



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

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NORTON TOWN CLERK

Select Board  
Meeting Minutes  
June 8, 2022

I. **Call to Order by Chair**

The June 8, 2022 meeting of the Norton Select Board was held in person and remotely (Web: <https://us02web.zoom.us/j/6391519600>; Phone 646-558 8656; Meeting ID: 639 151 9600, and was called to order at 7:00 P.M., by Ms. Megan Artz, Chair. Member(s) present: Ms. Christine Deveau, Mr. Michael Toole, Mr. Steven Hornsby, and Mr. Kevin Snyder. Also in attendance: Mr. Michael D. Yunits, Town Manager.

II. **Minutes**

There were no meeting minutes to approved at this time.

III. **Appointments/Resignations/Retirements**

1. Appointment of Lt. Christopher Ferreira to the Position of Provisional Captain and appointment of Firefighter Joshua Jorge to the Position of Provisional Lieutenant with and effective date of June 28, 2022.

Fire Chief, Shawn Simmons explained these provisional appointments will provide consistency across shifts and help reduce overtime while one of the captains is on FMLA leave. Chief Simmons highlighted the experience, education, and certifications held by Lt. Christopher Ferreira and Firefighter Joshua Jorge and recommended them for these positions.

Mr. Toole asked if these changes will leave two groups short a staff member. Chief Simmons explained it would leave them short two positions, which cannot be backfilled since these appointments are provisional.

**Motion was made by Ms. Deveau to accept the provisional appointments of Lt. Christopher Ferreira to the Position of Provisional Captain and appointment of Firefighter Joshua Jorge to the Position of Provisional Lieutenant, effective June 28, 2022. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

2. Appointment of Nicholas lafrate as Building Commissioner.

Mr. Yunits explained Mr. lafrate as been acting as the interim Building Commissioner for the past year and has successfully completed Buidling Commissioner certification courses.

**Motion was made by Ms. Deveau to accept the appointment of Nicholas lafrate as Building Commissioner. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.**

3. Resignations of Cody Thompson and Michael Toole from the Economic Development Commission and appointment of Kevin Snyder to the Economic Development Commission.

**Motion was made by Mr. Snyder to approve the changes to the Economic Development Commission. Seconded by Ms. Artz. Vote: Unanimous. MOTION CARRIES.**

4. Appointment of Ralph Stefanelli as Alternate SRPEDD Representative.

This appointment was postponed and will be addressed at a future meeting due to Mr. Stefanelli being ill.

IV. **Licenses and Permits**

There were no licenses and permits presented.

V. **Business**

A. **New Business**

1. Vote to sign note documents for the temporary borrowing of \$14,148,590 for various town projects.

Mr. Yunits requested a vote to approve the temporary borrowing of \$14,148,590 in bond anticipation notes, dated June 17, 2022. He stated bids were taken on June 2, 2022 and this amount is made up of authorizations for the following projects:

- Yelle Elementary repairs in the amount of \$573,590
- Well Replacement (Article 9 of the June 2020 Town meeting) in the amount of \$850,000
- Water shed improvements (Article October 2020 Town meeting) in the amount of \$225,000
- Bike Trail Acquisitions (Article October 2021<sup>t</sup> Town meeting) in the amount of \$700,000
- Athletic Complex Dept Exclusion (Article May 2021 Town meeting) in the amount of \$6,319,616
- Trane Project (Article 11 of the May 2021 Town meeting) in the amount of \$4,000,000

Mr. Yunits stated the Town was able to secure an interest rate of 1.3 % and an S&P rating of AA- on the bond notes.

Mr. Toole asked if the School Department is responsible for paying a portion of the Trane Project.

Mr. Yunits confirmed it will be paid back through rebates and incentives from Trane as well as energy savings.

Mr. Toole inquired on total cost of the Trane Project and the history of the approval of funds for the project.

Mr. Yunits clarified the full cost of the project is \$12,000,000; the \$4,000,000 represents a temporary borrowing; and the Town will be going back for full borrowing in the fall. He further stated the funds will be repaid over a 20-year period. Mr. Yunits referred to Article 11 of the May 2021 Town meeting that authorized the borrowing of the full \$12,000,000 for the project.

Selectboard Clerk, Mr. Snyder read the following:

I the clerk of the Selectboard of the Town of Norton, Massachusetts certify that a meeting of the Board held June 8, 2022 of which meeting all members of the Board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the Board in my custody.

Voted we hereby determine in accordance with general law Chapter 70 (b) that the cost of the window and door replacement at various schools project authorized by vote of the Town passed on May 14, 2018 Article 7, being financed with proceeds of a portion of the bonds together with all other bonds and notes of the Town previously issued to pay costs of this project do not exceed the portion of the total cost of the project that is not being paid by the school facilities grant.

That we hereby approve the issuance of notes and bonds to finance this project under General Law Chapter 70 (b).

Further voted to approve the sale of a \$14,148,590, 3% general obligation bond anticipation note (the note) of the Town dated June 17, 2022 and payable October 20, 2022 to TD Securities LLC at par and accrued interest, if any, plus a premium of \$81,778.85. Further voted that in connection with the marketing and sale of the notes the preparation and distribution of a notice of sale and preliminary official statement dated May 26, 2022 and a final official statement dated June 2, 2022 each and such form as may be approved by the Town Treasurer be and are hereby ratified, confirmed, approved and adopted.

Further voted that the Town Treasurer and the Selectboard be and hereby are authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC rule 15 (c) 2-12 in such form as we may be approved by bond council to the Town which undertaking shall be incorporated by reference of the notes for the benefit of the holders of the notes from time to time.

Further voted that we authorize and direct the Town Treasurer to establish post-issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond council deem sufficient or if such procedures are currently in place, to review and update said procedures in order to monitor and maintain the tax-exempt status of the notes and to comply with relevant securities laws.

Further voted that any certificates or documents relating to the notes collectively "the documents" may be executed in several counterparts. Each of which shall be regarded as an original and all of which shall constitute one in the same document. Delivery of an executed counterpart of a signature page to a document by electronic mail and a PDF file by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such a document.

An electronic signature on any of the documents shall be deemed original signatures for the purposes of the documents and all matters related thereto, having the same legal effect as original signatures.

Further voted that each member of the Selectboard, the Town Clerk, and the Town Treasurer be and hereby are authorized to take any and all such actions and execute and deliver such certificates, receipts, or other documents as may be determined by them or any of them to be necessary or convenient to carry into effect the provisions of the foregoing votes. I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time, and agenda for the meeting which the agenda included the adoption of the above votes was filed with the Town Clerk and a copy thereof was posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or if applicable in accordance with an alternative method of notice prescribed and approved by the attorney general as set forth in 940 CMR 29.03 2 (b) at least 48 hours not including Saturdays, Sundays, and legal holidays prior to the time of the meeting and remains so posted at the time of the meeting that no deliberations or decisions in connection with the sale of the notes were taken in executive session, all in accordance with general law Chapter 30 (a) sections 18-25, as amended.

Dated June 8, 2022. Clerk of the Selectboard.

**Motion was made by Mr. Hornsby to sign the note documents for the temporary borrowing of \$14,148,590 for various town projects. Seconded by Ms. Deveau. Vote: Unanimous. MOTION CARRIES.**

## 2. Discussion of Upcoming Meeting Schedule and Structure

Ms. Artz opened the discussion by recommending the Board return to in-person meetings and Zoom attendance be reserved only for special circumstances. She explained meetings will continue to be live streamed on cable, but going forward participation will be in person. Ms. Artz shared the Town will be providing the Board with tablets pre-loaded with the relevant documents for each meeting. Ms. Artz explained she will meet with the Town Manager Thursday mornings to prepare the agenda for the following Wednesday's meeting. Agendas for the following week's meeting will be sent to the Board on Thursday for review and input. Ms. Artz suggested the meeting minutes be completed by the Friday after the meeting and suggested minutes be streamlined and focused on documenting the votes that occurred at the meeting. The minutes will be circulated to the Board for review timely so they can be approved efficiently at the next meeting.

Ms. Artz also suggested having Town Counsel, Lauren Goldberg, provide the Board an overview on the Open Meeting Law requirements as well having a former Selectboard Chair from Foxboro come to a meeting and provide his experiences and best practices. Ms. Artz also spoke to social media, best practices for communication, and the how it impacts maintaining a positive and effective Select Board.

Mr. Toole made reference to the remote participation policy issued by the State that is in effect through July. He further stated he is an advocate of continuing to allow Zoom attendance.

The Board discussed ways to make meetings more efficient and effective for conducting business for the Town, while still maintaining an open and positive forum for the residents to participate. Several suggestions and opinions were discussed for improvements the Board can make to collaborate and conduct business for the Town according to the town charter. Ms. Artz asked the Board to be open to new ideas, such as offering open office hours at Town Hall on Thursday evenings where residents can

come and speak with a Board member. She explained this could be an efficient way to resolve some issues since Town Hall staff is still there.

3. Vote to appoint a temporary member to the Permanent Building Committee.

Ms. Artz motioned to move this item to the next meeting for discussion.

4. Vote to enter into Intermunicipal Agreement by and between the MFN Regional Wastewater District and the Town of Norton for the Acquisition of Certain Easements in the Town of Norton.

Mr. Yunits stated the Bike Trail project will be going out to bid in August. He reported an extensive title search revealed there are 49 parcels of land that require taking to build the trail. The MFN agreed to partner with the Town and contribute one third of the cost of takings, appraisals, recording fees, final judgments and settlements, and expert witness fees. The estimated cost for the takings is \$1,000,000.00, of which MFN will contribute approximately \$355,000.00.

**Motion was made by Mr. Hornsby to sign into Intermunicipal Agreement by and between the MFN Regional Wastewater District and the Town of Norton for the Acquisition of Certain Easements in the Town of Norton. Seconded by Mr. Toole. Vote: Unanimous. MOTION CARRIES.**

5. Queens Bridge Group, Inc., Host Community Agreement Amendment Request to Reflect Transportation Operations (s).

Mr. Yunits shared Queens Bridge requested to amend their HCA due to a change of ownership name of their vehicles to Bridge Transport Logistic Inc. He asked the Board to grant him the authority to draft an amendment to the Queens Bridge HCA.

**Motion was made by Mr. Hornsby to authorize the Town Manager to amend the Queens Bridge Group Inc. Host Community Agreement. Seconded by Mr. Toole. Vote: Unanimous. MOTION CARRIES.**

Mr. Toole asked Mr. Yunits to provide the Board update on Norton's HCA agreements at the next meeting.

6. Investigate the creation of a Traffic Safety Committee that would regularly meet to review documented safety issues, certain types of proposed developments and other transportation related issues.

Ms. Artz asked Mr. Yunits to develop a plan to create a Traffic Safety Committee to address ongoing traffic issues throughout Town.

Mr. Horsby asked Mr. Yunits to provide a status update on the progress at the next Board meeting.

7. Other Business: Topics Not Reasonably Anticipated 48 Hours in Advance.

Mr. Toole reported Article 15 (Vote to amend the Town Charter and the Town Bylaws to create a Department of Public Works and the position of Department of Public Works Director, and the create a Water and Sewer Commission to replace the elected Board of Water and Sewer Commissioners) passed at the June 7, 2022 Special Town Meeting. He shared he was able to verify with the Secretary of State's Office that as long as the question appears on its *own* ballot, the Town can vote on Article 15 at a State election. He asked the Board for feedback on this idea.

Ms. Artz stated Town-wide communication would be very important, since only a small number of residents were at the June 7, 2022 Town Meeting.

Mr. Toole shared the typical election turnout in Norton is as follows:

- Town Meeting: 100- 125 people
- Town Election: 1200 people
- Town Election with a question: 2500 to 3500 people
- State Election: 4000 people
- General Election: 10,000 people

Mr. Toole asked the Board for permission to investigate including a Town vote on Article 15 at one of the upcoming State elections (September primary election or November general election).

Ms. Deveau and Mr. Hornsby asked Mr. Toole to investigate the ballot cost if the Town were to do this.

#### **B. Old Business**

#### **VI. Town Manager's Report**

Mr. Yunits provided the following report of last week's Massachusetts Municipal Managers Conference:

- The State revenues are up 7 billion dollars over expectations this year.
- The State has 2.3 billion dollars in unappropriated ARPA funds. The State will be looking to appropriate these funds quickly due to the upcoming election.
- MMA continues to work to have the House commit to a base of 300 million for the Chapter 90 Fund. They are considering tweaking the Chapter 90 formula.
- Chapter 70 increased from \$30 to \$60 per student.
- The State budget is in the Conference Committee right now.
- The Senate passed the extension on remote meetings until 12/15/2023.
- The House passed a section of the budget that raises the cap on the cost-of-living adjustment retirement boards can issue from 3 percent to 5 percent. This is concerning due to the low returns on investment portfolios in current market and municipalities would be responsible for making up the difference.

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

Mr. Toole asked permission to prepare some recommendations regarding the Town's remote policy for the next Select Board meeting. He suggested changing meetings from Zoom to a Webinar format. He also shared he would like to work with the Town Clerk to develop a Town Meeting 101 brochure. Ms. Artz and Ms. Deveau agreed the Board can help improve communication and education to the Town.

#### **VIII. Warrants**

Report of Chair, Megan Arz, on the following Payroll and Invoice Warrants:

- A. Payroll Warrant PR22-25 for the week ended May 28, 2022, Warrant dated June 2, 2022 in the amount of \$1,749,269.10.

B. Invoice Warrant AP22-49 dated June 2, 2022, in the amount of \$970,736.03.

C. Invoice Warrant AP22-50 dated June 9, 2022, in the amount of \$433,221.48.

IX. **Next Meetings Agenda** – June 9, 2022

SEMRECC

X. **Executive Session**

Declaration by the Chair:

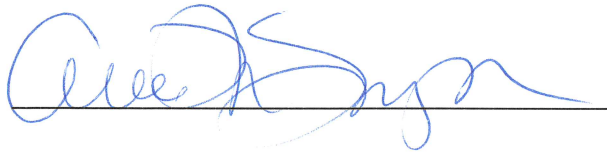
I declare, under General Laws Chapter 30A, §21(a)(2), that the purpose of the executive session will be to discuss strategy with respect to conduct negotiations with non-union personnel, i.e., Town Manager, pursuant to GL. c. 30A, Section 21(a)(2), because a discussion of the strategy in open session 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.

XI. **Adjournment**

**Motion was made by Ms. Deveau at 8:26 P.M., for the Board to go into executive session under G.L. c.30A, §21(a)(2) for the purposes and reasons declared by the Chair and with the Board to not return to open session thereafter. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

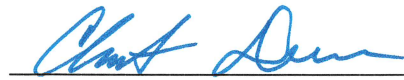
URL Link: [https://www.youtube.com/watch?v=Qp0r0Ar8V\\_A](https://www.youtube.com/watch?v=Qp0r0Ar8V_A)

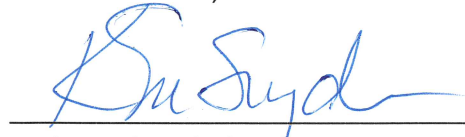
Respectfully Submitted by:

A handwritten signature in blue ink, appearing to read "Alice Hornsby", is written over a horizontal line.

SELECTBOARD  
MINUTES OF MEETING  
JUNE 8, 2022

  
\_\_\_\_\_  
Megan Artz, Chair

  
\_\_\_\_\_  
Christine Deveau, Vice-Chair

  
\_\_\_\_\_  
Kevin Snyder, Clerk

\_\_\_\_\_  
Michael Toole, Member

\_\_\_\_\_  
Steven Hornsby, Member

Minutes Approved by Board on: September 21, 2022