



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

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

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Select Board  
Meeting Minutes  
February 25, 2021

**Call to Order by Chair**

The February 25, 2021 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 7:02 P.M., by Mr. John Conway, Chair. Member(s) present: Ms. Renee Deley, Mr. Michael Toole, Mr. Bradford K. Bramwell, and Ms. Megan Artz. Also in attendance: Mr. Michael D. Yunits, Town Manager.

Before the review of the FY22 budgets, Mr. Yunits asked Mr. Zahner to provide a COVID-19 update particularly in reference to the Governor's new Order. Mr. Christian Zahner, the Board of Health Agent, advised that at their Public Health webinar with the State, as of March 1<sup>st</sup> the State will be back into Phase 3, Step 2 and effective March 22<sup>nd</sup> (subject to public health data) gathering limits increases to Phase 4, Step 1.

Mr. Zahner explained that effective March 1<sup>st</sup>, indoor performance venues such as concert halls, theaters, and other indoor performance spaces open at 50% capacity with a 500 person max. Indoor recreational activities with greater potential for contact, such as laser tag, roller skating, trampolines, and obstacle course will open at 50% capacity. The Board of Health Agent continued to give a list of businesses that would be increasing their capacity to 50% as of March 1<sup>st</sup>. Mr. Zahner pointed out that employees will be exempt from capacity restrictions in all of these industries. He advised that restaurants will no longer be subject to a percentage seating capacity limit and that their capacity is limited only by the requirement of six feet between tables. Musical performances will also be allowed in restaurants; Mr. Zahner stated that he is still waiting on more guidance in regard to this. Mr. Zahner reported that the ninety-minute limit on tables and the limit of no more than six people per table stays in place.

Mr. Zahner advised that as of March 22<sup>nd</sup>, subject to the public health data, the gathering limits will increase for event venues and public settings to 100 people for indoor events and 150 for outdoor events, but will stay the same in private settings (10 people indoors and 25 outdoors). He stated that indoor and outdoor stadiums, arenas, and ballparks will reopen with a 12% capacity limit. The Board of Health Agent noted that before reopening, these establishments will need to submit a reopening plan with the Department of Public Health (DPH). Mr. Zahner summarized that overnight camps will be allowed to open for Summer 2021, exhibition and convention halls may reopen subject to gathering limits and event rules, and dance floors may open at weddings and events only. All other Phase 4 industries will not be able to open until a future reopening step.

Mr. Conway clarified that the mask mandate for out in public is still in effect and that when not eating or drinking when at an establishment, patrons' masks should be on, which Mr. Zahner confirmed both were correct. Mr. Conway asked the Town Manager if any licenses

need to be altered in order to allow for the outdoor seating for some of these establishments. Mr. Yunits stated that last time what the Town did was as long as the Governor's Order of Emergency was still in place that this would be allowed. However, after the Order of Emergency is lifted, if licensees would like to have outdoor seating it would require an amendment to their license.

Mr. Toole asked if there was any plan of reopening Town Hall when the State enters into Phase 4, Step 1. Mr. Yunits said that as things start to reopen, Mr. Zahner and himself will have to go through the building and make sure six feet of separation can be kept at each window.

Mr. Peter Wiggins, resident of the Town, asked the Select Board and Town Manager once everything starts to reopen when they will go back to in-person meetings. Mr. Conway replied that this was a good question and expressed that his opinion that the virtual meetings have created a way to get a higher level of engagement amongst the general public and that he hopes this pushes municipal meetings into the future. In contrast, Mr. Conway further expressed that he believes there is a place for in-person meetings. Mr. Toole thanked Mr. Zahner for all his work and stated that he is doing a great job.

### **1. Review and/or Discuss FY22 Budget.**

#### **a.) Treasurer/Collector**

Mr. Yunits explained that there are four employees in this office and that the increases for Personnel Services are contractual. Mr. Yunits added that this department's expenses for tax title was reduced by \$5,000.

Ms. Catherine VanDyne, Treasurer/Collector, explained that because of COVID-19 last year, she was unable to proceed with any kind of foreclosure or anything like that, so this is why she does not need more money for this going forward because she will be playing catchup on what couldn't be done last year. The Treasurer pointed out that the part of her budget that increased was Purchases of Services, which is for payroll, collection mailings, and lockbox facility. Mr. Toole asked what Ms. VanDyne's wish-list item would be to which she replied a ceiling and a door.

Ms. VanDyne spoke on the Maturing Debt budget and gave a summary to the Board. She stated that this is for the expenditures for the long-term debt and the interest payments. Ms. VanDyne explained that the only number that is estimated is the short-term debt, which is interest on notes. Mr. Toole asked for a breakout of the debt by each department for a better idea of what was covered under this, which Ms. VanDyne confirmed she would get to the Board.

The next section discussed was the Employee Benefits. Mr. Yunits explained that where they see "Contributory" is the Town's cost for the Bristol County Pension System. He pointed out that also under this budget is the health insurance and Medicare. Mr. Toole clarified that Norton is part of a group for the health insurance, which the Town Manager confirmed and explained that it is part of the Southeastern Mass Health Group. Ms. VanDyne advised that the Town pays \$19,000 [per enrolled employee] for the family plan and \$7,000 [per enrolled employee] for the individual plans. Mr. Yunits advised that they expect the rates to only go up

by 2% this year. Mr. Toole asked if the Town has the option to leave the Bristol County group, which Mr. Yunits answered it does. Mr. Toole asked if they have looked into other options because of the high costs. Ms. VanDyne pointed out that these figures include the cost for retirees as well and added that there are 368 retirees on the Medicare Supplement Plan as well. Mr. James Puello, Town Accountant, stated that in fiscal year 2020, the Town spent \$7,363,000 on health insurance costs and about \$2.2 million was retirees. He explained that of the \$8,377,228 figure about \$2.5 million will be for retirees.

Mr. Toole asked Mr. Yunits if this is something the Town negotiates and if so how. Mr. Yunits stated that there is a Public Employee Committee and the health insurance is negotiated through there now. The Town Manager explained that once an employee works for the Town for ten years in Massachusetts, you have vested for the health insurance and that is set by the State. Mr. Puello emphasized that this is the main reason why Other Post-Employment Benefits (OPEB) exists now. The Town Accountant explained that this is funded every year in hopes of building up this fund so that this fund has enough money to subsidize the cost of the general fund for the cost of health insurance for retirees. Mr. Puello added that this is why this is being mandated across the United States because they are treating it like a pension because it is a benefit that is guaranteed and offered to all employees.

#### b.) Assessors

Mr. Yunits explained that there are three employees in the Assessor's Office. He stated that their salaries for fiscal year 2022 total \$181,492 and a bulk of this increase is from incentives that are in the contract now. Their expenses are up \$6,000 and one of the main reasons for that is their mapping program because they are looking to do an upgrade because they can't isolate condominiums.

Ms. Denise Ellis, Assessor, stated that when you go onto the GIS, you only see the parcels. So what she wants to do is get all of the parcels on there as well, so that when you search a condominium, you're actually going to have that account. She stated that right now when you go onto it, you have the entire complex and you can't click an individual person so they have to do it from their end and then e-mail everyone.

Mr. Yunits mentioned that there are three members on the Board of Assessors, which is the only board that is required to be certified.

Mr. Toole asked what Ms. Ellis' wish-list item would be. Ms. Ellis answered that she would like her part-time employee to become full-time. Mr. Conway asked if her department has tried using Google Earth to solve some of these issues and Ms. Ellis stated that the Town approved pictometry called Eagle Loop where they did a fly-over in the Spring that she was dissatisfied with so she had them do it again in November. The Assessor explained that they take 3 to 4 photos of each individual parcel, so during the pandemic she was able to use those images to approve exterior building permits for things such as decks and additions. Ms. Deley stated that she recalled this conversation and thought they asked the Town Manager to get more information about privacy issues before moving forward with this. Ms. Deley asked Ms. Ellis to provide any privacy language or information involving this technology and Ms. Ellis said she would look into it.

c.) Accounting

Mr. Yunits advised that Accounting has two full-time staff and one part-time staff. He commented that there are minimal expenses in this department and pointed out that the expenses for fiscal year 2022 are slightly lower than the previous year. The Town Manager stated that the annual audit is out of this budget.

Mr. Puello reported that one of his biggest expenses is seminars and conferences, which he advised he hasn't gone to any this year. He stated that because he hasn't gone to any seminars or conferences, there hasn't been an expenses for mileage reimbursement either. Mr. Puello explained that he put in the same amount for next year in hopes that things go back to normal and he will be able to go to educational seminars and conferences. He added that this year's will be virtual and there will only be a small fee associated with this. The Town Accountant advised that the salaries increased slightly and line up with what other departments are doing and stated that he believes it is somewhere in the 4% range.

Mr. Toole asked Mr. Puello if the School Department has their own audit or if that is included in the Town's audit. Mr. Puello answered that the company the Town uses does the audit for them too and clarified that the \$26,000 does include the School Department. Mr. Puello informed the Board that the School Department does have to pay an extra \$5,000 for the end of the year report that has to be filed with the State and the auditors have to review that also. He further stated that there is a separate charge paid directly by the School Department. Mr. Toole asked Mr. Puello what his wish-list item would be for his budget. Mr. Puello said it is the same thing he has been saying over the years is possibly making the part-time position full-time in the future. The Town Accountant stated that the bills keep coming in, the budget keeps growing, and there are more responsibilities resulting in more work.

Mr. Toole asked Mr. Puello to prepare a spreadsheet for all departments showing the salary increases with a column of the percentages. Mr. Puello said he could put this information together. Mr. Puello asked if the Board would rather wait until the Town Manager provides his budget verses the departments' requests. Mr. Conway asked if the Town Manager could start this now and Mr. Yunits advised that he would be in receipt of the School Department's budget on March 12<sup>th</sup>, so he could start making his recommendations then. Mr. Conway said he would like to look at this information sooner rather than later and Mr. Puello said he would start working with the information has now and provide it to the Board.

Mr. Toole questioned for the budget coming up if the School Department was flat funded. Mr. Yunits stated that this was incorrect and pointed out that in the Governor's proposal there was an increase in both unrestricted general government aid and Chapter 70.

Mr. Yunits recognized the staff in the Accounting Department. He stated that Mr. Puello and Ms. Mary Ann D'Andrea who is responsible for the accounts payables for the entire town including the additional CARES funds accounts. The Town Manager stated that she has been working double-time this year and expressed his appreciation for the great work she does.

d.) Conservation

Mr. Yunits explained that the Professional Services line item is for the engineers to go out and inspect the dam each year and file a report with Dam Safety. He advised that under

Maintenance/Conversation Areas there is a slight increase (roughly \$2,000) due to Camp Edith Read. Mr. Conway pointed out that this budget has a pretty big increase and Mr. Yunits clarified that he hasn't made any of his recommendations on the salaries yet. Ms. Deley clarified that it is one full-time employee and one part-time employee and Mr. Yunits advised that both are full-time now because in October 2019 that part-time position was made full-time. Mr. Conway pointed out that right now it is looking like a 9.6% increase and that the overall budget had an increase of about 12%, so he was curious to see how much of that was contractually awarded.

Mr. Toole asked what this department's wish-list item would be. Mr. Yunits said that now that the part-time person became full-time, this department would like to have another part-time employee in the office.

e.) Inspection

The Town Manager explained that in the Inspection Department there is the Building Commissioner, a full-time Clerk position, a part-time Electrical Wiring Inspector, and two part-time Plumbing and Gas Inspectors. Mr. Yunits advised that at the Board's next meeting they will finally be bringing forward the appointment of a part-time Local Inspector to fill the role that Mr. Nick Iafrate filled before he became the Building Commissioner. He stated that the salary line is slightly lower due to the new Building Commissioner coming in at a lower salary than the previous Building Commissioner and the Gas/Plumbing Inspectors and Wiring Inspector are paid by inspection. He added that there is a slight increase in expenses. Ms. Deley asked in regard to the appointment of the Local Inspector if that would affect the salary budget line, which Mr. Yunits answered it would not because it is already factored in.

Mr. Yunits commented that Mr. Iafrate does a great job and has the right attitude, which is that they are there to help. Mr. Yunits asked if Mr. Iafrate provided him with a wish-list item and Mr. Yunits said he did not, but he will ask him for that. The Town Manager informed the Board that the Building Commissioner is very satisfied with the e-permitting especially with the pandemic.

Announcements:

1. Mr. Toole read an announcement remembering Herb Church who died at the age of 94 years-old. Mr. Church as a veteran active in the American Legion for 70 years as well as the veterans' community for many years. He was buried today at the Common Cemetery.
2. Mr. Toole announced that COVID vaccines will be available this Saturday, February 27<sup>th</sup> at the Plymouth American Legion from 10:00 A.M. to 1:00 P.M. If you are a veteran, you just need to be 55 years-old or older. This is first come, first serve and must be enrolled in the VA Health Program. If you are interested in enrolling, call (877) 222-8387.
3. The VFW's St. Patrick's Day Grab-and-Go dinner is from 12:00 P.M. to 2:00 P.M. and are \$10 each.

**2. Discussion and/or Vote on Special Legislation for All Alcohol Package Store Licenses.**

*Mr. Toole recused himself from the conversation.*

Mr. Yunits explained that the Economic Development Commission (EDC) took this matter up. Upon seeking special legislation, the Town would have to establish zones and the EDC came up with three different areas that they were looking at as follows:

- East of I-495 on East Main Street to the Easton line;
- Route 140 from Route 123 heading towards Taunton;
- North and South Worcester Street heading down West Main Street to the Attleboro line.

Mr. Yunits advised that the decision will be up to the Select Board as to what two areas they would like to pick.

Ms. Deley stated that the EDC voted to support the additional two retail package (all alcohol) licenses through special legislation. She emphasized that these two additional licenses through special legislation would have no impact on any potential additional licenses that the Town would get in result of an increased population.

A map of the potential area off of I-495 as described above was shown and Mr. Conway asked if the liquor store was still at the entrance of the plaza there and Ms. Deley stated that it was and that she believed they just have a retail package (wines and malts) license. The next map shown was of the area of North and South Worcester Streets as described above. Mr. Conway clarified that there used to be a liquor license held in this area previously for a liquor store, but has since been sold and transferred to a different licensee, which Mr. Bramwell confirmed. The last map depicted was of Route 140 from Route 123 towards Taunton. Mr. Yunits explained that this is a different type of area because there is village-commercial/village core in one area and then further down there is a commercial section between Barrows Street and Clapp Street. The Town Manager added that there is also an industrial area down by the Town line, so it is kind of a broken up stretch.

Mr. Conway asked if the EDC gave an opinion as to which two areas they would support. Ms. Deley replied that the EDC would support all three. Ms. Deley explained that before really studying the last option along Route 140, they thought that there would be more of an opportunity in this location, but there really isn't. She expressed that for a retail package store licensee she didn't know if it would be very advantageous to locate there versus going where you have full commercial on the west part of Route 123 and then the commercial/industrial buildings that are on the other side. Ms. Deley further emphasized the potential in the area of I-495 due to the potential rezoning to industrial for the land currently owned by MassDOT.

Mr. Conway asked how the Board felt about the options presented and the members' preferences. Mr. Bramwell said he was personally against requesting two additional licenses and it has to do with how it was previously done through special legislation. Mr. Bramwell further stated that he didn't really favor the idea where Mr. Toole is involved in possibly looking for one of these licenses. Mr. Bramwell explained that when this was done in the past through special legislation and involved family, it left a bad taste in many people's mouths because people who are connected are able to get these licenses without paying for them like other people and emphasized that he is against the whole idea. Mr. Conway clarified that Mr. Bramwell was against two, which Mr. Bramwell confirmed and explained that he could see trying to attract new business in the buildings on Leonard Street along East Main Street and if this is going to attract a larger company into town and increase tax revenue that would be one



thing. Mr. Bramwell emphasized that he can't really explain how he is feeling without "bad-talking" Mr. Toole, which he didn't want to do, but to him when the Board is doing something like this where it may have a positive effect on a sitting member of the Board or someone involved in Town government, it leaves a bad taste in people's mouth and that is his problem.

Ms. Deley responded that this was totally understandable and pointed out that they were approached by a different company to go into the Condyne space, but that was almost a year ago and it was too late to get it on for that town meeting. Ms. Deley pointed out that the Town doesn't have a high-end liquor store, so to bring something that the Town doesn't have would be advantageous and could potentially bring in more revenue. She added that the storefront retail is only for three businesses and will drive people in there. Ms. Deley stated that she thinks this would be a good location because you would be catching a lot of people going onto the highway and going to the Cape especially where there are more of these establishments on the other side of town. Ms. Deley emphasized again that she understands Mr. Bramwell's concerns and opinions.

Ms. Artz agreed with Mr. Bramwell with how it appears. She further expressed that during these times, to reach out to the State legislature for more liquor licenses when the Town still doesn't have a grocery store that she felt like there more things that the Board should be focusing their attention on. Ms. Artz posed the idea of getting a Wegman's in that area that has a liquor store in it or something like that. She stated that she believed the timing is bad and that this doesn't send a good message to their Town with the insider information. Ms. Deley countered that they are fortunate to have people involved in local government and giving their time to it and while she understands the appearance, there is nothing here because Mr. Toole has recused himself and has spoken to town counsel. Ms. Deley responded to Ms. Artz idea of getting a grocery store in this location by stating that the EDC has done a lot of work and they have had a lot of conversations and there isn't a grocery store that wants to come into this town because the numbers just aren't there.

Mr. Conway stated that he shares a lot of the same concerns as Mr. Bramwell and Ms. Artz. He expressed that when he joined the Select Board, he wanted to create the sense of trust and openness. Mr. Conway emphasized that this isn't to say that this can't be done in an open manner. He asked Mr. Yunits if the Town was granted the additional liquor licenses through special legislation how they would be allocated. Mr. Yunits answered that town meeting would authorize the Select Board to file legislation and then they would have to work on the legislation and if approved, anyone that wants a license would have to come to the Select Board and the Board would have to choose who they would like to give those licenses to. Mr. Yunits said that he knows the problem the Board has right now, but if he looked back this whole thing was initiated by the attorney from Sharon first whose client was looking to open a retail package store in the Condyne area. The Town Manager stated that he doesn't know who the client was for the attorney in Sharon. Mr. Conway stated that if Mr. Toole were to file a declaration before the vote is taken informing people of his interest that he would feel differently about this.

Mr. Zach Tsilis of the Finance Committee expressed that one argument that hasn't been brought up is that Norton has a lot of small business owners whether it is Michelle's Corner Store or various small liquor stores. He stated that the Board has expressed an interest in getting a mega store such as a "Wines and More" somewhere in Town and suggested asking these small businesses what the effect would be on them because essentially, they are going to

drive them out of business. Mr. Tsilis pointed out that the Board would only be creating more competition for them during a time where small businesses have already been hurting due to the pandemic. Mr. Tsilis stated that he just wanted to bring another perspective to the Board's attention.

Mr. Bramwell pointed out that the current licensees paid a good amount of money for those licenses when they bought the business. Ms. Deley asked Mr. Bramwell if he was saying that these new licenses would be free and the value wouldn't be assessed on these licenses, which Mr. Bramwell stated was correct. Mr. Conway stated that he recalled that when the license was being sold for the package store that was on Old Colony Road and that there was a six-figure some involved in the transfer of the license, which Mr. Bramwell confirmed. Mr. Bramwell emphasized that they would be devaluing their licenses greatly and would be cutting their opportunity to make back what they paid for the license. Mr. Conway asked when they need to make a final decision on this. Mr. Yunits said they can put it off tonight and added that he would try and get more information for the Board. The Board agreed to defer the vote to a future meeting.

Ms. Deley explained that the Board should be voting on whether or not it should approve additional retail package (all alcohol) licenses through special legislation regardless of who future applicants may or may not be. Mr. Bramwell expressed that he would be more in favor of gaining one additional license if it was to promote the property on East Main Street being developed and bringing a new business. Ms. Deley asked Mr. Yunits to provide more information as to why they were looking to obtain two licenses rather than one. Mr. Yunits stated that he would contact Senator Feeney's office about that, but their perception was they didn't want it to be one because the legislator has the perception that you are looking to just help one person whereas if you apply for two, it opens it up to more people. Mr. Conway emphasized that Mr. Toole has been very forthcoming and done everything by the book thus far. Mr. Yunits commented that Blue Star has not received any letters of intent to date at that location.

The Board discussed that with town meeting being scheduled for May 8<sup>th</sup> and having fourteen days to remove the article, if they so choose, that would leave a deadline of Saturday, April 24<sup>th</sup> to remove the article.

Mr. Yunits pointed out that if the licensee for Quick Stop did want an all alcohol license there would be two of these establishments across the street from each other and expressed that he didn't know if that would be sustainable.

### **3. Adjournment.**

**MOTION was made by Mr. Bramwell to adjourn at 9:04 P.M. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Mr. Toole – Yes; Mr. Bramwell – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.**

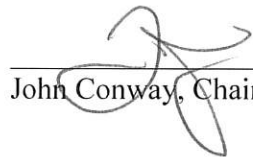
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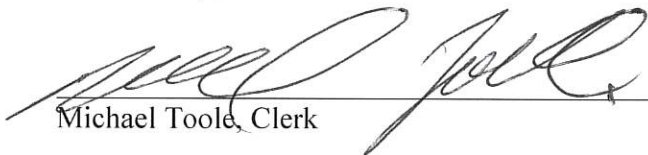
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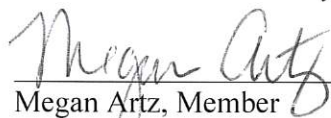
  
Jennifer Reid, Office Administrator

**SELECT BOARD  
MINUTES OF MEETING  
FEBRUARY 25, 2021**

  
John Conway, Chair

Renee Deley, Vice-Chair

  
Michael Toole, Clerk

  
Megan Artz, Member

  
Christine Deveau, Member

Minutes Approved by Board on: April 15, 2021