



TOWN OF NORTON
SELECT BOARD
MUNICIPAL CENTER
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**Select Board
Meeting Minutes
July 22, 2021**

I. Call to Order by Chair

The July 22, 2021 meeting of the Norton Select Board was held in the Community Room of the Norton Public Library and remotely (Web: <https://us02web.zoom.us/j/6391519600>; Phone: 646-558 8656; Meeting ID: 639 151 9600), and was called to order at 7:01 P.M., by Mr. John Conway, Chair. Member(s) present: Mr. Michael Toole and Ms. Renee Deley. Ms. Megan Artz arrived at approximately 7:04 P.M. Also in attendance: Mr. Michael D. Yunits, Town Manager.

Mr. Conway acknowledged the passing of Deputy Chief Thomas Peterson and asked Police Chief, Brian Clark, to speak to the loss of Deputy Chief Peterson.

Chief Clark stated that he and Deputy Chief Peterson had gone to middle school together and played baseball together. Chief Clark further stated that Deputy Chief Peterson loved being a police officer and worked through the ranks from a dispatcher to Deputy Chief. Chief Clark expressed that he was thankful for the outreach and support from the community to Deputy Chief Peterson's family and the Norton Police Department. Mr. Conway expressed his condolences for the two great losses the Norton Police Department has gone through the past six months.

Mr. Toole asked how his staff are doing with the losses and if anything has been done for the police officers to help deal with this. Chief Clark said that they are still processing both passings and have a lot of support.

Mr. Yunits said he was going to miss working with "Tommy." Mr. Yunits described that sometimes Deputy Chief Peterson would appear quiet, but he always made his point (if you didn't agree with Tommy, you would get that eye where you knew he didn't). The Town Manager lastly stated that Deputy Chief Peterson was a very great, calming, kind guy that they are going to miss dearly.

Mr. Conway acknowledged another passing: Rosemary Dolan. Mr. Yunits stated that Ms. Dolan was a great person and frequent visitor to the Town Hall. Mr. Yunits explained that she was very involved with the Recreation Commission and worked with the Town Clerk as a poll worker during the elections. Mr. Yunits emphasized that Ms. Dolan always had great ideas and the Town is going to miss her.

II. Public Comment

There were no public comments made at this time.

III. Appointments/Resignations/Retirements

1. Appointment of John Conway as a Member of the MBTA Advisory Board.

MOTION was made by Mr. Toole to appoint John Conway as a Member of the MBTA Advisory Board. Seconded by Ms. Deley. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Ms. Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

2. Appointment of a Designee Member of the MBTA Advisory Board.

MOTION was made by Mr. Toole to appoint Renee Deley as a Designee Member of the MBTA Advisory Board. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

3. Appointment of Megan Harrop as the Full-Time Conservation Administrative Secretary to the Conservation Department.

MOTION was made by Mr. Toole to appoint Megan Harrop as the Full-Time Conservation Administrative Secretary to the Conservation Department. Seconded by Ms. Deley. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

4. Appointment of Rebecca Murphy as an Alternate Member to the Economic Development Commission.

MOTION was made by Mr. Toole to appoint Rebecca Murphy as an Alternate Member to the Economic Development Commission. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

5. Resignation of Jennifer Carlino as the Conservation Director to the Conservation Department.

6. Resignation of Donna Palmer as the Public Health Nurse to the Board of Health.

IV. Licenses and Permits

1. Vote to Approve the One-Day Beer and Wine Liquor License to Michelle Medeiros for a Private Event at the Everett Leonard Park from 12:00 P.M. to 3:00 P.M on Saturday, August 21, 2021.

MOTION was made by Mr. Toole to approve the One-Day Beer and Wine Liquor License to Michelle Medeiros for a private event at the Everett Leonard Park from 12:00 P.M. to 3:00 P.M on Saturday, August 21, 2021 subject to COVID restrictions. Seconded by Ms. Deley. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

2. Vote to Approve the One-Day Beer and Wine Liquor License to Dawn Rouillard for a Private Event at the Everett Leonard Park from 11:30 A.M. to 7:00 P.M on Sunday, August 22, 2021.

MOTION was made by Mr. Toole to approve the One-Day Beer and Wine Liquor License to Dawn Rouillard for a private event at the Everett Leonard Park from 11:30 A.M. to 7:00 P.M on Sunday, August 22, 2021 subject to COVID restrictions. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

3. Vote to Approve the One-Day Beer and Wine Liquor License to Stephanie Adjei for a Private Event at the Everett Leonard Park from 1:00 P.M. to 5:00 P.M on Sunday, September 12, 2021.

MOTION was made by Mr. Toole to approve the One-Day Beer and Wine Liquor License to Stephanie Adjei for a private event at the Everett Leonard Park from 1:00 P.M. to 5:00 P.M on Sunday, September 12, 2021 subject to COVID restrictions. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

4. Vote to Approve the Special Events Parking Permit Application of Larry W. Enos to be Utilized at 254 Mansfield Avenue from 7/13/21 to 10/15/21.

Ms. Deley suggested having the cars be off the premises a certain amount of time after the concert.

Mr. Nicholas Iafrate, the Building Commissioner, stated that he and Deputy Fire Chief Jason Robbins did a visit to the property and the owner is currently in the process of restriping the parking in the back. Mr. Iafrate advised that the parking plan provided meets the requirements as outlined in the guidelines and instructions.

Mr. Conway said he liked Ms. Deley’s idea about the “twilight hours.”

The Board discussed concerns around possible consumption of alcohol on the property.

MOTION was made by Mr. Toole to approve the Special Events Parking Permit application for 55 parking spaces as proposed. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

Ms. Deley asked to have the number of parking spaces proposed listed on the application so it is all on one page. Mr. Conway asked for follow-up on the concerns raised regarding the consumption of alcohol on the property.

V. **Announcements**

There were no announcements to discuss.

VI. **Business**

A. **New Business**

1. Discussion on Ambulance Billing Write-Offs with Captain Michael Wilson.

Captain Michael Wilson explained that after Ms. Judy McCarron left, they found a lot of bills that were uncollected. He explained that they can't collect everything that is out there because after six years collections aren't allowed to go to people for the overdue bills. Captain Wilson stated that the Town Accountant, Mr. James Puello, asked what the Fire Department does with the outstanding balance. Captain Wilson advised that a lot of the assigned dates, say for example 2017, it was actually sent out two years before, so they can't collect for it because it is after six years. Captain Wilson stated that the Fire Department is asking the Select Board to approve the write-offs for collections past six years for bookkeeping purposes.

Mr. Toole asked if there was any economic benefit for a municipality in doing so. Mr. Yunits said financially it doesn't and it is just for auditing purposes, so the auditors don't see these numbers hanging year after year. Captain Wilson advised that the amount outstanding is \$125,393.79. Captain Wilson stated that he had asked Mr. Puello if they should do this every year and Mr. Puello suggested every other year. Ms. Deley asked how long this amount spans and Captain Wilson said approximately three years. Ms. Deley asked if there are processes in place to get this collected. Captain Wilson clarified that it is not legal to collect after six years and pointed out that the debt-collection service suggested doing this every year, but again, Mr. Puello said every other year would be sufficient. Ms. Deley said when they can't get the monies for this if there are liens applied. Mr. Yunits asked Captain Wilson if it affects their credit rating, which Captain Wilson confirmed it does.

MOTION was made by Mr. Toole to authorize the write-off of outstanding/past-due ambulance billing write-offs in the amount of \$125,393.79. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

2. Discussion on 0 King Philip Road, Assessors' Map 19, Lots 165 and 166.

Attorney Louise Ladebauche Glass explained that she represents Mr. Michael Walczak, who was also present. Attorney Henry Sousa, counsel for the proposed buyer of the property, and Attorney Amy Megliola of Siddall & Siddall (tax title attorney working with the Treasurer/Tax Collector on this matter), were all present.

Attorney Megliola stated that she heard a bit of the introduction of this matter. She said that the property is approximately 10,000 square feet and is currently owned by the Town. A tax delinquency occurred back in 1970 and basically there are two methods to cure this: due process method through the Land Court or the administrative process. She stated that the second option has to have the property come in under value and is a simple and straightforward process application for land of low value, the affidavit is sent back saying it is of low value, the affidavit gets recorded, and they get the municipality to write-off the property. Attorney Megliola advised that the taking of the property was for owing taxes in the amount of \$20.00. She explained that the issue with this property is it was taken again many years later and redeemed after a payment was made to the Town. Further after that in more recent years, the family of the original owner who passed in 1974 continued to pay the taxes for years and there are no delinquencies. The property went into tax taking and tax proceedings; in result, the property went to auction where there were no bidders, so the property went back to the Town. Attorney Megliola advised that they consulted with the Town and the Town's records were reviewed, which showed no delinquencies and currently has a \$0.00 balance. She expressed that the involved parties are hoping for the Select Board's assent

and approval and agree that the property should be deeded back to original ownership and have this on for a future town meeting to be approved.

Attorney Sousa said that as someone who did a 50+ year title exam and has been doing this for 40 years, this was a simple oversight. He believed the property was in fact redeemed and someone forgot to record the Certificate of Redemption that resulted ultimately in the Treasurer's deed to the Town. Attorney Megliola clarified that this was not the current Treasurer/Tax Collector, Ms. Catherine VanDyne's, error.

Mr. Toole asked if Mr. Yunits would agree with Ms. VanDyne's recommendation. Mr. Yunits said he would, which was to add an article on the next town meeting and deed it back to the original property owner. Mr. Toole asked if anyone is aggrieved by this, and the Town Manager answered no, especially where the taxes have been paid over the years.

Attorney Glass mentioned that one of the points she made in her letter she sent to the Town was if this doesn't get agreed to, then the family will expect all their tax payments back (with interest). She explained that by moving forward as recommended, then it is a win-win. Mr. Toole asked if abutters would need to be notified. Attorney Glass said both abutters have been notified and one of the abutters is the proposed buyer.

Ms. Deley commented that the Economic Development Commission met with Ms. VanDyne about the town-owned property and the possibility of auctioning them off for economic growth. She stated that to support the point, there are things dated back many years before Ms. VanDyne and it has been difficult going through it and expressed appreciation for Ms. VanDyne's efforts. Ms. Deley stated that she supports the recommendation. Ms. Deley made the point to say that this situation isn't an isolated circumstance.

Mr. Conway noted that the next town meeting is October 25, 2021.

MOTION was made by Mr. Toole that 0 King Philip Road, Assessors be added to the Fall Town Meeting to transfer the property from the Town back to the owner's successors. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

3. Discussion on Norton Cares Fund.

The Town Manager explained that after the Spring Town Meeting when the debt-exclusion was approved, he and Mr. Conway were approached by the Director for the Council on Aging to try and get publicity and ideas for fundraising for the Norton Cares Fund.

Mr. Yunits stated that the idea behind the fund is for the health and welfare for the residents as determined by Town Manager, Council on Aging Director, and the Veterans' Agent. He explained that these funds will be used in instances where a hole needs to be filled. Mr. Yunits advised that there is currently only about \$2,000 left in the funds and they want to try and raise funds for those in need.

Mr. Conway asked if all disbursements are completely private, which Mr. Yunits confirmed they were confidential. Mr. Toole asked how they increase this account. Mr. Yunits responded that they need donations and need to get the word out to residents. Mr. Yunits said they

proposed to the Treasurer/Tax Collector to have a notice go out with the tax bills to donate to the Norton Cares Fund. Mr. Toole proposed a round-up option (rounding up your bill to the nearest whole dollar).

Mr. Conway clarified that the Norton Cares Fund is completely separate and unrelated to the Norton Cares Act. Mr. Toole asked if CARES Act money can be used to advertise the program because it is for those who have been impacted by COVID-19. Mr. Yunits replied that he would look into that. The Town Manager explained that ideally for a fund like this, you want to build it up so you spend the interest every year and the fund keeps building and that is the dream for the future.

Mr. Conway asked if there was any way to perhaps transfer anything from the Hicks Fund in a certain amount to the Norton Cares Fund. Mr. Yunits said he was unsure. Mr. Conway said it is something the Select Board should look into. Mr. Toole asked if there would be any benefit to setting this up as a non-profit and Mr. Yunits said he would have to check with the Treasurer. Ms. Artz said she wants to get involved in this. She proposed having a General Fund for the Town of Norton.

Ms. Deley asked if this would be a “public local charity” and Mr. Yunits said that is what they were talking about as far as a municipality. Ms. Deley pointed out that in the Host Community Agreements (HCAs) for marijuana, one of the clauses is an annual non-profit charitable contribution; whatever amount they are interested in donating to the Town can be determined by the Town. Ms. Deley said one way they can help with this as is to mention the Norton Cares Fund as they are negotiating HCAs.

4. Discussion and/or Vote to Approve and Sign the Warrant for the August 9, 2021 Special Town Meeting.

Mr. Yunits explained that the Special Town Meeting Warrant has three articles. Article 1 is for a prior year bill that the Building Commissioner just recently found from May 2020. He advised that this is for fencing that was put up on South Worcester Street after the fire in the amount of \$1,114.25. The Town Manager informed the Board that the Finance Committee voted to recommend the article unanimously.

MOTION was made by Mr. Toole to support Article 1: Prior Year Bills as described. Seconded by Ms. Deley. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

Article 2 - TIF: Yale Appliance, Inc.

Mr. Yunits explained that this article was also recommended by the Finance Committee, and voted as follows: 8 – Yes; 2 - Abstentions (because those members said they spent too much money in the store).

MOTION was made by Mr. Toole to support Article 2 on the Special Town Meeting Warrant (Yale Appliance TIF). Seconded by Ms. Deley. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

Article 3: Fundamental Speed Law – MGL Chapter 9, Sections 17

Mr. Yunits advised that the Finance Committee voted to support Article 3 with 7-Yes; 1-Abstention; 2-No. He informed the Board that the main discussion was if this is approved at Town Meeting, does this make the speed limit 25 miles per hours (mph) in thickly settled or business districts that is not a state highway. The Town Manager stated that this is not the case and by this article passing, it just allows the Select Board to lower speed limits to 25 mph and the Select Board can either vote to make it town-wide (if the street is in a thickly settled or business district and not a state highway) or certain streets. Mr. Yunits stated that “thickly settled or business district” is defined in MGL c. 90, §17C as, “the territory contiguous to any way which is built up with structures devoted to business, or the territory contiguous to any way where dwelling houses are situated t such distances as ill average less than two hundred feet between them for a distance of a quarter of a mile or over.”

Mr. Toole asked if Chief Clark and the traffic control officer is ok with this. Chief Clark said if the Select Board approves this, this should be an article for town meeting to go forward and would just be a tool for the Town to move forward. He stated that the only thing he would add would be to not make it town-wide and just a case-by-case basis. Ms. Deley agreed that this shouldn't be a blanket speed limit and that they should not implement this town-wide. Ms. Deley emphasized that this isn't something the Select Board would do without guidance from Chief Clark and others.

MOTION was made by Mr. Toole to support Article 3: Fundamental Speed Law– MGL, Chapter 90, Sections 17-18 as presented. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

MOTION was made by Mr. Toole to support the warrant and authorize members to sign so it can be posted by the Constable. Seconded by Ms. Deley. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

5. Discussion and/or Vote to Declare the Norton Police Department's 2007 On Site 400 Radar Trailer (VIN: 1B9BR10147H659070) as Surplus.

MOTION was made by Mr. Toole to declare the Norton Police Department's 2007 On Site 400 Radar Trailer (VIN: 1B9BR10147H659070) as Surplus. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

B. Old Business

There was no old business to discuss.

C. Town Manager's Report

1. Update on 237 Mansfield Avenue.

Mr. Yunits informed the Select Board that he will be meeting at the property tomorrow at 12:00 P.M. to discuss some of the issues with Mr. Dave Lennon of Norton Kayak. Mr. Yunits said it is hard because the Highway Department went down there to help with clearing and

cutting, but then they received an e-mail from Mr. Lennon saying they did too much clearing and cutting.

Mr. Conway explained that Mr. Lennon leases access to the property through the Town and some of the upkeep on the property is less than his expectations and is looking for the Town to resolve that. Mr. Conway advised he would be joining Mr. Yunits at the property tomorrow for the meeting.

Mr. Conway asked about the tenant at 237 Mansfield Avenue and if there is a lease. Mr. Yunits said there was a lease, but now he is a tenant-at-will because of the boat ramp going in by Fish and Game. Mr. Toole asked if it would be beneficial to send a letter giving the tenant a date to vacate the property in order for the Town to prepare for Fish and Game to come in. Mr. Yunits said that he would contact Fish and Game to get an update first.

Ms. Deley asked who is responsible for maintaining the property. Mr. Yunits answered that the general maintenance like lawn mowing would be the tenant, but something like a roof would be the Town. The Town Manager pointed out that the tenant pays the utilities. Ms. Deley said this comes up every year and she is interested to see what Mr. Yunits comes back with for an update for the Board's next meeting. Ms. Deley emphasized that they need to either work towards a lease agreement or a letter saying to have the tenant out by a certain date, but ultimately the Town owns most of the responsibilities. Mr. Conway asked for a copy of the last lease that has expired to get an idea of what is expected of the tenant, which Mr. Yunits said he would get for them.

2. Update on Traffic Lights.

Mr. Yunits informed the Board that the lights are working on the overpass. He mentioned to the Board that he was at the red light and it took a while to the point where people just started turning. The Highway Superintendent, Mr. Keith Silver, contacted the contractor for the lights and he said it was a 3 minute light, so he adjusted and now it is working properly.

Mr. Conway asked if they know when the North and South Washington Streets lights will be done and Mr. Yunits said probably a couple of years.

3. Update on New Town Hall and Senior/Community Support Center.

Mr. Yunits mentioned that they had the Owner Project Manager pre-bid meeting today and had 12 companies show up.

Mr. Conway clarified that the Town closed on 78 East Main Street and are tracking down the sellers for 116-120 Mansfield Avenue to finish the closing for that property, which Mr. Yunits confirmed.

VII. Select Board's Report and Mail

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

VIII. **Meeting Minutes**

Before the motion, Mr. Conway clarified that any executive session minutes where the matters are still pending are not to be posted.

MOTION was made by Mr. Toole to approve the following Minutes: April 15, 2021 (Executive Session); May 13, 2021 (Executive Session); May 27, 2021 (Executive Session); June 10, 2021 (Open Session); June 24, 2021 (Open Session), June 24, 2021 (Executive Session); June 30, 2021 (Open Session); June 30, 2021 (Executive Session); July 8, 2021 (Open Session); and July 8, 2021 (Executive Session). Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Abstain; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

IX. **Warrants**

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

- A. Payroll Warrant PR21-28 Warrant dated June 30, 2021, in the amount of \$148,027.56.
- B. Payroll Warrant PR22-02 for the week ended July 10, 2021, Warrant dated July 15, 2021, in the amount of \$624,983.17.
- C. Invoice Warrant AP22-03 dated July 15, 2021, in the amount of \$810,571.94.
- D. Invoice Warrant AP22-04 dated July 22, 2021, in the amount of \$4,976,825.85.

Mr. Conway mentioned that Invoice Warrant AP22-04 was so high due to a payment to Bristol County Retirement in the amount of \$3.9 million.

X. **Other Business**

There was no other business to discuss.

XI. **Next Meeting's Agenda** – August 5, 2021.

XII. **Executive Session.**

There was no executive session.

XIII. **Adjournment.**

MOTION was made by Mr. Toole to adjourn at 8:40 P.M. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deley – Yes; Mr. Toole – Yes; and Mr. Conway – Yes. MOTION CARRIES.

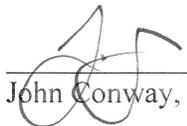
URL Link: <https://www.youtube.com/watch?v=01neiwqBxZM>

Respectfully Submitted by:

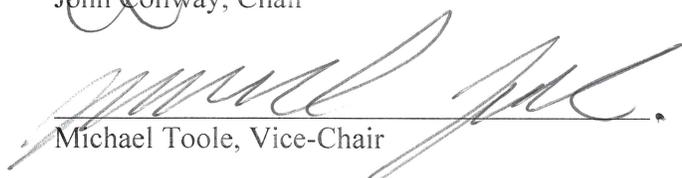


Jennifer Reid, Office Administrator

**SELECT BOARD
MINUTES OF MEETING
JULY 22, 2021**



John Conway, Chair

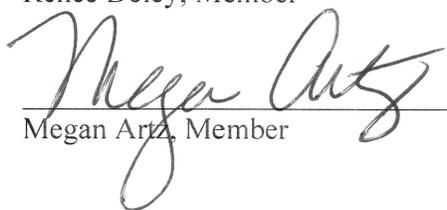


Michael Toole, Vice-Chair



Christine Deveau, Clerk

Renee Deley, Member



Megan Artz, Member

Minutes Approved by Board on: October 14, 2021