



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

RECEIVED
NORTON TOWN CLERK
2024 APR 29 AM 9:09

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

Select Board
Meeting Minutes
March 28, 2024

I. Call to Order by Chair

The March 28, 2024 meeting of the Norton Select Board was held at the Norton Housing Authority, Woodland Meadows Community Room, 120 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 7:01 P.M., by Mr. Kevin Snyder, Chair. Members present: Mr. Steven Hornsby, Mr. Alec Rich, III, and Ms. Denise Luciano. Also in attendance: Mr. Michael D. Yunits, Town Manager.

II. Appointments/Resignations/Retirements

1. Appointment of Joseph Carvalho to the Conservation Commission.

MOTION was made by Ms. Luciano to appoint Joseph Carvalho to the Conservation Commission. Seconded by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

2. Appointment of Steve Warchal to the Open Space Committee.

MOTION was made by Ms. Luciano to appoint Steve Warchal to the Open Space Committee. Seconded by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

3. Appointment of Bryan Faria to the Open Space Committee.

MOTION was made by Ms. Luciano to appoint Bryan Faria to the Open Space Committee. Seconded by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

4. Resignation of Elizabeth Dahl from the Norton Housing Authority Board of Commissioners.

Mr. Snyder acknowledged the resignation of Elizabeth Dahl from the Norton Housing Authority Board of Commissioners.

5. Reappointment of Janet O'Reilly as Constable.

MOTION was made by Ms. Luciano to appoint Janet O'Reilly as Constable. Seconded by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

6. Reappointment of Michael Mayer, Sr., as Constable.

MOTION was made by Ms. Luciano to appoint Michael Mayer, Sr. as Constable. Seconded by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

7. Appointment of Paul DiGiuseppe as Planning/Economic Development Director.

Mr. Yunits explained that after a lengthy search for a new Planning and Economic Development Director, Mr. Paul DiGiuseppe is going to return to Norton with a start date of April 16th. Ms. Luciano commented that this is great because he is already familiar with the Town and Mr. Hornsby agreed and further stated that he did a great job when he was previously with the Town.

MOTION was made by Mr. Hornsby to appoint Paul DiGiuseppe as the Planning/Economic Development Director with an effective date of April 16, 2024. Seconded by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

III. Minutes

There were no meeting minutes to review or approve at this time.

IV. Licenses and Permits

1. Vote to Approve the Special Events Parking Permit Application of Property Owner Shane Bravetti, for 36 Parking Spaces at 260 Mansfield Avenue from May 1, 2024 to October 1, 2024.

Mr. Shane Bravetti explained that he is simply looking to renew his Special Events Parking Permit, which he and his grandfather has had since a few years after Greatwoods opened back in 1986. There was a question from the applicant about the notation from the Chief of Police that it was approved provided that he adhered to the special provisions and looked for clarification. Deputy Fire Chief Jason Robbins explained that he is assuming that Chief Clark meant that you are to follow the parking provision guidelines as outlined within the application and per the plan submitted, including any special police details that may be required.

MOTION was made by to approve the Special Events Parking Permit application of Shane Bravetti, for 36 Parking Spaces at 260 Mansfield Avenue from May 1, 2024 to October 1, 2024 contingent upon approval by the Police Department. Seconded by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

2. Discussion and/or Vote to Approve the Special Events Application of Ragnar Events, LLC for the Ragnar Relay New England from 10:00 P.M. Friday, May 17, 2024 to 6:00 A.M. Saturday, May 18, 2024.

Ms. Tami Herchel of Ragnar Events, LLC stated that they host overnight running relays across the country and the one they have coming up runs through New England and starts in Connecticut, goes through Rhode Island and finishes up at Squantum Point Park, which is in Massachusetts. She explained that there are teams of 12 that are essentially leap-frogging where they run 5-7 miles, then they drop-off a runner and then they pick up another relay style across 200 miles. She advised that they are expected to be in Norton from 10:00 P.M. on Friday, May 17th to 6:00 A.M. on Saturday, May 18th. Ms. Herchel mentioned that they are working with The Gym on East Main Street, who will be offering their locker room facilities and smoothie bar for the participants and are even leaving the facility open a little later to accommodate them.

MOTION was made by Ms. Luciano to approve the Special Events Application of Ragnar Events, LLC for the Ragnar Relay New England from 10:00 P.M. Friday, May 17, 2024 to 6:00 A.M. Saturday, May 18, 2024. Seconded by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

3. Review, Discuss, and/or Vote to Approve the Application for the Change of Hours of Operation Regarding Alberto's Pizza & Pub, Inc. Located at 241 Mansfield Avenue, Norton, MA 02766.

Mr. Carlos Ortez, the owner of Alberto's, explained that they are looking to extend their hours to 1:00 A.M. Mr. Snyder asked when they are open until now and Mr. Ortez answered 10:00 P.M. Ms. Luciano looked for clarification of when they are going to be open until 1:00 A.M. Mr. Ortez explained that they are not planning to right now, but the problem is if they have patrons that are staying at the bar later than 10:00 P.M. they don't want to be in violation of their license and every other license like this in town is open until 1:00 A.M. Mr. Snyder reiterated that they might want to stay open until 1:00 A.M., but they can't because their license says they are only allowed until 10:00 P.M. Mr. Snyder asked if they plan to change their hours until 1:00 A.M. and Mr. Ortez answered that he does not plan to and will be keeping the closing time at 10:00 P.M.

MOTION was made by to approve the application for the Change of Hours of Operation Regarding Alberto's Pizza & Pub, Inc. Located at 241 Mansfield Avenue, Norton, MA contingent upon approval by the Police Department. Seconded by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

V. **Announcements**

1. Mr. Rich announced the passing of Anthony Medeiros at 102 years-old. He stated that he was a Norton resident and a Navy veteran. He informed everyone that he passed on March 23rd at the Life Care Center in Raynham, MA. Mr. Rich mentioned that he was a member of the V.F.W. and his funeral is this upcoming Wednesday. Mr. Snyder noted that he was a World War II Veteran.

2. Mr. Rich announced that Sergeant Kevin Schleicher of the Norton Police Department has graduated as a member of the 289th Session of the FBI National Academy. He advised that the graduation took place at the National Academy in Quantico, VA on March 15th. He stated that Sergeant Schleicher is the fifth officer in Department history to complete this prestigious program. He noted that nationally, fewer than 1% of officers have the opportunity to attend this program. Mr. Rich expressed congratulations to Sergeant Kevin Schleicher for this achievement.

3. Mr. Snyder referred to the upcoming Town Election that is coming up on Saturday, April 27th at the Norton Middle School between the hours of 8:00 A.M. to 5:00 P.M.

VI. **Business**

A. **New Business**

1. 7:15 P.M. – Public hearing on the application of Alnylam US Inc. to amend its current license for aboveground and warehouse storage of flammable liquids as required per Massachusetts Fire Code (527 CMR, 1.00 as amended) for flammable liquid storage greater than 10,000 gallons, at the property located at 20 Commerce Way, Norton, MA 02766 and identified on Assessors' Map 25, as Parcel 84.

MOTION was made by Mr. Hornsby at 7:15 P.M. to open the public hearing on the application of Alnylam US Inc. to amend its current license for aboveground and warehouse storage of flammable liquids as required per Massachusetts Fire Code (527 CMR, 1.00 as amended) for flammable liquid storage greater than 10,000 gallons, at the property located at 20 Commerce Way, Norton, MA 02766 and identified on Assessors' Map 25, as Parcel 84. Seconded by Ms. Luciano. Vote: Unanimous. MOTION CARRIES.

Ms. Melissa Rouleaux Senior Director of Manufacturing at Alnylam Pharmaceuticals at the Norton site located at 20 Commerce Way introduced herself and mentioned that several of her colleagues were also present, including Mr. Chris Hughes, who is also a resident of Norton. She explained that they are looking to amend their fuel storage license of flammable chemicals. She provided a brief overview of the company itself. She stated that it is a global pharmaceutical company that has been in business for over 20 years (founded and headquartered in Massachusetts).

After providing a background on the company, Ms. Rouleaux explained that because they are a manufacturing company, to support that they have a license for storing flammable chemicals at the site. She stated that they have built out in an existing space additional storage space for additional flammable fuel storage. Ms. Rouleaux explained that in order to have the additional fuel storage, Alnylam will need to amend their fuel storage license.

Ms. Tonya Glumac, a Fire Protection Engineer of Jensen Hughes, stated that at the request of the Norton Fire Department, she was brought on to evaluate this facility for the purposes of this license amendment. She advised that the site was constructed as three distinct buildings with firewalls and automatic sprinklers that are supplied by an onsite firewater storage tank and two fire pumps (first is primary, the second is backup for redundancy). Ms. Glumac advised that there is also an on-site firewater containment tank that would capture any sprinkler water that would be discharged during a fire scenario. She informed the Board that they did review design documents for the facility, conducted a site survey and they concluded that the facility is provided with the code required protections that are needed for the storage and use of the hazardous materials that are detailed on the license amendment. Ms. Luciano asked if this was just addressing the fire safety precautions and Ms. Glumac answered that it was for that as well as if there were a spill. Ms. Luciano asked for confirmation that this would be a 30% increase to the fuel storage license, which Ms. Rouleaux replied that she wasn't sure of the exact figure, but they could refer to the "Attachment A" of the application.

Mr. Snyder asked if anyone from the public and/or abutters had any questions or concerns they would like to express and no one came forward. He then asked Ms. Rouleaux if any of the abutters contacted her directly with any concern, which she replied that no one had come to her directly, but she wasn't sure if anyone contacted their Public Relations Department, but noted that they had not reached out to her either. She emphasized that as far as she knows, no abutters have raised any concerns at this time.

Mr. Rich asked if this site was constructed to handle this type of expansion or if there are going to be other containment expansion as well. Ms. Glumac stated that this site was built with this expansion in mind. She explained that there are 3 distinct building portions that are there, the third one being this flammable warehouse. Ms. Glumac further stated that the containment for the site needs to be designed for the worst-case scenario for a single-event and the sprinkler design and what is stored inside would be considered the worst-case scenario and the containment is designed for that.

Deputy Fire Chief Jason Robbins explained that when the building was originally built, Alnylam's engineers supplied their plans and everything like that and then back around 2015-2019, they had a third party come in again to review it to make sure that everything their engineer says is what they agree with and that third party essentially represents the Town. He explained that the Town then went out and had Alnylam do the same process again and this time, Jensen Hughes came back with the conclusion that Alnylam has the space to have the chemicals they have and approved the the containment process. Deputy Chief Robbins stated that he has worked Chris Hughes a lot with regard to the permitting process. He also mentioned that Alnylam is required to do extensive

training with the Fire Department as part of the renewal process every year. Deputy Chief Robbins noted that additionally, Alnylam has an Emergency Action Team that come out immediately if there is an issue as well as a third party on site that can help them with the hazardous materials. Ms. Luciano asked if there was any surety bond Alnylam was required to have, which Mr. Yunits answered he didn't believe so. Deputy Chief Robbins noted that Alnylam has to adhere to strict FDA and EPA requirements in order to produce the chemicals that they have, so they wouldn't be able to go "belly-up" and abandon the property just like that.

MOTION was made by Mr. Hornsby to close the public hearing at 7:32 P.M. Seconded by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Hornsby to approve the application of Alnylam Incorporated to amend its current license for aboveground and warehouse storage of flammable liquids as required per Massachusetts Fire Code (527 CMR, 1.00 as amended) for flammable liquid storage greater than 10,000 gallons, at the property located at 20 Commerce Way, Norton, MA 02766 and identified on Assessors' Map 25, as Parcel 84. Seconded by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

2. Discussion and/or Vote to Support the Improvement Project Continuing the Sidewalks on Route 123 on Old Colony Road/West Main Street with Mass Highway, DOT.

Mr. Hornsby explained that the Traffic Safety Committee is looking for the Select Board's support on this project, but their concern is if they are to add that sidewalk portion on, then it might delay the project, which they don't want to do. He stated that what the Committee would like to do is ask the question to Mass Highway, DOT if they can add this portion without stopping the project. Mr. Yunits advised that he would talk to the engineer and SRPEDD about this. Mr. Snyder commented that it makes total sense and if they are going to do all this work it makes sense to have it all connected. Mr. Hornsby agreed and further commented that nobody knows why this wasn't included initially. Mr. Snyder agreed that it would be a good project to support as long as it doesn't delay the existing project.

3. Review, Discuss, and/or Vote Annual and Special Town Meeting Articles.

Mr. Yunits stated that he wanted to see if the Select Board wanted to vote on any of the Annual Town Meeting articles. He pointed out that the Finance Committee did vote on a few of them the other night. The Town Manager advised that the Finance Committee did vote to recommend Article 2 - Chapter 90, authorizing the Town to expending any funds that the Town received under the Chapter 90 Program.

Ms. Luciano asked for an explanation as to what Chapter 90 is. Mr. Yunits explained that Chapter 90 is a program from the State for any work that the Town does for improvements on roadways and the Highway Superintendent will submit an application to the State for payment for the work that the Town did. He advised that the Town's allotment this year hasn't changed much. He informed the Board that their allotment is based off of population. Mr. Rich advised that the amount is \$546,159.94.

MOTION was made by Mr. Rich to recommend Article 2 on the Annual Town Meeting warrant. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

Mr. Yunits moved on to discuss Article 3 and advised that the Finance Committee voted to recommend this article, which is seeking \$31,000 from Free Cash to Tree Services.

MOTION was made by Mr. Rich to recommend Article 3 for the Annual Town Meeting. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

Mr. Yunits moved on to discuss Article 11, which is to reauthorize revolving funds that they have. He summarized the following funds:

- 237 Mansfield Avenue (Wendell-Jackson property) Revolving Fund and the maximum spending limit a year out of that is \$60,000.
- Forestry Revolving Fund the maximum spending limit is \$30,000.
- Hosting Bid Distribution Program with a maximum spending limit of \$2,000.
- Recycling & Revolving Fund with a maximum spending limit request of \$20,000 (previously \$10,000).
- Certified Hazardous Materials Technician Revolving Fund with a spending limit of \$10,000.
- Council on Aging Revolving Fund the spending limit was \$10,000 and now they are requesting \$15,000.
- Stormwater Bylaw Revolving Fund has a maximum spending of \$100,000; Mr. Yunits advised that there is no money in this account and stated that he wants to review this with the Planning Board. He explained to the Board that this was setup with the intent that when a subdivision comes in because nowadays, they are required to put in detention areas and the Town is stuck maintaining those detention areas once the Town maintains the roads. Mr. Yunits stated that this would be so that when a developer comes in, they can put some money into this fund so if there is maintenance required, the Town would have a fund to take that money out of rather than using the Town's budget.
- Camp Edith Read has a spending limit of \$60,000.

Mr. Yunits pointed out that only 2 have changed and the rest are standard. Mr. Yunits lastly stated that the Finance Committee unanimously voted to recommend this article.

MOTION was made by Mr. Rich to recommend Article 11 for the Annual Town Meeting. Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

Mr. Yunits moved on to discuss Articles 27 and 28, which were OPEB and Stabilization. He reported that the Finance Committee expressed that there wasn't going to be any money to put into OPEB or Stabilization in May and suggested removing them from the warrant.

MOTION was made by Ms. Luciano to remove Article 27 (OPEB Funding) and Article 28 (Stabilization). Seconded by Mr. Hornsby. Vote: Unanimous. MOTION CARRIES.

Mr. Yunits informed the Board that these were all of the articles that the Finance Committee has taken up thus far.

4. 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. FY25 Budget Update.

Mr. Yunits reported to the Board that at the Finance Committee meeting the other night, he mentioned to them that the Superintendent of Schools, Dr. Jennifer O'Neill, and himself were looking for some direction from the Finance Committee as far as what they would be willing to use for revenue funding. He advised that the Finance Committee was pretty clear that they did not want to use any Stabilization funds and they asked him what that would do to the budgets. Mr. Yunits stated that his answer was that it would leave the Town with 1% and the Finance Committee instructed them that this was what they have to do. Mr. Yunits informed the Board that he still has \$36,000 to cut out of the General Government side of the budget. The Town Manager advised that he did meet with all of the department heads today to go over all of the cuts and though they are disappointed, they understand it. He emphasized that he told his department heads to review their budgets to make sure that they aren't cutting anything that would prevent them from doing what they are supposed to be doing, which they confirmed they would do. He also told department heads that he still has to cut \$36,000 and asked them to check and see if there was anything that they really didn't need before he went and made anymore cuts. Mr. Yunits stated that one of the items they are looking to reduce is the Reserve Fund for the Finance Committee by \$36,000.

Ms. Luciano asked to see a five-year projection in preparation for the joint meeting with the Finance Committee and School Committee scheduled for Thursday, April 11th to see what the budgets will look like based off of contractual obligations as well as the tax rate. Mr. Yunits replied that he is working on that and he knows the Superintendent of Schools is as well. Ms. Luciano asked if there was a financial policy in place, which Mr. Yunits answered that there is, and in result, she asked if she could see it and the Town Manager confirmed she could.

2. Building Projects Update.

Mr. Yunits stated that they had a walk-through on Tuesday with the Permanent Building Committee (PBC) as well as some of the Select Board members. He advised that the buildings are both moving right along. Mr. Hornsby noted that from what he heard at the PBC meeting, it seems like the Senior Center is still moving along a little slow to where they might go past the completion deadline. Mr. Hornsby commented that from the walk-through of the Town Hall, it looks like it is moving along fantastically. Ms. Luciano questioned if there had been any discussions regarding the demolition of the current Town Hall and Mr. Hornsby replied that this was discussed at the PBC and they are requesting a cost for that. He reported that at this time, both projects are under budget and what was discussed was if they could use \$600,000 from each project (Town Hall and Senior Center) towards the demolition or if you can't use funds from both projects. Mr. Yunits and Mr. Snyder both confirmed that you cannot cross the funds over. Mr. Hornsby stated that the cost to demolish the current Town Hall 5 years from now is going to be astronomical. Mr. Snyder questioned if it would be the whole existing Town Hall that would be demolished or if it would still be just the Town Hall portion less the middle hallway and Mr. Hornsby clarified that the new brick portion would remain and Mr. Snyder asked if the intent was still to use that portion for the Fire Department expansion it was confirmed that it was and Mr. Snyder commented that he thinks that is a great idea because they need the space.

Mr. Rich stated that between yesterday and today, there were a lot more vehicles on site at the Senior Center and they should be moving along now. Mr. Yunits stated that they do have a good crew now and informed the Board that the contractor did contact him apologizing saying that when they got this job, all of their crews were working on other jobs and they had to find people.

Mr. Snyder asked when the grand opening would be for the Town Hall and Mr. Yunits answered he believed September. Mr. Hornsby added that they were told it would be completely done with everything moved in and landscaping completed by November.

3. Barrows Court Update.

Mr. Yunits advised that the Highway Superintendent, Mr. Jared Ferrara, removed the tin pipe that was out there and he created a nice drainage swale. He pointed out that Mr. Ferrara did not get to where he wanted to because he is trying to get rid of the invert from the pipe that comes out from Barrows Court out to where the swale is and commented that the Mr. Ferrara still thinks that is a choke point. The Town Manager reported that last Saturday he was down in that area around 2:30 P.M. and then the Deputy Fire Chief was there around 5:30 P.M. and reported that everything looked fine, to which the Town Manager replied to wait until the line comes through at 8:00 P.M. Mr. Yunits stated that it didn't look good anymore and it was all backed up again; in fact, it was up to 17 inches deep. He noted that he doesn't believe the issue is the dam because the river was flowing nicely. Mr. Yunits informed the Board that the Conservation Agent went down to Barrows Court around 5:00 P.M. today and he said it looks like it was starting to back up in the catch basins, so the Fire Department will be providing the shuttle service again today from 6:30 P.M. to 8:30 P.M. and they will be out there in the morning again.

Mr. Pat Maloof of 16 Barrows Court stated that the communication has been better over the past few weeks, which he commented is great. He advised the Board that the problem they are still running into a bit that happened on Saturday was there wasn't any proactive communication about any shuttles or anything like that until Sunday morning. He pointed out that one of the problems that residents were faced with was if they didn't proactively move their vehicles the question was where is the shuttle going to bring people. Mr. Snyder asked if Fordham Drive was still the designated parking area for Barrows Court residents and a woman in the audience interjected that it was not and Mr. Maloof clarified that the sign isn't always there. Mr. Yunits stated that they will leave that sign there and Mr. Snyder agreed to keep that as a designated area. Mr. Maloof agreed because just like the Town doesn't know, the residents don't know either when this problem will arise. Mr. Maloof expressed appreciation for the efforts that have been done thus far, especially the shuttle, but emphasized that the communication still needs some improvement even though it has gotten better over time.

Ms. Melanie Massouda of 10 Barrows Court started off by thanking the Board for appointing Michael Mayer as Constable because that is her father. She informed the Board that the number that residents are to call for the shuttle is not always used by the Fire Department; so, the problem they were facing today was residents of Barrows Court was messaging that number, but nobody was getting the messages because it is an extra phone and is only checked when the shuttle is currently in use. Ms. Massouda stated that the Fire Chief then said to contact him directly. She also wanted to correct Mr. Yunits that the total rain accumulation wasn't 17 inches, but rather 20 inches deep over the last weekend. She noted that this was also after the work the Highway Superintendent had done to alleviate the problem. Mr. Hornsby replied that Mr. Yunits provided the Board with this information in their agenda packets that Norton is number 1 in Massachusetts for rainfall. Mr. Snyder stated that they are still going to be doing work and improvements and noted that he did contact the Conservation Agent about possible grants the Town could apply for to get this work done.

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

Ms. Luciano reminded everyone that the Spring Egg Hunt is on Saturday, March 30th at 2:30 P.M. at Wheaton College.

VIII. **Warrants**

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

- a. Invoice Warrant AP24-38 dated March 21, 2024.
- b. Payroll Warrant PR24-19 for the week ended March 16, 2024, Warrant dated March 21, 2024.
- c. Invoice Warrant AP24-39 dated March 28, 2024.

IX. **Next Meeting's Agenda** – April 11, 2024 – Joint meeting with the Finance Committee and School Committee.

X. **Executive Session.**

There was no executive session scheduled for this evening.

XI. **Adjournment.**

MOTION was made by Mr. Hornsby to adjourn the Select Board meeting at 8:13 P.M. Seconded by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

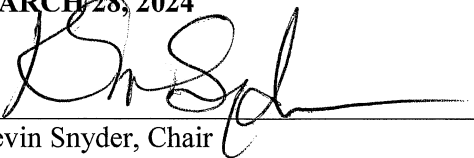
URL Link: https://www.youtube.com/watch?v=pg_irtkft3M

Respectfully Submitted by:



Jennifer Reid, Office Administrator

**SELECT BOARD
MINUTES OF MEETING
MARCH 28, 2024**


Kevin Snyder, Chair


Steven Hornsby, Vice-Chair


Alec Rich, III, Clerk

Megan Artz


Denise Luciano

Minutes Approved by Board on: April 25, 2024