



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

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

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**Board of Selectmen
Meeting Minutes
May 30, 2019**

I. Call to Order by Chairman

The May 30, 2019 meeting of the Norton Board of Selectmen was held in the Norton High School Library and was called to order at 7:00 P.M., by Mr. Bradford K. Bramwell, Chairman. Member(s) present: Mr. Michael Flaherty, Mr. John Conway, and Ms. Renee Deley. Also in attendance:

School Committee Members: Ms. Sheri Cohen, Ms. Kathleen Stern, Mr. Deniz Savas, Mrs. Carolyn Gallagher, and Mr. Daniel Sheedy along with Superintendent of Schools, Dr. Joseph Baeta.

Finance Committee Members: Aaron Smith, Amy Sawyer, Bonnie Yezukevich, Thomas Deluca, Paul Helmreich, William Rotondi, Stephen Evans, Michael Fiore, Richard Dorney, and Peter Carignan.

Permanent Building Committee Members: Dinah O'Brien, Mark Gershman, Kevin O'Neil, Robert Medeiros, and James Slattery.

II. Licenses and Permits

1. Application of Swamp Donkeys LLC for a Mobile Food Truck License to be utilized at 113 Mansfield Avenue, Norton, MA 02766.

MOTION was made by Mr. Flaherty to approve the Common Victualler license for Swamp Donkeys LLC to be utilized at 113 Mansfield Avenue conditional upon all department head signatures. Seconded by Mr. Conway; Vote: Unanimous. MOTION CARRIES.

The owners of Swamp Donkeys LLC explained that they will be selling ice cream and cotton candy. The proposed business hours are 12:00 P.M. to 10:00 P.M. seven days a week and they hope to open by Father's Day weekend.

2. Application for a Special Events Parking Permit by John Camara to be Utilized at 260 Mansfield Avenue, Norton, MA 02766 from May 1, 2019 to September 30, 2019.

MOTION was made by Mr. Flaherty to approve the Special Events Parking Permit by John Camara to be utilized at 260 Mansfield Avenue, Norton, MA 02766 from May 1, 2019 to September 30, 2019. Seconded by Ms. Deley; Vote: Unanimous. MOTION CARRIES.

3. Application for a Special Events Parking Permit by Ruscito Brothers LLC to be Utilized at 253 Mansfield Avenue, Norton, MA 02766 from June 1, 2019 to September 30, 2019.

MOTION was made by Mr. Flaherty to approve the Special Events Parking Permit by Ruscito Brothers LLC to be utilized at 253 Mansfield Avenue, Norton, MA 02766 from June 1, 2019 to September 30, 2019. Seconded by Mr. Conway; Vote: Unanimous. MOTION CARRIES.

4. Application for a Special Events Parking Permit by Larry W. Enos to be Utilized at 254 Mansfield Avenue, Norton, MA 02766 from May 30, 2019 to October 1, 2019.

MOTION was made by Mr. Flaherty to approve the Special Events Parking Permit by Larry W. Enos to be utilized at 254 Mansfield Avenue, Norton, MA 02766 from May 30, 2019 to October 1, 2019. Seconded by Mr. Conway; Vote: Unanimous. MOTION CARRIES.

III. **Announcements**

IV. **Appointments/Resignations/Retirements**

a. Vote to Re-Appoint Dorothy Freeman to the Board of Registrars (Republican).

MOTION was made by Mr. Flaherty to re-appoint Dorothy Freeman to the Board of Registrars (Republican). Seconded by Mr. Conway. Vote: Unanimous. MOTION CARRIES.

V. **Business**

A. **New Business**

i. a) *Vote to designate a member of the Board of Selectmen to approve all warrants; and*

b) Vote to designate an alternate member of the Board of Selectmen to approve all warrants, when the designee is unavailable to fulfill this function.

MOTION was made by Mr. Flaherty to designate Bradford K. Bramwell of the Board of Selectmen to approve all warrants effective as of May 31, 2019. Seconded by Mr. Conway; Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Conway to designate Michael Flaherty of the Board of Selectmen as the alternate to approve all warrants, when the designee is unavailable to fulfill this function, effective as of May 31, 2019. Seconded by Ms. Deley; Vote: Unanimous. MOTION CARRIES.

ii. Review and/or Sign Warrant for the Special Town Election to be held on June 18, 2019.

MOTION was made by Mr. Flaherty to sign the Warrant for the Special Town Election to be held on June 18, 2019. Seconded by Ms. Deley; Vote: Unanimous. MOTION CARRIES.

iii. Review and/or Vote to Award SERSG Contract for FY20 Water and Sewer Treatment Chemicals.

MOTION was made by Mr. Flaherty to Award the bid for Liquid Potassium Hydroxide, gallons/bulk delivery to Borden & Remington Co., Fall River, MA for \$3.1033 per gallon; and Potassium Permanganate, pounds to Chemrite Incorporated,

Buford, GA for \$1.625 per pound. Seconded by Mr. Conway. Vote: Unanimous. MOTION CARRIES.

iv. Discussion on Town Hall/Community Center Project.

Ms. Dinah O'Brien, Chairman of the Permanent Building Committee, started a presentation on the project and began by saying that the site at Elm Street will be cleaned up, but it may not line-up with the timeline they have/want.

Mr. Kevin O'Neil of the Permanent Building Committee stated that from the beginning and for the past year and a half they were told that the EPA and DEP would completely cleanup the site. Once that was complete, they would then demo the buildings. Mr. Savas interrupted asking how many sites were considered, which Mr. O'Neil answered five in total (three that had the two buildings independent on different sites and two on joint locations). He added that they learned recently that the EPA and DEP were not planning to potentially clean the site up to what their expectations were. Mr. O'Neil explained that at this time they did not feel comfortable moving forward without knowing about the cleanup of the site. He mentioned that they took a vote on whether or not to move forward based on this information prior to this meeting, which Ms. O'Brien informed them resulted in a 3-2 vote ultimately deciding to not move forward with the project at this time.

Ms. Cohen of the School Committee asked how all of this information only came up a few days ago. Mr. Carmichael stated that he has been working with DEP and EPA for the past 14 months and the evaluation has been ongoing and still is. In the final process of cleaning the bank, they found oil leaking from an underground tank, which developed over the past couple of months. The Build Commissioner further stated that he condemned the buildings at the Reed & Barton location because they were a threat to public safety. For example, the roofs are falling in and the walls are no longer being supported and will end up falling over onto Cross Street. Due to the rapid state of decline, Mr. Carmichael mandated that the buildings be taken down faster than initially planned. He explained that there are funds in the budget to take down the buildings (approximately \$340,000). Mr. Carmichael added that most of the cost is for taking down the buildings not abatements. He informed everyone that they are not letting anyone on site and are shutting down part of Cross Street because of the safety risk.

Mr. Savas stated that it was his understanding that to take the buildings down, an asbestos abatement would have to be done, which will cost about \$1.2 million. Mr. Carmichael answered that from the 2015 bankruptcy, there was a certain amount of money set aside for the transite siding and anything that was an imminent threat of release to the public to be taken care of by DEP. ESM was out there last fall working through DEP. The Building Commissioner pointed out that he has been working with the demolition contractors and they stated there is very little [asbestos covered piping, transite, etc.] on the site. Mr. Savas said that he heard differently from a contact at the DEP that is also a resident. Mr. Carmichael stated that when ESM came out last fall, they did an assessment, testing, and sampling.

Ms. Stern of the School Committee asked why [if the Town doesn't take the property for the project] the Town is responsible for cleaning it, which Carmichael answered is because of jurisdiction and the imminent danger the buildings pose.

Ms. Deley stated that Ms. Steele asked at their last Board of Selectmen meeting that the CEC reports be provided to the Selectmen. She added that she asked Mr. Yunits to post

the CEC and Reed & Barton information to the Town website for transparency. Ms. Deley informed everyone that EPA nor DEP will be covering the entire assessment, remediation, or abatement of the entire site. She emphasized that the CEC will be at the next Board of Selectmen meeting and encouraged residents to attend to ask questions. Ms. Deley pointed out that in the report provided, Mass. DEP currently estimates approximately \$1.2 million to remediate hazardous materials within the building such that the building can then be demolished; estimates for remediation have not been developed due to the nature and extent of the impacts are not known.

Ms. Cohen clarified with Ms. Deley that that report just became available to the Selectmen as of this past Friday [May 24th], which Ms. Deley stated was correct but that there are various dates on these reports from the CEC.

Mr. Rotondi asked if anything of that deals with the storage tanks. Mr. Carmichael stated that the EPA during their final cleanup of the lagoon on the banks oil was found seeping in, but Mr. Zahner and Mr. Carmichael answered that this will be covered by the EPA.

In response, Mr. Savas stated that he has heard that typically the EPA and Coast Guard will cover some of the cleanup and then they look for cost recovery; he added that typically the EPA only some of the time goes for cost recovery and the Cost Guard almost always goes for cost recovery according to a resident he spoke with of DEP.

Ms. O'Brien redirected the conversation to address the article for the Special Town Meeting emphasizing that this is about the project itself (\$25.7 million for the construction of two buildings) not the site location. There is no mention of the site in the article (in other words 47 Elm Street is not mentioned anywhere in the article nor the ballot question).

Mr. Flaherty stated that he believes this project no longer makes sense to move forward with at this time without an actual site (if Elm Street will end up not working out). Ms. O'Brien responded that she was not disagreeing with him, but did mention that two of the other sites they were looking at are town-owned properties (although they will not be able to accommodate both buildings). Mr. O'Neil expressed that he doesn't feel comfortable moving forward with this new information.

Mr. Flaherty stated that the Finance Committee moves the motion on the warrant. Mr. Bramwell pointed out that at the joint meeting at the Henri A. Yelle Elementary School with the Permanent Building Committee, it was a drop-dead deadline for cancelling the Special Town Meeting and election, so at the time the Board of Selectmen felt comfortable moving forward.

Mr. William Gouveia, Town Moderator, expressed his opinion that he believes this project is so outrageously poor and bad. Mr. Goveia stated that the Special Town Meeting is on Monday and they are expecting 1,500 to 2,000 people. He pointed out at now anyone at this town meeting could make a motion to move this article, have someone second the motion, and now the Town has a \$25,700,000 project even if the Finance Committee and Board of Selectmen vote to reconsider at this meeting right now. He stated that the Selectmen and whoever else needs to explain where the project is at this point and what happened.

Mr. Sheedy asked the Moderator if there is a “no” vote taken at the meeting, if they could still cancel the election, which he answered at this point the Selectmen do not have the ability to cancel the election.

Ms. O’Brien responded stating that with all due respect, the Permanent Building Committee has worked diligently on this with the information provided by the Board of Selectmen and Town Manager. She added that up until Friday, they were committed to this. Ms. O’Brien expressed that personally she feels as a resident that she would much rather have this information now then to go through this vote and something come up at a later date that could have changed her vote. Ms. Cohen responded expressing that she feels bad because people seem upset and are directing [the blame] at the Permanent Building Committee when it is not their fault. Ms. O’Brien stated that she doesn’t believe this is anyone’s fault. In response, Ms. Gallagher expressed that she doesn’t believe that it isn’t someone’s fault because this information has been around, but now it is surfacing. Mr. Savas asked how long they have had this report. Mr. Conway and Ms. Deley stated they got it on May 24th, but the report is dated February 2019.

Motion was made by Mr. Helmreich to reconsider the Article for the June 3, 2019 Special Town Meeting. Seconded by Ms. Sawyer; Vote: Unanimous.

The Moderator stated that the Article cannot be discussed unless someone in the audience moves it. Mr. Deluca stated that he would be more than willing to move it just so they can discuss the Article and explain what happened.

Dr. Baeta said that it was his understanding that if the Permanent Building Committee changed their vote, that this would somewhat force the Finance Committee to change their vote. Mr. Deluca confirmed this stating that the Finance Committee essentially takes the Board’s/Committee’s opinion.

Motion was made by Mr. Helmreich to retain the recommendation of recommending Article 1 for the June 3, 2019 Special Town Meeting. Seconded by Mr. Fiore. Vote: 0 – Yes; 10 - Opposed.

Ms. Cohen asked why if the report came out in February 2019 that the information just came out last Friday. Ms. Deley replied that she believes that the Town Manager needs to be present to respond to this. Mr. Bramwell added that it was also information that was just was received. Mr. Carmichael agreed with Bramwell adding that the information is still coming in. Ms. O’Brien stated that their main concern is getting through the Special Town Meeting and then over the summer working towards fruition. Mr. Bramwell expressed support of Ms. O’Brien’s statement due to the fact the Town really does need these buildings. Ms. Deley also agreed emphasizing that she would like to go over the information again and regroup. Mr. Conway said it would be great to supplement the Permanent Building Committee with a member of the Finance Committee, Board of Selectmen, and School Committee. Ms. O’Brien stated that according to the current bylaws you could have a temporary member to represent the Town Hall and Community Center project.

Ms. Stern stated that they have agreed in the past to share Minutes and also attending each other’s meetings. Mr. Bramwell expressed that he would be happy to have one or two members of the Board meeting regularly with other boards to keep the lines of communication open. Mr. Rotondi mentioned that the Finance Committee already

discussed this and have agreed that at least one member (if not several) be present at every Selectmen meeting.

The meeting then moved on to one of the School Committee's Agenda items [Transparency Center/School Department Finances].

Dr. Baeta stated that he felt like he was on the attack and ambushed at a meeting and this is why we had this item on the agenda. He reiterated that he doesn't want to take money from another department. Ms. Cohen said her and Ms. Steele have communicated that they need to stop nit-picking at each other's budgets. She also suggested that Dr. Baeta and Mr. Matthew Wells meet with Town Manager and Town Accountant to dive into things and move things forward.

Mr. Dorney addressed the meeting Dr. Baeta was speaking of. He pointed out the fact that there has been a failure in communication amongst the boards/committees that leads to meeting such as the one Dr. Baeta was speaking of that becomes a lot of Q & A sessions. Mr. Sheedy suggested getting the Transparency Center on the Town/government side of things online and suggested asking the Town Manager to do this.

Mr. Helmreich went on to explain that while a 2 or 5-year [financial] plan would be nice, things come up that will throw a wrench in these plans adding that they are also still trying to live within proposition 2 ½ percent. He went on to emphasize that there are some departments that you can't adjust the budget anymore too because there are only 2 or 3 employees in that department and you simply cannot do without having a department.

Mr. Bramwell stated that there should be an override proposed every year (maybe \$250,000 a year) and just try. He stated that maybe the \$2,000,000 overrides are hard to pass so doing the \$250,000 year to year might be more realistic. Ms. Cohen recommended having all three boards/committees meet like this quarterly.

After the joint meeting concluded at 8:41 P.M., the Board of Selectmen took up the Town Hall/Community Center project again later in their meeting.

Ms. Deley informed the Selectmen that she wanted this on the agenda so they could collectively discuss the project and mentioned that she has a few ideas from the information collected from the information received on May 24th. Mr. Bramwell said that he would look forward to discussing this further at the next meeting when the LSP from the CEC will be in attendance to answer questions. Ms. Deley asked that the Board go back and review the information that was provided on May 24th. Mr. Bramwell stated that he looks forward to having the engineer at the next meeting to answer questions along with the Town Manager.

Ms. Robin Monti asked where that information came from that the Town assumed that the site would be entirely cleaned up by DEP and EPA. Mr. Bramwell answered that the property was dumped on the Town and that was just always what they were told. He further emphasized that the responsibility of who was doing the cleanup depended on what [contaminates] were in the ground. Ms. Monti stated that she spoke with Elliot Jacobs with the DEP and that is how she gathered the information she had thus far spelling out what was being done as far as the cleanup and who would be responsible for it [including paying for it].

Mr. Bramwell stated that he spoke with Mr. Yunits the previous day and he was already contacting state representatives about additional funding. Mr. Conway said that the information that they keep getting doesn't line up with what is happening, specifically referencing recent grant requests.

Ms. Yezukevich of the Finance Committee mentioned that there is a meeting maybe on June 5th for Permanent Building Committee, which will be with the CEC representative.

B. **Old Business**

There was no old business to discuss.

C. **Town Manager's Report**

There was no Town Manager's Report to discuss.

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

Mr. Flaherty took this time to recognize the near half of a century worth of time, work, and dedication Paul Helmreich has contributed to the Town and thanked him for everything he has done.

Ms. Deley stated that Sandy Ollerhead, the SRPEDD representative, was able to attend the Annual Meeting where Jennifer Carlino, Conservation Agent, was honored with a Special Individual Recognition Award; the award honors a person in the area of business or community organization for several contributions to SRPEDD, the region, or planning or economic development. She added that she has had conversations with Luke Grant of the Water/Sewer Commission regarding following-up with DEP about the new treatment plant. Mr. Grant informed her that assuming there are no huge equipment problems, will take three or four months. he and mentioned that it will take about three or four months. So he anticipates it would begin in October being fully up and running.

Mr. Conway wanted to recognize Chief Clark's officers in saving the National Grid employee, which is largely contributable to the quality of care he received from police. Mr. Flaherty specifically pointed out Officer Cameron's efforts. Mr. Bramwell seconded Mr. Conway's sentiments. Mr. Conway then proposed having a three-year financial plan put together. Mr. Bramwell said he would get back to him on that and speak with the Town Manager.

VI. **Meeting Minutes**

There were no Minutes to approve.

VIII. **Warrants**

Report of Chairman, Bradford K. Bramwell, on the following Payroll and Invoice Warrants:

- A. Approve Payroll Warrant PR19-24, for the week ended May 18, 2019, Warrant dated May 23, 2019, in the amount of \$1,334,868.50.

MOTION was made by Mr. Flaherty to approve Payroll Warrant PR19-24, for the week ended May 18, 2019, Warrant dated May 23, 2019, in the amount of \$1,334,868.50. Seconded by Ms. Deley. Vote: Unanimous. MOTION CARRIES.

- B. Approve Invoice Warrant AP19-47, dated May 23, 2019, in the amount of \$529,918.49.

MOTION was made by Mr. Flaherty to approve Invoice Warrant AP19-47, dated May 23, 2019, in the amount of \$529,918.49. Seconded by Ms. Deley. Vote: Unanimous. MOTION CARRIES.

- C. Approve Invoice Warrant AP19-48, dated May 30, 2019, in the amount of \$1,596,119.45.

MOTION was made by Mr. Flaherty to approve Invoice Warrant AP19-48, dated May 30, 2019, in the amount of \$1,596,119.45. Seconded by Mr. Conway. 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 June 13, 2019. Mr. Bramwell mentioned that they will be discussing the Elm Street project. A member of the Conservation Commission will also be in attendance to provide updates.

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 9:40 P.M. Seconded by Ms. Deley. Vote: Unanimous. MOTION CARRIES.

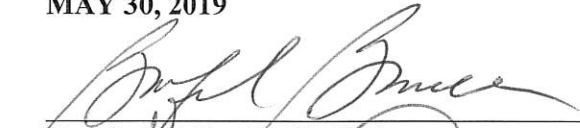
URL Link: https://www.youtube.com/watch?v=_HmB_Wsieak

Respectfully Submitted by:

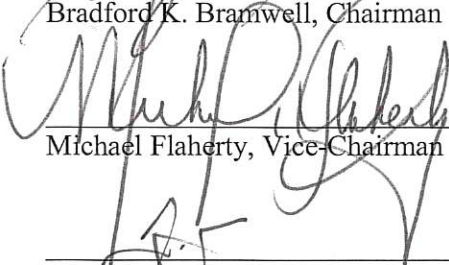


Jennifer Reid, Office Administrator

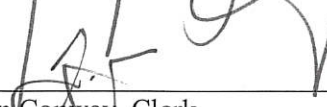
**BOARD OF SELECTMEN
MINUTES OF MEETING
MAY 30, 2019**



Bradford K. Bramwell, Chairman



Michael Flaherty, Vice-Chairman



John Conway, Clerk



Mary T. Steele

Renee Deley

Minutes Approved by Board on: 6/13/19