

TOWN OF NORTON

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

RECEIVED NORTON TOWN CLERK

Telephone: (508) 285-0210 Fax: (508) 285-0297

2018 DEC -5 A 9: 45

Board of Selectmen Meeting Minutes November 1, 2018

I. <u>Call to Order by Chairman</u>

The November 1, 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. Bradford K. Bramwell, Mr. Robert S. Salvo, Sr., and Mr. Michael Flaherty. Ms. Mary T. Steele arrived at 7:09 P.M. Also in attendance: Mr. Michael D. Yunits, Town Manager.

II. <u>Licenses and Permits</u>

III. Announcements

Mr. Bramwell read a letter from Southeastern Regional School District announcing that Southeastern Regional Vocational-Technical School will be holding its Annual Open House on Saturday, November 17th from 11:00 A.M. to 3:00 P.M. The Open House is an opportunity for the general public, including community officials, to tour their facilities and see the high quality free public education that is available to students from nine communities. It is also designed to demonstrate the variety of academic and vocational-technical programs offered as well as post-secondary program offerings available.

Mr. Flaherty congratulated the 12U Lady Black Knights Cheer Squad on behalf of the Board of Selectmen for winning the DCTV/Baystate Conference Championships and moving on to The State Championships. They are coached by Head Coach and Assistant Cheer Coordinator Jen Hoffman and Assistant Coach Rebecca O'Connor. This year's squad is comprised of Kylie Brunelle, Ava Carroll, Koral-Ann Chaffee, Quinn Connell, Dakota Corndell, Maria Dambra, Mia DiChiaro, Sophia Gariepy, Caitlin Healey, Riley Hoffman, Laurilly Kane, Kahlenn Lawrence-Fowers, Samantha Lennon, Kaydence Mastromatteo, Ava Menyo, Paige Morse, Cassidy Phillips, Sarah Regan, Grace Suydan & Emma Valanzola. Come out and show your support as the 12U DCTV/Baystate Champions Cheer Squad takes the stage this Saturday at Lowell Memorial Auditorium at 12:33 P.M. with awards shortly thereafter.

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 that on Sunday, November 11th Norton Veteran's Council Veteran's Day Parade is 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. This year the parade will include the 20th Massachusetts Volunteer Infantry Company D. The parade will kick-off at 12:30 P.M. and begin at 1:00 P.M. at the Henri A. Yelle School. It runs from the Henri A. Yelle School, down the end of Pine Street Upon completion, the procession will reform and proceed west to the Master Sergeant Trent Memorial for continued Veterans' Day ceremonies and returning to the Henri A. Yell School to disband. If anyone has any questions, please contact Mr. Ed Breault by calling (508) 254-1283.

IV. Business

A. New Business

i. Vote to approve and sign an Amendment to the contract between the Town of Norton and the Norton Police Superior Officers' Association (NPSOA) for the period July 1, 2017 – June 30, 2020.

Mr. Yunits stated that they have reviewed this previously and the Union did agree to the Amendment, which will provide a set rate when a superior officer is doing detail work rather than depending on who is doing the work and their salary. Mr. Yunits emphasized that this will be better for the contractors and hopefully this will make it easier for companies that are bidding on projects in Norton to know what the rate is. Mr. Kimball clarified that it is one fixed rate for patrolmen and one for superior officers (lieutenants and sergeants) and Mr. Yunits answered that this was correct.

Mr. Kimball asked a side note to have on the next meeting's Agenda (November 15, 2018) discussion about the Article from Town Meeting.

MOTION was made by Mr. Flaherty to approve and sign an Amendment to the contract between the Town of Norton and the Norton Police Superior Officers' Association (NPSOA) for the period July 1, 2017 – June 30, 2020. Seconded by Mr. Salvo. Vote: Mr. Flaherty – Yes; Mr. Salvo – Yes; Mr. Bramwell – Present; and Mr. Kimball – Yes. MOTION CARRIES.

Ms. Steele arrives at this point in the meeting.

ii. Vote to declare the old Town Common fence as surplus.

MOTION was made by Mr. Bramwell to declare the old Town Common fence as surplus. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.

iii. Vote allowing electronic receipts for hearing publications.

Mr. Yunits explained that the post office is now setting it up so you do not need all of the green cards (return receipts). Now, you will just receive an e-mail with

an electronic copy of a list of everyone that signed-off receiving their certified mail. This would speed-up the process for notices in relation to public hearings. Mr. Yunits explained that you can still get the green cards, but now people have the option of getting the electronic receipts/signatures instead.

MOTION was made by Mr. Bramwell to allow electronic receipts for hearing publications. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.

iv. FY 2019 Tax Classification Hearing

Mr. Salvo read the Town of Norton Public Notice regarding the FY 2019 Tax Classification Hearing.

Mr. Kimball announced that Denise Ellis, Director of Assessing, was in attendance to present and discuss the purpose of this hearing.

Ms. Ellis explained that the purpose of this hearing is to vote on whether the Town wants a single tax rate or a split tax rate, which would shift the tax burden from the residential class to the commercial, industrial and personal property classes. She further explained that the Board of Selectmen will also be voting on whether or not to implement a commercial exemption and/or residential exemption. Ms. Ellis explained that there are five classes: residential, open space, commercial, industrial, and personal property. She pointed out that Norton does not have any open space, so Norton only has four classes. Ms. Ellis explained that the distribution of classes, stating that residential and commercial has decreased slightly while industrial has actually increased due to Alnylam Pharmaceuticals. Alnylam is starting to build, so the Town has picked up some of that growth this year. She said as far as next year's growth is concerned, they will have to wait and see because they have a TIF (Tax Increment Financing).

Mr. Kimball asked Ms. Ellis to explain what "open space" is, and she explained that it is an exemption of up to 25% for land which is not otherwise classified and which is not taxable under provisions of Chapters 61A or 61B [which is chapter land], or taxable under a permanent conservation restriction. In other words, it is land that is not held for production of income but mainlined in an open or natural condition and which contributes significantly to the benefit and enjoyment of the public.

Mr. Kimball asked what the commercial rate was last year, and Ms. Ellis answered that in 2018 the commercial was 6.61% and went down to 6.10% this year and in 2017 it was 6.28%. Industrial last year was 5.59% and personal property was at 2.41%. She pointed out that the residential is slowly decreasing while the commercial and industrial is slowly increasing, but again the industrial is due to the TIF.

Mr. Yunits explained that Ms. Ellis keeps referring to the industrial rates going down being due to the TIF is because right now until Alnylam is finished and gets their occupancy permit, then they cannot have a TIF, so the Town is taxing them on what is there now as they go along. Once they get their occupancy permit, next year they will get a 50% break on the taxes.

Ms. Ellis moved on to the Valuation portion of her presentation, stating that the total valuation when you add up residential, commercial, industrial, and personal property is \$2,525,874,930. She then explained that shifting the tax rate moves some of the burden of monies to be raised by taxes from the residential to the commercial, industrial and personal property classes. The residential factor of 1 would keep the residential, commercial, industrial property, and personal property at the same rate of \$14.90/thousand. Ms. Ellis explained that if they were to shift the rate, to say 1.10 (the rate can go anywhere from 1.10 to 1.50) then the residential rate would be \$14.62/thousand for residential and \$16.39/thousand for commercial. Mr. Salvo asked if they did go this route, what would be the jump for commercial companies and Ms. Ellis stated it would be around \$1,000.00 or so, but as you go down that list of shift rates you have to consider whether or not the smaller commercial companies in Town can afford that hit. Mr. Kimball added that in fully developed towns where there is no more space to develop, that is where you begin to see the tax rate shift, but Norton is not there yet. Ms. Steele pointed out that even just bumping up to the CIP shift of 1.10 the savings on the residential side are minimal, where the commercial and industrial increase is somewhat significant in comparison and recommended staying at the 1.

Ms. Ellis stated that the estimated tax rate right now is \$14.90/thousand. In FY 2018 that rate was \$15.16 so the rate will actually be decreasing by \$0.26/thousand. She explained that usually when the property values go up, the tax rates come down to offset each other. So, residents tax bills will not go down if anything they will probably increase. Ms. Ellis stated that assessed values are estimated to go up about 5% due to several factors, such as values going up. She further stated that some assessments may go up 10% some may not go up at all; they are looking at the style of the house, condition of the house, neighborhood as well as if permits were pulled for renovations. Mr. Salvo asked when they go around to do the assessments sometimes assessors like to see the inside of the house, but the homeowner will not allow them in if the assessing department has a set fee that is applied. Ms. Ellis answered no, but they look and see if building permits were pulled and gage the assessments on the exterior as well.

Mr. Yunits took this time to comment on how great of a job Ms. Ellis is doing and how much the Assessing Department has been growing. Ms. Ellis in turn thanks Chris Carmichael, the Building Commissioner, for getting her the sign-offs that she needs and creating a great flow. Mr. Yunits further commented that this is also attributed to Ms. Ellis' assistant, Felicia Noonan's, hard work.

Ms. Ellis pointed out that single-family values have gone up from \$338,526.00 to \$356,033 and the average tax bill went from \$5,135.00 to \$5,305.00. Additionally, commercial and industrial values have gone up from \$1,262,748.00 to \$1,394,819.00 and the average tax bill has gone up slightly from \$19,156.00 to \$20,782.00. She explained that a residential exemption is used primarily in communities that have large seasonal tax base or large communities such as Boston and Cambridge. It is designed to give relief to taxpayers that use the property as the domicile/principal residence. Ms. Ellis further explained that the small commercial exemption is for businesses that cannot have more than 10 employees as certified by the Department of Employment and Training. Ms. Steele asked if there is a small commercial exemption implemented would other groups/people have to pick up the cost and Ms. Ellis confirmed this.

Mr. Bramwell stated he believes they should leave it at the single tax rate. Mr. Kimball agreed and stated that shifting the burden on local businesses would affect them greatly.

MOTION was made by Mr. Bramwell to close the FY 2019 Tax Classification Hearing. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Flaherty to set a tax rate at a residential factor of 1. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Kimball to not have a residential and/or commercial exemption. Seconded by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.

B. Old Business

Review of Departmental Fee Schedules from October 18, 2018 meeting. i. Building Commissioner, Chris Carmichael, presented the Building and Inspections Departments fee schedules as follows:

Mr. Carmichael stated that with these new proposed fees, Norton will average out to around the same as the surrounding towns. He stated that a lot of the fees are currently are very inconsistent. Mr. Carmichael added that the time it takes for him to review the plans and then do the inspections does not quantify in what the department charges in fees. He added that he also based these fees on the cost of construction so that the new online permitting can assess the fees for them and save them time. Mr. Carmichael stated that Norton is currently only charging \$75.00 for zoning determination letters; so, he has recommended increasing the fee to \$150.00 for residential and \$250.00 for commercial.

Ms. Steele had a question on the residential side of the Solar Energy Systems fees. She was wondering what the difference was; is it 1% on contract or \$50.00 minimum? Mr. Carmichael confirmed this. Ms. Steele commented that this is

something we want the people to be doing so we should be encouraging it. Mr. Carmichael clarified that they get incentives from the Federal Government and that these fees are based on the local area and these fees are just to cover their expenses for the inspections. Mr. Yunits questioned Mr. Carmichael as to if most of the solar projects are commercial where most of those residents do not own those panels. Mr. Carmichael confirmed this and added that most are a twenty-year lease and they put a new roof on, put the solar panels on and then they are coming off in twenty years. He further emphasized that their commercial rates are some of the lowest in the region.

Mr. Salvo questioned if the demolition fee is \$100.00 base fee and then increases by square footage. Mr. Carmichael answered that there will be a \$15.00 document fee and then depending on the contract price the Inspections Department will get a percentage of that. He informed the Selectmen that they will be signing a contract with Full-Circle Technologies in a week for the new software and are hoping to implement the new hardware and software by 1/1/19 or 2/1/19. This will be for the Building Department, Health Department, and Fire Department.

MOTION was made by Mr. Bramwell to approve the Building Department and Inspections Department fees as recommended by the Building Commissioner. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.

Mr. Kimball read the Cemetery Department's fees. Mr. Kimball stated that the last time Norton raised these fees was early 2014, and that these fees are to cover their costs not to make money. Any revenue that comes from these fees goes back into the general fund. Ms. Steele asked how does the per grave compare to other towns, and Mr. Kimball stated that Norton was on the low end. Ms. Steele said she thinks the per grave is low, and Mr. Salvo agreed when taking into consideration the cost for the truck, excavator, two men to do the work, etc. Mr. Kimball said he compared Norton's fees to Bellingham's fees and Norton charges \$400/grave and Bellingham charges \$500/grave; perpetual care they charge \$400.00 and Norton charges \$250.00 per grave. Additionally, Bellingham charges \$600 for an opening fee; Norton charges \$400.00. For the foundation cost, Norton is charging \$48/sq. ft.; Bellingham charges \$65/sq. ft. Mr. Kimball pointed out that Norton is still going to be on the low end for fees even if they do decide to raise them. Ms. Steele thought \$500/lot was reasonable. Mr. Bramwell stated that \$400 is OK for the per grave fee, but if someone wants to buy ahead, he suggested charging \$500.00. Ms. Steele asked why Norton cannot stack caskets and Mr. Kimball said because of the water in our town (the graves would flood). Mr. Kimball recommended going up to \$500.00/grave and the Board of Selectmen agreed.

Mr. Bramwell asked to take the Cemetery Department fees under advisement and find out what the cost is per worker to work there and see what other towns are charging. The Board agreed.

C. Town Manager's Report

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

- i. Mr. Yunits mentioned that he received notice that the Town is going to receive from the State \$111,991.00 more in Chapter 90 aid this year with a total of \$671,949.00 in Chapter 90 aid. Mr. Kimball explained that Chapter 90 is for improvements on highways, streets, sidewalks, and bridges and that the Town gets an amount from the State and the Town must match a certain percentage of it.
- ii. Mr. Yunits announced that there was a meeting with the MVP Planning Committee, which Mr. Bramwell was present for as the Selectmen's representative, along with representatives from the schools and all town departments and representatives from companies and utilities. Mr. Yunits stated that this was the first Planning Committee Meeting of the whole group and that they would be meeting again next Thursday (November 8th). He added that the Municipal Vulnerability Planning Committee is really addressing the effects of climate change and trying to figure out where the areas are in town that will need to make improvements. Mr. Yunits mentioned that SRPEDD is working with them on this as well as the facilitator as far as planning is concerned. He further mentioned that this will allow Norton to apply for grant money to make some of these improvements if it is necessary to improve culverts on some streets to eliminate flooding. Mr. Yunits thanked SRPEDD and all of the staff for their hard work they have done on this.

Mr. Bramwell added that after next week, SRPEDD and other groups that are working with them will make the final report, and it will be presented to the Board of Selectmen to approve or revise. He added that within that time period SRPEDD will also have public forums to let people know what is going on. Mr. Bramwell mentioned that at this time they are gathering preliminary information, and then a report will be submitted to the State and at this time they will share this information with the public and the public can share their input for things that were perhaps forgotten, overlooked, or if they wish to add to it.

iii. Mr. Yunits wanted to give an update on the Feasibility Studies for the Town Hall and Council on Aging. He mentioned that in their Selectmen's packets are surveys and there is also a link to Survey Monkey, which has been on the Town's website and on the sign out front so people could know about it and suggest what they think should be in there. Mr. Yunits wanted to thank Dina O'Brien, who is the representative on the Building Committee from the COA for being so helpful. Mr. Kimball stated he attended the last meeting and suggested a room big enough to handle 100 people and further suggested being able to divide the room in half to share the space and have two meetings simultaneously if need be. He also asked for a small room adjacent to it so if someone wanted to have a private meeting, they have a place to go.

Mr. Yunits mentioned he also met with the architects. He stated that the Town Hall would have either a stand-alone site, a combination site that would have the Senior Center and Town Hall (which would be Elm Street), and the other possible site would be East Main Street down by the highway salt shed. Mr. Yunits mentioned that DBVW would be doing a lot of the legwork to avoid duplicating services, such as topographic surveys. There was also discussion about having a community room that people could use and have access to even on weekends. Typically, rooms like this are in Senior Centers, so this will fall more under the responsibility of the architect for the Senior Center. Another topic that came up when meeting with the architect was the topic of generators; the architect suggested using generators that are run on propane or diesel fuel.

Mr. Yunits stated that he also provided a timeline from working with environmental engineers who are working with the EPA and DEP on the Elm Street site. He mentioned DEP was drilling more wells closer to the building, which Mr. Yunits stated would be helpful due to their concern regarding what was under the building. He stated that if DEP isn't able to do the full assessment, then they will be applying for an assessment grant from the State; if they are able to do the full assessment, they will apply for a clean-up grant. Mr. Yunits stated that you can get up to \$200,000 for an assessment grant and \$500,000 for a clean-up grant. Mr. Yunits informed the Selectmen that these grants have to be applied for by January. The EPA will be done by the end of December with their work. DEP is out in the field now doing their assessment on the asbestos. Once MassDEP's contractor completes the assessment then there will be the asbestos abatement, which will either be winter or spring of 2019. Following that, they will be taking the building down. The architect for the new Town Hall is meeting with the Building Committee again on November 19th and the architect for the COA is still working on that and waiting for some more results (about a hundred people or so have filled out the survey).

iv. Mr. Yunits provided an update on Chapter 40B Subsidized Housing Inventory. He stated that currently Norton is at 8.78%, so they would need about 82 more buildings to hit the 10% threshold. Mr. Kimball explained that it takes months for the 40B process and then the Town needs to bring in town counsel and that is costing the Town money. He continued by stating that a letter needs to be sent to the ZBA for no more extensions; they need to force these developers to get these projects done.

Mr. Kimball asked Mr. Yunits to send a letter to Mass Housing and enforce no more extensions and either have the developers finish or exit the project. Mr. Yunits suggested sending a letter to the ZBA and sending a copy to MassHousing stating to not issue any additional extensions and make these developers do what they are supposed to do be doing or withdraw. Ms. Steele

asked if it was the Board of Selectmen that had the final say on giving extensions or if it is the ZBA. Mr. Yunits stated it is the ZBA technically, but the ZBA comes to the Selectmen for recommendations. Mr. Kimball wanted to find out first if the Selectmen has the final say and whether or not they have to agree to the extension. Mr. Salvo said he would like to find out who owns the project and what else can be built at these sites besides 40B housing.

V. <u>Selectmen's Report and Mail</u>

Ms. Steele wanted to take the time to thank everyone involved with the Halloween Parade and personally thank Mr. Bramwell for every year upping their float and doing such a great job. She also wanted to thank the Board of Health for administering her flu shot and mention that November 19th is the last day they are doing flu shots if anyone is interested.

Mr. Kimball wanted to thank the people that came out to the Gold Star and VFW Halloween event. It was their first time having the event and they had so much fun they are going to try and do it again next year. Mr. Kimball mentioned they are going to try and make things more exciting next year with a haunted house on the property. He also wanted to remind everyone that Saturday night/Sunday morning around 2:00AM the clocks will be turned back.

Mr. Salvo announced that he will not be at the November 15, 2018 meeting.

VI. Meeting Minutes

MOTION was made by Mr. Bramwell to approve the minutes of June 7, 2018, June 21, 2018, July 26, 2018, and October 18, 2018, with the requested revisions of Mr. Yunits to remove "Revised Agenda" and the "Next Meeting" sections on the June 7, 2018, June 21, 2018, and July 26, 2018 Minutes. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.

VII. Appointments/Resignations/Retirements

1. Appointment of Nicole Salvo to the Full-Time Administrative Secretary position in the Planning/Zoning Department.

MOTION was made by Mr. Bramwell to appoint Nicole Salvo. Seconded by Mr. Flaherty. Vote: Mr. Flaherty – Yes; Ms. Steele – Yes; Mr. Salvo – Present; Mr. Bramwell – Yes; and Mr. Kimball – Yes. MOTION CARRIES.

2. Interviews for appointment to the Zoning Board of Appeals.

Ms. Steele asked how many positions are open on the Zoning Board of Appeals and Mr. Kimball stated that there is a permanent position and an alternate position open. Mr. David Wrenn came before the Board of Selectmen stated he was inspired at Town Meeting last year. He added that he would like to get more involved and learn more, so this seemed like a good opportunity to do both. Mr. Wrenn mentioned his profession is a CPA and is used to listening to people's views and is very level-headed, which is important for this position.

MOTION was made by Mr. Bramwell to appoint David Wrenn to the Permanent Position on the Zoning Board of Appeals. Seconded by Ms. Steele. Vote: Unanimous MOTION CARRIES.

Mr. Kimball explained that the alternate position is just as important because they sit in on the meetings and for whatever reason a permanent member cannot make the meeting, the alternate takes their place and has the authority to vote.

MOTION was made by Mr. Bramwell to appoint Allen Bouley to the Alternate Position on the Zoning Board of Appeals. Seconded by Mr. Flaherty. Vote: Unanimous MOTION CARRIES.

Ms. Steele requested that in the future that they move the appointments up after the announcements section of the agenda and Mr. Kimball agreed.

Mr. Kimball mentioned that the Board of Selectmen received a letter from Christopher Rodrigues to be appointed to the Historical Commission and asked Mr. Yunits to reach out to him for the next meeting.

VIII. Warrants

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

A. Approve Payroll Warrant PR19-09, for the week ended October 20, 2018, Warrant dated October 25, 2018, in the amount of \$1,325,768.61.

MOTION was made by Mr. Bramwell to approve Payroll Warrant PR 19-09, for the week ended October 20, 2018, Warrant dated October 25, 2018, in the amount of \$1,325,768.61. Seconded by Ms. Steele. Vote: Unanimous MOTION CARRIES.

B. Approve Invoice Warrant AP19-17, dated October 25, 2018, in the amount of \$477,597.91.

MOTION was made by Ms. Bramwell to approve Invoice Warrant AP19-17, dated October 25, 2018, in the amount of \$477,597.91. Seconded by Ms. Steele. Vote: Unanimous MOTION CARRIES.

C. Approve Invoice Warrant AP19-18, dated November 1, 2018, in the amount of \$2,007,196.36.

MOTION was made by Mr. Bramwell to approve Invoice Warrant AP19-18, dated November 1, 2018, in the amount of \$2,007,196.36. Seconded by Ms. Steele. Vote: Unanimous MOTION CARRIES.

IX. Other Business

There was no other business to discuss.

X. <u>Next Meeting's Agenda</u>

The next meeting will be held on November 15, 2018, at 7:15 P.M. where the Board of Selectmen will be holding a Public Hearing for Kelly's Place for an alteration of premises. They will also have the Warrant Article from Town Meeting to discuss the contracts. Lastly, there will be a review of the Cemetery Department's recommended departmental fees and appointment for the Historical Commission.

XI. Executive Session

There was no need for an executive session.

XII. Adjournment

MOTION was made by Mr. Bramwell to adjourn at 8:58 P.M. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

Jennifer Reid, Office Administrator

BOARD OF SELECTMEN MINUTES OF MEETING NOVEMBER 1, 2018

Robert W. Kimball, Jr., Chairman

Bradford K. Rramwell, Vice-Chairman

Robert S. Salvo, Sr., Clerk

Mary T. Steele

Michael Flaherty

Minutes Approved by Board on: November 39 2018