



# TOWN OF NORTON

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

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## Board of Selectmen Meeting Minutes January 9, 2020

### I. Call to Order by Chairman

The January 9, 2020 meeting of the Norton Board of Selectmen was held in the Norton Middle 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, Ms. Mary T. Steele, and Ms. Renee Deley. Also in attendance:

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

Finance Committee Members: William Rotondi, Stephen Evans, Thomas Deluca, Richard Dorney, Aimee Sawyer, Bonnie Yezukevich, Michael Fiore, Paula Daniels, Aaron Smith, Peter Carignan, and Walter Eykel.

### II. Licenses and Permits

There were no licenses or permits to approve.

### III. Announcements

There were no announcements to discuss.

### IV. Appointments/Resignations/Retirements

There were no appointments, resignations, or retirements to vote on/discuss.

### V. Business

#### A. New Business

1. Contract Awards – DPW Services 02/01/20 through 01/31/21 with Option to Renew.

**MOTION was made by Mr. Flaherty to approve the contract for the DPW as presented. Seconded by Ms. Steele; Vote: Unanimous. MOTION CARRIES.**

2. Declare Cruiser 85 (2011 Black Ghosted Ford Explorer) as Surplus.

**MOTION was made by Mr. Flaherty to declare Cruiser 85 (2011 Black Ghosted Ford Explorer) as surplus. Seconded by Ms. Steele; Vote: Unanimous. MOTION CARRIES.**

#### B. Old Business

There was no old business to discuss.

#### C. Town Manager's Report

1. Elm Street Demolition Update.

Mr. Yunits opened the discussion by stating that Cross Street is now open again. Mr. Christopher Carmichael, Building Commissioner, informed the Selectmen that demolition of the buildings along Elm Street was completed on time and on budget. He expressed a concern with the buildings down at the far end because the crane operators stated that the buildings just crumbled as soon as they were touched. Mr. Carmichael advised that the site is secured. He also boarded up the first floor, placed guard rails on the second floor, and installed chain-link fencing near the open pile of soil where EPA was dumping because people were illegally dumping there. He further informed the Selectmen that he has walked the site with CEC during the demo and will walk it again next week. Mr. Carmichael mentioned that the EPA is removing the overburden to get to the oil laden near the waterfront and are looking to move the trailer where the Cross Street buildings were. He lastly mentioned that he is receiving bids to remove a section of Building A (represented as Building 4 on the handout). Mr. Carmichael stated that there are some concerns with the remote fill oil line that runs underneath that building that was connected to the two underground tanks.

## 2. Blue Star Business Park Update.

Mr. Yunits stated that the sewer line on East Main Street is moving along quickly and that the construction is almost at the highway. He advised that the detour should be ending shortly and acknowledged the great work the Police Department did with the detour. Mr. Yunits stated that they will get ready in the spring and meet again for the Route 123 sewer project to go over timeline and detours.

## 3. Water Treatment Plant Update.

The Town Manager advised that one well has been connected and tested at the new treatment plant and DEP has been out there with them testing the well to see how it is going. Mr. Yunits stated that they are looking to add two more wells to the treatment plant. He further stated that the Water/Sewer Commission will be coming to the February 6<sup>th</sup> Selectmen's meeting. Ms. Cohen asked if at capital they voted to replace some of the pipes. Mr. Yunits confirmed that some of the pipes on Pine Street and Plain Street are being replaced.

## V. Selectmen's Report and Mail

There was no Selectmen's report and mail to discuss.

## VI. Meeting Minutes

There were no Minutes to approve.

## VIII. Warrants

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

A. Payroll Warrant PR20-14, for the week ended December 28, 2019, Warrant dated January 2, 2020, in the amount of \$1,363,956.67.

B. Invoice Warrant AP20-27, dated January 2, 2020, in the amount of \$43,917.03.

C. Invoice Warrant AP20-28, dated January 9, 2020, in the amount of \$825,459.29.

IX. **Other Business**

There was no other business to discuss.

X. **Joint Meeting with School Committee and Finance Committee.**

*Ms. Kathleen Stern of the School Committee called the joint meeting to order at 7:09 P.M.*

A. Vote to Appoint Member to the Permanent Building Committee.

Mr. Kevin Morley introduced himself to the Boards/Committees and explained that he is interested in the Permanent Building Committee (PBC). Mr. Morley stated that he has been involved in different states of the construction industry for about fifty years. The last 10-15 years he has been working as a consultant for surety industries and prior to this he was with National Lumber for ten years running their EWP (Engineered Wood Products) division. Prior to this, he worked for Cells Green Building Company as their Purchasing Agent and Chief Estimator. He also worked independently on construction consulting services. Mr. Morley proceeded to give a summary of his work history and experience.

Mr. Conway asked Mr. Morley why he would like to join the PBC, and Mr. Morley responded that he believed he has some expertise that could help the town. He mentioned that he has built a couple of town halls and community centers and is good with numbers. Ms. Deley asked what would be the most enjoyable part about being on the PBC for him. Mr. Morley replied that he thought it would be enjoyable to get to meet a group of new people and be able to help. Mr. Conway asked if he would be open to any project that would come up and not just the current projects, which Mr. Morley confirmed.

Mr. Brian Béchet came before the Board and Committee and began by explaining that he got started in the business of architecture for about thirteen years. Mr. Béchet stated that he then worked for an entitlement firm followed by working with the design construction division at AECOM, Inc. He stated that he has worked on a lot of municipal projects, DPWs, Senior Centers as well as work on federal buildings for the design-build.

He advised that he is very familiar with public procurements, Chapter 149 and Chapter 30B and is accustomed to working with architects, contractors, subcontractors and designers. He mentioned that he also was on the High School Building Committee. Mr. Béchet explained that he has his Associate's Degree in Architecture, Bachelor's Degree in Construction Management, Master's Degree in Project Management, Project Management Professional (PMP) Certificate, is a Certified Construction Manager and has an Unrestricted Construction Supervisor's License.

Ms. Deley referred back to a comment Mr. Béchet made about attending a town meeting involving Walmart where everyone hated him and asked him to explain how he handled that. He explained that Walmart had a specialty consultant, who was an expert in public relations. Mr. Béchet said that he did not run the meetings per se, but rather attended them

as part of the team. Mr. Conway asked what interests him about this position. Mr. Béchet replied that he was on the High School Building Committee, which was a good experience. Ms. Cohen asked Mr. Béchet what he could bring to the committee. He replied that he would be able to assess what path to take and that his work experience could fill in the gaps and possibly be the voice of reason during disagreements. Mr. Béchet mentioned that he has also been a part of developing five-year plans. Ms. Deley asked what Mr. Béchet thought about those projects that aren't as appealing, such as the envelope study. He replied that all projects are important and explained the importance of envelope studies.

Ms. Deley asked why Mr. Conway's application for the position wasn't presented. Mr. Yunits explained that Mr. Conway is already a Selectmen's representative. Mr. Conway stated that they have two good candidates to choose from and he was fine with staying as the Selectmen's representative. Ms. Deley stated that she wanted to hear from the Chair of the Permanent Building Committee and her opinion on the candidates. Ms. Dinah O'Brien stated that both seem like very qualified individuals.

Ms. Stern, Ms. Gallagher, and Ms. Cohen of the School Committee unanimously voted for Brian Béchet as the new Permanent Building Committee member.

Mr. Conway, Ms. Deley, Ms. Steele, Mr. Flaherty, and Mr. Bramwell unanimously voted for Brian Béchet as the new Permanent Building Committee member.

Mr. Flaherty asked if there was an alternate position for Mr. Morley to fill. Ms. O'Brien stated that the Selectmen would appoint for alternate position(s) for their projects. Mr. Conway referred to the bylaws provided stating that ex officio members, who are non-voting, can be appointed.

Mr. Yunits gave an example of how alternate members and ex officio members work with the example of the town hall project. In this case, Mr. Conway was appointed as a temporary member and has the right to vote on the town hall project. Mr. Yunits explained that this applies for the COA and School Committee temporary members and their respective projects. The Town Manager stated that unlike the temporary members, ex officio members do not have the right to vote, but rather can share their ideas, opinions, and updates.

#### B. FY21 Budget Discussion.

Dr. Baeta stated that he, Mr. Matthew Wells (School Business Administrator), Mr. James Puello (Town Accountant), and Mr. Yunits have had three meetings thus far discussing priorities and needs (mainly mandates). In regards to the general budget, they are currently in negotiations with the teachers' union. He added that he has also spoken with Mr. Yunits about contracts that have been settled and the impact. Dr. Baeta mentioned that there has been lots of talk about the Student Opportunity Act in regards to the Town receiving about \$35 per student (approximately \$75,000). He also mentioned the possibility of funding of transportation for special education, which could be a new opportunity. Dr. Baeta stated

that this would be a six-figure number for the School Department if they were to get this funding.

Dr. Baeta pointed out that they have sixty-two ELL (English Language Learners) students and this number is growing. Because of this, Dr. Baeta advised that the School Department will need an additional staff member. Dr. Baeta advised that the schools are dealing with significant issues regarding vaping. He stated that he is working with Chief Clark about the flashing lights around the crosswalks for safety and this will be a capital item. Lastly, Dr. Baeta emphasized the importance of the school resource officer and pointed out that at first the officer was just at the middle school, but now the officer is splitting with two elementary schools.

Mr. Yunits emphasized that one big thing with the budget is health insurance and that he hopes to know how much the insurance will be increasing for next year by the end of January or beginning of February.

Mr. Conway recognized that it was National Law Enforcement Appreciation Day and took the time to recognize the Norton Police Department. He acknowledged that last year Norton was rated as either the first or second safest community to live in and said that it is a true testament to the work the Police Department does.

Mr. Rotondi showed appreciation for the School Committee and Town working together to come up with a budget for the next 3-5 years that they can work with to show the townspeople what direction they think the Town is going in.

#### C. Annual Town Meeting and Warrant Process and Town Hall and Senior/Community Center Discussion.

Mr. Yunits provided a timeline to all Boards and Committees for the annual town meeting and warrant process. Ms. Deley mentioned that in prior meetings, both the Board of Selectmen and School Committee had a lot of the same questions and that a lot of residents didn't understand the process. Ms. Deley provided her own diagram titled "Timeline Review". She then questioned why the timeline provided by Mr. Yunits for submitting articles is 96 days out from the meeting rather than the 90 as outlined in the law. Mr. Yunits stated that part of it was because of the holiday that falls near the ninety-day mark.

Discussions were had amongst all boards/committees about the challenges presented at town meeting, such as changes being made on the floor and meetings being held right before town meeting. Mr. Deluca stated as a rule that the Finance Committee shouldn't meet right before the town meeting and whatever is in the warrant is the warrant.

Mr. Conway commented that in the Charter, the Board of Selectmen own the warrant and they need to commit to being the ones to vote on this so the Finance Committee knows what the Selectmen's stance is. Mr. Rotondi responded that the Finance Committee's perspective is everyone should have voted before Finance Committee meets, but that

wasn't the case at the last town meeting. Mr. Dorney expressed that he believes that each department could explain what they are facing in each fiscal year (opportunities, threats, etc.) to get an overview of the positives, negatives, and adversities; then, the Finance Committee can make a list of priorities for 2-3 years out.

Dr. Baeta suggested having a subcommittee from the Finance Committee dig into the School Committee budget so that the Finance Committee can understand the budget more, especially around the topic of mandates. Ms. Daniels and Ms. Sawyer volunteered as part of the subcommittee for the Finance Committee. Mr. Conway expressed that having the School Department budget more transparent would be best.

Mr. Yunits referred to a handout of the FY20 estimated operating revenues and expenditures, which included a projection out to FY24. The Town Manager pointed out that they are looking at a deficit in FY24 according to these projections. He stated that the economy isn't going to be like this forever and that he would be shocked if the country doesn't have a recession within the next two years.

Mr. Rotondi pointed out that the Town Manager showed local aid as staying "flat" and asked what the average is. Mr. Yunits responded that this year the Town received \$220,000 for local aid; however, for 2018-2019 local aid decreased by \$74,000. Ms. Sawyer asked how has the Blue Star Business Park project impacted these numbers. Mr. Yunits answered that it is contemplated as new growth. He advised that the Town is doing well this year because the Blue Star project required two permits be pulled this year. He added that the Building Commissioner did a good job with ALNYLUM because when they were looking for their occupancy permit, Mr. Carmichael had them do a new evaluation and audit of everything. With that, ALNYLUM had to pay \$400,000 to the Town as part of their permit. Mr. Yunits explained that the reason the Blue Star project wasn't counted as new growth for this year was because they need to have all of their infrastructure in first, but hopefully next fiscal year the Town will receive this new growth. Ms. Sawyer clarified that the FY22 numbers presented are a ballpark estimate, which includes the Blue Star projected new growth, which he confirmed. The Town Manager stated that the Assessors actually told him it would be closer to \$400,000, but with the Blue Star project he estimated new growth a slightly higher.

Mr. Conway read the estimates provided for the record. He stated that based off of the estimates of 3% growth, in FY24 it is projected that there will be a \$3.8 million shortfall. Mr. Conway thanked Mr. Yunits for putting the spreadsheet together. Mr. Flaherty pointed out that this is with the \$600,000 of free cash. Mr. Conway expressed a deep concern about the deficits estimated starting in FY21 through FY24. Mr. Fiore said that the only solution is increased revenue. Ms. Deley questioned if Mr. Fiore was referring to an override, which he confirmed.

Ms. Cohen stated that when new businesses do try to come in, it is fight after fight because boards/commissions make it difficult. Ms. Deley added that people also say it is too expensive because of the cost of tying in to the sewer system. Mr. Yunits emphasized the

need to get the Water/Sewer Commission involved in this and emphasize the need to put the infrastructure in with regards to drawing in businesses.

Mr. Bramwell stated that unfortunately the people in this room have seen this problem, but a lot of people don't want to acknowledge or accept that there is a problem. Mr. Bramwell reminded everyone that back around 1991 they were in the same position (where formulas for 2 ½ on how to fund education changed). He explained that it took care of the burden at the time, but now it is starting to catch up with the Town. Mr. Bramwell emphasized that tax money is to service the Town. He further stated that people deserve a town hall where they aren't tripping over ramps, or freezing, or having ceiling tiles fall on their heads. On the same note, he stated that seniors should have a Senior Center with decent restrooms and enough room. He expressed that it is very disheartening to put so much time into trying to enhance a community because people who don't get involved seem to have all of the solutions.

Mr. Evans asked how they get the information out there to the Town as non-interest groups. Mr. Bramwell responded that the true facts and figures get out there with a unified voice, not the Board of Selectmen talking about the School Committee or the School Committee talking about Board of Selectmen. He emphasized the need for everyone to work together as one team. Mr. Rotondi said that it was important for the Town to figure out what their priorities are and then address them one at a time. Mr. Deluca stated that residents aren't seeing the real problem because the lights are still on at these municipal buildings, so they aren't seeing the real effects.

Ms. Steele questioned why they are going to ask the Town for a \$20 million debt-exclusion when the Town can't even get a \$2 million override to take care of the Town's basics after attempting to do so for the past 15 years. She stated that people need to feel the impact. She further expressed that the new buildings aren't a priority, but this [budget shortfall] needs to be a priority. Ms. Steele emphasized the need to get people to understand that the Town needs to get its bills paid. She added that this needs to be a unanimous front and they need to be able to pay for the buildings the Town already has. Mr. Fiore supported Mr. Deluca's and Ms. Steele's statements.

Mr. Dorney stated that in order to save money long-term, the Town needs to spend money short-term. He added that the problem is that people can visualize a building or sports complex. Residents look at this from a visual perspective of what they use and what they don't use. He concluded that the Town needs to spend money to make this budget work.

Mr. Flaherty stated that the Town had a lot of groups nit-picking at small details of projects and expressed the importance of how they "package" it if they decide to move forward. He pointed out that without the free cash this year, they would have a \$2 million shortfall. Mr. Flaherty said that if they are going to go through with this, they pick a number and next year 70% goes to the schools and 30% goes to the Town with no projects on the table; this way, the focus is on the need and number more than what that number is going to do.

Ms. Cohen expressed that in the past the Town has already said they would shut down. She stated that she naively hoped that if they worked together, did a debt-exclusion and put the projects of a town hall, senior center, and sports complex together it would show residents that when you work together this is what you could get. Mr. Yunits stated in regards to a debt-exclusion that if the Town did a \$3 million override every year with \$1 million going towards capital projects, the Town would have the money for the notes for projects such as a new town hall, senior center, or sports complex. Mr. Evans mentioned that there was talk about levying the tax base, which the Assessor said they are not fully levying on the actual assessment evaluations. Ms. Steele stressed the importance of maintaining what the Town has and paying for that rather than looking for a \$21 million debt-exclusion. Mr. Deluca posed the question of what kind of a town does Norton want to be and asked if not now, when?

Ms. Cohen suggested tabling the next ADHOC meeting and having monthly another joint meetings instead.

#### D. Discussion on Proposed Marijuana Bylaw and Zoning Changes.

Ms. Deley provided overview of project that will be presented at town meeting in May. She stated that the primary focus is to create zoning map that people can understand and visualize where marijuana will be in town. Ms. Deley explained that the IDC did an overview of opportunities and notified the board and committee members that there is already a business interested (pot cultivation and a farm-to-table). Ms. Deley stated that the main focus is on retail. Ms. Deley mentioned that the IDC is working with the Planner on a timeline for getting this done. She further stated that they want to make sure they have the bylaw and zoning for it before having it go to town meeting in May. She informed everyone that the Town has the opportunity to receive a 3% excise tax on the sale of marijuana and with the Host Community Agreement (HCA) a 3% community impact tax, which is money that goes directly back into the Town to pay for any potential impacts including education on substance abuse.

Mr. Carignan asked what exactly they are trying to change in the bylaw and if it was to add different locations of where marijuana could be sold, which Ms. Deley confirmed and added that it is also to enhance the bylaw. She explained that she went to a cannabis convention last March about Host Community Agreements. The attorney at the convention stated that if a town is only zoned industrial, the town is saying that they don't want you there. Also, as part of the bylaw one of the criteria is a 1,000 foot requirement, which means there is one spot in town you can have this type of business. Overall, she explained that the IDC wants to change the message of the Town that they do want the business. Mr. Carignan explained that if they do plan to bring this to town meeting to provide a map showing where marijuana can be sold in town based on the requested bylaw change(s).

#### X. Next Meeting's Agenda

The next meeting will be held on January 23, 2020, and will include the following:



7:15 P.M. – Public hearing on the Petition of Massachusetts Electric Company d/b/a National Grid to relocate poles, wires, cables and fixtures, including anchors, guys and other such necessary sustaining and protecting fixtures, along and across the following public way or ways: Leonard Street. The following is to accommodate proposed roadwork for the Blue Star Business Park: remove existing Pole 1572 and renumber existing Pole 1572-84 as Pole 1572, install Pole 1572-5 approximately 105' East of existing Pole 1572-84, and relocate Pole 1573 approximately 40' East of existing location; and

Petition of Massachusetts Electric Company d/b/a National Grid and Verizon d/b/a Verizon New England, Inc. to install two new poles on Plain Street. The first pole is to be approximately 107' from Pole 2548, and 61' from Pole 2547 and will be numbered 2547-50. The second pole is to be approximately 124' from Pole 2543, and 91' from Pole 2542 and will be numbered 2542-50.

2. 7:30 P.M. - Public hearing on the application for a Transfer of Ownership of the Common Victualler License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On the Premises, at 241 Mansfield Avenue, Norton, MA 02766, from Timothy G. McCarthy d/b/a Alberto's Pub & Pizza, to Alberto's Pub & Pizza, Inc. d/b/a Alberto's Pub & Pizza, Manager: Sheila A. MacPherson.

XI. **Executive Session**

There was no need for an executive session.

XII. **Adjournment**

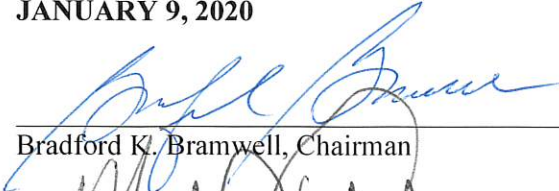
**MOTION was made by Mr. Flaherty to adjourn the Board of Selectmen meeting at 9:32 P.M. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

URL Link: <https://www.youtube.com/watch?v=8BKa-EKyMj8>

Respectfully Submitted by:

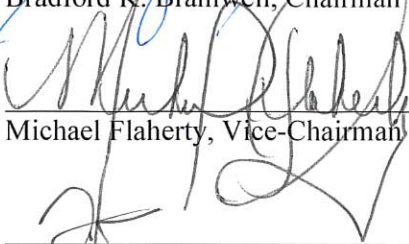
  
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Jennifer Reid, Office Administrator

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
JANUARY 9, 2020**



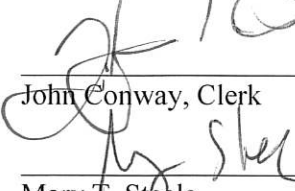
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Bradford K. Bramwell, Chairman



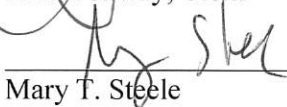
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Michael Flaherty, Vice-Chairman



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John Conway, Clerk



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Mary T. Steele

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Renee Deley

Minutes Approved by Board on: March 26, 2020