



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

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Select Board
Meeting Minutes
April 27, 2023

I. Call to Order by Chair

The April 27, 2023 meeting of the Norton Select Board was held at the Norton Media Center, 184 West Main Street, Norton, MA 02766 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 7:00 P.M., by Ms. Megan Artz, Chair. Member(s) present: Mr. Kevin Snyder, Mr. Michael Toole, Mr. Steven Hornsby, and Mr. Alec Rich, III. Also in attendance: Mr. Michael D. Yunits, Town Manager.

II. Appointments/Resignations/Retirements

1. Appointment of Daniel A. Cataldo as Driver/Laborer/CDL I to the Highway Department.

MOTION was made by Mr. Toole to appoint Daniel A. Cataldo as Driver/Laborer/CDL I to the Highway Department. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

2. Resignation of Melissa McGuinness as Assistant Town Clerk.

Mr. Yunits advised that Ms. McGuinness has resigned to move on to another community and wished her the best.

3. Resignation of Maria De La Fuente as Director of Planning and Economic Development.

Mr. Yunits advised that Ms. De La Fuente has resigned. He commented that she is very knowledgeable and it has been great working with her and wished her the best as well.

Mr. Hornsby stated that when this occurred in the past and they had a period of time when the Town didn't have a Director, Mr. Bryan Carmichael, Administrative Secretary for the department, pretty much ran the department and asked if he ever received a bonus for doing so, which Mr. Yunits stated he did. The Town Manager added that he ran that department and never complained about the additional work and responsibility, which Mr. Hornsby agreed with. Mr. Yunits advised the Board that he and the Building Commissioner will work with Mr. Carmichael during the interim period. Mr. Hornsby informed Mr. Yunits that he received a compliment about Mr. Carmichael stating that someone had called the Planning Department looking for information and this individual expected an answer in a week and Mr. Carmichael called them with the information the following day. Mr. Hornsby expressed that Mr. Carmichael is definitely an asset.

4. Requests for Appointments to the Town Common Committee.

Ms. Artz advised that the Town Common Committee was formed in the past and was a non-bylaw committee. Mr. Yunits agreed that this was correct and that Mr. Robert Kimball, Jr. is simply looking to revive the committee. He clarified that at the last meeting the Board questioned whether or not this was a bylaw committee and have since confirmed that it is not. Mr. Yunits advised that

the committee was previously comprised of representatives from the Highway Department, Cultural Council, Fire Department, Garden Club, Veterans' Department, Wheaton College, and the Historic District Commission. He informed the Board that they will be reaching out to each of these departments and organizations to see who would like to be a part of it. Ms. Artz questioned if they could have members outside of these organizations possibly volunteer on this committee and Mr. Hornsby responded that he believed the intent this time around was to have one or two at-large members. Mr. Toole clarified that Mr. Kimball was looking to expand this committee by adding the one at-large member, making it a nine-member committee, and questioned if the Board would need to vote on this. Mr. Yunits instructed the Board to vote on this matter.

MOTION was made by Mr. Toole to expand the Town Common Committee by one member at-large to bring the total to nine. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

Mr. Kimball later in the meeting advised that there are two standing members: Mr. Keith Silver of the Highway Department and Mary Ellen Steniford is the representative of the Garden Club.

III. Minutes

Approve Minutes, including but not limited to:

1. March 21, 2023; and
2. April 13, 2023.

MOTION made by Mr. Snyder to approve the minutes of March 21, 2023 and April 13, 2023. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

IV. Licenses and Permits

1. Vote to Approve the One-Day All Alcohol Liquor License to Stephen A. Donaghey for a Private Event at the Everett Leonard Park from 12:00 P.M. to 6:00 P.M on Sunday, July 16, 2023.
2. Vote to Approve the One-Day Beer and Wine Liquor License to Theresa Manela for a Private Event at the Everett Leonard Park from 3:00 P.M. to 7:00 P.M on Saturday, July 1, 2023.

MOTION was made by Mr. Snyder to approve the one-day all alcohol liquor license to Stephen A. Donaghey for a private event at the Everett Leonard Park from 12:00 P.M. to 6:00 P.M on Sunday, July 16, 2023 and to approve the one-day beer and wine liquor license to Theresa Manela for a private event at the Everett Leonard Park from 3:00 P.M. to 7:00 P.M on Saturday, July 1, 2023. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

3. Vote to Approve the One-Day Beer and Wine Liquor Licenses to Mark Hesselbarth to be Utilized for Private Events to be Held at Wheaton College from May 19th to May 20th at the Times and Locations Specified on the Applications.

Mr. Hesselbarth informed the Board that Wheaton College is hoping to get these one-day liquor licenses for Friday, May 19th and Saturday, May 20th for Commencement Weekend. He advised that of the events detailed on the applications, only two are for students only: the Senior Arts Party (Friday from 4:00 P.M. to 6:00 P.M. where they expect approximately 200 people and will serve champagne and wine) and the Senior Pub Night and Balfour will also have students (estimated to be about 300 people) from 8:00 P.M. to 10:00 P.M. He advised that he had contacted Lieutenant

Goodwin about police details and apologized for being a little behind and explained that he thought Wheaton's public safety could handle this, so he is working with both the Norton Police Department and Wheaton's public safety on the details. Mr. Hesselbarth stated that the remainder of the events are alumni and faculty. He gave an overview of the events outlined in the applications.

MOTION was made by Mr. Snyder to approve the one-day beer and wine liquor licenses to Mark Hesselbarth to be utilized for private events to be held at Wheaton College from May 19th to May 20th at the times and locations specified on the applications. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

V. **Announcements**

1. Wreaths Across America: Flag-A-Yard Fundraiser.

Ms. Patricia Tarantino announced that Wreaths Across America is doing a brand-new fundraiser this year. She explained that similar to the "You Got Flocked" fundraiser where you see the flamingos on people's front lawns, they now have the "Flag-A-Yard" fundraiser.

E-mail nortonwaa.ma0108@gmail.com or call (508) 989-6764 to Flag-A-Yard today. All proceeds benefit the Norton Chapter of Wreaths Across America. She stated that for a minimum donation of \$25, you can anonymously "flag-a-friend." When the person who got "flagged" calls or e-mails the contact information listed, they will be told that it is anonymous, but for \$20 they can find out and for \$5 more, they can "flag" somebody else.

2. Annual Town Election Saturday, April 29, 2023 at the Norton Middle School from 8:00 A.M. to 3:00 P.M.

Mr. Snyder announced the above information and added that you can vote by absentee ballot until 12:00 P.M. tomorrow (April 28th).

3. Groundbreaking Ceremony for the New Senior and Community Support Center - Friday, April 28, 2023, 11:00 A.M. at 120 Mansfield Avenue, Norton, MA.

4. Memorial Day Parade.

Mr. Rich reminded everyone that the Memorial Day parade will be held on Monday, May 29th and if anyone is interested in volunteering for anything to contact Gary Cameron at the Veterans' Council. Mr. Snyder stated that the parade will be held on Monday, May 29th at 10:00 A.M. He advised that the guest speaker will be retired Fire Chief, Paul Schleicher. All parade participants will assemble at the Henri A. Yelle Elementary School parking lot at 9:30 A.M. and step-off at 10:00 A.M.

VI. **Business**

A. **New Business**

1. Discussion Regarding Potential Partnership with Keep Massachusetts Beautiful to Create a "Keep Norton Beautiful" Chapter.

Mr. Toole spoke to this agenda item and explained that typically the Town has a Town Cleanup Day, but this year there is not. He stated that he would like to create a Chapter of "Keep Norton

Beautiful.” He informed the Board that Neil Rhein is a Select Board member for the Town of Mansfield and he has been the Executive Director of “Keep Massachusetts Beautiful.” Ms. Artz asked Mr. Toole what this would entail. Mr. Toole replied that he spoke with Mr. Rhein the other day and he suggested starting with the Select Board, work with the Highway Department, and then open it up to the community. He advised that he was not sure of the investment plan for the Town. Mr. Snyder suggested having Mr. Rhein come in to speak to the Board to explain the program more and answer any questions they may have, which Mr. Toole agreed was a good idea.

2. Review, Discuss and/or Vote on Town Meeting Articles.

SPECIAL TOWN MEETING ARTICLES

Mr. Yunits spoke to Article 10 (Engineering Study – Town Center) of the Special Town Meeting warrant and informed the Board that they are looking to put \$25,000 towards this and the State Representatives also applied for a bond grant for \$25,000; so, hopefully, the Town will have \$50,000. Mr. Robert W. Kimball, Jr. advised that there will be approximately 20 hearings throughout the process.

MOTION was made by Mr. Toole to approve Article 10 on the Spring Annual Town Meeting Warrant (Engineering Study – Town Center) for \$25,000. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Snyder to recommend Article 1 to allocate \$395.20 for prior year bills. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Hornsby to take no action on Article 2 (Separation Expenses). Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

Mr. Yunits explained that \$101,000 (roughly) is a request from the School Department for transportation. Mr. Toole said he thought they took care of this in the Fall. Mr. Yunits clarified that this is for homeless students who are put up by the State to the Extended Stay and transport them. He pointed out that these are students from Boston. Mr. Toole asked how many homeless students the Town has. Mr. Hornsby stated that he thought he heard the number was like 50 students, but that seemed high and Ms. Artz agreed. Mr. Yunits advised that this is supposed to be reimbursed by the State and Mr. Hornsby clarified that the process is they have to allocate for it now and get reimbursed by the State, which Mr. Yunits confirmed.

MOTION was made by Mr. Snyder to recommend Article 3 on the Special Town Meeting warrant in the amount of \$126,682 in budget supplements. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Hornsby to take no action on Articles 4 and 5 on the Special Town Meeting warrant. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Hornsby to take no action on Articles 6 and 7. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Snyder to recommend Article 8 for the traffic signal replacement with \$85,000 to be used from free cash. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Hornsby to recommend no action on Article 9. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Hornsby to recommend \$15,000 from free cash as written in Article 11. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Snyder to recommend Article 12. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

ANNUAL TOWN MEETING WARRANT ARTICLES

MOTION was made by Mr. Snyder to recommend Article 5 in the Annual Town Meeting warrant approving the Water Enterprise budget in the amount of \$4,740,548. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Snyder to recommend Article 6 for the Sewer Enterprise budget in the amount of \$2,351,071. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

Mr. Yunits explained that the Finance Committee approved the budgets with the exception of the School Department's. He advised that to avoid layoffs, they suggested using \$707,500 from Stabilization to fund the shortfall with the understanding that the School Department would not come back in the Fall for additional funds. Mr. Yunits stated that he called the School Superintendent, Dr. Joseph Baeta, after the meeting to inform him of this so that the School Committee could discuss this at their meeting this evening. Mr. Toole clarified that the Stabilization Fund is at \$2.8 million, which Mr. Yunits confirmed. The Town Manager relayed to the Board that the Finance Committee expressed that they understand that the Town wants to keep Stabilization up, so they want to replace this money in the Fall. Mr. Toole pointed out that the School Department will be doubling what the target increase for the School Department should be and the general government side is still only at 1.8%, which Mr. Yunits confirmed was correct. Mr. Toole stated that it was brought up last night the idea of closing the Chartley Fire Station. Mr. Yunits said that this would only have to happen if they can't supplement the overtime in the Fall.

MOTION was made by Mr. Snyder to recommend Article 10 on the Annual Town Meeting warrant for the water tank aeration system to borrow \$375,000. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Snyder to recommend Article 11 for the well 4 replacement project and to borrow \$900,000. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

Mr. Yunits explained that for Article 12 the Finance Committee wanted clarification from the Select Board that this wouldn't mean that municipal owned buildings wouldn't have to pay water/sewer bills and it's just for the tie-in fees, which was confirmed by the Board.

MOTION was made by Mr. Hornsby to recommend the Stabilization Fund in Article 13. Seconded by Mr. Snyder. Vote: 0 – Yes; 5 – No. MOTION FAILS.

MOTION was made by Mr. Hornsby to appropriate \$10,000 for the WPAT reserve as described in Article 15. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

3. Update from Traffic Safety Committee Representative Regarding Home Market Foods and North and South Worcester Streets Intersection.

Mr. Kimball advised that the Board of Health Agent, Mr. Christian Zahner, was present because they were doing noise testing at Home Market Foods. He noted that they are only going to get busier and add more bays. He stated that while they were meeting with Home Market Foods, three trucks went by the front of the property and two weren't so bad, but the third truck had a lot of residual noise, especially bouncing off the building itself. Mr. Kimball described a zig-zag pattern the trucks are currently using to leaving the property and asked them to start exiting through the left side of the building and Home Market Foods has agreed and ordered signage to direct the trucks, which Mr. Kimball emphasized he thinks will make a huge difference.

Mr. Snyder brought up people complaining about speed in this area as well. He asked if the reduction in speeds on certain roads has passed and both Mr. Toole and Ms. Artz answered that this didn't pass at town meeting. Mr. Toole stated that it probably should be brought up again and Ms. Artz mentioned their discussions on putting up the solar speed limit signs on these roads.

Mr. Yunits responded to Mr. Kimball's comment that these drivers seem to not know where they are going and suggested at the corner of John Scott Boulevard installing a sign directing the truck drivers where to go could.

The discussion came up about the intersection of North and South Worcester Streets and installing sidewalks and Mr. Yunits suggested doing this project separate to avoid any delays of the North and South Worcester Streets intersection.

4. Discussion and/or Vote on Remote Participation Policy.

Mr. Hornsby explained to the Board that he made a few adjustments to the current policy and this is to revert back to this policy where the boards/committees should be in person and the boards/committees has to vote to allow it.

Mr. Toole expressed that the only concern he has is the State extended the COVID virtual meetings Order and he said he wants a legal interpretation of if the State or Town policy supersedes. Mr. Yunits said he would ask town counsel about this and they will have this on the next agenda. Mr. Yunits suggested also letting the boards/committees know so if any of them are having virtual meetings, they can attend in-person and explain their side. Mr. Hornsby stated that at this point there is no reason why meetings should be still completely virtual and people are just taking advantage of it by not showing up to meetings. Mr. Hornsby pointed out that those who are participating or presenting as non-board members is not addressed in this current policy. Mr. Yunits explained that the main reason this was implemented was for in cases such as the Planning Board where they need a four-fifths vote. Mr. Toole said he thought it was Ms. Deley who "championed this and ran with it" referring to the Remote Participation Policy.

5. Community Electricity Aggregation Program - Vote to Authorize the Town Manager to Attend Bid Day and Sign Energy Services Agreement.

**MOTION was made by Mr. Snyder to authorize the Town Manager to attend bid day and sign the Energy Services Agreement. Seconded by Mr. Hornsby. Vote: Unanimous.
MOTION CARRIES.**

6. Vote to Postpone Solar Retail Norton's Community Impact Fee Payment for Q1 2023.

Ms. Artz reminded the Board of what was discussed at their prior meeting. She said this payment is due by the end of this month and asked that the Board consider postponing it.

MOTION was made by Mr. Toole to postpone Solar Retail Norton's community impact fee payment without penalty. Seconded by Mr. Snyder. Vote: Unanimous. MOTION CARRIES.

B. **Old Business**

Right of First Refusal for Chapter 40B Affordable Property Owned by Alicia Bennette at 15 Goldenwood Drive, located at Woodland Green.

MOTION was made by Mr. Snyder for the Board to not exercise their right of first refusal for Chapter 40B Affordable Property Owned by Alicia Bennette at 15 Goldenwood Drive, located at Woodland Green. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

C. **Town Manager's Report**

1. Follow-Up from TRANE on 3/21/23 Joint Committee Meeting.

Mr. Yunits stated that at the joint meeting with TRANE, TRANE was asked several times if there would be net metering and they answered no; now, they are finding out that there is net metering. Mr. Toole questioned if TRANE is the broker for this and maybe they are getting a commission off of this from National Grid, which Mr. Yunits said he wasn't sure, but they should find out. Mr. Toole stated that there was an immense number of frustrations expressed amongst the School Committee, Finance Committee, and Select Board at their joint meeting about the TRANE project and that he is really losing faith in TRANE. Mr. Yunits pointed out that the School Department will be receiving all of the solar credits, so he wants to look into how the Town can reallocate the Norton Landfill Solar credits somewhere else to reduce costs.

2. Town Hall Project Update.

Mr. Yunits reported that they had the initial meeting for the new Town Hall this week and they were quoted to be in 390 days from today (September 2024). He advised that the contractor met with the department heads to work collaboratively and make sure their departments' needs are met.

Mr. Snyder asked what the plan is for the current Senior Center once the new one is built and everything is up and running. Mr. Yunits advised that when they get closer to the time where that building is vacant, they will probably have to form a committee and address it.

Mr. Toole informed the Board and Town Manager that friends of the Senior Center are debating a citizens' petition so they can sell the property to fund the project in areas that were cut and to furnish it. Mr. Toole stated that while he recognizes that the School Department is using the shed for storage, it is town-owned property not the School Department's, so they ultimately need to have a conversation with them.

3. Update on New Town Gazebo.

Mr. Yunits told the Board that when Mr. Kimball is set to a task, he tackles it. He recognized how amazing it was and that he had 4-5 quotes almost instantly for the Town gazebo.

Mr. Kimball advised that they had to move the gazebo back three feet from the circle because unlike the days of when they previously built the gazebo, it has to be ADA compliant. He stated that it cost \$22,000 which insurance paid for.

4. Mr. Yunits brought up that the completion of the Route 123 project is being delayed from 2024 to 2026 due to delays from the State, which it attributes to supply issues and COVID. He pointed out that the problem is the temporary easements are set to expire.

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

1. Mr. Toole thanked the Board and residents for allowing him to serve on this board and hopefully he will be serving for another 3 years. In response, Ms. Artz stated that whatever happens on Saturday that the Select Board can take a pause, think about these past few months, and going forward all pull together as a Board. Ms. Artz emphasized that they have her word that they are going to have a lot more clarity to eliminate a lot of the issues they have had. She wished Mr. Toole the best of luck on Saturday and expressed that the Board will continue to move forward.

2. Memorial Day Parade - Monday, May 29, 2023 at 10:00 A.M.

The information pertaining to the Memorial Day parade was discussed during announcements.

IX. **Warrants**

Ms. Artz reported that the following Payroll and Invoice Warrants were approved:

- A. Invoice Warrant AP23-42 dated April 20, 2023, in the amount of \$1,746,920.05.
- B. Payroll Warrant PR23-21 for the week ended April 15, 2023, Warrant dated April 20, 2023, in the amount of \$1,630,636.81.
- C. Invoice Warrant AP23-43 dated April 27, 2023, in the amount of \$130,928.35.

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** – Thursday, May 11, 2023.

XII. **Executive Session.**

To discuss strategy with respect to collective bargaining, i.e., AFSCME Clerical, Highway, Water/Sewer, and Norton Police Association.

XIII. Adjournment.

DECLARATION BY THE CHAIR:

Ms. Artz declared, under General Laws Chapter 30A, §21(a)(3), that the purpose of the executive session will be to discuss strategy with respect to collective bargaining concerning AFSCME Clerical, Highway, Water/Sewer, and Norton Police Association, 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 Mr. Snyder at 8:54 P.M. that the Board 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 Mr. Hornsby. Mr. Rich – Yes; Mr. Toole – Yes; Mr. Hornsby – Yes; Mr. Snyder – Yes; and Ms. Artz - Yes. MOTION CARRIES.

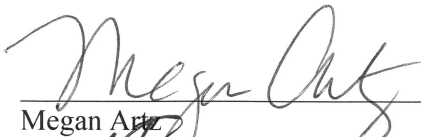
URL Link: <https://www.youtube.com/watch?v=yeqNHafDdKE>

Respectfully Submitted by:

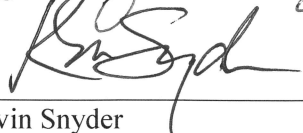


Jennifer Reid, Office Administrator

**SELECT BOARD
MINUTES OF MEETING
APRIL 27, 2023**



Megan Artz



Kevin Snyder



Steven Hornsby



Alec Rich, III

Denise Luciano

Minutes Approved by Board on: May 11, 2023