



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

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2020 OCT 13 P 2:06

**Board of Selectmen  
Meeting Minutes  
March 16, 2020**

**I. Call to Order by Chairman**

The March 16, 2020 joint meeting of the Norton Board of Selectmen and Norton Board of Health was held in the Second Floor Conference Room at the Norton Municipal Center and was called to order at 5:03 P.M., by Mr. Bradford K. Bramwell, Chairman. Member(s) present: Mr. Michael Flaherty, Ms. Mary T. Steele, and Ms. Renee Deley. Also in attendance: Mr. Michael D. Yunits, Town Manager.

Board of Health members present: Mr. William C. Hebard, Ms. Diane Battistello, and Mr. Robert B. Medeiros. Also in attendance: Mr. Christian Zahner, Board of Health Agent.

**II. BUSINESS**

**A. New Business**

**1. Discussion on Actions Taken to Date and Plan for the Safety of Residents and Employees.**

The Town Manager asked the Board of Health Agent, Mr. Christian Zahner, to give an update on the actions taken to date. Mr. Zahner indicated that the actions taken so far were as follows:

- Council on Aging is closed to group activities.
- Library Trustees have closed the Library.
- The NOPE Vigil was cancelled.
- Town Manager, Fire Chief, Public Health Nurse, and himself with the Superintendent of Schools, Dr. Joseph Baeta, and staff to review the steps the schools were taking.
- He also spoke to the Recreation Director and she has since closed the playgrounds and fields to sports.
- Mr. Zahner spoke to the cleaning company and they will be doing a deep cleaning of the Town Hall, Police Station, and Council on Aging buildings on Wednesday. They have agreed to perform this service at no charge for the Council on Aging building.
- Mr. Zahner stated that they have contacted all restaurants and bars to discuss site serving and that they are constantly monitoring MAVN (abbreviation for "MAVEN"), which is an open-source project that is able to address the pandemic-related problems in the economy, Massachusetts Department of Public Health, and the CDC (Centers for Disease Control and Prevention) websites for updated information.
- They are currently working with the Animal Control Officer looking into care for the pets of sick people. Mr. Zahner stated that he has also had an e-mail thread with other towns to see what they are implementing.

Ms. Deley asked how they are for supplies. Mr. Zahner answered that they are good for now with gloves and masks. The Fire Chief, Shawn Simmons, indicated that the Fire Department

and Emergency Management has 400 N95 masks, 1,050 surgical masks, 4,800 pairs of gloves, 30 Tyvek suits, 6 gowns and 100 on order. Chief Simmons informed the boards that they also have 12 infection control kits. The Police Chief, Brian Clark, indicated that there is now a waiting period for supplies and the cost is high.

The Town Manager informed the boards that the IT Department setup the town employees' computers so they can access their files from home. Ms. Deley asked if this was done just for department heads. Mr. Yunits replied no and that it was done for all employees. He mentioned that he had a conference call that day with about twenty town managers to discuss actions other towns are taking.

**MOTION was made by Mr. Flaherty that Town Hall be closed to the public. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

Further discussions led to the Selectmen advising the Board of Health Agent to post the number of confirmed cases on the Town website.

**The Town Manager presented a Declaration of Emergency to the Board. Mr. Flaherty read the declaration into the record as a motion. Ms. Steele seconded the motion. Vote: 4 – Yes; 0 – No. MOTION CARRIES.**

*\*Above-referenced Declaration of Emergency attached hereto.*

The Town Clerk, Lucia Longhurst, discussed the upcoming April 4<sup>th</sup> Town Election. One of her issues was that she was losing poll workers because many of the seniors that work the elections for her are nervous about working. Ms. Longhurst stated that she is going to need more volunteers.

Chief Clark indicated that Wellesley obtained a court order that day to postpone their election. Ms. Longhurst indicated that ballots are due this week and that they are crushed for time when it comes to absentee voting from the time it takes from when the ballots are requested, sent out, and returned. Mr. Bramwell questioned if they delayed the election if that would give the Town Clerk more time to prepare. Ms. Longhurst responded that she is prepared and ready.

Ms. Deley asked what they need to do to postpone the election. Ms. Longhurst answered that it was too late for a court order. Ms. Deley read the notice from town counsel on the Special Legislation to Postpone the Election. After discussion and in consultation with the Town Clerk, the Board voted to postpone the Annual Town Election in the interests of public health and safety. The Board decided to reconvene in 30 days to determine a new date for the election.

**MOTION was made by Mr. Flaherty for the Special Legislation to Postpone the Election. Seconded by Ms. Steele. Vote: 4 – Yes; 0 – No. MOTION CARRIES.**

Mr. Bramwell asked Ms. Deley if she had anything else she wished to ask/discuss. Ms. Deley asked about delaying Town Meeting. The Town Manager stated that they do have time if the Board wanted to wait. Mr. Yunits informed the Board that the warrant will not be posted until 14 days before Town Meeting. He added that as long as the Board changes the date before then, they are able to change the date. The Town Manager further stated that the Selectmen

need to remember that the School Department has to notify teachers, who may be laid off by June 15<sup>th</sup>. Ms. Deley referred to a provision that was available to towns for budgets that was in the KP Law update. Mr. Yunits replied that this is proposed legislation. Mr. Yunits said that if the Selectmen are going to postpone Town Meeting, he suggests for now setting it for June 8<sup>th</sup>.

**MOTION was made by Mr. Flaherty to move Town Meeting to June 8<sup>th</sup>. Seconded by Ms. Steele. Vote: 4 – Yes; 0 – No. MOTION CARRIES.**

The Board reviewed a notification provided by the Town Manager concerning meetings. There was discussion with a suggestion that the first paragraph be amended by changing “meetings shall be postponed” to a recommendation that they be postponed. There was also a request that the paragraph on meetings being held in the largest room available be deleted and all meetings be held remotely. The Board also requested that the paragraph concerning separation of the public waiting for meetings be deleted because there should be no members of the public attending. The Selectmen discussed with the Town Manager and Ray Cord, Deputy Director of Norton Emergency Management Agency (NEMA), regarding remote technologies available, including Zoom and WebEx as suggested by Ms. Deley. Mr. Yunits and Mr. Cord suggested Free Conference Call, due to its the capability to record calls and noted its three lines were sufficient to support the Town. The Board of Selectmen adjusted the language to say the Town Manager needed to be contacted to use the technology and the allocation of the technologies would be prioritized based on urgency of the pending business. Lastly, the Selectmen discussed adding to the temporary protocols that meeting materials needed to be posted with the agenda in advance of the meeting.

**MOTION was made by Ms. Steele to approve the Notification of Meeting Policy as amended. Seconded by Mr. Flaherty. Vote: 4 – Yes; 0 – No. MOTION CARRIES.**

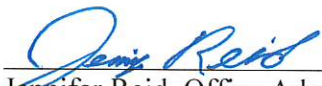
The Board discussed the process of payments by residents and services for residents. Ms. Deley asked if they could have Unibank waive their \$0.25 fee. The Town Manager answered that this is how they make their money. Mr. Yunits added that people know when their bills are due and they have options for how they can pay; for example, they can pay online or they can drop payments off in the drop box in front of Town Hall. Ms. Deley stated that people shouldn’t have to come out to make payments. Mr. Yunits replied that they don’t have to come out because they also have the option of putting their payment in their mailbox.

Ms. Deley asked if they could buy supplies for residents in need. Mr. Yunits answered no because they cannot use taxpayer dollars for charitable purposes. Ms. Deley then asked if they could help with the food pantry. The Town Manager stated that the food pantry is a nonprofit and they cannot contribute taxpayer dollars to a charitable organization.

**XII. Adjournment**

**MOTION was made by Ms. Steele to adjourn the Board of Selectmen meeting at 6:38 P.M. Seconded by Mr. Flaherty. Vote: 4 – Yes; 0 – No. MOTION CARRIES.**

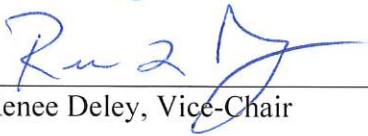
Respectfully Submitted by:



Jennifer Reid, Office Administrator

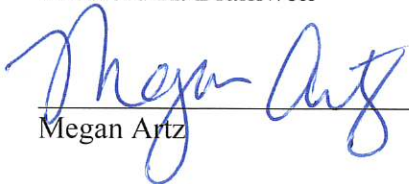
**BOARD OF SELECTMEN  
MINUTES OF MEETING  
MARCH 16, 2020**

  
\_\_\_\_\_  
John Conway, Chair

  
\_\_\_\_\_  
Renee Deley, Vice-Chair

\_\_\_\_\_  
Michael Toole, Clerk

\_\_\_\_\_  
Bradford K. Bramwell

  
\_\_\_\_\_  
Megan Artz

Minutes Approved by Board on: October 1, 2020



## **DECLARATION OF EMERGENCY**

**WHEREAS**, the 2019 Novel Coronavirus (COVID-19) is a highly contagious and potentially fatal respiratory disease, the prevalence of which is increasing rapidly throughout the world, inclusive of the United States and the Commonwealth of Massachusetts; and

**WHEREAS**, on March 11, 2020, the World Health Organization designated the COVID-19 outbreak a Pandemic Health Emergency; and

**WHEREAS**, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency to Respond to COVID-19; and

**WHEREAS**, on March 13, 2020, the President of the United States announced a National Declaration of Emergency; and

**WHEREAS**, on March 15, 2020, Governor Baker announced emergency actions to respond to the evolving COVID-19 public health emergency impacting the Commonwealth, including prohibitions on public gatherings of twenty-five (25) or more people and prohibiting on-premises consumption of food or drink at bars and restaurants from March 17, 2020, until April 6, 2020, as well as suspension of elementary and secondary school educational operations from March 17, 2020, until April 6, 2020; and

**WHEREAS**, the Norton Board of Selectmen, the Norton Town Manager, the Emergency Management Director, and the Norton Board of Health, in consultation with the State Department of Public Health, have determined that COVID-19 presents a major disaster which poses an immediate threat to public health, safety, and general welfare of people residing both within and outside of Norton; and

**WHEREAS**, the Norton Board of Selectmen, the Norton Town Manager, the Emergency Management Director, and the Norton Board of Health have determined that immediate public action is needed in order to prevent or minimize the spread of COVID-19 by and among the people of Norton; and

**WHEREAS**, it is critical to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of the people of Norton; and

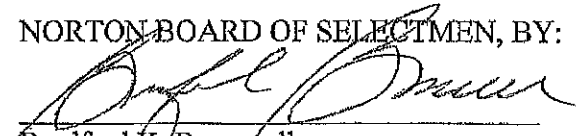
**WHEREAS**, declaring a State of Emergency will facilitate and expedite the use of resources to protect persons from the impacts of COVID-19, including but not limited to emergency expenditures pursuant to Massachusetts General Laws, Chapter 44, Section 31, and limitations on operating hours and access to public buildings; and

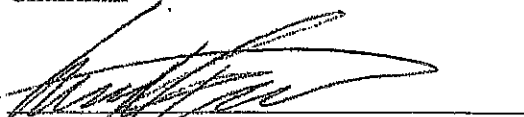
**WHEREAS**, the Norton Board of Selectmen, the Norton Town Manager, the Emergency Management Director, and the Norton Board of Health recommended that a State of Emergency be declared in the Town of Norton.

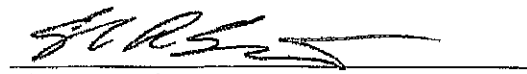
**NOW, THEREFORE**, we, the Board of Selectmen, the Town Manager, the Emergency Management Director, and the Board of Health of the Town of Norton, Massachusetts, hereby declare that as of March 16, 2020, at 5:00 P.M., a State of Emergency exists in the Town of Norton. This Declaration of Emergency shall remain in effect until further notice is given, pursuant to our judgment that the conditions leading to this declaration no longer exist.

Signed on the 16<sup>th</sup> day of March, 2020.

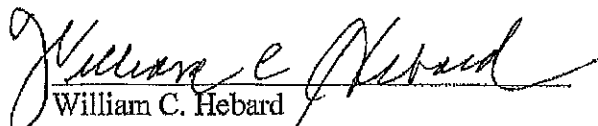
NORTON BOARD OF SELECTMEN, BY:

  
Bradford K. Bramwell  
Chairman

  
Michael D. Yunits  
Town Manager

  
Shawn R. Simmons  
Emergency Management Director

NORTON BOARD OF HEALTH, BY:

  
William C. Hebard  
Chairman



## **SAMPLE SPECIAL LEGISLATION TO POSTPONE ELECTION (Single Municipality)**

An Act Relative to the Postponement of the 2020 Annual Election in the Town of Norton

Section 1. Notwithstanding the provisions of section 9 of chapter 39, sections 26 and 28 of chapter 51, and chapters 53 and 54 of the general laws, or of any other general or special law, charter, or by-law provision to the contrary, in order to protect the rights of eligible voters and avoid disruption of local governmental processes and waste of municipal resources, the board of selectmen/select board of the town of Norton shall hereby be authorized to postpone its annual town election, scheduled for April 4, 2020, to a date certain during the last quarter of fiscal year 2020, and, further, to conduct such election in accord with the provisions of this act. To the extent this act is silent, such postponed election shall be held in accord with all applicable election laws.

Section 2. The board of selectmen/select board of the town of Norton shall, following consultation with the town clerk and town administrator/town manager as to logistics and feasibility, vote to reschedule the annual town election, and post on the official town website a copy of this act, the vote of the board, and a sample ballot, no later than 20 days prior to the date of the postponed election. Notice of such action shall be provided to the public in other ways reasonably calculated to enable eligible voters to learn of the postponed election date and to cast ballots therein, which notice may include but is not limited to a so-called "reverse-911" call, municipal list-serve notifications, advertisement on local cable television, and issuance of a press release sent to local news media.

Section 3. The last day to register to vote for such postponed election shall be ten days prior to the date of the election; and the board of registrars shall hold a registration session on that date, at a minimum, from two to four o'clock in the afternoon and seven to eight o'clock in the evening. The voting list to be used at such postponed election shall include all eligible voters registered as of that date.

Section 4. The election materials, including but not limited to absentee and official ballots originally prepared for the April 4, 2020 election, and bearing that date, shall be used for the rescheduled election to the extent practicable; if additional ballots must be printed, they shall be identical in form to those prepared for the April 4, 2020 election.

Section 5. Absentee ballots cast in connection with the April 4, 2020 election, whether returned prior to April 4, 2020, or otherwise, and received by the town clerk prior to the close of polls on the date of the postponed election, shall be processed in accord with applicable law; provided, however, that any voter who chooses to vote in person on the date of the postponed election may do so if their absentee ballot has not yet been counted. Completed applications to vote by absentee ballot in the postponed election shall be accepted by the board of registrars until 12:00 noon on the last business day prior to said election.

Section 6. If after consultation with the board of health, police and fire chiefs, and the town administrator/town manager, the board of selectmen/select board determines that such election cannot, consistent with public health and safety, be held during fiscal year 2020, said board shall make a separate and specific finding with respect thereto. Said board may schedule such postponed election to be held during the first two months of fiscal year 2021, provided that the calling and holding of such postponed election shall comply with all other provisions of this act.

Section 7. Consistent with the provisions of section 107 of chapter 41 of the general laws, any incumbent elected official whose term would otherwise expire at the April 4, 2020 annual town election shall continue to serve in such position until a successor is elected and qualified.

Section 8. Notwithstanding the provisions of section 25B of chapter 54 of the general laws, or of any other general or special law to the contrary, any eligible voter may vote early by mail. Any eligible voter seeking to early vote by mail may file with the town clerk an application for an early voting ballot. Such application may be made on an official form or through any form of written communication requesting an early voting ballot by mail. No application shall be deemed to be seasonably filed unless it is received in the office of the town clerk or registrars of voters before noon on the last business day prior to the date of the postponed election. All early voting ballots voted by mail shall be received by the town clerk before the hour fixed for closing the polls at such postponed election. Delivery, return, and processing of early voting ballots shall comply with the provisions of 950 CMR 47.10, to the extent applicable; provided, however, that all early voting ballots shall be marked as such.

Section 9. In the event this act does not take effect until after May 18, 2020 (insert date of annual town meeting), the actions of the board of selectmen and town clerk to postpone the annual town election shall be ratified, validated and confirmed as if this act had been in place prior thereto.

Section 10. This act shall take effect upon its passage.

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## **COVID-19 Public Health Emergency - Town Hall Closed for Public Access**

Norton Alerts [nortonma@getrave.com]

**Sent:** Monday, March 16, 2020 7:03 PM

**To:** Renee L. Deley

This is Norton Alerts

TOWN HALL CLOSED FOR PUBLIC ACCESS

Effective March 16, 2020, @ 5:00 PM until further notice.

The Norton Board of Selectmen, Board of Health, and Emergency Management Director held an emergency meeting on March 16, 2020. The purpose of the meeting was to discuss and take action on emergency matters concerning town services and the COVID-19 public health emergency.

The Board of Selectmen voted that effective immediately, Town offices will open for employees to continue operations, but will be closed to the public.

Residents are encouraged to utilize the Town's on-line services and capabilities to make payments and file permits. You may also deposit payments in the drop box at the front of the Town Hall.

Business with the Town requiring an in-person transaction may only be conducted by appointment through each department. Town departments may be contacted by email and telephone for assistance. For department information, please visit [www.nortonma.org](http://www.nortonma.org).

We apologize for this inconvenience, but this action is necessary as part of the recommendation for social distancing.

**From Norton Town Clerk - Annual Town Election on April 4th, 2020 Postponed**

Norton Alerts [nortonma@getrave.com]

Sent: Tuesday, March 17, 2020 9:05 AM

To: Renee L. Deley

This is Norton Alerts

To the Residents of Norton

After joining the Board of Selectman and the Board of Health for an emergency meeting last night, it was decided that the Annual Town Election scheduled for April 4, 2020, has been POSTPONED.

The safety of residents and election workers is our utmost concern.

We will be meeting again in a month and will keep you updated.

Thank you for your patience.

Lucia Longhurst, Town Clerk