



TOWN OF NORTON

BOARD OF SELECTMEN
MUNICIPAL CENTER,
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Board of Selectmen Meeting Minutes November 21, 2019

I. Call to Order by Chairman

The November 21, 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. Michael Flaherty, Vice-Chairman. Member(s) present: Mr. John Conway and Ms. Renee Deley. Also in attendance: Mr. Michael D. Yunits, Town Manager.

Mr. Flaherty asked for everyone to respectfully take a moment of silence for Lieutenant Jason Menard of the Worcester Fire Department.

II. Appointments/Resignations/Retirements

- a. Request of Michael J. Maccini to be appointed as a member of the Industrial Development Commission.

Mr. Flaherty expressed that he has known Mr. Maccini for many years now and that he believes he would make a great member of the IDC. Mr. Conway asked what made Mr. Maccini want to join the IDC. Mr. Maccini stated that Ms. Deley was an old colleague of his and she expressed to him that he would be a good addition to the Town due to his experience.

MOTION was made by Ms. Deley to appoint Michael J. Maccini as a member of the Industrial Development Commission. Seconded by Mr. Conway. Vote: Unanimous. MOTION CARRIES.

- b. Request of Sandra Ollerhead to be appointed as an Alternate Member of the Industrial Development Commission.

MOTION was made by Mr. Conway to appoint Sandra Ollerhead as an Alternate Member of the Industrial Development Commission. Seconded by Ms. Deley. Vote: Unanimous. MOTION CARRIES.

III. Licenses and Permits

1. Application of Kristina Gagne for a One Day Beer and Wine License for a Private Event to be held at the Everett Leonard Park on September 6, 2020 from 10:00 A.M. to 7:00 P.M.

MOTION was made by Mr. Conway to approve the application of Kristina Gagne. Seconded by Ms. Deley. Vote: Unanimous. MOTION CARRIES.

2. Application of Anne Dubuc for a One Day All Alcohol License for a Private Event to be held at the Everett Leonard Park on August 2, 2020 from 12:00 Noon to 6:00 P.M.

MOTION was made by Mr. Conway to approve the application for a One Day Liquor License for Anne Dubuc. Seconded by Ms. Deley. Vote: Unanimous. MOTION CARRIES.

3. 2020 License Renewals

The 2020 License Renewals specified on the "2020 License Renewals" document presented to the Board of Selectmen at the November 21, 2019 Board of Selectmen meeting were all approved as written.

CVAA, CVWM, RPAA, RPWM, CV:

Timothy G. McCarthy d/b/a Alberto's
241 Mansfield Ave.

CVAA
CV
Jukebox
MA S.E. for Jukebox

The Chateau Restaurant of Norton, Inc.
d/b/a The Chateau Restaurant
48 Bay Road

CVAA
CV
Live Entertainment
Dancing
MA S.E. for Live Entertainment; Dancing

City Oasis, Incorporated
50 Pleasant St.

CVAA
CV
Live Entertainment
Dancing
5 Coin-Operated Pool Tables
3 Video Games
MA S.E. for Live Entertainment; Dancing,
Video Games, Coin-Operated Pool tables

A & R Enterprise, Inc.
d/b/a Cozy Beer and Wine
411 Old Colony Rd.

RPWM

Team Norton, Inc. d/b/a Fiesta Mexican
Restaurant
175 Mansfield Ave.

CVAA
CV

Home Plate Norton LLC
184 West Main St.

CVAA
CV
Live Entertainment
Dancing
MA S.E. for Live Entertainment; Dancing

MOTION was made by Mr. Conway to approve/renew the above 2020 licenses as specified on document, 2020 License Renewals, Page 1 as presented to the Board on November 21, 2019. Seconded by Ms. Deley. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Conway to approve/renew the above 2020 licenses as specified on document, 2020 License Renewals, Page 1 as presented to the Board on November 21, 2019. Seconded by Ms. Deley. Vote: Ms. Deley – Yes; Mr. Conway - Yes; and Mr. Flaherty - Yes. MOTION CARRIES.

CVAA, CVWM, RPAA, RPWM, CV (contd.):

Zhang and Chen, Inc. d/b/a Jasmine Garden 113 Mansfield Ave.	CVAA CV Live Entertainment
Kelly's Place at the Crossing, Inc. d/b/a Kelly's Place 292 East Main St.	CVAA CV
Mac & Walt's, Inc. 363 Old Colony Rd.	CVAA CV
Jay Laxmi Corp. d/b/a MAS GAS 62 Mansfield Ave.	RPWM
Michelle's Corner Store, Inc. d/b/a Michelle's Corner Store 325 West Main St., Units 1 - 4	RPAA
Konstantinos J. Babanikas d/b/a Mike's Famous Pizza 105 Taunton Ave.	CVAA CV
Northeast Golf Properties, Inc. d/b/a Norton Country Club 188 Oak St.	CVAA CV Live Entertainment Dancing MA S.E. for Live Entertainment; Dancing
Kaival Krupa Corp. d/b/a Norton Liquors 92 Mansfield Ave.	RPAA
20 Broad Street, Inc. d/b/a Pinecrest Beer & Wine 175 Mansfield Ave.	RPWM
NEHA Corp. d/b/a Quick Stop 250 East Main St.	RPWM
Mary E. Manchester d/b/a Sportsman's Café	CVAA CV Jukebox and Pool table MA S.E. for Jukebox and Pool table
Laljikrupa, Inc. d/b/a Sun Market 181 West Main St.	RPWM

MOTION was made by Mr. Conway to approve/renew the above 2020 licenses as specified on document, 2020 License Renewals, Page 2 as presented to the Board on November 21, 2019.

**Seconded by Ms. Deley. Vote: Ms. Deley – Yes; Mr. Conway – Yes; and Mr. Flaherty – Yes.
MOTION CARRIES.**

CVAA, CVWM, RPAA, RPWM, CV (contd.):

Wendell's Pub, Inc. 30 West Main St.	CVAA CV Jukebox 1 Video Game MA. S.E. for Jukebox; 1 Video Game
Wheaton College 26 East Main St.	CVWM CV Live Entertainment at the Loft

CV:

AJ's Stone Oven Pizzeria LLC 288 East Main St.	CV
Heng Corporation d/b/a Bagels & Cream 57 West Main Street	CV
Oxoboxo Restaurant Group, Inc. d/b/a The Best Sandwich Shop 175 Mansfield Ave.	CV
COCO Group, LLC d/b/a Dunkin Donuts 103 West Main Street	CV
Greatwoods Donuts, Inc. d/b/a Dunkin Donuts 175 Mansfield Ave.	CV
Hayat, LLC d/b/a Dunkin Donuts 246 East Main St.	CV
Route 123 Donuts, Inc. d/b/a Dunkin Donuts 420A Old Colony Rd.	CV
Jade City Chinese Restaurant 63 E. Main St.	CV
FADL Inc. d/b/a Main Street Pizzeria 63 East Main Street	CV
P & D Management LLC d/b/a McDonald's 175 Mansfield Ave.	CV

MOTION was made by Ms. Deley to approve/renew the above 2020 licenses as specified on document, 2020 License Renewals, Page 3 as presented to the Board on November 21, 2019. Seconded by Mr. Conway. Vote: Ms. Deley – Yes; Mr. Conway – Yes; and Mr. Flaherty – Yes. MOTION CARRIES.

CV (contd.):

Norton House of Pizza
57 West Main St. CV

Speedway #2411
125 West Main St. CV

Norton Subs, Inc. d/b/a Subway
130 Mansfield Ave. CV

Swamp Donkeys LLC
113 Mansfield Avenue CV

MOTION was made by Mr. Conway to approve/renew the above 2020 licenses as specified on document, 2020 License Renewals, Page 4 (Common Victuallers) as presented to the Board on November 21, 2019. Seconded by Ms. Deley. Vote: Ms. Deley – Yes; Mr. Conway – Yes; and Mr. Flaherty – Yes. MOTION CARRIES.

CLASS I, II, and III:

Colonial Motors, Inc.
380 Old Colony Rd. Class II

Edd's Auto Repair
16R Samoset St. Class II

Fogerty Enterprises
97 Oak St. Class III

John Freeman d/b/a Freeman's Garage
29 Ford Rd. Class II

John Freeman d/b/a Freeman's Garage
29 Ford Rd. Class III

Midway Collision Center, Inc.
85 Mansfield Ave. Class II

Midway Service Center, Inc.
92 East Main St. Class II

Platinum Auto Sales
145R West Main St. Class II

Quality Van Sales, Inc. Class I

349 Old Colony Rd.

Signature Bus Sales LLC
347 Old Colony Rd.

Class I

MOTION was made by Mr. Conway to approve/renew the above 2020 licenses as specified on document, 2020 License Renewals, Page 4 (Class I, II, and III) as presented to the Board on November 21, 2019. Seconded by Ms. Deley. Vote: Ms. Deley – Yes; Mr. Conway – Yes; and Mr. Flaherty – Yes. MOTION CARRIES.

CLASS I, II, and III (contd.):

Trans International Autos, Inc.
d/b/a Route 123 Motors
406 Old Colony Rd.

Class II

MOTION was made by Mr. Conway to approve/renew the Class II license for Trans International Autos, Inc. d/b/a Route 123 Motors, 406 Old Colony Rd. Seconded by Ms. Deley. Vote: Ms. Deley – Yes; Mr. Conway – Yes; and Mr. Flaherty – Yes. MOTION CARRIES.

Lodging:

8 Pine Street, LLC
(Peter G. Berg, Owner)
8 Pine St.

MOTION was made by Mr. Conway to approve/renew the Lodging license for 8 Pine Street, LLC (Peter G. Berg, Owner), 8 Pine St. Seconded by Ms. Deley. Vote: Ms. Deley – Yes; Mr. Conway – Yes; and Mr. Flaherty – Yes. MOTION CARRIES.

IV. Announcements

1. Festival of Lights will be held on the Town Common from approximately 5:00 P.M. to 6:00 P.M. on December 8, 2019.

There will be hot cocoa, crafts, dancing, singing, and lights on December 8, 2019 at 5:00 P.M. Come sing holiday songs, write letters to Santa, and see the Common light up along with a very special visit from Santa and Mrs. Claus. A special thanks was given to Bob Kimball, the Chartley Garden Club, Norton Community Lions, Norton Fire Department, Norton Girl Scouts, Norton Singers, and On the Bar Dancers.

Mr. Flaherty commented that this is a great event every year.

2. Christmas is for Kids Fill a Truck Event is on Sunday, December 8th at 5:00 P.M. on the Town Common during the Festival of Lights. Please bring a new unwrapped gift to the Christmas lighting event for local children in need. Christmas bows, wrapping paper, and any new blankets can also be donated. This event is sponsored by the Norton Fire Department.

V. Business

A. New Business

1. 7:15 P.M. - FY20 Tax Classification Hearing in accordance with M.G.L. Chapter 40, Section 56.

Denise Ellis, Director of Assessing, was in attendance to present and discuss the purpose of this hearing. She advised the Selectmen that they would be voting on whether the Town will have a single tax rate or a split tax rate. She further explained that if a split tax rate was implemented, the tax burden would be shifted from residential to commercial/industrial/personal property. Ms. Ellis further explained to the Selectmen that they would be voting on the minimum residential factor, small commercial exemption, and a residential exemption. She stated that there are five classes: residential, open space, commercial, industrial, and personal property. Currently, the Town is made up of 82.54% residential, 6.13% commercial, 8.63% industrial, and 2.7% personal property. The Director of Assessing advised that Norton does not have any "open space" land that she is aware of; if the Town did have open space, it would be eligible for a maximum exemption of 25%. Ms. Ellis went on to explain the valuation of the residential, commercial, industrial, and personal property. She informed everyone that if the Town does go with a single tax rate, that the tax rate would be \$14.81 per thousand (last year it was \$14.90 per thousand).

Ms. Deley asked what changed as the reasoning for the decrease in the tax rate (the levy or the total assessed value), which Ms. Ellis answered was the total assessed value. Ms. Ellis informed the Selectmen that the average assessed value of a single-family home was \$356,033 in 2019; in 2020 it is \$372,090. The average tax bill went up from \$5,305 per year to \$5,510 per year. She added that commercial taxes are going up about \$2,100 from last year. Ms. Ellis explained that shifting the tax rate moves some of the burden of the monies to be raised by taxes from the residential to commercial, industrial, and personal property classes, as shown on her PowerPoint presentation. She specifically referenced the CIP shift of 1.20 on the table. The residential tax rate at this CIP shift would be \$14.18 per thousand and for commercial, industrial, and personal property it would be \$17.77 per thousand. So, this would decrease the residential taxes, but would noticeably increase the commercial, industrial, and personal property taxes over \$7,000 from last year. Currently, the Town is at 17.5% commercial, industrial, and personal property. Ms. Ellis emphasized that a tax shift would impact the small businesses.

Ms. Ellis moved on to a graph showing residential slightly decreasing every year and the commercial, industrial, and personal property has been increasing. Next, she explained the Small Commercial Exemption, which is for businesses that have no more than ten employees, which is certified by the Department of Employment and Training. Ms. Ellis stated that as far as she is aware, there are no businesses eligible for this in town. Ms. Deley questioned that the town doesn't have any businesses with ten employees or less. She then looked for clarification from the Director of Assessing if this was due to the condition that one business in a building doesn't qualify unless every business qualifies, which Ms. Ellis confirmed. Ms. Ellis added that the business has to be certified by the State in order to qualify. The Director of Assessing informed the Selectmen that the Residential Exemption is primarily used in communities that have a 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 domicile/principal residence. Ms. Ellis advised the Selectmen that under consideration at this meeting is the selection of a minimal residential factor and the granting of a residential and/or small commercial exemption. In summary, Ms. Ellis outlined that it is up to the Board of Selectmen to determine whether or not the tax burden should be shifted. Also, if the Board decides in favor of shifting the burden by means of shifting the tax rate, the Board must then decide how much the burden will be shifted.

Ms. Deley mentioned that she had e-mailed Mr. Yunits about the tax rates in surrounding communities. Mr. Yunits addressed Ms. Deley's e-mail stating that he provided the Selectmen with two items, one of which shows the comparison of the tax rates with the neighboring communities and the other one shows the same communities and who has a shift and who doesn't. Mr. Yunits referenced to the Town of Easton, which is only made up of 12% commercial property and pointed out that they do not have a split tax rate. The Town Manager then referenced Mansfield and Foxboro and informed that Selectmen that they do have a split tax rate, but are in the 20% range for commercial property. Mr. Yunits stated that in the past [the Selectmen] have agreed that until Norton is in the 20% range of commercial property, there is not a

great benefit to implementing a split tax rate (especially where the Town is currently trying to attract businesses). He also mentioned that the Town of Raynham has a shift and their commercial tax basis is 24.5%.

Ms. Deley commented that North Attleboro closely lines up with Norton regarding the amount of commercial property in town; Norton is comprised of 16.7% commercial property whereas North Attleboro is comprised of 17% and North Attleboro has a split tax rate. Mr. Yunits advised that the only other town so far that has set their tax rate this year is Mansfield. Their residential tax rate will be \$15.36 per thousand and their commercial tax rate will be \$21.60 per thousand. Ms. Deley clarified that properties in Mansfield are generally assessed higher than in Norton, which Mr. Yunits confirmed. Mr. Flaherty expressed that while the Town would like to be comparable to the surrounding towns, Norton is also still trying to attract businesses. Mr. Flaherty explained that like in past history, he is in favor of a single tax rate at this time. Ms. Deley disagreed with Mr. Flaherty's opinion stating that Mansfield is having no issues attracting businesses at this time and they are at almost \$22 per thousand for a commercial tax rate whereas Norton is \$14.90 per thousand. Ms. Deley expressed that she believes a small shift in the percentage wouldn't deter businesses from coming to town, but would be more concerned about the businesses (especially the small businesses) that are already in town.

Mr. Flaherty asked Ms. Ellis if she would be able to segregate the data showing how small businesses versus other businesses would be affected. Mr. Flaherty explained that he would like to see this done because the data is skewed significantly with businesses like ALNYLUM compared to small businesses in town. Mr. Flaherty asked the Director of Assessing what the average impact would be broken down into a percentage and dollar amount. Ms. Ellis asked when they would be making this decision once they have that information provided because they are getting ready to send out tax bills. Mr. Flaherty asked Mr. Conway and Ms. Deley if they were ready to vote this evening or if they need more information. Ms. Deley replied that she would like more information and would like to hear from the Chair of the Finance Committee who was in attendance.

Mr. Flaherty asked that Mr. William Rotondi, Chair of the Finance Committee, come before the Board. Mr. Rotondi stated that he had a few questions based on the presentation given by Ms. Ellis. He referred to the part of the presentation where the tax increase would be \$7,000 (compared to last year) if a CIP tax shift of 1.20 was implemented. Mr. Rotondi posed the question of rather than jumping to 1.20 if the shift could be as small as increasing to 1.01, which Ms. Ellis confirmed was an option. Mr. Rotondi asked if anyone had projected out when the Town would get closer to 20% commercial property. Ms. Ellis answered that she was unsure, but that the Town does have the Leonard Street project underway, which will bump that percentage closer to the 20% figure. Mr. Rotondi asked if they could vote to have a split tax rate, but not actually implement the split tax rate. Ms. Ellis answered that they could not do this. Mr. Yunits added that every year the tax rate must be set and it is voted on every year and emphasized that there is no value to doing what Mr. Rotondi suggested (regarding setting a split tax rate, but not implementing it). Ms. Ellis further stated that there is a form that needs to be filled out and sent to the State. On this form, there are two spots and depending on how the Selectmen vote determines what box is checked off. So, Ms. Ellis explained that if she did as Mr. Rotondi suggested, there would be a red flag on the submitted documentation. Mr. Conway stated that he did the math for a split tax rate of 1.10 and it would be an increase of \$4,500 over 2019 and a decrease in residential by \$115. Ms. Deley said she wouldn't jump as high initially and would suggest a tax rate of \$15.40-\$15.50. Mr. Rotondi expressed that he is in favor of a split tax rate with a small incremental difference. Ms. Deley also reminded the Board that water rates have also gone up. Mr. Conway stated that in the long run he believes a split tax rate would be the most beneficial to the Town, but at this time he is unsure if it makes the most sense especially where he doesn't believe they have enough data to make the determination. He further emphasized that he didn't want to stick anyone with a \$7,000 increased tax bill. Ms. Deley mentioned that the increased tax bill of \$7,000 is based off of an increased tax rate of \$16.29 per thousand for

commercial property. Ms. Ellis informed the Selectmen that she would go back to her office and run the small incremental tax shift figures, so that they would be able to make a better determination and would be back shortly.

Ms. Ellis returned with the supplemental data requested by the Selectmen at 8:12 P.M.

Mr. Conway stated that from the data provided it looks like every hundredth of a point that you come down, the average residential bill drops by approximately \$11.00 and commercial increases by about \$250.00. Mr. Flaherty expressed that at this time he doesn't believe the shift is worth the burden. Ms. Deley expressed that she is still in favor of a split tax rate. Mr. Conway stated that he feels he does not have enough information to make a decision; had he been provided with the data he was given this evening a few weeks ago it would be a different story.

The Chair of the Board of Assessors, James Riley, came before the Board to assist the Selectmen in coming to a decision. Mr. Riley emphasized that it is important to analyze what the properties are assessed at rather than the tax rate itself because that is what truly matters. He said generally, properties in Norton assessed at a lesser value than Mansfield. Mr. Riley also stressed that while it is helpful to look at surrounding towns for guidance, the Selectmen should not make any decisions based off of other towns. Mr. Riley used the Town of Foxborough as an example due to Gillette Stadium. He pointed out that the stadium is going to impact their values. He added that Mansfield has a train station and Norton does not. The Chair stated the importance of asking the question of what is Norton as a town. Mr. Riley stated that hitting the 20% mark for commercial property before implementing a split tax rate is a good figure. He further pointed out that the Selectmen had also just approved a list of liquor licenses and informed them that the ones listed as d/b/a's are "mom and pop" shops. The important thing to recognize in regards to this is their home values will be lowered in terms of taxes, but their business that is right next door will go up. Mr. Riley emphasized that once they decide to implement a split tax rate, Norton is no longer a business-friendly town. He added that the second part of the tax shift is if the Selectmen decide to shift this year and the homeowner only gets a \$100 increase in taxes instead of \$200, and the following year the Selectmen decide to shift back, then residents are going to have a \$300 tax increase that year in order to get back to level. Mr. Riley stated that once you implement the tax shift, it is really difficult to come back. He explained that the decision does not only impact the Assessors, but several other departments that are waiting on them.

Mr. Conway asked when the bills need to go out. Ms. Ellis explained that there is a whole process to tax bills. First, the Selectmen have to make a decision about the tax rate, then she would send this decision off to the State and they would take a few days (depending on how busy they are) to make a decision. Next, she has to work with the Water Department and Tax Collector's office while also getting all of the exemptions and Senior/Veterans Work-Off information to formulate the tax bills. Ms. Ellis added that the tax bills need to be printed two weeks prior (in this case December 31st) and needs to go to the printer by at least December 15th.

Ms. Deley asked what posting requirements are for this to figure out if the Selectmen have enough time to collect more data from the Assessor's Office to see how local businesses would be impacted before making a decision on a split tax rate. Mr. Riley stated that they have homeowners that are all the same, but then the businesses in town vary from small to large and he does not know how they would be able to stratify the data they are looking for. Ms. Deley replied that she would be satisfied with using data from last year as far as values are concerned to see how a split tax rate would impact them. She specified that she would like to see the CIP shift impacting data from 1.04 to 1.06.

Mr. Flaherty suggested making a motion at this meeting and then further discussing this on a moving forward basis. He stated that he doesn't want to make a snap decision, but at the same time he also

doesn't like pulling the rug out from under businesses for people that are trying to budget their business for 2020. Mr. Flaherty expressed that the \$11 residents would be saving doesn't seem as important as the significant impact businesses could be facing that they were not anticipating.

During the discussion, both Ms. Deley and Mr. Conway agreed that this year they will be researching and getting informed for the following year. All Board members agreed that will look further into the impact a split tax rate would have on local businesses.

Mr. Yunits explained that the residential exemption is typically done for bigger cities like Boston, where if someone owns property and lives there that they receive a tax break. Ms. Deley asked how many circumstances like this Norton has where people own their property, but rent it out. Mr. Yunits explained there are not that many and that is why it is recommended to not have a residential exemption. Ms. Ellis explained that the other part they need to vote on is the small commercial exemption, which she stated there wasn't anyone in town that fits these criteria (they would have to be approved by the State for this exemption).

MOTION was made by Mr. Deley to keep a single tax rate. Seconded by Mr. Conway. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Conway to approve a residential exemption to the tax rate. Seconded by Ms. Deley. Vote: Opposed Unanimously. MOTION CARRIES.

MOTION was made by Mr. Conway to approve a small commercial exemption to the tax rate. Seconded by Ms. Deley. Vote: Opposed Unanimously. MOTION CARRIES.

MOTION was made by Mr. Conway to adopt an open space discount. Seconded by Ms. Deley. Vote: Opposed Unanimously. MOTION CARRIES.

2. Discussion of Fire Department Overtime.

Fire Chief, Shawn Simmons, and Deputy Fire Chief, Benton Keene, III, came before the Board of Selectmen to discuss the Fire Department's overtime. The backfill for staffing is to cover contractual time off and this accounts for 70%. Chief Simmons informed the Selectmen that just last year the Fire Department had over 675 occurrences where at least two incidences were going at the same time and added that this number seems to go up every year.

Mr. Flaherty asked the Chief what the turnaround time is on a call. Chief Simmons answered that the average is about an hour or so. He added that it also depends on the type of call they are responding to because sometimes this dictates what hospital they need to transport their patients too, which could extend the turnaround time.

Chief Simmons moved on to emergency call backs as another contributor to overtime costs, which accounts for approximately 11.5% of their overtime. This is for when the Fire Department is really busy responding to incidences and require staff to come back in (there is a two-hour payment minimum requirement). Lastly, Chief Simmons explained that the "Miscellaneous" category is a catch-all category. This includes things such as hold overs, investigations, staff meetings, public education, specialized inspections, etc. Chief Simmons informed the Board that training accounts for 6.5% of the overtime figure, which is mandated by the State. The fire alarm system (maintenance and repairs) accounts for 3% of the Fire Department's budget. The Chief added that they just found out the week prior that one of their fire trucks has significant mechanical issues and will cost a lot to repair. He further stated that this fire truck is also forty-five years old.

Ms. Deley referenced a line in the material provided by Chief Simmons regarding a conversion to a modern system and asked him to elaborate on this. Chief Simmons explained that the surrounding towns are using what is called a radio block system, which is wireless. He stated that the owners/developers of the buildings of the Blue Star Business Park were generous enough to install this system, so that the Fire Department will receive not only the hard-wired signals, but the radio block system signals as well. Mr. Flaherty expressed that he thought that the move to the Regional Emergency Communications Center was going to take care of this. Chief Simmons explained that they are still going to receive their boxes, but they have to buy additional equipment because all of that "stuff" has to be redundant. So, it is going to be approximately \$100,000 in equipment that they are going to need get in order to receive the Fire Department's alarm signals, but that will not be upgrading the infrastructure throughout town that they will need. Chief Simmons mentioned that it is very expensive for businesses to switch over (they are looking at about \$6,000-\$7,000). He added that other towns have implemented the switch by giving business owners five years to switch over or they would have to go to a central station.

Chief Simmons went over a chart he provided to the Selectmen and went over NFPA standards, such as having four people on each apparatus and fourteen firemen on duty to be able to respond to a 2,000 square foot house fire, both of which they cannot meet. Mr. Flaherty thanked Chief Simmons for providing the detailed summary and taking the time to attend the meeting. Ms. Deley asked Chief Simmons what the overall percentage is for overtime in their budget, which he answered was about 16% for the personnel services. She asked if this was on par with communities similar to Norton's size. Chief Simmons stated that it was, but he also does not have access to all of their budgets. He added that he did a lot of research, and saw as high as 27% of budgets being overtime. Ms. Deley asked that with being at 16% for overtime if this is meeting the Fire Department's needs. Chief Simmons mentioned that this is probably a topic that requires more of a conversation, but he thinks it is important to determine what their adequate staffing levels are with Boards and other stakeholders and then work to maintain that.

Mr. Flaherty asked the Chief what it would take to keep Chartley Fire Station open and sustained. Chief Simmons stated that he thinks they would need eight firemen on duty to sustain Chartley. He further explained that between staff retiring or being injured, they have been down four people (and more recently 5). Ms. Deley looked for confirmation from the Chief that in order to fill these positions the Fire Department was backfilling the positions with overtime. Chief Simmons stated that this was correct and in response Ms. Deley replied that it would seem that the Fire Department is being overworked. The Chief said that this is another topic of discussion regarding excessive overtime, which results in an increase in injuries and mistakes. Chief Simmons pointed out that the good thing about overtime is that it is spread out, so if one were to ask the firefighters on staff if they feel overworked, he believes they would answer no because they do have limits. He explained that he believes about 95% of their overtime is voluntary.

Ms. Deley said that she had an interesting conversation with someone recently about the need for a fire station on the east side of town and asked the Chief if he feels that there is a need for one over there. Chief Simmons understood that the east side of town has gotten drastically busier, but the busiest part of town is from the Mansfield town line to the Taunton town line. He said ideally, he would like a needs assessment study done for staffing stations. Mr. Yunits advised the Selectmen that any overtime earned is non-pensionable.

III. Vote to Set Date of Annual Town Election.

Mr. Flaherty stated that town elections are now on Saturdays in April. Mr. Yunits advised that the Town Clerk recommended Saturday, April 4th because she feels this date will not interfere with any holiday weekends, religious holidays, or school vacations.

MOTION was made by Ms. Deley to set the date of the annual town election to Saturday, April 4, 2020. Seconded by Mr. Conway. Vote: Unanimous. MOTION CARRIES.

4. Review and Vote on Town Efficient Vehicle Policy.

Mr. Yunits explained that this is part of their quest to become a “green community”. He stated that one of the next steps with this is that any purchase of vehicles the Town makes will be fuel-efficient vehicles, with the exception of police or heavy-duty vehicles which are exempt. The Town Manager referenced the example of a four-wheel drive car the gas mileage requirement is at least 24 MPG. Mr. Yunits informed the Selectmen that the School Committee will be voting on this at their next meeting. He noted that school buses are exempt because of their size.

Mr. Conway asked Mr. Yunits if he knew how many vehicles the Town has that would fall under this. Mr. Yunits replied just the four that the Town has.

MOTION was made by Mr. Conway to accept the Town of Norton Fuel-Efficient Vehicle Policy as written. Seconded by Ms. Deley. Vote: Unanimous. MOTION CARRIES.

5. Discussion on Norton NEED Fundraiser.

Ms. Deley explained that this was an e-mail she received from Ms. Sheri Cohen of the School Committee. This is in respect to the “N” painted on driveways and some of the schools around town, which are for the Norton NEED Fundraiser. She explained that the question was whether or not the Town Hall/Senior Center would like to participate. Mr. Conway explained that they have been doing this for much of the fall and have done somewhere around 130 N’s across town, including some of the schools and businesses. He further explained that they are trying to build a sense of community and that all of the proceeds raised, which is about \$25 per “N”, goes directly to the school grant funding. Mr. Conway stated that there are about \$14,000 to \$16,000 worth of grants this year and they are up over \$120,000 in the past ten years. He informed the Selectmen that Ms. Cohen would cover the money for the COA. Mr. Conway and Ms. Deley volunteered to contribute towards the Town Hall’s “N”. Mr. Flaherty stated he would chip in as well and do the Town Hall, Fire Department, and Police Department and suggested giving \$100 so they had a little extra to chip in split three ways, which Mr. Conway and Ms. Deley agreed to.

B. Old Business

1. Discussion on Inquiries into Marijuana Facilities.

Mr. Yunits explained that Norton has had a lot of people express an interest and that hopefully the IDC can work with the Planning Board to change the zoning for retail and distribution at the same time. Mr. Yunits added that he will be speaking with a company soon that is interested in putting a distribution facility in town. He mentioned that if it is just a distribution facility not a retail store that this would have the least impact on the nature of the Town. However, this is something that is not in the zoning right now and would have to be added. Mr. Flaherty clarified that the distribution facility would need a permit, which Mr. Yunits confirmed. Mr. Flaherty responded that the concern with this is the potential fire hazard.

Ms. Deley interjected that the IDC has spoken to small businesses and franchises along with someone who wanted to do something completely different with a farm-to-table type idea. She added that they also have Solar Therapeutics on their next schedule. Ms. Deley stated that she would like to speak with someone from a distribution facility so they could ask some questions and get further understanding as well. Mr. Yunits informed Ms. Deley that Solar Therapeutics has a distribution facility and would be able

to provide her with information. Ms. Deley advised that the IDC is leaning in the direction of a complete rewrite of the bylaw. She informed Mr. Yunits that the IDC is hoping to be on the agenda for the next Planning Board meeting, which is actually the day before the next IDC meeting, to go through more or less a project timeline. She said that the IDC will also be meeting with the Finance Committee soon too to have the same discussion.

Mr. Yunits told the Selectmen that when speaking with one of the companies, topics that came up included the value of a license and the Host Community Agreement (HCA). The company asked if the Town would be putting a cap on the number of licenses issued in the Host Community Agreement. Ms. Deley stated that according to the CCC, there needs to be an "at least" figure based off of the number of package stores in town; so, in the case of Norton, it would be at least one. Mr. Yunits advised that the maximum would probably be three for Norton.

2. Discussion and/or Revote on Remote Participation.

Mr. Flaherty expressed that he would rather not vote on this topic this evening because two board members were not present. Mr. Yunits clarified that this topic was on the agenda simply to see where the Town's boards and commissions stood as far as allowing remote participation. The Town Manager provided a list of who adopted remote participation and who has not. So far, the Assessors, Charter Commission, IDC, Planning Board, and Zoning Board of Appeals have voted to allow remote participation while the Community Preservation Committee, Board of Health, Recreation Commission, and Water and Sewer Commission opted to not allow remote participation. Ms. Deley asked if they received the required signatures from the boards/commissions, specifically the Planning Board. Mr. Yunits stated that Mr. Paul DiGiuseppe, Director of Planning and Economic Development, answered that he either has all of the signatures already or is getting them. Ms. Deley asked Mr. Yunits if they could have on the Board of Selectmen's page the list of all of the groups who have voted and how they voted, which Mr. Yunits agreed to. Mr. Conway asked the Town Manager if he knew of any boards that have used remote participation yet. Mr. Yunits answered that the Planning Board has.

C. Town Manager's Report

1. Elm Street Demolition

Mr. Yunits reported that they had their preconstruction meeting on Monday and that they have started mobilizing at the site now, so hopefully next week they will start on the demo. Mr. Conway asked if they knew how long the demolition would take, which Mr. Yunits answered would be about two to three weeks.

2. Blue Star Business Park Update.

Mr. Yunits informed the Board that they started the work on East Main Street and he spoke with the Chief of Police asking him to put another sign at Pine Street letting people know that the road is open to local businesses because they don't want local businesses being affected. He informed them that a sign would be put out the following day. The Chief said that traffic is being detoured everyday from 8:00 A.M. to 3:00 P.M. Mr. Conway mentioned that he saw the e-mail from the Chief saying that the traffic by the L.G. Nourse Elementary School was going smoothly, however, this afternoon Mr. Conway stated it was very busy. Mr. Conway expressed that they need to continue monitoring this traffic especially if the traffic gets worse. Ms. Deley mentioned that on the Town Clerk's Facebook page there is a post regarding the detours, but only for Leonard Street. She asked that the rest of the detours get put on this page as well, which Mr. Yunits agreed to.

Mr. Conway suggested getting advanced notice out regarding the detours/construction. He first saw that work was going to be done at 10:00 P.M. the night before. Mr. Conway asked who was responsible for

putting these notifications up, which Mr. Yunits answered was Norton Emergency Management (NEM). Mr. Yunits mentioned that Chief Clark contacted NEM to have the information on the alert corrected as well. Mr. Conway asked that Condyne give more notice of when they will be doing work. Ms. Deley asked for the next set of detours on Plain Street and Burt Street that they try to give two days-notice, which the Town Manager agreed to.

3. West Main Street Sewer Project Update.

Mr. Yunits informed the Board that they are done for the winter. Their permit doesn't allow them to extend any new trenches after November 15th. At this point they are just clearing out what they have there and then they will have to wait until the spring to resume the work. Mr. Conway asked if they had a date for when the work would resume in the spring. Mr. Yunits replied that he didn't at this time, but would get back to them on that. Mr. Conway asked if the Water and Sewer Commission was still having the biweekly meetings and Mr. Yunits stated that they haven't had one in a while, but he would ask about this as well.

4. Final Site Selection, re. Mitigation Agreement with Carroll Advertising.

Mr. Yunits informed the Selectmen that Carroll Advertising has signed the lease agreements to lease two sites: 176 South Washington Street and 2-6 Lopes Drive, which are abutting properties. He stated that the next step is to go through the Planning Board.

5. Report on Massachusetts Occupational Safety and Health Inspector's Visit to Town Hall.

Mr. Yunits reported to the Selectmen that the Town Hall was visited by Massachusetts Occupational Safety and Health Inspector. The inspector said they would have a report in a couple of weeks. The Town Manager stated that the inspector was at Town Hall for five to six hours looking at the building and then meeting with representatives from the unions after. Mr. Yunits said he expects to see some concerns raised from the inspection and Mr. Flaherty replied that he wouldn't be surprised. Mr. Conway asked if Mr. Yunits knew what triggered the inspection. Mr. Yunits answered that they would not say who, but someone had contacted them.

V. Selectmen's Report and Mail

Ms. Deley stated that she had a couple of questions that went around in an e-mail in respect to Wheaton and the Board of Selectmen liaison. Ms. Deley asked if the Board had one, to which Mr. Flaherty replied he didn't believe so. Mr. Yunits stated he thought it was Ms. Steele and Mr. Flaherty agreed. Ms. Deley asked that this be put on the next agenda.

Ms. Deley mentioned an e-mail with Mr. Frank Fournier, III, the Water/Sewer Superintendent, about how he does not have staff to monitor the water dispenser. She asked Mr. Yunits if there were people at the Town Hall that could keep an eye on this as winter was approaching, which he stated that there was and agreed to have it monitored.

Ms. Deley mentioned that at a previous meeting, the Board agreed to look at operational expenses across the schools and the Town buildings and asked the Town Manager what the status was on this. Mr. Yunits stated that him, Mr. James Puello (Town Accountant), Dr. Joseph Baeta (School Superintendent), and Matthew Wells (School Business Administrator) had met. However, Dr. Baeta stated that he was waiting on some information from NESDEC, but at the next joint meeting this is something they will be able to discuss. Ms. Deley asked that Mr. Yunits get the operational expenses for the Town buildings as well, which he agreed to.

Mr. Conway mentioned that he was at a Billerica Selectmen's meeting earlier in the week and one of the things they did at the beginning was an open-mic session voicing any concerns they had and asked if it was something they could adopt. Mr. Flaherty stated that it was something he would consider, but it would be difficult to control. Mr. Yunits asked that Mr. Conway provide information on other towns that do this. Mr. Conway mentioned they also do workshop sessions.

Mr. Flaherty mentioned that Dr. Baeta had reached out asking if they could do a joint meeting on December 19, 2019 instead of December 5, 2019. Mr. Flaherty advised the other Selectmen that he would not be able to make that date. Mr. Conway stated that he could not make that date either. Ms. Deley asked if this was a joint meeting with just the School Committee. Mr. Flaherty replied it would be the School Committee and the Finance Committee. Mr. Conway added that the Permanent Building Committee was planning to attend as well. Mr. Flaherty asked Mr. Yunits to suggest the dates of December 11th and December 17th to the other committees to see if this worked for them.

Mr. Flaherty wished everyone a Happy Thanksgiving.

VI. **Meeting Minutes**

There were no Minutes to approve.

VIII. **Warrants**

Report of Vice Chairman, Michael Flaherty, on the following Payroll and Invoice Warrants:

- A. Approved Payroll Warrant PR20-10, for the week ended November 2, 2019, Warrant dated November 7, 2019, in the amount of \$1,439,421.77.
- B. Approved Invoice Warrant AP20-19, dated November 7, 2019, in the amount of \$443,834.79.
- C. Approved Invoice Warrant AP20-20, dated November 14, 2019, in the amount of \$571,608.03.
- D. Approved Payroll Warrant AP20-11, for the week ended November 16, 2019, Warrant dated November 21, 2019, in the amount of \$1,384,520.66.
- E. Approved Invoice Warrant AP20-21, dated November 21, 2019, in the amount of \$1,450,777.80.

Mr. Conway questioned why this figure was so high. Mr. Flaherty explained that \$528,000 was for the windows for the schools; \$201,000 to the Water Enterprise; and roughly \$43,000 for the circuit breaker.

IX. **Other Business**

There was no other business to discuss.

X. **Next Meeting's Agenda** – December 5, 2019.

The Selectmen need to set the Spring Annual Town Meeting date.

XI. **Executive Session**

There was no need for an executive session.

XII. **Adjournment**

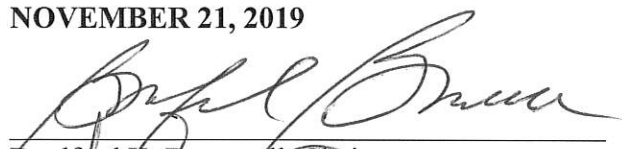
MOTION was made by Mr. Conway to adjourn at 9:12 P.M. Seconded by Ms. Deley. Vote: Unanimous. MOTION CARRIES.

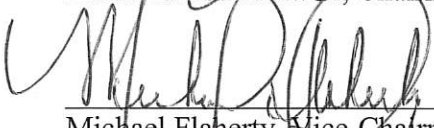
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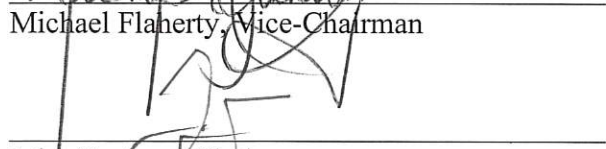
Respectfully Submitted by:

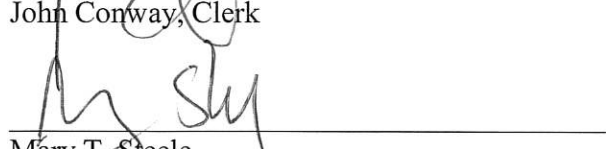

Jennifer Reid, Office Administrator

**BOARD OF SELECTMEN
MINUTES OF MEETING
NOVEMBER 21, 2019**


Bradford K. Bramwell, Chairman


Michael Flaherty, Vice-Chairman


John Conway, Clerk


Mary T. Steele


Renee Deley

Minutes Approved by Board on: February 6, 2020