



TOWN OF NORTON
SELECT BOARD
MUNICIPAL CENTER
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NORTON, MA 02766

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Select Board
Meeting Minutes
October 14, 2021

I. Call to Order by Chair

The October 14, 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. John Conway, Chair. Member(s) present: Ms. Christine Deveau (remotely) and Ms. Renee Deley (remotely). 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 Nicholas Iafrate as the Town's ADA Coordinator to the Commission on Disability.

MOTION was made by Ms. Deveau to appoint Nicholas Iafrate to the Commission on Disability as the Town's ADA Coordinator. Seconded by Ms. Deley. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

IV. Licenses and Permits

1. Vote to Approve the Parade/Motorcade Permit Application Submitted by Amber Sadlier for the Ragnar Relay New England to be Held on Saturday, October 23, 2021 from 9:00 P.M. to 5:00 A.M.

Ms. Amber Sadlier of Ragnar Relay New England gave a brief overview of the event.

MOTION was made by Ms. Deveau to approve the Parade/Motorcade permit submitted by Amber Sadlier for the Ragnar Relay New England to be held on Saturday, October 23, 2021 from 9:00 P.M. to 5:00 A.M. Seconded by Ms. Deley. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

V. Announcements

1. 2021 Haunted Hayride and Haunted House.

The Halloween Spooktacular will be held on Friday, October 22nd and Saturday, October 23rd from 5:00 P.M. to 10:00 P.M. at the Norton VFW. There will be a haunted hayride for \$10

and a haunted house for \$5. There will be candy, popcorn, games, ice cream, hamburgers, and fries. They ask that those who plan to attend to park at the Henri A. Yelle Elementary School and shuttle buses will be provided.

2. On Saturday, October 16th the Norton Historical Society will be holding their Fall Flea Market from 8:00 A.M. to 2:00 P.M. in the backyard of the schoolhouse at 18 West Main Street, Norton, MA.

3. Halloween Festival.

After the Halloween Parade on October 31st there will be a Halloween Festival held from 4:00 P.M. to 6:00 P.M. by the Grace Church. There will be floats from the parade and a trunk-or-treat going throughout.

4. Trunk or Treat.

The Residence at Great Woods will also be holding a trunk-or-treat event on Thursday, October 28th from 6:00 P.M. to 7:00 P.M. at 190 Mansfield Avenue, Norton, MA. Prizes will be awarded for the best trunk decorations. You must RSVP by Monday, October 25th by calling 508-285-3355

5. The Desfosses/Petersen Annual Food Drive.

The Desfosses/Petersen Annual Food Drive will be held on October 30th from 11:00 A.M. to 2:00 P.M. at 70 East Main Street, Norton, MA. It is a drive-through service and the donations go to support the Cupboard of Kindness. The needs include pasta sauce, cereal, proteins (tuna, peanut butter, canned ham), canned fruit, 100% juice (boxes or non-refrigerated bottles), granola bars, soups, baking items, dry potatoes, coffee, hot chocolate, tea, personal care items, paper products, and fresh produce from your garden, which can be brought to the pantry on the night of distribution.

6. Chief Clark announced that next Saturday, October 23rd from 10:00 A.M. to 2:00 P.M. you can drop off unused or expired prescription medications. He clarified that they do not take epipens.

7. Mr. Conway acknowledged the passing of long-time member of the Council on Aging, Natalie Lima, and expressed the Board's condolences.

VI. **Business**

A. **New Business**

1. Wheaton College President Dennis Hanno College Update.

Mr. Hanno mentioned the low COVID-19 positivity rate. He continued that because of COVID-19, last year the campus was only at 2/3 capacity, but now they are back to full capacity and thanked the Town for helping them get through this. Mr. Hanno informed the Board that Wheaton College employs more than 500 people, most of which live within 30 minutes of Norton, and some even live in town. He added that Wheaton spends more than \$2

million a year on goods and services. Mr. Hanno pointed out to the Board that every student at Wheaton has to do an internship and Wheaton helps pay for those internships. He further stated that Wheaton College is one of the top 50 liberal arts institutions in the country and they have grown. He explained that many colleges have experienced enrollment struggles, but Wheaton is even bigger than when he got there in 2014. He also wanted to take the time to say goodbye because he is retiring on December 31st. Mr. Hanno thanked everyone in town.

2. 7:15 P.M. - Public hearing on the application of Cumberland Farms, Inc. for a license for underground storage of fuel as required per Massachusetts Fire Code (527 CMR, 1.00 as amended) for fuel storage greater than 10,000 gallons, at the property located at 60 West Main Street.

MOTION was made by Ms. Deveau to open the public hearing at 7:28 P.M. Seconded by Ms. Deley. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

MOTION was made by Ms. Deveau at 7:29 P.M. to continue the public hearing until 8:00 P.M. Seconded by Ms. Deley. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

MOTION was made by Ms. Deley to reopen the continued hearing on the application of Cumberland Farm, Inc. for a license for underground storage of fuel at 8:00 P.M. Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

Attorney Thomas Reidy, counsel for Cumberland Farms, informed the Board that this is the last set of approvals Cumberland Farms will need. He advised that Cumberland Farms already received the required sign-offs from the Fire Chief. Attorney Reidy explained that there will be two 20,000 gallon split tanks containing a total of 32,000 gallons of gasoline and 8,000 gallons diesel fuel on the site. He further mentioned that this passed at town meeting for this use at this location. Mr. John Marchand, Engineer for Cumberland Farms, was also present.

Ms. Deley asked to have the presentation reviewed for the Board. Attorney Reidy showed where everything was going on the plans including the retail establishment to the left, fueling stations in the middle, and the underground fuel storage tanks to the right (when facing from the street). Ms. Deley asked what was behind this location and Attorney Reidy answered that there are residential dwellings and then to the right is the driveway into the Henri A. Yelle Elementary School. Ms. Deveau asked if there was any laws where underground fuel storage tanks have to be a certain distance from residential dwellings or schools. Attorney Reidy said he wasn't entirely sure, but he didn't think they were anywhere close to that minimum. Deputy Fire Chief, Jason Robbins, answered that the law is from property lines and maintaining a certain distance from the tanks off of those, which this would fall into line with.

Ms. Deley asked to go over the controls that have been put into place and the plans. Attorney Reidy stated that this was part of the Planning Board process and pointed out that the property is in the water resourcing district, which originally wasn't allowed, but they made a presentation to the Planning Board with pump and tank experts explaining the safeguards that were put in place including double-wall fiber glass tanks, grind solution in the middle, and if there is any leak that is the non-toxic fluid, there will be a volume change, which will trigger

the alarms. He added that the pumps are double-wall fiber glass and monitored as well as the lines that go from tanks through the pumps. Attorney Reidy pointed out that they have a positive limiting barrier. He lastly stated that if someone drives off with a hose, there is a shut-off valve that will be triggered.

Ms. Deley asked what routine maintenance is done to prevent leaks. Attorney Reidy replied that there are state regulations that name the number of attendees per site and the tanks are being constantly monitored. Ms. Deley asked how often the State is out to inspect the tanks and Attorney Reidy answered that he wasn't sure off the top of his head, but he believed annually, but he would get a definitive answer. Ms. Deley asked aside from leaks what are other concerns they address. Attorney Reidy responded that there is a strict installation process. Deputy Chief Robbins added that there are emergency electrical disconnects and at the bottom of the fuel pumps there are 3 to 4 feet underground that monitors spills, maintenance is done at least annually, they have to hire a company to come out and do reports, which are then sent to the Fire Department, spill containment systems, and an overhead compression system built into all gas stations in case of gas fire or something underneath. Deputy Chief Robbins emphasized that these types of underground fuel storage tanks are under strict regulations from the State Fire Marshall and more.

Mr. Conway asked if the Board was comfortable voting. Ms. Deley replied that she would like to know more about the maintenance schedule before voting. Attorney Reidy said he would get the information the Board was looking for including the maintenance schedule, inspection schedule, and order of conditions from the Planning Board. Mr. Conway asked to have any specifics on the warranty and life-cycle management of the tanks as well, which Attorney Reidy agreed to provide.

Mr. William Francis of 66 Plain Street expressed concerns because the tanks are only a couple hundred yards from the school. Mr. Francis said that there was a sign on the Reservoir of crossbones years ago saying that there was gasoline contamination and stated that he was worried this could happen again. He pointed out that Cumberland Farms already has a gas station/convenience store in Town right now on the Norton/Mansfield line, so he didn't see why they needed another one.

Mr. Conway mentioned that the Select Board's next meeting is scheduled for October 28th and asked if that worked for Attorney Reid. Attorney Reidy asked to have the hearing continued to October 28th at 8:00 P.M.

MOTION was made by Ms. Deley to continue the public hearing for the Cumberland Farms underground fuel storage tanks to October 28th at 8:00 P.M. Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

3. Update on the Community Electricity Aggregation Program.

Mr. Yunits introduced Mr. John O'Rourke from Good Energy to explain the program. Mr. O'Rourke gave a brief history of the program. He informed the Board that it was started by gentleman named Russ Perry, who was the Director of Municipal Services for SRPEDD at the time. He stated that the program is just short of 8 years from when the planning started. Mr. Perry organized with the towns from 2014 to 2015 (of the 20 towns available to enter the

program, 18 entered at that time). Mr. O'Rourke put together a selection committee and they had a competitive bid and they unanimously selected Good Energy for this. With Norton's initial launch in 2014, 5,505 residents participated and August 2021, the enrollment was 5,665 for Norton. Mr. O'Rourke advised that through the last 6 years, March of 2018 had the highest enrollment at 5,972 residents and the minimum was in April 2021 with 5,136 residents. He pointed out that the savings to Norton is just under \$3 million and presented a chart of the National Grid rates and the aggregation rates, which have been consistently lower. He informed the Board that 18% of the energy will come from local renewable energy regardless of what you get your electricity from. Mr. O'Rourke lastly stated that this program started with 18 communities and now it has 25 and is the largest aggregation of its kind.

Mr. Conway asked if people were interested in enrolling how they would do so. Mr. O'Rourke referred to the website at the bottom of the handout and the enrollment form is there. Mr. Yunits asked if a letter would be going out to residents tomorrow. Mr. O'Rourke replied that there is a letter going out with the rate difference tomorrow. Mr. Yunits stated that there will also be opt out options in that letter; if you don't opt out, you are automatically enrolled, but you can opt out (or in) at any time without penalties. Mr. Conway asked to have Mr. O'Rourke's presentation posted to the website and Mr. O'Rourke said he would send Mr. Yunits a digital copy to do so.

4. Review and/or Vote to Approve the Census Map.

Ms. Longhurst explained that every ten years, the Federal Census is done and in result of the 2020 census, there is going to be a shift in precincts and there would be about 124 residents going from Precinct 3 to Precinct 4 because they are not allowed to have more than 4,000 residents in each precinct. She pointed out that this would specifically affect North Washington Street, Newcomb Street, and Cobb Street. She stated that as required by State law, these affected residents will be notified. Ms. Longhurst informed the Board that this needs to be approved by them and sent back to the State by the end of October.

MOTION was made by Ms. Deley to approve the census map as presented to them with the changes to Precinct 4 and Precinct 3. Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

Ms. Longhurst reported that she spoke to the School Department and April 30th seems like a good date for them for the Town Election and its far enough in advance that they won't schedule any events.

Mr. Yunits informed the Select Board that heard back from Fish & Game and they hired Collins Engineering. They are hoping to get the design started this fall. Mr. Brett Sherry of Fish & Game said he will provide updates of any submittals and designs. Ms. Deley asked if there was a timeline given for start to finish. Mr. Yunits said he will see if he can get a broad time frame to provide to the Board.

B. Old Business

1. Fall Town Meeting.

Mr. Conway read Mr. Toole's e-mail for the record as follows:

Dear Mr. Chair (Jack)-

I want to send you an email to request a withdrawal of the two articles I have proposed for the 2021 Fall Town Meeting that is currently listed as articles #15, #16, and #20 on the warrant.

As you are aware the articles proposed would create a Finance Appointing Committee, and a Public Works Department. Both articles I still believe are very important to improve the town and are also commitments I proposed when I ran for the seat.

By temporarily withdrawing the articles it will give me more time to receive feedback from citizens. I will not be in attendance for our next meeting and would request if you could read this email for the record.

Thank you,

Michael Toole
Vice-Chair – Norton Selectboard

MOTION was made by Ms. Deley to remove Articles 15, 16, and 20 from the Fall Town Meeting warrant. Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes.

The Board members realized they were referring to the old article list numbers and inadvertently removed the wrong articles with the previous motion and took a vote to reconsider as follows:

MOTION was made by Ms. Deley to reconsider the vote to remove articles. Seconded by Ms. Deveau. Vote: Ms. Deley – No; Ms. Deveau – No; and Mr. Conway – No.

MOTION was made by Ms. Deley to remove Articles 14, 15, and 19 from the Fall Town Meeting warrant at the request of Michael Toole. Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes.

Mr. Yunits mentioned that representatives from the Water/Sewer Department are on the call as well as the petitioner, Mr. William Francis, regarding Article 13. He explained that this article would amend the mandatory sewer tie-in from 5 years to 10 years. Mr. Francis stated that this would give residents more time to save the money and pay cash to tie-in. Mr. Francis added that there are households that aren't eligible for any type of loans (some can get a 20-year low interest rate loan to help pay for the fees, but him and his neighbors have to come up with the cash to pay to do so and if not, they will be charged \$100 per day until they comply. Mr. Francis further stated that to "add insult to injury," there are other houses along Plain Street and Pine Street that do not have to connect because the sewer line to Wheaton College is pressurized, yet him and his neighbors downhill and on the other side have to connect. Mr. Francis said he doesn't see anywhere in the Water/Sewer bylaw that gives them the authority to decide who has to tie in. He clarified that it is himself and 8 neighbors that are in this situation.

Mr. John Harrop, Assistant Water/Sewer Superintendent informed the Board that he was on the call Mr. Francis was on a few nights ago and he has been before the Water/Sewer

Commission before. Mr. Harrop said that this article has issues with not just the tie-ins on Plain Street, but any tie-ins going on in town like the West Main Street project. He pointed out that any borrowing and the way the budgets were prepared was based on this anticipated revenue as well as paying back the borrowings. He expressed that he understands Mr. Francis' frustration, but it was different people involved before.

Ms. Deveau asked who gets the low-interest loans. Mr. Yunits said it is really a betterment that Mr. Francis was referring to where they can pay it off over the course of 20 years, or they can pay it up front, and when the house is to be sold, the betterment needs to be paid off. Ms. Deley clarified with the fees associated it is two parts: the tie-in itself and then the construction portion for the re-piping and removal of the existing septic tank. Mr. Yunits stated for the second part, they could obtain a Title V loan. Mr. Harrop said in regard to who has to tie-in and who doesn't, where Mr. Francis was talking about those mains have been designed for future expansion and when that flows come, the regular household sewer pumps is not going to be able to pump ahead to the main. Ms. Deley said she doesn't see that within the bylaws and expressed that this is a construction issue that needs to be resolved (if the bylaw says all abutters, you can't say this side of the street has to, but this side doesn't because of "x"). Mr. Yunits clarified that the bylaw doesn't say "abuts" but rather says "available." Ms. Deley asked Mr. Yunits to speak to the daily fines and where it is written anywhere and why they have them. Mr. Yunits replied that Mr. Harrop would be better suited to speak to that. Mr. Conway asked why betterments are used for some projects, but not all. Mr. Yunits said he could never figure out why they couldn't just do betterments for all. The Town Manager pointed out that the borrowing was based on a particular way of how they were going to pay it back (example: West Main Street project is betterments); for Plain Street and Wheaton College, they were based on fees that they plan to collect and now it is affecting the repaying of the borrowing and the budgets. Sewer usage and sewer flow is also considered into the impact according to Mr. Harrop. Ms. Deley asked what the impact would be. Mr. Harrop replied that it depends because sewage is based off of water usage, so it varies from household to household, but you would have 5 additional years of someone who has to tie-in to the sewer who hasn't yet and the Town not receiving revenue from that sewage; ultimately, the number is variable because it depends on how much water someone uses in a quarter, but it would be thousands of dollars (probably hundreds of thousands of dollars). Mr. Yunits added that the impact isn't just to the Water/Sewer Department, but the rate payers because if they don't get more users, then the impact will be absorbed by those already on sewer.

Ms. Deley asked Mr. Harrop if he had an idea of how many people this would impact. Mr. Harrop replied that it goes from the center of town to West Main Street and would estimate 40-60 buildings. Mr. Harrop pointed out that these aren't all residential, but commercial bills, so not all the bills would be the same. Mr. Conway stated that they either need to adjust this new bylaw or change the bylaw amendment so that it is mutually agreeable to both sides because Mr. Francis is going to have sympathetic voters and this is likely to pass at town meeting. Mr. Harrop pointed out that the Finance Committee voted against this article by a significant margin.

Mr. Conway asked Mr. Francis if he would be agreeable to amending his article to be more specific to him and his neighbors on Plain Street. Mr. Francis said he would have to speak with his neighbors because right now they just don't think this is fair; if this can be remediated, that would be great. Mr. Francis said if this continues, other people in town are

going to be greatly impacted by this and expressed that it creates a sense of distrust with how things currently are.

Mr. Conway asked what the next steps would be and proposed an offline conversation with Mr. Francis, Mr. Francis Fournier (Water/Sewer Superintendent), and Mr. Harrop (Assistant Water/Sewer Superintendent). Mr. Yunits said members of the Water/Sewer Commission should be involved as well. Ms. Deley asked why they are in the predicament they are in now and Mr. Yunits replied that it was because of the L.G.N. Elementary School because their septic was failing. Mr. Yunits added that it was supposed to go up West Main Street. Ms. Deley expressed that this matter rubbed her the wrong way 4 years ago and doesn't understand the \$100 per day fine because it isn't reasonable. Ms. Deley stated that she understands why the Finance Committee voted to not support this because they are responsible for the budget and while the Select Boards considers this as well, it is not their only consideration. Ms. Deley said she wouldn't be opposed to this being moved on the town meeting floor. Mr. Francis pointed out that Wheaton College's septic system failed miserably, the EPA got involved, and Wheaton College came to an agreement where sewer would be pumped out of there and up East Main Street.

Mr. Jim Jardin of the Water/Sewer Commission stated that from what he knows so far, he is in entire agreement with what Mr. Fournier said last week and what Mr. Harrop said this evening. Mr. Jardin expressed that he also understands why 10 years out would be burdensome rather than 5 years on the projects. Mr. Jardin emphasized that this is a whole project that has been done and carved in stone and to now in the "witching hour" want the Water/Sewer Department to come back would be very burdensome. He proposed changing the tie-in from 5 to 10 years for all future projects, but not the ones that were already approved.

MOTION was made by Ms. Deley to recommend Article 13 on the Fall Town Meeting warrant (Amend the Mandatory Connection to Common Sewer Bylaw). Seconded by Ms. Deveau. Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Abstain. MOTION CARRIES.

Mr. David Wluka, petitioner for Article 12, spoke to the article. He advised that he is a realtor who has a client looking for a license at the Blue Star Business Park. Mr. Wluka explained that when his client proposed an interest in the site, he asked if any Retail Package All Alcohol licenses were available, and he was told no. He continued that at that time, he was told that the Select Board was considering obtaining an additional license (or two) through special legislation. He mentioned that the Town is allowed a license per 5,000 residents and when they were about to send in the petition, he was told that the 2020 Federal Census might add another license, but after the Town Clerk certified the results, they were told the population was a few hundred shy of obtaining another license. Mr. Wluka advised that another issue that came up several times was the connection with the number of cannabis licenses allowed because the cannabis licenses [for retail marijuana establishments] are limited to 20% of the retail package stores in town. Mr. Wluka pointed out that the article being presented is what the Select Board was proposing for the most recent Spring Town Meeting, including the locations and they have not changed anything. He stated that this would be a high-end package store (not a national outlet), but they do own a number of them and are very successful. Mr. Wluka emphasized that by passing this home rule petition for the additional licenses, it doesn't guarantee or assign who gets them and that this would be up to the Select Board upon application.

Ms. Deley stated that the Select Board has been talking about adding liquor licenses for quite some time and the areas that were considered as recommended by the Economic Development Commission were Route 123 towards the Attleboro line and Route 123 from I-495 to the Easton line, but they [EDC] never identified a specific property such as the Blue Star Business Park. Ms. Deley stated that having the location specific to the Blue Star Business Park in the article would be inaccurate (even if economically it would make sense to this specific to location). Ms. Deley pointed out that Mr. Wluka said previously that his clients already have a lease, yet this building is not built yet. Mr. Wluka responded that the lease is contingent upon a license. Ms. Deley continued explaining that the Board never went into reviewing the warrant language because it never got that far. Ms. Deley pointed out that if the Federal 2020 Census showed that the Town's population increased to over 20,000, the Town would gain an additional liquor license that way plus the two additional licenses through special legislation that is being proposed, totaling three additional liquor licenses. With that being said, Ms. Deley advised that with the additional liquor licenses, this has a direct impact on the number of licenses for retail marijuana establishments. Ms. Deley informed Mr. Wluka that the Town has entered into two Host Community Agreements (HCAs) with retail marijuana establishments. She explained that any liquor licenses approved would have an impact on that. Ms. Deley further stated that this article as presented limits the Town, but commented that she would be open to an amended article. Mr. Wluka said he wouldn't be opposed to having this amended on the town meeting floor to read from Route 123 at I-495 to the Easton line. He emphasized that he would be willing to make the amendments to get this to the town meeting floor.

Ms. Deveau commented that she thought she knew how she was going to vote on this because it is a citizen petition; they got the signatures, so people clearly want this, and should be voted on town meeting floor, but she has an issue with this having a specific location tied to it and to say that no one is assigned these licenses, but yet there is a lease contingent upon a license contradicts itself.

Mr. Conway expressed a concern with the specific location as well as it being directly across the street from Quick Stop who has shown an interest in obtaining such a license for years. He stated that he thinks it would be extremely disrespectful to that business. Mr. Conway emphasized that they are being constrained by time right now where they need more time to discuss and review this matter, which they don't have.

Ms. Deley pointed out that the Economic Development Commission (EDC) voted to recommend two additional licenses at the time with three proposed locations.

MOTION was made by Ms. Deveau to recommend Article 12 (Home Rule Petition – Authorize Town to Grant Additional Licenses for the Sale of All Alcoholic Beverages, Not to Be Drunk on the Premises). Seconded by Ms. Deley. Vote: Ms. Deley – No; Ms. Deveau- Abstain; and Mr. Conway – No. MOTION FAILS.

Article 10: Rail Trail

Mr. Yunits advised that the Finance Committee voted to recommend funding \$700,000 for the easements for the Rail Trail, but hopefully they won't need this and MFN will cover it. He informed the Board that they are almost at 75% design. Mr. Yunits pointed out that there are

changes being made at the connection to Mansfield because of Aeronautics Administration. The Town Manager expressed that they hope to get this on the TIP for 2022, so they are almost there.

Ms. Sandra Ollerhead of the Alternative Transportation Committee pointed out that the State will cover the construction costs that equal approximately \$3.8 million.

MOTION was made by Ms. Deley to recommend Article 10: the Rail Trail Project. Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

Article 7: Capital Plan Amendments.

Mr. Yunits stated that the Finance Committee approved the recommendation. He gave a summary including, \$35,000 for Data Processing to continue to replace work stations and laptops and have money available so they are not replacing all of the equipment at the same time as well as printers; Police Department cruiser replacement (applied for 3 in the Spring, but only got 2), 5 portable radios, and the same with electronic control weapons or tasers (will replace 13); and the School Department \$69,000 for a mini bus for athletics, which will save them some money, along with technology displays in the amount of \$85,000 (would replace the Smart Boards in the Middle School). Ms. Deley asked what was taken out for the difference from the requested \$150,000 and Mr. Yunits said this is what they needed done for the Middle School and they may come back at a later date for equipment at the High School. Mr. Yunits mentioned that they had a proposal for \$15,000 for parking lot alignment, but a lot more needs to be done so they will be coming back later (have to look at all the schools). The Town Manager explained that the Highway Department was given funds for a Peterbilt dump truck in the Spring, but the price is \$12,000 more due to the current market. Mr. Yunits stated that the Highway Department is also looking to purchase a Chevy Silverado to replace another truck in the amount of \$71,592. Mr. Yunits lastly stated that the total for the Capital Plan comes to \$383,952.

MOTION was made by Ms. Deley to support Article 6 for Capital Improvements Funding. Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes; MOTION CARRIES.

The Board realized they referred to the wrong article in their motion above and made the following motion.

MOTION was made by Ms. Deley to recommend Article 7: FY22 Capital Plan Amendments in the amount of \$383,952. Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes; MOTION CARRIES.

Mr. Yunits explained that the Finance Committee voted to recommend \$800,000 to fund the Capital Improvements from Free Cash.

MOTION was made by Ms. Deley to recommend Article 6 for Capital Improvements Funding transferring \$800,000 in Free Cash into Capital. Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes; MOTION CARRIES.

Article 5: FY22 Sewer Operating Budget Amendments.

Mr. Yunits explained that the Town Accountant said that this is amending the Spring Town Meeting vote emphasizing that \$80,000 will be taken from sewer betterments as part of the funding for the Sewer budget.

MOTION was made by Ms. Deley to recommend Article 5: FY22 Sewer Operating Budget Amendments (to clarify \$80,000 is coming from betterments). Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes; MOTION CARRIES.

Mr. Yunits explained in regard to Article 4 that they would not be asking for any money, but are going to leave it on just in case.

Article 3: FY22 Operating Budget Amendments

Mr. Yunits stated that \$704,628 of Free Cash was recommended by the Finance Committee and \$59,840 raised and appropriated. He mentioned that the Assessor's was for salary to increase hours of the part-time employee to 37.5 hours because it is needed. He explained that the Treasurer was to have training from the current Treasurer to the new Treasurer to ensure a smooth transition. Mr. Yunits continued that the Town Clerk's request was due to general code updates expenses and Data Processing was to give a salary increase because that employee did not include one in her budget. The Town Manager further explained that the Police Department's request is to cover overtime in the amount of \$45,000; new hires \$45,000; and additional hours in the amount of \$5,000. Mr. Yunits advised that the Fire Department's is also for overtime for \$125,000 and the Emergency Medical was cut in May so this puts \$3,450 back. He pointed out that the School Department's request is for salaries in the amount of \$155,000, but they are looking to reconfigure items in their budgets, so they may not need these funds and transportation for \$457,824. The Town Manager informed the Board that Southeastern Vocational-Technical School asked the Select Board to vote to use ESSER II funds for the assessment, but they later found out that they can't do that, so this is to cover the \$80,030. Mr. Yunits lastly summarized that Medicare was \$14,000 (Treasurer didn't include this amount in the budget) and interest for the new Town Hall and Senior/Community Support Center projects \$59,840, bringing the total FY22 Operating Budget Supplements to \$704,628.

MOTION was made by Ms. Deley to recommend Article 3: FY22 Operating Amendments using \$704,628 of Free Cash as recommended by the Finance Committee and \$59,840 be raised and appropriated. Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

MOTION was made by Ms. Deley to recommend Article 11: Master Plan, as presented. Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

MOTION was made by Ms. Deley to authorize the signing of the Fall Town Meeting warrant as voted on and recommended this evening. Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. MOTION CARRIES.

2. Discussion on Xfinity Center Traffic Issues.

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

C. **Town Manager's Report**

There was no report made by the Town Manager.

VII. **Select Board's Report and Mail**

Mr. Conway commended the Police Department and Police Chief, Brian Clark, for working towards resolutions with the traffic issues and Home Market Foods.

VIII. **Meeting Minutes**

MOTION was made by Ms. Deley to approve the minutes from July 22, 2021. Seconded by Ms. Deveau. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway - Yes. MOTION CARRIES.

IX. **Warrants**

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

A. Payroll Warrant PR22-08 for the week ended October 2, 2021, Warrant dated October 7, 2021, in the amount of \$1,549,806.68.

B. Invoice Warrant AP22-15 dated October 7, 2021, in the amount of \$182,593.68.

C. Invoice Warrant AP22-16 dated October 14, 2021, in the amount of \$4,039,066.97.

X. **Other Business**

There was no other business to discuss.

XI. **Next Meeting's Agenda** – Ms. Deley asked to have an agenda posted for a Select Board meeting before town meeting (Monday, October 25th) for 6:00 P.M. in the High School cafeteria.

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.**

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. Deveau at 10:27 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. Deley. Vote: Ms. Deley – Yes; Ms. Deveau – Yes; and Mr. Conway – Yes. **MOTION CARRIES.**


URL Link: <https://www.youtube.com/watch?v=KV0t5MZ9xnU>

Respectfully Submitted by:



Jennifer Reid, Office Administrator

**SELECT BOARD
MINUTES OF MEETING
OCTOBER 14, 2021**



John Conway, Chair

Michael Toole, Vice-Chair



Christine Deveau, Clerk

Renee Deley, Member



Megan Artz, Member

Minutes Approved by Board on: December 16, 2021