



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

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

**Board of Selectmen**  
**Meeting Minutes**  
**February 6, 2020**

**I. Call to Order by Chairman**

The February 6, 2020 meeting of the Norton Board of Selectmen was held in the Board of Selectmen's Meeting Room and was called to order at 7:02 P.M., by Mr. Bradford K. Bramwell, Chairman. Member(s) present: Mr. John Conway, Ms. Mary Steele, and Ms. Renee Deley. Also in attendance: Michael D. Yunits, Town Manager.

**II. Appointments/Resignations/Retirements**

a. Vote to Appoint Full-Time Police Officers: Ashley Cibotti and Melanie Costa.

**MOTION was made by Mr. Conway to appoint Ashley Cibotti as a Full-Time Police Officer. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Conway to appoint Ashley Melanie Costa as a Full-Time Police Officer. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

b. Vote to Appoint Frank Fogerty as an Alternate Member of the Industrial Development Commission.

**MOTION was made by Mr. Conway to appoint Frank Fogerty as an Alternate Member of the Industrial Development Commission. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

**III. Licenses and Permits**

1. Application of Mac & Walt's for an Entertainment License and a Sunday Entertainment License, 363 Old Colony Road.

*As part of the discussion, Ms. Deley asked for clarification as to why the establishment needed a Sunday Entertainment License. Mr. Bramwell explained that this referred back to old Massachusetts laws where establishments were not open on Sundays.*

**MOTION was made by Mr. Conway to approve the request for an entertainment license and a Sunday entertainment license for Mac & Walt's. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

**IV. Announcements**

1. Recognition for four former town officials that passed away recently.

Mr. Bramwell informed the Selectmen that he received a request to have a day of remembrance for town officials that have passed away. Mr. Bramwell read the list of town officials, including:

Vincent Ferini – served on the Board of Fire Engineers and was a prolific basketball player in the fifties;

Raymond Patneude – served many years on the Board of Selectmen. He always spoke his mind and never held a grudge. Ray was also a school bus driver for many years and served on the Housing Authority;

Carl Jacobs – served on the Highway Department and was the department Superintendent. He had a tremendous work ethic. In the fifties, Carl helped catch a bank robber in the center of town; and

Peter Mackesy – served many years on the Water Commission.

Mr. Bramwell stated that in their honor and memory, the Board of Selectmen would like to have the flags flown at half mass on Friday, February 7, 2020.

2. The deadline to submit articles for the May 18, 2020 Annual Town Meeting is February 12, 2020, at 4:00 P.M. at the Selectmen's Office.

3. Founder's Day is coming back on June 13, 2020 from 5:00 P.M. to 9:30 P.M. with a rain date of June 20, 2020. There will be live music, fireworks, and family fun.

4. On March 13, 2020 there will be the Spring Fling Social from 6:00 P.M. to 8:00 P.M. in the Norton Middle School gymnasium and cafeteria.

5. The Spring Egg Hunt is to be held on March 28<sup>th</sup> from 11:45 A.M. to 12:30 P.M. The event will be held at the Everett Leonard Park – 6 Parker Street.

6. There will be a fundraiser held in April for Founders' Day, which will be "Crazy Sock Day" across Norton schools.

7. May 16<sup>th</sup> is Touch-a-Truck at Life Church Fields from 10:00 A.M. to 2:00 P.M.

8. June 13<sup>th</sup> is Founders' Day.

9. July 6<sup>th</sup> swimming lessons begin at the Everett Leonard Park pool.

10. There is a sculpture contest to be permanently displayed at Camp Edith Read Conservation land located at 79 North Worcester Street. Norton Conservation is seeking a nature-themed sculpture that best displays flora, fauna, or conservation activities and reflects the local community. Entries are due prior to noon on April 13, 2020 at the Conservation Office using the required entry form.

8. Wheaton College is hosting a Community Pancake Breakfast on Saturday, March 21<sup>st</sup> from 9:00 A.M. to 11:00 A.M. in the Emerson Dining Room where there will be live performances by their students.

9. The Carnival of Animals is a children's concert being held on Monday, February 17<sup>th</sup> at 11:00 A.M. in the Emerson Dining Hall faculty dining room. You can join them at 10:30 A.M. prior to the concert for fun activities and refreshments.

10. On Tuesday, February 18<sup>th</sup> there will be a series of events including:

- "Reclaiming the Fierce Urgency of Now"
- A creative art showcase from 11:00 A.M. to 5:00 P.M. at Emerson Dining Hall where there will be a reception and contest entrants from 4:30 P.M. to 5:30 P.M.
- MLK Legacy Celebration with Dr. Kalila L. Brown, Dean Webber Theatre at 7:00 P.M. to 9:00 P.M. with a book signing and reception. Tickets are free, but must be reserved in advance. To make reservations there is a link on the Wheaton College website.

V. **Business**

A. **New Business**

1. Discussion on Local Initiative Program Application of A.R. Building Co., Inc., for a Proposed Chapter 40B Rental Apartment Project at 195 Mansfield Avenue.

***\*\*Please note that it was discovered at a later meeting that the correct property address for the project is 195 Mansfield Avenue rather than 95 Mansfield Avenue. Any reference made to "95 Mansfield Avenue" is intended to be "195 Mansfield Avenue."***

Attorney Peter Freeman, who is representing the applicant, explained that they had met several months ago regarding the construction of 100 rental units that would count towards the Town's subsidized housing figure. He explained that the applicant will need a letter of support from the Select Board to be sent to the Department of Housing and then the Planning Board.

Mr. Jason Kambitsis of A.R. Building Co., Inc. came before the Board to explain that they have taken everyone's comments and put them towards the project. Mr. Kambitsis reminded the Board that A.R. Building Co., Inc. builds, buys, and manages all of their properties. He further explained that the company doesn't sell their properties and instead holds on to them for their portfolio). Mr. Kambitsis pointed out that the company has only sold around 200 units in the history of the company. He mentioned that the company is now moving into Massachusetts and that this will be their first project in the State. He informed the Selectmen that the proposed location of the project is 195 Mansfield Avenue.

The presentation was then turned over to Mr. Jeff Campbell, who is the architect for the project. Mr. Campbell explained that the company he works for has been working with A.R. Building for 22 years and him personally for 16 years. He advised that the company

is proposing 4 stories on one side and 5 stories towards the McDonald's side. There will be a common area and pool as well.

Mr. Brandon Carr of DiPrete Engineering advised that the storm water detention system will be in the back of the property along with the parking, so there will be no need for drainage on Mansfield Avenue. Mr. Carr informed the Selectmen that there once was a concern as far as fire access in the case of an emergency due to having only one entrance/exit. With the new proposed plan, there will be an emergency only entrance/exit as well. Mr. Campbell also mentioned that this will be a modern building with a sprinkler system and handicap access.

Mr. Conway asked what the zoning was at this location, which Mr. Yunits answered it is zoned commercial. Mr. Conway then asked if there was sewer, which Mr. Yunits confirmed there was. Mr. Conway questioned if emergency vehicles were going to be able to get in with the height and ladder access. Mr. Carr replied that the Fire Department didn't raise any concerns about the height.

Ms. Steele asked how the height of these buildings compares to 274 East Main Street. Mr. Yunits said he was unsure. Attorney Freeman said that he worked on that project and he couldn't recall either, but he believes they are three stories tall. However, some may be four stories. Ms. Steele asked for information from the Fire Chief and if a traffic study was required since that road could be tough. Attorney Freeman advised that they will definitely be doing a traffic study and submitting that to the Planning Board. Ms. Steele suggested having the department heads at meetings such as these to answer questions on projects/applications. Ms. Steele stated that Norton has never had a 40B project that actually manages and holds onto their projects. She expressed that the Town hasn't had a lot of luck in the past, but that she hopes to with this one and asked for their time frame. Mr. Kambitsis answered that they would start the work after they got approval. However, they would have to go through whole process then to the Zoning Board of Appeals, but they are thinking the end of summer. Mr. Kambitsis stated that the long term timeline from approval would be approximately 24 months, but it depends on when they can get the site going and the weather.

Ms. Deley stated that she was not prepared to vote at this time because she felt like she did not have enough information and would like to hear from the Police Chief and Fire Chief first. Mr. Yunits replied to Ms. Deley's concerns that this application has already been put before the department heads and has their feedback. Mr. Bramwell said they could approve this application with stipulations. Ms. Deley said they have been down this road before and that she is sick of making decisions without having enough information in front of her. Attorney Freeman expressed that while he hoped that the Board would vote tonight since they provided the application with ample time, he respected her decision.

Mr. Bramwell said they would schedule a meeting next week to help accommodate this. Mr. Bramwell clarified with Ms. Deley that she wanted the Police Chief and Fire Chief present at this meeting, which she confirmed. Ms. Steele suggested also having the Director of Planning and Economic Development present. Ms. Deley also asked that the Building Commissioner be present. Mr. Yunits suggested having a meeting next

Thursday, February 13<sup>th</sup> at 6:30 P.M. to vote on this application, which the Board agreed to.

## 2. Brownfields Site Assessment Grant 47 Elm Street Former Reed & Barton.

Mr. Yunits announced that the Town received an \$100,000 Brownfields grant for 47 Elm St. Mr. Conway asked if the property is sold or if a developer buys the property if the Town is responsible for paying that money back. Mr. Yunits advised that as long as no one is buying the property, the Town is not liable for paying this money back.

Ms. Deley questioned the definition of “reimbursement date” and Yunits referred to page 1, paragraph numbered 3, which stated “If all or any portion of the Site is sold, conveyed, gifted, demised, ground leased, or otherwise transferred to an unrelated party such event will be a Reimbursement Date.” Ms. Deley asked how to make sure this \$100,000 isn’t going to be attached to the Town. Mr. Bramwell said he assumed it would be like having a tax lien on the property. Ms. Deley asked to make this assumption into facts by asking town counsel. Mr. Bramwell commented that this situation is not that simple because the Town doesn’t own the property. Mr. Conway asked to have this follow-up information for the February 27<sup>th</sup> meeting, which Yunits agreed to.

Ms. Steele expressed that she thinks this is fantastic and gave praise to everyone that worked on getting this grant. Mr. Yunits stated that the Director of Planning and Economic Development, Mr. Paul DiGiuseppe, is working on other grants as well. Ms. Steele acknowledged that applying for grants is a lot of work and thanked everyone for the hard work they have contributed. Mr. DiGiuseppe said they have another assessment grant they have applied for with the EPA, which they should be hearing back on in March. He informed the Board that the Town has also applied for the Site Readiness grant and that they should hear back about this in March as well. Mr. DiGiuseppe stated that another grant the Town is thinking of applying for is the Community Development Fund that could be used for demolition and infrastructure work. Ms. Deley asked how much this grant is for, which Mr. DiGiuseppe answered it could be up to \$800,000. Ms. Deley suggested hiring a grant writer for the Town. Mr. DiGiuseppe replied that this would be helpful. Ms. Steele said it seems that a grant writer would pay for itself and stated that she doesn’t see any downside to this. Ms. Deley asked Mr. Yunits to talk to his department heads about this. Mr. Conway advised that the average grant writer’s salary in this area is around \$50,000-\$80,000. Ms. Steele said it isn’t just the Town saving money with their budget, but it is money being invested with a significant return. Ms. Steele asked if they could move forward on this. Mr. Yunits suggested doing research on hiring a grant writer for the Town first.

## 3. Update from Water and Sewer Commission on Water Treatment Plant.

Mr. Luke Grant of the Water/Sewer Commission came before the Board to give an update, but before he mentioned that Clarence (Butch) Rich passed away not too long ago and he should be added to the list of people mentioned earlier in the meeting to be recognized.

Mr. Grant stated that the Water Filtration Plant is online and that Mass DEP gave their approval on January 31, 2020 that it could be placed into service. He added that earlier this week they had received their temporary certificate of occupancy. Mr. Grant informed the Board that the Water/Sewer Superintendent and Operators been running the plant on a double shift during the week, but took last weekend off. The new plant is providing water to the Town, but they are introducing this slowly. Mr. Grant stated that if residents are having issues with their water that they need to contact the Water Department, so they can get there and assess quickly. He mentioned that they are working off of one well (well #5). He stated that wells 4 and 6 are offline right now as a backup in case something were to happen with the plant. Mr. Grant further stated that over the next several weeks, the water will continue to come from well #5 only. He added that the water quality and amount being supplied is satisfactory and that they are shutting down wells 4 and 6 completely to pump and clean the wells. Mr. Grant mentioned that they will have three wells fully functioning in 4 to 6 weeks. Ms. Deley asked if they were going to attach at this time or stagger. Mr. Grant replied that they are already hooked up and that it is the wells themselves (well heads, etc.) that need to be cleaned and upgraded. Ms. Deley asked if every time a new well comes online if it has to be tested. Mr. Grant said he was unsure, but he would get back to her on this. Mr. Grant said that with the new plant being online, they would like to start the semi-annual flushing immediately, but with well 5 being the only working well, they are going to hold off.

Ms. Deley informed Mr. Grant that her water has been clean the past 3 to 4 weeks and complimented the Water Department. Mr. Grant explained that they are still trying to fill the Assistant Water/Sewer Superintendent position. Mr. Conway expressed congratulations and thanks.

Mr. Conway referred to a "profit" of \$2.7 million and the need to pay back the bond soon. He thinks that this could be done without increased rates. Mr. Grant said these figures aren't profits, but essentially operational expenses (staff, emergency funds, etc.).

#### 4. Vote to Award Lease of Antenna Space and Land for Wireless Communications Facility at Cottage Street Water Tank and to Approve and Execute Lease Agreement.

Mr. Yunits stated that T-Mobile was already leasing this antenna space and now after 20 years the lease has expired. He informed the Board that they did an RFP and awarded it to T-Mobile. Mr. Yunits explained that they are still getting the lease together to be signed, but at this time the Selectmen need to vote to approve the awarding the lease to T-Mobile in the amount of \$36,000 with a 3% increase each year.

**MOTION was made by Mr. Conway to approve the lease with T-Mobile.  
Seconded by Ms. Deley. Vote: Unanimous. MOTION CARRIES.**

Ms. Deley stated that she thought they had update from the Water/Sewer Superintendent that the tower needed to be replaced. Mr. Grant confirmed that this was correct and further explained that anyone with an existing lease will move to a new lease when a new tower is

put in with also the possibility of other lessees. Ms. Steele asked where this money goes. Mr. Yunits answered that it goes to the Water/Sewer Enterprise Fund.

**B. Old Business**

There was no old business to discuss.

**C. Town Manager's Report**

**1. Boat Ramp on Norton Reservoir.**

Mr. Yunits informed the Board that he and Ms. Jennifer Carlino, Conservation Agent, met with Fish and Game. He explained that they are looking to do car-top-access on town property at Mansfield Avenue and are looking at developing a parking plan. Mr. Yunits stated that Fish and Game did a complete study of the Reservoir, and they don't feel it is suitable for high-speed boats; so, they are suggesting roof-top canoes, kayaks, etc. Ms. Deley asked if jet skis are still allowed, which Mr. Yunits answered they are. He added that Fish and Game doesn't think there is anywhere deep enough in town to put a boat ramp.

Ms. Deley asked if this topic came about with Fish and Game when they were discussing putting in a boat ramp, which Mr. Yunits confirmed. Mr. Conway asked how this impacts the ramp being used at Juniper Beach. Mr. Yunits replied that it will still be used. Ms. Deley clarified that it really isn't a ramp. Mr. Yunits agreed saying that the ramp is more for boat access. The Selectmen asked that Juniper Beach be a topic on the agenda for the February 27<sup>th</sup> meeting. Ms. Steele said she thought the Town was bound somewhat because of federal funds. She stated that if motor boats are prohibited at the Reservoir, they should be prohibited at Juniper Beach as well.

**2. Updates on Recreational Marijuana**

Mr. Yunits stated that he attended a session at the MMA Conference. The Town Manager explained that it was suggested that before the signing of a Host Community Agreement (HCA) that the Town has the company come to a public meeting and advertise in the newspaper to let people know where they want to put their operation. They further suggested that the Town wait until after this meeting to sign the Host Community Agreement. Mr. Yunits added that the State also is looking at eleven experimental sites with on-site consumption, but no smoking inside. The Town Manager lastly informed the Board that as part of the presentation, it was noted that towns are losing their rights to negotiate Host Community Agreements.

Ms. Deley mentioned that the Industrial Development Commission met and discussed the HCA again. She stated that she will be sending Mr. Yunits the bylaw and HCA to forward to town counsel.

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

Mr. Conway commented on making sure that the Board is timelier in reviewing and approving minutes. Mr. Bramwell responded that the next meeting should be short, so

hopefully they can get through and approve a lot of them. Mr. Conway then asked if the Board has thought about what articles they want on the warrant for town meeting. He then asked if they would hire a grant writer because this would have to be budgeted. Mr. Yunits said if they were to hire a grant writer it would be under the Planning Department. Mr. Yunits reminded the Selectmen that the budget is already going to be tight and this would be an additional \$50,000-\$70,000 they would have to budget for.

Ms. Deley said she has a lot of stuff for the budget and it would make sense to get a collective list together. Mr. Bramwell said if something comes to mind to let Mr. Yunits know.

Ms. Steele clarified that if something comes up between now and next meeting, to e-mail Mr. Yunits to ask him to add a placeholder article for the warrant. Then at the next meeting, the Board can decide if they need the article or not.

Ms. Steele discussed "It Takes a Community". She explained that in May of 2003, Kathy Bailey lost her battle to brain cancer and to help with medical expenses, concerned friends organized a charity basketball game. Recognizing that these tragedies affect Norton families, the charity game has continued in her memory and is held annually. The Kathy Bailey Memorial Basketball game will be held on Friday, March 6<sup>th</sup> and the It Takes a Community Committee is looking for local businesses to help support the event. The event features music, raffles, silent auctions and more.

Ms. Deley stated that she might have something else for an article regarding the water bodies and asked if this was a separate item, which Mr. Yunits confirmed. He informed Ms. Deley that they already have an article for this on the Special Town Meeting warrant and on the Annual Town Meeting warrant. Ms. Deley then referred to an e-mail with the Finance Committee and asked about having a joint meeting. Mr. Yunits emphasized that the number of joint meetings is starting to become too many and are getting confusing. Mr. Yunits pointed out that this would come in handy with regards to the Planning Board for articles that need to be approved or with ADHOC. Ms. Steele clarified that Ms. Deley's reasoning was that the Finance Committee last year was waiting to vote on certain items because they were waiting to hear from other boards/committees on how they voted; so, if these boards/committees met for a joint meeting regarding the presentation on the budgets, it would all get done simultaneously. Mr. Yunits said he can see that when it comes to articles, but not the budget. The Town Manager explained that the department heads present their budgets to him and he presents them to the Finance Committee. He further emphasized that the budget is the responsibility of the Town Manager and does not fall under the roles/responsibilities of the Board of Selectmen. Ms. Deley asked Mr. Yunits to forward the e-mail from the Finance Committee.

## **VI. Meeting Minutes**

**MOTION was made by Mr. Conway to approve the Minutes of September 19, 2019. Seconded by Ms. Steele. Vote: 3 – Yes; 1 – Present (Bramwell). MOTION CARRIES.**



**MOTION was made by Mr. Conway to approve the Minutes of November 5, 2019. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Conway to approve the Minutes of November 21, 2019. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Conway to approve the Minutes of December 5, 2019. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

*The Board agreed to table approving the Minutes of December 30, 2019 and January 9, 2020 for a later date (possibly February 13, 2020 or February 27, 2020).*

VIII. **Warrants**

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

A. Payroll Warrant PR20-16 for the week ended January 25, 2020, Warrant dated January 30, 2020, in the amount of \$1,355,981.77.

B. Invoice Warrant AP 20-31 dated January 30, 2020, in the amount of \$1,212,428.93.

C. Invoice Warrant AP20-32 dated February 6, 2020, in the amount of \$518,075.36.

IX. **Other Business**

There was no other business to discuss.

X. **Next Meeting's Agenda** – February 13, 2020

XI. **Executive Session**

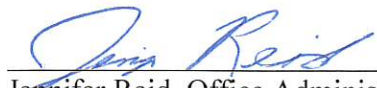
There was no executive session.

XII. **Adjournment**

**MOTION was made by Mr. Conway to adjourn the Board of Selectmen meeting at 9:13 P.M. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

URL Link: <https://www.youtube.com/watch?v=7AYKy4xIeh8>

Respectfully Submitted by:

  
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Jennifer Reid, Office Administrator

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
FEBRUARY 6, 2020**

  
Bradford K. Bramwell, Chairman

\_\_\_\_\_  
Michael Flaherty, Vice-Chairman

  
John Conway, Clerk

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Mary T. Steele

  
Renee Deley

Minutes Approved by Board on: June 11, 2020