



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

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Select Board
Meeting Minutes
August 5, 2021

I. Call to Order by Chair

The August 5, 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 7:02 P.M., by Mr. Michael Toole, Vice-Chair. Member(s) present: Ms. Christine Deveau and Ms. Renee Deley, both via Zoom, and Ms. Megan Artz. Also in attendance: Mr. Michael D. Yunits, Town Manager.

II. Public Comment

There were no public comments made at this time.

III. Appointments/Resignations/Retirements

1. Appointment of Town Tax Collector-Treasurer.

MOTION was made Ms. Artz to accept the appointment Jacqueline Boudreau as the Town Tax Collector-Treasurer. Seconded by Ms. Deveau. Vote: Ms. Artz – Yes; Ms. Deveau – Yes; Ms. Deley – Yes; and Mr. Toole – Yes. MOTION CARRIES.

IV. Licenses and Permits

MOTION was made by Ms. Deveau to approve:

- 1. One-Day All Alcohol Liquor License to Daniel P. DeFeo for a Private Event at the Everett Leonard Park from 3:30 P.M. to 6:30 P.M on Saturday, August 14, 2021.**
- 2. One-Day Beer and Wine Liquor License to Fatima A. Watt for a Private Event at the Everett Leonard Park from 12:00 P.M. to 7:00 P.M on Saturday, August 7, 2021.**
- 3. One-Day All Alcohol Liquor License to Faith M. Reynolds for a Private Event at the Everett Leonard Park from 1:00 P.M. to 6:00 P.M on Sunday, August 29, 2021.**
- 4. One-Day All Alcohol Liquor License to Chad Dubuc for a Private Event at the Everett Leonard Park from 12:00 P.M. to 6:00 P.M on Saturday, September 25, 2021.**
- 5. One-Day All Alcohol Liquor License to Cheryl Rose for a Private Event at the Everett Leonard Park from 12:00 P.M. to 7:00 P.M on Saturday, August 28, 2021.**

Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deveau – Yes; Ms. Deley – Yes; and Mr. Toole – Yes. MOTION CARRIES.

6. Vote to Approve the Special Events Application for the 30th Annual Rodman Ride for Kids for the 2021 Cycling Fundraiser to be held on Saturday, September 25, 2021 from 8:00 A.M. to 3:00 P.M.

Ms. Artz explained that they allow for a lot of charities to participate and it is their signature fundraising event.

MOTION was made by Ms. Deveau to approve the Special Events Application for the 30th Annual Rodman Ride for Kids for the 2021 Cycling Fundraiser to be held on Saturday, September 25, 2021 from 8:00 A.M. to 3:00 P.M. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deveau – Yes; Ms. Deley – Yes; and Mr. Toole – Yes. MOTION CARRIES.

V. Announcements

1. Reminder: Special Town Meeting on Monday, August 9th at 7:00 P.M. in the Norton High School auditorium.

2. 2021 Concerts in the Park Series at Everett Leonard Park, 6 Parker Street, Norton.

From 6:30 P.M. - 8:30 P.M: August 6th, Old Exit 11; August 13th, Crossroads

VI. Business

A. New Business

1. 7:15 P.M. – Public Hearing on the application of Speedway of Massachusetts LLC d/b/a Speedway 2411, Manager: Selene Nicole Taveras, for a Change of Ownership Interest to the Retail Package Goods Store License to Expose, Keep for Sale, and to Sell Wines and Malt Beverages Not To Be Drunk On The Premises, at 125 West Main Street, Norton, MA 02766.

Attorney Andrew Upton, counsel for Speedway, advised that the 7-Eleven Inc. acquisition of the Speedway convenience stores occurred, where it purchased approximately 4,000 stores [including four in Massachusetts). He assured the Board that the day-to-day business operations would remain the same, including the manager, and that it was simply just a change in the ownership interest of the company.

MOTION was made by Ms. Artz to close the 7:15 P.M. public hearing for Speedway. Seconded by Ms. Deveau. Vote: Ms. Artz – Yes; Ms. Deveau – Yes; Ms. Deley – Yes; and Mr. Toole – Yes. MOTION CARRIES.

MOTION was made by Ms. Artz to approve the Change of Ownership Interest application for Speedway 2411. Seconded by Ms. Deveau. Vote: Ms. Artz – Yes; Ms. Deveau – Yes; Ms. Deley – Yes; and Mr. Toole – Yes. MOTION CARRIES.

2. Presentation and Discussion from/with Lucky Green Ladies.

Ms. Alissa Nowak, CEO of Lucky Green Ladies, explained that the company has applied for a delivery operator license. She advised that they are a small, locally-owned, social-equity participant. Ms. Nowak informed the Board that she has been involved with the Town for approximately a year and a half. She explained that a delivery operator is able to buy products directly from suppliers.

Ms. Nowak added that Lucky Green Ladies' precertification application has already been submitted and approved for delivery courier license by the Cannabis Control Commission (CCC) as of December 7, 2020. She further stated that the company submitted its precertification for a delivery operator license in May and was just recently approved.

The proposed location for Lucky Green Ladies is 394 Old Colony Road, Unit B. Ms. Nowak emphasized that their unit will be tucked in the back, which she described as perfect for their type of license because they won't be having any customers purchasing anything at the location. She informed the Select Board that they have signed a five-year lease with two five-year renewal options, which started May 1, 2021. She reported that active deliveries will be done from 8:00 A.M. – 9:00 P.M. and employees will be at the facility 6:30 A.M. – 10:00 P.M. seven days a week including three order processors, three order packers, nine delivery teams, three managers, a bookkeeper, an office manager, and a social media manager. She pointed out that with child proof packaging, this will also retain the odor of the marijuana and will eliminate that concern.

Benefits to Norton were outlined as follows:

- Annual Revenue: \$12-\$15 million (high); \$6-\$7 million; and \$3-\$4 million (low)
- 3% Local Tax: \$360-\$450k (high); \$180-\$210k (medium); and \$90-\$120k (low)
- 50% of staff Norton residents:
 - Living wage (start at \$16/hour and after a year increases to \$18/hour)
 - Preference for full-time staff
 - Full benefits

Ms. Deveau mentioned the hours proposed and asked if there would be a second shift. Ms. Nowak answered that it depends on the demand and if there is enough, they will add the second shift.

Ms. Deley clarified that they can only deliver to people who purchase and live in Massachusetts. Ms. Nowak stated this was correct and mentioned that they got some clarity from the CCC where she thought the ID address had to match the address they would be delivering to, but it doesn't. For example, you could be renting an Air B&B (or visiting friends) and still receive a delivery; however, this does not apply to hotels. So, your home address and delivery address don't necessarily have to be in the same state. Counsel for Lucky Green Ladies also pointed out that deliveries cannot be made to colleges (dorms or apartments).

Mr. Toole asked what the target date is of opening. Ms. Nowak said they initially hoped for December, but since they are still negotiating the Host Community Agreement (HCA), it will probably be April of 2022. Mr. Toole asked how many cars would be registered in Norton and Ms. Nowak replied that there will be 8 to 10 vehicles. Mr. Toole asked if a retail license became available if they would apply for this and would they be together or independent. Ms. Nowak stated that they would be separate/independent if that were to happen. Mr. Toole asked if there would be an application, which she confirmed there would.

Mr. Toole asked Ms. Deley if they would have the HCA ahead of the meeting and Ms. Deley said she hoped to have it out mid-next week so the Board has a week and a half to review it. Mr. Toole asked Ms. Deley if it has been written down anywhere the processes for the marijuana HCA so that it lives on. Ms. Deley advised that it hasn't, but a timeline separating out respective responsibilities has.

3. Review and/or Vote to Approve the Delivery License Host Community Agreement for Lucky Green Ladies.

The Board agreed to discuss this topic at their next meeting.

4. Discussion on 185 North Washington Street Regarding Noise Complaints.

Mr. Toole explained that this is the farm where New England Rodeo operates.

Mr. Yunits explained that he heard from Mr. Toole about the noise complaints. The Town Manager reported that he contacted the Police Chief, the Board of Health Agent, and the Building Commissioner. The Police Department advised that they did get a call around 11:30 P.M. of a noise complaint, an officer was assigned at 11:31 P.M. and was down at the site of 11:41 P.M. Mr. Yunits advised that he spoke to Ms. Kelly Pina of New England Rodeo, who explained that this was a unique situation on Friday where there was a wedding and a Brazilian rodeo. Mr. Yunits reported that New England Rodeo assured him that from now on, music will be from 5:00 P.M. to 7:00 P.M. on those nights and none after that. Mr. Yunits said he had a call from the owner and he will be speaking to him more tomorrow.

Ms. Pina explained that this was a special occasion and for any future rodeos, the music will be from 5:00 P.M. to 7:00 P.M. from this point forward. She apologized on behalf of New England Rodeo for the noise. Ms. Deveau thanked Ms. Pina for addressing this and for being respectful with the changes they made.

B. Old Business

There was no old business to discuss.

C. Town Manager's Report

1. Update on 237 Mansfield Avenue.

Mr. Yunits said he spoke with the State, Brett Sherry from the Department of Fish & Game. He explained that they will do the parking design in September and as soon as they have the preliminary design, they will submit it to the Town to look over. Mr. Yunits thanked the

Highway Department for going out there to cut down dead trees, spread mulch, move piles of wood the State had left there from cutting down a tree, and the work they did in the parking area.

Mr. Toole clarified that residents/people can access the water from this area. Mr. Yunits replied that this was correct and emphasized that this location is great for car-top access to get into the water.

2. Update on Department of House and Community Development Chapter 40B Subsidized Housing Inventory.

Mr. Yunits reported that with the approval of the 40B projects on Mansfield Avenue (195 and 253), Norton is now at 11.27% (putting over 10%). So, when it comes to 40Bs, unless it is a friendly 40B, the Town has no obligation to approve 40Bs anymore.

Ms. Deley asked for updates on the two projects. Mr. Yunits said for 195 Mansfield Avenue, they are applying to the State for street opening permits, but he was unsure of the status of 253 Mansfield Avenue.

3. FY21 Revenue Update.

The Town Manager informed the Board that the Town is \$1.2 million above what was budgeted for this year. Mr. Yunits pointed out that if you look at the previous year, the Town came in \$760,000 less last year than the previous year (mainly because of COVID-19) and auto excise and \$240,000 less for licenses and permits. Mr. Toole asked if the decrease in permits was because of Blue Star Business Park, and Mr. Yunits said probably (even though they pulled two permits, they weren't as large of buildings as the others). Mr. Yunits added that the first month this fiscal year was higher than last year.

4. Update on Federal

Mr. Yunits thanked Congressman Auchincloss for the work he has done. He explained that the Town is in a good state for federal funding in the amount of \$1,475,000 for the well replacements. Mr. Yunits reported that Congressman Auchincloss explained that usually when you get as far as the Town is, then it means it is almost a sure thing.

Ms. Artz asked how long this project will take. Mr. Toole said there is a registration for each well process and it is 90-120 days for certification, so it is probably a couple of months from the completion of the wells.

5. Request for Services for Owner Project Manager (OPM) for the Senior/Community Support Center.

Mr. Yunits informed the Board that the Town received 11 packages back for the bid for the OPM.

VII. Select Board's Report and Mail

1. COVID-19 Update.

Ms. Deley said she had asked for an update earlier relating to COVID-19 and the mask mandate. Ms. Deley referred to the letter from the Board of Health that stated that the percentage of positivity rates are going up as of July 29, 2021 and based upon this increase and guidance from the Centers for Disease Control (CDC) and the Mass Department of Public Health, people are to wear masks indoors regardless of vaccination status. Mr. Toole asked to have the Board of Health prepare an update for the Select Board at their next meeting.

MOTION was made by Ms. Deley that the Select Board support the recommendation from the Norton Board of Health to require masks be worn by all employees and all patrons when inside all the municipally-owned buildings until further notice, this is regardless of vaccination status. Seconded by Ms. Deveau. Vote: Ms. Artz – Yes; Ms. Deveau – Yes; Ms. Deley – Yes; and Mr. Toole – No. MOTION CARRIES.

MOTION was made by Ms. Deley that the Select Board approve to require masks be worn by all individuals when inside public buildings town-wide until further notice regardless of vaccination status, contingent upon the Board of Health guidance. Seconded by Ms. Deveau. Vote: Artz – No; Deveau – Yes; Deley – Yes; and Toole – No. MOTION FAILS.

Ms. Deley stated that the Delta variant spreads and goes through the area faster. She clarified that this recommendation is based on the CDC, Board of Health Office, and the county.

Mr. Toole wondered how this affects the schools. Ms. Artz stated that it is dependent upon the School Committee.

Ms. Artz expressed her opinion that everyone that went and did what they thought was the right thing by getting vaccinated, shouldn't be paying for those who won't get vaccinated (if you are not, vaccinated wear a mask).

Ms. Deveau clarified that their votes are contingent upon and just saying they are supporting the Board of Health's recommendation. Ms. Deveau read the Board of Health's letter into the record (see attached).

The Board agreed to get more information from the Board of Health Agent and take this topic up at their next meeting. Mr. Yunits advised that the mask mandate will be posted to the Town website to make people aware.

VIII. Meeting Minutes

MOTION was made by Ms. Deveau to approve the January 21, 2021 minutes. Seconded by Ms. Artz. Vote: Ms. Artz – Yes; Ms. Deveau – Yes; Ms. Deley – Yes; and Mr. Toole – Yes. MOTION CARRIES.

The Board agreed to vote on the July 22, 2021 minutes at their next meeting.

IX. **Warrants**

Report of Vice-Chair, Michael Toole, on the following Payroll and Invoice Warrants:

- A. Payroll Warrant PR22-03 for the week ended July 24, 2021, Warrant dated July 29, 2021, in the amount of \$788,165.56.
- B. Invoice Warrant AP22-05 dated July 29, 2021, in the amount of \$524,271.77.
- C. Invoice Warrant AP22-06 dated August 5, 2021, in the amount of \$1,010,643.80.

X. **Other Business**

There was no other business to discuss.

XI. **Next Meeting's Agenda** – August 19, 2021.

XII. **Executive Session.**

There was no executive session.

XIII. **Adjournment.**

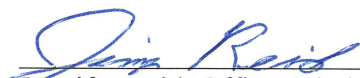
MOTION was made by Ms. Artz to adjourn at 8:48 P.M. Seconded by Ms. Deveau.

Vote: Ms. Artz – Yes; Ms. Deveau – Yes; Ms. Deley – Yes; and Mr. Toole – Yes.

MOTION CARRIES.

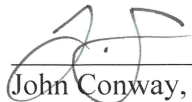
URL Link: <https://www.youtube.com/watch?v=R5VrAbyZ6hs>

Respectfully Submitted by:

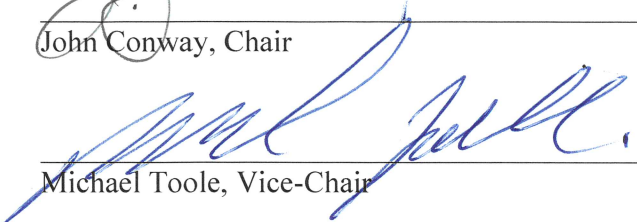


Jennifer Reid, Office Administrator

**SELECT BOARD
MINUTES OF MEETING
AUGUST 5, 2021**



John Conway, Chair




Michael Toole, Vice-Chair



Christine Deveau, Clerk

Renee Deley, Member



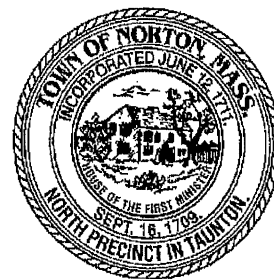
Megan Artz, Member

Minutes Approved by Board on: November 4, 2021

*Robert B. Medeiros Sr., Chairman
William C. Hebard, Vice-Chairman
Diane Battistello, Clerk
Christian A Zahner IV, Health Agent
Phyllis Drayton, Assistant Health Agent*

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TOWN OF NORTON
Commonwealth of Massachusetts
Board of Health
70 East Main Street Norton, MA 02766



August 5, 2021

Mr. Yunits and members of the Select Board,

RE: COVID-19 update and mask mandate

Unfortunately, I have been unable to access our Maven account since 8-3-2021. I have been working closely with Maven staff to resolve this issue. Meanwhile, all of our Covid related cases are going directly to the CTC for case investigation/Contact Tracing.

Based upon the numbers that I am able to access and the information that is posted both on the CDC site as well as the Massachusetts DPH site, our numbers are certainly getting higher.

- As of 7/29 Norton's 14 day *percent positivity was 2.53%
- As of 8/5 Norton's 14 day *percent positivity is 3.84%

*Percent Positivity is calculated by dividing the number of positive molecular tests by the total number of tests during the time period.

Based upon the increase in cases and taking into consideration the guidance from both the CDC and the Mass DPH, it is the feeling of the Board of Health and its Agent that All Municipally Owned Buildings should require masks be worn by All employees and All patrons when inside the buildings until further notice. This is regardless of Vaccination Status. Norton Board of Health would like to strongly advise that all of the public when entering a public place, please wear a mask regardless of your vaccination status to help stop the spread of Covid-19 and protect those around you. Also, continue to socially distance the best you can, wash or sanitize your hands frequently, and wear a mask that covers your Nose and Mouth

If at anytime you or someone you know is experiencing any symptoms of Covid-19(regardless of vaccination status) please isolate yourself, get tested asap, and contact your primary care provider.

Christian Zahner

Health Agent