



TOWN OF NORTON
SELECT BOARD
MUNICIPAL CENTER
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**Select Board
Meeting Minutes
May 27, 2021**

I. Call to Order by Chair

The May 27, 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 and Ms. Megan Artz. Ms. Christine Deveau arrived at 8:15 P.M. and Mr. Michael Toole arrived at 8:37 P.M. Also in attendance: Mr. Michael D. Yunits, Town Manager.

II. Public Comment

Mr. Marc Fernandes of 456 South Worcester Street came to show his support of Bella Music and asked the Board to withdraw the Conservation Commission's appeal filed with the Supreme Judicial Court (SJC) and to have the Conservation Commission come back to the table to negotiate with the Pesas. He stated that the violation isn't valid and removing the fill isn't the best choice. He added that if the Pesas go bankrupt, no one is going to buy that property as it is and the Town will never approve spending town funds on the cleanup of this property, so it will be a visibly empty lot for a long time. Mr. Fernandes expressed that appreciated the Conservation Commission tireless work to protect the environment and wetlands.

III. Appointments/Resignations/Retirements

1. Appointment of Paul J. O'Malley as a Full-time Civil Service Police Officer.

MOTION was made by Ms. Deley to accept the appointment Paul J. O'Malley as a Full-Time Civil Service Police Officer as written. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

2. Vote to Amend Council on Aging Appointments by Exchanging Positions as Follows:

- a.) Natalie Lima from Permanent Council on Aging Member (2021) to Alternate Council on Aging Member (2022);
- b.) Paul Wanamaker from Alternate Council on Aging Member (2022) to Permanent Council on Aging Member (2021); and
- c.) Reappointment of Paul Wanamaker to Permanent Council on Aging Member for a Term to Expire 2024.

MOTION was made by Ms. Deley amend the Council on Aging appointments by exchanging positions as follows: Natalie Lima from Permanent Council on Aging Member (2021) to Alternate Council on Aging Member (2022); Paul Wanamaker from Alternate Council on Aging Member (2022) to Permanent Council on Aging Member (2021); and reappoint Paul Wanamaker to Permanent Council on Aging Member for a term to expire in 2024. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

IV. Licenses and Permits

1. Vote to Approve the One-Day All Alcohol Liquor License to Lisa Johnston for a Private Event at the Everett Leonard Park from 1:00 P.M. to 5:00 P.M on Saturday, June 19, 2021.

MOTION was made by Ms. Deley to approve the One-Day All Alcohol Liquor License to Lisa Johnston for a private event at the Everett Leonard Park on Saturday, June 19, 2021 from 1:00 P.M. to 5:00 P.M. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

2. Vote to Approve the One-Day Beer and Wine Liquor License to Elias DaSilva for a Private Event at 185 North Washington Street (New England Rodeo) from 3:00 P.M. to 7:00 P.M. on Sunday, June 6, 2021.

Ms. Chyanne DeCosta of New England Rodeo explained that they will need a police detail at the conclusion of the event. She informed the Board that there will be four Brazilian security guards and four American security guards. Ms. DeCosta advised that she is TIPS certified and will have a certified bartender with her selling alcohol. She further stated that they have masks available, parking details, and gave an overview of the safety precautions they planned to take.

MOTION was made by Ms. Deley to approve the One-Day Beer and Wine Liquor License for Elias DaSilva at 185 North Washington Street (New England Rodeo) for a private event Sunday, June 6, 2021 from 3:00 P.M. to 7:00 P.M. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

V. Announcements

1. Update from Pat Tarantino Regarding Wreaths Across America Fundraiser Event.

Ms. Pat Tarantino announced that Saturday, December 18th is marked as the day for Wreaths Across America and they will be selling wreaths for \$10 each. She mentioned that this information is also posted on the town website and added that the Veterans' Agent is selling flags to line along West Main Street. Ms. Tarantino informed those who are interested to contact her via e-mail at Pat.Tarantino@comcast.net. She advised that the wreaths will also be sold at Cross Realty (508-285-7007) and Michelle's Corner Store at the intersection of North and South Worcester Streets. She mentioned that Home Plate agreed to have 20% of the proceeds from purchased food and beverages on Tuesdays (with the coupon present) go towards Wreaths Across America. She said that it applies for dine-in, takeout, and gift cards.

Mr. Conway noted that Home Plate had a small mulch fire and would appreciate the extra support to make the repairs as well. Ms. Tarantino pointed out that Home Plate did this fundraiser for them last year too even during COVID-19, which they didn't have to do.

2. Memorial Day Dedication.

Mr. Conway advised that the Memorial Day Ceremony is on Monday, May 31st at 10:00 A.M. at the Norton Town Common.

3. Water Usage Notice.

Mr. Conway read the water usage announcement stating that all outside water use, which is provided through the water distribution system, is to be conducted using handheld hoses. He advised that sprinklers and irrigation systems are prohibited unless the water is supplied by a private well. He stated that the first offense would result in a \$150.00; second offense \$300.00; and third offense \$300.00 fine and termination of service. Mr. Yunits emphasized that the Water Department does go around and check, so unless you have a well you should only be using handheld hoses at this time.

4. Master Plan Open House.

Mr. Conway announced that the Norton Master Plan virtual open house will be held via Zoom on Thursday, June 3rd at 6:00 P.M.

5. We Salute You Project.

Mr. Conway announced the "We Salute You Project" which is a Non-Profit Organization established to support all the men and women active duty military and retired service members that make the ultimate sacrifice to fight for our Freedom. With a \$100.00 donation, you will receive a temporary 10-foot fiberglass pole with a 3x5 American Flag that will be set up three times a year in your yard: Memorial Day, Independence Day and Veterans Day. Delivery and set up will be the Saturday before each holiday (orders for Memorial Day currently closed) and will remain up for one full week and then will be removed and stored by this committee. You may dedicate your flag pole to a loved one with a written decal placed on the pole. ALL PROCEEDS of the We Salute You Project will directly benefit Veterans and their families in our community, the upkeep of the Norton Town Common, and the Master Sergeant Trent Memorial Park, V.F.W. Post #8049, and the World War II Canon Monument. Make checks payable to "We Salute You Project." Mr. Conway noted that they are at 10% of their \$25,000 goal for this year.

VI. Business

A. New Business

1. Discuss and/or Vote on Any Changes to the Remote Participation Policy and Public Meetings Temporary Protocols During COVID-19 State of Emergency.

The Board of Health Agent, Mr. Christian Zahner, announced that they are back in the grey on the map (only 10 cases; 6 in isolation). If the Town doesn't get any before June, the Town will

have no new cases. Mr. Zahner noted that the Governor's Order/State of Emergency will be lifted on Saturday, May 29th and reported that masks are completely gone for those who are vaccinated; however, if you are not vaccinated, you must still wear a face covering that covers your nose and mouth, social distance, use hand sanitizer/wash hands, etc. Mr. Zahner informed the Board that 4.1 million people in the State have gotten at least one dose of the COVID-19 vaccine and 3.5 million are fully vaccinated.

Ms. Deley thanked Mr. Zahner for reading through her policy that she sent at 6:15 P.M. Mr. Zahner said it looked good from what he could see and advised that it adheres to the Centers for Disease Control and Prevention (CDC) guidelines and noted that the State guidelines aren't finalized yet. He mentioned that the remote meetings are being allowed until September.

Ms. Deley mentioned that in her policy it allows for full in-person meetings, fully remote, and a hybrid. She stated that this is the model the School Committee has been using where scheduled guests are in person. She added that the policy does note that those who are fully vaccinated do not need to social distance; however, if they were having a meeting at the Library at the Norton Middle School or Norton Public Library and they require social distancing and masks, they will have to adhere. Ms. Deley further stated that those who are not fully vaccinated will need to continue participating remotely. Ms. Deley pointed out that if where they are meeting doesn't have adequate space to socially distance for non-vaccinated people that is where they could potentially run into a problem. The Board of Health Agent asked how would they go about having the access for those unvaccinated public attendees if they are meeting in person. Ms. Deley replied that they will still need to have a virtual meeting setup to provide access. Ms. Deley mentioned that she believed that a recording after the fact does qualify as public access even though they should make every effort to participate live. Mr. Zahner suggested a dial-in number to participate, which Ms. Deley said was a great idea.

Ms. Deley moved on to note that she changed the contact person to setup a Zoom to be the IT Director rather than the Town Manager. She added that the Chair or Vice Chair should have a host pin so if they run into any issues or have to start a meeting, they can do so. Ms. Deley mentioned to be environmentally friendly, boards and committees will continue to use digital copies of agenda packet materials and provide hard copies only upon request.

Mr. Conway asked Mr. Yunits to contact Norton Media Center to see what capabilities they have and what they may need to do, which Mr. Yunits agreed to. Mr. Conway referred to the School Committee's system and suggested picking their brain. The Chair also suggested using some of the American Rescue Plan funds to gain more Zoom accounts.

The Board agreed to wait to vote on the Remote Participation Policy at a future meeting when more members are present.

MOTION was made by Ms. Deley to approve the revised Public Meetings Temporary Protocols in Response to COVID-19. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

Mr. Conway thanked Mr. Zahner, his staff, his team, professionals, and volunteers for everything they have done and continue to do. Mr. Zahner mentioned that the Select Board and Board of Health jointly did the Declaration of State of Emergency on March 16, 2020 and

asked if they should jointly vote to lift it. Mr. Yunits said he wanted to check with town counsel on this in result of discussions he has had with other Town Managers because of the concern raised if they pull the emergency if that would eliminate their capability to obtain funds from the Federal Emergency Management Agency (FEMA).

Mr. Yunits expressed that he appreciates everything Mr. Zahner and his staff have done and recognized the substantial amount of extra work created in result of COVID-19 them.

2. Discuss and/or Vote to Approve the Conservation Restriction of Lot 2, 213 Oak Street, Norton, MA.

Mr. Yunits explained that this was a requirement of an Order of Conditions because the person developing the property had to cross wetlands, so they needed to build a culvert to across the wetlands and it exceeded the threshold for alteration. Mr. Yunits explained that as part of the agreement for that allowance, they agreed to put two parcels (Parcel 2 and Parcel 1) of land into a Conservation restriction and totals just under 8 acres. Ms. Deley asked if this was already approved by the Conservation Commission, which Mr. Yunits confirmed.

Ms. Deveau arrived at this portion of the meeting at 8:15 P.M.

MOTION was made by Ms. Deley to approve the Conservation Restriction of Lot 2, 213 Oak Street. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

3. Vote to Award SERSG Paper Supplies Contract for FY22.

MOTION was made by Ms. Deley to award the SERSG Paper Supply Contract for FY22. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

4. Vote to Award the SERSG Office Supplies Contract for FY22 and FY23.

MOTION was made by Ms. Artz to award the SERSG Office Supplies Contract for FY22 and FY23. Seconded by Ms. Deveau. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

5. Discussion on Select Board Meeting Format and Communications.

The Board agreed to move this topic to their next meeting.

B. Old Business

1. Review and/or Vote to Sign the Purchase and Sale Agreement Regarding 78 East Main Street.

Mr. Yunits advised that the purchase price of this property is \$1,250,000 with the seller contributing \$50,000 towards the Town Hall project. Mr. Yunits noted that the seller currently is renting out the property for the construction of Route 123. The Town Manager stated that he hopes that this is mostly done before the Town starts the construction; in any case, the Town

will have to give notice before the start of construction (60 days prior to commencing construction).

Ms. Deley asked how long until the Town starts construction and Mr. Yunits reported that the Permanent Building Committee (PBC) is reviewing Requests for Services now and have it to the Central Register next week, then allow 30 days to respond, and have OPM on board, have RFQ for architects to design the building, etc. Ms. Dinah O'Brien, Chair of the PBC, advised that it wouldn't be until Spring or Summer of 2022. Mr. Conway pointed out that the Town has the right to do an inspection of the property (including environmental testing) according to Paragraph 20 of the document. Ms. Deley asked how long they have to do the inspection and the Town Manager answered 90 days.

Ms. Deley referred to a previous town meeting where the Town approved \$1,000,000 for the purchase price of this property and asked how they are paying for the additional \$250,000. Mr. Yunits replied that in the debt-exclusion vote and the debt-exclusion article, they reference also the purchase of the land, so it would all be part of that borrowing. Ms. Deley responded that even though they had to have the \$1,000,000 approved at not the last town meeting but the meeting before, they don't have to account for the additional \$250,000 separately because it is already accounted for within the debt-exclusion, which Mr. Yunits confirmed. The Town Manager explained that for the article for town meeting and for the vote that it mentioned the purchase of land in there so it would all be part of the debt-exclusion. Ms. Deley expressed that she couldn't understand how they approve as a town a purchase price of \$1,000,000 and then sign a Purchase and Sale Agreement with a purchase price of \$1,250,000. Mr. Yunits clarified that this is because when the architect developed his prices for both projects, he also included the cost of the land purchases; so, when they had authorization at town meeting for both projects, it included authorization of the purchase of the land. Ms. Deley confirmed with Mr. Yunits that with the vote at the most recent town meeting to receive the first vote of the \$1,000,000.

MOTION was made by Ms. Deley to approve the signing of the Purchase and Sale Agreement of 78 East Main Street. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

C. Town Manager's Report

There was no Town Manager's report to discuss.

VII. Select Board's Report and Mail

Mr. Conway reported that a resident reached out to him requesting to have a public garden put in, which he expressed was a great idea and Ms. Deveau agreed. Mr. Yunits said he would reach out to the Conservation Agent about this.

VIII. Meeting Minutes

MOTION was made by Ms. Deveau to approve the Minutes of April 1, 2021 (Open Session); April 1, 2021 (Executive Session) not to be published until the reason for executive session has been met; April 5, 2021 (Open Session); April 8, 2021 (Open Session); and April 12, 2021 (Open Session). Seconded by Ms. Artz. Vote: Ms. Artz –

Yes; Ms. Deveau – Yes; Ms. Deley – Abstain; and Mr. Conway – Yes. MOTION CARRIES.

IX. Warrants

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

A. Payroll Warrant PR21-24 for the week ended May 15, 2021, Warrant dated May 20, 2021, in the amount of \$1,497,287.19.

B. Invoice Warrant AP21-47 dated May 20, 2021, in the amount of \$408,316.64.

C. Invoice Warrant AP21-48 dated May 27, 2021, in the amount of \$954,733.26.

X. Other Business

There was no other business to discuss.

XI. Next Meeting's Agenda – June 10, 2021.

XII. Executive Session.

1. To discuss strategy with respect to litigation, i.e. Bella Music, pursuant to G.L. c. 30A, Section 21(a)(3).

XIII. Adjournment.

Mr. Toole arrived at 8:37 P.M.

DECLARATION BY THE CHAIR:

I declare, under General Laws Chapter 30A, §21(a)(3), that the purpose of the executive session will be to discuss strategy with respect to litigation, i.e. Bella Music, because a discussion of the strategy in open session could compromise the purpose of the executive session and with the Board to not return to open session at the conclusion of the executive session.

MOTION was made by Ms. Deley at 8:37 P.M. for the Board to go into executive session under G.L. c.30A, §21(a)(3) for the purposes and reasons declared by the Chair and with the Board to not return to open session thereafter. Seconded by Ms. Deveau. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Ms. Deveau – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

URL Link: <https://www.youtube.com/watch?v=YIWQBNi4KUU>

Respectfully Submitted by:



Jennifer Reid, Office Administrator

**SELECT BOARD
MINUTES OF MEETING
MAY 27, 2021**

John Conway, Chair

Michael Toole, Vice-Chair



Christine Deveau, Clerk

Renee Deley, Member



Megan Artz, Member

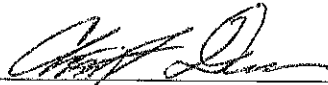
Minutes Approved by Board on: June 10, 2021

**SELECT BOARD
MINUTES OF MEETING
MAY 27, 2021**



John Conway, Chair

Michael Toole, Vice-Chair



Christine Deveau, Clerk

Renee Deley, Member



Megan Artz, Member

Minutes Approved by Board on: June 10, 2021

TITLE	Minutes
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06 / 30 / 2021
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