



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

NORTON TOWN CLERK

2024 FEB 16 AM 10:45

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

Select Board
Meeting Minutes
January 4, 2024

I. Call to Order by Chair

The January 4, 2024 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 7:02 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

There were no appointments, resignations, or retirements to discuss and/or vote on.

III. Minutes

There were no meeting minutes to approve.

IV. Licenses and Permits

2024 License Renewals

There were not any 2024 license renewals to vote on at this time.

V. Announcements

There were no announcements to make at this meeting.

VI. Business

A. New Business

1. 7:15 P.M.: Public hearing on the application of HVR Inc. d/b/a The Cigarman Shop, Manager: Hiteshakumar B. Patel for a new Section 12 Common Victualler License to Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages To Be Drunk On the Premises at 181 West Main Street, Unit 2, Norton, MA 02766.

MOTION was made by Mr. Hornsby to open the public hearing at 7:15 P.M. Seconded by Ms. Luciano.

Attorney John Keilty was present to represent the applicant. He advised that his client, Mr. Harry Patel, is in India, so he was participating via Zoom. He advised that he has known Mr. Patel as a client since 2015 and he has been in the retail stores in this industry for years. Attorney Keilty advised that Mr. Patel recently acquired the space and the business of The Cigarman Shop and

would be doing a cigar bar. He added that Mr. Patel is TIPS trained and was advised by the Police Department that this would be a prerequisite. Attorney Keilty informed the Board that all necessary information has been submitted to the Select Board's Office and a floor plan was provided to show the improvements to provide additional seating.

Mr. Snyder asked Attorney Keilty to provide an overview of what the cigar bar/scene would be in there and what the occupancy limit would be. Attorney Keilty stated that there is a seating capacity of 40 people although the occupancy number has not been provided yet by the Fire Department, which they hope to have for 50 people. Ms. Artz asked what the hours would be. Attorney Keilty stated that they were intending to be 10:00 A.M. to whenever the Board would allow, but he believed in the application he asked for 10:00 A.M. to 10:00 P.M. Mr. Patel stated that the hours would be 11:00 A.M. to 6:00 P.M. Ms. Luciano asked if smoking was still allowed in there since smoking indoors isn't allowed anymore and Mr. Yunits answered that they checked with the Board of Health when this came up and he said it was.

Mr. Tony Marino of Attleboro stated that the cigar lounge has been in there since 2000. He pointed out that if you want to go to a cigar/smoke lounge, you have to go to Rhode Island and Massachusetts loses a lot of business. Ms. Artz asked what his hours were previously and Mr. Marino answered 11:00 A.M. to 6:00 P.M.

Mr. Chris Lion stated that he has been a patron at the cigar shop for quite some time and also assists there once and awhile. He stated that it is a very nice place to visit. Mr. Lion stated that he agreed with Mr. Marino that a lot of people have to go to Rhode Island now to have this type of experience and he would like to see this continue at The Cigarman Shop.

Mr. Zack LeBlanc of Foxboro stated he grew up in Norton and has gone there since 2006 and agreed that the license being issued would be beneficial and that it is a great place to visit.

Mr. Josh Kelleher of Norton stated that he has worked with Mr. Patel on various real estate deals and he always creates a fresh new scene.

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

MOTION was made by Mr. Rich to approve the application of HVR Inc. d/b/a The Cigarman Shop, Manager: Hiteshakumar B. Patel for a New Section 12 General On-Premises All Alcoholic Beverages License to be utilized at 181 West Main Street, Unit 2, Norton, MA 02766 subject to and conditioned upon receiving all necessary Town sign-offs. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

2. Discussion and/or Vote on Warrant Article Submitted by the Traffic Safety Committee to Accept the Provisions of G.L. Chapter 90, Section 17C.

Mr. Yunits explained that this article would allow the Town to set speed limits on town roads. He mentioned that it was presented at a prior town meeting and failed, but he believed that residents might have been confused that it would set the speed limit as 25 mph on all town roads, which isn't the case. Mr. Hornsby stated that this came about at the Traffic Safety Committee meeting because of the variations of speed limits along East Main Street.

Ms. Luciano stated that Route 123 is a state highway, so that would affect East Main Street. Mr. Yunits clarified that Route 123 from West Main Street on is a state highway. Mr. Rich mentioned that a representative from Wheaton College attended a Traffic Safety Committee and presented the

issue where across the road from each other on East Main Street going one direction is one speed and the other direction another. Mr. Snyder stated that he was in favor of this when it came up previously because it gives the Town the flexibility to set speed limits where right now, they have to go through this long process where they send it to the State, then do a traffic study (and pay for it), and the study could come back with results that the Town doesn't agree with.

MOTION was made by Mr. Hornsby to put this article on the warrant. Seconded by Ms. Luciano. Vote: Unanimous. MOTION CARRIES.

3. Discussion on Changing Venue for Select Board Meetings.

Mr. Snyder mentioned that Mr. Rich reached out to the Norton Housing Authority about possibly holding the Select Board meetings there. Mr. Snyder explained that there were concerns brought up at their last meeting about limited parking at the Norton Media Center. Mr. Rich confirmed this and advised that the Norton Housing Authority drafted a Facility Use Agreement. Ms. Artz and Mr. Hornsby both agreed that this was a great venue and asked Mr. Yunits if he had any issues with this, which he said he did not. The Board agreed to set the next meeting at the Norton Housing Authority.

4. Discussion on Potential Select Board Town Meeting Articles.

Mr. Yunits reminded the Board that the warrant closes on February 7, 2024 in case there were any articles they want to place on the warrant.

5. FY25 Budget Discussion.

Mr. Yunits advised that the School Department and the Town have started working on preparing their budgets. He stated that he, the Town Accountant, the Superintendent of Schools, and the School Business Manager met to discuss the FY25 budget. He advised that the department head meeting to discuss the FY25 budget is January 24th for the general government side. Mr. Yunits advised that the Town had two health insurance holidays recently, but the Town can't always depend on that. Mr. Yunits brought to the Select Board's attention that one issue is that the Town collected \$641,000 less in permit fees revenue than last year. He advised that there was a big increase in investment income, which was \$344,000 more than last year. The Town Manager also noted that Miscellaneous Non-Recurring is \$944,000 more than last year, but a big chunk of that is \$439,000 in July and \$310,311 in August was from the auctioned off properties' and right now the Town can't do anything with that money because the State is working on guidelines. He advised that they are looking to put this money into the Stabilization Fund so it will collect more interest. Mr. Yunits stated that the preliminary estimates will have to be developed by the Assessor's Office, but when looking at the 2.5% increment, he calculated \$1,141,693 in new growth. Mr. Yunits advised that the Assessor's Office will also have to look into is the fact that the building permits have dropped since last year and he noted that he only put that at 300,000, but that could be higher or lower depending on what Assessor comes up with. The Town Manager emphasized that he is depending on the General Government and School Department budgets going up by 3%. Mr. Yunits pointed out some issues the School Department was facing, such as contractual agreements of \$2.6 million and a level-services budget increase of \$4 million. He stated that the Town side has some concerns as well, such as the Southeastern Massachusetts Regional Emergency Communications Center (SEMRECC) assessment increasing by \$150,000, insurance on the new buildings he received a preliminary estimate from the Town's insurance agent, which will be an additional \$42,000 for the two buildings. The Town Manager advised the Board that they are going to have to look at the Council on Aging (COA) staff and noted that he hasn't worked on this yet with the Director of Human Services/Council on Aging yet, but it could be a

\$50,000 to \$70,000 increase. Mr. Yunits stated that he knows the Town has said it wants a Public Works Department, but that is something they are going to have to talk about moving forward with this year because that will cost around \$220,000 between benefits, a vehicle, etc. Mr. Yunits expressed that the next thing they are going to have to look at is where they are going to put the Public Works Department. Mr. Yunits noted that if they want to create a Human Resources position, that will cost around \$70,000 to \$80,000. Mr. Yunits stated that hopefully they can stay within 1%-2% range for an increase and advised that each percentage is around \$80,000.

Ms. Luciano asked if the Select Board gets to prioritize these things. Mr. Snyder replied that the Select Board does and it also will be holding a joint meeting with School Committee and Finance Committee to go over these topics/issues, but reiterated that the Select Board does have the authority. Mr. Hornsby questioned if the Town voted to have the Public Works Department how long they can push this out. Mr. Yunits answered that he knows the Town would like to see this, but they also need the money to fund it and a place to put it.

6. Update on Host Community Agreement (HCA) Negotiations.

Mr. Yunits advised that the last draft was sent to their attorney and the attorney sent something back late yesterday, so that has to be reviewed, but hopefully at the next meeting the Board will be all set to vote on that.

B. Old Business

1. Discussion and/or Vote to Approve the HCA Agreement Between the Town of Norton and Lucky Green Ladies.

See update provided under "Update on Host Community Agreement (HCA) Negotiations."

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

Mr. Hornsby stated that he wanted to motion to table this because it has gone beyond the original scope. He explained that this document went from what it was originally intended for, which was a Code of Conduct for the Select Board to abide by, but now it is a Code of Conduct the Select Board is implementing to enforce for all elected and appointed officials. He stated that the original document they started with was given to them by KP Law. Mr. Rich supported Mr. Hornsby's statements and pointed out that it was a one-page document they originally started with. Ms. Luciano stated that this was circulated and given to all boards/commissions to give everyone an opportunity to weigh-in. Ms. Luciano stated that a lot of the stuff she pulled for the new Code of Conduct came from KP Law's website. Mr. Snyder questioned if they should go through the specific changes that were requested, decide whether or not they want to include those changes, and send KP Law a final draft. Mr. Hornsby acknowledged the great work that Ms. Luciano has done and stated that he didn't want to take away from that. Ms. Luciano stated that she can provide a clean version for the Board to review. Mr. Snyder mentioned that this is for all boards/committees and Mr. Hornsby noted that this is why he brought this up because originally, it was just the Select Board's Code of Conduct.

C. Town Manager's Report

1. ARPA Requests.

Mr. Yunits mentioned that an issue came up with the traffic signal outside of the Norton Fire Department that has to do with the controls that costs an extra \$5,000. Deputy Fire Chief Michael

Wilson explained that a tree came down in 2019 and took out the traffic signal, which broke a window at the Town Hall as well. He stated that originally, they had insurance money, but then the repair work came in higher and \$85,000 was approved at Town Meeting to make these repairs. Deputy Chief Wilson explained that there was a system at the Norton Police Department that had the control but it wasn't the best system and after doing the lights, they asked where the switch was for communications and he advised them that they didn't have a Communications Department over there anymore. Deputy Chief Wilson pointed out that the problem came about because the movement of the switch wasn't part of the original plans and they need a way to control it; so, it is going to cost an extra \$10,000 and will have a slight delay on the project, but it will be much more efficient. He advised that the Fire Department is requesting \$5,000 from ARPA funds and the Board agreed to this.

2. Update from the December 18th Storm.

Mr. Yunits recognized that the Fire Department responded to 77 calls that day and one of the concerns the Fire Chief has is the response from National Grid. Mr. Yunits stated that National Grid looks at the Town to set priorities and explained there was one instance that there was a live wire sparking on the ground for 8 hours before they came out and it ended up creating a brush fire. Ms. Artz asked what they can actually do about this because National Grid drives them crazy. Mr. Yunits stated that they have liaisons and they will go into areas that they didn't even set as a priority when the Fire Chief has submitted priorities and questioned what good the liaison is. Mr. Yunits advised that him and the Fire Chief are going to prepare a report and submit it to their Public Affairs Director and Ms. Artz asked if they could have that individual from National Grid attend one of their meetings and Mr. Yunits said it was a great idea. Deputy Chief Wilson noted that if they didn't have NEMA, they would have had the Police Department at all of these places and noted that NEMA is invaluable.

3. Recognition of NEMA.

Mr. Yunits thanked all of the volunteers of Norton Emergency Management Agency (NEMA) and Mr. Rich added that Mr. Raymond Cord is incredible. Mr. Rich stated that he spoke with the Fire Chief as well and he explained that the liaison of National Grid asked for a priority list, which the Fire Chief provided, and National Grid didn't follow it at all.

VII. Select Board's Report and Mail

There was no Select Board's report or mail to discuss.

IX. Warrants

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

- a. Invoice Warrant AP24-26 dated December 28, 2023.
- b. Payroll Warrant PR24-13 for the week ended December 23, 2023, Warrant dated December 28, 2023.
- c. Invoice Warrant AP24-27 dated January 4, 2024.

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** – January 18, 2024 at the Norton Housing Authority. There will also be a joint meeting with the Finance Committee and School Committee on January 25, 2024.

XII. **Executive Session.**

To discuss strategy with respect to collective bargaining, i.e., AFSCME Clerical Local 1702, pursuant to G.L. c. 30A, §21(a)(3).

XIII. **Adjournment.**

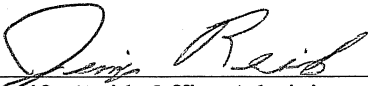
DECLARATION BY THE CHAIR:

Mr. Snyder 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 the AFSCME Clerical Local 1702 because a discussion 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. Hornsby at 8:02 P.M. that the Board go into executive session under G.L. c.30A, §21(a)(3) for the purpose and reason declared by the Chair and with the Board to not return to open session thereafter. Seconded by Mr. Rich. Vote: Ms. Luciano – Yes; Ms. Artz – Yes; Mr. Rich – Yes; Mr. Hornsby – Yes; and Mr. Snyder – Yes. MOTION CARRIES.

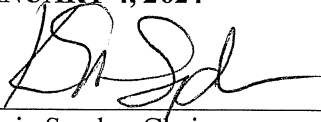
URL Link: <https://www.youtube.com/watch?v=MVqyUPAgZzo>

Respectfully Submitted by:



Jennifer Reid, Office Administrator

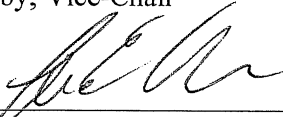
**SELECT BOARD
MINUTES OF MEETING
JANUARY 4, 2024**



Kevin Snyder, Chair



Steven Hornsby, Vice-Chair



Alec Rich, III, Clerk

Megan Artz



Denise Luciano

Minutes Approved by Board on: February 1, 2024

