



TOWN OF NORTON
BOARD OF SELECTMEN
MUNICIPAL CENTER,
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**Board of Selectmen
Meeting Minutes
January 3, 2019**

I. Call to Order by Chairman

The January 3, 2019 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 S. Salvo, Sr., Ms. Mary T. Steele, and Mr. Michael Flaherty. Also in attendance: Mr. Michael D. Yunits, Town Manager.

II. Licenses and Permits

1. 2019 License Renewals

The 2019 License Renewals specified on the "2019 License Renewals" document presented to the Board of Selectmen at the January 3, 2019 Board of Selectmen meeting were all approved as written.

CVAA, CVWM, RPAA, RPWM, CV:

Raffaele Bruzzese d/b/a Fisherman's Three

MOTION was made by Mr. Flaherty to approve/renew the above 2019 licenses as specified on document, "2019 License Renewals" presented to the Board on January 3, 2019. Seconded by Ms. Steele; vote: Mr. Flaherty – Yes; Ms. Steele – Yes; Mr. Salvo – Yes; and Mr. Kimball – Yes. MOTION CARRIES.

CV:

AC Raynham Holdings, Inc. d/b/a Dunkin Donuts

New England Rodeo, LLC

MOTION was made by Mr. Flaherty to approve/renew the above CV (Common Victualler) 2019 licenses as specified on document, "2019 License Renewals" presented to the Board on January 3, 2019. Seconded by Ms. Steele; Vote: Unanimous. MOTION CARRIES.

III. Announcements

IV. Appointments/Resignations/Retirements

1. Appointment of Francis F. Kearns to the Historical Commission.

MOTION was made by Mr. Flaherty to appoint Francis F. Kearns to the Historical Commission. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.

V. **Business**

A. **New Business**

i. M.G.L. c. 61B – Re-Notification of Amendment to the P&S Agreement regarding 19 Leonard Street (Lot 11-66)

Mr. Yunits stated that the Blue Star Park is still going through the permitting stages, and they have received their fourth extension. This notice has also gone to Conservation and they have voted to not be in support of exercising their rights to the property under M.G.L. c. 61B. This is reaffirming that the Town is not ready to purchase the property.

MOTION was made by Mr. Flaherty to approve pursuant to M.G.L. c. 61B the Re-Notification of Amendment to the P&S Agreement regarding 19 Leonard Street (Lot 11-66) and to not exercise the right to purchase the property. Seconded by Ms. Steele; Vote: Unanimous. MOTION CARRIES.

ii. M.G.L. c. 61A – Re-Notification of Amendment to the P&S Agreement regarding 235 East Main Street (Lot 11-32), 0 Leonard Street (Lot 11-22), 0 Leonard Street (Lot 11-25), and 0 Leonard Street (Lot 11-25-01).

MOTION was made by Ms. Steele to approve pursuant to M.G.L. c. 61A the Re-Notification of Amendment to the P&S Agreement regarding 235 East Main Street (Lot 11-32), 0 Leonard Street (Lot 11-22), 0 Leonard Street (Lot 11-25), and 0 Leonard Street (Lot 11-25-01) and to not exercise the right to purchase the property. Seconded by Mr. Flaherty; Vote: Unanimous. MOTION CARRIES.

iii. Report Pursuant to G.L. C. 43B, §3 – Charter Commission Signatures.

The Town Clerk, Ms. Lucia Longhurst, provided the Selectmen with guidance regarding the Charter Commission. She stated that the number of certifiable signatures required was 1,924 and the amount certified was 1,990. Ms. Longhurst stated that within 30 days of receipt of certification by the Board of Registrars of voters that a petition contains sufficient valid signatures, the City Council or Board of Selectmen shall by order provide for submitting the question of adopting or revising a charter to the voters of the city or town and for the election of a charter commission at the first regular city election or at the first annual or bi-annual Town Meeting for the election of town offices held on or after the 60th day following the adoption of the order. Said order shall also provide for the nomination charter commission members, who shall be nominated in accordance with this chapter. Said order shall not require the concurrence of the mayor in a city and shall not to referendum. If an order of the City Council or Board of Selectmen under this section has not been adopted within the 30 days specified

above, the question of adopting or revising a charter shall be submitted to the voters and charter commission members shall be elected at the first regular city election or at the first annual or bi-annual Town Meeting for the election of town offices held on or after the 90th day after receipt by the City Council or Board of Selectmen of certification provided for in the first sentence of this section.

Mr. Kimball asked how many commissioners are put on the ballot for a charter commission, and Ms. Longhurst answered nine. Mr. Kimball asked when the first election will be and she answered April 23rd. Mr. Kimball reiterated that there will be a question on the ballot for electing the charter commission and for electing nine charter commission members.

Mr. Yunits added that anyone that wants to run for the charter commission will have to get fifty certifiable signatures to get their name on the ballot and then the top nine will be on the commission. Mr. Kimball mentioned that the papers will be coming out shortly and Ms. Longhurst confirmed that Monday (January 7, 2019) they would be available. Mr. Kimball also added that elected officials can only serve in one capacity; he used the example of if he were to run for the charter commission. Mr. Kimball stated that if he was elected to the charter commission, he would have to resign from the Board of Selectmen. This does not apply to appointed officials though.

Mr. Kimball asked Ms. Longhurst if they are within the guidelines of making sure everyone is properly notified, which she replied was correct.

MOTION was made by Mr. Flaherty to put on the April 23, 2019 ballot the question of whether or not the Town wants to form a charter commission. Seconded by Ms. Steele; Vote: Mr. Flaherty – Yes; Ms. Steele – Yes; Mr. Salvo – Yes; and Mr. Kimball – Yes. MOTION CARRIES.

MOTION was made by Mr. Flaherty to put on the April 23, 2019 ballot the question of whether or not the Town wants to have nine individuals to serve as elected officials for the charter commission. Seconded by Ms. Steele; Vote: Unanimous. MOTION CARRIES.

iv. Discussion on Appointment of a Charter Committee.

Mr. Kimball described previous attempts to form a charter committee. He stated that in 1999 they did appoint a committee for the year 2000. However, in 2010 the Board of Selectmen didn't make the first appointment until March of April of 2010. Mr. Kimball stated that they should appoint within the same year it is formed. Mr. Yunits stated that with the current Town Charter, they have to form a charter committee. Mr. Kimball suggested waiting until after the May Town Meeting and see what is going on at that point. Mr. Kimball added that having two bodies doing the same thing doesn't seem like the right thing to do and that if

a commission is appointed on April 23rd the Selectmen should still consult with town counsel about forming a committee.

v. Discussion on Route 123 Road Improvement Project Night Work.

Mr. Yunits stated that he briefly went over this topic last meeting. Their concern is the size of this project and being limited to only doing the work during rush hour dragging the project out. They were hoping the Selectmen would be agreeable to allowing night work on the project.

Mr. Kimball asked if this was from Pine Street to the “hump”, which Mr. Yunits confirmed. Mr. Kimball then asked if they could restrict the night work to just one side of the “hump”, which Mr. Yunits stated was a proposed solution at the District 5 meeting and at that meeting they said that would be fine. Mr. Flaherty asked if there are any homes from the “hump” to Pine Street. Mr. Kimball stated there are about 9 or 10 homes involved. In turn, Mr. Kimball asked what the night work would consist of and what the hours would be. Mr. Yunits said he could get back to them on that. Mr. Flaherty asked if there were any kind of accommodations for the homeowners that this would be affecting, which Mr. Yunits answered he could check, but it is doubtful. Ms. Steele asked approximately how long the construction would take and Mr. Yunits answered at least a year.

Ms. Steele expressed her concerns about the night work and how long the project would go on. In response, Mr. Yunits mentioned that he knew that the residents granting temporary easements for the project were asked to extend them from 3 years to 5 years. He added that the biggest concern is water, sewer, and drain connections. Mr. Kimball told Mr. Yunits to provide more information and they will come back with their consideration.

vi. Vote to approve Contract Award: Request for Quotations – Review Appraisal Services, regarding Route 123 Corridor Improvements and Traffic Signal Installation Project.

Mr. Yunits recommended the low bidder, A.M. Appraisal Associates, Inc., for \$32,062.00 to do the contract work for the Review Appraisal Services regarding the Route 123 Corridor Improvements and Traffic Signal Installation Project. Mr. Kimball asked who was paying for this, which Mr. Yunits answered the funds would be coming from Chapter 90 money. Mr. Kimball questioned why the Town is paying for this and Mr. Yunits stated that the Town is responsible for any takings and engineering work.

MOTION was made by Mr. Flaherty to award A.M. Appraisal Associates, Inc. as the low bidder for the Review Appraisal Services, regarding Route 123 Corridor Improvements and Traffic Signal Installation Project. Seconded by Ms. Steele; Vote: Unanimous. MOTION CARRIES.

B. Old Business

1. To Review and/or vote on the following proposed amendment to the Norton Zoning Bylaws:

- Chapter 175 of the General Code, Article XXII – Large Scale, Ground-Mounted Solar Photovoltaic Installations.

Mr. Yunits mentioned that they were in receipt of the report from the Planning Board and they did have their hearing on the proposed amendments to the zoning bylaw on solar. This would allow solar by right and solar on cranberry bogs in accordance with the new state regulations allowing this. The Planning Board voted 5-0, with 1 abstention, to support the Article.

MOTION was made by Mr. Flaherty to vote to approve the proposed amendment of the Norton Zoning Bylaw, Chapter 175 of the General Code, Article XXII – Large-Scale, Ground-Mounted Solar Photovoltaic Installations. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.

C. Town Manager's Report

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

i. Noise Complaints – Wheaton Solar and Home Market Foods

One noise complaint is from one resident for Home Market Foods. Home Market Foods and the State did some testing and the noise is well within the State guidelines. Home Market Foods is willing to work with the homeowner to reduce the noise because they would like to be a good neighbor even though they already meet the guidelines established by the State.

The second noise complaint is regarding Wheaton Solar Farm. Mr. Yunits explained that Wheaton College is reaching out to the developer to try and mitigate this and further stated that you would have to go out there on a sunny day to hear the noise. Mr. Kimball asked if it is a transformer causing the noise, which Mr. Yunits answered was correct. Mr. Flaherty asked if it is one person complaining or multiple people. Mr. Yunits stated that for Home Market Foods it is one individual and for Wheaton Solar it is two.

ii. Cyclical Property Data Inspection Program

Mr. Yunits addressed that anyone doing assessments is driving a town vehicle with the town seal on it and are also required to wear photo ID. The company that helps the assessors, PK Evaluation Group, also have photo IDs. The Assessor, as evidenced in the e-mails provided to the Board of Selectmen, e-mail the police department to let them know the Cyclical Property Inspection has begun and inform them of the make, model, and year of vehicle being driven to do

assessments. If residents don't believe the ID shown, they can call the police department to verify that that person at their door is representing the Town. Additionally, if someone wasn't home, they will hang a card on the door saying they came by and will need to be contacted to come back.

Mr. Kimball then read the "Cyclical Property Data Inspection Program" posted by the Assessor on the website. He highlighted that the Board of Assessors is required by the Department of Revenue Bureau of Local Assessment to conduct a data inspection program for all properties at least once every ten years.

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

Mr. Salvo announced he is welcoming a 6th grandchild this year and he is very excited.

Mr. Yunits announced that Mr. Kimball is 67 years old today and wished him a happy birthday along with the rest of the Selectmen.

VI. **Meeting Minutes**

MOTION was made by Mr. Flaherty to approve the Minutes of December 13, 2018. 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 PR19-13, for the week ended December 15, 2018, Warrant dated December 20, 2018, in the amount of \$1,362,913.55.

MOTION was made by Mr. Flaherty to approve Payroll Warrant PR19-13, for the week ended December 15, 2018, Warrant dated December 20, 2018, in the amount of \$1,362,913.55. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.

- B. Approve Invoice Warrant AP19-25, dated December 20, 2018, in the amount of \$697,396.66.

MOTION was made by Mr. Bramwell to approve Invoice Warrant AP19-25, dated December 20, 2018, in the amount of \$697,396.66. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.

- C. Approve Invoice Warrant AP19-26, dated December 27, 2018, in the amount of \$1,052,169.01.

MOTION was made by Mr. Flaherty to approve Invoice Warrant AP19-26, dated December 27, 2018, in the amount of \$1,052,169.01. Seconded by Ms. Steele. 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 January 10, 2019, at the Norton Middle School Library with the School Committee starting at 6:30 P.M. Mr. Kimball stated that they would like to talk about the Warrant for the Special Town Meeting in January along with the new Town Hall and Council on Aging. There will also be updates on the East Main Street and West Main Street projects because this is going to have an impact on the schools as well along with updates on the Blue Star Industrial Park. Also, for discussion will be the Campbell House as far trying to take down the house and barn and future use of the property. There will be an executive session.

Mr. Kimball reminded Mr. Yunits the he wants to contact Bob Sullivan from Comcast to talk about the PEG channel.

Mr. Salvo added that they need to do something about getting traffic through town and effects the schools are having between 8:30-9:00 A.M. on this. He suggested maybe getting an officer out there to try and address this for the future.

Mr. Yunits also brought up scheduling professional days on election days, especially where it is only two days a year.

XI. **Executive Session**

To discuss collective bargaining strategy with SENA-B.

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 SENA-B, 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 7:43 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: Mr. Flaherty – Yes; Ms. Steele – Yes; Mr. Salvo – Yes; and Mr. Kimball – Yes. MOTION CARRIES.

Respectfully Submitted by:



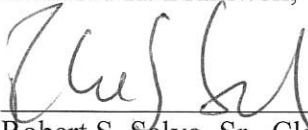
Jennifer Reid, Office Administrator

**BOARD OF SELECTMEN
MINUTES OF MEETING
JANUARY 3, 2019**



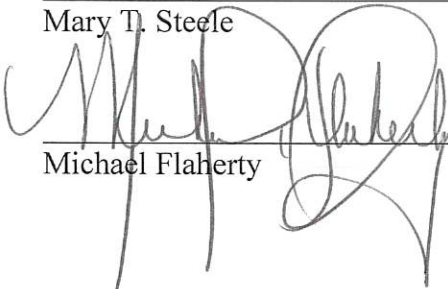
Robert W. Kimball, Jr., Chairman

Bradford K. Bramwell, Vice-Chairman



Robert S. Salvo, Sr., Clerk

Mary T. Steele



Michael Flaherty

Minutes Approved by Board on: 2 / 21 / 19