



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

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Select Board
Meeting Minutes
August 10, 2023

I. Call to Order by Chair

The August 10, 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 Mr. Kevin Snyder, Chair. Member(s) present: Mr. Steven Hornsby, Mr. Alec Rich, III, Ms. Megan Artz, and Ms. Denise Luciano. Also in attendance: Mr. Michael D. Yunits, Town Manager.

II. Appointments/Resignations/Retirements

1. Appointment of Adam Gangemi as Equipment Operator Grade 1 to the Highway Department.

MOTION was made by Mr. Rich to appoint Adam Gangemi as Equipment Operator Grade 1 to the Highway Department. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

2. Reappointment of Frank Durant to the Recreation Commission.

MOTION was made by Mr. Hornsby to reappoint Frank Durant to the Recreation Commission. Seconded by Ms. Artz. Vote: Unanimous. MOTION CARRIES.

III. Minutes

Approve Minutes, including but not limited to: July 13, 2023.

MOTION was made by Mr. Hornsby to approve the July 13, 2023 minutes. Seconded by Ms. Luciano. Vote: Unanimous. MOTION CARRIES.

IV. Licenses and Permits

1. Vote to Approve the One-Day Beer and Wine License to Robert Medas for a Public Event at 98A Burt Street, Norton, MA 02766 from 11:00 A.M. to 4:00 P.M on Saturday, August 19, 2023 (Rain Date: Sunday, August 20, 2023).

MOTION was made by Mr. Hornsby to approve the One-Day Beer and Wine License to Robert Medas for a Public Event at 98A Burt Street, Norton, MA 02766 from 11:00 A.M. to 4:00 P.M on Saturday, August 19, 2023 with a rain date of Sunday, August 20, 2023. Seconded by Ms. Artz. Vote: Unanimous. MOTION CARRIES.

2. Vote to Approve the One-Day All Alcohol Liquor License to Lauren Bliss for a Private Event at the Everett Leonard Park from 12:00 P.M. to 3:00 P.M on Sunday, August 27, 2023.

MOTION was made by Mr. Hornsby to approve the One-Day All Alcohol Liquor License to Lauren Bliss for a private event at the Everett Leonard Park from 12:00 P.M. to 3:00 P.M on Sunday, August 27, 2023. Seconded by Ms. Artz. Vote: Unanimous. MOTION CARRIES.

3. Vote to Approve the Application of MAJTT Properties LLC d/b/a Fat Cousins for a Common Victualler License to be Utilized at 288 East Main Street, Norton, MA 02766.

MOTION was made by Mr. Rich to approve the application of MAJTT Properties LLC d/b/a Fat Cousins for a Common Victualler License to be utilized at 288 East Main Street, Norton, MA 02766. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

4. Vote to Approve the Special Events Application of Melissa Niziolek on behalf of Parks and Recreation for the 30th Annual Chartley Halloween Parade Scheduled from 12:00 P.M. to 2:00 P.M on Sunday, October 29, 2023.

MOTION was made by Mr. Rich to approve the Special Events Application of Melissa Niziolek on behalf of Parks and Recreation for the 30th Annual Chartley Halloween Parade scheduled from 12:00 P.M. to 2:00 P.M on Sunday, October 29, 2023. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

V. **Announcements**

1. The Wetherells' Open House at the Norton Historical Society (18 West Main Street) on Thursday, August 17th at 7:00 P.M.

Mr. Rich recognized the fantastic job Chuck and KC Wetherell did restoring the cemetery, which is the First Burial Ground, and pointed out that they did so on their own time and with their own money. He informed everyone that the Wetherells' Open House at the Norton Historical Society to honor them is on Thursday, August 17th at 7:00 P.M. Mr. Snyder added that the Wetherells worked on this project for about five years.

2. Mr. Rich reported that he had a conversation with the new School Superintendent, Ms. Jennifer O'Neill, specifically about the TRANE project and advised that some of the projects are up and running, such as the L.G. Nourse Elementary School, but the J.C. Solmenese there were meter issues (meter was off/disconnected), but is now working. He continued that the canopy at the Middle School is working and feeding back to the grid. Mr. Rich explained that the only two projects that are not completed are at the Yelle School due to the transformers needing to be updated, which was just completed on July 25th and now they are waiting for National Grid to install the meter and at the High School. He advised that they are awaiting verification that the transformer work has been completed and authorization received in order to send it to National Grid and get the meter installed. Mr. Rich informed the Board that the School Department has received \$39,000 in rebates as of July. He expressed his opinion that given the problems the Town was dealing with previously with TRANE, the revenue back to the Town/School shows good progress.

3. Mr. Rich announced that the Norton Housing Authority is seeking an individual to serve on the Norton Housing Authority and those interested need to be a Norton resident in order to serve. He stated that they meet every third Tuesday of the month. He instructed those who are interested to send a letter to Ms. Missie Saulsby or the Town Clerk.

4. Mr. Rich announced the Part-Time Accounting Clerk position in the Accounting Department and itemized the job responsibilities.

5. Mr. Rich announced the Full-Time Foreman position in the Highway Department and advised that applications to be submitted by August 14th by noon.

6. Mr. Rich informed the Board that the 2023 Wine Tasting is Thursday, October 26th 6:00 P.M. to 9:00 P.M. at Lake Pearl. It is \$75 per person and the proceeds go to building homes for people in need.

7. Mr. Rich announced that there are several openings on various boards/committees/commissions.

VI. Business

A. New Business

1. 7:15 P.M. - Public hearing on the Application of Jay Meldi Retail LLC d/b/a Campus Market, Manager: Vishal Patel for a New Section 15 Off-Premises Wines and Malt Beverages License at 63 East Main Street, Unit 2, Norton, Massachusetts.

MOTION was made by Mr. Hornsby to open the public hearing at 7:17 P.M. for the application of Jay Meldi Retail LLC d/b/a Campus Market, Manager: Vishal Patel for a New Section 15 Off-Premises Wines and Malt Beverages License at 63 East Main Street, Unit 2, Norton, Massachusetts. Seconded by Ms. Artz. Vote: Unanimous. MOTION CARRIES.

Attorney Patrick Sullivan, attorney present on behalf Attorney Elliot Brais, the applicant's counsel, spoke on behalf of the applicant and stated that he has owned other stores and has a great reputation.

Mr. Rich asked if he purchased just the store or the whole plaza, and the attorney answered that it was just that unit. Mr. Snyder asked Mr. Patel to come up and give more of a background on his experience. Mr. Vishal Patel, proposed manager, stated that he has owned businesses since 2009, including liquor stores. He advised that the business is primarily run through the family, but for the few employees they have outside of the family, they make sure they are also TIPS certified to ensure they follow the proper procedures.

Ms. Jane Burgess, Director of the North Cottage Program, was present and pointed out that the proposed location for the liquor license is directly next door to North Cottage Program, which is a residential facility for substance addiction treatment. She explained that the reason she is in attendance of this hearing is to express why she doesn't think it is a good idea to grant such a license at the proposed location. Ms. Burgess advised that the North Cottage is for substance abuse users and has been there since 1972 and provided the Select Board members with an itemized list of reasons of as to why she and North Cottage were in opposition. She stated that the addiction facility intends to provide a stable environment for those who were also incarcerated and have had exposure to substances they are trying to avoid and placing a liquor store adjacent to their property could be detrimental to their well-being and cause too much temptation. Ms. Burgess expressed that it would ultimately be a hardship to even have the wines and malt beverages there because a bulk of the current convenience store's business is from the North Cottage residents, which houses approximately 146 residents, and they are frequently going in there to buy snacks and drinks; so, they would have to go in and face that on a daily basis.

Ms. Artz clarified that there isn't liquor there now because she thought there was and Ms. Burgess answered that there is not. Mr. Rich and Mr. Hornsby asked if anyone else has a liquor license in

that plaza and she answered no. Ms. Burgess stated that the nearby church also serves recovering addicts that attend programs, so it could be a real hardship.

Mr. Mark Mansini of 11 Bristol Avenue, Pawtucket, RI stated that he was in attendance of the hearing as emotional support for his boss and advised that he works at North Cottage, but was also a recovering addict who has turned his life around. He expressed that the temptation that was described by Ms. Burgess is real because it wasn't there before and now it is and these individuals have had a hard enough time with the scratch tickets and energy drinks. Mr. Mansini provided a personal experience where he described that his old roommate that started working at a restaurant began drinking again and when Mr. Mansini asked him why, his roommate simply replied that he didn't know and that the wine was stored in the kitchen and because it was just there, he started drinking it, causing him to relapse.

Attorney Sullivan submitted for the record that he completely heard and understood the concerns and has nothing but condolences he wanted to express. He further stated that he didn't want to say anything to argue these comments because they completely understand. He emphasized that his client would be a respectful business owner of the community and would adhere to the rules.

MOTION was made by Mr. Hornsby to close the public hearing at 7:28 P.M. Seconded by Ms. Luciano. Vote: Unanimous. MOTION CARRIES.

Mr. Snyder expressed that they as a board have a conflict before them because they have to do what is best for the town and before them, they currently have a good business owner with a good business and on the other hand, they have an establishment such as North Cottage that is trying to help people. Mr. Snyder stated that it is just unfortunate for the business owner because of the location and proximity to North Cottage. Mr. Hornsby stated that he is very pro-business but with a place such as North Cottage that is helping recovering addicts, he would hate to see one person relapse because of it. Mr. Rich said he knew Larry Schneider and he believes he knows how he would feel about that and stated that he doesn't think that this is a good location for this business. Mr. Rich pointed out that there is a pathway worn into the ground from so much foot traffic between North Cottage and the convenience store. Ms. Artz agreed with Mr. Rich and emphasized that this is a national pandemic in regard to addiction. Ms. Luciano agreed that she would have a problem with this location, especially where the main customers for this convenience store are the North Cottage residents.

MOTION was made by Mr. Hornsby to approve the application. Seconded by Ms. Artz. Vote: Ms. Luciano – No; Ms. Artz – No; Mr. Rich – No; Mr. Hornsby – No; and Mr. Snyder – No. MOTION CARRIES.

2. Presentation of Certificate of Appreciation to Robert Medeiros.

The Board deferred this agenda item until a future meeting because Mr. Medeiros couldn't make it.

3. Discussion on Town Manager Review Process.

Mr. Snyder explained that he passed the review paperwork out to everyone, including the procedure and timeline for what was used for the last Town Manager review. He stated that he wanted to talk tonight about setting and revising dates that show on the cover page. Mr. Snyder pointed out that it also includes a deadline for the Town Manager to submit his self-evaluation. He advised that this is contractual and is basically the Town Manager's performance bonus.

Mr. Snyder gave the following overview of dates:

- 1) Annual period of evaluation March 1, 2022 to March 1, 2023;
- 2) Town Manager will submit to board self-evaluation by end of business August 31, 2023;
- 3) September 7th Board members have to submit their evaluations to the Chair;
- 4) Chair put together evaluation based off of the Board's cumulative evaluations;
- 5) Chair will have collective Select Board evaluation done by September 14th;

Mr. Snyder pointed out that the signed contract date refers to June of 2021, but he believed it was 2022, which Ms. Artz and Mr. Yunits confirmed. Mr. Snyder said he would correct those dates. Mr. Snyder expressed that while each member can write as much as they want, it would be his preference that they don't write a novel and being succinct would be best. Mr. Snyder explained that due to the time-period of the review, Ms. Luciano will not be participating because she wasn't on the Board during this time period. He advised that he spoke with Mr. Rich about this and he would like to be part of the review because he did serve on the Board for 6 weeks of this time period, but he will have to keep his evaluation based off of that time period.

4. Home Market Foods Traffic Safety Update.

Mr. Snyder stated that he wants to keep this on future agendas until they see real improvements. Mr. Yunits informed the Board that he spoke with Mr. Robert Kimball and they are having the trucks going out the back and they have put in additional signage with directional language so they aren't constantly starting and stopping.

5. Review and/or Vote on Select Board Letter to State/Federal Representatives Regarding the State Family Welcome Center in Norton.

Mr. Snyder said he believes they should talk about what efforts have been made. Mr. Rich explained that the Town had a list of questions for the State in regard to this topic and the answers they got in the State's response didn't give a lot of information. Mr. Rich suggested sending a letter to Congressman Jake Auchincloss, Senator Paul Feeney, State Representative Steven Howitt, and State Representative Jay Barrows. Mr. Rich continued that he wants to figure out how to integrate these individuals into society and have a letter opining to them that they need resources from the state and federal government, whether it is interpreters, social workers, etc. Mr. Rich further stated that subsequently to Mr. Yunits drafting and reviewing the letter the above-named individuals, a State of Emergency was declared on Tuesday. Mr. Snyder expressed that a goal as a town, in his opinion, should be to get these folks the resources they need to be successful in Norton (or if they wish somewhere else) rather than put them in a hotel with no resources.

Mr. Yunits advised that those who wish to assist can go to [Mass.gov/sheltercrisis](https://www.mass.gov/sheltercrisis) and the United Way Boston Foundation have a relief fund. He stated that they can also go on that website and if they have available rental space, they can submit an application on there to offer home as place for shelter.

Mr. Snyder posed the question to the remainder of the Board as to whether or not they should still send the letter that was prepared or hold off given the recent State of Emergency. Mr. Snyder and Mr. Hornsby expressed that they believed the Board should hold off and the Board as a whole agreed. Mr. Snyder thanked Mr. Rich for putting together his letter with his concerns regarding this topic.

6. Discussion and/or Vote to Declare the Norton Police Department's 28 Motorola XTS2500 Radios, 11 Chargers, and 54 Batteries as Surplus.

MOTION was made by Mr. Rich to declare the Norton Police Department's 28 Motorola XTS2500 Radios, 11 Chargers, and 54 Batteries as surplus. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

7. Discussion and/or Vote to Declare the Highway Department's Tire Machine and Balancer as Surplus.

MOTION was made by Mr. Rich to declare the Highway Department's tire machine and balancer as surplus. Seconded by Ms. Luciano. Vote: Unanimous. MOTION CARRIES.

8. Discussion and/or Vote to Declare the Sewer Department's 175KW Generator from the Cobb Street Sewer Station and Electric Truck-Mounted Crane as Surplus.

MOTION was made by Mr. Rich to declare the Sewer Department's 175KW Generator from the Cobb Street Sewer Station and Electric Truck-Mounted Crane as surplus. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

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

There was no other business to discuss.

B. Old Business

Review, Discuss, and/or Vote on Select Board Code of Conduct.

Mr. Snyder expressed that he has thoughts on this after receiving many good comments about the Select Board Code of Conduct. He stated that one thing they talked about was not rushing through things and proposed giving the Board time to review the changes that were suggested. On that note, Mr. Snyder suggested having each member put down their three major thoughts on what needs to be changed; and then, they can put together a draft to forward to town counsel and the Select Board members agreed to Mr. Snyder's proposal. Ms. Luciano asked if it would be easier if she collated the major changes together and Mr. Snyder asked if it was something she was willing to do, which she agreed to. Mr. Snyder advised that this topic will be put on the next Select Board meeting and if they need to table it, they can.

MOTION was made by Mr. Hornsby to table until next meeting after the next meeting. Seconded by Ms. Artz. Vote: Unanimous. MOTION CARRIES.

C. Town Manager's Report

1) Mr. Yunits advised that he had received notice from Senator Feeney's Office after asking him what survived when it came to earmark grants and he was informed that four had survived for the Town of Norton: \$25,000 for the Norton Public Library for their paving project; \$15,000 for NOPE (Norton Opioid Prevention Education) collaborative; \$15,000 for improvements to Everett Leonard Park; and \$25,000 for improvements on the intersection of Route 140 and Route 123.

2) The Town Manager reported that he attended the ribbon cutting with State Representative Steve Howitt for Forever Slender Med Spa on 85 West Main Street and commented that they have very high-end equipment.

3) Mr. Yunits informed the Board that Chartley Pond and the Reservoir are going to be treated next Monday and advised that signs will be put out these two locations if they aren't already to notify people. He further stated that both ponds will have no boating, swimming or fishing until August 15th, no livestock watering until August 16th, no drinking or cooking with the water until August 18th, or any irrigation from the Reservoir or Chartley Pond until August 20th.

4) Mr. Yunits notified the Select Board that a Hemp License has been issued from the Massachusetts Department of Agricultural Resources and will be utilized on Maple Street.

5) The Town Manager stated that he gave the Board new regulations on marijuana and expressed that he likes the memo dated June 29th that directs them to come up with policies and procedures regarding equity and marijuana industries by July 1st. He noted that they are doing that anyways. Mr. Yunits informed the Board that the new regulations affect the over 500 Host Community Agreements (HCAs) that have already been put into place. He expressed his opinion that these new regulations shouldn't go back to the already existing HCAs. Mr. Yunits asked the Board to be agreeable to a letter expressing as much. Mr. Snyder said he thought this was reasonable from what he read.

MOTION was made by Mr. Hornsby to draft that letter. Seconded by Ms. Luciano. Vote: Unanimous. MOTION CARRIES.

VII. Select Board's Report and Mail

Mr. Snyder provided the following updates on behalf of the Economic Development Commission:

- Been working on tackling items in the master plan, such as placeholding and some other parts of the business district;
- Been working with the Norton Business Association to be a resource for their ambitions;
- Working on an engagement process with local businesses for the EDC, such as how they reach out and promote local businesses, including stickers for the doors of retail businesses and putting together a database of contact information;
- Been holding meetings at area businesses to be able to meet the owners and employees and so far, they have been to Fiesta, Bog Iron, Cana, and Home Depot, which he mentioned he was impressed by the safety efforts put in place at Home Depot; and
- After meeting with the Board of Health Agent, Mr. Christian Zahner, the EDC began looking at improving the process for food trucks within town. He expressed that he thinks the current policy that is in place is way too restrictive and pointed out that in most towns it is just the Board of Health that is involved, but Norton has a lot of roadblocks to stop food trucks from coming into town. The EDC is coming up with suggestions for the process, but right now it is in Mr. Zahner's hands, and then they will take those suggestions to work on a new policy/procedure.

Ms. Luciano suggested reaching out to other communities that have food trucks licensed in their communities and Mr. Snyder stated that they do have models from various communities and there are differences amongst them, but they want to streamline the process while also keeping everyone safe.

Mr. Yunits noted that the current food truck policy that was put into place was more so for permanent food trucks to prevent them from parking near local businesses that pay taxes on that building.

IX. **Warrants**

Mr. Hornsby reported that the following Payroll and Invoice Warrants were approved:

- a. Payroll Warrant PR24-01 for the week ended July 8, 2023, Warrant dated July 13, 2023, in the amount of \$601,926.23.
- b. Invoice Warrant AP24-03 dated July 20, 2023, in the amount of \$875,608.41.
- c. Invoice Warrant AP23-50A dated June 16, 2023, in the amount of \$22,050.00.
- d. Invoice Warrant AP24-04 dated July 27, 2023, in the amount of \$5,570,835.75.
- e. Payroll Warrant PR24-02 for the week ended July 22, 2023, Warrant dated July 27, 2023, in the amount of \$803,476.88.
- f. Invoice Warrant AP24-05 dated August 3, 2023, in the amount of \$467,456.97.
- g. Invoice Warrant AP24-06 dated August 10, 2023, in the amount of \$1,261,816.09.
- h. Payroll Warrant PR24-03 for the week ended August 5, 2023, Warrant dated August 10, 2023, in the amount of \$787,139.95.

X. **Other Business**

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

There was no other business to discuss at this time.

XI. **Next Meeting's Agenda** – Thursday, September 14, 2023.

XII. **Executive Session.**

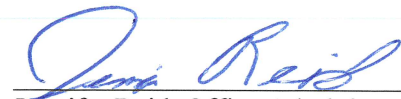
There was no executive session scheduled for this meeting.

XIII. **Adjournment.**

**MOTION was made by Mr. Hornsby to adjourn the Select Board meeting at 8:19 P.M.
Seconded by Mr. Rich. Vote: Unanimous. MOTION CARRIES.**

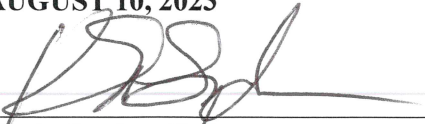
URL Link: <https://www.youtube.com/watch?v=1KdbrkwLsQ4>

Respectfully Submitted by:



Jennifer Reid, Office Administrator

**SELECT BOARD
MINUTES OF MEETING
AUGUST 10, 2023**



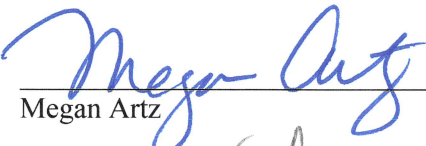
Kevin Snyder, Chair




Steven Hornsby, Vice-Chair



Alec Rich, III, Clerk



Megan Artz



Denise Luciano

Minutes Approved by Board on: September 14, 2023