



TOWN OF NORTON  
BOARD OF SELECTMEN  
MUNICIPAL CENTER,  
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**Board of Selectmen  
Meeting Minutes  
February 7, 2019**

I. **Call to Order by Chairman**

The February 7, 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. Bradford K. Bramwell, 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**

There were no licenses or permits to discuss.

III. **Announcements**

There were no announcements to discuss.

IV. **Appointments/Resignations/Retirements**

a. Appointment of Susy Pina as Full-Time Dispatcher.

**MOTION was made by Mr. Bramwell to appoint Susy Pina as the Full-Time Dispatcher. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.**

b. Appointment of Carol Zwicker as an Alternate for the Recreation Commission.

**MOTION was made by Mr. Bramwell to appoint Carol Zwicker as an Alternate for the Recreation Commission. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.**

V. **Business**

A. **New Business**

***i. Discussion on LIP 40B Proposal by A.R. Building Company on Mansfield Avenue.***

Attorney Peter Freeman introduced Mr. Jason Kambitsis, Vice President of A.R. Building Company. Mr. Kambitsis explained that A.R. Building has been around since 1968 and usually builds four-story luxury apartments. He stated that their company constructs the buildings, maintains them, and holds ownership to them.

Mr. Geoff Campbell, the architect, added that A.R. Building Company's four-story luxury apartment buildings include elevators and the bedrooms come with walk-in closets along with laundry in each unit. Mr. Campbell explained that there will be about 101 units in the building consisting of a mix of studio, one-bedroom, and two-bedroom apartments.

Mr. Salvo asked if there was enough sewer flow to allow them to tie in and Mr. Kimball answered that there is.

Mr. Flaherty asked if this would get the Town to their 10% cap for Chapter 40B housing, which Mr. Kimball stated this would barely put them over. Mr. Yunits provided further clarification that the Town needs 82 units to be at the 10% and this would provide 101 units.

Mr. Bramwell stated that he liked the location choice because it isn't in a residential neighborhood and the design is long and narrow so it wouldn't be overwhelming for surrounding property owners. Mr. Kimball added that this is one of the few areas in town that has public transit that goes right by. He proposed in the design to have some kind of turn-off for public transit so the buses can pull over for residents to get on and off safely. Ms. Steele asked if there was any consideration for the increase in traffic from this. Mr. Kimball stated that the ZBA would have to do a traffic study to assess this and would be part of the process. In response, Mr. Kambitsis stated that when they do their foot-traffic studies it typically shows little effect because people are typically coming and going at different times, working from home, etc.

Ms. Ellen McGrath from Mansfield Avenue expressed that she thinks it would be very necessary to get sidewalks on that side of the road for safety reasons. Mr. Bramwell agreed especially from Roche Bros. Plaza to their apartment buildings.

**MOTION was made by Mr. Salvo to support and move forward on the the LIP 40B Proposal by A.R. Building Company Project on Mansfield Avenue. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.**

***ii. Discussion on Forming a Committee for the Community Preservation Act and the Pros/Cons of the Community Preservation Act***

Mr. Yunits stated it would be a good idea to start the process of forming a committee now. The committee could possibly bring recommendations back that could be part of next year's Town Meeting. Mr. Kimball asked how many people would be on this committee and Mr. Yunits suggested 7. Mr. Bramwell stated that the more the better to have a more diverse demographic amongst the committee.

Mr. Flaherty suggested starting with 5 members due to the number of vacancies the Town has been facing on boards/committees so they will be able to get a quorum. Then in the future, if need be, they could increase the size of the board.

Mr. Kimball explained that by forming a committee for the Community Preservation Act, it will allow the Town to obtain funds in a trust that they will be able to use through a committee to buy property for preservation and improve facilities the Town currently has, such as sports facilities.

**MOTION was made by Mr. Flaherty to form a five-member committee for the Community Preservation Act. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

***iii. Discussion of Town Meeting Warrant Articles.***

Mr. Yunits went down the list of articles for the May Town Meeting. He described Articles 5 and 6 being for the Municipal Center and Senior/Community Center building project and the engineering costs. He explained that Articles 7-11 are just the standard articles. Article 12 is for tree services. Article 13 is a standard article for revolving funds. Article 14 is for the East Main Street Water Main Improvement to tie into the Town. Article 15 is for the West Main Street Sewer Project where they are asking for the sewer to go through the middle of the road. Article 17 is to adopt the Stretch Energy Code (makes construction meet energy codes and is stricter). Mr. Kimball asked if this was the last step to become a green community and Mr. Yunits replied that was correct.

Articles 18 and 19 are to update the Planning Board Rules and Regulations. There were filed by the Planning Board and Article 20 came up from the Blue Star Industrial Park project. Article 20 is looking to allow the Planning Board the ability to grant site-waivers. In result, the Blue Star Industrial Park project will be presented before the ZBA. Article 21 is to amend the Zoning bylaw for electronic message boards in industrial areas. Ms. Steele asked if the billboard company representatives will be coming back before the Town Meeting. Mr. Yunits stated they can have them back, and in response Ms. Steele said it would be a good idea since they weren't very prepared at the last Town Meeting.

**B. Old Business**

There was no old business to discuss.

**C. Town Manager's Report**

1. Mr. Yunits discussed an issue that happened earlier in the week regarding the removal of signs around town that were on town property. He explained that the reason these signs were removed is because they were within the street layouts. He mentioned that none of the signs were destroyed and were just set aside. Mr. Yunits added that typically campaign signs are registered with the Town Clerk's office and have contact information if needed, but in this case, there was nothing filed with the Town Clerk's office and there was no one to contact. He apologized for any confusion and mentioned there was no targeting of these signs. He added that some signs on Bay Road on the Taunton side were even taken down by Taunton DPW for the same reason.

Mr. Kimball stated that the street layouts are a certain distance from the street and this land is town property; Mr. Yunits clarified that seven feet from each side of the road is town-owned property. Ms. Steele added that this did cause quite a stir and asked that moving forward that if the sign is on someone's lawn that the signs be left alone because many people aren't aware of the distance requirement from the road. However, in cases where signs are on Town Hall or Town Common property Ms. Steele expressed her opinion that they should absolutely be removed.

Mr. Gregory Shanahan of Bay Road came before the Selectmen to dispute Mr. Yunits comment that there was no malice behind the removal of the signs. Mr. Shanahan stated that the only reason his anti-solar farm signs were taken was because they are against the solar farms. Mr. Kimball refuted Mr. Shanahan's accusation and told Mr. Shanahan that the Town is going to continue to enforce their bylaws, which includes this. Mr. Kimball stated that they were embarrassed and apologized for what happened. Mr. Kimball concluded this topic by stating that all other signs that are within the street layout that are not in compliance with this bylaw will be removed as well.

2. Mr. Yunits wanted to thank everyone involved for their great efforts in ending the police chase that occurred on Plain Street and for catching both suspects. A great effort from the dispatchers, police, and fire.

3. Mr. Yunits stated there were some arson fires at Wheaton College recently and because of the coordination between the Fire Department and Police Department they were able to make an arrest for those 6 fires in that one dorm.

*4. Update on RAVE.*

Mr. Yunits stated that RAVE is up and working and explained that they can send out alerts for emergencies and non-emergencies. Residents can go on the website, click alerts, and register for what alerts they want to get and how they would like to receive them. Mr. Yunits encouraged that anyone that has a cell phone to register on the website because only landlines are automatically filed with the Town. Mr. Flaherty asked if this was just Verizon and Mr. Yunits stated it was Comcast as well.

*5. Short-Term Rentals Tax Revenue*

Mr. Yunits informed the Selectmen that the Short-Term Rentals Tax Revenue did pass. He mentioned that he asked Town counsel about this and they said that the Town doesn't have to do anything to receive the revenue; it will be collected by the State and given to the Town.

*6. Update on Payroll Software*

Mr. Yunits explained that the Town is currently using Harper's payroll software. The Police Department has this software and they have been working with this for about six or seven months. He explained that next Tuesday is the first test where timesheets will be sent to payroll using this software and this will be when they can see what kinks need to be worked out. Mr. Yunits stated then they can apply it to all other Town departments. Some of the benefits Mr. Yunits pointed out from using this software is now when police officers are doing details they can enter in their time on their phone and can track it. They can also go in and run reports by company and print them showing who did the detail, how much it cost, etc. Mr. Yunits stated that employees can also track their sick time and vacation time they have accrued. Mr. Kimball suggested contacting other companies too to see what they offer.

Ms. Steele asked if Mr. Yunits has coordinated with Dr. Baeta to see what the schools are using. Mr. Kimball stated they all agreed that they should all have the same payroll

company. Ms. Steele agreed and stated that she thinks they should shop around to get the best deal.

#### *7. Update on Solar Developments and Taxations.*

Mr. Yunits pointed out that one of the solar developments, which is located on Hill Street, did not agree to a PILOT and are being taxed at \$45,000/year. He explained that they are probably going to appeal at the Appellate Tax Board, who has been ruling that companies should not be taxed. He added that legislation has been filed so that on larger systems, they will be obligated to pay taxes unless a PILOT is put into place. Mr. Kimball stated the Board of Selectmen are enforcing a new policy that commercial companies owning solar farms will be obligated to have a PILOT Agreement in place prior to them being installed.

Mr. Chuck Gallagher came before the Board of Selectmen regarding the solar farm on Bay Road. He stated that many residents along Bay Road are upset about this project. Mr. Gallagher expressed that they felt like they were kept in the dark about the project adding that the project was underway for over a year, but no one asked the residents along Bay Road to come in or asked their opinion. He informed the Selectmen that they were also unaware of the zoning bylaw change and expressed concerns regarding conservation issues, agriculture issues, etc. Mr. Gallagher expressed his support of solar farms in general, but his disapproval of the location of this particular solar farm. He stated that he didn't want lead from the frames of the solar panels to end up leaking into the water and find out that kids are dying of leukemia in the future from this.

Mr. Kimball replied to Mr. Gallagher's concerns by stating that an Article was submitted at the Special Town Meeting and it was voted in by a vast majority. Mr. Kimball explained that the Town is not obligated to do anything further than what they did as far as notifying residents and abutters, and that they have done everything as legally and as upfront as they could. He agreed that the notification should have gone out sooner than it did and added that the residents need to continue to report their opinions and concerns to the Planning Board. Mr. Gallagher express his doubts about NextSun Energy as far as their competency and honesty. For example, Mr. Gallagher stated that NextSun Energy reported going door-to-door with neighbors to talk to them about the plans of the project, but at the Planning Board meeting the neighbors that attended stated that none of them had spoken to anyone from NextSun Energy as claimed by the company. Mr. Kimball pointed out to Mr. Gallagher that discussions on adding solar farms began back on November 15, 2019 and that abutters only need 7 days' notice by law. Mr. Gallagher asked why they can't change it and Mr. Kimball informed him that it is a state law. Mr. Gallagher asked why they can't add a bylaw changing this to which Mr. Kimball replied that the Town cannot supersede the State.

Ms. Steele told Mr. Gallagher she understands his frustration because she has a solar farm being put in in front of her neighborhood. She said regardless of the Special Town Meeting this project was going to happen either way; the only reason for the Special Town Meeting was to meet funding deadlines for the project. Ms. Steele also clarified that the Board of Selectmen do not have a say as far as the guidelines of the project;

that is for the Planning Board. Ms. Steele supported Mr. Gallagher's point that solar farms should not be installed in residential neighborhoods. Ms. Steele expressed that they should have the Planning Board as a courtesy to abutters/residents to enforce a policy to have the companies go out and talk to the neighbors. Mr. Bramwell expressed concerns because he got the impression that NextSun Energy had spoken to the abutters when they first did their presentation for the Board of Selectmen. Mr. Yunits, in response to Ms. Steele's comments, added that people can go on the Town website and sign-up for notifications regarding certain topics and meetings.

#### *8. Mutual Aid Agreement for Animal Control*

Mr. Yunits explained that Norton will be working with surrounding towns, such as Mansfield and Easton, in cases of emergencies. For example, if Norton's facility were to go down and have no electricity, they could take the animals over to Mansfield's animal shelter until the power was restored. Mr. Yunits also wanted to thank Brian Plante, the Animal Control Officer, for his help working on this.

#### *9. Street Light Conversion*

Mr. Yunits and Mr. Silver had a conference call earlier in the week with the engineers regarding the street lights conversion. He stated that the engineers have done a great job and they have a GIS system updated with all of the lights in town. Mr. Yunits mentioned there were a few street lights throughout the Town that they were unsure if they are town property or private property, so they are looking into that. They have done a great job with developing the inventory.

10. Mr. Yunits informed residents that April 6, 2019 is Town-Wide Clean-Up Day. He also thanked Cassie from Wheaton College for working with the Town on this. Mr. Yunits explained that the day will start over at Wheaton College where there will be coffee and pastries for volunteers.

#### *11. EPA Update on Elm Street*

The EPA is going to be removing the porter damn there soon and buttoning-up the area until the spring. Then in the spring, they will finish the 50-foot-wide section left for additional bank. They haven't taken the stack down yet due to the government shutdown, but hopefully they will be doing this soon.

#### *12. Online Permitting*

Mr. Yunits stated that online permitting started on Tuesday (February 5<sup>th</sup>), so now people can file for permits right online. Residents can access and look at a particular street and see what work is being done. Ms. Steele asked to have the Building Inspector come to the next Selectmen's meeting to give an update on when it will be done. Mr. Kimball stated that people can go through the whole process online without ever having to come in. Mr. Yunits informed the Selectmen that the Building Inspector will be at the February 21<sup>st</sup> Board of Selectmen meeting.

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

Mr. Salvo asked to have the utility companies come in and report about the double-poles especially the ones that have been up for two years. He also wants to know why when National Grid does their trimmings there isn't a joint-effort with all of the utility companies.

Mr. Kimball wanted to remind residents that the Spring Town Meeting date has been changed to Wednesday, May 15, 2019 at 7:00 P.M. at the Norton High School Auditorium. Mr. Kimball also wanted to thank Mr. Yunits for following-up on the Selectmen's request for a letter to be sent to the Conservation Commission to allow for sidewalks along the length of the Leonard Street project.

VI. **Meeting Minutes**

There were no Meeting Minutes to be approved.

VIII. **Warrants**

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

- A. Approve Payroll Warrant PR19-16, for the week ended January 26, 2019, Warrant dated January 31, 2019, in the amount of \$1,333,209.30.

**MOTION was made by Ms. Steele to approve Payroll Warrant PR19-16, for the week ended January 26, 2019, Warrant dated January 31, 2019, in the amount of \$1,333,209.30. Seconded by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

- B. Approve Invoice Warrant AP19-31, dated January 31, 2019, in the amount of \$1,204,510.40.

**MOTION was made by Ms. Steele to approve Invoice Warrant AP19-31, dated January 31, 2019, in the amount of \$1,204,510.40. Seconded by Mr. Bramwell. Vote: Unanimous. MOTION CARRIES.**

- C. Approve Invoice Warrant AP19-32, dated February 7, 2019, in the amount of \$496,805.26.

**MOTION was made by Ms. Steele to approve Invoice Warrant AP19-32, dated February 7, 2019, in the amount of \$496,805.26. 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 February 21, 2019. The Building Inspector will be in to discuss the Stretch Code and online permitting.



XI. **Executive Session**

There was no need for an executive session.

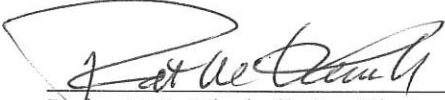
XII. **Adjournment**

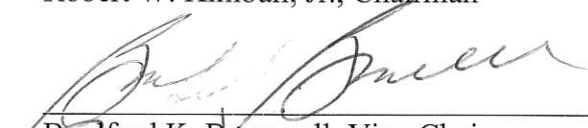
**MOTION was made by Mr. Flaherty to adjourn the Board of Selectmen meeting at 8:53 P.M. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

Respectfully Submitted by:

  
Jennifer Reid, Office Administrator

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
FEBRUARY 7, 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