

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



Telephone (508) 285-0210; Facsimile (508) 285-0297

Select Board Meeting Minutes December 10, 2020

I. Call to Order by Chair

The December 10, 2020 meeting of the Norton Select Board was held remotely (Web: https://us02web.zoom.us/j/6391519600; Phone: 646-558 8656; Meeting ID: 639 151 9600, and was called to order at 7:03 P.M., by Mr. John Conway, Chair. Member(s) present: Ms. Renee Deley, Mr. Michael Toole, and Ms. Megan Artz. Also in attendance: Mr. Michael D. Yunits, Town Manager.

II. <u>Appointments/Resignations/Retirements</u>

- 1. Appointment of Matthew Cornell as a Permanent Full-Time Fire Fighter/Paramedic to the Norton Fire Department.
- 2. Appointment of William Russo as a Permanent Full-Time Fire Fighter/Paramedic to the Norton Fire Department.
- 3. Appointment of Brandon Becker as a **Provisional** Full-Time Fire Fighter/Paramedic to the Norton Fire Department.

Mr. Toole read the appointment letters for the above-referenced appointments into the record (attached).

MOTION was made by Mr. Toole to approve the appointments as read. Seconded by Ms. Deley. Vote: Ms. Artz – Yes; Mr. Toole – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

III. Licenses and Permits

1. 2021 License Renewals.

The 2021 License Renewals specified on the "2021 License Renewals" document presented to the Select Board at the December 10, 2020 Select Board meeting were all approved as written.

CVAA, CVWM, RPAA, RPWM:

Bristol Beverages, Inc. d/b/a Barrowsville Station 194 South Worcester St. RPAA CV

Bog Iron Brewing, LLC

Malt Only Pouring Permit

33 West Main St.

292 LME, Inc. d/b/a The Downtown

292 West Main St.

CVAA CV

Live Entertainment; Dancing; Jukebox

MA S.E. for Live Entertainment;

Dancing; Jukebox

Emma's Enterprises, Inc. d/b/a Emma's

Pub & Pizza

130 Mansfield Ave.

CVAA CV

Jukebox; Toy Taxi Automatic

Amusement Vending Machine; Live

Entertainment

MA S.E. for Jukebox; Live

Entertainment; Toy Taxi Automatic Amusement Vending Machine

Team Norton, Inc. d/b/a Fiesta Mexican

Restaurant

175 Mansfield Ave.

CVAA CV

Fillmore-Nason Post #8049 V.F.W. of USA

38 Summer St.

CLUB AA

CV

Live Entertainment

Jukebox Dancing

1 Coin-Operated Pool Table MA S.E. for Live Entertainment;

Jukebox; Dancing; Coin-Operated Pool

Table

MOTION was made by Mr. Conway to approve/renew the above 2021 licenses as specified on document, 2021 License Renewals, Page 1 as presented to the Board on December 10, 2020. Seconded by Mr. Toole. Vote: Ms. Artz – Yes; Mr. Toole – Yes; Ms. Deley - Yes; and Mr. Conway – Yes. MOTION CARRIES.

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

Raffaele Bruzzese d/b/a Fisherman's Three

411B Old Colony Rd.

CVAA

CV

Live Entertainment

336 Toth, LLC d/b/a Norton Tavern on

the Hill

CVAA

CV

Live Entertainment

1 Video Game "Golden Tee"

2 Pool Tables

Jukebox

NEHA Corp. d/b/a Quick Stop

250 East Main St.

RPWM

Sabatino's Trattoria, Inc.

d/b/a Sabatino's Trattoria

CVAA CV

111 West Main St.

Speedway #2411 125 West Main St.

RPWM CV

CV:

AJ's Stone Oven Pizzeria LLC

288 East Main St.

CV

Heng Corporation d/b/a

Bagels & Cream 57 West Main Street CV

New England Rodeo

185 N. Washington St

CV

Live Entertainment

Tom to Table Catering

33 West Main Street Norton, MA 02766

CV

Class I, II, and III:

Edward Breault d/b/a Edd's Auto Body & Repair

Class II

16R Samoset St.

MOTION was made by Mr. Toole to approve/renew the above 2021 licenses as specified on document, 2021 License Renewals, Pages 2 and 3 as presented to the Board on December 10, 2020. Seconded by Ms. Deley. Vote: Artz – Yes; Toole – Yes; Toole – Yes; and Conway - Yes. MOTION CARRIES.

IV. Announcements

1. Solar Retail Norton LLC Virtual Community Outreach Meeting on December 14, 2020 at 5:30 P.M.

Mr. Toole read the announcement that Solar Retail Norton LLC will be holding a virtual community outreach meeting on December 14, 2020 at 5:30 P.M. to discuss the proposed siting of a licensed retail marijuana establishment at 242 Mansfield Avenue, Norton, MA 02766. He said that individuals can ask questions during the meeting using questions@solarthera.com. Mr. Conway pointed out that this is for marijuana not solar and asked to have future announcements emphasize this.

V. Business

A. <u>New Business</u>

1. Update on Wreaths Across America.

Ms. Patricia Tarantino announced that there are two new committee members, Joanne D'Onofrio and Mary Ann D'Andrea, who have been great to work with. She said they reached their goal of selling 500 wreaths through donations. Ms. Tarantino advised that people can still donate and that the ceremony is going to be pre-recorded on Saturday, December 12th to avoid having crowds and people getting sick. She further stated that this would be a closed event and everyone will be wearing a mask and social distancing. Ms. Tarantino reported that they will be placing the wreaths and also added one for Purple Hearts since Norton is a Purple Heart town now. She informed the Board that the Girl Scouts were in the process of interviewing veterans they know and are working on getting these interviews on the Norton Media Center and/or the Library for the teaching aspect of Wreaths Across America's mission statement, "Learn, Honor, Teach."

Ms. Estelle Flett, the Veterans' Agent, stated that the wreaths would arrive on Monday and the Police Department committed to escorting the truck in to make this more of a moment, if available, for this event, which is expected to happen between 9:00 A.M. and 10:00 A.M. She lastly stated that they will also have the help of the Highway Department for unloading the wreaths.

2. Discuss and/or Vote to Approve the Southeastern Regional Services Group DPW Services Awards 2/1/21 - 1/31/22.

Mr. Yunits explained that this is a list of all the services the Highway Department would use, such as grinding, paving, materials, curbing, catch basins, etc. The Town Manager advised that this list has been approved by the SERSG Board. He asked the Board to approve the list as presented.

Mr. Toole asked if these were projects already slated or if this was just an estimate. Mr. Yunits explained that they ask the Superintendents what projects they have planned and base these numbers off of that. Mr. Toole asked if these were already budgeted for, which Mr. Yunits confirmed that they were. Mr. Toole asked if there were cuts that needed to be made if the Town were committed to these amounts. Mr. Yunits replied that the Town is not committed to these amounts and that they are just estimates.

MOTION was made by Mr. Toole to approve the Southeastern Regional Services Group DPW Services Awards for the one year period of 2/1/21 – 1/31/22. Seconded by Ms. Deley. Vote: Ms. Artz – Yes; Mr. Toole – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

3. Discuss and/or Vote to Approve the Confirmatory Order of Taking Regarding 190 East Main Street.

Mr. Yunits informed the Board that this was previously approved, but the homeowner asked to have the telephone pole relocated. Mr. Yunits added that the property owner will be compensated for the taking.

MOTION was made by Ms. Deley to approve the confirmatory order of taking regarding 190 East Main Street. Seconded by Mr. Toole. Vote: Ms. Artz – Yes; Mr. Toole – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

4. Vote to Declare the Highway Department's 1988 Chevy Tree Truck as Surplus.

MOTION was made by Mr. Toole to declare the Highway Department's 1988 Chevy Tree Truck as Surplus. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Mr. Toole – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

5. Vote to Declare the Police Department's 2010 Black Ford Taurus (VIN 1FAHP2HW8BG118686) and 2003 Ford Econoline (VIN 1FDWE35F93HB43217) as Surplus.

MOTION was made by Mr. Toole to declare the Police Department's 2010 Black Ford Taurus and 2003 Ford Econoline as Surplus. Seconded by Ms. Deley. Vote: Ms. Artz – Yes; Mr. Toole – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

6. Discussion and/or Vote to Set the Spring Annual Town Meeting Date.

Mr. Yunits advised that the options they have for the Spring Annual Town Meeting date are Saturday, May 8th; Monday, May 17th; or Monday, May 24th. Mr. Toole said he believed that they should do it as early as possible in May for an outside meeting since they are dealing with the unknown right now; with that being said, he suggested Saturday, May 8th outside. Ms. Deley suggested a rain date of Saturday, May 15th.

Mr. Yunits stated that if the Board voted on this, then they will declare that the warrant is open and notify all departments.

MOTION was made by Ms. Deley to set the date for the Spring Annual Town Meeting for Saturday May 8th with a rain date of Saturday, May 15th, both to take place at the football field at the Norton High School with the time to be determined. Seconded by Mr. Toole. Vote: Ms. Artz – Yes; Mr. Toole – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

Mr. Yunits gave an overview of the timeline for town meeting to the Board, as follows:

- Warrant opened this evening;
- Notify all departments, boards, and committees by December 11, 2020;
- Warrant closes on February 1, 2021 (has to close at least 90 days before May 8th):

- Send a copy of the ATM warrant to the Finance Committee along with the Town Moderator and Town Clerk on February 17, 2021;
- The voter registration date would be 20 days prior to town meeting;
- Post the warrant on April 27, 2021;
- April 30, 2021 would be the last day to post the warrant with any recommendations.

Mr. Conway asked that at their next meeting, or one the near future, to have a discussion on the operational budget.

7. Update on Comcast Issues.

Mr. Yunits advised that the Cable Access Committee was in attendance, including Ms. Charlene A. Fisk, Chair, and Mr. Raymond Cord, Treasurer, along with Mr. Jason Benjamin from the Norton Media Center to provide updates.

Mr. Benjamin clarified that the Comcast license is a ten-year contract. He explained that there is only an agreement for cable television, not revenue. He stated that the license is not exclusive and is rather a level-playing field license. Mr. Benjamin informed the Select Board that the Town of Norton has always encouraged competition and went as far as begging and pleading with companies like Verizon to come into Town; however, Verizon about 2-3 years ago ended up red-lining Norton due to population density issues not making it worthwhile for Verizon to invest in the infrastructure.

Mr. Benjamin moved on to discuss the Comcast proposed "caps." He stated that he spoke with Ms. Catherine Maloney, the State liaison, and she said if anyone brings up a cap it is not a cap but rather a \$30 charge if someone goes over 1,200 gigabytes, which is four times more than the average user.

Mr. Conway questioned the average consumption figure provided, which was from a year ago at 270 gigabytes, especially now with the pandemic because everyone is working from home and kids are remote learning, therefore increasing their data usage. Mr. Conway further stated that with the people he has spoken with, the average usage per person was 900 gigabytes per month. Mr. Benjamin clarified that Ms. Maloney said that if you go over the limit that your plan would be changed to an unlimited plan for an additional charge of \$30 per month.

Mr. Cord pointed out that if the Town goes with providing internet and phone to its residents, it is going to take more work than a five-member board and they will need a whole separate corporation to do so. Mr. Cord then referred to the concern of Comcast eliminating the WCVB channel and advised that they are now back to negotiating, so hopefully they come to an agreement and keep the channel. Mr. Toole asked Mr. Cord if they should send a letter to Comcast, WCVB, and FCC about this. Mr. Cord said they would probably have a better result by contacting their legislatures. Mr. Toole asked the Town Manager to have a letter prepared to send to their Congressmen about this. Ms. Deley asked Mr. Benjamin to have his presentation posted to the Town website.

8. Update from NextGrid on Solar Project.

Mr. Daniel Serber of NextGrid apologized for the reported disruption at the school(s) resulting in their work and gave an update on the solar project. Mr. Serber stated that this project was approved quite some time ago and has since faced delays due to former construction contractor as well as a long delayed drawn-out process with Norton's Conservation Commission, which has since been resolved. He explained that this is the reason why NextGrid has now been working during the school year, which they expressly did not want to do. Mr. Serber stated that he was at the site on probably the loudest day when they had the wood chipper going as well as having panels delivered, which required a traffic escort by the police. He further stated that he was unaware that the schools were required to have their windows open due to COVID-19. Mr. Serber again apologized for the disruption.

He stated that they have finished the clearing, are almost done with the civil work, and the next step would be the steel delivery. Mr. Serber explained that after that, they will start assembling the racking on-site, which will involve a post-pounder and result in a repetitive dinging sound. He clarified that they plan to do this while the kids are out of school on holiday break. After this, NextGrid will then be doing panel installation and electrical work, which will also result in some noise disturbances from things such as an impact wrench. Mr. Serber advised that the last day they should be there according to their construction schedule would be February 11th. Mr. Serber added that a lot of the noisy work should be done by the end of January. He stated that he was informed that they have to do a street cleaning at the conclusion of the work and lastly noted that his contact information was provided to abutters at the beginning of the project.

Ms. Deley asked what the construction completion schedule looked like. Mr. Serber advised that they are currently completing the civil work, which is slated to be done on the last day of the year (Thursday, December 31st). Then, grading and access roads would be done by the end of next week, followed by post-driving that is scheduled to start on Monday, December 21st and ending Tuesday, December 29th. Mr. Serber advised that the next step would then involve workers assembling the racking on top of those posts from Wednesday, December 23rd through Thursday, January 14th followed by module installation, which uses an electric wrench that he equated to a loud drill sound, and that is slated to go from Friday, January 15th through Monday, February 1st. He added that the rest of the activities is for testing, commissioning, wire management, cleanup, and things like that. Mr. Serber lastly stated that the seeding and tree planting would occur between January 26th and February 8th, and the berm has to be completed to do the plantings.

Ms. Deley said that if there is going to be construction or work done that could disrupt traffic and the schools that the Town be notified in advance to make accommodations. Ms. Deley asked if anything had changed from the original plans. Mr. Serber said the actual layout has not changed and the only thing that has is the drainage pools, which they have been working with the Conservation Agent on.

9. Schedule Next Select Board Meeting.

Mr. Conway suggested that the Select Board schedule their next meeting for Thursday, December 17th. Ms. Deley asked what they are meeting on specifically. Mr. Yunits said the remainder of the 2021 license renewals and the Charter Commission. The Board agreed to

meet Thursday, December 17th at 7:00 P.M. Ms. Deley asked if these were the only items. Mr. Conway answered that they also had the ESCO contract to discuss and vote on.

B. Old Business

There was no old business to discuss.

C. Town Manager's Report

1. COVID-19 Update.

The Board of Health Agent, Mr. Christian Zahner, advised that last time he met with the Board was at the end of October and there were only 27 active cases. He advised that in the month of December, the number of cases since March in Town is 542 (+279 since October). He reported that there are 135 (108+ since October) active cases in isolation and a total of 11 deaths (4+ since October). Mr. Zahner further stated that in the month of December the Town already is at 97 cases. He added that Norton is now declared a red community and that he was unsure of how that effects the Town because before you would be dropped down a step in the phase, but the State already did that.

The Board of Health Agent moved on to discuss that Wheaton College had 18 more positive cases with a positivity rate of 0.7%. Mr. Zahner gave an overview of Step 3, Phases 1 and 2 and advised that he received a COVID-19 vaccine timeline that was provided on December 9th and that the shipment should arrive on December 15th. The timeline was presented as follows:

Phase 1 (December – February): Clinical and non-clinical healthcare workers doing direct and COVID-facing care, long term care facilities, rest homes and assisted living facilities; police, fire and emergency medical services; congregate care settings; home-based healthcare workers; and healthcare workers doing non-COVID-facing care.

Phase 2 (February – April): Individuals with two or more comorbidities (high risk for COVID-19 complications); early education, k-12 transit, grocery, utility, food and agriculture, sanitation, public works and public health workers; adults 65+, and individuals with one comorbidity.

Phase 3 (April – June): Vaccine will be available to the general public.

Mr. Zahner urged residents to continue to practice safe habits like wearing a mask, washing their hands/using hand sanitizer, practicing social distancing, and avoiding large gatherings.

Ms. Deley asked what the plan was with administering the vaccines as far as staffing. Mr. Zahner answered that the Fire Department was going to be a big part of this, since they have 30 paramedics capable of doing so. Ms. Deley went over the discrepancies about the quarantine advisements; for example, the State's new guidelines that were provided to the Board of Health Office called for 7 days and the Centers for Disease Control (CDC) still says 14 days in regard to quarantine. Ms. Donna Palmer, the Public Health Nurse, explained that overall they have found that it is between days 5 and 8 that people who have had a known exposure get the virus and that there have only 2 cases of the 500+ (in Town) that the person contracted COVID-19 on day 14.

Mr. Yunits commented that under the CARES Act, the Town was awarded approximately \$1.7 million and has a balance of just over \$300,000 left. He explained that anything being ordered that qualifies under the CARES Act and will be paid out of this account needs to be purchased and paid for by the end of December and anything for FEMA reimbursement has to be paid for/submitted and received by December 30th. Mr. Yunits explained that originally FEMA was to reimburse 75% of COVID-19 related expenses, but now they are finding out they are really only reimbursing for Police and Fire. Mr. Yunits informed the Board that the Town would rather hold onto the balance until next year (with the hopes that they extend it) and see in the end what FEMA is covering so the Town doesn't get stuck with trying to fund the difference.

2. SEMRECC Transfer.

Mr. Yunits stated that dispatch has moved over to SEMRECC this week. Chief of Fire, Shawn Simmons, reported that it was a great transition and went really smooth and Chief of Police, Brian Clark, agreed. Chief Clark pointed out that SEMRECC took over dispatch/911 calls as of September 1st and it has been great.

3. FY21 Budget Update.

Mr. Yunits advised that the unemployment rate is currently at 6.7%, which was previously at 8.4% and before that 10.1%, so hopefully things don't change with COVID-19 getting worse. The Town Manager referred to the budget estimates and pointed out that right now it is \$500,000 less than last year at this time largely because last year around October Condyne had pulled permits that brought in about \$400,000 in revenue. Mr. Yunits informed the Board that Condyne is scheduled to meet with Conservation, so hopefully they pull more permits for the next building soon. He moved on to explain that the excise tax revenue is low. The Town Accountant, Mr. James Puello, informed the Board that excise tax is the Town's biggest source of revenue and a majority (approximately 85%) of that comes in between February and April. Mr. Puello said that they anticipated about \$2,000,000 more coming in around that time, but this figure still isn't as good as they would want them to be. Mr. Toole clarified that it looks like they are looking at between 8% to 10% lower rather than the 20% that is showing now based on what Mr. Puello just explained. Mr. Puello said that they are in that 8% to 9% range and that he is still pretty confident that they will hit their estimates based off of this information, but explained that his concern is the Town depends on this figure doing extremely well as they did in previous years; for example, last year the Town collected over \$6,000,000 in excise taxes. The Town Account further explained that the difference in what is estimated and what is actually collected is turned into free cash; so the lower the difference, the amount of free cash becomes lower too.

Ms. Deley questioned that if they don't hit this estimate that there will be no free cash available for this year, which Mr. Puello answered is a possibility. Mr. Puello explained that they will know more once they receive the State aid figure for next fiscal year and see how the collections continue to come in. Ms. Deley asked about using stabilization funds to supplement deficits in the budget. Mr. Puello said if it comes down to it, then that is something the Town will have to do. He reminded the Board that the Town already used \$439,000 of stabilization funds at the June town meeting to supplement the budget and did not put any in at the October town meeting. The Town Accountant said if they want to continue to

deplete that account in a case of emergency, that is what those funds are there for. Mr. Puello emphasized that it doesn't look great to credit rating agencies, but if other towns are doing the same thing because of the pandemic it won't look as bad, but that is something he does not know for sure.

Mr. Toole asked if there was a target number for the stabilization fund because the Town is going to need financing for buildings (Town Hall, Senior/Community Center, and/or Athletic Complex) if they pass at town meeting. Mr. Puello explained that they look at what is available in your stabilization account and what your free cash balance, which they want to be around 9% to 11% based on what the auditors have said in the past. Mr. Puello advised that the Town is closed to that right now. Ms. Deley said that she thought the auditors suggested 7% and they were around 10% at the time. Mr. Puello clarified that he thought the auditor said 7% just in the stabilization fund. He pointed out that interest rates are low due to the way things are right now and advised that this also hurts their investment income.

Ms. Deley asked what the plan is if the Town could not meet their numbers to fund the budget. Mr. Yunits informed the Board that they will be instituting a spending freeze, which they have more or less done already. He reported that they know what their State aid is through the Conference Committee (\$16,202,862), new growth came in at \$875,000 versus the \$630,000 they were looking at previously, and the estimate for excise tax was dropped from \$2,600,000 to \$2,400,000.

Mr. Conway asked at what point they start ringing alarm bells and questioned if they wait until the excise taxes are collected in February. Mr. Yunits answered that this was correct and commented that hopefully by next year, people are out buying new cars again. Mr. Toole asked if there was any room to make this up and mentioned previous comments Mr. Yunits made about Condyne continuing to build and asked if the Town Manager expects the Town to see the building permit fees this fiscal year. Mr. Yunits said he thinks it will and added that Condyne is building across the street on Leonard Street and Exit 10 LLC building should be built by August. Mr. Conway asked if there was a way to get a better idea of excise tax revenue sooner than February. Mr. Puello said they usually go out in January, but he will talk to the Treasurer about getting an idea of numbers. Mr. Puello said another number to figure out is permits.

Ms. Deley asked with the rising number of COVID-19 cases if there were plans to go back to working remotely. Mr. Yunits said he sent an e-mail to department heads recently to start putting work and plans together for the possibility of going back to working remotely.

VI. Select Board's Report and Mail

There was no Select Board's report or mail to discuss.

VII. Meeting Minutes

There were no minutes approved at this meeting. The Board agreed to vote on the minutes at their next meeting scheduled for December 17, 2020 at 7:00 P.M.

VIII. Warrants

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

- A. Payroll Warrant PR21-12 for the week ended November 28, 2020, Warrant dated December 3, 2020, in the amount of \$1,899,658.02.
- B. Invoice Warrant AP21-22 dated November 25, 2020, in the amount of \$1,048,739.63.
- C. Invoice Warrant AP21-23 dated December 3, 2020, in the amount of \$1,191,653.91.
- D. Invoice Warrant AP21-24 dated December 10, 2020, in the amount of \$846,757.22.

IX. Other Business

There was no other business to discuss.

- X. Next Meeting's Agenda December 17, 2020 at 7:00 P.M.
- XI. Executive Session

There was no need for an executive session.

XII. Adjournment

MOTION was made by Mr. Toole to adjourn at 10:18 P.M. Seconded by Ms. Deley. Vote: Ms. Artz – Yes; Mr. Toole – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

URL Link: https://www.youtube.com/watch?v=LG3S5Njk6b4

Respectfully Submitted by:

Jennifer Reid, Office Administrator

SELECT BOARD MINUTES OF MEETING DECEMBER 10, 2020

John Conway, Chair

Renee Deley, Vice-Chair

Michael Toole, Clerk

Megan Artz, Member

Christine Deveau, Member

Minutes Approved by Board on: April 15, 2001