



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

Telephone (508) 285-0210; Facsimile (508) 285-0297

RECEIVED  
NORTON TOWN CLERK  
2023 JAN 30 AM 9:58

Select Board  
Meeting Minutes  
November 30, 2022

I. Call to Order by Chair

The November 30, 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 7:10 P.M., by Ms. Megan Artz, Chair. Member(s) present: Mr. Kevin Snyder, Mr. Michael Toole and Mr. Steven Hornsby. Also in attendance (remotely): Mr. Michael D. Yunits, Town Manager.

II. Appointments/Resignations/Retirements

1. Resignation of Christine Deveau from the Select Board.

Ms. Artz announced the resignation of Christine Deveau. She said they would be addressing this more later in the agenda.

2. Appointment of Peter Paravalos to the Position of Architectural Consultant of the Norton Historic District Commission.

Mr. Toole clarified that they don't have to be a resident of the town for this position, which Mr. Yunits confirmed.

**MOTION was made by Mr. Toole to appoint Peter Paravalos to the position of Architectural Consultant of the Norton Historic District Commission. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

3. Appointment of Kevin O'Neil to the Permanent Building Committee.

Ms. Artz said she learned that the formal process is that the Select Board and School Committee have to have a joint meeting and jointly make this appointment. She apologized to Mr. O'Neil for the confusion, but thanked him for expressing an interest. She informed him that they would be scheduling a joint meeting in the near future with the School Committee.

III. Minutes

Approve Minutes, including but not limited to:

1. November 9, 2022; and
2. November 16, 2022.

**MOTION was made by Mr. Snyder to approve the minutes of November 9, 2022 and November 16, 2022. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

#### IV. Licenses and Permits

##### 1. 2023 License Renewals.

The 2023 License Renewals specified on the “2023 License Renewals” document presented to the Select Board at the November 30, 2022 Select Board meeting were all approved as written.

##### CVAA, CVWM, RPAA, RPWM, CV:

Alberto’s Pub & Pizza, Inc. d/b/a Alberto’s  
241 Mansfield Ave.

CVAA  
CV  
Jukebox  
MA S.E. for Jukebox

The Chateau Restaurant of Norton, Inc.  
d/b/a The Chateau Restaurant  
48 Bay Road

CVAA  
CV  
Live Entertainment  
Dancing  
MA S.E. for Live Entertainment;  
Dancing

292 LME, Inc. d/b/a The Downtown  
292 West Main St.

CVAA  
CV  
Live Entertainment; Dancing; Jukebox  
MA S.E. for Live Entertainment;  
Dancing; Jukebox

Goat City Pub, Inc. d/b/a  
Goat City Pub  
184 West Main St.

CVAA  
CV  
Live Entertainment  
Dancing  
MA S.E. for Live Entertainment;  
Dancing

Umiyadham Corp. d/b/a  
Highland Farm  
194 South Worcester St.

RPAA  
CV

Hops on the Hill, LLC d/b/a  
Hillside Johnny’s  
336 Old Colony Road

CVAA  
CV  
Live Entertainment; Karaoke  
1 Video Game  
1 Pool Table  
Jukebox  
MA S.E. for Live  
Entertainment/Karaoke;  
Video Game; Pool Table; and Jukebox

Jay Laxmi Corp. d/b/a MAS GAS  
62 Mansfield Ave.

RPWM

**MOTION was made by Mr. Snyder to approve/renew the above 2023 licenses as specified on document, 2023 License Renewals, Page 1, as presented to the Board on November 30, 2022. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

CVAA, CVWM, RPAA, RPWM, CV (contd.):

|  |  |
|--|--|
| Michelle's Corner Store, Inc.<br>d/b/a Michelle's Corner Store<br>325 West Main St., Units 1 - 4 | RPAA   |
| Konstantinos J. Babanikas<br>d/b/a Mike's Famous Pizza<br>105 Taunton Ave.                       | CVAA<br>CV   |
| Sabatino's Trattoria, Inc.<br>d/b/a Sabatino's Trattoria<br>111 West Main St.                    | CVAA<br>CV   |
| Speedway of Massachusetts LLC d/b/a<br>Speedway 2411<br>125 West Main St.                        | RPWM<br>CV   |
| Mary E. Manchester d/b/a Sportsman's Café<br>13 South Worcester Street                           | CVAA<br>CV<br>Jukebox and Pool Table<br>MA S.E. for Jukebox and Pool Table |
| Tournament Players Club of Boston at<br>Great Woods LLC<br>400 Arnold Palmer Blvd.               | CVAA<br>CV   |
| Wheaton College<br>26 East Main St.  | CVWM<br>CV<br>Live Entertainment at the Loft                               |

**MOTION was made by Mr. Snyder to approve/renew the above 2023 licenses as specified on document, 2023 License Renewals, Page 2 [liquor licenses], as presented to the Board on November 30, 2022. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

CV:

|   |    |
|---|----|
| Hayat, LLC d/b/a Dunkin Donuts<br>246 East Main St. | CV |
|---|----|

CLASS I, II, AND III:

|   |          |
|---|----------|
| Trans International Autos, Inc.<br>d/b/a Route 123 Motors<br>406 Old Colony Rd. | Class II |
|---|----------|

**MOTION was made by Mr. Snyder to approve/renew the above 2023 licenses as specified on document, 2023 License Renewals, Page 2 [CV and Class I, II, and III], as presented to the Board on November 30, 2022. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

2. Vote to Approve the One-Day Beer and Wine Liquor License to Lauren G. Marvel for a Private Event at Everett Leonard Park, from 1:00 P.M. to 7:00 P.M on Saturday, July 29, 2023.

**MOTION was made by Mr. Snyder to approve the one-day beer and wine liquor license to Lauren G. Marvel for a private event at Everett Leonard Park, from 1:00 P.M. to 7:00 P.M on Saturday, July 29, 2023. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

V. **Announcements**

2022 Festival of Lights on Sunday, December 4<sup>th</sup> from 5:00 P.M. – 6:00 P.M. at the Norton Center (Town Common).

VI. **Business**

A. **New Business**

1. Vote to Award Contract for the Purchase of a Van to Quality Van Sales, Inc.

Mr. Yunits informed the Board that this came in less than they envisioned; the original appropriation was for \$95,000, was raised to \$140,000, and then this bid came in lower at \$104,000.

Mr. Toole questioned if this was for Council on Aging (COA) services. Mr. Yunits clarified that the van would be used by both the COA and for Veterans' services. Mr. Toole asked if they will see a driver for this van added into the budget, which Mr. Yunits confirmed. Mr. Hornsby asked if they can get 5-year warranty on this and Mr. Yunits replied that he would check. Mr. Toole asked the Town Manager if he had spoken to the School Department at all yet and asked if he had run this by any of their suppliers. Mr. Yunits answered he had not, but the Highway Superintendent, Mr. Keith Silver, has been very instrumental in getting this van by going around checking everywhere. Mr. Snyder asked if they typically license anyone else to drive the vehicle. Mr. Yunits said he would look at that, but where he lives in Holbrook, they have two drivers.

**MOTION was made by Mr. Toole to approve the purchase of the van from Quality Van Sales Inc. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.**

2. Discussion on Letter to Moderator Regarding the Appointment Process of the Finance Committee.

Mr. Toole requested that this agenda item be put on their next agenda because he was not prepared to speak to this and he would rather have the Moderator attend the meeting, which the Board agreed to.

### 3. Discussion and/or Vote on GATRA Advisory Board Representative.

Mr. Toole said he would like to throw his name in for the GATRA Advisory Board Select Board Representative, at least for the short-term, since he has the flexibility during the day for their meetings.

**MOTION was made by Mr. Snyder to appoint Mr. Toole as the GATRA Advisory Board Representative for the Town. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

### 4. Reorganization of the Select Board.

Ms. Artz said her understanding was they could vote to appoint a vice-chair, but they don't have to. Mr. Hornsby questioned if Ms. Artz's intention was to stay as Chair and Ms. Artz replied that as of this time she would like to. Mr. Hornsby said at this point he would be open to discussing reorganizing the Board and right now he thinks she is lacking (and emphasized that there is no disrespect to her) and listed several items of where he believed she was lacking (missing meetings/executive sessions, not attending parades with the rest of the Board, not getting agendas out, etc.). Ms. Artz responded that especially since Ms. Deveau's resignation, she feels that the members of her board have done nothing but push-back and look for opportunities for her to trip-up. Mr. Hornsby pointed out that it has been 7 months of her as Chair and neither her nor the former vice-chair have ever attended the office hours that she implemented.

Mr. Toole expressed that he shared some of Mr. Hornsby's concerns and stated that this is a difficult process to address. He stated that he doesn't want any political attacks and he feels that in his opinion, she needs to hear this so the Board can move forward. Mr. Toole brought to the Chair's attention that there are frustrations in leadership and what comes across, which may not be a reality, is an absence on the Chair's part. Mr. Toole also pointed out that the Board has the right to reorganize at any time. Mr. Toole said if there are things that she needs help with, she needs to contact the other Board members.

Ms. Artz responded that she hears their concerns/frustrations, but they need to put a process in place this evening. She said they need to decide if they are reorganizing, if they are having a special election, etc. Ms. Artz pointed out that one thing the Board members need to address is how the members should be sending in their agenda item requests, which she explained should be via e-mail to the Chair, the Town Manager, and Ms. Jennifer Reid (Office Administrator for the Select Board's Office). Ms. Artz pointed out that they have the whole week to be able to submit their agenda item requests. Mr. Hornsby stated that the point is they should not be getting the agenda after it is posted. Ms. Artz repeated that agenda items need to be sent in an e-mail, not relayed over the phone or in person to Mr. Yunits or Ms. Reid. Mr. Hornsby expressed his concern that it has been 3-4 months and the protocols she put into place aren't happening still.

Mr. Snyder stated that no one on the Board is perfect and they can all use help and should be doing what is best for the Town. He further stated that past comments shouldn't have happened and they should move forward in the future. He discussed an open line of communication and stated that there is an unnecessary amount of tension on this board. Mr. Snyder said he has felt the tension since he joined the Board and the tension distracts them from their jobs. Ms. Artz agreed and stated that she wants to have a healthy debate on the process where they can help and support each other. Mr. Hornsby emphasized that since he joined the Board, they have lacked leadership, which this board desperately needs. He continued that the Board needs to perform the job to the best of its ability. Mr. Hornsby stated getting the agenda after it was posted shouldn't happen.

Mr. Hornsby nominated Mr. Toole if he would like to be Vice-Chair.

Mr. Snyder asked Attorney Lauren Goldberg of KP-Law how reorganization comes before the Board, if it can happen at any time, and if there has to be a motion to reorganize, and if so, if they need a majority. Attorney Goldberg answered that the reorganization needs to be on the agenda, motion needs to be made, nominate, and motion to elect especially in cases such as this where a vice-chair resigned. She expressed that whether a board wants to reorganize is supposed to be discussed at a meeting and clarified that it is appropriate to be discussed at an open meeting.

Mr. Toole stated that emotions are high right now and that he could understand how this could feel like a personal attack. He expressed that he would be in favor of putting this off until the December 14<sup>th</sup> agenda.

**MOTION was made by Mr. Toole to postpone the reorganization of the Board until December 14<sup>th</sup>. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

5. a) Vote to designate a member of the Select Board to approve all Warrants; and
- b) Vote to designate an alternate member of the Select Board to approve all warrants, when the designee is unavailable to fulfill this function.

There was no need to address this agenda item because the Board postponed reorganizing and whereas Ms. Artz was named the designee and Mr. Hornsby the alternate designee the last time the Board reorganized.

6. Discuss and/or Vote to Set the Date of the Annual Town Election.

Mr. Toole pointed out that they haven't set the annual election date yet, which they should do first, because otherwise the calculation of the days will be off. Ms. Lucia Longhurst, Town Clerk, advised that the dates they are realistically looking at for the annual election are April 1<sup>st</sup> and April 29<sup>th</sup> because of when school vacation and Easter fall. The Board agreed to the date of April 29<sup>th</sup>.

**MOTION was made by Mr. Toole to set the annual town election for Saturday, April 29, 2023 for the hours of 8:00 A.M. to 3:00 P.M. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

7. Discuss and/or Vote Whether to Set a Date for a Special Town Election.

Mr. Toole advised that the townspeople have conveyed to him that they want a special election. Ms. Artz replied that she is in the same boat. Mr. Hornsby expressed a concerned with the timeline and is going back and forth on whether or not to do this.

Attorney Goldberg suggested starting by looking at the timelines (need at least 64 days between vote to have special election and date of special election). Attorney Goldberg explained that another way to have a special election is if 200 registered voters sign a petition to do so. She clarified that the petition cannot be filed for a special election if it is within 100 days of the annual election. Attorney Goldberg listed off the timelines, costs, and what major events are coming up when determining if they should have a special election. She continued explaining that if they were to call a special election soon, they should look at what the date would be and how that would compare to getting to when the Town's annual election is going to be minus 64 days; then,

the question of personnel cost and financial cost of the Town is put in a better perspective. Mr. Hornsby clarified that this would be to fill the remainder of Ms. Deveau's term not just the two months between the special election and annual election, which Attorney Goldberg confirmed.

Attorney Goldberg started calculating different dates and deadlines for potential special election dates. Mr. Toole asked Attorney Goldberg if the Board called for special election at this meeting what possible dates they would be looking at for a special election. In response, Attorney Goldberg answered that 100 days would take them to February 2<sup>nd</sup>. Ms. Longhurst informed the Board and Attorney Goldberg that State Elections said when they pick a date, they will calculate the days for them for when they can have an election because holidays will have to be factored in. Attorney Goldberg pointed out that the last day to register before you vote used to be 20 days and now it is 10 days and the Town Clerk's Office would have to be open until 8:00 P.M. that evening.

The Board and Attorney Goldberg started calculating dates and stated that if the special election was held on February 11<sup>th</sup>, the Board would have until December 9<sup>th</sup> to vote to have a special election and the last day to pull nomination papers would be December 28<sup>th</sup>. The Board discussed possible dates and deadlines for various special election dates. Mr. Snyder asked Mr. Yunits his opinion. Mr. Yunits expressed that by doing the February 11<sup>th</sup> special election, it would maybe get the new member 6 meetings at the cost of \$10,000 and lots of work for the Town Clerk's Office.

**MOTION was made by Mr. Snyder to set a date of February 11, 2023 for a special town election to fill the vacancy on the Select Board and the election hours will be 8:00 A.M. to 3:00 P.M. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

#### 8. Discussion and/or Vote to Set the Spring Annual Town Meeting.

Mr. Yunits recommended to the Board to set the Annual Town Meeting for May 15<sup>th</sup> at the High School.

**MOTION was made by Mr. Toole to set the Annual Spring Town Meeting for May 15, 2023 at 7:00 P.M. at the High School. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Toole to open the warrant for the Annual Spring Town Meeting scheduled for May 15, 2023 at 7:00 P.M. at the High School. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

#### 9. Discussion on Select Board Communication.

Ms. Artz agreed to move forward and reiterated that any agenda item requests should be sent to her, Mr. Yunits, and Ms. Reid via e-mail and to get agenda item requests to Ms. Reid by noon on Thursdays to give her enough time to prepare the draft agenda, send it to the Chair by Thursday evening in order to get it out to the remainder of the Board by Friday.

Mr. Hornsby said that as long as a draft agenda gets out to the Select Board on Fridays before meetings to give enough time for members to review everything and then post on Monday, he would be satisfied.

#### 9. Vote to Appoint a Select Board Member as a Representative for SEMRECC Meeting.

The Board agreed to put off voting on this until they know when the next SEMRECC meeting is.

## 12. Tax Rate Certification.

Mr. Yunits informed the Board that the State approved the tax rate (residential \$12.99 and commercial/industrial \$13.80). He thanked the Town Accountant, the Director of Assessing, and the Board of Assessors for the work they did to get this done.

### B. Old Business

There was no old business to discuss.

### C. Town Manager's Report

Notice of Vacancies on Boards/Committees.

Mr. Yunits emphasized that if the Board members are out talking to residents, they should try and get volunteers to serve on any of the boards/committees/commissions with vacancies. He advised that the list of vacancies is posted on the Town website.

## VII. Select Board's Report and Mail

Mr. Toole said that he was contacted by many residents saying they were having a hard time getting their prescriptions filled at Walgreens. He said he called the corporate office and they cleaned house and are on board to improving things. He emphasized that the situation was getting really bad.

### IX. Warrants

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

- A. Invoice Warrant AP23-21 dated November 23, 2022, in the amount of \$32,225.35.
- B. Payroll Warrant PR23-11 for the week ended November 26, 2022, Warrant dated December 1, 2022, in the amount of \$2,117,033.84.
- C. Invoice Warrant AP23-22 dated December 1, 2022, in the amount of \$440,168.47.

### X. Other Business

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

Mr. James Slattery, Interim Chair of the Permanent Building Committee (PBC), stated that the liaison for the Select Board was not able to attend the Permanent Building Committee (PBC) meetings. He provided the Select Board with handouts to clarify what work has been done, what is going on, a calendar, and apologized that he thought their minutes were online, but there was some confusion with their Clerk resulting in the minutes not being submitted correctly. Mr. Slattery thanked the former Chair, Ms. Dinah O'Brien, who resigned from the PBC as the Chair and recognized the great work she did. Mr. Slattery explained that there were rumors that the PBC dissolved, but that was incorrect information. Mr. Slattery expressed to the Select Board that it is easier to have a Select Board member attend the PBC meetings rather than him come to the Select Board meetings as the liaison because the Board will have a better perspective coming to hear the whole PBC meeting.



Mr. Hornsby nominated himself as the liaison for the PBC. He informed the Board and Mr. Slattery that he has been involved in construction his whole life. Ms. Artz stated that the liaison only has voting rights for the Town Hall project not the other projects.

**MOTION was made by Mr. Snyder to appoint Mr. Hornsby as the liaison to the PBC for the Select Board. Seconded by Mr. Toole. Vote: Unanimous. MOTION CARRIES.**

XI. **Next Meeting's Agenda** – December 14, 2022 – 2023 License Renewals; Budget Timeline/Process Discussion; Preliminary Finance Discussion.

XII. **Executive Session.**

There was no executive session.

XIII. **Adjournment.**

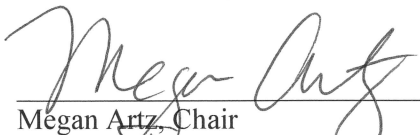
**MOTION was made by Mr. Toole to adjourn the Select Board meeting at 8:58 P.M. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.**

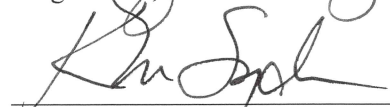
URL Link: <https://www.youtube.com/watch?v=8cRc4Y9s6jI>

Respectfully Submitted by:

  
\_\_\_\_\_  
Jennifer Reid, Office Administrator

**SELECT BOARD  
MINUTES OF MEETING  
NOVEMBER 30, 2022**

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

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

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

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

Minutes Approved by Board on: December 14, 2022