



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

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Select Board
Meeting Minutes
August 10, 2022

I. Call to Order by Chair

The August 10, 2022 meeting of the Norton Select Board was held in the Community Room of the Norton Public Library as well as remotely (Web: <https://us02web.zoom.us/j/83225589285>; Phone: 646-558 8656; Webinar ID: 832 2558 9285), and was called to order at 7:14 P.M., by Ms. Megan Artz, Chair. Member(s) present: Ms. Christine Deveau, Mr. Kevin Snyder, and Mr. Steven Hornsby. Mr. Michael Toole joined the meeting remotely at 7:14 P.M., but lost connection and did not return until in person at 8:30 P.M.

II. Appointments/Resignations/Retirements

1. Appointment of Director of Parks and Recreation.

MOTION was made by Ms. Deveau to appoint Frank Durant as the Part-Time Director of Parks and Recreation with an effective date of August 15, 2022. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

2. Appointment of Todd M. Jackson as Deputy Police Chief

MOTION was made by Ms. Deveau to appoint Todd Jackson as Full-Time Civil Service Deputy Chief of Police with an effective date of August 21, 2022. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

3. Appointment of Jonathan D. Goodwin as Police Lieutenant

MOTION was made by Ms. Deveau to appoint Jonathan Goodwin as Full-Time Civil Service Police Lieutenant with an effective date of September 4, 2022. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

4. Appointment of Eric Arruda as Permanent Full-Time Fire Fighter/Paramedic

MOTION was made by Ms. Deveau to appoint Eric Arruda as Permanent Full-Time Fire Fighter/Paramedic with an effective date of August 22, 2022. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

5. Appointment of John Patten as Provisional Full-Time Lieutenant

MOTION was made by Ms. Deveau to appoint John Patten as Full-Time Provisional Lieutenant with an effective date of August 5, 2022. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

6. Notice of Retirement - Deputy Chief Benton W. Keene, III

Fire Chief, Shawn Simmons, announced that Deputy Fire Chief Benton Keene will be retiring. He advised that his last day will be August 25th and his official retirement date will be September 10th. Chief Simmons stated that Deputy Chief Keene has been a part of the department for over 47 years. Chief Simmons thanked Deputy Chief Keene both personally and on behalf of the Fire Department for his years of service. He lastly noted that there will be an open house for Deputy Chief Keene on August 25th from 11:00 A.M. to 2:00 P.M. and anyone is welcome to attend.

7. Appointment of Robert W. Kimball, Jr., to the Cemetery Commission

MOTION was made by Mr. Hornsby to approve the reappointment of Robert Kimball to the Cemetery Commission. Seconded by Ms. Deveau. Vote: Unanimous. MOTION CARRIES.

8. Appointment(s) to Council on Aging

MOTION was made by Ms. Deveau to appoint Ellen Martins and Carolyn Kollett as Permanent Members and Tom Golota as an Alternate Member to the COA effective immediately. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

9. Appointment of Evan Meyer as a Driver/Laborer to the Highway Department

MOTION was made by Ms. Deveau to approve the appointment of Evan Meyer as a Driver/Laborer to the Highway Department with an effective date of August 1, 2022. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

10. Appointment of Michael Yunits as the Select Board's Representative Member to the MFN Wastewater District Commission for a term to expire June 30, 2024.

MOTION was made by Mr. Snyder to reaffirm the appointment of Michael Yunits as the Select Board's representative member to the MFN Wastewater District Commission for a term to expire June 30, 2023. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

11. Appointment of Tax Custodian.

MOTION was made by Ms. Deveau to appoint the Treasurer/Collector as the Tax Custodian. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

12. Appointment of Judith Leroux as Emeritus Member to the Council on Aging

MOTION was made by Mr. Snyder to appoint Judith Leroux as Emeritus Member to the Council on Aging. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

III. Minutes

MOTION was made by Ms. Deveau to approve the June 22, 2022 and July 13, 2022 Minutes. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

IV. Licenses and Permits

1. 7:15 P.M. Public Hearing –

Application for Transfer of the Common Victualler License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On The Premises at 336 Old Colony Road, Norton, MA, from 336 Toth, LLC, d/b/a Norton Tavern on the Hill, Manager: Cheryl Lutz, to Hops on the Hill, LLC, d/b/a Hillside Johnny's, Manager: Ms. Breanne M. Silvi.

MOTION was made by Ms. Deveau to open the public hearing at 7:27 P.M. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

Mr. Ian Hedges of Vieira & DiGianfilippo introduced himself, Ms. Breanne Silvi, sole member of the LLC and the proposed Manager along with Mr. Jason Dahl, the Executive Chef. He advised that this is the transfer of a Section 12 restaurant [liquor] license from the current establishment, Tavern on the Hill, located at 306 Old Colony Road, and gave an overview of Ms. Silvi's proposed plans for the establishment. Mr. Snyder asked if anything would be changing.

Mr. Ronald O'Reilly of 29 Union Road asked what would be changing to the exterior of the building and Ms. Silvi replied that it would just be aesthetic changes, such as painting the exterior and interior of the building.

Ms. Silvi stated that she is really looking forward to having the opportunity to bring this establishment up a notch and commented on how beautiful the property is. She mentioned that she was also going to add brunch options for the weekends on top of their American pub food.

Ms. Janet O'Reilly of 29 Union Road raised a concern about live entertainment and music because right now the music from Tavern on the Hill goes right across the Pond to her house. Ms. Silvi stated that they would like to keep the live music they currently have on Saturday nights, but it will be contained to inside and they would like to add their own sound equipment to help control the volume, so hopefully that is never an issue for any of the neighbors.

MOTION made by Ms. Deveau to approve the Transfer of the Common Victualler License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On The Premises at 336 Old Colony Road, Norton, MA, from 336 Toth, LLC, d/b/a Norton Tavern on the Hill, Manager: Cheryl Lutz, to Hops on the Hill, LLC, d/b/a Hillside Johnny's, Manager: Ms. Breanne M. Silvi. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Ms. Deveau to approve the transfer of the Common Victualler, Entertainment (Live Entertainment), and Automatic Amusement Licenses from 336 Toth, LLC d/b/a Norton Tavern on the Hill to Hops on the Hill, LLC d/b/a Hillside Johnny's to be Utilized at 336 Old Colony Road, Norton, MA 02766. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Hornsby to close the public hearing 7:33 P.M. Seconded by Ms. Deveau. Vote: Unanimous. MOTION CARRIES.

2. 7:45 P.M. Public Hearing –

Application for a Transfer of the Retail Package Goods Store License to Expose, Keep for Sale, and Sell Wines and Malt Beverages not to be drunk on the premises, at 181 West Main Street, Norton, MA 02766, from Laljikrupa, Inc., d/b/a Sun Market, Manager: Amrish Patel, to Jay Kotak, LLC, d/b/a Sun Market, Manager: Purvish Patel, same address.

MOTION was made by Ms. Deveau to open the public hearing at 7:45 P.M. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

Attorney John Mooradian of Demakis Law Offices explained this was a transfer of the Retail Package Wines and Malts license and it was simply a transfer of business ownership and nothing else to the store would be changed. He advised that it takes the Alcoholic Beverages Control Commission (ABCC) approximately 4-6 weeks to approve applications and that the employees are TIP certified.

MOTION was made by Mr. Hornsby to close the public hearing at 7:47 P.M. Seconded by Ms. Deveau. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Ms. Deveau to approve the transfer of the Retail Package Goods Store License to Expose, Keep for Sale, and Sell Wines and Malt Beverages not to be drunk on the premises, at 181 West Main Street, Norton, MA 02766, from Laljikrupa, Inc., d/b/a Sun Market, Manager: Amrish Patel, to Jay Kotak, LLC, d/b/a Sun Market, Manager: Purvish Patel, same address. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

1. One-Day Liquor Licenses:

- a. Vote to Approve the One-Day Beer and Wine Liquor License to Robert Medas for a Private Event at 98A Burt Street from 11:00 A.M. to 4:00 P.M. on Saturday, August 13, 2022.
- b. Vote to Approve the One-Day All Alcohol Liquor License to Jennifer Morabito for a Private Event at Everett Leonard Park from 1:00 P.M. to 5:00 P.M. on Sunday, August 28, 2022.
- c. Vote to Approve the One-Day All Alcohol Liquor License to Karen Ricca for a Private Event at Everett Leonard Park from 1:00 P.M. to 6:00 P.M. on Saturday, August 20, 2022.
- d. Vote to Approve the One-Day Beer and Wine Liquor License to Susan McNary for a Private Event at Sweet Stuff Bakery from 10:00 A.M. to 12:00 P.M. on Saturday, September 24, 2022.

MOTION was made by Mr. Snyder to approve the One-Day Beer and Wine Liquor License to Robert Medas for a Private Event at 98A Burt Street from 11:00 A.M. to 4:00 P.M. on Saturday, August 13, 2022; the One-Day All Alcohol Liquor License to Jennifer Morabito for a Private Event at Everett Leonard Park from 1:00 P.M. to 5:00 P.M. on Sunday, August 28, 2022; Vote to Approve the One-Day All Alcohol Liquor License to Karen Ricca for a Private Event at Everett Leonard Park from 1:00 P.M. to 6:00 P.M. on Saturday, August 20, 2022; and the One-Day Beer and Wine Liquor License to Susan McNary for a Private Event at Sweet Stuff Bakery from 10:00 A.M. to 12:00 P.M. on Saturday, September 24, 2022. Seconded by Mr. Hornsby. Vote: Mr. Hornsby – Yes; Mr. Snyder – Yes; Ms. Deveau – Yes; and Ms. Artz – Yes. MOTION CARRIES.

2. Review and/or Vote to Approve the Application for the Transfer of the Common Victualler License from Stone Restaurant Group, Inc. d/b/a A.J.'s Stone Oven Pizzeria to Williams-Joseph Group LLC.

Mr. Darly Joseph, applicant for the transfer of the common victualler license, explained that he is a veteran and was a chef for the military, which he served for seven years.

MOTION was made by Mr. Snyder to approve the application for the transfer of the Common Victualler License from Stone Restaurant Group, Inc. d/b/a A.J.'s Stone Oven Pizzeria to Williams-Joseph Group LLC. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

3. Vote to Approve the Special Events Application for the Annual Rodman Ride for Kids for the 2022 Cycling Fundraiser to be held on Saturday, September 24, 2022 from 8:00 A.M. to 3:00 P.M.

MOTION was made by Ms. Deveau to approve the Special Events Application for the Annual Rodman Ride for Kids for the 2022 Cycling Fundraiser to be held on Saturday, September 24, 2022 from 8:00 A.M. to 3:00 P.M. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

V. **Announcements**

Ms. Artz announced that there is a vacancy on the Norton Finance Committee and gave an overview of the responsibilities. She stated that those interested in joining should contact the Town Moderator and the Town Manager.

Mr. Yunits mentioned that with the town meeting being October 17th that the warrant closes on August 25th, so any warrant articles Board members would like should be brought to the August 24th meeting.

VI. **Business**

A. **New Business**

1. Discussion with Town Clerk Regarding Election Update.

Ms. Lucia Longhurst, Town Clerk, gave the Board an overview of the new election laws that have gone into effect as follows:

- Early voting is now required on all elections;
- Town elections will be at the option of the Select Board [to approve early voting, not necessarily the sending of the cards. The Town will have to absorb that cost, which would be a lot];
- 13,885 post cards were mailed out and the Town Clerk's Office and has mailed out 1,357 ballots and has received back 595;
- The live early voting is going to be held at the Fire Department at the side bay door/garage on Saturday, August 27th from 8:00 A.M. to 2:00 P.M.; Monday through Wednesday (August 29th-August 31st) is from 9:00 A.M. to 12:00 P.M.; Thursday, September 1st, from 2:00 P.M. to 6:00 P.M.; and Friday, September 2nd from 9:00 A.M. to 12:00 P.M.
- Where it is only a primary, only required three hours per day;
- State election in November, there's going to be two weeks of early voting (will be in the same location, but the times have not been determined yet).

Ms. Longhurst stated that at the elections, there are always two police officers detailed, but the State has made an additional requirement. Mr. Yunits explained that the State put something there where the Select Board would assign the police officers. Chief Clark added that they are to work with the election workers to come up with a number of police officers and then the Select Board

would tell the Town Clerk the number of police officers they decided on and then the Town Clerk would tell him.

Ms. Longhurst further mentioned that the poll workers need to be appointed now and added that it is going to be six weeks otherwise the Town Clerk can appoint them.

Ms. Artz pointed out that the elections will be held at the schools and the State primary will be held on the first day of school (September 6th). Ms. Longhurst stated that she spoke with the School Committee about opening the schools a day later and they said no.

MOTION was made by Mr. Hornsby to authorize the Police Chief to assign officers to the polling places. Seconded by Ms. Deveau. Vote: Unanimous. MOTION CARRIES.

2. Norton-Mansfield Rail Trail Project –

- A. Order of Taking by the Mansfield-Foxborough-Norton Regional Wastewater District and the Town of Norton for Permanent Trail Easements, Permanent Utility Easements, and Temporary Construction Easements.
- B. Order of Taking by the Town of Norton for Permanent Trail Easements, Permanent Utility Easements, and Temporary Construction Easements.

MOTION was made by Ms. Deveau pursuant to the vote taken under Article 9 of the October 21, 2019 Special Town Meeting to take by eminent domain permanent and temporary easements for the Norton/Mansfield Rail Trail and to execute the Orders of Taking in the form prepared by town counsel and to award damages in the amounts set forth in said Orders of Taking and further to accept the easements of the Town of Mansfield. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

Mr. Yunits thanked Mr. Chris Keyes for all the work he has done on the Rail Trail project. He informed the Board that he and his family are moving to California and hopes after all the work he has done on this project that he comes back here to see it. Mr. Yunits emphasized that the Town couldn't have done it without Mr. Keyes' help.

3. Declaration of Surplus Property - Four Cannondale Mountain Bike Style Police Bicycles and a Gray Mountain Bike (found and unclaimed).

MOTION was made by Mr. Hornsby to declare of Surplus Property - Four Cannondale Mountain Bike Style Police Bicycles and a Gray Mountain Bike. Seconded by Mr. Snyder. VOTE: Unanimous. MOTION CARRIES.

4. Acceptance of Gift of Rugged Terrain Vehicle from C2 Foundation.

MOTION was made by Ms. Deveau to accept the gift of Rugged Terrain Vehicle from C2 Foundation to the Norton Police Department. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

5. Vote to Amend Contract Award for FY23 DPW Supplies – Item #23 to Ferguson Waterworks of Canton, MA, and to Rescind Award of Item #23 to SPK Steel Fabrication, Fitchburg, MA.

MOTION was made by Mr. Hornsby to rescind the contract award for Item #23 that was made to SPK Steel Fabrication and award that to Ferguson Waterworks of Canton, MA. Seconded by Ms. Deveau. Vote: Unanimous. MOTION CARRIES.

6. Discussion and/or Vote to Set Fall Annual Town Meeting.

Mr. Yunits gave a timeline for an October 17th Fall Annual Town Meeting Date as follows:

- Warrant opens this evening;
- Advertisement would be submitted to the newspaper on August 11th;
- All departments would be notified on August 11th;
- Warrant closes and articles will be accepted until August 25th at 3:30 P.M.
- Warrant goes to the Finance Committee on September 12th;
- Last day to post the warrant would be on October 6th;
- Last day to post the warrant with recommendations is on October 11th.

Ms. Artz noted that the Town Moderator needs to be made aware of this date and timelines.

MOTION was made by Ms. Deveau to open the Fall Annual Town Meeting warrant and set the date for October 17th. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

7. Vote to Approve Town Manager's Contract.

Ms. Deveau asked for the term "Chairman" to be changed to "Chair" under Section B, Subsection A and Section 15 it should read "Select Board" not "Board of Selectmen."

MOTION was made by Mr. Hornsby to approve the Town Manager's contract as approved in executive session with those amendments. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

8. ARPA Funding Requests.

- The Town Manager pointed out that the I&I for the Yelle came in much lower and is only \$40,000 now. Mr. Yunits explained that there were asbestos issues found at all three elementary schools, so they are looking for \$99,800.
- Fiber Optic Connection to the Senior/Community Support Center \$50,000.
- Chief of Police has two requests: cell block repair \$14,900 and portable radios \$76,000.
- Balance of \$794,974 in ARPA funds after all requests.

MOTION was made by Mr. Snyder to approve the ARPA funds requests of \$14,900 to the Norton Police Department for cell block repairs, \$76,000 to the Norton Police Department for portable radios, the fiber optic connection to the Senior/Community Support Center of \$50,000, and for asbestos abatement at the elementary schools in the amount of \$99,800. Seconded by Ms. Deveau. Vote: Unanimous. MOTION CARRIES.

9. Update on MMA Select Board Training Session - Christine Deveau and Kevin Snyder.

Mr. Snyder stated that him and Ms. Deveau attended this session and there were a few presentations including the Open Meeting Law (OML) presentation, which they shared with the Select Board. He advised that there were a range of conversations regarding Select Board members working with Town Managers. Ms. Artz asked if this was recorded and Ms. Deveau said it was not, but the OML presentation was e-mailed to them after the session, which she offered to e-mail.

Ms. Artz spoke to social media posts and interacting with other committees and the Town Manager. She instructed the other Board members to prepare topics for the strategic planning meeting scheduled for August 24th, so they can speak to it more in depth.

Ms. Artz asked how the open hours went last Thursday and Mr. Hornsby said he had two people come by, one of which with some zoning topics. Ms. Artz stated that Mr. Toole had two people come to his open hours as well.

Mr. Snyder commented that the Massachusetts Municipal Association (MMA) conference was very beneficial for best practices and encouraged his fellow Board members to use them as a resource. Ms. Artz suggested contacting someone from the MMA to attend their next meeting and Mr. Snyder and Ms. Deveau said they could contact the President or Vice President and see.

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

B. Old Business

There was no old business to discuss.

C. Town Manager's Report

1. Update on Traffic Study Committee.

Mr. Yunits stated that they will have a representative from the Highway Department, Select Board, School Committee, Police Department, Fire Department, Alternate Transportation, and two residents. He advised that the group will meet regularly and will work to seek funds.

2. Update on Reservoir Access Issues.

Mr. Yunits reported that he met with Fish & Game and gave them the parcels on South Highland to see what they could do to put a boat launch in there. He stated that they should talk to the neighbors again about removing the stones, putting a fence up there, and limiting access.

3. Water Ban.

Mr. Yunits advised that he received a notice from the State that the Town is now at Stage 3.

4. EPA

Mr. Yunits informed the Board that a flyer was distributed to residents from the State regarding Myles Standish. He explained that a company there uses a chemical that dissipates in the air, so the flyer was sent to residents within a mile. He advised that they are going to hold a local meeting (which was originally going to be September 13th but there was a conflict for that day, so they are still not sure of the date). The Town Manager further stated that the flyer has a website listed and contact information for the EPA to answer any questions. Mr. Yunits emphasized that these individuals would have to be exposed 24 hours a day, 7 days a week, for 70 years to be at risk.

VII. Select Board's Report and Mail

Ms. Artz mentioned a letter they received from a resident asking to use the Town Common for an event for a prayer group.

Mr. Hornsby reported that the V.F.W.'s 75th Anniversary is on September 10th from 12:00 P.M. to 5:00 P.M.

Mr. Hornsby also requested to have the meeting packets earlier because by the time he got the agenda and had time to review it, it was already posted.

Mr. Toole informed the Board that they have been receiving calls about a project on Gilbert Street in Mansfield. He stated that his understanding is their traffic flow plan is going through Norton and asked the Town Manager to get involved with this.

IX. Warrants

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

- A. Payroll Warrant PR22-28 for the week ended June 25, 2022, Warrant dated June 30, 2022, in the amount of \$216,819.40.
- B. Payroll Warrant PR23-01 for the week ended June 30, 2022, Warrant dated July 14, 2022, in the amount of \$609,319.13.
- C. Invoice Warrant AP23-02 dated July 14, 2022, in the amount of \$4,607,710.71.
- D. Invoice Warrant AP23-03 dated July 21, 2022, in the amount of \$3,775,129.14.
- E. Invoice Warrant AP23-03V dated July 22, 2022, in the amount of \$2,992.50.
- F. Payroll Warrant PR23-02 for the week ended July 23, 2022, Warrant dated July 28, 2022, in the amount of \$770,245.82.
- G. Invoice Warrant AP23-04 dated July 28, 2022, in the amount of \$2,683,106.95.
- H. Invoice Warrant AP23-05 dated August 4, 2022, in the amount of \$263,396.84.

X. Other Business

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

There was no other business to discuss.

XI. Next Meeting's Agenda – August 24, 2022 – National Grid pole hearings; discussing warrant articles; strategic planning.

XII. Executive Session.

There was no executive session scheduled for this evening.

XIII. Adjournment.

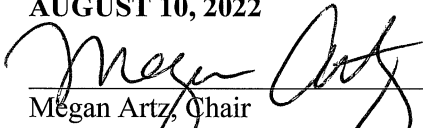
MOTION was made by Ms. Deveau to adjourn the Select Board meeting at 8:49 P.M. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.


URL Link: <https://www.youtube.com/watch?v=GOqoZgGO0gM>

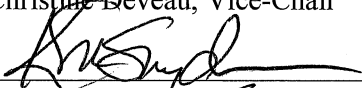
Respectfully Submitted by:



Jennifer Reid, Office Administrator

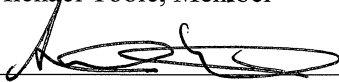
**SELECT BOARD
MINUTES OF MEETING
AUGUST 10, 2022**


Megan Artz, Chair


Christine Deveau, Vice-Chair


Kevin Snyder, Clerk


Michael Toole, Member


Steven Hornsby, Member

Minutes Approved by Board on: August 24, 2022