Norton Police Superior Officers' Associations (NPSOA), because a discussion of the strategy in open session could compromise the purpose of the executive session and with the Board to not return to open session at the conclusion of the open session."

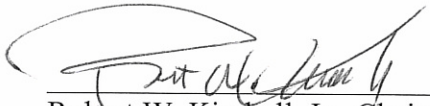
MOTION was made by Ms. Steele at 8:00 P.M. that the Board go into executive session under G.L. c.30A, §21(a)(3) for the purposes and reasons declared by the Chairman and with the Board to not return to open session thereafter. Seconded by Mr. Flaherty. Vote: Unanimous MOTION CARRIES.

Respectfully Submitted by:

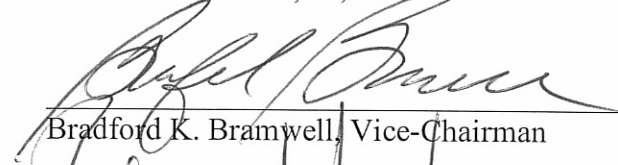


Jennifer Reid, Office Administrator

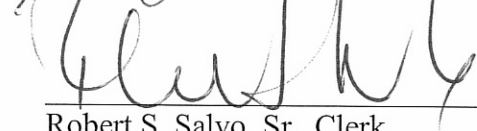
**BOARD OF SELECTMEN
MINUTES OF MEETING
OCTOBER 18, 2018**



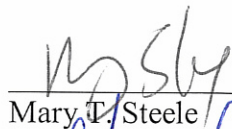
Robert W. Kimball, Jr., Chairman



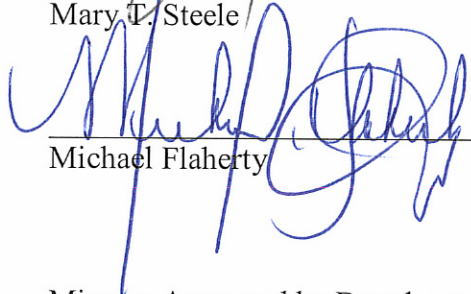
Bradford K. Bramwell, Vice-Chairman



Robert S. Salvo, Sr., Clerk



Mary T. Steele



Michael Flaherty

Minutes Approved by Board on: November 1, 2018