



TOWN OF NORTON
SELECT BOARD
MUNICIPAL CENTER
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NORTON, MA 02766

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Select Board
Meeting Minutes
August 6, 2020

I. **Call to Order by Chairman**

The August 6, 2020 meeting of the Norton Select Board was held remotely (web: <https://zoom.us/j/6391519600>; dial in via +1 (646) 558-8656, Meeting ID 639-151-9600) and was called to order at 5:31 P.M., by Mr. John Conway, Chair. Member(s) present: Ms. Renee Deley, Mr. Michael Toole, and Mr. Bradford K. Bramwell. Also in attendance: Mr. Michael D. Yunits, Town Manager.

II. **Appointments/Resignations/Retirements**

1. Reappointment of Miriam Parvey to the Norton Democratic Town Committee.

MOTION was made by Mr. Toole to reappoint Miriam Parvey as the Democratic Representative to the Board of Registrars. Seconded by Ms. Deley. Vote: Mr. Toole – Yes; Mr. Bramwell – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

2. Appointment of Sandra Ollerhead as a Permanent Member to the Economic Development Commission.

MOTION was made by Ms. Deley to appoint Sandra Ollerhead as a Permanent Member to the Economic Development Commission. Seconded by Mr. Bramwell. Vote: Mr. Toole – Yes; Mr. Bramwell – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

III. **Licenses and Permits**

There were no licenses or permits to discuss.

IV. **Announcements**

There were no announcements to discuss.

V. **Business**

A. **New Business**

1. Discussion on FEMA Map Amendment with Condyne.

Mr. Yunits explained that Condyne was looking at the flood plain from Lake Winnecunnet up to their property on Leonard Street and they found some discrepancies with the flood plain map. He advised that Mr. Mark Dibb, Civil Engineer for Condyne, and Mr. Edward Capone, expert in flood plains, were in attendance to explain what was going on.

Mr. Dibb explained to the Board that they obtained permits for building two buildings in the floodplains. He advised that after speaking to people in town and looking at the mapping, they started looking at the flood elevations closer. Mr. Capone, a member of the National Oceanic and Atmospheric Administration (NOAA) and resident of Norton, also began to investigate further.

Mr. Capone advised the Board that he retired after 51 years of being a civil engineer in Boston and then as a forecaster at the National Weather Service in Norton. He stated that he was recently asked to take a look at the Canoe River flood plain mapping. He gave an overview of the chronology of FEMA FIS/FIRM maps on the Canoe River including 1977-1978 (done by FEMA), 1987 (FEMA update and flood insurance study), 2009 (FEMA update and mapping), and 2014-2015 (FEMA update and mapping).

Mr. Capone explained that one thing they are interested in is the flood map for 1978 where the 100-year-old flood level on Lake Winnecunnet is 66.4 feet; in 1987, the 100-year flood elevation changed to 73.4 feet and has stayed that way up to currently even with all the FEMA updates. He advised that there have been no updates to the hydrology. Mr. Capone explained to the Board that he used Lake Sabbatia in Taunton as a comparison for study purposes and what he found out was the flood elevations used for wintertime were calculated using the hydraulic connection between Lake Sabbatia and the Wading River, which he stated had to be a misprint because there isn't a hydraulic connection between Lake Sabbatia and the Wading River. Ultimately, Mr. Capone advised that they need to analyze the opening to Lake Winnecunnet. He commented that according to the FEMA map used today, there is over 1,100 feet of roadway on Bay Road that is overtopped by the 100-year flood (which is approximately four football fields in length). He asked Mr. Dibb to get a survey done of the crown of the road, so he could see the high point of that road, which Mr. Dibb did. With getting this information, Mr. Capone would be able to identify what storms would have been near the 100-year and would have overtopped that road according to this mapping.

After Mr. Capone concluded his summary, Mr. Conway asked Mr. Capone and Mr. Dibb what they were looking for from the Board at this time. Mr. Dibb stated that they will be sending a letter requesting a map amendment to FEMA and were introducing this to the Select Board prior to filing in case they had any questions or concerns. Mr. Dibb stated that this affects 300+ acres of land and approximately 150 properties.

Ms. Deley thanked Mr. Dibb and Mr. Capone for the work they did and said that they need to come out and do evaluations and to also have Ms. Jennifer Carlino, Conservation Agent, and the Conservation Commission involved. Mr. Julian Kadish, Vice Chairman of the Conservation Commission, acknowledged the identification of an error by FEMA and advised that they can't make any decisions or changes until FEMA gets involved and says there is an error. Mr. Conway also suggested having this information presented to Ms. Carlino.

2. Request from Wheaton College to Close Howard Street from August 17th – August 23rd from 8:00 A.M. to 5:00 P.M.

Mr. Yunits advised that they withdrew this request and no longer need it.

B. Old Business

1. Discussion and/or Vote on the Town Hall and Senior/Community Center Project.

Mr. Conway advised that there were two other properties that they were made aware of that became available (one or two lots next to the Police Station) and the Rich property across from the Henri A. Yelle Elementary School (HAY), which has become available then unavailable, but is now available again. He referred to Mr. Yunits about the cost of repair Town Hall and the Reservoir Street property as far as creating ingress/egress to Route 140 and tying into sewer.

Mr. Yunits stated that the Water and Sewer Commission was checking with their engineer about the cost of tying in. He reminded the Board that there was a cost estimate for this given during one of the presentations from Mr. Michael Viveiros of DBVW Architects. Ms. Deley advised that she thought he said the cost would be \$400,000, but she said she was unsure of how accurate that figure was.

Ms. Dinah O'Brien, Chair of the Permanent Building Committee, said it is hard to know without having the engineers look at the ledge. She then referred to the second question about creating access from Mansfield Avenue/Route 140 for the Reservoir Street site. Ms. O'Brien advised that it crosses private property and Mr. Yunits said that this piece of property would cost approximately \$1,000,000 to purchase. Ms. Deley asked why they would purchase the whole lot rather than a portion of the parcel. Mr. Yunits replied that it would be up to the seller if they would only sell a portion of the land. Mr. Bramwell added that if it was the parcel he thought it was, it has a narrow entry, so if you took the parcel to access Route 140 the remainder of the parcel would be landlocked and essentially worthless.

Ms. Deley said she liked Option 2, but from an Economic Development Commission (EDC) perspective, that is a prime location for a commercial property. She expressed no opposition to having the buildings on two different sites. She then referred to discussions about purchasing Mr. Keith Silver's property. Ms. O'Brien and Mr. Toole pointed out that this property is very wet. Ms. Deley asked about the land at 116-120 Mansfield Avenue and Mr. Yunits said due to the size the only building that could fit there is the Senior/Community Center.

Mr. Conway asked what the third question was and Ms. O'Brien explained that it was about purchasing the other parcel of land behind the Town Hall. Mr. Yunits said the property owner wouldn't answer the door or phone calls. Ms. O'Brien moved on to the fourth question the Select Board was looking for an answer on regarding the "cost of doing nothing." Mr. Yunits gave an overview of the expenses for renovating the Town Hall, which included the following:

- Conditions Assessment and Feasibility Study: \$88,000.00;
- Architectural Design and Oversight: \$500,000.00;
- OPM: \$300,000.00;
- Rental Space During Construction: \$72,000.00;
- Moving Cost to Temporary Location and Back: \$100,000.00;
- Relocation of Server Room, Networking, Computer and Printer, Move from Town Hall to Temporary Location and Move Back: \$257,625.00;
- Installation of Sewer Ejector Pump and Connection to Town Sewer: \$250,000.00;
- Hazard Abatement: TBD;
- Town Hall Renovation: \$4,800,000.00;
- Total: \$6,367,625.00 (with parking cost TBD).

Mr. Yunits mentioned that for the Council on Aging (COA), they got an estimate of over \$800,000 to take down the garage near the COA. Ms. Deley asked if the Town currently wasn't meeting guidelines in reference to having to add parking if the COA were to remain where it is and Mr. Yunits replied that Mr. Chris Carmichael, Building Commissioner, had said something in the past about not having adequate parking. Ms. O'Brien pointed out that if they are renovating the COA, the old guidelines/rules for that building would be out the window and the building would have to abide by the new codes. Mr. Toole stated that renovating is one thing, but space is space and they don't have enough of it. Mr. Yunits said that according to one of the studies, the current Town Hall falls 7,500 sq. ft. short of what it should be.

Ms. O'Brien referred to the fifth question about expanding the Police Department and the Fire Department. She informed the Board that the Police Chief mentioned that the servers in the building take up space. Ms. O'Brien added that the Fire Chief expressed support of the project and excitement over possibly moving into the existing Town Hall space (not including the gymnasium portion of the building). Ms. O'Brien stated that both the Police Chief and Fire Chief expressed the need for a community room. Mr. Toole asked what the lifespan of the police station was and Ms. O'Brien answered 20 years. Mr. Toole said they have already surpassed the life expectancy of the building. Mr. Toole advised that he met with the Police Chief and it looked like the first floor already needs to be renovated. Mr. Toole mentioned that the matron locker room is also inadequate. Ms. O'Brien summarized that Chief Clark expressed a need for meeting and training space, which he is hoping to use part of the new Town Hall for meeting space and classroom training. Ms. O'Brien pointed out that the training space for the Fire Department is worse than the Police Department's.

Ms. Deley asked how big the server room is, which Mr. Toole clarified is the garage. Ms. O'Brien stated that it is the first garage bay to give her an idea of the size. Ms. Deley questioned if there was another server room to be in the plans for the new Town Hall and the cost to move the server room and put it back was estimated to cost \$240,000. Ms. O'Brien confirmed that there is a server room on the plans for the new Town Hall. Ms. Deley requested getting the cost of getting the Town's equipment into "this century" regarding the cost of getting rid of a server room and looking into other options such as the cloud. Mr. Yunits replied that he was sure that was something that would be

considered when they move forward and the architects continue working on the design. Ms. Deley asked to have the cost of moving the critical technologies into this century as a line item included as part of the estimated cost of the project.

Ms. Deley questioned if they should be considering the police station in this project. Ms. O'Brien said they don't have the time to fully look into this option at this time and emphasized the importance of letting the PBC start with the envelope study. Ms. O'Brien further mentioned that the townspeople have expressed for many town meetings that they are not willing to digitize files.

The Select Board took a survey of the members opinions on the site options as follows: Site 1 (Senior/Community Center only on Reservoir Street): Mr. Toole expressed that he was not in favor of this option. Mr. Bramwell expressed that it is worth considering. Ms. Deley said to keep this option for consideration because they still don't know what the actual answer for gaining access to Route 140 and the actual cost of sewer. Mr. Conway stated that he is not in favor of this option.

Site 1 (Town Hall only on Reservoir Street): Mr. Bramwell stated that he is not thrilled about this option, but expressed that he thought it was still worth considering. Mr. Toole, Ms. Deley, and Mr. Conway expressed that they were not in favor of this option.

*After clarification, Mr. Bramwell explained that he would not be in favor of the Town Hall alone on this property.

Site 1 (Senior/Community Center and Town Hall on Reservoir Street): Mr. Toole - No; Mr. Bramwell - Yes; Ms. Deley - No; and Mr. Conway - No.

Site 2 (116-120 Mansfield Avenue) with just the Senior/Community Center: Mr. Bramwell pointed out that it is a tight fit, but is worth looking at. Ms. Deley, Mr. Toole, and Mr. Conway all voted in favor of keeping this option.

Site 3 (215-223 West Main Street for Senior/Community Center Only): Ms. Deley - No; Mr. Bramwell - No; Mr. Toole - No; and Mr. Conway - No.

Site 4 (78 East Main Street for Town Hall and Senior/Community Center): Mr. Bramwell - Yes; Mr. Toole - No; Ms. Deley - No; and Mr. Conway - No.

Site 4A (78 East Main Street with Town Hall Only): Mr. Toole - Yes; Ms. Deley - Yes; Mr. Bramwell - Yes; and Mr. Conway - Yes.

Mr. Conway posed the question of whether or not the Board wanted to consider any other properties or just the ones that have been considered and worked on by the PBC and DBVW. Ms. Deley pointed out that the Rich property brings the same concern of putting the Senior/Community Center near the Middle School specifically in regard to the area becoming congested with traffic. She lastly expressed a concern of where this property has become available and then unavailable repeatedly that it might become unavailable again.

Mr. Bramwell expressed a concern about how the property slopes, having to bring engineers in to level the lot, and that the property may be wet. Mr. Toole said he didn't want to consider this property and Mr. Conway agreed.

Mr. Toole said the PBC should really look at the two lots of land near the Police Station and get a price on that for future expansion. Mr. Conway clarified that what Mr. Toole meant was for future planning not necessarily this project, and Mr. Toole advised that this was correct. The Board agreed to this idea and asked the PBC to do so.

The Board referred back to considering Mr. Keith Silver's property. Ms. Deley agreed with the PBC's decision to not use the site because it wouldn't be adequate, and the remainder of the Board agreed.

Mr. Conway summarized the Boards votes to have the Senior/Community Center on the Mansfield Ave./Freeman St. property and the Town Hall on the current site with the possible expansion on the additional lot. Mr. Bramwell asked for clarification from Mr. Viveiros about Preference 1 and 2 regarding the price difference.

MOTION was made by Mr. Toole to endorse the selection for Option #2, Town Hall at 70 East Main Street, and the Senior/Community Center at 116-120 Mansfield Avenue. Seconded by Ms. Deley. Vote: Mr. Toole – Yes; Mr. Bramwell – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

C. Town Manager's Report

1. Update on the Cost for a Tent for Special Town Meeting.

Mr. Yunits advised that the cost of a tent is \$9,000 and then another \$2,000 for the blocks told hold down the tent. He informed the Board that after speaking with the School Department and the Director of Facilities for the Schools, the problem with blocks is the field wouldn't be able to support the vehicle that would have to take those 2,000 pound blocks onto the field nor the 2,000 pound blocks themselves. Ms. Deley questioned what the next option is by suggesting asking residents to bring umbrellas or coverings and Mr. Bramwell said yes. Mr. Conway said if people go to beaches on hot days, they should be able to bring their own umbrella for town meeting. Mr. Conway asked when and how they could get the information out. Mr. Yunits answered that the information will be on the Town website, electronic board, school electronic board, etc.

2. Report of Article List for the Special Town Meeting.

Mr. Yunits explained that they don't have anything for Articles 1-3 because those are simply placeholders. He stated that Articles 4-8 are the previous zoning articles, Lastly, the Town Manager advised that Articles 9-12 would probably be removed and they he is just waiting for confirmation to put them on the October warrant.

Mr. Yunits lastly mentioned to the Select Board that the Finance Committee would be meeting on Monday, August 10th at 7:00 P.M. to go over the articles if the Board was available to attend.

V. **Select Board's Report and Mail**

Mr. Toole said someone is looking to be appointed to the ADA Committee. He added that he is also going to send information over to Fork & Bibb about possible locations. Mr. Toole said he also spoke to Mr. Yunits about how they could be more efficient about setting directions and goals/expectations for departments.

Mr. Conway asked if the use of the property that the Town owns on Mansfield Avenue for car-top boat access and things of that nature was allowed, which Mr. Yunits confirmed it was. Mr. Toole asked where this is and Mr. Yunits answered that it is down by Cumberland Farms.

Mr. Toole advised that there has been a request from a resident to see if they can get a launch on Juniper Beach. He explained that because there is limited parking at Juniper Beach, cars are usually blocking the boat ramps.

VI. **Meeting Minutes**

There were no minutes approved at this meeting. Mr. Conway commented that the Board should get through the minutes from March through May at their next meeting.

VIII. **Warrants**

Report of, Chair, John Conway, on the following Payroll and Invoice Warrants:

A. Payroll Warrant PR21-03 for the week ended July 25, 2020, Warrant dated July 30, 2020, in the amount of \$733,454.25.

B. Invoice Warrant AP21-05 dated July 30, 2020, in the amount of \$1,379,134.56.

C. Invoice Warrant AP21-06 dated August 6, 2020, in the amount of \$431,365.68.

IX. **Other Business**

There was no other business to discuss.

X. **Next Meeting's Agenda** – Thursday, August 20, 2020.

Public hearing on the application for a Transfer of the Retail Package Goods Store License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages Not to be Drunk on the Premises, at 194 South Worcester Street, Norton, MA 02766 from A & E of Norton, Inc., d/b/a Barrowsville Station, Manager: Elizabeth J. DiBartolo, to Bristol Beverages, Inc., d/b/a Barrowsville Station, Manager: Krunal Patel. The proposed licensee will also be requesting the approval of the Change of Manager, Pledge of Inventory, and Pledge of License, same

address. As part of the transaction, Bristol Country Store, LLC, is purchasing the real estate located at 194 South Worcester Street, Norton, MA 02766.

XI. **Executive Session**

There was no need for an executive session.

XII. **Adjournment**

MOTION was made by Mr. Bramwell to adjourn the meeting at 7:37 P.M. Seconded by Ms. Deley. Vote: Mr. Toole – Yes; Mr. Bramwell – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

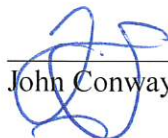
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Respectfully Submitted by:




Jennifer Reid, Office Administrator

**SELECT BOARD
MINUTES OF MEETING
AUGUST 6, 2020**



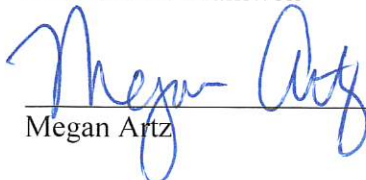
John Conway, Chair



Renee Deley, Vice-Chair

Michael Toole, Clerk

Bradford K. Bramwell



Megan Artz

Minutes Approved by Board on: October 1, 2020

SPECIAL TOWN MEETING
AUGUST 29, 2020

RECEIVED
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#	Article
1	Prior Year Bills
2	Separation Expenses
3	Collective Bargaining Agreement(s)
4	Zoning Bylaw Amendment - Village Center Core Zoning District Chapter 175, Article 2.2, Article 3.1, Article 4.1 through 4.5 inclusive; Article 6.1, 6.2, 6.7; Article 11.1, 11.2, 11.3; Article 15.3, 15.6
5	Zoning Bylaw: Amend Article III - Zoning Map and Districts and the Town of Norton Zoning Map Village Center Core Zoning District
6	Zoning Bylaw: Amend Chapter 175, Article II - Definitions, §2.2; amend Chapter 175, Article IV - Use Regulations, §4.4 and §4.5; amend Chapter 175, Article XV - Site Plan Approval, §15.3; amend Chapter 175, Article XXI - Amend all sections and add new language as §§21.2, 21.5, and 21.11.
7	Zoning Bylaw: Amend Article III - Zoning Map and Districts and the Town of Norton Zoning Map Marijuana Business Overlay
8	Zoning Bylaw: Amend Chapter 175, Section 12.2 - Initiation of Amendments and Section 12.4 - Zoning Map Amendments
9	Bylaw Amendment: Boats and Waterways (Chapter 24)
10	FY21 Capital Plan Amendment
11	Authorization for Unexpended Balance of the Holmes and East Main Streets Water Main Replacement Project for Other Water Improvement Projects
12	Authorization for Unexpended Balance of the Pine Street Water Main Replacement Project for Other Water Improvement Projects

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